COMMON COUNCIL
of the
CITY OF SYRACUSE

REGULAR MEETING – MARCH 15, 2021
1:00 P.M.

1. *Pledge of Allegiance to the Flag – (Suspended during Webex meetings)*

2. *Invocation - (A Moment of Silent Reflection was led by the Hon. Helen Hudson, President of the Syracuse Common Council)*

3. *Roll Call- (All Present – 9; Councilor White joined the meeting on Item #11)*

4. *Minutes – March 1, 2021 - (Adopted 8-0)*

5. *Public Hearing - Relative to Agenda Item #18, "Authorize – The 2021/2022 Unimproved Street Program (Slurry Seal), on behalf of the D.P.W. as detailed in Appendix "A", cost thereof to be charged to the premises fronting thereon. Charge to the proceeds from the sale of bonds. Total cost not to exceed $1,100,000. (Public Hearing to be held on Monday, March 29, 2021 at 1:00 P.M. via Webex)"*

6. *Petitions - (none)*

7. *Committee Reports – (Public Safety)*

8. *Communications – (From the Hon. Nader P. Maroun, City Auditor, the Performance Report on the City of Syracuse Division of Contract Compliance and Minority Affairs; From the Town of Onondaga, proposed Local Law A-2021 relative to the zoning of outdoor dining. A public hearing will be held on March 15, 2021 at 5:00 PM at the Onondaga Town Hall; From Bradley O'Connor, Commissioner of Finance, a letter stating that the mobile food vendor location at the corner of Waverly and Walnut Avenues will be suspended pursuant to Section 14-50 (d) of the Food Vending Ordinance; From Ranette Releford, Administrator of the Citizen Review Board, comments on the proposed Police Reform and Reinvention Plan; From Enwave Syracuse, LLC a letter accepting the terms and conditions of Special Ordinance 43-2021 (02/08); From Paulus Development, on behalf of Smith Building LLC, a letter accepting the terms and conditions of Special Ordinance 49-2021 (02/08)*

NEW BUSINESS

BY PRESIDENT HUDSON:

9. *Resolution - Approving the Appointment of Various Persons as Commissioners of Deeds for 2021/2022.*

8-0 **4-R**

BY COUNCILOR BEY:

10. Zone Change - For property located at 116 North Geddes Street from Industrial, Class A to a Planned Development District. No one spoke in favor or in opposition to the proposal at the planning commission meeting. Ranalli ALA, LLC, petitioner. **8-0** **Gen. #7**

11. Approve – District Plan Amendment for a Planned Development District for property located at 738 Erie Boulevard West and a portion of property located at 116 North Geddes Street. No one spoke in favor or in opposition to the proposal at the planning commission meeting. Ranalli ALA, LLC, petitioner. **8-0** **Gen. #8**

BY COUNCILOR GREENE:

12. Authorize – The Commissioner of Finance, on behalf of the Fire Department, to collect reimbursement for expenses incurred while providing emergency services outside of the City, which include use of materials, apparatus, labor, and equipment in the provision of hazardous material mitigation and technical rescue services, as detailed in the attached Proposed Fee Schedule, effective April 1, 2021, to be deposited in Account #01.415380.34100 – Fire Reimbursements – Outside Agencies. **H** **H**

13. Lease Agreement - With CenterState Corporation for Economic Opportunity, to lease the property located at 235 Harrison Street, (aka the Tech Garden), for the purpose of supporting startups and new business incubation services, for the period of twenty (20) years for $1.00. CenterState will also create a revolving loan fund capitalized at $250,000 for the use of Tech Garden graduate firms to locate their businesses within the distressed census tract in the City. CenterState is responsible for all cost associated with renovation, use, and operation of the premises during the term of the lease. **H** **H**

14. Approve – Settlement – Recovery Partners a/s/o Liberty Mutual a/s/o Hsernay Moo v. City of Syracuse Claim #2020-069, relative to a vehicle accident. Settlement amount of $8,218.87 to Recovery Partners, LLC, from Account #599302.01.93000. **9-0** **78**

BY COUNCILOR PANIAGUA:

15. Amend #676 (11/06/2019), "Contract – With CPI-HR for Affordable Care Act ("ACA") consulting & dashboard access services for a one-year period, detailed in Exhibit I. Total cost not to exceed $19,000 to be charged to Account #590601.01.90600." Amend to extend all services for 2021 for a one-year period. Total cost not to exceed $19,000. **9-0** **79**

16. Local Law - Of the City of Syracuse to grant a permanent easement to Niagara Mohawk Power Corporation on Henninger High School Property located at 600 Robinson Street to construct, operate and maintain an underground power line and Pad Mounted Transformer to install a new electric service for $1.00, as detailed in Exhibit "A". **T** **T**

BY COUNCILOR CARNI:

H	17. *Bond Ordinance - Authorizing the issuance and sale of bonds of the City of Syracuse to be used to defray the cost of the D.P.W. 2021/2022 Unimproved Street Program (Slurry Seal) for the streets as listed in Appendix "A". Total amount not to exceed $1,100,000.*	H	
H	18. *Authorize – The 2021/2022 Unimproved Street Program (Slurry Seal), on behalf of the D.P.W. as detailed in Appendix "A", cost thereof to be charged to the premises fronting thereon. Charge to the proceeds from the sale of bonds. Total cost not to exceed $1,100,000. (Public Hearing to be held on Monday, March 29, 2021 at 1:00 P.M. via Webex).*	H	
9-0	19. *Authorize – The purchase of a 2009 International Sanitation Packer, on behalf of the Department of Public Works, from the City School District. Total cost not to exceed $3,000 from Account #01.51320.540220.*		80
9-0	20. *Accept - The Installation and Construction of Pedestrian Signal Infrastructure (posts, conduit, wiring, signal heads, pushbuttons, striping (stop bar, crosswalks) and four (4) ADA ramp (composed of ramps, detectable warning units, landing, flares and required curbing) located at the East Brighton Avenue and Thurber Street intersection, as part of the Mirabito Development Project, at no cost to the City. The City shall own and maintain the described Pedestrian Signal Infrastructure and ADA Ramps.*		81
9-0	21. *Accept – A Permanent Easement from GAT 7393, LLC, the owner of the Mirabito Development Project at the Intersection of East Brighton Avenue and Thurber Street to facilitate the public use of a sidewalk and for the installation and City ownership and maintenance of pedestrian signal infrastructure (1) pedestrian signal pole, associated conduit, ADA ramps and components (x2) and one existing catch basin.*		82
9-0	22. *Accept – Traffic Signal Improvements at no cost to the City by JMA Tech Properties and Ranalli/Taylor St LLC, at the South Salina Street and Tallman Street intersection, Tallman Street and Cortland Avenue Intersection and the South Salina and Cortland Avenue Intersection, as detailed in the ordinance. The improvements are required as a result of the abandonment of the section of Cortland Avenue between Tallman Street and South Salina Street. The City shall own and maintain the described improvements upon completion of the construction.*		83
9-0	23. *Application & Agreement - To and with the New York State Dormitory Authority (DASNY) in the amount of $500,000. Funds to be used for the Brighton Avenue Pump Station Replacement, relative to a project previously authorized. (Ord. #195-2020).*		84
9-0	24. *Amend - Ord #113 (03/25/2019), "Authorize – Consultant Agreement with Bergmann Associates for Design Services and the Final Design Services Phase Fee for the North, South, East, West (NSEW) Interconnect Project, PIN 3754.79, in an amount not to exceed $1,189,500 from Account #599807.07.701037000. To be paid on a time and expense basis for scoping, preliminary design for the NSEW Interconnect Project. City is to incur all initial costs with subsequent 80% reimbursement from the Federal government." Amend to add the Construction Inspection Services for $1,003,567.*		85

25. *Amend – Ord. #506 (08/19/2019), "Agreement - With Labella Associates DPC, for*
9-0 *Preliminary and Detailed Design Service Phase Fee for the West Colvin Street Bridge* **86**
over Onondaga Creek Rehabilitation Project, PIN 3756.57 in an amount not to exceed $113,600 to be charged to Capital Account #599807.07.701249000. To be paid on a time and expense basis for all services required with subsequent 95% reimbursement from the Federal Government and 5% from City funds, previously authorized by Ord. #272-2019." Amend to include Construction Inspection Services ($78,000) and additional Detail Design Services ($8,800).

26. *Amend – Ord. #262 (06/08/2020), "Agreement - With Fisher Associates, D.P.C., for the*
9-0 *Design Phase and Final Design Services Fees for the Solar Street and Hiawatha* **87**
Boulevard Improvement Project, PIN 3756.26, on behalf of the Department of Engineering. Total cost not to exceed $205,000 to be charged to Capital Account #599807.07.701072000 and to be paid on a time and expense basis. The project is being funded 80% with Federal funds and 20% with State funds." Amend to provide Construction Inspection Services for $180,000.

27. *Amend – Ord. #661 (11/04/2019), "Agreement - With Barton & Loguidice, D.P.C., for*
9-0 *Preliminary Design Services Fee for the West Genesee Street Mill & Pave Project, PIN* **88**
3756.24, on behalf of the Department of Engineering. Total cost not to exceed $272,000, to be paid on a time and expense basis. The City will incur all initial costs with subsequent 80% reimbursement from Federal funds through TIP, 15% from the State Marchiselli Program and 5% from Capital Account #701079000.07.599807.80405." Amend to provide Final Design Services for $350,000.

BY COUNCILOR HOGAN:

28. *Application & Agreement - To and with the New York State Dormitory Authority*
9-0 *(DASNY) through the State and Municipal Facilities Program (SAM) in the amount of* **89**
$600,000. Funds to be used for the renovation and replacement of Westminster Park steps. No local match is required.

BY COUNCILOR MAJOK:

29. *Adopt – The Syracuse Police Reform and Reinvention Collaborative Plan, pursuant to*
9-0 *Governor Cuomo's Executive Order No. 203-2020, which required the City to perform a* **90**
comprehensive review to improve current police force deployment, strategies, policies, procedures, and practices, and develop a plan to improve them, as detailed in Appendix A, B, and C. (A Public Hearing was held on Thursday, February 18, 2021 at 5:00 P.M. via WebEx).

30. *Agreement – With Spectrum, on behalf of the Office of Information Technology, for*
9-0 *modification to the City's internet services, for the operation of the NYPA Smart City* **91**
project's LORAWAN remote sensor network. Upgrades will be made to internet service at two (2) fire stations, as detailed in Appendix A. Total cost not to exceed $99 in upfront costs, and at current Spectrum rates will not exceed $50 monthly $600 per year, charged to Fund 01, Department 90000, Account #595860.

31. *Application & Agreement - To and with the U.S. Department of Homeland Security,*
9-0 *under the FY 2020 Staffing for Adequate Fire and Emergency Response Program, in* **92**
an amount not to exceed $4,000,000. The grant will provide funding to increase the number of trained "front line" firefighters. The funds will offset the salary and benefit costs for twelve (12) new firefighters, for a period of three (3) years.

BY COUNCILOR ALLEN:

32. *Application & Agreement - To and with the New York State Department of Parks,*
9-0 *Recreation & Historic Preservation – Certified Local Government (CLG) Program, in an* **93**
amount not to exceed $10,000. The grant will fund a training series designed for the Syracuse Landmark Preservation Board (SLPB), along with other City boards including the City Planning Commission and Board of Zoning Appeals. Periodic board training is a requirement of the Certified Local Government Program. A 40% local match is required and will be met with in-kind services, specifically from City Planning staff time.

33. *Amend – Ord. #492 (07/29/2019), "Sell – All right, title and interest of the City of*
9-0 *Syracuse in and to the premises known as 907 Townsend Street North, two (2) brick* **94**
houses, to the Greater Syracuse Property Development Corporation for the total sum of $151. (District 1)". Amend to correct and change "two brick houses" to "a vacant lot".

Syracuse Common Council
Adjourned at 1:28 P.M.

General Ordinance No. 2021

ORDINANCE AUTHORIZING A CHANGE OF ZONE FOR A PORTION OF THE PROPERTY SITUATED AT 116 NORTH GEDDES STREET (A/K/A 120 NORTH GEDDES STREET) FROM INDUSTRIAL, CLASS A TO A PLANNED DEVELOPMENT DISTRICT

BE IT ORDAINED, that the following resolution adopted by the City Planning Commission of the City of Syracuse on February 22, 2021, approving a change of zone upon the request of Ranalli ALA, LLC, for a portion of the property situated at 116 North Geddes Street (a/k/a 120 North Geddes Street) Syracuse, New York, from Industrial, Class A to a Planned Development District, to facilitate the enlargement of an existing Planned Development District so as to implement revisions to the United Auto Supply Planned Development District that include expanding the parking lot and relocating the driveway on Erie Boulevard West, in accordance with Article V, Chapter 13 of the Charter of the City of Syracuse-1960, as amended, in the manner and upon the conditions therein stated, be and the same is consented to and the same shall also constitute and is hereby made a like amendment and addition to the Zoning Rules and Regulations of the City of Syracuse, as amended, applicable thereto, and as set forth in said resolution, namely:

Resolution Date: February 22, 2021
Release Date: February 23, 2021
Z-2837

A RESOLUTION APPROVING A CHANGE OF ZONE FOR A PORTION OF PROPERTY SITUATED AT 116 (AKA 120) NORTH GEDDES STREET FROM INDUSTRIAL, CLASS A TO A PLANNED DEVELOPMENT DISTRICT

We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 22nd day of February, 2021, adopt the following resolution:

WHEREAS, the petitioner, Ranalli ALA, LLC, is requesting a Change of Zone for a portion of property situated at 116 (aka 120) North Geddes Street from Industrial, Class A to a Planned Development District; and

WHEREAS, the City Planning Commission held a Public Hearing on the request via Webex on February 22, 2021, at 6:00 p.m., heard all those desiring to be heard, and duly recorded their testimony; and

WHEREAS, the City Planning Commission has studied the proposal and all submittals by the applicant and all interested parties; and

WHEREAS, the purpose of the zone change is to facilitate the enlargement of an existing Planned Development District (PDD) so as to implement revisions to the United Auto Supply Planned Development District that include expanding the parking lot and relocating the driveway on Erie Boulevard West; and

WHEREAS, the City Planning Commission approved a series of companion cases on June 24, 2019, consisting of a Change of Zone (Z-2824), a Resubdivision (R-19-38), and a Planned Development District District Plan (Z-2825) designed to establish a Planned Development District for United Auto Supply (UAS) by combining six properties situated at 738-766 and 770 Erie Boulevard West, 161-213 and 221-223 Richmond Avenue, 538&76 Tracy Street, and 115 Van Rensselaer Street into one new Lot, establishing a District Plan for the proposed UAS Planned Development District, and constructing an 80,000-square foot warehouse; and

WHERAS, the City Planning Commission approved a series of companion cases on February 24, 2020, consisting of a Change of Zone (Z-2827), a Resubdivision (R-20-08), and a Planned Development District District Plan modification (Z-2825M1) designed to enlarge the District Plan for the PDD to facilitate the construction of an enlarged warehouse from 80,000 square feet to 100,000 square feet by changing the zoning of 225-231 Richmond Avenue from RA to PDD; and

WHERAS, the applicant is now proposing to enlarge the southern parking lot fronting on Erie Boulevard West, which necessitates the inclusion of a portion of 116 (aka 120) North Geddes Street into the PID; and

WHERAS, the City Planning Commission is reviewing a companion Resubdivision (R-21-04) to combine three properties situated at 738 Erie Boulevard West and 116 (aka 120) and 120 North Geddes Street into two new Lots, a District Plan Amendment (Z-2825M2) to expand the PDD, and a Project Plan Amendment (Z-2826M2) for the proposed site alterations; and

WHEREAS, a companion Project Plan (Z-2862M2) to modify the site plan, floor plans, and elevations for the warehouse will be considered by the Planning Commission contingent on Common Council approval of the Change of Zone and District Plan modification; and

WHERAS, the Planned Development District (PDD) is intended to be a flexible but controlled alternative to conventional commercial and industrial zoning districts for development and expansion of beneficial, unobtrusive commercial and light manufacturing land uses. The PDD is intended for establishment within neighborhoods not primarily characterized by commercial or industrial uses where conventional districts accommodating such uses would be inappropriate; and

WHEREAS, provision for a PDD is intended to insure the compatible relationship between the land uses being developed or expanded and other land uses in proximity, to insure the compatible orientation of new and existing buildings to each other, to accommodate efficient and safe circulation for both pedestrians and motor vehicles, to provide for adequate parking space for the intended development, and to insure that signs necessary for premises identification are appropriate to the aesthetics of the development and the bordering neighborhood; and

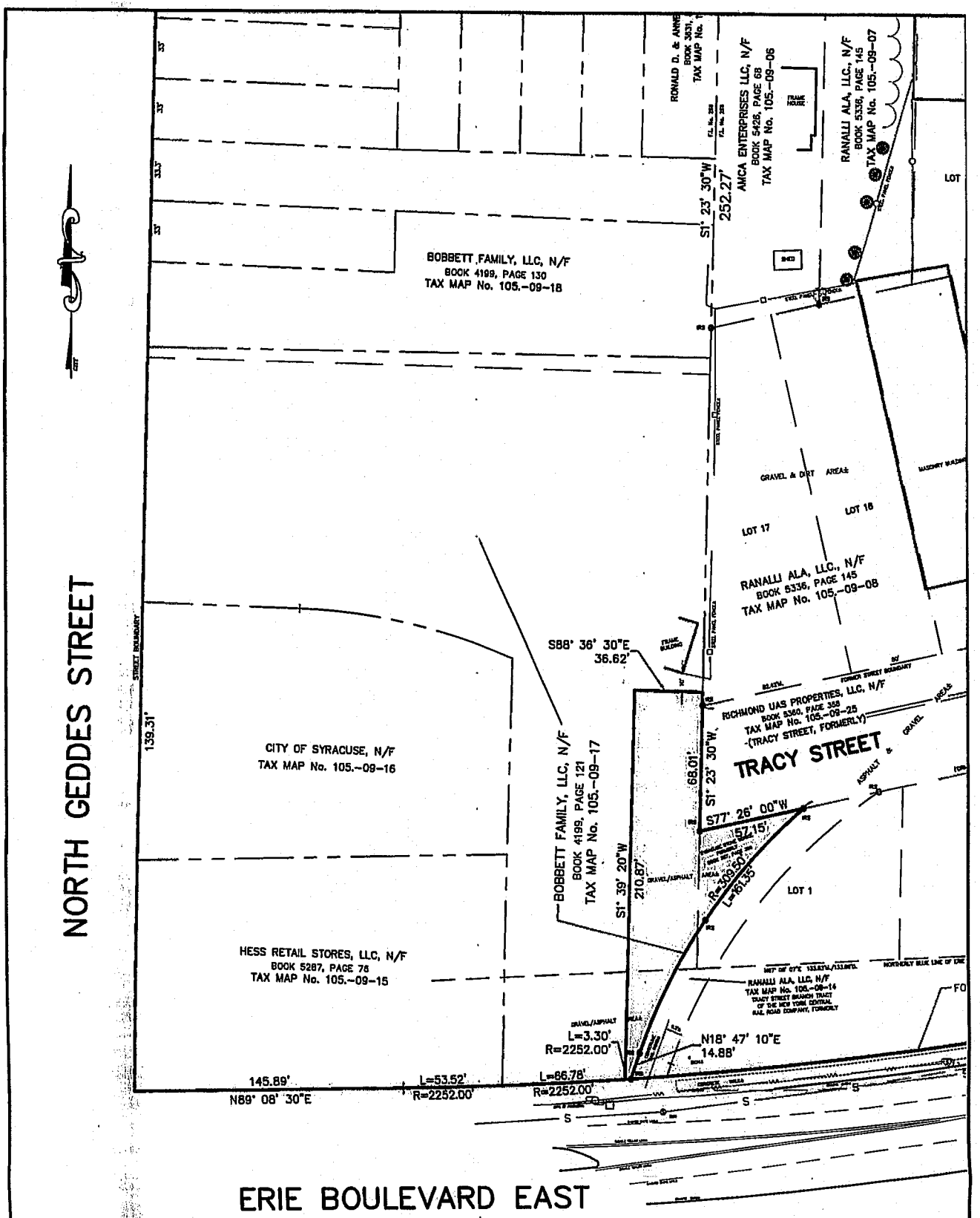
WHEREAS, pursuant to the New York State Environmental Quality Review Regulations, the City Planning Commission has reviewed the subject proposal, which is an Unlisted Action and has determined that it will have no significant environmental impact; and

NOW THEREFORE BE IT RESOLVED that We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 22nd day of February, 2021, hereby APPROVE the Change of Zone for a portion of property situated at 116 (aka 120) North Geddes Street from Industrial, Class A to a Planned Development District in accordance with the following document(s):

- Lands to be acquired from Bobbett Family, LLC; Part of Block Nos. 431 & 432, City of Syracuse, Onondaga County, New York; prepared by Timothy J. Coyer, Licensed Land Surveyor; dated: 01-28-2021; scaled: 1"=50';
- Proposed Zoning Amendment; Approximate Area to be Rezoned to PDD: Portion of 120 North Geddes St; City Planning Commission Case Number: Z-2837; Date February 22, 2021;

BE IT FURTHER RESOLVED that said Change of Zone is subject to the consent and approval of the Common Council of the City of Syracuse.

Steven W. Kulick, Chairperson
City Planning Commission



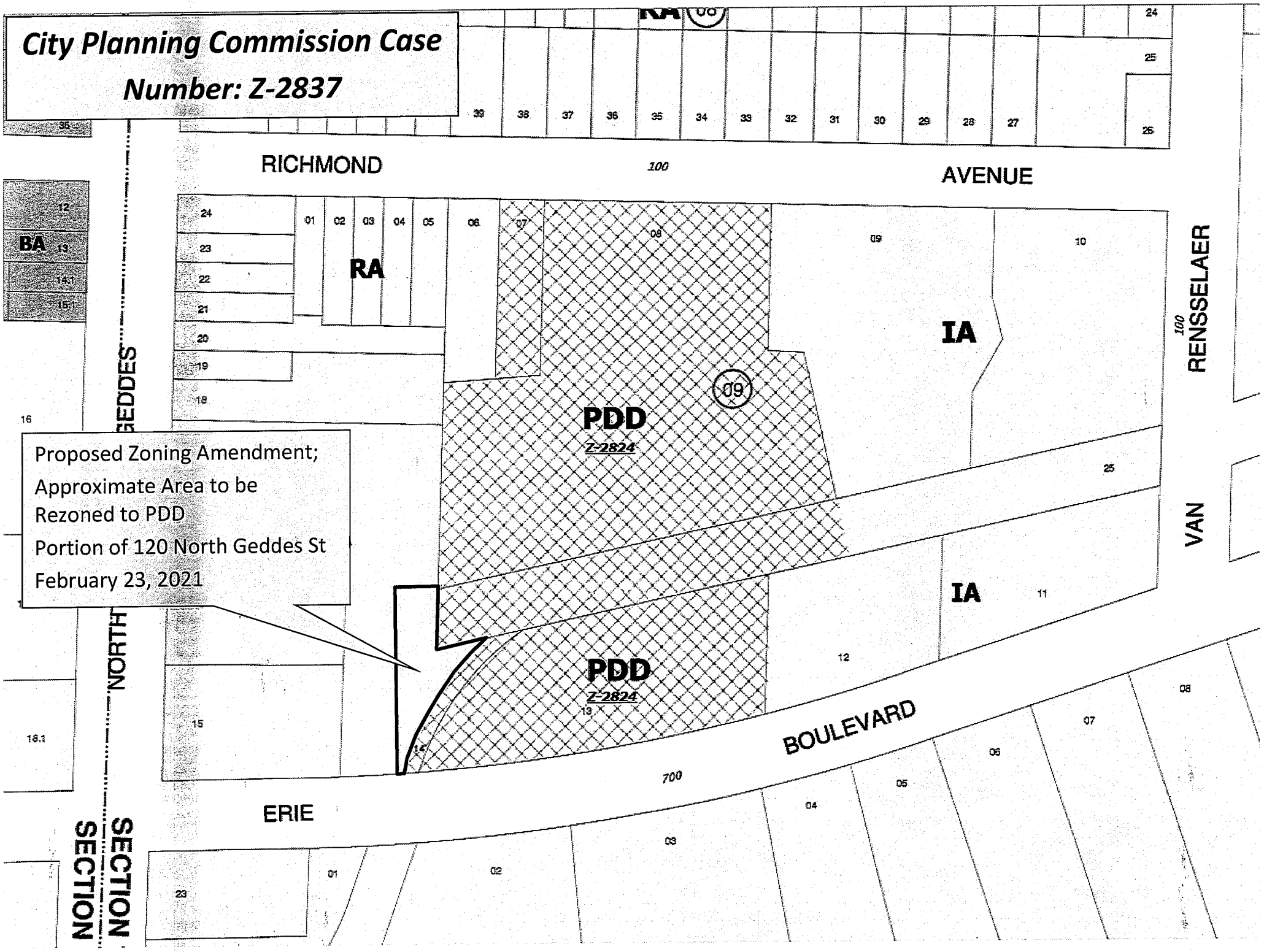
O IPF indicates iron pipe and/or monument found

\\server\Land Projects\3273002\dwg\BOBBETT FAMILY PARCEL.dwg

TRACT MAP	LANDS TO BE ACQUIRED FROM BOBBETT FAMILY, LLC	
BY:	PART OF BLOCK Nos. 431 & 432	
DATE FILED:	CITY OF SYRACUSE	
MAP NO.	ONONDAGA COUNTY , NEW YORK	
PROPERTY CORNERS NOT SET THIS SURVEY, UNLESS SHOWN. OFFSETS FROM PROPERTY LINES MEASURED TO FOUNDATION WALLS, UNLESS OTHERWISE INDICATED.	IANUZI & ROMANS LAND SURVEYING, P.C. 5251 WITZ DRIVE, NORTH SYRACUSE, NY. 13212 PHONE: (315) 457-7200; FAX: (315) 457-9251 EMAIL: mail@romanspc.com	DATE: 01-28-2021
TO:		SCALE: 1" = 50'
THE UNDERSIGNED HEREBY CERTIFIES THAT THIS MAP IS MADE FROM AN ACTUAL SURVEY.		FILE: 2544.014 FB:
N.Y.S. LICENSED LAND SURVEYOR		

Subject to any statement of facts an accurate and up to date abstract of title will show.

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.


City Planning Commission Case
Number: Z-2837
Proposed Zoning Amendment;
Approximate Area to be
Rezoned to PDD
Portion of 120 North Geddes St
February 23, 2021
RICHMOND
AVENUE
RENSSELAER
VAN
BOULEVARD
ERIE
NORTH
SECTION
SECTION
GEDDES
RA
BA
IA
PDD
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Z-2824
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Office of Zoning Administration

CITY OF SYRACUSE, MAYOR BEN WALSH

Heather Lamendola
Zoning Administrator

February 24, 2021

Mr. John P. Copanas
City Clerk
230 City Hall
Syracuse, New York 13202

Re: Z-2837 Change of Zone for a Portion of Property Situated at 116 North Geddes Street from Industrial, Class A to a Planned Development District

Dear Mr. Copanas;

On February 22, 2021, the City Planning Commission adopted the above noted resolution. Copies of the resolution are attached.

No one spoke in favor of, or in opposition to the proposal.

The City Planning Commission requests that the resolution be forwarded to the entire Common Council for consideration.

Sincerely,

Heather A. Lamendola
Zoning Administrator

Ends: (6)

Petitioner: Ranalli ALA, LLC
P.O. Box 890
Syracuse, New York 13209

Office of Zoning Administration
201 E. Washington St.
Room 101
Syracuse, N.Y. 13202
Office 315 448 8640
zoning@syrgov.net

www.syrgov.net

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11

General Ordinance No. 2021

ORDINANCE APPROVING MODIFICATION TO A DISTRICT PLAN TO EXPAND A PLANNED DEVELOPMENT DISTRICT ON PROPERTY SITUATED AT 738 ERIE BOULEVARD WEST AND A PORTION OF THE PROPERTY AT 116 NORTH GEDDES STREET (A/K/A 120 NORTH GEDDES STREET)

BE IT ORDAINED, that the following resolution adopted by the City Planning Commission of the City of Syracuse on February 22, 2021, approving an expansion of the District Plan for the United Auto Supply (UAS) Planned Development District to include a portion of property situated at 116 North Geddes Street (a/k/a 120 North Geddes Street) in order to expand a parking lot and to facilitate other site alterations on property situated at 738-766 Erie Boulevard West pursuant to Part B, Section X, Article 1 of the City of Syracuse Zoning Rules and Regulations, as amended, in accordance with Article V, Chapter 13 of the Charter of the City of Syracuse-1960, as amended, in the manner and upon the conditions therein stated, be and the same is consented to and the same shall also constitute and is hereby made a like amendment and addition to the Zoning Rules and Regulations of the City of Syracuse, as amended, applicable thereto, and as set forth in said resolution, namely:

Resolution Date: February 22, 2021
Release Date: February 23, 2021
Z-2825M2

A RESOLUTION APPROVING A MODIFICATION TO A DISTRICT PLAN TO EXPAND A PLANNED DEVELOPMENT DISTRICT ON PROPERTIES SITUATED AT 738 ERIE BOULEVARD WEST AND A PORTION OF 116 NORTH GEDDES STREET

We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 22nd day of February, 2021, adopt the following resolution:

WHEREAS, the applicant, Ranalli ALA, LLC, is requesting to expand the District Plan for the United Auto Supply (UAS) Planned Development District to include a portion of property situated at 116 (aka 120) North Geddes Street in order to expand a parking lot and to facilitate other site alterations on property situated at 738-766 Erie Boulevard West pursuant to Part B, Section X, Article 1 of the City of Syracuse Zoning Rules and Regulations, as amended; and

WHEREAS, the City Planning Commission held a Public Hearing on the request via Webex on February 22, 2020, at 6:00 p.m., heard all those desiring to be heard, and duly recorded their testimony; and

WHEREAS, the City Planning Commission has studied the proposal and all submittals by the applicant and all interested parties; and

WHEREAS, the subject property is a proposed, irregular-shaped lot with 397 feet of frontage on Erie Boulevard West and 362.78 feet of frontage on Richmond Avenue; and

WHEREAS, the properties lie within Industrial, Class A and Planned Development District zoning districts; adjacent and neighboring properties to the east, south, and west lie within an Industrial, Class A zoning district; adjacent and neighboring properties to the west and north lie within a Residential, Class A zoning district; neighboring properties to the west and northwest lie within a Business, Class A zoning district; and

WHEREAS, land use in the area consists primarily of residential uses to the north and commercial, office, and retail uses to the east, south, and west; and

WHEREAS, the "Syracuse Land Use and Development Plan" designates the character of this site, which lies in the Westside neighborhood, as Industrial Legacy and Traditional Residential; and

WHEREAS, the City Planning Commission is reviewing a companion Resubdivision (R-21-04) to combine three properties situated at 738 Erie Boulevard West and 116 (aka 120) and 120 North Geddes Street into two new Lots to facilitate the conveyance of a portion of 116 (aka 120) North Geddes Street to 738 Erie Boulevard West, a Change of Zone (Z-2837) to rezone the conveyed property from Industrial, Class A to Planned Development District, and a Project Plan Amendment (Z-2826M2) for the proposed site alterations; and

WHEREAS, the application included a revised district plan (Sheet C-101) dated February 5, 2020, and last revised on January 5, 2021, which illustrates a proposed 100,000-square foot warehouse with 17 loading berths, 104 off-street parking spaces, two

driveways on Erie Boulevard West (one at 26 feet wide and one at 30 feet wide), a 30-foot wide, emergency-access only driveway on Richmond Avenue, and access to Van Rensselaer Street via the adjacent property to the east (abandoned portion of Tracy Street); and

WHEREAS, the revised district plan illustrates a side yard setback of 10 feet along that portion of the Development District that abuts a Residential, Class A zoning district, a side yard setback of 10 feet along that portion of the Development District that abuts an Industrial, Class A zoning district, a front yard setback along Richmond Avenue of 10 feet, and a front yard setback along Erie Boulevard of 69.9 feet; and

WHEREAS, the revised district plan illustrates a 10-foot landscape buffer with decorative metal fencing and dense evergreen hedge along Richmond Avenue, and a six-foot tall, solid vinyl fence along portions of the west district boundary; and

WHEREAS, the District Plan currently allows for office, retail, and warehouse and distribution uses; and

WHEREAS, the revised District Plan establishes the following PDD Development Standards;

- General type(s) of uses/activities: Office, Retail, Warehouse, Distribution;
- Maximum District Coverage: 41%;
- Floor Area Ratio (F.A.R.): 0.41;
- Setbacks:
  - o Richmond Ave: Parking: 10 feet; Building: 181 feet;
  - o Erie Blvd W Parking: 8 – 55 feet; Building: 69.9 feet
- Yards:
  - o Abutting RA: 10 feet;
  - o Abutting IA: 5 feet;
- Off-street Parking: 104 spaces;
- Off-street Loading: 17 berths; and

WHEREAS, the proposed District Plan modification complies with Part B, Section X, Article 1 of the City of Syracuse Zoning Rules and Regulations, as amended; and

WHEREAS, the City Planning Commission approved a series of companion cases on June 24, 2019, consisting of a Change of Zone (Z-2824), a Resubdivision (R-19-38), and a Planned Development District District Plan (Z-2825) designed to establish a Planned Development District for United Auto Supply (UAS) by combining six properties situated at 738-766 and 770 Erie Boulevard West, 161-213 and 221-223 Richmond Avenue, 538&76 Tracy Street, and 115 Van Rensselaer Street into one new Lot, establishing a District Plan for the proposed UAS Planned Development District, and constructing an 80,000-square foot warehouse; and

WHEREAS, the City Planning Commission approved a series of companion cases on February 24, 2020, consisting of a Change of Zone (Z-2827), a Resubdivision (R-20-08), and a Planned Development District District Plan modification (Z-2825M1) designed to enlarge the District Plan for the PDD to facilitate the construction of an enlarged

warehouse from 80,000 square feet to 100,000 square feet by changing the zoning of 225-231 Richmond Avenue from RA to PDD; and

WHEREAS, the applicant is now proposing to enlarge the southern parking lot fronting on Erie Boulevard West, which necessitates the inclusion of a portion of 116 (aka 120) North Geddes Street into the PID; and

WHEREAS, a companion Project Plan (Z-2862M2) to modify the site plan, floor plans, and elevations for the warehouse will be considered by the Planning Commission contingent on Common Council approval of the Change of Zone and District Plan modification; and

WHEREAS, pursuant to the New York State Environmental Quality Review Regulations, the City Planning Commission has reviewed the subject proposal, which is an Unlisted Action and has determined that it will have no significant environmental impact based on the limited magnitude of the proposal, and therefore has issued a negative declaration; and

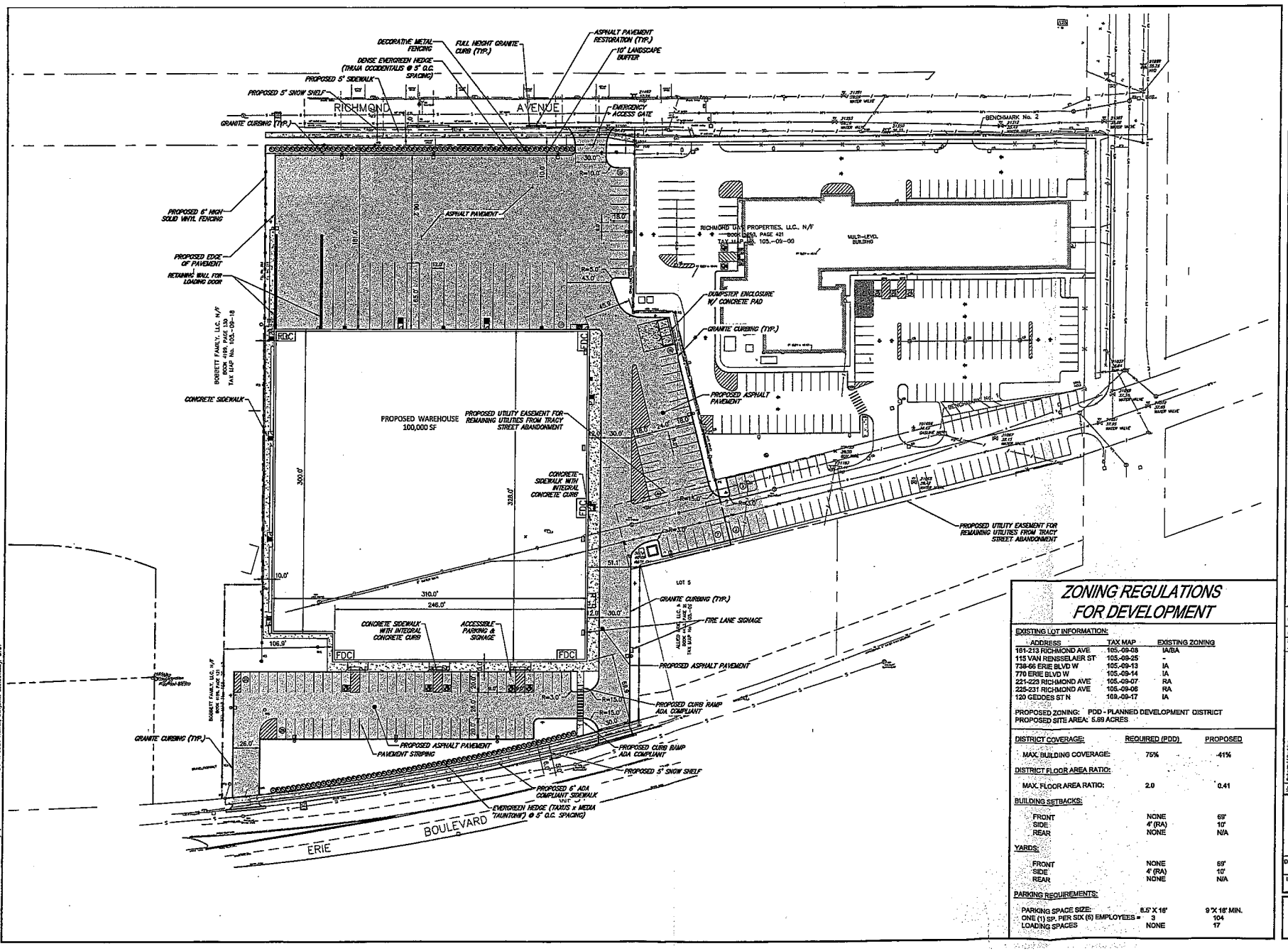
NOW THEREFORE BE IT RESOLVED that We, the duly appointed members of the City Planning Commission of the City of Syracuse, do this 22nd day of February 2021, APPROVE the application of Ranalli ALA, LLC, to expand the District Plan for the United Auto Supply (UAS) Planned Development District to include a portion of property situated at 116 (aka 120) North Geddes Street in order to expand a parking lot and to facilitate other site alterations on property situated at 738-766 Erie Boulevard West pursuant to Part B, Section X, Article 1 of the City of Syracuse Zoning Rules and Regulations, as amended, in accordance with the following plan(s) on file in the City of Syracuse Office of Zoning Administration entitled:

- Layout Plan (Sheet C-101); Proposed Warehouse, 738 Erie Boulevard West; prepared by: CHA; dated: 2/5/2020; last revised: 1/5/21: scaled: 1"=40 feet;

BE IT FURTHER RESOLVED that this approval does not relieve the applicant from compliance with any other regulatory or licensing provisions applicable thereto by the properly constituted Federal, State, County or City authorities to include, but not limited to the City of Syracuse Departments of Engineering and Public Works, and the Code Enforcement Office;

BE IT FURTHER RESOLVED that this resolution is subject to the consent and approval of the Common Council of the City of Syracuse.

Steven W. Kulick, Chairperson
City Planning Commission



ZONING REGULATIONS FOR DEVELOPMENT

EXISTING LOT INFORMATION:

ADDRESS	TAX MAP	EXISTING ZONING
181-213 RICHMOND AVE	105.-09-08	IA/BA
115 VAN RENSSELAER ST	105.-09-25	-
738-66 ERIE BLVD W	105.-09-13	IA
770 ERIE BLVD W	105.-09-14	IA
221-223 RICHMOND AVE	105.-09-07	RA
225-231 RICHMOND AVE	105.-09-06	RA
120 GEDDES ST N	109.-09-17	IA

PROPOSED ZONING: PDD - PLANNED DEVELOPMENT DISTRICT
PROPOSED SITE AREA: 5.89 ACRES

DISTRICT COVERAGE:	REQUIRED (PDD)	PROPOSED
MAX. BUILDING COVERAGE:	75%	41%
DISTRICT FLOOR AREA RATIO:		
MAX. FLOOR AREA RATIO:	2.0	0.41
BUILDING SETBACKS:		
FRONT	NONE	69'
SIDE	4' (RA)	10'
REAR	NONE	N/A
YARDS:		
FRONT	NONE	69'
SIDE	4' (RA)	10'
REAR	NONE	N/A
PARKING REQUIREMENTS:		
PARKING SPACE SIZE:	8.5' X 18'	9' X 18' MIN.
ONE (1) SP. PER SIX (6) EMPLOYEES =	3	104
LOADING SPACES	NONE	17

CHA

RANALLI ALA, LLC
1200 STATE FAIR BLVD
SYRACUSE NY 13209

PROPOSED WAREHOUSE
738 ERIE BOULEVARD WEST
SYRACUSE, NY

No.	Submittal / Revisions	Apvd By	Date
6	REVISED HYDRANT LOCATION	JFT	07/13
7	ROAD CUT PERMIT COMMENTS	JFT	10/14/20
8	REVISED STORM SYSTEM LAYOUT	JFT	10/20
9	PDD EXTENSION	JFT	11/20/20
10	CITY WATER DEPT COMMENTS	JFT	12/4/20
11	DRIVEWAY RELOCATION	JFT	1/5/21

LAYOUT PLAN

Designed By:	Drawn By:	Checked By:
BFB	AAAV	JFT
Issue Date:	Project No:	Scale:
2/5/2020	23278	AS SHOWN

Drawing No.:
C-101

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Office of Zoning Administration

CITY OF SYRACUSE, MAYOR BEN WALSH

Heather Lamendola
Zoning Administrator

February 24, 2021

Mr. John P. Copanas
City Clerk
230 City Hall
Syracuse, New York 13202

Re: Z-2825M2 District Plan Amendment for a Planned Development District for Properties Situated at 738 Erie Boulevard West and a Portion of Property situated at 116 North Geddes Street

Dear Mr. Copanas;

On February 22, 2021, the City Planning Commission adopted the above noted resolution. Copies of the resolution are attached.

No one spoke in favor of, or in opposition to the proposal.

The City Planning Commission requests that the resolution be forwarded to the entire Common Council for consideration.

Sincerely,

Heather A. Lamendola
Zoning Administrator

Ends: (6)

Owner/Applicant: Ranalli ALA, LLC
P.O. Box 890
Syracuse, New York 13209

Office of Zoning Administration
201 E. Washington St.
Room 101
Syracuse, N.Y. 13202
Office 315 448 8640
zoning@syrgov.net

www.syrgov.net

12 18

DEPARTMENT OF FINANCE

OFFICE OF THE COMMISSIONER
CITY OF SYRACUSE, MAYOR BEN WALSH

February 12, 2021

Bradley O'Connor CPA
Commissioner of Finance

Martha A. Maywalt
First Deputy Commissioner

Mr. John Copanas
City Clerk
231 City Hall
Syracuse, New York

Re: Request for Legislation to Collect Reimbursement for Expenses Incurred While Providing Emergency Services Outside the City of Syracuse

Dear Mr. Copanas:

Please prepare legislation for the next Common Council Meeting to allow the Commissioner of Finance, on behalf of the Department of Fire, to invoice and collect payments for emergency services provided to locations outside of the City of Syracuse. The Department of Fire will establish a schedule of reasonable fees to recover the costs to the Department for the use of materials, apparatus, labor, and equipment in the provision of hazardous materials mitigation and technical rescue services that are above and beyond the normal range of mutual aid.

Attached is the proposed fee schedule.

These fees would be effective April 1, 2021. All fees collected will be credited to account 01.415380.34100 – Fire Reimbursements – Outside Agencies.

If you have any questions or comments regarding this, please contact our office.

Sincerely,

Bradley O'Connor, CPA
Commissioner of Finance

Department of Finance
233 E. Washington St
City Hall, Room 128
Syracuse, N.Y. 13202

Office 315 448 8279
Fax 315 448 8424

www.syrgov.net

cc: Frank Caliva, Chief Administrative Officer
Michael Monds, Chief of Fire

PROPOSED FEE SCHEDULE - HAZARDOUS MATERIALS RESPONSE & TECHNICAL RESCUE SERVICES

The Chief of Fire shall establish a schedule of reasonable fees to recover the costs incurred by the Syracuse Fire Department for the provision of rescue and hazardous materials response that are outside the normal scope of services. The fees shall be charged to the insurance carrier of the rescued individual or entity. In no instance will any emergency services be denied due to lack insurance coverage. The costs for apparatus and equipment shall be established by the Chief of Fire and shall be filed with the City Clerk's office. The list of rescue and response services provided herein is not all inclusive and may be expanded at the discretion of the Chief of Fire. Any contract with a third party agency for recovery under this section shall be subject to approval by the Common Council. The City of Syracuse shall be authorized to waive any such fees if said fees are deemed uncollectable.

LIGHT DUTY VEHICULAR ACCIDENT **$450.00**

Response to incidents that require containment of minor vehicle fluid leaks, vehicle stabilization, use of hand-tools, and patient care or stabilization.

HEAVY DUTY VEHICULAR ACCIDENT **$700.00**

Response to incidents that require the use of hydraulic rescue equipment or specialized rescue techniques to extricate trapped passengers and provide emergency medical aid. This type of incident may involve several fire department assets.

TECHNICAL RESCUE RESPONSE **$1,000.00**

Response to incidents that involve entanglement or entrapment in machinery, confined spaces, trenches or other areas with limited access and hazardous environments. This type of response may involve several fire department assets. In addition to the response fee, an itemized statement of all expended, lost, damaged or destroyed materials and equipment that require replacement will be added.

MINOR HAZARDOUS MATERIALS RESPONSE **$900.00**

Response to any release, spill, or leak of a hazardous material that requires skilled intervention to contain. These incidents can be handled by Syracuse Fire Department personnel without outside assistance or clean-up contractors, (i.e. auto accidents, service station spills or vehicles leaking moderate amounts of fluid).

MAJOR HAZARDOUS MATERIALS RESPONSE **$1,800.00**

Any response that involves a significant release of a hazardous substance. This type of response may involve multiple agencies, including state or federal assets or commercial cleanup contractors. In addition to the response fee, an itemized statement of all expended, lost, damaged or destroyed materials and equipment that require replacement will be added.

** Hazardous Materials Incidents are billed to the owner or transporter of released hazardous materials. Billable items may include, but are not limited to: supplies used, apparatus and personnel usage, mileage, and administrative costs.

DESTROYED OR CONTAMINATED EQUIPMENT

Any equipment which is destroyed or contaminated at the rescue or response scene will be charged at the full cost of replacement of the equipment.

Ordinance No. 2021

ORDINANCE AUTHORIZING A LEASE AGREEMENT BETWEEN THE CITY OF SYRACUSE AND CENTERSTATE CORPORATION FOR ECONOMIC OPPORTUNITY FOR A PORTION OF THE PROPERTY AT 235 HARRISON STREET, SYRACUSE, NEW YORK ALSO KNOWN AS THE TECH GARDEN

WHEREAS, the Commissioner of Assessment has requested that this Common Council authorize a lease agreement with CenterState Corporation for Economic Opportunity ("CenterState") for a portion of the property at 235 Harrison Street, Syracuse, New York, also known as The Tech Garden, at the rate of $1.00 per year for a twenty (20) year term;

NOW, THEREFORE,

BE IT ORDAINED, that the Commissioner of Assessment, for the City of Syracuse, be and he hereby is authorized to execute a lease agreement under the following terms:

1. The lease agreement shall be for a portion of the property at 235 Harrison Street, Syracuse, New York, also known as The Tech Garden (hereinafter referred to as "the Premises" at a rate of $1.00 per year for the term of the Agreement. In consideration for this annual rate, CenterState agrees to create a revolving loan fund capitalized at $250,000 for the dedicated use of Tech Garden graduate firms who locate their businesses within the city of Syracuse, with a specific incentive for firms to locate their businesses within distressed census tracts in the City; and
2. The term of the lease shall be for twenty (20) years effective as of the date of execution; and
3. CenterState will be responsible for all costs associated with the renovation, use and

operation of the Premises during the term of the Lease Agreement.

4. CenterState shall promptly renovate the Premises and shall use and occupy the Premises exclusively for the purposes of supporting startups and new business incubation services.

5. If CenterState wishes to engage in any revenue generating activities that do not directly support startups or new business incubation services, the Lease Agreement will need to be amended and such amendment will be subject to the approval of the Mayor and the Common Council. The lease terms shall be for a period of twenty (20) years with no renewal options;

; and

BE IT FURTHER ORDAINED, that said lease agreement shall be subject to the approval of the Corporation Counsel as to terms, form and content.

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DEPARTMENT OF ASSESSMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

David M. Clifford
Commissioner

Ann E. Gallagher
First Deputy Commissioner

Matthew D. Oja
Deputy Commissioner

12 March 2021

City Clerk John P. Copanas
230 City Hall
Syracuse, New York 13202

RE: Tech Garden lease to CenterState Corporation for Economic Opportunity

Dear Mr. Copanas:

As a result of further negotiations and based on the attached correspondence, please accept the following language as a replacement for my original request dated January 4, 2021 and amend the legislation accordingly.

Please prepare appropriate legislation for the next Common Council agenda authorizing the City to enter into a lease of the portion of the property located at 235 Harrison Street, also known as the Tech Garden, with CenterState Corporation for Economic Opportunity (CenterState). Such lease agreement will include the following terms:

1) The lease terms shall be for a period of twenty (20) years with no renewal options;
2) The rate will be $1.00 per annum. In consideration for this annual rate, CenterState agrees to create a revolving loan fund capitalized at $250,000 for the dedicated use of Tech Garden graduate firms who locate their businesses within the City of Syracuse, with a specific incentive for firms to locate their businesses within distressed census tracts in the City;
3) CenterState will be responsible for all costs associated with the renovation, use and operation of the premises during the term of the lease agreement;
4) CenterState shall promptly renovate the premises and shall use and occupy the premises exclusively for the purposes of supporting startups and new business incubation services. If CenterState wishes to engage in any revenue generating activities that do not directly support startups or new business incubation services, CenterState will need to seek an amendment of this lease agreement which will be subject to the approval of the Mayor and Common Council.

The lease agreement shall be subject to the Corporation Counsel as to terms, form and context.

Very Truly Yours,

David M. Clifford
Commissioner of Assessment

cc: Evan Helgesen
Special Assistant to the Mayor

Department of Assessment
233 E. Washington St
City Hall, Room 130
Syracuse, N.Y. 13202

Office 315 448 8270
Fax 315 448 8190

assessment@syrgov.net

OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

Timothy M. Rudd
Director

Julie Castellitto
Assistant Director

TO: Mayor Ben Walsh
FROM: Timothy M. Rudd, Director of Management and Budget TR
DATE: March 12, 2021
SUBJECT: Lease Agreement with CenterState Corporation for Economic Opportunity

On behalf of the Department of Assessment, I am requesting to enter into a Leasing Agreement for the portion of the property located at 235 Harrison Street, also known as the Tech Gardens, with CenterState Corporation for Economic Opportunity (CenterState). The lease will include the following items:

1. The lease terms shall be for a period of twenty (20) years with no renewal options;
2. The rate will be $1.00 annum. In consideration for this annual rate, CenterState agrees to create a revolving loan fund capitalized at $250,000 for the dedicated use of Tech Garden graduate firms who locate their businesses within distressed census tracts in the City;
3. CenterState will be responsible for all costs associated with the renovation, use and operation of the premises during the term of the lease agreement;
4. CenterState shall promptly renovate the premises and shall use and occupy the premises exclusively for the purposes of supporting startups and new business incubation services. If CenterState wishes to engage in any revenue generating activities that do not directly support startups or new business incubation services, CenterState will need to seek an amendment of this lease agreement which will be subject to the approval of the Mayor and Common Council.

Please indicate your concurrence by signing below and returning this memo to me so that I may then forward your approval to the Common Council along with the request for authorizing this legislation.

Thank you for your attention regarding this matter.

Mayor Ben Walsh
City of Syracuse, New York

MAR 12 2021
Date

Office of Management and Budget
233 E Washington St
Room 213
Syracuse, N.Y. 13202

Office 315 448-8252
Fax 315 448-8116

www.syrgov.net

CENTERSTATE
CORPORATION FOR ECONOMIC OPPORTUNITY

March 11, 2021

Mr. David Clifford
Commissioner of Assessment
130 City Hall
233 E. Washington Street
Syracuse, NY 13202

Dear Commissioner Clifford:

Thank you for your continued consideration of our request for an extension of CenterState CEO's lease for The Tech Garden so that we may make major capital improvements to the facility, grow our innovation ecosystem and improve our city.

Based on our recent conversations with your staff and members of the common council, we are prepared to offer the following project modifications and enhancements, which we hope are responsive to the feedback we have received to date:

- Lease Term: Initially, CenterState CEO sought a 30-year term (a 20-year extension beyond our current 10-year remaining lease term) in exchange for this nearly $17 million investment into a City-owned property. We propose reducing the requested term to 20 years. This represents just a 10-year extension beyond the existing lease term and is the minimum necessary for us to justify moving forward with this investment. By shortening the lease-term, we are also increasing the depreciated value of the City's asset at the end of the lease term as well as expediting the point at which the City and the Council may choose to fully re-evaluate its relationship with the Tech Garden and reconsider the highest and best use of the improved property.

- Revolving Loan Fund for Tech Garden Graduates who remain in Syracuse: CenterState CEO commits to raise capital to launch a $250,000 revolving loan fund for the dedicated use of Tech Garden graduate firms who locate their businesses within the city of Syracuse. This fund is in keeping with our mission and will serve as an effective inducement to strengthen Syracuse's growing tech community. Further, this fund will include an additional incentive, providing even more favorable loan terms for those businesses who locate within a distressed census tract.

In addition, through our Economic Inclusion portfolio, CenterState CEO is actively developing and implementing programming targeting residents of under-invested areas of our community

to engage in tech entrepreneurship, increase skills and connect with opportunities in the tech sector.

We believe these modifications align with the mission of The Tech Garden while enhancing the exciting opportunity that we have to improve and expand the facility and its offerings. It is our sincere hope that you are able to offer your support to this project.

Sincerely,

Robert M. Simpson

Robert M. Simpson
President and CEO

Ordinance No. 2021

ORDINANCE COMPROMISING CLAIM AGAINST THE CITY OF SYRACUSE

BE IT ORDAINED, subject to the approval of the Mayor, and pursuant to Section 5-1103(1) of the Charter of the City of Syracuse, as amended, this Common Council hereby approves the compromise and settlement of the following claim:

Recovery Partners LLC a/s/o Liberty Mutual Insurance Company o/b/o Hsernay Moo v. City of Syracuse;
Claim No. 2020-069 Motor Vehicle Accident
Settlement Amount - $8,218.87

BE IT FURTHER ORDAINED, that the Corporation Counsel be and hereby is authorized to execute any and all documents necessary to settle the aforementioned matter; and

BE IT FURTHER ORDAINED, that the settlement amount shall be made payable to Recovery Partners, LLC as the attorney for the Claimant Liberty Mutual Insurance Company; and

BE IT FURTHER ORDAINED, that the settlement amount shall be charged to the Judgment and Claims Account #599302.01.93000 or another appropriate account as designated by the Commissioner of Finance.

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DEPARTMENT OF LAW

OFFICE OF THE CORPORATION COUNSEL

CITY OF SYRACUSE, MAYOR BEN WALSH

Kristen E. Smith
Corporation Counsel

Joseph W. Barry III
First Assistant
Corporation Counsel

Lee R. Terry
Senior Assistant
Corporation Counsel

Catherine E. Carnrike
Meghan E. Ryan
Amanda R. Harrington
John C. Black Jr.
Kathryn M. Ryan
Ramona L. Rabeler
Todd M. Long
Sarah M. Knickerbocker
Danielle B. Pires
Finney Raju
Patrick R. Blood
Amelia McLean-Robertson
Patrick J. Parkinson
Danielle R. Smith

February 26, 2021

John Copanas, City Clerk
231 City Hall
Syracuse, New York 13202

Re: Recovery Partners a/s/o Liberty Mutual a/s/o Hsernay Moo v. City of Syracuse
Claim # 2020-069

Dear Mr. Copanas:

Please prepare legislation for the next meeting of the Common Council authorizing the City to pay a settlement in the amount of $8,218.87 to Plaintiff's counsel, Recovery Partners, LLC, concerning the above-referenced Notice of Claim. This action involved a motor-vehicle accident on September 24, 2019 between the Plaintiff and a DPW employee.

The payment will be charged to the Judgment and Claims Account No. account #599302.01.93000.

Thank you for your assistance.

Very truly yours,

Kristen E. Smith
Corporation Counsel

Department of Law
Office of Corp. Counsel
233 E. Washington St.
City Hall, Room 300
Syracuse, N.Y. 13202

Office 315 448-8400
Fax 315 448-8381
Email law@syrgov.net

www.syrgov.net

Service of papers or process by facsimile or other electronic method is not acceptable.

3

Ordinance No. 2021

ORDINANCE AMENDING ORDINANCE NO. 676-2019 AUTHORIZING A CONTRACT WITH CPI-HR RELATIVE TO PROVIDING AFFORDABLE CARE ACT CONSULTING AND DASHBOARD ACCESS SERVICES

BE IT ORDAINED, that Ordinance No. 676-2019 is hereby amended to read as follows:

WHEREAS, Section 5-205-A of the Charter of the City of Syracuse, as amended, provides the Mayor shall "award contracts for professional services subject to the approval of the Common Council"; and

WHEREAS, the Mayor has waived the Request for Proposal Process and approved the retention of CPI-HR, under the following terms:

(1) CPI-HR shall provide all required Affordable Care Act consulting and dashboard access services, including but not limited to education and guidance, employee tracking information and services, cadillac tax assistance, dashboard access, and financial impact consulting;

(2) This contract shall be for a period of one year effective as of the date the agreement is fully executed; this contract is hereby extended for an additional one-year period through 2021.; and

(3) The City shall pay to CPI-HR an amount not to exceed the sum of $19,000.00 for all services under this amended agreement and payments shall be made in four (4) quarterly installments; NOW, THEREFORE

BE IT ORDAINED, that the Mayor, on behalf of the City of Syracuse, be and he hereby is authorized to execute such amended contract, as hereinabove stated, subject to the approval of the Corporation Counsel as to terms, form and execution; and

BE IT FURTHER ORDAINED, that all costs associated with this agreement shall be

charged to Budget Account #590601.01.90600 or another appropriate account as designated by the Commissioner of Finance.

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OFFICE OF PERSONNEL & LABOR RELATIONS

CITY OF SYRACUSE, MAYOR BEN WALSH

February 26, 2021

Donna D. Briscoe
Director

Mr. John Copanas, City Clerk
231 City Hall
Syracuse, New York 13202

RE: Legislation Amending Ordinance #676-2019

Dear Mr. Copanas:

Please prepare legislation to be introduced at the next Common Council meeting amending Ordinance #676-2019, authorizing the 2020 contract with CPI-HR, for Affordable Care Act ("ACA") consulting & dashboard access services, to extend all services, payable in four (4) quarterly installments for 2021, a one-year period.

Attached please find an ACA Assistance Agreement from CPI-HR offering the City ACA consulting and dashboard access services for a one-year period. Exhibit I describes the services, including, but not limited to: education and guidance, employee tracking information and services, Cadillac tax assistance, dashboard access, and financial impact consulting.

Due to the potential for significant penalties for improper filing of ACA 1094 & 1095 forms, the necessity of accurate reporting and offer of coverage requirements; as well as the necessity of being able to track full-time equivalent employees in compliance with the ACA measurement methods, I recommend we amend Ordinance #676-2019 for ACA consulting and dashboard access services with CPI-HR for 2021, a one-year period. The amount shall not exceed $19,000.00 for all services, payable in four (4) quarterly installments.

The expenditures for this proposed one year period would be paid from Budget Account #590601.01.90600.

Sincerely,

Donna D. Briscoe

Donna D. Briscoe
Director of Personnel & Labor Relations

cc: File

Office of Personnel & Labor Relations
233 E Washington St
City Hall, Room 312
Syracuse, N.Y. 13202

Office 315 448-8780
Fax 315 448-8761

www.syrgov.net

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OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

Timothy M. Rudd
Director

Julie Castellitto
Assistant Director

TO: **Mayor Ben Walsh**
FROM: **Timothy M. Rudd, Director of Management & Budget**
DATE: **February 26, 2021**
SUBJECT: Amend Ordinance with CPI-HR

On behalf of the Office of Personnel & Labor Relations, I am requesting the City of Syracuse amend ordinance #676-2019, authorizing a contract with CPI-HR for Affordable Care Act ("ACA") consulting and dashboard access services, to extend all services for 2021, a one-year period. The amount shall not exceed $19,000.00 for all services, payable in four (4) quarterly installments.

Attached please find an ACA Assistance Agreement from CPH-HR offering the City ACA consulting and dashboard access services for a one-year period. Exhibit 1 describes the services, including, but not limited to: education and guidance, employee tracking information and services, Cadillac tax assistance, dashboard access, and financial impact consulting.

Due to the potential for significant penalties for improper filing of ACA 1094 & 1095 forms, the necessity of accurate reporting and offer of coverage requirements; as well as the necessity of being able to track full-time equivalent employees in compliance with the ACA measurement methods, the Department of Personnel recommends we amend ordinance #676-2019 for ACA consulting and dashboard access services with CPI-HR for 2021, a one-year period. The amount shall not exceed $19,000.00 for all services, payable in four (4) quarterly installments.

The expenditures for this proposed one year contract would be paid from Budget Account #590601.01.90600.

Please indicate your concurrence by signing below and returning this memo to me so that I may then forward your approval to the Common Council along with the request for authorizing this legislation.

Thank you for your attention regarding this matter.

Mayor Ben Walsh
City of Syracuse, New York

3/3/21
Date

Office of Management and Budget
233 E Washington St
Room 213
Syracuse, N.Y. 13202

Office 315 448-8252
Fax 315 448-8116

www.syrgov.net

Local Law No. **2021**
City of Syracuse

A LOCAL LAW OF THE CITY OF SYRACUSE AUTHORIZING THE MAYOR TO GRANT AND CONVEY TO NIAGARA MOHAWK POWER CORPORATION A PERMANENT UTILITY EASEMENT ON HENNINGER HIGH SCHOOL PROPERTY IN ORDER TO CONSTRUCT, OPERATE AND MAINTAIN AN UNDERGROUND POWER LINE AND PAD MOUNT TRANSFORMER FOR NEW ELECTRIC SERVICE FOR HENNIGER HIGH SCHOOL

BE IT ENACTED, by the Common Council of the City of Syracuse, as follows:

Section 1. In accordance with the City Charter Section 6-202(3), the Mayor is hereby authorized and empowered to grant and convey to Niagara Mohawk Power Corporation a permanent easement for the sum of One Dollar (payment waived), upon such terms and provisions and conditions as the Mayor may prescribe, to construct, operate and maintain its facilities as detailed on the attached Easement Sketch – Exhibit A – Henninger High School, 600 Robinson Street, Syracuse, New York, Work Order #11-21-30047218 originally dated February 3, 2021, and also granting to Niagara Mohawk the right of ingress and egress over said parcel to inspect, repair, maintain, and replace any of said facilities and associated appurtenances.

Section 2. This local law shall take effect immediately subject to the provisions of the Municipal Home Rule Law of the State of New York.

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DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

26 February 2021

Mr. John Copanas
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Re: Permanent Easement on Henninger High School for Niagara Mohawk Power Corporation

Dear Mr. Copanas:

I request that you have prepared the following legislation for the next meeting of the Common Council:

The City of Syracuse and the City School District are requesting that Niagara Mohawk Power Corporation be granted a permanent easement on Henninger High School property in order to construct, operate and maintain an underground power line and Pad Mounted Transformer installed for a new electric service for Henninger High School. The City will be granting the easement to Niagara Mohawk Power Corporation for consideration of one dollar, which is the standard procedure for utility easements.

The easement descriptions are detailed on the attached Easement Sketch - Exhibit A: Henninger High School, 600 Robinson Street, Syracuse, New York, Work Order # 11-21-30047218 dated February 3, 2021.

Please let me know if you have any questions related to this request.

Very Truly Yours,

Mary E. Robison

Mary E. Robison, P.E.
City Engineer

Dept. of Engineering
233 E. Washington St.
City Hall, Room 401
Syracuse, N.Y. 13202
Office 315 448-8200
Fax 315 448-8488

www.syrgov.net

GRANT OF EASEMENT

CITY OF SYRACUSE - HENNINGER HIGH SCHOOL of **600 Robinson Street, Syracuse, New York 13206** (hereinafter referred to as "Grantor"), for consideration of One Dollar ($1.00), and other valuable considerations paid, the receipt and sufficiency of which are hereby acknowledged under seal, hereby grants to **NIAGARA MOHAWK POWER CORPORATION**, a New York corporation, having an address at 300 Erie Boulevard West, Syracuse, New York 13202 and **Verizon**, having an address of **6360 Thompson Road, Syracuse, New York 13217** (hereinafter collectively referred to as "Grantees"), for Grantees and their lessees, licensees, successors, and assigns, the perpetual right and easement as described in Section 1 below (the "Easement") in, under, through, over, across, and upon the Grantor's land, as described in Section 2 below (the "Grantor's Land").

Section 1 – Description of the Easement. The "Easement" granted by the Grantor to the Grantee consists of a perpetual easement and right-of-way, with the right, privilege, and authority to:

a. Construct, reconstruct, relocate, extend, repair, maintain, operate, inspect, patrol, and, at its pleasure, abandon or remove underground electric facilities including a line or lines of wires or cables (either direct-buried or installed in underground conduits), handholes, manholes, conduit, vaults, junction boxes, pad-mount transformers, housings, connectors, switches and switching equipment, pipes, pedestals, closures, ducts and duct work, markers, cables, connections to overhead and underground wires, any poles or lines of poles, supporting structures, cables, crossarms, overhead and underground wires, guys, guy stubs, insulators, transformers, braces, fittings, foundations, anchors, lateral service lines, communications facilities, and other fixtures and appurtenances (collectively, the "Facilities"), which the Grantee shall require now and from time to time, for the transmission and distribution of high and low voltage electric current and for the transmission of intelligence and communication purposes, by any means, whether now existing or hereafter devised, for public or private use, in, upon, over, under, and across that portion of the Grantor's Land described in Section 3 below (the "Easement Area"), and the highways abutting or running through the Grantor's Land, and to renew, replace, add to, and otherwise change the Facilities and each and every part thereof and the location thereof within the Easement Area, and utilize the Facilities within the Easement Area for the purpose of providing service to the Grantor and others;

b. From time to time, without further payment therefore, clear and keep cleared the Easement Area of any and all trees, vegetation, roots, aboveground or belowground structures, improvements, or other obstructions and trim and/or remove other trees, roots and vegetation adjacent to the Easement Area that, in the opinion of the Grantee, may interfere with the construction, operation, and maintenance of the underground Facilities of the Grantee. The first clearing may be for less than the full width and may be widened from time to time to the full width; and from time to time, without further payment therefore, clear and keep cleared, that portion of Grantor's Land described in Section 3 below (the "Trimming Easement Area") of any and all trees, limbs, branches, roots or vegetation and trim and remove danger trees adjacent to the Easement Area that, in the opinion of the Grantee may jeopardize the integrity of the Grantee's electric distribution facilities; Grantee shall follow accepted arboricultural standards which may require Grantor to make pruning cuts closer to the tree stems, outside the 10-foot easement area.

c. Excavate or change the grade of the Grantor's Land as is reasonable, necessary, and proper for any and all purposes described in this Section 1; provided, however, that the Grantee will, upon completion of its work, backfill and restore any excavated areas to reasonably the same condition as existed prior to such excavation; and

d. Pass and repass along the Easement Area to and from the adjoining lands and pass and repass over, across, and upon the Grantor's Land to and from the Easement Area, and construct, reconstruct, relocate, use, and maintain such footbridges, causeways, and ways of access, if any, thereon, as is reasonable and necessary in order to exercise to the fullest extent the Easement.

Section 2 – Description of Grantor's Land. The "Grantor's Land" is described in a certain Deed recorded in the **Onondaga** County Clerk's Office and consists of land described as being part of Tax Parcel No. **028.-16-11.0** (Lot P Fl P Tr P Old Sts B14&7 Tr Dillaye Fl22 1101.47x464.08 Mas School) of the **City** of **Syracuse**, County of **Onondaga**, New York, commonly known as **600 Robinson Street to Gale Avenue &.**

Section 3 – Location of the Easement Area. The "Easement Area" shall consist of a portion of the Grantor's Land **10** feet in width throughout its extent, the centerline of the Easement Area being the centerline of the Facilities. The general location of the Easement Area is shown on the sketch entitled **11-21-30047218**, which sketch is attached hereto as Exhibit A and recorded herewith, copies of which are in the possession of the Grantor and the Grantees. The final and definitive location(s) of the Easement Area shall become established by and upon the final installation and erection of the Facilities by the Grantees in substantial compliance with Exhibit A hereto. The "Trimming Easement Area" shall be a strip of land measured ten (10) feet from the outermost electric conductor on each side of the line.

Section 4 – Facilities Ownership. It is agreed that the Facilities shall remain the property of the Grantee, its successors and assigns.

Section 5 – General Provisions. The Grantor, for itself, its heirs, legal representatives, successors, and assigns, hereby covenants and agrees with the Grantee that no act will be permitted within the Easement Area which is inconsistent with the Easement hereby granted; no buildings or structures, or replacements thereof or additions thereto, swimming pools, or obstructions will be erected or constructed above or below grade within the Easement Area; no trees shall be grown, cultivated, or harvested, and no excavating, mining, or blasting shall be undertaken within the Easement Area without the prior written consent of the Grantee, it being the intent that the Easement herein conveyed is intended to prohibit the longitudinal or parallel use or occupancy of said Easement Area by surface or subsurface activities or structures which might damage or interfere with the Facilities; the Easement shall not be modified nor the Easement Area relocated by the Grantor without the Grantee's prior written consent; the present grade or ground level of the Easement Area will not be changed by excavation or filling.

The Grantee, its successors and assigns, are hereby expressly given and granted the right to assign this Easement, or any part thereof, or interest therein, and the same shall be divisible between or among two or more owners, as to any right or rights created hereunder, so that each assignee or owner shall have the full right, privilege, and authority herein granted, to be owned and enjoyed either in common or severally. This Grant of Easement shall at all times be deemed to be and shall be a continuing covenant running with the Grantor's Land and shall inure to and be binding upon the successors, heirs, legal representatives, and assigns of the parties named in this Grant of Easement.

IN WITNESS WHEREOF, _____ has hereunto set his/her hand(s) and seal(s) this _____ day of _____, 20___.

CITY OF SYRACUSE –
HENNINGER HIGH SCHOOL

By: _____
Signature

Its: _____
Title

State of New York)
) ss:
County of _____)

On the ____ day of _____ in the year 20___, before me, the undersigned, personally appeared_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

Tax I.D: 028.-17-01.0

Tax I.D.: 028.-04-17.0

ROBINSON ST

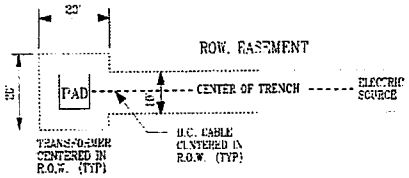
Tax I.D.: 028.-16-11.0

P 22-1

INSTALL P 22-1
APRX 2' FROM NORTHERN PL
APRX 38' FROM EASTERN PL
INSTALL ANCHOR ON P 22-1
12' LEAD LENGTH
APRX 14' FROM NORTHERN PL
APRX 38' FROM EASTERN PL
INSTALL 105' OF PRIMARY UG
TO CUSTOMER PAD 22-2

105'

CUSTOMER OWNED
PAD 22-2



PROPOSED U.G. EASEMENT

- Anchor - install
- Pullbox - existing
- Pullbox - remove
- Pad - existing
- Pad - remove
- Pole (Joint) - existing
- Pole (Sole NG) - install
- Pole (Joint) - replace
- Primary OH (3ph) - existing
- Primary OH (3ph) - install
- Primary UG (3ph) - install
- Service Point - Critical Customer
- Street Light Support - exi_location - 2
- Trench - existing
- Vault - remove
- Property Line

EASEMENT #:	EASEMENT SKETCH - EXHIBIT A	NOT TO SCALE
DESIGNER: Villnave, Douglas DATE: 02/03/2021 WORK ORDER #: 11-21-30047218	HENNINGER H.S. at 600 ROBINSON ST Installing new equipment to facilitate service upgrade request at location	nationalgrid SHEET 1 OF 1

DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

TO: Ben Walsh, Mayor
ATTN: Tim Rudd, Budget Director, Office of Management and Budget

FROM: Mary Robison, P.E., City Engineer Mary E. Robison

DATE: 26 February 2021

RE: Memorandum of Approval – Labella Associates, DPC Construction Inspection Services Fee for West Colvin Street Bridge over Onondaga Creek Rehabilitation Project PIN 3756.57

Previously in April 2019 you approved the maximum not-to-exceed fee of $113,600.00 provided by Labella Associates, DPC for the Preliminary and Detailed Design of West Colvin Street Bridge over Onondaga Creek Rehabilitation Project PIN 3756.57. We have now completed the negotiations with Labella Associates for the scope of services and fee for the project's Construction Inspection Services. We have negotiated a not-to-exceed fee of $78,000.00 for Labella Associates to complete the Construction Inspection for this project as detailed in their scope of services.

Labella Associates also provided a request for additional work performed outside of the previously defined Detailed Design scope of services. Additional design services outside of the original scope of work included sidewalk and pedestrian crossing redesign at the request of NYSDOT and alteration of the project public information meeting from in-person to mailed and on-line formats. The negotiated not-to-exceed fee for the additional Detailed Design services totals $8,800.00.

Please advise if you approve of Labella Associates, DPC proposed total maximum fee not-to-exceed $78,000.00 for the Construction Inspection services for the West Colvin Street Bridge over Onondaga Creek Rehabilitation Project, and $8,800.00 for additional Detailed Design services (by supplemental agreement), resulting in a total not-to-exceed fee of $200,400.00.

If you approve of Labella Associates fee, we will present this to the Common Council for approval.

YES ✓ NO_____

Comments: _____

Signature: _____ Date: 3/3/21

Please return document to Russell Houck, Department of Engineering

Dept. of Engineering
233 E. Washington St.
City Hall, Room 401
Syracuse, N.Y. 13202
Office 315 448-8200
Fax 315 448-8488

www.syrgov.net

17 23

Ordinance No. 2021

BOND ORDINANCE OF THE CITY OF SYRACUSE AUTHORIZING THE ISSUANCE AND SALE OF BONDS IN THE AMOUNT OF ONE MILLION ONE HUNDRED THOUSAND DOLLARS ($1,100,000.00) TO DEFRAY THE COST AND EXPENSE OF THE 2021/2022 UNIMPROVED STREET PROGRAM (SLURRY SEAL)

BE IT ORDAINED, by the Common Council of the City of Syracuse as follows:

Section 1. For the class of objects or purposes of providing funds to defray the cost and expense of the improvements to streets included in the Unimproved Street Program of the City of Syracuse in 2021/2022, said streets including those designated in "Appendix A" attached hereto by or under the jurisdiction of the Commissioner of Public Works, pursuant to the provision of Chapter 684 of the Laws of 1905, as amended, One Million One Hundred Thousand Dollars ($1,100,000.00), general obligation bonds of the City of Syracuse, to be of the terms, form and contents hereinafter provided for, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York.

Section 2. One Million One Hundred Thousand Dollars ($1,100,000.00) is estimated as the maximum cost of the class of objects or purposes for which such bonds are to be issued.

Section 3. The plan for financing such class of objects or purposes consists of the issuance and sale of bonds of the City of Syracuse in the principal sum of One Million One Hundred Thousand Dollars ($1,100,000.00), thereby providing such sum for all the maximum cost of such class of objects or purposes which is to be borne by the City of Syracuse and thereafter assessed against abutting property owners as provided by law.

Section 4. It is hereby determined that the class of objects or purposes for which bonds are to be issued falls within subdivision 20 (b) of paragraph (a) Section 11.00 of the Local Finance Law and the period of probable usefulness of such class of objects or purposes is ten (10) years.

Section 5. The Commissioner of Finance, not more than fifteen (15) days and not less than three (3) days before the sale of said bonds, shall file with the Comptroller of the State of New York a supplemental debt statement and file a duplicate thereof with the City Clerk in compliance with Section 109.00 of the Local Finance Law.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance who is the chief fiscal officer of the City under the Local Finance Law. The Commissioner of Finance may sell such bonds at public or private sale with or without bond insurance or other credit enhancement, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Commissioner of Finance shall determine is most favorable to said City, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law. The Commissioner of Finance is hereby authorized to issue variable rate debt and to enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds, as authorized under Sections 54.90 and 168.00 of the Local Finance Law. Said bonds shall be signed in the name of the City by the original or facsimile signature of the Mayor and countersigned by the original or facsimile signature of the Commissioner of Finance and sealed with

the original or facsimile corporate seal of the City, provided, however, that if the signatures of the Mayor and the Commissioner of Finance are each by facsimile signatures on any bond, such bond shall be authenticated by the manual countersignature of a fiscal agent of the City. All other matters, except as provided herein, relating to such bonds, including prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by only facsimile signatures, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, form, denominations, maturities, interest rate or rates, terms of and manner of sale and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. The Commissioner of Finance may elect to become the fiscal agent for the bonds, or may contract on behalf of the City for this service pursuant to the Local Finance Law. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine. The Commissioner of Finance may also agree on behalf of the City to provide or disclose such information about the City as may be necessary to enable the purchasers of bonds or notes of the City to comply with Securities and Exchange Commission Rule 15c2-12.

Section 7. The temporary use of available funds of the City of Syracuse, not immediately required for the purpose or purposes for which the same were raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this ordinance. The reasonably expected source of funds to be used to

initially pay for the expenditures authorized by Section 1 of this resolution shall be from the City's General Fund. It is intended that the City shall then reimburse expenditures from the General Fund with the proceeds of the bonds and bond anticipation notes authorized by this ordinance and that the interest payable on the bonds and any bond anticipation notes issued in anticipation of such bonds shall be excludable from gross income for federal income tax purposes. This ordinance is intended to constitute the declaration of the City's "official intent" within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures authorized by this ordinance with the proceeds of the bonds and bond anticipation notes authorized herein. Other than as specified in this ordinance, no monies are reasonably expected to be received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 8. When said bonds and notes shall have been duly sold, the same shall be delivered by the Commissioner of Finance to the purchaser upon payment to him of the purchase price, including accrued interest, and the receipt of the Commissioner of Finance shall be a full acquittance to such purchaser who shall not be obliged to see to the application of the purchase money.

Section 9. The faith and credit of the City of Syracuse are hereby pledged to the payment of the principal of said bonds and interest thereon when due. An amount sufficient to pay the principal and interest on said obligations as the same become due and payable in each year shall be assessed in the first instance against abutting property owners as provided by law, but if the moneys collected thereby shall prove insufficient, any such insufficiency shall be included in the annual budget of said City consistent with the requirements for the repayment of faith and credit obligations of the City.

Section 10. The validity of the bonds hereby authorized may be contested only if such obligations are authorized for an object or purpose for which the City of Syracuse is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance shall take effect immediately.

18 24

Ordinance No. 2021

ORDINANCE AUTHORIZING THE UNIMPROVED STREET PROGRAM (SLURRY SEAL) IN THE CITY OF SYRACUSE IN THE YEAR 2021/2022

BE IT ORDAINED, that this Common Council hereby authorizes the Unimproved Street Program (Slurry Seal) in the City of Syracuse in the year 2021/2022 in the unimproved streets as shown on Appendix "A" attached hereto, by or under the jurisdiction of the Commissioner of Public Works, and the Commissioner of Public Works is hereby authorized to perform the necessary work therefor, in whole or in part with his own forces, or in whole or in part by contract or contracts entered into in the manner provided by law, at a total cost not to exceed One Million One Hundred Thousand Dollars ($1,100,000.00) charging the cost thereof to proceeds of the sale of bonds authorized contemporaneously by ordinance of this Common Council, and thereafter to be assessed against abutting property owners by local assessment as provided by law.

17-18 ~~22-24~~

DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

February 10, 2021

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Mr. John Copanas
City Clerk
230 City Hall
Syracuse, NY 13202

Re. Authorization and Bonding for the 2021/2022 Unimproved Street Program – Slurry Seal

Dear Mr. Copanas:

Please prepare the following legislation for the next meeting of the Common Council:

- Authorize the advertising of a public hearing to be scheduled for the applicable Common Council meeting, for the owners of the premises fronting the attached listing of streets who are receiving this service.

- Ordinance authorizing the sale and issuance of bonds to defray the costs of the 2021/2022 Unimproved Street Program – Slurry Seal at a cost not to exceed $1,100,000

- Authorize the costs of labor, equipment, necessary legal fees, engineering costs, inspection fees and miscellaneous costs as required for the 2021/2022 Unimproved Street Program-Slurry Seal at a cost not to exceed $1,100,000 and charging the cost thereof the premises fronting on the attached listing of streets.

A Department of Public Works capital account determined by the Commissioner of Finance will be established to account for the costs of this program.

Department of Public Works
1200 Canal St. Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syrgov.net

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

4

Very truly yours,

Jeremy Robinson

Jeremy Robinson
Commissioner of Public Works

City of Syracuse

AUTHORIZATION TO PROCEED WITH CIP PROJECT

Date:	02/10/21	Department:	Public Works
Project Name:	Unimproved Street Slurry Seal		
Project Cost:	**$1,100,000**		
Contact Name:	Jeremy Robinson Commissioner DPW		
Project Description:	Apply Slurry Seal to a determined number of streets with in the City of Syracuse		

Projected Time Line & Funding Source(s)

Estimated Start Date:	07/01/2021	Estimated Completion Date:	June 30, 2022

Funding Source:	**Dollar Amount:**
Local Share: Cash Capital	
Local Share: Bonds (complete schedule below)	$1,100,000
State Aid/Grant (identify)	
Federal Aid/Grant (identify)	
Other (identify)	
Other (identify)	
Total Project Funding(must equal cost):	1,100,000

Estimated Project Borrowing Timeline

Year	Fiscal Year	Estimated Amount to Borrow
1	2022	1,100,000
2		
3		
4		
5		
Total Estimated Amount to Borrow (if different than "Local Share: Bonds" above, explain)		$ 1,100,000

Approval to proceed with request for legislation is hereby granted.

Project in CIP Plan: Yes X No Reason("No"):

Director of Administration: Date: 19FEB21

Director of Management & Budget: Date: 2-12-21

Commissioner of Finance: Date: 2/18/21

Ordinance No. 2021

ORDINANCE AUTHORIZING THE PURCHASE OF ONE (1) 2009 INTERNATIONAL SANITATION PACKER TRUCK FROM THE SYRACUSE CITY SCHOOL DISTRICT AT A COST NOT TO EXCEED $3,000.00

BE IT ORDAINED, that this Common Council hereby authorizes the purchase of one (1) 2009 International Sanitation Packer Truck from the Syracuse City School District at a total cost not to exceed $3,000.00, with the cost to be charged to Department of Public Works Budget Account #01.51320.540220 or another appropriate account as designated by the Commissioner of Finance.

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DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

February 25, 2021

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

Mr. John Copanas
City Clerk
230 City Hall
Syracuse, NY 13202

Re: Request for Legislation: Authorization to purchase a 2009 International Sanitation Packer from the Syracuse City School District

Dear Mr. Copanas:

Please prepare the following legislation for the next meeting of the Common Council:

Ordinance authorizing the Department of Public Works to purchase a 2009 International Sanitation Packer from Syracuse City School District, at a cost not to exceed $3,000.00. The School District has not been using this vehicle and offered the city this opportunity to purchase the vehicle. The vehicle is in working order and would prove beneficial to the city.

The expense, not to exceed $3,000, will be charged to Department of Public Work's account 01.51320.540220

Should you have any questions or concerns, please don't hesitate to contact us.

Very truly yours,

Jeremy Robinson

Jeremy Robinson
Commissioner of Public Works

MD/li
Cc: Rich Devesty, MEM-DPW
Jenna Vendetti, Administrative Officer-DPW
Robin Macri, Secretary to the Commissioner of Public Works

Department of Public Works
1200 Canal St. Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syrgov.net

DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

February 25, 2021

Mr. Tim Rudd
Budget Director
213 City Hall
Syracuse, NY 13202

Re: Request for Legislation: Authorization to purchase a 2009 International Sanitation Packer from the Syracuse City School District

Dear Mr. Rudd:

Please prepare the following legislation for the next meeting of the Common Council:

Ordinance authorizing the Department of Public Works to purchase a 2009 International Sanitation Packer from Syracuse City School District, at a cost not to exceed $3,000.00. The School District has not been using this vehicle and offered the city this opportunity to purchase the vehicle. The vehicle is in working order and would prove beneficial to the city.

The expense, not to exceed $3,000, will be charged to Department of Public Work's account 01.51320.540220

Should you have any questions or concerns, please don't hesitate to contact us.

Very truly yours,

Jeremy Robinson

Jeremy Robinson
Commissioner of Public Works

MD/li
Cc: Rich Devesty, MEM-DPW
Jenna Vendetti, Administrative Officer-DPW
Robin Macri, Secretary to the Commissioner of Public Works

Department of Public Works
1200 Canal St. Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syrgov.net

Syracuse City School District

INVOICE

Invoice No: GN-0000018222
Invoice Date: 2/22/21
Page: 1 of 2

Remit To:

Syracuse School District
1025 Erie Blvd W
Syracuse NY 13204
United States

Customer No: 00000029
Payment Terms: Net 30
Due Date: 3/24/21

Bill To:

City of Syracuse
Corey Driscoll Dunham, COO
203 City Hall
233 E Washington St
Syracuse NY 13202
United States

AMOUNT DUE: **3,000.00 USD**

Amount Remitted

For billing questions, please call 315-435-6374

Original

Line	Description	Quantity	UOM	Unit Amt	Net Amount
1	Sale of International 7600	1.00	EA	3,000.00	3,000.00

Sale of 2009 International 7600 Packer/Garbage Truck, Vin # 1HTWYAHT39J160892, Odometer reading: 82,330

Subtotal: 3,000.00

AMOUNT DUE: **3,000.00 USD**

PAYMENT INSTRUCTIONS

20

Ordinance No. 2021

ORDINANCE AUTHORIZING THE CITY OF SYRACUSE TO ACCEPT THE INSTALLATION AND CONSTRUCTION OF PEDESTRIAN SIGNAL INFRASTRUCTURE (POSTS, CONDUIT, WIRING, SIGNAL HEADS, PUSHBUTTONS, STRIPING (STOP BAR, CROSSWALKS) AND FOUR (4) ADA RAMPS (CONSISTING OF THE RAMPS, DETECTABLE WARNING UNITS, LANDINGS, FLARES AND REQUIRED CURBING) AT THE EAST BRIGHTON AVENUE AND THURBER STREET INTERSECTION, TO BE COMPLETED AS PADT OF THE MIRABITO DEVELOPMENT PROJECT AT 415 EAST BRIGHTON AVENUE AT NO COST TO THE CITY, AND THE CITY SHALL OWN AND MAINTAIN THE DESCRIBED PEDESTRIAN SIGNAL INFRASTRUCTURE AND ADA RAMPS

WHEREAS, GAT 7393, LLC, the owner of the Mirabito Development Project at 415 East Brighton Avenue, Syracuse, New York, has requested that the City of Syracuse accept the installation and construction of pedestrian signal infrastructure (posts, conduit, wiring, signal heads, pushbuttons, striping (stop bar, crosswalks) and four (4) ADA ramps (consisting of the ramps, detectable warning units, landings, flares and required curbing), with the City owning and maintaining the above described pedestrian signals and associated pedestrian improvements constructed in the City Right of Way's by GAT 7393, LLC at no cost to the City; and

WHEREAS, the Department of Engineering has reviewed, coordinated with other City departments and is of the opinion that the installed pedestrian signals and associated pedestrian improvements described in the plans and specifications on file at the Office of the City Engineer are to the benefit of the public use of the streets.

; NOW, THEREFORE,

BE IT ORDAINED, upon the recommendation of the City Engineer that this Common Council authorizes the Department of Public Works to accept, own, and maintain the above described pedestrian signals and associated pedestrian improvements constructed in the City Right of Way's by GAT 7393, LLC, as shown on the plans as forwarded to the Department of Engineering prepared for GAT 7393, LLC by CHA and titled "*Proposed Mirabito Development Crosswalks Plan*", dated January 29, 2021, subject to the following conditions:

1. GAT 7393, LLC shall construct, without cost to the City, in accordance with the plans, specifications prepared by CHA, and final locations to be approved by the City Engineer and the Commissioner of Public Works, the installation of the pedestrian signals and associated pedestrian improvements.

2. The plans and specifications required to construct all facilities subject to this ordinance shall be prepared by a Professional Engineer registered by the State of New York. **The plans for the work shall be approved by the City Engineer, and record drawings, including AutoCad and GIS formats on magnetic media referenced to New York State plane coordinate, Central Zone shall be provided to the City Engineer subsequent to the completion of the work.** GAT 7393, LLC shall endeavor to provide a certification by a Professional Engineer as to the accuracy of the as-built drawings and attest to the fact that the improvements were constructed in conformity with the plans and specifications approved by the City. As-built drawings and a certification of completion shall be submitted within thirty (30) days after the Department of Public Works has determined that the project is complete. If this information is not received, you will be subject to a $500.00 penalty fee and additional collection fees if necessary.

3. GAT 7393, LLC shall record said right of way and easements with map, legal description and monuments with the County of Onondaga, State of New York, subject to approval by the City Engineer and the Commissioner of Water.

4. That traffic shall be maintained at all times during construction. The entire said work is to be protected by suitable guards and signal both by day and night and precautions are to be taken by all reasonable means to prevent any accident or injury while the work is in progress.

5. That GAT 7393, LLC their successors, assigns, and agents shall at all times defend and indemnify and save harmless the City of Syracuse, its officers and servants from any and all liability and from any and all claims, damages, costs and expenses of every name and nature to person or property which may accrue or grow out of the installation, operation, and maintenance of such infrastructure improvements in said streets and shall defend and indemnify and save harmless said City from all costs, damages and expenses by reason of any damages or injuries to any gas pipe, water pipe, sewers, other utilities, pipes, monuments or

construction work now located in, under and along the surface of said street at the point and place or places where said work is to be performed and maintained.

6. That GAT 7393, LLC, its successors or assigns, shall within thirty (30) days from the adoption of this Ordinance execute and file in the Office of the City Clerk written acceptance of this permission and consent.

7. That all ordinances, rules and regulations of the City and its departments shall at all-time be complied with including the Building Code of the City of Syracuse.

8. The work shall be subject to street cut and repair permitting process administered by the Commissioner of Public Works and any other standard permitting processes that exist.

9. That the City Engineer, the Commissioner of Water and the Commissioner of Public Works shall be advised in advance of time when the work is to be done and the work of installation, including shoring, protection of pipes and facilities and other safety measures, shall be subject to the supervision of the City Engineer, the Commissioner of Water and the Commissioner of Public Works.

10. All work shall be done in a skillful manner with reasonable dispatch and in accordance with the plans and specifications prepared by CHA and all conditions imposed by any laws, rules or regulations which may apply to the work. A dust and sediment and erosion control program shall be in effect for the duration of the project to prevent a nuisance and to prevent interference with or damage to adjacent property, streets, sewers and drainage courses.

11. That GAT 7393, LLC shall adequately and properly protect any existing underground utilities and monuments located within or near said installation. If any such property or facilities are interfered with or damaged, GAT 7393, LLC, or its successors and assigns, shall be responsible for replacement to the satisfaction of the City Engineer, Commissioner of Public Works, and the Commissioner of Water. Should the City Engineer determine that City facilities or utilities require relocation, temporary support or other modification as a result of this Work, said modifications shall be made as directed by the City Engineer.

12. That GAT 7393, LLC, its successors, assigns, and agents shall obtain and keep in force until for the duration of this permission, a general liability insurance policy, in the amount of $2,000,000, naming the City of Syracuse as an additional insured. A Certificate of said insurance shall be submitted to the Department of Engineering, 233 E Washington Street, Room 401 City Hall, Syracuse, New York 13202.

13. That GAT 7393, LLC, its successors, assigns, and agents shall agree that the City, acting through its City Engineer, Commissioner of Public Works, and Commissioner of Water shall have the authority to request any on site investigations, excavations or actions, to be taken at the sole expense of GAT 7393, LLC, which are necessary to ensure that the excavation of these City Streets does not damage or impair City utilities.

14. By consequence of the ordinance or subsequent approvals authorized by the ordinance, the City of Syracuse makes no representation, express or implied, as to the feasibility of the proposed plans and specifications prepared by CHA or to the extent of the work involved in accommodating any existing utility or facility located within the City rights-of-way. Any coordination with the various utility operators, private and/or public, is the responsibility of GAT 7393, LLC.

15. Upon completion of the facilities and acceptance and approval of the utilities by the City Engineer, Commissioner of Public Works and the Commissioner of Water, the use, operation and maintenance of the utilities located therein will be subject to all laws, rules, ordinances and procedures which apply to utilities throughout the City.

16. The construction and restoration permitted by the terms of this ordinance must be carried out and completed within two (2) years from the date of its adoption.

17. The foregoing conditions may be modified or expanded from time to time as agreed upon by the Corporation Counsel, City Engineer and GAT 7393, LLC.

18. GAT 7393, LLC shall hire an independent full time Engineering Company (the "Independent Inspector") to inspect the construction and testing of the pedestrian signals and associated pedestrian improvements to ensure the construction is being progressed in accordance w/the plans and specifications prepared by CHA. Said Independent Inspector shall maintain and complete daily inspection reports/MURK forms and shall be submitted to the City weekly. The Independent Inspector shall observe all testing by testing firm. The Independent Inspector has the right to reject all material and workmanship not in conformance with the plans and specifications prepared by CHA. The City shall be notified in advance of any and all testing so City Personnel can witness testing.

19. GAT 7393, LLC shall hire an independent Engineering Company to review and approve all shop drawings/material submittals for the pedestrian signals and associated pedestrian improvements in accordance with the plans prepared by CHA and to City Standards and Specifications.

20. City shall be notified, consulted and prior approval shall be obtained on all field changes/field change sheets, RFI's etc. related to the construction of the pedestrian signals and associated pedestrian improvements.

21. GAT 7393, LLC shall follow all weather/seasonal limitations per City/NYSDOT specifications for all construction in the City R.O.W. and for infrastructure which are to be handed over to the City.

22. The City shall provide reasonable advance notice to GAT 7393, LLC of any defective workmanship related to the pedestrian signals and associated pedestrian improvements.

23. The City reserves the right to reject any and all materials, workmanship of the pedestrian signals and associated pedestrian improvements at any time during construction.

24. Prior to acceptance of any construction to be handed over to the City, the Independent Inspector and the City shall walk the entire site and generate a punch list. The contractor, shall then complete all items on the punch list.

25. Indemnification shall be required from CHA as there is no contractual design agreement between the City of Syracuse and CHA.

26. TCO's will not be issued until pedestrian signals and associated pedestrian improvements are constructed, tested and accepted by the City. The City shall only accept the pedestrian signals and associated pedestrian improvements when the construction is fully complete and the City receives the as-built plans. GAT 7393, LLC shall address any deviations noted between the as-built plans and design plans immediately, any other City concerns associated with the pedestrian signals and associated pedestrian improvements shall be addressed by the developer before the City accepts the pedestrian signals and associated pedestrian improvements without exception.

27. All monuments shall be referenced prior to construction. If any monuments are disturbed or moved, the monuments shall be replaced in the same location and recertified by a licensed surveyor to the City of Syracuse. All expenses for the above shall be paid for by GAT 7393, LLC.

28. Upon completion of said work in accordance with the plans and specifications prepared by CHA and to the satisfaction of the City Engineer, the Commissioner of Public Works and the Commissioner of Water as herein provided, said pedestrian signals and associated pedestrian improvements and all rights and interests thereto shall pass to and become the property of the City of Syracuse.

29. The completed work shall be subject to approval by the Commissioner of Public Works, the Commissioner of Water and by the City Engineer, and the GAT 7393, LLC shall warranty the same for one (1) year from the date of acceptance.

30. GAT 7393, LLC shall pay for any and all utility relocations costs which may arise out of the pedestrian signals and associated pedestrian improvements.

31. GAT 7393, LLC shall transfer all manufacturer warranties for the Traffic Signal Equipment to the City after the completion and acceptance of the project.

32. Performance and Maintenance Bond: GAT 7393, LLC, its successors or assigns, shall obtain and maintain at all times during which work occurs under this permission, a Performance and Maintenance Bond, made payable to the City, in an amount of at least Seventy-Five Thousand Dollars ($75,000.00), as a guaranty that all work authorized by this Permission shall be completed to the satisfaction of the City of Syracuse (Departments of Engineering, Water & Public Works). This bond shall remain in full force and effect for one year after the completion and acceptance of the project, as determined and certified by the City Engineer, Commissioner of Public Works, and Commissioner of Water.

20

DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

26 February 2021

Mr. John Copanas
City Clerk
233 E. Washington Street, Room 231
Syracuse, N.Y. 13202

Request for Legislation – Accept the Installation and Construction of Pedestrian Signal Infrastructure (posts, conduit, wiring, signal heads, pushbuttons, striping (stop bar, crosswalks) and four (4) ADA ramps (composed of ramps, detectable warning units, landings, flares and required curbing)) at the East Brighton Avenue and Thurber Street intersection, as part of the Mirabito Development at 415 East Brighton Avenue project at No Cost to the City. The City shall own and maintain the described Pedestrian Signal Infrastructure and ADA Ramps.

Dear Mr. Copanas:

I request the following legislation for the next meeting of the Common Council be prepared:

An Ordinance authorizing the City of Syracuse to Accept the Installation and Construction of Pedestrian Signal Infrastructure (posts, conduit, wiring, signal heads, pushbuttons, striping (stop bar, crosswalks) and four (4) ADA ramps (composed of ramps, detectable warning units, landings, flares and required curbing)) at the East Brighton Avenue and Thurber Street intersection, as part of the Mirabito Development at 415 East Brighton Avenue project at No Cost to the City. The City shall own and maintain the described Pedestrian Signal Infrastructure and ADA Ramps. Part of the Construction is on Private land and requires the Acceptance of an Easement which is part of another Legislative Request.

This department has reviewed, coordinated with other City departments and is of the opinion that the installed facilities described in the plans and specifications on file at the City Engineers office are to the benefit of the public use of the streets. It is therefore, recommended that an ordinance be submitted for consideration by the Common Council permitting the Department of Public Works to accept own and maintain the above described pedestrian signals and associated pedestrian improvements constructed in the City Right of Way's by GAT 7393, LLC, as shown on the plans as forwarded to the Department of Engineering prepared for GAT 7393, LLC by CHA and titled *"Proposed Mirabito Development Crosswalks Plan"*, dated January 29, 2021.

1. GAT 7393, LLC shall construct, without cost to the City, in accordance with the plans, specifications prepared by CHA, and final locations to be approved by the

Dept. of Public Works
1200 Canal St. Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syrgov.net

City Engineer and the Commissioner of Public Works, the installation of the pedestrian signals and associated pedestrian improvements.

2. The plans and specifications required to construct all facilities subject to this ordinance shall be prepared by a Professional Engineer registered by the State of New York. **The plans for the work shall be approved by the City Engineer, and record drawings, including AutoCad and GIS formats on magnetic media referenced to New York State plane coordinate, Central Zone shall be provided to the City Engineer subsequent to the completion of the work.** GAT 7393, LLC shall endeavor to provide a certification by a Professional Engineer as to the accuracy of the as-built drawings and attest to the fact that the improvements were constructed in conformity with the plans and specifications approved by the City. As-built drawings and a certification of completion shall be submitted within thirty (30) days after the Department of Public Works has determined that the project is complete. If this information is not received, you will be subject to a $500.00 penalty fee and additional collection fees if necessary.

3. GAT 7393, LLC shall record said right of way and easements with map, legal description and monuments with the County of Onondaga, State of New York, subject to approval by the City Engineer and the Commissioner of Water.

4. That traffic shall be maintained at all times during construction. The entire said work is to be protected by suitable guards and signal both by day and night and precautions are to be taken by all reasonable means to prevent any accident or injury while the work is in progress.

5. That GAT 7393, LLC their successors, assigns, and agents shall at all times defend and indemnify and save harmless the City of Syracuse, its officers and servants from any and all liability and from any and all claims, damages, costs and expenses of every name and nature to person or property which may accrue or grow out of the installation, operation, and maintenance of such infrastructure improvements in said streets and shall defend and indemnify and save harmless said City from all costs, damages and expenses by reason of any damages or injuries to any gas pipe, water pipe, sewers, other utilities, pipes, monuments or construction work now located in, under and along the surface of said street at the point and place or places where said work is to be performed and maintained.

6. That GAT 7393, LLC, its successors or assigns, shall within thirty (30) days from the adoption of this Ordinance execute and file in the Office of the City Clerk written acceptance of this permission and consent.

7. That all ordinances, rules and regulations of the City and its departments shall at all time be complied with including the Building Code of the City of Syracuse.

8. The work shall be subject to street cut and repair permitting process administered by the Commissioner of Public Works and any other standard permitting processes that exist.

9. That the City Engineer, the Commissioner of Water and the Commissioner of Public Works shall be advised in advance of time when the work is to be done and the work of installation, including shoring, protection of pipes and facilities and other safety measures, shall be subject to the supervision of the City Engineer, the Commissioner of Water and the Commissioner of Public Works.

10. All work shall be done in a skillful manner with reasonable dispatch and in accordance with the plans and specifications prepared by CHA and all conditions imposed by any laws, rules or regulations which may apply to the work. A dust and sediment and erosion control program shall be in effect for the duration of the project to prevent a nuisance and to prevent interference with or damage to adjacent property, streets, sewers and drainage courses.

11. That GAT 7393, LLC shall adequately and properly protect any existing underground utilities and monuments located within or near said installation. If any such property or facilities are interfered with or damaged, GAT 7393, LLC, or its successors and assigns, shall be responsible for replacement to the satisfaction of the City Engineer, Commissioner of Public Works, and the Commissioner of Water. Should the City Engineer determine that City facilities or utilities require relocation, temporary support or other modification as a result of this Work, said modifications shall be made as directed by the City Engineer.

12. That GAT 7393, LLC, its successors, assigns, and agents shall obtain and keep in force until for the duration of this permission, a general liability insurance policy, in the amount of $2,000,000, naming the City of Syracuse as an additional insured. A Certificate of said insurance shall be submitted to the Department of Engineering, 233 E Washington Street, Room 401 City Hall, Syracuse, New York 13202.

13. That GAT 7393, LLC, its successors, assigns, and agents shall agree that the City, acting through its City Engineer, Commissioner of Public Works, and Commissioner of Water shall have the authority to request any on site investigations, excavations or actions, to be taken at the sole expense of GAT 7393, LLC, which are necessary to ensure that the excavation of these City Streets does not damage or impair City utilities.

14. By consequence of the ordinance or subsequent approvals authorized by the ordinance, the City of Syracuse makes no representation, express or implied, as to the feasibility of the proposed plans and specifications prepared by CHA or to the extent of the work involved in accommodating any existing utility or facility located within the City rights-of-way. Any coordination with the various utility operators, private and/or public, is the responsibility of GAT 7393, LLC.

15. Upon completion of the facilities and acceptance and approval of the utilities by the City Engineer, Commissioner of Public Works and the Commissioner of Water, the use, operation and maintenance of the utilities located therein will be subject to all laws, rules, ordinances and procedures which apply to utilities throughout the City.

16. The construction and restoration permitted by the terms of this ordinance must be carried out and completed within two (2) years from the date of its adoption.

17. The foregoing conditions may be modified or expanded from time to time as agreed upon by the Corporation Counsel, City Engineer and GAT 7393, LLC.

18. GAT 7393, LLC shall hire an independent full time Engineering Company (the "Independent Inspector") to inspect the construction and testing of the pedestrian signals and associated pedestrian improvements to ensure the construction is being progressed in accordance w/the plans and specifications prepared by CHA. Said Independent Inspector shall maintain and complete daily inspection reports/MURK forms and shall be submitted to the City weekly. The Independent Inspector shall observe all testing by testing firm. The Independent Inspector has the right to reject all material and workmanship not in conformance with the plans and specifications prepared by CHA. The City shall be notified in advance of any and all testing so City Personnel can witness testing.

19. GAT 7393, LLC shall hire an independent Engineering Company to review and approve all shop drawings/material submittals for the pedestrian signals and associated pedestrian improvements in accordance with the plans prepared by CHA and to City Standards and Specifications.

20. City shall be notified, consulted and prior approval shall be obtained on all field changes/field change sheets, RFI's etc. related to the construction of the pedestrian signals and associated pedestrian improvements.

21. GAT 7393, LLC shall follow all weather/seasonal limitations per City/NYSDOT specifications for all construction in the City R.O.W. and for infrastructure which are to be handed over to the City.

22. The City shall provide reasonable advance notice to GAT 7393, LLC of any defective workmanship related to the pedestrian signals and associated pedestrian improvements.

23. The City reserves the right to reject any and all materials, workmanship of the pedestrian signals and associated pedestrian improvements at any time during construction.

24. Prior to acceptance of any construction to be handed over to the City, the Independent Inspector and the City shall walk the entire site and generate a punch list. The contractor, shall then complete all items on the punch list.

25. Indemnification shall be required from CHA as there is no contractual design agreement between the City of Syracuse and CHA.

26. TCO's will not be issued until pedestrian signals and associated pedestrian improvements are constructed, tested and accepted by the City. The City shall only accept the pedestrian signals and associated pedestrian improvements when the construction is fully complete and the City receives the as-built plans. GAT 7393, LLC shall address any deviations noted between the as-built plans and design plans immediately, any other City concerns associated with the pedestrian signals and associated pedestrian improvements shall be addressed by the developer before the City accepts the pedestrian signals and associated pedestrian improvements without exception.

27. All monuments shall be referenced prior to construction. If any monuments are disturbed or moved, the monuments shall be replaced in the same location and recertified by a licensed surveyor to the City of Syracuse. All expenses for the above shall be paid for by GAT 7393, LLC.

28. Upon completion of said work in accordance with the plans and specifications prepared by CHA and to the satisfaction of the City Engineer, the Commissioner of Public Works and the Commissioner of Water as herein provided, said pedestrian signals and associated pedestrian improvements and all rights and interests thereto shall pass to and become the property of the City of Syracuse.

29. The completed work shall be subject to approval by the Commissioner of Public Works, the Commissioner of Water and by the City Engineer, and the GAT 7393, LLC shall warranty the same for one (1) year from the date of acceptance.

30. GAT 7393, LLC shall pay for any and all utility relocations costs which may arise out of the pedestrian signals and associated pedestrian improvements.

31. GAT 7393, LLC shall transfer all manufacturer warranties for the Traffic Signal Equipment to the City after the completion and acceptance of the project.

32. Performance and Maintenance Bond: GAT 7393, LLC, its successors or assigns, shall obtain and maintain at all times during which work occurs under this permission, a Performance and Maintenance Bond, made payable to the City, in an amount of at least Seventy-Five Thousand Dollars ($75,000.00), as a guaranty that all work authorized by this Permission shall be completed to the satisfaction of the City of Syracuse (Departments of Engineering, Water & Public Works). This bond shall remain in full force and effect for one year after the completion and acceptance of the project, as determined and certified by the City Engineer, Commissioner of Public Works, and Commissioner of Water.

Additional terms and conditions, as recommended by the City Engineer and the Corporation Counsel, shall be set forth in the Ordinance.

Very truly yours,

Jeremy Robinson
DPW Commissioner

CC:
Mary E. Robison, City Engineer

21

Ordinance No. 2021

ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A PERMANENT EASEMENT AT THE INTERSECTION OF EAST BRIGHTON AVENUE AND THURBER STREET FROM GAT 7393, LLC, THE OWNER OF THE MIRABITO DEVELOPMENT PROJECT AT 415 EAST BRIGHTON AVENUE, SYRACUSE, NEW YORK, TO FACILITATE THE PUBLIC USE OF A SIDEWALK AND FOR THE INSTALLATION AND CITY OWNERSHIP AND MAINTENANCE OF PEDESTRIAN SIGNAL INFRASTRUCTURE AND ONE EXISTING CATCH BASIN

WHEREAS, GAT 7393, LLC, the Owner of the Mirabito Development project (415 East Brighton Avenue) at the Intersection of East Brighton Avenue and Thurber Street, has requested that the City of Syracuse accept a permanent easement at the intersection of East Brighton Avenue and Thurber Street, to facilitate the public use of a sidewalk and for the installation and City ownership and maintenance of Pedestrian Signal Infrastructure (1 pedestrian signal pole, associated conduit, ADA ramps & Components (x2)) and One Existing Catch Basin. The City shall own and maintain the pedestrian signal infrastructure whereas the ownership and maintenance of the sidewalk shall fall under the responsibilities for sidewalks as defined in the City Charter; and

WHEREAS, the permanent easement is required as the existing Right-of-Way is too narrow to construct the required facilities in accordance with applicable standards; and

WHEREAS, the Department of Public Works and the City Engineer have reviewed the proposal and recommends consideration of the same; NOW, THEREFORE,

BE IT ORDAINED, this Common Council hereby accepts a permanent easement from GAT 7393, LLC. at the intersection of East Brighton Avenue and Thurber Street to facilitate the public use of a sidewalk and for the installation and City ownership and maintenance of Pedestrian

Signal Infrastructure (1 pedestrian signal pole, associated conduit, ADA ramps & Components (x2))

and One Existing Catch Basin, subject to the following conditions:

1. GAT 7393, LLC shall record said right of way and easements with map, legal description and monuments with the County of Onondaga, State of New York, subject to approval by the City Engineer, Commissioner of Public Works, and the Commissioner of Water.

2. That GAT 7393, LLC, its successors or assigns, shall within thirty (30) days from the adoption of this Ordinance execute and file in the Office of the City Clerk written acceptance of this ordinance.

3. The City shall own and maintain the pedestrian signal infrastructure whereas the ownership and maintenance of the sidewalk shall fall under the responsibilities for sidewalks as defined in the City Charter

4. The foregoing conditions may be modified or expanded from time to time as agreed upon by the Corporation Counsel, City Engineer and GAT 7393, LLC.

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DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

26 February 2021

Mr. John Copanas
City Clerk
233 E. Washington Street, Room 231
Syracuse, N.Y. 13202

Request for Legislation – Accept a Permanent Easement from GAT 7393, LLC, the Owner of the Mirabito Development project (415 East Brighton Avenue) at the Intersection of East Brighton Avenue and Thurber Street to Facilitate the Public Use of a Sidewalk and for the Installation and City Ownership and Maintenance of Pedestrian Signal Infrastructure (1 pedestrian signal pole, associated conduit, ADA ramps and Components (x2)) and One Existing Catch Basin.

Dear Mr. Copanas:

I request the following legislation for the next meeting of the Common Council be prepared:

An Ordinance authorizing the City of Syracuse to – Accept a Permanent Easement from GAT 7393, LLC, the Owner of the Mirabito Development project (415 East Brighton Avenue) at the Intersection of East Brighton Avenue and Thurber Street to Facilitate the Public Use of a Sidewalk and for the Installation and City Ownership & Maintenance of Pedestrian Signal Infrastructure (1 pedestrian signal pole, associated conduit, ADA ramps & Components (x2)) and One Existing Catch Basin. The City shall own and maintain the pedestrian signal infrastructure whereas the ownership and maintenance of the sidewalk shall fall under the responsibilities for sidewalk as defined in the City Charter.

The easement is required as the existing R.O.W. is too narrow to construct the required facilities in accordance with applicable standards. The acceptance for the installation and construction of the Pedestrian Signal Infrastructure is the subject of another Common Council Legislative request to be presented.

This department has reviewed, coordinated with other City departments and is of the opinion that the easement is a benefit to the public use of the streets. It is therefore, recommended for consideration by the Common Council to accept a permanent easement from GAT 7393, LLC for the pedestrian infrastructure improvements at no cost to the City in and along the aforementioned permanent easement that will be granted to the City of Syracuse at the intersection of East Brighton Avenue and Thurber Street and as shown on the drawing as forwarded to the Department of Engineering prepared by Control Point Associates, Inc. entitled "Sidewalk Easement Plan 415 East Brighton

Dept. of Public Works
1200 Canal St. Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syrgov.net

Avenue" dated February 18th, 2021. A copy of the survey and the legal description of the proposed easement are attached.

1. GAT 7393, LLC shall record said right of way and easements with map, legal description and monuments with the County of Onondaga, State of New York, subject to approval by the City Engineer, Commissioner of Public Works, and the Commissioner of Water.

2. That GAT 7393, LLC, its successors or assigns, shall within thirty (30) days from the adoption of this Ordinance execute and file in the Office of the City Clerk written acceptance of this ordinance.

3. The foregoing conditions may be modified or expanded from time to time as agreed upon by the Corporation Counsel, City Engineer and GAT 7393, LLC.

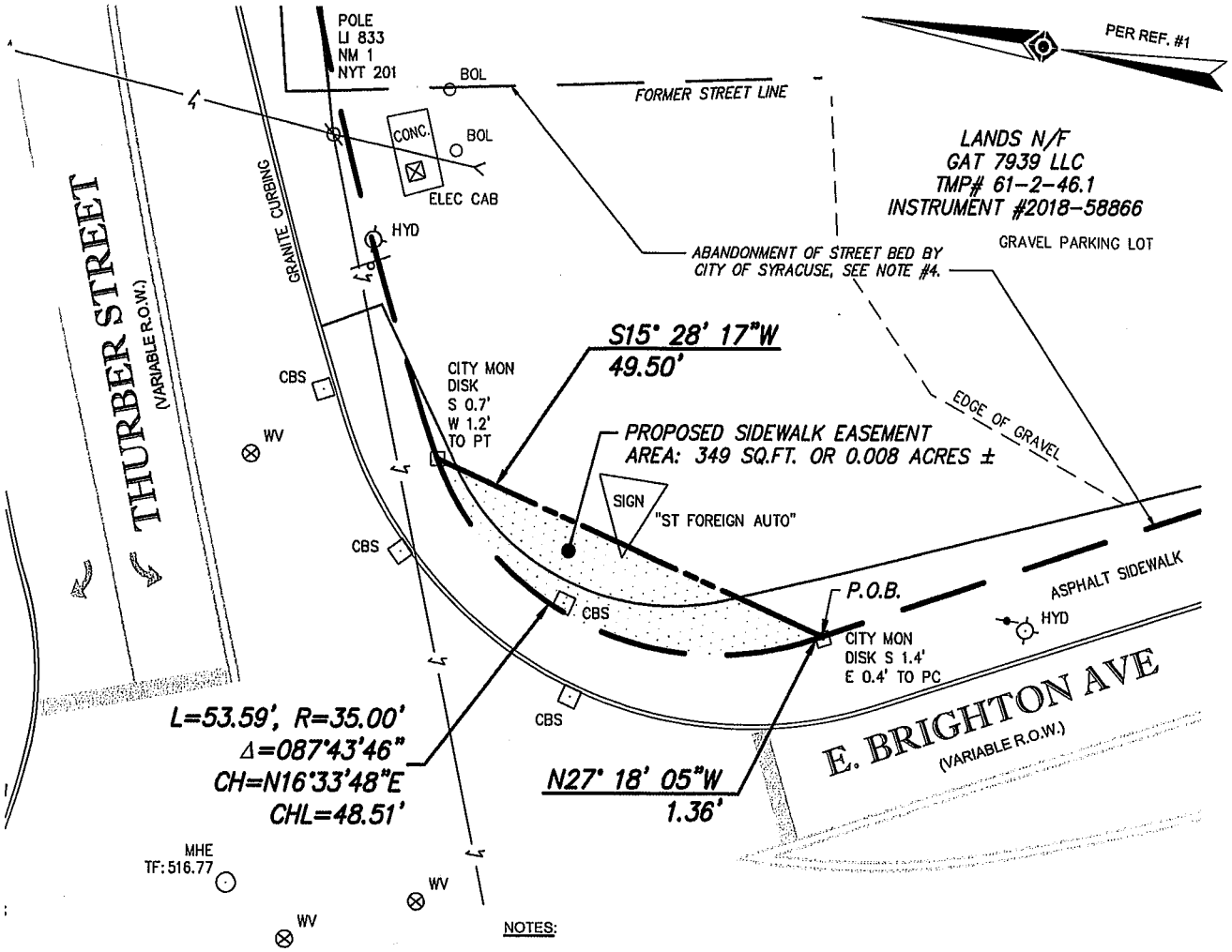
Additional terms and conditions, as recommended by the City Engineer and the Corporation Counsel, shall be set forth in the Ordinance.

Very truly yours,

Jeremy Robinson

Jeremy Robinson
DPW Commissioner

CC:
Mary E. Robison, City Engineer



GRAPHIC SCALE

0 20 30 40

(IN FEET)
1 inch = 20 ft.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED OR INK SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

NOTES:

1. BASE MAPPING PREPARED BY CONTROL POINT ASSOCIATES INC, PC.
2. NORTH ORIENTATION REFERENCED TO CITY OF SYRACUSE SURVEY (PER REFERENCE #1).
3. SUBJECT TO ANY RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD.
4. CITY OF SYRACUSE HAS ABANDONED A PORTION OF EAST BRIGHTON AVENUE STREET BED PURSUANT TO ORDINANCE No.67 OF 1996, ADOPTED ON MARCH 11, 1996 BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR ON MARCH 19, 1996.
5. THIS PLAN IS INTENDING TO DEPICT A SIDEWALK EASEMENT TO BE CONVEYED TO THE CITY OF SYRACUSE.

REFERENCES:

1. MAP ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY 415 EAST BRIGHTON AVENUE, LOT 45.1 & 46.1/ BLOCK 2, CITY OF SYRACUSE, ONONDAGA COUNTY, STATE OF NEW YORK", PREPARED BY CONTROL POINT ASSOCIATES INC. PC, DATED 4/11/2019, FILE NO. 09-190096.
2. A SURVEY ENTITLED "PART OF LOT No. 94, CITY OF SYRACUSE, ONONDAGA COUNTY, NEW YORK", PREPARED BY ALFRED N. IANUZI, JR., LAST REVISED SEPTEMBER 27, 1995.
3. ORDINANCE No.8 OF 1996 AUTHORIZING PUBLIC HEARING REGARDING ABANDONMENT OF A PORTION OF THE 400 BLOCK OF THE EAST BRIGHTON AVENUE AND THURBER STREET RIGHT-OF-WAY.

STATE OF NEW YORK
JODY JAMES LOUNSBURY
LICENSED LAND SURVEYOR
50715

FEBRUARY 18, 2021
DATE

JODY J. LOUNSBURY
NEW YORK PROFESSIONAL LAND SURVEYOR #50715

FIELD DATE	FIELD BOOK NO.	FIELD BOOK PG.	FIELD CREW	DRAWN:
7-2014 3-28-2019	154 & 167	57 & 29	M.L.M.	M.L.M.

SIDEWALK EASEMENT PLAN
415 EAST BRIGHTON AVENUE

TAX MAP 61, BLOCK 2, PARCEL 46.1
CITY OF SYRACUSE, COUNTY OF ONONDAGA
STATE OF NEW YORK

CONTROL POINT ASSOCIATES, INC.
16 WEST MAIN STREET
ROCHESTER, NY 14614
585.250.1764 - WWW.CPASURVEY.COM

WARREN, NJ 908.668.0099
CHALFONT, PA 215.712.9800
MT. LAUREL, NJ 609.857.2099
NEW YORK, NY 646.780.0411
LONG ISLAND, NY 631.580.2645
SOUTHBOROUGH, MA 508.948.3000
ALBANY, NY 518.217.5010

REVIEWED:	APPROVED:	DATE	SCALE	FILE NO.	DWG. NO.
J.J.L.	J.J.L.	02-18-2021	1"=20'	09-190096	1 OF 1

CONTROL POINT
ASSOCIATES, INC.
traditional methods | modern approaches

16 West Main Street
Powers Building, Suite 804
Rochester, NY 14614
Tel: 585-250-1764
cpasurvey.com

February 18, 2021
09-190096

METES AND BOUNDS DESCRIPTION
PROPOSED SIDEWALK EASEMENT
LANDS N/F GAT 7393 LLC
TMP 61-2-46.1
CITY OF SYRACUSE, ONONDAGA COUNTY, NEW YORK

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF SYRACUSE, COUNTY OF ONONDAGA, STATE OF NEW YORK, BEING PART OF LOT 94, OF THE ONONDAGA SALT SPRINGS RESERVATION IN SAID CITY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" CPA CAPPED REBAR ON THE EAST LINE OF EAST BRIGHTON AVENUE, AT ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN PROPERTY NOW OR FORMERLY OWNED BY TY KUHNS LLC ON THE SOUTH AS DESCRIBED IN L.5143 OF DEEDS, P.672 AND PROPERTY NOW OR FORMERLY OWNED BY GAT 7393 LLC ON THE NORTH AS DESCRIBED IN INSTRUMENT #2018-58866. THENCE, NORTH 24°00'38" WEST, ALONG THE EAST LINE OF EAST BRIGHTON AVENUE, A DISTANCE OF 99.46 TO A MAG NAIL; THENCE, CONTINUING NORTH 27°37'25" WEST ALONG SAID EAST LINE OF EAST BRIGHTON AVENUE, A DISTANCE OF 226.48 FEET TO THE POINT OF BEGINNING;

1. THENCE, NORTH 27°18'05" WEST, ALONG SAID EAST LINE OF EAST BRIGHTON AVENUE, A DISTANCE OF 1.36 FEET TO A POINT OF CURVATURE;

2. THENCE, NORTHEASTERLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 35.00 FEET, A DELTA ANGLE OF 87°43'46", AN ARC LENGTH OF 53.59 FEET AND A CHORD BEARING NORTH 16°33'48" EAST, A DISTANCE OF 48.51 FEET TO A POINT IN THE SOUTH LINE OF THURBER STREET;

3. THENCE, SOUTH 15°28'17" WEST, THROUGH THE PROPERTY OF SAID GAT 7393 LLC, A DISTANCE OF 49.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 349 SQUARE FEET, OR 0.008 ACRES MORE OR LESS

THIS DESCRIPTION IS BASED UPON A PLAN ENTITLED "SIDEWALK EASEMENT PLAN, 415 EAST BRIGHTON AVENUE", PREPARED BY CONTROL POINT ASSOCIATES INC. PC, FILE NO. 09-190096, DATED FEBRUARY 18, 2021.

THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS EITHER WRITTEN OR IMPLIED.

STATE OF NEW YORK
JODY JAMES LOUNSBURY
EXCELSIOR
50715
LICENSED LAND SURVEYOR

CONTROL POINT ASSOCIATES, INC.

Jody J. Lounsbury — FEBRUARY 18,2021
JODY J. LOUNSBURY — DATE
NEW YORK PROFESSIONAL
LAND SURVEYOR #050715

22

Ordinance No. 2021

ORDINANCE AUTHORIZING THE CITY OF SYRACUSE TO ACCEPT, OWN AND MAINTAIN VARIOUS TRAFFIC SIGNAL IMPROVEMENTS AND ASSOCIATED EQUIPMENT TO BE INSTALLED AND CONSTRUCTED BY JMA TECH PROPERTIES AND RANALLI/TAYLOR ST, LLC AT THE SOUTH SALINA STREET AND TALLMAN STREET INTERSECTION AND THE TALLMAN STREET AND CORTLAND AVENUE INTERSECTION AND ALLOW FOR THE DECOMMISSION AND REMOVAL OF THE EXISTING TRAFFIC SIGNALS AND EQUIPMENT AT THE SOUTH SALINA STREET AND CORTLAND AVENUE INTERSECTION, AT NO COST TO THE CITY

WHEREAS, JMA Tech Properties and Ranalli/Taylor St, LLC, has requested that the City of Syracuse accept, own and maintain two (2) new Traffic Signals and Associated Equipment (including but not limited to Posts, Arms, Signals, Striping, ADA ramps, Pedestrian Signals, Traffic Loops, Conduit, Wiring & Pullboxes) at the South Salina Street and Tallman Street Intersection; and modifications to the Existing Traffic Signal and Pavement Striping at the Tallman Street and Cortland Avenue Intersection; and allow for the decommission and removal of the Existing Traffic Signals and Equipment at the South Salina and Cortland Avenue Intersection. The Improvements are required as a result of the Abandonment of the section of Cortland Avenue between Tallman Street and South Salina Street. All will be done at no cost to the City; and

WHEREAS, the Department of Engineering has reviewed, coordinated with other City departments and is of the opinion that the installed facilities described in the plans and specifications on file at the Office of the City Engineer are to the benefit of the public use of the streets.

; NOW, THEREFORE,

BE IT ORDAINED, upon the recommendation of the City Engineer that this Common Council authorizes the Department of Public Works to accept, own, and maintain the above described infrastructure improvements constructed in the City Right of Way's by JMA Tech Properties and Ranalli/Taylor St LLC , as shown on the plans as forwarded to the Department of Engineering prepared for JMA Tech Properties and Ranalli/Taylor St LLC by CHA and titled "*PIN 59294, South Salina Street, Tallman Street, Cortland Ave, Signal Project, City of Syracuse, Onondaga County, NY*", dated February 24, 2021, subject to the following conditions:

1. JMA Tech Properties and Ranalli/Taylor St LLC shall construct, without cost to the City, in accordance with the plans, specifications prepared by CHA, and final locations to be approved by the City Engineer, and the Commissioner of Public Works, the Installation and Construction of the Traffic Signal Improvements.

2. The plans and specifications required to construct all facilities subject to this ordinance shall be prepared by a Professional Engineer registered by the State of New York. **The plans for the work shall be approved by the City Engineer, and record drawings, including AutoCad and GIS formats on magnetic media referenced to New York State plane coordinate, Central Zone shall be provided to the City Engineer subsequent to the completion of the work.** JMA Tech Properties and Ranalli/Taylor St LLC shall endeavor to provide a certification by a Professional Engineer as to the accuracy of the as-built drawings and attest to the fact that the improvements were constructed in conformity with the plans and specifications approved by the City. As-built drawings and a certification of completion shall be submitted within thirty (30) days after the Department of Public Works has determined that the project is complete. If this information is not received, you will be subject to a $500.00 penalty fee and additional collection fees if necessary.

3. That traffic shall be maintained at all times during construction. The entire said work is to be protected by suitable guards and signal both by day and night and precautions are to be taken by all reasonable means to prevent any accident or injury while the work is in progress.

4. That JMA Tech Properties and Ranalli/Taylor St LLC their successors, assigns, and agents shall at all times defend and indemnify and save harmless the City of Syracuse, its officers and servants from any and all liability and from any and all claims, damages, costs and expenses of every name and nature to person or property which may accrue or grow out of the installation, operation, and maintenance of such traffic and pedestrian signals and associated improvements in said streets and shall defend and indemnify and save harmless said City from all costs, damages and expenses by reason of any damages or injuries to any gas pipe, water pipe, sewers, other utilities, pipes or construction work now located in, under and along the surface of said street at the point and place or places where said work is to be performed and maintained.

5. That JMA Tech Properties and Ranalli/Taylor St LLC, its successors or assigns, shall within thirty (30) days from the adoption of this Ordinance execute and file in the Office of the City Clerk written acceptance of this permission and consent.

6. That all ordinances, rules and regulations of the City and its departments shall at all times be complied with including the Building Code of the City of Syracuse.

7. The work shall be subject to street cut and repair permitting process administered by the Commissioner of Public Works and any other standard permitting processes that exist.

8. That the City Engineer, the Commissioner of Water and the Commissioner of Public Works shall be advised in advance of time when the work is to be done and the work of installation, including shoring, protection of pipes and facilities and other safety measures, shall be subject to the supervision of the City Engineer, the Commissioner of Water and the Commissioner of Public Works.

9. All work shall be done in a skillful manner with reasonable dispatch and in accordance with the plans and specifications prepared by CHA and all conditions imposed by any laws, rules or regulations which may apply to the work. A dust and sediment and erosion control program shall be in effect for the duration of the project to prevent a nuisance and to prevent interference with or damage to adjacent property, streets, sewers and drainage courses.

10. That JMA Tech Properties and Ranalli/Taylor St LLC shall adequately and properly protect any existing underground utilities and monuments located within or near said installation. If any such property or facilities are interfered with or damaged, JMA Tech Properties and Ranalli/Taylor St LLC, or its successors and assigns, shall be responsible for replacement to the satisfaction of the City Engineer, Commissioner of Public Works, and the Commissioner of Water. Should the City Engineer determine that City facilities or utilities require relocation, temporary support or other modification as a result of this Work, said modifications shall be made as directed by the City Engineer.

11. That JMA Tech Properties and Ranalli/Taylor St LLC, its successors, assigns, and agents shall obtain and keep in force until for the duration of this permission, a general liability insurance policy, in the amount of $2,000,000, naming the City of Syracuse as an additional insured. A Certificate of said insurance shall be submitted to the Department of Engineering, 233 E Washington Street, Room 401 City Hall, Syracuse, New York 13202.

12. That JMA Tech Properties and Ranalli/Taylor St LLC, its successors, assigns, and agents shall agree that the City, acting through its City Engineer, Commissioner of Public Works, and Commissioner of Water shall have the authority to request any on site investigations, excavations or actions, to be taken at the sole expense of JMA Tech Properties and Ranalli/Taylor St LLC, which are necessary to ensure that the excavation of these City Streets does not damage or impair City utilities.

13. By consequence of the ordinance or subsequent approvals authorized by the ordinance, the City of Syracuse makes no representation, express or implied, as to the feasibility of the proposed plans and specifications prepared by CHA or to the extent of the work involved in accommodating any existing utility or facility located within the City rights-of-way. Any coordination with the various utility operators, private and/or public, is the responsibility of JMA Tech Properties and Ranalli/Taylor St LLC.

14. Upon completion of the facilities and acceptance and approval of the facilities by the City Engineer, Commissioner of Public Works and the Commissioner of Water, the use, operation and maintenance of the facilities located therein will be subject to all laws, rules, ordinances and procedures which apply to utilities throughout the City.

15. The construction and restoration permitted by the terms of this ordinance must be carried out and completed within two (2) years from the date of its adoption.

16. The foregoing conditions may be modified or expanded from time to time as agreed upon by the Corporation Counsel, City Engineer and JMA Tech Properties and Ranalli/Taylor St LLC.

17. JMA Tech Properties and Ranalli/Taylor St LLC shall hire an independent full time Engineering Company (the "Independent Inspector") to inspect the construction and testing of the traffic signal improvements, modifications and decommissioning to ensure the construction is being progressed in accordance w/the plans and specifications prepared by CHA. Said Independent Inspector shall maintain and complete daily inspection reports/MURK forms and shall be submitted to the City weekly. The Independent Inspector shall observe all testing by testing firm. The Independent Inspector has the right to reject all material and workmanship not in conformance with the plans and specifications prepared by CHA. The City shall be notified in advance of any and all testing so City Personnel can witness testing.

18. JMA Tech Properties and Ranalli/Taylor St LLC shall hire an independent Engineering Company to review and approve all shop drawings/material submittals for the pedestrian signals and associated pedestrian improvements in accordance with the plans prepared by CHA and to City Standards and Specifications. All approved shop drawings and submittals shall be turned over to the City Engineer.

19. City shall be notified, consulted and prior approval shall be obtained on all field changes/field change sheets, RFI's etc. related to the construction of the traffic signals and associated improvements, modification and decommissioning.

20. JMA Tech Properties and Ranalli/Taylor St LLC shall follow all weather/seasonal limitations per City/NYSDOT specifications for all construction in the City R.O.W. and for infrastructure improvements which are to be handed over to the City.

21. The City shall provide reasonable advance notice to JMA Tech Properties and Ranalli/Taylor St LLC of any defective workmanship related to the Traffic Signal Construction and Modification Improvements.

22. The City reserves the right to reject any and all materials, workmanship of the traffic signals and associated improvements at any time during construction.

23. Prior to acceptance of any construction to be handed over to the City, the Independent Inspector and the City shall walk the entire site and generate a punch list. The contractor shall then complete all items on the punch list.

24. JMA Tech Properties and Ranalli/Taylor St LLC shall immediately install and maintain a Temporary Traffic Signal System at the South Salina & Tallman Street Intersection until such time that proposed permanent Traffic Signal is completed and operational. This is required as a result of JMA Tech Properties and Ranalli/Taylor St LLC closing the section of Cortland Avenue between Tallman and South Salina Streets. The Traffic Signals shall be timed as required to maintain traffic flow in an acceptable pattern.

25. Indemnification shall be required from CHA as there is no contractual design agreement between the City of Syracuse and CHA.

26. TCO's will not be issued until the Traffic Signal improvements are constructed, tested and accepted by the City. The City shall only accept the pedestrian signals and associated improvements when the construction is fully complete, and the City receives the as-built plans and shop drawings and product submittals. JMA Tech Properties and Ranalli/Taylor St LLC shall address any deviations noted between the as-built plans and design plans immediately, any other City concerns associated with the traffic signals and associated improvements, modifications and decommissioning shall be addressed by the developer before the City accepts the traffic and pedestrian signals and associated improvements without exception.

27. All monuments shall be referenced prior to construction. If any monuments are disturbed or moved, the monuments shall be replaced in the same location and recertified by a licensed surveyor to the City of Syracuse. All expenses for the above shall be paid for by JMA Tech Properties and Ranalli/Taylor St LLC.

28. Upon completion of said work in accordance with the plans and specifications prepared by CHA and to the satisfaction of the City Engineer and the Commissioner of Public Works and the Commissioner of Water as herein provided, said Traffic Signals and associated Improvements and all rights and interests thereto shall pass to and become the property of the City of Syracuse.

29. JMA Tech Properties and Ranalli/Taylor St LLC shall pay for any and all utility relocations costs which may arise out of the traffic and pedestrian signals and associated improvements.

30. JMA Tech Properties and Ranalli/Taylor St LLC shall transfer all manufacturer warranties for the Traffic and Pedestrian Signal Equipment to the City after the completion and acceptance of the project.

31. Performance and Maintenance Bond: JMA Tech Properties and Ranalli/Taylor St LLC, its successors or assigns, shall obtain and maintain at all times during which work occurs under

this permission, a Performance and Maintenance Bond, made payable to the City, in an amount of at least Two Hundred and Seventy Five Thousand Dollars ($275,000.00), as a guaranty that all work authorized by this Permission shall be completed to the satisfaction of the City of Syracuse (Departments of Engineering, Water & Public Works). This bond shall remain in full force and effect for one year after the completion and acceptance of the project, as determined and certified by the City Engineer, Commissioner of Public Works, and Commissioner of Water.

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DEPARTMENT OF PUBLIC WORKS

CITY OF SYRACUSE, MAYOR BEN WALSH

Jeremy Robinson
Commissioner

Ann Fordock
Deputy Commissioner

Martin E. Davis, L.S.
Deputy Commissioner

26 February 2021

Mr. John Copanas
City Clerk
233 E. Washington Street, Room 231
Syracuse, N.Y. 13202

Request for Legislation – Accept the following Traffic Signal Improvements to be Completed at No Cost to the City by JMA Tech Properties and Ranalli/Taylor St LLC (1) Installation and Construction of Two (2) New Traffic Signals and Associated Equipment (including but not limited to Posts, Arms, Signals, Striping, ADA ramps, Pedestrian Signals, Traffic Loops, Conduit, Wiring & Pullboxes) at the South Salina Street and Tallman Street Intersection (2) Modifications to the Existing Traffic Signal and Pavement Striping at the Tallman Street and Cortland Avenue Intersection (3) Decommission and Removal of the Existing Traffic Signals and Equipment at the South Salina and Cortland Avenue Intersection, the Improvements are required as a result of the Abandonment of the section of Cortland Avenue between Tallman Street and South Salina Street. The Improvements and Construction to be completed at No Cost to the City. The City shall own and maintain the described Traffic Signal and Pedestrian Signal Infrastructure and ADA Ramps.

Dear Mr. Copanas:

I request the following legislation for the next meeting of the Common Council be prepared:

An Ordinance authorizing the City of Syracuse to Accept the following Traffic Signal Improvements to be Completed at No Cost to the City by JMA Tech Properties and Ranalli/Taylor St LLC (1) Installation and Construction of Two (2) New Traffic Signals and Associated Equipment (including but not limited to Posts, Arms, Signals, Striping, ADA ramps, Pedestrian Signals, Traffic Loops, Conduit, Wiring & Pullboxes) at the South Salina Street and Tallman Street Intersection (2) Modifications to the Existing Traffic Signal and Pavement Striping at the Tallman Street and Cortland Avenue Intersection (3) Decommission and Removal of the Existing Traffic Signals and Equipment at the South Salina and Cortland Avenue Intersection, the Improvements are required as a result of the Abandonment of the section of Cortland Avenue between Tallman Street and South Salina Street. The City shall own and maintain the described Improvements upon Completion of the Construction.

This department has reviewed, coordinated with other City departments and is of the opinion that the installed facilities described in the plans and specifications on file at the City Engineers office are to the benefit of the public use of the streets. It is therefore,

Dept. of Public Works
1200 Canal St. Extension
Syracuse, N.Y. 13202

Office 315 448-2489
Fax 315 448-8531

www.syrgov.net

recommended that an ordinance be submitted for consideration by the Common Council permitting the Department of Public Works to accept own and maintain the above described infrastructure improvements constructed in the City Right of Way's by JMA Tech Properties and Ranalli/Taylor St LLC , as shown on the plans as forwarded to the Department of Engineering prepared for JMA Tech Properties and Ranalli/Taylor St LLC by CHA and titled *"PIN 59294, South Salina Street, Tallman Street, Cortland Ave, Signal Project, City of Syracuse, Onondaga County, NY"*, dated 24-FEB-2021.

1. JMA Tech Properties and Ranalli/Taylor St LLC shall construct, without cost to the City, in accordance with the plans, specifications prepared by CHA, and final locations to be approved by the City Engineer, and the Commissioner of Public Works, the Installation and Construction of the Traffic Signal Improvements.

2. The plans and specifications required to construct all facilities subject to this ordinance shall be prepared by a Professional Engineer registered by the State of New York. **The plans for the work shall be approved by the City Engineer, and record drawings, including AutoCad and GIS formats on magnetic media referenced to New York State plane coordinate, Central Zone shall be provided to the City Engineer subsequent to the completion of the work.** JMA Tech Properties and Ranalli/Taylor St LLC shall endeavor to provide a certification by a Professional Engineer as to the accuracy of the as-built drawings and attest to the fact that the improvements were constructed in conformity with the plans and specifications approved by the City. As-built drawings and a certification of completion shall be submitted within thirty (30) days after the Department of Public Works has determined that the project is complete. If this information is not received, you will be subject to a $500.00 penalty fee and additional collection fees if necessary.

3. That traffic shall be maintained at all times during construction. The entire said work is to be protected by suitable guards and signal both by day and night and precautions are to be taken by all reasonable means to prevent any accident or injury while the work is in progress.

4. That JMA Tech Properties and Ranalli/Taylor St LLC their successors, assigns, and agents shall at all times defend and indemnify and save harmless the City of Syracuse, its officers and servants from any and all liability and from any and all claims, damages, costs and expenses of every name and nature to person or property which may accrue or grow out of the installation, operation, and maintenance of such traffic and pedestrian signals and associated improvements in said streets and shall defend and indemnify and save harmless said City from all costs, damages and expenses by reason of any damages or injuries to any gas pipe, water pipe, sewers, other utilities, pipes or construction work now located in, under and along the surface of said street at the point and place or places where said work is to be performed and maintained.

5. That JMA Tech Properties and Ranalli/Taylor St LLC, its successors or assigns, shall within thirty (30) days from the adoption of this Ordinance execute and file in the Office of the City Clerk written acceptance of this permission and consent.

6. That all ordinances, rules and regulations of the City and its departments shall at all time be complied with including the Building Code of the City of Syracuse.

7. The work shall be subject to street cut and repair permitting process administered by the Commissioner of Public Works and any other standard permitting processes that exist.

8. That the City Engineer, the Commissioner of Water and the Commissioner of Public Works shall be advised in advance of time when the work is to be done and the work of installation, including shoring, protection of pipes and facilities and other safety measures, shall be subject to the supervision of the City Engineer, the Commissioner of Water and the Commissioner of Public Works.

9. All work shall be done in a skillful manner with reasonable dispatch and in accordance with the plans and specifications prepared by CHA and all conditions imposed by any laws, rules or regulations which may apply to the work. A dust and sediment and erosion control program shall be in effect for the duration of the project to prevent a nuisance and to prevent interference with or damage to adjacent property, streets, sewers and drainage courses.

10. That JMA Tech Properties and Ranalli/Taylor St LLC shall adequately and properly protect any existing underground utilities and monuments located within or near said installation. If any such property or facilities are interfered with or damaged, JMA Tech Properties and Ranalli/Taylor St LLC, or its successors and assigns, shall be responsible for replacement to the satisfaction of the City Engineer, Commissioner of Public Works, and the Commissioner of Water. Should the City Engineer determine that City facilities or utilities require relocation, temporary support or other modification as a result of this Work, said modifications shall be made as directed by the City Engineer.

11. That JMA Tech Properties and Ranalli/Taylor St LLC, its successors, assigns, and agents shall obtain and keep in force until for the duration of this permission, a general liability insurance policy, in the amount of $2,000,000, naming the City of Syracuse as an additional insured. A Certificate of said insurance shall be submitted to the Department of Engineering, 233 E Washington Street, Room 401 City Hall, Syracuse, New York 13202.

12. That JMA Tech Properties and Ranalli/Taylor St LLC, its successors, assigns, and agents shall agree that the City, acting through its City Engineer, Commissioner of Public Works, and Commissioner of Water shall have the authority to request any on site investigations, excavations or actions, to be taken at the sole expense of JMA Tech Properties and Ranalli/Taylor St LLC, which are necessary to ensure that the excavation of these City Streets does not damage or impair City utilities.

13. By consequence of the ordinance or subsequent approvals authorized by the ordinance, the City of Syracuse makes no representation, express or implied, as to the feasibility of the proposed plans and specifications prepared by CHA or to the extent of the work involved in

accommodating any existing utility or facility located within the City rights-of-way. Any coordination with the various utility operators, private and/or public, is the responsibility of JMA Tech Properties and Ranalli/Taylor St LLC.

14. Upon completion of the facilities and acceptance and approval of the facilities by the City Engineer, Commissioner of Public Works and the Commissioner of Water, the use, operation and maintenance of the facilities located therein will be subject to all laws, rules, ordinances and procedures which apply to utilities throughout the City.

15. The construction and restoration permitted by the terms of this ordinance must be carried out and completed within two (2) years from the date of its adoption.

16. The foregoing conditions may be modified or expanded from time to time as agreed upon by the Corporation Counsel, City Engineer and JMA Tech Properties and Ranalli/Taylor St LLC.

17. JMA Tech Properties and Ranalli/Taylor St LLC shall hire an independent full time Engineering Company (the "Independent Inspector") to inspect the construction and testing of the traffic signal improvements, modifications and decommissioning to ensure the construction is being progressed in accordance w/the plans and specifications prepared by CHA. Said Independent Inspector shall maintain and complete daily inspection reports/MURK forms and shall be submitted to the City weekly. The Independent Inspector shall observe all testing by testing firm. The Independent Inspector has the right to reject all material and workmanship not in conformance with the plans and specifications prepared by CHA. The City shall be notified in advance of any and all testing so City Personnel can witness testing.

18. JMA Tech Properties and Ranalli/Taylor St LLC shall hire an independent Engineering Company to review and approve all shop drawings/material submittals for the pedestrian signals and associated pedestrian improvements in accordance with the plans prepared by CHA and to City Standards and Specifications. All approved shop drawings and submittals shall be turned over to the City Engineer.

19. City shall be notified, consulted and prior approval shall be obtained on all field changes/field change sheets, RFI's etc. related to the construction of the traffic signals and associated improvements, modification and decommissioning.

20. JMA Tech Properties and Ranalli/Taylor St LLC shall follow all weather/seasonal limitations per City/NYSDOT specifications for all construction in the City R.O.W. and for infrastructure improvements which are to be handed over to the City.

21. The City shall provide reasonable advance notice to JMA Tech Properties and Ranalli/Taylor St LLC of any defective workmanship related to the Traffic Signal Construction and Modification Improvements.

22. The City reserves the right to reject any and all materials, workmanship of the traffic signals and associated improvements at any time during construction.

23. Prior to acceptance of any construction to be handed over to the City, the Independent Inspector and the City shall walk the entire site and generate a punch list. The contractor shall then complete all items on the punch list.

24. JMA Tech Properties and Ranalli/Taylor St LLC shall immediately install and maintain a Temporary Traffic Signal System at the South Salina & Tallman Street Intersection until such time that proposed permanent Traffic Signal is completed and operational. This is required as a result of JMA Tech Properties and Ranalli/Taylor St LLC closing the section of Cortland Avenue between Tallman and South Salina Streets. The Traffic Signals shall be timed as required to maintain traffic flow in an acceptable pattern.

25. Indemnification shall be required from CHA as there is no contractual design agreement between the City of Syracuse and CHA.

26. TCO's will not be issued until the Traffic Signal improvements are constructed, tested and accepted by the City. The City shall only accept the pedestrian signals and associated improvements when the construction is fully complete and the City receives the as-built plans and shop drawings and product submittals. JMA Tech Properties and Ranalli/Taylor St LLC shall address any deviations noted between the as-built plans and design plans immediately, any other City concerns associated with the traffic signals and associated improvements, modifications and decommissioning shall be addressed by the developer before the City accepts the traffic and pedestrian signals and associated improvements without exception.

27. All monuments shall be referenced prior to construction. If any monuments are disturbed or moved, the monuments shall be replaced in the same location and recertified by a licensed surveyor to the City of Syracuse. All expenses for the above shall be paid for by JMA Tech Properties and Ranalli/Taylor St LLC.

28. Upon completion of said work in accordance with the plans and specifications prepared by CHA and to the satisfaction of the City Engineer and the Commissioner of Public Works and the Commissioner of Water as herein provided, said Traffic Signals and associated Improvements and all rights and interests thereto shall pass to and become the property of the City of Syracuse.

29. JMA Tech Properties and Ranalli/Taylor St LLC shall pay for any and all utility relocations costs which may arise out of the traffic and pedestrian signals and associated improvements.

30. JMA Tech Properties and Ranalli/Taylor St LLC shall transfer all manufacturer warranties for the Traffic and Pedestrian Signal Equipment to the City after the completion and acceptance of the project.

31. Performance and Maintenance Bond: JMA Tech Properties and Ranalli/Taylor St LLC, its successors or assigns, shall obtain and maintain at all times during which work occurs under this permission, a Performance and Maintenance Bond, made payable to the City, in an amount of at least Two Hundred and Seventy Five Thousand Dollars ($275,000.00), as a guaranty that all work authorized by this Permission shall be completed to the satisfaction of the City of Syracuse (Departments of Engineering, Water & Public Works). This bond shall remain in full force and effect for one year after the completion and acceptance of the project, as determined and certified by the City Engineer, Commissioner of Public Works, and Commissioner of Water.

Additional terms and conditions, as recommended by the City Engineer and the Corporation Counsel, shall be set forth in the Ordinance.

Very truly yours,

Jeremy Robinson
DPW Commissioner

CC:
Mary E. Robison, P.E., City Engineer

Ordinance No. 2021

ORDINANCE AUTHORIZING MAYOR TO SUBMIT AN APPLICATION TO THE NEW YORK STATE DORMITORY AUTHORITY FOR A GRANT IN AN AMOUNT NOT TO EXCEED $500,000 TO BE USED TOWARDS THE BRIGHTON PUMP STATION REPLACEMENT PROJECT PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 195-2020 AND EXECUTE A CONTRACT OR WRITTEN INSTRUMENTS ASSOCIATED WITH THE GRANT AS NECESSARY

BE IT ORDAINED, that the Mayor be and he hereby is authorized to submit an application to the New York State Dormitory Authority for a grant in an amount not to exceed $500,000.00; if awarded said funds will be used by the Department of Water for the Brighton Avenue Pump Station Replacement Project previously authorized by Ordinance No. 195-2020; no local match is required; and

BE IT FURTHER ORDAINED, that upon receipt of said grant, the Mayor be and he hereby is authorized to execute a contract or written instruments as approved by the Corporation Counsel; and

BE IT FURTHER ORDAINED, that upon receipt of said funds or any part thereof, pursuant to said application authorized herein, the Commissioner of Finance is authorized and directed to deposit the same in an appropriate account to be determined by him.

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DEPARTMENT OF WATER

CITY OF SYRACUSE, MAYOR BEN WALSH

Joseph B. Awald, PE
Commissioner

John D. Walsh
Deputy Commissioner

March 1, 2021

Mr. John P. Copanas
City Clerk
Room 231 City Hall
Syracuse, New York 13202

RE: **Grant Application – Brighton Pump Station Replacement**

Dear Mr. Copanas:

Please prepare legislation for the Common Council agenda on behalf of the Water Department to apply and enter into an agreement with the New York State Dormitory Authority for funds not to exceed $500,000.

The Brighton Avenue Pump Station Replacement has surpassed its useful life. The stations electronics have been damaged beyond repair and will be replaced with all new facilities including updated safety codes.

This project has previously been authorized (Ord #195-2020) for $1,000,000 and is currently underway.

Very truly yours,

Joseph Awald, P.E.
Commissioner of Water

Department Of Water
101 N. Beech Street
Syracuse, N.Y. 13210

Office 315 448-8340
Fax 315 473-2608
Emergency 24 Hours
315 448-8360

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Ordinance No. **2021**

ORDINANCE AMENDING ORDINANCE NO. 129-2015 AS LAST AMENDED BY ORDINANCE NO. 113-2019 AUTHORIZING A CONTRACT WITH BERGMANN ASSOCIATES RELATIVE TO PROVIDING SCOPING AND PRELIMINARY DESIGN SERVICES AND FINAL DESIGN SERVICES FOR THE NSEW INTERCONNECT PROJECT, PIN 3754.79

BE IT ORDAINED, that Ordinance No. 129-2015 as last amended by Ordinance No. 113-2019 is hereby amended to read as follows:

WHEREAS, Section 5-205-A of the Charter of the City of Syracuse, as amended, provides the Mayor shall "award contracts for professional services subject to the approval of the Common Council"; and

WHEREAS, the Mayor has approved the retention of Bergmann Associates, under the following terms:

(1) Bergmann Associates shall provide all required scoping and preliminary design services, final design services and construction inspection services for the NSEW Interconnect Project (PIN No. 3754.79);

(2) The City shall pay to Bergmann Associates an amount not to exceed $517,000.00 for design services, an amount not to exceed $672,500.00 for final design services, and an amount not to exceed $1,003,567.00 for construction inspection services under this amended agreement to be paid on a time-and-expense basis thereby increasing the total not to exceed cost for the Project to $2,193,067.00; NOW, THEREFORE,

BE IT ORDAINED, that the Mayor, on behalf of the City of Syracuse, be and he hereby is authorized to execute such amended contract, as hereinabove stated, subject to the approval of the Corporation Counsel as to terms, form and execution; and

BE IT FURTHER ORDAINED, that all costs associated with this agreement shall be charged to Capital Account 07.599807.701037000.14905 with subsequent reimbursement of 80% of the cost from the Federal government through the Transportation Improvement Program (TIP) and 15% Marchiselli funds for the scoping and design phases and final design services of the Project pursuant to applicable agreements relative to the Project.

* _____ = new material

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DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

26 February 2021

Mr. John Copanas
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Request for Legislation: An Ordinance amending Original Ordinance No. 129-2015 as last Amended by Ordinance No. 113-2019 Authorizing Consultant Agreement with Bergmann Associates for Preliminary and Final Design Services Phase Fee for the N,S,E,W Interconnect Project, PIN 3754.79. Amend to add the Construction Inspection Services for a Not to Exceed Fee of $1,003,567.00.

Dear Mr. Copanas:

Please prepare the following legislation for the next meeting of the Syracuse Common Council:

An Ordinance amending Original Ordinance No. 129-2015 as last Amended by Ordinance No. 113-2019 Authorizing Consultant Agreement with Bergmann Associates for Preliminary and Final Design Services Phase Fee for the N,S,E,W Interconnect Project, PIN 3754.79. Amend to add the Construction Inspection Services for a Not to Exceed Fee of $1,003,567.00, resulting in a Total Not to Exceed Fee of $2,193,067.00 (previous fee total was $1,189,500.00). The not to exceed amount will be paid on a time and expense basis for all Construction Inspection Services required for the construction of the N,S,E,W Interconnect Project, PIN 3754.79.

The City is expected to incur all initial costs for this project, with subsequent 80% reimbursement from the Federal government through the Transportation Improvement Program (TIP), funding authorization was approved by Ordinance No. 290-2020. The previous total design funds of $1,312,000.00 received 15% Marchiselli Funding. Costs will be charged to Capital Account No. 07.599807.701037000.14905.

The selection of the consultant was completed following the federal and state procedures for professional services and in accordance with the City's RFQ procedures. The RFQ Committee made the recommendation of Bergmann Associates to the Mayor, and the Mayor approved of the selection and preliminary and detailed design fees of Bergmann Associates. Per the attached memorandum, Mayor Walsh further approved the amended total not-to-exceed fee.

Please let me know if you have any questions related to this request.

Very Truly Yours,
Mary E. Robison
Mary E. Robison, P.E., City Engineer

Dept. of Engineering
233 E. Washington St.
City Hall, Room 401
Syracuse, N.Y. 13202
Office 315 448-8200
Fax 315 448-8488

www.syrgov.net

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DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

TO: Ben Walsh, Mayor

ATTN: Tim Rudd, Budget Director, Office of Management & Budget

FROM: Mary Robison, P.E., City Engineer

DATE: February 26, 2021

RE: **MEMORANDUM OF APPROVAL – FISHER ASSOCIATES, D.P.C. CONSTRUCTION INSPECTION SERVICE FEE FOR SOLAR STREET IMPROVEMENT PROJECT, PIN 3756.26.**

On June 21, 2018 you approved the selection of Fisher Associates, D.P.C., for the preliminary design of the Solar Street Improvement Project, PIN 3756.26 for a not to exceed fee of $115,000.00. This was later amended by $90,000.00 for the final design phase. We have now completed the negotiations of the scope of services and fee with Fisher Associates, D.P.C. for Construction Inspection.

We have negotiated an estimated maximum total cost not to exceed of $180,000.00 for Fisher Associates, D.P.C. to complete the Construction Inspection phase of this project as detailed in their scope of services. Therefore, we would like to amend Fisher Associates, D.P.C. contract by $180,000.00 for an amended total not to exceed fee of $385,000.00.

Please advise if you approve of Fisher Associates, D.P.C. proposed total maximum fee not to exceed $180,000.00 for the construction inspection services of the Solar Street Improvement Project, PIN 3756.26 for an amended total not to exceed fee of $385,000.00.

If you approve of Fisher Associates, D.P.C. fee, we will present this to the Common Council for its approval.

Dept. of Engineering
233 E. Washington St.
City Hall, Room 401
Syracuse, N.Y. 13202
Office 315 448-8200
Fax 315 448-8488

www.syrgov.net

YES ✓ NO _____

Comments: _____

_____

Signature: _____ Date: 3/3/21

Please return document to Mirza Malkoc, Department of Engineering.

Ordinance No. **2021**

ORDINANCE AMENDING ORDINANCE NO. 506-2019 AUTHORIZING CONTRACT WITH LABELLA ASSOCIATES, DPC RELATIVE TO PROVIDING SERVICES FOR THE PRELIMINARY AND DETAILED DESIGN PHASES FOR THE WEST COLVIN STREET BRIDGE OVER ONONDAGA CREEK REHABILITATION PROJECT, PIN 3756.57

BE IT ORDAINED, that Ordinance No. 506-2019 is hereby amended to read as follows:

WHEREAS, Section 5-205-A of the Charter of the City of Syracuse, as amended, provides the Mayor shall "award contracts for professional services subject to the approval of the Common Council"; and

WHEREAS, the Mayor has approved the retention of Labella Associates, DPC, under the following terms:

(1) Labella Associates, DPC shall provide all required services for the preliminary and detailed design and construction inspection phases, along with additional design services outside of the original scope of work including sidewalk and pedestrian crossing redesign at the request of the New York State Department of Transportation and alteration of the public information meeting from in person to mailed and online formats for the West Colvin Street Bridge over Onondaga Creek Rehabilitation Project, PIN 3756.57;

(2) The City shall pay to Labella Associates, DPC an amount not to exceed $200,400.00* (not to exceed $113,600.00 for the preliminary and detailed design phases, not to exceed $78,000.00 for the construction inspection phase, and not to exceed $8,800.00 for the additional design services) to be paid on a time-and-expense basis for all services under this agreement; NOW, THEREFORE,

BE IT ORDAINED, that the Mayor, on behalf of the City of Syracuse, be and he hereby is authorized to execute such amended contract, as hereinabove stated, subject to the approval of the Corporation Counsel as to terms, form and execution; and

BE IT FURTHER ORDAINED, that all costs associated with this agreement shall be charged to Capital Account #07.599807.701249000.80405 or another appropriate account as designated by the Commissioner of Finance, with subsequent reimbursement of 95% of the cost from Federal funds and the remaining 5% to be funded with existing local capital account funds previously authorized by Ordinance No. 272-2019.

_____ = new material

* previously read $113,600.00

25

DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

26 February 2021

Mr. John Copanas
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Re: **Request for Legislation to Amend Ordinance 506-2019 Authorizing an Agreement with LaBella Associates, D.P.C. Amend to include Construction Inspection Services and Additional Detailed Design Services for the W. Colvin Street over Onondaga Creek Bridge Rehabilitation Project, PIN 3756.57.**

Dear Mr. Copanas:

Please prepare the following legislation for the next meeting of the Syracuse Common Council:

An Ordinance amending Ordinance 506-2019 authorizing an agreement with LaBella Associates, D.P.C. for the W. Colvin Street over Onondaga Creek Bridge Rehabilitation Project, PIN 3756.57 in the amount of $113,600.00. Amend to include Construction Inspection Services and Additional Detailed Design Services. The Construction Inspection Services are not to exceed $78,000.00 and the additional Detailed Design Services are not to exceed $8,800.00, resulting in a not-to-exceed fee of $200,400.00. Additional design services outside of the original scope of work included sidewalk and pedestrian crossing redesign at the request of NYSDOT and alteration of the project public information meeting from in-person to mailed and on-line formats.

The total project cost is not expected to exceed $895,481.00. This project is being funded 95% with federal funds and 5% with existing local capital account funds previously authorized. Costs will be charged to Capital Account No. 07.599807.701249000.80405. The Mayor previously approved the preliminary design and detailed design not-to-exceed fees. The Mayor's approval of these amended fees is attached.

Please let me know if you have any questions related to this request.

Very Truly Yours,

Mary E. Robison

Mary E. Robison, P.E.
City Engineer

Dept. of Engineering
233 E. Washington St.
City Hall, Room 401
Syracuse, N.Y. 13202
Office 315 448-8200
Fax 315 448-8488

www.syrgov.net

DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

TO: Ben Walsh, Mayor

ATTN: Timothy Rudd, Budget Director, Office of Management & Budget

FROM: Mary Robison, P.E., City Engineer

DATE: February 26, 2021

RE: **MEMORANDUM OF APPROVAL – BERGMANN ASSOCIATES CONSTRUCTION INSPECTION SERVICE FEE FOR N,S,E,W INTERCONNECT PROJECT, PIN 3754.79.**

The previous Mayor approved the selection of Bergmann Associates for the preliminary design of the N,S,E,W Interconnect Project, PIN 3754.79 for a not to exceed fee of $517,000.00 and you approved a not to exceed fee of $672,500.00 for final design. We have now completed the negotiations of the scope of services and fee with Bergmann Associates for the Construction Inspection phase.

We have negotiated an estimated maximum total cost not to exceed of $1,003,567.00 for Bergmann Associates to complete the Construction Inspection phase of this project as detailed in their scope of services. Therefore, we would like to amend Bergmann Associates contract by adding $1,003,567.00 for Construction Inspection services which amends their total not to exceed fee of $2,193,067.00.

Please advise if you approve of Bergmann Associates proposed total maximum fee not to exceed $1,003,567.00 for Construction Inspection of the N,S, E, W Interconnect Project PIN 3754.79 (Total not to exceed for all phases = $2,193,067.00).

If you approve of Bergmann Associates fee, we will present this to the Common Council for approval.

YES NO

Comments:

Signature: Date: 3/3/21

Please return document to John Kivlehan, Department of Engineering.

Dept. of Engineering
233 E. Washington St.
City Hall, Room 401
Syracuse, N.Y. 13202
Office 315 448-8200
Fax 315 448-8488

www.syrgov.net

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

Ordinance No. **2021**

ORDINANCE AMENDING ORDINANCE NO. 131-2019 AS LAST AMENDED BY ORDINANCE NO. 262-2020 AUTHORIZING CONTRACT WITH FISHER ASSOCIATES, D.P.C. RELATIVE TO PROVIDING SERVICES FOR THE DESIGN PHASE FOR THE SOLAR STREET AND HIAWATHA BOULEVARD IMPROVEMENT PROJECT, PIN 3756.26

BE IT ORDAINED, that Ordinance No. 131-2019 as last amended by Ordinance No. 262-2020 is hereby amended to read as follows:

WHEREAS, Section 5-205-A of the Charter of the City of Syracuse, as amended, provides the Mayor shall "award contracts for professional services subject to the approval of the Common Council"; and

WHEREAS, the Mayor has approved the retention of Fisher Associates, D.P.C., under the following terms:

(1) Fisher Associates, D.P.C. shall provide all required services for the preliminary and final design, and construction inspection phases for the Solar Street and Hiawatha Boulevard Improvement Project, PIN 3756.26;

(2) The City shall pay to Fisher Associates, D.P.C. an amount not to exceed $385,000.00 (not to exceed $115,000.00 for the preliminary design services, not to exceed $90,000.00 for the final design services and not to exceed $180,000.00 for the construction inspection services) to be paid on a time-and-expense basis for all services under this agreement; NOW, THEREFORE,

BE IT ORDAINED, that the Mayor, on behalf of the City of Syracuse, be and he hereby is authorized to execute such amended contract, as hereinabove stated, subject to the approval of the Corporation Counsel as to terms, form and execution; and

BE IT FURTHER ORDAINED, that all costs associated with this agreement shall be charged to Capital Account #599807.07.701072000 or another appropriate account as designated by the Commissioner of Finance, with subsequent reimbursement of 80% of the cost from the Federal government through the Transportation Improvement Program (TIP) and the remaining 20% to be funded with existing local capital account funds previously authorized by Ordinance No. 791-2017.

_____ = new material

*previously read $205,000.00

26

DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

26 February 2021

Mr. John Copanas
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Re: Request for Legislation: An Ordinance Amending Original Ordinance No. 131-2019 as last Amended by Ordinance No. 262-2020 Authorizing Consultant Agreement with Fisher Associates, D.P.C. for Preliminary and Detail Design Services Phases Fee for the Solar Street Improvement Project, PIN 3756.26. Amend to provide Construction Inspection Services.

Dear Mr. Copanas:

Please prepare the following legislation for the next meeting of the Syracuse Common Council:

An Ordinance amending Original Ordinance No. 131-2019 as last Amended by Ordinance No. 262-2020 to include additional costs in the amount of $180,000.00 with Fisher Associates, D.P.C. to provide Construction Inspection Services with the construction of the Solar Street Improvement Project, resulting in a total fee not to exceed of $385,000.00 (the previous agreement amount was for a total fee not to exceed of $205,000.00). The total not to exceed amount will be paid on a time and expense basis for all Construction Inspection Services for the Solar Street Improvement Project, PIN 3756.26.

The City is expected to incur all initial costs for this project; with subsequent 100% reimbursement from the Federal government through the Transportation Improvement Program (Federal 80%, State 20%). Costs will be charged to Capital Account No. 07.599807.701072000.80405.

The selection of the consultant was completed following the federal and state procedures for professional services and in accordance with the City's RFQ procedures. The RFQ Committee made the recommendation of Fisher Associates, D.P.C. to the Mayor, and the Mayor approved of the selection of Fisher Associates, D.P.C. on June 21, 2018. Per the attached memorandum, the Mayor further approved the not-to-exceed fee.

Please let me know if you have any questions related to this request.
Very Truly Yours,

Mary E. Robison

Mary E. Robison, P.E.,
City Engineer

Dept. of Engineering
233 E. Washington St.
City Hall, Room 401
Syracuse, N.Y. 13202
Office 315 448-8200
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DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

TO: Ben Walsh, Mayor

ATTN: Tim Rudd, Budget Director, Office of Management & Budget

FROM: Mary Robison, P.E., City Engineer

DATE: February 26, 2021

RE: **MEMORANDUM OF APPROVAL – BARTON & LOGUIDICE, D.P.C. FINAL DESIGN SERVICE FEE FOR WEST GENESEE STREET MILL & PAVE PROJECT, PIN 3756.24.**

On April 09, 2019 you approved the selection of Barton & Loguidice, D.P.C. for the preliminary design of the West Genesee Street Mill & Pave Project, PIN 3756.24 for not to exceed fee of $272,000.00. We have now completed the negotiations of the scope of services and fee with Barton & Loguidice, D.P.C. for Final Design.

We have negotiated an estimated maximum total cost not to exceed of $350,000.00 for Barton & Loguidice, D.P.C. to complete the Final Design of this project as detailed in their scope of services. We will negotiate a fee for Construction Inspection and Support services with Barton & Loguidice, D.P.C. once the final design process is complete. This will require amending this agreement at a later date.

Please advise if you approve of Barton & Loguidice, D.P.C. proposed total maximum fee not to exceed $350,000.00 for the Final Design of the West Genesee Street Mill & Pave Project, PIN 3756.24 (Total not to exceed fee for all design phases = $622,000.00).

If you approve of Barton & Loguidice, D.P.C. fee, we will present this to the Common Council for its approval.

Dept. of Engineering
233 E. Washington St.
City Hall, Room 401
Syracuse, N.Y. 13202
Office 315 448-8200
Fax 315 448-8488

www.syrgov.net

YES ✓ NO _____

Comments: _____

_____

Signature: _____ Date: 3/3/21

Please return document to Mirza Malkoc, Department of Engineering.

Ordinance No. 2021

ORDINANCE AMENDING ORDINANCE NO. 661-2019 AUTHORIZING CONTRACT WITH BARTON & LOGUIDICE, D.P.C. RELATIVE TO PROVIDING PRELIMINARY DESIGN SERVICES FOR THE WEST GENESEE STREET MILL & PAVE PROJECT, PIN 3756.24

BE IT ORDAINED, that Ordinance No. 661-2019 is hereby amended to read as follows:

WHEREAS, Section 5-205-A of the Charter of the City of Syracuse, as amended, provides the Mayor shall "award contracts for professional services subject to the approval of the Common Council"; and

WHEREAS, the Mayor has approved the retention of Barton & Loguidice, D.P.C., under the following terms:

(1) Barton & Loguidice, D.P.C. shall provide all required preliminary design services and final design services for the West Genesee Street Mill & Pave Project, PIN 3756.24;

(2) The City shall pay to Barton & Loguidice D.P.C. an amount not to exceed $622,000.00 (not to exceed $272,000 for preliminary design services and not to exceed $350,000 for final design services) to be paid on a time-and-expense basis for all services under this agreement; NOW, THEREFORE,

BE IT ORDAINED, that the Mayor, on behalf of the City of Syracuse, be and he hereby is authorized to execute such amended contract, as hereinabove stated, subject to the approval of the Corporation Counsel as to terms, form and execution; and

BE IT FURTHER ORDAINED, that all costs associated with this agreement shall be charged to Capital Account No. 701079000.07.599807.80405 or another appropriate budget account as designated by the Commissioner of Finance with subsequent reimbursement of 80% of the cost from the Federal government through the Transportation Improvement Program (TIP) 15% from New York State through the Marchiselli Program, with the remaining 5% being local share cost.

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DEPARTMENT OF ENGINEERING

CITY OF SYRACUSE, MAYOR BEN WALSH

Mary E. Robison, PE
City Engineer

John Kivlehan
Design & Construction

Kelly Haggerty
Public Buildings

Marc Romano
Mapping & Surveying

26 February 2021

Mr. John Copanas
Office of the City Clerk
231 City Hall
Syracuse, New York 13202

Re: Request for Legislation: Ordinance amending Original Ordinance No. 661-2019 Authorizing Consultant Agreement with Barton & Loguidice, D.P.C. for Preliminary Design Services Phases Fee for the West Genesee Street Mill & Pave Project, PIN 3756.24. Amend to provide Final Design Services.

Dear Mr. Copanas:

Please prepare the following legislation for the next meeting of the Syracuse Common Council:

An Ordinance amending Original Ordinance No. 661-2019 to include additional costs in the amount of $350,000.00 with Barton & Loguidice, D.P.C. to provide final design services, resulting in a total fee not to exceed of $622,000.00 (the previous agreement amount was for a total fee not to exceed of $272,000.00). The amount not to exceed to be paid on a time and expense basis for all services required to produce final design plans for the West Genesee Street Mill & Pave Project, PIN 3756.24.

The City is expected to incur all initial costs for this project, with subsequent 80% reimbursement from the Federal funds through the Transportation Improvement Program (TIP), 15% will be reimbursed by the State (Marchiselli Program), while 5% of the remaining balance will be a local share cost. Costs will be charged to Capital Account No. 07.599807.701079000.80405.

The selection of the consultant was completed following the federal and state procedures for professional services and in accordance with the City's RFQ procedures. The RFQ Committee made the recommendation of Barton & Loguidice, D.P.C. to the Mayor, and the Mayor approved of the selection of Barton & Loguidice, D.P.C. on April 09, 2019. Per the attached memorandum, the Mayor further approved the not-to-exceed fee.

Please let me know if you have any questions related to this request.
Very Truly Yours,

Mary E. Robison

Mary E. Robison, P.E.,
City Engineer

Dept. of Engineering
233 E. Washington St.
City Hall, Room 401
Syracuse, N.Y. 13202
Office 315 448-8200
Fax 315 448-8488

www.syrgov.net

Ordinance No. 2021

ORDINANCE AUTHORIZING MAYOR TO SUBMIT AN APPLICATION TO THE NEW YORK STATE DORMITORY AUTHORITY FOR A STATE AND MUNICIPAL FACILITIES PROGRAM (SAM) GRANT AND EXECUTE A CONTRACT OR WRITTEN INSTRUMENTS ASSOCIATED WITH THE GRANT AS NECESSARY

BE IT ORDAINED, that the Mayor be and he hereby is authorized to submit an application to the New York State Dormitory Authority for a State and Municipal (SAM) Facilities Program Grant in an amount not to exceed $600,000.00; said funds will be used for the renovation and replacement of the Westminster Park steps; no City matching funds are required; and

BE IT FURTHER ORDAINED, that upon receipt of said grant, the Mayor be and he hereby is authorized to execute a contract or written instruments associated with the grant as approved by the Corporation Counsel; and

BE IT FURTHER ORDAINED, that upon receipt of said funds or any part thereof, pursuant to said application authorized herein, the Commissioner of Finance is authorized and directed to deposit the same in an appropriate account to be determined by him.

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Bureau of Research

CITY OF SYRACUSE, MAYOR BEN WALSH

Janet L. Burke
Director, Bureau of Research

February 25, 2021

Mr. John Copanas
City Clerk
231 City Hall
Syracuse, New York 13202

Dear Mr. Copanas:

Please prepare legislation for an upcoming meeting of the Common Council authorizing the City of Syracuse to apply for the State and Municipal Facilities Program (SAM) and to enter into an agreement with the New York State Dormitory Authority, under the State and Municipal Facilities Program (SAM), and receive funds in an amount not to exceed $600,000.

Grant funds will be used for the Renovation and Replacement of the Westminster Park steps.

No local match is required.

If you have any questions or need any additional information, please contact me at your convenience.

Sincerely,

Janet L. Burke
Director, Bureau of Research

Bureau of Research
233 E Washington St.
Room 419
Syracuse, N.Y. 13202

Office 315 448-8020
Fax 315 448-8008

www.syrgov.net

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Ordinance No. 2021

ORDINANCE AUTHORIZING THE ADOPTION OF THE CITY OF SYRACUSE POLICE REFORM AND REINVENTION PLAN PRESENTED TO THE SYRACUSE COMMON COUNCIL PURSUANT TO EXECUTIVE ORDER NO. 203 OF NEW YORK STATE GOVERNOR ANDREW M. CUOMO DATED JUNE 12, 2020 ENTITLED NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE

WHEREAS, pursuant to Executive Order No. 203 of New York State Governor Andrew M. Cuomo entitled New York State Police Reform and Reinvention Collaborative dated June 12, 2020, a copy of which is attached hereto as Appendix "A", the City of Syracuse prepared a draft Police Reform and Reinvention Plan, which was submitted for public comment including a public hearing held by this Common Council remotely via WebEx on February 18, 2021 at 5:00 p.m.; and

WHEREAS, pursuant to Executive Order No. 203 the Final Plan shall be approved by the Common Council no later than April 1, 2021 so that it can be submitted to New York State along with the certification attached hereto as Appendix "B"; and

WHEREAS, the necessary public comment having been solicited, and the City of Syracuse having revised its draft plan to incorporate recommendations made during the public comment period by citizens of the City of Syracuse and members of this Common Council; the Mayor has submitted for adoption by the Common Council the Final "City of Syracuse Police Reform and Reinvention Plan dated March 2021", a copy of which is attached hereto as Appendix "C";

NOW, THEREFORE,

BE IT ORDAINED, that this Common Council hereby adopts the "City of Syracuse Police Reform and Reinvention Plan dated March 2021" which is on file with the City Clerk and attached

hereto as Appendix "C"; and

BE IT FURTHER ORDAINED, that the Mayor of the City is Syracuse is hereby authorized to execute the certifications set forth in Appendix "B" and submit the completed certification to the New York State Director of the Division of Budget by April 1, 2021; and

BE IT FURTHER ORDAINED, that the Mayor shall provide a copy of the completed certification to the City Clerk's Office, to be kept on file.

APPENDIX A

No. 203

EXECUTIVE ORDER

NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE

WHEREAS, the Constitution of the State of New York obliges the Governor to take care that the laws of New York are faithfully executed; and

WHEREAS, I have solemnly sworn, pursuant to Article 13, Section 1 of the Constitution, to support the Constitution and faithfully discharge the duties of the Office of Governor; 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, 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 me to sign into law the Say Their Name Agenda which reforms aspects of policing in New York State; and

WHEREAS, 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 the concern; and

WHEREAS, black lives matter; and

WHEREAS, the foregoing compels me to conclude 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 Division of the Budget is empowered to determine the appropriate use of funds in furtherance of the state laws and New York State Constitution; and

WHEREAS, in coordination with the resources of the Division of Criminal Justice Services, the Division of the Budget can 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

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of

New York, in particular Article IV, section one, I do hereby order and direct as follows:

The director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, shall promulgate guidance to be sent to all local governments directing that:

Each local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.

Each chief executive of such local government shall convene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies 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 resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program.

The political subdivision, in coordination with its police agency, must consult with stakeholders, including but not limited to 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, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations 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.

Such plan shall 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

Such local government shall transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted; and

The Director of the Division of the Budget shall be authorized to condition receipt of future appropriated state or federal funds upon filing of such certification for which such local government would otherwise be eligible; and

The Director is authorized to seek the support and assistance of any state agency in order to effectuate these purposes.

G I V E N under my hand and the Privy Seal of the State in the City of Albany this twelfth day of June in the year two thousand twenty.

BY THE GOVERNOR

Secretary to the Governor

APPENDIX B

NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE PLAN CERTIFICATION FORM

Instructions: The Chief Executive of each local government must complete and submit this certification and a copy of their Plan to the Director of the New York State Division of the Budget on or before April 1, 2021 at EO203Certification@budget.ny.gov.

I, _____, as the Chief Executive of _____ (the "Local Government"), hereby certify the following pursuant to Executive Order No. 203 issued by Governor Andrew M. Cuomo on June 12, 2020:

☐ The Local Government has performed a comprehensive review of current police force deployments, strategies, policies, procedures, and practices;

☐ The Local Government has developed a plan, attached hereto, to improve such deployments, strategies, policies, procedures, and practices (the "Plan");

☐ The Local Government has consulted with stakeholders (including but not limited to: 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) regarding the Plan;

☐ The Local Government has offered the Plan in draft form for public comment to all citizens in the locality and, prior to adoption of the Plan by the local legislative body, has considered the comments submitted; and

☐ The legislative body of the Local Government has ratified or adopted the Plan by local law or resolution.

Name

Signature

Title

Date

APPENDIX "C"

CITY OF SYRACUSE

Syracuse Police Reform and Reinvention Plan

MARCH 2021

MAYOR BEN WALSH

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Ebook ISBN: 978-1-7368143-0-7

Compiled by City of Syracuse - Office of the Mayor
Cover art and Layout by Office of COmmunications

City of Syracuse
233 East Washington St. Suite 201
Syracuse, New York 13202
www.syrgov.net

Syracuse Police Reform and Reinvention Plan

Prepared by
Office of Mayor Ben Walsh

City of Syracuse • Syracuse, New York

Syracuse Police Reform & Reinvention Plan and Response

This document is in response to Governor Cuomo's Executive Order No. 203 regarding the New York State Police Reform and Reinvention Collaborative.

The plan has been developed under guidance from the New York State Police Reform and Reinvention Collaborative - Resources & Guide for Public Officials and Citizens- August 2020 publication.

This plan and response has been compiled by Mayor Ben Walsh for the City of Syracuse.

Syracuse Police Reform & Reinvention Plan

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X. APPENDIX 80

Acknowledgements

All successful outcomes of the collaborative are largely due to the dedication and commitment of community volunteers who took time out of their lives with the intention of building a safer, fairer, freer City of Syracuse. These individuals, alongside members of the Syracuse Police Department and Onondaga County Police Reform and Reinvention Collaborative, have worked tirelessly to better their neighborhoods and communities, the places they call home.

The work continues.
Thank you.

Executive Summary

Police Reform: A Continuous Improvement Process

Creating reform of a longstanding system requires urgency and cross-sector collaboration informed by people, data, and accountability measures. Since 2018, enhancing police accountability and improving police-community relations have been a high priority for the Walsh Administration and the Syracuse Common Council.

Mayor Walsh conducted a national search for a new police chief leading to the appointment of Kenton Buckner following direct involvement and input from community stakeholders in the search. Chief Buckner immediately conducted a "top to bottom" assessment of the Department and identified areas in need of improvement through policy changes, additional training, and/or additional resources.

His focus from the start was to implement 21st century police practices. He identified areas of improvement and quickly took steps to implement strategies to improve and modernize, while simultaneously mending strained relations with the community. As part of these efforts, the Department updated its policies on use of force, traffic stops, body worn cameras and interaction with transgender persons. Following a use-of-force incident in May 2019, Chief Buckner and Mayor Walsh conducted city-wide listening sessions throughout the second half of 2019 to address concerns about the use of force and policing in general, and collected input on a variety of topics.

A National Movement

The murder of George Floyd touched every corner of our community. Like other communities, City of Syracuse residents mobilized and organized Black Lives Matter protests. In addition, individuals and organizations sought changes to governance policies, practices and procedures that upheld inequitable outcomes or fostered exclusive environments contributing to the social and the economic oppression of Black people and other people of color.

Government officials responded with urgency and strategic focus to address and implement comprehensive police reform. On the national level, **H.R.7120 - George Floyd Justice in Policing Act of 2020**[1] was introduced to Congress on June 8, 2020 and passed in the House of Representatives on June 25, 2020. The bill was received in the Senate on June 29, 2020 and remains there to date.

On the state level, New York State lawmakers passed a ten-item legislative package. A summary of the legislation can be found in **Appendix M**[2]. In Syracuse, we are listening and we are acting.

1 H.R.7120 - George Floyd Justice in Policing Act of 2020 - https://www.congress.gov/bill/116th-congress/house-bill/7120

2 Summary of NYS legislatie package can also be found online at https://docs.google.com/document/d/11DK3oE3p09V8gK3MQ-p9sej7CcA6hq5N/edit

A Syracuse Movement

In Syracuse, residents, government officials, and growing coalitions of voices of all ages and races came together to fight systemic racism and improve policing policy and procedures, accountability and community relationships. This time, the movement looked and felt different. It encompassed broader coalitions and more widespread support than previous protest movements. All stakeholders recognized the need for deliberate and intentional police reform. Among these was the People's Agenda for Police Reform (PAFPR), a collaboration of citizens, grassroots, state and national affiliate organizations who presented a set of demands for action to Mayor Walsh. City government leaders **listened and responded**[3].

On June 19, 2020, Mayor Walsh issued an **Executive Order on Syracuse Police Reform**[4] urgently directing his administration to take sixteen (16) actions to increase police accountability, improve transparency and strengthen police-community relations. The local provisions in the Executive Order address critical issues in the police reform movement found in national data and reports on police concerns including, but not limited to: updating the Syracuse Police Department's (SPD) use of force policy; presence of police in schools; deployment of police on non-criminal matters; expanding the implementation of body worn and dashboard cameras; review of "no-knock" warrants; use of surplus military equipment; diversity on the police force; and training for all officers on cultural competency and the history of racism in Syracuse and the nation.

3 Mayor Walsh responds to protests - https://ourcity.syrgov.net/ourcitystories/initiative-stories/response-to-peoples-agenda-for-police-reform/
4 Mayor Walsh Syracuse Police Reform Executive Order: https://ourcity.syrgov.net/wp-content/uploads/2020/06/2020-06-19-EXECUTIVE-ORDER-Mayor-Walsh-Syracuse-Police-Reform.pdf

MAYOR'S EXECUTIVE ORDER ON SYRACUSE POLICE REFORM - JUNE 19, 2020

1. Review, revise and amend the policies and procedures of the SPD to ensure the principles embodied in the New York City Right to Know Act are incorporated in to the departments policies and procedures, including but not limited to self-identification to citizens, provision of written identification to citizens, obtaining consent to searches, recording consent and making it available to subject
2. Revise SPD's 2019 use of force policy to ensure that it is compliant with recent changes in New York State law, and fully consider any policy changes requested by the Syracuse community.
3. Revise SPD's current body worn camera policy to ensure that officers record the entirety of their presence on the scene of a police encounter.
4. Complete the department's efforts to obtain additional body worn cameras so that all uniformed officers assigned to patrol or who otherwise respond to citizen calls will be equipped with cameras.
5. Develop and implement a plan to deploy dashboard cameras on all SPD marked vehicles.
6. Conduct a complete inventory of all equipment acquired through military surplus programs that are in possession of the SPD; establish policies and procedures regarding the use of such equipment; and establish parameters for future procurement of such equipment.
7. Post comprehensive documents on the contract with the Syracuse Police Benevolent Association on the City of Syracuse and/or SPD's website.
8. Make SPD policies publicly available on the SPD website.
9. Develop a process to ensure legal compliance with New York State's repeal of Civil Rights Law Sec. 50-a and related amendments to the Freedom of Information Law, which require the city to disclose copies of certain police personnel records upon request.
10. Continue to actively oppose any legal attempt to dissolve or otherwise eliminate the judicial consent decree which continues to be a critically necessary tool to improve the diversity of our police department.
11. Review the department's procedure and approval process regarding the application of search warrants that seeks a "no-knock" provision from a court to ensure compliance with Constitutional standards.
12. Continue to improve collaboration with the Syracuse Citizen Review Board (CRB) to ensure the flow of documents and information as embodied in Local Law No. 11.
13. Develop and deliver training on the history of racism in Syracuse and the United States, both in the police academy and during in-service training, such that 100% of the membership of SPD receives this training. Additionally, deliver department-wide training in cultural competency for law enforcement.
14. Continue to review and upgrade the department's recruitment, screening and hiring practices, with an aim to increase the diversity of the department's membership.
15. Research and consider innovative, community-based strategies for responding to non-criminal calls, with a goal of shifting the paradigm from primary police response, to response by non-police professionals in relevant fields.
16. Develop and implement, in coordination with the Syracuse City School District, a new model for school safety and security.

A Journey: Reimagining Syracuse Policing

When you find yourself in one location with the goal of reaching another destination, you need a roadmap to get there. This plan serves as our road map to reimagining policing in the city of Syracuse. Nobody knows our roads like the individuals who travel on them. The Syracuse residents responded to the national policing crises by speaking up. The voices indicate that even with the best map or GPS system, you must have intentional and evolving plans to address policing and the historical practices that divide an urban community. Syracuse plans to use the proposed policing reform strategies as the roadmap in concert with larger equity strategies to ensure the community is safe for all. As we work collectively with community leaders, council members and residents, we are focused on getting to a better place.

The City of Syracuse is firmly committed to continuing its efforts to support a police department that utilizes 21st century policing practices; creates gateways that promote healthy and productive community-police relationships; and complies with **Governor Cuomo's Executive Order 203**[5], known as the Police Reform and Reinvention Collaborative.

The Reimagining Process

PURPOSE

Our community's journey must continue through the establishment of a structured system designed to oversee the overall vision of the plan as well as implementation of its strategies. The City of Syracuse Police Reform and Reinvention Plan is a fluid document, created for the purpose of ongoing development and support of the Syracuse Police Department. It involves best practices consistent with nationally recognized 21st Century Policing strategies.

This plan will assess a wide variety of policing issues and challenges, evaluate where change or improvement is needed, with the support of up-to-date research, best practices and community input. The questions posed throughout the plan are drawn from guidance published by the Office of the Governor. Where work has already begun, the plan reports on that progress. Where more work is needed, the nature of that work is described.

DURATION

The police reform journey never ends but continues and adapts to address multiple variables that affect the proficiency of law enforcement to address public safety while simultaneously strengthening its relationship with the community.

PIT STOPS

While on the journey we'll need to make pit stops to refuel and assess how far we've come; to make necessary adjustments; and to verify components needed for the remainder of the journey. This plan will include methodology by which we as a city and its police department can, through established metrics, continually evaluate progress and areas for improvement.

Ensuring Follow Through

As many in the community have stated, a plan is only as good as the paper it is printed on unless it is regularly monitored and supervised, and unless there are specific action items with dates attached. To be achievable, the goals should be specific and time-based. Thus, this plan as presented to the Common Council for final adoption contains additional specificity and target dates. Some items are difficult to pin to a specific date -- especially when action requires or is impacted by outside forces, such as state-wide reform, county service coordination or the location of additional funding. However, based on feedback from the community, a concerted effort has been made to hone in on check-points and/or deadlines.

Additionally, as highlighted by community members, there must be a mechanism of oversight to ensure completion of the goals set forth in this document. The community further stated that this oversight be assigned to the Mayor's office. To that end, the Deputy Mayor will assume the responsibility of establishing and operating a SPD Police Reform & Reinvention Plan Oversight Committee. The Committee will consist of the Deputy Mayor and a designee, a Department of Law representative, a Chief's Office representative, the CRB Administrator, the Common Council Public Safety Committee Chairperson, and two members of the community, one appointed by the Mayor and one by the Common Council, no later than April 30, 2021.

5 Governor Cuomo Executive Order 203 - https://www.governor.ny.gov/news/no-203-new-york-state-police-reform-and-reinvention-collaborative

Introduction & the Collaborative Process

On June 12, 2020, Governor Andrew Cuomo issued **Executive Order No. 203** New York State Police Reform and Reinvention Collaborative requiring:

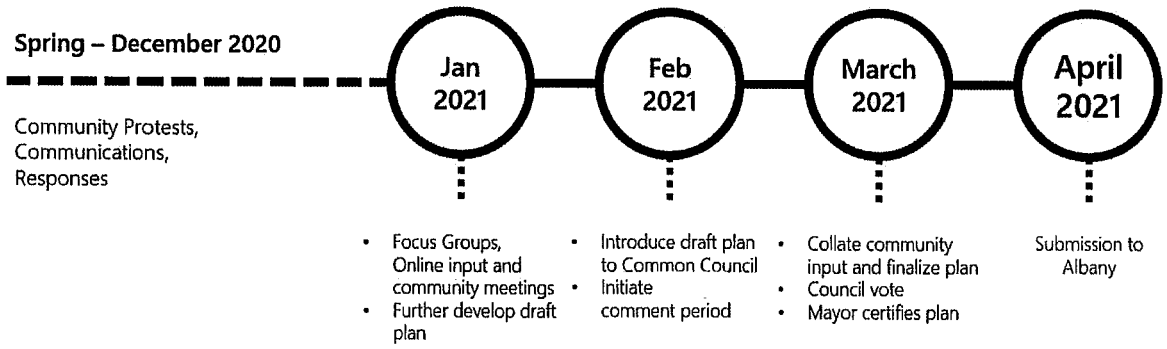
"The local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color."

NYS Executive Order 203 requires a process which:

- Reviews the needs of the community served by its police agency, and evaluate the department's current policies and practices;
- Establishes policies that allow police to effectively and safely perform their duties;
- Involve the entire community in the discussion;
- Develops policy recommendations resulting from this review;
- Offers a plan for public comment;
- Presents the plan to the local legislative body to ratify or adopt it, and;
- Certifies adoption of the plan to the State Budget Director on or before April 1, 2021.

The City of Syracuse and its Police Department in accordance with EO No. 203 submit this Syracuse Police Reform and Reinvention Plan. The plan has been developed under guidance from the New York State Police Reform and Reinvention Collaborative – Resources & Guide for Public Officials and Citizens- August, 2020 publication.

Development of this plan involves engagement on multiple levels with a wide range of stakeholders within the following timeline:



The Onondaga County Police Reform & Reinvention Collaborative

Similar to other regions in New York State, our community took a collective approach to reimagining policing and establishing countywide vision; identifying principles and guidance by which all county municipalities can establish goals of improving and reforming policing; building on efforts already underway throughout the county and individual municipalities; and exceeding the requirements of EO No. 203.

Onondaga County Executive J. Ryan McMahon II, City of Syracuse Mayor Ben Walsh, and Onondaga County District Attorney William J. Fitzpatrick joined together creating a process which enables every town, village and city to enact broad-based police reform. Our county is one in which jurisdictional lines from the community perspective can be blurry. For example, from the City of Syracuse traveling east on Erie Boulevard, one seamlessly enters the Town of Dewitt; traveling west on W. Genesee Street, the Village of Solvay; east on Hiawatha Boulevard, the Hamlet of Mattydale; and south on S. Salina Street, the Hamlet of Nedrow. Just going one street over or a little further on the highway brings you to an entirely different jurisdiction. Collective vision of policing is critical as the citizenry maneuvers through our interconnected community.

Information about the Onondaga County Police Reform & Reinvention Collaborative including community forums, a community input portal and resources can be found on its website: **https://policereform.ongov.net.**

The members of this collaborative include individuals from a wide variety of backgrounds within our community representing the diversity of Onondaga County. The collaboration comprises diverse, multi-disciplinary and multi-jurisdictional members of the community, representing leaders of nonprofits, law enforcement, elected leaders, faith leaders, government officials, and mental health practitioners. The collaborative was divided into sub-committees tasked with engaging community stakeholders to participate in working groups to identify best practices, policy and strategy recommendations for consideration within the overall plan.

ONONDAGA POLICE REFORM & REINVENTION SUB-COMMITTEES

POLICE STRUCTURE SUB-COMMITTEE
Role: Review

Use of Force
Body Worn Cameras
No Knock Warrants

POLICE-COMMUNITY RELATIONS SUB-COMMITTEE
Role: Review

Citizen Review Board
School Resource Officers
Right to Know Law
Community Engagement
Violence Interrupters
Hiring and Diversity

CRIME ANALYSIS SUB-COMMITTEE
Role: Review

And define strategies and procedures associated with crime analysis
Review problem-oriented policing & hot spot policing
Focused Deterrence
Crime Prevention through Environmental Design
And explain the role of the Crime Analysis Center in non-biased data gathering

TRAINING SUB-COMMITTEE
Role: Review

De-Escalation Training
Implementing de-escalation training into police training

ALTERNATIVES TO POLICE RESPONSE SUB-COMMITTEE
Role: Review

Address the problem of calls to police that involve non-criminal matter
recommend a framework/plan for how Onondaga County can strengthen collaborations

We have created a plan based on their work, the public's input, and law enforcement insight. The following plan is the culmination of their discussions, ideas, and ultimately the hard work of coming together to identify solutions. Committees were established on August 18, 2020 to address areas identified by EO No. 203 as strategies to be considered.

Areas Identified by Executive Order No. 203

Use of Force Policies
Procedural Justice
Model Policies and Guidelines
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
Problem-Oriented Policing
Hot Spots Policing
Focused Deterrence
Violence Prevention and Reduction Interventions
Community-Based Outreach and Conflict Resolution
Crime Prevention Through Environmental Design

Police Structure Sub-Committee

The Police Structure Sub-Committee headed by Chief Kenton Buckner of the Syracuse Police Department has been given the critical task of developing policies around three very important issues:

- Use of Force
- Body Worn Cameras
- No Knock Warrants

In doing so, the committee brought together subject experts and solicited input from advocacy groups and the overall public in order to develop policies that were practical, inclusive, and based on 21st Century best practices.

Committee members include: SPD 1st Deputy Chief Joseph Cecile, SPD Deputy Chief Derek P. McGork, SPD Sergeant Mark Rusin, and Amanda Harrington, Esq. with the City of Syracuse Corporation Counsel.

Police/Community Relations Sub-Committee

The Police/Community Relations Sub-Committee headed by Syracuse Common Council President Helen Hudson was charged to take a deep dive into the issue of Police Community Relations. There were five distinct subjects within this committee and each of the sub-committees worked in specific areas of their expertise. With the extensive work that was either taking place or being refined they were able to offer recommendations to this important work.

A broad look was taken at:

- Citizen Review Board
- Right to Know Law
- School Resource Officers
- Community Engagement
- Violence Interrupters
- Hiring and Diversity

Police-Community Relations Sub-Committee (continued)
Committee members include: Rasheada Caldwell, the Allyn Foundation; Timothy "Noble" Jennings-Bey, Street Addiction Institute; Virgil Hutchinson, CEO Freeland Investigations Services; and Oceca Keaton, Director Greater Syracuse HOPE; Ranette Releford, Administrator City of Syracuse Citizen Review Board; and Yusuf Abdul-Qadir, New York Civil Liberties Union.

Crime Analysis Sub-Committee

The Crime Analysis Sub-Committee Co-Chaired by Onondaga County Sheriff Eugene Conway and Chief Deputy Joseph Ciciarelli reviewed and defined strategies and procedures associated with crime analysis, in addition to explaining the role of the Crime Analysis Center that gathers and monitors empirical data to provide a non-biased approach to public safety.

Specific law enforcement strategies involving crime analysis that were reviewed by this group include:

PROBLEM-ORIENTED POLICING AND HOT SPOT POLICING These concepts involve the identification and analysis of specific crime problems and locations, and the allocation of resources toward solving these problems based on this analysis.

FOCUSED DETERRENCE This is a crime reduction strategy that aims to deter crime by increasing swiftness, severity and certainty of punishment. This concept is usually directed at a specific crime problem such as gun violence and coupled between law enforcement and the Judiciary.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED) CPTED provides crime prevention methods to an area or specific business that deters offenders from attempting criminal activity by identifying and offering crime prevention strategies utilizing environmental design and physical factors (i.e., placement of security cameras, lighting improvements, landscaping improvements, etc.).

Committee members include: Captain Dan Brogan, Sgt. Colin Hillman, Syracuse Police Department; and Dave Savlov, Esq., Deputy Director of the Onondaga County Bar Association Assigned Counsel Program.

Training Sub-Committee

The Training Sub-Committee headed by Chief Michael J. Crowell of the Manlius Police Department is tasked to explore de-escalation training and how to implement that into police training in conjunction with use of force training. The committee will be providing an outline on how today's police officers should be trained in de-escalation techniques as well as a foundation of implementing de-escalation and use of force at all levels, including the police academy level. Training was a key component of the committee's work; however the Committee believes that reimagining training in law enforcement also includes educating the citizens of Onondaga County as to why police do certain things and the manner in which they do them.

The Committee believes that clarity in this area will help foster reconciliation between police and citizens, especially in communities with district police officers.

Committee members include:
Chief Thomas Winn, Camillus Police Department
Montanette Murphy, JCOC Office of Diversity and Inclusion
Paul Nojaim, Ownership Representative of Salt City Market/Syracuse City Urban Partnership
Cindy Cieloch, Town of Camillus Police Department, Retired 911
Chief John Fall, Town of Geddes Police Department
Chief Tony Callisto, Syracuse University Department of Public Safety

Dr. Cory Walack, Syracuse University Barnes Center
Carlo Tearney, Owner of Champion Martial Arts
Cheryl Giarrusso, Contact Community Services
Garrett Smith, NYS Office of Mental Health
Marla Byrnes, NYS Office of Mental Health
Sarah Reckess, Director of the Center for Court Innovation
Maria Lewis, City of Syracuse Office of the Mayor
Monica Williams, Onondaga County Chief Diversity Officer
Lt. Steve Abbott, Syracuse Police Department
Theresa Humennyj, Director of Liberty Resources
Lisa Alford, Onondaga County Commissioner of Adult and Long Term Care Services
Kirsten Hubel, Hutchings Psychiatric Center
Kristine Knutson, Contact Community Services
Jennifer Wolf-Pruner, St. Joseph's Hospital and NYS Office of Mental Health
Jessica Caruso, St. Joseph's Hospital and Onondaga County Office of Mental Health

Alternatives to Police Response Sub-Committee

The Alternatives to Police Response Sub-Committee is Chaired by Onondaga County Legislator Linda R. Ervin and is tasked to address the problem of calls to police that involve non-criminal matters. The American Journal of Preventive Medicine estimated that 20% to 50% of fatal encounters with law enforcement involved an individual with mental illness. Locally, Comprehensive Psychiatric Emergency Program (CPEP) reports close to 30% of the presentations there involve the police.

The goal of the committee is to recommend a framework or a plan for how Onondaga County can move forward towards a proper response to such non-criminal calls by means of strengthened collaborations between law enforcement and mobile mental health crisis teams.

There are more than 14,000 criminal cases filed in Onondaga County each year, over 12,000 of which are misdemeanors. Only a small portion of these cases are eligible for Diversionary Programs and Courts such as Drug Treatment Court, Mental Health Court, Veterans Diversion Court and Court for Addiction Recovery Education (CARE Court) (Opioid Addiction). Judges, prosecutors and defense attorneys need alternative sanctions besides jail and fines to dispose of these cases.

Employing a model of restorative justice, community courts seek to counteract the harm done to the community by these low level offenses through having defendants work to strengthen the communities in which the offenses were committed.

Community Courts can offer pre-arraignment diversion from the criminal justice system, as well as post-plea alternative sentences including community service, participation in counseling, education and social services.

The committee is also addressing the role of Community Courts and will make recommendations on how the current Community Court model in Syracuse City Court could grow and strengthen to include the ability to handle additional offenses, including misdemeanors, and geographically expanded to work with suburban and exurban Town and Village Courts. Through providing opportunities for community service and meeting needs such as GED classes and mental health counseling, we envision using the Community Court process as an opportunity to change the direction of an individual's life, avoid costly and unnecessary incarceration, reduce recidivism, and build public confidence in our justice system.

The Committee's goal is to offer a plan in each area that will guide policing in our County in proper directions in accordance with EO No. 203.

Members of this committee include Onondaga County Legislator District 8 Christopher J. Ryan, Onondaga County Legislator District 7 Mary T. Kuhn, Onondaga County Legislature District 16
Vernon M. Williams, Jr., DeWitt Town Councilor Sam Young, Chief Chase Bilodeau, Town of DeWitt Police Department, Commandant Herb Dunmore, American Legion Post #1642, Cimone Jordan, City of Syracuse; Bishop H. Bernard Alex, Victory Temple Fellowship Church, and Bishop Colette Mathews Carter, Covenant Fellowship of Churches.

Note: While the City of Syracuse is pleased to collaborate with its partners across the County through these committees, the City is still required by EO No. 203 to develop its own police reform plan, which is reflected in this document.

Syracuse Police Department

FUNCTION AND JURISDICTION

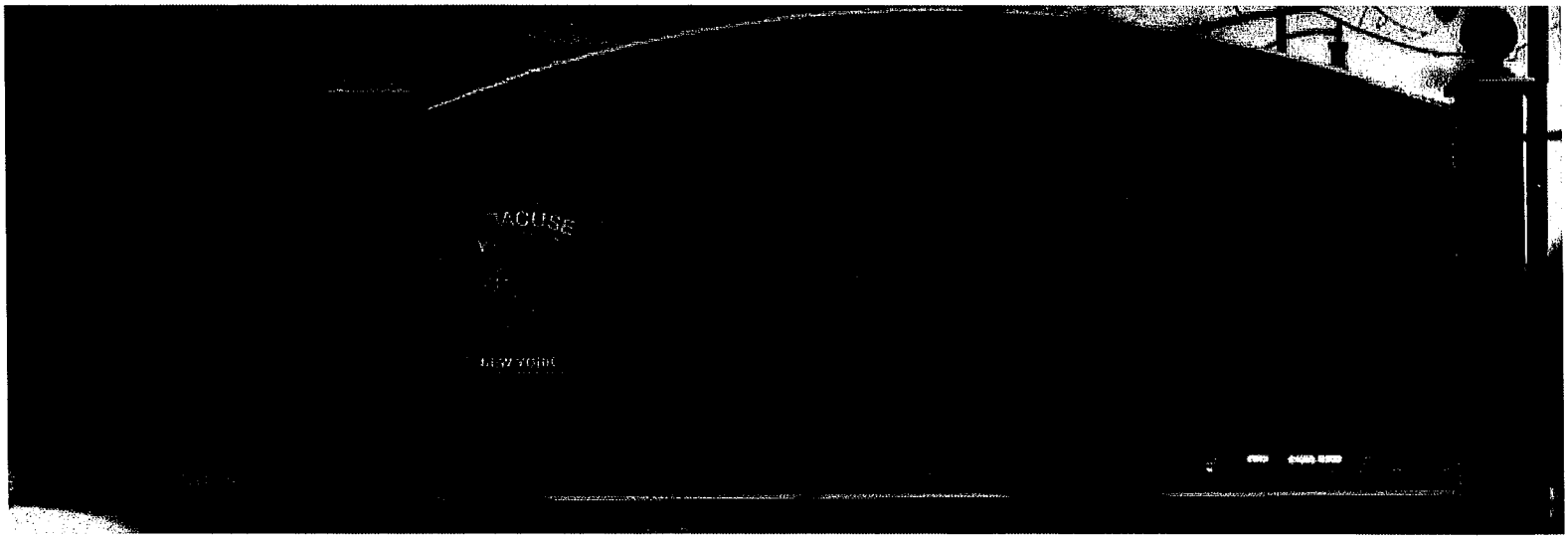
It is important within the context of comprehensive police reform to know the functions and jurisdiction of the Syracuse Police Department (SPD). The Syracuse Police is under leadership of the department's Chief of Police Kenton Buckner. The Chief reports directly to Mayor Ben Walsh and works under the management portfolio of Deputy Mayor Sharon Owens.

In accordance with the Charter of the City of Syracuse, Chapter 14, the functions the Syracuse Police Department, headed by a chief of police, are the following:

1. Organize, administer, supervise and discipline the police force of the city.
2. Enforce traffic regulations and investigate traffic accidents.
3. Operate communication systems either separately or in conjunction with other departments.
4. Make all legal searches, seizures, and arrests and exercise all legal authority incident thereto which are conferred by the laws of the state upon police officers.

"It is the mission of the Syracuse Police Department to prevent crime, enforce the laws, and understand the needs of the community, while providing professional service with ethical treatment for everyone."
-Mission Statement, Syracuse Police Department

5. Members of the police department, other than, in criminal matters have all the powers of peace officers under the general laws of the state, and they shall also have the power and it shall be their duty to arrest any person found by them violating any of the penal ordinances of the city or laws of the state, and to take such person before the proper city magistrate. Such person shall be dealt with in the same manner as if he had been arrested upon a warrant theretofore duly issued by such magistrate. They shall report violations of law and ordinances coming to their knowledge in any way under regulations to be prescribed by the chief of police with the approval of the mayor. They shall also have, in every other part of the state, in criminal matters, all the powers of constables and any warrant for search or arrest issued by any magistrate of the state may be executed by them in any part of the state according to the tenor thereof without indorsement. They shall possess such other powers and perform such other duties as may be provided by law or ordinance of the council.
6. Serve all process for any criminal offense committed within the city and all process to recover or enforce any penalty for violation of city ordinances issued out of any court or by any magistrate within the city, and every process, subpoena or bench warrant issued by the district attorney of Onondaga county, relating to any offense committed within the city, and process subpoenas or warrants issued by the coroner of Onondaga county in any inquest held in the city relative to the death of any person.
7. Assist other officers, departments and boards in the enforcement of functions assigned to them.
8. Enforce all laws, including local laws and ordinances of the city, and seek to prevent the violation thereof.
9. Maintain peace, protect life, property, and all other rights and liberties of the people; and do and perform all other acts which may be assigned to it by proper authority or required by law or ordinance of the council.



The Role of the Chief of Police

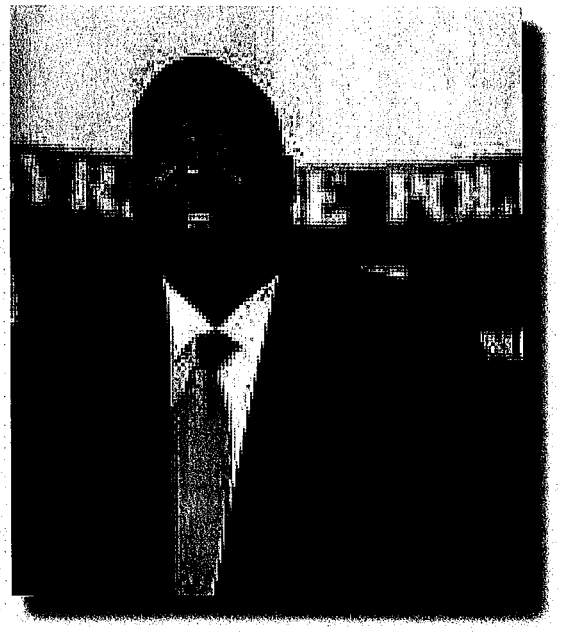
The Chief of Police is the Chief Executive Officer of the Syracuse Police Department and is the final authority in all matters of department policy, operations, and discipline. The Chief of Police is accountable to the Mayor and Common Council of the City of Syracuse to:

- Oversee the department's annual operating budget. The budget for the 2020-21 fiscal year was 47.9 million dollars. As with municipalities across the country, the impact of the COVID-19 pandemic has made a significant impact on our city's operational budget. All City departments, including SPD, were faced with significant reductions in their budgets totaling $18.3 million dollars. The Syracuse Police Department reduced its annual budget by $3.9 million dollars. These cuts included but were not limited to sworn position reductions, service contracts and overtime allocations.
- Ensure the Department's mission is executed efficiently and effectively.
- Create a vision of the desired future state of the Department.
- Develop strategic goals and objectives.
- Empower and lead subordinates.
- Plan, organize, direct, staff, coordinate, and control all Departmental functions.

The Chief of Police is supported by an administrative staff, a 1st Deputy Chief of Police, up to five Deputy Chiefs, an Office of Legal Affairs, and an Office of Professional Standards. The Chief is responsible for overseeing the Office of the Chief of Police, an Administrative office, and Community Service, Investigations, Support Services, and Uniform Bureaus.

The Chief has oversight of a Department of 529. Of this total number, 396 are sworn police officers and 133 are civilian employees.

Biography: Police Chief Kenton Buckner



Chief Buckner was sworn in as Chief of Police for the Syracuse Police Department on November 30, 2018. Prior to his appointment he served as Chief for the Little Rock Police Department from 2014 to 2018. He began his law enforcement career in 1993, and served twenty-one years for the Louisville Metro Police Department, where he rose through the ranks to the position of assistant chief, holding key operational and administrative positions before retiring in 2014.

Chief Buckner holds both Bachelor of Science and Master of Science degrees from Eastern Kentucky University. He is a graduate of law enforcement programs sponsored by the Federal Bureau of Investigation, the Southern Police Institute and the NOBLE Chief Executive Officer Mentoring Program. He most recently completed Senior Executives in State and Local Government at the John F. Kennedy School of Government at Harvard University. Chief Buckner is also a Commissioner for the Commission on Accreditation Law Enforcement Agencies also known as CALEA.

As a proponent of community policing, he has always worked to develop a strong relationship with community stakeholders along with local, state and federal law enforcement partners.

Public & Community Stakeholder Input

Creation of a plan requires public input from various sources. The process of public input has been ongoing. While the Walsh Administration has been seeking and considering input from the public on police-related matters for its entire tenure, the events of 2020 heightened and accelerated the need for input and change.

Community Mobilization

June 12, 2020, a statement from community organizers, advocates and activists was released urging the passage of the Syracuse Right to Know Act and other reforms as part of the People's Agenda for Police Reform. The People's Agenda included nine (9) items. The coalition seeking these reforms included the following members:

Last Chance for Change
Black Lives Matter, Syracuse
CuseYouthBLM
Raha Syracuse
Syracuse Chapter of the National Action Network
Syracuse-Onondaga NAACP
William Herbert Johnson Bar Association of Central New York
Central New York Chapter of the NYCLU
Syracuse Peace Council
Syracuse Cultural Workers
CNY Solidarity
Alliance of Communities Transforming Syracuse (ACTS)
Black Leadership Coalition
Syracuse Police Accountability and Reform Coalition (SPAARC)
Syracuse Clergy

Representatives of the People's Agenda for Police Reform coalition presented their demands to Mayor Walsh, Chief Buckner and city leaders on July 2, 2020 in a live streamed public meeting. Mayor Walsh committed to provide a timeline in two weeks on how the City would address the demands.

Two weeks later, on July 16, 2020, Mayor Walsh issued **a response to the People's Agenda for Police Reform**[6]. The document provided timeframes for action and relevant background and context on each of the demands. It also referenced numbered actions in the **Mayor's June 19 Executive Order on Syracuse Police Reform,** presenting the City's position on each of the demands. This responsive communication served as a new platform for accountability to the community and a foundation for continued progress.

As in all parts of our country, Syracuse residents raised their voices in protest. While other cities rioted and looted, Syracuse chose a peaceful path of expression through protest, including forty (40) days of marching by Last Chance for Change through city and county streets. It should be noted that one night resulted in looting by non-protesters. Marchers and the Syracuse Police Department worked in a coordinated effort to ensure the safe exercise of First Amendment rights through various public demonstrations. These demonstrations expanded into various neighborhood clean-up efforts.

6 Response to People's Agenda for Police Reform - https://ourcity.syrgov.net/ourcitystories/initiative-stories/response-to-peoples-agenda-for-police-reform/

Public Transparency

As a continued mechanism of information sharing and accountability regarding reform progress, the Mayor's Office launched a city website [7]tracking the City's progress on Mayor Walsh's Syracuse Police Reform Executive Order and its sixteen (16) action items. This same website will be used to track the goals and initiatives laid out in the "Moving Forward" section below.

Community Focus Groups

The Deputy Mayor initiated a series of focus group meetings with the purpose of engaging in conversation with specific community stakeholders around policing. They include: AccessCNY, Southside TNT, La Liga (Spanish Action League), the Westside Service Providers, Neighborhood Watch, the New American Community, and youth groups from the Allyn Foundation and Good Life Foundation.

Community Forums via Zoom

The **Syracuse Common Council** held a public hearing February 18, 2021 to garner public comments on the plan. The public hearing transcript is attached to this document in **Appendix O**.

The **Onondaga County Police Reform & Reinvention Collaborative** hosted six community forums via the Zoom video-conference platform, with three being focused specifically on Syracuse neighborhoods On January 12, 13 and 19, 2021. These Syracuse-focused forums were hosted by Rev. H. Bernard Alex of Victory Temple Fellowship Church. Chief Buckner, Mayor Walsh and Deputy Mayor Owens attended and listened to questions, comments and suggestions from attendees, and provided feedback in return. Videos of the public forums can be viewed here: Previous Forum Meetings - Police Reform and Reinvention Collaborative (ongov.net)

Other Online Input

The Onondaga County Police Reform Collaborative established a **website**[8] providing information about the collaborative purpose, sub-committees, community meeting dates and a public comment portal.

7 City of Syracuse Executive Order Web Portal - https://ourcity.syrgov.net/reporting-progress-01/
8 Onondaga County website for Police Reform Collaborative - https://policereform.ongov.net

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MOVING FORWARD

	Completed/Ongoing
Transparency and Accountability	• Surveillance Technology Review Process • Body Worn Camera Deployment • Improved Relationship and Collaboration with the CRB • Publication of Police Contracts • Compliant with the Repeal of Civil Rights Law, Sec. 50-a; requests for police personnel and discipline files are being actively fulfilled • Created Office of Public Affairs • Increased Staffing of Internal Affairs (Office of Professional Standards) • Relocated Office of Professional Standards
Community Engagement	• Hired SPD Director of Community Engagement • Created Citizen Advisory Committees for Each Police District • Upgraded Use of Social Media for Transparency
Policies and Procedures	• Released Draft Revised Use of Force Policy • Released Draft Revised Body Worn Camera Policy • Revised No-Knock Warrant Procedure • Inventory of Military Equipment, Policy for future use and procurement • Added Attorney to the Chief's Office of Legal Affairs
Training & Wellness	• Created Internal Advisory Committees (Sworn and Non-Sworn) • Applied for CALEA Law Enforcement Accreditation
Diversity in Hiring and Advancement	• Enrolled officers and administrators in national peer organizations for Black Law Enforcement Executives and Administrators (NOBLE and NFBPA) • Successfully Opposed DOJ Motion to Dissolve Consent Decree
Alternatives to Policing	• Researched and documented models for alternatives to policing

MOVING FORWARD/ ***WHAT'S NEXT***

REFORM AREA	DATE	MOVING FORWARD ACTION
Transparency and Accountability		**Fully implement and operationalize the Right to Know law:**
	April 1 2021	>Implementation, including policy release, form creation and training
	June 2021	>Data collection will begin at this time, allowing for the required quarterly reporting of this data following the second quarter of 2021.
	April 30, 2021	Establish a Police Reform & Reinvention Plan Oversight Committee to monitor the implementation of this plan, consisting of the Deputy Mayor and a designee, a Department of Law representative, a Chief's Office representative, the CRB Administrator, the Common Council Public Safety Committee Chairperson, and two members of the community, one appointed by the Mayor and one by the Common Council.
	May 2021	Create a "Frequently Asked Questions" section to the City's Police Reform Website to continue the community conversation spurred by this process.
	Ongoing	Continue to release officer personnel files in response to FOIL requests that were received following the repeal of Civil Rights Law Sec. 50-a.
	Ongoing	This process has started and the Department of Law has been actively filling requests: https://bit.ly/syrfoilapplication
	Apr-Jun 2021	Create a public facing dashboard containing citizen complaint and discipline summary data; The Syracuse Police Department will have 2021 First Quarter (January - March) citizen complaint data to include discipline outcomes posted online by the end of the second quarter in 2021.This data will be updated quarterly going forward.
	June 2021 / Ongoing	The Syracuse Police Department will have 2021 First Quarter (January - March) citizen complaint data to include discipline outcomes posted online by the end of the second quarter in 2021.This data will be updated quarterly going forward.
	June 2021	Review and revise the Chief's Office process for communicating investigation results to citizens who file complaints against the police.
	September 2021	Evaluate the parameters that trigger a warning under the Early Intervention System functionality in BlueTeam (the internal affairs software used by the Office of Professional Affairs), and formalize the practice in a new Department policy.
	March 2022	Expand annual reporting from the Office of Professional Affairs (OPS). OPS will be compiling the data throughout 2021, and the annual report will be released in the first quarter of 2022.
	Ongoing	**Seek state and grant funding for the procurement of additional body worn cameras and dash cameras.** >The City submitted a request to its state legislative delegation seeking funding for additional body-worn cameras as part of Mayor Walsh's Legislative and Funding Priorities request on Jan. 28, 2021.

MOVING FORWARD/ ***WHAT'S NEXT***

REFORM AREA	DATE	MOVING FORWARD ACTION
Transparency and Accountability	Ongoing	>Research and grant application submissions will be completed on an ongoing basis as grants become available.
	March 2022	Create and publish an annual report on the use of force. The Department will collect this data throughout 2021 for publication in the first quarter of 2022.
	Jan-Mar 2022	**Improve the officer performance evaluation policy and practice.**
		>The Department conducts annual evaluations in the first quarter, and the 2021 evaluations will conclude March 31. The Department will update the policy and practice prior to the next set of annual performance evaluations, which will take place in first quarter 2022.
	Immediate	>Promotional Evaluation for Command Staff: Effective immediately, the Department will evaluate candidates for promotion based upon, in part, their knowledge and understanding of the principles and strategies in the Mayor's Police Reform Executive Order and police reform in general.
	Ongoing	**Continue to seek changes in the police discipline process and seek to implement a new discipline process that removes the duty to bargain with the Union over discipline, and includes public hearings of disciplinary matters.** The City will continue to pursue this matter.
	March 2021	>The legal matter is currently before the State Supreme Court, Appellate Division. Briefs will be submitted in March 2021. Upon a favorable decision from the court, the City will roll-out a new process with greater public transparency.
Community Engagement and Relationship Building	Second Quarter 2021	Create a youth advisory council.
		Procure Voiance app to provide on-demand translation services for officers working with non-English speaking community members;
	Februrary 2021	The app was recently purchased in February 2021.
	Apr-Jun 2021	Training and roll-out will occur in the second quarter of 2021

MOVING FORWARD/ ***WHAT'S NEXT***

REFORM AREA	DATE	MOVING FORWARD ACTION
Community Engagement and Relationship Building	Apr-Jun 2021	Create and provide training to officers on the voiance app
		Create a community panel to participate in the police hiring process
	June 2021	The Department will implement this panel in its next round of hiring, which is projected for June 2021
	July-Sept 2021	Conduct cultural competency training
	Februrary 2021	**Create a Police Athletic League (PAL) chapter; The Chapter was established on February 17, 2021.**
	September 2021	>Registration for the league
	December 2021	>Begin the League
	Oct-Dec 2021	Develop and host New American citizen's training academy.
	Oct-Dec 2021	Conduct training on the history of racism in the United States and Syracuse for all officers.
Policies and Procedures	March 2021	Post all SPD policies online for public access starting March 2021
	Apr-Jun 2021	Finalize, train officers and implement the draft revised Body Worn Camera policy.
	Apr-Jun 2021	Finalize, train officers and implement the draft revised Use of Force policy.
	Apr-Jun 2021	End the use of the term "Emotionally Disturbed Person" or "EDP" in police communications, in favor of "Person in Crisis" or "PIC."
	2021-2023	Complete the three year process to obtain CALEA Law Enforcement Accreditation for the Agency;
Training and Wellness	2021-2023	Begin and complete the two year process to obtain CALEA Training Academy Accreditation
	Oct 2021-Dec 2021	Complete the creation of an officer wellness program
Diversity in Hiring and Advancement	Ongoing	Work with state legislators to obtain a change in the New York State Public Officers Law, Section 3, to allow Syracuse to unilaterally require residency for newly hired police officers

MOVING FORWARD/ ***WHAT'S NEXT***

REFORM AREA	DATE	MOVING FORWARD ACTION
Diversity and Hiring	2021	The Walsh Administration's 2021 Legislative and Funding Priorities, submitted to state officials on Jan. 28, 2021, call for passage of bill A11008 (now A4483)/S1320 which will require new members of the Syracuse Police Department to be residents of the City. These bills were introduced in their respective houses in January and February 2021. The Administration will continue pushing for its adoption during the 2021 legislative season.
	June 2021*	Implement the Cadet Program, in partnership with CNYWorks; Pending grant, commence recruiting in June 2021.
		Review assessment provided by the U.S. Department of Justice Collaborative Reform Initiative Technical Assistance Center (CRI-TAC), and implement suggestions for recruitment and retention; Within sixty days of receipt of the assessment, the Department will convene a workgroup to review and plan for the implementation of the suggestions. As of March 1, 2021, the assessment has not yet been received.
	April 30, 2021	Work with Onondaga County and New York State to seek reform of civil service hiring procedures, including legislative changes to the aspects of Civil Service Law that constrain the Department's ability to consider factors other than a civil service examination score.
	April 30, 2021	Submit a formal request to the City's state delegation no later than April 30, 2021.
	Apr-Jun 2021	Engage Onondaga County civil service representatives in the second quarter of 2021.
Alternatives to Policing	May 1, 2021	Convene a workgroup to create and implement a Diversion Response Program in partnership with Onondaga County Health Department
	May 1, 2021	>Convene workgroup for program development
	Jul-Sept 2021	>Create a supported program structure and launch as Phase 1
	Oct-Dec 2021	Develop Crisis Intervention Training for officers with less than five years of service to complement the training already offered to more experienced officers.

Subsequent to the issuance of EO No. 203, Governor Cuomo's office issued guidance to
Subsequent to the issuance of EO No. 203, Governor Cuomo's office issued guidance to
municipalities containing best practices in policing. Additionally, the guidance identified 13 focus areas along with questions providing municipalities with a framework to reassess and reimagine its police policies, operations and relationships:

What Functions Should the Police Perform?

- Determining the Role of the Police
- Staffing, Budgeting, and Equipping Your Police Department

Employing Smart and Effective Policing Standards and Strategies

- Procedural Justice and Community Policing
- Law Enforcement Strategies to Reduce Racial Disparities and Build Trust
- Community Engagement

Fostering Community-Oriented Leadership, Culture and Accountability

- Leadership and Culture
- Tracking and Reviewing Use of Force and Identifying Misconduct
- Internal Accountability for Misconduct
- Citizen Oversight and Other External Accountability
- Data, Technology and Transparency

Recruiting and Supporting Excellent Personnel

- Recruiting a Diverse Workforce
- Training and Continuing Education
- Supporting Officer Wellness and Well-Being

As required by the Governor's Executive Order, this document considers each of these thirteen focus areas, and examines the Department's "current police force deployments, strategies, policies, procedures, and practices" as they relate to these focus areas in order to "develop a plan to improve such deployments,strategies, policies, procedures, and practices." The detailed discussion of these thirteen focus areas begins below on page 25. This comprehensive assessment led to a 32-point plan of action, entitled "Moving Forward." The SPD Police Reform & Reinvention Plan Oversight Committee will be responsible for monitoring the progress of the Department and the City to ensure the commitments listed below and throughout this plan are met.

What Functions Should the Police Perform?

DETERMINING THE ROLE OF THE POLICE

How should the police and the community engage with one another?

It is imperative that police agencies make improving relationships with their local communities a top priority. Strong relationships of mutual trust between police agencies and the communities they serve are critical to maintaining public safety and effective policing. Cooperation from community members is an essential component to the police department's efforts to address crime in neighborhoods. Additionally a relationship built on trust enables law enforcement and community members to collaboratively work together to identify issues and formulate solutions.

Productive relationships between the police and community members dissolve when, for example:

1. the community believes that law enforcement is not operating in a manner which deploys policies, procedures and actions in the best interest of their collective community;
2. when officers believe that the community does not want, need or respect their work;
3. the community believes that law enforcement does not acknowledge race, language, age, sexual orientation immigrant status, etc., and is fraught with biases within its systematic structure;
4. when officers question a community's commitment to its own safety.

In the wake of both national and local incidents involving police use of force and other issues, the legitimacy of the police has been questioned in Syracuse resulting in heightened levels of community activism including 40 day marches, community based coalition building and very large protest rallies. Activists are all calling for accountability.

The Police Executive Research Forum (PERF) is a nonprofit police research and policy organization. PERF provides law enforcement agencies with management services, technical assistance, and executive-level education. November 23, 2020, PERF "disseminated a survey in which we asked our members to share their views about priorities for the incoming Presidential Administration. As of December 1, more than 375 responses were submitted." Survey information can be found here[9].

When asked about the most important issue for 2021 and the new presidential administration: members were asked to ***Please choose the top 3 issues in policing that you consider most important for 2021 and beyond***. Approximately 75% of respondents identified Increasing Public Trust in the Police as their first priority; more than half identified Addressing the Call for Police Reform; and just less than half identified Enhancing Officer Safety and Wellness.

Another question in the survey asked: ***What strategies do you consider most effective or promising in improving relationships between police and the community? What role can the federal government play in implementing those strategies?***

Responses included:

9 PERF Survey Results - https://www.policeforum.org/index.php?option=com_content&view=article&id=818:criticalissuesdec34&catid=20:site-content

Increasing face-to-face contacts between police and community members: Overwhelmingly, respondents recommended that police at all levels have more routine, face-to-face contacts with the public. They specifically mentioned "getting out of vehicles," "taking time to build relationships," "learning names," and "taking time to interact instead of racing from call to call." (Of course, such contacts have been limited since the onset of the COVID-19 pandemic.)

- Educating the public about policing and the police perspective on issues: Many respondents said that police must educate the public about the realities of policing, acknowledge that officers sometimes make mistakes while doing a difficult job, teach the public how to interact with police, and expand Citizen Academy-type training (and even allowing the public to use firearm/decision-making simulators).

- Transparency/Accountability/Legitimacy: Many respondents said they are implementing strategies that increase transparency about their work, including successes as well as failures. Respondents said that sharing information demonstrates accountability and increases perceptions of legitimacy of their departments.

- Facilitating discussions and listening sessions on difficult issues: Many respondents said police should hold facilitated dialogue sessions with the public and address issues that arise in their community.

The U.S. Department of Justice Community Relations Service (CRS) works with community groups to resolve community conflicts and prevent and respond to alleged hate crimes arising from differences of race, color, national origin, gender, gender identity, sexual orientation, religion, or disability. The **CRS recommends**[10] that departments engage in the following to build police-community relations:

1. Acknowledge and discuss with your communities the challenges you are facing. Controversial and other incidents can damage relationships between police and their communities. In some cases, a perceived egregious act of misconduct by a single officer in one city not only damages police-community relationships locally; it can gain nationwide attention and reduce trust of the police generally. Police should acknowledge the history of racial minorities and others who have faced injustice at the hands of the police. And police should never discount the negative experiences of individuals with the police. African-Americans in particular have a history of being marginalized and mistreated by the police, leading to a lack of trust and resentment. This history is reflected in many people's feelings about the police.

   SPD acknowledges that the history of racism in the City impacts how the community views the Department, and that police officers can better serve the community if it has a better understanding of this history. To that end, Mayor Walsh's Syracuse Police Reform Executive Order, Action #13, directed SPD officers to receive training on the history of racism in Syracuse and in the nation. Additional efforts to repair the police-community relationship through education and transparency are discussed throughout this Plan.

2. Be transparent and accountable. Transparency is essential to positive police-community relationships. When a critical incident occurs, agencies should try to release as much information about it as possible, as soon as possible, so the community will not feel that information is being purposefully withheld from them. At the same time, it is also important to stress that the first information to emerge following a critical incident is preliminary and may change as more information becomes available. Police leaders should let the news media and the public know that early information may not be correct, and should correct any misinformation quickly.

10 CRS: Importance of Police-Community Relations resource: https://www.justice.gov/crs/file/836486/download

On a day-to-day level, police departments should post information on their websites detailing policies on use of force, community member complaints, and other issues. This information should be easily

accessible to the community. The President's Task Force on 21st Century Policing recommended that "to embrace a culture of transparency, law enforcement agencies should make all department policies available for public review and regularly post on the department's website information about stops, summonses, arrests, reported crime, and other law enforcement data, aggregated by demographics."

The Syracuse Right to Know Law, adopted by the Common Council in October 2020 requires quarterly reporting from the Department on all stops and consent searches, broken down demographically. More detail regarding the Right to Know Law is found later in this Plan.

Under Chief Buckner's new initiatives, SPD will be conducting an on-scene press briefing at every critical incident, as well as a follow-up briefing in approximately 24 hours to ensure that the community is provided with information promptly with respect to critical incidents. It is also our understanding that it has been the practice of the Onondaga County District Attorney's office to regularly conduct press briefings at the conclusion of their review of critical incidents.

Additionally, SPD created a permanent position titled "Public Information Officer" in order to provide the community with immediate feedback regarding police activities and to promote transparency and accountability with respect to day-to-day police operations. Under Walsh's Police Reform Executive Order, Mayor Walsh directed SPD to make all policies publicly available on its website. See Walsh Executive Order, Action #8.

The 2021 SPD Annual Report, which will be published in January 2022, will include data on the Department's uses of force for the year 2021.

3. Take steps to reduce bias and improve cultural competency. Many civil rights leaders and police executives also recommend that officers at all levels receive training on diversity, implicit bias, and cultural competency. Many cities and towns have communities with a variety of racial and ethnic backgrounds and cultures, and it is important for officers to be able to communicate effectively with, and understand the cultural norms of, these different groups.

   Mayor Walsh's Executive Order directed SPD to deliver department-wide cultural competency training. The training was scheduled for fall 2020, but was delayed due to the COVID-19 pandemic.

4. Maintain focus on the importance of collaboration, and be visible in the community. It is important for the police to be visible in their communities and know their residents. Many people do not interact with the police outside of enforcement contexts. This can result in people developing negative associations with the police – for example, if the only contact they have ever had with police consisted of receiving a traffic citation or calling the police to report being the victim of a crime. Finding opportunities to interact with community members in a non-enforcement context helps to reduce bias on the part of community members and police officers. Getting to know community residents helps both groups to break down personal barriers and overcome stereotypes, and allows officers to learn which residents of a neighborhood are law-abiding and which ones are not. Police executives often report that law-abiding residents of high-crime neighborhoods resent it when police seem suspicious of everyone in the neighborhood, and, for example, make pedestrian stops of young men who are on their way to work or to school. Personal interactions between police officers and community members build mutual trust, which is essential to addressing neighborhood problems and reducing crime. Tools to improve police-community relations include but are not limited to:

- Adult and youth citizen police academies;
- Sports teams or "Police Athletic Leagues;"
- Ride-alongs with officers;
- Police involvement in local school activities; and
- Police participation in (or police-led) community events.

Police officials should see themselves as a part of the community they serve, and local government officials, police leaders, and community members should encourage the active involvement of officers as participants to help maintain the peace. For example, police officials may be invited to participate in peace marches, to attend local sporting events, or to attend neighborhood barbeques or outdoor community "movie nights" for kids.

In December, 2020 the Syracuse Police Department established the Director of Community Engagement, a civilian position responsible for creating opportunities to build strong partnerships which enable community trust and create avenues to listen and be responsive to identified needs in order to improve public perception of the police.

Additionally, the Director will encourage communities to take greater ownership of solving local problems and improve perceptions of safety. The Director will serve as a liaison between SPD and various community residents and stakeholders to promote Syracuse Police Department community engagement opportunities and strategies; resolve issues and garner solution orientated ideas.

The first goal of the Director is to establish a City of Syracuse Police Athletic League (**PAL**[11]) national affiliate program.

5. Promote internal diversity and ensure professional growth opportunities. Police agencies need to present policing as a profession. Departments should work to recruit people who want to become officers based on a realistic understanding that the large majority of police officers' time is spent addressing community requests and that actual "law enforcement" is a much smaller percentage of the time. Police agencies also should step up efforts in recruiting and promotional processes to increase overall diversity in their departments by race and many other demographics. Agencies should provide regular opportunities for career growth and professional development training.

   The Walsh Administration identified officer recruitment as an area of focus early in its term. The administration prioritized officer hiring, bringing in three new classes of recruits over the past 2.5 years. The administration recognizes the importance of recruitment efforts that produce diverse recruit classes reflecting the population of the community served by SPD. The Community Input Report, which summarizes an exhaustive public engagement process, and led to Chief Buckner's hiring, highlighted enhanced recruitment of diverse populations as a priority for the community.

   The Department is currently implementing a recruitment strategy with the following objectives:

   - To reach a diverse group of qualified candidates, in an effort to educate and inform them of the opportunity to become a Syracuse Police Officer;

   - To have the SPD reflect the ethnic, racial, and gender workforce composition of the community for whom it serves; and

11 PAL (Police Athletic League) Website - https://www.nationalpal.org/

- To change the community's perception of the SPD to make the career of a Police Officer more appealing.

One minority recruiting initiative that bears emphasis is a Cadet Program recently announced with a city high school – the Public Leadership Service Academy at Fowler (PSLA). PSLA at Fowler is a City high school situated in the census tract that experiences the highest amount of poverty in the city. PSLA offers specialized career and technical educational (CTE) opportunities in law enforcement fields, among others.

City residents with diverse backgrounds graduate from this program, but are unable to immediately sit for the police officer civil service exam because individuals must be twenty years old to be appointed as a police officer. The purpose of the Cadet Program is to establish a steady stream of qualified police candidates from diverse city residents using PSLA as a pipeline. SPD will offer interim employment opportunities to city residents, with a preference for PSLA graduation. Since many students graduate at the age of 18 and the minimum age for someone taking the law enforcement civil service exam is 19 years and 6 months, the program is designed to act as a bridge between graduating high school and becoming a police officer. During this program the Cadet will perform functions that are designed to help them prepare to be police officers and to work within SPD. Participants will be required to take all police officer civil service exams until they pass and are placed on the eligible civil service test. This program is still in development, but is a priority for the Department.

SPD has taken many other steps as outlined in the strategy. Notably, many of these efforts, like the Cadet Program, are aimed at reaching populations that are traditionally overlooked by the civil service testing process. For example, SPD has engaged in outreach in non-traditional recruitment settings to reach individuals who might not proactively seek out a law enforcement career. SPD attended regional cultural affairs, SPD is committed to working with and continuing conversations with the NAACP and New American leaders. SPD also staffed informational tables at the local mall and at the local public housing authority. Many of these efforts are on hold due to COVID-19 concerns, but will be reactivated when feasible.

The New York State civil service examination process, which is run by the county in which Syracuse sits (Onondaga County), is often a barrier to entry for interested applicants. To help residents overcome this barrier, SPD planned to hold classes to assist diverse applicants to improve their score on the civil service exam and to prepare for the physical fitness exam. These proactive efforts were put on hold due to COVID-related budget cuts and social distancing requirements, but will be revisited as soon as feasible. We understand that the NYS Civil Service Commission has undertaken steps to evaluate and modify the entry level civil service examination for police officers to remove built in cultural biases and potential disparate impact on minority applicants. We hope that this new examination enhances our efforts to increase the level of diversity in the City's police force.

The City is also working with the Collaborative Reform Initiative Technical Assistance Center (CRI-TAC) (a program offered by the U.S. Department of Justice) and the International Association of Chiefs of Police to review our recruitment, hiring, and retention strategy. **See https://cops.usdoj.gov/collaborativereform**.

More details related to the Department's diversity recruitment efforts are located in the recruitment section of this plan.

Should social service personnel be deployed instead of or in addition to police officers in some situations?

The Syracuse Police Department is the first to acknowledge that not all dispatched calls require the presence of a sworn officer. Similarly it's understood that while police officers are not trained professional mental health clinicians, it is important that they are trained to recognize the symptoms of mental health issues and how to provide initial help and access the assistance of those trained in the field in order to guide a person towards appropriate professional help.

Individuals in physical, mental health or substance abuse induced crisis require the intervention of those who have made the care of these individuals their professional career.
The Onondaga County CIT Working Group has identified three pillars that should guide all law enforcement protocols that seek to improve interactions with community members who have mental health issues.

These Pillars are:

◊ Empathy & Connection

Programs and policies should strive to deepen connections to community members in need, improve relationships between law enforcement, service providers, and community members, and reaffirm our common humanity. We should strive to support community members in crisis and de-escalate situations that threaten the safety of community members and law enforcement.

◊ Community

Programs and policies should be designed, implemented and evaluated to understand how they impact all community members, with special attention paid to cultural differences, language barriers, disability, and systemic racism. Programs should be designed and implemented with the goal of improving public trust in institutions and incorporating community feedback. Community-based organizations and law enforcement should strive to link communities in crisis to familiar systems, so that community members recognize programs, people, and process and engage with those services.

◊ Accountability

Programs and policies should be regularly evaluated to understand how they work and where challenges exist. Evaluation must incorporate feedback from the community, service providers, and law enforcement agencies. Emphasis should be placed on incorporating programs and policies that are evidence-based, research-supported, collaborative in nature, and applicable to all community members. Service providers and law enforcement agencies should be prepared to hold each other accountable and identify gaps in services, with an emphasis on finding solutions together.

Recommendations

Based on these pillars, the Onondaga County CIT Working Group made the following recommendations:

1. Identify a Countywide Coordinator to implement CIT policy and training and facilitate countywide CIT Working Group.
2. Support law enforcement agencies as they develop/implement model CIT policy.
3. Develop a Partner Program between law enforcement and mental health treatment providers.
4. Plan and implement a 911 diversion program.

5. Create a menu of training opportunities.
6. Identify community members who are high-utilizers of police, ambulance services, emergency medicine, crisis services, and emergency shelter services, and develop processes for mental health treatment providers to reach out preemptively/prior to law enforcement contact.
7. Continue to focus on utilizing the 211 and Crisis Connect hotlines to decrease non-emergency calls to 911, including outreach in the community, with other providers, and with LE.
8. Formalize law enforcement participation in the countywide Zero Suicide Program.
9. Develop Mental Health Supports for law enforcement agencies to address issues of workplace trauma, post-traumatic stress disorder and suicide risk.

Addressing the Issue

In **Mayor Walsh's first Executive Order Action #15**[12], the Mayor committed to "research and consider innovative, community-based strategies for responding to non-criminal calls, with a goal of shifting the paradigm from primary police response, to response by non-police professionals in relevant fields."

The City of Syracuse has researched and documented models for alternatives to policing that have been implemented in cities across the country. These efforts include but are not limited to:

- Identify current police responses eligible for non-police response which may include but are not limited to: homelessness, non-criminal mental illness, noise violations, nuisance abatement, and traffic violations.

- Actively engage with the Onondaga County CIT Working Group which is working to develop a framework for mental health crisis response teams and 911 diversion programs for municipalities in Onondaga County.

- Continue to work with Onondaga County to expand the current Crisis Intervention Training to enable informed, safe encounters with citizens with mental health afflictions, substance use and/or developmental disabilities. Due to state funding constraints as a result of COVID-19 budget reductions, the focus is to identify resources to support this important program.

- To the extent permitted by applicable regulations, prioritize mental health support funding from the U.S. Department of Housing and Urban Development (HUD) to identify local partners to implement policies and practices that may serve as future models for police alternative programming and services.

- Identify and implement best practice models for alternative policing, which may include, but are not limited to Eugene's Crisis Assistance Helping Out On The Streets (CAHOOTS) model, Denver's Alliance for Street Health Response, and Oakland's Mobile Assistance Community Responders (MACRO) model. No model can be implemented in a "cookie cutter" approach to address identified needs and systems.

- Conduct a City-wide survey on community public safety and execute outreach to local community-based organizations to gather insight into the specific needs of the community as they relate to mental health crisis response as an alternative to police response.

12 Mayor Ben Wals EO No.1 Action #15 - https://ourcity.syrgov.net/portfolio/reporting-progress-02/

- Work with government, non-profit and community stakeholders to plan, develop and implement a community-based mental health crisis response network in place of police response for certain 911 calls that fit the criteria of likely being safer and more effective with a non-police response.

- Continue to fund the Trauma Response Team, and similar local programs in order to enable preventive and preemptive services.

Recommendations to address the needs of persons in crisis both locally and nationally outline a multi-disciplinary approach involving stakeholders from government, mental health and social work professionals, human service agencies, 911 and law enforcement. Work has been ongoing in Onondaga County to implement the Memphis Model which creates Crisis Intervention Teams in law enforcement agencies to respond to behavioral health related crises.

These current efforts lay a strong foundation to move these recommendations further.

The City will now engage in a process to identify a human services diversion response strategy that meets the needs of persons in crisis in our community. The City will work with the Onondaga County Mental Health Services Division of the Department of Children and Family Services and Emergency Communications Department to identify fundamental components of a diversion program and process and funding needs.

A workgroup will begin meeting April, 2021 and then be expanded to include stakeholders representing the diverse needs of our community. Police Reform subcommittee recommendations will serve as a guide for foundational structure and overall service delivery. The expectation is to execute phase 1 of the model by the end of the third quarter of 2021. The phased approach allows for procedural analysis and recommended adjustments.

Recommendations to address the needs of persons in crisis both locally and nationally outline a multi-disciplinary approach involving stakeholders from government, mental health and social work professionals, human service agencies, 911 and law enforcement. Work has been ongoing in Onondaga County to implement the Memphis Model which creates Crisis Intervention Teams in law enforcement agencies to respond to behavioral health related crises.

The expectation is to execute a pilot model by the end of the third quarter of 2021. The pilot approach allows for procedural analysis and recommended adjustments.

While the City and its partners will explore alternatives to traditional police response for certain types of calls, there will still be many instances where police response is needed, and so it is important for our police officers to have sufficient training safely and effectively interact with persons in crisis. Therefore, SPD has and will make crisis intervention training (CIT) a more central priority. While CIT training is still completely optional in New York State, SPD has a goal of training 20% of the force.

SPD has partnered with Onondaga County and AccessCNY to train its officers along with those from the region. To date 60 officers have completed the 40 hour CIT course. They are instructed about PTSD, personality and mood disorders, substance use, suicide and more, and how to approach different scenarios. The course not only prepares officers to care for the community but to be aware of their own mental health and wellness needs.

We are already seeing the results:

- Spectrum News CNY (CIT Training): Crisis Intervention Teams Could Change the Future of Policing [13](January 2020)
- CNY Central: Syracuse Police Chief believes co-response to mental health calls can save lives[14] (September 2020)
- Syracuse.com: Syracuse officers convince suicidal boy to drop knife, get help[15] (September 2020)

To date, the program has been entirely funded by New York State. COVID-related funding issues have curtailed additional funding. The City is committed to identifying resources to support the successful program.

SPD will continue to expand CIT eligibility. Currently the CIT model requires enrolled officers to have a minimum of five years experience on the job. Course administrators believe the instruction is most effective based on the experience of officers. SPD believes that this requirement should be adjusted and Police Academy recruits be allowed the opportunity to participate in the training. While we understand the reasons for the minimum experience requirements, we believe that while recruits are receiving all other training, they can be introduced to the concepts and skill building techniques offered through CIT training. Additionally, these extraordinary young cops will be the ones most likely to respond to the CIT calls for the early part of their careers. SPD will continue to make this case to program administrators.

What function should 911 call centers play in your community?

The Onondaga County Department of Emergency Communications is a nationally CALEA accredited 9-1-1 Center since 2002. 911 call centers are the official "triage" center of emergency calls.

The Onondaga County Police Reform and Reinvention Collaborative Crisis Intervention sub-committee on Alternatives to Police Response explored the role of the 911 center, making the following recommendations:

- Explore the creation of a Co-responders Program/Response Team for Mental Health calls, modeled after CAHOOTS in Oregon. This program could utilize mental health providers to respond to 911 calls for service, working with law enforcement to de-escalate situations, provide alternatives to arrest, link community members to existing community resources, and provide field training to law enforcement officers.
- Plan and Implement a 911 Diversion Program
- Dispatch Mobile Crisis Unit to calls identified as mental health crisis calls
- Develop a 988 call line
- Redesign 911 to flag calls for service as mental health crisis and divert as appropriate
- Create Emotional Distress Call Assessment form (Recommend use of Person in Crisis)
- Create Emotional Distress Caller Workflow (Recommend use of Person in Crisis)
- Create a Menu of Training Opportunities
- Continue to train LE officers from various county law enforcement agencies on CIT
- Train 911 Dispatchers and additional law enforcement support staff on CIT model
- Identify a "refresher" training program for law enforcement officers who have already received CIT training to stay up-to-date

13 Specrtum News (CIT Training) - https://spectrumlocalnews.com/nys/central-ny/news/2020/01/29/crisis-intervention-team-training#

14 CNY Central (Mental Health Co-Responses) - https://cnycentral.com/news/local/syracuse-police-chief-believes-co-response-to-mental-health-calls-can-save-lives

15 syracuse.com (Convince Boy to Drop Knife) - https://www.syracuse.com/crime/2020/09/syracuse-officers-convince-suicidal-boy-to-drop-knife-get-help.html

Onondaga County 911 administrators participated in a presentation by Broome County 911 February 3, 2021 to receive information regarding their training and call deployment process for persons in distress incidents.

The National Alliance on Mental Illness provides guidance to citizens who are in an escalated crisis and in need of police intervention. Guidance includes:

1. While on the phone give the 911 operator as much information about the situation and the mental health state of your loved one.

2. When the police arrive, stay calm and say "this is a mental health crisis." Let them know you have information that can assist the situation.

3. Information can be found at: **Calling 911 and Talking with Police | NAMI: National Alliance on Mental Illness.**[16]

The Syracuse Police Department has and continues to develop collaborative relationships with mental health, substance abuse and homeless intervention specialists/programs. Currently SPD has teamed with mental health outreach response team specialists from Liberty Resources. Once on the scene, SPD reaches out to the Liberty Resource staff lead which deploys a response team. The agency's team includes social work and clinical professionals to assess the situation and intervene. When no immediate threat of violence is present, SPD takes a secondary position unless intervention is required due to danger evolved by the distressed individual to themself or others. SPD will take a primary position whenever a weapon is involved or threats of violence.

Should law enforcement have a presence in schools?

While assigning a School Resource Officer (SRO) to a school might serve as a deterrent to a potential school shooter, or provide a quicker law enforcement response in cases where a school shooting occurs, it may also escalate the consequences associated with students' actions. SROs establish a regular law enforcement presence in schools and there is some concern their presence might result in more children either being suspended or expelled or entering the criminal justice system for relatively minor offenses.

As the U.S. Department of Justice has recognized, "the COVID-19 pandemic, along with calls for public safety reform, has changed so much in our communities. Schools across the nation are dramatically changing the way they operate. Drastic changes in state and local funding will demand changes in personnel in education, justice, health, and all other sectors. As local law enforcement budgets are impacted, community and public safety leaders will have to reimagine the roles of their officers. They will also have to decide whether and how to use SROs." See **https://cops.usdoj.gov/html/dispatch/08-2020/sros.html**.

Over the summer of 2020, some local protesters passionately called on the City to reassess the role of police in schools. **Mayor Walsh's Syracuse Police Reform Executive Order, Action # 16**, recognized this need to re-examine the role of SROs and ordered SPD to "Develop and implement, in coordination with the Syracuse City School District, a new model for school safety and security."

16 NAMI (National Alliance on Mental Illness) - https://www.nami.org/Your-Journey/Family-Members-and-Caregivers/Calling-911-and-Talking-with-Police

On July 22, 2020, the Syracuse City School District (SCSD) Board of Education discussed School Resource Officers (SROs) at a remote work session. Then, on August 4, 2020, City and SCSD leadership met and began establishing a working group to further examine the issue. A new school safety model will be identified by June 2021.

As our community examines this issue, we must weigh the advantages and disadvantages of the optimal school safety model that meets the needs of students, staff and visitors while maintaining a productive and nurturing educational environment. If our community settles on a model that includes the continued presence of SROs in some manner, the U.S. Department of Justice identifies two different models of SRO placement: "Mobile" versus "Assigned."

The Mobile SRO Model assigns SROs not to a particular school but to an area containing multiple schools. These models help establish school-neighborhood connections while officers patrol home to school routes in neighborhoods surrounding various schools to identify issues and communicate with school officials.

The Assigned SRO Model is currently used by SPD. This model is where SROs are assigned to cover a particular school, or schools, on a regular basis. The SRO usually goes to that school daily, typically having a designated office space. The SRO may conduct patrols in the school, work with school administrators, serve as a mentor or informal counselor to students, and sometimes even teach students.

No matter the identified model, any future agreement between the City and SCSD for the presence of SROs in schools must be documented in a Memorandum of Understanding setting forth clearly defined roles and responsibilities of department staff. Any agreement must make clear that SPD officers are not engaged with schools for the purpose of managing behavior. While some behavior by students is in violation of the **SCSD Code of Conduct**[17]; most do not violate the penal code and should not be addressed by officers. It must be made clear that the officers' role is to address criminal acts on school grounds.

The Onondaga County Police Reform and Reinvention Police/Community Relations Sub-Committee also addressed the issues of school safety and, specifically, the presence of School Resource Officers assigned to and present in Syracuse City Schools. The committee focused on seven issues:

- Choosing a Program Model;
- Defining Specific SRO Roles and Responsibilities;
- Recruiting SROs;
- Training and Supervising SROs;
- Collaborating with School Administrators and Teachers;
- Working with Students and Parents; and
- Evaluating SRO Programs.

The Syracuse City School District (SCSD) Superintendent, in alignment with Mayor Walsh's Executive Order Action #16, has committed to entering into a contract with a consultant to facilitate a working group of SCSD, City of Syracuse and community stakeholders to identify an appropriate model. The workgroup will incorporate the seven identified issues into its planning.

17 SCSD Code of Conduct - http://www.syracusecityschools.com/districtpage.cfm?pageid=984

Staffing, Budgeting, and Equipping the Syracuse Police Department

What are the staffing needs of the police department the community wants?

Community input reflects the following needs:

- A police force that reflects the diversity of the community it serves;
- Police officers that reside in the City of Syracuse;
- Officers that are integrated into the community through foot patrol or other assignments that enable officers time out of patrol cars;
- Geographic assignments that enable officers to integrate into assigned neighborhood
- communities; and
- Police officers who receive interdisciplinary training in mental health and social services, including crisis intervention training.

Should components of the police department be civilianized?

Yes. During Chief Buckner's top to bottom assessment of the Department, he identified several functions within the Department staffed with sworn officers that could be converted to civilian staffing, including human resources, records, information technology, property management and the crime scene unit. Many of those positions have already been civilianized, making additional officers available for core law enforcement functions. This assessment will continue.

Can your community reduce violence more effectively by redeploying resources from policing to other programs?

The Department already uses some of its resources on several alternative, community-based violence reduction programs and partnerships, such as the Trauma Response Team, the Street Addiction Institute and the SNUG program (Syracuse Cure Violence).

However, the City has heard from the community that it believes greater resources should be shifted from traditional law enforcement to alternative models. As noted elsewhere in this report, work is underway to study these models and work toward implementing the right model for Syracuse.

One tool that can help the City and the Department to understand the community's views on the deployment of financial resources is an online budget simulation tool, *Balancing Act*. On November 23, 2020, the Common Council approved an agreement with Balancing Act to use this tool. Balancing Act provides increased transparency by giving the public a deeper understanding of how public dollars are currently allocated, what outcomes are intended, and it enables residents to express preferences for how dollars should be expended.

Syracuse Police will be among the first City departments to use Balancing Act with the intent to include most departments during Fiscal Year 2022 planning.

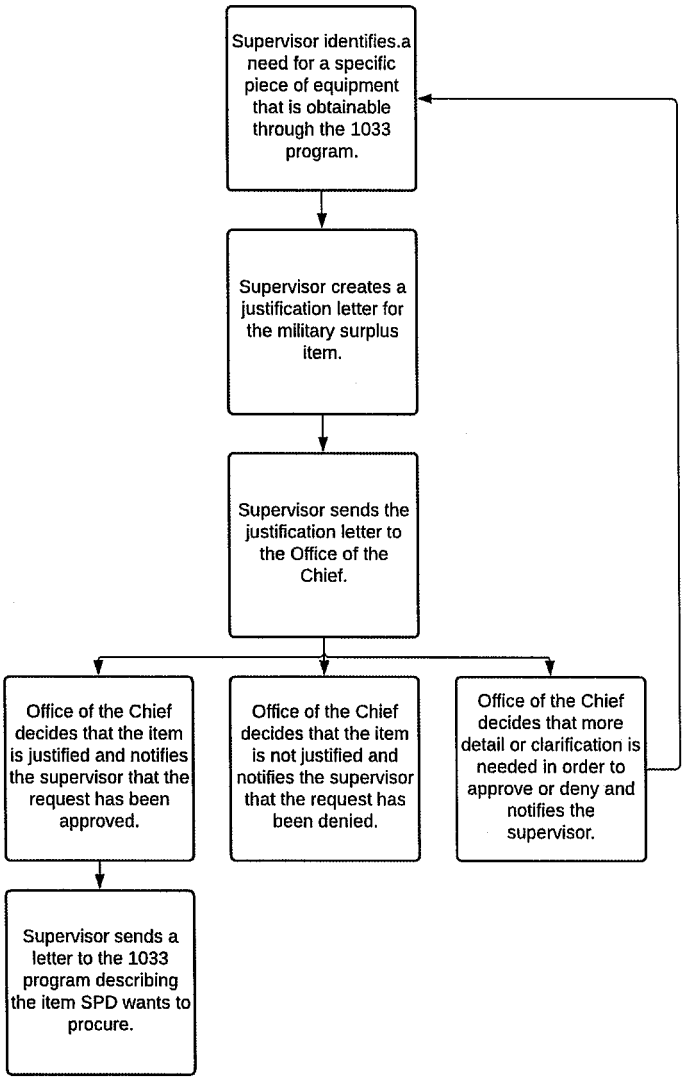
How should the police engage in crowd control?

Crowd control should be viewed primarily as a partnership with the event organizers/leaders in a joint effort to ensure the safety of all individuals in or around the crowd.

With this view, when the Department has advance notice of potential crowds, it attempts to contact the group organizer, establish a liaison between the group and the Department, and coordinate a traffic and/or security plan.

It is the Department's philosophy to use a measured approach based on intelligence and data, balanced with the need for public safety. While the Department's preference is always to use the least restrictive measures in crowd control situations, violence, property destruction or other violations of the law are unacceptable and must be addressed.

The Public Order Unit is only deployed upon the approval of the Chief of Police. The Public Order Unit is a specialized unit trained in crowd control and dispersal tactics for deployment in spontaneous events that are unexpected or unknown that require specialty crowd control equipment and tactics, incidents that have potential for civil disorder or addressing events that are expected to involve large-scale or serious civil disorder. The use of crowd control tactics such as gas and less lethal methods are only deployed under the direction of the Chief of Police or designee. The Syracuse Police Department will not apply the use of K9s for crowd control.



For transparency and accountability, officers equipped with body-worn cameras are required to record during crowd control situations. Pursuant to the draft revisions to the **Body Worn Camera Policy**[18], released for public review and comment on October 15, 2020, "personnel assigned to crowd control situations, including protests, demonstrations, and civil disorder situations, will record with assigned BWCs unless otherwise directed by a Commanding Officer or the Chief of Police or his/her designee."

Should the police be "demilitarized"?

Recognizing the perception by the community that SPD was too "militarized," Mayor Walsh's Police Reform Executive Order, Action #6, directed SPD to do the following: "Conduct a complete inventory of all equipment acquired through military surplus programs that are in possession of the SPD; establish policies and procedures regarding the use of such equipment; and establish parameters for future procurement of such equipment."

SPD completed this process in December 2020. The analysis showed that the Syracuse Police Department does not currently possess or use any firearms or other weapons associated with the Department of Defence 1033 surplus equipment program. It has a single armored personnel carrier that is not equipped with any weapons.

In order to ensure that SPD procures items from the 1033 program that are justified by operational demand, the Department implemented a new process requiring an extra layer of approval from the Office of the Chief before a supervisor in the Department is able to procure items from the 1033 program.

With the extra approval, the Department will ensure that all items procured through the program are justified by departmental leadership and are in-line with the needs of the Department and existing rules and regulations. See **Figure 2** for a flowchart of the new process.

The military surplus items that SPD has procured through the 1033 program can be accessed here. The majority of the military surplus equipment procured by SPD is apparel or accessory items such as bags or backpack covers. There is only one surplus item, known as an MRAP or Mine-Resistant Ambush Protected Vehicle that requires established parameters for deployment.

SPD has established procedures for the use and deployment of the MRAP and vehicles like it, including ones that have not been procured through the 1033 program. For example, in 2014, the Department procured a "BearCat," an armored personnel carrier used by the SWAT team to provide life-saving armor in barricaded suspect call-outs, high-risk warrants, and active shooter scenarios. Although the BearCat is not considered military surplus, it still follows the same procedures as the MRAP for deployment because of the similarities in their functionality.

In the case that SPD procures an item that does not have an existing policy regarding use of the same or similar grade items, a new policy will be written.

18 Body Worn Camera policy can be found in Appendix F

Employing Smart and Effective Policing Standards and Strategies

Procedural Justice and Community Policing

The US DOJ identifies Procedural Justice as equity and fairness in law enforcement practice and identifies four pillars:

- being fair in processes
- being transparent in actions
- providing opportunity for voice, and
- being impartial in decision making

Effective Community Policing requires a commitment to policy and procedure with the purpose of building trust with the community through fair and equitable interactions, communication and shared responsibility to address crime. Law enforcement in general and police departments specifically can strengthen community relationships by recognizing and training officers on procedural justice and racial bias.
Police departments can repair and strengthen community relationships by understanding and training officers on three key concepts: procedural justice, bias reduction, and racial reconciliation.

The NYS Police Reform and Reinvention Collaborative Guide identified the following policing strategies as those which have raised concerns among the public. As discussed below, the Department has also recognized the risks and shortcomings of these strategies and either does not employ them, or has recently curtailed their use through policy change.

"Broken Windows" and "Stop and Frisk"

The "broken windows" theory of criminology has evolved into a zero tolerance policy for low level crimes in specific geographic areas. As a result, the broad geographic area is saturated with law enforcement activity that is not necessarily tied to crime data and intelligence, and leads to the over-criminalization of low level offenses in neighborhoods with higher rates of poverty.
The "stop and frisk" approach to policing can lead to excessive discretionary stops lacking the necessary legal justification.

In contrast to these approaches, the City's guiding priority in its policing strategy focuses on data-driven policing. The Department relies on detailed and specific criminal activity data and analysis from trained criminal analysts to determine the geographical location that the Department will focus its resources. The Department also deploys resources based upon specific intelligence indicating that particular individuals or groups have a propensity for violence through documented criminal activity. Together, these approaches are known as Problem-Oriented Policing ("POP") or Hot Spot Policing.

As Chief Bucker has often remarked in community meetings, the Department's approach is to "fish with a spear rather than a net." Broken windows and stop and frisk relate to the "net" analogy, and are not utilized by the Department.

Discriminatory or bias-based stops, searches and arrests

Under SPD's Problem-Oriented Policing strategy, individual officers are instructed to focus attention on data-driven "hot places" and "hot people" in specific areas. By focusing on crime data and intelligence, rather than bias or stereotypes, the Department can avoid engaging in discriminatory policing. SPD regularly incorporates statistical crime analysis directly into its weekly operational meetings, at which SPD sets its policing priorities for the coming week based on crime "priority areas." Based on the SPD's Problem-Oriented Policing ("POP")/Hot Spot Policing Plan, SPD utilizes this statistical analysis to establish geographic areas within the City using five years of data on: (i) shots fired, (ii) shootings with injury, and (iii) homicide by gun. SPD utilizes spatial density hot spot statistics to map priority street segments, creating a perimeter around the most severe hot spots, creating SPD's POP areas based on its measured data. Those identified areas become the focus of the Department's resources, across each of its operational departments, on a week by week basis.

Chokeholds and other restrictions on breathing

Mayor Walsh's Police Reform Executive Order, Action #2[19] directed SPD to revise its use of force policy "to ensure that it is compliant with recent changes in New York State law, and fully consider any policy changes requested by the Syracuse community."

SPD engaged in a thoughtful review of the existing policy, and, specific to the isse of chokeholds, proposed the following provision which is compliant with changes to state law.

300.10 DEADLY FORCE LIMITATIONS AND PROHIBITIONS

> A. Chokeholds: The Department bans the use of chokeholds as a police practice in a manner consistent with the conduct prohibited by NY Penal Law §121.13-A. A chokehold is defined as either (i) a technique that applies pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air (NY Exec. Law §837-t); or (ii) a technique that applies pressure on the throat or neck of such person or blocks the nose or mouth of such person with intent to impede the normal breathing or circulation of the blood of another person (NY Penal Law §121.11).

This provision, together with the entire Draft Use of Force Policy, was released for public review and comment on October 15, 2020. It will remain open for review during this process, with the goal of finalizing and implementing the policy in the second quarter of 2021.

Use of force for punitive or retaliatory reasons

As noted above, as a result of Mayor Walsh's Syracuse Police Reform Executive Order, Action #2, the Department revised its Use of Force policy and released it for public input in October 2020.

Under current policy and under the draft revised policy, officers are not allowed to use force as a punitive measure or for retaliatory reasons. Rather, officers are only authorized to use force when necessary to accomplish lawful objectives, including:

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19 Mayor Walsh EO No. 1 Action #2 - https://ourcity.syrgov.net/2020/10/executive-order-no-1-action-2-update-syracuse-police-use-of-force-policy/

1. Effecting an arrest, prevent escape of a person from custody, or in defense of self or others from imminent physical force;
2. Effecting an investigatory stop or detention where there is reasonable suspicion to believe that criminal conduct has occurred or is ongoing;
3. Taking subjects into protective custody, including civil custody, when authorized by law, such as persons who are a danger to themselves or others or persons incapacitated by intoxicating agents;
4. Preventing a subject from committing suicide or inflicting serious physical injury upon themselves, provided the force shall not rise to the level of deadly physical force;
5. Assisting a licensed medical provider in providing necessary medical treatment; or
6. Overcoming resistance to a lawful police order following a verbal warning.

Using force merely to punish or retaliate falls outside these authorizations and is therefore prohibited. It is worth further noting that even if use is authorized, the force must be reasonable and necessary, and must be proportionate to the threat. Overall, the draft use of force policy places a stronger emphasis on de-escalation and proportionality.

In addition, using force to punish is explicitly outlawed in the draft revised policy, as follows:

300.8 PROHIBITED USES OF FORCE

A. Generally, officers must cease using force when the officer reasonably perceives that the purpose necessitating the use of force has ended, and must continually assess the situation and changing circumstances, and adjust or discontinue the use of force appropriately.

B. In addition, force shall not be used in the following circumstances:

1. To coerce a confession from a subject.
2. To obtain physical evidence from a subject for the purpose of scientific testing, absent a court order.
3. Against subjects who are handcuffed or restrained unless it is necessary to prevent injury or escape, or to otherwise overcome resistance posed by the subject.
4. To torture, unlawfully coerce or punish a subject.
5. To attempt to remove or extract evidence from a subject who has orally injected the evidence, once the subject has placed the potential evidence in his/her mouth.

   NOTE: An officer may use reasonable force to prevent the person from placing the evidence or contraband in their mouth, but such force must cease once evidence/contraband is in the mouth. Once a subject has ingested potentially harmful evidence such as narcotics, an officer shall request immediate medical attention.

6. To extract an item from the body or cavity of a subject without a warrant, except where exigent circumstances are present (for body cavity searches see the Strip Searches and Body Cavity Searches policy, Volume 1, Article 73, Section 73.14).

As noted above, public input is still being accepted prior to implementation of the revised policy.

Informal quotas for summonses, tickets or arrests

The Syracuse Police Department does not utilize quotas of any type, whether formal or informal, to generate a particular volume of summonses, tickets, or arrests.

Shooting at moving vehicles and high-speed pursuits

The issue of shooting at moving vehicles is addressed in the SPD **draft revised Use of Force policy**, as follows:

300.10 DEADLY FORCE LIMITATIONS AND PROHIBITIONS

E. Shooting at a Moving Vehicle: Discharging a firearm at a moving vehicle is prohibited unless an officer reasonably believes or perceives that any occupant(s) of the vehicle are using or are about to use deadly force against the officer or another person, and the officer reasonably believes there are no other reasonable means available to avert the threat posed by the vehicle or its occupants. Due to the inherent danger of this tactic, the following additional guidance applies:

1. When confronted by an oncoming vehicle, officers should not position themselves in the path of the vehicle, and should make every attempt to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

2. Officers should not discharge their firearm at a vehicle when it is reasonable to believe that the vehicle may contain an innocent occupant or when it is reasonably foreseeable that doing so may cause the vehicle to careen out of control and injure an innocent bystander.

3. Officers should not discharge their firearms at any part of a vehicle in an attempt to disable the vehicle.

F. Shooting from a Moving Vehicle: Discharging a firearm from a moving vehicle is prohibited unless an officer reasonably believes or perceives that the subject is using or is about to use deadly force against the officer or another person, and the officer reasonably believes there are no other reasonable means available to avert the threat posed by the subject.

Additionally **NYS Senate Bill S.2575B**[20]: Requires state and local law enforcement officers, as well as peace officers, to report, within six hours, when they discharge their weapon where a person could have been struck, whether they were on or off duty.

This new law requires that any law enforcement officer or peace officer who discharges their weapon, while on or off duty, where a person could be struck by a bullet from the weapon is required to verbally report the incident to his or her supervisor within six hours and prepare and file a written report within 48 hours of the incident.

Finally, the **Department's Vehicle Pursuits Policy**[21] was reviewed and revised in 2020.

Use of SWAT teams and no-knock warrants

Mayor's Walsh's Executive Order, Action #11, required SPD to review its procedure for the issuance of "no-knock" warrants.

20 NYS Senate Bill S.2575B - https://www.nysenate.gov/legislation/bills/2019/s2575/amendment/b
21 Found in Appendix G - See List of Appendices

By way of background, typically when police officers have a warrant to enter a property, they must knock and announce themselves before entering. However, in some cases where there there is reasonable cause to believe that the giving of notice may endanger the life or safety of the police officer or another person, or if there is substantial belief that important evidence may be destroyed if an officer announces their presence before entering, an officer can be granted what is known as a "no-knock warrant." These allow officers to enter a property without knocking or announcing themselves. Different states have varying levels of approvals needed to gain a no-knock warrant, which impacts how easy it is for an officer to obtain one.

In response to the Mayor's Executive Order, Action #11, the Syracuse Police Department created a new policy on no-knock warrants. Under this new policy, no-knock warrants require two levels of internal administrative review and approval. First, an officer must obtain approval from a command officer (i.e., lieutenant or above) prior to submitting an application to a court for a warrant containing a no-knock provision. Second, after the warrant is issued by a judge, an officer must obtain approval from the Chief of Police or a Deputy Chief prior to executing the no-knock warrant.

This new policy will ensure that no-knock warrants are not used unless they are thoroughly and carefully reviewed at the highest level of SPD.

Facial recognition technology

The City of Syracuse does not use facial recognition technology. As a Smart City, our technological capabilities will continue to grow. We are therefore obligated to ensure there are transparent processes that protect the privacy of our citizens. Mayor Ben Walsh's **Surveillance Technology Executive Order**[22] ensures residents know what technologies are being considered and have input on proposed uses before they are procured and deployed. The Executive Order enacts policies and procedures for oversight on procurement and ensures surveillance tools are implemented in a safe and well-governed way.

The policy goal is to create and support a scalable process allowing for citizens through their representatives to have a say in technologies that surveil the city and to ensure those technologies are implemented in a safe and well governed way.

The **Surveillance Technology Policy** establishes a framework for determining if technologies being considered by city departments should be considered surveillance technologies, so that those that are considered surveillance go through an extra layer of review. The Mayor will appoint a working group composed of city staff and external stakeholders to review proposals by city departments to use data collection technology. External stakeholders will come from local organizations in social justice, technology, community engagement, as well as research institutions and partnerships.

Based on working group review, proposals that meet the definition of surveillance technology will be referred to public comment which will include public notification, a two-week online comment period and review at, at least, one Common Council committee meeting. Based on public comment and recommendations by the internal and external working group, the Mayor will determine if the technology is implemented, subject to Common Council approval to the extent required by the City Charter.

The Surveillance Technology Policy also includes mandated standards for data collection, storage, analysis, modeling and deployment. It outlines key considerations regarding informed consent; data security and retention; privacy of personally identifiable information and steps to identify and prevent unintended use of information collected.

22 Mayor Walsh EO No. 2 (Surveilllance Technology Executive Order) - https://ourcity.syrgov.net/wp-content/uploads/2020/12/Executive-Order-No2.pdf

Law Enforcement Strategies to Reduce Racial Disparities and Build Trust

Using summonses rather than warrantless arrests for specified offenses

The Department's warrantless arrest practices are consistent with the revised Section 150.20 of the Criminal Procedure Law.

Diversion programs

Law enforcement diversion programs are implemented through the local court system. The County Court currently has seven stand-alone diversion programs. The Department partners with the local courts to execute those programs.

The Department is involved in a collaborative partnership with multiple partners operating under the Project Trinity.[23] Project Trinity provides intensive case management to aid at-risk youth and their families to prevent deeper attachments to street gangs and promote pro-social activities and attachments. Syracuse partners implemented Trinity in the face of increasing juvenile involvement in the city's gang and gun crime. Trinity serves youth aged 17 and under at risk of gang association or already involved in a gang, and therefore at risk of perpetrating gun violence or being the victim of gun violence. The program is designed to complement other strategic initiatives in Syracuse and is overseen by the PSN Strategy Committee. The Strategy Committee meets monthly to provide oversight and accountability, identify and eliminate barriers to progress, develop and coordinate anti-gang/gun strategic initiatives, and report to and make recommendations to executive levels of partner agencies.

Additionally, SPD has an especially productive relationship with Onondaga County's Juvenile Justice Unit. The Department works closely with the Director of Juvenile Justice & Detention Services. The Department coordinates with the Director and other partners (County Probation and Family Court) to more effectively deal with juvenile CORE offenders and other more prolific juvenile offenders. SPD formed an informal partnership with those partners for better coordination. Prior to forming this informal partnership, there was no formal mechanism in place for communication between groups. Information on arrests, criminal history, adjustment services, intervention and supervision was lost, and as a result, prolific juvenile offender cases were not being disposed of in an efficient manner.

Since the collaboration began, the most prolific offenders are being given the special attention they need, both from a rehabilitation standpoint, but also from an accountability and public safety standpoint. The Juvenile Justice team have been an integral partner in the Department's efforts as they relate to dealing with repeat juvenile crime in the City.

Community-Based outreach and violence interruption programs

Syracuse is fortunate to have multiple community-based outreach programs focused on gun violence reduction.

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23 Project Trinity - https://finninstitute.com/project-trinity/

The include but are not limited to:

- Street Addiction Institute;
- Syracuse Cure Violence (SNUG);
- Good Life Foundation;
- OGs Against Gun Violence; and
- Trauma Response Team.

Street outreach programs employ a public health approach to violence intervention, beginning with the premise that gun violence is like a contagious disease, the spread of which can be interrupted. To do so, street outreach organizations provide both immediate crisis response services and long-term stabilization support to individuals and communities affected by gun violence. Street outreach programs deploy violence interrupters who help prevent shootings by identifying and immediately mediating conflicts in a community and working with individuals most at risk. Often these interrupters are former members of street groups who have credibility when speaking to at-risk individuals. These street outreach programs have been successful in reducing gun violence.

Hot-Spot policing and focused deterrence

Group violence intervention (GVI) programs—also known as focused deterrence programs—center on the belief that violence can be prevented if individuals believe the costs associated with the violence outweigh any potential benefits. These programs target chronic violent offenders—individuals who have been identified by law enforcement, criminal justice data, and community members—and include three sets of intervening actors: law enforcement, community representatives, and social service providers. In essence, high-risk offenders are presented with strict consequences for continued violent behavior, coupled with access to social services and ongoing support from community members, should they choose a different path.

SPD's strategy for focused policing has been based, in part, on the Gun Involved Violence Elimination ("GIVE") model, which was recommended to it by the New York State Division of Criminal Justice Services ("DCJS"), which relies on evidence based policing strategies. The GIVE model employs multiple strategies including:

- Problem-oriented policing ("POP") (also referred to as hot spot policing);
- Street outreach;
- Procedural justice; and
- Crime Prevention Through Environmental Design ("CPTED").

The Department adopted the GIVE strategy as part of a Memorandum of Understanding (the "GIVE MOU") it signed with the New York State Police, the U.S. Department of Justice ("DOJ"), the Onondaga County District Attorney's Office, among other external agencies. SPD employs each of these strategies recommended by DCJS as its primary strategies to combat and reduce violent crime.

Crime Prevention Through Environmental Design (CPTED)

Community-driven crime prevention through environmental design (CPTED) is a long-term gun violence reduction strategy centered on a multi-disciplinary approach of crime prevention that uses urban and architectural design and the management of built and natural environments. Simply stated it is a strategy that uses the community's physical environment as a crime reduction tool. Recent examples include the removal of a block of overgrown trees and bushes on E. Raynor and State Streets. Community members complained about the use of the overgrowth as a location to hide weapons and drugs. SPD in collaboration with the Departments of Public Works and Neighborhood and Business Development transformed the location restoring line of sight, creating a sense of safety for neighborhood residents.

De-Escalation strategies

SPD is committed to the sanctity of human life, the duty for an officer to intervene, and the de-escalation of an encounter whenever feasible. The Department reflects these principles in policy and training, while also expecting the same of its officers in practice. The Department will continue to seek areas of the policy and training curriculum for further advancement of these principles.

SPD's **draft revised use of force policy** places a high priority on de-escalation. In fact, de-escalation is considered a core principle of the policy. The policy has an entire section devoted to the concept:

300.3 DE-ESCALATION

> Officers shall use de-escalation techniques and tactics when it is safe and feasible to do so under the totality of the circumstances, consistent with the officer's training. Not every potential violent confrontation can be de-escalated, but officers have the ability to impact the direction and the outcome of many situations they encounter, based on their decision-making, and the tactics they choose to employ. De-escalation applies to all encounters between officers and the public, not only those that involve force.
>
> De-escalation may include the use of techniques and tactics, both verbal and nonverbal, such as verbal persuasion, body posture, command presence, commands or warnings, tactical repositioning, or any tactic or force option that in the officer's reasoned judgment is likely to result in a lower level of force being used to accomplish the objective at hand.
>
> Officers are not expected to compromise safety in order to de-escalate a situation if it is likely to result in harm to the officer or others.

Additionally, the section setting forth the factors used to determine the reasonableness of force directs officers to consider these same factors to determine whether de-escalation is safe and feasible. See 300.7. Finally, the policy directs that officers receive periodic training on de-escalation tactics, including alternatives to force. See 300.13(B)(2).

Can your community effectively identify, investigate and prosecute hate crimes?

"Hate crimes" are covered in SPD's policy on Bias-Related Incidents as follows:. (Volume 1, Article 3, Section 29.00)

> Purpose - The purpose of the policy is to assist officers in identifying incidents motivated by bias toward an individual's race, color, national origin, ancestry, gender, religion, religious practice, age, disability, and/or sexual orientation and to provide guidance for assisting victims and apprehending offenders. For purposes of this policy the terms Bias Related Incident and Hate Crimes are used interchangeably.
>
> It is the policy of the Syracuse Police Department to safeguard the rights of all individuals, which are guaranteed by New York State law and the United States Constitution, without regard to a person's race, color, national origin, ancestry, gender, religion, religious practice, age, disability and/or sexual orientation. The Department shall use every necessary resource to identify and apprehend perpetrators of bias related offenses.

Additionally, due to their sensitivity and severity, by policy all bias-related crimes are handled by a detective in the Criminal Investigation Division regardless of the classification of crime.

Community Engagement

A common theme among the many suggestions related to police reform involve increased opportunities for non-law enforcement interaction between SPD and the community. Citizens reminisce of the times in the 80s and 90s of the neighborhood "beat cop"-- officers assigned to neighborhoods who literally walked the neighborhood and interacted with residents. Citizens now see the police as they speed from call to call in their patrol car. Call volume and reduced patrol staffing have contributed to this reality as officers address a constant backlog of calls requiring response.

Public facing communication

There was a need to better communicate the community engagement and outreach efforts local law enforcement agencies were currently undertaking.

While a police chief candidate in 2018, Kenton Buckner researched the City of Syracuse and Syracuse Police Department, viewing the websites and social media pages. The information on the SPD Facebook page was a series of arrest pictures. This made such a negative first impression on Chief Buckner that he established a Public Information Office (PIO) with staff led by Sgt. Matt Malinowski. This Office is in charge of public facing information, including media inquiries, community outreach and social media outreach. The Office also has a recurring Sunday morning news segment with CNYCentral television where questions are posed to our PIO sergeant.

> **"Sustainable success is not possible without community partners."**
>
> ***-Chief Kenton Buckner***

Citizen advisory boards and committees

In 2019, Chief Buckner created a Citizen Advisory Committee for each of the three new police districts within the City of Syracuse. Each of the committees is composed of citizen volunteers from the district, the District Captain, and many times the Chief himself. The committees allow citizens to share information and concerns directly with the command structure responsible for serving each geographical area of the City. The Department intends to use these committees to help inspire a sense of trust, responsiveness, and accountability within the community being served. The committees meet quarterly on an ongoing basis.

Partnership with community organizations and faith communities

Engaging with community organizations and faith communities is a core tenant of Chief Buckner's policing philosophy and strategy. The Department has reached out widely to engage with community stakeholders including those in the non-profit, for-profit, educational and faith-based sectors to work together towards a mutually desired destination. Examples include but are not limited to the NAACP establishing recruitment fairs for the community to identify persons of color interested in becoming a police officer.

The Department will commit to strategic discussion, planning and collaboration to address priority reform areas with community stakeholders that include but are not limited to the Spanish Action League and other members of the Hispanic/Latinx community; Interfaith Works, Catholic Charities, the New Americans Forum, PSLA Fowler, CNY Works, faith community leadership, Access CNY and other providers/advocates of our disability community to address:

- Officer candidate recruitment and preparation;
- Translation challenges;
- Creation of the Jr. Cadet Program;
- CIT Training and service adaptability; and
- Proactive community engagement.

To place an even greater focus on community engagement, in December 2020, Mayor Walsh and Chief Buckner announced the appointment of Jimmy Oliver to be SPD's first Director of Community Engagement. Oliver, who had been Deputy Commissioner of Parks, Recreation and Youth Programs since June 2018, joined the Department in a civilian role responsible for developing, coordinating and implementing community engagement programming. He reports directly to Chief Buckner. Similarly, Chief Buckner assigned an officer to have focused responsibility for community engagement efforts - Officer Marlena Jackson.

"Jimmy Oliver's appointment is another example of our City being intentional about improving the police department's relationship with the community," said Chief Buckner. "In Jimmy, we have a person with a proven track record in community engagement and strong credibility across our City."

Oliver is charged with helping the Department to build community trust and with creating avenues to listen and respond to neighborhood needs. He will focus on improving the Department's relationship with the Syracuse community, particularly with minority and underserved communities, advocacy groups and other key stakeholders.

Among his specific assignments will be creating a nationally-affiliated Syracuse Police Department Police Athletic League (PAL), a program dedicated to preventing juvenile crime and violence by providing mentorship, community service, athletic, recreational, enrichment and educational opportunities. He will take the lead in the department's commitment to establishing a Youth Advisory Council as well as coordinating the activities of the Chief's District Advisory Group. Mr. Oliver will also manage the work of the City of Syracuse-Onondaga County Coalition to Reduce Gun Violence and collaborate with community stakeholders and the Neighborhood Watch Group of Greater Syracuse Coordinator.

Partnering with Students and Schools

Mayor Walsh recently announced a Cadet Program that will provide a bridge between the public safety curriculum and the Department, in partnership with CNYWorks. A more detailed description of this program is located in this report, under the recruitment heading.

The Syracuse Police Academy relocated to the State University of New York, Onondaga Community College in 2020.

Attention to Marginalized Communities

LIMITED ENGLISH PROFICIENCY CITIZENS

Communication is a vital element of effective policing and police-community relations. The ability to understand the language of the individual seeking assistance as well as that individual understanding the responding officer is critical. Language barriers prevent officers from properly ascertaining the situation and proceeding with the appropriate response. Communication barriers through language prevent limited English proficiency citizens from reaching out to the police for assistance.

Effective interpretation and translation services must be available to officers to ensure efficient communication. Effective interpretation and translation requires skill in communicating regional and country differences in how languages are written and spoken. Agencies are encouraged to use interpreters and translators who are qualified or certified by trusted services or organizations.

SPD will maintain formal agreements with agencies specializing in translation services. Effective communication goes beyond speaking the accurate dialect, it includes making a cultural connection. To ensure the ability to address both SPD will continue to build upon and identify new relationships with community "gatekeepers" able to cross the language and cultural barrier.

Additionally, SPD is pursuing a provision in its labor contract with the police union to reward officers who are proficient in other languages. This new provision is designed to help the Department recruit candidates who speak multiple languages, and encourage current officers to pursue education in other languages to achieve this proficiency. Greater numbers of multi-lingual officers will improve the Department's ability to community with Syracuse's diverse population.

Finally, based on the feedback from the New American community, the Department procured a new translation app, Voiance, in February 2021 for implementation in the second quarter of 2021.

CITIZENS WITH COMMUNICATION DISABILITIES

SPD is committed to ensuring that individuals who are deaf or hard of hearing are treated fairly and equitably by all members of this Department. Effective communication with an individual who is deaf or hard of hearing involved in an incident, whether as a victim, witness, suspect, arrestee, or a person in need of assistance is essential in ascertaining the type of situation, the urgency of the matter, the facts of what actually occurred, the concerns of affected parties, and the most appropriate law enforcement response. Accordingly, SPD maintains a policy that outlines how its officers interact with individuals who are deaf or hard of hearing who need police services.

The policy states, in relevant part:

1. Police officers encountering an individual who is deaf, hard of hearing, or has a speech disability should use appropriate auxiliary aids and services whenever necessary to ensure effective communication with the individual. If there is an incident in which a deaf, hard of hearing or individual with a speech disability may be a suspect, witness, or victim of a crime, a qualified interpreter may likely be required for responding or investigating officers to gain even the minimal information necessary to accurately assess the facts and the appropriate law enforcement response.

2. Police contact with citizens occurs most frequently during traffic stops. In situations involving drivers who are deaf, hard of hearing, or who have a speech disability, and those individuals use sign language for communication, the officer should use common gestures or written notes to initiate the exchange with the driver and should explain in writing the necessity for a stop and citation if the driver is to be charged with a traffic violation.

3. It is the policy of the Syracuse Police Department that it will furnish appropriate auxiliary aids and services whenever necessary to ensure effective communication with individuals who are deaf, hard of hearing, or who have a speech disability.

As part of the Department's comprehensive review of its policies and procedures, this policy is being reviewed to ensure it is consistent with best practices, and that proper training is delivered to officers.

NEW AMERICAN COMMUNITIES

Syracuse's diversity has blossomed with the addition of people who emigrate from around the world (New Americans), settling here seeking opportunities for their families. Adjustment to American culture and identity and norms can be confusing for even native-born residents. Imagine the complexity of life for those moving to the United States from across the world.

Individuals seeking refuge from war-torn nations can experience the perception of public safety as blurred lines between law enforcement and soldiers; this lived experience can cause distrust and fear of police and other regulative systems. Additionally, federal immigration enforcement actions combined with confusion about whether and to what extent local police enforce immigration laws, potentially make New Americans more vulnerable to crime and less likely to report it to law enforcement.

Local police departments often struggle to keep pace with new challenges presented by rapidly growing and multicultural layers of ethnicity, culture, religion and language.

On January 14, 2021, Chief Buckner met with an advisory committee from the New American community. Based upon the feedback received, the Department has procured the Voiance app for translation assistance to reduce the language barriers, as noted above.

Moving forward, in order to increase mutual trust and understanding between the police and the New American community, at the direction of Chief Bucker, the Department is developing a curriculum to host a citizens police academy for New Americans.

TRANSGENDER INDIVIDUALS

Transgender people today face tremendous acts of anti-trans violence in our streets, schools, homes. Transgender people of color and transgender women are disproportionately affected, by violence and discrimination. The consequences of a mishandled interaction between police and trans individuals can be severe as well as the risk associated with potential false assumptions place trans individuals at significant risk of being outed, which can ultimately result in social ostracism, unemployment, or violence. Despite being at a higher risk of assault and violence, many transgender people don't report instances of brutality to law enforcement. It is crucial that police officers understand the experiences of trans individuals in order to address their specific concerns and protect their safety, while also avoiding potentially dangerous or dehumanizing situations.

In recognition of the issues facing this segment of our community, SPD worked along side our LGBTQIA+ community to develop and implement a **Interactions with Transgender* Individuals policy**[24]. The policy was drafted by a committee that included representatives of BlackCuse Pride, Legal Services of Central New York (LSCNY), Volunteer Lawyers Project of Onondaga County (ONVLP), Vera House, and several other community stakeholders. The purpose of the policy is to provide guidelines for the appropriate treatment of transgender*, intersex, nonbinary and gender non-conforming individuals (transgender*) who come into contact with members of the Syracuse Police Department. Through the implementation of the policy, the Department has established the expectation of respectful and professional treatment of transgender* persons and is cognizant of the fact that transgender* persons are disproportionately the victims of hate based, violent crimes.

The policy further recognizes that transgender* persons are more likely to the victims of crime rather than the perpetrators, and provides:

24 SPD Interactions with Transgender Individuals - https://www.syracusepolice.org/document/Interactions-with-Transgender-Individuals-Policy.pdf

The Syracuse Police Department is committed to working with all diverse communities in which it serves with fairness and dignity. Members of the Syracuse Police Department shall interact with all citizens in a manner that is professional, respectful, and courteous. Personnel will not exhibit any bias, nor will they pre-judge, or discriminate against an individual or group based on their actual or perceived sexual orientation, gender identity, or gender expression.

Personnel will address members of the public using pronouns, titles of respect, and name as expressed by the individual, regardless of what is listed on their government issued identification. If members are uncertain about which pronouns are appropriate, then the employee should respectfully ask the individual. Personnel will not use language that is demeaning or degrading in content or tone, understanding that it is equally unacceptable to use non-derogatory language in a derogatory manner or tone.

The SPD's Interactions with Transgender* Individual's policy shall be readily accessible to the public at no cost via the Department's website and external search engines."

Involving youth in discussions on the role of law enforcement agencies

On December 30, 2020, youth from Let Me Be Great #44 and the Good Life Foundation met with City staff to share their perspective on policing within the city. These perspectives were informed by historic national events as well as their own interactions with law enforcement. Some shared stories of unwarranted stops and excessive use of force that left them with feelings of distrust and fear towards police.

Youth concluded that police reform must include a more diverse police force with representation from their community. Officers from the community bring familiarity, empathy and understanding to the force and ultimately the neighborhoods they engage with. As one teen explained, knowing that a friend from high school was on the police force helped the teen understand that there are officers that can be trusted and have integrity. Officers from the same neighborhood are more likely to approach familiar citizens with a calm demeanor and genuine goal of de-escalating situations void of assumptions and ulterior motives. In their experience, some officers enter into unfamiliar spaces carrying preconceived notions around class and race within particular neighborhoods. These biases manifest in forceful displays of authority. When this force is met with self-defense and even peace, it is often taken as resistance.

Youth shared with City staff how these negative experiences with officers discourage their generation from joining the force which creates a never ending cycle of lack of representation and poor interactions.

As a means to diversifying SPD, they would also like to see schools place equal emphasis on vocational programs and civil service pathways, as opposed to only promoting higher education. If we can get schools to successfully pipeline students into strong local jobs, we can increase diversity in the police department, local government and other positions across the city.

To continue these important conversations with youth, Chief Buckner has committed to the creation of a youth advisory council the second quarter of 2021.

Fostering Community-Oriented Leadership, Culture and Accountability

Does your officer evaluation structure help advance your policing goals?
SPD is currently reviewing its performance evaluation policy and practice to make it a more strategic and consistent effort that aligns with the Department's policing goals.

What incentives does your department offer officers to advance policing goals?
The City's most recent round of labor contract negotiations took a new approach of advocating for changes--including financial incentives--that would support the Department's operational priorities. In particular, the City and PBA agreed on a set of wage differentials that would reward officers who achieved higher education degrees or who are multilingual. The Department believes that a police force that is better educated, and who can communicate in multiple languages, will support the Department's goals. Specifically, officers with advanced degrees will be better equipped to understand and implement the complexities of 21st century policing, and complex layering of societal issues that impact interactions with the public. Similarly, the Department will be instituting a tuition-reimbursement program to encourage officers to pursue higher-education.

Officers who can speak multiple languages aid the Department in communicating with the increasingly diverse Syracuse population. These incentives are still being considered as part of the process to finalize a labor contract. As the City enters into its next round of negotiations, it will continue to think creatively about how to structure these types of incentives.

Does your hiring and promotion process help build an effective and diverse leadership team?
Mayor Walsh's focus on police-community relations and accountability began in 2018 when he entered office and began a 10-month public engagement process[25] and search for the next police chief. When Mayor Walsh released the findings of a two-month study to determine what Syracuse wanted in its next police chief, he had taken the first step in letting applicants for the job know that this would be a community-led process.

They were essentially being interviewed by the residents of the City of Syracuse. In fact, the residents wrote much of the job description.

The 74-page[26] report collected survey responses, feedback from 10 community input meetings with residents, and interviews from stakeholders such as police officers, elected officials, and nonprofits. It outlines the characteristics residents and stakeholders were looking for in the next chief.

"We're not trying to draw out personal qualities, but [rather] the experience and philosophy of a candidate," Deputy Mayor Owens told syracuse.com in an interview. "We're drawing from the public to set our baseline criteria for a new chief."

25 Syracue Police Chief Search Timeline - https://ourcity.syrgov.net/2020/07/police-chief-search-timeline/
26 Syracuse Police Chief Search Community Input Report - http://www.syracuse.ny.us/uploadedFiles/PCS.Community%20Input%20Report.08.2018.final.pdf

The leading characteristics:

- Has a record of setting high standards and holding officers accountable.
- Has a record of commitment to community, problem-solving, and policing.
- Has a record of reducing crime and making neighborhoods safer.
- Has experience working with diverse communities.

This process deviated from the tradition of automatic internal promotion and engaged an open and transparent recruitment and selection process. It is the recommendation of this plan that future selections for SPD leadership positions use a similar process, to the extent permitted by New York State Civil Service Law.

What is your strategy to ensure that your department's cultural-norms and informal processes reflect your formal rules and policies?

Policies alone cannot create change if those policies conflict with institutional culture. SPD leadership recognizes that it must take concrete steps to ensure the words set forth in policy permeate the Department's culture. The Department uses a number of approaches to create a match between policy and action/culture including regular roll call training, informal coaching and counseling by front-line supervisors, and periodic reviews of body-worn camera footage for coaching purposes.

Tracking and Reviewing Use of Force and Identifying Misconduct

When should officers be required to report use of force to their supervisor?

The Department's draft revised use of force policy released for public comment on October 15, 2020, addresses this issue directly. Specifically, Sections 300.4 and 300.11 of the draft provide the following:

300.4 DUTY TO INTERVENE AND REPORT

A. Any officer on the scene, who is in possession of all necessary facts, who observes another officer or supervisor using force that is not objectively reasonable shall intervene when safe and feasible. Any intervention by an officer must be reported to a supervisor, who must initiate an immediate investigation.

B. Any officer who observes another officer, including a supervisor, use force that is potentially beyond that which is objectively reasonable or is against policy shall report the force to any supervisor and/or the Office of Professional Standards immediately.

300.11 REPORTING THE USE OF FORCE

A. All officers involved in a use of force incident shall immediately inform a supervisor of the event. Any use of force by an officer shall be documented promptly, completely, and accurately in an appropriate report prepared by a supervisor according to the Department's Use of Force Reporting Procedures. The officer should articulate the factors perceived and why the officer believed the use of force was reasonable under the circumstances.

B. Upon notification of a use of force incident, a supervisor shall immediately respond to the scene and conduct an investigation as set forth in the Use of Force Reporting Procedures.

C. To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law.

D. All officers involved in a use of force incident, investigating supervisors, evidence technicians collecting evidence of a use of force incident, and command personnel, where appropriate, shall comply with the Department's Use of Force Reporting Procedures.

Additionally, the Department is in the process of revising the detailed Use of Force Reporting Procedures, which go into great detail regarding each officer's role in reporting uses of force. Training will be provided on use of force, including reporting aspects, as the updated policy and procedures are rolled out in 2021.

Does your department use external, independent reviewers to examine uses of force or misconduct?

As discussed further below related to citizen oversight and other external accountability, Syracuse, unlike many other police departments, has a Citizen Review Board (CRB) as an independent reviewer of misconduct.

The CRB not only reviews complaints made directly to the CRB, but under Local Local Law 12-181, any complaint of misconduct directed to the Department is forwarded to the CRB for its independent review.

In its role as an "open citizen-controlled process for reviewing grievances involving members of the Syracuse police department," the Syracuse CRB has the opportunity to present disciplinary recommendations to the Chief for his/her consideration during the process. See Syr. Local Law 12-181.

Additionally, the Onondaga County District Attorney's Office is a source of independent review for cases involving deadly force. In such cases, the matter is directly investigated by the Department's specialized Force Investigation Team ("FIT"), in conjunction with the Onondaga County District Attorney's Office. The results of every FIT investigation are presented to the DA's Office for determination whether presentment to a grand jury is appropriate.

Any internal investigation where there is the potential for criminal charges against an officer is forwarded to the District Attorney's Office for review.

Does your department leverage Early Intervention Systems (EIS) to prevent problematic behavior?

SPD utilizes professional standards tracking software in its Office of Professional Standards (OPS) that has early intervention functionality. Specifically, when an officer is involved with a certain number of complaints or uses of force, a flag is generated, and reported through the chain of command to determine if early intervention with the officer would be appropriate. Following the restructuring of OPS under Chief Buckner, OPS expanded the use of this functionality. The parameters that trigger a warning under this system are being evaluated and will be formalized in a new Department policy no later than the third quarter of 2021.

Does your department review "sentinel" or "near-miss" events? Does the department respond to questionable uses of force with non-punitive measures designed to improve officer performance?

SPD uses its robust training program to improve officer responses to challenging scenarios, drawing on specific experiences within the Department. As part of its yearly in-service training, the training staff regularly incorporates lessons learned from the previous year in its curriculum. For example, when the Department had a series of deadly force encounters involving moving vehicles, it conducted a review and modification of its policy and incorporated the policy changes in their practical exercises.

Internal Accountability for Misconduct

What does your department expect of officers who know of misconduct by another officer?
SPD requires officers to report known observed misconduct. With respect to officers below the rank of Sergeant, the policy states: "Any member below the rank of police sergeant who is made aware of any complaint alleging member misconduct shall immediately notify their immediate supervisor, or if unavailable, a superior officer." —**Volume 1, Article 4, Section 8.16**. Officers at the rank of sergeant or above are required to address misconduct as part of their supervisory responsibilities.

With respect to potentially excessive use of force, officers are also expected to report such incidents to a supervisor or the Office of Professional Responsibility. This is set forth explicitly in the draft revised use of force policy released for public comment on October 15, 2020.

300.4 DUTY TO INTERVENE AND REPORT

A. Any officer on the scene, who is in possession of all necessary facts, who observes another officer or supervisor using force that is not objectively reasonable shall intervene when safe and feasible. Any intervention by an officer must be reported to a supervisor, who must initiate an immediate investigation.

B. Any officer who observes another officer, including a supervisor, use force that is potentially beyond that which is objectively reasonable or is against policy shall report the force to any supervisor and/or the Office of Professional Standards immediately.

Does your department have a clear and transparent process for investigating reports of misconduct?
The Department's rules and regulations (Volume 1, Article 4, Section 8.16) mandate that certain serious and/or complex disciplinary matters, including citizen complaints, must be referred directly to OPS for investigation and report/recommendation to the Chief's Office.

These expressly include:

- Complaints alleging criminal conduct by Department personnel;
- Complaints alleging civil rights violations;
- Complaints alleging sexual harassment by an officer against a member of the public;
- Complaints alleging excessive use of force;
- Complaints involving multiple officers of various commands;
- Allegations of a serious violation of Department policy, procedure or rules;
- Incidents in which a Use of Force Report is submitted, to determine if the use of force was justified; and
- Investigations so complex that it would be impractical for supervisory personnel to undertake the task.

In the course of an OPS investigation, the assigned OPS investigator interviews witnesses and reviews any available evidence, including officers' reports, body worn camera or surveillance video, 911 calls, booking videos, warrant applications. OPS prepares a written report and provides a recommendation as to whether the conduct is substantiated, unsubstantiated, or unfounded.

Substantiated cases are forwarded to the Chief's Office for review, together with a Disciplinary Action Report in cases where discipline is recommended.

Does your department respond to officer misconduct with appropriate disciplinary measures?
Yes. Once an investigation into misconduct or other rule violation is complete, final disciplinary decisions ultimately rest with the Chief of Police.

Following a formal disciplinary investigation that identifies a violation of a rule, policy or procedure requiring discipline, the investigating officer—either a supervisor or OPS employee—presents a finding to a Division Commander. The Division Commander overseeing the officer, the Bureau Chief and First Deputy Chief all recommend a level of discipline to the Chief. This process is documented on the Disciplinary Action Report. The Chief is free to accept or alter the recommendation. Once the Chief indicates his/her disciplinary decision, this information is transmitted to OPS to be implemented. OPS ensures the officer receives appropriate due process, including a Loudermill hearing. The Loudermill hearing allows the officer an additional opportunity to articulate his/her position before the discipline is finally implemented. The final outcome is ultimately recorded on a document referred to as a Conduct Sheet.

What procedures are in place to ensure that substantiated complaints of misconduct and settlements or adverse verdicts in lawsuits are used to reduce the risk of future misconduct?
The Office of Legal Affairs is located in the Office of the Chief and is staffed with a Sergeant and Assistant Corporation Counsel. A primary function of this office is to monitor discipline and litigation, and ensure that any lessons learned from these incidents are translated into training and policy updates.

Does your department expect leaders and officers to uphold the department's values and culture when off-duty?
Yes. This concept is introduced from the very start of a police officer's training, and is reflected in the Department's General Rules of Conduct, as outlined below. Officers who are found to have engaged in conduct unbecoming an officer are investigated by the Office of Professional Standards and are subject to discipline. Officers have been suspended for off-duty conduct.

The Department will be introducing the use of Body Worn Cameras for officers working on off-duty employment, such as patrols at the Syracuse Airport. This will further help to ensure that the Department's values are upheld even when not on an officer's primary employment with the Department.

GENERAL RULES OF CONDUCT:

A. Unbecoming Conduct

1. Employees shall conduct themselves at all times, both on and off-duty, in such a manner as to reflect the highest standards of the law enforcement profession.

2. Employees shall so conduct themselves in both their private and public lives as to avoid bringing discredit upon the Department.

3. Employees shall not engage in conduct on or off duty, which adversely affects the efficiency of the Department, or engage in conduct that has the tendency to impair public respect for the employee and/or the Department and/or impair confidence in the operation of the Department.

4. Employees shall not participate in any incident involving moral turpitude in their personal and business affairs which impairs their ability to perform as employees of the Department or which causes the Department to be brought into disrepute.

5. Any off duty employee involved in an incident in which a police investigation is initiated, regardless of jurisdiction, and in which the employee's involvement necessitates their being named in any police report, requires that the employee must notify the Duty Chief immediately of their off duty involvement in an incident. The employee may be required to submit a written report of their involvement as directed.

6. Any employee of the Department assigned to investigate an incident in which an off duty employee is involved or concerned, shall immediately notify a supervisor. The supervisor, depending upon the seriousness of the incident, will either immediately respond to the scene or arrange to meet with the investigating officer to obtain all details. If necessary, the supervisor will notify a superior officer of the incident, and ensure that the incident is thoroughly investigated and documented, in accordance with current directives.

7. Reports regarding the involvement of an off duty employee will be submitted to the respective Bureau Chief, and a copy sent to the employee's Division Commander.

Citizen Oversight and Other External Accountability

Does or should your department have some form of civilian oversight over misconduct investigations or policy reform?

Yes, the City of Syracuse funds and operates a civilian oversight board. Established in 1993, and overhauled in 2011, the Syracuse Common Council has jurisdictional oversight of the Syracuse Citizen Review Board (CRB.) Syracuse Local Law 11 [27]outlines the powers, duties and procedures of the CRB. Its defined purpose is as following:

> *To establish a citizen review board to hear complaints regarding Syracuse police officers and the Syracuse police department, and which would maintain procedural due process safeguards to protect the rights of both police officers and individuals who come in contact with the Syracuse police department and its officers.*

Mayor Walsh's Police Reform Executive Order, Item #12, addressed the relationship between the Department and the CRB:

> **Executive Order Action #12**: Improve Relations with the Citizens Review Board
> Continue to improve collaboration with the Syracuse Citizen Review Board (CRB) to ensure the flow of documents and information as embodied in Local Law No. 11. Further, commit to:
>
> a. Reviewing the disciplinary recommendations presented by the CRB prior to making a final determination of discipline of an officer; and
>
> b. In cases where the Chief issues no discipline, or discipline that is lesser than is that recommended by the CRB, provide to the CRB a written explanation of the reason for such level of discipline or lack thereof.

27 Syracuse Local Law 11 - https://library.municode.com/ny/syracuse/codes/code_of_ordinances?nodeId=PTLLO-LA_CH12OFEM_ARTVICIREBO

Since June 19, 2020 SPD and CRB representatives have held meetings to discuss how to operationalize this improved communication and have made marked progress. Further, Chief Buckner has made clear to the CRB in writing that he will not issue discipline prior to receiving a CRB recommendation so that he can fully consider that recommendation. The CRB hearing process has been temporarily suspended for the last several months due to the COVID-related closure of City buildings, but once CRB hearings resume, items 12(a) and (b) will be fully implemented.

Is there an easy, accessible and well-publicized process for members of the public to report complaints about police misconduct?

In order to ensure police accountability and make it easy for the public to provide feedback on police behavior, the City provides multiple channels for citizens to register complaints about police conduct.

Citizen complaints may come in through field interaction (i.e., a citizen complains to an officer or supervisor on the scene of the incident); in-person complaints to the Department; calls to 911 or the Department; or an online complaint form submitted through a designated web portal on the **Department's website.** [28]The Department maintains a standard form for recording citizen complaints. Citizens can also register their complaint directly with the Syracuse Citizen Review Board (CRB). In those instances, by local law and standard practice, the CRB forwards the complaint to OPS for investigation, who also conducts its own investigation.

Are investigation outcomes reported to the complainant?

The Chief of Police notifies a complainant that the investigation into their complaint is complete via letter. The specific outcome of the investigation is not reported, but any records of substantiated citizen complaints are now available to the public via the FOIL process.

The Department will evaluate this current process in 2021 and consider whether the standard post-complaint notification should be revised to include the result of the investigation.

Are investigation outcomes reported to the public?

To improve transparency and accountability, the Syracuse Police Department's Office of Professional Standards in conjunction with the Syracuse Office of Accountability, Performance, and Innovation (api) will publish summary data regarding outcomes on complaints against officers and the resulting discipline. The api team will create a public-facing dashboard where this data will be updated on a quarterly basis starting in the second quarter of 2021..

Additionally, the Department's Annual Report historically includes data on the activity of the Office of Professional Standards (OPS). Under Chief Buckner's leadership, the data reported has expanded to include more detail about the nature of complaints. Moving forward, OPS will further expand its report to include more information, including the number and types of complaints received, the number of investigations completed and pending, the number of cases that result in discipline, and the level of discipline issued.

Additionally, following the repeal of New York State Civil Service Law Section 50-a, records of substantiated complaints are available to the public via the FOIL process.

Should the department or the citizen complaint review entity, if any, accept anonymous complaints?

28 Syracuse Police (Department Website) - https://www.syracusepolice.org/complaints.asp

SPD does accept and investigate anonymous complaints, although fully investigating such complaints can be challenging without the ability to interview the complainant.

Does your local legislature engage in formal oversight of the police department? Should any changes be made in the legislature's oversight powers or responsibilities?

The Public Safety Committee of the Syracuse Common Council plays a role in oversight. Any legislation required by the Department, which includes any expenditures, is first reviewed by the Public Safety Committee, and then ultimately voted on by the entire Common Council. The Chief of Police maintains an open line of communication with the Chairperson of the Public Safety Committee.

Moving forward, in response to Right to Know legislation passed by the Common Council, the Department will make quarterly reports to the Common Council, as well as the Mayor and the public, summarizing consent searches and investigative encounters, disaggregated by race/ethnicity, gender and age of the involved citizen.

Is your police department accredited by any external entity?

SPD has been accredited by the New York State Division of Criminal Justice Services (NYS DCJS)[29] since 1992. It is one of only 162 agencies in the state with this accreditation.

The Division of Criminal Justice Services Accreditation Program provides structure and guidance for police agencies to evaluate and improve overall performance in areas such as administration, training, and operational standards. The program encompasses four principal goals:

1. To increase the effectiveness and efficiency of law enforcement agencies utilizing existing personnel, equipment and facilities to the extent possible;
2. To promote increased cooperation and coordination among law enforcement agencies and other agencies that provide criminal justice services;
3. To ensure the appropriate training of law enforcement personnel; and
4. To promote public confidence in law enforcement agencies."

In addition to accreditation through NYS DCJS, SPD is actively pursuing national accreditation through the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA®). CALEA is the gold standard in accreditation for law enforcement agencies and is reserved for the limited number of agencies that comply with CALEA's rigorous set of accreditation standards. Advanced accreditation through CALEA requires compliance with more than 400 accreditation standards. Comparatively, NYS accreditation requires compliance with 111 standards. At the time of this writing, there are 11 CALEA accredited agencies in NYS.

CALEA[30] accreditation provides agencies with the opportunity to meet an established set of professional standards, which require:

1. Comprehensive and uniform written directives that clearly define authority, performance, and responsibilities;
2. Reports and analyses that enable fact-based and informed management decisions;
3. Preparedness to address natural or man-made critical incidents;
4. Community relationship-building and maintenance;
5. Independent review by subject matter experts; and
6. Continuous pursuit of excellence through annual reviews and other assessment measures.

29 Syracuse Police New York State DCJS Accreditation - https://www.criminaljustice.ny.gov/ops/accred/accredited-agencies.htm

30 CALEA Accreditation - https://www.calea.org/what-accreditation

CALEA provides four accreditation programs: Law Enforcement, Communication, Training Academy and Campus Security. SPD is enrolled in the Law Enforcement accreditation program and is scheduled to complete the self-assessment phase no later than September 2023.

Additionally, the Syracuse Regional Police Academy is housed within the Syracuse Police Department. The academy was recently moved from the public safety building to the Onondaga Community College campus. The academy will begin the CALEA Training Academy accreditation process in 2021.

Does your police department do an annual community survey to track levels of trust?

The President Task Force on 21st Century Policing (2015)[31] recommended: "Law enforcement agencies should track the level of trust in police by their communities just as they measure changes in crime. Annual community surveys, ideally standardized across jurisdictions and with accepted sampling protocols, can measure how policing in that community affects public trust."

Contacts with Syracuse Police: Citizens' Assessments (2020)

In 2019, the Syracuse Police Department contracted with the John F. Finn Institute for Public Safety to conduct a survey on residents of the City of Syracuse who had recent contacts with the police. The Finn Institute conducts social research on matters of public safety and security – crime, public disorder, and the management of criminal justice agencies and partnerships – in collaboration with municipal, county, state, and federal criminal justice agencies, and for their direct benefit.

The 2019 survey polled residents who had recent voluntary encounters with the police and evaluated their ratings of categories such as police legitimacy, satisfaction with their experience, perception of procedural justice, and treatment by the police officer.

The Finn Institute published a report in 2020 that summarized the findings of the survey. The responses to questions around some of the aforementioned themes were broken down by demographic categories such as race/ethnicity, age, and income.

2021 Community Survey on Public Safety and Policing

The City of Syracuse is currently exploring a partnership with the Syracuse University Maxwell School of Citizenship and Public Affairs XLab to launch a community survey on public safety and policing in 2021. The City's Department of Neighborhood and Business Development, the Office of Accountability, Performance, and Innovation, the Mayor's Office, SPD, and various community partners will collaborate on the design and execution of the survey.

Data, Technology and Transparency

The Onondaga County Police Reform and Reimagination Collaborative Crime Analysis sub-committee reports the following:

The Central New York Crime Analysis Center (CNYCAC) is the law enforcement data hub in this community and is comprised of members from the Syracuse Police Department, the Onondaga County Sheriff's Office, the New York State Police, the Onondaga County District Attorney's Office, Syracuse University Department of Public Safety, the High Intensity Drug Trafficking Area Program (HIDTA) and the Finn Institute for Public Safety, in addition to numerous highly trained analysts that provides data-driven and intelligence-led policing efforts, as well as provides specific investigatory support for law enforcement in the counties of Onondaga, Oswego, and Madison.

31 President Taskforce on Policing - https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

In addition to New York State and local resources, the CNYCAC partnership engages assistance from several federal law enforcement agencies to include ATF, DEA, FBI, US Probation and the United States Attorney's Office.

To facilitate prosecutions, the Onondaga County District Attorney's Office and the United States Attorney have cross-designated assistant district attorneys to prosecute cases at the State and federal level.

New York State Department of Criminal Justice Services (NYSDCJS) provides funding, training, monitoring and support to the Central New York Crime Analysis Center, which connects with 13 regional Crime Analysis Centers throughout the New York State.

All of these centers provide investigative support and information to help police and prosecutors more effectively solve, reduce and prevent crime. Using data-driven processes approved by NYSDCJS, the Crime Analysis Center coordinates, expands, and enhances investigative services and provides real time investigative support to law enforcement agencies throughout Central New York.

What police incident and complaint data should be collected and shared with the public?

COMPSTAT Reports[32]

The Syracuse Police Department distributes weekly Comparative Statistics (COMPSTAT) reports which are available to the public on the department's website. In a weekly meeting of police command staff, divisional supervisors and other personnel, all parties review the data and discuss recent Part I criminal activity and proposed strategies to address the situation.

Right to Know

The Syracuse Right to Know Law, passed by the Common Council in 2020, requires the following quarterly reporting to the Mayor, Common Council and posting on the Department's website:

> Number of consent searches conducted during the preceding quarter disaggregated by the apparent race/ethnicity, gender, and age of the person searched; and the total number of instances where an officer sought to obtain a consent to search but did not obtain consent to search during the preceding quarter disaggregated by the apparent race/ethnicity, gender, and age of the person from whom such consent was sought.
>
> Number of level one, two and three Investigative encounters conducted by officers for the previous quarter, disaggregated by precinct and further disaggregated by:
>
> 1. The apparent race/ethnicity, gender, and age of the person involved;
> 2. The number of persons from whom an officer requested consent to search, further disaggregated by whether consent was granted or declined;
> 3. The number of investigative encounters that escalated to a level three encounter;
> 4. The number of persons arrested or issued a criminal or civil summons;
> 5. The factors leading to the investigative encounter; and
> 6. Whether a use of force incident occurred in connection with the encounter.

The Department continues the work of constructing the forms, data collection systems, processes, policies and training that align with the law's requirements, and will complete this work by April 1, 2021, enabling data collection to begin in the second quarter of 2021 for reporting at the end of that quarter.

32 COMPSTAT stands for Comparative Statistics - https://www.syracusepolice.org/listing.asp?orgId=320

SPD Annual Reports

SPD issues an annual report that summarizes the work of the Department each year. In the next annual report, which is scheduled for release in the first quarter of 2022, data from the Office of Professional Standards will be expanded.

Additionally, the Department will begin including statistics on the Department's uses of force.

How should your law enforcement agency leverage data to drive policing strategies?

As indicated under the policing strategy discussion above, the Department works closely with the Central New York Crime Analysis Center (CNYCAC) to use crime data to inform its policing strategy and resource deployment on a regular basis. This data drives the Department's problem-oriented policing (POP) strategy.

How can your police department demonstrate a commitment to transparency in its interactions with the public?

The NYS Police Reform and Reinvention Collaborative guidance recommends that police departments adopt policies requiring officers to identify themselves by their full name, employee identification number. Guidance further recommends the information be provided in writing to individuals they have stopped.

The recently passed Right to Know legislation requires that officers are equipped with and distribute a business card providing the recommended information in each citizen encounter. The reverse side of the card also provides instructions on how to file a complaint. This requirement will be fully operationalized by February 15, 2021, at which time officers will be equipped with business cards for distribution.

How can your police department make its policies and procedures more transparent?

"A lack of transparency hurts our department." - **Chief Kenton Bucker.**

The Syracuse Police Department is committed to creating a culture of transparency. In line with this philosophy, Mayor Walsh issued two transparency related Actions Items in his **Executive Order on Syracuse Police Reform**:

> **Action No. 8** requires the Department to make its policies publicly available on the SPD website. Several draft policies have already been posted for public review, including Use of Force and Body Worn Cameras. The Department is in the process of conducting a comprehensive review of all of its policies and will publish them as the review is complete throughout 2021.
>
> **Action No. 7** required the Department to publicize the labor contract with the Syracuse Police Benevolent Association (PBA) and related documents. These **documents were posted**[33] in 2020, and are available for public review.

33 Mayor Walsh EO Action #7 - https://www.syracusepolice.org/listing.asp?orgId=332

How can your police department ensure adequate transparency in its use of automated systems and "high-risk" technologies?

SURVEILLANCE TECHNOLOGY

On December 1, 2020, Mayor Walsh signed a **Surveillance Technology Executive Order** [34]regarding the use of Surveillance Technology in City government, including SPD. This action responded directly to one of the **demands**[35] of The People's Agenda for Police Reform, which called for public oversight of surveillance technologies. The Surveillance Technology Executive Order enacts policies and procedures for oversight on procurement and ensures surveillance tools are implemented in a safe and well-governed way.

The executive order directs the administration to immediately begin implementation of a six-page Surveillance Technology policy. The document was developed in the second half of 2020 under the guidance of the City's Office of Accountability, Performance, and Innovation with input from multiple department heads and city staff representatives.

The policy references the use of surveillance technologies for applications such as infrastructure monitoring, public safety and criminal investigations. It defines surveillance technologies as those tools that "observe or analyze the movements, behavior or actions of identifiable individuals in a manner that is reasonably likely to raise concerns about civil liberties, freedom of speech or association, racial equity or social justice."

The Surveillance Technology plan establishes a framework for determining if technologies being considered by City departments meet the standard of surveillance. The Mayor will appoint a working group composed of city staff and external stakeholders to review proposals by City departments to use data collection technology. External stakeholders will come from local organizations in social justice, technology, and community engagement, as well as research institutions and partnerships.

Based on working group review, proposals that meet the definition of surveillance technology will be referred to public comment which will include public notification, a two-week online comment period and review at a minimum of one Common Council committee meeting. Based on public comment and recommendations by the internal and external working group, the Mayor will determine if the technology is implemented, subject to Common Council approval as required by the City Charter.
The Surveillance Technology plan also includes mandated standards for data collection, storage, analysis, modeling and deployment. It outlines key considerations regarding informed consent; data security and retention; privacy of personally identifiable information; and steps to identify and prevent unintended use of information collected.

USE OF UNMANNED AERIAL SYSTEMS

The Department maintains a policy that establishes guidelines for the use of unmanned aerial systems (UAS), including the storage and retrieval and dissemination of images and data captured by the UAS.
This is a recently updated policy that incorporates industry best practices. It requires that UAS be used in "strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations."

34 Surveillance Technology Executive Order - https://ourcity.syrgov.net/2020/12/mayor-walsh-signs-executive-order-ensuring-public-input-on-surveillance-technology-proposals-by-city-department/
35 PAFP Demands - https://ourcity.syrgov.net/ourcitystories/initiative-stories/response-to-peoples-agenda-for-police-reform/

With respect to privacy issues, the policy provides:

> "The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operation."

Further, the policy explicitly bans the use of UAS video surveillance equipment from the following uses:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The policy also makes clear that "the UAS shall not be weaponized."

Should your police department leverage video cameras to ensure law enforcement accountability and increase transparency?

The Syracuse community has clearly expressed the desire for body-worn and dash cameras to be employed to ensure accountability.

Mayor Walsh's Syracuse Police Reform Executive Order, Action #4 called for SPD to complete its work of obtaining more body-worn cameras, resulting in all uniformed officers who are on patrol or respond to resident calls being equipped with a body-worn camera. On July 13, 2020, the Common Council approved revised legislation to ensure compliance with a grant award from the U.S. Department of Justice for the procurement of body-worn cameras for use by SPD officers. By the end of 2020, the Department had completed the procurement, training and deployment of all 220 body worn cameras, outfitting every uniformed officer assigned to the patrol unit.

New and fully deployed cameras require an update to our existing body worn camera policy which instructs officers in their use. In compliance with Mayor Walsh's Syracuse Police Reform Executive Order, Action # 3, [36]a draft revision of the existing policy was developed and is available to the public for input. Following the collection of input in connection with the adoption of this plan, the Department will finalize this revised policy and fully implement the policy. The target for full implementation of the revised policy is the second quarter of 2021.

Figure 3: SPD Demographics

36 Draft Body-Worn Camera Policy - https://ourcity.syrgov.net/2020/10/executive-order-no-1-action-3-body-worn-camera-policy/

Developing a new policy and equipping a body worn camera program requires additional technology and staffing. The Department will assess future needs of the program to ensure its success. The Department currently has less than a dozen patrol dash-cameras, a critical gap in the support of the Department and assurance of transparency to the public. In response, Mayor Walsh's Syracuse Police Reform Executive Order, Action #5 directed the Department to "develop and implement a plan to deploy dashboard cameras on all SPD marked vehicles." A progress report of this effort can be found **here**[37].

Unfortunately, technology comes at a cost. The estimated price tag for a dash cam program is approximately $736,000. In 2021, the City will seek to locate funding to implement this program. The Department will continue to pursue funding for this project.

An additional video tool used by the Syracuse Police Department are the **519 COPS cameras** [38]deployed in neighborhoods throughout the city. Launched in 2011, with the installation of three cameras, the program has grown exponentially. Camera footage is used to document incidents ranging from car accidents to homicides. Currently the process for acquisition of these cameras is initiated by requests of our residents to their prospective state representatives who identify resources for purchase of cameras for designated locations.

37 Vehicle Dash Cam Progress - https://ourcity.syrgov.net/2020/11/executive-order-no-1-action-5-develop-implement-plan-for-vehicle-dashcams/

38 COPS Camera Deployment - http://www.syracusepolice.org/document/945.pdf

Recruiting and Supporting Excellent Personnel

Recruiting a Diverse Workforce

Does your agency reflect the diversity of the community it serves? How can you encourage youth in your community to pursue careers in law enforcement?

"Diversity done the right way is a slow, incremental and heavy lift; it's an effort we must attend to every day with patience." -- **Chief Kenton Buckner**

The Department does not currently reflect our community's diversity, but getting closer to this goal is a top priority for the City.

By way of background, the most recent 5-year estimate from the American Community Survey indicates that Black citizens comprise 26.56% of the City's labor force (see United States Census Bureau, 2018 American Community Survey, Table S2301) and female citizens comprise 51.97% of the City's labor force (see United States Census Bureau, 2018 American Community Survey, Table S2301).

As of January 2, 2021, the Department was comprised of 396 sworn police officers. Of the total officers, 65 were female and 37 identified as Black. The percentages as of June 1, 2020 are xhibited in **Figure 3**.

Recognizing the critical importance of building a more diverse force, two of the items in Mayor Walsh's Executive Order on Syracuse Police Reform reinforced the need to increase the diversity of the force.

First, Action No. 14 directed the Department to "continue to review and upgrade the Department's recruitment, screening and hiring practices, with an aim to increase the diversity of the department's membership." There are multiple projects that have been completed or are in progress related to improvements in minority recruitment.

	Total	Black	%	Women	%
Police Officers	314	31	10.13%	55	17.51%
Sergeants	51	2	3.9%	2	3.9%
Lieutenants	20	0	0%	2	10%
Captains	6	0	0%	0	0%
Chiefs	5	1	20%	0	0%

CADET PROGRAM WITH FOWLER-PLSA

Mayor Walsh recently announced a SPD Cadet Program in partnership with CNY Works. The purpose of the program is to establish a steady stream of qualified police candidates from city residents. This will be a program and/or job that will last no more than four years per candidate. It is designed to act as a bridge between graduating high school and becoming a police officer. Eligibility for appointment as a police officer begins when candidates reach their 20th birthday. During this program the cadet will perform functions that are designed to help them prepare to be police officers and to work within the Department, on a part-time or full-time basis.

The program will consist of 1058 hours of classroom training. There will be five hours of physical fitness training weekly, ride alongs with officers and detectives, and training activities designed to help pass the civil service test for the position of police officer. Cadets will also receive training on the Department's rules and regulations, implicit bias, and financial management.

Work duties may include:

- Providing technical assistance to the public at the front desk and or over the telephone;
- Preparing and processing a variety of reports, forms, applications and permits;
- Transporting police vehicles for service; and
- Assisting sworn and non-sworn employees in different divisions and sections on a rotational basis to give the cadet as broad an experience as is practical in each facet of the police services.

Candidates will be limited to residents of the City of Syracuse, and preference will be given to candidates that have graduated from PSLA Fowler's Law Enforcement/ Emergency Management Pathway in which students learn the tactics, theory, and skills required for today's law enforcement professional, including training in DNA analysis, surveillance expertise and white-collar crime. Preference will also be given to candidates who can speak, read, and write in one of the many languages spoken by the communities that make-up Syracuse.

To maximize the likelihood that cadets make the intended transition to a position, they will be required to take every available civil service test offered for the position of police officer until they have passed and are placed on the eligible civil service list for the position of Police Officer.

PARTNERSHIP WITH DEPARTMENT OF JUSTICE'S OFFICE OF COMMUNITY-ORIENTED POLICING SERVICES

The Department is currently working with **CRI-TAC, Collaborative Reform Initiative Technical Assistance Center**[39], in partnership with the Department of Justice's Office of Community-Oriented Policing Services, which provides technical assistance to state and local law enforcement agencies throughout the United States. These services are delivered at no cost to the requesting agency.

The Syracuse Police Department contacted CRI-TAC in September of 2019, requesting technical assistance with our recruitment, hiring and retention programs. CRI-TAC provided the Department with its first technical assistance plan, which included sending Lt. Julie Shulsky and Sgt. Jason Tom to a recruitment, hiring and retention workshop in Bristol, Rhode Island in January of 2020.

After the January 2020 workshop, SPD requested a full assessment of our current recruitment, hiring and retention programs from CRI-TAC. However, the full assessment was delayed due to several reasons including the COVID-19 pandemic.

39 CRI-TAC - https://www.theiacp.org/projects/collaborative-reform-initiative-technical-assistance-center-cri-tac

In January of 2021, CRI-TAC sent subject matter expert, retired Police Chief Patrick Oliver, to SPD for the full assessment. CRI-TAC develops solutions specifically tailored to each agency, which enables Department members to play an active role in the problem-solving process. Chief Oliver spent two days speaking with various members of the Department, civil service and community members during his assessment. Upon the completion of Chief Oliver's assessment, CRI-TAC will provide the Department with best practices and recommendations to improve our current recruitment, hiring and retention practices.

EXPANSION OF RECRUITMENT SECTION

In March of 2020, the Recruitment Section expanded its recruitment team to include a larger and more diverse group of officers. Members of the recruitment team attend local cultural community events to educate minority groups about the opportunity to become a Syracuse Police Officer. Our team members also participate in local college career fairs to reach a diverse group of students. We are also working with Fort Drum to identify soldiers who will be exiting the military and are interested in transitioning to a career in law enforcement.

The Syracuse Police Department has initiated discussions with the NAACP, La Liga and the New American Forum to further explore interest from their constituents regarding becoming a Syracuse Police Officer. The Department is also actively seeking community recruiters, who will act as liaisons between potential candidates from the community and the Syracuse Police Department.

The recruitment section is also working with Access VR to participate in virtual meetings with high school seniors to educate them on the process and requirements of becoming a police officer.

CONTINUED EFFORTS TO OBTAIN A RESIDENT REQUIREMENT FOR POLICE OFFICERS

The Department believes that requiring residency for new officers will not only improve trust and understanding between the public and police officers, but will also lead to a more diverse workforce that reflects the diversity of the community. Currently, New York State Public Officers Law, Section 3, prohibits the City from mandating residency for police officers. With this state law restriction in place, a residency requirement can only be achieved through an agreement with the police labor union (i.e.,the PBA).

To that end, Mayor Walsh will continue to pursue a residency requirement as part of the interest arbitration process that will lead to a labor contract.

On a parallel track, the City is working with its state legislative delegation and members of the Common Council on state legislation that would allow the City to mandate residency without the need for union agreement. The Walsh Administration's 2021 Legislative and Funding Priorities call for passage of bill A4483/S1320 which will require new members of the Syracuse Police Department to be residents of the City. As noted in the legislation, the requirements would not apply to any person who entered service prior to the passage of the legislation. S1320 was introduced by Senator Rachel May on January 11, 2021. A4483 was introduced by Assemblymember Pamela Hunter on February 4, 2021 (A11008 was previously introduced in the 2019-2020 legislative session.).

COMMUNITY INTERVIEW PANEL

The hiring of Police Chief Kenton Buckner incorporated the feedback of the entire community, and included an interview panel consisting of community partners. Similarly, in 2021, the Department will create a Community Interview Panel as part of the process of selecting and hiring candidates for the position of entry-level police officers.

CONSENT DECREE

The Mayor's **Executive Order Action #10**[40] directed the City to "continue to actively oppose any legal attempt to dissolve or otherwise eliminate the judicial consent decree which continues to be a critically necessary tool to improve the diversity of our police department."

The City has been operating under a Consent Decree issued in United States v. City of Syracuse, et al., Civil Act. No. 5:80-cv-00053-DNH and Lee Alexander v. Victor S. Bahou, et al., Civil Act. No. 5:78-cv-00392. The Consent Decree was entered by the Honorable Howard G. Munson on March 27, 1980 with the intent to provide the City of Syracuse certain judicially-authorized tools to increase the numbers of minority police officers and firefighters employed by the City in proportions matching the demographics of the City labor force. Under the authority of the Consent Decree, over the last forty years, the City has been regularly using the Consent Decree to employ minority preferences in its police officer and firefighter hiring processes.

On January 12, 2021, in response to a request by the U.S. Department of Justice to dissolve the Consent Decree, the Honorable David Hurd, United States District Court, Northern District, issued a decision and order modifying the decree. The modified decree permits the City to continue using certain hiring preferences, albeit with less flexibility. The City is re-evaluating its methods of applying hiring preferences, but is committed to continuing preferences in a way that maximizes opportunity for minority candidates, but that also ensures compliance with all state and federal civil rights laws.

CIVIL SERVICE LAW RESTRICTIONS

Even with all these efforts, the New York State Civil Service Law continues to be a major barrier to increasing the diversity of the police force. State law requires the Department to select candidates based primarily on the results of a written test, and limit the Department's ability to consider other important factors, such as cultural competence. Other cities are advocating for the reform of this system, and Syracuse should do the same. Therefore, the City will work with its state legislative delegation to advocate for change to this outdated system. By April 30, 2021, the City will submit to its state legislative delegation a written request for Civil Service Law reform. It will work with other cities, through its involvement in the New York Conference of Mayors, to amplify this request for reform.

What actions can your agency take to foster the continued development and retention of diverse officers? Robust efforts to attract and hire diverse candidates is not enough to establish a diverse police force in the long term. Attention must also be given to the retention, development and advancement of diverse officers. Chief Buckner has embraced the need to develop diverse leaders in the Department, and has connected multiple officers to the **National Organization of Black Law Enforcement Executives**[41] (NOBLE). NOBLE provides mentoring, training and networking to Black and Brown law enforcement professionals. Likewise, two Black civilian employees will be enrolled in the **National Forum for Black Public Administrators**[42].

Also, the partnership with CRI-TAC, described above, is not only analyzing and making recommendations about recruitment, but also retention and development.

Training and Continuing Education

The Department's status as a NYS accredited agency requires it to maintain certain training standards. The Department strives to exceed the minimum training standards each year. These standards include 21 hours of in-service training. Topics that must be covered include: use of force, legal updates, firearms training and defensive tactics.

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40 Consent Decree Update - https://ourcity.syrgov.net/2020/10/executive-order-no-1-action-10-active-oppose-dissolve-of-consent-decree/

41 NOBLE Website - https://noblenational.org/

42 NFBPA Website - https://www.nfbpa.org/home

A commitment to education and proper training of our officers needs to be made in order to enhance performance. Increased training in use of force (defensive tactics, firearms and less lethal options) will lead to better decisions being made under stress. Training builds confidence and competency and helps to mitigate the effects of stress. An officer who is well trained and confident in their ability to employ a firearm will be less likely to implement that tool early or when it is unreasonable. In regards to defensive tactics, an officer who possesses a high level of understanding of control techniques is more likely to utilize those techniques instead of defaulting to hard hand strikes. The Department is working towards training programs to include increased defensive tactics training and reality and scenario-based training. The use of scenario-based training and reality-based training allows officers to apply tactics and techniques learned, which helps officers navigate and de-escalate a potentially hostile situation. Additionally, the Department is researching options for virtual reality training systems.

Providing our officers with cultural diversity and cultural competency training will help identify and correct any potential implicit bias. Addressing these potential biases can help foster a better understanding of different cultures and avoid or reduce potential bias. Increased training will lead to more consistency in application of investigations, stops, use of force, etc. A better trained department will be more consistent with the people it serves.

In order to help officers more effectively and safely respond to individuals experiencing mental health crises or struggling with substance abuse, the Syracuse Police Department is currently working towards getting 20% of its officers certified in Crisis Intervention Training. By providing officers with CIT, officers will be better prepared when responding to situations with individuals in crisis.

The efficacy of the Department's training programs is measured through testing, minimum qualification requirements, performance evaluations and report reviews.

How can you develop officer training programs that reflect your community values and build trust between police officers and the communities they serve?

One of the Department's 2020 training goals was to provide our officers with cultural competency training. The Department had enlisted Dr. Robert Strauss, who is a subject matter expert in intercultural communication. Dr. Strauss was scheduled to educate our officers on cultural diversity and cultural competency. Unfortunately, due to budget restrictions, the Department was unable to accomplish this training. As we progress into 2021, the Department's intention is to proceed with cultural diversity and cultural competency training. Moving forward with this training is dependent on budget approval.

In addition, training programs that include a civilian academy, community training and community dialogues will build stronger connections with community members. These training programs allow citizens to better understand the function and duties of police officers and to build relationships with members of the Department. These types of programs, which require in-person interaction, have been paused due to COVID-19 restrictions, but will be re-implemented when feasible.

How can leadership training improve community policing and strengthen relationships between your police department and members of the public?

The Department recognizes the importance of high quality leadership training offered by industry leaders in order to stay abreast of the best practices in community policing and community engagement, among other topics. Outside training ensures the Department keeps pace with the evolving landscape of law enforcement.

Beginning in 2019, under Chief Buckner, the Department re-instituted a practice of providing outside training for its leaders and future leaders. For example, SPD leaders have attended the FBI National Academy and International Association of Chiefs of Police Conference.

Looking ahead, the Department is exploring the option of sending leaders to the Senior Management Institute for Police through the Police Executive Research Forum (PERF.)[43]

How can your police department use its training programs to avoid potential bias incidents and build stronger connections with communities of color and vulnerable populations?
Mayor Walsh's **Executive Order No.1, Action #13**, directed the Department to:

> "Develop and deliver training on the history of racism in Syracuse and the United States, both in the police academy and during in-service training, such that 100% of the membership of SPD receives this training. Additionally, deliver department-wide training in cultural competency for law enforcement."

Implicit bias describes the *automatic association people make between groups of people and stereotypes about those groups. Under certain conditions, those automatic associations can influence behavior—making people respond in biased ways even when they are not explicitly prejudiced.* -**The National Initiative for Building Community Trust and Justice, https://trustandjustice.org/about/mission**

The President's Task Force on 21st Century Policing offered the following examination on the importance and understanding of bias:

> "All human beings have biases or prejudices as a result of their experiences, and these biases influence how they might react when dealing with unfamiliar people or situations. An explicit bias is a conscious bias about certain populations based upon race, gender, socioeconomic status, sexual orientation, or other attributes. Common sense shows that explicit bias is incredibly damaging to police-community relations, and there is a growing body of research evidence that shows that implicit bias—the biases people are not even aware they have—is harmful as well."

The dilemma associated with implicit bias is that it is linked to human behavior. Implicit bias training should be embedded in all levels of training on a recurring basis. In order to effectively address this issue it must be acknowledged and managed.

The President's Task Force on 21st Century Policing recommends that police agencies provide recruit training and in-service training on implicit bias and cultural responsiveness. It further states that research shows that individuals who are made aware of their implicit biases are motivated to implement unbiased behaviors.

The Department believes that training on cultural competency and on the history of racism will create greater awareness of this implicit bias, and give officers the tools to remove any bias from their interactions with the public. Moving forward, implicit bias will be taught even before an individual becomes an officer, by embedding this training requirement in the Department's newly announced Cadet Program. Thus, implicit bias will be taught throughout the entirety of an officer's career--from cadet to training academy to annual in-service.

43 About PERF - https://www.policeforum.org/

The customized training on the history of racism in Syracuse, directed by the Mayor's Executive Order, merits special emphasis. Equipping officers--some of whom know very little about Syracuse's unique history--with information about how Black and Brown communities were historically treated in our community will provide a better foundation for understanding, which will help remove barriers between officers and the Black and Brown communities. The City is currently seeking an outside trainer with whom it can partner to create and implement the curriculum for this training. The target for creating and completing this training for the entire force is the fourth quarter of 2021.

How can your training program help officers effectively and safely respond to individuals experiencing mental health crises or struggling with substance abuse?

As discussed elsewhere in this plan, the City is partnering with AccessCNY to continue to provide Crisis Intervention Training. In addition, the City held a meeting with AccessCNY, where it was requested that a truncated session be offered to police officers with less than five years on the job that focuses on de-escalation, knowledge of mental health conditions and information on community-based resources. The Department will continue to work with AccessCNY on developing the appropriate curriculum.

What practices and procedures can you put in place to measure the quality and efficacy of your police department's training programs?

The Syracuse Police Training Academy will apply for CALEA Accreditation in the summer or fall of 2021. This national accreditation process will ensure that the Department implements best practices in all aspects of its training program, including procedures to measure the quality and efficacy of the training programs.

Support Officer Wellness and Well-being

Police officers in their profession have the stark reality of seeing human beings at the worst times of their life and in varying levels of crisis. At any moment during their shift, officers can be involved in highly stressful encounters ranging from a substance induced individual or an armed suspect or horrible tragedies that afflict our community's most vulnerable members. This requires police officers to be constantly vigilant and in a delayed state of stress, which can have long-term effects on their well-being.

Unfortunately too many officers avoid seeking assistance due to the perceived stigma, which include the perception of being seen as weak and fear of negative impact to career advancement as well as privacy concerns despite confidentiality policies and procedures.

It is important to note that approximately 25% of the SPD workforce occupy civilian roles. Their daily responsibilities do not entail the duties of sworn officers, however they work for an organization under intense scrutiny and are constantly engaged in emergency situations. They too endure the stressors of the department's work and should be remembered in all wellness and well-being efforts.

What steps can you take to promote wellness and well-being within your department?

The Department has recently taken steps to create an officer wellness program. In December of 2020, Police Officer Anne Clark was selected as the Department's Wellness Officer. The Department also purchased the new Officer Wellness app, Cordico Shield. The app is extremely beneficial to help promote wellness within the Department. To effectively and proactively address the mental health challenges experienced by officers, we need to continuously educate and have conversations about mental health and wellness along with providing skills and resources. This needs to occur starting at the academy level, to in-service training and through retirement. The wellness app provides many resources to Department members 24/7.

"We do a good job preparing our officers from the neck down but not from the neck up"

– 1st Deputy Chief Joseph Cecile addressing the Syracuse Common Council regarding the need to procure an officer wellness app

The Department created internal advisory committees for sworn and non-sworn personnel to give the members an opportunity for direct communication with the Chief. In these meetings, members can raise issues of concern or clarify information that has been passed down through the chain of command. Creating a direct line of communication between members, the Chief and command leadership help create understanding of the needs of members.

How can you address the well-being of an officer after a traumatic event?

Traumatic events whether singular or recurring, affect everyone differently. Some individuals may clearly display PTSD related behaviors, while many individuals exhibit more adaptive responses. The impact of trauma depends on many factors, including individual characteristics, circumstances related to the event(s) and social/cultural factors. Violence and related trauma affect our community collectively; police officers are no exception.

After a critical incident, the Department's peer support team is notified, and holds peer-led debriefings. Trained mental health professionals are invited, and officers can share their feelings without risk of judgment in a secure setting. The debriefings also allow the officers an opportunity to be connected to more resources.

Specifically after an officer-involved shooting, the involved officers meet with a licensed mental health provider for a psychological fitness for duty screen, and if necessary, referred for additional mental health services. Additionally, the officers meet with the training staff to undergo a battery of reality based training scenarios so the officer can be evaluated and can raise any questions or concerns they have about how the incident unfolded in a non-punitive, non-threatening environment.

Looking forward, in-service training will be provided to command officers to educate them on how to deal with officers experiencing stress or who reach out for assistance.

LIST OF APPENDICES

Appendix A

Appendix A

Mayor Walsh's Executive Order on Syracuse Police Reform (6/19/2020)

OFFICE OF THE MAYOR

MAYOR BEN WALSH

EXECUTIVE ORDER
SYRACUSE POLICE REFORM
EFFECTIVE JUNE 19, 2020

WHEREAS, the killing of George Floyd, and the subsequent outpouring of grief and concern over police conduct nationwide has led to calls from the Syracuse community for immediate police reform; and

WHEREAS, improving police-community relations and updating key policies to reflect best practices in 21st century policing has been a priority of my administration since taking office; and

WHEREAS, under the leadership of Chief Kenton Buckner, Syracuse has already taken important steps in police reform, including but not limited to the expansion of body worn cameras and the implementation of a new body worn camera policy; the issuance of a revised use of force policy in July 2019; the restructuring and relocating of the department's internal affairs function; enhanced focus on diversity recruitment; and the creation of citizen advisory committees; and

WHEREAS, the Syracuse Common Council has indicated its desire for police reform, and will consider legislation that seeks greater police transparency, which will complement the steps to be taken below; and

WHEREAS, I support the police reforms already passed this month by New York State, including the repeal of Civil Rights Law Sec. 50-a; and

WHEREAS, I recognize the dedication of the members of the Syracuse Police Department, and intend the steps outlined below to better equip officers with the training and policies they need to enhance their ability to protect and serve all members of the Syracuse community equally, and to build the community's trust in our officers; and

WHEREAS, in response to the concerns of the Syracuse community, more action on police reform is urgent, necessary and appropriate; and

WHEREAS, I will engage in a robust community dialogue to further explore and consider areas for reform and improvement over the coming months beyond those set forth below, culminating in a plan and report in the spirit of and in compliance with Governor Cuomo's Executive Order No. 203, New York State Police Reform and Reinvention Collaborative;

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Syracuse, N.Y. 13202

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NOW, THEREFORE, as Mayor of the City of Syracuse, by the authority vested in me by the City Charter and applicable laws, and in consultation with the Chief of Police, I hereby direct the following actions as soon as practicable:

1. Review, revise and amend the policies and procedures of the Syracuse Police Department (SPD) to ensure the principles embodied in the New York City Right to Know Act are incorporated into the department's policies and procedures, including but not limited to self-identification to citizens, provision of written identification to citizens, obtaining consent to searches, recording consent and making the record of the consent available to the subject of the search. This will be done in conjunction with legislative action by the Syracuse Common Council, which will seek to codify the Right to Know principles related to the reporting of investigative encounters.
2. Revise SPD's 2019 use of force policy to ensure that it is compliant with recent changes in New York State law, and fully consider any policy changes requested by the Syracuse community.
3. Revise SPD's current body worn camera policy to ensure that officers record the entirety of their presence on the scene of a police encounter.
4. Complete the department's efforts to obtain additional body worn cameras so that all uniformed officers assigned to patrol or who otherwise respond to citizen calls will be equipped with cameras.
5. Develop and implement a plan to deploy dashboard cameras on all SPD marked vehicles.
6. Conduct a complete inventory of all equipment acquired through military surplus programs that are in possession of the SPD; establish policies and procedures regarding the use of such equipment; and establish parameters for future procurement of such equipment.
7. Post on the City of Syracuse and/or SPD's website:
    a. The collection of documents that together comprise the most recent collective bargaining agreement with the Syracuse Police Benevolent Association (PBA); and
    b. A comprehensive summary of that collection of documents, which my administration prepared and presented to the PBA for review and acceptance in 2019; and
    c. The Tentative Agreement reached with the PBA in November 2019, which has not been approved, and which is now the subject of the impasse resolution process set forth in the New York State Taylor Law.
8. Make SPD policies publicly available on the SPD website.
9. Develop a process to ensure legal compliance with New York State's repeal of Civil Rights Law Sec. 50-a and related amendments to the Freedom of Information Law, which require the city to disclose copies of certain police personnel records upon request.
10. Continue to actively oppose any legal attempt to dissolve or otherwise eliminate the judicial consent decree which continues to be a critically necessary tool to improve the diversity of our police department.

11. Review the department's procedure and approval process regarding the application of search warrants that seeks a "no-knock" provision from a court to ensure compliance with Constitutional standards.
12. Continue to improve collaboration with the Syracuse Citizen Review Board (CRB) to ensure the flow of documents and information as embodied in Local Law No. 11. Further, commit to:
    a. Reviewing the disciplinary recommendations presented by the CRB prior to making a final determination of discipline of an officer; and
    b. In cases where the Chief issues no discipline, or discipline that is lesser than is that recommended by the CRB, provide to the CRB a written explanation of the reason for such level of discipline or lack thereof.
13. Develop and deliver training on the history of racism in Syracuse and the United States, both in the police academy and during in-service training, such that 100% of the membership of SPD receives this training. Additionally, deliver department-wide training in cultural competency for law enforcement.
14. Continue to review and upgrade the department's recruitment, screening and hiring practices, with an aim to increase the diversity of the department's membership.
15. Research and consider innovative, community-based strategies for responding to non-criminal calls, with a goal of shifting the paradigm from primary police response, to response by non-police professionals in relevant fields.
16. Develop and implement, in coordination with the Syracuse City School District, a new model for school safety and security.

G I V E N under my hand and the Seal of the City of Syracuse this nineteenth day of June in the year two thousand twenty.

BY THE MAYOR

Benjamin R. Walsh, Mayor

ATTEST:

John P. Copanas, City Clerk

Dated: June 19, 2020

Appendix B

Mayor Walsh's Executive Order on Surveillance Technology (12/1/2020)

OFFICE OF THE MAYOR

MAYOR BEN WALSH

EXECUTIVE ORDER

DIRECTING ALL CITY DEPARTMENTS TO ADOPT THE ATTACHED POLICY IN REGARDS TO THE USE OF SURVEILLANCE TECHNOLOGY

EFFECTIVE DECEMBER 1, 2020

WHEREAS, as our Nation adopts ever increasing technology, the benefits of such new technology need to be weighed against the risks, especially in regards to privacy concerns;

WHEREAS, all citizens have right to be aware of and have input on the technology adopted and used by their local government;

WHEREAS, community members have expressed concern about potential risks of the use of surveillance technology by government, and have called on elected officials to ensure effective oversight of the use of this technology;

WHEREAS, on July, 16, 2020, the Walsh Administration committed to issue a Surveillance Technology Executive Order by December 1, 2020;

WHEREAS, the Walsh administration intends that this Executive Order will implement a policy and process to ensure that any proposed surveillance technology travels through a comprehensive evaluation process which considers public input;

NOW, THEREFORE, as Mayor the City of Syracuse, by the authority vested in me by the City Charter and applicable laws, I hereby direct the all City executive departments to adopt and follow the surveillance policy attached hereto.

G I V E N under my hand and the Seal of the City of Syracuse this first day of December in the year two thousand twenty.

BY THE MAYOR

Benjamin R. Walsh, Mayor

ATTEST:

John P. Copanas, City Clerk

Dated: December 1, 2020

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GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

Surveillance Technologies

Goal: To create and support a scalable process allowing for citizens through their representatives to have a say in technologies that surveil the city and to ensure those technologies are implemented in a safe and well governed way.

Using data to help inform decisions in government can build efficiencies where needed and ensure projects are delivering productive outcomes for the public. Appropriate levels of oversight related to specific types of data collection and analysis are needed to ensure the privacy of community members is considered and protected, bias in automated decision making is minimized, and transparency in the use of these technologies and analytics tools is present.

Surveillance technologies are defined by the city of Syracuse as those that "observe or analyze the movements, behavior, or actions of identifiable individuals in a manner that is reasonably likely to raise concerns about civil liberties, freedom of speech or association, racial equity or social justice." In many cases, these types of technologies are effective tools and can be used in criminal investigations, other public safety applications, or monitoring of infrastructure systems.

In order to ensure transparency, equity, and public participation around the procurement and use of these technologies, the following process is put into place for surveillance technologies going forward.

Development of Working Group

The working group will consist of 7 - 10 individuals responsible for maintenance of a surveillance technology inventory and the evaluation of technologies as they go through the surveillance technology process. The goal of the group will be to ensure due diligence is done on all technologies fitting the surveillance characteristics so thorough and valid recommendations can be given to the final decision maker on how any given technology will impact the City of Syracuse in a variety of areas including equity or service, efficacy of collection techniques, financial capabilities of implementation, and benefit to the taxpayer. This working group will be selected by the Mayor with recommendations from Senior Staff and the Office of Accountability Performance and Innovation ("api").

The group is tasked with the responsibilities listed below.

A. Creation

1. Internal Stakeholder Selection
    a. Stakeholders to be selected by the Mayor
    b. One representative from api
    c. One representative from IDEA
    d. One representative from IT

2. External Stakeholder Selection
    a. Stakeholders to be appointed by the Mayor
    b. Up to five to seven stakeholders from a variety of community groups in City of Syracuse
        i. Must include at least one member from each of the following types of organizations: social justice, technology, community outreach, research institution/partnerships (NuAir, universities)

B. Responsibilities

1. Determination of whether surveillance technology falls into one of two categories: First category will have characteristics that if met automatically define a technology as surveillance. Second category will have characteristics that if a certain percentage are met the technology will be considered surveillance.
2. Initial audit defining technologies currently used or owned by the City as surveillance or not. These technologies will be grandfathered into the system and not go through the voting process, will simply be tracked for public dissemination.
3. Regular meetings to review proposed technologies, define these technologies as surveillance or not, and give recommendations about whether systems that are deemed to be surveillance technology should be implemented.
4. Upkeep and maintenance of the technology audit list. The audit list will track all technologies that go through the group, any recommendations by the group, all drafts and final documentation about those technologies, and the final approval.

C. Recommendations

1. api will work with the working group once they have been selected by the Mayor and present initial recommendations around definition of surveillance characteristics and process structure.
2. Recommendations provided by the working group will be presented in a standardized format designed by the working group
3. It is recommended that the working group develops Service Level Agreements to ensure a swift but effective process.

Process

A. Departments interested in the use of a data collection technology must submit to the working group for a determination of whether it qualifies as a "Surveillance Technology"

1. Surveillance Technology Definition:

   a. Technology whose primary purpose is to observe or analyze the movements, behavior, or actions of identifiable individuals in a manner that is reasonably likely to raise concerns about civil liberties, freedom of speech or association, racial equity or social justice. Identifiable individuals also include individuals whose identity can be revealed by license plate data when combined with any other record.
2. Exemptions:
   a. Technology that is used to collect data where any individual knowingly and willingly provides the data.
   b. Technology that is used to collect data where individuals were presented with a clear and conspicuous opt-out notice.
   c. Technologies used for everyday, normal course of business office use.
   d. Body-worn cameras (refer to existing BWC policy).
   e. Cameras installed in or on a police vehicle (refer to existing policy).
   f. Cameras installed pursuant to state law authorization in or on any vehicle or along a public right-of-way solely to record traffic violations (data collected would be used exclusively for traffic enforcement purposes).
   g. Cameras installed on City property solely for security purposes.
   h. Cameras installed solely to protect the physical integrity of City infrastructure, such as cameras at water reservoirs.
   i. Technology that monitors only City employees in the performance of their City functions.
3. Technologies that will not be considered and are effectively banned from use in the City of Syracuse
   a. Any technologies using biometric, facial recognition, or whole-body gesture analysis
   b. Predictive policing algorithms

B. Preliminary form completion

Draft form can be found at this link: https://www.surveymonkey.com/r/NXTSQFQ
For a complete list of questions please reach out to the api team.

C. Determination of surveillance by working group

Working group will review the proposed technology and determine whether the technology meets the definition of surveillance technology or not. If the technology is deemed not to constitute surveillance technology, it proceeds straight to the City's standard procurement process. If the technology is determined to meet the threshold of surveillance it will continue on to the public comment period.

D. Public comment period (if deemed surveillance technology)

1. Preliminary form is posted online for at least two weeks with form for comments available
2. Preliminary form is presented in a press release from the Mayor's office the day it is also posted online.
3. Preliminary form is presented at at least one Common Council committee meeting

E. Final form completion

1. Following the public comment period, the preliminary form is finalized, including any comments that came in during the public comment period.
2. Final draft is provided to the working group for review.

F. Working group review and recommendation

1. A working group (see above for details) made up of a diverse range of community members will convene to review surveillance technology documents and make recommendations, specifically considering harm a technology may cause underrepresented groups.
2. Working group reviews the document, offers comments, and returns the document to the City department.

G. Approval and Oversight

1. The Mayor's Office will decide whether to allow the use of the proposed surveillance technology.
2. If the surveillance technology is approved by the Mayor, the implementation of the technology proceeds through the City's standard procurement and contracting process, including any necessary Common Council approvals.
3. Finalized documents are made available to the public.

Surveillance Technology Mandated Standards

Building predictive models and automated decision making tools can create efficiencies in government and can enable more proactive work to happen. The model, though, is only as good as the data that feeds it. Predictive models are based on historical data, so if the data has been biased in the past, it will create a model that is biased for the future. For instance, in the case that the City was trying to predict which streets have potholes, relying on where potholes have been complained about would be problematic because community members in some neighborhoods report more potholes than in other neighborhoods. The model would predict based on that history of complaints that were filled, not actually where the potholes exist. In the

case where predictions are being made about people, issues like bias about race, ethnicity, and economic status can come into play, too, and have adverse effects.

Prior to any data project that includes automated decisions or predictive analytics, the following questions should be considered, answered, and submitted to the Chief Data Officer for approval as part of the project charter.

A. Data Collection

1. Informed consent: Any human subjects have been given informed consent, where subjects affirmatively opt-in and have a clear understanding of the usage of data to which they consent.
2. Collection bias: Consider and document sources of bias that could be introduced during data collection and survey design and any steps taken to mitigate those.
3. Limit PII exposure: Consider and document ways to minimize exposure of personally identifiable information (PII) for example through anonymization or not collecting information that isn't relevant for analysis.

B. Data Storage

1. Data security: Develop a plan to protect and secure data (e.g., encryption at rest and in transit, access controls on internal users and third parties, access logs, and up-to-date software).
2. Right to be forgotten: Create an easily accessible and publicly navigable mechanism through which an individual can request their personal information be removed.
3. Data retention plan: Develop a schedule or plan to delete the data after it is no longer needed including a timetable and rationale for data deletion.
4. Use UUIDs to ensure dissemination and analysis of data is not identifiable through PII.

C. Analysis

1. Missing perspectives: Consider and document ways to address blindspots in the analysis through engagement with relevant stakeholders (e.g., checking assumptions and discussing implications with affected communities and subject matter experts).

2. Dataset bias: Examine the data for possible sources of bias and take steps to mitigate or address these biases (e.g., stereotype perpetuation, confirmation bias, imbalanced classes, or omitted confounding variables).
3. Honest representation: Ensure visualizations, summary statistics, and reports are designed to honestly represent the underlying data.
4. Privacy in analysis: Ensure that data with PII are not used or displayed unless necessary for the analysis.
5. Auditability: Ensure the process of generating the analysis is well documented and reproducible if issues are discovered in the future. This requires a full methodology so that even when data has been removed by request or process statute solutions can be developed to remedy those issues.

D. Modeling

1. Proxy discrimination: Ensure that the model does not rely on variables or proxies for variables that are unfairly discriminatory.
2. Fairness across groups: Test model results for fairness with respect to different affected groups (e.g., tested for disparate error rates) and determine whether that fairness (or unfairness) is due to the data, the model, the scenario, or something else. Document the outcome.
3. Metric selection: Consider the effects of optimizing for our defined metrics and consider additional metrics.
4. Explainability: Explain and document in understandable terms a decision the model made in cases where a justification is needed.
5. Communicate bias: Communicate the shortcomings, limitations, and biases of the model to relevant stakeholders in ways that can be generally understood.

E. Deployment

1. Redress: Discuss with the organization a plan for response if users are harmed by the results (e.g., how does the data science team evaluate these cases and update analysis and models to prevent future harm). Ensure there is a documented process in place to address this harm.
2. Roll back: Ensure there is a way to turn off or roll back the model in production if necessary.
3. Concept drift: Complete testing and monitor for concept drift to ensure the model remains fair over time.
4. Unintended use: Document and act upon steps to identify and prevent unintended uses and abuse of the model and have a plan to monitor these once the model is deployed.

Appendix C

[redacted]

Appendix C

Walsh Administration's Response to People's Agenda for Police Reform (7/16/2020)

[redacted]

OFFICE OF THE MAYOR

MAYOR BEN WALSH

RESPONSE TO THE PEOPLE'S AGENDA FOR POLICE REFORM

July 16, 2020

Since taking office two and a half years ago, Mayor Walsh has made enhancing police accountability and improving police-community relations in the City of Syracuse an urgent priority. From including community stakeholders in the selection of a new police chief to seeking input on the body worn camera policy to conducting a public forum on frustrations with use of force, Mayor Walsh and Chief Buckner have offered a more inclusive and open process to police reform.

Positive progress has been made but much more needs to happen. And faster than before. The Walsh Administration welcomes this challenge.

A coalition of organizations has advanced the People's Agenda for Police Reform. It comprises nine demands of the City of Syracuse regarding changes to policing in our community. Representatives of the People's Agenda organizations presented their demands to Mayor Walsh, Chief Buckner and city leaders on July 2, 2020 in a live streamed public meeting. Mayor Walsh committed to provide a timeline in two weeks on how the City would address the demands.

The following document provides timeframes for action and relevant background and context on each of the demands. It references numbered actions in the Mayor's June 19 Executive Order on Syracuse Police Reform. It also presents the City's position at this time on each of these demands. It is a new platform for accountability to the community and a foundation for continued progress.

Legislate and Implement the Syracuse Right to Know Act

THE WALSH ADMINISTRATION **AGREES** WITH THIS DEMAND.
In accordance with the June 19 Executive Order (Action #1), the Administration committed to: *Review, revise and amend the policies and procedures of the Syracuse Police Department (SPD) to ensure the principles embodied in the New York City Right to Know Act are incorporated into the department's policies and procedures, including but not limited to self-identification to citizens, provision of written identification to citizens, obtaining consent to searches, recording consent and making the record of the consent available to the subject of the search. This will be done in conjunction with legislative action by the Syracuse Common Council, which will seek to codify the "Right to Know" principles related to the reporting of investigative encounters.*

The Executive Order authorizes the Syracuse Police Department to implement the administrative functions of Right to Know. Effective and timely implementation will require officer training on new policies and procedures and the completed acquisition of body worn cameras for all uniformed officers to record applicable consent searches. Full implementation may also be impacted by Council legislation.

TIMELINE

- 1. Administrative implementation will be completed by January 15, 2021.
- 2. The Administration defers to the Syracuse Common Council on the timeline for legislative action.

Taking additional action to revamp SPD's new use of force policy as detailed by SPAARC's analysis and provided to the administration in July 2019

THE WALSH ADMINISTRATION **AGREES** WITH THIS DEMAND.
In accordance with the June 19 Executive Order (Action #2), the Administration committed to: *Revise SPD's 2019 use of force policy to ensure that it is compliant with recent changes in New York State law, and fully consider any policy changes requested by the Syracuse community.*

The Syracuse Police Department is again reviewing the Syracuse Police Accountability and Reform Coalition (SPAARC) analysis for proposed modifications to its Use of Force Policy. In addition to the SPAARC analysis, other references will include but are not limited to: Governor Cuomo's Executive Order specific to S.6670-B (Benjamin) "Eric Garner Anti-Chokehold Act" which establishes criminal penalties for use of chokeholds; NYS Department of Criminal Justice Services (DCJS) pending guidelines, including any that will impact SPD's current NYS DCJS certification; and SPD's current process to obtain national certification from the Commission on Accreditation for Law Enforcement Agencies (CALEA) .

TIMELINE

▶ 1. The Syracuse Police Department Use of Force Policy will be updated by October 15, 2020.

Enhance the SPD body camera policy to require officers to turn cameras on at the beginning of their shift, for data and footage from body cameras to be FOILable and not highly redacted, and prohibit officers from reviewing body camera footage when writing their reports, among other needed changes

THE WALSH ADMINISTRATION **AGREES** WITH THIS DEMAND **WITH CLARIFICATIONS.**
In accordance with the June 19 Executive Order (Action #3), the Administration committed to: *SPD will revise its current body worn camera policy to ensure that officers record the entirety of their presence on the scene of a police encounter.*

Regarding the issue of when body-worn-cameras (BWC) are on and recording, they are powered on at the beginning of the officer's shift, but they do not continuously record. Recording for an entire shift, in one continuous stream, does not allow for the integration of information from the E-911 center to the video. The integration of E-911 information is the mechanism that allows the Department to label, store, and retrieve footage from a particular incident or call. This process, made possible with E-911 integration, is crucial to the management of the BWC evidence and the supervision of officers.

Administratively, the labeling of each individual clip of evidence allows for the appropriate retention period to be set so the evidence is not erroneously purged from our system. With respect to officer supervision, the Department - in its most recent contract with Axon - requested the addition of Axon's "Performance" program. The "Performance" program, when used in conjunction with the E-911 integration, allows the Department to audit an officer's compliance with the recording requirements of the Department policy. Moreover, the "Performance" program randomly selects officer video clips to be reviewed by his/her direct supervisor. Both programs increase accountability and provide for increased officer performance. Without the E-911 integration, which is accomplished through the appropriate management of an officer's ability to turn on and off the recording function, the Department will lose significant administrative oversight.

BWC footage is available under a FOIL request to the Office of Corporation Counsel, however, the City does not release records including BWC footage if the record is part of an active investigation. The current practice of redaction mirrors the redaction process utilized for paper documents, both of which are governed by Article 6 of the Public Officers Law (§§ 91-99). The City recognizes the important balance of protecting privacy rights with the public's right to access government records and evaluates each request on a case-by-case basis. The City adopted guidelines for BWC redaction in April 2019. The guidelines call for redaction, by blurring faces/images or muting sound in whole or part, when the footage captures the following: medical treatment or facilities; interior of private residences; restrooms; SPD computer screens; officer field notes; citizens' forms of identification (i.e. driver's license); severe injuries and fatalities; law enforcement investigative techniques that should remain confidential; scenes of sexual assaults, domestic violence or stalking; faces and voices of crime victims, witnesses, informants and minors; and conversations between police officers that fall under the inter-agency communications exception in the FOIL statute.

The Department recognizes that a police officer's report is the official record of a call for service and needs to be as accurate as possible. The Syracuse Police Department, in both policy and training, has emphasized that the video captured on a BWC is not a replacement for an officer's independent recollection of the event. Recognizing this, as a matter of practice, when an officer is involved in a shooting, the Department does not show the officer his/her BWC footage until after they have provided a written statement. In other instances, officers are allowed to review BWC footage prior to completing a report. This practice will be reviewed.

***In accordance with Mayor Walsh's Executive Order (Action #4),* the Administration committed to:** *SPD will complete the department's efforts to obtain additional body worn cameras so that all uniformed officers assigned to patrol or who otherwise respond to citizen calls will be equipped with cameras.*

On Monday July 13, 2020 the Syracuse Common Council approved modified legislation to ensure accurate compliance with a grant award from the US Department of Justice for procurement of body worn cameras for use by Syracuse Police Department officers and will implement the following time table:

- Purchase and acquisition of 113 cameras by August 28, 2020.
- Construction of physically secured equipment docking space by September 18, 2020.
- Coordination of BWC equipment technology software registration with AXON company, and Onondaga County 911 (CAD) integration by September 18, 2020.
- Training of officers on the use of individually assigned (i.e. not shared) body-worn cameras. Each officer is assigned BWC by October 25, 2020.

TIMELINE

▶ 1. SPD's body worn camera policy will be updated by October 15, 2020.

Publicize the PBA union contract as is, while engaging in a community driven and centered renegotiating process to include recommendations for discipline by the Citizens Review Board when they sustain findings of misconduct;

THE WALSH ADMINISTRATION **AGREES** WITH THIS DEMAND **WITH CLARIFICATIONS.**
In accordance with the June 19 Executive Order (Action #7), the Administration committed to: *Post on the City of Syracuse and/or SPD's website:*

a) *The collection of documents that together comprise the most recent collective bargaining agreement with the Syracuse Police Benevolent Association (PBA);*

b) *A comprehensive summary of that collection of documents, which my administration prepared and presented to the PBA for review and acceptance in 2019; and,*

c) *The Tentative Agreement reached with the PBA in November 2019, which has not been approved, and which is now the subject of the impasse resolution process set forth in the New York State Taylor Law.*

The clarifications pertain to contract negotiations because, as noted above, the Administration and PBA are currently in the midst of the impasse resolution process. During that process, neither side can lawfully introduce new proposals. An arbitrator will review each parties' existing proposals and issue a binding decision as to what the terms of the next contract will be. With respect to officer discipline, the Administration has taken the position that discipline is not a subject that can or should be negotiated with the PBA, but is reserved to the Chief. This issue is currently being litigated in state court. Moreover, the City has recently advocated for state legislation that would confirm that officer discipline is not a subject that can or should be negotiated with the union.

TIMELINE

▶ 1. The PBA contract and related documents have been published on www.syracusepolice.org and www.ourcity.syrgov.net/policerelations;

Pass legislation to strengthen and enhance the Syracuse Citizens Review Board such that its recommendations for sustained findings are enforceable, while maintaining the board as a citizen driven accountability board;

THE WALSH ADMINISTRATION **MUST DEFER** TO THE COMMON COUNCIL FOR THIS DEMAND.
In accordance with the June 19 Executive Order (Action #12), the Administration committed to:
Continue to improve collaboration with the Syracuse Citizen Review Board (CRB) to ensure the flow of documents and information as embodied in Local Law No. 11; Reviewing the disciplinary recommendations presented by the CRB prior to making a final determination of discipline of an officer; and, In cases where the Chief issues no discipline, or discipline that is lesser than is that recommended by the CRB, provide to the CRB a written explanation of the reason for such level of discipline or lack thereof.

The Citizen Review Board (CRB) was created by the Common Council via Local Law, and is overseen by the Common Council. Changes to the Council-created CRB require legislative action. During the live streamed meeting with PAFPR July 2, 2020, Council President Hudson stated that she would convene a meeting between PAFPR representatives and the Common Council.

We defer to the Common Council regarding this action.

The Administration has worked and will continue to work with the CRB to improve process, communication and cooperation between the CRB and SPD.

TIMELINE

▶ 1. Implementation of the Executive Order (Action #12) will be completed by August 14, 2020.

Demilitarize the SPD and use the Ferguson Report as a guide and minimum standard;

THE WALSH ADMINISTRATION **AGREES** WITH THIS DEMAND.
In accordance with the June 19 Executive Order (Action #6), the Administration committed to:

a) *Conduct a complete inventory of all equipment acquired through military surplus programs that are in possession of the SPD;*
b) *Establish policies and procedures regarding the use of such equipment; and*
c) *Establish parameters for future procurement of such equipment.*

Information and data in response to questions posed at the July 2, 2020 meeting regarding military surplus equipment and unmanned systems (drone) operations in accordance with the 2013 Common Council resolution will be addressed as components of policy development and implemented as follows:

TIMELINE

- 1. Inventory of equipment will be completed by September 15, 2020;
- 2. Deployment Policy and Procedures will be completed by December 1, 2020;
- 3. Procurement Policy will be completed by December 1, 2020.

Redirect resources away from SPD to reinvest in human and other services, and reduce the oversized role policing has in our community;

THE WALSH ADMINISTRATION **AGREES** WITH THIS DEMAND **WITH CLARIFICATIONS.**
In accordance with the June 19 Executive Order (Action #15), the Administration committed to:
Research and consider innovative, community-based strategies for responding to non-criminal calls, with a goal of shifting the paradigm from primary police response, to response by non-police professionals in relevant fields.

The current SPD budget funds police response to a wide range of situations, from high priority violent conflicts, to investigations of criminal activity, to domestic disputes and mental health issues. The Administration recognizes that the core focus of SPD must be on law enforcement; and that other city departments and community agencies are better equipped to manage and resolve non-criminal activities. Accordingly, we are committed to moving responsibilities and, where appropriate, spending allocations from SPD to those best able to achieve results. These efforts include but are not limited to:

- Identify current police responses eligible for non-police response which may include but are not limited to: homelessness, non-criminal mental illness, noise violations, nuisance abatement, and traffic violations.
- Continued work with Onondaga County to expand the current Crisis Intervention Training to enable informed, safe encounters with citizens with mental health afflictions, substance use and/or developmental disabilities.
- Identify and implement best practice models for alternative policing, which may include but is not limited to Eugene's **Crisis Assistance Helping Out On The Streets (CAHOOTS)** model, **Denver's Alliance for Street Health Response**, and Oakland's **Mobile Assistance Community Responders** (MACRO) model.
- Continue to fund the Trauma Response Team, and other local programs.

The Administration also recognizes that citizens must have a voice in city spending and that the annual budgeting process may appear to be complicated. Taxpayers deserve an accessible and comprehensive path to financial transparency and accountability.

The Budget and Finance Departments will deploy a participatory budgeting tool both online and, if possible, in-person. The initial focus will be on SPD funding and the entire city budget will be included when Fiscal Year 2022 planning begins.

The participatory tool will allow residents to clearly see how spending is currently allocated and to voice their opinion on changes that should be made, recognizing that the final budget is ultimately approved by the Common Council. Additionally, the participatory budgeting tool will provide the mechanism to identify alternative policy options such as those identified and apply tangible cost parameters.

It is important to acknowledge the City's fiscal position as a result of COVID-19. The pandemic is projected to reduce revenues (driven largely by sales tax reductions) by as much as $35 million over two fiscal years. Under the contingency budget plans for expense reductions being considered, all city departments including SPD will see a significant reduction in their budgets. These cuts will in turn reduce funds available for reallocation.

TIMELINE

▶ 1. Identify SPD responsibilities and, where appropriate, spending reallocations and initiate participatory budget planning to begin December 1, 2020.

Research, draft, introduce and pass legislation for public oversight of surveillance technologies, including but not limited to a ban on biometric and facial recognition technologies;

THE WALSH ADMINISTRATION **AGREES** WITH THIS DEMAND.

The Administration will issue a Surveillance Technology Executive Order to: *Institute a policy requiring all departments to bring potential surveillance technology before the Common Council for review and approval prior to the procurement process.*

A committee of both internal and external stakeholders will be established to review any proposed technologies that may fit the criteria of surveillance. Proposed technologies will be subject to a multi-step process including a public comment period, and will ultimately conclude with a vote by the Common Council prior to the procurement process. The goal of this process is to ensure that proposed surveillance technology travels through a comprehensive evaluation process which considers public input.

TIMELINE

▶ 1. A Surveillance Technology Executive Order will be issued by December 1, 2020.

Work with the Syracuse City School District to remove all school resources officers out of schools, and invest savings in counselors and other supportive staff.

THE WALSH ADMINISTRATION **MUST DEFER** TO THE SYRACUSE CITY SCHOOL DISTRICT ON THIS DEMAND.

In accordance with June 19 Executive Order (Action #16), the Administration committed to: *Develop and implement, in coordination with the Syracuse City School District, a new model for school safety and security.*

TIMELINE

▶ 1. The Syracuse City School District (SCSD) will conduct a remote work session Wednesday July 22, 2020 at 4:30 p.m. to discuss the topic of School Resource Officers (SROs) in schools. The Walsh Administration commits to meet with SCSD officials during the week of August 3rd to discuss the outcomes of the July 22 session and determine next steps in the process of establishing a new safety and security model.

Appendix D
Right to Know Law (10/13/2020)

General Ordinance No. 34 2020

GENERAL ORDINANCE AMENDING CHAPTER 19, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF SYRACUSE, AS AMENDED, ENTITLED POLICE DEPARTMENT, TO CREATE A NEW SECTION 19-9 TO BE ENTITLED RIGHT TO KNOW

BE IT ORDAINED, that Chapter 19 of the Revised General Ordinances of the City of Syracuse, as amended, entitled Police Department is hereby amended to add a new Section 19-9 that shall read as follows:

Section 19-9. Right to Know

Declaration of Legislative Intent and Findings. WHEREAS, the Common Council finds that people of and in the City of Syracuse are unaware of their constitutional right to privacy when interacting with law enforcement officers. The Council further finds that mistrust of law enforcement officers based on real or perceived discrimination hinders law enforcement efforts and is a threat to public safety. In adopting this law, it is the intention of the Common Council to protect the peoples of and in the City of Syracuse's constitutional rights by instituting an affirmative obligation on law enforcement officers to inform those people of their privacy rights when being searched by the police, and to create greater transparency in law enforcement practices. It is also the intention of the Common Council to increase transparency in police practices and to build trust between police officers and members of the public by providing the public with notice of the reasons behind their encounters with the police, and a written record of their interactions with the police in situations that do not result in an arrest or summons. In doing so, it is the Common Council's intention to protect the personal privacy of all people within its

borders, to shield police officers from false claims of wrongdoing, to contribute to the efficiency and effectiveness of our criminal justice system, and to rebuild trust between the Syracuse Police Department and the residents they are sworn to serve.

Chapter 19 of the Revised General Ordinances of the City of Syracuse is hereby amended to read as follows:

Sec. 19-9.- Right to Know

(a) *Definitions.* As used in this section the following words shall have the following meanings:

Department. The terms "department" shall mean the police department of the City of Syracuse.

Law enforcement activity. The term "law enforcement activity" means any of the following activities when conducted by an officer:

1. Noncustodial questioning of individuals;
2. Stops where an officer has an individualized, reasonable suspicion that the person stopped has committed, is committing, or is about to commit a crime and where a reasonable person would not feel free to end the encounter at will;
3. Frisks;
4. Searches of persons or property, including vehicles;
5. Roadblock or checkpoint stops,
6. Home searches;

7. Investigatory questioning of victims or witnesses to crimes; and

8. Traffic stops.

Noncustodial questioning. The term "noncustodial questioning" means the questioning of an individual during an investigation into criminal activity, where such individual has not been detained and is free to end the encounter at will.

Officer. The term "officer" means a sworn police officer of the department.

(b) Upon initiation of a law enforcement activity, an officer shall:

1. Identify himself or herself to the person who is the subject of such law enforcement activity by providing his or her name, rank and command;

2. Provide to such person an explanation of the reason for such law enforcement activity;

(c) At the conclusion of a law enforcement activity that does not result in an arrest or summons, the officer shall:

1. Offer a business card to such person provided that where such person is a minor, the officer shall offer such a business card to the minor or, if present at the scene, to a parent, legal guardian, or responsible adult;

2. Offer to provide to such person the information set forth in paragraph 1 of subdivision b on a hand-written card, when such officer does not have an adequate number of pre-

printed business cards on his or her person at the time of such law enforcement activity; and

3. Offer to provide to such person the information set forth in paragraph 1 of subdivision b verbally and allow sufficient time for such person to record such information when such officer does not have an adequate number of pre-printed business cards or hand-written cards on his or her person at the time of such law enforcement activity.

(d) Notwithstanding the provisions of subdivision c, an officer shall offer a business card to any person requesting identifying information, or provide such information verbally to such person and allow such person sufficient time for such person to record such information when such officer does not have an adequate number of pre-printed business cards or hand-written cards on his or her person at the time of such law enforcement activity.

(e) The Chief of Police, or the Commissioner of Public Safety, shall develop a plan to ensure that officers have an adequate number of business cards prior to engaging in any law enforcement activity and that such cards be replenished within 30 business days after such cards become available.

(f) Any business cards used by an officer to identify himself or herself to a person who is the subject of law enforcement activity shall be pre-printed and include, at a minimum:

1. The name, rank, shield number, and command of such officer; and

2. The address and phone number for the citizen review board and an indication that the subject of the law enforcement activity may contact the citizen review board to submit comments or complaints about the encounter.

3. The address and phone number for the department's internal affairs unit and an indication that the subject of the law enforcement activity may contact the internal affairs unit to submit a complaint about the encounter.

(g) The Chief of Police or the Commissioner of Public Safety shall develop and provide policy, rules and regulations for its officers, whether in uniform or civilian clothing, with respect to obtaining voluntary, knowing, and intelligent consent prior to the search of a person, or a person's vehicle, home or property, for a search that is based solely on a person's consent to such search, when such search is not conducted pursuant to a warrant, any other exception to the warrant requirement under applicable law, or probable cause, or when such search is not incident to a lawful arrest. Such guidance shall specify conduct for:

1. Articulating, using plain and simple language delivered in a non-threating manner, that the person who is subject of the search is being asked to voluntarily, knowingly, and intelligently consent to such search, and explaining that such search will not be conducted if such person refuses to provide consent to such search;

2. Securing such consent without threats or promises of any kind being made to such person;

3. Affirming that such person understands the information communicated pursuant to paragraph 1;

4. Refraining from conducting such search where such consent has not been obtained; and

5. Utilizing interpretation services when seeking consent to conduct a search of a person with limited English proficiency or such person's vehicle, home, or property, including but not limited to the use of bilingual officers and telephonic interpretation, prior to conducting such search.

(h) An officer who seeks consent to conduct a search that is subject to the policy, rules and regulations developed and provided pursuant to subdivision (g) shall:

1. Create an audio and/or video record of the information communicated pursuant to such guidance and such person's response to such information, or a written record reflecting the information communicated pursuant to such guidance to be signed by the person if such person understands the information and consents to a search unless the person refuses to sign. Any such refusal must be documented by the officer;

2. Document the time, location, and date of such search, and the apparent race/ethnicity, gender, and age of the person who was the subject of such search, and such officer's name, command, and shield number; and

3. Provide the person who is the subject of the search written instructions on how to obtain a copy of such record created pursuant to paragraph 1 of this subdivision. Upon receiving a request from such person for a copy of such record, the department shall acknowledge receipt of such request within 5 business days of receiving such request. Such acknowledgement shall include a date by which the department will provide such record or the basis for the denial of such request, provided that such date shall not be longer than 45 days from the date of receipt of such request. If the department is unable to provide such copy or denial to such person within 45 days due to extenuating circumstances, it shall provide such record or denial within 15 days of such 45 days and provide the basis of such circumstances.

(i) Notwithstanding any other provision in this section, an officer shall not be required to comply with this section where:

1. Such officer is engaged in an approved undercover activity or operation, and law enforcement activity is taken pursuant to such undercover activity or operation; or
2. An emergency exists requiring immediate action by the officer to respond to an imminent and substantial risk of physical injury to the officer or any other person or imminent and substantial damage to property, or to forestall the imminent escape of a suspect or imminent destruction of evidence.

3. During searches predicated upon entrance to a public building or facility, location, event or gathering, and where such person's entrance into any such location constitutes implied consent to be searched under an exception to the warrant requirement.

(j) Nothing in this section or in the implementation thereof shall be construed to restrict or limit any activity or proceeding regulated by the criminal procedure law or any other state law.

(k) The Chief of Police or the Commissioner of Public Safety shall develop rules and regulations to enforce compliance with this section.

(l) Commencing within 30 days of the end of the quarter beginning on January 1, 2021, and within 30 days of the end of every quarter thereafter, the department shall post on its website a report of the data collected pursuant to paragraph 2 of subdivision (h), specifically the total number of consent searches conducted during the preceding quarter disaggregated by the apparent race/ethnicity, gender, and age of the person searched; and the total number of instances where an officer sought to obtain a consent to search but did not obtain consent to search during the preceding quarter disaggregated by the apparent race/ethnicity, gender, and age of the person from whom such consent was sought.

(m) Severability. If any portion of this General Ordinance is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the

validity of the remaining portions of this general ordinance, which remaining portions shall continue in full force and effect.

§19-10. Reporting on Investigative Encounters

(a) Definitions. As used in this section, the following terms have the following meanings:

1. Level one investigative encounter. The term "level one investigative encounter" means an officer's request for information based on an objective credible reason to approach.

2. Level two investigative encounter. The term "level two investigative encounter" means a common law right of inquiry based on an officer's founded suspicion that criminal activity is afoot.

3. Level three investigative encounter. The term "level three investigative encounter" means a stop and/or frisk based on an officer's reasonable suspicion that an individual has committed, is committing or is about to commit a felony or misdemeanor.

4. Officer. The term "officer" means a peace officer or police officer as defined in the Criminal Procedure Law who is employed by the city of Syracuse.

(b) Commencing within 30 days of the quarter beginning on January 1, 2021, and within 30 days of the end of every quarter thereafter, the police chief or commissioner of public safety shall

submit to the council and the mayor and post to the department's website a report containing the following information concerning investigative encounters conducted by officers for the previous quarter:

1. The total number of level one investigative encounters based on objective credible reasons that escalated to a level two or three investigative encounter;

2. The total number of level two investigative encounters based on founded suspicion; and

3. The total number of level three investigative encounters based on reasonable suspicion.

(c) The information required pursuant to subdivision a shall be disaggregated by precinct and further disaggregated by:

1. The apparent race/ethnicity, gender, and age of the person involved;

2. The number of persons from whom an officer requested consent to search, further disaggregated by whether consent was granted or declined;

3. The number of persons arrested or issued a criminal or civil summons;

4. The factors leading to the investigative encounter; and

5. Whether a use of force incident occurred in connection with the encounter.

(d) The information required pursuant to this section shall be stored permanently and shall be accessible from the department's website, and shall be provided in a format that permits

automated processing. Each report shall include a comparison of the current reporting period to the prior four reporting periods, where such information is available.

(e) The Chief of Police or the Commissioner of Public Safety shall develop rules and regulations to enforce compliance with this section.

(f) Severability. If any portion of this General Ordinance is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this general ordinance, which remaining portions shall continue in full force and effect.

and

BE IT FURTHER ORDAINED, that this ordinance shall take effect December 14, 2020; and

BE IT FURTHER ORDAINED, that all Sections of Chapter 19 of the Revised General Ordinances, as amended not expressly revised by this ordinance shall remain in full force and effect as written.

Appendix E

Appendix E
Draft Use of Force Policy (10/15/2020)

Syracuse Police Department

Use of Force (Draft Policy)

Use of Force (Draft)

300.1 PURPOSE AND SCOPE

A. This policy provides guidelines on the reasonable use of force. The authority to use force is a matter of critical concern, both to the public and to the law enforcement community, and is a serious responsibility that must be exercised judiciously. Officers are involved on a daily basis in numerous and varied interactions and, when necessary, may use objectively reasonable force in carrying out their duties consistent with the parameters outlined in this Use of Force Policy.

B. All officers are obligated to guide their actions according to their training and this policy, whose core principles include commitment to the utmost respect for the **sanctity and dignity of human life**, employment of **de-escalation** whenever safe and feasible, the **duty to intervene** when witnessing the use of excessive force, the preservation and advancement of **community trust and public safety**, and adherence to **constitutional principles**. In granting officers the authority to use reasonable force, the Department acknowledges its responsibility to train, monitor and evaluate officers to ensure awareness of the use of force authorizations and limitations set forth in this policy.

C. Violations of this Policy will lead to corrective action and/or discipline, up to and including termination of employment.

300.2 DEFINITIONS

Definitions related to this policy include:

A. **Deadly Force** - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury. This includes force that, under the circumstances, is readily capable of causing death or serious physical injury.

B. **De-escalation** - Taking action or communicating, verbally or non-verbally, during a potential force encounter in an attempt to reduce the intensity of conflict, stabilize a situation or reduce the immediacy of a threat so that more time, options, and

resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary.

c. **Safe and Feasible** - Reasonably capable of being carried out under the circumstances to successfully achieve the lawful objective or arrest without increasing risk to the officer or another person.

D. **Force** - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained

E. **Imminent** - Ready to take place; approaching; impending. Note that imminent does not mean immediate or instantaneous.

F. **Intervene** - To verbally or physically interact with another officer so as to prevent or alter a result or course of events.

G. **Objectively Reasonable -** An objective standard used to judge an officer's actions. Under this standard, a particular application of force must be judged through the perspective of a reasonable officer facing the same set of circumstances, without the benefit of 20/20 hindsight, and be based on the totality of the circumstances that are known to that officer at the time the force was used.

H. **Necessary** - Force is necessary if it is required in order to make an arrest, investigatory stop, or lawful detention and it is objectively reasonable given the totality of circumstances known to a reasonable officer on the scene.

I. **Reasonable Belief** - Those facts and circumstances within the knowledge of the individual which would make a reasonable and prudent person tend to believe that the facts and circumstances are true.

J. **Serious Physical Injury** - Physical injury that creates a substantial risk of death or causes death or serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ. (NY Penal Law § 10.00(10))

K. **Totality of the Circumstances** - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

300.3 DE-ESCALATION

A. Officers shall use de-escalation techniques and tactics when it is safe and feasible to do so under the totality of the circumstances, consistent with the officer's training. Not every potential violent confrontation can be de-escalated, but officers have the ability to impact the direction and the outcome of many situations they encounter, based on their decision-making, and the tactics they choose to employ. De-escalation applies to all encounters between officers and the public, not only those that involve force.

B. De-escalation may include the use of techniques and tactics, both verbal and non-verbal, such as verbal persuasion, body posture, command presence, commands or warnings, tactical repositioning, or any tactic or force option that in the officer's reasoned judgment is likely to result in a lower level of force being used to accomplish the objective at hand.

C. Officers are not expected to compromise safety in order to de-escalate a situation if it is likely to result in harm to the officer or others.

300.4 DUTY TO INTERVENE AND REPORT

A. Any officer on the scene, who is in possession of all necessary facts, who observes another officer or supervisor using force that is not objectively reasonable shall intervene when safe and feasible. Any intervention by an officer must be reported to a supervisor, who must initiate an immediate investigation.

B. Any officer who observes another officer, including a supervisor, use force that is potentially beyond that which is objectively reasonable or is against policy shall report the force to any supervisor and/or the Office of Professional Standards immediately.

300.5 USE OF FORCE

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

B. The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident, rather than with the 20/20 vision of hindsight. Officers must often make split-second decisions about the amount of force that reasonably appears necessary in a particular situation. Therefore, any evaluation of reasonableness must consider the fact that officers must assess the situation with limited information and in circumstances that are tense, uncertain and rapidly evolving.

C. Officers should continually assess the totality of the circumstances as the situation changes, and adjust the use of force appropriately to ensure the level of force remains proportionate to the perceived threat. Authorized use of force should cease when the officer reasonably perceives that the purpose necessitating the use of force has ceased.

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

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

300.6 USE OF FORCE AUTHORIZATION

A. Officers are authorized to use objectively reasonable force when necessary to accomplish lawful objectives, including:

1. Effecting an arrest, prevent escape of a person from custody, or in defense of self or others from imminent physical force;

2. Effecting an investigatory stop or detention where there is reasonable suspicion to believe that criminal conduct has occurred or is ongoing;

3. Taking subjects into protective custody, including civil custody, when authorized by law, such as persons who are a danger to themselves or others or persons incapacitated by intoxicating agents;

4. Preventing a subject from committing suicide or inflicting serious physical injury upon themselves, provided the force shall not rise to the level of deadly physical force;

5. Assisting a licensed medical provider in providing necessary medical treatment;

6. Overcoming resistance to a lawful police order following a verbal warning.

300.7 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

A. When determining whether de-escalation is safe and feasible, whether or not to apply force, and the amount and type of force that is reasonable and necessary, the following factors should be taken into consideration, including:

1. The immediacy and severity of the threat to officers or others, including the potential for injury to officers and others;

2. The seriousness of the suspected offense or reason for contact with the subject;

3. The level of the subject's resistance, whether the subject is attempting to evade arrest by flight, or is attacking the officer;

4. Dynamics between the officer and subject (e.g., age, size, physical condition, skill level, injuries sustained, level of exhaustion or fatigue, the length or duration of the encounter, the number of officers available vs. Subjects, etc.);

5. Whether the subject exhibits any pre-assault indicators, such as verbal aggression, posture change, physiological changes consistent with stressor events, target glance, undirected over-compliance, aggression directed at another person or an inanimate object, kinetic body movements, physical non-compliance, defensive or offensive physical posturing, or any combination;

6. A subject's escalation of verbal, physical, or emotional response;

7. The relative physical leverage, or position of physical advantage or disadvantage, created by the proximity or positioning of the officer and subject;

8. Nature and/or location of the incident, including whether a domestic disturbance or dispute is involved;

9. Unique characteristics of the subject, including their mental state or capacity; whether they exhibit any effects of drug or alcohol use; their ability to understand and comply with officer commands; and whether they are a member of a vulnerable class (child, elderly, disabled, visibly pregnancy)

10. The subject's proximity of weapons or dangerous improvised devices;

11. The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained;

12. The availability of other options and their possible effectiveness;

13. The risk and reasonably foreseeable consequences of escape;

14. The apparent need for immediate control of the subject or a prompt resolution of the situation;

15. Whether the subject's conduct no longer reasonably appears to pose an imminent threat to the officer or others;

16. Environmental factors, for example, elevation, lighting, spatial confinement, weather, presence and proximity of others;

17. Prior contacts and whether the subject is known to have a propensity for violence;

18. Any other exigent circumstances, which include such circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts;

19. Any other conclusions that can be drawn about the subject, circumstances, or environment, which a reasonable officer perceives as a result of training or experience to pose a threat of harm.

300.8 PROHIBITED USES OF FORCE

A. Generally, officers must cease using force when the officer reasonably perceives that the purpose necessitating the use of force has ended, and must continually assess the situation and changing circumstances, and adjust or discontinue the use of force appropriately.

B. In addition, force shall not be used in the following circumstances:

1. To coerce a confession from a subject.

2. To obtain physical evidence from a subject for the purpose of scientific testing, absent a court order.

3. Against subjects who are handcuffed or restrained unless it is necessary to prevent injury or escape, or to otherwise overcome resistance posed by the subject.

4. To torture, unlawfully coerce or punish a subject.

5. To attempt to remove or extract evidence from a subject who has orally injected the evidence, once the subject has placed the potential evidence in his/her mouth.

   ***NOTE*:** An officer may use reasonable force to *prevent* the person from placing the evidence or contraband in their mouth, but such force must cease once evidence/contraband is in the mouth. Once a subject has ingested potentially harmful evidence such as narcotics, an officer shall request immediate medical attention.

6. To extract an item from the body or cavity of a subject without a warrant, except where exigent circumstances are present (for body cavity searches see the Strip Searches and Body Cavity Searches policy, Volume 1, Article 73, Section 73.14).

C. For additional limitations and prohibitions related to the use of deadly force, refer to Section 300.10 below.

300.9 USE OF DEADLY FORCE

A. Deadly force is a measure to be employed only in the most extreme circumstances. An officer may use deadly force only when it is objectively reasonable under the totality of the circumstances.

B. Use of deadly force is considered objectively reasonable when:

   1. The officer reasonably believes or perceives the subject has a weapon or is attempting to access a weapon and it is reasonable to believe the subject intends to use it against the officer or third person(s).

   2. The officer reasonably believes or perceives the subject is capable of causing serious bodily harm or death to the officer or third person(s) even in the absence of a weapon and it is reasonable to believe the subject intends to do so.

   3. It is necessary to protect the officer or third person(s) from what is reasonably believed or perceived to be an imminent threat of death or serious bodily harm.

   4. It is necessary to prevent the escape of a fleeing subject when the officer has probable cause to believe that the subject has committed, or intends to commit, a felony involving serious bodily harm or death and the officer reasonably

believes that there is an imminent risk of serious bodily harm or death to the officer or third person(s) if the subject is not immediately apprehended.

C. Officers shall warn of their intent to use deadly force where safe and feasible.

300.10 DEADLY FORCE LIMITATIONS AND PROHIBITIONS

A. **Chokeholds**: The Department bans the use of chokeholds as a police practice in a manner consistent with the conduct prohibited by NY Penal Law §121.13-A. A chokehold is defined as either (i) a technique that applies pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air (NY Exec. Law §837-t); or (ii) a technique that applies pressure on the throat or neck of such person or blocks the nose or mouth of such person with intent to impede the normal breathing or circulation of the blood of another person (NY Penal Law §121.11).

B. **Property Destruction**: Officers shall not use deadly force against subjects to prevent the destruction of property.

C. **Warning Shots**: Officers shall not fire warning shots.

D. **Drawing or Displaying Weapons**: Officers may only draw and display firearms where there is a reasonable belief there is a possibility of danger to the officer or others, or to ensure the safety of any person.

E. **Shooting at a Moving Vehicle**: Discharging a firearm at a moving vehicle is prohibited unless an officer reasonably believes or perceives that any occupant(s) of the vehicle are using or are about to use deadly force against the officer or another person, and the officer reasonably believes there are no other reasonable means available to avert the threat posed by the vehicle or its occupants. Due to the inherent danger of this tactic, the following additional guidance applies:

    1. When confronted by an oncoming vehicle, officers should not position themselves in the path of the vehicle, and should make every attempt to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

    2. Officers should not discharge their firearm at a vehicle when it is reasonable to believe that the vehicle may contain an innocent occupant or when it is reasonably foreseeable that doing so may cause the vehicle to careen out of control and injure an innocent bystander.

3. Officers should not discharge their firearms at any part of a vehicle in an attempt to disable the vehicle.

F. **Shooting from a Moving Vehicle**: Discharging a firearm from a moving vehicle is prohibited unless an officer reasonably believes or perceives that the subject is using or is about to use deadly force against the officer or another person, and the officer reasonably believes there are no other reasonable means available to avert the threat posed by the subject.

300.11 REPORTING THE USE OF FORCE

A. All officers involved in a use of force incident shall immediately inform a supervisor of the event. Any use of force by an officer shall be documented promptly, completely, and accurately in an appropriate report prepared by a supervisor according to the Department's Use of Force Reporting Procedures. The officer should articulate the factors perceived and why the officer believed the use of force was reasonable under the circumstances.

B. Upon notification of a use of force incident, a supervisor shall immediately respond to the scene and conduct an investigation as set forth in the Use of Force Reporting Procedures.

C. To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law.

D. All officers involved in a use of force incident, investigating supervisors, evidence technicians collecting evidence of a use of force incident, and command personnel, where appropriate, shall comply with the Department's Use of Force Reporting Procedures.

300.12 MEDICAL TREATMENT / EVALUATION

A. Once it is reasonably safe to do so, officers shall immediately request medical assistance for any person who exhibits signs of physical or mental distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious.

B. An officer should take steps to obtain medical attention for a person who reasonably appears to be mentally ill and is behaving in a manner that is likely to result in serious harm to the person or to others.

C. Any individual exhibiting signs of physical or mental distress after an encounter should be continuously monitored until the individual can be medically assessed.

D. Individuals shall not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

E. Officers shall render emergency first aid within the limits of their individual skills, training and available equipment until professional medical care providers arrive on the scene

F. The on-scene supervisor or, if the on-scene supervisor is not available, the primary officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force.

G. Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons shall be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage nearby if the scene is not yet secure.

H. Officers should document requests for medical or mental health treatment, refusals of medical or mental health treatment, as well as efforts to arrange for such treatment. Any refusal, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

I. The on-scene supervisor shall notify the Duty Chief through the chain of command where any subject requires treatment at a hospital.

300.13 TRAINING

A. Officers will receive annual in-service training on this policy and demonstrate their knowledge and understanding.

B. Subject to available resources, officers should receive periodic training on:

1. Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.

2. De-escalation tactics, including alternatives to force.
3. Application of use of force and conflict strategies as required by the New York State Use of Force Model Policy (Executive Law § 840).
4. Firearms qualification, proficiency and training, defensive tactics, constitutional use of force principles, threat assessment, reality-based training, Taser training, and verbal and non-verbal communication skills.

300.14 USE OF FORCE ANALYSIS

At least annually, the Department should prepare an analysis of use of force incidents. The analysis should be submitted to the Chief of Police. The analysis should include a needs assessment and provide recommendations regarding training, equipment, and policy. The analysis should not contain the names of officers, suspects, or case numbers.

300.15 POLICY AVAILABILITY

This policy shall be readily available to the public upon request and shall be posted on the department website.

300.16 PROHIBITED USE OF POLICY

This policy is for internal use only to provide operational guideposts and does not, and is not intended to, define any applicable legal standard, but in many instances defines conduct that exceeds current standards. Nothing in this policy is intended to create or does create an enforceable legal right, duty of care, or private right of action. Any corrective action or discipline taken in response to violation of this policy is subject to the exclusive discretion of the Office of the Chief of Police.

Appendix F

Appendix F
Draft Body Worn Camera Policy (10/15/2020)

BODY WORN CAMERAS (Draft)

424.1 PURPOSE AND SCOPE

A. This policy provides guidelines for the use of Body Worn Cameras ("BWCs") by Officers of the Syracuse Police Department (the "Department") while in the performance of their duties.

B. The goal of the BWC program is to enhance public trust in the Department by providing greater transparency into officer actions. Recording law enforcement interactions between officers and members of the public provides valuable information for officer accountability and effective criminal investigations.

C. This policy does not apply to mobile audio/video recordings, dashboard cameras, interviews or interrogations conducted at any Department facility, authorized undercover operations, wiretaps or concealed listening devices.

424.2 POLICY

A. The Department will assign each officer in the Uniform Bureau, including Sergeants, with a BWC for use during the performance of their duties.

B. For purposes of this policy, a law enforcement activity is any activity where the officer is on duty and is pursuing a law enforcement objective or purpose. Law enforcement activities generally include activities such as calls for service, detentions/stops of persons and vehicles, field interviews, service of warrants, arrests, transports, pursuits, all investigatory activities, and any use of force. Law enforcement activities do not include administrative duty time or on-duty activities that do not involve civilian interaction, except as otherwise specified in this policy.

B. An officer assigned to secondary employment is considered on duty for purpose of this policy, and shall use the Department-assigned BWC during the secondary employment shift consistent with this policy.

424.3 OFFICER RESPONSIBILITIES

A. Prior to going into service, each officer is responsible for ensuring that the officer is equipped with their assigned BWC, and that the BWC is charged and in good working order. If the BWC is not in working order or if the officer becomes aware of a malfunction

at any time, the officer shall promptly report the failure to their supervisor and obtain a functioning device as soon as reasonably practicable. The supervisor shall document any instance where an officer is on-duty without an operational BWC in an Interdepartmental Memo.

B. Officers shall wear the BWC in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

C. Officers assigned a BWC shall turn the device into the ON position for the officer's entire shift.

D. Officers shall document the existence of a recording in any report or other official record of the contact, including any instance where the BWC malfunctioned or the officer de-activated the recording. Officers shall include the reason for de-activation.

E. Officers shall place their BWCs into docking stations at the end of their shift and shall not remove BWCs from the Department facility while off duty.

424.4 ACTIVATION OF THE BWC

A. A BWC that is in the ON position is not recording until activated. Therefore, officers must activate the BWC immediately at the start of each law enforcement activity, unless it is not safe and feasible. Where immediate activation is not safe and feasible, the officer shall activate the BWC as soon as possible.

B. Once activated, the BWC shall remain activated continuously until the entire law enforcement activity concludes, or until the situation no longer fits the criteria for activation.

C. Recording of a law enforcement activity is required even if the event is out of view of the camera.

D. The following law enforcement activities shall always be recorded:

1. Dispatched calls, starting before the officer arrives on the call to ensure adequate time to activate the BWC;
2. Vehicle and pedestrian stops;
3. On-view infractions and criminal activity;
4. Investigatory stops and arrests;
5. Other investigatory activities;
6. Searches and inventories of vehicles, persons, or premises;

7. Handling and counting of currency;
8. Transports (excluding ride-alongs and passengers for meetings);
9. Following or riding in ambulances or medic units that are transporting persons involved in an event to a medical facility;
10. Vehicle and foot pursuits;
11. Questioning victims, suspects, or witnesses (This does not include conversations with persons merely wishing to pass on information about general criminal activity not tied to a specific event);
12. Interviews by supervisors in the course of a use of force investigation.

E. Recording may be stopped during administrative duty time including significant periods of inactivity such as report writing or other prolonged breaks where the officer is not directly participating or interacting with the public.

424.5 ACTIVATION DURING SPECIAL OPERATIONS

A. Officers shall activate BWCs during raids, search warrant executions, and arrest warrant executions, and continue to record in accordance with this policy.

B. Officers assigned to crowd control situations, including protests, demonstrations, and civil disorder situations, shall record unless otherwise directed by the Chief of Police or their designee.

C. Officers assigned to a Command Post shall not record with a BWC in a Command Post.

424.6 PROTECTING PRIVACY AND DIGNITY

A. There may be circumstances when the respect for an individual's privacy or dignity outweighs the need to record a law enforcement activity. In these circumstances, the officer is permitted to exercise limited discretion to decide to not record or cease recording. This discretion may only be applied when a reasonable officer would conclude that such privacy interests outweigh any legitimate law enforcement interest in recording. Such circumstances may include natural death scenes, death notifications, child victim interviews, cultural or religious objections to being recorded, and when the use of BWC would impede or limit the cooperation of a victim or witness.

B. Requests by the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

C. An officer who exercises discretion to not record due to privacy interests shall document this decision in the incident report, and articulate the facts and circumstances that led to this decision.

424.7 RECORDING PROHIBITIONS AND LIMITATIONS

A. Officers shall not record in the interior of restrooms, jails, courtrooms, or grand jury rooms.

B. Officers shall not record in the interior of medical, mental health, counseling, or therapeutic facilities unless for the following specified law enforcement purposes:

1. Crimes in progress;
2. Taking resistant arrestees into custody;
3. Ongoing or impending use(s) of force;
4. Recording an allegation of misconduct against a member of the Department;
5. Supervisor interviews or arrestees for use of force investigations and arrest screenings.

C. Officers shall not record a victim of a sex offense.

D. Officers assigned to the Emergency Response Team (ERT) (e.g. SWAT, Bomb Unit, Crisis Response Unit etc.) shall not record operational briefings unless directed by a supervisor.

E. Officers may, in their discretion, choose not to record meetings or conversations with compensated confidential informants, street sources, or non-compensated informants.

F. Officers are not required to wear or use BWCs while engaged in undercover activities, decoy operations, plainclothes surveillances, or other non-uniform and covert police activities.

G. BWCs shall not be used where an explosive device may be present.

424.8 DOCUMENTATION OF BWC RECORDINGS

Officers will document the existence of pertinent BWC recordings in various Department reports and forms in accordance with training. When a BWC is utilized during a law enforcement activity, officers shall note the following statement on the first line of the narrative section of the incident report: "This incident was captured on a Body Worn Camera". Officers shall also note on the arrest and other related reports when recordings were made during the incident in question. BWC recordings are not a replacement for written reports.

424.9 PROHIBITED USE OF BWCs AND RECORDINGS

A. Officers are prohibited from using BWCs for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in an official capacity.

B. Officers are prohibited from using BWCs while off duty.

C. Officers shall not duplicate or distribute BWC recordings, except for authorized legitimate Department business purposes. All such recordings shall be retained at the Department.

D. Officers shall not post BWC recordings on the internet, social media sites, or distribute to the media, or otherwise disseminate BWC recordings in any way.

E. Officers are prohibited from using personally owned recording devices for law enforcement purposes.

F. Recordings shall not be used by any officer for the purpose of embarrassment, harassment or ridicule.

G. Officers shall not alter, tamper with, delete, damage, or destroy any BWC or BWC recording or attempt to do the same unless assigned as a BWC Program Coordinator and specifically authorized to do so by Department policy.

424.10 RETENTION OF RECORDINGS

All recordings shall be retained for the applicable period set forth in the Department's Record Retention Schedule, but in no event for a period less than 180 days.

424.11 RELEASE OF BWC FOOTAGE

Requests from outside the Department for the release of BWC recordings shall be processed in accordance with the Disclosure of BWC Recordings Procedure.

424.12 REVIEW OF BODY WORN CAMERA VIDEOS

A. Officers may review and use BWC recordings only for official Department duties, which include the following:

1. Officers may view BWC recordings from their assigned BWC if available to assist in accurate report writing.

   NOTE: The purpose of using BWC recordings in writing reports is to maximize the accuracy of the report – not to replace the officer's independent recollection and perception of an event.

2. Conducting criminal investigations;
3. Conducting supervisory duties;
4. Preparing for testimony relating to their official police duties;
5. Training upon approval of the Commanding Officer of the Training Division, the Commanding Officer of a Specialized Unit, or the Chief of Police or their designee;
6. Assist with training and evaluation in the Department's Field Training and Personnel Evaluation Programs;
7. Performing other official SPD duties as authorized by Department policy or by the Chief of Police or their designee.

B. Supervisors/Command staff may review BWC recordings:

1. To review an officer's performance and/or professional development;
2. To facilitate training of an officer;
3. To Investigate meritorious conduct or reports of misconduct.

C. Department Investigations of Officers:

1. Department personnel assigned to the Office of Professional Standards ("OPS") will be given direct access to the BWC System and are authorized to access and copy BWC recordings as needed to perform their duties.

   NOTE: Prior to being disciplined for performance issues or misconduct, officers will be permitted to view any BWC footage that was used by the Department in its investigation of the conduct, as well as specific BWC footage that the Officer believes is reasonably related to their performance issue or misconduct that is the subject of the Department investigation.

424.13 PROGRAM & POLICY COMPLIANCE

A. At least on a monthly basis, command officers or supervisors will randomly review five BWC recordings per subordinate to ensure that the equipment is operating properly, that the officers are using the devices appropriately and in accordance with policy, and to identify and document any areas in which additional training or guidance is required.

B. If any deviation from policy is discovered, the supervisor's findings will be documented on an Inter-Department Memo and forwarded up the chain of command.

424.14 OFFICER PRIVACY EXPECTATION

All recordings made by officers on any Department-issued device at any time, and any recording made while acting in an official capacity of this Department, regardless of ownership of the

device it was made on, shall remain the property of the Department. Officers shall have no expectation of privacy or ownership interest in the content of these recordings.

424.15 BWC PROGRAM COORDINATOR

A. The Chief of Police or the authorized designee will designate a coordinator responsible for:

1. Establishing procedures for the security, storage and maintenance of data and recordings;
2. Establishing procedures for accessing data and recordings;
3. Establishing procedures for logging or auditing access;
4. Establishing procedures for transferring, downloading, tagging or marking events.

Appendix G

Appendix G

Vehicle Pursuit Policy (2020)

Vehicle Pursuits

307.1 PURPOSE AND SCOPE

Best Practice | MODIFIED | NYSLEAP - 8.4 - 43.4

The purpose of this policy is to establish Departmental procedures governing vehicle pursuits, pursuit tactics and the use of roadblocks. Syracuse police officers have the sworn responsibility to protect the life and property of all persons within the City of Syracuse and to apprehend law violators. Indiscriminate and uncontrolled vehicle pursuits for the purpose of apprehending fleeing subjects violates this sworn responsibility by endangering the life of the officer, the suspect being pursued, other drivers, the public and property. Given that no policy can realistically predict every possible situation an officer might encounter, members are entrusted to use well-reasoned discretion when operating in a pursuit, and shall operate with due regard to the safety of the public.

It is the policy of the Syracuse Police Department that vehicle pursuits shall be limited to those instances when, in the officer's judgment, the danger created by the possible escape of the fleeing suspect outweighs the danger created by a pursuit, and no reasonable alternative exists.

307.1.1 DEFINITIONS

Best Practice | MODIFIED | NYSLEAP - 8.4 - 43.5

Definitions related to this policy include:

Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more pursuing vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary road block.

Boxing-in - A tactic designed to stop a suspect's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Ramming - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

Roadblocks - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles.

Tire deflation device - A device designed to puncture the tires of the pursued vehicle. This controlled deflation will cause a reduction in speed, thus allowing the pursuing officers to gain control over the suspect.

Trail - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

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Vehicle pursuit - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly or driving in a legal manner but willfully failing to yield to an officer's emergency signal to stop.

307.2 POLICY

Best Practice MODIFIED

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits, however, given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining when it is appropriate to initiate or terminate a pursuit as well as the tactics used during the pursuit.

307.3 OFFICER RESPONSIBILITIES

State MODIFIED

Vehicle pursuits should only be conducted using authorized police department emergency vehicles that are equipped with emergency lighting and sirens.

Officers shall drive with reasonable care for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (Vehicle and Traffic Law § 1104):

(a) Stop, stand or park in violation of the rules of the road.

(b) Proceed past a steady red signal, a flashing red signal or a stop sign, but only after slowing down as may be necessary for safe operation and it is clear and safe to proceed.

(c) Exceed the maximum speed limits so long as life and property are not endangered.

(d) Disregard vehicle and traffic regulations except for those specifically forbidden under this policy.

307.3.1 WHEN TO INITIATE A PURSUIT

Best Practice MODIFIED NYSLEAP - 8.4 - 43.4 (A)

A member is authorized to engage in a motor vehicle pursuit if the officer reasonably believes that the suspect has committed or is about to commit any felony or a violent misdemeanor against a person.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

(a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.

(b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.

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(c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.

(d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and 911 center dispatchers/ supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.

(e) Whether weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.

(f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.

(g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.

(h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.

(i) Vehicle speeds.

(j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).

(k) The availability of other resources, such as air support assistance.

(l) Whether the pursuing vehicle is carrying passengers other than on-duty police officers. Pursuits shall not be undertaken with an arrestee in the pursuit vehicle.

307.3.2 WHEN TO TERMINATE A PURSUIT

Best Practice | MODIFIED | NYSLEAP - 8.4 - 43.4 (G)

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

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(a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.

(b) The pursued vehicle's location is no longer definitely known.

(c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.

(d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.

(e) Hazards posed to uninvolved bystanders or motorists.

(f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.

(g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.

307.3.3 PROHIBITED ACTIONS

Agency Content

The following actions are prohibited by Members during a vehicle pursuit:

(a) Ramming suspect vehicles.

(b) Boxing in or surrounding a suspect vehicle (marked and unmarked units may be used to box in an unaware suspect in order to avoid a pursuit).

(c) Overtaking, driving next to, or forcing suspect vehicles off the roadway.

(d) Creating roadblocks. Roadblock is defined as any method, restriction (including a partial restriction), or obstruction, used or intended for the purpose of preventing free passage of motor vehicles on a highway or street, in order to effect the apprehension of an actual or suspected violator in a motor vehicle.

(e) Discharging a firearm from a moving vehicle during an on-going pursuit.

(f) Entering an Interstate highway against the normal flow of traffic.

(g) Pursuits with an arrestee in the pursuit vehicle.

(h) Engaging in a pursuit in a specialized vehicle (i.e. evidence technician van, prisoner transport vehicle, other specialty unit vehicles).

307.4 PURSUIT VEHICLES

Best Practice

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable.

Vehicle pursuits should be limited to three police department emergency vehicles (two pursuit vehicles and the supervisor vehicle). However, the number of vehicles involved will vary with the circumstances.

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An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

307.4.1 MOTORCYCLES

Best Practice

When involved in a pursuit, police department motorcycles should be replaced by marked emergency vehicles as soon as practicable.

307.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Best Practice

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

307.4.3 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES

Best Practice MODIFIED NYSLEAP - 8.4 - 43.4 (B)

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless they are unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or others.

The primary pursuing officer should notify the 911 center dispatchers, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

(a) The location, direction of travel and estimated speed of the suspect's vehicle.

(b) The description of the suspect's vehicle including the license plate number, if known.

(c) The reason for the pursuit.

(d) The use of firearms, threat of force, violence, injuries, hostages or other unusual hazards.

(e) The number of occupants and identity or description.

(f) The weather, road and traffic conditions.

(g) The need for any additional resources or equipment.

(h) The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable,

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relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

307.4.4 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

Best Practice | MODIFIED | NYSLEAP - 8.4 - 43.4 (C)

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

(a) Immediately notifying the 911 center dispatchers of their entry into the pursuit.

(b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.

(c) Broadcasting information that the primary pursuing officer is unable to provide.

(d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.

(e) Identifying the need for additional resources or equipment as appropriate.

(f) Serving as backup to the primary pursuing officer once the suspect has been stopped.

307.5 PURSUIT DRIVING

Best Practice | MODIFIED

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for officers who are involved in the pursuit:

(a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.

(b) Because intersections can present increased risks, the following tactics should be considered:

1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.

2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.

(c) The pursuit of a vehicle on an Interstate highway against the normal flow of traffic is prohibited. If a pursued vehicle enters an Interstate highway traveling the wrong way, the primary unit will notify the dispatcher. Additional units shall be dispatched to attempt to locate the vehicle from the lane(s), with the normal flow of traffic and by covering exit/entrance ramps where the pursued vehicle may attempt to exit.

1. Request assistance from available air support.

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2. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
3. Request other officers to observe exits available to the suspect.

(d) Notify the New York State Police or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.

(e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

307.5.1 PURSUIT TRAILING

Best Practice

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

307.5.2 AIR SUPPORT ASSISTANCE

Best Practice MODIFIED

At the request of the supervisor, and when available, air support assistance may be requested. Once the air support crew has established visual contact with the pursued vehicle, they should assume communication control over the pursuit. The primary and secondary ground pursuit vehicles, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants their continued close proximity and/or involvement in the pursuit.

The air support crew should coordinate the activities of resources on the ground, report progress of the pursuit, and provide officers and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If officers on the ground are not within visual contact of the pursued vehicle and the air support crew determines that it is unsafe to continue the pursuit, the air support crew may recommend terminating the pursuit.

307.5.3 OFFICERS NOT INVOLVED IN THE PURSUIT

Best Practice

Officers who are not involved in the pursuit should remain in their assigned areas, should not parallel the pursuit route and should not become involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the police department vehicle.

Non-pursuing members needed at the pursuit termination point should respond in a non-emergency manner, observing the rules of the road.

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The primary pursuit vehicle, secondary pursuit vehicle and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

Best Practice | MODIFIED | NYSLEAP - 8.4 - 43.4 (E), 40.2

Supervisory and management control will be exercised immediately over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

(a) Immediately notifying involved officers and the 911 center dispatchers of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.

(b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.

(c) Exercising management and control of the pursuit even if not engaged in it.

(d) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.

(e) Directing that the pursuit be terminated if, in their judgment, it is not justified to continue the pursuit under the guidelines of this policy.

(f) Ensuring that assistance from air support, canines or additional resources is requested, if available and appropriate.

(g) Ensuring that the proper radio channel is being used.

(h) Ensuring that the Patrol Lieutenant is notified of the pursuit, as soon as practicable.

(i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.

(j) Controlling and managing Syracuse Police Department officers when a pursuit enters another jurisdiction.

(k) Preparing a post-pursuit review and documentation of the pursuit as required.

307.6.1 PATROL LIEUTENANT RESPONSIBILITIES

Best Practice | MODIFIED | NYSLEAP - 8.4 - 43.4 (E), 40.2

The Patrol Lieutenant shall monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Patrol Lieutenant has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Patrol Lieutenant shall review all pertinent reports for content and forward them to the Commanding Officer.

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307.7 ONONDAGA COUNTY 911 CENTER

Best Practice MODIFIED

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a patrol supervisor. If the pursuit leaves the jurisdiction of this department or such is imminent, involved officers should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies.

307.7.1 RESPONSIBILITIES

Best Practice MODIFIED NYSLEAP - 8.4 - 43.4 (D)

Upon notification or becoming aware that a pursuit has been initiated, the 911 center dispatchers are responsible for:

(a) Clearing the radio channel of non-emergency traffic.

(b) Coordinating pursuit communications of the involved officers.

(c) Broadcasting pursuit updates as well as other pertinent information as necessary.

(d) Ensuring that a field supervisor is notified of the pursuit.

(e) Notifying and coordinating with other involved or affected agencies as practicable.

(f) Notifying the Patrol Lieutenant as soon as practicable.

(g) Assigning an incident number and logging all pursuit activities.

307.8 LOSS OF PURSUED VEHICLE

Best Practice

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

307.9 INTERJURISDICTIONAL CONSIDERATIONS

Best Practice NYSLEAP - 8.4 - 43.4 (H)

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

307.9.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

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When pursuing a vehicle into another jurisdiction a supervisor will decide as to whether or not the pursuit should continue. If the pursuit is terminated the supervisor will ensure that notification is made through the 911 center to the relevant jurisdiction, including but not limited to:

(a) The reason for the pursuit

(b) The highest crime

(c) Any additional risk factors

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local law enforcement agencies, a request for another agency's assistance will be made by a supervisor monitoring the pursuit.

307.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

Best Practice MODIFIED

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency, with approval from a supervisor, and provided the pursuit complies with department policy. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Syracuse Police Department, the supervisor should consider:

(a) The public's safety within this jurisdiction.

(b) The safety of the pursuing officers.

(c) Whether the circumstances are serious enough to continue the pursuit.

(d) Whether there is adequate staffing to continue the pursuit.

(e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Patrol Lieutenant should review a request for assistance from another agency. The Patrol Lieutenant or supervisor, after considering the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, officers shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

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307.10 PURSUIT INTERVENTION

Best Practice | MODIFIED | NYSLEAP - 8.4 - 43.4 (F), 43.5

.Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, ramming or roadblock procedures.

307.10.1 WHEN USE IS AUTHORIZED

Best Practice | NYSLEAP - 8.4 - 43.4 (F)

Whenever practicable, an officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

307.10.2 USE OF FIREARMS

Best Practice | MODIFIED

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers are prohibited from discharging their firearms from their moving vehicle during an ongoing pursuit.

307.10.3 INTERVENTION STANDARDS

Best Practice | MODIFIED | NYSLEAP - 8.4 - 43.4 (F), 43.5

Tire deflation devices should be deployed only after notification of pursuing officers and the supervisor of the intent and location of the intended deployment, and in a manner that:

(a) Should reasonably only affect the pursued vehicle.

(b) Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.

(c) Takes into account the limitations of such devices as well as the potential risk to officers, the public and occupants of the pursued vehicle.

(d) Takes into account whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials or a school bus transporting children.

The tire deflation device shall not be deployed on two wheeled vehicles unless the use of deadly force can be legally justified. Only officers trained in the use of the tire deflation device are authorized to deploy it.

Members shall not engage in, nor will police vehicles be used, for the following purposes:

(a) Ramming suspect vehicles.

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(b) Boxing in or surrounding a suspect vehicle (marked and unmarked units may be used to box in an unaware suspect in order to avoid a pursuit).

(c) Overtaking, driving next to, or forcing suspect vehicles off the roadway.

(d) Creating roadblocks. Roadblock is defined as any method, restriction (including a partial restriction), or obstruction, used or intended for the purpose of preventing free passage of motor vehicles on a highway or street, in order to effect the apprehension of an actual or suspected violator in a motor vehicle.

See procedure for TIRE DEFLATION DEVICES

307.11 CAPTURE OF SUSPECTS

Best Practice

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

307.12 REPORTING REQUIREMENTS

Best Practice MODIFIED

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures.

(a) The primary pursuing officer shall complete appropriate crime/arrest reports.

(b) The supervisor shall complete a thorough investigation regarding the vehicle pursuit.

(c) Upon completion of the investigation, a Blue Team entry will be completed and forwarded to the appropriate patrol lieutenant. Contained within the Blue Team entry shall be the supervisor's findings regarding whether or not the vehicle pursuit was in accordance with department policy and training.

(d) The Blue Team entry should include, at a minimum:

1. Date and time of the pursuit.
2. Initial reason and circumstances surrounding the pursuit.
3. Length of pursuit in distance and time, including the starting and termination points.
4. Involved vehicles and officers.
5. Alleged offenses.
6. Whether a suspect was apprehended, as well as the means and methods used.

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(a) Any use of force shall be reported and documented in compliance with the Use of Force Policy.

7. Arrestee information, if applicable.
8. Any injuries and/or medical treatment.
9. Any property or equipment damage.
10. Name of supervisor at the scene or who handled the incident.

(e) Annually, the Chief of Police should direct a documented review and analysis of department vehicle pursuits to minimally include reporting procedures, policy suitability, policy compliance and training needs.

307.13 REGULAR AND PERIODIC PURSUIT TRAINING

Best Practice MODIFIED

All officers shall receive documented initial training and supplemental training on vehicle pursuits. All officers will participate, no less than annually, in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

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Appendix H

Warrants Policy (2020)

Warrant Service

607.1 PURPOSE AND SCOPE

Best Practice

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

607.2 POLICY

Best Practice MODIFIED

It is the policy of the Syracuse Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants. All warrants shall be executed pursuant to the requirements of CPL 690.

607.3 SWAT TEAM COMMANDER

Best Practice MODIFIED

The SWAT Team Commander or authorized designee (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The SWAT Team Commander or authorized designee will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

607.4 SEARCH WARRANTS

Best Practice MODIFIED

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. The officer will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor. Based on the score from the risk assessment form, the supervisor may consult with the SWAT Team Commander for review and classification of risk (see the Operations Planning and Deconfliction Policy).

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607.5 ARREST WARRANTS

Best Practice | MODIFIED | NYSLEAP - 8.4 - 8.12 (B)

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor and the SWAT Team Commander for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the SWAT Team Commander. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

607.5.1 FUGITIVES FROM JUSTICE

Agency Content

For the guidelines and procedures for the arrest and processing of fugitives from justice who are apprehended by the Syracuse Police Department see below.

See procedure for FUGITIVES FROM JUSTICE

607.6 WARRANT PREPARATION

State | MODIFIED

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

(a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime, no-knock or all persons present warrant execution (CPL § 690.35).

(b) A clear explanation of the affiant's training, experience and relevant education.

(c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.

(d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.

(e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.

(f) A specific description of the location to be searched, including photographs of the location, if reasonably available.

(g) A sufficient description of the items to be seized.

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(h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the *Brady* Information Policy).

(i) If an "all persons present" endorsement is requested, the affidavit shall describe the type of premises (e.g., private or public access), the anticipated number and behavior of the persons expected at the time of warrant execution and whether persons with no connection to the suspected activity may be present (CPL § 690.15).

607.6.1 NO-KNOCK WARRANT APPLICATIONS

Agency Content

Under a limited set of circumstances a member may make an application for a search warrant and request that a search warrant authorize the executing police officer(s) to enter a premises to be searched without giving notice of their authority and purpose (CPL § 690.35(4b)).

Any search warrant application requesting a No-Knock provision, must be reviewed and approved by a command officer (i.e. lieutenant or above) prior to being submitted to the Court.

Authorization must be granted by the Chief of Police or a Deputy Chief prior to the execution of any No-Knock search warrant.

Any member making such application to a court shall articulate that there is reasonable cause to believe that:

(a) The property sought may be easily and quickly disposed of, or;

(b) The giving of such notice may endanger the life or safety of the executing officer or another person, or;

(c) In the case of an application for a search warrant as defined in paragraph (b) of subdivision two of section 690.05 for the purpose of searching for and arresting a person who is the subject of a warrant for a felony, the person sought is likely to commit another felony, or may endanger the life or safety of the executing officer or another person.

607.7 HIGH-RISK WARRANT SERVICE

Best Practice MODIFIED

The case supervisor or the authorized designee shall coordinate the service of warrants that are categorized as high risk with the SWAT Team Commander or their authorized designee. The SWAT Team Commander or their authorized designee shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed. The SWAT Team Commander shall prepare an operational order prior to each high-risk search warrant that must be approved by the ERT Commander prior to execution.

The member responsible for directing the service should ensure the following as applicable:

(a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.

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(b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.

(c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.

(d) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.

(e) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).

(f) A property receipt listing all items seized is prepared and a copy provided to the person in charge of the premises if present. Alternatively, the property receipt shall otherwise be left in a conspicuous place.

(g) A copy of the search warrant is left at the location.

(h) The condition of the property is documented with video recording or photographs after the search.

607.8 EXPLOSIVE BREACHING

Agency Content

Explosive Breach: The use of an explosive breaching charge configured using explosive and non-explosive materials to create an opening through a door, window, wall, or other barriers, to allow access for personnel or resources.

Under a limited set of circumstances, Explosive Breaching may be authorized where there is a need to gain access to a structure or vehicle, and where, after a careful analysis, it is determined to be the safest and most efficient method of entry. In those cases, a specially trained Explosive Breacher will be responsible for the construction, placement, and detonation of all explosive breaching charges.

Examples of cases where explosive breaching may be considered include, but are not limited to entering a structure or vehicle to affect the rescue of hostages, entering a structure to safely execute a high-risk search warrant, or entering a vehicle or structure to rescue trapped officers or citizens.

Absent exigent circumstances that require an immediate response (e.g. - active shooters or hostage rescue), explosive breaching must be authorized by the Chief or Deputy Chief of Police.

607.9 DETENTIONS DURING WARRANT SERVICE

Best Practice

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force

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may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

607.10 ACTIONS AFTER WARRANT SERVICE

Best Practice

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

607.11 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

Best Practice MODIFIED

The Deputy Chief of the Investigations Bureau or authorized designee will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the Deputy Chief of the Investigations Bureau or authorized designee. The Deputy Chief of the Investigations Bureau or authorized designee should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The Deputy Chief of the Investigations Bureau or authorized designee should ensure that members of the Syracuse Police Department are utilized appropriately. Any concerns regarding the requested use of Syracuse Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If officers intend to serve a warrant outside Syracuse Police Department jurisdiction, the Deputy Chief of the Investigations Bureau or authorized designee should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

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Officers will remain subject to the policies of the Syracuse Police Department when assisting outside agencies or serving a warrant outside Syracuse Police Department jurisdiction.

607.12 MEDIA ACCESS

Best Practice

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

607.13 TRAINING

Best Practice

The Commanding Officer of the Training Division should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

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Appendix I

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Unmanned Aerial System

606.1 PURPOSE AND SCOPE

Best Practice | NYSLEAP - 8.4 - 43.6, 43.6 (A)

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

606.1.1 DEFINITIONS

Best Practice | MODIFIED

Definitions related to this policy include:

Unmanned aerial system (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

Certificate of Waiver or Authorization (COA) - An authorization issued by the Federal Aviation Administration (FAA) to a public operator for a specific UAS. After a complete application is submitted, the FAA conducts a comprehensive operational and technical review. If necessary, provisions or limitations may be imposed as part of the approval to ensure the UAS can operate safely with other airspace users.

FAA Part 107 - Defines operational limits and establishes certification requirements for UAS operators and requires pilots to pass an aeronautical knowledge test at a FAA approved knowledge test center.

606.2 POLICY

Best Practice | NYSLEAP - 8.4 - 50.1 (D)

A UAS may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

606.3 PRIVACY

Best Practice | NYSLEAP - 8.4 - 43.6 (C), 50.1 (D)

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

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606.4 PROGRAM COORDINATOR

Best Practice | MODIFIED | NYSLEAP - 8.4 - 33.3, 43.6, 43.6 (E)

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. All department UAS – except training missions – should be authorized by a Command Officer and conform to a Certificate of Authorization (COA) and / or Part 107 mission. The Command Officer must confer with a Part 107 Remote Pilot holding a Small Unmanned Aircraft System rating. Except when impractical, a Remote Pilot holding a Small Unmanned Aircraft System rating should be on scene during the missions.
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

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606.5 USE OF UAS

Best Practice | MODIFIED | NYSLEAP - 8.4 - 43.6 (B), 43.6 (C), 43.6 (D)

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should be flown in accordance with an approved FAA Facility Map.

PROCEDURES FOR USE OF AN UNMANNED AERIAL SYSTEM

606.6 PROHIBITED USE

Federal

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

606.7 AUTHORIZED USE

Agency Content

UAS's may be used for, but are not limited to, the following purposes:

(a) Situational Awareness - To assist decision makers in understanding the nature, scale or scope of an incident and for planning/coordinating an effective response.

(b) Search and Rescue - To assist missing person investigations, AMBER Alerts, Missing Child Alerts, Missing College Student Alerts and Vulnerable Adult Alerts and other search and rescue missions.

(c) Tactical Deployment - To support the tactical deployment of officers and equipment in emergency situations.

(d) Visual Perspective - To provide an aerial perspective to assist officers with directing crowd control, traffic, special circumstances and temporary perimeter security.

(e) Scene Documentation - To document a crime scene, accident scene or other major incident scene.

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(f) Agency Assistance - To assist another agency which does not possess a UAS with situational awareness, search and rescue, tactical deployment, visual perspective or scene documentation.

(g) As directed by the Chief of Police or his designee.

606.8 TRAINING OF AUTHORIZED AGENCY PERSONNEL

Agency Content

Authorized agency personnel assigned to operate UAS must complete an agency-approved training program and meet all conditions of the COA and/or part 107 issued by the FAA. Authorized agency personnel assigned to operate UAS should also receive additional training at regular intervals to ensure continued effective use, operation, calibration and performance of UAS and to incorporate changes, updates, revisions and advances in policies and procedures in the deployment and use of UAS.

A minimum of four hours of training a month should be allotted to ensure maintenance and basic flight skills are performed.

All Remote Pilots in Command (RPIC) are encouraged to study for & complete the Part 107 aeronautical knowledge test, and renew the certification every 24 months.

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Appendix J

Appendix J

Bias Related Incidents Policy (2020)

Hate Crimes

319.1 PURPOSE AND SCOPE

Best Practice | NYSLEAP - 8.4 - 44.2

The purpose of this policy is to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

319.1.1 DEFINITIONS

State | NYSLEAP - 8.4 - 44.2

Definitions related to this policy include (Penal Law § 485.05):

Hate crime - A crime motivated by prejudice based on actual or perceived race, color, religion, religious practice, age, national origin, ethnicity, gender, sexual orientation, gender identity or expression, ancestry, or disability of the victim.

319.2 POLICY

Best Practice | NYSLEAP - 8.4 - 44.2

The Syracuse Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

319.3 PREVENTION AND PREPARATION

Best Practice | NYSLEAP - 8.4 - 44.2

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

(a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes, and forming networks that address prevention and response.

(b) Providing victim assistance and community follow-up or identifying available resources to do so.

(c) Educating community and civic groups about hate crime laws.

319.4 INVESTIGATIONS

Best Practice | MODIFIED | NYSLEAP - 8.4 - 44.2

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

(a) Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.

(b) A supervisor should be notified of the circumstances as soon as practicable.

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(c) Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned officers should take reasonable steps to preserve evidence that establishes a possible hate crime.

(d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.

(e) Depending on the situation, the assigned officers or supervisor may request assistance from investigators or other resources.

(f) The assigned officers should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

(g) The assigned officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.

(h) The assigned officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked "Hate Crime."

(i) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid.

(j) All investigations reasonably believed to be a hate crime, regardless of offense classification, shall be reported to the Criminal Investigations Division and placed on the felony notification sheet.

319.4.1 INVESTIGATION BUREAU RESPONSIBILITIES

State | MODIFIED | NYSLEAP - 8.4 - 44.2

If a hate crime case is assigned to the Investigation Bureau, the assigned investigator will be responsible for:

(a) Coordinating further investigation with the District Attorney's Office and other appropriate law enforcement agencies.

(b) Maintaining contact with the victim and other involved individuals, as needed.

(c) Maintaining statistical data and tracking of suspected hate crimes, as indicated or required by state law (Executive Law § 837).

319.4.2 SPECIFIC NOTATIONS

State | MODIFIED | NYSLEAP - 8.4 - 44.2

When a person is convicted of a hate crime and the specified offense is a misdemeanor or class C, D or E felony, the hate crime will be deemed to be one category higher than the offense actually committed (Penal Law § 485.10). Notice that the crime charged is a hate crime must be indicated on the accusatory instrument. The factual part of the instrument should contain facts supporting the determination the crime is a hate crime. The accusatory part of the instrument should give

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notice to the court by using an "H" designation at the end of the statute citation. For example, an accusatory instrument for criminal mischief in the fourth degree determined to be a hate crime would appear as Penal Law § 145.00(1 H) and cited as "Criminal mischief in the fourth degree as a Hate Crime."

Similar notations are required on arrest reports and the offense page of the incident report. For example, criminal mischief as a hate crime would appear as Penal Law § 145.00(1 H) and cited as "Criminal mischief in the fourth degree as a Hate Crime" on the arrest report and incident report.

319.5 TRAINING

State | NYSLEAP - 8.4 - 44.2

All members of this department should receive training on hate crime recognition and investigation. Training should include:

(a) Guidance for the investigation of hate crimes available through the New York State Division of Criminal Justice Services.

(b) The components of Penal Law § 485.05 and Penal Law § 485.10 and related case law, including:

1. Notice that the race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability, or sexual orientation of the suspect, the victim, or both the suspect and the victim does not, by itself, constitute legally sufficient evidence of a hate crime.
2. Notice that the mere mention of a bias remark does not make an incident bias-motivated, just as the absence of a remark does not make an incident without bias.
3. An explanation of how enhanced sentences relate to the specified offenses on which they are based.
4. Related definitions, including age, disability, and gender identity or expression.

(c) Supervisor notification.

(d) Processing an arrest for a hate crime.

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Appendix K

Appendix K

Transgender* Policy (2020)

Volume 1, Article 4 –Rules of Conduct

Section 23.00

Interactions with Transgender*Individuals

23.00 POLICY:

The purpose of this policy is to advise all members of the Syracuse Police Department (SPD; Department) of their sworn duty and responsibility to follow the established Department guidelines for the appropriate treatment of transgender*, intersex, non-binary and gender non-conforming individuals (transgender*) who come into contact with members of the Syracuse Police Department. The Department is committed to the respectful and professional treatment of transgender* persons and is cognizant of the fact that transgender* persons are disproportionally the victims of hate based, violent crimes. Transgender* persons are more likely to the victims of crime rather than the perpetrators.

The Syracuse Police Department is committed to working with all diverse communities in which it serves with fairness and dignity. Members of the Syracuse Police Department shall interact with all citizens in a manner that is professional, respectful, and courteous. Personnel will not exhibit any bias, nor will they pre-judge, or discriminate against an individual or group based on their actual or perceived sexual orientation, gender identity, or gender expression.

Personnel will address members of the public using pronouns, titles of respect, and name as expressed by the individual, regardless of what is listed on their government issued identification. If members are uncertain about which pronouns are appropriate, then the employee should respectfully ask the individual. Personnel will not use language that is demeaning or degrading in content or tone, understanding that it is equally unacceptable to use non-derogatory language in a derogatory manner or tone.

The SPD's *Interactions with Transgender* Individual's* policy shall be readily accessible to the public at no cost via the Department's website and external search engines.

23.10 DEFINITIONS:

A. Adopted Name - Preferred non-birth name that a transgender* individual uses in self-reference (this may or may not be the individual's legal name) person being stopped.

B. Transgender* - An umbrella term for a person whose gender identity or expression differs from the sex they were assigned at birth. For example, if a person is born and then assigned female, but ultimately identifies as a male, that person would be described as a transgender* male.

C. Gender Expression - How a person expresses their gender. This can include clothing, hairstyles, makeup, mannerisms, behavior, speech patterns, and more. An individual's

D. characteristics and behaviors (such as one's name, pronoun, appearance, dress, mannerisms, speech patterns, and body characteristics) that may express one's Gender Identity.

E. Gender Identity - An individual's deeply held internal knowledge or sense of being male, female, personal gender, or no gender which may or may not correspond to the individual's physical characteristics or Sex Assigned at Birth. Gender Identity may or may not be visible to others or expressed outwardly through a person's chosen pronouns, haircut, dress, behavior, or voice.

23.11 PROCEDURE:

A. Personnel will adhere to the following procedures during departmental contacts with and the arrests of transgender* individuals.

1. Members shall *not* request identification or otherwise initiate contact solely based on actual or perceived gender identity, gender expression or sexual orientation.
2. Members shall *not* inquire about intimate details of an individual's sexual practices, genitals, anatomy or medical history, or conduct a search to determine a person's anatomy or determine gender.
3. Members shall *not* use language that is demeaning or derogatory to another person, in particular, language aimed at a person's actual or perceived gender identity, gender expression, or sexual orientation. Members shall not use language that is demeaning or degrading in content or tone, or use non-derogatory language in a derogatory manner or tone.
4. Members shall *not* engage in any sexual harassment of members of the public while on duty, as defined by the department's policy on sexual misconduct, including mis-identifying gender.
5. Members shall *not* consider an individual's gender identity, gender expression, or actual or perceived sexual orientation as a reason to stop, question, search or arrest that individual, a basis for reasonable suspicion, or as prima facie evidence that the individual is, has or is about to engage in a crime of any kind.
6. Members shall *not* fail to respond to a call or act upon a scene based on gender identity or gender expression.

23.12 DUTIES AND RESPONSIBILITIES OF ALL MEMBERS:

A. It shall be the duty and responsibility of all members of the Department to:

1. Address the public using names, pronouns and titles of respect appropriate to the individual's gender identity or gender expression as expressed by the individual (e.g. "she, her" for an individual who uses she/her pronouns; "he, his" for an individual who uses he/his pronouns; "they, them" for an individual who uses they/them pronouns.). The goal is to be the most inclusive and respectful to all individuals.
2. Treat transgender* and gender-nonconforming individuals in a manner respectful of the individual's gender identity or gender expression, aware that this may be different from their sex assigned at birth or what is listed on their official government-issued identification.

3. Be aware that individuals' names may change over time, whether due to marriage, changes in gender identity, or other factors, and should always use the name currently used by individuals.

4. Provide appropriate medical attention:

   a. In the event a transgender* individual requests medical attention the officer shall promptly request medical assistance. Officers shall render emergency first aid within the limits of their individual skills, training and available equipment until professional medical assistance arrives.

23.13 GENDER CLASSIFICATION WHEN A TRANSGENDER* PERSON IS A VICTIM OR WITNESS:

A. When necessary for documenting an incident, a transgender* person's gender will be classified as it appears on the individual's government- issued identification card.

   1. Officers should be aware that identification may be accompanied by a physician's letter explaining gender identity, sometimes called a "carry letter", which would further document an individual's gender identity or gender expression.

   2. If the person identifies with a gender different than what is listed on their government identification, the officer should make a note of the gender identity or gender expression under the "Narrative" section of the necessary report. This would include the pronouns the person uses.

   3. If an individual explicitly informs personnel that they are transgender*, and an officer finds a record for an individual (NCIC or any other law enforcement record) that lists a different gender from what the individual is currently presenting, the officer will document the information in the "Narrative" section of the New York State Arrest Report.

23.14 ADDITIONAL PROCEDURES FOR GENDER CLASSIFICATION WHILE PROCESSING A TRANSGENDER* PERSON FOR ARREST:

A. An arrestee's gender will be classified as it appears on the individual's government-issued identification card. This does not negate what pronouns the person uses to identify themselves.

B. For the purposes of listing gender on citations, arrest reports, and other official documentation, members shall use the designation listed in the most recent records in official government databases, starting with the CNYLEADS.

C. **NOTE:** While the SPD recognizes the potential negative connotation associated with the term "alias," the use of such term is institutional of the criminal justice system and is no way intended to be disrespectful to, or dismissive of, transgender* individuals.

D. In the event that a government-issued identification card is unavailable, the arrestee will be classified according to their self-identification.

E. In the event that there is uncertainty regarding the appropriate classification of an arrestee's gender, a supervisor will be consulted for guidance on the appropriate

classification (e.g., In situations in which the arrestee does not have identification, and will not speak to police, supervisors can attempt to establish communication necessary to make a determination of the arrestee's gender or use the arrestee's gender expression for classification).

23.15 TRANSPORTATION AND SEARCHES:

A. Unless there are exigent circumstances, a transgender* prisoner shall be transported alone.

B. An officer of the individual's gender identity, when practical, will be present during the transport.

C. Transporting officers shall notify police radio with their beginning and ending mileage and record such information on their patrol log.

D. Transgender* juvenile arrestees shall be processed in accordance with SPD juvenile transportation policies.

E. In situations involving the transfer of transgender* prisoners to county prisons or other police agencies, the officer will ensure that the paperwork accompanying the prisoner adequately describes gender identity information, in a manner consistent with the policy.

F. SEARCHES:

1. Transgender* persons shall not be subject to more invasive search or frisk procedures than non-transgender persons.

2. Members shall continue to use standard practices and procedures when conducting field interviews, pat frisks for weapons, or investigative contacts in a manner that does not unreasonably endanger themselves or another person.

3. Members shall not stop, detain, frisk, or search any person in whole or in part for the purpose of determining that person's gender or in order to call attention to the person's gender expression. This limitation does not prevent an officer from following established Department procedures relative to ensuring the proper processing of suspects.

4. Where feasible, all searches of the transgender* individual shall be conducted in the presence of at least one other officer. If available, the officer conducting the search should be of the preferred gender of the individual being searched. If the suspect does not specify a preference, then the search shall be conducted by a female officer.

23.16 RESPONSIBILITIES OF SUPERVISORY / COMMAND OFFICERS:

A. It shall be the duty and responsibility of all supervisory and Commanding Officers to:

1. **Continually** examine all areas of police action and operations under their control to discover procedural defects and violations of policies, rules and procedures.

2. **Receive**, record, and investigate complaints, regardless of their source (e.g. internal, external, or precautionary), pertaining to gender profiling.
3. **Review** and approve applicable Departmental reports.
4. **Process** discriminatory and victimization of transgender* persons or gender profiling complaints pursuant to the Department's policy governing Office of Professional Standards' investigations.
5. **Take** appropriate disciplinary action to address sustained complaints of any and all discriminatory profiling.

23.17 RESPONSIBILITIES OF THE OFFICE OF PROFESSIONAL STANDARDS:

A. The Office of Professional Standards is responsible for the Department's internal investigation function and shall investigate gender-profiling complaints.

B. All members of the Department shall adhere to the Department's policy governing the Office of Professional Standards' investigations and utilize appropriate complaint procedures to investigate and document allegations of gender bias, including but not limited to:

1. **Complaints** received from transgender* persons.
2. **Complaints** directed to the Office of Professional Standards.
3. **Complaints** directed to the office Chief of Police.
4. **Complaints** directed to the Citizen's Review Board.
5. **Complaints** initially received by other law enforcement organizations, or other public entity.

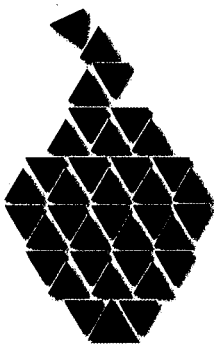
POLICY REVISION HISTORY

NO	SECTION REVISED	DATE ISSUED	G.O. #
1			
2			
3			
4			

Policy is applicable to the following New York State Accreditation Standard(s):

Appendix L

Finn Institute Study: Contacts with Syracuse Police: Citizens' Assessments (2020)



FINN

The John F. Finn Institute
for Public Safety, Inc.

Contacts with Syracuse Police: Citizens' Assessments

Robert E. Worden

July, 2020

Report to the Syracuse Police Department

421 New Karner Road
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Robert E. Worden, Ph.D., Director • Sarah J. McLean, Ph.D., Associate Director

The John F. Finn Institute for Public Safety, Inc., is an independent, not-for-profit and non-partisan corporation, whose work is dedicated to the development of criminal justice strategies, programs, and practices that are effective, lawful, and procedurally fair, through the application of social science findings and methods. The Institute conducts social research on matters of public safety and security – crime, public disorder, and the management of criminal justice agencies and partnerships – in collaboration with municipal, county, state, and federal criminal justice agencies, and for their direct benefit. The findings of the Institute's research are also disseminated through other media to criminal justice professionals, academicians, elected public officials, and other interested parties, so that those findings may contribute to a broader body of knowledge about criminal justice and to the practical application of those findings in other settings.

The Finn Institute was established in 2007, building on a set of collaborative projects and relationships with criminal justice agencies dating to 1998. The first of those projects, for which we partnered with the Albany Police Department (APD), was initiated by John Finn, who was at that time the sergeant who commanded the APD's Juvenile Unit. Later promoted to lieutenant and assigned to the department's Administrative Services Bureau, he spearheaded efforts to implement problem-oriented policing, and to develop an institutional capability for analysis that would support problem-solving. The APD's capacity for applying social science methods and results thereupon expanded exponentially, based on Lt. Finn's appreciation for the value of research, his keen aptitude for analysis, and his vision of policing, which entailed the formulation of proactive, data-driven, and – as needed – unconventional strategies to address problems of public safety. Lt. Finn was fatally shot in the line of duty in 2003. The Institute that bears his name honors his life and career by fostering the more effective use of research and analysis within criminal justice agencies, just as Lt. Finn did in the APD.

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We gratefully acknowledge the interest and support of the Syracuse Police Department, as well as the assistance of Kim Brundage in accessing police data on calls for service, Sarah J. McLean with the construction of the survey instrument, and Madison A. Palmer with data management.

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Introduction

Citizens' satisfaction with police services forms one of the "bottom lines" for any American police agency. Citizens are, in a sense, customers of the police, and the social value of police services turns to some degree on citizens' assessments of service quality. Because police services are not delivered through market mechanisms, however, citizens' valuations are not measured by what they willingly pay as the service is rendered.[1] Instead, police executives and city officials must rely on other information about whether and to what degree the services that are provided by police are meeting citizens' expectations. One well-established method of obtaining such information is to survey citizens about their experiences with the police.[2]

In 2019, the Finn Institute contracted with the City of Syracuse to conduct a survey of people who had recent contacts with Syracuse police. A "contact survey" of this kind often provides for structured inquiries of people who had voluntary contacts with police – e.g., people who reported crimes to police, or who called police for assistance of some type. That is what we proposed to the Syracuse Police Department: a survey of 800 people sampled from among those who had called police to request assistance. A sample of this size is sufficient to generate reasonably accurate estimates of citizens' assessments of the quality of service they experienced in their individual contacts. We conducted the survey by phone, a modality that allows for more extensive queries than web-based surveys, and which tends to yield more representative samples than mail surveys. Additional details about survey methodology are described below.

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[1] The analogy between police agencies and private sector firms has important limitations. Writing about the application of "total quality management" (or TQM) to policing, Larry Hoover observes that "the issue of definition of customer satisfaction for police agencies is far from a simple one"; see Larry T. Hoover, "Translating Total Quality Management From the Private Sector to Policing," in Larry T. Hoover (ed.), *Quantifying Quality in Policing* (Washington: Police Executive Research Forum, 1996). The analogy has another limitation also: citizens are not only consumers of police services but also "co-producers" of public safety, in that they contribute to public safety both independently (e.g., by taking steps to reduce their risk of victimization, and by intervening directly to curb disorderly or even illegal behavior) and in conjunction with the police (e.g., by providing information, or through collective crime prevention efforts). See, e.g., Gordon P. Whitaker, "Coproduction: Citizen Participation in Service Delivery," *Public Administration Review* 40 (1980): 240-246.

[2] Generally, see Kenneth Webb and Harry P. Hatry, *Obtaining Citizen Feedback: The Application of Citizen Surveys to Local Governments* (Washington: Urban Institute, 1973), and with respect to the police particularly see Bureau of Justice Assistance, *A Police Guide to Surveying Citizens and Their Environment* (Washington: Author, 1993); Deborah Weisel, *Conducting Community Surveys: A Practical Guide for Law Enforcement Agencies* (Washington: U.S. Department of Justice, 1999); and Robert H. Langworthy (ed.), *Measuring What Matters: Proceedings from the Policing Research Institute Meetings* (Washington: National Institute of Justice, 1999).

Contact surveys sometimes include other types of police contacts in addition to those that we sampled for this survey. In fact, we previously conducted a contact survey in Syracuse as part of a larger project, which was funded by the National Institute of Justice; the survey encompassed samples of people who had (1) called for assistance, (2) been stopped by police, or (3) been arrested by police.[3] The previous survey, administered in 36 semi-monthly waves between mid-2011 and early-2013, included similar content, such that we are able to draw comparisons between the current survey and the earlier survey.

In this first of two reports, we summarize survey findings concerning citizens' assessments of police services generally and of their contacts with police. We also summarize the extent to which citizens' assessments are associated with (or patterned by) their characteristics. The second report will summarize the findings of analyses of somewhat greater depth.

Public Attitudes and Subjective Experience

Public satisfaction with police services is of intrinsic significance in a democracy, as police are accountable to the public.[4] Public attitudes may also be of instrumental importance, as trust and confidence in the police is associated with a sense of obligation to comply and cooperate with law enforcement.[5] The Syracuse contact survey provided for measures of public attitudes toward Syracuse police in general, particularly judgments about what is widely characterized as police legitimacy, and measures of citizens' assessments of individual contacts with police – i.e., their subjective experiences, especially elements of procedural justice. The two substantive sections of the report, which follow a brief description of survey methodology, attend to each domain: police legitimacy and citizens' subjective experiences.

Public satisfaction can be construed as a measure of police performance, and as an outcome for which police executives are responsible. Analyses of data on citizens' assessments of police service can pinpoint dimensions of service with which the public is particularly pleased or displeased, directing attention to sources of dissatisfaction that might be addressed. Caution should be exercised in treating measures of citizens'

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[3] Survey findings for Syracuse are reported in Robert E. Worden and Sarah J. McLean, *Mirage of Police Reform: Procedural Justice and Police Legitimacy* (Oakland, CA: University of California Press, 2017), chaps. 3-4. We did not include stops and arrests as sampling strata in the present survey in consideration of feasibility and costs. Stops by Syracuse police are documented on a specific reporting form, which omits the individual's phone number; the omission adds costly steps to the process of administering a phone survey. The completion rate among people who are arrested is lower than that among people who call for assistance, increasing the cost of survey administration.

[4] Mark H. Moore, *Recognizing Value in Policing: The Challenge of Measuring Police Performance* (Washington, DC: Police Executive Research Forum, 2002).

[5] See Tom R. Tyler, *Why People Obey the Law* (New Haven, CT: Yale University Press, 1990).

subjective experience as performance indicators, however. Citizens' evaluations of their contacts with the police are not simple and direct indicators of what police do and how well they do it, as they are shaped by citizens' more general assessments of and attitudes toward the police, and indirectly by other factors as well.[6]

Survey Methodology

We surveyed people who called the Syracuse police for assistance of various kinds, who thus had voluntary contacts with the police and are in a meaningful sense police customers.[7] (People who are stopped by police have involuntary contacts with police, as do some others involved in incidents to which other involved parties summoned police.) We surveyed a random sample of people who called either 911 or a non-emergency number between March 1 and October 31, 2019, and to whose calls a police unit was dispatched. Details about survey sampling and administration are provided in the appendix. Here we note two features of survey methodology.

First, because the sample was drawn randomly, it is a form of probability sample, meaning that inferences can be drawn to the larger population of voluntary contacts with an estimable degree of sampling error. This is a distinct advantage over non-probability (or "convenience") samples, such as the sample drawn when questionnaires are distributed in grocery stores, pharmacies, or other types of establishments. Non-probability samples are also subject to not only sampling error but also non-sampling error that stems from systemic factors and can be much larger. Be that as it may, readers should bear in mind that every estimate reported here is subject to a degree of sampling fluctuation. In general, the 95 percent confidence intervals around point estimates is no greater than 3.5 percent.

Second, the survey was administered on a rolling basis, with samples drawn and interviews conducted monthly. Consequently, respondents were asked about incidents that transpired two to nine weeks prior to their interviews. Errors of recall are thereby minimized.

---

[6] For example, using panel survey data collected in several Detroit neighborhoods in 1990-1991, Brandl, et al. estimated the effects of prior overall satisfaction on citizens' evaluations of their (later) contacts with the police. They found that "global" attitudes toward the police have a powerful influence on citizens' assessments of their contacts. By comparison, assessments of contacts have a modest effect on more general attitudes. See Steven G. Brandl, James Frank, Robert E. Worden, and Timothy S. Bynum, "Global and Specific Attitudes toward the Police: Disentangling the Relationship," *Justice Quarterly* 11 (1994): 119-134. Furthermore, when citizens' assessments of their contacts with police are analyzed in terms of independent measures of police behavior, the influence of the latter on the former is weak; see Worden and McLean, *Mirage of Police Reform*.

[7] This is not to imply that the police customer is always "right": some customer expectations for police service may be unlawful, for example.

Police Legitimacy

The legitimacy of the police is a topic of long-standing interest and significance, though the term became widely recognized in police circles in the 2000s and particularly salient in the past five years. In the U.S., officer-involved shootings and in-custody deaths of African-Americans propelled police use of force and public distrust of police into the headlines repeatedly in 2014-2015. In late-2014, the President's Task Force on 21st Century Policing was charged with formulating recommendations for (re)building public trust in policing. The urgency of its work was reflected in the short 90-day turnaround on its report, which was issued in 2015. The Task Force report declared that "Building trust and nurturing legitimacy on both sides of the police-citizen divide is not only the first pillar of this ... report but also the foundational principle underlying this inquiry into the nature of relations between law enforcement and the communities they serve."[8]

We incorporated into this survey a number of items that were developed and validated in previous research as measures of police legitimacy.[9] Many of the survey items are statements with which respondents were asked to agree or disagree, with different levels of intensity (i.e., very or somewhat). Three of the items are sometimes characterized as reflections of people's trust and confidence in the police:

- I have confidence that the Syracuse Police Department can do its job well.
- I trust the leaders of the Syracuse Police to make decisions that are good for everyone in the city.
- The police can be trusted to make decisions that are right for the people in my neighborhood.

The distributions of responses to these questions is shown in Figure 1. (The bars in this and other charts omit respondents who told interviewers that they did not know, who constitute the difference between the sum of the percentages and 100 percent.)

Responses to these items tend to correlate strongly, such that respondents who respond favorably to one also respond favorably to the others, and vice-versa. Such a pattern holds in Syracuse, producing similar distributions of opinion across these three items. Each statement elicited strong agreement from 40 to 50 percent of the respondents, with approximately 30 percent agreeing less intensely. Each statement elicited disagreement from 20 to 25 percent of respondents.

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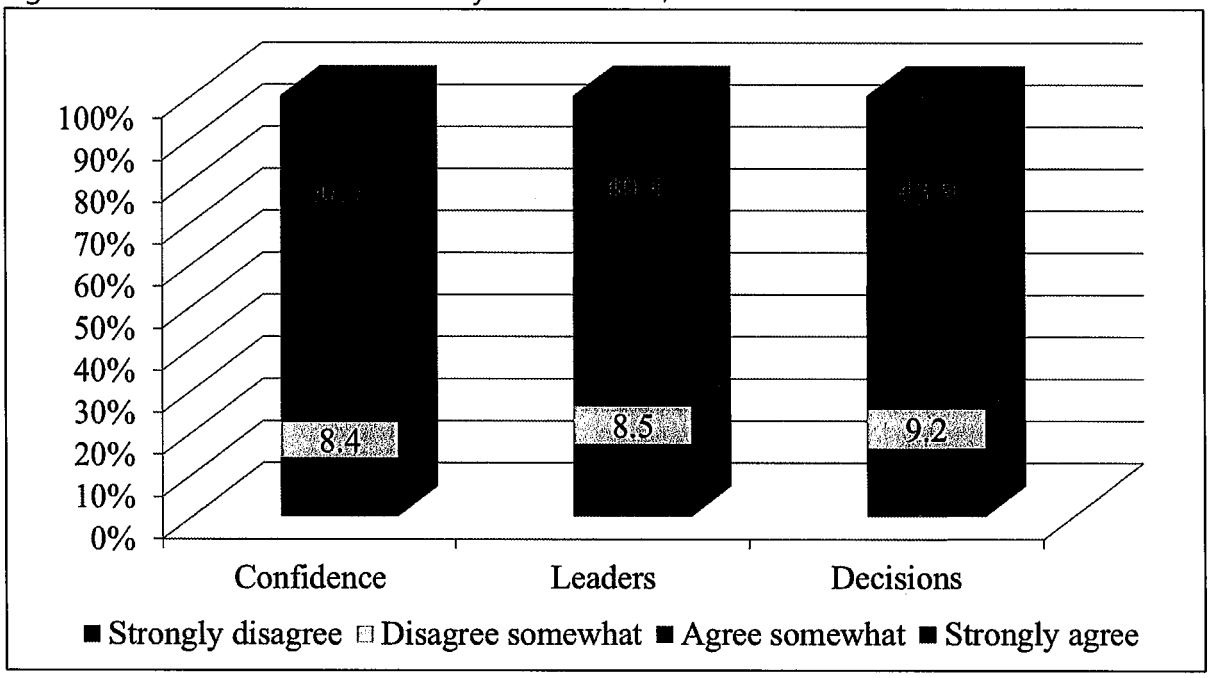
[8] President's Task Force on 21st Century Policing, *Final Report of the President's Task Force on 21st Century Policing* (Washington, DC: Office of Community Oriented Policing Services, 2015).

[9] See, e.g.: Jason Sunshine and Tom R. Tyler, "The Role of Procedural Justice and Legitimacy in Shaping Public Support for Policing," *Law & Society Review* 37 (2003): 513-548; Tom R. Tyler and Jeffrey Fagan, "Legitimacy and Cooperation: Why Do People Help the Police Fight Crime in Their Communities?" *Ohio State Journal of Criminal Law* 6 (2008):231-275.

Figure 1. Trust and Confidence in Syracuse Police, 2019.



Two other items reflect "identification" with police:

- I am proud of the work of the Syracuse Police.
- If you talked to most of the police officers who work in my neighborhood, you would find they have similar views to my own on many issues.

Figure 2 displays the responses to these items.

The first of the identification items, concerning pride in the work of Syracuse police, exhibits a distribution of responses that is quite comparable to those of the trust and confidence items. The second item departs from the pattern mainly in the proportion of respondents who did not express an opinion (the 'don't know' responses).

Previous survey research, including our own in Syracuse and elsewhere, has shown that the five trust and confidence and identification items tend to correlate with one another and to form a single, reliable index of police legitimacy when they are combined.[10] We formed a simple additive index to summarize the legitimacy of Syracuse police in the eyes of people who called for assistance. See Figure 3. The index scores range potentially from 0 to 20. For the purposes of summarizing the responses in bar charts, we divided the scale of the index into four equal segments: very high (16 to 20); moderately high (10 to 15); moderately low (5 to 9); and very low (0 to 4).

[10] Generally, see Michael D. Reisig, Jason Bratton, and Marc G. Gertz. "The Construct Validity and Refinement of Process-Based Policing Measures," *Criminal Justice & Behavior* 34 (2007): 1005-1028. On Syracuse, see Worden and McLean, *Mirage of Police Reform*, chap. 3.

Nearly half of the respondents' scores on the legitimacy index placed them in the very high range, and about one-quarter fell into the moderately high range. The remainder of the respondents were about evenly split between the moderately and very low ranges of scores.

Figure 2. Identification with Syracuse Police, 2019.

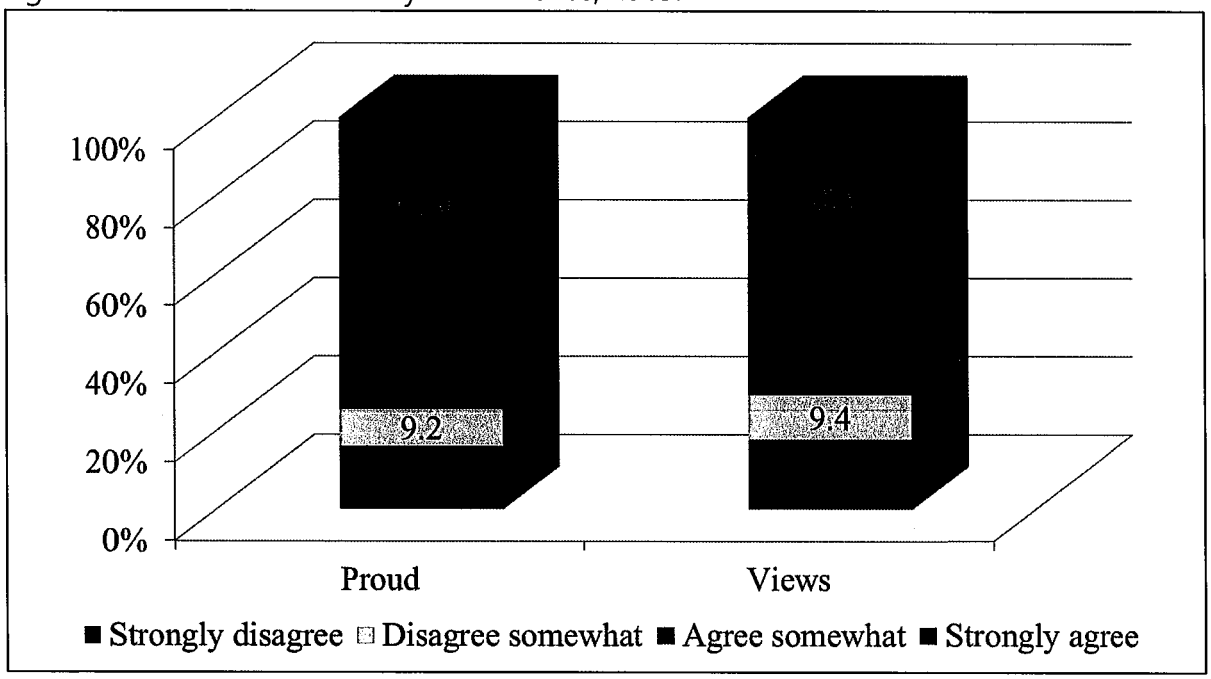
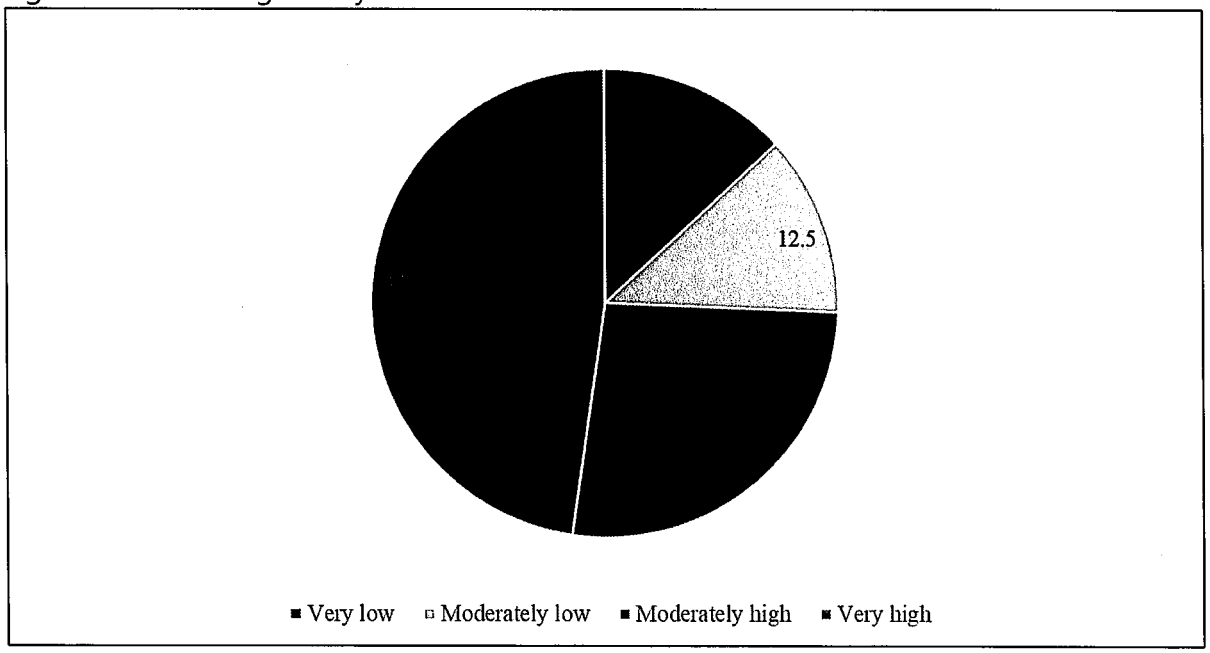
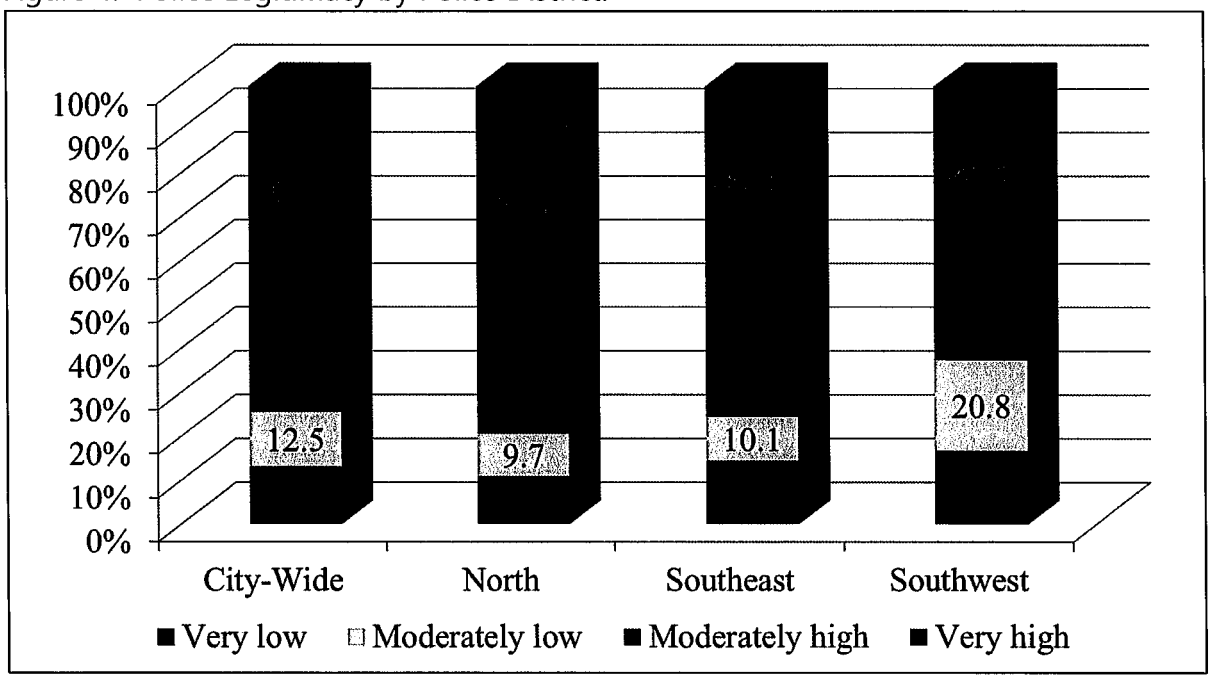


Figure 3. Police Legitimacy Index.



Scores of the legitimacy index vary somewhat across the parts of the city that comprise the different police districts, as Figure 4 displays. We note that the geographical placement of each respondent and his/her score is based not on the respondent's residential address but rather the location to which police were dispatched, which are not always the same. Respondents whose calls brought police to the North District had the most favorable views of police legitimacy, while respondents who encountered police in the Southwest District were had the least favorable views.

Figure 4. Police Legitimacy by Police District.



Scores on the legitimacy index in 2019 were comparable to the scores of those who called for assistance in our earlier survey; see Figure 5. The differences in the two sets of responses are generally within the margin of sampling error. We can also draw a comparison to other agencies, given that the same item was asked of respondents surveyed in 2013-2014 for the National Police Research Platform (NPRP).[11] The NPRP surveyed 16,787 citizens across 58 police agencies of varying size. We caution that the samples are not equivalent: the NPRP sample consisted of people whose police contacts arose from traffic or pedestrian stops, traffic crashes, and complainants' reports of crime. With that caveat, confidence in the Syracuse police is comparable to that reported for larger departments (with 500 or more sworn officers) in the NPRP survey; see Figure 6.

[11] Dennis P. Rosenbaum, Justin Escamilla, Gina Enciso, Thomas Christoff, and Susan M. Hartnett, *Results from the Police-Community Interaction (PCI) Survey* (Chicago: University of Illinois at Chicago, no date), http://static1.1.sqspcdn.com/static/f/733761/26521932/1441740276970/PCI+Web+Report.pdf?token=bThUspKpHIUQH0mgFVpn0mS7XhU%3D, accessed July 4, 2020.

Figure 5. Legitimacy Index: 2019 v 2011-2013.

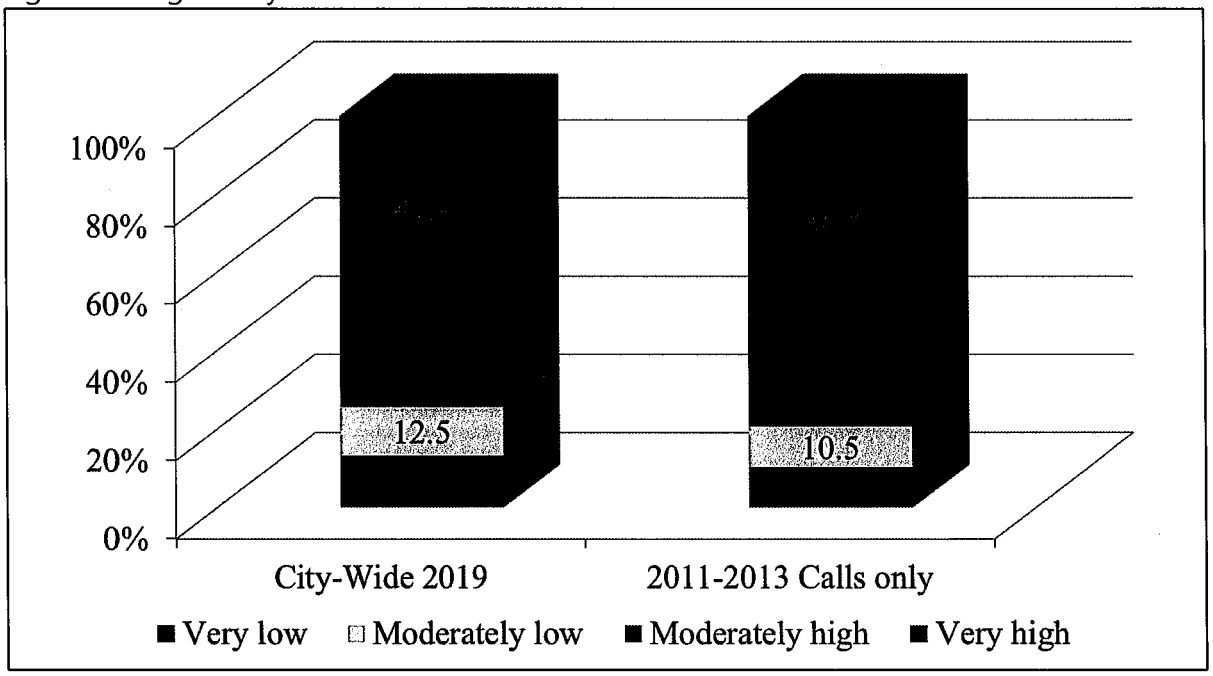
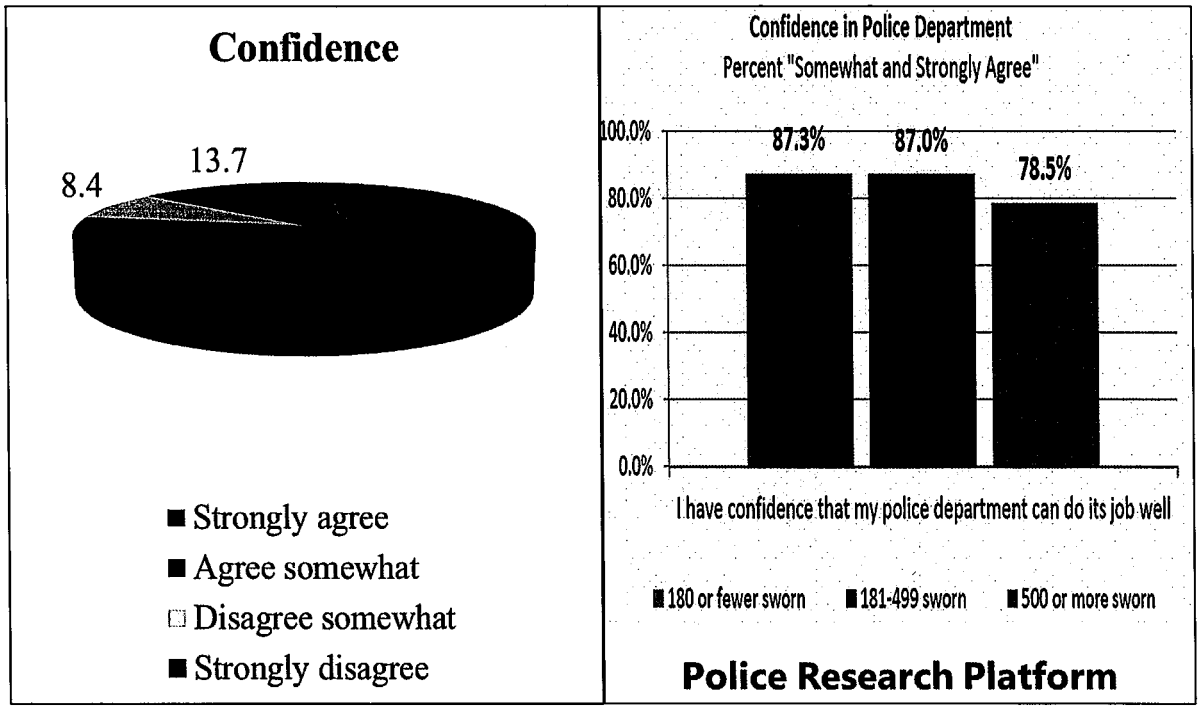


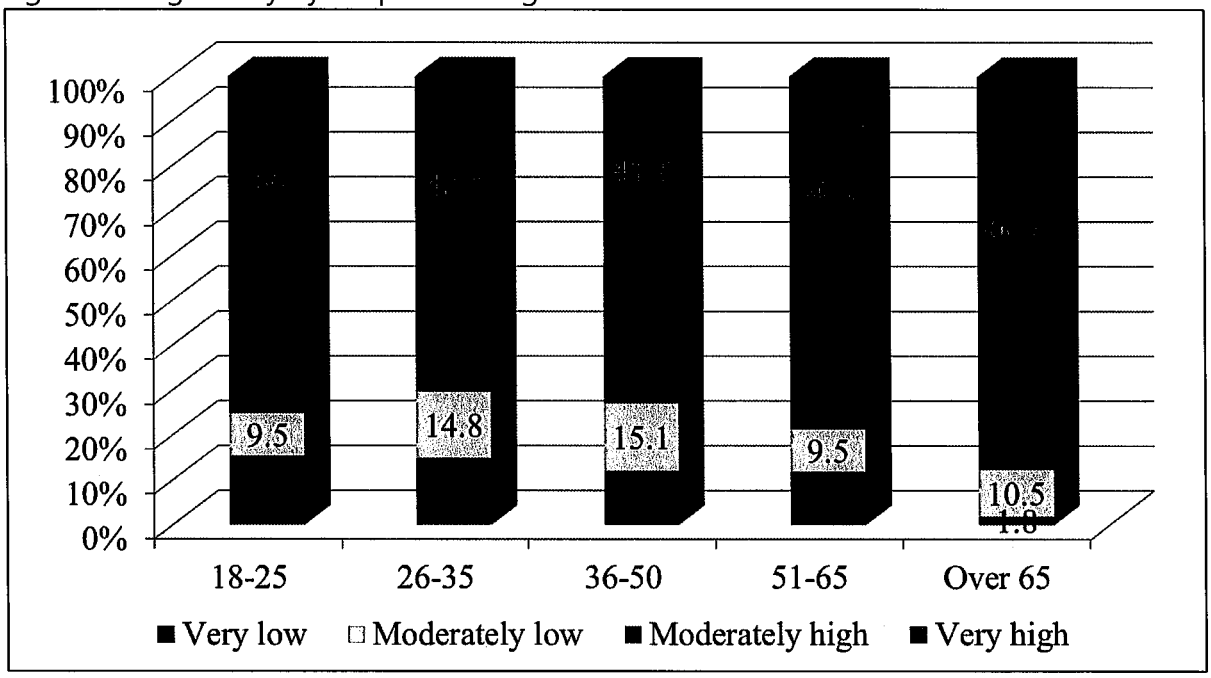
Figure 6. Confidence in Police, Syracuse vs. NPRP.



Correlates of Legitimacy

Police legitimacy is influenced by individuals' backgrounds and by the character of the neighborhoods in which they reside. We analyzed several factors that are commonly associated with legitimacy. One such factor is age, though the pattern in Syracuse does not show a strong bivariate relationship; see Figure 7.

Figure 7. Legitimacy by Respondent Age.



Another factor is race/ethnicity. With few exceptions, previous research and other public opinion polls consistently find disparities in trust among Black, Latino, and White individuals. Part of the disparity is attributable to differences in the quality-of-life conditions of the neighborhoods in which people reside – i.e., the severity or perceived severity of social and physical disorders. Attitudes toward police are more positive where (and by whom) such incivilities – e.g., vandalism, noise, open-air drug markets – are perceived to be less serious problems. Variation in neighborhood disorder accounts for at least some of the racial disparity in attitudes toward the police.[12] The history of policing also surely plays a role in the Black-White gap. One study, for example, surveyed samples of Blacks and Whites about their beliefs about the fairness of the justice system, and also

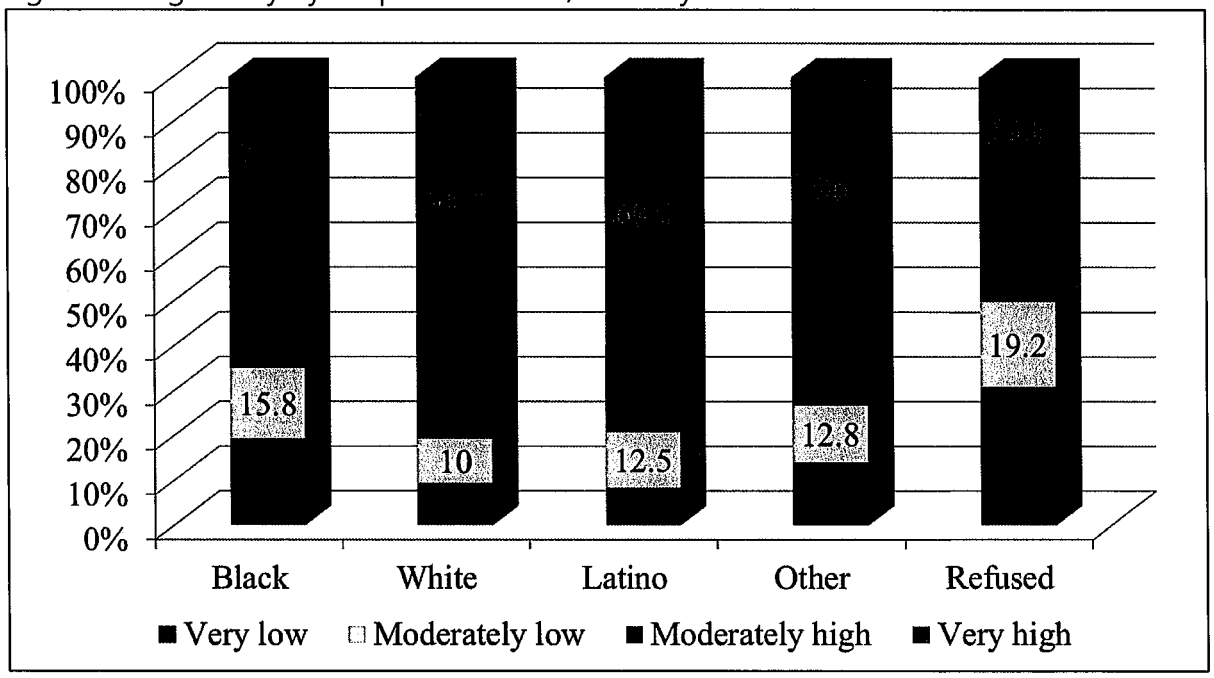
[12] See, e.g.: Michael D. Reisig and Roger B. Parks, "Experience, Quality of Life, and Neighborhood Context: A Hierarchical Analysis of Satisfaction with Police," *Justice Quarterly* 17 (2000): 607-630; and Robert J. Sampson and Dawn Jeglum Bartusch, "Legal Cynicism and (Subcultural?) Tolerance of Deviance: The Neighborhood Context of Racial Differences," *Law and Society Review* 32 (1998): 777-804.

elicited respondents' judgments about the propriety of police enforcement actions in each of two scenarios in which the race of the citizen was experimentally manipulated. They found considerable support for their "perceived discrimination hypothesis":

> Given the history of racial bias in the system, African Americans should be more vigilant to signs of discrimination in encounters between police and black civilians. Brutality and profiling are so familiar to many African Americans that they constitute chronically accessible "scripts" that are frequently primed and likely to guide interpretations of ambiguous events. .... Thus, blacks as a group are likely to view confrontations between police and black civilians as yet another instance of police discrimination (2005:767).[13]

The disparities in Syracuse are quite comparable to those found elsewhere. See Figure 8.

Figure 8. Legitimacy by Respondent Race/Ethnicity.

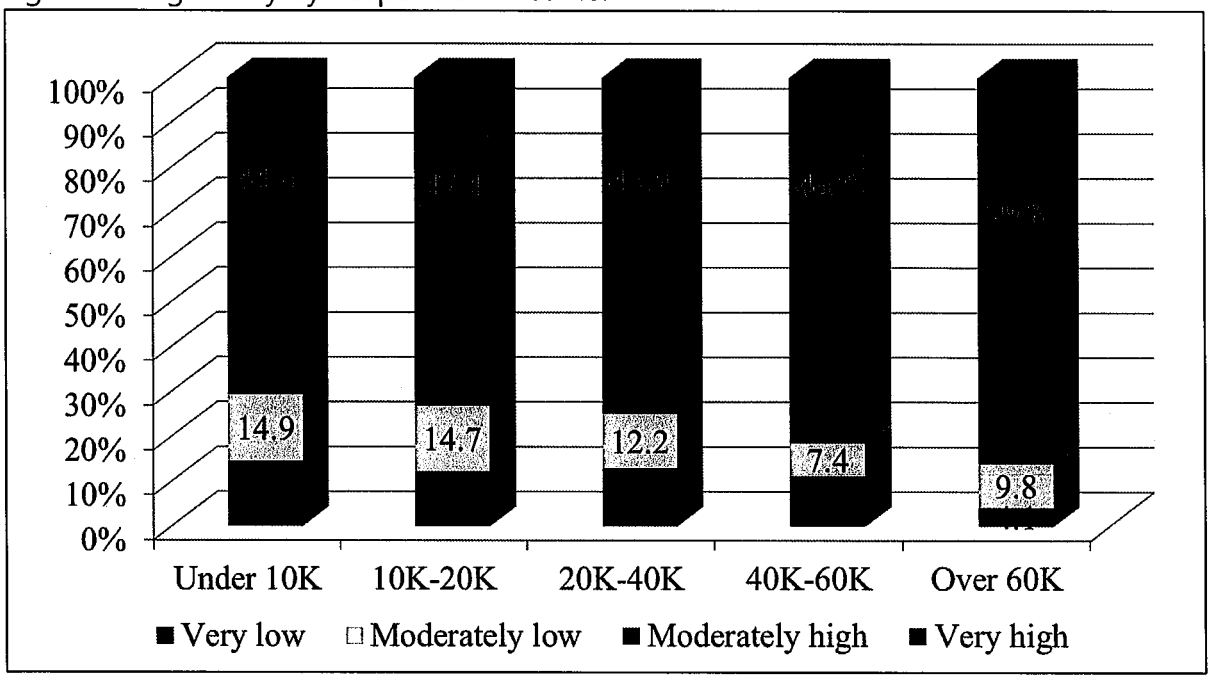


Household income also bears a relationship to legitimacy, but the simple bivariate association is not a strong, consistent one; see Figure 9. In general, legitimacy rises with income, but the relationship is not linear. Legitimacy rises modestly with increasing income up to $40,000, with differences of greater magnitude as income rises above that

[13] Jon Hurwitz and Mark Peffley, "Explaining the Great Racial Divide: Perceptions of Fairness in the U.S. Criminal Justice System," *Journal of Politics* 67 (2005): 762-783.

level. People with incomes greater than $60,000 hold substantially more favorable views of police legitimacy than those with incomes under $60,000.

Figure 9. Legitimacy by Respondent Income.



Citizens' Subjective Experiences

Citizens who interact with police assess their experiences by several criteria, including the outcomes of the interaction and how police authority is exercised. We reiterate that citizens' assessments of their police contacts are subjective, and they do not necessarily represent what police officers do in those incidents. Citizens interpret their experiences through the filters of their prior attitudes toward and expectations of the police. Citizens who hold favorable attitudes toward the police tend to interpret their experiences with police in positive terms, while citizens who hold unfavorable attitudes toward the police tend to interpret their experiences with police in negative terms, other things being equal. Even so, citizens' subjective experiences are important to consider and understand.

The survey tapped citizens' satisfaction with the contact, in terms of both how they were treated by police and how the problems for which they sought police assistance were handled by police. The survey also queried citizens about elements of the procedural justice that they experienced, and their assessments of the fairness and effectiveness of the outcomes of their contact. We first address findings concerning the

two forms of satisfaction, followed by those regarding procedural justice and subjective outcomes. We then consider several correlates of procedural justice.

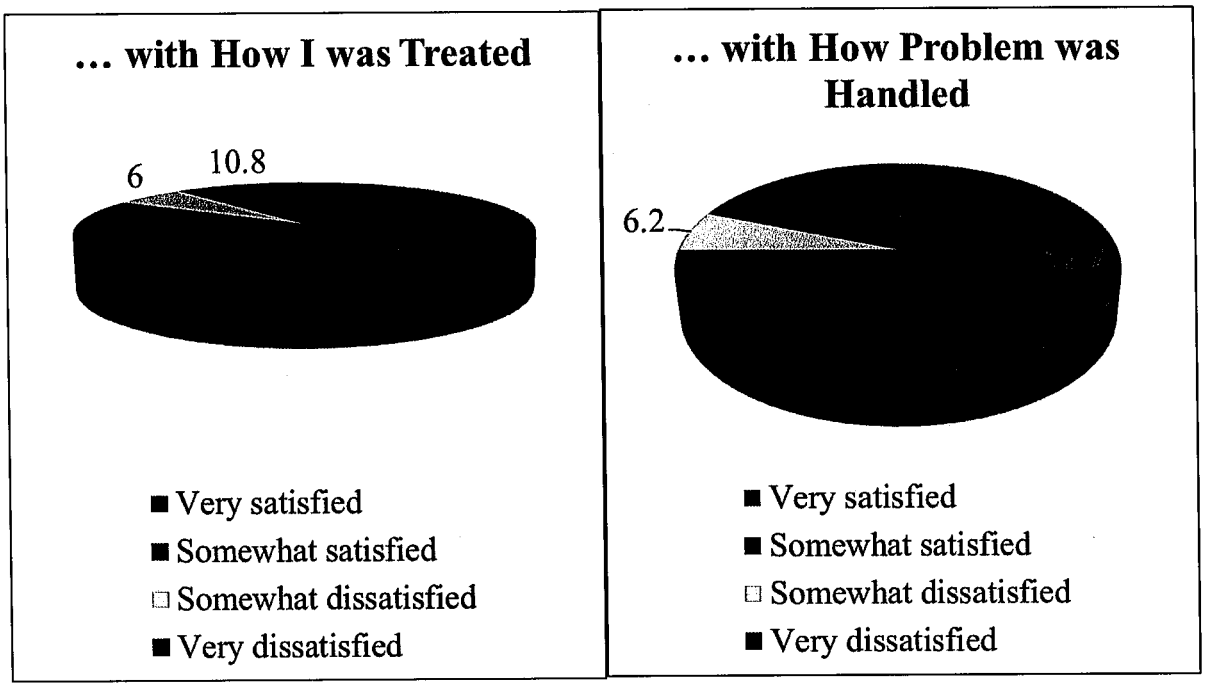
Satisfaction

We asked respondents about how satisfied they were with how police treated them and with how police handled their problem:

- Overall, how satisfied were you with the way the police on the scene handled the problem?
- Overall, how satisfied were you with the way the police on the scene treated you?

Three-quarters or more indicated that they were very or somewhat satisfied – more (over 80 percent) with their treatment by police; see Figure 10. Most of those who were satisfied were very satisfied. Most of those who were dissatisfied were very dissatisfied.

Figure 10. Citizen Satisfaction in Police Contact.



Procedural Justice

Citizens' subjective judgments about procedural justice encompass four aspects of their interactions with authorities:

- "Voice": People are more satisfied when they have an opportunity to "tell their side of the story" – to explain their situation or behavior to authorities.

- Neutrality: People are more satisfied when they believe that authorities' decisions are based on facts.
- Quality of treatment: People are more satisfied when they feel that they have been treated with dignity and respect.
- Trustworthy motives: People are more satisfied when they trust authorities' motives, which is more likely when authorities explain their actions in terms that demonstrate that they have taken account of citizens' concerns and needs.

While it is surely helpful for heuristic purposes to describe these aspects of procedural justice as distinct constructs, they are conceptually and empirically intertwined with one another. Empirically, survey-based indicators of these features of police-citizen encounters tend to be strongly or at least moderately correlated, reflecting only a single underlying construct of procedural justice.[14] Such a pattern of association is open to (at least) two interpretations: it might be that authorities' *behaviors* are correlated (e.g., officers who are polite also tend to listen to citizens and explain themselves), that citizens' *perceptions* are correlated (citizens who judge officers' actions as respectful also tend to perceive them as attentive), or some combination of both sets of forces.

Voice

We asked respondents:

- When you talked to the police, did they pay careful attention to what you had to say?
- The police considered my views (agree/disagree).

About three-quarters of the respondents indicated that police paid attention to what they had to say, and a similar proportion agreed (strongly or somewhat) that police considered their views; see Figure 11.

Quality of Treatment

We asked respondents:

- Did you find the police ... <1> Very polite <2> Somewhat polite <3> Somewhat impolite, or <4> Very impolite?
- The police treated me with dignity and respect (agree/disagree).

Approximately 85 percent of the respondents indicated that police were very or somewhat polite, and a comparable fraction agreed (strongly or somewhat) that police treated them with dignity and respect; see Figure 12.

[14] Reisig, et al.. "The Construct Validity and Refinement of Process-Based Policing Measures." Also see Jacinta M. Gau, "The Convergent and Discriminant Validity of Procedural Justice and Police Legitimacy: An Empirical Test of Core Theoretical Propositions," *Journal of Criminal Justice* 39 (2011): 489–498.

Figure 11. Voice.

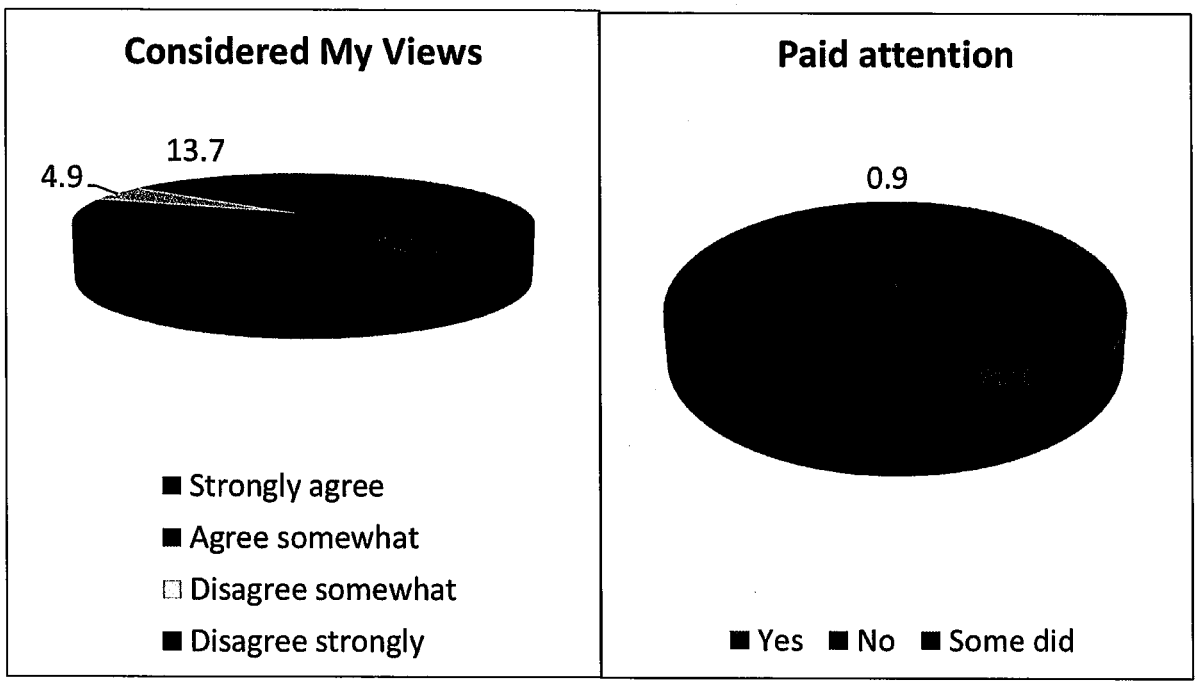
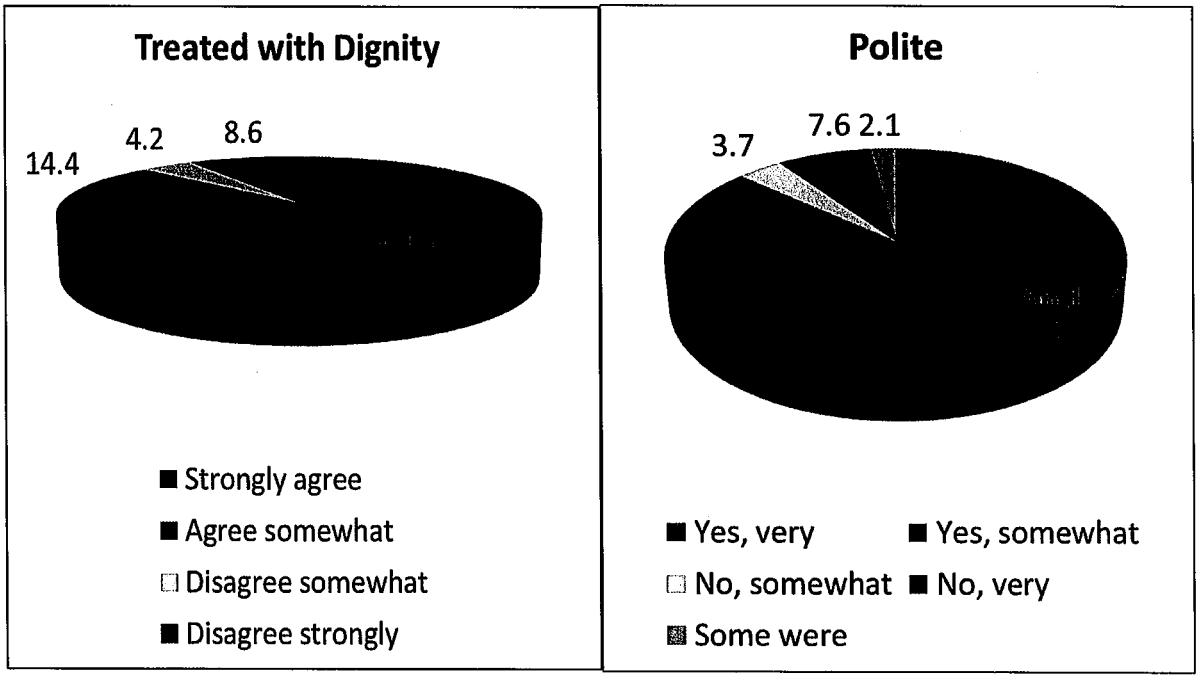


Figure 12. Quality of Treatment.



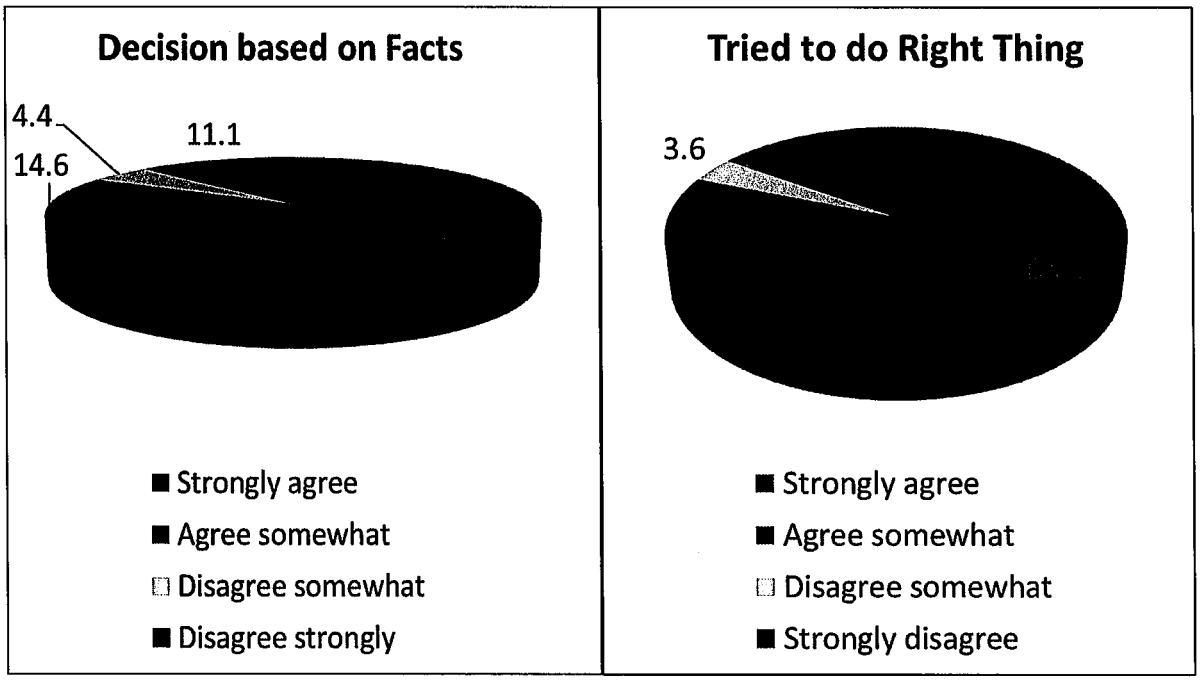
Neutrality

We asked respondents to agree to disagree with these statements:

- The police made their decision based on facts.
- The police tried hard to do the right thing.

Each statement elicited agreement from about three-quarters of the respondents; see Figure 13.

Figure 13. Neutrality.



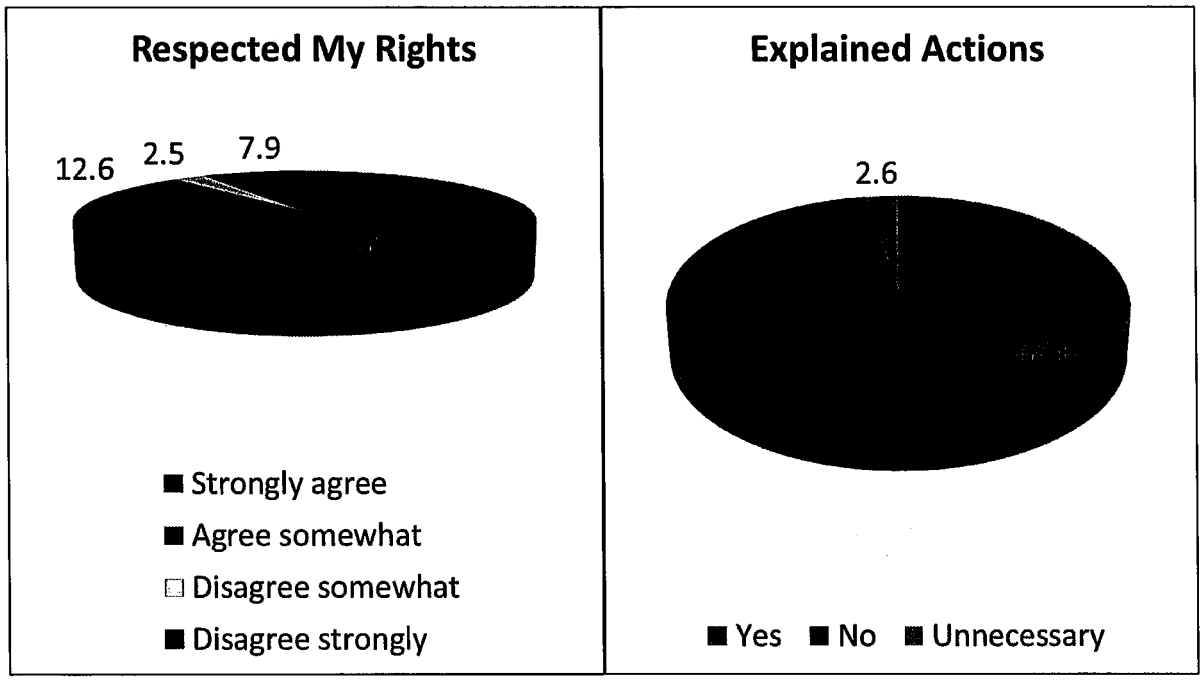
Trustworthy Motives

We asked respondents:

- Did the police clearly explain what action they would take?
- The police respected my rights (agree/disagree).

About two-thirds of the respondents indicated that police explained their actions, while about 80 percent said that police respected their rights; see Figure 14.

Figure 14. Trustworthy Motives.



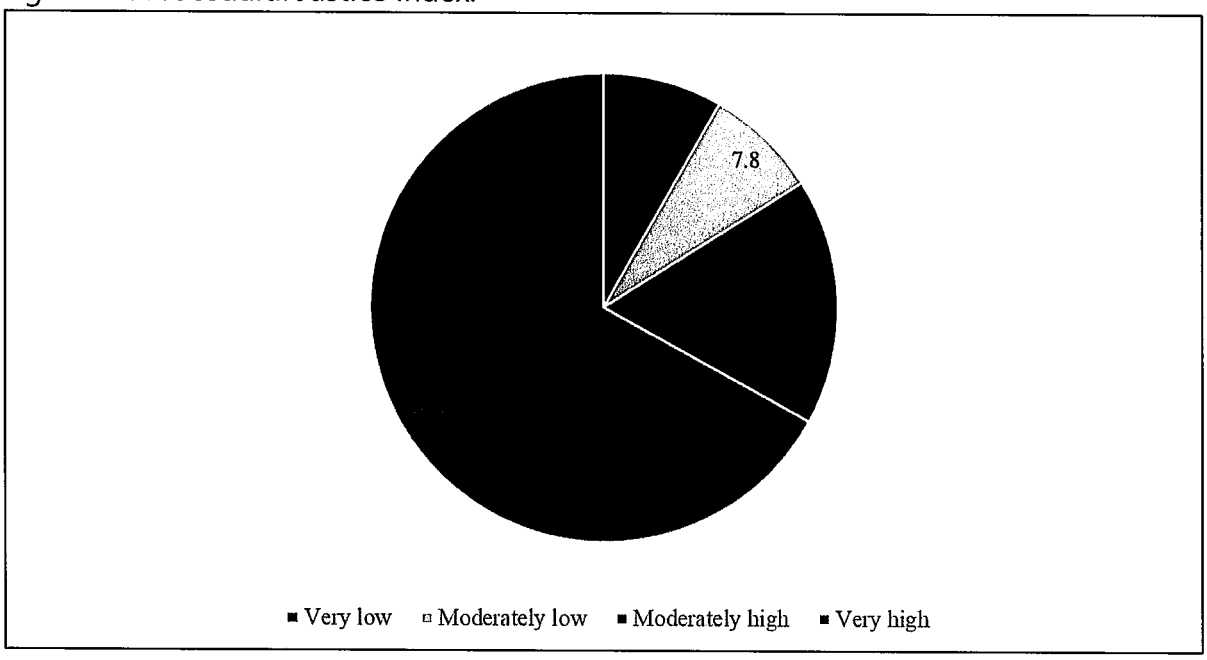
Procedural Justice Index

As they have in many previous surveys, responses to the items concerning procedural justice are strongly intercorrelated, and together they form a reliable index of procedural justice. We formed a simple additive index to summarize the subjective procedural justice of contacts with Syracuse police, based on the eight items discussed above and three others.[15] See Figure 15. The index scores range potentially from 0 to 40. For the purposes of summarizing the responses in simple charts, we divided the scale of the index into four equal segments: very high (31 to 40); moderately high (21 to 30); moderately low (10 to 20); and very low (0 to 9).

Two-thirds of the respondents' scores on the procedural justice index placed them in the very high range, and about one-sixth fell into the moderately high range. The remainder of the respondents were about evenly split between the moderately and very low ranges of scores.

[15] The other survey items were: (1) "How fair were [the police] – were they very/somewhat (un)fair?" (2) "Did you find the police ... very/somewhat (un)helpful?" (3) "The police were truthful in their communications with me" (agree/disagree strongly/somewhat).

Figure 15. Procedural Justice Index.

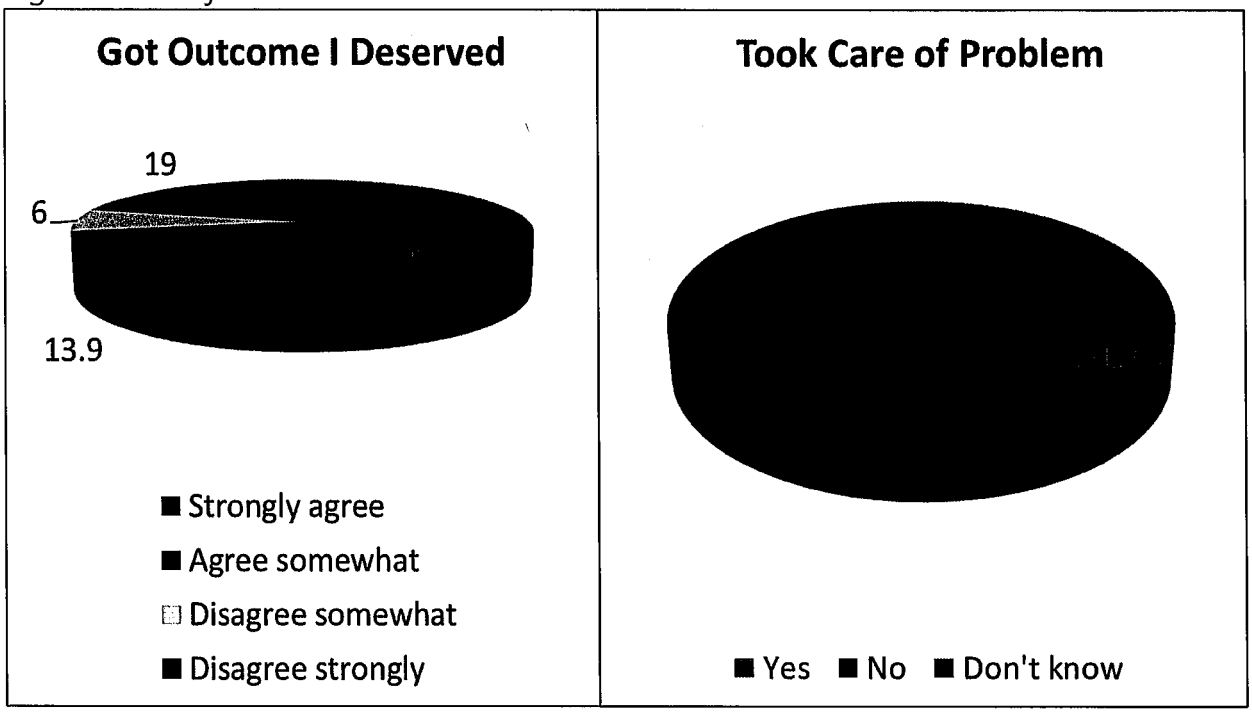


Subjective Outcomes

Theories of legitimacy stress that trust and confidence in police turns more on process – i.e., procedural justice – than on outcomes. Empirical evidence supports this view, but even so, citizens' experiences are affected by their judgments about the outcomes that they receive. Outcomes include, first, the effectiveness with which police intervene. We asked respondents: Do you feel that the police took care of the problem? Citizens' experiences are also shaped by distributive justice – whether people believe that the outcome was fair or deserved, whether or not it was in an objective sense favorable to them. We asked respondents to agree or disagree with the statement, "I received the outcome I feel I deserved."

About 60 percent of the respondents indicated that police took care of their problem, while three-quarters said that they believed that they received the outcome that they deserved. See Figure 16.

Figure 16. Subjective Outcomes.



Comparisons of Subjective Experiences

We draw three sets of comparisons: (1) findings across police districts; (2) current findings compared to those generated by the 2011-2013 contact survey in Syracuse; and (3) Syracuse findings compared to those based on the NPRP sample.

Scores of the procedural justice index vary little across the parts of the city that comprise the different police districts, as Figure 17 displays. (Again, readers should note that the geographical placement of each respondent and his/her scores is based not on the respondent's residential address but rather the location to which police were dispatched, which are not always the same.) Procedural justice was nearly uniform across the districts. Differences are well within the margin of sampling error (which is somewhat larger at the district level, inasmuch as the district-based samples are of course smaller).

The procedural justice index scores were quite comparable to those found in our previous survey among people who called for service; see Figure 18. Differences are small and within the margin of sampling error.

Finally, levels of satisfaction with treatment by Syracuse police are higher than those reported for the NPRP sample, and assessments of the extent to which respondents were treated with dignity and respect by Syracuse police are quite comparable to those reported for the NPRP sample; see Figures 19 and 20.

Figure 17. Procedural Justice Index by District.

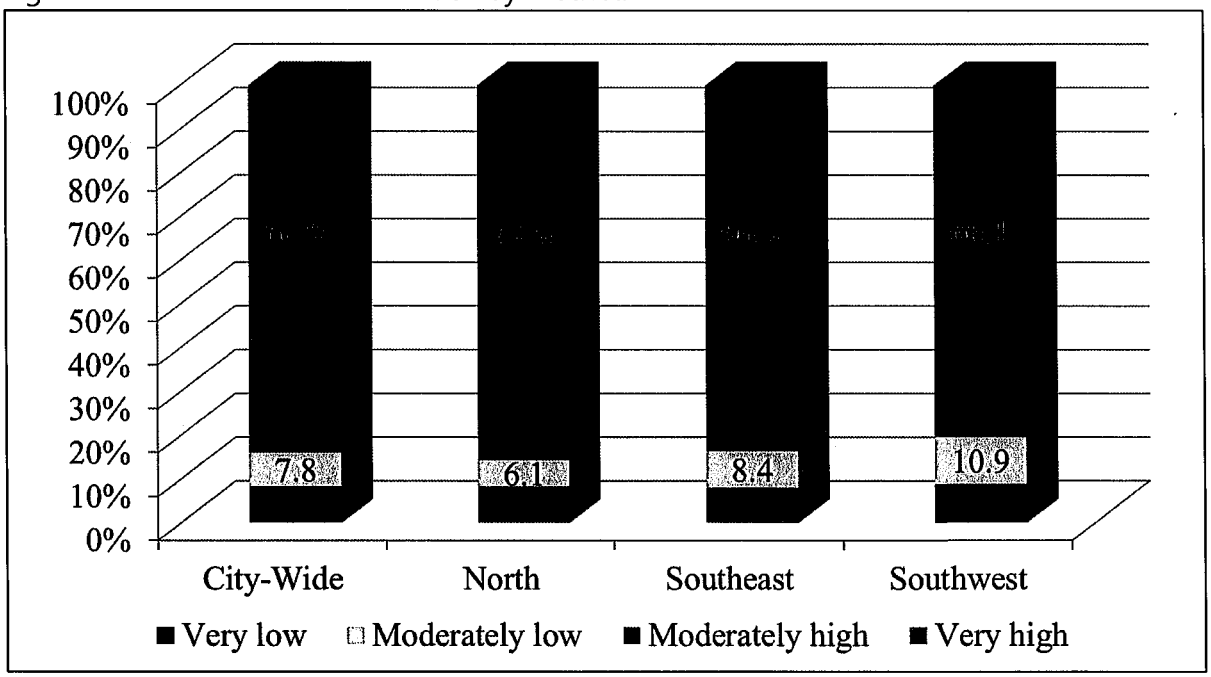


Figure 18. Procedural Justice Index: 2019 v 2011-2013.

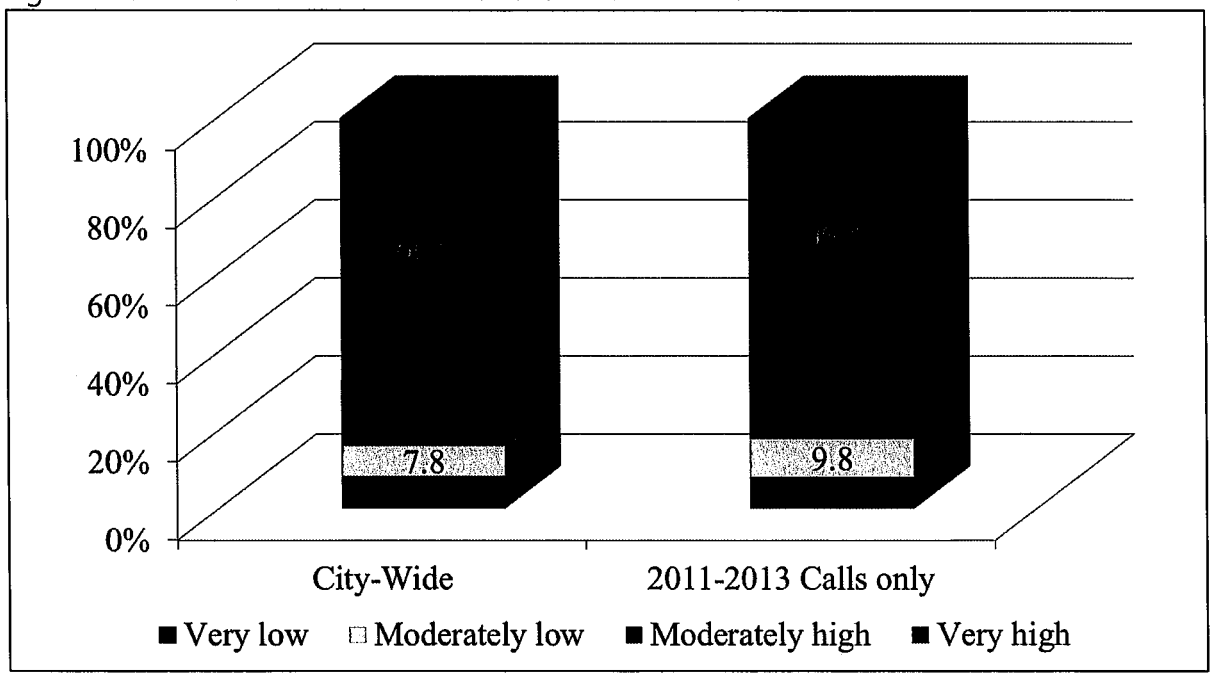


Figure 19. Satisfaction with Treatment, Syracuse v NPRP.

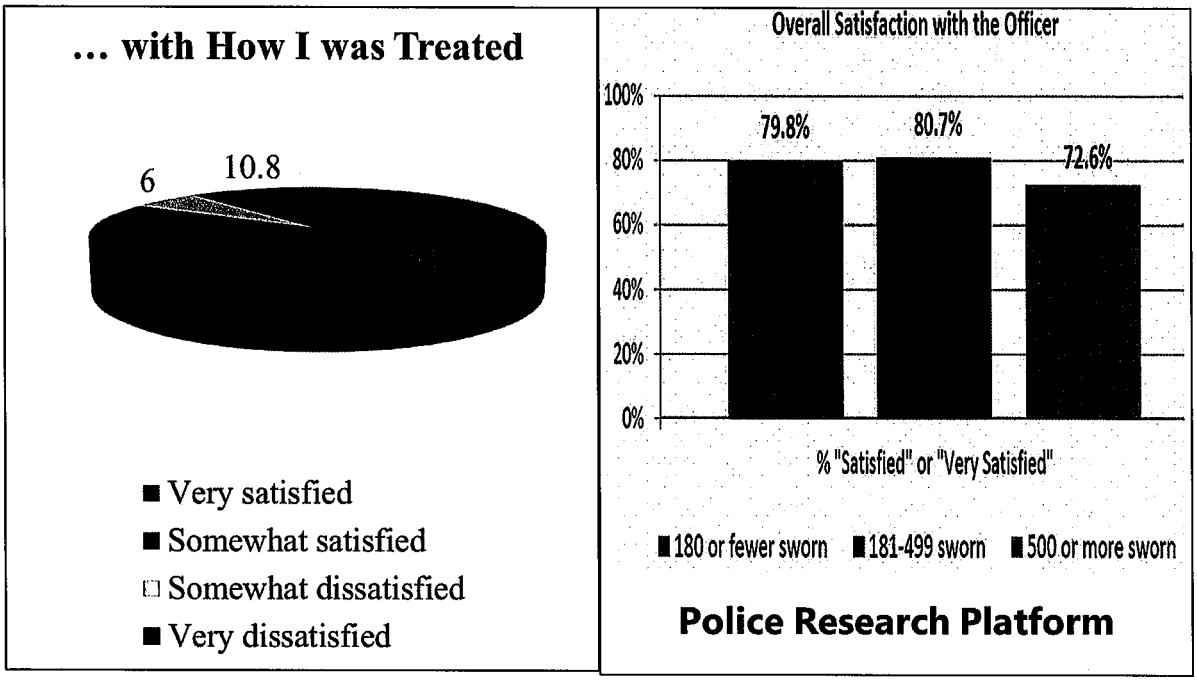
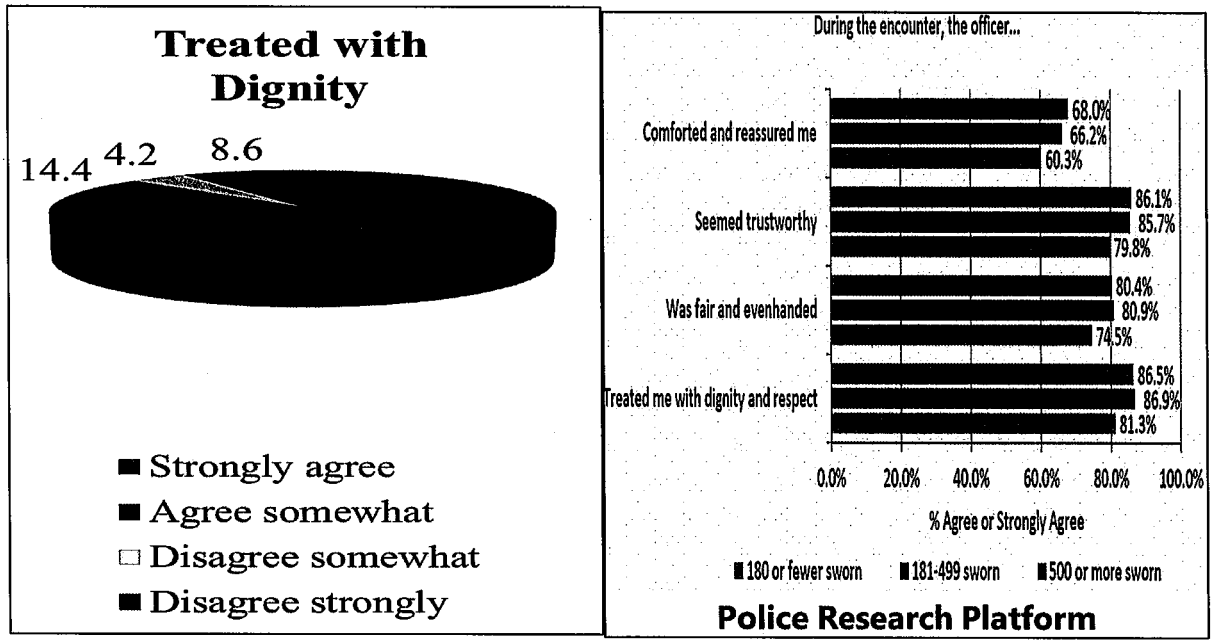


Figure 20. Treated with Dignity and Respect, Syracuse v NPRP.



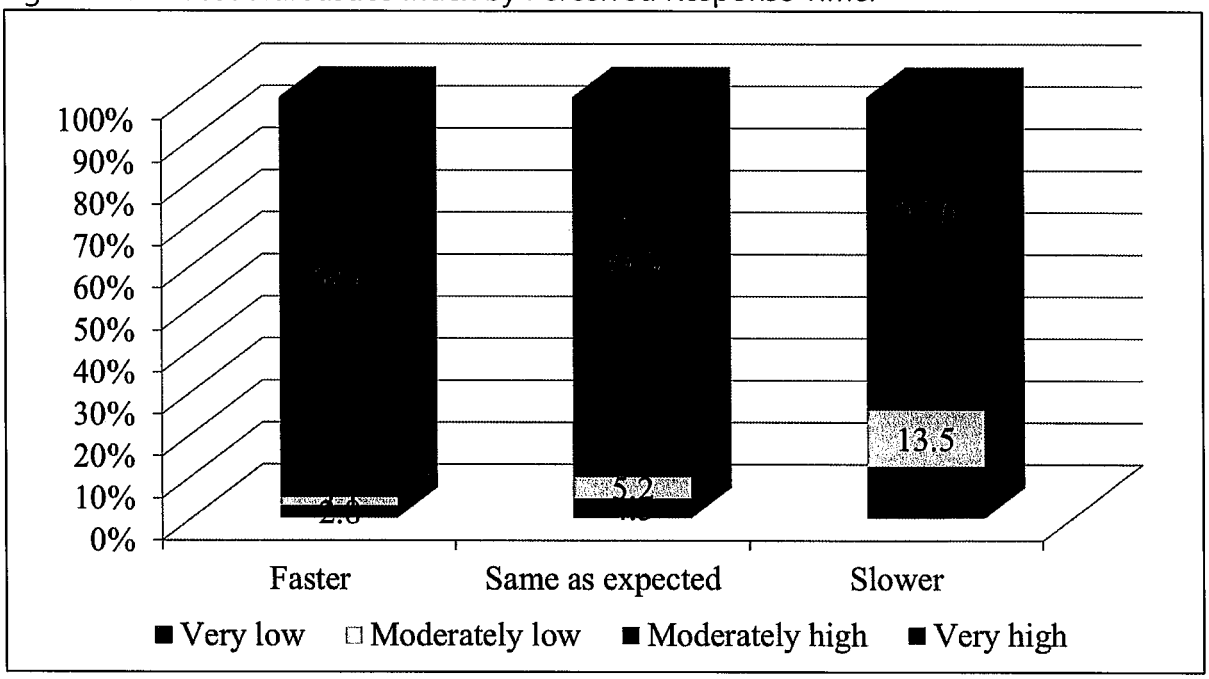
Correlates of Subjective Experience

Previous research has shown that citizens' subjective experiences are associated with several factors, a few of which we examine here.

Response Time

We asked respondents whether the police response was faster than they expected, slower than expected, or about the same as expected. This is itself a subjective judgment, of course, which is likely affected by more general attitudes toward the police.[16] Respondents' judgments about the celerity with which police responded are associated with their assessments about procedural justice, as it is summarized by the procedural justice index. Respondents who judged response time as faster than expected rated procedural justice more favorably than those who thought police responded as quickly as they expected. Those who thought that police responded more slowly than expected were far less likely to rate procedural justice highly; one-quarter had scores in the moderately to very low ranges. See Figure 21.

Figure 21. Procedural Justice Index by Perceived Response Time.

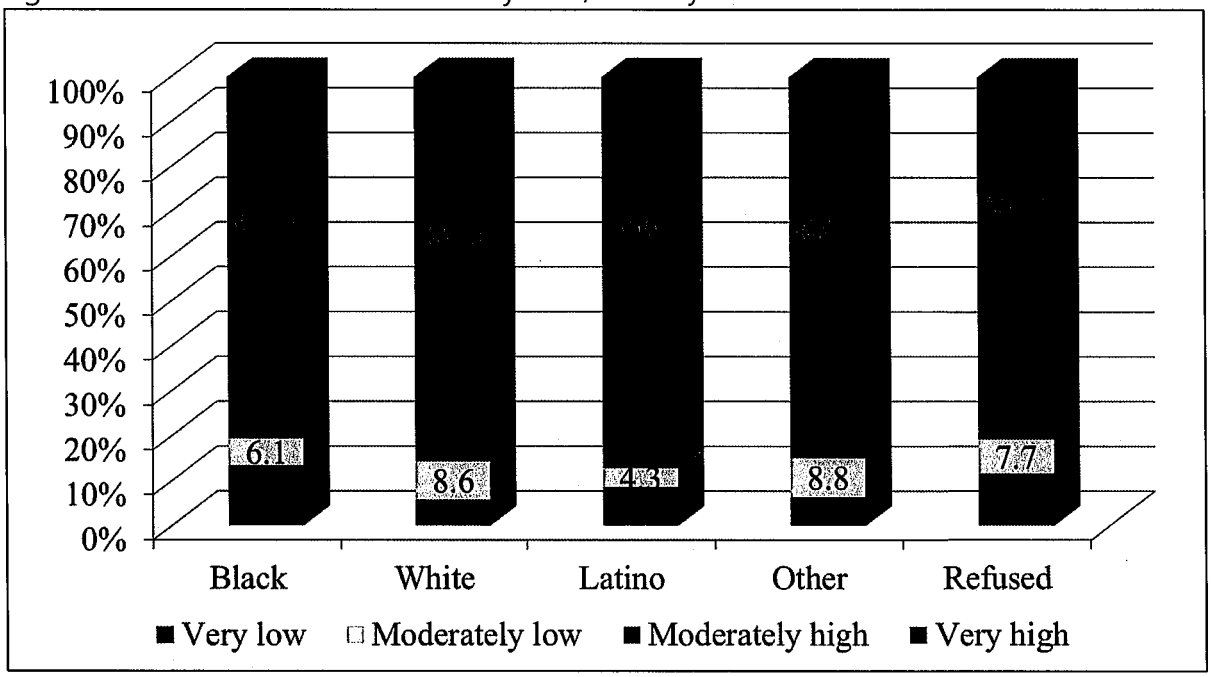


[16] These judgments vary somewhat with the nature of the problems about which citizens called, with slower perceived response times to types of incidents that are likely accorded lower response priorities. Further analysis will be conducted to examine the correspondence of perceived response times with CAD-recorded response times, including the components of the latter: dispatch time (the elapsed time from call receipt to dispatch of a police unit) and travel time (the elapsed time from dispatch to arrival at the scene).

Race/Ethnicity

Procedural justice is among the attitudes on which racial/ethnic disparities are commonly found, and Syracuse is no exception to the general rule. The disparities in index scores are not large, however, with the possible exception of respondents who declined to disclose their racial/ethnic identification to interviewers. See Figure 22. Black respondents were the most likely of the racial/ethnic groups to register scores in the very low range. Otherwise, though, index scores exhibit similar distributions across the races/ethnicities.

Figure 22. Procedural Justice Index by Race/Ethnicity



Age

Previous research has generally found that age is directly associated with attitudes toward the police: as age increases, people's attitudes toward the police become more positive. We find a muted association among the Syracuse respondents, one that appears principally when one considers the oldest age group, over 65 years of age. Differences in index scores across the other age groups are small and within the margin of sampling error. See Figure 23.

Income

Scores on the procedural justice index are relatively high among those in the highest income group, relatively low among those in the lowest income group, and fairly similar among groups in between. See Figure 24.

Figure 23. Procedural Justice Index by Age.

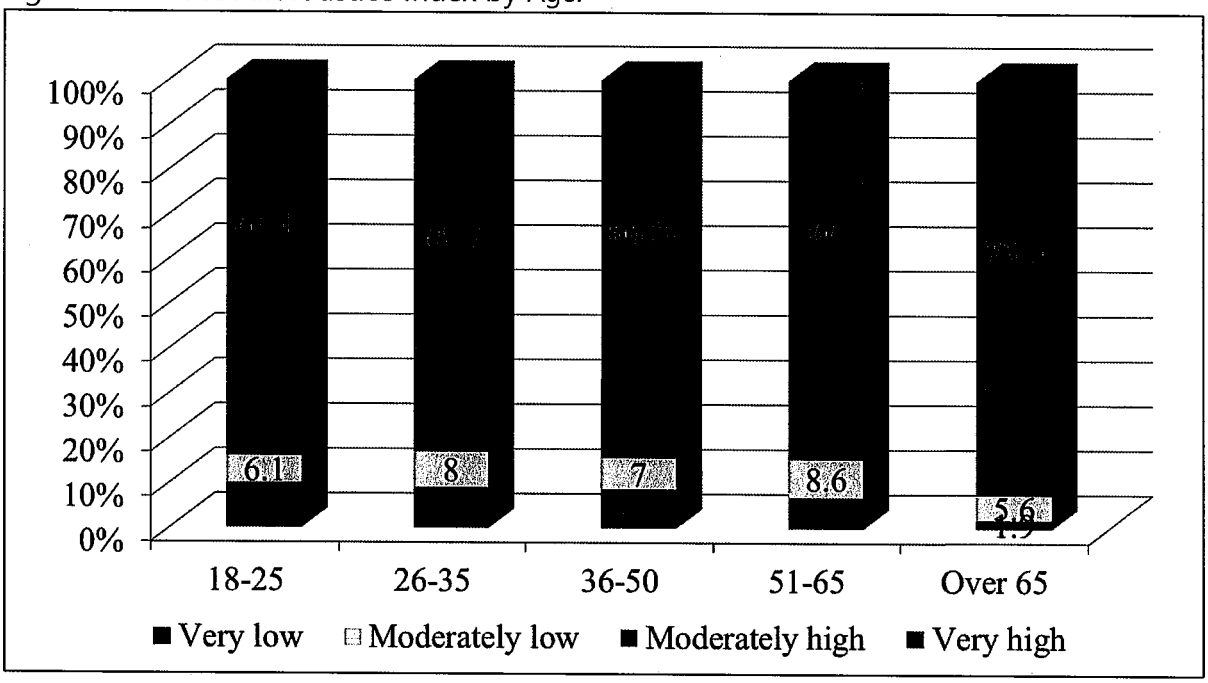
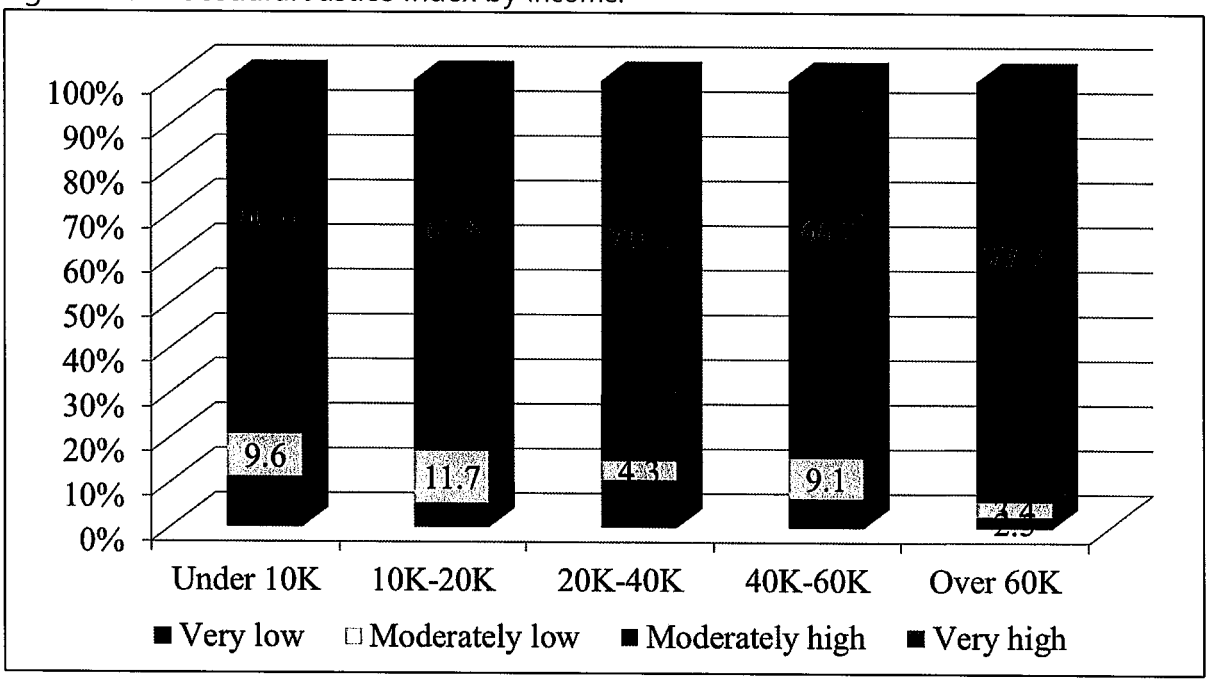


Figure 24. Procedural Justice Index by Income.



Conclusions

We surveyed people who had a recent contact with Syracuse police as a result of a call for police assistance. The sample is in every detectable respect representative of the larger population of such voluntary contacts. From this sample, we infer that substantial proportions – three-quarters or more – of the people who request the assistance of Syracuse police are satisfied with how police treat them and rate the procedural justice of police in their contacts in favorable terms. The remainder are dissatisfied and/or less positive about procedural justice. The patterns that we find in the 2019 survey are comparable to those that we found in Syracuse 6-7 years earlier, and comparable to those reported from a national survey across 58 police agencies. Readers can make their own judgments based on the findings, but against these standards, Syracuse police fare reasonably well.

Citizens' judgments about procedural justice and their satisfaction with police contacts are shaped by a number of factors outside of police control. Citizens bring to their encounters with police a set of outlooks and expectations that influence their perceptions of the interaction, for better or for worse; subjective experience and police action are not equivalent. Furthermore, the incidents or problems about which citizens seek police assistance may not be susceptible to police-imposed solutions, or the solutions that police can impose may not be sustainable. Expectations for police action may be incompatible with what law requires or permits.

Some factors are within police control. The strongest effects on citizens' subjective experiences stem from the use of police authority, particularly frisks and searches and the use of physical force. These actions are seldom taken against people whose contacts with police are voluntary, however, and do not account for the variation in subjective experiences reported here.

Response times are to some degree within police control, within the constraints of patrol staffing and subject to dispatch protocols and practices in a communications center. The procedural justice with which police act is largely within police control, and though discourtesy or disrespect is to some unavoidable extent subject to different interpretations, it surely affects citizens' subjective experiences.[17] Dispositions – e.g., completing reports rather than concluding incidents with no formal action – may have a bearing on citizens' satisfaction. Follow-up with crime victims by investigators also affects citizens' judgments. On some of these questions we can and will perform additional analysis of the survey data.

[17] Though Worden and McLean found weak relationships between citizens' subjective experiences and an independent measure of the procedural justice of officers' actions, they found a stronger relationship between citizens' subjective experiences and a measure of the procedural *in*justice of officers' actions. Citizens' perceptions are demonstrably affected by procedurally unjust actions. See *Mirage of Police Reform*, chap. 7.

Appendix – Sampling and Survey Procedures

The survey sample was drawn from the population of calls for service received and captured in the Computer-Aided Dispatch (CAD) system between March 1 and October 31, 2019. Beginning with CAD records extracted by SPD personnel and provided to the Institute, records of officer-initiated incidents were removed, leaving the call-for-service (CFS) population, numbering 77,647 over the eight-month period (see Table A-1). Based on the information on each CAD record about the nature of the incident and the identity of the caller, we identified and excluded selected types of incidents. Alarm calls were excluded based on the premise that no face-to-face contact between police and citizen (other than security personnel) occurred. Incidents for which the CAD record contained no name, and incidents involving citizens for whom neither the CAD system nor the record management system (RMS) contained a phone number, were also excluded. The application of these exclusionary criteria yielded the sampling frame: all of the incidents eligible for sampling. With one exception, the incidents comprising the sampling frame bear a strong resemblance to the CFS population in terms of the nature of the incidents, the police districts to which police were dispatched, and the time of day – i.e., platoon – during which calls were received.[18] The exception is the proportion of incidents in the suspicious circumstances category, due to the exclusion of alarm calls.

Each month, 1,000 calls were sampled randomly from among the eligible calls, whereupon the names and phone numbers of the citizens, and the dates of their contacts, were provided to a professional survey firm (JB Research, LLC). The monthly target number of completed interviews was 100. The 8,000 sampled calls, and the 801 incidents about which respondents completed interviews, are very similar to the sampling frame (see Table A-1). Any differences between the sample and the sampling frame are matters of random chance. Differences – detectable and undetectable differences – between the respondents and the sample are to some extent random and to some extent a function of participation patterns. The respondents are representative of the larger sampling frame to the extent that we are able to draw comparisons.

We note that, depending on the date of a call for service and the timing of a completed interview, respondents were asked to reference an incident that transpired two to nine weeks prior to the interview. CAD and RMS extracts were drawn shortly after the end of each month, with sampling and the preparation of call lists completed soon thereafter. Interviews based on the month's sample were completed prior to the following month's sampling. At the extremes: a citizen who called police for assistance late in the month, and who was contacted for an interview at the beginning of that month's interview period, was asked to recall an incident that occurred about two weeks earlier; a citizen who called police for assistance early in the month, and who was contacted for an inter-

[18] Incident type categories are those formulated by Gordon P. Whitaker; see "What Is Patrol Work?" *Police Studies* 4 (1982): 13-22

Table A-1. Syracuse Police Contact Survey Sampling

	CFS population	Sampling frame	Sample	Respondents
Count	77,647	44,627	8,000	801
Incident type*	%	%	%	%
Violent crime	11.6	14.2	14.1	13.0
Interpersonal conflict	14.2	15.5	15.2	15.1
Non-violent crime	13.1	15.2	15.0	16.9
Suspicious circumstances	12.2	6.4	6.6	6.9
Dependent person	9.7	11.0	11.1	10.0
Traffic problem	13.3	14.9	15.4	15.0
Public nuisance	9.8	9.0	8.7	10.6
Medical problem	3.8	4.0	3.9	3.0
Other assistance	6.3	7.4	7.7	8.1
Other crime	1.8	0.9	0.7	0.7
Unspecified	4.1	1.5	1.5	0.6
District**	%	%	%	%
North	51.5	52.1	52.5	51.5
Southeast	25.9	26.3	26.4	24.0
Southwest	22.7	21.6	21.2	24.5
Platoon	%	%	%	%
1	25.6	23.6	24.0	24.7
2	28.8	29.1	29.6	28.6
3	45.6	47.3	46.4	46.7

Call for service (CFS) population excludes officer-initiated incidents ("field events")
Sampling frame excludes ineligible incidents: alarm calls; other incidents for which there is (a) no identifiable individual complainant, or (b) no phone number available in CAD/RMS.

* Classification based on CAD field ACTUINCD. Unspecified = "call" or "misc"
** Percentages omit incidents with no beat information (2% for the population)

view near the end of that month's interview period, was asked to recall an incident that occurred as much as nine weeks earlier.

We also note that some citizens had called for police assistance on multiple occasions. More than one-quarter (222) had called for service at least once in the two months prior to the incident that was sampled; 163 called for service at least once in the two months following the incident that was sampled (including 69 who had called in the previous two months). Though the interviewers advised respondents about the date of the incident about which we inquired, these respondents may have had difficulty in differentiating among the incidents. Such discrepancies affect only analyses that involve data that are derived from police records (including, e.g., police district).

Many citizens involved in sampled calls could not be reached (see Table A-2). In some instances, the number obtained from police records had been disconnected or was reportedly a wrong number. In many instances, the interviewers' calls were not answered on any of the three occasions on which they attempted to reach the individual. In still other instances, the respondent was not available at any of the times that they were called. Previous experience led us to anticipate these challenges and to sample accordingly in order to achieve a sample of 800 completed interviews for analysis.

Of those who were contacted, nearly two-thirds completed the interview. Some who began the interview did not complete it, for one reason or another. About one-fifth declined to participate in the survey. A small number were screened out (due to their age, as we interviewed only adults), while 45 individuals whom we contacted were unable to participate due to a language barrier (the interviews were conducted only in English).

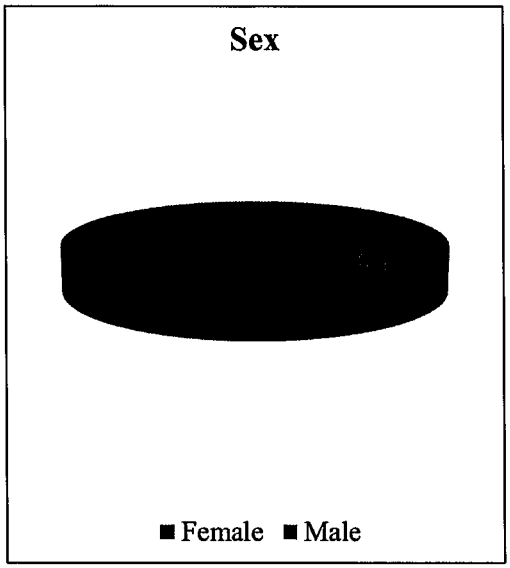
Table A-2. Survey Calling Dispositions.

Disposition	N	% of contacted	% of total
Completed	801	64.6	10.5
Incomplete	66	5.3	0.9
Refused	256	20.7	3.3
Language barrier*	45	3.6	0.6
Screened out	71	5.7	0.9
Total contacted	1,239	100	16.2
Not contacted - respondent unavailable	1,241	-	16.2
Not contacted – no answer, answering machine, other	4,562	-	59.7
Wrong number/disconnected	601	-	7.9
Total	7,643	-	100

* 16 Spanish language; 29 other language

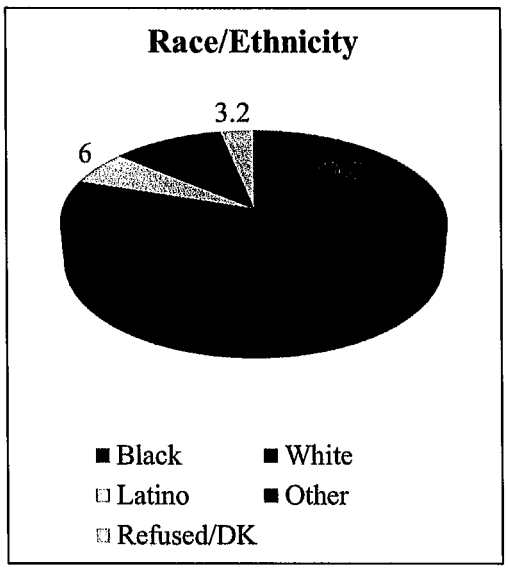
Respondents' Characteristics

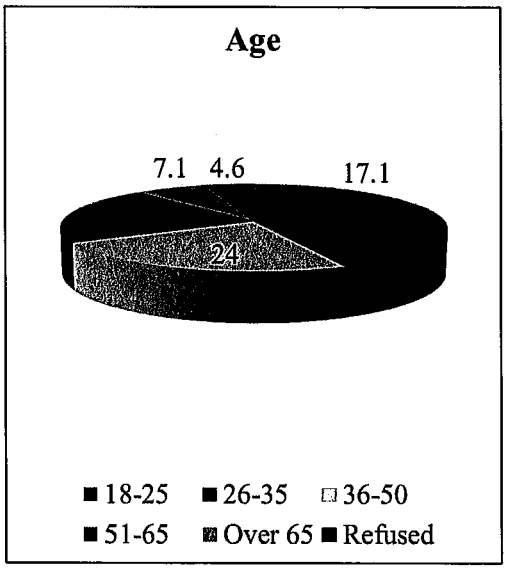
The survey protocol concluded with a set of questions about the respondents' background, including the race/ethnicity with which they identify, their age, and their household income. Interviewers also recorded respondents' sex.



Nearly 60 percent of the respondents were male.

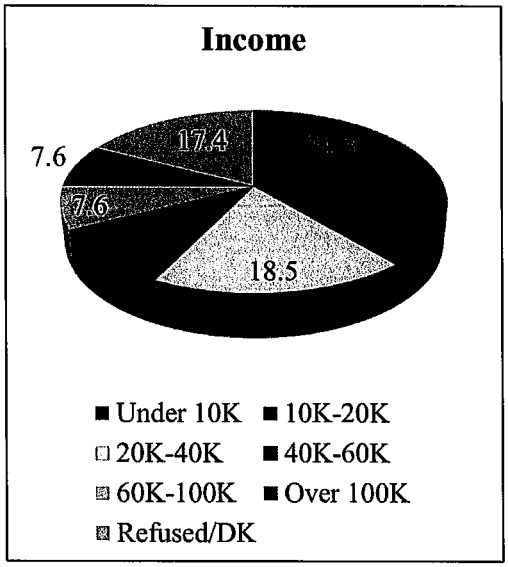
A bit more than half of the respondents identified as White, and one-quarter as Black or African-American. Six percent were Latino, and slightly more than 10 percent identified as another race or ethnicity, including mixed race. Three percent declined to specify their race/ethnicity.





Half of the respondents were 26 to 50 years of age. Slightly more than one-fifth were 51 to 65, and less than one in ten over 65. About one-sixth were 18 to 25.

Nearly one-quarter of the respondents reported a household income under $10,000, and an additional 14.5 percent reported an income of $10,000 to $20,000 – i.e., below the federal poverty level for a family of 3. Nearly one-fifth of the respondents reported household incomes of $20,000 to $30,000. About one-quarter reported higher incomes, though 17.4 percent declined to disclose income information.



Appendix M

Appendix L

Appendix M

"Say Their Name" Policy Agenda (2020)

Appendix M

The "Say Their Name" Police Reform Agenda & Bills

Governor Andrew M. Cuomo announced on June 5, 2020, the "Say Their Name" reform agenda following the murder of George Floyd and an ongoing pattern of police brutality against minority communities across the nation. The Governor said he will work with the State Legislature to get these policies done next week.

The reform agenda includes:
Allow for transparency of prior disciplinary records of law enforcement officers by reforming 50-a of the civil rights law;
Banning chokeholds by law enforcement officers;
Prohibiting false race-based 911 reports and making them a crime; and
Designating the Attorney General as an independent prosecutor for matters relating to the deaths of unarmed civilians caused by law enforcement.

"Mr. Floyd's murder was the breaking point of a long list of deaths that were unnecessary and abusive, and people are saying enough is enough, we must change and we must stop the abuse," Governor Cuomo said. „Stopping police abuse vindicates the overwhelming majority- 99.9 percent- of police who are there to do the right thing. It restores the confidence, the respect, and the trust that you need to make this relationship work. You have to heal the police-community relationship for the sake of the police and for the sake of the community. As the progressive capital of the nation New York should be at the forefront of this movement, and I want to work with the Legislature to pass these policy priorities next week to reform our systems and put a stop to this abuse once and for all." **-Governor Andrew M. Cuomo, June 5, 2020**

Senate Bill S.8496: Repeals section 50-a of the Civil Rights Law that provides additional protections to the personnel records of police officers, firefighters, and correction officers.

Senate Bill S.2574B: Creates an Office of Special Investigation within the Department of Law, under the Attorney General, which will investigate, and, if warranted, prosecute any incident of a person whose death was caused by a police officer or peace officer.

Senate Bill S.3253B: Clarifies that a person not under arrest or in the custody has the right to record police activity and to maintain custody and control of that recording, and of any property or instruments used to record police activities.

Senate Bill S.6670B: Named the "Eric Garner Anti-Chokehold Act," prohibits the use of chokeholds by law enforcement and establishes the crime of aggravated strangulation as a Class-C felony.

Senate Bill S.3595B: Establishes the Law Enforcement Misconduct Investigative Office within the Department of Law to review, study, audit and make recommendations regarding operations, policies, programs and practices of local law enforcement agencies. The goal of this legislation is to enhance the effectiveness of law enforcement, increase public safety, protect civil liberties and civil rights, ensure compliance with constitutional protections and local, state and federal laws, and increase the public's confidence in law enforcement.

Senate Bill S.1830C: Named the Police Statistics and Transparency (STAT) Act, will require courts to compile and publish racial and other demographic data of all low-level offenses, including misdemeanors and violations. The bill also requires police departments to submit annual reports on arrest-related deaths to be submitted to the Department of Criminal Justice Services and to the governor and the Legislature.

Appendix M

Senate Bill S.8492: Establishes a private right of action for a member of a protected class when another person summons a police or peace officer on them without reason to suspect a crime or an imminent threat to person or property existed.

Senate Bill S.6601A: Amends the Civil Rights Law by adding a new section that affirms New Yorkers' right to medical and mental health attention while in custody.

Senate Bill S.8493: Named the New York State Police Body-Worn Cameras Program, directs the Division of State Police to provide all state police officers with body-worn cameras that are to be used any time an officer conducts a patrol and prescribes mandated situations when the camera is to be turned on and recording.

Senate Bill S.2575B: Requires state and local law enforcement officers, as well as peace officers, to report, within six hours, when they discharge their weapon where a person could have been struck, whether they were on or off duty.

Appendix N

Appendix N

City of Syracuse National Police Athletic League Certification (2021)

THE NATIONAL ASSOCIATION OF POLICE ATHLETIC/ACTIVITIES LEAGUES, INC.

CERTIFICATE OF MEMBERSHIP

Syracuse Police Athletic League

has been approved as a member of the
NATIONAL ASSOCIATION OF
POLICE ATHLETIC/ACTIVITIES LEAGUES,
INC.
Thank you for being part of our organization.

2021 Season Given
this 17th of February , 2021

JEFFREY A. HOOD
Chief Executive Officer

CHRISTOPHER HILL
Board Chairman

This certificate also acknowledges both Member's status as an independent organization whose operations/activities are not subject to nor afforded any form of oversight, inspection,
or control by National PAL and that said Member is solely responsible for the conduct of its employees, volunteers, invitees, and others, who engage in

Appendix O

Appendix L

Appendix O

Public Comments (2021)

Onondaga County Police Reform & Reinvention Collaborative

Written Community Comments

Video of Community Forums: https://policereform.ongov.net/previous-forum-meetings/

Date	Zip Code	Comment
1/20/2021	13088	Many thanks and kudos to the men and women of the police department who serve and support our community. To the officers who risk their lives and well-being everyday while serving a community who often does not respect or appreciate them. Thank you and keep up the good work.
1/19/2021	13224	The fact that systemic racism is a public health threat for black Americans is no longer in question. Many studies have confirmed that not only is police violence a leading cause of death for black men age 25-29, but also - the stressful interactions that black, latino and indigenous peoples face with police - leads to worsening mental health. In order to avoid the disproportionate violence that those with mental illness face at the hands of police that escalates at the hands of police, I recommend looking at cities that have had success such as the CAHOOTS program in Oregon that has worked for over 30 years in which a medic is paired with a mental health responder. But please do - reach out to mental health providers in this community and work to implement a plan that is not controlled by SPD. If we are truly to commit to implementing the executive order we must do so with the help of continued public engagement, and input not only in forums such as these but with the ongoing participation such as with participatory budgeting. And until the time that all civil servants can be trusted to put justice and the well being of its residents ahead of political favors and political power, we must continue to demand an open, transparent and accountable process. Obviously closely intertwined but not otherwise mentioned is The new Jim Crow era of exponential incarceration of black and brown residents, the legal fines, the loss of livelihood and family, the worry and financial stress that goes along with incarceration. We must put an end to the deep seated racist attitudes that leads us to inhumane actions, incarcerations and targeting not only of black men but also towards our undocumented neighbors. And while I have your here it is my hope that the civil servants present will also make efforts to the address the poverty and unequal distribution of resources and wealth very evident from the suburbs to the city. That will mean not only addressing these items on the agenda, but when it comes time to provide favors or tax breaks to well funded corporations or donors that each of you instead look to prioritize city school funding, city community resources, healthcare for all, lead remediation that will positively impact the residents of this city of segregated poverty.
1/19/2021	13205	Syracuse United Neighbors (SUN) a 43 year old non-profit membership organization active on the city's south, southwest and near-westside neighborhoods. We are the organization that has been successful in fighting for Nuisance Abatement (drug house) ordinance, getting both the City of Syracuse and Greater Syracuse Land Bank to secure vacant houses to prevent arson and individuals from storing weapons and illegal drugs in the house, organizing monthly neighborhood meetings in our target area where we won an agreement from previous police chiefs to speak to a Syracuse Police Officer about various police issues. We fought for the first neighborhood in the city to receive 9 COPS cameras in 2010 and in subsequent years worked to add more cameras throughout our area. SUN supported SHOTS SPOTTER. We are angry about the increasing violent crime in our neighborhoods. In 2020 we were all victimized with 31 homicides, at least a half from our target area. An August '20 SPD report states there has been 369 TOTAL SHOTS FIRED. + 62% over the previous year. Ours is a violent low income killing field. We are not happy to report that Syracuse Police Officers didn't report to our meetings in August and September 2020 and beyond. We are discarded by the current administration! Ignored when we complained about a gambling house at 129 Rockland Ave that ended with a homicide We were IGNORED when we submitted a bag of spike being sold at a corner store to the front desk at SPD. Drug houses and the escalating overdose victims are a way of life on the
1/19/2021	13208	Can someone please tell the SPD to obey the laws of the road? Several times I see them holding their cell phones talking. Also I saw 4 police vehicles disobeying street signs such as no turn on red the other day. If they can pull motorists over for disobeying the law then they need to follow them also. Next time I'm getting license plates and reporting them!!! Oh and they do not have their lights flashing when they break the laws. I'm sure like others I'm sick of seeing this. Also I was in the middle of plugging in my charger on my cell phone on court street. I had my phone in my hand for no longer than 2 seconds. A woman cop pulled me over and refused to tell me what I was pulled over for and insisted I give my information so I did. Then before giving me the ticket she came around to my window and pounded so hard to open it I thought she was going to break my window! I'm a gentle woman and I'm not going to be treated like this!!!!! Please fix this unnecessary miserable cops on the streets of Syracuse!!!!
1/19/2021	13224	1. Minority Recruitment: What's being done to reshape the image of law enforcement in communities of color and what initiatives are in place to add color? 2. There will always be confused, misguided and angry young people in impoverished communities. the main problem is, they have access to guns. What initiative does law enforcement have locally or federally to diminish access to guns? 3. We want assurance that every police officer in our community is wearing an active camera when they approach a crime scene.
1/19/2021	13207	Regarding Syracuse reforms, I'll submit written comments, but would want to present oral comments.

1/18/2021	13203	It seems that I missed my chance to join a meeting as my neighborhood, the north side, was set up for Jan. 14, a date before I opened this site. The topic of police reform is of high importance to me because this is a strategic moment to address the issues surrounding and motivating it from the perspective of both the local community and law enforcement. I feel that strong thinking and effective action can happen at this moment, more than ever before. To waste this opportunity would be a disservice to all involved. I will check int to this site to look for follow up information .
1/18/2021	13224	None at this time.
1/18/2021	13224	How does the Syracuse Police Department screen recruits for tendencies toward racial bias and excessive use of force?
1/18/2021	13224	Is there any plan for the county to increase mental health responses to certain 911 calls?
1/18/2021	13224	As is painfully clear from the brutal police response to largely peaceful BLM protests this summer verses the under-response to whipped up Trump supporters who stormed the Capitol on Jan 6, policing in our communities nationwide has a white supremacist problem. At least since 2006, with the (heavily redacted) release of the FBI's report "White Supremacist Infiltration of Law Enforcement", law enforcement has known that white supremacist groups actively encourage members to infiltrate police departments and have recruited members of the military and police into their ranks. Little has been done to address this problem and it has been allowed to spread. According to a recent article in the Military Times, the Dept of Defense is currently investigating and reviewing its policies on "extremist activity." https://urldefense.com/v3/__https://www.militarytimes.com/news/your-military/2021/01/14/the-military-knows-it-has-a-problem-with-domestic-extremists-white-supremacists/__;!!EOXCwN8!Xm1rcluo0yec38bz85ffP1X2JU47dY6VUnCRSEOGykxINndyHJgzhQx53J_kng$ These racist ideologies are a cancer in both the police departments and the communities they serve. We can't reform police without federal, state and local law enforcement establishing coordinated systems for vetting recruits with potential supremacist links, and identifying members within their ranks whose hateful ideologies drive them to brutalize Black communities.
1/15/2021	13210	It is abundantly clear that much work is needed to route out racial bias throughout the police and "criminal justice" system. Black people and other people of color are much more likely to be stopped, arrested, treated with disrespect and violence, convicted and sentenced harshly. Police need much more training related to bias and de-escalation techniques. We should also follow the lead of other communities who have established Mental Health Emergency Response programs so that police are not dispatched to situations for which they aren't equipped, and which all too often escalate into unnecessary and at times deadly violence.
1/14/2021	13205	Justice
1/14/2021	13066	I am interested in listening to questions and answers. Thank you.
1/14/2021	13027	I live in the village of Baldwinsville and we have our own police department. It's not very big and they don't have issues anywhere near the scale of a city like Syracuse but I still worry that perhaps they have little to no oversight, aren't held accountable. I have absolutely no idea and I don't think residents are informed on if they have body cams, use of force policy, etc. This should change.
1/13/2021	13027	Please, all police officers must wear a body camera THAT IS TURNED ON when dealing with the public. This is for their safety and that of the public. Images must be kept on file while disputes are pending.
1/13/2021	13208	About my sons
1/13/2021	13206	Thanks for doing this
1/13/2021	13224	Answers of an illegal search
1/13/2021	13207	I am a 43 year old resident of Syracuse New York and Work For the SCSD. I work as a custodian for over five years and have been seeking promotion for over four years. The District promise to hire within the community, yet hire from outside the community that they serve and place them in higher paying positions. I tried to present a DHR case that went no where. I felt discriminated against because of this fact and from city to state I feel I was over looked. What does this have to do with police reform? Hire and train more community officers that live, shop, and are often seen in the community. Last comment, Pistol permits. Why is it so hard to obtain a pistol permit? High level crimes are committed daily, in front of law abiding citizens leaving us and our families at a disadvantage in this day and age. Please reform the policy for obtaining a pistol permit. Lower cost. Lower loopholes such as being denied because of a misdemeanor 20 years ago. Develop a culturalistic relationship together.
1/12/2021	13204	Bail reform has tied the hands of police to keep underage kids from committing the same crimes over and over. Why hasn't there been reform for parents to be partially responsible for crimes of children under their supervision? Fines and legal repercussions could hinder the repeat offenders.
1/12/2021	13090	Multiple crimes was committed to my son by his old babysitter and no arrest has been made and no one replies to me from clay sherif department not even the supervisor. I need help. I don't even know my son case # and I feel like I'm being treated unfair for just trying to get justice for my child. Please help.
1/12/2021	13203	Though a bit beyond the powers of the City council, we are decades past the time when the ruinous and immoral "war on drugs" ended. Prohibition didn't work for alcohol. It isn't working for cannabis, cocaine, or any other illicit drugs. Dump the trash and start healing our communities.
1/12/2021	13219	I don't have a question just looking for the link to join.
1/12/2021	13214	no questions
1/12/2021	13039	I have had good and bad experiences with the police. It seems that it depends on what mood they are in on the given day. What kind of mental health support are police given?
1/12/2021	13203	None at this time

1/12/2021	13224	First, thank you for hosting this forum. I would like to know if and when the Citizens Review Board will begin being "an open citizen-controlled process for review grievances involving members of the Syracuse Police Department?" Including "public accountability over the powers exercised by members of the Syracuse Police Department" and an honest "forum for citizen complaints regarding members of the Syracuse Police Department to be heard, reviewed fairly and impartially" and acted on when necessary? Because this has not been followed according to the description on the website for quite some time.
1/12/2021	13090	1)Police behavior that should be illegal. The rogue cop who smashed into a reporter/photographer for the Post Standard and broke his camera last year should not be allowed to remain on the force. They said that cop was a leader of the squad. He should not even be on the force in any capacity. He broke formation and took a dozen steps to his right to slam the reporter with zero provocation. The reporter was doing his job. The cop was trying to hurt him because he was part of the media covering police activity. The incident is on tape in the possession of the newspaper. 2) Also, what steps are being taken to screen out any police members who are part of the white supremacy movement or any other violence inciting groups such as Proud Boys, militias or even some christian Nationalist groups. Police should never be allowed to be members of such groups. 3) Police training is abysmal. They are given about six months of training and most of that is on tactics and weapon training. And for the most part they are under-educated to begin with. More money needs to be spent on education and training and much less on military style weaponry.
1/12/2021	13039	I live out of the city, but would like to comment.
1/11/2021	13205	Reform first must start with each individual, both political parties, people of color, whites, churches, cities and communities. Without this, it's not going to last. I wrote this poet listed; As Time Goes By The words you say, starts off like a snail, Move like a turtle, run like a cheetah, Flies like an Eagle, dives like a falcon, And return as time goes by, Whether it's good or evil. So let us awake from our sleepy past, Let us arise from the dead, With Christ as the head, Who lights up the way, As time goes by, Our future will arise in first class, Because the negative will not last. International Poet @ https://urldefense.com/v3/__http://www.poetrysoup.com/me/JuLaw1945__;!!EOXCwN8!TaWDJMmdqPkAwf7IUMnaGlsf46Lsiw6md2-qSOUxwo_xZooV95TPaliZ95Ed2A$ "Where You May Be Able To Write Your Own Story" Minister Elder of Communication/Encouragement Counseling Area 3 TNT Southside Facilitator Syracuse Police Citizen Advisory Committee Volunteer with Interreligious Food Consortium @ https://urldefense.com/v3/__http://www.ifccny.org__;!!EOXCwN8!TaWDJMmdqPkAwf7IUMnaGlsf46Lsiw6md2-qSOUxwo_xZooV95TPalgyoHrpfQ$ "Helping The Food Pantries Feed The Hungry in Onondaga County" Volunteer with Give-To-Others @ https://urldefense.com/v3/__http://www.givetoothers.com__;!!EOXCwN8!TaWDJMmdqPkAwf7IUMnaGlsf46Lsiw6md2-qSOUxwo_xZooV95TPalhwOch_Ew$ "Bringing Together Those Who Wish To Give With Those It Need"
1/11/2021	13204	Three efforts that currently rely on police involvement that could be done without law enforcement: 1. Mental health response Calls to change how law enforcement responds to mental health calls to 911; 2.School safety/SRO Officers policing in schools disproportionately targets black and Latino students and engaging in needlessly punitive or aggressive behavior. They can patrol the campuses, have a security "trailer at the entrance of school for safety checks, and respond inside if the Principal calls for assistance. 3. Invest in youth programs already on the ground, doing the work(GLYF, Street Addiction, Urban Delights youth program, SNUG, Team Angel, Let me be Great 44...) of developing young people to be great, work with the recently un- incarcerated or the reentry population and invest more in SNUG's interrupters and credible Messangers on our streets to divert youth tfrom the Justice System

1/11/2021	13203	I'm glad that we are starting to have these fora, and while Zoom is sub optimal, being able to join from home is definitely positive. Syracuse is not unique in having turbulent relations with out police. There are things we can and should be doing better as a city. Some suggestions: Ban no-knock warrant executions. "Preserving the evidence" is no reason to risk anyone's life. Dump the "vice squad." Vice is an inherently religious proposition, and has no place in our government or laws. Dispense the theocractic trash that belongs in Tehran. Traffic infractions: The start of so many little interactions that end up going poorly. These are also one of the most dangerous things officers do. Solution: As we have parking violation enforcement that drives around in specialized vehicles, so we can (should) have moving violation enforcement. Well designed equipment can identify the offending vehicle AND identify the driver. Note: Not red light cameras. Those cause more accidents and are for cities that wish to rob their residents. Thanks for your time. Let's keep getting better. -James Stewart
1/11/2021	13205	I am a community resident on the southside. I remain concerned and interested in what the plan is to 1) create a thoughtful and comprehensive plan for recruiting, preparing and hiring a diversified group of police Cadets, The police reform cannot be Successful when the faces and the spaces are still filled with people who are not familiar with other races and do not live in these communities. To not only become a part of the police academy class but also a sworn in police officer in the city of Syracuse.(completing Probation) 2)Fees Due to the Covid pandemic we still experienced the fees for filing should be waived or absorbed by the city of Syracuse fund. Training classes should also be offered to assist applicants and preparing for the test: 2)Can some of funds that were used for the purchase of all police body cams be allocated for a SPD police recruitment with ads and commercials to inform all residents about the approaching Police Test and test
1/11/2021	13207	Are there model police reform projects that have established benchmarks for goal setting, policy development and design, progress measurement, infrastructure and training needs assessments, ongoing program maintenance, leadership academy and problem identification/rehabilitation and remediation, longitudinal institutional/cultural change success measurement? Are there any state and national resources available for identifying, funding and establishing uniform behavior norms, reporting/whistle blowing. academy training and monitoring/observation? No one has the time for re-inventing the wheel.....has someone already created one?
1/11/2021	13207	What plans does the county have to reform the sheriffs department and what resources will be provided or moved to more non-punitive measures for stopping crime?
1/11/2021	13207	I sat on the Grand Jury for a Officer Involved Shooting. We were afforded the full body cam footage of one officer for the entire incident. Several officers demonstrated de escalation measures that were clearly effective. The situation escalated quickly and out of control with the arrival of the officer that ultimately shot the person because "I was afraid for my life..." That officer was agitated, belligerent and provoking. This is an example of good negotiation skills with the clearly mentally ill suspect would have avoided the tragedy. My comment; of all the direction we got as jurors, no mention was ever made of the training involved around negotiation and deescalation (we asked). Only repeatedly telling us how "you can understand how being threatened with a weapon warrants using deadly force". The other officers needed training on how to de escalate their peers. And report their peer's behavior so their peer can receive more training and identify problems that will make them good officers on the team. Thank you
1/11/2021	13159	I'm so sorry that I missed the forum for my area, Tully, but I definitely have a serious concern. I want to understand why the "Right to Know" reform hasn't been acted on.

1/10/2021	13057	This baffles me. It is 2021.. 3 years later and officers have been outfitted with body cams? They don't even use them. If you look at the policy of COPS the distribution is controlled by the police and can be tampered with by police with nobody over them to critique this. It is fake. The cameras when not properly used to nothibg. When properly used tgey also do nothing. It gives the illusion you are protected until they say something like "my camera wasn't working". Also, I was attacked by the police and they did not use cameras. There was however a witness who recorded the incident as well as the cameras on the street and when I tried to bring this information to the judge and my attorney I was told I would get in trouble for witness tampering had I pursued the footage. I was also told i should know when to quit because if I pursued the evidence I would put myself in further danger of police attacking me (again). This is fake news to make it look like something was done in the past 3 years. There were already cameras in the street and police regularly tamper with the evidence or lie about the incident and the judges violate people's right to obtain this evidence.
1/9/2021	13090	Are Onondaga County Sheriff officers equipped with body cameras that must be turned on for interactions with anyone from the public?
1/9/2021	13641	GREAT...NOW, as long as the wearer(officer) CAN'T turn it off...or whats the purpose of having them.
1/8/2021	13039	How are we able to pay cops average 100k a year when our city is so poor and only 50% of property pay no realestate taxes ??? Coips making 100k up to 160k a year is outrages to hard working tax payers and can retire after only 20 years and collect a full [pension right away wow HOW can our city one of the poorest in USA afford that ??
1/8/2021	13039	Can they shut them off when they want ??? Can the police union get access them before the public gets to see them ??? where is video stored ??? whats the penalty for officers NOT turning them on or turning them off in the middle of a encounter ??
1/7/2021	13207	i want to listen
1/7/2021	13029	We have lived here for over 30 years, and as of late, it appears there are fewer and fewer Cicero police officers in this area.. The crimes rate has increased the speeding vehicles are out of control, with no sign of law enforcement around..I feel an increase of officers is vital to this small Hamlet, to keep it safer and less attractive to unlawful offenders.. When there is a lack of Law enforcement in an area, is becomes more appealing to this. We have elementary schools and high schools in the area and when yo read of break ins, and hear the speeding cycles and vehicles, you cringe and pray that no injuries is deaths are s result. I respect that reform is a big issue now, but I don't think reducing the force is an answer. Our officers are already under allot of pressure to do their duty as trained, and to not give them the manpower to do it, is a major injustice to them who put their lives on the lines for us everyday..I hope this will at least have some influence going forward to think about before making any wrong decisions be it for political ,or lack of funds, or whatever, of it's not good for everyone safety and protection, then you need to look for a different resolution.. We need our law enforcement , we rely on them in need and we call them, and that's why they need to have our support when they call us.. Please don't make it harder for these men and women to do their job inn taking care of us.. ANY person of authority who stands in the way of showing this lack of support for our PD, may have to re examine their conscience, or possibly may need a new career....
1/7/2021	13212	Thanks for this opportunity to be involved.
1/6/2021	13207	What is the Cities plan to hold the police accountable related to excessive force, demeanor, racial profiling and bias, false arrest, and failure to act? When will the Right to Know Act be fully implemented in the City and how will the data be provided to the public? Are there plans for A County Right to Know Act? What Oversight can we expect in the future related to complaints against the Onondaga County Sheriff Department? How are the findings/recommendations by the Justice Center Oversight Committee in acted by the Sheriff?
1/6/2021	13206	What are currently the requirements to become a police officer in the city of Syracuse? What extra steps can be taken to ensure that the responsibility and seriousness of this job is valued by those doing it?
1/5/2021	13202	I appreciate that this forum is finally happening and that law enforcement in Onondaga Co is working together.
1/5/2021	13090	As a former President of Neighborhood Watch of C. N. Y,inc would be interested in helping if you need me.
1/5/2021	13214	As a long time resident of DeWitt, am glad we have an opportunity to hear concerns from all citizens. This gives us a chance to educate ourselves on what is really going on in the county.
1/4/2021	13208	What are the strategies that the SPD is planning to implement to address police racial bias in our city, which show up in the unequal treatment of black and brown residents vs white residents? Police must be educated to understand that racism is systemic and built into our societal structures broadly, and that includes the SPD. I have heard several police officers declare they are not racist--which elucidates the fact that they don't understand how racism operates. Is the SPD seeking best practices utilized from other municipalities that have improved community relations generally and that will also address its racial bias? If so, what would you say are the top five elements that will be integrated into police training and activities over the next year? What approaches is the SPD planning to reduce the harm/death from its use of force policy in police/citizen interactions? Who are the local organizations that the SPD will partner with to help make the necessary improvements to benefit both the Syracuse community and the SPD?

1/4/2021	13209	Lt. Ramsing with the NYSP registering for community forum.
1/3/2021	13224	What is planned for policing Parkside Commons?
1/2/2021	13224	I would like to see more community policing in the city if Syracuse. More cops walking the neighborhoods. More cops out from behind the desk. Give sworn civilians the desk jobs. Also, officers should live in the jurisdiction that they work. A police force should reflect the community. It should not be an occupied state of operations. Also, educate the community on the realities of police work. And get back the mounted patrol.
1/13/2021	N/A	I am a resident of the City of Syracuse. I would like to list the ways that the City of Syracuse and Syracuse Common Council can improve the Citizen Review Board ordinance and allow for greater transparency, oversight and accountability over the Syracuse Police Department. First, the Citizen Review Board needs to be better staffed with full-time investigators, medical consultants and lawyers that can conduct thorough investigations of complaints in a timely manner separate from the Syracuse Police Department so as to not be dependent upon the Office of Professional Standards. Second, the Citizen Review Board needs to receive a budget that matches the number of complaints, investigations, staff and the like that are required to complete the work. Third, the Syracuse Police Department needs to provide the Citizen Review Board with the requested information promptly in order to ensure that the turnaround rate for the complaints that are received by either the Syracuse Police Department or the Citizen Review Board are being addressed immediately, which means that the Syracuse Police Department must let the Citizen Review Board know right away that a complaint against a police officer was submitted. Fourth, the Syracuse Police Department needs to comply and cooperate fully and completely with the Citizen Review Board. Fifth, the Citizen Review Board must have the power to have unfettered and complete access to police officers, police records (personnel/disciplinary files) and the ability to release that to the public. Sixth, since the New York State Legislature repealed New York State Civil Rights Law 50-a, the Citizen Review Board ordinance may need to be amended to permit full disclosure of police misconduct to the public. Seventh, the Syracuse Police Department needs to provide the NAACP of Syracuse and Onondaga County with the requested information regarding the Grace Street arrest of Shaolin Moore. Eighth, the Citizen Review Board must have broad sweeping investigatory, prosecutorial and disciplinary powers over the Syracuse Police Department. Ninth, the power to discipline and bring police officers to justice has to be unlimited in scope. Tenth, the Syracuse Police Department has to realize that there needs to be more accountability, especially when their budget, staffing and responsibilities go unchecked or go unchallenged even though the amount of taxpayer dollars spent is disproportionate. Eleventh, there has to be a way to require that all police officers reside and live in the City of Syracuse. Twelfth, the Syracuse Police Benevolent/Syracuse Police Department contract (also known as the PBA contract) needs to stipulate that police officers are required to attend Citizen Review Board hearings and cooperate fully with the Citizen Review Board on all levels and all aspects and all stages of the investigation process. Thirteenth, the Syracuse Police Department overtime pay and annual pay raises or salary increases need to be curtailed. Fourteenth, the Syracuse Police Department must comply with the consent decree and hire even more police officers who reflect the ever-changing demographics of the City of Syracuse, which means that there needs to be a lot more African American police officers hired. Fifteenth, both the Citizen Review Board and the Syracuse Police Department need to be all the more transparent about what is actually being done to address the concerns raised about police brutality in the City of Syracuse and what is being done about it. Specifically, both agencies need to provide the public with access to information in a timely manner as requested, whether it be reports, meeting minutes, agendas, communications, activities/events, budget expenditures/allocations or timesheets. Therefore, there needs to be a better way to obtain information like police body camera footage that doesn't require filing a FOIL request through Corporation Counsel. To be fair, the Syracuse Common Council needs to provide oversight, accountability and even greater scrutiny over the Citizen Review Board, especially when the Administrator wants to run for the 15th District of the Onondaga County Legislature. The Citizen Review Board ordinance needs to be amended to require that there be no conflict of interest regarding the Administrator.
1/13/2021	N/A	I live in the valley area of Syracuse and would like to know when and where will this forum take place? Also, the procedure to follow in the event I have to give a written response.
1/12/2021		When the Collaborative had completed its change plan document, how will the study session for input be publicized. When will it be held? Will there only be one such opportunity for input? If so, why? If it will be at a study session of the City Council, will the public be allowed to speak? What about the changes in police policy and practice and training in dept's beyond the City? Will it be held at a time and in a place that is accessible to people who have been and may continue to be negatively affected by police interaction, especially but not only in the City?
1/12/2021	From Public Forum Chat	Alot of times, prospective officers from the City, especially candidates of color, are "weeded out" in the interview AFTER they have been selected based on test scores and meeting physical training benchmarks. Please look at how the officers involved in these interviews are selected, and the types of threshold questions that they ask of candidates. Mr. Roberts is correct that the selection process should not automatically disqualify candidates for past action that did not involve law enforcement contact or for contact with friends, neighbors, family members who had past law enforcement contact. That should not be an automatic exclusion. As Mr. Roberts said, no one is pure. They should be evaluated on how they dealt with past behavior or contact, not excluded for it. This re-adjustment of the selection process is necessary to diversify the face of police departments, especially SPD.
1/12/2021	From Public Forum Chat	Chief Buckner. You say that there is body cam footage. This is good. Was the camera turned on at the initiation of the encounter, and did all officers involved have it on throughout the encounter. This has been a problem with body cam footage around the country.
1/12/2021	From Public Forum Chat	Also have that same question Barrie...why are body cams even able to be turned off? Is there a way to make it so officers have the cameras on at all times? seems like that would be the best way to ensure transparency
1/12/2021	From Public Forum Chat	what's the time frame for IA to investigate & resolve complaints? SPD & OCSD

1/12/2021	From Public Forum Chat	Kayla's comment raises the issue of police culture in Syracuse. People are tired. In order for them to risk speaking up they have to perceive that it will make a difference, that they will not be dismissed or demeaned, and that change will come. I think that people feel that there is a permissiveness for officer misconduct. I think that many feel that there are few if any consequences when officers abuse their authority, and that they themselves may be targeted for speaking out. The Right to Know Law may help civilian perception of a possible path or redress, but it will do little or nothing to address people's perception of the culture within certain police departments, especially within SPD.
1/12/2021	From Public Forum Chat	It is important to keep in mind when policing our communities, many of the residents have no English language skills. when I served as the ED at the Spanish Action League we worked with the police department assisting bridge language as called upon, with person in question and or their families. Culturally the way some cultures project / speak may be wrongly perceived and can potentially escalate a situation quickly. The question regarding language and culture are continuously brought up in different community meetings. In the previews meeting a resident alluded to this same experience with the Deaf community. It was suggested officers carry an iPad to engage with life interpreters.
1/12/2021	From Public Forum Chat	Cameras are not a panacea. They record only one perspective and one physical viewpoint. Sometimes they do not capture critical parts of a police - civilian encounter. // The increase in body cams utilized on the streets by SPD officers is SIGNIFICANT. But the cameras CANNOT be the only answer to ensuring professional behavior by officers
1/12/2021	From Public Forum Chat	We need SRO's out of scsd and contract terminated by Buckner
1/19/2021	From Public Forum Chat	I'm looking for how to be involved in the committees that will be discussing, debating and creating the roadmap for police reform. how we can watch the progress of the committees and comment on the direction those committees might take?
1/19/2021	From Public Forum Chat	Could Sgts with supervising responsibility for officers in the streets be trained to pursue conflict resolution with community members when needed, on-scene and after resolution of a call? Right now it does not seem like supervising Sgts engage in community relations, but they could be key in improving community relations. Perceptions in the community may be that Sgt's display the same disdain and dismissiveness that their officers do. But couldn't Sgt's be trained to play listening and bridge building roles when feasible after being called to a scene. This might be a re-adjustment of the roles of a Supervising Sgt, but it might make a huge difference. Right now people in the community feel that there is no real check and balance on police officer conduct. Perhaps the Sgt's could play a more recognizable role in this
1/19/2021	From Public Forum Chat	Has Restorative Justice been used between a police officer and a citizen if the citizen has felt distained?
1/19/2021	From Public Forum Chat	Training should be mandated for officers , when responding to mental health calls!
1/19/2021	From Public Forum Chat	One thing that I would suggest. STOP referring to the type of calls Linda is referring to as EDP Calls. This acronym means "emotionally DISTURBED person" and so is perjorative from the get go. I refer to the subjects of these calls as "a person in a mental health crisis." Call them MHC calls. Mental Health Crisis calls. Take some of the automatic liguistic stigma away. // They get some Mental Health response training in the academy,but not enough. The CIT training is focused and 40 full hours. It gives them real skills not surface awareness
1/19/2021	From Public Forum Chat	I feel that the statistic about the leading cause of death for black men being homicide is missing leading. One, because it does not not who are killing black men or why. Police are amongst those committing those homicides. Further, it is presented to justify the police presence. I offer that if there were more investment in addressing the systemic issues that increase comminity violence as preventative action, there would be less need for that presence.
1/13/2021	From Public Forum Chat	Crime suppression should not equate to suspicionless civilian harassment
1/13/2021	From Public Forum Chat	How are supervisors instructed to deal with complaints about officer demeanor on-scene or on the same shift?
1/13/2021	From Public Forum Chat	Applying recommendations from the Ferguson Report - List of all training and cost of training for SPD - Cost of police presence between the dates of May 28th and June 6th. This was the first week of protests in Syracuse in response to the killing of George Floyd. Coalition leaders say they've also been doing other work in addition to creating this document in recent weeks,
1/13/2021	From Public Forum Chat	This may come off a bit harsh but I think just as they can gun down innocent people without a cause, they should consider the death penalty for these cops that thinks they are above the law so much that it's ok for them to take the lives of others unjustly.
1/13/2021	From Public Forum Chat	1. Why doesn't a single police officer carry any consent to police the stolen land of the Haudenosaunee? 2. Why are we not creating foundational change using the principles in the U.N.D.R.I.P. to stop all people of color from continuing to be victimized? 3. Can I utilize my Sovereignty off the imposed Reservation to protect my brother's and sister's residing within the land stolen during the Clinton/Sullivan campaign? 4. Why should I accept being considered a Merciless Indian Savage as identified in the Declaration of Independence?
1/13/2021	From Public Forum Chat	its insulting to try to malign Rebirth with the Capital riots SPD did it all Summer and we were peaceful why did this happen again. I'm insulted
1/13/2021	From Public Forum Chat	There is a long history of community members, especially People of Color, being treated harshly and dismissively when they have tried to make a complaint at the IA office. That is part

1/13/2021	From Public Forum Chat	NAN and Deputy Mayor are working to involve falk college at SU expressly Brandon Hollie must be included to uphold cultural competence in mental health
1/13/2021	From Public Forum Chat	It may help to also involve Rashmi Gangama at Falk at SU as well. Her expertise in cross cultural work with people who are Refugees and Immigrants would be very useful
1/13/2021	From Public Forum Chat	We wanted to cut 1/2 of the 50 million budget from SPD and reallocate that to the community where do we stand on that?
1/13/2021	From Public Forum Chat	If they know their lives would be taken if they take a life with a cause, then they'll think twice. They don't care because the most that will happen to them is suspension with pay or they may loose there job. they turn their cameras off when they want to.
1/13/2021	From Public Forum Chat	camera should always be on!
1/13/2021	From Public Forum Chat	but we just got the whole patrol squad outfitted with 227 new cameras so what portion was not "camera on" prior or 3 months back
1/13/2021	From Public Forum Chat	They're so many cops that need to be investigated like Techmanski... wish I would've complained cause he should not be in the department if he did me like he did I could imagine how he does others.. it's just sad and it need to stop
1/13/2021	From Public Forum Chat	My comments were going to be 1. How are supervisors instructed to deal with misconduct complaints, especially in relation to demeanor, on shift and on scene. 2. What proposals are being considered within the redesign to improve the supervison of officers on the streets. 3) What kind of technology are officers given or have access to that will allow them to access interpreters on-demand, especially for community members from the Refugee and Immigrant Communities, and people who are Deaf. Too often, officers have no capability or make no effort to communicate with individuals who do not use spoken English. There is a legal obligation for them to do so under Title VI. What tech are they given and how are they trained to use it and what consequences occur when they don't? I can provide specific examples of when SPD officers knew that they would be interacting with people who are Deaf yet they made no effort to secure interpretation beforehand
2/17/2021	N/A	LAW ENFORCEMENT ACCOUNTABILITY BUREAU The Brooklyn District Attorney's Office believes that no one is above the law, and that there must be one standard of justice for law enforcement and civilians alike. Any misconduct by law enforcement damages public trust and undermines public safety. A study conducted in Milwaukee after a high-profile incident of excessive use of force by the police found that, controlling for crime, prior call patterns, and several neighborhood characteristics, 911 calls declined dramatically for more than a year after the incident, resulting in a total net loss of approximately 22,200 calls to 911. In Brooklyn, we cannot afford for our residents to be afraid to call 911 if they are a victim of a crime, or a witness to a crime. If law enforcement officers are not held accountable for misconduct, that further erodes public trust in the justice system—and further undermines public safety. To ensure that law enforcement misconduct is taken seriously and handled transparently, District Attorney Gonzalez created a new Law Enforcement Accountability Bureau. The Bureau is led by Chief Patrick O'Connor, a veteran homicide prosecutor with more than 23 years of experience, most recently as Deputy Bureau Chief of the Violent Criminal Enterprises Bureau. Patrick is well-respected by the law enforcement community and the defense bar for his unwavering integrity and commitment to justice. DA Gonzalez is confident that Chief O'Connor will follow the evidence wherever it leads in these critical cases and inspire confidence in the communities that the Office serves by delivering on the promise that no one is above the law. The Law Enforcement Accountability Bureau will fulfill one of the key recommendations of the Justice 2020 action plan, to develop new protocols that ensure independent investigation with no special treatment for police officers suspected of misconduct. The Bureau will also improve data and analytics to enable the office to identify patterns of misconduct. DA Gonzalez is committed to transparency at every stage of the process. The Bureau will work with members of the community to develop protocols for keeping the public and family members of alleged victims informed in these cases.
2/18/2021	11219	Very Nice
2/23/2021	13204	What is the purpose of "Police Reform and Reinvention Collaborative Public Comment Form"? What Police Reform Plan prepared for Onondaga County required by Governor Cuomo Executive order.
2/28/2021	13206	From my perspective i have been brutality tortured by onondaga County. Forced drugs that caused enough pain to get me to go from suicidal sometimes to all the time. I am 37 I was first drugged by new York state when I was 20. I said live free or die as the new Hampshire motto goes. Judge Paris said he was smarter than me not that he was not stealing my freedom. I live in slavery. I was forced unwillingly to play with my parents for years expressing to parents, social workers, access cny , doctors, and people on the street during protest of the polices abuse infront of syracuse police office. I am not here willingly and forcing me through manipulation and desperation to be a pleasure slave is horrible from my perspective. I do not agree with and do not abuse as you do. I think manipulation to enslave is worse than murder. I think you should all be on trial for possible death penalty. I hoped to share education to explain why not to abuse as you did to me and I was met with more abuse. I think threats directed towards you are anyone. I think your government uses the motto its us or them. I think your extremely uneducated and manipulated. I worry your unable to improve especially after trying to educate and being tortured and drugged.

3/1/2021	13152	our residence is xxxxxx right next to the Byrne dairy...during summer weekends it would be nice to have a patrol car parked in our drive way around 11pm to midnight to stop the motor cycles from screaming up xxxxx Street.
3/2/2021	13152	I would like to see consistent speed enforcement on xxxxxxxxx in Skaneateles. I don't mean those signs that show your speed & tell you to show down. Start writing tickets. The police need to patrol at the time of day when people are going home from work, for example. I would suggest a recording radar recorder so that data could be analyzed and enforcement could be best utilized. A 4-way stop sign at xxxxxx a road would slow traffic down
3/2/2021	13030	More speed enforcement on xxxxxxx, Bridgeport, NY. People are using xxxxxxx to bypass the traffic circle and they exceed the posted speed limit. Speed bumps could be an effective deterent. Thank you
3/2/2021	13039	I do not feel Police reform is the whole answer, perhaps more understanding of how the public should interact with the police
3/2/2021	13029	The Cicero police are a class act that doesn't need change but needs support from the town and it's community!!
3/3/2001	13039	My comments are explicitly regarding the police plan for the town of Cicero. In writing my comments, I would first like to state that I have had the privilege of knowing and working with some Cicero officers and I have the highest respect for what they do. My comments are on the plan, not the officers. First, although I am encouraged by the proposed approaches to engage the community, I believe this is a two-way street. The community needs authority to initiate such engagement and to review ongoing police issues, not be recipients of an outreach by the police. Specifically, I believe a Citizens Oversight Board, as defined in the county plan, should be a mandatory minimum requirement for any police department plan. To be an open department, communications must be open from both sides. I respect that the department is open to chat sessions (which do have value), but my concern is that such dialogue would always be one-sided. Second, assuming a Community Oversight Board is established, I propose one of the initial objectives would be a joint review with police of the plan itself. Although I respect the plan as it stands, development of a complete plan will be better achieved by reflecting priorities of both the community and police, not just police. There was obviously a lot of good effort put into the plan, but it reflects how the police view the issues, not necessarily the priority that a community presence might offer. Thank you for the opportunity to offer these comments. I mean them in the best of intentions for our town of Cicero. We are proud of our police officers and I believe the plan is an impressive step.
3/3/2021	13039	The governor's affiliated executive order, "intended to help REBUILD the confidence and RESTORE trust between police and the communities they serve", is a typical example of the misguided WOKE culture's ever-present need to TEAR DOWN AND REBUILD most everything. Our town and county police forces have an overwhelming, high degree of confidence and trust emanating from our communities that they serve. There is no reason why we should buy into this type of "tear down/ restore", tunnel vision philosophy, when we reside within communities where confidence and trust ALREADY EXIST as the prodigious norm. How about a POLICE SUPPORT program, designed to better enable our officers to effectively enforce our laws and thereby keep our communities safe for our families?
3/3/2021	13212	I have lived on xxxxx. for 44 years. We have an annual issue every summer that I have contacted Cicero PD numerous times. Last year the chief replied to me by email stating that he could only put 2 officers on patrol at one time. My statement then would be Cicero should either fund a fully staffed police department or make a deal with the Sheriffs dept to take over patrolling Cicero. This is by no means meant to be a defund the police letter. I fully support law enforcement.
3/4/2021	13029	Is the police reform looking into teaching the people in their communities to trust the anonymous phone line? Also all neighborhoods need to step up and help clean up the crime in their community by working with police. WILL the reform have changes to reviewing officers performance once a year ?
3/4/2021	13039	I want to thank you for your dedicated service especially during these changing times. your safety is 1st and foremost with public 2nd. Please be smart and stay safe brothers and sisters.
3/4/2021	13039	1. I found no mention of random drug/alcohol testing. This should be part of any police department's wellness initiative. 2. How often is each officer required to use the Officer Wellness and Mental Health app? If a serious issue is identified, how is that relayed to someone in authority? 3. Why is the Physical Training Incentive voluntary? Do we not want all officers to participate to help ensure good health? 4. I did not see anything about investigations. If an officer is accused of wrongdoing, the investigation should be conducted by someone out of county. 5. The sample size of your survey is far too small for a town with a population in excess of 30,000. Frankly, the results would be deemed worthless by most statisticians.

STATE OF NEW YORK **CITY OF SYRACUSE**

COUNTY OF ONONDAGA **SYRACUSE COMMON COUNCIL**

In the Matter of

SYRACUSE POLICE REFORM and REINVENTION COLLABORATION PLAN

PUBLIC HEARING in the above matter, conducted via Webex, Syracuse, New York before JOHN F. DRURY, Court Reporter, CSR in and for the State of New York, on February 18, 2021, 5:00 pm.

COMMON COUNCIL MEMBERS PRESENT via WEBEX:

PRESIDENT	HELEN HUDSON
COUNCILOR AT LARGE	KHALID BEY
COUNCILOR AT LARGE	RONNIE WHITE, JR.
COUNCILOR AT LARGE	MICHAEL GREENE
COUNCILOR AT LARGE	RITA M. PANIAGUA
COUNCILOR DISTRICT 1	JOSEPH G. CARNI
COUNCILOR DISTRICT 2	PATRICK HOGAN
COUNCILOR DISTRICT 3	CHOL MAJOK
COUNCILOR DISTRICT 4	LATOYA ALLEN
COUNCILOR DISTRICT 5	JOE DRISCOLL

John Copanas, Syracuse City Clerk

Brian Driscoll, moderator of Webex

Reported By:
John F. Drury, CSR, RPR
Court Reporter 471-7397

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PRESIDENT HUDSON: Now is the time and place for a public hearing. Would the Clerk please read the short title.

CLERK COPANAS: Yes, Madam President. This is a public hearing for, relative to the Syracuse Police Reform and Reinvention Collaboration Plan, pursuant to Governor Cuomo's Executive Order Number 2023 of 2020.

Public hearing will be held on Thursday, February 18, 2021, at 5:00 pm via Webex.

PRESIDENT HUDSON: Thank you. And we are going to take our speakers in the order that they've come in. And we're going to allow three minutes for each speaker. You will be timed. And after the three minutes I'm going to have to take your time from you. So the first speaker is going to be Collette Matthew's Carter. Collette? Ms. Carter?

CLERK COPANAS: Doesn't appear she's on yet.

PRESIDENT HUDSON: Okay, I'm going

to move on to Ranette Releford. Ranette, you have three minutes.

RANETTE RELEFORD: Good evening, afternoon everyone. Thank you for providing us with the opportunity to speak as it relates to this draft plan. We would like to acknowledge the fact we were involved on the county level through President Hudson and the subcommittee related to this, related to the county's plan, and provided adequate documentation related to that.

We wanted to acknowledge that the CRB had previously provided the recommendations related to the draft policy for the body worn camera policy and the use of force policy that we have previously sent over to the Council and to the Police Department.

We are requesting that those recommendations be implemented into the draft policy. And if anyone needs another copy of that policy, you know, those recommendations we'll be happy to

provide it.

We note that in this plan it does talk about providing dash cameras inside the police vehicles. That has been a CRB recommendation for quite some time. And we also recommended audio mics to be also implemented into the patrol vehicles. And so we would like to reiterate those requests as part of the plan as well.

We also have previously recommended the disciplinary matrix be included and implemented by SPD, and we believe that that would also be a great addition to the reinvention and reimagining as it relates to the Police Department.

So in the CRB legislation it talks about the conciliation process, which is an opportunity for the community to have a form of mediation to allow members of the community when they have interactions with the Syracuse Police Department to have the ability to seek a meeting with them, just like the court system

provides, a meeting in order to resolve matters. So we would like to reiterate the fact that we believe that that would help facilitate quality relationships between the community and the department, and we would encourage that to be also part of this reinvention reimagine plan.

And we just urge the Council to fully look at those previous recommendations that have been provided by the CRB as it relates to the body worn camera policy and additional policies. And we thank you for your time and, you know, if the CRB can be available at any time we would greatly appreciate being included in anymore draft policies and anymore conversations as it relates to policing. And that is the end of our comments. Thank you for your time.

PRESIDENT HUDSON: Good timing Ms. Releford, thank you. Ann Williams, you're our next speaker. Is Ann on the call?

CLERK COPANAS: It doesn't appear she's on at this time. We do have another speaker, Brian, would you tell her who's up next.

BRIAN DRISCOLL: Sure, her husband Barrie Gewanter would like to be our next speaker.

PRESIDENT HUDSON: All right, three minutes, Barrie. You're muted. Barrie, you're muted.

BRIAN DRISCOLL: Barrie, you're, muted, I'm working on getting you unmuted, one second.

Barrie, hold onto your space bar when you speak, that should unmute you.

We still can't hear you.

CLERK COPANAS: Barrie, sometimes you turn off your sound on your computer, can you check your screen to make sure your sound is on.

Unfortunately we've unmuted you on this end, we don't know what the problem is. President Hudson, while Barrie is trying to figure that out we can move to

another speaker if you want.

PRESIDENT HUDSON: Yes, if Pastor Collette came on, Pastor Collette Matthews.

CLERK COPANAS: Okay, let her know who it is.

BRIAN DRISCOLL: President Hudson, George Kunkel would like to speak next. It doesn't appear that Collette is on the meeting yet.

PRESIDENT HUDSON: All right, so we'll go to George.

GEORGE KUNKEL: Hi everyone, can you hear me?

PRESIDENT HUDSON: Yes.

GEORGE KUNKEL: Great. So the first thanks to the Council for holding this public hearing. I've been involved sort of coming to the community forums since they started last month, read the plan and just have some overall comments. I personally am a resident of Syracuse and also a member of People's Agenda for Policing. Main question I want to ask

of the Council members thinking about voting on the plan, is what this plan is actually going to change about policing in Syracuse. And I'm asking that hopefully from the perspective of someone who hasn't been involved in this process, from someone who doesn't necessarily know the ins and outs of what additional hours for training for officers are going to do, who maybe isn't going to come in contact with the new director of community engagement.

And the way we at SPARK have been thinking about the questions, is in relation to the size, scope and power of the police in Syracuse. In terms of the size, the budget of SPD has not been changed at all by this plan. There is some language in there around participatory budgeting. But I would encourage everyone to look up what participatory budgeting actually is. And you'll find that the budgeting tool outline is about budgeting transparency,

which is not actually participatory, that's just should be part of good government.

In terms of power of SPD in the city, the accountability process has not changed at all. SPD still controls the entire accountability process, and we're seeing a real time demonstration of the fact that the union can stop any type of change from happening, as small as passing out business cards or the Right To Know Act. The plan doesn't address any of those power structures.

I do, if I have enough time here want to talk mostly about the scope of police in Syracuse and the scope of what exactly the police are responsible for doing in this city. So I'm going to try and do something with my screen and hopeful's people can see. I recently had a request to the Onondaga County Department of Emergency Communications for all of the 911 calls dispatched as to SPD officers in 2019. The total was

over 130,000 calls dispatching SPD Officers.

Hopefully you can see in the pie chart I displayed that approximately 40 percent non-criminal calls; just over 20 percent traffic related calls. Now the 9 percent you see in the red has to do with violent crime.

What I did there to account for the fact that some people might say, oh, how are you categorizing this data? I expanded the federal definition of violent crime when they look into misdated statistics on how you count crime. I expanded out from just murder or just aggravated assault, just ring to include all types of assaults, all types of sexual offenses, any type of shots fired incidences. So that 9 percent is actually a higher number than other people might get when they look at the data.

So my question is, when we have said in the past seven, eight months since

the summer talking about changing how we think about policing, we had an executive order from the Mayor say: Commit to looking into alternatives to policing that explicitly mentioned things like noise violations, things like traffic stop. It talked about medical health calls as well, but we haven't heard really anything in the means of alternative response other than this partnership with Liberty Resources, which in reality is still a dual response model, it's still sending police officers to the scene of mental health calls and giving them discretion of when to call in the behavioral health professionals.

And as we saw in Rochester with the recent video circulating of a nine year old child being pepper sprayed and handcuffed and thrown into a police car, police officers aren't always the best judge of when to call in for help behavioral health professionals.

PRESIDENT HUDSON: I hate to interrupt you, but you have beeping behind you. So if you have anything in writing to submit to us we would appreciate it.

GEORGE KUNKEL: I'm happy to do so, I'm happy to talk to anyone else who would like to speak more about these issues. Thank you for the time to speak here.

PRESIDENT HUDSON: Thank you.

BRIAN DRISCOLL: Barrie, are you able to speak now? Sounded like I hear something coming from you.

BARRIE GEWANTER: This is my mic, can you hear me now? Is that a yes?

PRESIDENT HUDSON: Yes.

BRIAN DRISCOLL: Yes, I can hear you.

BARRY GEWANTER: I got nods of the head. So first of all I am speaking as an individual not with any particular affiliation. The plan talks about dealing with officer misconduct through

internal affairs. I would like to ask about conduct that does not rise to the bar of misconduct per se, but is still wrong and further destructive of police community relations. Most of the demeanor issues and routine abuse of power and discretion fall in this category. Which leads me to my second point.

The plan really doesn't talk about improving supervision of officers in the field. It talks about supervisors having engaged in informal coaching and counseling, but clearly that's not good enough to deal with the officers who demean people and abuse their authority.

I suggest that SPD should be pushed to incorporate a higher level of non-punitive action, which I might call constructive correction to address such destructive behaviors which may be legal but not necessary. This would have to happen on scene on shift and be aimed at officers seeing that other choices can

and or should be made in similar situations.

To plan also talks about the new use of force policy as if it's a working thing. It is not. It has not been implemented yet, and officers have not been transitioned to its guidance because they have not trained officers in its limit. I think this is misleading.

The plan also acknowledges that the early warning function of the internal affairs software is not being used. This really surprised me. This was purchased during the time of the last Chief and the plan does not fully commit to utilizing this function.

This is an important function, and I suggest that the flags that the system could generate should not be triggered only by complaints or uses of force, but other indicators, such as when there are charges of obstruction of governmental administration, disorderly conduct and

resisting, in conjunction with the use of force or when there is no other charge.

I would also suggest that the police look at the field training process and the selection of field training officers to take steps to avoid that process contradicting the training the officers have in the Academy.

I strongly suggest also adding Google translate or a similar program to the SPD website. I'm thrilled that you're looking into integrating voiance for on demand remote interpreting. But the website is not accessible to people who utilize other languages than English other written languages. And although Google translate is far from perfect it is a step towards accessibility.

PRESIDENT HUDSON: Hate to cut you off, but if you have anything in writing would you send it to us?

BARRIE GEWANTER: I would be happy to. My last suggestion is please change

the terminology of emotionally disturbed person call to mental health crisis call to begin the change in thinking from somebody who has a defect to somebody who is struggling with a health issue.

PRESIDENT HUDSON: Thank you, Barrie. Peter McCarthy.

PETER McCARTHY: Thank you. Am I on?

PRESIDENT HUDSON: Yes.

PETER McCARTHY: Thanks. I'm not speaking as a member of the Citizen Review Board but as a citizen with some experience I think is relevant. A lot of the points that Barrie and George both made are relevant and important. I don't want to talk about what's in the plan. I think there is a lot of good elements in there.

I spent about 15 years working with school districts and school buildings writing state required plans for school improvement. And there is two kinds of plans. The ones that get done and the ones that don't. Most of them don't.

1 McCarthy
2 You can write a great plan, and then in
3 many, many cases nothing happens with it.
4 What's not in this plan yet, except
5 for a couple of references to pit stops
6 and check points is, how will it be
7 monitored and how will it be supported?
8 How much training will be provided? And
9 Barrie mentioned a couple of important
10 elements of that. But how much ongoing
11 training, monitoring and supervision
12 will happen, specifically tied to the
13 goals and objectives in this plan? And
14 somebody's got to be responsible for
15 that. Somebody with the authority of
16 the Mayor's office, not within the SPD.
17 But with oversight authority for the
18 department, to make sure that all the
19 elements of the plan are not only
20 monitored but there is support and
21 training provided. And I don't know
22 where that's going to come from. But
23 without it nothing will happen.
24 PRESIDENT HUDSON: Thank you, Peter.
25 So I'm going to go through our list. I

don't see anyone else that has registered. So is there anyone else that would like to speak?

BRIAN DRISCOLL: I know Ann Williams requested to sign up, I don't know if she's in the meeting.

PRESIDENT HUDSON: I called Ann and I don't see her. TJ, you're up.

TJ DAVIS: Can you hear me?

PRESIDENT HUDSON: Yes. Could you tell us your name, please?

TJ DAVIS: My name is TJ, I'm on the University agenda for policing. I'll start my video. Can you hear me?

PRESIDENT HUDSON: Yes.

TJ DAVIS: Cool. So I'm just reading through like the accountability piece, because since the Executive Order we've seen, despite the Executive Order and the commitment to change, to implement the new use of force policy, we still saw multiple instances where like some young person was brutalized by an officer after driving some car. Like

we still have seen multiple instances of police brutality since we even started these conversations like months ago and the year before that.

So my question is, given that the whole point of the Executive Order was to reimagine how we do this. I think it's important that when we talk about accountability we have to talk about it from the lens of what haven't we done in terms of accountability yet?

And this plan doesn't really include anything that we haven't done yet. So that's, so an example of something that would be transformative would be say, okay, now we have, we're actually going to be clear and committed to these are the thresholds of when an officer will be fired.

So it's not -- so it's on the community to say, hey, that was wrong, we publicly shared with the community what the threshold is and we are all in agreement with that threshold.

1 Davis

2 In addition, in addition to
3 committing, to not only hear the
4 recommendations of the Citizen Review
5 Board but a commitment to actually
6 enforcing those recommendations from the
7 Citizen Review Board.
8 Lastly, I just want to say as part
9 of the Executive Order, let me read it
10 really quick. Part of the plan was
11 supposed to be specifically about all
12 the modifications, modernization,
13 innovations, specific strategies,
14 policies and procedures tailored to the
15 specific needs of the community.
16 But a lot of this plan is very vague
17 and doesn't really talk about how things
18 will be implemented. If it's we're
19 going to kind of do this, something
20 around this, but doesn't actually get
21 into this, this is the specific
22 mechanism in which it will be
23 implemented. Because we know where a
24 lot of these plans fall short is on the
25 implementation. And that ultimately

hurts the people who are, the people who are affected the most, which is black and brown people in this community. So that's all I wanted to say about that.

CLERK COPANAS: TJ, we're recording this meeting so we need your last name for the record.

TJ DAVIS: Davis.

PRESIDENT HUDSON: Thank you TJ. I'm going to go back through again and I'm going to see if Ms. Ann Williams is on yet? No. Pastor Collette Matthews, are you on? Is there anyone else that wishes to speak? Barrie, you had your hand up, so would you like to say something else briefly? Two minutes.

BARRIE GEWANTER: My voice is not the most important one, but I wanted to just let people know that Bishop Collette Carter is on her way about to join the meeting, that's really it.

PRESIDENT HUDSON: Okay, I saw that in a text, thank you. Until the Bishop comes hopefully, is there anyone else on

the line? Because I see quite a few community people, is there anyone else that would like to speak?

CYNTHIA BREADSON: Hi, my name is Cynthia Breadson I'm a member of the CRB, I don't have anything specifically that I would like to say. Just hi to everyone and stay safe.

PRESIDENT HUDSON: I don't know, we never had this situation where we didn't have speakers lined up. We're waiting for Bishop Mathews and Ann Williams to see if they're coming on, and until that time. We're waiting for Bishop Mathews and at this point I'm going to give two more minutes to wait for her to come on and see if there is anyone else that would like to speak, and if not we will close the public hearing. Yes, Barrie?

BARRIE GEWANTER: Sorry, Helen, but I do have something else that I can offer. As I said earlier I was thrilled that the police are going to explore adding voiance, however as I said in one

of the forums, having an on demand interpreter program on a phone app or a tablet is great. However, that's not enough. There also has to be training for officers in when it's necessary to use it, how to work with an interpreter, and also how to recognize and communicate what kind of interpreter you need based not only on country but also on ethnic group, and also based on other dynamics such as gender.

I've also just heard that Bishop Collette is trying to get in and can't get in. I'm about to call her to try to coach her through the system unless somebody else from the city would like to do that.

CLERK COPANAS: We don't see her trying to log on. We're not not letting anyone log on.

BARRIE GEWANTER: I'm texting her now, link on city's calendar.

BISHOP MATTHEWS: I am here.

PRESIDENT HUDSON: Okay.

BARRIE GEWANTER: Thank you, Helen, for the patience.

BISHOP MATTHEWS: Can you all hear me?

PRESIDENT HUDSON: Yes, Bishop. You've actually get three minutes.

BISHOP MATTHEWS: Thank you so much. I apologize for my tardiness. But Syracuse-Onondaga County NAACP, we appreciate this opportunity to comment on the Syracuse Police Department reform and plan.

We have thoroughly reviewed the reform plan and find it appealing in its presentation, but it is obvious that you have put great effort into this preparation, as demonstrated by the many activities and findings included therein. In addition we are grateful that the reform plan includes the work of many people and organizations whose efforts we hope will be valued and considered during the process of reform.

The development of the plan to reform the composition and policies of

the city police no doubt require our citizens to trust that the efforts to do so is sincere and transparent. We must also come together and ensure the best strategies and ideas are utilized in the field and public safety system that will do better to safeguard our families and community in a fair and impartial manner.

Most importantly we must advance the process of reform is cooperative, consistent and without fabrication. That said, in addition to commenting on the plan we feel it is our obligation to the community to set the record straight with regard to the relationship between the Syracuse Onondaga NAACP and the Syracuse Police Department.

In particular throughout the presentation of the reform plan the NAACP is referred to as a partner, and held to be in partnership with the Syracuse Police Department.

Respectfully, we are hoping that

this relationship does in fact develop. A partnership is a relationship where cooperation and trust must go hand in hand. Where two parties agree to work together and share information for the good of the community and the citizens of this community.

As such we cannot be in partnership with local police until we can trust that they are performing in good faith and honoring their pledge to eradicate bias decision-making against people of color.

Consequently, over the last year the NAACP has attempted to bring their concerns to the leaders of the Syracuse Police Department, oftentimes falling on deaf ears.

The NAACP has requested that the Police Chief meet with the Executive Board following the Grace Street incident. When it was asked to hear about the discipline of the officer responsible for the incident, the NAACP

was ignored and the lightest level of discipline was provided to the officers involved.

Most recently we were disregarded following a United States District court ruling that severely weakened the shield of the city police and fire consent decree.

The decision held that present hiring or processing invoked by the city to rectify the demographic imbalance of the police force is no longer protected by the decree, and open to the police force is no longer protected by the decree and open to -- excuse me, civil litigation from non-minorities until aggrieved by the process.

And although the Syracuse Police Department and the city administration was aware that the NAACP was in contact with -- I'm sorry, I'm losing my place here because I'm trying to rush. But I'll close with this, in addition to referring to the Syracuse-Onondaga

County NAACP as a partner, the reform plan recognizes our organization for its service in providing the SPD with constituents who support diverse hiring. This is simply not accurate.

To the contrary, the NAACP has been a strong advocate for the community, warning of the flaws and discriminatory hiring practices within the police department. We have publicly denounced the improper hiring process that allows for biased decisions resulting in the disqualification of qualified minority candidates.

The NAACP has submitted letters to the administration voicing its concerns for the hiring process, and strongly recommend a change of personnel to handle interviews and review of personnel to handle background checks and mental health issues.

Going forward --

PRESIDENT HUDSON: Bishop.

BISHOP MATTHEWS: Going forward, the

Bishop Matthews

NAACP would like to work in partnership with the administration and the Syracuse Police Department on a range of issues. However this partnership will not come on the heels of those who have been victims of discrimination and abuse. The NAACP must be confident, along with the community, that the effort for reform is real and trustworthy and not just statements and executive orders with little or no follow through on this ground. We would look forward to working with you and the administration on building trust as we move forward regarding the Syracuse Police Department. Thank you.

PRESIDENT HUDSON: Thank you. Is there anyone else that would like to speak? Is there anyone else that would like to speak? Hearing none, I declare this public hearing closed. And the legislation will be considered during the regular order of business. Thank you everyone, have a great night.

(FOLLOWING ARE TWO STATEMENTS SUBMITTED).

First statement from Mikiel Anderson.

"To Whom It May Concern: My name is Mikiel Anderson, and I am a resident of the City of Syracuse. I would like to list the ways that the City of Syracuse and Syracuse Common Council can improve the Citizen Review Board ordinance and allow for greater transparency, oversight and accountability over the Syracuse Police Department.

First, the Citizen Review Board needs to be better staffed with full time investigators, medical consultants and lawyers that can conduct thorough investigations of complaints in a timely manner separate from the Syracuse Police Department, so as to not be dependent upon the Office of Professional Standards.

Second, the Citizen Review Board needs to receive a budget that matches the number of complaints, investigations, staff and the like that are required to complete the work.

Third, the Syracuse Police Department needs to provide the Citizen Review Board with the requested information promptly in order to ensure

that the turnaround rate for the complaints that are received by either the Syracuse Police Department or the Citizen Review Board are being addressed immediately. Which means that the Syracuse Police Department must let the Citizen Review Board know right away that a complaint against a police officer was submitted.

Fourth, the Syracuse Police Department needs to comply and cooperate fully and completely with the Citizen Review Board.

Fifth, the Citizen Review Board must have the power to have unfettered and complete access to police officers, police records (personnel/ disciplinary files) and the ability to release that to the public.

Sixth, since the New York State Legislature repealed New York State Civil Rights Law 50-a, the Citizen Review Board ordinance may need to be amended to permit full disclosure of police misconduct to the public.

Seventh, the Syracuse Police Department needs to provide the NAACP of Syracuse and Onondaga County with the requested information regarding the Grace Street arrest of Shaolin Moore.

Eighth, the Citizen Review Board must have broad sweeping investigatory, prosecutorial and disciplinary powers over the Syracuse Police Department.

Ninth, the power to discipline and bring police officers to justice has to be unlimited in scope.

Tenth, the Syracuse Police Department has to realize that there needs to be more accountability, especially when their budget, staffing and responsibilities go unchecked or go unchallenged, even though the amount of taxpayer dollars spent is disproportionate.

Eleventh, there has to be a way to require that all police officers reside and live in the city of Syracuse.

Twelfth, the Syracuse Police Benevolent/ Syracuse Police Department contract (also known as the PBA contract) needs to stipulate that police officers are required to attend Citizen Review Board hearings and cooperate fully with the Citizen Review Board on all levels and all aspects and all stages of the investigation process.

Thirteenth, the Syracuse Police Department overtime pay and annual pay raises or salary increases need to be curtailed.

Fourteenth, the Syracuse Police Department must comply with the consent decree and hire even more police officers who reflect the ever-changing demographics of the city of Syracuse, which means that there needs to be a lot more African-American police officers hired.

Fifteenth, both the Citizen Review Board and the Syracuse Police Department need to be all the more transparent about what is actually being done to address the concerns raised about police brutality in the city of Syracuse, and what is being done about it. Specifically, both agencies need to provide the public with access to information in a timely manner as requested, whether it be reports, meeting minutes, agendas, communications, activities/events, budget expenditures/allocations or time sheets.

Therefore, there needs to be a better way to obtain information, like police body camera footage that doesn't require filing a FOIL request through Corporation Counsel.

To be fair, the Syracuse Common Council needs to provide oversight, accountability and even greater scrutiny over the Citizen Review Board, especially when the administrator wants to run for the 15th District of the Onondaga County Legislature. The Citizen Review Board ordinance needs to be amended to require that there be no conflict of interest regarding the CRB Administrator. Sincerely, Mikiel Anderson."

Second statement from Rich Puchalski:

"Public Safety Committee Chair Chol Majok and Member of the Syracuse Common Council.

We don't believe there will be police reform in Syracuse. So much needs to be discussed, and the way to do it doesn't fall under the purview of this virtual hearing nor under the County Police Reform and Reinvention Collaborative. Citizen participation doesn't exist under Covid 19.

The Governor's Executive Order 203 - New York State Police Reform is massive, with no time to debate and finance the outcomes. How long

will it take to implement? Just look at the Police Department's effort on body cameras. Long needed systems to intervene on mental health, domestic abuse, gang violence, etc are long overdue. We didn't need an Executive Order by the Governor.

And the wrath of gun violence: 31 homicides in 2020, 1,003 shots fired in 2020, double the City's number in 2019 in the city of Syracuse. A good chunk of this in the near-westside, Skunk City, southwest and south side.

SUN's work to seek funds to install cops cameras and shot spotter will not stop those that fire out-of-state guns. Where's the Mayor and State Attorney General on stopping this? Get guns off the street now. More programs to provide information on types of police-citizen interactions. We need to work together.

Drug overdose deaths in Onondaga County. 121 opioid deaths by September 2020, up from 86 in the same period of 2019. Heroin, cocaine and spike. Executive Order 203 will not play a reduction with this larger issue on the south and

1
2 near-westside.
3 In any event, I have read news coverage of
4 citizens being appointed to work on police hiring
5 and NYPD appointments of precinct commanders.
6 Thank you. Rich Puchalski, Executive Direct of
7 SUN."
8 (Conclusion of remarks of Webex public hearing).
9 * * * *
10 C E R T I F I C A T E
11 This is to certify that I am a Certified
12 Shorthand Reporter and Notary Public in and
13 for the State of New York, that I attended and
14 reported the above entitled proceedings via Webex,
15 and that I have compared the foregoing with my
16 original minutes taken therein and that it is a
17 true and correct transcript thereof and all of
18 the proceedings had therein.
19
20
21 _____
John F. Drury, CSR
22
23 Dated: February 22, 2021
24
25

CITY OF SYRACUSE

POLICE REFORM AND REINVENTION PLAN AND RESPONSE

MAYOR BEN WALSH

29 42 14

OFFICE OF THE MAYOR

MAYOR BEN WALSH

January 22, 2021

Mr. John P. Copanas
City Clerk
Room 231 City Hall
Syracuse, New York 13202

Re: Request for Legislation: Syracuse Police Reform and Reinvention Collaborative Plan

Dear Mr. Copanas:

Pursuant to Governor Cuomo's Executive Order No. 203, New York State Police Reform and Reinvention Collaborative (June 12, 2020), the City of Syracuse is required to perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of our community. The Executive Order further requires that the City's plan be offered for public comment and adopted by the Common Council no later than April 1, 2021.

To meet this requirement, I am requesting legislation for the adoption of Syracuse's plan to be placed on the February 8, 2021 Common Council agenda. The draft plan document will be submitted to your office prior to the January 27, 2021, Public Safety Committee meeting.

Sincerely,

Sharon A Owens

Sharon Owens
Deputy Mayor

CC: Councilor Chol Majok, Chairperson, Public Safety Committee
Kenton Buckner, Chief of Police

Office of the Mayor
233 E. Washington St.
201 City Hall
Syracuse, N.Y. 13202

Office 315 448 8005
Fax 315 448 8067

www.syrgov.net

Ordinance No. 2021

ORDINANCE AUTHORIZING AN AMENDMENT TO THE CURRENT CONTRACT WITH SPECTRUM BUSINESS FOR INTERNET SERVICES TO ACCOMMODATE THE OPERATION OF THE NYPA SMART CITIES PROJECT LORAWAN REMOTE SENSOR NETWORK

BE IT ORDAINED, subject to the approval of the Mayor, that the Mayor, on behalf of the City of Syracuse be and hereby is authorized to enter into an amended contract with Spectrum Business for internet services to accommodate the operation of the NYPA Smart Cities Project, Lorawan Remote Sensor Network, without competitive bidding which is deemed impracticable by reason of the specialized nature of the services, at a cost not to exceed $99.00 in upfront costs relative to minor service upgrades to the internet service at two (2) City of Syracuse Fire Stations, as shown on the attached Appendix "A", which will host routers for the Lorawan Remote Sensor Network, plus internet service rates not to exceed 50.00 per month for a not to exceed cost of $600.00 per year, charging the cost thereof to Account 595860.01.90000 or another appropriate account as designated by the Commissioner of Finance; and

BE IT FURTHER ORDAINED, that such contract shall be subject to the approval of the Corporation Counsel as to terms, form and content.

Office of Information Technology

CITY OF SYRACUSE, MAYOR BEN WALSH

February 25, 2021

David Prowak
Director

Mr. John P. Copanas
City Clerk
230 City Hall
Syracuse, New York 13202

Re: Service Agreement modification – Spectrum internet service

Dear Mr. Copanas:

Please prepare the following legislation for the next meeting of the Common Council:

- Ordinance authorizing modifications to the City's internet services provided by Spectrum, costs of which will be charged to I.T.'s account: Fund = 01, Dept = 90000, Account = 595860. The total cost of these modifications is not to exceed $99 in upfront costs, and at current Spectrum rates will not exceed $50 monthly ($600 per year) thereafter.

These modifications are necessary for the operation of the NYPA smart city project's LORAWAN remote sensor network. Upon approval, minor service upgrades will be made to internet service at two fire stations which will host routers for the network, as detailed in Appendix A.

Best regards,

2/25/2021

X David P. Prowak

Signed by: Dave Prowak
Dave Prowak
Director of Information Technology

Office of Information Technology
233 E Washington St
Room 423
Syracuse, N.Y. 13202

Office 315 448-8431

www.syrgov.net

CC: Hon. Councilor Greene
Deputy Chief John Kane, Syracuse Fire
Dave DeBoer, Network Administrator, City I.T.
Rebecca Klossner, Planner, City Planning Division

APPENDIX A

Facilities to receive internet upgrades necessary for LORAWAN network

Location	**Proposed Internet Upgrades**	**Quoted Cost**
Fire Station 2	5 additional static IPs	$25/mo.
Fire Station 18	5 additional static IPs	$25/mo. One time $99 install fee
	Total one-time fees	**$99**
	Total increase in monthly fees	**$50mo. ($600/yr.)**

OFFICE OF MANAGEMENT & BUDGET

CITY OF SYRACUSE, MAYOR BEN WALSH

Timothy M. Rudd
Director

Julie Castellitto
Assistant Director

TO: **Mayor, Ben Walsh**
FROM: **Timothy M. Rudd, Director of Management and Budget**
DATE: **February 26, 2021**
SUBJECT: **Service Agreement Modification – Spectrum**

On behalf of the Department of Information Technology, I am requesting service agreement modifications with Spectrum.

- Ordinance authorizing modifications to the City's internet services provided by Spectrum, costs of which will be charged to I.T.'s account: Fund = 01, Dept = 90000, Account = 595860. The total cost of these modifications is not to exceed $99 in upfront costs, and at current Spectrum rates will not exceed $50 monthly ($600 per year) thereafter.

These modifications are necessary for the operation of the NYPA smart city project's LORAWAN remote sensor network. Upon approval, minor service upgrades will be made to internet service at two fire stations which will host routers for the network, as detailed in Appendix A.

Please indicate your concurrence by signing below and returning this memo to me so that I may forward a copy to the Common Council along with the legislation request for the next Common Council Meeting.

Thank you for your attention regarding this matter.

Mayor Ben Walsh
City of Syracuse, New York

3/3/21
Date

Office of Management
and Budget
233 E Washington St
Room 213
Syracuse, N.Y. 13202

Office 315 448-8252
Fax 315 448-8116

www.syrgov.net

Ordinance No. 2021

ORDINANCE AUTHORIZING MAYOR TO SUBMIT AN APPLICATION TO THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY (DHSES) FOR A GRANT UNDER THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA) STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) PROGRAM AND EXECUTE A CONTRACT OR WRITTEN INSTRUMENTS ASSOCIATED WITH THE GRANT AS NECESSARY

BE IT ORDAINED, that the Mayor be and he hereby is authorized to submit an application to the United States Department of Homeland Security for a grant in an amount not to exceed $4,000,000.00 under the Federal Emergency Management Agency's (FEMA) Staffing for Adequate Fire and Emergency Response (SAFER) Program; if awarded said funds will be used by the Syracuse Fire Department to offset the salary and benefit costs for up to twelve (12) new firefighters for a period of three (3) years; the funding will enhance the Department's ability to comply with staffing, response and operational standards established by the National Fire Protection Association; no local match is required but the Syracuse Fire Department will be required to maintain the operational staff level achieved through the grant for the performance period of the grant; and

BE IT FURTHER ORDAINED, that upon receipt of said grant, the Mayor be and he hereby is authorized to execute a contract or written instruments as approved by the Corporation Counsel; and

BE IT FURTHER ORDAINED, that upon receipt of said funds or any part thereof, pursuant to said application authorized herein, the Commissioner of Finance is authorized and directed to deposit the same in an appropriate account to be determined by him.

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SYRACUSE FIRE DEPARTMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

Michael J. Monds
Chief of Fire

Daniel Downes
First Deputy Chief

Deputy Chiefs
Robert Cussen
Elton Davis
Barry Lasky
John Kane
James Farewell

March 1, 2021

Mr. John Copanas
City Clerk
231 City Hall
Syracuse, New York 13202

Re: **Request for Legislation**

Dear Mr. Copanas:

Please prepare legislation to be introduced at the next meeting of the Common Council authorizing the City of Syracuse to apply for and enter into an agreement with the Department of Homeland Security (DHS), under the FY 2020 Staffing for Adequate Fire and Emergency Response Program (SAFER), in an amount not to exceed $4,000,000.

The Staffing for Adequate Fire and Emergency Response (SAFER) Grants are created to provide funding directly to fire departments to help them increase the number of trained, "front line" firefighters available in their communities. If this grant is awarded, the Syracuse Fire Department will use the funds to offset the salary and benefit costs for up to 12 (twelve) new firefighters for a period of three years. This funding will enhance the department's ability to comply with staffing, response, and operational standards established by the National Fire Protection Association.

The Syracuse Fire Department will be required to maintain the operational staff level achieved through the grant for the performance period of the grant.

Please let me know if you need anything further.

Sincerely,

Michael J. Monds

Michael J. Monds
Chief of Fire

Chief's Office
Syracuse Fire Dept.
Public Safety Building
511 S. State St.
6th Floor, Rm. 607
Syracuse, N.Y. 13202

Office 315 473 5525
Fax 315 422 7766

www.syrgov.net

Ordinance No. 2021

ORDINANCE AUTHORIZING MAYOR TO SUBMIT AN APPLICATION TO THE NEW YORK STATE DEPARTMENT OF PARKS, RECREATION & HISTORIC PRESERVATION FOR A CERTIFIED LOCAL GOVERNMENT PROGRAM GRANT AND EXECUTE A CONTRACT OR WRITTEN INSTRUMENTS ASSOCIATED WITH THE GRANT AS NECESSARY

BE IT ORDAINED, that the Mayor be and he hereby is authorized to submit an application to the New York State Department of Parks, Recreation & Historic Preservation for a Certified Local Government Program grant in an amount not to exceed $10,000.00; if awarded said funds will be used for a training series designed for the Syracuse Landmark Preservation Board, with a number of sessions also applicable to other City boards including the City Planning Commission and Board of Zoning Appeals. Periodic board training is a requirement of the Certified Local Government Program. The training will be provided by the National Alliance of Preservation Commissions as well as local experts, with the topics to be covered to include but not be limited to legal and procedural basics related to board operations; preservation law and the new zoning ordinance; and design review basics, such as reading construction plans and interpreting design standards; a 40% local match is required, which will be met through in-kind services, specifically City Planning staff time spent on the program; and

BE IT FURTHER ORDAINED, that upon receipt of said grant, the Mayor be and he hereby is authorized to execute a contract or written instruments as approved by the Corporation Counsel; and

BE IT FURTHER ORDAINED, that upon receipt of said funds or any part thereof, pursuant to said application authorized herein, the Commissioner of Finance is authorized and directed to

deposit the same in an appropriate account to be determined by him.

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DIVISION OF CITY PLANNING

CITY OF SYRACUSE, MAYOR BEN WALSH

Owen Kerney
Assistant Director

February 25, 2021

John Copanas, City Clerk
City Hall, Room 231
Syracuse, NY 13202

RE: REQUEST FOR LEGISLATION

Dear Mr. Copanas:

Please prepare legislation for the March 15, 2020 meeting of the Common Council authorizing the City to apply for a grant and enter into an agreement with the NYS Department of Parks, Recreation & Historic Preservation–Certified Local Government Program in an amount not to exceed $10,000.

The grant will fund a training series designed for the Syracuse Landmark Preservation Board (SLPB); however, a number of the sessions will be applicable to other city boards including the City Planning Commission and Board of Zoning Appeals. Periodic board training is a requirement of the Certified Local Government program.

Training will be provided by the National Alliance of Preservation Commissions as well as local experts. Training sessions will include topics such as legal and procedural basics related to board operations; preservation law and the new zoning ordinance; and design review basics, such as reading construction plans and interpreting design standards. The goal of the training series is to give the SLPB the tools needed to fulfill its mission and to bolster consistent and defensible decision-making.

The grant requires a 40% match, which will be met through in-kind services, specifically City Planning staff time on the program.

If you have any questions, please contact Kate Auwaerter at 448-8108 or kauwaerter@syrgov.net.

Sincerely,

Owen Kerney
Assistant Director

Division of City Planning
201 E. Washington St.
City Hall Commons,
Room 512
Syracuse, N.Y. 13202

Office 315 448 8160

www.syrgov.net

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GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

Ordinance No. 2021

ORDINANCE AMENDING ORDINANCE NO. 492-2019 AUTHORIZING SALE OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF SYRACUSE IN AND TO 907 TOWNSEND STREET NORTH FOR A TOTAL OF $151.00

BE IT ORDAINED, that Ordinance No. 492-2019 is hereby amended to read as follows:

WHEREAS, the Commissioner of Assessment hereby requests an ordinance authorizing the sale of all the right, title and interest of the City of Syracuse in and to the premises known as 907 Townsend Street North, being Lot 17, P 16 & 23, Block 276, Section 008, Block -11, Lot -09.0 (008.-11-09.0), Property No. 0391102000, 57.38 x 148.50. L26.35 x 28.50 Vacant Lot to Greater Syracuse Property Development Corporation for a total of $151.00; NOW, THEREFORE,

BE IT ORDAINED, subject to the approval of the Mayor, that upon payment to the Commissioner of Finance of the sum of $1.00 plus $150.00 for title work for a total of $151.00 by Greater Syracuse Property Development Corporation, the said Commissioner of Finance be and he hereby is authorized to apply the sum of $1.00 toward the payment of delinquent taxes, exclusive of fees and penalties, to cancel and discharge said delinquency, and to issue his receipts and discharges thereof, charging the uncollected taxes to account #269404.01 and the cost of title fee of $150.00 deposited to account #426620.01; the City of Syracuse to pay all quarters due at the date of closing, for the current year's tax, said share of pro-rated tax to be determined by the Commissioner of Finance; this bid is contingent upon the City of Syracuse discharging any miscellaneous charges not presently a lien against the said premises; and the Mayor is hereby authorized and empowered to make, execute and deliver a deed of the City's right, title and interest in and to said premises to Greater Syracuse Property Development Corporation, said deed to be approved as to manner, form and execution by the Corporation Counsel.

33

DEPARTMENT OF ASSESSMENT

CITY OF SYRACUSE, MAYOR BEN WALSH

26 February 2021

David M. Clifford
Commissioner

Ann E. Gallagher
First Deputy
Commissioner

Matthew D. Oja
Deputy Commissioner

City Clerk John P. Copanas
230 City Hall
Syracuse, New York 13202

RE: Request for Legislation

Dear Mr. Copanas:

This Department requests that Ordinance No. 492 of 2019 authorizing the sale of all the right, title and interest of the City of Syracuse in and to the premises known as 907 Townsend Street North to Greater Syracuse Property Development Corporation for a total of $151 be amended as it states there are two brick houses on the premises but the structures were since demolished. Please correct "Two Brick Houses" to "Vacant Lot." All other portions of Ordinance No. 492 of 2019 shall remain the same.

Very Truly Yours,

David M. Clifford
Commissioner of Assessment

cc: Evan Helgesen
Special Assistant to the Mayor

Department of Assessment
233 E. Washington St
City Hall, Room 130
Syracuse, N.Y. 13202

Office 315 448 8270
Fax 315 448 8190

assessment@syrgov.net

GROWTH. DIVERSITY. OPPORTUNITY FOR ALL.

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