



FEBRUARY 2021



Final Report

RACIAL BIAS AUDIT OF THE NISKAYUNA NEW YORK POLICE DEPARTMENT

Bridgette Bryson and Zoë Thorkildsen



This document contains the best opinion of CNA at the time of issue.

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Executive Summary

Law enforcement agencies across the country continuously face challenges due to the ever-changing nature of policing, especially with recent events including the deaths of George Floyd and Breonna Taylor. These recent events have called into question the objectivity and fairness of policing practices. These developments signal a need for strengthened police-community relations, and the Town of Niskayuna, New York, and the Niskayuna Police Department (NPD) are working hard to ensure their community has positive relationships with their police department. This audit provides baseline information to inform the Town of Niskayuna's response to Governor Andrew M. Cuomo's Executive Order No. 203: New York State Police Reform and Reinvention Collaborative.¹ In December of 2020, the Town of Niskayuna developed a contract with CNA's Center for Justice Research and Innovation to conduct a racial bias audit of the NPD. This assessment focused on policies and practices, while also touching on more than racial matters. These types of assessments can help police departments gauge the status of community relationships and work towards improvement.

CNA designed this racial bias audit to accomplish the following:

- Assess NPD's internal operations, policies, and procedures to detect the presence of implicit bias and systemic racial bias.
- Collect and analyze data related to traffic stops, use of force, and other police officer/civilian interactions to determine disparate outcomes for Black and Brown community members.
- Assess compliance with existing police reform policies initiated by NPD.
- Provide actionable recommendations (e.g., realistic within legal, budgetary, and organizational constraints) for reforms that reduce or eliminate racial and implicit biases in policing deployments, strategies, policies, procedures, and practices. These recommendations focus on specific, measurable issues. Such recommendations must meet the following requirements:
 - Promote community engagement, transparency, professionalism, accountability, community inclusion, fairness, effectiveness, and public trust;
 - Be guided by evidence-based best practices and community expectations; and
 - Are likely, given meaningful organizational support, to reduce or eliminate racial and implicit biases in policing deployments, strategies, policies, procedures and practices.

Based on CNA's review of policies, procedures, and practices, as well as data provided by the NPD, our key findings included the following:

¹ More information on the Executive Order is available online: <https://www.governor.ny.gov/news/no-203-new-york-state-police-reform-and-reinvention-collaborative>

- NPD's traffic stops data collection process should be refined to help the department further understand its activity for all outcomes and why the activities may look different over time.
- NPD lacks body-worn cameras (BWCs) for its officers and should obtain funding to outfit all officers, patrol officers at a minimum, with the cameras.
- NPD's complaint process is not clearly written and is poorly understood by officers and community members. NPD should clarify the process and structure it to be open and transparent.
- Currently, there is no disciplinary matrix in place to make certain that officers receive equitable discipline outcomes, to ensure there are no disparities among discipline across race, ethnicity, and gender.
- NPD does not utilize an early intervention system to identify behavioral issues, signs of job exhaustion, and training concerns that could be handled in a proactive manner before an issue arises.
- NPD's newly revised use of force policy is a very clear and detailed policy that defines when different types of force are justified.
- Currently, there is no formal tracking system for use of force incidents other than the department's paper filing system. Creating a database to track these incidents will allow the department to begin developing annual summary reports of all use of force in the department.
- NPD currently does not have a strong commitment to community policing practices; however, personnel are very interested and open to working to employ proactive policing strategies, as opposed to reactive.
- NPD does not have designated personnel that oversee the department's community engagement efforts; however, this has not weakened the trusting relationship expressed by community members and NPD officers.
- NPD personnel have not received sufficient training in the past; however, the new administration is prioritizing training for all officers in various topic areas.
- There are no formal recruitment plans in place, especially for people of color, women, and youth in the community.
- NPD personnel lack trust in the promotion and specialty assignment process.
- NPD does not have a performance evaluation process in place; not all officers receive informal feedback on their performance.

Over the next 12 to 18 months, NPD will work with the Town of Niskayuna officials and community leaders to digest, prioritize, and implement the recommendations proposed in this report, reflecting its dedication to improving community trust, eliminating racial disparities and bias, providing more transparency, and creating a collaborative working environment. We recommend that the NPD and

the Town of Niskayuna seek an independent firm to help implement the proposed recommendations and track NPD's progress.

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Introduction

Law enforcement agencies across the country continuously face challenges due to the ever-changing nature of policing. Recent events, including the deaths of George Floyd and Breonna Taylor, have called into question the objectivity and fairness of policing practices. Agencies also face challenges with media relations, safety and wellness concerns, and recently have had to adjust to the new environment the world is facing with the current health crisis. These developments signal a need for strengthened police-community relations, and the Town of Niskayuna, New York, and the Niskayuna Police Department (NPD) are working hard to ensure a positive relationship between the police department and the community and objective and fair policing. After the release of Governor Andrew M. Cuomo's Executive Order No. 203: New York State Police Reform and Reinvention Collaborative, the Town of Niskayuna was responsible for reviewing the current police department's deployments, strategies, policies, procedures, and practices. In December of last year, the Town of Niskayuna contracted with CNA's Center for Justice Research and Innovation to conduct a racial bias audit of the NPD. CNA undertook a comprehensive assessment of NPD's policies and practices, with a focus on an assessment of racially biased practices. Assessments such as these, which touch on more than racial matters, help police departments gauge the status of community relationships and work toward improvements.

The NPD employs 29 sworn personnel and serves a population of more than 22,000 residents.² Niskayuna also experiences a substantial transient population of commuters and other non-residents that traverse through Niskayuna daily; many of the NPD's interactions involve non-residents. Many residents from the neighboring cities of Schenectady and Albany cross into Niskayuna. Although this audit examines the NPD's relationships with Niskayuna community members, it is also important to understand its interactions with all communities. Throughout the report, the term "community" refers not just to Niskayuna residents; anyone the department interacts with is included in its community. Although Niskayuna residents do have some priority in police-community relations, in jurisdictions like Niskayuna, where there are several police departments in a relatively small geographic area, it is important to understand the behavior of one agency in the context of other agencies' activities.

NPD's command structure has evolved over the last year, with Chief Frances Wall being named Interim Chief of Police only a few months before the beginning of the audit team's work in Niskayuna. Although Chief Wall has just taken on this new role, she has made great strides in working to get all of her officers proper training, started working toward implementing wellness programs for all officers, and has hired an outside vendor to assist NPD with creating a brand new, up-to-date policy

² Source for community statistic: US Census population estimates for July 1, 2019, accessed via QuickFacts, available online: <https://www.census.gov/quickfacts/fact/table/niskayunatownschenectadycountynewyork/PST045219>

manual reflecting the latest standards. Throughout the audit, it was very clear that Niskayuna residents and the police department express a mutual trust.

Goals and objectives

The Town of Niskayuna established the following objectives for the audit:

- Examine NPD's internal operations, policies, and procedures to detect the presence of disparities in implicit and racial biases.
- Evaluate NPD's policies, initiatives, and practices that impact Niskayuna residents, in particular, Black and Brown members of the Niskayuna community.
- Provide the administration with baseline information to inform the Town of Niskayuna's response to Governor Andrew M. Cuomo's Executive Order No. 203: New York State Police Reform and Reinvention Collaborative.

CNA designed the audit to accomplish the following:

- Assess NPD's internal operations, policies, and procedures to detect the presence of implicit bias and systemic racial bias.
- Collect and analyze data related to traffic stops, use of force, and other police officer/civilian interactions to identify disparate outcomes for Black and Brown community members.
- Assess compliance with existing police reform policies initiated by NPD.
- Provide actionable recommendations (e.g., realistic within legal, budgetary, and organizational constraints) for reforms that reduce or eliminate racial and implicit biases in policing deployments, strategies, policies, procedures and practices. These recommendations focus on specific, measurable issues. Such recommendations must meet the following requirements:
 - Promote community engagement, transparency, professionalism, accountability, community inclusion, fairness, effectiveness, and public trust;
 - Be guided by evidence-based best practices and community expectations; and
 - Are likely, given meaningful organizational support, to reduce or eliminate racial and implicit biases in policing deployments, strategies, policies, procedures and practices.

Audit areas of focus

The Town of Niskayuna Administration identified five areas of assessment for the NPD audit. They included deployment for quality of life complaints, code violations, and violence; traffic stops; the complaint process, internal and external; deadly and non-deadly use of force; and community policing practices. During our review, the audit team identified additional themes that emerged from

interviews, policy reviews, and analysis of NPD data sources. The report includes the following sections:

1. Patrol operations, deployments, and traffic stops
2. Complaints
3. Use of force
4. Community policing
5. Training, recruitment, hiring, and oversight

Methodology and approach

The CNA audit team based its approach on a number of guiding principles, including the following: (1) evidence-based assistance with an emphasis on research, including academic research, documented lessons learned, and best practices from the field; (2) multi-method assessment design, including interviews, policy, and document review, and data analysis; and (3) a commitment to conducting comprehensive reviews and applying national best practices in police settings. CNA's methodology included the three major components below.

Document review

The audit team reviewed NPD's General Orders (GOs), including Administrative, Operational, and Training orders related to the areas of the audit identified above. The 65 GOs we received from NPD included 20 Administrative Orders, 42 Operational Orders, and 3 Training Orders. The audit team reviewed 45 total GOs, which included 14 Administrative Orders, 28 Operational Orders, and 3 Training Orders. One team member reviewed 41 GOs; two team members reviewed 4. In addition to reviewing GOs, we reviewed a Supervisory Memo, the Citizens Complaint Form, Use of Force Form, and the Zone map.

Interviews

The audit team conducted 16 semi-structured interviews—7 with NPD personnel, 3 with Town of Niskayuna officials, and 6 with community leaders and members. The community members represented the Schenectady Clergy Against Hate, National Association for the Advancement of Colored People, Taskforce on Racial Equity, Niskayuna School District, Capitol District Anti-Racism Initiative, Allyship Institute, and Metroplex Development Authority. These interviews focused on policing practices in the Town of Niskayuna and NPD's culture, leadership, and community policing practices.

Our interviews with NPD personnel included command staff, supervisors, line-level officers, and a detective. Within that group, it included recently hired personnel, recently promoted personnel, a field training officer, personnel that oversee internal and external complaints, and personnel that are

in charge of gathering data. Some interview subjects had been with NPD for less than a year and others had been with NPD for almost 36 years.

To better understand the demographics of the interviewees, the audit team gave them the opportunity to identify their race, ethnicity, and gender. Out of the 16 interviewees, 9 responded, with 1 individual choosing not to identify. Of the 8 interviewees that identified their race, the breakdown included: 2 white individuals, 2 Black individuals, 2 Asian (Pakistani) individuals, and 1 individual that identified as another race. It is important to note that 1 individual that identified as white also identified as Asian (Pakistani). Of the 8 interviewees that identified their ethnicity, all identified as non-Hispanic/Latino. Of the 8 interviewees that identified their gender, there were 4 men and 4 women.

Quantitative data

The audit team's data analysis focused on five areas: arrests, traffic stops, complaints, use of force, and department personnel. We were able to analyze data from 2015 to 2020. NPD officers did not have to report brandishing firearms until 2019, so the use of force data only reflect 2019 and 2020. The audit team conducted descriptive analyses of all datasets. Some of NPD's data systems have significant limitations, particularly their traffic stops data collection, limiting the analysis and conclusions to be drawn from that analysis. We note these limitations in the sections below. There were no data related to recruitment and hiring, so we were unable to conduct descriptive analysis in that area; instead, we conducted descriptive analysis on current personnel (sworn and non-sworn). The findings from our analyses complemented our approaches listed above, including document review and interviews.

Overview of the report

The audit team developed the report in five sections. In each section, we discuss NPD's policies and procedures in relation to the various topical areas listed above. Then, we provide a summary of the overall themes we identified in our review, an overview of the data sources and analysis relevant to that topic (if applicable), and our findings and actionable recommendations for the NPD and the Town of Niskayuna.

We also include four appendices. Appendix A lists the abbreviations used in the report. Appendix B includes a list of resources and peer agencies to assist the Town and NPD in implementing the recommendations. Appendix C provides a complete list of documents and data the audit team reviewed. Appendix D includes a table of all findings and recommendations, plus the audit team's suggested timelines for implementation and our assessment of the resources that will be necessary for successful implementation.

Section 1: Patrol Operations, Deployments, and Traffic Stops

The first section of the report discusses our assessment of the policies and procedures for patrol operations. This assessment included deployments for quality of life complaints, code violations and violence, and traffic stops. First, the audit team discusses the data we reviewed and the subsequent analysis. We then discuss our findings, analysis, and actionable recommendations for the department.

Through interviews, document review, and data analysis, the audit team discovered the following key themes:

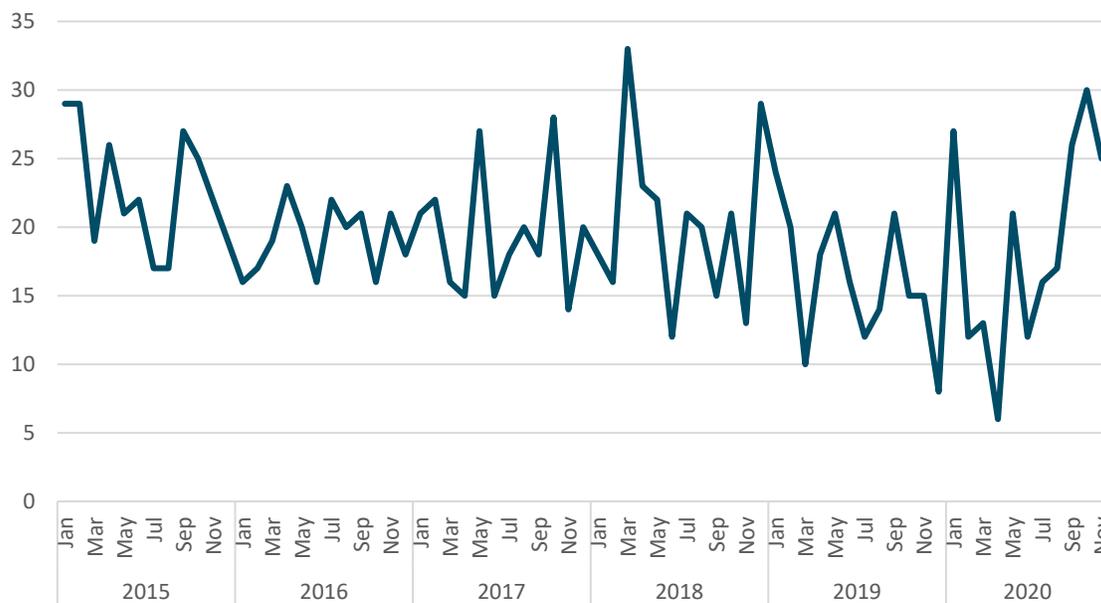
- NPD's traffic stops data collection process should be refined to help the department further understand its activity for all outcomes and why the activities may look different over time.
- NPD lacks body-worn cameras (BWCs) for its officers and should obtain funding to outfit all officers, patrol officers at a minimum, with the cameras.

Data and analysis

Arrests

Between January 1, 2015, and November 20, 2020, NPD made 1,378 arrests, which included 2,811 charges. Charges per arrest ranged from 1 to 10 and averaged 2.1. As seen in Figure 1, arrest counts vary considerably from month to month and there has been a slight downward trend in arrests. In 2015, NPD made 22.8 arrests on average per month; in 2020, it made 18.6 on average (an 18 percent reduction over five years).

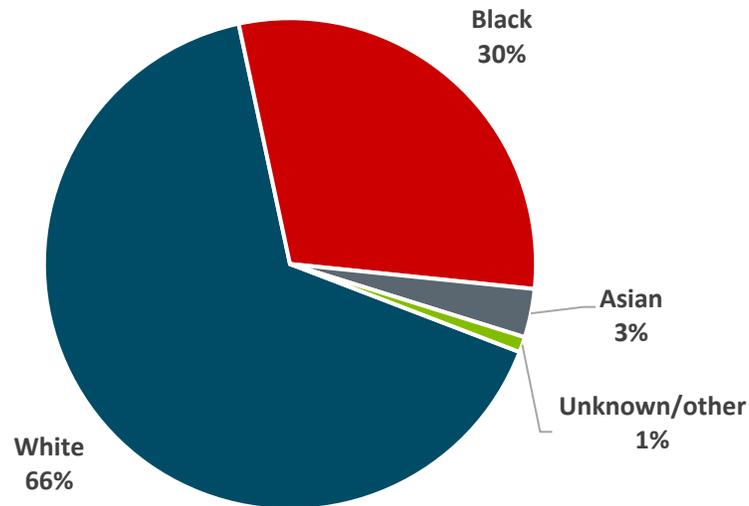
Figure 1. NPD arrests over time



Source: Niskayuna Police Department.

Figure 2 displays the race of community members involved in arrests: 66 percent of arrests involved a white community member, 30 percent involved a Black community member, and 3 percent involved an Asian community member; 1 percent involved individuals of unknown or another race. In the remainder of this section, we discuss disparities in arrests based on community member race. Understanding racial disparities in law enforcement activity is a difficult task given the complexity of developing a baseline against which to compare law enforcement activity. Using Census population numbers will typically overestimate disparity, since it does not account for differential rates of contact with police among different demographic groups. Using other law enforcement data sources as a baseline will typically underestimate disparity, as these data include known disparities by race due to systemic racism and bias in the criminal justice system as a whole. Whenever possible, as allowed by data availability, the audit team presents comparisons both to population figures and to other law enforcement data. It is important to understand that neither method provides the single correct estimation of the level of disparity, which probably falls somewhere between the two.

Figure 2. Race of arrestee, overall

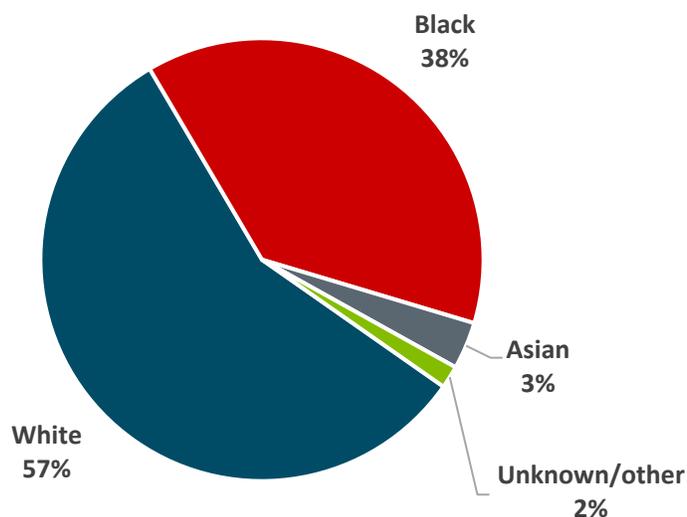


Source: Niskayuna Police Department.

Niskayuna residents did not account for the majority of arrests. The most common residential jurisdiction of arrestees is Schenectady, making up 44.2 percent of arrests. While we cannot use Census data directly as a baseline to understand disparity in arrests because it is not an appropriate measure of individuals that officers come in contact with daily, Black community members represent only 20.2 percent of the Schenectady community, based on July 1, 2019, population estimates.³

³ Source for community statistic: US Census population estimates for July 1, 2019, accessed via QuickFacts, available online: <https://www.census.gov/quickfacts/fact/table/schenectadycitynewyork>

Figure 3. Race of arrestee, Schenectady residents only

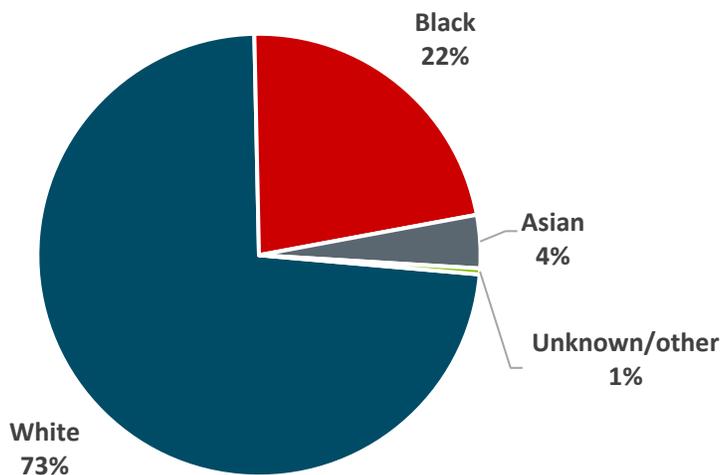


Source: Niskayuna Police Department.

The next most common residential jurisdiction of arrestees is Niskayuna, making up 16.8 percent of arrests. Figure 4 shows the breakdown by race when restricting to arrests of residents. While we cannot use Census data directly as a baseline to understand disparity in arrests, Black community members represent only 2.3 percent of the Niskayuna community, based on July 1, 2019, population estimates.⁴ Considering only arrests of Niskayuna residents, 22 percent of arrests involve Black community members, nearly 10 times the percentage of Black community members per Census figures. Understanding disparities in arrests is a complex issue, and to accurately assess these disparities, one must consider differential rates of police interaction, offense categories, and underlying details about individual incidents. However, Black community members are involved in arrests 10 times more frequently than their representation in the Niskayuna community, a striking difference that the aforementioned factors cannot fully explain. It is possible that bias in policy, practice, or individual behavior plays a role in explaining this disparity.

⁴ Source for community statistic: US Census population estimates for July 1, 2019, accessed via QuickFacts, available online: <https://www.census.gov/quickfacts/niskayunatownschenectadycountynewyork>

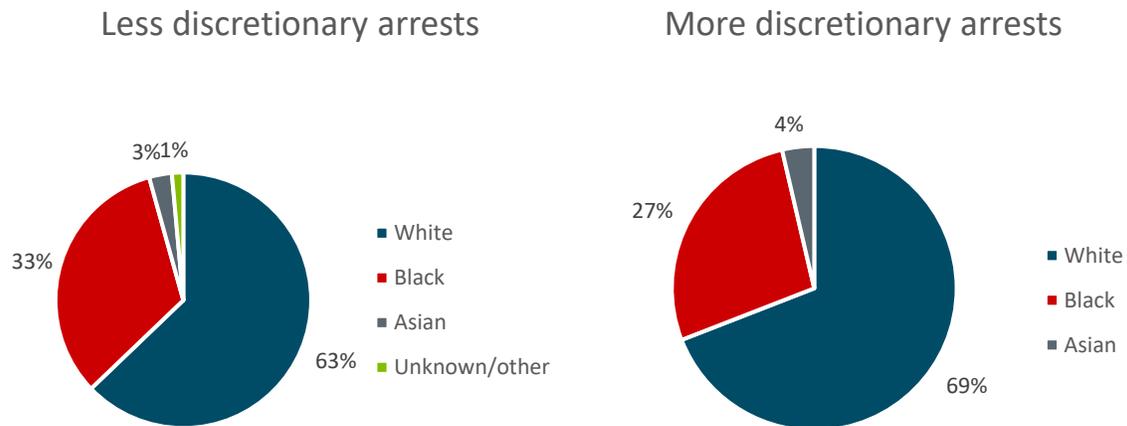
Figure 4. Race of arrestee, Niskayuna residents only



Source: Niskayuna Police Department.

Another mechanism for understanding disparities in arrests is to consider relative proportions of arrests by race for charges with more or less discretion on the part of the officer. For example, in Niskayuna, officers must arrest perpetrators of domestic violence. Discretion is also presumably low for arrests related to assaults, burglaries, homicides, robberies, sexual assault and rape, and outstanding warrants. However, as numerous police studies note, the decision to arrest for drug and alcohol possession is highly discretionary. As seen in Figure 5, white community members are actually more frequently involved in more discretionary arrests; this indicates that at least some of the observed disparity in arrest rates is driven by the types of arrests. In other words, Black community members are more likely to be involved in arrests with minimal officer discretion, increasing their overall arrest rate.

Figure 5. Race of arrestee, less discretionary and more discretionary arrests



Source: Niskayuna Police Department.

As another method for understanding disparities in arrests is a disproportionality index. This index is expressed as a compound ratio: the ratio of the percentage of police interactions with Black individuals that result in an arrest compared with the corresponding percentage for white individuals. This can be expressed with the following formula:

$$\frac{Arrests_B / Total\ interactions_B}{Arrests_W / Total\ interactions_W}$$

This compound ratio provides a clear and compelling interpretation: it measures how much more likely police interactions with Black individuals are to result in arrests versus interactions with white individuals. The difficulty in calculating a disproportionality index for arrests is in selecting an appropriate baseline for “total interactions.” As noted previously, population data likely overestimates disparities while law enforcement data likely underestimates those differences. We previously described the results when considering population figures. Here we present additional estimates using law enforcement data on police interactions with community members. We also consider the effect of limiting our analysis to only those arrests that occurred due to proactive officer activity (as opposed to responses to calls for service), which represent 17.6 percent of total arrests. Table 1 presents these indices. Note that the indices are consistently higher for arrests made during proactive police response.

Table 1. Disproportionality index for arrests

Baseline measure	Disproportionality index	Interpretation
All arrests, all community interactions	2.7	Black community members are involved in arrests 2.7 times more often than white community members, compared with overall interactions with police.
All arrests, complainants, suspects, victims, witnesses	1.8	Black community members are involved in arrests 1.8 times more often than white community members, compared with complainant, suspect, victim, and witness interactions with police.
All arrests, suspects only	1.0	Black community members are involved in arrests just as often as white community members, compared with suspect interactions with police.
Arrests during proactive police response, all community interactions	2.9	Black community members are involved in arrests during proactive police response 2.9 times more often than white community members, compared with overall interactions with police.
Arrests during proactive police response, complainants, suspects, victims, witnesses	1.9	Black community members are involved in arrests during proactive police response 1.9 times more often than white community members, compared with complainant, suspect, victim, and witness interactions with police.
Arrests during proactive police response, suspects only	1.1	Black community members are involved in arrests during proactive police response 1.1 times more often than white community members, compared with suspect interactions with police.

As Table 2 shows, charges per arrest are higher for Black community members than white community members. This difference is statistically significant ($p=0.028$, ordinary least squares regression).⁵ Differences between other race categories and white are not statistically significant; despite exhibiting larger observed differences, the relatively small number of cases for those categories reduces the power of statistical testing. As in the above analysis, this does not account for underlying characteristics of the incident and we cannot attribute the disparity with certainty to bias, implicit or otherwise. However, taken together with the other findings in this report, it contributes to a pattern of systemic differences in law enforcement actions and activity depending on the race of involved community members.

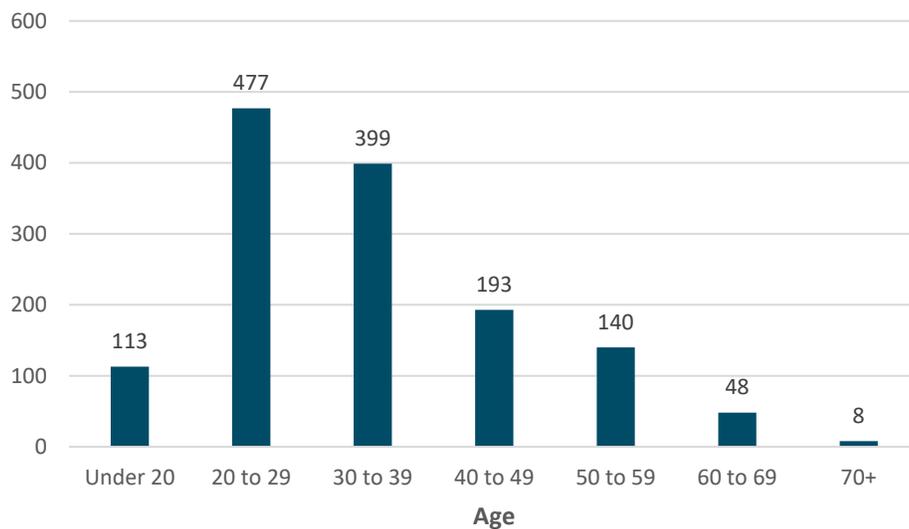
Table 2. Charges per arrest by race

Race of community member	Charges per arrest
White	2.0
Black	2.2
Asian	2.3
Unknown/other	1.4
Average	2.1

As seen in Figure 6, the majority of arrestees are age 20 to 39, representing 63.6 percent of all arrests. In addition, the majority of arrests are of male community members, representing 70.3 percent of all arrests.

⁵ To check robustness and to account for the count nature of the dependent variables, the audit team also tested this relationship using Poisson regression and found a statistically significant difference for Black versus white community members ($p=0.015$). Note that the charges per arrest outcome variable is not overdispersed (mean=2.09, standard deviation=1.60), so a negative binomial regression is not necessary.

Figure 6. Age of arrestees



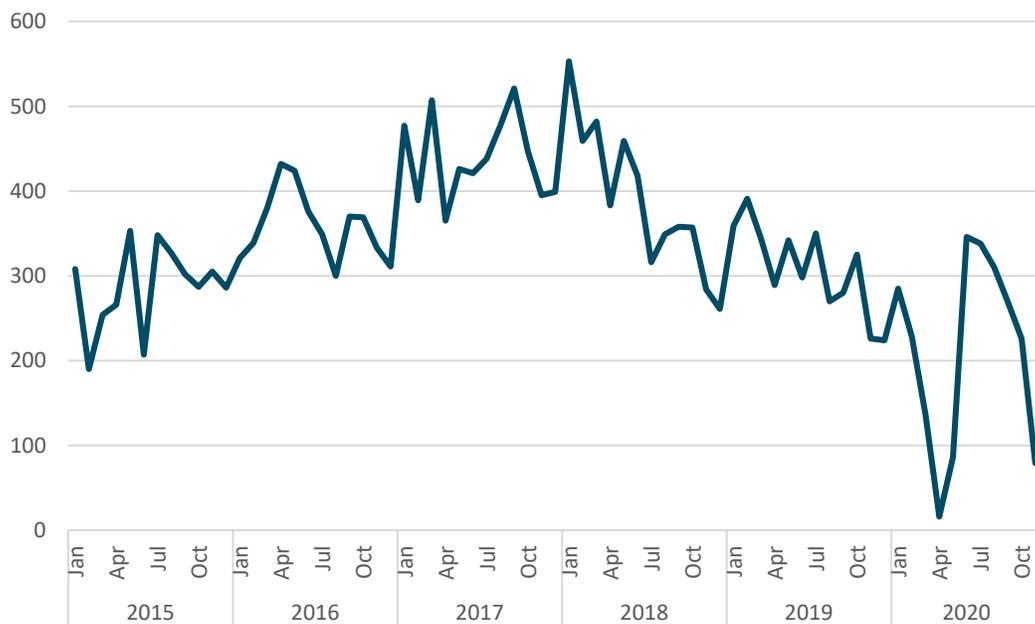
Source: Niskayuna Police Department.

Traffic stops

NPD provided the audit team with data on traffic stops that ended in citations representing stops from January 1, 2015, through November 30, 2020. Unfortunately, NPD could not provide data about traffic stops with other outcomes, namely warnings or arrests, which substantially limits the possible analyses and means that a comparative analysis of racial disparities across these different stop types is not possible.

NPD conducted 23,695 traffic stops during the period the audit team analyzed. As seen in Figure 7, the number of traffic citations was highest in the 2017 to 2018 period and has been highly variant from month to month, ranging from only 16 citations in April of 2020 to 553 in January of 2018. The degree of variance in 2020 is substantial, with only 16 citations in April versus 346 citations just two months later, in June; this data may reflect adjustments due to the COVID-19 pandemic.

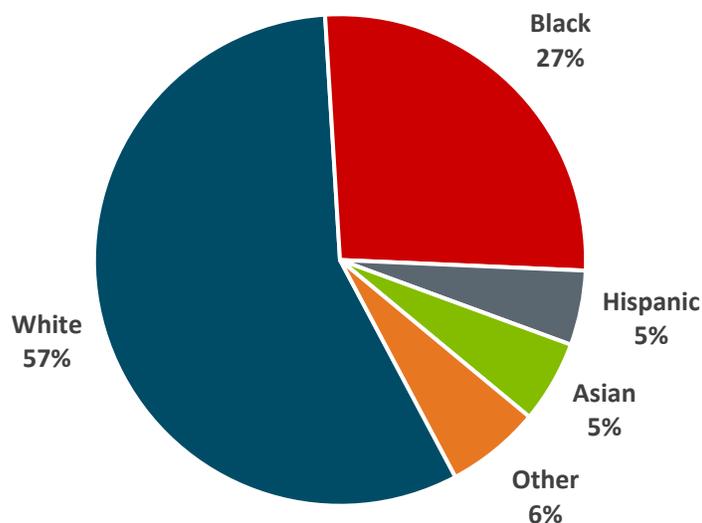
Figure 7. Traffic stops over time



Source: Niskayuna Police Department.

Race data are only available for 29.4 percent of stops, mainly for stops in more recent years. Because the analysis only involves a limited sample, we are unable to compare the stops data with warnings. For stops that end in citations, 57 percent of drivers are white, 27 percent are Black, 5 percent are Hispanic, 5 percent are Asian, and 6 percent are listed as other. Similar to arrests, many traffic stops ending in citations involve non-Niskayuna residents; 42.1 percent involve Schenectady residents and 10.5 percent involve Niskayuna residents. Another 8.5 percent involve residents of Albany. As noted in the write-up for arrests, Black community members represent 20.2 percent of the Schenectady community and 2.3 percent of the Niskayuna community. Black residents represent 28.9 percent of Albany.

Figure 8. Race of drivers involved in traffic stops ending in citations



Source: Niskayuna Police Department.

Findings and recommendations

Finding 1: NPD’s traffic stops data collection procedures do not support the ability to review data for more than citations, with minimal information collected for each stop.

NPD’s current system for its traffic stop data only allows the department to analyze information related to a single stop outcome, including when a citation is given by an officer. Being unable to pull information from the system for searches, arrests, and warnings hampers NPD’s ability to conduct analysis on all traffic stops. Additionally, with many traffic stops notably missing race data, NPD is unable to perform any analysis of racial demographics in the stops or activity.

It is also important that NPD begins to collect more information about specific traffic stop characteristics to give a clear understanding of disparities in traffic stop activity. The stop information includes no geographic location in the form of latitude and longitude for addresses, which also hampers NPD’s ability to analyze where these stops are occurring. This type of analysis could allow the department to better understand its traffic stop activity in the community. Finally, without the documentation of whether a search occurred, NPD will not be able to understand whether stop outcomes occur equally across all races or whether there are disparities.

Recommendation 1.1: NPD should revise its traffic stop data collection protocols to achieve the following objectives:

- Ensure all traffic stop data are in one system that can easily be searched to pull data for more than citations (warning, arrests)
- Collect driver race data for all traffic stops
- Record stop, start, and end times, as well as stop latitude and longitude
- Record the reason for the stop (also citation or arrest, as applicable) in a closed response (dropdown menu) format
- Record whether a search was performed during the stop, the type of search (e.g., consent search, search incident to arrest, search under plain view doctrine, inventory search during vehicle impoundment) and whether a seizure resulted from the search

Finding 2: NPD’s traffic stops activity has substantial variances of citations given over time.

NPD has seen a substantial variance in traffic stops activity resulting in citations since its highest point in 2017. Some of the variances may be due to the COVID-19 pandemic. Interviewees in NPD indicated that there may be certain unspoken but implied baseline quotas that officers are required to reach in certain months. The use of quotas in policing is not a good practice, especially when an agency is working toward building trust and transparency in a community. NPD’s traffic stops activity is not necessarily inappropriate; however, NPD should work to understand whether the differences are due to the pandemic or if there are other reasons causing an increase in citations over two months.

Recommendation 2.1: NPD should assess why traffic stop activity has varied substantially.

Recommendation 2.2: NPD should ensure that officers are not attempting to meet formal or informal quotas for citations.

Finding 3: The majority of interviewed community members do not have substantial concerns about NPD enforcement operations or their effects on marginalized populations.

During interviews, the majority of community members expressed that they do trust NPD, though they have general concerns with the current policing environment across the nation. Although NPD has not committed to a community policing philosophy previously, the department is currently working toward adopting more community policing practices to engage with the community and help build trust. Many community members do not believe that officers are engaging in operations that disparately impact marginalized populations in their community; however, the audit team’s analysis shows that there *are* differences in the rates of citations and arrests between white community members and persons of color in the community.

Recommendation 3.1: NPD should continue working to build trust with its community members.

Recommendation 3.2: NPD should assess the data provided in the report to understand the racial disparities in citations and arrests.

Finding 4: NPD currently has dash cameras for all patrol personnel, but currently does not employ BWCs.

Community members and department personnel are very interested in BWCs and welcome the technology. Interviewees noted that NPD personnel had developed a BWC plan obtaining BWCs, but leadership at the time rejected it due to costs of the equipment and storage. Previously, the NPD was able to expand its infrastructure for dash camera video storage through a grant provided by its State Senator. Reportedly, this infrastructure has room to expand at a reasonable cost. BWCs are an essential component of modern policing. They not only protect community members and officers, but also are important training tools. By reviewing past incidents, departments are able to correct poor behavior, teach others how to react in certain scenarios, and build trust with the community. Although NPD was one of the first agencies to install dash cameras in its patrol cars, it is behind the curve for purchasing and installing BWCs for all line-level officers.

NPD can review various tools and training resources to understand more about the cost of cameras and storage, what a program could look like in practice, how to develop a comprehensive policy, and much more.⁶

Recommendation 4.1: NPD should examine the BWC Cost and Storage Estimator⁷ to learn more about expected costs of developing a BWC program.

Recommendation 4.2: NPD should consider applying for federal grants to help purchase BWCs for all sworn department personnel.

Finding 5: NPD's General Order 0-07-2006 *Mobile Audio/Video Equipment* policy lacks established compliance and auditing procedures.

NPD's policy on mobile audio and video equipment is clear and detailed; however, there are no formal compliance and auditing procedures outlined for the department. With every officer's car utilizing a dash camera, it is important that the department reviews videos to identify training issues, customer service issues, and instances where videos can be shown in training. Currently, videos are only reviewed when the department receives complaints about use of force; the Deputy Chief of Police reviews the videos. Establishing a randomized review process to audit videos is a crucial component of the compliance program to ensure that officers are using the technology properly and in accordance with policy.

⁶ The Body-Worn Camera Training and Technical Assistance website includes hundreds of resources for agencies to learn how to implement a BWC program, available online: <https://bwctta.com/>. Additionally, the Bureau of Justice Assistance's BWC Toolkit includes even more resources for agencies, available online: <https://bja.ojp.gov/program/bwc>.

⁷ The Cost and Storage estimator includes a template to break down the costs for the cameras and storage to help an agency understand what they should prepare for prior to purchasing the cameras, available online: <https://bwctta.com/resources/bwc-cost-and-storage-estimator>.

Recommendation 5.1: NPD should establish compliance measures to ensure that all officers are using the technology properly and that all actions align with department policies.

Recommendation 5.2: NPD should establish randomized review of video procedures to ensure that officers are complying with all policy set forth in its full set of GOs.

Finding 6: The NPD recently implemented a Domestic Violence Risk Screen to be completed by officers when a Domestic Incident Report is submitted.

As domestic violence instances have been on the rise across the country, the NPD recently implemented a new Domestic Violence Risk Screen for First Responders. Officers complete the risk screen and submit it alongside the Domestic Incident Report. The risk screen asks pertinent questions to understand whether the victim is still in immediate or present danger, the history of the abuse the victim has received, and to refer the victim to domestic violence services, if necessary. Officers must be able to provide the victim with information about those services.

Recommendation 6.1: NPD should continue the risk screening process it recently implemented.

Recommendation 6.2: NPD should regularly review their screening tool and compare it with best practices in domestic violence risk screening.⁸

⁸ Through a Project of the Maryland Network Against Domestic Violence, The Lethality Assessment program discusses the need for a lethality assessment, available online: <https://lethalityassessmentprogram.org/>

Section 2: Complaints

The second section of the report discusses our assessment of the policies and procedures for internal and external complaints. First, the audit team discusses the data we reviewed and the subsequent analysis. We then discuss our findings, analysis, and actionable recommendations for the department.

Through interviews, document review, and data analysis, the audit team discovered the following key themes:

- NPD's complaint process is not clearly written and is poorly understood by officers and community members. NPD should clarify the process and structure it to be open and transparent.
- Currently, there is no disciplinary matrix in place to make certain that officers receive equitable discipline outcomes, to ensure there are no disparities among discipline across race, ethnicity, and gender.
- NPD does not utilize an early intervention system to identify behavioral issues, signs of job exhaustion, and training concerns that could be handled in a proactive manner before an issue arises.

Data and analysis

Complaints

From 2018 to 2020, NPD took in 6 community member complaints. Three of these complaints were from white community members and three were from Black community members. Of the six complaints, one was dismissed, as it was a complaint against another government entity, not the police department; three had dispositions of unfounded/uncorroborated after investigation; and two resulted in re-training and mentoring for the involved officer. Both of those complaints involved the same officer, and the complaints were regarding dismissive and rude behavior. Based on the audit team's review, it seems that NPD is appropriately handling complaints and conducting investigations. We were not able to evaluate timeliness of complaint processing and investigations.

Findings and recommendations

Finding 7: NPD personnel and community members do not have a congruent understanding of the complaint process.

Officers expressed a lack of understanding of the external complaint process. Many officers expressed that in the past, complaints or memos of counseling could be logged against them in their files, but they were never notified. If officers are not familiar with the process and what it looks like in practice, they are not able to fulfill their duties as set forth in General Order A-07-2019 *Community Relations/Crime Prevention* and A-08-2019 *Internal Affairs Investigations*. In those GOs, officers are designated to follow the established procedures for complaints when helping a citizen who would like to formally file, but if they are not aware of the process, they cannot be transparent with the community.

None of the community members we interviewed understood how to file a complaint with the department, other than having contacts within the department or with Town of Niskayuna officials. Across the country, community members are often reluctant to make formal complaints for various reasons, including but not limited to fear of formally reporting the complaint, fear of retaliation, and simply not knowing how to make the complaint. NPD received few complaints in the past five years; it should strengthen this process to ensure that if community members do want to make a complaint, that they have the ability to do so.

Recommendation 7.1: NPD should clarify the process of informing department personnel of complaints against them and their required actions and associated rights. Additionally, NPD should ensure officers are able to communicate the complaint process to community members.

Recommendation 7.2: NPD should work with youth groups, religious leaders, and the Niskayuna School District to ensure that juveniles in the community know their rights when making a complaint and feel safe throughout the process.

Recommendation 7.3: NPD should work with Town officials to include the complaint form on the Town website.

Finding 8: NPD policy states that all complaints are handled by the Chief of Police; however, in practice, the Deputy Chief of Police has been handling all complaints.

As stated in General Order A-08-2019 *Internal Affairs Investigations*, the Chief of Police is responsible for all complaints that come to the department. The Chief has the authority to assign the investigation into the complaint to Sergeants in the department; however, it seems that all complaints are currently being investigated by the Deputy Chief of Police. Officers expressed that the process flows through the Deputy Chief's Office rather than the Chief. It is important for officers to have a clear policy they can understand so they know exactly what they are instructed to do when a complaint comes into them when they are out in the field. It is also important that NPD's policy include the collaboration of the Town Supervisor, Town Comptroller, Human Resources Director, and Town Attorney, when appropriate. Current policy states that the Chief of Police should maintain contact with the Town Attorney when liability is an issue.

Recommendation 8.1: NPD should determine who is in charge of handling all complaints and who has the authority for final resolution. This should be reflected in policy.

Finding 9: NPD policy designates a 30-day timeframe to accept complaints about an alleged incident.

Currently, NPD's policy on Internal Affairs Investigations states that complaints are not to be accepted after 30 days unless the act that the complainant is referencing is a criminal violation or if the complainant can show good cause for the delay in making the formal complaint. Some departments do not require a limited timeframe for complaints to be accepted; while others do require these timeframes. It is important for the NPD to balance the interests of the community and officers' rights. Community members must be allowed enough time to make their complaints; therefore, an extended timeframe may be necessary. With the ability departments have to reconstruct digital evidence, camera footage, automated vehicle locators, and radio transmissions, the department does have the ability to investigate complaints beyond the current 30-day requirement.

It is important that, given NPD's time restriction, department personnel have an open process and opportunity for citizens to freely and easily file complaints. Citizens should be able to submit complaints in person at the police department, with town officials, with the Comptroller's office, with individual officers in the field, and through a form on the department website. By allowing multiple avenues for citizens, the time restriction becomes less of a barrier.

Recommendation 9.1: NPD should either consider extending the timeframe to accept complaints to 60 days or remove the restriction completely. This change should be reflected in General Order A-08-2019 *Internal Affairs Investigations* and be consistent with other policies and guidelines for digital evidence and records management.

Recommendation 9.2: If NPD does keep the timeframe to accept complaints in the revisions of the new policy manual, it should establish a process to formally document the basis of any declination, including a past-due filing time requirement and how it was communicated to the complainant, and provide the complainant with a means to appeal the declination.

Finding 10: NPD currently notifies the complainant during each phase of the complaint process, maintaining transparency with the community.

An important component of a successful external complaint process is a high level of transparency between the department and the community member. As noted in General Order A-08-2019 *Internal Affairs Investigations*, NPD keeps the complainant informed throughout the entire process. Having an open dialogue allows the community member to feel safe in their decision to file the complaint, but also shows the community that NPD has a strong commitment to transparency and following through on all internal investigations.

Recommendation 10.1: The department should remain transparent during the complaint process, ensuring the complainant is aware of the status of the complaint.

Finding 11: NPD's discipline policy, described in its GOs, does not clearly define the disciplinary procedures or internal discipline decision for officers. NPD does not include a disciplinary matrix in the policy.

Officers do not have a clear understanding of the disciplinary procedures that could be in place if a complaint is filed or in instances of internal discipline identifying policy violations. Some confusion could be due to the low number of complaints that are filed and the even lower number of complaints that required an investigation. It is still important that officers know the disciplinary procedures.

To outline the disciplinary outcomes, NPD should develop and use a disciplinary matrix. This matrix outlines different types of misconduct that require disciplinary measures and the default action that should be taken for that misconduct, with allowances for adjustments based on previous incidents requiring discipline. This type of resource would help the department ensure that all officers are treated equitable way, ensuring there are no disparities across different races, ethnicities, and genders.

Recommendation 11.1: NPD should develop a discipline matrix to ensure disciplinary decisions are fair and equitable across the department. This matrix should be included in General Order A-08-2019 *Internal Affairs Investigations* to ensure officers understand the possible outcomes. NPD should develop this matrix in conjunction with the Comptroller's office and the Town Attorney.

Recommendation 11.2: NPD should start analyzing disciplinary outcomes with the presumptive outcomes in the new matrix to determine whether disparities emerge based on ethnicity, race, or gender and share the results with the Town Board and the Comptroller's office.

Finding 12: NPD currently does not use an early intervention system to monitor behavior and address performance issues proactively.

The use of an early intervention system allows departments to monitor behavior in officers and pinpoint officers that may exhibit early signs of job-related problems. These types of systems are becoming increasingly popular in policing agencies across the country. They identify problems proactively and address them before they become an external issue. The system would rely on various indicators that the department would set in place. Supervisors are concerned that they are not always able to help officers with their mental health and wellness, which is why a system should be in place to try to identify early signs of job exhaustion, behavioral issues, and much more. This system would require effective implementation and monitoring by NPD to be successful.

Recommendation 12.1: NPD should work with the Comptroller's office to research various early intervention systems and implement such a system.

Recommendation 12.2: NPD should establish appropriate indicators and thresholds in their early intervention system, and regularly review these against emerging best practices.

Section 3: Use of Force

The third section of the report discusses our assessment of the policies and procedures for use of force, deadly and non-deadly. First, the audit team discusses the data we reviewed and the subsequent analysis. We then discuss our findings, analysis, and actionable recommendations for the department.

Through interviews, document review, and data analysis, the audit team discovered the following key themes:

- NPD's newly revised use of force policy is a very clear and detailed policy that defines when different types of force are justified.
- Currently, there is no formal tracking system for use of force incidents other than the department's paper filing system. Creating a database to track these incidents will allow the department to begin developing annual summary reports of all use of force in the department.

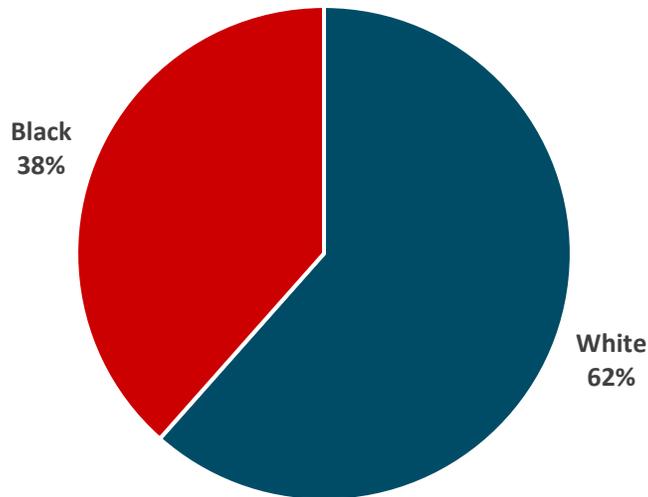
Data and analysis

Use of force

From 2015 through 2020, NPD officers were involved in 39 use of force incidents. Each of these incidents involved a single community member; 64.1 percent of these individuals were male and 35.9 percent were female. Figure 9 displays the breakout by race; 38 percent of use of force incidents involved Black community members. As we noted previously, understanding racial disparities in law enforcement activity is a difficult task because of the complexity of developing a baseline against which we can compare law enforcement activity. Using Census population numbers will typically overestimate disparity, since it does not account for differential rates of contact with police among different demographic groups. Using other law enforcement data sources as a baseline will typically underestimate disparity, as these data include known disparities by race due to systemic racism and bias in the criminal justice system as a whole. Whenever possible, based on data availability, the audit team presents comparisons both with population figures and with other law enforcement data. It is important to understand that neither method provides the single correct estimation of the level of disparity, which probably falls somewhere between the two.

While Census data do not provide a good baseline for understanding disparities in use of force incidents, as was the case in the traffic stops and arrests data, the disparity here is striking, with Black individuals being involved in use of force incidents over 16 times more frequently than their presence in the Niskayuna community.

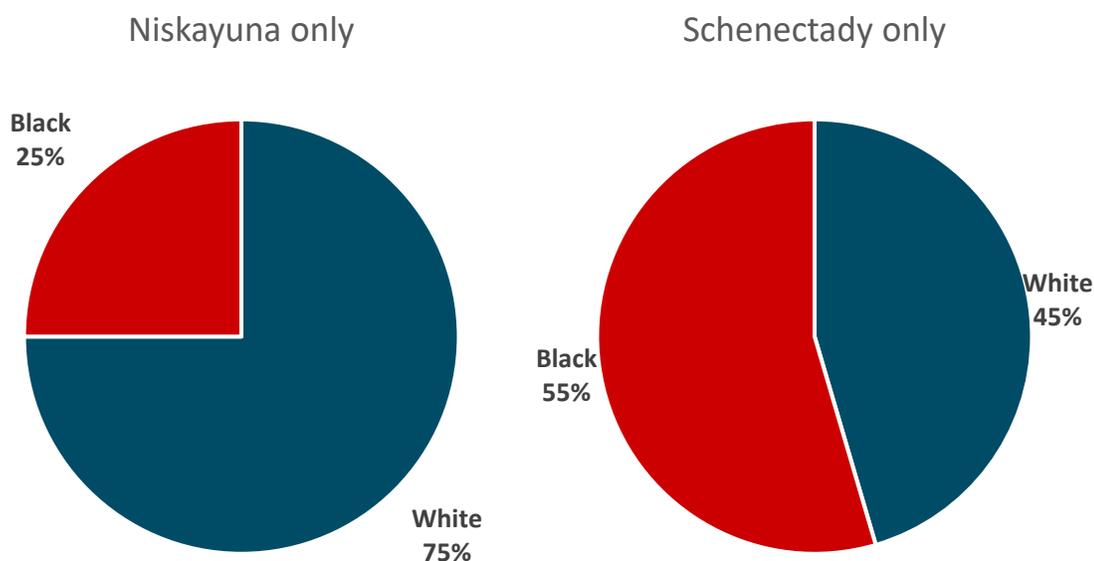
Figure 9. Race of community members involved in use of force incidents



Source: Niskayuna Police Department.

As in the arrest data, not all use of force incidents involved Niskayuna residents. Sixteen incidents involved Niskayuna residents and 11 involved Schenectady residents; the remaining 12 incidents involved individuals from 10 surrounding jurisdictions, and 1 incident involved an individual with unknown residence. As seen in Figure 10, disparities based on population persist when considering the breakdown of use of force incidents by race compared to Niskayuna and Schenectady demographics.

Figure 10. Race of community members involved in use of force incidents, by city of residence



Source: Niskayuna Police Department.

Another way to understand disparity in use of force incidents is a disproportionality index. This index is expressed as a compound ratio—the ratio of the percentage of police interactions with Black individuals involving use of force to the corresponding percentage for white individuals. This can be expressed with the following formula:

$$\frac{\text{Use of force}_B / \text{Total interactions}_B}{\text{Use of force}_W / \text{Total interactions}_W}$$

This compound ratio provides a clear and compelling interpretation: it measures how much more likely police interactions with Black individuals are to result in the use of force compared with interactions with white individuals. The audit team used the arrest data NPD provided as the baseline for interaction between Niskayuna community members and the police. **Using this approach, the compound ratio for Black community members is 1.4, meaning that Black community members are involved in use of force incidents 1.4 times more often (using arrests as a baseline) than white community members.** However, this measurement does not take into account any information about the specific incidents that involved use of force.

The audit team also reviewed the types of force NPD officers used. NPD officers used physical techniques the most frequently, followed by brandishing of firearms, and then Oleoresin Capsicum (OC) spray. It is important to note that until 2019, NPD was not required to report when an officer

brandished his or her firearm, so the numbers only reflect two years of data. When considering the race of the community member, Black community members are less likely to experience higher levels of force than white community members. Of incidents involving Black community members, 13.3 percent involved brandishing of a firearm, versus 20.8 percent of incidents involving white community members.

Table 3. Type of force used by NPD officers

Type of force	Number of incidents	Number of incidents involving white community members	Number of incidents involving Black community members
Firearm brandished	7	2	5
OC spray	2	0	2
Physical technique	30	13	17

Findings and recommendations

Finding 13: NPD’s use of force policy is detailed and provides clear guidance to officers about different types of force, particularly OC spray and Taser use.

NPD’s use of force policy is both clear and detailed. It includes explanations and justifications for particular policies. For example, the policy notes that shooting at a vehicle is discouraged and goes on to explain that “a motor vehicle presents a formidable shield against the effects of most service weapons and firearms, and if a police officer disables the vehicle operator, the subject vehicle can be expected to continue uncontrolled thereby creating a hazard to other police officers and the public.” Explanations of this nature are included throughout the policy. It also includes clear direction regarding expectations for officer’s interactions with community members after the use of OC spray or Tasers, emphasizing appropriate recovery actions and when medical care would be necessitated. The policy also begins with a sanctity of life statement and emphasizes the use of de-escalation.

Recommendation 13.1: NPD should maintain an effective, detailed use of force policy.

Finding 14: NPD’s use of force policy allows the use of chokeholds.

Law enforcement agencies have begun to change policy to ban the use of chokeholds by officers or minimally, define them as deadly force and clearly state they are only justified in circumstances where deadly force is warranted. Currently, NPD’s General Order A-10-2020 *Use of Force* includes the definition of a chokehold at the beginning of the policy and states that chokeholds should only be used when deadly force is justified. NPD should evaluate whether this type of force should be allowed, justified, and used, as agencies are beginning to move away from this practice.

Recommendation 14.1: NPD should consider banning chokeholds, following the lead of agencies across the country.

Finding 15: NPD's use of force policy does not currently state whether multiple officers must submit a use of force form if multiple officers were involved in the incident. Currently, on the form, officers involved with the incident are listed; however, only the reporting officer signs the form.

When an incident involves use of force, NPD requires an officer to submit a use of force form detailing the incident. Currently, NPD does not explicitly state whether only one officer has to complete and submit the form, or if all officers involved must also complete separate forms. The form includes a signature by the reporting officer and lists other officers involved. This system would be effective if the incident only involved one officer or if the other officers involved were only witnesses and were not involved in the incident itself. When there are multiple officers involved in the incident, it is important that NPD gathers all perspectives to ensure that the incident was justified, properly documented, and reveals a clear picture of the totality of circumstances.

Recommendation 15.1: NPD should clarify in General Order A-10-2020 *Use of Force* whether multiple officers must fill out the designated form.

Recommendation 15.2: NPD should require either that each officer involved in the incident must submit an independent use of force form, or modify their use of force reporting form to allow for multiple officers' narratives within a single form.

Finding 16: NPD does not include in General Order 0-11-2016 *Collapsible Baton* when the use of deadly force is justified.

In General Order 0-11-2016 *Collapsible Baton*, NPD does not outline when the use of deadly force is justified with this type of weapon. It is necessary to specify when deadly force is justified, specifically when death or serious injury is threatened or if the suspect has the means to cause serious injury to the officer.

Recommendation 16.1: NPD should review General Order 0-11-2016 *Collapsible Baton* to make it clear when deadly force is and is not justified and note that deadly force is prohibited in all other circumstances. NPD should ensure the same justifications are used in the use of deadly force beyond the collapsible baton outlined in General Order A-10-2020 *Use of Force*.

Finding 17: NPD currently does not produce and publish a publicly available annual report on use of force incidents.

In order to continue building trust and opening the dialogue with the community, it is crucial that the community is aware of all use of force incidents. Developing an annual report that is made available to the community would show the department's commitment to a more proactive policing style and provide transparency. This type of report should be published on a landing page on the department's website.

Recommendation 17.1: NPD should produce and publish a publicly available annual report that summarizes the use of force incidents in the department.

Recommendation 17.2: NPD should add language to General Order A-10-2020 Use of Force stating that an annual report summarizing use of force incidents will be made available to the public.

Finding 18: NPD does not track use of force incidents in a database, and instead stores the information in paper files.

As noted above, an annual report summarizing the use of force incidents in the department is crucial to transparency. However, if NPD continues to only track use of force incidents in a paper file system, it will be difficult to continually produce this report. Tracking incidents in a database (e.g., Excel data sheet or vendor-provided solution) would allow the department to ensure that it is tracking all variables of each incident and coding them properly. It would also make the annual summary report much easier to develop.

For this audit, NPD was able to decipher every use of force incident in the paper filing system for the previous five years and develop an Excel data sheet for the audit team. NPD could work from the current data sheet to determine which tracking measure will work best for the department.

Recommendation 18.1: NPD should develop a tracking database to ensure that all incidents are properly documented in an easily accessible datasheet.

Section 4: Community Policing

The fourth section of the report discusses our assessment of the policies and procedures for community policing practices. First, the audit team discusses the data we reviewed and the subsequent analysis. We then discuss our findings, analysis, and actionable recommendations for the department.

Through interviews, document review, and data analysis, the audit team discovered the following key themes:

- NPD currently does not have a strong commitment to community policing practices; however, personnel are very interested and open to working to employ proactive policing strategies, as opposed to reactive.
- NPD does not have designated personnel that oversee the department's community engagement efforts; however, this has not weakened the trusting relationship expressed by community members and NPD officers.

Data and analysis

To prepare findings and recommendations when reviewing community policing practices, the audit team drew from data collected during interviews and a review of NPD GOs.

Findings and recommendations

Finding 19: NPD does not currently emphasize a commitment to community policing and engagement. Officers do not use proactive policing strategies and instead rely on reactive policing.

Interviews with personnel and community members clearly show that the NPD does not currently have a commitment to a community policing philosophy. Many officers expressed concerns that NPD is a reactive police department, but they would like to move toward proactive policing strategies. Officers also revealed that they do not have enough time in their shifts to engage with the community due to low staffing and the constant need to respond to calls for service. It is important that officers are provided with adequate staffing to allow for dedicated time on their shifts to properly engage with the community.

Officers and many community members did express their appreciation for Chief Wall's recent implementation of Coffee with a Cop at the Farmer's Market, as well as the cookouts that the department has held with the community. NPD should work to develop more community engagement strategies that show a more formal presence in the community. NPD could work to

implement a Civilian Academy, hold open houses for community members to engage and ask questions, and develop partnerships with the school district to allow for students to participate in ride-alongs and ask about the hiring process.

Many officers expressed their intentions to open the dialogue with the community and engage in a more formal manner. However, some community members did express concerns about the presence of officers at community events. Officers should be aware of the strong presence they can bring when in uniform and should be aware of their actions when representing the police department. Officers should always engage with the community in a positive and courteous manner.

Recommendation 19.1: NPD should ensure officers are able to dedicate time on their shifts to engage with the community, whether that includes attendance at community engagement activities, engaging with community business owners, or utilizing foot patrols.

Recommendation 19.2: NPD should develop a plan for community policing and engagement that is encouraged by command staff and embraced by all department personnel.

Recommendation 19.3: NPD should work to develop community policing strategies beyond cookouts and Coffee with a Cop at the Farmer's Market to provide a formal presence in the Town. These strategies should be developed in conjunction with Town officials to create a collaborative working environment.

Finding 20: NPD's Mission Statement, documented in General Order A-02-2020, does not include an explicit commitment to community policing.

General Order A-02-2020 *Mission Statement* establishes the mission of the NPD and its operations. The policy does not explicitly state a commitment to community policing. In order to increase transparency and build trust in the community, NPD should consider expanding its mission statement to include a stronger emphasis on community policing practices.

Recommendation 20.1: NPD should expand its mission statement to include community policing principles and philosophy.

Finding 21: NPD officers and the majority of interviewed community members expressed high levels of mutual trust.

Officers expressed their trust of the community and the positive relationships they have with each other. The majority of interviewed community members also expressed high levels of trust in the police department and feel fair and equitable policing is occurring in their community. They would like to engage more with the department formally; however, most of the community members interviewed and NPD have a high level of mutual trust.

Recommendation 21.1: NPD should continue to work toward more community engagement to heighten the existing trust with the community.

Finding 22: In General Order A-07-2019 *Community Relations/Crime Prevention*, NPD has a clear policy on the equality of enforcement.

General Order A-07-2019 *Community Relations/Crime Prevention* includes a section designated to the equality of enforcement. NPD ensures that officers are prepared to work in a community with a varied ethnic and social composition, varying lifestyles, and different crime problems. NPD's efforts to ensure equality is crucial.

Recommendation 22.1: NPD should work with the Comptroller's office to ensure the revision of the entire policy manual includes policy on equality of enforcement.

Finding 23: In General Order A-07-2019 *Community Relations/Crime Prevention*, NPD includes the responsibilities of the Community Relations Officer; however this position does not currently exist.

There currently is no officer in charge of community relations. In General Order A-07-2019 *Community Relations/Crime Prevention*, policy assigns the responsibilities of this specific position to the Chief of Police. NPD should ensure that the responsibilities are being given to multiple officers or one designated officer, rather than the Chief of Police. The Chief of Police does not have enough time to conduct community relations activities. It is also important that all department personnel are continually updated on the needs of the community, as well as departmental goals for community engagement. The Community Relations Officer should play a crucial role in evaluating the community's needs and the department's goals for community engagement each year.

Recommendation 23.1: NPD should establish an officer to fill this role, allowing time to fulfill the duties laid out for this position.

Recommendation 23.2: The Chief of Police should publish the needs of the community and departmental goals when evaluated on a recurring basis.

Finding 24: According to General Order 0-27-2006 *Vehicle and Traffic Stops*, officers are to greet the violator courteously and give their titles and names. Policy does not require that the officer begin by explicitly stating they are with the NPD.

It is clear that not all department personnel are currently following policy's direction when conducting a vehicle or traffic stop. According to policy, officers are to greet the violator courteously, and give their titles and names. It is also important that officers inform the violator of the law enforcement agency they represent. Through interviews, we learned that this specific greeting is not always occurring. It is important that community members immediately know who they are speaking with in case they have questions after the stop or if they have concerns with their stop.

Recommendation 24.1: NPD should revise General Order 0-27-2006 *Vehicle and Traffic Stops*, Section IX.A, to state, "Greet the violator courteously, state that you are with the Niskayuna Police Department, and give an appropriate title and name."

Recommendation 24.2: NPD should ensure that all department personnel are greeting community members according to policy set forth in General Order 0-27-2006 *Vehicle and Traffic Stops*.

Finding 25: According to General Order 0-34-2006 *Criminal Investigations and Constitutional Rights*, verbal notification to the crime victim of their disposition of their case is preferred by the department.

According to General Order 0-34-2006 *Criminal Investigations and Constitutional Rights*, it is preferred that all crime victims are notified of the disposition of their cases in a verbal manner. If the Court is currently giving formal feedback in a letter, it would not be problematic for the department to only give verbal notifications. However, for tracking purposes, it would be beneficial for the NPD to begin giving formal notifications that can be tracked in a database. It is important for transparency that all victims are notified about their cases and that the department track notifications. This policy, however, should also account for victims in vulnerable situations for whom a written notification could introduce risk (e.g., domestic violence victims, victims of trafficking, confidential informants) and account for these exceptions in policy.

Recommendation 25.1: NPD should revise General Order 0-34-2006 *Criminal Investigations and Constitutional Rights* to ensure that crime victims receive their case dispositions in writing, when it is safe to do so.

Finding 26: NPD's website is robust and allows for the community to learn about the department.

The NPD website is embedded in the Town of Niskayuna's website. Overall, the website includes different programs, the mission statement, the current use of force policy, and numerous other items. During our review of the website, the audit team identified a few recommendations to further enhance the department's transparency with the public.

Recommendation 26.1: NPD should include a current organizational chart with names and positions.

Recommendation 26.2: NPD should review all information on the website and ensure it is up to date and reflects current practices.

Recommendation 26.3: NPD should make all GOs available on the website.

Section 5: Training, Recruitment, Hiring, and Oversight

The fifth section of the report discusses our assessment of the policies and procedures training, recruitment, hiring, and oversight. This included the promotional and special assignment process; safety and wellness, performance evaluation process; training gaps; and oversight in policy and procedures, as well as research and analysis. First, the audit team discusses the data we reviewed and the subsequent analysis. We then discuss our findings, analysis, and actionable recommendations for the department.

Through interviews, document review, and data analysis, the audit team discovered the following key themes:

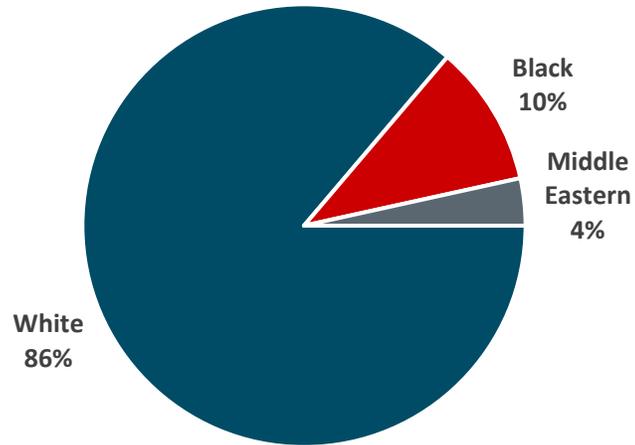
- NPD personnel have not received sufficient training in the past; however, the new administration is prioritizing training for all officers in various topic areas.
- There are no formal recruitment plans in place, especially for people of color, women, and youth in the community.
- NPD personnel lack trust in the promotion and specialty assignment process.
- NPD does not have a performance evaluation process in place; not all officers receive informal feedback on their performance.

Data and analysis

Personnel

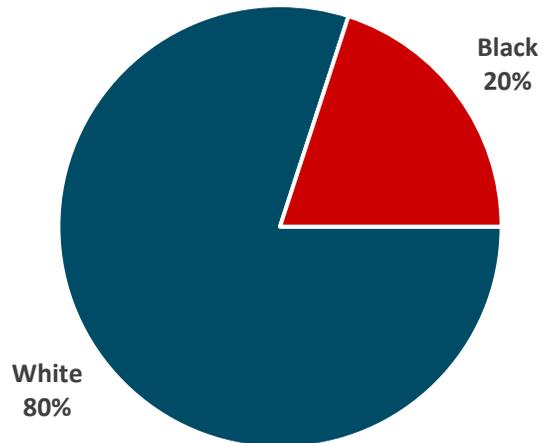
NPD has 29 sworn personnel: 86 percent of NPD sworn personnel are white, 10 percent are Black, and 1 individual (representing 4 percent) is Middle Eastern. Considering the five civilian personnel, four are white and 1 is Black. Compared with the community demographics, NPD personnel are fairly representative, as the community is 82.3 percent white, non-Hispanic. However, Niskayuna is 9.9 percent Asian, a demographic that is not represented in NPD's personnel. It is important to note that although NPD personnel are fairly representative of the Niskayuna community, it is not necessarily representative of the majority of individuals involved in police interactions in Niskayuna.

Figure 11. Race of NPD sworn personnel



Source: Niskayuna Police Department.

Figure 12. Race of NPD civilian personnel



Source: Niskayuna Police Department.

Findings and recommendations

Finding 27: In previous years, officers were not given many opportunities for in-house or external training. Chief Wall has a strong emphasis on training and has recently enrolled the department in PoliceOne Academy for ongoing virtual trainings.

It was clear that officers have not had continuous training throughout their careers. Many officers expressed they had received procedural justice, cultural diversity, implicit bias, and other training topics in the academy but had not received subsequent training on those topics. The current annual training regimen does not emphasize racial bias and cultural awareness. Officers typically only receive firearms training on an annual basis. Training in racial bias and cultural awareness is crucial to an officer's success in the community. It is also important that officers receive this type of training on a recurring basis.

Due to the lack of training in the department, Chief Wall recently joined the PoliceOne Academy and immediately began training her officers in various topic areas, including anti-bias for law enforcement, procedural justice, implicit bias, and emotional and psychological disorders. NPD should continue to build upon this list and train officers in other crucial topics.

Recommendation 27.1: NPD should continue to use PoliceOne Academy and begin to expand on the topical areas made available to department personnel.

Recommendation 27.2: NPD should explore cost-effective options for in-person training, such as participating in regional training opportunities, cost-sharing with adjacent jurisdictions, and leveraging funded training opportunities offered by the Department of Justice Bureau of Justice Assistance and Office of Community Oriented Policing.

Finding 28: NPD's policy in General Order T2006-2 *Training Standards* requires that all officers complete at least 21 hours of annual in-service training; however, that training is not currently occurring.

According to General Order T2006-2 *Training Standards*, NPD personnel are required to complete 21 hours of in-service training annually; however, through interviews, we learned that training is not occurring. According to policy, officers must receive annual training on firearms, legal updates, use of force, exposure/infection control, and use of the collapsible baton. Additionally, officers are to receive biannual refresher training on the usage of Naloxone, according to General Order 0-36-2016 *Treating Suspected Opioid Overdose*. Officers said that the only training they receive annually is firearms training and use of force training.

Many officers expressed their concerns about the lack of training they have received, with many feeling the training they do receive does not sufficiently prepare them for their job. In the current policing environment, it is crucial that officers receive enough training. Community members also expressed concerns that officers need more training in cultural diversity and implicit bias.

Recommendation 28.1: NPD should ensure that officers receive firearms, legal updates, use of force, and exposure/infection control training annually, as required in General Order T2006-2 *Training Standards*.

Recommendation 28.2: NPD should ensure that officers receive annual training on the policy and techniques of the collapsible baton, as required in General Order 0-11-2016 *Collapsible Baton*.

Recommendation 28.3: NPD should ensure that officers receive biannual refresher training on the usage of Naloxone, as required in General Order 0-36-2016 *Treating Suspected Opioid Overdose*.

Recommendation 28.4: NPD should work with the Comptroller's office to add more topics into the rotation of in-service training when revising its policy manual, including the following:

- Cultural diversity
- Implicit bias
- Crisis intervention
- Constitutional policing
- Sexual harassment
- Upper management and supervisory
- De-escalation
- Scenario-based
- Defensive tactics
- LGBTQIA interactions
- Ethics

Finding 29: Upper-level management personnel are not currently receiving training to enhance their managerial skills.

General Order T2006-T *Training Standards* states that all upper-level management personnel should receive training to enhance their managerial skills. Through interviews, the audit team gathered that this is currently not occurring. To establish a strong set of managerial skills and create a positive working environment, management should receive specialized training on an annual basis.

Recommendation 29.1: NPD should establish trainings specific for upper-level management personnel to align with policy stated in General Order T2006-2 *Training Standards*.

Finding 30: Officers would like to receive more training to prepare for active shooters and bomb threats.

Recently, many NPD officers were given the opportunity to attend an active shooter training in a town near Niskayuna. All of the officers we interviewed that attended the training offered great accolades. Many officers expressed their interest in receiving more training in this area. The audit team also learned that in 2019, there were multiple bomb threats at the Niskayuna High School. Officers expressed interest in more active threat trainings in the future.

Recommendation 30.1: NPD should offer active shooter and bomb threat training over the next year. The department should continue to send officers on an as-needed basis, determined by the familiarity and comfort level of officers with the subject matter.

Finding 31: In 2020, NPD released a memorandum assigning special reviews of GOs during shift debriefs and in-service training.

Officers expressed the need to continue briefing and training officers on various GOs during roll calls and debriefs. Last year, NPD released a memorandum that assigned special reviews of GOs broken down into each month. These special reviews are pertinent to the success of the department and give line-level officers the opportunity to ask questions about policy, learn from others, and put policy into practice when they are out in the field.

Recommendation 31.1: NPD should continue to review GOs during shift debriefs and in-service trainings.

Finding 32: NPD currently does not evaluate its training methods to determine what training is best suited for the department.

NPD currently does not have any evaluation procedures in place to ensure its training methods are efficient and beneficial. With officers and community members expressing the need for more training, the department should evaluate each new training it puts in place.

Recommendation 32.1: NPD should evaluate all training courses on an annual basis to determine whether changes should be made to its rotation of in-service training courses.

Finding 33: NPD currently does not have a school resource officer (SRO) program in place.

NPD does not currently conduct formal youth outreach; it does not have officers in the school district. Many community members expressed their opposition to officers in the school system. We do not recommend NPD implement a SRO program. However, we recommend that one or two officers at NPD receive specialized training on juvenile justice and school issues. These officers could be the default responders and leads on all school-related incidents. These officers could also lead all juvenile outreach for recruiting for the department.

Recommendation 33.1: NPD should pursue specialized training for designated officers on juvenile justice and school-related issues; these officers should serve as the leads for all juvenile community outreach.

Finding 34: Currently, NPD has no formal recruiting plans in place for the department, especially for the recruitment of people of color, women, and youth. Slight informal recruiting occurs in the community, but no formal structures are detailed in policy.

General Order A-16-2006 *Personnel Recruitment and Hiring* currently only outlines the procedure for announcing that a job is open hiring a new officer. Many law enforcement agencies struggle recruiting to recruit and retain employees. In our interviews, it was clear that NPD does not struggle with

retention; however, there are concerns that NPD does not have formal recruitment plans. To achieve a police force that reflects the Niskayuna community, NPD must put a recruitment plan in place. This recruitment plan must also target people of color, women, and youth in the community that are interested in the profession. Appendix B includes references and peer agencies that can support the department in the development of a recruitment plan.

As noted in the audit team's analysis, NPD is fairly representative of the Niskayuna community; however, it lacks representation of Asian individuals. This theme was echoed in the audit team's interviews with officers. Officers also expressed that while informal recruiting occurs at events, they would like to see the department formalize a plan.

Recommendation 34.1: NPD should form a working group, including the Comptroller's office, to establish a formal structure for recruiting officers, specifically people of color, women, and youth. This formal structure should be documented in a strategic plan that is updated regularly.

Recommendation 34.2: NPD should develop an annual public report that summarizes its recruitment plan analysis.

Finding 35: Currently, NPD does not track data on promotion applications, applicants, or decisions in a formal database. Currently, the announcements for decisions are released through Personnel Orders.

NPD delineates the promotion process in General Order A-17-2006 *Promotions*, including a description of civil service and non-civil service promotions. The process is described in detail for department personnel. However, NPD does not currently track data on promotion applications, applicants, or decisions in a formal database. Therefore, the audit team was unable to conduct any analysis on promotions to investigate whether there is the possibility of disparities in race, ethnicity, or gender in promotional decisions. Instead of a formal tracking system, NPD currently uses its paper filing system by releasing Personnel Orders when there is a promotion in the department.

Recommendation 35.1: NPD should develop a system where designated personnel collect and retain data for promotions, including applicants, demographic information, civil service exam results, and outcomes.

Recommendation 35.2: Once NPD has an established tracking system, designated personnel should analyze promotion data annually to identify disparities (racial, ethnic, or gender-based) in the promotion process. If NPD finds that disparities do exist, the department should immediately investigate the causes of the disparities and implement programs to eliminate the disparities.

Finding 36: NPD personnel find the promotional and specialty assignment process to be unfair and exhibit low levels of trust in the process.

Many interviewed personnel had low levels of trust in the promotional process and the specialty assignment process. Many of the concerns were related to the makeup of the panel for the Sergeant

promotional process, namely that fellow Sergeants are included on the panel. In General Order A-17-2006 *Promotions*, the policy does not mention who is to be involved in the panel for civil service promotions. Interviewed personnel expressed that the panel is typically made up of Sergeants, a Town Board member, the Deputy Chief of Police, and the Chief of Police. Officers would like to see the department come together to revamp the panel to include individuals that are not their direct peers. The department could consider adding the Public Safety Chair Board Member to the panel, as well as community leaders in the Town of Niskayuna. NPD could also bring in a panel member who is a supervisor from an outside police agency for an objective outlook.

Additionally, many personnel noted low levels of transparency throughout the process. It is important to the officers that promotions and specialty assignments are not the product of popularity within the department, but instead a product of skills, readiness, and efficiency in the job. Officers expressed that individuals are prone to change their behavior for an upcoming promotion or specialty assignment but do not make a conscious effort to maintain that behavior after receiving the promotion or specialty assignment.

Recommendation 36.1: NPD should develop a transparent promotion and specialty assignment process. Policy should clearly outline the panel members and should be developed in conjunction with the Town's Human Resources Director.

Recommendation 36.2: NPD should consider revising the panel for interviews to include the following:

- **Public Safety Committee Chair Board Member**
- **Comptroller's office representative**
- **Community leader**
- **Outside agency of similar demographics**

These changes should be detailed in General Order A-17-2006 *Promotions* in Section I.E.

Finding 37: NPD officers are not aware that they have access to their personnel files.

During interviews, officers expressed concerns about not having access to their personnel files. Some officers noted that their files contained memoranda and violations that they were never told about; others alleged that information in certain officers' files was destroyed. The lack of transparency around personnel files has led to broken trust within the department.

The Town Comptroller's office confirmed that all officers do have access to their personnel files, which are held in the Comptroller's office, per the Town's Employee Handbook, Section 408. Employees can view their personnel files by sending a written request to the office.

Recommendation 37.1: NPD should notify officers when they receive counseling memoranda or memoranda of violations in their personnel files. NPD should also inform officers of their rights per the Town's Employee Handbook, Section 408.

Finding 38: Relationships among line-level officers and their Sergeants are very positive; however, not all officers follow the chain of command.

During the audit team's interviews, Sergeants expressed very positive working relationships with their officers. Officers also expressed very positive working relationships with their direct Sergeants. Officers appreciated the constant informal review of the work and the constructive feedback they receive. However, interviewed personnel expressed concerns that chain of command is not always followed in the department. Namely, personnel expressed that instead of following the chain of command, individuals will go directly to the Chief of Police. With NPD being a smaller law enforcement agency, this may not concern all personnel; however, any tension that causes problems with the chain of command should be addressed. If officers do not feel they can contact their direct supervisor when needs arise, many internal issues could develop.

Recommendation 38.1: Sergeants should continue to review their officers' work and provide informal feedback in a constructive manner to their supervisees.

Recommendation 38.2: NPD should continue working toward positive relationships not only between line-level officers and their Sergeants, but also between Sergeants and command staff.

Finding 39: NPD currently does not have a formal performance evaluation process for sworn and non-sworn personnel in place.

During the audit team's interviews, we learned there is currently no performance evaluation process in place for sworn and non-sworn personnel. It is extremely important that all officers in the department, including upper-level management, receive annual formal evaluations of their work. NPD should work with its union to negotiate this agreement and develop a formal process. All evaluations should be consistent and timely.

Recommendation 39.1: NPD should develop a formal performance evaluation process for sworn and non-sworn personnel, to be negotiated with the Police Benevolent Association (PBA). This evaluation process should ensure that all employees receive annual evaluations audited by a designated command officer. This will ensure that all employees receive a fair and transparent evaluation.

Recommendation 39.2: NPD should develop a GO that outlines the performance evaluation process. This policy should also address procedures for employees that recently changed supervisors before the performance evaluation.

Finding 40: NPD officers have concerns about their peers' safety and wellness. NPD currently has no support groups or wellness programs in place to assist officers and their families with mental health after a crisis.

Officers expressed concern about their safety and wellness, as well as their peers' safety and wellness. NPD currently does not have any support groups or wellness programs in place to help officers struggling with their jobs, mental health, and national policing issues. NPD should take steps to help

officers feel that they are safe in their daily duties and provide support to officers and their families. Sergeants also expressed their desire to be directly involved in working with their officers to support their wellness needs; however, time should be established in their duties for the role in this program.

Chief Wall is currently working to institute the Asher Model,⁹ which is a seven-point approach to a culture of wellness. This model includes focus areas on awareness, peer support, healthy habits, spirituality, family, resiliency, and a solution-focused approach. Chief Wall has already been in touch with Chief Neil Gang, who developed the model, and is working with the Samaritan Counseling Center and rabbis in the Niskayuna area to work through implementation.

Officers also expressed that after critical incidents, the department could improve its debriefings. Critical incidents can be very challenging for officers to understand, digest, and work through. It is important that the department considers the direct and vicarious traumas officers can experience after critical incidents and address them appropriately.

Recommendation 40.1: NPD should develop peer support and a wellness program for officers and their families.

Recommendation 40.2: When NPD establishes peer support groups, leaders must ensure that supervisors have established time for their roles in this program.

Recommendation 40.3: NPD should develop policy detailing how the command staff will debrief with officers after critical incidents.

Finding 41: As documented in General Order A-03-2019 *Goals and Objectives*, NPD is supposed to formally track the division goals and objectives set forth by the Chief of Police and the Sergeants. However, that formal tracking procedure is not taking place; nor is the formal setting of goals and objectives.

It is clear that the department is not following the guidelines listed in General Order A-03-2019 *Goals and Objectives*. The Chief of Police is supposed to develop goals and objectives for the department; Sergeants are supposed to develop goals and objectives for their specific divisions. These goals and objectives are supposed to be tracked. However, this has not been occurring. Departmental and divisional goals are crucial to the success of the department. All goals should be attainable and pertinent to the overall mission of the police department.

Recommendation 41.1: NPD should ensure that the Sergeants are all setting goals and objectives for their specific division, as well as the Chief of Police setting goals and objectives for the entire department.

Recommendation 41.2: NPD should track the progress of all goals and objectives in a database that officers are able to access throughout the year.

⁹ Gang, Neil (2019). A 7-Point Approach to a Culture of Wellness. Available online: <https://www.calibrepress.com/2019/06/the-asher-model/>

Finding 42: NPD currently does not have a formalized policy revision process in place.

In the audit team's review of GOs, it was clear that many policies are very outdated and have not been revised in many years. Some policies date back to 2006. Police departments need constant reviews and revisions of policy to ensure the department is staying in line with the ever-changing policing environment. In General Order A-01-2015 *Written Directives* it states that all GOs should be reviewed annually after the original date of issuance. The policy does not explicitly state who is involved in the review and revisions process, whether it is a working group created by the Chief of Police, Command Staff, or a mixture of both.

The department is currently reviewing all policies and creating a brand new policy manual through Lexipol. It is important that NPD continues to review and revise its newly created policy manual on an annual basis once it has formally been implemented in the department.

Recommendation 42.1: In the revision of the new policy manual, NPD should explicitly state who will be involved in the policy review and revision process in a recurring manner.

Finding 43: Although General Order A-05-2017 *Duties/Function of Deputy Chief* states that the Deputy Chief of Police is in charge of the application for and the administration of programs funded by grants, it seems that others are contributing to this role and there is no designated grant writer.

NPD currently does not have a designated unit or individual that is in charge of writing grants. However, General Order A-05-2017 *Duties/Functions of Deputy Chief* states that the Deputy Chief is in charge of the application for and the administration of programs funded by grants. Through interviews, the audit team gathered that a Sergeant also participates in this endeavor; however, the sergeant is also in charge of many training duties that take up his time. It is important that NPD works to establish the employee in charge of grants, the established grant writer(s), and the department's annual grant strategy.

This type of role is perfect for a civilian who could also work with the Town of Niskayuna to establish a Town grant strategy and write grants. The new position could seek outside funding and conduct best practice and peer agency research for the department. The Town Comptroller's Office has begun a search for a grants writer with experience in obtaining public safety grants.

Recommendation 43.1: NPD should work in conjunction with the Town of Niskayuna officials to develop a civilian role as a grant writer for the department and for the town.

Finding 44: The Deputy Chief of Police currently is in charge of all duties that used to be completed by the Administrative Lieutenant position.

During interviews, the audit team learned that the preferred command structure would include the Chief of Police, Deputy Chief of Police, and an Administrative Lieutenant. Currently, the duties that would fall under the Administrative Lieutenant's command are being conducted by the Deputy Chief of Police. It is important for adequate staffing levels that the department employ its command structure to full capacity.

Recommendation 44.1: NPD should work in conjunction with the Town of Niskayuna officials to fill the Administrative Lieutenant position.

Finding 45: In the current full set of GOs provided by the NPD, there are notable missing GOs that are crucial to the department's success.

After the audit team's review of NPD's full set of GOs, notable policies that agencies across the country typically include were missing. The missing policies are standard policies that all agencies should have. During the full review of the policy manual, NPD should consider adding policies that reflect crucial parts of its daily duties.

Recommendation 45.1: In the revision of the new policy manual, NPD should consider adding the following GOs:

- **Planning and research of the department**
- **Rules of conduct for all department personnel**
- **Performance evaluation and career development**
- **Officer safety and employee assistance/wellness**
- **Collective bargaining**
- **Social media: official and personal use**
- **Individuals experiencing mental health crises**
- **Bias-motivated incidents**
- **Pre-planned/high-risk situations**
- **Bias-free policing**

Some of these categories are currently included in various GOs; however, NPD should dedicate a specific GO to these important topics.

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Conclusion

NPD's participation in the audit and collaboration with our team show how willing the department is to make changes in its community, increase transparency, and develop more meaningful community engagement. It is crucial that Town of Niskayuna officials and NPD work in a positive, collaborative environment to institute change, build trust, increase transparency, and sustain the changes. The CNA team offers 47 findings with accompanying recommendations based on policy review, a review of data, and interviews with personnel, town officials, and community members. NPD has a large task ahead to understand and correct the disparities in its arrests and use of force incidents and increase formal community engagement. NPD's partnerships with Town of Niskayuna Board members, personnel from the Town Supervisor's office, community leaders, and the youth in the Town of Niskayuna are crucial as NPD moves forward to make sustainable changes.

Finding 46: Most NPD data on police-community member interactions exhibit racial disparities. NPD enforcement affects Black community members disproportionately.

As noted in the data and analysis sections, many of NPD's interactions with the community exhibit racial disparities. Specifically, Black community members are more likely to be involved in arrests (particularly arrests during proactive police activity), traffic stops ending in a citation, and use of force incidents, even when accounting for different baseline options and the different residential populations with which NPD interacts (including Schenectady, Albany, and Niskayuna residents, among others). NPD should proactively address these disparities. While the assessment team cannot conclusively determine whether these disparities are caused by bias, given what we know about the presence of bias and systemic racism in the criminal justice system, it is pragmatic to address disparities as though they are at least due to bias, through training and policy and practice review.

Recommendation 46.1: NPD should conduct further internal analysis to understand the policies and practices that contribute to these disparities, and adjust them to reduce disparities. It should also proactively address the possibility of biased behavior by continuing to regularly train officers on anti-biased policing.

Recommendation 46.2: NPD should regularly re-analyze law enforcement data to understand whether it is reducing disparities over time. NPD should use multiple baseline options, as we demonstrate in this report, so that disparities are not masked by data that already exhibit disproportionality as the baseline (e.g., limiting analysis to only suspect data).

Finding 47: An independent, objective, and ongoing assessment of NPD's progress toward the recommendations in this report will be essential to the implementation and sustainment of the proposed changes.

To assist NPD in implementing changes, the independent audit firm should provide insight over a 12-to-18-month period. During this timeframe, the audit firm can document the implementation of the

recommendations provided in this report. The activities and tasks the audit firm should conduct may include the following:

- Work with the NPD, Town of Niskayuna officials, and community leaders to prioritize the implementation of the recommendations.
- Work with the NPD, Town of Niskayuna officials, and community leaders to identify the prioritization and implementation of steps for each recommendation.
- Work with the NPD to identify the resources necessary to implement each recommendation.
- Track and document NPD's progress towards implementing each recommendation.
- Provide technical assistance as needed (e.g., subject expertise, assistance identifying potential funding sources, website development assistance, training curriculum development, staffing analyses) to support NPD in implementing recommendations.
- Work with NPD, Town of Niskayuna officials, and community leaders to develop and release quarterly progress updates made publicly available.

Recommendation 47.1: The Town of Niskayuna and NPD should engage an independent audit firm to track and monitor progress toward implementing the recommendations proposed in this report.

Appendix A: Abbreviations

Abbreviation	Definition
BWC	Body-Worn Camera
GO	General Order
NPD	Niskayuna Police Department
OC	Oleoresin Capsicum
PBA	Police Benevolent Association
SRO	School Resource Officer

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Appendix B: Resources

To aid the NPD in understanding and implementing the recommendations in this report, the audit team suggests various supplemental resources and peer agencies. Each resource and peer agency listed is categorized by its corresponding recommendation. Please note the list of resources is not comprehensive and is only intended to be a guide for NPD to use when understanding the report and implementing the recommendations.

Patrol Operations, Deployments, and Traffic Stops

To support implementation of Recommendation 1.1, the audit team recommends the following peer agencies:

Peer connection with the Maricopa County Sheriff's Office.

Peer connection with the Sturgis, MI, Police Department.

To support implementation of Recommendation 2.1, the audit team recommends the following peer agency:

Peer connection with the Maricopa County Sheriff's Office.

To support implementation of Recommendation 4.1, the audit team recommends the following resources:

Body-worn camera training and technical assistance. (n.d.). Retrieved from <https://bwctta.com/>

BWC cost and storage estimator. (2019). Retrieved from <https://bwctta.com/resources/bwc-cost-and-storage-estimator>

Bureau of Justice Assistance body-worn camera toolkit. (n.d.). Retrieved from <https://bja.ojp.gov/program/bwc>

To support implementation of Recommendation 4.2, the audit team recommends the following resource:

Bureau of Justice Assistance grants: <https://bja.ojp.gov/funding>

Peer connection with the Sturgis, MI, Police Department.

To support implementation of Recommendation 5.1, the audit team recommends the following resource:

Haug, S. (2020). Audits and compliance reviews can strengthen body-worn camera programs. Retrieved from <https://bwctta.com/resources/commentary/audits-and-compliance-reviews-can-strengthen-body-worn-camera-programs>

To support implementation of Recommendation 5.2, the audit team recommends the following resource:

Wohl, E., Bryson, B., Carleton, B., & Thorkildsen, Z. (2020). Maricopa County Sheriff's Office traffic stops quarterly review: Supervisor review findings and recommendations. Phoenix, AZ: Maricopa County Sheriff's Office. Retrieved from <https://www.mcsobio.org/traffic-stop-data>

To support implementation of Recommendation 6.2, the audit team recommends the following resource:

Lethality Assessment Program: A project of the Maryland Network Against Domestic Violence. (n.d.). Retrieved from <https://www.lethalityassessmentprogram.org/>

Complaints

To support implementation of Recommendations 7.1, 8.1, 9.1, and 9.2, the audit team recommends the following resource:

Office of Community Oriented Policing Services. (n.d.). Standards and guidelines for internal affairs: Recommendations from a community of practice. Washington, DC: US Department of Justice. Retrieved from <https://cops.usdoj.gov/RIC/Publications/cops-p164-pub.pdf>

To support the implementation of Recommendations 11.1 and 11.2, the audit team recommends the following resources and peer agency:

Office of Community Oriented Policing Services. (n.d.). Standards and guidelines for internal affairs: Recommendations from a community of practice. Washington, DC: US Department of Justice. Retrieved from <https://cops.usdoj.gov/RIC/Publications/cops-p164-pub.pdf>

Stephens, D. W. (2011). Police discipline: A case for change. Washington, DC: US Department of Justice, National Institute of Justice. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/234052.pdf>

Peer connection with the Sturgis, MI, Police Department.

To support implementation of Recommendations 12.1 and 12.2, the audit team recommends the following resources and peer agency:

Amendola, K. L., & Davis, R. C. (2019). Best practices in early intervention system implementation and use in law enforcement agencies. Arlington, VA: National Police Foundation. Retrieved from <https://www.policefoundation.org/publication/best-practices-in-early-intervention-system-implementation-and-use-in-law-enforcement-agencies/>

US Department of Justice. (2019). Law enforcement best practices: Lessons learned from the field. Washington, DC: Office of Community Oriented Policing Services.

Walker, S. (2003). Early intervention systems for law enforcement agencies: A planning and management guide. Washington, DC: US Department of Justice, Office of Community Oriented Policing Services. Retrieved from <https://cops.usdoj.gov/RIC/Publications/cops-w0085-pub.pdf>

Worden, R. E., Harris, C., & McLean, S. J. (2014). Risk assessment and risk management in policing. *Policing: An International Journal of Police Strategies & Management*.

Peer connection with the Los Angeles, CA, Police Department regarding its early intervention system, TEAMS II.

Use of Force

To support implementation of Recommendations 12.1 and 12.2, the audit team recommends the following resources:

Police Executive Research Forum. (2016). Critical issues in policing series: Guiding principles on use of force. Washington, DC.

International Association of Chiefs of Police. (2017). National consensus policy and discussion paper on use of force. Alexandria, VA.

Community Policing

To support implementation of Recommendations 19.1, 19.2, and 20.1, the audit team recommends the following resources and peer agency:

Ikerd, T., & Walker, S. (2010). *Making police reforms endure: The keys for success*. US Department of Justice, Office of Community Oriented Policing Services.

Diaz, A. (2019). Community policing: A patrol officer's perspective. Washington, DC: Office of Community Oriented Policing Services.

Santos, R. (2019). Community policing: A first-line supervisor's perspective. Washington, DC: Office of Community Oriented Policing Services.

CNA (2020) Precision Policing Initiative Toolkit. Washington, DC: Office of Community Oriented Policing Services. Retrieved from https://www.cna.org/CNA_files/centers/ipr/jri/policing-toolkit/PPI-Toolkit-FEB-27-2020.pdf

Peer connection with the Brooklyn Park, MI, Police Department.

To support implementation of Recommendation 19.3, the audit team recommends the following peer agencies:

Peer connection to the West Memphis, AR, Police Department.

Peer connection to the Indianapolis, IN, Police Department.

To support the implementation of Recommendation 20.1, the audit team recommends the following resources:

Office of Community Oriented Policing Services. (2014). Community policing defined. Washington, DC: US Department of Justice. Retrieved from <https://cops.usdoj.gov/RIC/Publications/cops-p157-pub.pdf>

President's Task Force on 21st Century Policing. (2015). Final report of the President's Task Force on 21st Century Policing. Washington, DC: US Department of Justice, Office of Community Oriented Policing Services. Retrieved from https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

Training, Recruitment, Hiring, and Oversight

To support the implementation of Recommendation 27.2, the audit team recommends the following resources:

Office of Community Oriented Policing Services grants: <https://cops.usdoj.gov/grants>

Bureau of Justice Assistance grants: <https://bja.ojp.gov/funding>

Bureau of Justice Assistance National Training and Technical Assistance Center: <https://bjatta.bja.ojp.gov/working-with-nttac/requestors>

National Institute of Justice grants: <https://nij.ojp.gov/funding>

To support the implementation of Recommendation 33.1, the audit team recommends the following resources:

Office of Community Oriented Policing Services. (2019). School resource officers and school-based policing. Washington, DC: US Department of Justice. Retrieved from https://cops.usdoj.gov/pdf/SRO_School_Policing_Factsheet.pdf

Office of Community Oriented Policing Services. (n.d.). Supporting safe schools. Retrieved from <https://cops.usdoj.gov/supportingsafeschools>

To support the implementation of Recommendations 34.1 and 34.2, the audit team recommends the following resources and peer agencies:

Office of Community Oriented Policing Services. (2009). Law enforcement recruitment toolkit. Washington, DC: US Department of Justice. Retrieved from <https://cops.usdoj.gov/RIC/Publications/cops-p171-pub.pdf>

Violence Reduction Network. (2016). VRN webinar: Recruiting a diverse police department through digital outreach. Retrieved from <https://www.nationalpublicsafetypartnership.org/clearinghouse/Resource/370>

Copple, J. E. (2017). Law enforcement recruitment in the 21st century: Forum proceedings. Washington, DC: Office of Community Oriented Policing Services. Retrieved from <https://cops.usdoj.gov/RIC/Publications/cops-w0830-pub.pdf>

Collaborative Reform Initiative Technical Assistance Center. (2020). Report out from Rhode Island regional roundtable on recruitment, hiring, and retention. Washington, DC: US Department of Justice. Retrieved from <https://cops.usdoj.gov/RIC/Publications/cops-w0899-pub.pdf>

This report includes seven additional resources to help agencies address recruitment, hiring, and retention challenges. Please see the *Additional Resources* section on Page 5 of the above document.

Bradley, K. (2020). Recruiting and retaining officers in small and rural agencies. Washington, DC: Office of Community Oriented Policing Services. Retrieved from <https://cops.usdoj.gov/RIC/Publications/cops-p426-pub.pdf>

Linos, E. (2018). More than public service: A field experiment on job advertisements and diversity in the police. *Journal of Public Administration Research and Theory*, 28(1), 67–85.

Police Executive Research Forum. (2019). The workforce crisis, and what police agencies are doing about it. Washington, DC.

Morison, K. P. 2017. Hiring for the 21st century law enforcement officer: Challenges, opportunities, and strategies for success. Washington, DC: Office of Community Oriented Policing Services.

Todak, N. (2017). The decision to become a police officer in a legitimacy crisis. *Women & Criminal Justice*, 27:4, 250-270. Retrieved from <https://www.tandfonline.com/doi/pdf/10.1080/08974454.2016.1256804?needAccess=true>

Shjarback, J., & Todak, N. (2019). The prevalence of female representation in supervisory and management positions in American law enforcement: An examination of organizational correlates. *Women & Criminal Justice*, 29:3, 129-147. Retrieved from <https://www.tandfonline.com/doi/pdf/10.1080/08974454.2018.1520674?needAccess=true>

Peer connection with the Denver, CO Police Department.

Peer connection with the Arlington, TX Police Department.

To support the implementation of Recommendations 36.1 and 36.2, the audit team recommends the following peer agencies:

Peer connection with the Cary, NC, Police Department.

Peer connection with the Fayetteville, NC, Police Department.

Peer connection with the Sturgis, MI, Police Department.

To support the implementation of Recommendations 40.1 and 40.2, the audit team recommends the following resources and peer agencies:

Bradley, K. D. (2020). Promoting positive coping strategies in law enforcement: Emerging issues and recommendations. Officer Safety and Wellness Group Meeting Summary. Washington, DC: Office of Community Oriented Policing Services.

Police Executive Research Forum. (2018). Building and sustaining an officer wellness program: Lessons from the San Diego Police Department. Washington, DC: Office of Community Oriented Policing Services.

Hill, J., Whitcomb, S., Patterson, P., Stephens, W. D., & Hill, B. (2014). Making officer safety and wellness priority one: A guide to educational campaigns. Washington, DC: Office of Community Oriented Policing Services.

CNA (2020). Precision Policing Initiative Toolkit. Washington, DC: Office of Community Oriented Policing Services. Retrieved from https://www.cna.org/CNA_files/centers/ipr/jri/policing-toolkit/PPI-Toolkit-FEB-27-2020.pdf

CNA and PRO Wellness Services (2020). Officer Readiness Assessment Tool. Retrieved from <https://www.cna.org/centers/ipr/jri/officer-readiness-assessment-tool>

Peer connection with the Arlington, TX, Police Department.

Peer connection with the Bexar County Sheriff's Office.

Peer connection with the San Antonio, TX, Police Department.

Peer connection with the Sturgis, MI, Police Department.

Appendix C: Data Reviewed by Audit Team

Type	Document
General Order - Administrative	A-01-2015
General Order - Administrative	A-02-2020
General Order - Administrative	A-03-2006
General Order - Administrative	A-04-2015
General Order - Administrative	A-01-2017
General Order - Administrative	A-07-2019
General Order - Administrative	A-08-2019
General Order - Administrative	A-09-2019
General Order - Administrative	A-10-2020
General Order - Administrative	A-16-2006
General Order - Administrative	A-17-2006
General Order - Administrative	A-18-2019
General Order - Administrative	A-19-2006
General Order Form - Administrative	A-10a-2016
General Order - Operational	O-01-2019
General Order - Operational	O-02-2006
General Order - Operational	O-03-2006
General Order - Operational	O-07-2006
General Order - Operational	O-09-2006
General Order - Operational	O-10-2015
General Order - Operational	O-11-2016
General Order - Operational	O-12-2016
General Order - Operational	O-14-2015
General Order - Operational	O-16-2006
General Order - Operational	O-17-2006
General Order - Operational	O-18-2006
General Order - Operational	O-19-2006
General Order - Operational	O-20-2006
General Order - Operational	O-22-2006
General Order - Operational	O-23-2006
General Order - Operational	O-26-2006
General Order - Operational	O-27-2006
General Order - Operational	O-28-2006

Type	Document
General Order - Operational	O-29-2019
General Order - Operational	O-32-2006
General Order - Operational	O-33-2006
General Order - Operational	O-34-2006
General Order - Operational	O-35-2006
General Order - Operational	O-36-2016
General Order - Operational	O-37-2008
General Order - Operational	O-38-2020
General Order - Operational	O-39-2011
General Order Form - Operational	O-01-2019a
General Order Form - Operational	O-38-2020 Risk Screen
General Order - Training	T-01-2006
General Order - Training	T2006-2
General Order - Training	T2006-3
Arrests Data	2015-2020
Traffic Stops Data - Citations	2015-2020
Complaints Data	2015-2020
Use of Force Data	2015-2020
Department Personnel Data	All NPD personnel, sworn and non-sworn
Supervisory Memorandum	C-Line General Order Review
Complaint Form	Citizens Complaint Form/Incident Information

Appendix D: Table of Findings and Recommendations

The below table is a list of findings and recommendations given. With each finding, we have suggested a timeframe for NPD to implement the recommendation. Each designation is defined as:

- Short-term: Implementation is to be completed within 3 months.
- Medium-term: Implementation is to be completed within 1 year.
- Long-term: Implementation is to be completed within 2 years.

Also included in the table is a designation of required resources to aid the NPD in implementation. The categories include:

- Funding
- Training
- Personnel
- Technology
- Research and analysis
- Policy
- Community outreach
- Organizational change

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
1	NPD's traffic stops data collection procedures do not support the ability to review data for more than citations, with minimal information collected for each stop.	<p>1.1 NPD should revise its traffic stop data collection protocols to achieve the following objectives:</p> <ul style="list-style-type: none"> • Ensure all traffic stop data are in one system that can easily be searched to pull data for more than citations (warning, arrests) • Collect driver race data for all traffic stops • Record stop, start, and end times, as well as stop latitude and longitude • Record the reason for the stop (also citation or arrest, as applicable) in a closed response (dropdown menu) format • Record whether a search was performed during the stop, the type of search (e.g., consent search, search incident to arrest, search under plan view doctrine, inventory search during vehicle impoundment) and whether a seizure resulted from the search 	Medium-term	Technology
2	NPD's traffic stops activity has substantial variances of citations given over time.	<p>2.1: NPD should assess why traffic stop activity has varied substantially.</p> <p>2.2: NPD should ensure that officers are not attempting to meet formal or informal quotas for citations.</p>	Medium-term	Research and analysis

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
3	The majority of interviewed community members do not have substantial concerns about NPD enforcement operations or their effects on marginalized populations.	<p>3.1 NPD should continue working to build trust with its community members.</p> <p>3.2 NPD should assess the data provided in the report to understand the racial disparities in citations and arrests.</p>	Medium-term	Community outreach, research and analysis
4	NPD currently has dash cameras for all patrol personnel, but currently does not employ BWCs.	<p>4.1 NPD should examine the BWC Cost and Storage Estimator to learn more about expected costs of developing a BWC program.</p> <p>4.2 NPD should consider applying for federal grants to help purchase BWCs for all sworn department personnel.</p>	Short-term	Technology
5	NPD's General Order 0-07-2006 Mobile Audio/Video Equipment policy lacks established compliance and auditing procedures.	<p>5.1 NPD should establish compliance measures to ensure that all officers are using the technology properly and that all actions align with department policies.</p> <p>5.2 NPD should establish randomized review of video procedures to ensure that officers are complying with all policy set forth in its full set of GOs.</p>	Short-term	Policy, organizational change

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
6	The NPD recently implemented a Domestic Violence Risk Screen to be completed by officers when a Domestic Incident Report is submitted.	<p>6.1 NPD should continue the risk screening process it recently implemented.</p> <p>6.2 NPD should regularly review their screening tool and compare it with best practices in domestic violence risk screening.</p>	Medium-term	Research and analysis
7	NPD personnel and community members do not have a congruent understanding of the complaint process.	<p>7.1 NPD should clarify the process of informing department personnel of complaints against them and their required actions and associated rights. Additionally, NPD should ensure officers are able to communicate the complaint process to community members.</p> <p>7.2 NPD should work with youth groups, religious leaders, and the Niskayuna School District to ensure that juveniles in the community know their rights when making a complaint and feel safe throughout the process.</p> <p>7.3 NPD should work with Town officials to include the complaint form on the Town website.</p>	Medium-Term	Training, community outreach, technology

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
8	NPD policy states that all complaints are handled by the Chief of Police; however, in practice, the Deputy Chief of Police has been handling all complaints.	8.1 NPD should determine who is in charge of handling all complaints and who has the authority for final resolution. This should be reflected in policy.	Short-term	Policy
9	NPD policy designates a 30-day timeframe to accept complaints about an alleged incident.	<p>9.1 NPD should either consider extending the timeframe to accept complaints to 60 days or remove the restriction completely. This change should be reflected in General Order A-08-2019 <i>Internal Affairs Investigations</i> and be consistent with other policies and guidelines for digital evidence and records management.</p> <p>9.2 If NPD does keep the timeframe to accept complaints in the revisions of the new policy manual, it should establish a process to formally document the basis of any declination, including a past-due filing time requirement and how it was communicated to the complainant, and provide the complainant with a means to appeal the declination.</p>	Short-term	Policy
10	NPD currently notifies the complainant during each phase of the complaint process, maintaining transparency with the community.	10.1 The department should remain transparent during the complaint process, ensuring the complainant is aware of the status of the complaint.	Short-term	Community outreach

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
11	NPD's discipline policy, described in its GOs, does not clearly define the disciplinary procedures or internal discipline decision for officers. NPD does not include a disciplinary matrix in the policy.	<p>11.1 NPD should develop a discipline matrix to ensure disciplinary decisions are fair and equitable across the department. This matrix should be included in General Order A-08-2019 Internal Affairs Investigations to ensure officers understand the possible outcomes. NPD should develop this matrix in conjunction with the Comptroller's office and the Town Attorney.</p> <p>11.2 NPD should start analyzing disciplinary outcomes with the presumptive outcomes in the new matrix to determine whether disparities emerge based on ethnicity, race, or gender and share the results with the Town Board and the Comptroller's office.</p>	Medium-term	Research and analysis
12	NPD currently does not use an early intervention system to monitor behavior and address performance issues proactively.	<p>12.1 NPD should work with the Comptroller's office to research various early intervention systems and implement such a system.</p> <p>12.2 NPD should establish appropriate indicators and thresholds in their early intervention system, and regularly review these against emerging best practices.</p>	Long-term	Technology, funding

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
13	NPD's use of force policy is detailed and provides clear guidance to officers about different types of force, particularly OC spray and Taser use.	13.1 NPD should maintain an effective, detailed use of force policy.	Short-term	Policy
14	NPD's use of force policy allows the use of chokeholds.	14.1 NPD should consider banning chokeholds, following the lead of agencies across the country.	Short-term	Policy
15	NPD's use of force policy does not currently state whether multiple officers must submit a use of force form if multiple officers were involved in the incident. Currently, on the form, officers involved with the incident are listed; however, only the reporting officer signs the form.	<p>15.1 NPD should clarify in General Order A-10-2020 Use of Force whether multiple officers must fill out the designated form.</p> <p>15.2 NPD should require either that each officer involved in the incident must submit an independent use of force form, or modify their use of force reporting form to allow for multiple officers' narratives within a single form.</p>	Short-term	Policy

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
16	NPD does not include in General Order 0-11-2016 Collapsible Baton when the use of deadly force is justified.	16.1 NPD should review General Order 0-11-2016 Collapsible Baton to make it clear when deadly force is and is not justified and note that deadly force is prohibited in all other circumstances. NPD should ensure the same justifications are used in the use of deadly force beyond the collapsible baton outlined in General Order A-10-2020 Use of Force.	Short-term	Policy
17	NPD currently does not produce and publish a publicly available annual report on use of force incidents.	17.1 NPD should produce and publish a publicly available annual report that summarizes the use of force incidents in the department. 17.2 NPD should add language to General Order A-10-2020 Use of Force stating that an annual report summarizing use of force incidents will be made available to the public.	Long-term	Research and analysis, policy
18	NPD does not track use of force incidents in a database, and instead stores the information in paper files.	18.1 NPD should develop a tracking database to ensure that all incidents are properly documented in an easily accessible datasheet.	Medium-Term	Organizational change
19	NPD does not currently emphasize a commitment to community policing and engagement. Officers do not use proactive policing	19.1 NPD should ensure officers are able to dedicate time on their shifts to engage with the community, whether that includes attendance at community engagement activities, engaging with community business owners, or utilizing foot patrols.	Medium-term	Organizational change, community outreach

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
	strategies and instead rely on reactive policing.	<p>19.2 NPD should develop a plan for community policing and engagement that is encouraged by command staff and embraced by all department personnel.</p> <p>19.3 NPD should work to develop community policing strategies beyond cookouts and Coffee with a Cop at the Farmer's Market to provide a formal presence in the Town. These strategies should be developed in conjunction with Town officials to create a collaborative working environment.</p>		
20	NPD's Mission Statement, documented in General Order A-02-2020, does not include an explicit commitment to community policing.	20.1 NPD should expand its mission statement to include community policing principles and philosophy.	Short-term	Organizational change
21	NPD officers and the majority of interviewed community members expressed high levels of mutual trust.	21.1 NPD should continue to work toward more community engagement to heighten the existing trust with the community.	Medium-term	Community outreach
22	In General Order A-07-2019 Community Relations/Crime Prevention, NPD has a clear policy on the equality of enforcement.	22.1 NPD should work with the Comptroller's office to ensure the revision of the entire policy manual includes policy on equality of enforcement.	Short-term	Policy

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
23	In General Order A-07-2019 Community Relations/Crime Prevention, NPD includes the responsibilities of the Community Relations Officer; however this position does not currently exist.	<p>23.1 NPD should establish an officer to fill this role, allowing time to fulfill the duties laid out for this position.</p> <p>23.2 The Chief of Police should publish the needs of the community and departmental goals when evaluated on a recurring basis.</p>	Medium-term	Personnel, research and analysis
24	According to General Order 0-27-2006 Vehicle and Traffic Stops, officers are to greet the violator courteously and give their titles and names. Policy does not require that the officer begin by explicitly stating they are with the NPD.	<p>24.1 NPD should revise General Order 0-27-2006 Vehicle and Traffic Stops, Section IX.A, to state, "Greet the violator courteously, state that you are with the Niskayuna Police Department, and give an appropriate title and name."</p> <p>24.2 NPD should ensure that all department personnel are greeting community members according to policy set forth in General Order 0-27-2006 Vehicle and Traffic Stops.</p>	Short-term	Policy

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
25	According to General Order 0-34-2006 Criminal Investigations and Constitutional Rights, verbal notification to the crime victim of their disposition of their case is preferred by the department.	25.1 NPD should revise General Order 0-34-2006 Criminal Investigations and Constitutional Rights to ensure that crime victims receive their case dispositions in writing, when it is safe to do so.	Short-term	Policy
26	NPD's website is robust and allows for the community to learn about the department.	26.1 NPD should include a current organizational chart with names and positions. 26.2 NPD should review all information on the website and ensure it is up to date and reflects current practices. 26.3 NPD should make all GOs available on the website.	Medium-term	Technology
27	In previous years, officers were not given many opportunities for in-house or external training. Chief Wall has a strong emphasis on training and has recently enrolled the department in PoliceOne	27.1 NPD should continue to use PoliceOne Academy and begin to expand on the topical areas made available to department personnel.	Long-term	Training, funding

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
	Academy for ongoing virtual trainings.	27.2 NPD should explore cost-effective options for in-person training, such as participating in regional training opportunities, cost-sharing with adjacent jurisdictions, and leveraging funded training opportunities offered by the Department of Justice Bureau of Justice Assistance and Office of Community Oriented Policing.		
28	NPD's policy in General Order T2006-2 Training Standards requires that all officers complete at least 21 hours of annual in-service training; however, that training is not currently occurring.	<p>28.1 NPD should ensure that officers receive firearms, legal updates, use of force, and exposure/infection control training annually, as required in General Order T2006-2 Training Standards.</p> <p>28.2 NPD should ensure that officers receive annual training on the policy and techniques of the collapsible baton, as required in General Order 0-11-2016 Collapsible Baton.</p> <p>28.3 NPD should ensure that officers receive biannual refresher training on the usage of Naloxone, as required in General Order 0-36-2016 Treating Suspected Opioid Overdose.</p>	Medium-term	Training

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
		<p>28.4 NPD should add more topics into the rotation of in-service training when revising its policy manual in cooperation with the Comptroller's office, including the following:</p> <ul style="list-style-type: none"> Cultural diversity, implicit bias, crisis intervention, constitutional policing, sexual harassment, upper management and supervisory, de-escalation, scenario-based, defensive tactics, LGBTQIA interactions, ethics 		
29	Upper-level management personnel are not currently receiving training to enhance their managerial skills.	29.1 NPD should establish trainings specific for upper-level management personnel to align with policy stated in General Order T2006-2 Training Standards.	Medium-term	Training
30	Officers would like to receive more training to prepare for active shooters and bomb threats.	30.1 NPD should offer active shooter and bomb threat training over the next year. The department should continue to send officers on an as-needed basis, determined by the familiarity and comfort level of officers with the subject matter.	Medium-Term	Training
31	In 2020, NPD released a memorandum assigning special reviews of GOs during shift debriefs and in-service training.	31.1 NPD should continue to review GOs during shift debriefs and in-service trainings.	Short-term	Training

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
32	NPD currently does not evaluate its training methods to determine what training is best suited for the department.	32.1 NPD should evaluate all training courses on an annual basis to determine whether changes should be made to its rotation of in-service training courses.	Medium-term	Research and analysis
33	NPD currently does not have a school resource officer (SRO) program in place.	33.1 NPD should pursue specialized training for designated officers on juvenile justice and school-related issues; these officers should serve as the leads for all juvenile community outreach.	Medium-term	Training
34	Currently, NPD has no formal recruiting plans in place for the department, especially for the recruitment of people of color, women, and youth. Slight informal recruiting occurs in the community, but no formal structures are detailed in policy.	34.1 NPD should form a working group, including the Comptroller's office, to establish a formal structure for recruiting officers, specifically people of color, women, and youth. This formal structure should be documented in a strategic plan that is updated regularly.	Long-term	Research and analysis
		34.2 NPD should develop an annual public report that summarizes its recruitment plan analysis.		

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
35	Currently, NPD does not track data on promotion applications, applicants, or decisions in a formal database. Currently, the announcements for decisions are released through Personnel Orders.	<p>35.1 NPD should develop a system where designated personnel collect and retain data for promotions, including applicants, demographic information, civil service exam results, and outcomes.</p> <p>35.2 Once NPD has an established tracking system, designated personnel should analyze promotion data annually to identify disparities (racial, ethnic, or gender-based) in the promotion process. If NPD finds that disparities do exist, the department should immediately investigate the causes of the disparities and implement programs to eliminate the disparities.</p>	Long-term	Organizational change; research and analysis
36	NPD personnel find the promotional and specialty assignment process to be unfair and exhibit low levels of trust in the process.	36.1 NPD should develop a transparent promotion and specialty assignment process. Policy should clearly outline the panel members and should be developed in conjunction with the Town's Human Resources Director.	Medium-term	Policy

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
		<p>36.2 NPD should consider revising the panel for interviews to include the following:</p> <ul style="list-style-type: none"> • Public Safety Committee Chair Board Member • Comptroller’s office representative • Community leader • Outside agency of similar demographics <p>These changes should be detailed in General Order A-17-2006 Promotions in Section I.E.</p>		
37	NPD officers are not aware that they have access to their personnel files.	37.1 NPD should notify officers when they receive counseling memoranda or memoranda of violations in their personnel files. NPD should also inform officers of their rights per the Town’s Employee Handbook, Section 408.	Short-term	Organizational change
38	Relationships among line-level officers and their Sergeants are very positive; however, not all officers follow the chain of command.	<p>38.1 Sergeants should continue to review their officers’ work and provide informal feedback in a constructive manner to their supervisees.</p> <p>38.2 NPD should continue working toward positive relationships not only between line-level officers and their Sergeants, but also between Sergeants and command staff.</p>	Short-term	Organizational change

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
39	NPD currently does not have a formal performance evaluation process for sworn and non-sworn personnel in place.	<p>39.1 NPD should develop a formal performance evaluation process for sworn and non-sworn personnel, to be negotiated with the Police Benevolent Association (PBA). This evaluation process should ensure that all employees receive annual evaluations audited by a designated command officer. This will ensure that all employees receive a fair and transparent evaluation.</p> <p>39.2 NPD should develop a GO that outlines the performance evaluation process. This policy should also address procedures for employees that recently changed supervisors before the performance evaluation.</p>	Medium-term	Organizational change, policy
40	NPD officers have concerns about their peers' safety and wellness. NPD currently has no support groups or wellness programs in place to assist officers and their families with mental health after a crisis.	<p>40.1 NPD should develop peer support and a wellness program for officers and their families.</p> <p>40.2 When NPD establishes peer support groups, leaders must ensure that supervisors have established time for their roles in this program.</p> <p>40.3 NPD should develop policy detailing how the command staff will debrief with officers after critical incidents.</p>	Medium-term	Organizational change, policy

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
41	As documented in General Order A-03-2019 Goals and Objectives, NPD is supposed to formally track the division goals and objectives set forth by the Chief of Police and the Sergeants. However, that formal tracking procedure is not taking place; nor is the formal setting of goals and objectives.	<p>41.1 NPD should ensure that the Sergeants are all setting goals and objectives for their specific division, as well as the Chief of Police setting goals and objectives for the entire department.</p> <p>41.2 NPD should track the progress of all goals and objectives in a database that officers are able to access throughout the year.</p>	Long-term	Research and analysis
42	NPD currently does not have a formalized policy revision process in place.	42.1 In the revision of the new policy manual, NPD should explicitly state who will be involved in the policy review and revision process in a recurring manner.	Short-term	Policy

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
43	Although General Order A-05-2017 Duties/Function of Deputy Chief states that the Deputy Chief of Police is in charge of the application for and the administration of programs funded by grants, it seems that others are contributing to this role and there is no designated grant writer.	43.1 NPD should work in conjunction with the Town of Niskayuna officials to develop a civilian role as a grant writer for the department and for the town.	Long-term	Personnel
44	The Deputy Chief of Police currently is in charge of all duties that used to be completed by the Administrative Lieutenant position.	44.1 NPD should work in conjunction with the Town of Niskayuna officials to fill the Administrative Lieutenant position.	Medium-term	Personnel

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
45	In the current full set of GOs provided by the NPD, there are notable missing GOs that are crucial to the department's success.	<p>45.1 In the revision of the new policy manual, NPD should consider adding the following GOs:</p> <ul style="list-style-type: none"> • Planning and research of the department, rules of conduct for all department personnel, performance evaluation and career development, officer safety and employee assistance/wellness, collective bargaining, social media: official and personal use, individuals experiencing mental health crises, bias-motivated incidents, pre-planned/high-risk situations, and bias-free policing <p>Some of these categories are currently included in various GOs; however, NPD should dedicate a specific GO to these important topics.</p>	Short-term	Policy
46	Most NPD data on police-community member interactions exhibit racial disparities. NPD enforcement affects Black community members disproportionately.	46.1 NPD should conduct further internal analysis to understand the policies and practices that contribute to these disparities, and adjust them to reduce disparities. It should also proactively address the possibility of biased behavior by continuing to regularly train officers on anti-biased policing.	Medium-term	Research and analysis

Finding No.	Finding	Recommendation	Suggested timeline	Required resources
		46.2 NPD should regularly re-analyze law enforcement data to understand whether it is reducing disparities over time. NPD should use multiple baseline options, as we demonstrate in this report, so that disparities are not masked by data that already exhibit disproportionality as the baseline (e.g., limiting analysis to only suspect data).		
47	An independent, objective, and ongoing assessment of NPD's progress toward the recommendations in this report will be essential to the implementation and sustainment of the proposed changes.	47.1 The Town of Niskayuna and NPD should engage an independent audit firm to track and monitor progress toward implementing the recommendations proposed in this report.	Short-term	Funding

