

Executive Order 203 Compliance Group

December 10, 2020 Meeting Notes

Members Present: Malta Town Supervisor Darren O'Connor; City of Mechanicville Supervisor Tom Richardson; Dr. Michael Prezioso, Commissioner of Mental Health & Addiction Services; Undersheriff Rick Castle; District Attorney Karen Heggen; Public Defender Andrew Blumenberg; Opal Hinds, Esq.; Assistant County Attorney Michael Hartnett – Advisor to the Group; Sheriff Michael Zurlo; City of Saratoga Springs Supervisor Tara N. Gaston; Stillwater Supervisor Ed Kinowski; Village of Round Lake Mayor Gary Putman.

Dr. Prezioso welcomed those in attendance. He asked the members of the Group to introduce themselves.

Dr. Prezioso said he wanted to take a moment to remind everyone of the process. The process has been designed in furtherance of Executive Order 203 the New York State Police Reform and Reinvention Collaborative. The Governor's Order directs a comprehensive review of current police force deployments, strategies, policy & procedures, and practices for the purpose of addressing the particular needs of the community served and to promote community engagement to foster trust, fairness and legitimacy. Stakeholders including but not limited to membership and leadership of the local police force, members of the community, interested non-profit and faith based community groups, the local office of the District Attorney, the local Public Defender, and the local elected officials shall be consulted. Members have identified stakeholder groups, have been or are in the process of being identified and will have the opportunity to speak to the Executive Order 203 Compliance Group for 3 minutes each. Members of the public are invited to call in to listen to stakeholder input and Compliance Group discussion. Stakeholders in the public are strongly encouraged to submit comments in written form. There is a link on the Saratoga County web site developed for that purpose. The input will be incorporated in to a report to the Board of Supervisors of Saratoga County by April 1st, 2020.

Dr. Prezioso said with that he asked the elected officials to offer comment.

Mr. Kinowski said he is not on the committee. He did attend the first meeting and offered some comments then. He has his own police for in his own town that is going through this same procedure. He said they are going to do a take-off of whatever this Group does. We do have something in place, our police commission. There are five members on the commission, and we will be getting more. We are reviewing our own policies and procedures similarly. We feel we can do a good representation of our town predicated on the demographics. It is difficult to get people who don't want to volunteer for different organizations especially the smaller the number there are within the demographics or the minority. It is extremely difficult. In our own town, we are experiencing what the County overall is when it comes to that. He hopes he can offer better comments down the road as he hears others coming from the other members of this group.

Dr. Prezioso said to Supervisors O'Connor and Richardson, that they have a dual role here. You are members of the Compliance Group but as elected officials if there is input they'd like to offer. Mr. Richardson said he did not have any input at this time but he is just curious how many people have responded across the website or maybe interacted with other members. Mr. Castle said he could speak to the survey that was originally generated. It is posted on the County website and the information went out through the Sheriff's Office on the social media asking for input. To date there have been 95 responses. He said he could tally the information and disseminate it to the Group so everyone can start going through and digesting what is there. He said he anticipates more responses coming in on that and the information, the link can continue to be pushed out for people to review it. Dr. Prezioso said he has received probably fewer than 10 emails at this point. In combination, we are up to over 100 written responses maybe just a bit more. He said he could say we have put out requests for feedback to easily over 200 to 250 people constituting various groups and/or individuals connected with groups speaking on their own behalf. Between the faith communities, human service providers and he had the opportunity to meet with the co-founders of the Saratoga Immigration Coalition they were very helpful providing additional names and contact information for groups. We have nine speakers so far scheduled to participate next week. He thinks the word is getting out and a reasonable amount of responses have come in up to this point.

Mr. O'Connor said he wanted to bring the Group up to speed on the high school issue. After the meeting with the Superintendents, some advice was given to try to get the high school student's input. They composed a simpler survey for the student on the theory that it would be better to have a quicker survey that high school students may be more apt to complete. A survey was devised. He said they went through it with the superintendents from Ballston Spa and Shenendehowa; they made a few changes and the form went out through google forms to all superintendents in the County. One of the problems is the schools are knee deep in Covid issues right now. He thinks it will take some time to get responses back from high school students. The survey is out there and he is hopeful responses from high school students will be coming.

Mr. Putman said two of the email responses came from him. He was wondering what happened to those and asked how they were disseminated. He asked if they sit somewhere until the final report. Dr. Prezioso said his intent is to collate the responses that are received and then they would be shared with the Group. The Group would then go through them. If the Group would rather that happen in a different way, Dr. Prezioso said he could forward them on to people. Mr. O'Connor said he has seen some of the responses. Mr. Putman asked if Mr. O'Connor meant emails or survey responses. Mr. O'Connor said survey responses. Dr. Prezioso said he would make sure the Group has access to all the materials that are received.

Ms. Gaston said "she wanted to make some quick remarks with regard to the Executive Order 203 was issued in response to the public's cry for accountability and reconsideration of policing in light of a number incidents involving police throughout the United States. The order specifically notes concerns with engagement with community. With higher rates of engagement with people of color, the LGBTQ community and those with mental illnesses. It was drafted to require agencies to evaluate their work with the community and engage in a public process on how to improve. Many, unfortunately, including some in this room, have referred to this executive order as an attempt to defund the police. But, I see it as no such thing. I am the daughter of a police officer who, learned to shoot before I attended school, and still remember my father's answer when I was young as to why officers did not shoot to injure so people could still go to trial. His response was that any officer using his weapon or - any - weapon was the absolute last resort and the only way he would pull it was if there was absolutely no other option to save a life. I am proud of his history training law enforcement throughout Alabama, and his response to officers who did not maintain high ethical standards. I won't use the words that he would use in response to them because I don't think it's appropriate for public distribution in our minutes. I am also the granddaughter of a police officer. My grandfather just passed away. He served 27 years in the Marines and then was the Chief of Police in Alabama. My father performed his duties because he learned them that way for my grandfather. I would not call either of them socialist or liberals or anyone who wants to defund the police. But they agree completely in the purpose of this Executive Order and in the importance of appropriate and transparent engagement with the public. In reviewing the survey that was put out for public input, it is opaque, difficult to understand and relies on assumptions that the current methods are the best ones and are most appropriate. I don't know how the public can provide open, transparent and in any way helpful responses to the answers in this survey or can make any recommendations for how things should be. I do not expect giant structural changes. But I do think there is a lot that we should be doing in Saratoga County to improve the way law enforcement engages with the community. If through no other means than by listening. I've been contacted by a number of people who are concerned that the meetings, that the process and that who is being reached out to is not open and transparent. I had hoped once this Group was formed that public engagement would be expanded I have not seen it. And that is unfortunate because I know our County is capable of good work and that we are doing good work. But the community does not know that. If they can not fully engage with it then it doesn't matter. I hope the Compliance Group considers that and re-evaluate how they are working with the public. If not the ability for the public to trust in this process, in our County law enforcement and in our County government as a whole will suffer. Thank you." Dr. Prezioso thanked Supervisor Gaston.

Dr. Prezioso asked if anyone else had joined on the call. There had not been. He said typically at this point is after hearing the input, we turn to a discussion of what we heard. We then will have a discussion on moving forward with our process to make sure we satisfy the deadlines and the goals of the Executive Order. He opened the floor for discussion.

Ms. Gaston said she knows there has been a conversation on how many comments have been received, how many other elected officials have responded to the request that was sent out. She asked if Dr. Prezioso had those numbers

or had any idea. Dr. Prezioso said he does not have the numbers and added the invitations were extended at least a week ago. The invite went out to the Board of Supervisors with a request that the Board members share the invite with the Mayor within their municipality if there was one. Ms. Gaston said she did receive it and she did send it to the City of Saratoga Springs. She said she was disappointed that more have not participated.

Mr. Castle said to clarify, has the Group declined anyone who has asked to come and speak before this Group. Dr. Prezioso said no, no one has been declined who has made a request. He said to go back what he said previously, hundreds of individuals who represent scores of groups have been invited to participate. Other efforts through press release and the Sheriff's Office Facebook page has let this be known. There is a link on the Saratoga County web page that links directly to this Group with a schedule of upcoming meetings, with a means to provide input either by the survey or email link. He said to Supervisor Gaston that he has heard from others that say the survey can be a bit challenging to get through but we wanted to have an alternate means as well with email or calling in.

Dr. Prezioso said turning to the future and what direction we go in. He thanked Supervisor O'Connor for passing along and putting out the survey to the high school students on google forms. He thanked the superintendents who have participated to this point and will hopefully continue to participate. Going forward we do have the next meeting scheduled for December 16th. Among the participants will be the Back Stretch Organization, MLK Saratoga, Saratoga Immigration Coalition, Saratoga Peace Initiative, Planned Parenthood and Saratoga County Citizens Committee for Mental Health. We have those at least 9 individuals that will be in attendance. That is for next week's meeting.

Dr. Prezioso said at the last meeting there had been some discussion about whether we would obtain student input through the survey or if we would set up an additional meeting for students. There was discussion on a follow up meeting that is generally open for public comment. He looks forward to the Group's comments about this.

Mr. O'Connor said he thinks this is a great idea. He would like to give that additional option to the public if they want to have their voices heard. He said he wished there could be a meeting in a big huge auditorium and have people here but that is not possible with the uptick of Covid. If the next best thing is to allow them to phone in their comments or submit them in writing, he thinks that is a great idea.

Mr. Kinowski wanted to address Ms. Gaston but she had left the meeting. He said for the members in the room did he get an indication that she was not happy with the survey and that she thought the public may have a hard time responding to it. He thinks that what he got with her comment. He said he went through the survey and he didn't see it that way. She didn't suggest any changes which would be a concern. If a complaint is made, a suggestion of change should go with it. He said the most difficult thing for any political body is to get public input. Town level, we are lucky to get two or three members present. The only time they come out is if there is something huge in town that causes people to show up. This Group is experiencing the same thing he has experienced the eleven years he has been supervisor. It is difficult. We can try our best to get the word out but getting public input is difficult.

Mr. Putman said he would like to back up Supervisor Gaston's comment on the survey. He said he has been in education for forty years and he would have to agree with her comments. He did a reading analysis of the survey and it is graduate level. The first three questions were graduate level. The reading level is entirely too high. He said insurance policies are expected to be written at a ninth grade reading level. And this was way above that. Mr. Kinowski said what you've said is perfect and added the group that you are trying to speak to should be able to read it to provide answers. Mr. Putman said his first email that he sent in was about the reading level on the survey. He said with regards to public participation this has been a long standing complaint. The Board of Supervisors using Cisco WebEx for meetings it is very unsatisfactory. In Malta, they do Zoom meetings is much better. It is more interactive and you know who is speaking. He said he called in to a Shared Services meeting and he couldn't understand what was going on.

Mr. Kinowski said he has done research on the technology used, he uses zoom, and the largest number gathered was 125 people. This is a County with over 230,000 people and if half of them wanted to respond, what mechanism could be used or responses at that number. Mr. Putman said that only five supervisors are in the room so he didn't think the responses would be anywhere near the number Mr. Kinowski was saying. Mr. Kinowski asked Mr. Putman if he knew of any program that would allow for this many people to be present. Mr. Putman said it could be done on

Facebook live but that too has limitations. He said to him this is the least favorable way to hold meeting. Mr. O'Connor said the Town of Malta does use live and Zoom and this does work satisfactorily. He has also participated in Zoom meetings with countywide groups with people spread out over a room and it is nearly impossible to participate in that way. Zoom is great if every participant has a computer in front of him or her. It works great like that. It doesn't work at that well when there is one computer bringing in a whole group of people. Covid complicates things as people can't sit next to each other and talk.

Dr. Prezioso said he appreciated the feedback around the technical aspects of this and the desire to have public participate to the greatest extent possible. That's been something the Group has spoken about and really wants feedback from numbers of people from numbers of viewpoints. It's the Groups responsibility to integrate those in a set of recommendations to the Board of Supervisors. He appreciates the points made about the survey and its content and presentation. It was a good idea to have, in additional to the survey, written feedback that's in narrative form via email. This was another channel to get feedback. He asked the Group to return to the question of high school students and what the thoughts are about having participation from them either in this current form or another. And should this happen before our final meeting.

Mr. Castle said the survey will be going out and that is great. One of the things we can do is there is a Teen Advisory Council that was originally established by the Sheriff many years ago. This has been taken over by the Youth Council. The Council has representatives from all over the school districts in the County. It is not necessarily the elected student body council. These are volunteers on the Council. He suggested reaching out to Wes Carr to see if that group would like to participate. There are about 20 members and would be a good cross sample of people.

Ms. Hinds asked who is going to prepare the survey that will be sent to the high school kids. Mr. O'Connor said it has been prepared with feedback from the Ballston Spa Superintendent and the Shenendehowa Superintendent. The survey was modified after receiving their input. The survey has gone out to all superintendents in the County. Ms. Hinds said her concern was running into the same reading level issues. Mr. O'Connor said this survey is very easy to understand and is short. It is on google forms and did it this way so it would not scare off students. It is not a hard form to fill out.

Ms. Heggen said she is hearing concern for outreach this Group is doing. One of the things that could enhance feedback is to modify one of the meeting dates and times to a time that it is not during the business day. Perhaps an early evening time would work better. The other piece she has had some feedback on is the pace the Group is on. It is quick and there has not been a long lead-time in announcing meetings. She suggested the Group should start discussing the open meeting that will be a catchall. She said that might get us more input. She is feeling the struggle of the Covid restrictions. We need to factor in and balance all the situations and circumstances from a health and safety perspective. She said the Group has been welcoming of all responses however they have arrived. Her suggestion is to book out with a longer lead-time opportunities for people to engage the Group.

Mr. Richardson said one thing he noticed on Channel 13 News was Albany County is advertising on the news they are looking for comments. He wondered if the Group could reach out to a local news station. Dr. Prezioso said he didn't think that would be an issue. He asked if a press release asking for comment is what Mr. Richardson was speaking of. Mr. O'Connor said perhaps this could be coupled with the announcement of the open forum meeting. He said he agrees with Ms. Heggen that it should be after work so more people could participate. Mr. Putman said he went to the website and completed the survey. He said the website was confusing as the email was there but it wasn't clear what was to be emailed.

Dr. Prezioso clarified the Group will seek input from members of the Youth Bureau. Another incorporates a press release to announce an open meeting and be more specific about what input the Group is looking for. He said the last meeting would be in the evening to make it easier for people to participate. He asked if there were logistic issues with having an evening meeting. Ms. Wright said she didn't know if it would be possible in the Board Rooms as the building is automatically locked. If the Group wanted, she could speak to management about options. Mr. O'Connor offered the Malta Town Hall for the meeting as they have meetings all the time in the evening. He said the room isn't as big but it is decent size.

Mr. Kinowski asked if there was a way to have someone posted at the door and so on. Ms. Wright said it was not her decision to make as she would have to talk with management/maintenance. The cleaning staff works certain hours and that would have to be taken in to consideration as well. Mr. Kinowski said he can't help but think it would be doable and he would recommend an evening meeting.

Mr. O'Connor said the Town does have evening meetings and as long as the town hall isn't booked, he would like to offer the Group the Town's meeting room. Dr. Prezioso said the details would be worked on.

Dr. Prezioso said he would speak with Mr. Carr about youth involvement. He thought perhaps a meeting on the 23rd for youth would work. The following week is school break and most schools are closed and wondered if that would work. He asked the Group for their thoughts. Mr. Castle said there may be a possibility to have a zoom meeting with the youth group as it is a small dedicated group. Dr. Prezioso said he will speak with Mr. Carr and will report back to the Group.

Dr. Prezioso asked the Group for their input on the last meeting. He asked if it would be better to have the meeting between Christmas and New Year's or after the New Year. Mr. O'Connor asked Mr. Hartnett about the timing of meetings, and what works best to keep the Group on track. Mr. Hartnett said the Group is up against a tough timeline. He would suggest having the listening sessions concluded no later than mid-January. This will give the Group the time to meet the other deadlines.

Ms. Heggen said the Group doing something between Christmas and New Year's might not be the best. She said people have plans during this time. Dr. Prezioso suggested January 6th in the evening for the open meeting. Mr. Hartnett said that would work for the Group. Mr. O'Connor said he would check on the availability of the town hall and would report to the Group. The date of December 30th for a meeting will be removed. Mr. Castle said the week between Christmas and New Year's might be a good time for the Group to meet and go over materials.

Mr. Castle said Supervisor Gaston mentioned people had reached out to her with concerns about the Group's process. He recommended anyone that has people reaching out to them that they refer people to the Group.

Mr. Kinowski asked about the survey and if any thought had been given to re-writing it. Mr. O'Connor said he could share with the Group the survey that is being sent to the high school students. He said the more detailed survey does avoid is talking points kind of answers that don't necessarily apply to Saratoga County or the Sheriff's Office. Instead direct it to the real policies that we have going on. Not that the former isn't important. It is important. Perception of police in general is important. Obviously we are more concerned with Saratoga County and how we are policing here. With that being said he said he would send the survey out to the Group. Ms. Heggen asked if Mr. O'Connor's survey could be posted. Mr. Castle said both could be on the website. If someone wanted to take the abbreviated survey it would be there for them to do so. He said the survey that went to schools does not contain any back up information.

On a motion by Mr. Castle, seconded by Mr. Richardson, the Group unanimously adjourned.

Respectfully Submitted,

Pamela Wright
Clerk of the Board