

## Executive Order 203 Compliance Group

December 16, 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; Nancy Underwood, Backstretch Employee Service Team; Rev. Michael Bell, Holiday Hammond, MLK Saratoga; Maxine Lautenberg, Terrence Diggory, Saratoga Immigration Coalition; Chris Pipia, Saratoga Pride; Linda LeTendre, Saratoga Peace Alliance; Nicole Margiasso, Planned Parenthood; Lexis Figuereo, All of Us.

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 with both surveys and an email address. The input will be incorporated in to a report to the Board of Supervisors of Saratoga County by April 1<sup>st</sup>, 2020.

Dr. Prezioso asked the attendees of the meeting to provide their input.

Mr. Figuereo, All of US: "Good morning. I am happy that you guys are putting forward this collaborative for change. One of the things that I did notice is that when I went on there and did the survey, the language of the survey seemed to me, as being a person of color, and reading this, it seems to me to be saying to the public – this is what we are doing right, look at what we have been doing, we've been staying on task as far as training, we are always ahead of everything – I don't see there saying we need to make some changes, we have noticed that there needs to be changes, because clearly, the whole United States, the protesting all over it because everybody knows that there needs to be change, so it's clear. That is one of the things. Another thing that we had, me personally and as far as we are dealing with the Saratoga County Sheriffs, I personally have had plenty of times where I have been pulled over by the Saratoga County Sheriff's, and it's always multiple cars that pull me over. I have also been searched by the Saratoga County Sheriffs for unknown reasons and I'm not the only person I know that has had these problems. At our Police Task Force meetings in Saratoga Springs we have had people complain about their kids being harassed by Saratoga County Sheriffs, and other people of color. I noticed that when I first came to this meeting that me and the woman over there are the only people of color that are even a part of this meeting. I feel that's not very equitable for the communities, the Executive Order was put in due to the problems with people of color. We also have July 30<sup>th</sup> which was a back the blue rally that was in Saratoga Springs in which the Saratoga County Sheriff's came there with their militarized vehicle. Anti-mine vehicle which is an anti-terrorist vehicle to use on peaceful protesters. We were shot with pepper bullets and there were also four arrests that were actually unlawful arrests, that's why their charges ended up being dropped after. But that's another thing that we have a problem with is the Sheriff's coming into the City of Saratoga Springs with military gear and what are we going to do about, how are we going to deal with protests moving forward, and as well as any accountability for July 30<sup>th</sup> from Sheriff Zurlo or the Sheriff's Department at all. My group also has a thing called 13 demands, they are demands that are made by the people, for the people in order to make policing better and transparent and more accountability held for the Police officers with the community. If you guys would like an annotated version or regular version, I can email them to you. I would also, if sometime we can sit down and discuss them, I have done this with Commissioners in Saratoga Springs so far, we are working on trying to implement some of those changes, including to ban chokeholds, knee holds, and hogties. We also, I have personally

received a lot of phone calls from a few different inmates inside the Saratoga County Jail who have actually talked about abuse that was racially derived, being called names, phones (inaudible) being taken illegally and there were things like that. What are we going to do to make sure that the Saratoga County Sheriffs that are inside the jails are actually being held accountable as well. Bodycams is a very big thing as well, and that is on the 13 demands as well, a lot of these things are all part of 13 demands, including the demilitarization of police entities, or at least in somewhat, doing something with military vehicles. I also wanted to know, is this the only time we would have to speak, this one meeting or what is the process going to be as far as the meetings in the future.”

Dr. Prezioso: “To this point, we have met with different stakeholder groups, so here is another one. The purpose of this group is actually to collect feedback from the community, so we have reached out to several hundred individuals and groups at this point to participate, in writing, come in in person, folks on the phone and all that. Our task is to hear from the community, get recommendations together to present them to the Board of Supervisors. There will be an opportunity for public comment about that, before the Board moves forward and makes a decision about acting on the recommendations in one way or the other. I would imagine that this is just an initial step in the process of developing the recommendations and then deciding what way to act on is the most appropriate. I think that things are moving in that direction. We will have some, among the group, some scheduling things to talk about, about opening up the phone line for opportunities for additional public comment. We invite everyone who is here to speak today in the room, and the folks on the phone as well, to stay after the formal input has been provided, we invite you to stay for the discussion and there may be questions that you have of each other, that the group may have of you in terms of just developing the best recommendations we can based on your input. I appreciate you coming, thank you.”

Mr. O’Connor asked Mr. Figueroa for a copy of the 13 demands both annotated and unannotated to be forwarded to the group. Mr. Figueroa agreed and said that he will forward it to Dr. Prezioso for distribution to the entire group.

Nancy Underwood, Backstretch Employee Service Team: “I am Nancy Underwood and I am the Program Director for the Backstretch Employee Service Team. We oversee all of the medical, mental health, social services and addiction programming for the migrant Backstretch population who travel the racetrack circuit. We are unique in the backstretch because we have our own trained security force, they deal with any criminal behaviors or suspect incidents on property. We are fortunate that our security force works directly with the local police force, and developed a very good working relationship with them. But we are much like a college campus, in that we try to handle the things on our property that we can. We have three freestanding nonprofits on property. We deal with all the Mental health stuff and addiction and anything that needs to be linked off property, we really use the Saratoga County EOC to link them to people, help or working with our local collaborative partners. The only incident, issue that we really see on property, and it’s across all aspects of the County is having more bilingual speakers. So when something happens, the police have actually called our office to translate, which isn’t necessarily the best practice, the hospital does the same for a variety of incidents, so having more bilingual speakers, and really truly making it more inclusive because these individuals do live in our communities and add to our economy a vital service. A lot of people say that the Racetrack would not exist, or Saratoga would not exist without the racetrack, and our nonprofits argue that that Racetrack would not run without the individuals that live and work there. So we are dealing with 2K to 3K people who are moving into the community April through November and just making them feel more welcome.”

Terrence Diggory, Saratoga Immigration Coalition: “I wanted to thank Chairman Prezioso and the other members of the taskforce for the opportunity to address the important issues that you are examining. My name is Terry Diggory, I am a co-coordinator of the Saratoga Immigration Coalition and I am also a member of the Police Reform Task Force for the City of Saratoga Springs, so I am familiar with the process that you folks are engaged in. In the 3 minutes allotted I want to raise three concerns so I will try to be as concise as possible. My first concern has to do with the Sheriff’s office policy and practice regarding immigration violations. This is one of the policy documents offered as an appendix to the online survey that is part of your review. In the view of the Saratoga Immigration Coalition the current policy permits cooperation with Federal immigration officials in a way that violates the spirit of community policing and exposes the Sheriff’s office and consequently the County to unnecessary liability. Immigrant members of our community fear any contact with the Sheriff’s office, which means that they are less likely to report crimes or cooperate in their investigation. They fear that they or their family members will be suspected of, and possibly reported for immigration violations. It should not be the job of the Sheriff’s office personnel to inquire about

immigration status. The differences between civil and criminal violations of immigration law are very complex and for a Sheriff's deputy to weigh into those differences risks violating the rights of community members that's been demonstrated in Court cases. Better versions of policy regarding immigration violations are readily available. I refer you to guide this issue by the NYS Attorney General's office in January 2017 or for specific example the policy of the Sheriff's office of Tomkins County NY. My second concern has to do with provision by the Sheriff's office for interacting with people of limited proficiency in English language. And Nancy Underwood just referred to this concern. It would be wrong to assume that everyone in Saratoga County speaks English. Many Spanish speakers work on area farms, and of course at the Saratoga Racecourse during the racing season. Other examples that may seem more surprising, for instance a growing community who speak Triqui, an indigenous language of Mexico. The individual rights of these people and the safety of the public as a whole depend on effective communication with law enforcement. Lexipol, the company that provided the policy documents appended to the online survey for this task force, has a pretty good policy on limited English proficiency services. The Saratoga Immigration Coalition would like to know if the Sheriff's Office has adopted that policy and if they have, how is it being implemented. Finally, I want to speak not on behalf of the Saratoga Immigration Coalition, but simply as a resident of Saratoga Springs, and I'll be referring to an issue that Mr. Figueroa already referred to. Like many of my fellow residents, I have been dismayed by the militarized response by the Sheriff's office personnel to protests in our City, particularly the protest that occurred on July 30<sup>th</sup> of this year. Deploying armored vehicle and showing up in riot gear did not contain violence in my opinion, but rather escalated the potential for violence. The use of pepper spray on the protesters, may in fact have been in violation of the Sheriff's Office own policies if they had adopted the Lexipol policies on first amendment assemblies, and control devices, along with the policy on the use of force that appears as an appendix to the online survey. By the way, I believe that the public has the right to know the full range of policies that govern the operation of the Sheriff's office. I would urge the Sheriff's office to post their policies on their website as the Saratoga Springs Police Department has done. Thanks again for your attention."

Dr. Prezioso acknowledged that a caller had joined the meeting and asked them to announce themselves. Rev. Michael Bell announced himself and said that is his a little late joining the meeting, but wanted to say that he did not receive a timely notification, and thanked Dr. Prezioso for allowing him to be here.

Maxine Lautenberg, Saratoga Immigration Coalition: "Hi, my name is Maxine Lindig Lautenberg, a resident of Stillwater in Saratoga Township, I live right on the County line. I am a member of the Immigration Coalition, a co-coordinator with Terry Diggory, I am also an immigrant student education mentor and a member of Temple Sinai's Racial Justice Working group. I have completed the online survey and attended all of this groups meetings thus far. My deep hope is that this is not just an exercise to fulfil an order, but that it is seen as an opportunity to review and approve policing in our county. Some of the things that I have heard, I have received mixed signals in that regard. Today my comments stem from the work I have done in the communities specific to the immigration coalition and what I have observed in the previous six compliance group meetings. My concerns touch on community based outreach, specifically related to the timeline provided to complete the report and the impact that could have on inclusivity or non-inclusivity. building trust and support of community policing and bias awareness. Acknowledging that all of these areas interconnect, one affecting the other. Timely multifaceted forms of communication are an initial step in building community interest and trust. I do understand that a lot of the organizations have been included and contacted but as I listen to the meetings, I was really struck that it seemed like it just would have been a good idea to put someone in the group that had a base in community outreach and grass roots organizing. I think it would have just totally supported all of your work here and it would have supported the inclusivity of those organizations and groups that are often overlooked and not included. Sometimes, it takes just going ahead and going on the phone and really digging in. It is our responsibility to include everyone and just leave no stone unturned. So, there are a lot of resources also, I feel that there has been a lack of information disseminated in newspapers, on community calendars, on the radio, on TV, there are just so many places that I feel like the information could have gone out to include people, and you still have time to do that. I don't know how many more public meetings there are going to be, but I will say that the Albany Police last week, they determined to have seven more meetings, all on different topics including two general existing meetings. They sent out press releases in English and in Spanish, and they sent it to the groups that they have worked with as well as to all the newspapers. That's something that you can totally do. You said you already contacted 100-200 organizations, let them know, ask them, send this out to your followers, to your supporters, send it to all the faith communities, send it to all the civic groups and the nonprofits that you've been working with. Because, this is the time to get the feedback from all of these people, and so that people feel really

included and they know what's going on. When I brought this to my Rabbis last month, my Rabbis are really informed, and they are very socially active, they were clueless that this was going on. And yes, that's part of my job to let them know, but I had just assumed that they would have known in some form or fashion. I am more than happy to give you resources, I helped with the faith community outreach, I worked with the outreach for this group as well, providing information. This does take sufficient time to do all this, and again I feel that unfortunately this group was automatically set under a disadvantage because of the delay in starting this process. There was a four month delay and I just, I feel like with all the good intentions, it's just not been enough time to do it properly and thoroughly. Bias awareness, I understand this groups focus is racial bias but political bias is currently particularly high in our country and dovetails into racial bias. All the Supervisor, elected officials, the Sheriff is an elected official, we each have our own political affiliations, we have our own beliefs. I question if the delay in starting this group was a pronouncement of bias. I question if the armored car on July 30<sup>th</sup> was at least in part an act of bias. The Departments seemingly close relationship with ICE can definitely enhance bias towards people of color and Hispanic ethnicity. One such instance includes a person working on the side of the road, cleaning up debris in front of the business where he was employed. A deputy circling several times and ultimately stopping the car questioning and arresting. I highly doubt this would have happened if this person had been white. These occurrences and stories course through this community and there is no way that trust is built to support community policing and reporting crime. Personally, as a peaceful protester, I can see myself being ordered by the Department, being bothered by the Department, and pepper sprayed or hand (?) I am not comfortable putting up an all are welcome sign in my yard because I fear that if the gentleman down the road took offence to it, I would not be supported by this Department. You can judge these statements, given as my own bias, or take them as information. I understand as disclosed in the online survey that not all Sheriff Department employees have been given inclusivised training, there are innumerable resources and ways to do this individually for all of us. There are webinars now, I would send people to the Trust and Justice.org or even the NPI, they offer things ongoingly there are just a lot of resources for individuals to inspect their own biases, anyone can do it. This commitment though has to come from the top down and I know from myself personally, I am more aware of my bias thoughts and the choices I make out of those thoughts. For these reasons, and for instances of non-bias, the immigration coalition firmly supports inclusivised training for all employees with an outside regular review. Other personal comments concerning training in bias have been made by myself online. I truly thank you for including me and us in this conversation and the chance to work together towards an environment of greater safety and justice. Thank you all very much."

Rev. Michael Bell, MLK Saratoga: "Good morning everyone. I certainly want to thank task force for allowing me to give voice. I pastor the Dyer Phelps Zion Church, the oldest church in Saratoga and the oldest of those Churches with African descent. I want to talk with you about basically three demands that I need to address. One is that there would be a removal of the doctrine of qualified immunity on the basis that it is an indirect conflict with the US Constitution, it's goals, the NYS Constitution and the requirements that seem to be suitable for this executive order, in terms of police redesign, procedure and policy. Now this goes along with pretextual stops which I do know that is allowed in New York State and certainly they've employed this tactic often throughout Saratoga. And I can testify to the fact that it has been used inappropriately and to the extend where it has been used of the citizens. Now if according to the Peelian principles that you learn that the people are the police and that the police are the people, then it would seem to be a clear violation of public trust, when you have overextended your boundaries, we want to eliminate those kinds of, I call them confederate persuasions that create confusion and loopholes to get back to some fundamentals of policing. The second thing I want to talk about is, we look back at the 30<sup>th</sup> of July and we talk about provisions from a 1033, the federal government that allowed for or included the militarization of police departments with equipment. I want that totally abolished and when I say, I, I'm speaking for lots of people. You've got equipment and you've got military tactics that seem to be confusing. And it's not just in Saratoga, it's in other places. I'm dealing with the proved case in Rochester where an individual put a plastic bag over a man's head. Those are tactics that we would have learned from military tactics, not necessarily from what we need to learn with policing. So, the whole issue here is utilizing force does not necessarily mean that you're really dealing with the issues of each and that's because you suppress a community and will, doesn't necessarily mean that what we want to be able to do with this executive order is get some of the rudiments of why these things are happening. People ought not to feel as though under a police state or militarized state that they're enemies of the State. There is no sense that an individual with constitutional provisions and rights would ever fell that they're anything other than a citizen, and a citizen and an enemy are two different things. Dalton had no idea of what it is to be at war and when you break it quick like that, you express to the whole community, right, wrong or indifferent, that we are enemies of the state. They did not have

the right to do that. It makes a hostile community and so by default, it does suggest that there are more things wrong with Saratoga than just this conversation of executive order 203. Number three, there is and has been some work that was done on the 21<sup>st</sup> Century task force report for police redesign a few years ago. It separates what we call a guardian model from a warrior model. I do realize that from Colonial days, through the Fugitive Slave Law Act of 1850 signed by Millard Fillmore on September 18<sup>th</sup>, 1850, that there has been tremendous concern about a Confederate type of work that has been a constant, what you learn in the academy is one thing, but what happens in the practice is another thing. And it's mostly resembling a warrior model, a militarized model. So our community and our communities are having problems and want to push as you can never get to the point of having a community policing where there is no trust. and without trust, you cannot build the bridge that you want to build, not according to what the dictates of order 203 is. When we go back to take a look at redesign, we want to make sure that we're acknowledging making the one thing that brings it all together is in our preamble in that. Isn't that part of the bill of rights that talks about that all men all persons are created equal. And if we understand that as a human rights issue, not necessarily in doubt with wealth or knowledge or even physical abilities, but the mere fact that in our humanity, that must be sacred, that must be protected, and right now we are an unstable community, and when you in a situation like July 30<sup>th</sup> that you have the police, you have it being with individuals who had no idea what a war like situation looked like, and had created it and tried to justify it on the basis that intelligence suggested that there would be guns. I think that that's wrong. (phone line crackling, unable to dictate) I have to believe that people ..... and the mere fact that they did not deserve this type of attention, and if I had my druthers, we would remove everyone in office and remove the whole event police until you understand that we have the power, not just a handful of people. Thank you.”

Nicole Margiasso, Planned Parenthood: Thank you again for having me here. My name is Nicole Margiasso I am a Community Manager of Community Organizing for Planned Parenthood of Greater New York. We serve 65% of New York, 31 Counties, including Saratoga. I'm here to let you know that Planned parenthood of Greater New York stands in solidarity with all Saratoga and New York community members who are invested in true police reform. The human right to live free from state sponsored violence is a reproductive justice issue. Bodily autonomy extend beyond health care and when and whether to have children. It must also include having the resources and safety to support your family. We ask that this Compliance group strives to include the voices, experiences, needs and recommendations of all community members, particularly those most affected by police abuse of power. We support the rights of all of our patients to have safety and justice in their communities, and to have the right to not be over policed. For all of our patients, regardless of race, income level, gender, sexual orientation, and immigration status. Thank you.”

Chris Pipia, Saratoga Pride: “ Good morning, my name is Chris Pipia and I'm offering comments this morning as a member of Saratoga Pride Community Organization, a proud affiliate of the Pride Center of the Capital Region. Saratoga Pride is delighted to have been asked to participate in this public forum and we'd like to thank the Saratoga County Police Reform Task Force for the opportunity to offer comments and recommendations for your consideration. Saratoga Pride recommends two activities for the task force to consider as recommendations in their final report. Number one, require ongoing sensitivity and awareness training for the LGBTQ issues and concerns especially through the trans community and number two, review and modify policing policies and practices with an eye to those who may contribute to the criminalization of LGBTQ individuals. I just have some research based comments that I would like to share. According to Movement Advance Project called MAP, LGBTQ people in the United States are more likely to face discriminatory policing, be treated unfairly when incarcerated, and have greater barriers re-entering society post release. This report found that the LGBTQ people accounts for 7.9% of the population in State and Federal prisons, although just 3.5% of Americans identified as gay or transgender. And while incarceration rates vary greatly among youth, MAP found that between 12% and 20% of people in juvenile detention facilities identify as LGBTQ vs. 7% of the young people nationally. In an article called “Unjust: How the broken criminal justice system fails LGBTQ people” written by MAP and the Center for America Progress, it was noted that there were two factors which lead to race criminalization for LGBTQ people. Discrimination and stigma within society, for which we recommend sensitivity and awareness training, including attention to make health and safety challenges faced in LGBTQ communities as well as special vulnerabilities of youth and transgendered individuals . Discriminatory enforcement of laws, example HIV criminalization, consensual sex laws, LGBTQ youth being treated unfairly etc. Harmful policing strategies, example quality of life and zero tolerance policies based on gendered norms, for which we recommend careful reviewing of the Saratoga Sheriff's departments policies and procedures to address such issues should they exist. So just in summary, for the Task Force to require ongoing sensitivity training and

awareness of LGBTQ issues and concerns, especially of both trans community and review policing policies with an eye to those that may contribute to criminalization of LGBTQ individuals. Thank you for your time this morning, we appreciate it.”

Holiday Hammond, MLK Saratoga: “ Hi I want to say that there’s at times odd feedback that makes it hard to hear, so if people are not muted, please mute. I don’t know where the feedback is coming from. I appreciate the opportunity to speak, I appreciate the Committee’s service and whatever I say is not finding fault with the Committee, but finding fault with the process that, as some have already said, this has not been widely publicized. So the people who are most vulnerable and most affected by police policy and practices, are not here, are not being represented. And I realized that this is just part of the process, but it is late in the game, so that’s problematic. And there is such distrust when racism and other forms of bias and prejudice are an issue, permeate American culture and are on the increase, to deny it’s existence is a problem. No community is immune or unaffected by bias and prejudice, and I feel like that’s a red flag that such efforts on the Sheriff’s Department, has gone to such efforts to say it’s not a problem here. take our survey, we want to know what you think. The survey is, oh my God, it’s so cumbersome. It’s intimidating, it’s not accessible. Most people don’t know that it’s there and if they did, they would immediately, like the first time that I went on, It’d be like, oh, oh my God, like I need to do research, and so it’s not accessible. And then it prevents information, it’s very leading because it’s presenting information saying this is how we decide how to send out our Sheriff’s Deputies, do you think that there’s any bias in this? and that’s not providing the relevant data and information, so it really doesn’t seem sincere or genuine in any attempt to solicit the important information. So, you provide a few of your policies that are dated October 2020, and they’re done by Lexipol. We know that Lexipol provides police agencies, law enforcement agencies across the country, thousands of them use Lexipol. It’s primary concern is not public safety, but protecting police, like language is very deliberately crafted to protect the law enforcement entities, not the community. And again, they were dated October 2020 so that’s not telling us what the policies have been. It’s a draft of a new proposed policy. Data, there is no data, I’m not aware of what data is kept regarding demographics like, you know, race, gender, somebody’s ability to speak and understand the English language, and if they don’t what is being done. Mental health challenges, there are all these demographics that I don’t know if anyone is tracking, if they are, are they doing it well, and who’s stopped, who’s arrested, those demographics, we need to know that in order to assess whether there’s any kind of bias profiling. I am a clinical social worker, I have lived in this community almost 30 years working for catholic Charities, we deal with the most vulnerable. I also served on the task force for the City of Saratoga Springs for 2017, 2018 and people come to me, like the confidentiality, I’m not in a position to share information, but I can tell you repeatedly, people come to me to tell me how unsafe they feel, and in particular, law enforcement in general is intimidating, but the Sheriff’s Department, when people have called with a concern specifically about racism and anti-Semitism, the insensitivity, if not hostility they were met with by the Sheriff’s Department. SO there is a real problem, and I feel like it is so overwhelming and massive and one of the thing I feel like this committee needs to do is, you’re not going to be able to fix all of this, you’re not going to be able to address all this by April 1<sup>st</sup>, but put into place something, some sort of civilian oversight in an ongoing way, and to insist that we need to begin to acknowledge that a problem exists before we can rectify it. People have talked about July 30<sup>th</sup> and again, I’ll underscore that everything that the Sheriff., the City played a role too, and the Sheriff was intimidation. There was nothing about that that was deescalating. It was intimidating and escalating and increased the opportunity for violence, and the only violence was on the side of the Law enforcement. And again, no acknowledgement, there’s defense, explanation, justification, but no acknowledgement of the harm that was done. And increased use of military tactics when I guess, I think Rev. Bell referenced 21<sup>st</sup> Century Policing, moving from warrior to guardian. It feels like when the military vehicle shows up, when the Sheriff’s Department shows up in their battle gear, immediately there is tension and fear. I’m on edge. I’m a 57 year old white woman who is now looking and I feel like the mama bear who is on the periphery scanning the horizon for trouble from Law enforcement, it’s like not trusting your own law enforcement. I think I will stop now. Thank you.”

Linda LeTendre, Saratoga Peace Alliance: “I’d like to echo everyone else. I am deeply grateful that I’ve been invited to speak. I’m a retired social worker that has worked with people with developmental disabilities. I’m part of the Saratoga Peace Alliance. I’ve been an activist, and I’m mostly here as a very concerned citizen. I’d like to make a couple of recommendations; one is, about 10 years ago the FBI put out a study that showed that the KKK had infiltrated a number of police departments all across the United States, and I would like to suggest that if we haven’t looked, we don’t know if these people are part of the Saratoga County Sheriff, or the Saratoga Springs Police

Department. So, I think that there needs to be an investigation to see if any of our officers have ever been involved with the KKK or any of the white nationalist group and I want to remind people that the KKK don't just go after people of color, they go after Jews, they go after Catholics, they go after gays, and they go after anybody that they don't like the way they speak English. So that's a threat to all of us. I think there needs to be a standard operating procedure that if a civilian, if a citizen, is seriously injured as defined by a physician, seriously injured or killed in an interaction with the police, there needs to be an independent outside investigation into that incident. And that's just good operating procedure, that's just good procedure. And what that does, is it depoliticizes it and you just work with the facts. I think that that's something that needs to happen across the board. I think that there needs to be a civilian review board with some real teeth in it, and that's looking at things as a partnership, it's not to go after the police, but frankly we are responsible for each other and a good civilian review board would look at things as a partnership to work together to improve things for both the community and the police. That doesn't mean you don't hold people accountable, but that really is part of that whole process of good community policing. And finally, I would like to speak to the incident of July 30<sup>th</sup>. I've got to say God bless former Police Chief Veitch, he refused to use any of that militarized police equipment, he just refused to take any of it and had to buck some people in his department to do that. He was right and ahead of the curve, when he knew that that does not decrease violence, in fact, it increases the violence and studies have shown that that, in fact, is the case. So one of the things I will tell you about myself, is that I've probably been arrested between 26 and 30 times for non-violent, civil disobedience. One of my arrests was that the Supreme Court of the United States for Christian witness against our government using torture in Guantanamo. 92 of us were arrested at the Supreme Court, 45 of us inside the building. Nobody had to call out a smoke bomb. They didn't need militarized vehicles. What they had was a handful of officers, plastic handcuffs and a paddy wagon. And so I would like to call this out because in social work, if you don't made it, you don't change it. What happened on July 30<sup>th</sup> was fascism. It's a failed state, it's a police state and it was fascism. I'd like to point out that in the peace community, when we are at an action, we have a saying: If you want to know who wants a riot, you look to see who came dressed for one. So, I think that that really needs to have a good long look at it and call it what it is. It was fascism and we need to get that and deal with that right away. Those are my suggestions and I thank you for inviting me.

Dr. Prezioso thanked all of the participants, both in the room and on the phone. Dr. Prezioso said that he heard a couple of things as we open up for discussion, this is not going to be an all-inclusive or exhaustive list, but in no particular order concerns about and recommendations related to communication, accessibility, access to foreign language, other language speakers to make sure that the communication is effective. Concerns expressed about engagement with ICE, militarization of law enforcement, some specific recommendations directed toward qualified immunity, body cams, bias, training and oversight and independent investigations culminating in trust. Dr. Prezioso opened up discussion to members of the group and participants for questions and further discussion.

Rev. Bell thanked everyone for their comments and said that he wanted to piggy back on the mere fact that talking about an oversight board, they can't really do what needs to be done to deal with the issue of qualified immunity. Rev. Bell said that if we can deal with qualified immunity, a very simple task. Rev. Bell said that they do a lot different programs often times in a lot of different places. And that's a way to mitigate the severity of whatever it is, that whatever the infraction was. But when we deal with restorative justice, then it gives a review board an opportunity to deal with things, and particularly that gets caught up, sometimes it falls through the cracks such as mental illness or some type of domestic abuse issues whose underlining symptoms are mental illness issues, especially in smaller communities. And so with the restorative side of it, then it gives an opportunity to maybe create a more trusting environment, even though we have some gaps in here. But the first step has to be taken care of the qualified immunity so that we don't have to keep playing shells over truth. Truth is and everyone has a right to the to life, liberty and the pursuit of happiness, not just a handful.

Supervisor O'Connor asked if there an incident review or anything of the July 30<sup>th</sup> incident, or if is there any litigation stemming from that incident that the group can take a look at. Mr. Castle said that the incident was reviewed by Saratoga Springs, we were there as a request with Chief of Police from Saratoga Springs, so they conducted their review the overall incident. We did look at it internally, I will check and see what I have available and can check also with the Chief of Police. Mr. Hartnett said that he is not aware of any litigation regarding the incident at this moment.

Mr. Castle said that he wanted to address Mr. Diggory about the language barriers that he had brought up. Mr. Castle said that he has worked for 32 years and we often do have difficulty finding translators. Mr. Castle said that we currently have 2 possibly 3 Spanish speaking employees currently on staff. They have a language translation service that has translation capability for over 200 languages. They have direct 24 hour access so they can patch calls together to get real time translations.

We are aware of the translation services. It's a major issue in this County.

Mr. Diggory thanked the Undersheriff for addressing that question. One of the things that's come up in the conversation today is the spirit of partnership, which hopes can continue out of this process. Mr. Diggory mentioned that a number of those social service agencies that are represented here obviously work with populations that have the first language other than English, and they could provide some resources to extend the range of translating services that would be available to the Sheriff's office. Mr. Diggory said that he believes we need to be careful as Nancy Underwood mentioned, that the services that are provided have sufficient training to deal with law enforcement.

Issues, which is one of the reasons, why is not appropriate, obviously to ask members of the Backstretch to do translating off the cuff. We need to be looking for resources, but he would encourage to be in touch with the organizations represented here for advice about that. Mr. Diggory said that the other question that I want to ask is, if to your knowledge is one of the policy documents that you have adopted from last fall, the policy limited English proficiency services? Mr. Castle said that he believes it is, they went through the whole suite of the Lexipol policies. Mr. Castle said as a side note, the date that is shown on the policies is the date that it was printed, not the date that it was last amended, once those are published, then they actually get a published date on them. The language proficiency one, they are aware of that, and he will check and see what modification can be made to it and can provide it to Mr. Diggory. Mr. Diggory said that he would encourage you to look into that, he believes as a policy document, it's certainly a good starting point for organizing the way that a law enforcement agency can address that issue.

Mr. Castle said that they are working on combining that list for the website that Mr. Richardson was thinking should be put together. Basically, to identify all community resources that are available to not just our deputies but to the community as well and to other police officers in the county to be able to have access to all these resources. A lot of times they are looking for these resources at 3 o'clock in the morning. So, to have those resources compiled in one place, where everyone knows where to find access. Dr. Prezioso said that we actually have something pretty much set to go to present to the rest of the group. That's a pretty comprehensive list of human resources, human services kind of providers in the area, and hopefully we'll be able to get that out quickly.

Ms. Heggen thanked the participants both here personally and on the phone. Ms. Heggen said it is helpful to gather the wide range of experiences and insight that they have and she greatly appreciates that. Something that many touched on was the encouragements to increase our communication amongst the community. We've also struggled with that at times as well. In addition to the general the ways that people are communicating, Ms. Heggen asked if they are missing any kind of process for system for more ways to get information out.

Ms. Underwood said that he believes its everyone's responsibility to share the information within their groups. What they do at the Backstretch, she believes it's that grassroots effort just to get the word out. Ms. Hammond agreed and said that public forums are needed if you want the public to show up. Ms. Hammond expressed frustration at not having the call in number today's meeting further in advance and being able to hear on the call is difficult. Ms. Hammond suggested possibly doing the meetings via Zoom to give people the opportunity to also see participants.

It was also mentioned by Ms. Lautenberg that it's important to send out the information to as many communities as possible. Press releases, Community calendars, TV, send to City websites, Community organizations, and to send the information multiple times. Participation from the Supervisors meeting was disappointing. Ms. Lautenberg also said that the sound quality is not good for those participating via phone.

Rev. Bell said that there was concerns regarding having uniform standards of reporting that would hold supervision more accountable to make sure that this stuff is being done. He does not see enough emphasis being placed particularly in suburban and rural communities across the state where there's uniform information that is just a requirement of law and reporting. Rev. Bell also said that they realize that policing is an awesome task and responsibility and oftentimes there is just not a lot of emphasis placed on having a higher quality police officer and human being at the same time, and asked how we move from weaponization model to a de-escalation model.

Mr. Figuereo said that the trust when it comes to policing people of color in Saratoga County has been very low. He has lived here since he was 7 years old and moved from New York City. Mr. Figuereo said that he has experienced



less racial bias in NYC than in Saratoga Springs. Mr. Figuereo said that he does not agree with Saratoga County Sheriff's officers being in the schools. His young son knows that these police are the same police that abused his father's rights on July 30<sup>th</sup>. Mr. Figuereo also read that a 2016 PW Research center survey found that black people are less than half that black people are less than half as likely to trust the police that their white counterparts. When asked whether police treat racial and ethnic groups equally, 75% of white people said cops do an excellent or good job in this area, while just 35% of black people said the same. 75% of white people say the police do a good job or excellent job using the right amount of force for each situation, while just 33% of black people did. Mr. Figuereo said that he found out about the meeting from a Times Union reporter. He and his leadership group has organized almost every single event and the biggest events are going on in Saratoga County throughout the summer. He had no idea about the six previous meetings that were held. Mr. Figuereo said that he also does not see the Officers badges during protests and believes that they should have some type of identification in view. Mr. Figuereo also said that they should be able to look up past history on Police officers to see if they have had problems before. Mr. Figuereo said that if there will be any sub-committee of this group he would like to be part of it. Dr. Prezioso said that the April 1<sup>st</sup> deadline is for the completion of the report and the adoption of recommendations by the Board of Supervisors. Dr. Prezioso said that he can see work continuing beyond that date and thanked Mr. Figuereo for his offer. Mr. Hartnett said that this committee has to come up with a report and recommendations, which is handed to the Board of Supervisors, they have to take public comments on that, as required in the executive order, and then pass a resolution before April 1<sup>st</sup> of 2021, either implementing those recommendations, changing them or coming up with their own recommendations based on their public comments. Mr. Hartnett said that from his perspective and expectation that one of the recommendations is going to have this be an ongoing process going forward. In order for the Board of Supervisors to have this approval in place by April 1<sup>st</sup>, it actually has to be approved at the March board meeting. Mr. O'Connor acknowledged that technology has been a challenge that has wreaked havoc on all of the meetings and said that they are trying to work on an alternative arrangement in early January to have an open public session hopefully over Zoom. Ms. Lautenberg suggested that meetings also be held in the evening as many cannot attend due to their work schedules. Mr. Figuereo said that he believes the survey should be updated that is less intimidating, there are a lot of terms there that not everyone understands. Mr. O'Connor said that they are aware of this problem and to that point they designed a much briefer survey that takes much less time to answer. They have supplied this survey to the School Superintendents of the County to push out to high school students. Ms. Margiasso said that the burn out rate and the mental toll that happens to Mental Health Providers is tremendous, and she does not want anyone to lose sight that our police officers and community providers are also members of our community. And when we talk about taking care of one another, we also have to take care of them and their families. Ms. Hammond said that anytime the words racism, prejudice, bias is used, people tend to get really defensive and it shuts down the conversation. Dr. Ibram Kendi talks about the opposite of racist, it's not enough to say I'm not racist. Ms. Hammond said that there are all sort of things that make people vulnerable and to be treated differently with less sensitivity, not being financially secure, having mental health issues for example. Ms. Hammond said that healing and reconciliation and being a better stronger community is when we acknowledge that we've got a problem, and open it up. Mr. Figuereo said that he and his group organized events at every county jail in the area called the Freedom Tour. Mr. Figuereo said that they visited municipalities that were much bigger than Saratoga County but when they got to the Saratoga County Jail, it was the only jail that had sharp shooters on the roof, people in military gear, CO's dressed in tactical gear. This is when it comes to mistrust, his group does not have guns, his weapon is a bullhorn. Rev. Bell said that he looks forward to change in the system. Mr. Richardson thanked everyone for their participation today and agreed that this should be an ongoing process. Dr. Prezioso also thanked everyone for their participation and said that there will be more opportunities for public input into the process and then going forward from that point, after the recommendations are acted on by the Board, the work will be ongoing. Dr. Prezioso reminded Mr. Figuereo to forward the 13 demands to him so that he can forward it to the rest of the committee. Dr. Prezioso said that he reached out to Mr. Carr for input from the Teen Advisory Council, as a result of Covid, that group was never formed at the beginning of this academic year. A discussion took place regarding the next public meeting which would take place in the evening during the first week of January. The meeting will be held in the Town of Malta and via Zoom. A decision will be made based on availability of the group. Dr. Prezioso said that he will forward the information once decided to today's participants so that they can push it out to their groups. Mr. O'Connor said that the committee should decide relatively soon about modifying the survey. Dr. Prezioso said that a meeting of the group without stakeholders will take place between Christmas and New Years to begin collating some of the information gathered.

The meeting was adjourned.

Respectfully Submitted,

Therese Connolly  
Deputy Clerk of the Board