



Law Enforcement Agency Accreditation Council

Minutes of the 117th Meeting held on December 13, 2018
Alfred E. Smith Office Building, Room 118
80 South Swan Street, Albany, NY 12210

1. Call to Order, Pledge of Allegiance

Division of Criminal Justice Services Executive Deputy Commissioner Michael Green called the 117th meeting of the council to order at 10:07 a.m. on December 13, 2018. After the Pledge of Allegiance, Commissioner Green asked for a moment of silence to honor the members of law enforcement and the armed services who have died in the line of duty.

2. Roll Call

COUNCIL MEMBERS PRESENT:

Chief Gregory Austin - Rye Brook Village Police Department

Chief Mark Henderson – Brighton Town Police Department

Sheriff Robert Maciol – Oneida County Sheriff's Office

Mayor Robert Palmieri - City of Utica

Sheriff Philip Povero - Ontario County Sheriff's Office

Supervisor Edmond Theobald – Town of Manlius

Mr. Richard Wells – Police Conference New York

Robert E. Worden, Ph.D. – University at Albany

COUNCIL MEMBERS ABSENT:

Superintendent George P. Beach, II – New York State Police

Sergeant Louis Dini – Suffolk County Police Department, PCNY

Chief (Retired) Charles Koenig – Retired, Ballston Spa Village Police Department

Commissioner James O'Neill - New York City Police Department

Sheriff Barry Virts – Wayne County Sheriff's Office

OTHER MEETING PARTICIPANTS:

Colonel Steven Smith – New York State Police (*Voting for Superintendent Beach*)

3. Introductions

DIVISION OF CRIMINAL JUSTICE SERVICES STAFF

Michael C. Green, Executive Deputy Commissioner – DCJS

Michael Wood, Deputy Commissioner - Office of Public Safety (OPS)

Johanna Sullivan, Director - OPS

Todd Murray - Supervisor of Public Safety Programs – OPS

Hilary McGrath, Program Manager - OPS Accreditation Unit

Michael McDonough - OPS Accreditation Unit

Ashley Onorati - OPS Accreditation Unit

Joyce Corsi – OPS Accreditation Unit

OTHER GUESTS

Major Joseph Keane – New York State Police

Commissioner Paul Berger - SUNY Police Administration

Executive Director Peter Kehoe – NYS Sheriff's Association

Chief (Retired) Marvin Fischer – SUNY Police Farmingdale

REPRESENTATIVES FROM APPLICANT AGENCIES

Cattaraugus County Sheriff's Office

Captain Shawn Gregory

*Deputy Christa Heckathorn

Deputy Kenneth Rice

Montgomery County Sheriff's Office

Sheriff Michael J. Amato

*Undersheriff Robert A. Thomas, III

Rome City Police Department

No Attendees (Weather related)

Saratoga County Sheriff's Office

Sheriff Michael Zurlo

Undersheriff Richard Castle

Chief Glenn Sheehy

*Captain Michael Bortell

Deputy Robin Jasmin

Deputy Andrew Gravelle

Saugerties Town Police Department

Chief Joseph Sinagra

*Captain Stephen W. Filak, Sr.

Lieutenant Kenneth J. Swart, Jr.

Detective Sergeant Paul N. Gambino

*Sergeant Derek S. Fallon

Sergeant Bret S. Rell

Town Supervisor Fred Costello

SUNY Police Brockport

Chief Daniel Vasile

*Lieutenant John Armitage

*Lieutenant Dennis Price

Officer Ryan Kelly

Ms. Tiffany Jewell

Ms. Dody Ballard

Watertown City Police Department

Chief Charles Donoghue

*Denotes Agency Program Manager in Attendance

4. Certificates of Appreciation

Executive Deputy Commissioner Green

Chief Marvin Fischer, Law Enforcement Accreditation Council Member and Chairperson

Sheriff Philip Povero, Law Enforcement Accreditation Council Member

ACTION ITEMS

5. Approval of the September 2018 Meeting Minutes

Mr. Wells made a motion to adopt the minutes of the September 6th, 2018 council meeting. Chief Austin seconded the motion. *Motion carried – 9 ayes, 0 nay*

6. Approval of Applications for Accreditation

Montgomery County Sheriff's Office – Sheriff Povero made a motion to accredit the agency, and Sheriff Maciol seconded the motion. *Motion carried – 9 ayes, 0 nay*

SUNY Police Brockport – Chief Henderson made a motion to accredit the agency, and Supervisor Theobald seconded the motion. *Motion carried – 9 ayes, 0 nay*

7. Approval of Applications for Reaccreditation

Cattaraugus County Sheriff's Office – Sheriff Maciol made a motion to reaccredit the agency, and Sheriff Povero seconded the motion. *Motion carried – 9 ayes, 0 nay*

Rome City Police Department – Mayor Palmieri made a motion to reaccredit the agency and Mr. Wells seconded the motion. *Motion carried – 9 ayes, 0 nay*

Saratoga County Sheriff's Office – Supervisor Theobald made a motion to reaccredit the agency, and Sheriff Povero seconded the motion. *Motion carried – 9 ayes, 0 nay*

Saugerties Town Police Department – Chief Austin made a motion to reaccredit the agency, and Chief Henderson seconded the motion. *Motion carried – 9 ayes, 0 nay*

Watertown City Police Department – Mayor Palmieri made a motion to reaccredit the agency and Chief Henderson seconded the motion. *Motion carried – 9 ayes, 0 nay*

8. Presentation of Certificates of Reaccreditation

Montgomery County Sheriff's Office – Sheriff Michael Amato accepted the Certificate of Accreditation, and the John Kimball O'Neil Certificate of Achievement was awarded to Undersheriff Robert A. Thomas, III as the program manager.

SUNY Police Brockport – Chief Daniel Vasile accepted the Certificate of Accreditation and the John Kimball O'Neil Certificate of Achievement was presented to Lieutenant John Armitage and Lieutenant Dennis Price.

Cattaraugus County Sheriff's Office – Captain Shawn Gregory accepted the Certificate of Accreditation, and the John Kimball O'Neil Certificate of Achievement was awarded to Deputy Christa Heckathorn as the program manager.

Rome City Police Department – The agency was unable to send representatives.

Saratoga County Sheriff's Office – Sheriff Michael Zurlo accepted the Certificate of Accreditation, and the John Kimball O'Neil Certificate of Achievement was awarded to Captain Michael Bortell as the program manager.

Saugerties Town Police Department – Chief Joseph Sinagra accepted the Certificate of Accreditation, and the John Kimball O'Neil Certificate of Achievement was awarded to Captain Stephen W. Filak, Sr. and Sergeant Derek S. Fallon.

Watertown City Police Department – Chief Charles Donoghue accepted the Certificate of Accreditation, and the John Kimball O'Neil Certificate of Achievement on behalf of the program manager, Detective Cristin O'Brien.

At 10:40 am, Commissioner Green announced that there would be a break in the meeting so visitors would have an opportunity to excuse themselves if necessary.

The meeting reconvened at 10:50 am.

9. Approval of Annual Compliance Surveys

The following reports were submitted for approval for the second quarter of 2018:

Albany City Police Department; Brockport Village Police Department; Canton Village Police Department; Chenango County Sheriff's Office; Colonie Town Police Department; Cortland City Police Department; East Greenbush Town Police Department; Elmira City Police Department; Endicott Village Police Department; Evans Town Police Department; Fairport Village Police Department; Geddes Town Police Department; Genesee County Sheriff's Office; Gloversville City Police Department; Harriman Village Police Department; Irondequoit Town Police Department; Kingston City Police Department; Livingston County Sheriff's Office; Middletown City Police Department; North Castle Town Police Department; North Greenbush Town Police Department; Oneida County Sheriff's Office; Oneonta City Police Department; Orange County Sheriff's Office; Rotterdam Town Police Department; Suffern Village Police Department; SUNY Police Buffalo; SUNY Police Stony Brook; Syracuse City Police Department; Tonawanda City Police Department; Troy City Police Department; Ulster County Sheriff's Office; Vestal Town Police Department; Westchester County Department of Public Safety; Yates County Sheriff's Office

Mrs. McGrath noted that the Wayne County Sheriff's Office was also due to report, but the Accreditation Unit staff inadvertently left them off the notification. They will be submitting their 2018 report for the 1st quarter of 2019 and will be back on track to report again in the 4th quarter of 2019.

Mr. Wells made a motion to accept the Annual Compliance Surveys received, and Doctor Worden seconded the motion.

Motion carried – 9 ayes, 0 nay

10. Approval of New Assessors

Applications were received from three individuals applying to be a program assessor for the first time:

Officer James Condo - East Greenbush Town Police Department
Sergeant Donald Feldman – Canadaigua City Police Department
Lieutenant Martin Ferguson – Onondaga County Sheriff's Office

Hilary McGrath noted that all applications for assessors are vetted for qualifications prior to be presented to the Council. If an applicant is not eligible, their name is not put before the Council. All three applicants are qualified and have attended the assessor training.

Sheriff Povero made a motion to accept the individual listed as a new assessor. Sheriff Maciol seconded the motion.

Motion carried – 9 ayes, 0 nay

11. Approval Changes to Part 6035

The Executive Law was recently amended to add an additional section under CPL §1.20 subsection 34. to allow for "(u) Persons appointed as Indian police officers pursuant to section one hundred fourteen of the Indian law" to be eligible for the accreditation program. Part 6035 requires changes to align with the amended Executive Law.

Chief Henderson made a motion to accept the changes to Part 6035, and Supervisor Theobald seconded the motion.
Motion carried – 9 ayes, 0 nay

12. Approval of Changes to Standard 64.1

A proposal was made to revise standard 64.1, Prisoner Transport and Safety, to require that agencies not only have procedures for transporting/handling sick, injured and impaired prisoners, but that they obtain medical attention for anyone in custody that is exhibiting or complaining of symptoms that have the potential to be life threatening.

Colonel Smith made a motion that language to the effect of "as soon as reasonably possible" be added to the proposed revision. Chief Henderson seconded that motion.
Motion carried – 9 ayes, 0 nay

Supervisor Theobald made a motion to accept the revisions with the additional language added in the previous motion. Colonel Smith seconded the motion to approve.
Motion carried – 9 ayes, 0 nay

13. Approval of 2019 Meeting Dates

The Law Enforcement Accreditation Council meeting dates proposed for 2019 are:

March 7
June 6
September 5
December 5

Sheriff Maciol made a motion to accept the 2019 meeting dates, and Mr. Wells seconded the motion.
Motion carried – 9 ayes, 0 nay

INFORMATIONAL ITEMS

14. Program Updates

Council Members – Mrs. McGrath noted that DCJS staff continues to work diligently to get nominations for all open council seats.

Centre Island Police Department Site Visit – Mike McDonough explained that he and Ashley Onorati conducted an "enhanced" site visit to the Centre Island Police Department to ensure that their compliance issues were not more widespread than the non-compliance with Standard 13.1, Performance Evaluation System. He was pleased to report that the Centre Island Police Department's program appears to be in very good shape. They are fully compliant with the 25 standards that were reviewed and their files were up-to-date and complete. The agency has since provided DCJS with a copy of the performance evaluation tool they plan to use going forward, and they will begin conducting performance evaluations in 2019 for the 2018 work year. Nothing more needs to be done at this point.

NEW BUSINESS

Chief Henderson explained that he sits on an advisory board for NYMIR (New York Municipal Insurance Reciprocal) and that he is working with them to explore financial benefits to becoming accredited. He will update the Council as he receives more information.

ADJOURNMENT

There being no other business, Sheriff Povero made a motion to adjourn the meeting. Chief Austin seconded the motion, which was passed unanimously. The meeting was adjourned at 11:15 am.

The next meeting of the Law Enforcement Accreditation Council is on March 7, 2019 at 10:00 am in Room 118 of the Alfred E. Smith Office building.

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