

SPECIAL COMMITTEE ON REIMAGINING PUBLIC SAFETY

REPORT and RECOMMENDATIONS

Background

Following the murder of George Floyd and citing “a long and painful history in New York State of discrimination and mistreatment of Black and African-American citizens,” then-Governor of New York Andrew Cuomo issued Executive Order 203 charging local governments to study their public safety operations and develop a plan to address “the particular needs of the communities served by such policy agenc[ies] and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.”

In response to the Governor’s mandate, City of Ithaca's Mayor Svante Myrick and Tompkins County Administrator Jason Molino initiated a collaborative effort resulting in the release of a report entitled *Public Safety, Reimagined* in February of 2021. That report included 19 recommendations regarding public safety in Tompkins County and the City of Ithaca. Two of the recommendations were specific to the City of Ithaca. Recommendation #1 called for a restructuring of the City of Ithaca's public safety functions, specifically the City's Police Department (IPD). Ithaca's Common Council approved the Report in March 2021, after much debate and some language changes to Recommendation #1.

Mayor Myrick established a working group to study and provide recommendations for creating a reimagined public safety agency. The work was conducted over roughly 10 months. The task force submitted recommendations to Common Council in March of 2022. These recommendations were accepted, but not adopted, by Common Council at their July 2022 meeting.

One of the Working Group's recommendations called for Common Council to "create a committee...to further investigate details regarding implementation of these recommendations by this subcommittee as relevant but meriting more consideration". At the July 2022 Council Meeting, Acting Mayor Laura Lewis appointed this Special Committee of Common Council to further pursue the recommendations of the Reimagining Public Safety working group". Alderpersons Cynthia Brock, Phoebe Brown, Robert Cantelmo, Ducson Nguyen, and Chairperson George McGonigal comprised the Special Committee.

The Special Committee met from August 2022 until February of 2023. Joining the committee's discussions and contributing immensely to its work were several local professional stakeholders. These contributors included IPD Acting Chief of Police John Joly; Tompkins County District Attorney Matt Van Houten; IPD Records Sergeant Mary Orsaio; IPD Operations Sergeant Mathew Cowen; Tompkins County Director of Emergency Response Michael Stitely; members of the City of Ithaca's Community Police Board; Ithaca City Attorney Ari Lavine; Advocacy Center of Tompkins County Executive Director Heather Campbell; City of Rochester Crisis Intervention Services representatives Sarah Fletcher and Alia Henton Williams; and Tompkins County Legislator, District One and Deputy Director of GIAC Travis Brooks.

Introduction

Early in the joint City-County reimagining process in 2020, a concerted effort was made to collect feedback from disenfranchised persons who do not generally participate in community outreach. Targeted focus groups and interviews were conducted that included a wide range of marginalized and minority individuals -- Black, Brown, Asian, American Indian, and Latinx, individuals returning from incarceration, veterans, houseless individuals, LGBT+ community members, persons with disabilities and others offered their perspectives on public safety in the City of Ithaca, Tompkins County, and in general¹.

Responses from targeted focus groups include many key themes. Some individuals reported feeling disrespected by police in everyday interactions. Lack of trust in police and hyper-awareness of racial tension both locally and nationally was expressed. Many shared reluctance to call police when faced with unlawful situations, expressing preference for handling situations themselves. They were skeptical of law enforcement's de-escalation abilities and the degree knowledge in dealing with situations involving people living with mental health issues, those who are detoxing, people living with visible and invisible disabilities, and members of the LGBT+ community, especially transgender individuals. Respondents voiced not feeling safe going to the police for help. Respondents in all focus groups acknowledged the hard work of law enforcement. Proposed reinventions provided by focus groups include training and re-training of officers and a desire to shift policing culture, improved connections between police and the community, improved public accountability, collaboration, support, and standards.

¹ <https://drive.google.com/drive/folders/1NTZ6j6WRze75m5fTuf-wC4BgC-1ddJnO>

During the same time period, parallel focus groups involving police officers took place. Law enforcement respondents expressed appreciation for being included in the reimagining public safety process. They expressed frustration that the public does not understand what policing jobs entail. They also acknowledged the need to build trust in the community, while citing limited staffing as a major obstacle to continuing education, (i.e., training) and participation in community events. A common theme shared by these police officers was a need for better coordination with social service departments, particularly mental health providers and a desire to receive more support from elected officials. Officers consistently stated that increased funding and staffing were pressing needs, and feel they are doing their job well and already do what is outlined in Executive Order 203. Several reinvention strategies were offered by the law enforcement focus groups such as improved coordination and accountability with social service departments, development of dispatch alternatives to allow other agencies to respond to 911 calls, and development of mechanisms for efficiencies that would free up staff such as streamlining processes and eliminating handwritten reports, etc.

These issues and others, raised in these community focus groups and interviews, both by Black and marginalized communities and by law enforcement officers, lay out the foundations that the public safety reimagining aims to address. Being treated fairly, with dignity and respect is a reasonable expectation for everyone. Keeping these issues and goals front and center these are our recommendations.

Recommended Actions

Over a period of several meetings, the Special Committee of Common Council developed a set of recommended actions for implementation by the City of Ithaca. These actions are in addition to ongoing police reform initiatives being implemented through the City-County collaborative Community Justice Center (CJC) and managed by CJC Director Monalita Smiley²

- 1) Establish Deputy City Manager position to create a holistic public safety response approach. The Deputy City Manager will oversee the City's public safety divisions; create a pilot program with PBA

² https://us.qmarkets.cloud/live/tompkins/home_sub_sys_3326?qmzn=XpYRsn

to identify call types than can be safely transferred to non-law enforcement response; and implement strategies to build relationships between officers and community organizations.

- 2) Develop public safety co-response team that will: co-respond with law enforcement as appropriate; connect individuals and families with appropriate services; and work with the City's Law Enforcement Assisted Diversion (LEAD) team.
- 3) Maintain and support progressive change in the Ithaca Police Department
- 4) Strengthen accountability systems within the organization by adopting and implementing whistleblower protections and resources and training for Community Police Board members;
- 5) Create review and reporting structures that enhance and re-affirm that people feel they are being treated with dignity, fairness, and respect.

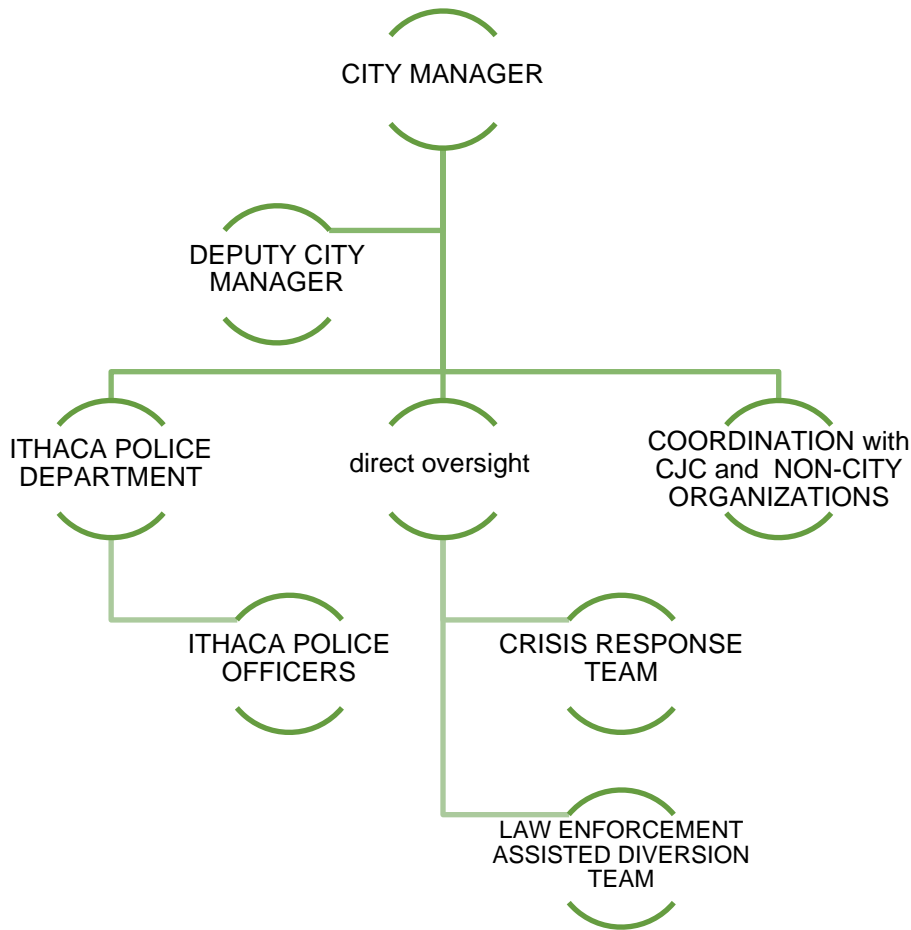
Action 1: Establish Deputy City Manager position

A. To develop and codify a holistic crisis response approach and oversee its implementation

With the authority designated to them by the City Manager, the Deputy City Manager would be charged in overseeing the implementation of a holistic crisis response approach. Recognizing the over-policing of vulnerable communities and communities of color that resulted from historic reliance on law enforcement being the catch-all responder to the majority of emergency calls, the Deputy City Manager is charged with shifting the City's response model to ensure that the City provides appropriate and equitable supports and services to those in crisis.

B. To oversee IPD, (Public Safety?) co-Response Team, LEAD, RPS-coordination

Create a Deputy City Manager position to serve as designee on behalf of the City Manager to oversee the IPD and be directly responsible for administering the new co-Response Team as well as the LEAD program. The Deputy City Manager also oversee the day-to-day functioning of the co-Response Team initially, since their number will be very small at first. This would allow for more "feet on the street" responder positions from a budgetary perspective.



The Deputy City Manager must be committed to implementing the City-only changes put forward by Common Council and work with the CJC and other non-City organizations to see through reimagining public safety process. They must have the requisite labor, management, and coordination skills and expertise to move these changes forward. They will need to be an excellent communicator and liaison with the public, especially the Black, Brown, and LGBT+ communities. The new Deputy City Manager must be able to collaborate well with the Community Justice Center, the Ithaca Police Department and with community organizations such as GIAC and Southside. The Deputy City Manager must be an excellent recruiter of new police officers and community responders, attracting people who are willing to embrace the reimagining ideals. They will also develop telephonic, dispatch, and co-dispatch procedures with related public safety agencies in the City including, but not limited to, the Ithaca Fire Department and the Ithaca Police Department.

C. To initiate a pilot program with IPD

The Deputy City Manager will work in collaboration with the Ithaca Police Department to develop and initiate a pilot program utilizing unarmed respondents to respond to non-violent calls for service. Performance of the pilot program will be reviewed and evaluated to minimize the risk to civilian first responders and police officers, while also protecting the rights and interests of victims and considered for permanent implementation, as appropriate.

D. To implement strategies to build relationships between officers and community organizations

The Deputy City Manager will develop strategies to build collaborative and supportive relationships between IPD officers and community members. One such example includes increasing officer participation in invited events and gatherings at community organizations such as GIAC, South Side Community Center, Loaves and Fishes, REACH, No Mas Lagrimas, St. John's Community Center, etc.

Action 2: Develop a Public Safety co-Response Team

A singular message received throughout the input process was the need for alternatives to a law enforcement-only responses to multiple non-violent call types. Having evaluated existing models of alternative law enforcement response, (particularly some aspects of the work being done in Rochester relating to non-law enforcement call responses), the Committee recommends creating a team of peer support specialists who can co-respond with law enforcement as appropriate to non-violent calls for assistance, but not be under the purview of law enforcement. This team would not only provide a trusted and stabilizing energy to the immediate situation, but also enable those in crisis to receive follow-up support to connect individuals and families with needed community services.

Role of Public Safety co-Response Team

- Provide a team of peer support specialists to co-respond with law enforcement as appropriate, and serve as an alternative to a law enforcement-only response to address behavioral health and other related crisis;
- Conduct assessments of the needs of the affected individuals and their families;
- Manage and oversee immediate support plan for each affected individual and their family;
- Organize and coordinate all information on applicable and available services and partner agencies to

respond to the needs for the affected individuals and their family;

- Connect affected individuals with appropriate services and follow through until a hand off to a fixed support system can be confirmed;
- Manage the information on responses, personal information of affected individuals and relevant data for reporting;
- Provide aid to reduce dependence on, and divert away from, law enforcement response systems;
- Work with the City's Law Enforcement Assisted Diversion (LEAD)
- Participate in community meetings and events

Action 3: Maintain and support progressive change in the Ithaca Police Department

The Ithaca Police Department (IPD) will continue to be named the Ithaca Police Department and will continue to be a City department led by a Chief of Police with full authority over the department. Ithaca Police Officers will continue to be called police officers and will not lose their jobs or their rank.

A new unit of trained (Public Safety?) co-Responders will be established. This team will be distinct from the Police Department but will work closely with IPD. Initially this unit will employ 3-5 persons, preferably people with roots in Ithaca, connections with local marginalized communities and with training and "lived experience". The (Public Safety?) co-Responders will co-respond with IPD officers to non-violent calls for services. They may remain on-site at the call location if it is determined that police involvement is no longer necessary. Additionally, the co-Responders will conduct follow-ups to assist crime and domestic crisis victims to connect them with appropriate social services and other assistance.

We acknowledge that IPD currently is exemplary in the amount of extensive, wide-ranging trainings it requires of its officers. We also acknowledge that the current low staffing levels at IPD make additions to training time extremely difficult. That said, we believe emphasizing training in de-escalation, implicit bias, cross-cultural communication, and community policing would be extremely helpful in improving relationships with local marginalized communities. The history of policing, particularly related to black and brown communities, is essential training. Trauma-informed policing skills and respectful communication skills should be ongoing training topics. While anti bias and anti-racism training, as well as de-escalation tactics, mental health and detox trainings are already important components of IPD officer training, these trainings could be strengthened if they also are conducted in reality-based training, in addition to on-line training sessions. These types of training should be ongoing.

We also strongly recommend that IPD engage with the Advocacy Center of Tompkins County to take advantage of their extensive trainings that address domestic violence, sexual assault, and related crimes and harmful domestic situations.

- Full participation in CJC training programs addressing generational trauma, de-escalation, anti-racism, anti-bias and others is required on an on-going, and not one-time basis.
- Regular participation in Advocacy Center-led training programs should be implemented for all officers.
- Reality-based training should be implemented as much as possible.

Action 4: Strengthen accountability systems

A. Adopt and implement whistleblower protections

Law enforcement officers are our City's first line of defense in identifying if and when an officer is suspected of violating an individual's civil rights. Our City's obligation to our community is to enforce and uphold state and federal laws to protect public health and safety and to do so in a fair, equitable and unbiased manner.

IPD currently has a Duty to Report policy, but to be effective we must also institute Whistleblower Protections so that officers are able to report suspected activities without fear that doing so would endanger their jobs, working relationships and career. In order for both to be effective the City should expand our internal compliance mechanisms to:

- a) protect employees from retaliation, and
- b) ensure investigation of the complaint is made and corrective action is taken, if needed, and
- c) notify employees of their rights so that they will feel empowered and safe in filing a complaint.

Internal reporting processes should be adjusted to provide better protection and assurance that the complaint will be 1) allowed to be given to someone other than their supervisor, and 2) recorded and documented to show that the complaint was made, investigated and corrective action taken, and is able to be retrieved at a future date.

In October 28, 2021, New York Governor Kathy Hochul signed into law a bill dramatically expanding New York's whistleblower statute, New York Labor Law § 740, which is scheduled to take effect on January 26, 2022 ([S4394A/A.5144A](#)) and these processes dovetail with state-wide regulations.

In 2012, The Ithaca Urban Renewal Agency adopted a Whistleblower Policy with the following statement of purpose: "It is the policy of the Ithaca Urban Renewal Agency (IURA) to afford certain protections to individuals who in good faith report violations of the IURA's Code of Ethics or other instances of potential wrongdoing within the IURA. The Whistleblower Policy set forth below are intended to encourage and enable employees and IURA officials to raise concerns in good faith within the IURA and without fear of retaliation or adverse personnel action." Laying the groundwork for a similar policy to be implemented City-wide.³

B. Expand resources and training for Community Police Board members

On March 31, 2021, Common Council endorsed granting the Community Police Board more oversight authority as an element of the City-County Reimagining Public Safety Plan.

This action is essential in enhancing public trust in law enforcement as police oversight boards are made up of civilians tasked in reviewing and helping to improve police officer conduct. They may include people with law enforcement experience, but it is not necessary. They should be investigation-focused, strive to be fair and free of bias in working on community-generated complaints. They should conduct investigations separate from the police department and involve IPD participation.

The Community Police Board is described as follows in Section C-16 of the City Charter:

B. The Community Police Board may recommend rules, bylaws and regulations for the government of the Police Department of the City, not inconsistent with the laws of this state, which may be promulgated through the Chief of Police to the whole force. The Chief of Police shall have the immediate direction and control of the police in the administration of the rules, bylaws and regulations of the Department.

C. The Community Police Board shall act as community liaison to the Police Department, actively fostering positive communication between police and all segments of the community. It shall make provisions for resolving complaints by the citizenry related to the delivery of police services. Using established procedures, the Board may recommend action against any member of

³ [Microsoft Word - Whistleblower policy - adopted 1-26-12.doc \(cityofithaca.org\)](#)

the Police Department. It shall recommend, on its own initiative or at the request of the Mayor, the Common Council or the Police Chief, on any matter affecting the policy or performance of the Police Department, including finances and budget. It shall perform such other related duties as requested by the Mayor or Common Council.

Specific Actions to support community oversight:

1. Provide annual funding for members of the CPB to receive law enforcement oversight training by the National Association for Civilian Oversight of Law Enforcement, an organization recognized by both police reform advocates as well as law enforcement professionals to promote trust, transparency, and accountability in police review.
2. Update City policies as needed to require IPD Chief (or his or her designee) participation in CPB meetings and oversight responsibilities.
3. Common Council may make funding available for 3rd party investigations into police conduct and/or complex community generated complaints. Utilization of 3rd party investigations will provide assurances to the public that the review is fair and free of bias.

Action 5: Create continuous review of reporting structures

Continued community engagement is one of the most important elements of ensuring that public safety reform is successful. To that end, the Committee recommends that the Mayor or Council establish a permanent Standing Committee on Public Safety to continue conversation, listening, and policy deliberation on an ongoing basis. The Committee also recommends that the Public Safety and Information Commission be reconstituted and assigned as the cognizant advisory commission for proactive community discussion and feedback on public safety reform.

Existing Police Reform Initiatives Implemented Through the Community Justice Center and Ithaca Police Department

The recommendations included in this report are intended to provide additional guidance or support for existing Police Reform Initiatives that are being conducted by the City of Ithaca independently or in conjunction with Tompkins County. On June 2, 2021, the City of Ithaca Common Council approved the creation of the Community Justice Center as a collaborative department between the City of Ithaca and

Tompkins County to coordinate the implementations of the recommendations adopted on March 31, 2021.⁴ Updates on these initiatives are attached as an appendix to this document.

County-City joint initiatives include:

- Collect and evaluate the results of officer-initiated traffic stop enforcement.
- Identify new curriculum, redesign, and implement a culturally responsive training program that incorporates de-escalation and mental health components into a comprehensive response for law enforcement.
- Develop a comprehensive community healing plan to address trauma in the relationship between residents and law enforcement.
- Standardize data entry and review existing data sets for more actionable insights and allocation of public safety resources.
- Develop a real-time public safety community dashboard.
- Develop a comprehensive, inclusive, and innovative recruitment and retention strategy for law enforcement and corrections officers.
- Develop a County-wide program to promote and support holistic officer Wellness.
- Seek ongoing and responsive collaboration from New York State Troopers operating in Tompkins County.
- Revise the Civil Service exam process to diversify law enforcement Personnel.
- Advocate for New York State to grant local civil service authorities the authority to enact “continuous recruitment” of eligible candidates for law enforcement personnel.
- Urge Governor Cuomo and/or the New York State Legislature to reform disciplinary procedures for law enforcement personnel under Civil Service Law Section 75.

⁴ http://www.cityofithaca.org/AgendaCenter/ViewFile/Agenda/_05112022-2492

Conclusions

All Ithacans must be treated fairly, with respect and dignity by members of the Ithaca Police Department. This is especially true for our Black community members, and communities of color. This is true for our LGBT+ community. This is true for unhoused people living in the Jungle, and those "surfing" from couch to couch. This is true for persons returning to Ithaca from jail and from prison. This is true for our young people, including college students.

To be treated fairly, with dignity and respect by local law enforcement - to be treated as human beings -- is a reasonable expectation for everyone. This is our primary goal in reimagining public safety in the City of Ithaca.

At the same time, Ithaca's police officers should also be treated with dignity, respect, and fairness - to also be treated as human beings. Fostering a climate that recognizes how difficult their job is and that appreciates their work is an integral part of reimagining public safety.

It has been said that IPD officers need to "get out of their cars". We agree. It has been said that law enforcement needs to be more involved with Ithaca's diverse neighborhoods and citizens, particularly people of color and those who face economic hardships. We agree.

IPD needs a diverse staff of officers, with strong ties to the community. On the encouraging side of things, IPD has a number of forward-thinking officers moving into supervisory positions. Our goal is to reinforce our police department with talented, diverse, empathetic, and committed new officers.

We are optimistic that hiring a community co-response team will improve this situation significantly. The City of Rochester has seen good success in their crisis response configuration, which is designed to be separate from the police department, while working closely with their officers. The idea is to avoid unnecessary high stress interactions with police, and to provide needed follow-up for victims. That is what we want to do here in Ithaca.

It must be acknowledged that reimagining public safety in the City of Ithaca cannot succeed without an adequately staffed police department.

NEXT STEPS

State Reform and Traffic Safety

The Committee acknowledges that several opportunities for reform require support from the New York State Legislature and Governor. Council should take a strong position in advocating for the State to enact “continuous recruitment” for eligible candidates, as well as reforming disciplinary procedures under Civil Service Law Section 75. Additionally, as an effort to reduce the need for traffic stops, the Committee recommends requesting authorizing legislation from Albany to permit red-light and speed cameras in the city to improve public safety outcomes while also reducing the need for a traditional law enforcement response to minor traffic incidents.

1. Establish an ad-hoc public safety committee.

As detailed above, this recommendation from July 2022 has been implemented and its findings are reflected in this report.

2. Require community-centered training for both armed and unarmed first responders.

This recommendation needs further attention as well as legislative (budgetary) and administrative (departmental regulations and requirements) support from leadership. Building relationships and connections between law enforcement officers and Ithaca community members is of utmost importance as the majority of officers are not residents of the areas or communities to which they serve. By building opportunities for officers to get to know the people the City of Ithaca, their neighborhoods, their cultural values, their needs and their priorities, we can build relationships between individuals that will help both parties to understand each other and look to communicate and relate to each other in times of difference or stressful situations. These relationships

will serve to provide opportunities to see each other in a different light and not jump to worst-case-scenario assumptions about the other person or their community.

3. Supply improved technology for community safety efforts.

As noted above, the Committee believes effort to reduce the need for traffic stops, the Committee recommends requesting authorizing legislation from Albany to permit red-light and speed cameras in the city to improve public safety outcomes while also reducing the need for a traditional law enforcement response to minor traffic incidents.

4. Implement improved data collection and public reporting of such data.

The Committee inquired with Sgt. Mary Orsaio about improving and expanding the granularity of these data during one of its public meetings in Summer 2022. Reflecting the need for further data analysis and reporting, Council included funds in the 2023 budget to hire a new data analyst (in addition to the newly established data analyst at the CJC).