
Madison County Police Reform and Reinvention Collaboration Plan



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March 2, 2021

ACCOUNTABILITY

INTEGRITY

PROFESSIONALISM

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Introduction:

On June 12, 2020, Governor Andrew Cuomo issued [Executive Order No. 203](#) requiring each local government in New York State to adopt a policing reform plan by April 1, 2021. The Order authorizes the Director of the Division of the Budget to condition State aid to localities on the adoption of such a plan. In accordance with this order, the Madison County Sheriff's Office put together a Police Reform Task Force and began asking for public comment from the community on the current perspective of their relationship with the Madison County Sheriff's Office.

Department Profile:

Municipality – Madison County

Law Enforcement Agency – Madison County Sheriff's Office

Madison County Board Chairman – John M. Becker

Madison County Administrator – Mark Scimone

Madison County Sheriff – Todd M. Hood

Madison County Undersheriff – Robert J. Lenhart

Municipality Demographics:

Madison County is a rural agricultural County located in Central New York. The County covers 661 square miles and has 1 City, 15 Towns, and 10 Villages. As of the 2019 American Community Survey, Madison County's population is estimated to be 70,941, of which 49.9% are male and 50.1% are female. In the population, 98.2% identify as one race and 1.8% percent identify as two or more races. Of those, the racial breakdown is as follows: 94.2% White, 2.1% Black or African American, 1.8% Hispanic or Latino, 0.4% American Indian, 1.1% Asian, 0.4 percent as other.

There are several police agencies that operate within Madison County along with the Sheriff's Office. New York State Troop D and Troop T, as well as local police departments; the City of Oneida, Chittenango, Canastota, Cazenovia, and Hamilton. It also has the SUNY Morrisville campus police and a presence from the Oneida Indian Nation Police.

Agency Demographics:

The Madison County Sheriff's Office is made up of 166 employees, 115 full-time and 51 part-time. The office is broken down into the Criminal Division, which consists of 41 full-time and 40 part-time employees, and the Corrections Division which has 61 full-time and 5 part-time Corrections officers, 2 full-time cooks, 2 part-time cooks and 1 per diem Medical Staff.

The Criminal Division has 41 full-time and 40 part-time employees that include a Criminal Captain, two Lieutenants, six Sergeants, five Investigators, 26 full-time deputies, 13 part-time deputies, 21 part-time Special Patrol Officers (six assigned to Schools). The Criminal Division is primarily composed of white males, there are 5 white females, one part-time

African American male, one full-time Hispanic male and 1 part-time Hispanic male. In 2020, the Madison County Sheriff's Office promoted their first ever female lieutenant.

The Corrections Division is made up of 61 full-time and 5 part-time Corrections Officers, two full-time cooks, two part-time cooks, 2 full-time and 1 per diem Medical Staff. There is 1 Corrections Captain, 2 Lieutenants, 3 Sergeants, 8 Corporals, and 39 Corrections officers. The Corrections Division has a majority of white males with 19% female, and there is one male and one female African American.

The Civil Division and Administration is made up of 13 full-time and three part-time employees. They include the Sheriff, Undersheriff, Confidential Secretary to the Sheriff, Director of Administrative Services, CAC Director, Child & Family Services Specialists, Principle Account Clerk, Office Assistants, Community Services Aide, and Traffic Safety Coordinator. These positions are filled by four white males and 12 white females.

The Madison County Sheriff's Office is spread between the Law Enforcement Building, which houses the main office in Wampsville and three field offices – Morrisville, DeRuyter, and Earlville. In 2019, Sheriff Todd Hood created the School Patrol Officers (SPO) program. Currently, there are 6 SPOs assigned to school districts – Chittenango (3 school buildings), Morrisville-Eaton (2 buildings), Stockbridge Valley Central Schools, and DeRuyter Central Schools. This has given deputies the ability to have an enhanced presence in schools as well as built a relationship of respect between law enforcement and our youth. The Madison County Sheriff's Office continues to work to expand this program.

Madison County Sheriff's Office Mission Statement:

It is the mission of the Madison County Sheriff's Office to serve the public with compassion, respect, and courtesy while upholding the Constitution of the United States and New York State, and enforcing the Laws of New York in order to protect the lives and property of all. To serve as an example for others to follow and fulfill the oath of our chosen profession with integrity, honor and pride. To hold ourselves to a higher standard without conceit with the goal to be a trusted community team member that preserves the rights and dignity of all and provides value to every person in Madison County.

Overview of Change:

"The New York State Police Reform and Reinvention Collaborative" requires local police agencies to develop a plan based on community input. Per the governor's report, "This executive order is intended to help rebuild the confidence and restore trust between police and the communities they serve by requiring localities to develop a new plan for policing in the community based on fact-finding and meaningful community input." The Madison County Sheriff's Office has already implemented and trained on the reforms already passed by New York State which include, but are not limited to, the banning of chokeholds. It should be noted that chokeholds were never allowed or taught here in the Madison County Sheriff's Office. Steps have also been taken to comply with recent New York State

legislation such as the repealing of Civil Rights Law 50-a and the changes to the Criminal Procedure Law resulting from new enactment in the areas of bail and discovery.

Throughout this plan, the Madison County Sheriff's Office is going to identify the programming and directives that address the issues outlined in the governor's order. We will do so by identifying our current policies and procedures, which help achieve these missions as well as identifying new programming and directives that have been developed or are in the process of being developed. These will be described and highlighted in each section as we progress through this plan.

In keeping with our mission statement, the Madison County Sheriff's Office policies and procedures are evaluated and updated on a regular basis.

This plan will address concerns and needs in the following areas:

- Policy and Procedures,
- Departmental Training,
- Use of Force,
- Dealing with Mental Hygiene Situations,
- Statistical Data Collection and Sharing,
- Citizen and Internal Complaints, and
- Community Oriented Policing and Neighborhood Engagement.

Police Reform & Reinvention Collaboration Task Force

Madison County formed the Police Reform & Reinvention Plan Task Force in September 2020. Due to the COVID-19 pandemic, the first meeting was held virtually on September 14, 2020.

Task Force Members:

- Madison County Sheriff Todd Hood
- Madison County Administrator Mark Scimone
- Madison County Attorney Tina Wayland-Smith
- Georgetown Supervisor Pete Walrod, Chairman of the Criminal Justice, Public Safety and Emergency Communications Committee
- City of Oneida Supervisor Mary Cavanaugh, Chairwoman of Government Operations Committee
- Captain William Wilcox, Madison County Sheriff's Office
- Rev. Mick Keville, Crossroads Community Church
- Chris Lewis, Chairman of the Board at Oneida Baptist Church and Inmate Counselor at Madison County Jail
- Pastor Jeff Leahy, Church on the Rock
- Madison County Chief Assistant District Attorney Robert Mascari

- Dave Desantis Esq., Criminal Defense Attorney & Madison County Assigned Counsel Administrator
- Teisha Cook, Director of Madison County Mental Health
- Brian Frank, NP with Madison County Mental Health & Madison County Jail
- Mary Margaret Zehr, Superintendent of City of Oneida School District
- Madison County Public Information Officer Samantha Field

The Police Reform Task Force has solicited public comments via mail and online from September 15 to October 23, 2020. We received 44 comments from Madison County residents, as well as a submission from the Hamilton Area Anti-Racism Coalition. On October 30, 2020, the Task Force held a meeting to review some of the questions and feedback from the community. The Madison County Sheriff's Office and the Task Force took this opportunity to review with the Madison County community some of the agency's current practices, policies and collaborations. An FAQ document was also created to address some of the concerns brought up in the comments.

The Police Reform Task Force solicited public comments for a second time during a virtual public forum on December 16, 2020. It was held virtually due to the increasing number of cases of COVID-19 in our community at that time. Letters were also submitted for review from the Hamilton Area Anti-Racism Coalition, Susan Jenkins the Executive Director of Bridges, and Oneida Indian Nation Representative Ray Halbritter.

A draft of the Madison County Sheriff's Office's reform plan was released to the public on February 12, 2021. After that, the Task Force asked for public comment during three meetings (February 18 at 6:00pm, 19 at 12:30pm and 25 at 6:30pm) and also by mail and email. After those three sessions, the Task Force took recommendations from the public and created this final draft of the reform plan. The Madison County Police Reform & Reinvention Plan Task Force would like to make note that this is not a final document. There is always room for improvement. This is just a first step in creating a better agency.

Policy and Procedures:

The Madison County Sheriff's Office Criminal Division is [accredited](#) by the New York State Division of Criminal Justice Services. Of about 500+ police agencies in New York State, only about 150 are accredited. The Madison County Sheriff's Office received their accreditation in September 2019. Accreditation provides formal recognition by New York State that the Madison County Sheriff's Office Criminal Division meets or exceeds general expectations in all operations (training, fiscal management, personnel practices, policies, and records management) and acknowledges the implementation of policies that are conceptually sound and operationally effective.

"The New York State program became operational in 1989 and encompasses four principle goals:

1. To increase the effectiveness and efficiency of law enforcement agencies utilizing existing personnel, equipment and facilities to the extent possible;

2. To promote increased cooperation and coordination among law enforcement agencies and other agencies of the criminal justice services;
3. To ensure the appropriate training of law enforcement personnel; and
4. To promote public confidence in law enforcement agencies.”

Source: <https://www.criminaljustice.ny.gov/ops/accred>

According to the Governor’s report, “Accredited agencies must meet minimum standards considered ‘best practices’ in the field, which promote a high degree of professionalism and public confidence.” The Madison County Sheriff’s Office currently has over 164 distinct policies as part of its operation manual. The policy manual is consistently reviewed, evaluated, and updated as part of the ever-changing environment of policing.

Operational Policy & Procedures and Training:

It is the policy of the Madison County Sheriff’s Office that all sworn officers in accordance with DCJS will receive at least, if not more than, twenty-one hours of in-service training annually. This is guided by the NYS Accreditation Program. Part of the twenty-one (21) hours must be devoted to the following areas:

- Firearms Training / Range
- Subject Management / Use of Force Review
- Use of Deadly Force Review
- Legal Updates
- Blood borne Pathogen / Hepatitis Awareness Review / Radiological
- Taser Training
- Workplace Violence Prevention
- Collapsible Baton
- Oleoresin Capsicum Aerosol Training
- Stop Stick Review
- Reality based training
- Cultural Diversity
- Hate Crimes
- Anti-bias Training

It should be noted that some of these trainings, as well as those deputies take from the Dart Academy, include de-escalation and minimizing use of force.

The Madison County Sheriff’s Office also uses Lexipol for additional annual trainings on the following:

- Duty to Intercede: Conceptual, Cultural and Legal Aspects
- Excited Delirium: 8 Key Law Enforcement Takeaways
- De-Escalation: When & How to Make it Work
- Law Enforcement and the Transgender Community from the Department of Justice

In 2019, the Madison County Sheriff's Office had a combined total of 4,725 hours of in-service training and 3,897 hours in 2020. A dip in 2020 is a result of limited in-person trainings due to COVID-19.

Crisis Intervention Team Training

Beginning in 2021, the Madison County Sheriff's Office will make a pledge to have all full-time deputies take the 40 hours of Crisis Intervention Team (CIT) training by 2024.

CIT trains officers on how to handle emotionally disturbed individuals in a variety of situations in the community. These situations may include suicidal persons, persons exhibiting irrational behavior, handling psychiatric patients, the homeless, addressing various mental health concerns and/or referrals, and any other situations that deal specifically with the needs of the mental health community and emotionally disturbed persons.

- **40 hours of specialized training that includes:**
 - Indicators of Emotional Disturbance
 - Mental Illness-Signs and Symptoms
 - Communication Skills
 - Specific Mental Illnesses
 - Trauma
 - Role Plays
 - Mental Hygiene Law
 - Veteran's Issues
 - Elderly Mental Health
 - Mental Health Court/Probation
 - Juvenile Mental Health
 - Police Stress/Mental Health
 - Medications
 - Suicide
 - Community Resources
 - Family Members and Personal Stories

In 2016 and 2017, the Madison County Mental Health Department hosted a CIT team training; the training was offered to all police departments in Madison County. Several police departments have trained CIT officers, including the Madison County Sheriff's Office. The CIT team also includes representatives from local behavioral health agencies (Madison County Mental Health, Family Counseling Services, Liberty Resources and others). The team meets monthly to discuss high-needs individuals that the police have had contact with, and to discuss potential service referrals that can be made if the individual is interested. In 2020, the Mental Health Department planned to host another CIT training, but due to the pandemic, this will be offered in 2021. It is the hope that as

many officers as possible can be trained in order to de-escalate mentally ill individuals in the community and to avoid jail or unnecessary hospitalizations.

Lastly, the CIT team and police work closely with Liberty Resources Mobile Crisis Program. The purpose of the Mobile Crisis program is to de-escalate and address mental health crises in a person's home versus in the hospital. The Mobile Crisis Team can be dispatched via the Madison County Mental Health Department, or any police officer can contact them directly if they are interacting with a mentally ill individual in crisis. The hours of the mobile crisis team are 5pm-12am. During day time business hours, the Madison County Mental Health Department is contacted directly by individuals or by local police who may have concerns, and department staff work with the individual to de-escalate the situation.

Use of Force

The Governor's report address issues relating to the use of force. This is a heavily reviewed and altered policy. In 2018, Madison County adopted a new [Use of Force Policy](#) that was established and approved for accreditation. Currently, it is the policy of the Madison County Sheriff's Office that members, in compliance with Article 35 of the New York State Penal Law and other applicable case law & federal statutes, use only the force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the member and others. The department policy outlines officer's ability to (includes, but not limited to):

- Use of force;
- Duty to intervene (which states: Any officer present and observing another officer using force that he/she reasonably believes to be clearly beyond that which is objectively reasonable under the circumstances shall intercede to prevent the use of unreasonable force, if and when the officer has a realistic opportunity to prevent harm);
- Prohibited uses of forces;
- Less lethal procedures;
- Training requirements; and
- Reporting and documenting procedures.

The reporting process at the Madison County Sheriff's Office requires that all use of force events are documented and reviewed. The reports then go through a review process consisting of multiple steps. First, the report is reviewed by a first line supervisor. The report is then logged for statistical recording and overall review purposes. It is then reported to the state per NYS Executive Law 837-t. The following Use of Force incidents must be reported per NYS:

- Display a chemical agent - To point a chemical agent at a person or persons.

- Use/Deploy a chemical agent - The operation of the chemical agent against a person or persons in a manner capable of causing physical injury as defined in Penal Law Article 10.
- Uses/Discharges a firearm - To discharge a firearm at or in the direction of a person or persons.
- Uses/Deploys electronic control weapon - The operation of an electronic control weapon against a person or persons in a manner capable of causing physical injury as defined in Penal Law Article 10.
- Uses/deploys an impact weapon - The operation of an impact weapon against a person or persons in a manner capable of causing physical injury as defined in Penal Law Article 10.
- Use of force to gain control – The operation of using force to restrain or take down by hands, arms, feet or legs.
- Conduct which results in the death or serious bodily injury of another person -
 - Serious bodily injury includes bodily injury that creates or causes:
 - a substantial risk of death; or
 - unconsciousness; or
 - serious and protracted disfigurement; or
 - protracted loss or impairment of the function of any bodily member, organ or mental faculty.

Source: NYS Executive Law 837-t

The reporting process at the Madison County Sheriff's Office requires that all use of force incidents are documented and reviewed. If at any time in the review process deficiencies are identified, they are addressed appropriately. This can be in the form of training, counseling, discipline or even termination. The statistical data recorded includes, but is not limited to: date, time, race, gender, ethnicity, age, tool/technique, application/display, reason for contact, whether there was an injury, if the person was treated by emergency medical services, and if resisting arrest was charged.

As stated, the Use of Force policy is consistently reviewed and updated to stay current with applicable laws and best practices. It should be noted that the use of chokeholds, obstructing breathing and/or carotid restraints has never been an approved use of force here in the Madison County Sheriff's Office. This is not a trained technique and has further been outlawed by New York State.

Dealing with Mental Hygiene Situations

The Madison County Sheriff's Office recognizes the importance of mental health and wellness. This includes mental health for not only members of the public, but members of the department as well.

Public:

In addition to the CIT training that was mentioned earlier, the Madison County Mental Health Department and E-911, will be implementing a Mental Health call diversion policy

for emotionally distressed calls in March 2021. This risk assessment, completed by 911 operators, will evaluate if an emotionally distressed caller needs assistance from either law enforcement or the Madison County Mental Health Department. The goal of the assessment is to provide the caller with the support they need in order to help return the caller to a stable state. Once the calls are deemed appropriate, the caller will be transferred to a licensed clinician for further assessment and de-escalation. If needed, the mobile crisis team can be dispatched. This new process of triaging hopes to limit police interaction with individuals in crisis who are not a threat to themselves or others as well as free up law enforcement to go on calls that require a police presence.

Department Personnel:

The mental health and wellbeing of the Madison County Sheriff's deputies and staff is a top priority. We take this matter very seriously. We provide our first responders with multiple mental health resources, which allow them to carry out their duties for our community at their very best.

One of the resources available to our first responders is the Mid-state EMS Critical Incident Stress Management Team (CISM). The CISM team responds to the post incident needs of first responders throughout Oneida, Herkimer and Madison Counties. The teams consist of experienced first responders and Licensed Clinical Social Workers (LCSW) credentialed in CISM. After first responders are involved in a serious critical incident, the CISM team partners with agencies to bring this essential service to our law enforcement. CISM offers first responders a healthy way to manage their stress after experiencing trauma.

The department also offers counseling services through the Madison County EAP (Employee Assistance Program) as well as that of the New York State Troopers.

Data Collection

Madison County currently uses the same records management system for documenting stops, calls, and arrests as the New York State Police. With the current records management system, even though it collects demographic data, it cannot easily generate reports based on gender, age, race, etc.

Over the past few years, the Madison County Sheriff and Undersheriff have recommended the purchase of a new records management system. The new system would cost around \$450,000. Unfortunately, funding was not available for this system previously. Instead, funding was allocated so our outdated E-911 CAD system could be updated. This past year, because of additional COVID expenses and a 20% cut in State funding, all projects were deferred.

The Police Reform Task Force recommends the County pursue a new records management system in the next year so that Madison County can track and report demographic data. It will be up to the Madison County Board of Supervisors to approve. If the ability to collect and report this demographic data is achieved, Madison County will work to provide quarterly reports for the public and publish them on their website.

The Madison County Sheriff's Office does currently publish an [annual report](#) that offers highlights of the department, as well as traffic safety reports, report on incidents and activity, inmate data, and report on community services.

The Madison County Sheriff's Office currently collects data and monitors situations in a multitude of categories. At this current time specialty data is collected on:

- Calls for service (to include locations for hot spot problem addressing)
- Arrests (to include but not limited to: Race, Sex, Ethnicity, Age, Class of Main Offense, and Nature of Main Offense)
- Drug related cases (to include Overdose investigations and the types of drugs involved)
- Community Oriented Policing / Neighborhood Engagement Activities
- Training (to include courses and topics completed)

Citizen and Internal Complaints

The Madison County Sheriff's Office takes all civilian, internal, and other law enforcement complaints about their department and staff seriously. Anyone can report a complaint to any deputy at any time with the assurance that it will be received, documented, and an internal investigation will be conducted.

We believe the image of the Madison County Sheriff's Office is dependent upon the personal integrity and discipline of all members. The public image of the Office is determined by the conduct of its members and the professional response to allegations of misconduct by members.

The Madison County Sheriff's Office shall:

1. Promptly, competently, professionally and impartially investigate all complaints relative to the Office or its members' responses to community needs.
2. Take appropriate corrective action, to include disciplinary action in all cases where an investigation substantiates a violation of law, orders, rules, regulations, policies or procedures.
3. Provide a monthly report to the Madison County Criminal Justice, Public Safety & Emergency Communications Committee on complaints that are filed and their outcome.

Under the “How Do I” tab on the Madison County Sheriff’s Office website there is now a form to submit a complaint, as well as one to submit a compliment. This form can be either printed out and mailed in or filled out and submitted electronically. All complaints are received by the Sheriff and Undersheriff, as well as the County Administrator. If someone needs assistance filling out the form they can call the Sheriff’s Office at 315-366-2318.

The Madison County Sheriff’s Office has always and continues to encourage citizens to bring forward legitimate complaints regarding misconduct by any of its members. The Office shall receive complaints courteously and will handle them efficiently.

Community and Neighborhood Engagement:

The Madison County Sheriff’s Office throughout the year does different programs in the community, many of each are with our youth. The Sheriff’s Office is always looking for additional ways to interact and connect with the community.

Some of the community programs include:

- Project Lifesaver
- Car Seat Safety Checks (partnered with the Madison County Health Department)
- CRASE training (Civilian Response to Active Shooter Events)
- Child Advocacy Center
- Operations Safe Child Card
- Yellow Dot Program
- Bike Helmet giveaway
- Safe Halloween Trick or Treating
- Special Patrol Officers in Schools across Madison County
- Reading Day at schools
- Sheriff Summer Camp
- Christmas Angel Tree (partnered with DSS)
- Shop with a Sheriff

It is important to the Madison County Sheriff to always find ways to improve the relationship with our schools and youth. The Sheriff attends a monthly Superintendent of Schools meeting. Deputies attend career fairs and do special events at school like reading to classes. The Sheriff’s Office is also working on a program where a deputy will go visit juniors and seniors in high schools to answer questions and have open dialogues.

The Madison County Sheriff’s Office is also present in many community parades and at ceremonies as well for events such as Memorial Day, July 4th, Veterans Day, Madison County Fair, and Winter holidays.

The Madison County Sheriff's Office is in constant contact with the community through social media. Their Facebook page is used to answer questions, follow up on tips, post community updates, and share stories about deputies. In the past two years, the Madison County Sheriff's Facebook Page has doubled the number following to nearly 9,000.

Conclusion:

The Madison County Sheriff's Office appreciates the feedback they have received from the community over the past several months during this process. The Sheriff's Office mission is "to serve the public with compassion, respect and courtesy while upholding the Constitution of the United States and New York State, and enforcing the Laws of New York in order to protect the lives and property of all." This mission can only be achieved by always looking for ways to improve and adapt policies. This document and its policies are just a beginning, the Sheriff's Office looks forward to continuing to work with the community to modify and adapt over the coming years.

In the coming months, Madison County will implement the new policies that are laid out in this document:

- training of deputies in Crisis Intervention Training (CIT)
- execution of the new mental health call diversion policy
- pursuing a new records management system
- improvements to and form for complaints to be filed

It should be noted, in the almost six months of time the Madison County Police Reform Task Force has solicited comments and feedback from our residents, we have not received one report or instance of any racial or systematic racial complaints from any member of our community in their interactions with the Madison County Sheriff's Office. To the contrary, we received a letter from Oneida Indian Nation Representative Ray Halbritter, praising our Sheriff's Office for their work, collaboration, and respect for the Oneida Indian Nation community. "We have witnessed police officers of Madison County conduct their duties and engage with public on a basis of compassion for all, understanding of nuanced circumstances, integrity in upholding the law, and a genuine desire to help their friends and neighbors."

Unfortunately, we still live in a world where racism exists. In the ranks of the Madison County Sheriff's Office, there is no place for any type of racism. Deputies do not look at the color of someone's skin when they are assisting the public. Madison County is committed to addressing and identifying any systemic racism issues and working with our

community members to do so. There is always room for improvement and growth, every day, and year the Madison County Sheriff's Office will look for ways to do that.