

**MOUNT VERNON COALITION FOR POLICE
REFORM**

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INTRODUCTION

The murder of George Floyd and so many others who have died at the hands of the police, has spearheaded a worldwide protest around disparate treatment of Black Americans, particularly males, by the police. All across America, we can cite numerous brutal assaults, killings, and civil rights violations at the hands of the police. The vicious killings of George Floyd, Ahmaud Arbery, Breonna Taylor, Laquan McDonald, Eric Garner, Michael Brown, Sandra Bland, Tamir Rice, Freddy Gray, Stephon Clark, Walter Scott, Alton Sterling, Philando Castile, Botham Jean, Trayvon Martin have highlighted evidence of police misconduct. Police misconduct and abuse dates back to sensationalized cases such as Amadou Diallo, Eleanor Bumpurs, Abner Louima. These senseless and terrifying killings illuminate the institutional racism that has existed in our country, and is perpetrated in many of our nation's police departments. Across the nation communities have protested these senseless actions, corporations have formulated policies designed to address systemic racism, universities and colleges have implemented programs to create a more equitable learning environment, and medical institutions have investigated their practices to uncover and eliminate practices that are biased. Most significantly, local and state governments throughout the country have begun to analyze their police departments to identify and eliminate practices, policies and protocols that are discriminatory.

In this spirit, the Coalition of Police Reform of Mt. Vernon was created to identify issues adversely affecting our community, and to propose concrete and cogent recommendations

designed to enhance the quality of life for all of our citizens. The Coalition is comprised of former police officers, civil rights attorneys, community members, and former Mount Vernon City Officials, who serve on a voluntary basis.

It is anticipated that the Coalition's report will be utilized to assist the City of Mount Vernon. Not instead of, but in addition to the efforts the City has made to address the problems that adversely affect and infect the community. We sincerely hope that this report will provide guidance that can be utilized not only in the City of Mount Vernon, the police department, but other agencies that may look to Mount Vernon for guidance. We aspire to be the “beacon of hope” and a role model for all of Westchester and the State of New York.

1. Lauren P. Raysor, Esq. the author of this report relies on her experience as a civil rights defense attorney, prosecutor, Corporation Counsel of the City of Mount Vernon, and as an attorney for the City of New York. She has worked with groups such as the New York Urban League, the Metropolitan Black Bar Association, and the National Black Law Enforcement Association, as well the current borough president of Brooklyn, Eric Adams. Further, she co-authored a comprehensive report which analyzed the racial disparity within the New York County District Attorney's Office. This report led to significant advancements in the DA's Office.

OVERVIEW

What do we need? Our initial findings reflect two salient concerns:

1. There is a general community mistrust of the police in Mt. Vernon. Individuals who have complaints about the Mount Vernon Police Department find themselves without a meaningful viable complaint mechanism. Citizens must either go to the Internal Affairs Bureau, the District Attorney's Office, or participate in public meetings to air their complaints or concerns. Some citizens complain that there is rarely follow-up by police and often times do not receive an answer. There is no systematic process through which the aggrieved citizens of Mount Vernon can file a complaint and be assured that it will be investigated by an independent body other than organizations which work directly with police officers.
2. The continued erosion of police relations and public trust has a trickle-down effect. Mount Vernon has the highest unsolved homicide rate in the County of Westchester. It is obvious that this is due in large part to lack of civilian cooperation. The best law enforcement is when the police and citizenry are working together.

Demographics

Mount Vernon, which consists of four-square miles, currently has more than 67,000 residents. It is made up of a mixture of homes and high-rise buildings that are called affordable housing projects. These densely populated units have increased recently in numbers. Out of all the counties in Westchester, Mount Vernon has the highest homicide rate. This number is increasing exponentially.

Further, 65.8% of Black or African American live in Mount Vernon, while Whites make up 21.7% and 7.22% represent others.

Employment

The unemployment rate in Mount Vernon is roughly 17 percent, due in part to the COVID-19 pandemic. In New York State, the unemployment rate is 15 percent, and nationally the unemployment rate is 14.7 percent. Hence, Mt. Vernon's rates are higher than the State and the nation.

Poverty

According to recent statistics, the poverty rate in Mount Vernon is 14.8%. One out of every six residents live in poverty. 10,045 of 67,947 Mount Vernon residents reported income levels below the poverty line in 2019. Mount Vernon has a slightly lower poverty rate than the 15.1 percent reported across New York State.

Education

The graduation rate of the Mount Vernon High School, the City's main central high school was reviewed. It appears that the graduation rate of Black and African Americans is about 72 percent.

Police Demographics

As of 2018 there were 207 members of the police department, 170 male and 37 females. Significantly, 41 percent of Mt. Vernon's police department are White male. Of the males, 59 identified as Black, 84 White and 26 Hispanics. Of the females, 23 were Black, 8 White and 6 Hispanic. There are 114 male patrol police officers, 40 are Black 56 are White, 16 Hispanic and 2 are other. With regard to female patrol officers, 13 are Black, 8 are White and 4 are Hispanic. Within the ranks, there are twenty sergeants, 15 male, 4 females; 5 Black male, 10 White male and no Hispanics, in addition to 4 Black females. There are no Hispanic sergeants. There are no White or Hispanic female sergeants. There are no female lieutenants. There is 1 Black, 7 white, 1 Hispanic lieutenants. There are three male captains 1 Black and 2 White. There are no female or Hispanic captains. In sum, the Mount Vernon Police Departments' leadership is 59 percent White male; and 22 percent Black male and 13 percent female.

CONCERNS

There are major challenges within the Mt. Vernon Police Department as follows:

- Initially, it must be acknowledged that the Civil Service testing requirements reduce the pool of minority police officers. The disparate impact this type of testing has on Blacks has been well documented. Further, candidates who score highest on the test are most likely to be selected off a Civil Service list. The top-ranking officers scoring the highest succeed at taking the test are White. Despite their qualifying test scores, they may not be the best qualified to serve the needs of Mount Vernon. The use of test scores to determine qualifications

for positions within police departments has been widely criticized, and eliminated in many jurisdictions across the country.

- Further, those who do enter the Mount Vernon Police Department have used it as a "training ground". The attrition records confirm that once trained, members leave and go to other places that provide higher salaries and greater benefits, including a less challenging work environment. In addition, police who do not live in the community do not establish relationships with community members or institutions, and deem their positions "just a job".

- Within the last five years, approximately four to five Police Commissioners and Deputy Police Commissioners were replaced or removed. The continued shift in investigations, priorities and personnel further negates Mount Vernon's ability to execute a police reform plan.

- The Mount Vernon police are called upon to respond to a wide range of handle and engage in sound intervention and non-police matters. Mount Vernon police face undaunting circumstances and are called upon daily to make life or death decisions.

- The Mount Vernon Police Department has been plagued with corruption. For example, in 1994, there was a federal corruption probe within the Department. The investigation led to the arrest of three members of the Department including the department's chief of detectives who stole money in an apartment raid. Most recently, there have been allegations of police corruption outlined in the "Bovell Tapes", as well as allegations of

police overtime abuse. New allegations of illegal strip searches and false arrest claims have been filed and the Governor has been requested to conduct a formal investigation. Further, the lack of oversight of the Mount Vernon Police Department further exacerbates the lack of public trust. Many Mount Vernonites believe they have nowhere to go for a fair resolution of their Complaints.

INITIAL RECOMMENDATIONS

Establish a Civilian Complaint Review Board Commission

In 2017, former Mayor Thomas and the City Council passed legislation to institute a Civilian Complaint Review Board. A committee met and drafted operational guidelines. The community must have assurance that civilian complaints will be processed equitably and expeditiously. The establishment of a CCRB will elevate community trust. The CCRB Commission must be a mix of community members and police. Community members must hold a majority vote. Further, the CCRB Commission must have subpoena power. Appropriate funding for the CCRB will be needed and the City Council, Comptroller and by the City of Mount Vernon must act together. Resources, staff and administrative staff are necessary. The CCRB meetings will be recorded and the CCRB will publish monthly substantiated findings, including a report of disciplinary actions taken as a result of the finding. A public database will be maintained with public access. All criminal findings substantiated by the CCRB will be referred to the New York State Attorney General's Office.

Consent decrees

Restore and enforce any consent decrees obtained during any prior administration.

Community Surveys

Provide annually community surveys or Mount Vernon police portal for community input regarding the police. The surveys can be anonymous or a form can be downloaded on the Mount Vernon Web Site. This information would be another resource to determine the nature of the complaints and guidance on how to allocate resources.

Customer Service Training

Many complaints by civilians involve police communications. Depending on how the Police interacts with the public can determine the outcome of a positive or negative police experience.

Oftentimes, Police communication may be the catalyst that escalates and intensifies a police encounter. The Mount Vernon Police Department must provide increased communications with crime victims.

Thus, the Mount Vernon Police Department should receive annual training in public/ community relations.

Implement Statistical Tracking

Create a statistical tracking system that uniformly records misconduct. The data

Will reflect race, sex and age information, as well as the nature of the misconduct.

Create a Community Investment Project

A monthly meeting with members of the clergy, business community, social service agencies, and school officials, will be held with members of the police. Scheduled meetings will be conducted on a monthly basis with all the agencies to come up with the best plan in assisting and helping those in need of resources and services.

This function will be coordinated with the police department, so that members can have an opportunity to work with the various agencies that handle some of the social ills that affect the community.

Require Community Service

As a way to strengthen relationships with the community, each police officer will be required to participate in a community event. The police department will partner with the department of recreation and other social service agencies to create and offer these opportunities with members of the department. In order to be eligible for a promotion, a member will have to complete/or participate a community program. This type of initiative proved beneficial in Camden where new recruits were required to knock on doors in the neighborhood they patrol and host outdoor community events to get to know the neighbors. In addition, the Department will re-establish the civilian and neighborhood block patrol. The more the police engage in the community, the more the police have a vested interest in resolving crime and making sure there is less police misconduct.

Coordinate with Social Service Agencies and the Community

Police must work with other agencies to respond appropriately with situations involving the mentally ill, domestic violence, quality of life crimes and students.

Police departments must also have relationship with landlords to handle noise and tenant complaints and other landlord issues. There must be coordination with restaurant and bar owners dealing in handling public and tenant complaints.

Provide Incentives to Police Members

The City of Mount Vernon should consider providing incentives to city police to purchase homes within Mount Vernon. Police officers would then have a vested interest in the city in which they live.

Design, Maintain and Implement Effective Policies and Eliminate Ineffective and Abusive Practices

Require body cameras and dashboard cameras.

Eliminate any remnants of stop and frisk(including car stops)

Eliminate the use of no-knock warrants.

Eliminate the use of chokehold.

Increase anti-bias training.

Provide de-escalation training.

Reinstate “Beat Cop” program.

Institute Failure to Intervene Penalties

Provide Whistleblower Protection

Diversity and Inclusion Training

Require all law enforcement personnel to participate every 6 months in diversity training to learn how to uncover their implicit biases and to improve communication with citizens from the diverse racial, religious and ethnic backgrounds, as well as mentally ill, chemical dependent, and homeless.

Mental Health Assessment

Police work is emotionally debilitating oftentimes resulting in a diagnosis of PTSD. Officers will be required to successfully complete a mental illness assessment on an annual basis by a mental health professional.

Re-allocate Police Resources

Fees paid for lawsuit settlements should be deducted from the Police Department budget and utilized for community policing programs.

Provide Civilian replacement in positions in which Police Officers are assigned when applicable.

Receive partial payment from the school district for officers assigned to schools.

Provide more Police Officer oversight

Police Personnel should be reallocated to provide greater oversight of Mount Vernon Police Officers. The more oversight the less likely that Police Officers would engage in misconduct.

We commend this Mayor's initial steps towards police reform. This Mayor's administration began holding public meetings regarding policing. However, we recommend those meetings be held at times for optimal public participation.

It is also suggested that current Police personnel refrain from engaging with the public via Facebook and provide a more formal communication process relating to the outcome of various cases and investigations.

RESTRUCTURING THE POLICE

There has been a movement and community call for defunding the Police across the country. This concept is not novel and was successful in Camden, New Jersey. In Camden, the police department was dissolved to root out corruption. It was reported the City crime rate was among the worst in the U.S. Within nine square miles among nearly 75,000 residents, there were over 170 open-air drug markets. Violent crime abounded. Lawsuits filed against the department uncovered that officers routinely planted evidence on suspects, fabricated reports and committed perjury. After the corruption was exposed, courts overturned the convictions of 88 people. So, in 2012, officials voted to completely disband the department. It was beyond reform. Police corruption was at the core." "Before defunding the police, it was said Camden residents feared the police. It is now reported that crime has dropped by 42% in seven years." It must be noted more than 100 police were rehired and the force now consists of 400. Defunding doesn't necessarily mean not having a police department. It may be the only viable way to fight police corruption.

Defunding the Police as a solution for fighting Police misconduct depends on the various law enforcement agency factors. Instead of defunding, there may be a more viable solution without completely reducing all funds. It appears that many of the Mount Vernon Police Officers do not have long term tenure, thus it may negate the need to defund the Mount Vernon Police. Meaning there may not be an entrenchment of corruption. However, defunding may be a viable solution if there is widespread corruption which Law Enforcement investigative agencies including the Mount Vernon's Internal Affairs Unit's lack the ability to investigate and/or eradicate.

CONCLUSION

Many of the Coalition's recommendations can be immediately implemented, and others require either funding, police changes or new legislation. Further, we are acutely aware that there are many factors regarding policing in Mount Vernon and this report is not all inclusive. Without a doubt, this is a community effort and we look forward to working collaboratively with all members of Mount Vernon community.

