

**Town of Ulster Public Hearing on the Town's Police Reform and Reinvention
Collaborative Committee**

January 20, 2021

**Testimony given by Regis Obijiski, 170 Ledge Road, Town of Ulster,
regis.m.obijiski@gmail.com**

It is a tough time to be a cop, even in a small, reasonably well-behaved town like ours. Police swear an oath to uphold the US and State Constitutions, a pledge which requires noble professional behavior that may conflict with one's personal values or personal politics. One example where an oath has been betrayed by a lesser instinct is the leadership of some elected officials and the participation of people with a background in law enforcement and US military service who participated in varying degrees in the January 6 insurrection at our US Capitol. Prior to this travesty, there were multiple examples of citizen mistreatment and death at the hands of officers sworn to protect and serve that created the national context for re-evaluating and re-envisioning policing in the Town of Ulster and elsewhere in the United States.

Citizens are grateful for the work and recommendations of the Police Reform and Reinvention Collaborative Committee, especially the leadership of the two chairmen, Chief Kyle Berardi and Councilman Clayton Van Kleeck; the collaborative hard work of eleven citizens; the valuable perspectives of three members of the police department; and the legal resources offered by officials from the District Attorney's and Public Defender's Offices.

Because of the nature of their job, police are often caught in the uncomfortable paradox of pursuing and sometimes arresting the very people they are sworn to protect and serve. Human relationship experts, like Stephen Covey, explain that the bonds between and among people require a lot more reinforcement than redirection for any personal or professional relationship to be successful. In fact, the rule-of-thumb ratio is four-to-one just to break even. That means that it takes four perceived positives to one perceived negative just for a relationship to survive, let alone thrive. Others' perceptions are always stronger than the "reality" of our good intentions. If this is so, are good relationships between the citizenry and the police possible? Yes, it is possible.

The following four points will illustrate that possibility: 1) a true story of a policing recommendation not likely to work; 2) the unspoken and unwritten context where all policing takes place; 3) support for committee suggestions, and 4) one additional recommendation.

1) True story of a recommendation. A police chief in another Ulster County municipality stated publicly that he identified four related problems in the department. They are mistrust of management, low morale of officers, high use of sick time among officers, and lack of detail in reports filed by officers. The solutions and associated metrics were mostly relegated to increasing the volume of compliments paid to officers, command staff "ride-alongs" with officers, and command staff attendance at officers' in-service trainings. The 1-year and 5-year metrics attached to these actions propose a

percentage increase in compliments that, without a baseline, will increase morale, improve reports, and reduce the use of sick time by officers. Although this plan is better than nothing, it misses the forest for the trees. The problems exist at the frontline, but they will be fixed by ideas generated at the top of the department which is mistrusted. The “forest” is missed because the trees are apparently in the way. The forest is the culture of the entire department that must work together to improve the identified problems and those that remain unidentified.

2)The unspoken and unwritten context of policing. Morale is not the same thing as organizational culture. High or low morale is the existing temperament of any culture—what it feels like to work here. You cannot cheer up a culture by trying to boost its disposition. In short, culture is “the way we do things around here.” It is the pattern of unspoken assumptions and unwritten rules that influence everyone in the culture, from the newest person hired and the longest-term manager. Culture is the medium of any organization or any of its departments. It is its personality: friendly, unfriendly, power-wielding, rigidly militaristic, soft, competitive, role-oriented, supportive, achievement-based, or some combination of these characteristics. Culture improvement is the business of everyone in the organization, not just leadership and not just the rank and file. Culture building is a big commitment by all stakeholders, including citizens, that pays dividends. The degree to which everyone is explicitly aware of the culture and actively commits to improving it will re-define and re-shape the health of the organization. Culture, unexamined or guessed-at, eats strategy, even a good one, for breakfast. A police culture that fits a strategy to better serve and protect its citizens becomes a high-performing model that is low on turnover, high on retention, high on reputation recruitment, a model to peers, and a sense of safety and mutual respect by its citizens..

3)Reform Committee suggestions. Recommendations and reasoning advanced by the Police Reform Committee that we support are the use of Body Worn Cameras by all police officers; community liaisons between the police and citizens, such as the Peaceful Guardians Project; consideration given to interest-based bargaining facilitated by the Federal Mediation and Conciliation Services; EPIC peer intervention training that would help with de-escalation when that is called-for; critical incident training particularly those involved with mental health, intellectual and other developmental disabilities; stress management and trauma-informed services for officers; and the establishment of a citizen advisory council that reviews police progress with improvements to their system and ongoing community concerns. This council should be subject to the NYS Open Meetings Law.

4)An additional recommendation for national accreditation. There is a perception in the Town of Ulster that our police department functions very well compared with the vast majority of its peers. We understand that our police department is one of 20% of departments in the state that volunteer to be held to standards compliance program defined by the NYS Enforcement Agency Accreditation Council. By our count, there are over 100 administrative, training, and operational standards. To earn and attain accreditation a police department is required to comply with 20 standards that are

considered essential or critical plus another 20 which presumptively are considered non-essential. Earning and maintaining a state accreditation demonstrates a commitment to the rigor of compliance to high standards of policing.

Since best can be the enemy of better, we recommend that our town police department consider upping their fine performance to national accreditation. One such example is the Commission on Accreditation for Law Enforcement Agencies (CALEA). In all likelihood, there are others. The key difference between a national and a state accreditation is the level of commitment. Usually, the national one is a heavier lift, requiring as much soul-searching as it does data-searching. Metrics that identify success include not only meeting standards compliance measures but also exceeding them. For example, CALEA embodies the precepts of community policing where law enforcement and citizens work together to achieve clear mutual expectations that involve transparency and accountability. National accreditation provides the further challenge of aspiring toward nationally identified leading and best practices. Such a commitment involves culture building that matches sound strategy and increasing mutual trust both within the department and among the community itself. Advantages of this pursuit of excellence generates mutual trust and cooperation between community and police, mitigates risk and liability exposure, fosters accountability and high performance, and gives third-party credence to reputational rights attached to recruitment and, incidentally, to economic development because the town is a desirable place to live and work.

Again, we understand that our town police department has found itself under the microscope of scrutiny through no fault of their own, but such a process, involving ordinary citizens, is a learning experience that affords the opportunity for citizens not only to understand more fully how policing works in our town and express gratitude to all members police department, but also this experience encourages our police to strive for continuous quality improvement of effective community relations.

I have 26 years of professional experience in organizational culture building, national accreditation, interest-based bargaining and traditional adversarial bargaining. If I can be of assistance in the consideration of any of these matters, I will be pleased to do so.

Thank you for this opportunity to comment.