

### **Executive Order 203**

NYS Executive Order 203 authorizes the Village of Springville to collaboratively investigate its Police Department and develop a plan of reform to assure that the Police Department efficiently, professionally, and fairly serves the Village of Springville residents.

To that end, the Village examined its Police Department according to the four major guidelines detailed in the *New York State Police Reform and Reinvention Collaborative Resource & Guide for Public Officials and Citizens*. A committee of stake holders met on October 21, 2020 to review the function and police strategies of the Village Police Department. Comments from the residents were solicited on the Village website from October 21, 2020 to November 30, 2020. A survey was launched on the Village Facebook page and the Village Website from December 4, 2020 through December 18, 2020. And a draft plan was developed in December for presentation to the public at a meeting scheduled on January 19, 2021. Dan Grasso will review the reform plan as an interested stakeholder.

### **NYS Executive Order 203 Time Line in Springville**

June 12, 2020	Executive Order 203 signed by Governor Cuomo
August 20, 2020	Springville receives Police Reform and Reinvention Collaborative Resources and Guide
September 14, 2020	Stakeholders Identified
October 8, 2020	Stakeholder Meeting advertised
October 21, 2020	Stakeholder Meeting
Oct 22- Nov 30, 2020	Review of material presented at meeting
Oct 21 - Nov 30, 2020	Public input solicited on Village website
Dec 4 – Dec 18, 2020	Survey launched on Village Facebook site
January 1, 2021	Preliminary Plan drafted
January 7, 2021	Public Meeting to review Preliminary Plan advertised
January 19, 2021	Preliminary Plan presented to public
Jan 20-29 2021	Revisions to Preliminary Plan after public meeting
February 1, 2021	Final Plan presented to Board of Trustees for adoption
February 16, 2021	Springville submits Certification to NYS Division of Budget

## **About the Village of Springville**

Springville is a rural village in southern Erie County at the intersection of Routes 39 and 219. It is 3.7 square miles in size and is located in the rural Town of Concord a mile north of Cattaraugus Creek. Springville has a population of 4,294. 96% of its population is white. The median age is 40. There are 1720 households. It has a poverty rate of 16%, and the median income is \$51,643. The Village provides police and fire protection, streets and parks services, water, sewer, waste water treatment, and electric utilities to the residents. The primary police agency in Springville is the Erie County Sheriff Office which by contract supplies road patrol and dispatching. The Springville Village Police is a part-time police force employing 14 officers and patrolling approximately 430 hours per month.

## **Stakeholder Meeting Oct 21, 2020**

Attendees: Officer in Charge Captain Nick Budney, Village Administrator Liz Melock, Village Mayor William Krebs, Springville Griffith School Superintendent Kimberly Moritz, Springville Baptist Church Pastor Kevin Friedman and Assistant DA David Heraty.

The minutes of this meeting are attached as Appendix 1. At the meeting Officer-In-Charge Nick Budney explained that the Springville Police Department is a part-time police department concerned primarily with community policing and traffic patrol. The Village of Springville has a contract with the Erie County Sheriff Office to provide around the clock road patrol for the Village. As such, ECSO is the primary police force in the Village of Springville, providing dispatching service and response to criminal calls. The ESCO and the Village Police share a substation at the Village Public Safety Building at 65 Franklin St. The goal of the Springville Police Department is to serve and protect in its supplemental capacity.

The Village Police Department community policing includes visits to high school every day, bicycle patrol, walking patrol on Main Street, senior center presentations, patrol of every Village side street every shift, attendance at Village festivals, special events such as “Shop With A Cop,” Cones for Kindness, school outreach visits to St Aloysius School, the Lutheran Day Care, Springville Griffith Institute Elementary, and SGI Middle School. The Village Police Department responds to first aid calls, individual assistance calls. Also, the Springville Police Department has high visibility with the Village Police Cars and names on their uniforms.

Officer in Charge Budney explained that the “Springville Model” provides comprehensive police service to the Village at a reasonable cost. Village officers are employed by other police agencies, so the Village reduces its training costs. Moreover local management of the Officers permits flexibility for community needs.

The Stakeholder Committee reviewed parts of the Village of Springville Police Department Manual regarding use of force. The Springville Police Department policies conform with New York State regulations. The Committee discussed taser and body camera use and the ineffective and inefficient use of both by a part-time Village Police Department concerned primarily with community policing.

Officer-In-Charge Budney pointed out that ECS Deputies handle 99% of the criminal cases in the Village. A prime example is the active shooter incident a few years ago at Country Fair convenient store in which three ECSO deputies responded within two minutes and saved lives of customers as they subdued the shooter.

Officer-In-Charge Budney reported that most complaints about Village Police Officers involve unhappy motorists receiving parking or speeding tickets, and most recently Officers who forget to wear a mask during a traffic stop.

### **Police Call Data**

Attached Appendix 2 lists the call data for the Springville Police Department from January 1, 2020 to November 1, 2020. The Springville zipcode includes area outside the Village. The Village Police responded to 37% of the calls. The five highest categories of calls are: traffic stop, property check, alarm, suspicious person/car, and accidents.

### **New York State Reform Guidelines and their Application to the Springville Police Department**

1. What Functions Should the Police Perform?
  - a. Determining roles of the police
  - b. Staffing, budgeting, equipping

*The Springville Police Department is a part-time Police Department with its primary goal of serving and protecting the residents through community policing. Because the Village has a Contract with ECSO to provide 24/7 police patrol, and because the ECSO provides dispatching and criminal response and investigation, the Springville Police Department can focus on its community policing mission. The Springville Village budget reflects this joint model of policing. \$525,404 appropriated for police protection: \$314,980 for the ECSO contract; \$210,424 for the Springville Village Police Department. The flexibility and local control on community policing is a needed service to residents and it is accomplished effectively and cost efficiently by the part-time police department.*

2. Employing Smart and Effective policing Standards and Strategies
  - a. Procedural justice and community policing

- b. Law enforcement strategies to reduce racial disparities and build trust
- c. Community engagement.

*The Springville Police Department primarily provides community policing and traffic control. The racial makeup of the Village is 96% white. Most complaints about policing involve traffic tickets. Of special note, the Springville Police Department included women Officer and currently has one minority Officers. The list of community engagement activities are listed in Appendix 1.*

### 3. Fostering Community Oriented Leadership, Culture and Accountability

- a. Leadership and Culture
- b. Tracking and reviewing use of force and identifying misconduct
- c. Internal Accountability for Misconduct
- d. Citizen Oversight and other external accountability
- e. Data, technology, and transparency

*The Springville Police Department is led by Officer-In-Charge Captain Nick Budney who reports to the Village Administrator and the Mayor. The Officer-In-Charge provides reports at every bimonthly Trustee Meeting which are open to the public to attend and to comment. Elected Trustee review these reports. Moreover, the Village Administrator is available in her office every day to talk to residents about Village service complaints and every elected official is available either by email or phone. Hence as a Village, Officials and Employees serve their neighbors. The Village is committed to hiring professionals in law enforcement. Officer-In-Charge Nick Budney has a BS in criminal justice, a MBA in Leadership, a graduate from FBINA, and has attained full time rank of Captain. Also, employees are a right to work/non union employees. While there are civil service regulations, the Village deals with employee problems. Complaints are reviewed and investigated by the Officer-In-Charge. Discipline if warranted is administered by the Village Board of Trustees per the current MOP (Suspension/Termination), which illustrates civilian oversight of disciplinary process.*

### 4. Recruiting and Supporting Excellent Personnel

- a. Recruiting a Diverse Workforce
- b. Training and Continuing Education
- c. Support Officers Wellness and Wellbeing

*The Springville Police Department is a part-time Police Department employing officers who work as police officers in other police agencies. Police shifts are determined by the Officer-In-*

*Charge as needed, and the Officers' availability to work is at their convenience. Training is often provided by their full time agency. And the Village hires only the best and the most willing officers to serve in our Village. As stated, this process has led to the hiring of women and minority officers. Our retention of Officers is high, but at times Officers move on as their individual situations change. Currently Springville Police Department has one minority Officer. The Village has made training a priority since 2016. There is annual training in firearms, use of force, blood borne pathogens, and harassment. Officers have been sent to NYS training facility in Oriskany for active shooter training, received diversity training and de-escalation training. Also the Village has committed to offering Officers online training opportunities on a wide variety of training as needed through PERMA. Also, Springville Officers were trained in DWI Detection and Apprehension, Stop the Bleeding Training, NARCAN, AED/CPR, OSHA/PESH Training and others for officers as needed.. Finally, Springville Police Officers conducted their own active shooter training at the local high school.*

### **Public Comment and Survey Results**

The Village solicited public comments on its website from October 21, 2020 to November 30, 2020. The Village received no comments to the Village website. Also, the Village launched a survey on its Facebook page and website from December 4 to December 18, 2020. 31 people responded to this survey and the results are listed below with the data attached in Appendix 3. Noteworthy conclusions from the comments and data gathered are: 25.8% of respondents have no problems in their neighborhoods, while most other problems are traffic or property code problems, most respondents interact with Springville Police Officers at public events or in their neighborhoods; most respondents think Springville Police Officers are professional; most respondents disagree strongly that Springville Police Officers overstep their legal authority; and most respondents neither agree nor disagree that Springville Police Officers treat males, females, teenagers, or minorities fairly.

### **The Draft Reform Plan to Improve Police Service**

The following *Springville Police Department Improvement Plan* is based on the careful review of the Stakeholders' Meeting, the Public Comments and Survey, and the analysis of Police Department function, strategies, leadership, and recruitment as suggested in the *NYS Police Reform and Reinvention Collaborative Resources and Guide for Public Officials and Citizens*

1. Police Complaint form is be posted on Village website [www.villageofspringvilleny.com](http://www.villageofspringvilleny.com) – Services – Police – top of page.
2. Officer in Charge will track any and all complaints (including complaints about tickets) to evaluate for patterns, need of training, and discipline.to achieve better accountability.
3. Officer In Charge will recommend to Board of Trustees updates in use of force policy to specifically address chokeholds to conform to new NYS DCJS/Federal guidance.
4. Officer in Charge will review policies and procedures annually to insure Department tactics and procedures are in line with law enforcement best practices.
5. Board of Trustee will budget additional hours specifically for departmental training.
6. Officer training will Include annual diversity, de-escalation and crisis intervention training. (Crisis Intervention Training has been on hold because of Pandemic.)
7. Officer In Charge, Village Administrator, and Village Trustees will continue to welcome engagement by residents and concerned citizens to address any perceived issues in a timely manner.

### **The Public Hearing: January 19, 2021 7:01 p.m. via GotoWebinar**

The Public Hearing on January 19, 2021 was held at the beginning of the Board of Trustee Meeting. A recording of the Public Hearing is part of the Board of Trustee Meeting of January 19, 2021 and is available on the Village Website

No one from the public made any comments. Comments from the Trustees are summarized below:

Trustee Nils Wikman questioned the wording on the draft report response to NYS suggestion #4 Recruiting and Supporting Excellent Personnel: *As such, scheduling is at the Officers convenience.* He said the sentence gives the impression that Officers are scheduled whenever they want to work. IN the past the Trustees have question the schudling of the Officers and would like to see the Officers work when needed and not at their personal convenience. Trustee Terry Skelton agreed. Trustee Kim Pazzuti said she thought the sentence was clarified in sentences which follow. Officer-In-Charge Budney explained that the meaning is that the shifts are designated as needed by him and the availability of the Officers to fill those shifts are determined by their availability to work, since they have full time police jobs with other agencies. Mayor Krebs suggested a revision: *Police shifts are determined by the Officer in Charge as needed, and the Officers' availability to work is at their convenience.*

Trustee Reed Braman asked for a clarification of Community Policing. Officer Nick Budney explained that the term means everything the police do as they interact with the residents of the Springville community. This includes calls for assistance or help, assignments at parades and special events, patrolling neighborhoods, as well as traffic control.

Mayor Krebs said he thinks this report is a worthwhile document which will justify to future Boards the need for the Springville Model of police protection which includes a partnership between the Erie County Sheriff Office and the part-time Village of Springville Police Department.

**The Final Reform Plan will be presented to the Village of Springville Board of Trustees for ratification at the February 1, 2021 Board meeting.**

## Appendices

### Appendix 1: Minutes of Stakeholders Meeting October 21, 2020

Police Reform Committee Meeting Minutes – Phase 1  
65 Franklin St Second Floor Court Room  
Attendees:

Oct 21, 2020 5:30 pm

Village of Springville Mayor Bill Krebs  
Village of Springville Administrator Liz Melock  
Village of Springville Officer in Charge Nick Budney  
Springville Griffith Institute Superintendent Kimberly Moritz  
Erie County District Attorney's Office David Heraty  
Faith Baptist Church Pastor Kevin Friedman

After brief introductions, there were handouts given out with Reform Considerations and Phase 1 guidance. No one from the public attended.

Officer in Charge Budney & Mayor Krebs gave an overview of the history of the Springville Police Department & Erie County Sheriffs who service the Village of Springville. The Village has a contract with Erie County Sheriff's to patrol the village as the prime police agency for a fee each year. The Village is a part time police department concerned primarily with community policing and traffic patrol. Number one complaint is parking tickets and right now masks. NYS Resource book is available online.

The participants wanted clarification on what community policing means and had no complaints with the police department. Officer Budney explained the community policing includes visits the high school every day, bicycle patrol, walking patrol on Main Street, senior center presentations, patrol of every Village side street every shift, attendance at Village festivals, special events such as "Shop With A Cop," Cones for Kindness, school outreach visits to St. Aloysius School, the Lutheran Day Care, Springville Griffith Institute Elementary, and SGI Middle School. The Village Police Department responds to first aid calls and individual assistance calls. Serve & Protect is the Springville model.

Reform considerations were discussed. Community Policing is the role of Springville Police as 99% of the criminal cases are handled by Erie County Sheriff deputies. Employment qualifications regarding attracting qualified part time police officers were discussed. School Resource Officer is very valuable to the school and community. State tracking on use of force, ethnicity, and diversity discussed.

Currently the complaints the village and department are receiving are about motorists that felt they should not have received a parking tick or speeding ticket. Due to the pandemic, officers not wearing masks at traffic stops have been reported also.

Participants were informed that there will be a public hearing in early 2021. The meeting end at 7:30 pm.



## Appendix 2: Springville Police Call Data

2020	JAN	FE B	MA R	AP R	MA Y	JUN E	JULY	AUG	SEP	OC T	NOV	DEC	Total
Speed	57	45	37	0	32	75	62	88	85	94	67	58	700
Red Light	1	3	0	0	0	0	1	1	0	2	4	6	18
Stop	10	5	5	0	1	6	8	10	3	11	6	3	68
DWI	0	0	0	0	0	0	0	0	0	0	0	0	0
Equip Ins/Reg	29	22	16	1	9	24	26	32	27	15	14	9	224
Cell	6	4	7	0	0	5	12	15	3	7	2	6	67
Seat	0	3	6	0	2	6	11	11	6	4	3	1	53
Cross	0	0	0	0	0	0	0	1	0	0	0	0	1
CVSV	8	3	7	10	10	12	7	7	2	18	3	12	99
Move Vio	9	8	8	0	4	5	6	12	15	14	9	19	109
Park	6	4	4	0	3	10	40	27	17	1	11	9	132
VTL Crime	2	2	1	0	0	1	1	5	3	3	2	2	22
PL Arrest	1	0	0	0	0	0	1	1	0	0	0	1	4
V. Ord	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	129/1 22	99/ 95	91/ 87	11/ 11	61/ 58	144/1 34	175/1 34	210/1 82	161/144	169 /16 8	121/1 10	126/1 16	1497/1 361

## November 1, 2020 CHARMS DATA

YTD - 6386 CLS (complaints) in Springville in the ECSO CAD system. While not all of these are in the village, they use the zip code, unable to segment by actual jurisdiction by computer search. The Village PD has handled or been with ECSO on 2365 of these CLS YTD. I have reached out to ECSO to see if there is a way to breakdown our department stats individually as we are guest users in their system (our officers show up as ECSO personnel). I don't believe there is in ENCAD/Charms, however CPS might be able to isolate.

As a point of reference - here are the majority of calls broken down in Springville zip:

Traffic Stop - 1644

Property Check - 1493

Alarm - 646

Suspicious Person/Car - 532

Accidents - 437

Assist Citizen - 341

Services Other (Anything from washing a car to Court) - 328

Premise Check Schools - 313

First Aid - 244

Lock Out - 36

6014 - out of 6386 calls

You can see how low the actual crime rate is in Springville - as only 372 cls left to cover every other type of call in their dispatch system.

Will keep working on trying to get a Springville specific breakdown, but short of printing the 2365 complaints and manually tallying, I don't believe there is a way to do it in the EnCad system.

--

Lt. Nicholas Budney  
Officer in Charge

### **Appendix 3 : Citizen Written Comments and Survey Results**

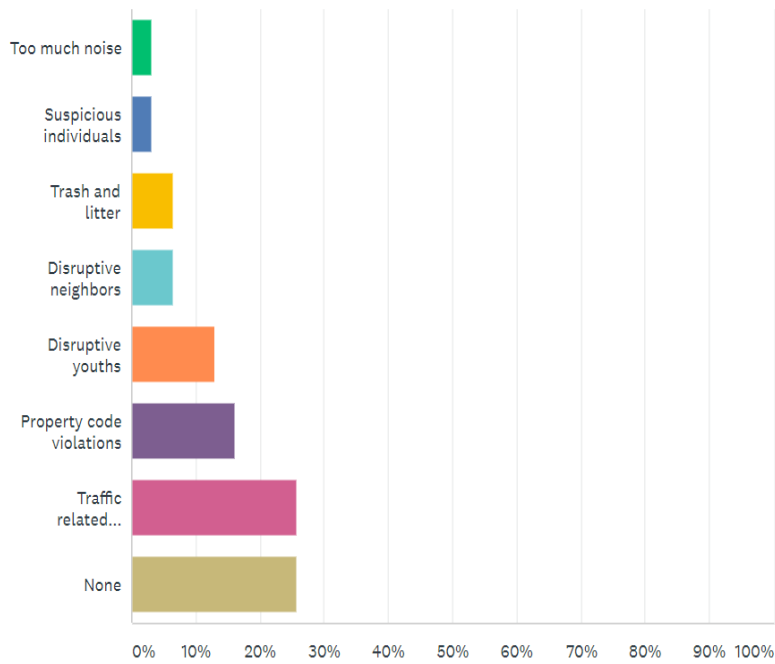
*(There were no written responses to Website invitation October 21 – November 20, 2020)*

DRAFT

**Springville Police Department Survey**  
**Springville, NY**  
**December 4 – 18, 2020**

What problems do you face in your neighborhood?

Answered: 31 Skipped: 0



ANSWER CHOICES	RESPONSES
▼ Too much noise	3.23% 1
▼ Suspicious individuals	3.23% 1
▼ Trash and litter	6.45% 2
▼ Disruptive neighbors	6.45% 2
▼ Disruptive youths	12.90% 4
▼ Property code violations	16.13% 5
▼ Traffic related problems	25.81% 8
▼ None	25.81% 8
<b>TOTAL</b>	<b>31</b>

Q2

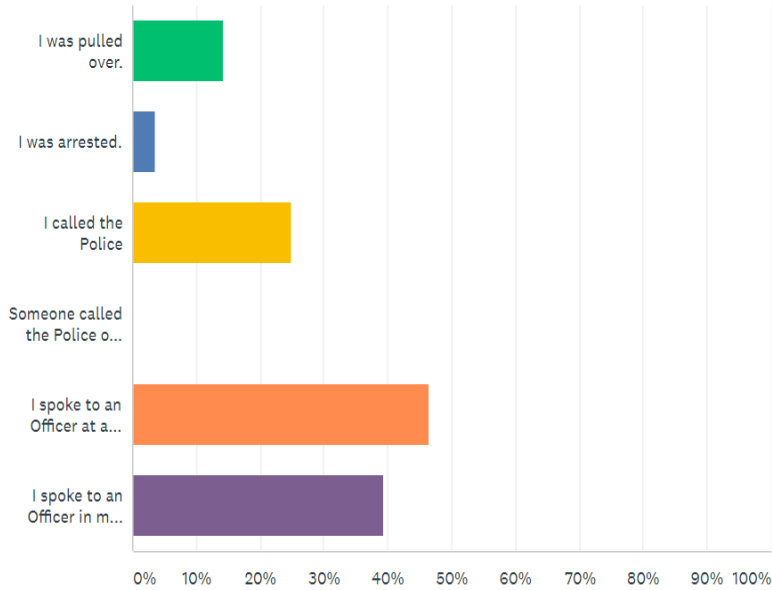


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## In what ways have you had formal interaction with a Village of Springville Police Officer?

Answered: 28 Skipped: 3



ANSWER CHOICES	RESPONSES
▼ I was pulled over.	14.29% 4
▼ I was arrested.	3.57% 1
▼ I called the Police	25.00% 7
▼ Someone called the Police on me.	0.00% 0
▼ I spoke to an Officer at a public event	46.43% 13
▼ I spoke to an Officer in my neighborhood.	39.29% 11
<b>Total Respondents: 28</b>	

Q3

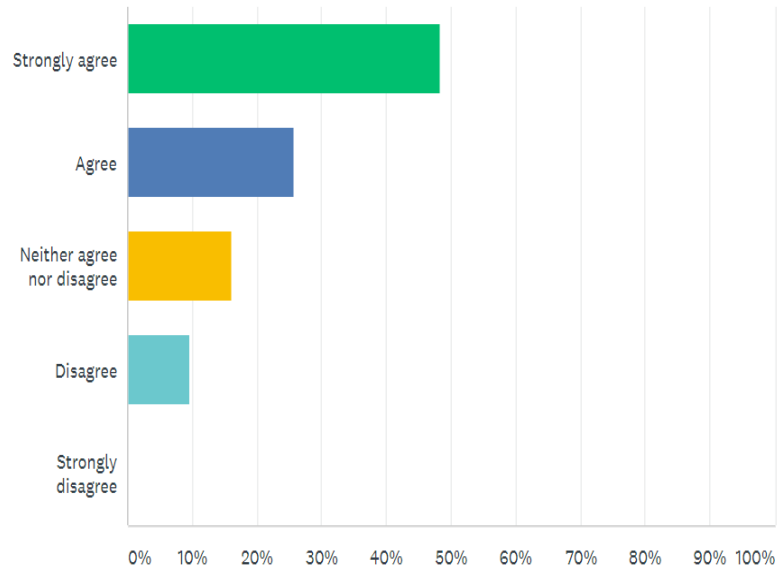


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## Springville Police Officers are professional.

Answered: 31 Skipped: 0



ANSWER CHOICES	RESPONSES
Strongly agree	48.39% 15
Agree	25.81% 8
Neither agree nor disagree	16.13% 5
Disagree	9.68% 3
Strongly disagree	0.00% 0
<b>TOTAL</b>	<b>31</b>

Q4

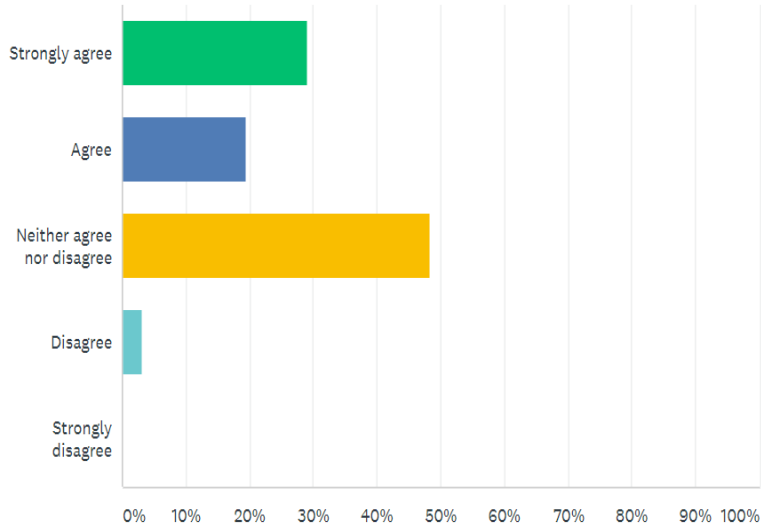


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### Springville Police Officers treat teenagers fairly.

Answered: 31 Skipped: 0



ANSWER CHOICES	RESPONSES
Strongly agree	29.03% 9
Agree	19.35% 6
Neither agree nor disagree	48.39% 15
Disagree	3.23% 1
Strongly disagree	0.00% 0
<b>TOTAL</b>	<b>31</b>

Q5

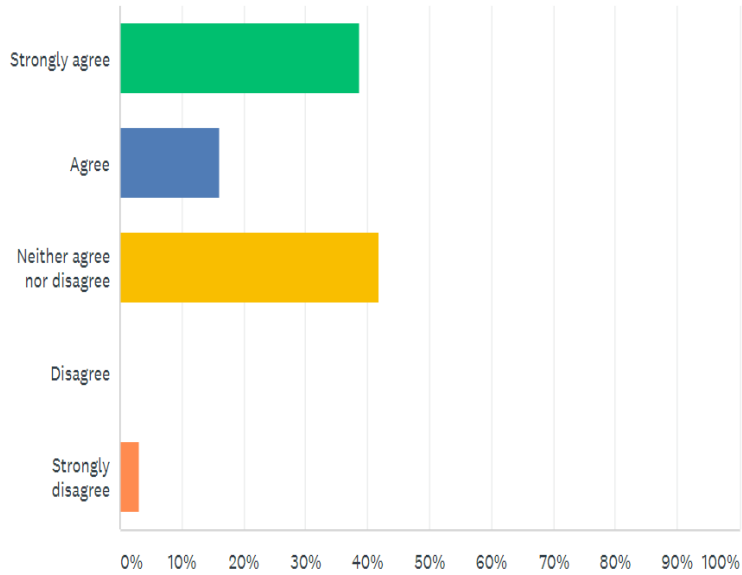


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### Springville Police Officers treat females fairly.

Answered: 31 Skipped: 0



ANSWER CHOICES	RESPONSES
▼ Strongly agree	38.71% 12
▼ Agree	16.13% 5
▼ Neither agree nor disagree	41.94% 13
▼ Disagree	0.00% 0
▼ Strongly disagree	3.23% 1
<b>TOTAL</b>	<b>31</b>



Q6

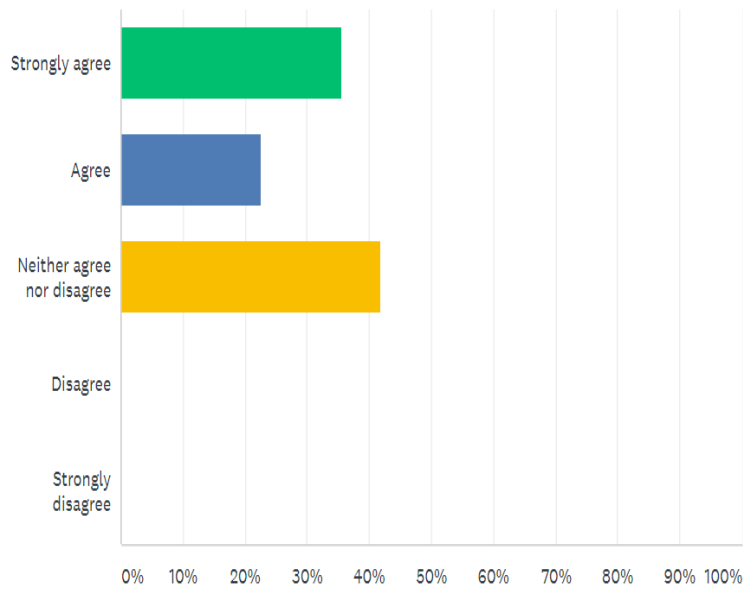


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## Springville Police Officers treat males fairly?

Answered: 31 Skipped: 0



ANSWER CHOICES	RESPONSES
Strongly agree	35.48% 11
Agree	22.58% 7
Neither agree nor disagree	41.94% 13
Disagree	0.00% 0
Strongly disagree	0.00% 0
<b>TOTAL</b>	<b>31</b>

Q7

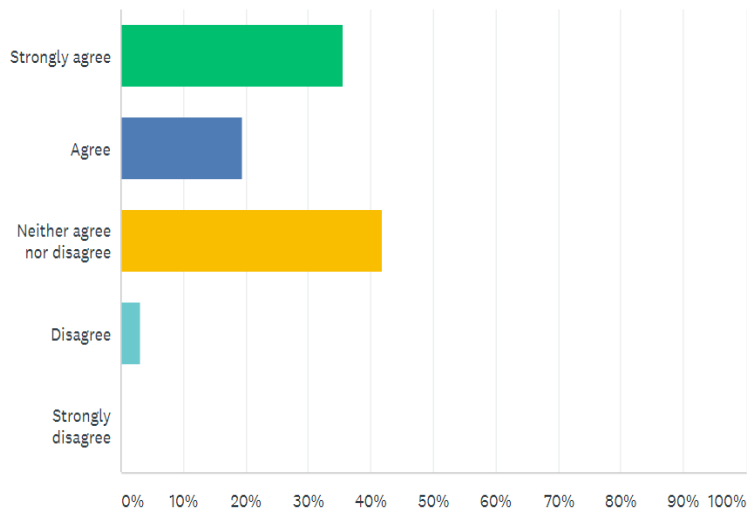


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### Springville Police Officers treat minorities fairly.

Answered: 31 Skipped: 0



ANSWER CHOICES	RESPONSES
Strongly agree	35.48% 11
Agree	19.35% 6
Neither agree nor disagree	41.94% 13
Disagree	3.23% 1
Strongly disagree	0.00% 0
<b>TOTAL</b>	<b>31</b>



Q8

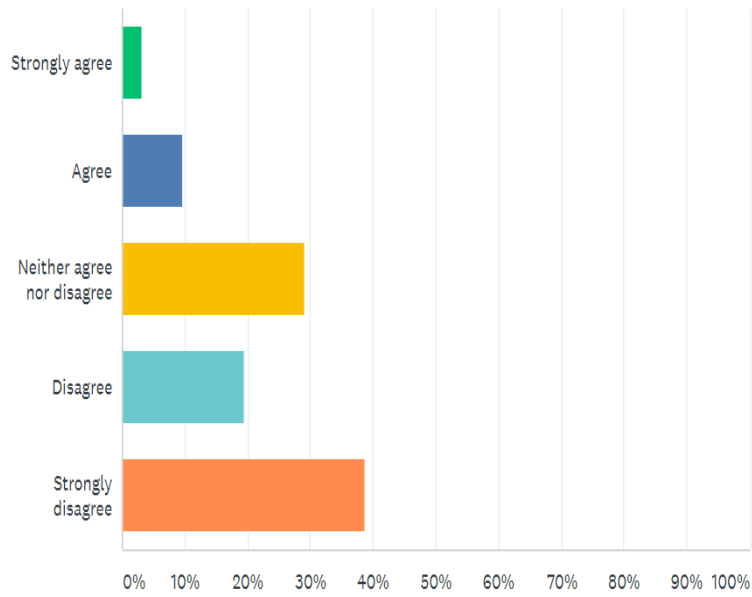


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## Springville Police Officers overstep their legal authority.

Answered: 31 Skipped: 0



ANSWER CHOICES	RESPONSES
▼ Strongly agree	3.23% 1
▼ Agree	9.68% 3
▼ Neither agree nor disagree	29.03% 9
▼ Disagree	19.35% 6
▼ Strongly disagree	38.71% 12
<b>TOTAL</b>	<b>31</b>

Q9

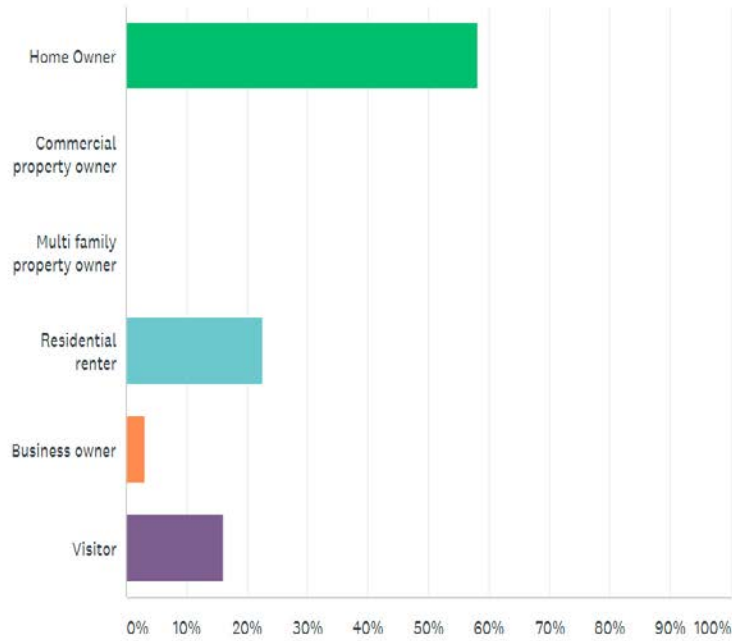


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## Connection to the Village?

Answered: 31 Skipped: 0



ANSWER CHOICES	RESPONSES
▼ Home Owner	58.06% 18
▼ Commercial property owner	0.00% 0
▼ Multi family property owner	0.00% 0
▼ Residential renter	22.58% 7
▼ Business owner	3.23% 1
▼ Visitor	16.13% 5
<b>TOTAL</b>	<b>31</b>

Q10

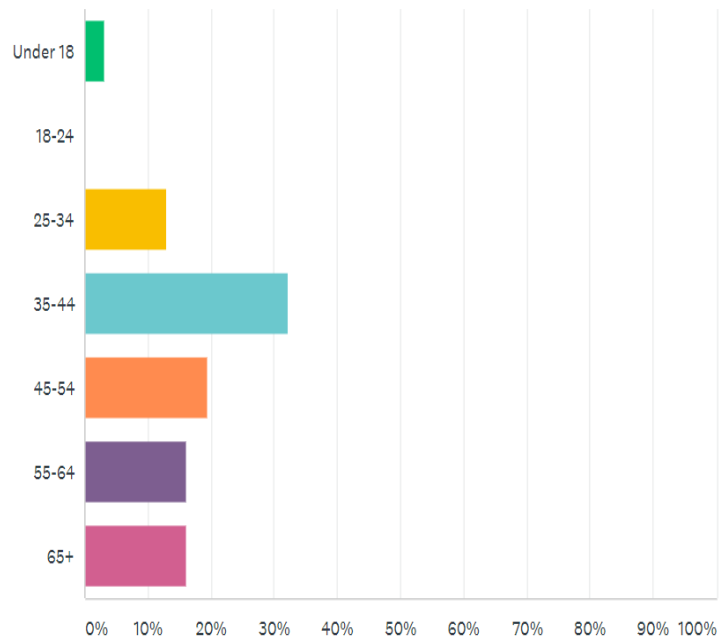


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Age:

Answered: 31 Skipped: 0



ANSWER CHOICES	RESPONSES	
▼ Under 18	3.23%	1
▼ 18-24	0.00%	0
▼ 25-34	12.90%	4
▼ 35-44	32.26%	10
▼ 45-54	19.35%	6
▼ 55-64	16.13%	5
▼ 65+	16.13%	5
<b>TOTAL</b>		<b>31</b>