

**SPECIAL  
PROTECTIVE SERVICES COMMITTEE MEETING  
Held via Audio Webinar Pursuant to Temporary Emergency Orders  
Members: Chairwoman Nacerino & Legislators Sayegh & Sullivan**

**Tuesday**

**March 9, 2021**

**(Immediately Followed the 6:00pm Personnel Committee Mtg.)**

The meeting was called to order at 6:07PM by Chairwoman Nacerino who requested that Legislator Sayegh lead in the Pledge of Allegiance. Upon roll call Legislators Sayegh, Sullivan and Chairwoman Nacerino were present.

**Item #3 - Approval/ Police Policy Review Panel's "Plan"/ Per Executive Order #203**

Chairwoman Nacerino stated after the February 18<sup>th</sup> Protective Services Meeting, she sent a memo to Sheriff Langley dated February 22<sup>nd</sup> requesting Sheriff Langley submit the current Sheriff's Department Police policies, which would be included in the PPRP "Plan". She stated Sheriff Langley replied March 5<sup>th</sup> with 6 of the 14 policies previously submitted to the Panel for review. She stated County Attorney Bumgarner sent a memo today calling into question the accuracy and representations made by the Sheriff in his memo of March 5<sup>th</sup>. She stated including whether his submission of Police policies to the panel is in compliance with the Executive Order (EO) 203. She stated County Attorney Bumgarner is on the call tonight. She requested County Attorney Bumgarner provide her professional opinion as to whether the "Plan" that is before the Committee this evening is ready for consideration and potential forwarding to the Special Full Meeting for adoption this evening.

County Attorney Bumgarner stated if in fact the Sheriff's Department had provided all current policies relevant to EO 203, to the panel for review then it would be in compliance with the EO. She stated she believes the question at this point is what are the current policies of the Sheriff's Department that are relevant to the EO, and has the panel been provided with all of them in a timely enough manner so they could be reviewed prior to the submission of the plan. She stated members of the Sheriff's Department who were present at the March 3<sup>rd</sup> meeting said the policies prepared and presented to the panel were the ones that had been prepared in conjunction with LEXIPOL. She stated Sheriff Langley, Undersheriff Cheverko and Captain Ortolano indicated they had not finalized all 13 policies, they were in draft form, and they had not been finalized by the Sheriff's Department. She stated it was suggested they provide the finalized plans, so it was understood which plans were to be reviewed. She stated five (5) finalized plans were provided on March 2<sup>nd</sup> and March 5<sup>th</sup>. She stated the five (5) finalized plans included the Use of Force, Use of Force Review Board Policies, the Discriminatory Harassment Policies. She spoke to these policies. She stated she would like the Sheriff to state on the record that the policies submitted, are current policies of the Sheriff's Department, since that is what is required by the EO. She stated the County Executive is required to certify the Plan. She explained until the County Executive is assured that all of the current policies have been reviewed by the panel, which is a statement she would be certifying to, and the subcommittees are comfortable that they have had opportunity to review whatever changes have been made. She requested this Committee consider tabling this item to the March 18<sup>th</sup> Protective Services Meeting. She stated the panel and subcommittees would have another week to ensure they are comfortable with all

the policies and the changes made thereto as well as in fact being sure they are the current policies.

Chairwoman Nacerino requested that the Sheriff comment and ascertain whether the current policies are indeed the policies moving forward.

Sheriff Robert Langley stated they are their policies moving forward. He explained policies must change to comply with Federal and State Laws and regulations. He stated he will send the draft polices to the Legislature tomorrow.

Chairwoman Nacerino stated for the record, the Sheriff has clarified and confirmed whether in a draft form or not, the policies submitted are the policies the Sheriff's Department is following.

Legislator Sullivan stated County Attorney mentioned there have been changes made to the drafts. He requested the County Attorney provide a copy of the edited documents with the revisions redlined. He stated the members of the Police Policy Review Panel are supposed to approve the changes to the policies.

County Attorney Bumgarner stated members of her office have highlighted all of the changes and will provide them to the Legislature.

Chairwoman Nacerino thanked the County Attorney and stated she will be proposing this matter be tabled to the March 18<sup>th</sup> Protective Services meeting, which will provide ample time for all the required parties to review the policies that have been changed.

Legislator Montgomery stated as there seems to be some confusion regarding what was requested of the Sheriff's Department, she requested a copy of the document that was sent to the Sheriff's Department requesting, formally, that the policies be changed.

County Attorney Bumgarner stated the EO provides that a comprehensive review of current police force policies and procedures and practices be performed. She stated there was no memo, this was a collaborative process that occurred at the Panel meetings. She stated at the first meeting it was specifically said to the Undersheriff that the Panel needed to get a copy of the Sheriff's Department policies so they could begin the review process. She stated it was told that the policies would be uploaded to the County website, etc. She continued to speak to what occurred from that point forward.

Legislator Addonizio stated she believed the subgroups' final edits/revisions were due on February 9, 2021, in order to bring it forward for consideration by the Legislature on March 9<sup>th</sup>, tonight's meeting, and meet the deadline of April 1<sup>st</sup>, stated in the EO 203. She stated her agreement that this matter should be tabled to the March 18<sup>th</sup> meeting, due to the inadequate time to review the policy changes.

County Attorney Bumgarner stated in order to ensure the County Executive is comfortable signing the certification at the end of this process, all the policies relevant to EO 203 must be reviewed by the Panel and the members of the Legislature. She stated to ensure that all the

relevant policies have been included, she requested the Sheriff's Department provide a list of all of the policies in the Sheriff's Department.

Sheriff Langley requested that request be sent to him via a departmental memorandum, so it is clear.

Chairwoman Nacerino confirmed that will be done.

Legislator Montgomery questioned out of the 130 plus policies in the Sheriff's Department, who picked the 14 policies that are being reviewed.

Chairwoman Nacerino stated they were picked by the Sheriff's Department.

Legislator Montgomery stated she believes there lies the issue with this process. She stated the nature of the EO was not to have the Sheriff do this. She stated it would have been in the County's best interest to have formally requested of the Sheriff what was wanted, and she does not believe that happened. She stated she is glad we are moving this forward and hopes for a great plan.

Legislator Sullivan stated it was clear back in 2020, when the EO was issued that the policies, procedures, tactics etc. of the policing policies be reviewed. He stated this was part of the discussion had with the Sheriff and the Undersheriff. He stated in fact, it was discussed that they would wait for the Department of Criminal Justice Services (DCJS) documents to provide more guidance. He stated Undersheriff Cheverko stated that would highlight the policies that needed to be reviewed. He stated he understood that it was left up to the discretion of the Sheriff to determine which policies fell into the EO 203. He stated those are the 14 policies that Sheriff Langley had provided. He stated for clarification it was not the members of the Police Panel who determined which policies would be included in this document. He continued and read a message from one of the subgroups that listed questions they had and the changes they would like to see in a direct and transparent manner etc. He stated in summary they requested more time to finalize their portion of this process. He stated he is glad this committee will be tabling this item to the March 18<sup>th</sup> meeting.

Chairwoman Nacerino provided a brief recap.

Chairwoman Nacerino made a motion to table the Approval/ Police Policy Review Panel's "Plan"/ Per Executive Order #203; Seconded by Legislator Sayegh and Sullivan. All in favor.

#### **Item #4 - Discussion/ Formation of a police reform advisory board / Chairwoman Nacerino**

Chairwoman Nacerino stated members of the Police Policy Review Panel Subcommittee, People of Color, are on the call this evening: Mr. Scott Rhodes, Ms. Jenie Fu, and Mr. Ronald Reid. She stated they have requested the proposal for the formation of a Putnam County public accountability board to be added to the agenda this evening. She stated tonight this is an opportunity for them to present their proposal. She stated at this point, this matter is informational only. She continued to speak to this matter.

Jenie Fu provided a brief overview of what they would like to achieve through formation of the committee. She stated the purpose of the public accountability committee would be to continue the work of the EO 203. She stated we know police reform does not take place in two months, nine months, it is ongoing. She stated there are subcommittee members who are committed to seeing the changes through.

Scott Rhodes continued to explain they believe this would create a legitimate platform. He provided an overview of their proposal. He stated their proposal is to have the County Executive's Office, the Legislature and the Sheriff's Department involved. He stated this is a community minded proposal that will bring everyone together, while making sure we are pushing police reform and police policy forward. He stated that is their intent. He stated they did not want all the hard work of the subcommittees to fall on deaf ears or be for not. He stated if there are issues or discrepancies with any of the policies that are to move forward, this will allow the community to have a voice in that and help effect change.

Chairwoman Nacerino expressed her support for the proposal. She stated at this time we cannot move forward until after the April 1<sup>st</sup> 2021 deadline of the County's PPRP "Plan" submission to the State. She invited the subcommittee to come back to the April meeting. She stated she will contact them with the date of the April Protective Services Committee meeting once it has been scheduled. She stated the members of the Legislature will review the documentation provided with this proposal and should there be any questions they can be addressed at the April meeting.

Ronald Reid stated their focus is to get the work done. He stated they want members of the public who feel disenfranchised from the County to feel they are truly stakeholders in the County. He stated they are truly working to get work done that needs to be urgently done through the reform.

Chairwoman Nacerino stated for clarification, this board would not be a complaint board, it would be an advisory board.

Legislator Sullivan stated he wanted to state his appreciation to Mr. Rhodes, Mr. Reid and Ms. Fu for the work they did on the PPRP and subgroup. He requested that they review the policies and practices the Sheriff's Department has submitted to make sure they include the changes, and reforms that they want. He stated the formation of the board would be to make sure what is in the "Plan" is carried out after the April 1<sup>st</sup> deadline.

Chairwoman Nacerino stated there are still many facts to be considered in the formation of the board, and so the research begins.

Scott Rhodes stated yes, they have dedicated countless hours working with a lot of key stakeholders throughout the community. He stated their work is ongoing, it has not stopped, and they will continue to keep going until the plan is adopted and ratified.

Sheriff Langley stated his appreciation to the work done by Mr. Rhodes, Ms. Fu and Mr. Reid. He stated that he looks forward to working with them for the betterment of Putnam County.

Legislator Sayegh stated she appreciates the input from this important subcommittee and looks forward to continuing the dialogue. She stated this is the first step not the last. She stated she believes discussion leads to transparency, which leads to accountability which helps to build trust in the community. She stated the need to develop “transparency, accountability and trust” have been the focus in all the discussions and work done to date. She expressed her appreciation for their hours of work and their commitment to continuing this into the future.

Legislator Jonke expressed his appreciation to Mr. Rhodes, Ms. Fu and Mr. Reid for their effort. He stated this is important and a positive for Putnam County. He stated this is an opportunity to have fresh, non-political eyes on our policies and the Sheriff’s Office. He stated he is happy to hear the Sheriff welcomes the formation of an advisory committee. He stated the communication that will come from this will be important to the transparency we need. He stated this world is a different place than it was a year ago. He stated he sees this as a big step moving forward.

Ronald Reid took a moment to recognize the other subcommittees and members. He stated he did not want to be remiss and not mention them, as they have all worked together.

Chairwoman Nacerino stated absolutely they will have the Legislature’s support moving forward. She stated this evening there has been much deserved recognition given of all the hard work of the subgroup members. She stated she looks forward to the ongoing dialogue moving forward.

Legislator Montgomery stated she also agrees a citizens advisory committee is a fantastic idea. She stated she is happy these folks approached the Sheriff, and he was receptive. She stated she believes great things happen when the citizenry is included in the process.

Chairwoman Nacerino stated she agrees and looks forward to approving this committee in the upcoming months. She stated it will be structured through the Legislature. She stated the Sheriff did mention an advisory board in his memo. She stated it is not the same one we are talking about, or the one the County Executive has spoken about. She stated the logistics will come together and it will be discussed next month with a more definitive structure.

Sheriff Langley stated he would not want redundancy and have two (2) advisory committees. He stated he and his department will always be open to the advisory committee, once the finalized structure of this committee is complete, he will review it. He stated if it is redundant, he does not see the need for another advisory committee.

Chairwoman Nacerino stated she agrees, and the Sheriff will be a part of the advisory committee as well as appointing a representative from the Sheriff’s Department.

Legislator Addonizio stated she spoke to Mr. Rhodes, Ms. Fu and Mr. Reid and told them that she was instrumental in bringing the “Hope Not Handcuffs” program to the Sheriff’s

Department, the Carmel and Kent Police Departments in 2019. She stated Mr. Rhodes stated one of their goals is to bring community together. She stated she believes the “Hope Not Handcuffs” program has the ability to break down barriers that exist and bring the community and law enforcement together.

Chairwoman Nacerino brought the comments to an end. She stated this matter will be on the April meeting agenda and it will be discussed in more detail.

**Item#5 - Other Business – None**

**Item #6 - Adjournment**

There being no further business at 8:18p.m. Chairwoman Nacerino made a motion to adjourn; Seconded by Legislator Sullivan. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.