

Southampton Village Police Review Task Force

Presentation to Village Trustees

May 7, 2019

Introduction

- The Southampton Village Trustees (“Trustees”) engaged Edmund Hartnett Risk Management (“EHRM”) to assess the operations of the Southampton Village Police Department (“SVPD”).
- Mr. Hartnett is a former Deputy Chief of the NYPD and Police Commissioner of Yonkers. Mr. McCabe, Ph.D., is an Associate Professor of Criminal Justice at Sacred Heart University and served with the NYPD for 21 years.
- The Trustees formed the Southampton Village Police Review Task Force (“Task Force”) to review EHRM’s report and, where appropriate, make recommendations for personnel and operational changes to operate the SVPD more effectively and efficiently.
- The SVPD budget represents 45% of the total Village operating budget, and if the SVPD budget is left unchecked will further strain resources of the Village resulting in budget deficits and shortfalls in other services.
- The Village’s unfunded pension and other retirement liabilities stood at ~\$110 million as of the last fiscal year. Better managing personnel costs now will slow further increases in the unfunded pension liability.

Overview of Findings

- Based upon several metrics analyzed by EHRM, the SVPD is poorly managed with respect to utilization of personnel and taxpayer funds.
- In particular, patrol schedules are sub-optimal resulting in officers working fewer hours than contractually obligated to.
- Complete failure to manage overtime and sick pay is costing the Village hundreds of thousands of dollars unnecessarily. Sick pay and overtime are “egregiously” out of line with other police departments.
- SVPD is donating costly resources to other localities and constituencies [EEDTF, the school district; overtime for special events] and deploying an expensive canine unit without benefit or cost reimbursement to the Village.
- Operating policies and procedures are out of date and not adhered to. Outside private work policies do not conform with good police practice and present significant conflict of interest issues. Off duty use of departmental vehicles and equipment off duty exposes the Village to significant liability.
- Radio dispatch, the Detective Division and CRU lack proper supervision and are not well managed as outlined by EHRM.

Collective Bargaining Agreements

- The Trustees can implement many of EHRM's recommended changes without renegotiating existing collective bargaining agreements ("CBA").
- However, the CBAs approved by prior administrations and the contract with the Chief were highly favorable to employees to the material detriment of the Village.
- Existing CBAs will limit the ability of the Trustees to implement certain recommended changes that could save the Village additional millions in expenditures with no degradation in service levels.
- The Trustees should focus on what the Village can afford to budget for the police and dispatch operations, not what other municipalities are budgeting.
- Recommended reductions in officer headcount will not only reduce current expenditures, but will reduce the unsustainable growth in unfunded retirement liabilities.

Patrol Division

- The present SVPD patrol shifts conform to the Suffolk County PD shift schedules, which does not make sense for a small department.
- The present shift schedule is materially inefficient, which results in much higher overtime, night shift differential and inefficient utilization of patrol officers and supervisors.
- Proposed changes to the shift schedules are permitted under the CBA since the proposed changes would not result in officers working more hours/days than specified under their contract. Under the existing shift schedule officers actually owe the Village hours that should be utilized for training and other activities.
- The recommended changes to patrol shift schedules are complicated and further work will be required before specific recommendations can be made.
- Arrest statistics are likely inflated by traffic stops for expired registrations being classified as arrests rather than traffic violations. EHRM recommends that the SVPD should focus more on more serious traffic violations such as speeding, running stop signs and DUI.

Detective Division

- Given the low crime rate in Southampton Village and below average clearance rates, it is difficult to justify the Village maintaining a dedicated Detective Division.
- Major crimes are investigated by detectives in superior police departments. SVPD detectives investigate lower-level crimes. Notably, over the past 4 years, 98% of crimes investigated were property crimes.
- SVPD clearance rate is 18% versus average clearance rate of 22.3% for other small to medium size departments.
- Per EHRM's report, while assignment of cases is good, ongoing case management is substandard. Case management system is paper based and needs to be converted to an electronic case management system. No crime analysis or criminal intelligence to spot trends or hit problem areas. Detective scheduling does not conform to standards.
- In lieu of eliminating the Detective Division, recommend maintaining the Detective Sergeant and one detective.

Canine Unit

- Maintaining a Canine Unit is expensive.
- Based on ERHM's analysis, the Canine unit provides zero benefit to the Village.
- Canine unit works from 6PM to 2AM, which could not be explained and is inconsistent with shifts for canine deployment. Canine unit generates significant night shift differential pay because of the unusual shift schedule.
- Canine and handler report every week to Suffolk County PD for training. Per EHRM, this is excessive, unnecessary and counterproductive.
- Canine unit being deployed mainly by other local municipalities without reimbursement to the Village.

East End Drug Task Force

- SVPD has contributed an officer to the EEDTF for many years. It is considered to be a career enhancement position for promotion to Sergeant or Detective.
- Typically, the sponsoring agency of a task force (in this case the Suffolk County DA) reimburses police agencies for the cost of officers assigned to the task force. This is not the case with the EEDTF. SVPD bears the full cost of the assigned individual.
- Per EHRM, “the member assigned to the EEDTF received little in the way of supervision or oversight from his supervisor. His overtime apparently goes unchecked by the SVPD.” This individual submitted \$85,000 in overtime in the prior fiscal year.
- EHRM was unable to ascertain any clear benefit that the SVPD and the Village derived from having member assigned to the EEDTF.
- SVPD’s contribution to EEDTF resulted in no violent crimes solved, no wanted suspects located, no local gangs dismantled and no tangible impact on the local opioid crisis.
- There is no MOU in place for the SVPD to share in forfeited assets, which can be sizable. Reportedly, the only forfeited asset received by the SVPD was a used vehicle.

School Resource Officers

- The two school resource officers (“SRO”) are doing an excellent job.
- However, the current SRO shift schedule runs from 6:00AM to 2PM, and does *not* cover the dismissal time from the schools. SRO shift schedule should start one hour later to cover school dismissal at 3:00pm.
- 100% of the cost of the SROs is born by the SVPD at a cost of over \$400,000/year .
- However, the Town of Southampton School District should reimburse the SVPD for the cost of the SRO’s since the schools fall under the purview of the Town, not the Village.
- Most police departments in the US enter into agreements with school districts to provide SRO’s, but the cost is shared equitably by both the school district and the police department to account for schools being in session only part of the year.

Radio Dispatch

- Radio Dispatch receives, on average, 1.5 calls per hour. There is absolutely no economic or operational justification for maintaining a standalone Radio Dispatch operation at an annual cost of \$1.9 million for FY 2021/2022.
- The radio dispatch function can be transferred to a superior agency without any impact on response time or coverage. Existing dispatch technology is highly advanced and there is no benefit of having radio dispatchers physically located within the Village proper.
- Several other local municipalities have contracted radio dispatch to superior police agencies in Suffolk County.
- Per EHRM, radio dispatch has an “egregious amount of overtime and sick-time”. The radio dispatch department is not being properly managed and personnel who claim the most sick time also tend to receive the most overtime.

Policies and Procedures

- Policies and procedures need to be updated and reformatted by topic.
- Policies are not clear and not being adhered to in many cases.
- Policy regarding off duty employment needs to be revisited. Allowing officers to work off duty in the Village and Town of Southampton raises significant conflict of interest issues.
- Reportedly, the Chief and other members superior in rank to police officer have private security businesses that operate in the Village and Town. Such arrangements would not be allowed in other police departments because of conflict of interest. Furthermore, the Chief has the discretion to approve off duty employment, which also presents conflict of interest issues.
- Use of vehicles and equipment for off duty use should immediately be prohibited. Detectives should not use departmental vehicles for commuting. Use of vehicles and equipment off-duty exposes the Village to potentially significant liability and higher insurance costs.
- Prohibition of political activity while on duty or in uniform needs to be enforced. Photographic evidence of police officers in uniform distributing political material was provided to the Task Force. An investigation into political activity by officers while on duty and in uniform is needed.

Hiring Practices

- The SVPD needs to revisit its hiring practices and search for more diversified candidates.
- The last 10 hires by the SVPD were white males.
- The requirement for applicants to be village residents at the time of application is being abused. Once hired, police officers are not required to be Village residents. Reportedly, only one or two officers are currently Village residents.
- The Task Force received documentation that a white male candidate related to a senior SVPD officer was offered employment over a Black female candidate who scored higher on the civil service exam than the white male candidate, because at the time of the opening the female candidate was not a Village resident. The male candidate temporarily established residency in the Village just before the posting opened and was subsequently hired. This accusation of nepotism and hiring discrimination needs to be investigated further.

Summary and Recommendations

- The men and women of the SVPD are well trained, professional and well regarded by the community. Any criticism of the SVPD relates to how the SVPD is managed. We thank the SVPD officers for their dedication to their jobs.
- The SVPD needs much greater oversight by the Village Trustees. Having one Trustee serves as police liaison is ineffective as the police liaison has no authority over the SVPD. The Task Force recommends that (1) the Trustees serve as the SVPD oversight board, (2) the Chief report to the oversight board monthly and (3) the oversight board approve major decisions in advance.
- Based upon the analysis and recommendations from EHRM's report we recommend that the canine unit be disbanded, pulling the detective from the EEDTF, eliminating 2 other detective positions and if not reimbursed by the Town, consider making SROs available for patrol duties for most of their shifts.
- The recommended reductions in positions will not have a material impact on the safety or service levels to Village residents and would save the Village over \$1 million per year in salary and benefits. While the Village cannot unilaterally contract out radio dispatch, if it were to do so, the Village would be able to save a material portion of the \$1.9 million currently budgeted by contracting radio dispatch to a superior agency (e.g., Town of Southampton).
- We also recommend that the Village seek to negotiate with the police and dispatch unions to modify existing CBAs to enable the Village to implement necessary changes to policies and procedures that are out of the norm of other police contracts.