

EXECUTIVE ORDERS

Executive Order No. 23: Establishing a Task Force on Police-on-Police Shootings

WHEREAS, law enforcement officers heroically put their lives at risk every day to protect the citizens of New York State; and

WHEREAS, everything possible must be done to protect these brave officers and reduce the risk of death or injury that they face; and

WHEREAS, there have been tragic incidents in which officers have mistakenly wounded or killed other officers who are not in uniform when they are off-duty or undercover; and

WHEREAS, in one such recent incident, on May 28, 2009, off-duty New York City Police Department Officer Omar Edwards was mistakenly shot dead by another officer as Edwards chased a suspect who had broken into Edwards' car; and

WHEREAS, in another such incident, on January 25, 2008, off-duty Mount Vernon Police Department Officer Christopher Ridley was mistakenly shot dead by officers from another department as Ridley was holding a suspect; and

WHEREAS, we must do everything we can to prevent another such tragedy in the future; and

WHEREAS, we must provide our law enforcement officers with the training, tools, and technology to keep them, and other officers, safe.

NOW, THEREFORE, I, David A. Paterson, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York do hereby order as follows:

A. Creation, Mandate and Reporting Duties of the Task Force

1. There is hereby created the Task Force on Police-on-Police Shootings ("Task Force") to examine the issues and implications arising from police-on-police shootings and confrontations, especially between on-duty and off-duty officers, between uniformed and undercover officers, and between officers of different races, nationalities and ethnicities, and how to prevent such incidents in the future.

2. The Task Force shall examine all matters that it deems relevant to these issues with particular emphasis upon examining how training, tactics, policies and procedures, technology and equipment, and sociological and psychological factors may contribute to such shootings and confrontations and/or help prevent such incidents and improve both officer safety and public safety.

3. The Task Force shall examine, and where it deems appropriate, inquire into and make recommendations as to matters including but not limited to:

a. Statistics, data and descriptions concerning police-on-police shootings in New York and other states and jurisdictions. This review will include an examination of the frequency, circumstances, and causes of shootings between on-duty and off-duty officers and uniformed and undercover officers and between officers of different races, nationalities and ethnicities.

b. Good practices, tactics, training, policies, and procedures that may safely prevent or resolve confrontations between on-duty and off-duty officers and uniformed and undercover officers and between officers of different races, nationalities and ethnicities, that are used, recommended, or under consideration by law enforcement agencies, relevant professional organizations, and experts.

c. Training for officers, including possible state-wide curriculum for new and experienced officers, arrangements for providing all of-

ficers across the state with such training, and development and provision of facilities for interactive tactical training.

d. Available technologies that might be used to prevent police-on-police shootings, and the possible development or adaptation of technologies for this purpose.

e. The sociological and psychological factors and other conditions that may lead to, or result from, police-on-police shootings, especially such shootings involving off-duty and undercover officers and officers of different races, nationalities and ethnicities.

f. The experiences, insights, and recommendations of current and former police officers across New York State who have been at risk or felt themselves at risk from police-on-police shootings while off-duty or working undercover, especially but not limited to officers of any racial, ethnic, or national minority.

g. The organizational and managerial structures and processes that may help to implement the matters described above to prevent or reduce police-on-police shootings, especially involving off-duty and undercover officers and officers of different races, nationalities and ethnicities.

4. The Task Force shall strive to make its recommendations by consensus wherever possible and shall engage, and solicit the input of, a broad and diverse range of groups, organizations and individuals, including, but not limited to:

a. Law enforcement officers, organizations and experts.

b. Community representatives and leaders, and interested citizens.

c. Criminologists, sociologists, psychologists and other relevant academics and experts.

d. Experts on issues relevant to law enforcement interaction with minorities and minority communities.

e. Whatever other groups, organizations, or individuals the Task Force considers relevant.

5. The Task Force shall issue a report with such recommendations and findings as it deems proper within six months of the date that it begins its substantive review process as determined by the Chair. The Task Force's report may include proposals for legislation, regulations and policies that it believes would advance the goals of the Task Force.

6. Upon the filing of the report, the Task Force's mandate will expire and the Task Force will cease to exist.

B. Composition and Structure of Task Force

1. The Task Force shall be led by a Chair and consist of no more than 9 members, including the Chair, all appointed by the Governor. The Chair may appoint an Executive Director to assist the work of the Task Force.

2. A majority of the total members of the Task Force who have been nominated and appointed shall constitute a quorum, and all recommendations of the Task Force shall require approval of a majority of the total members of the Task Force who have been nominated and appointed.

3. The Task Force may meet in person or by telephone or by using other communication technologies, and may hold meetings to discuss issues even in the absence of a quorum. As noted above, the Task Force shall attempt to engage, and solicit the input of, a broad and diverse range of groups, organizations, and individuals. In doing so the Task Force may use whatever networking and communication technologies will most effectively further its mission and facilitate this outreach.

4. Members of the Task Force shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their duties.

C. Cooperation with Task Force

1. Staff support for the Task Force shall be provided by the Division of Criminal Justice Services, the Division of Budget, the Department of Health, the Office for Technology, and the Executive Chamber.

2. Additionally, the Task Force may draw upon the human resources and expertise of private institutions, including those institutions associated with individuals appointed to the Task Force, as those private institutions deem appropriate. Such assistance shall be provided without financial remuneration and shall not be provided with any intent to influence the deliberations of the Task Force to the advantage of the participating private entity.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany, this twenty-fourth day of June in the year two thousand nine.

BY THE GOVERNOR

/S/ David A. Paterson

/s/ William J. Cunningham

Secretary to the Governor