



**CITY OF RYE  
1051 BOSTON POST ROAD  
RYE, NY 10580**

**REGULAR MEETING OF THE CITY COUNCIL**

**Council Chambers, City Hall**

**Wednesday, January 28, 2026**

**6:30 p.m. Executive Session**

**7:00 p.m. Public Session**

If you wish to address the Council, kindly sign in with the Clerk by completing the Speaker Form. The Mayor and Councilmembers are happy to meet with residents at City Hall. Check the City website for the “office hours” schedule at <https://www.ryeny.gov/government/city-council>.

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**AGENDA**

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1. Call to Order *Mayor*

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**EXECUTIVE SESSION I**

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2. Matters covered under NYS Public Officers Law Article 7 §105
- a. Personnel *Mayor*
  - b. Litigation *Corporation Counsel*
  - c. Potential Acquisition of Property *Corporation Counsel*

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**WELCOME**

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3. Pledge of Allegiance and Welcome to the Public *Mayor*
4. Roll Call *Clerk*
5. Presentations *Mayor*
- a. Presentation by Brian Harper on the New York Blood Center and ongoing Blood Emergency
  - b. Presentation by Christine Siller on Y DEC Grant for the Rye Nature Center’s Blind Brook restoration project to improve wetland habitat and flood mitigation

- c. Presentation by Alison Relyea, Chair of the Landmarks Advisory Committee, on a new initiative
- 6. Report of the City Manager *City Manager*
- 7. Hearing of the Public on Non-Agenda Items *Mayor*

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ACTION ITEMS

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- 8. Consent Agenda *Clerk*
  - a. Approval of the Minutes of the City Council Meeting of January 7, 2026
  - b. Resolution authorizing the City Manager to retain attorney Joel R. Dichter Law LLC for an amount of \$9,000 for professional fees and services regarding Veolia water rate increases.
  - c. Consideration of a request by Rye Recreation for the closing of Purchase Street for the 73rd annual Halloween Window Painting Event on Sunday, October 18, 2026, with a rain date of Sunday, October 25, 2026. This event will require the City to close Purchase Street from the Square House to Purdy Ave. from 8:00 a.m. to 3:15 p.m.
  - d. Consideration of a request from Rye Recreation for the use of City Streets on Saturday, November 28, 2026, from 9:00 a.m. for the 49th annual Turkey Run.
  - e. Consideration of a request from Westchester Endurance Corp., for the use of City Streets on September 19 & 20, 2026, for the Toughman Westchester Triathlon.
  - f. Consideration of employment agreements.
  - g. Authorization for the transfer of \$7,000 from the General Contingency line to the City Council Consultants line for a drone deer population survey.
- 9. Items Removed From the Consent Agenda (if any) *Mayor*
- 10. Appointments to Boards and Commissions *Mayor*

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PRESENTATION AND DISCUSSION/PUBLIC HEARINGS

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- 11. Proposed additions to the Rules and Regulations of the City of Rye Police Department. *Public Safety Commissioner*
  - a. Policy 310 – Foot Pursuits
  - b. Policy 705 – Personal Protective Equipment
  - c. Policy 1008 – Communicable Diseases

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- d. Policy 1011 – Safety Belts
- e. Policy 1012 – Body Armor
12. Open a public hearing for Local Law No. 2-2026 to amend Chapter 1-12 “Definitions” by amending the definition of “Holidays” to conform the definition throughout the City Code *City Manager and Corporation Counsel*
13. Open a public hearing to consider Local Law No. 1-2026 to repeal sections of Chapter 133 “Noise” § 133-7 “Lawn maintenance equipment regulations” in its entirety and amend Chapter 122 “Leaf Blower Regulations” of the Code of the City of Rye to prohibit the use of gas leaf blowers with certain exceptions and to amend the penalties for violations of the Chapter *City Manager and Corporation Counsel*
- Any Comments on the Proposed Local Law can be Submitted on Engage Rye at:  
<https://engage.ryeny.gov/>

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#### INFORMATION

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14. Councilmember Reports *Deputy Mayor*
15. Old Business-New Business *Mayor*
16. Upcoming Proposed Additions to the Rules and Regulations of the City of Rye Police Department
17. Westchester County Communication and City Policies Related to Immigration Enforcement

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#### EXECUTIVE SESSION II – IF NECESSARY

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18. Continuation concerning matters from Executive Session I

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#### ADJOURNMENT

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If the Council adjourns into executive session, it will then adjourn without further public session.

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The next regular meeting of the City Council will be held on Wednesday, February 11, 2026, at 6:30 p.m. for executive session and 7:00 p.m. for public session.

City Council meetings are available live at [www.ryeny.gov/home](http://www.ryeny.gov/home) under Rye TV Government Videos, on Cablevision Channel 75 and Verizon Channel 39, and on demand, indexed by agenda item, on the City website at <https://www.ryeny.gov/government/city-council>.



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

**AGENDA ITEM:**

- a. Presentation by Brian Harper on the New York Blood Center and ongoing Blood Emergency
- b. Presentation by Christine Siller on Y DEC Grant for the Rye Nature Center's Blind Brook restoration project to improve wetland habitat and flood mitigation
- c. Presentation by Alison Relyea, Chair of the Landmarks Advisory Committee, on a new initiative

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** That the Council hear the presentations.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Interim City Manager

**AGENDA ITEM:** Approval of the Minutes of the City Council Meeting of January 7, 2026

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** That the Council review and approve the meeting minutes.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See the attached January 7, 2026, meeting minutes.

***UNAPPROVED MINUTES*** of the Regular Meeting of the City Council of the City of Rye held at City Hall on January 7, 2026 at 7:00 P.M.

PRESENT:

JOSH NATHAN, Mayor  
MARION ANDERSON  
KEITH CUNNINGHAM  
AMY KESAVAN  
JAMIE JENSEN  
JAMES WARD  
Councilmembers

ABSENT:

ALSO ATTENDING:

BRIAN SHEA, INTERIM CITY MANAGER  
KRISTEN WILSON, CORPORATION COUNSEL  
MICHAEL KOPY, COMMISSIONER OF PUBLIC SAFETY

The Council convened in City Hall at 7:02 P.M. The meeting was streamed live at [www.ryeny.gov](http://www.ryeny.gov) for public viewing.

WELCOME

1. [Pledge of Allegiance and Welcome to the Public](#)

Mayor Nathan led the Pledge of Allegiance.

2. [Roll Call](#)

The City Clerk called the roll, and there was a quorum.

3. [Special Acknowledgements](#)

- a. Mayor Nathan acknowledged achievements in the Community
- b. Mayor Nathan further acknowledged and awarded proclamations to numerous resident volunteers:
  - Emily Hurd, Rye Town Park Commission
  - Nancy Everett, Landmarks Advisory Committee
  - Emily Meszkat, Board of Architectural Review
  - Guy Dempsy, Landmarks Advisory Committee
  - Peter Tuneski, Landmarks Advisory Committee
  - Mauria Sax, Landmarks Advisory Committee
  - Ted Stein, Board of Ethics

- Catherine Parker, County Legislator

On motion of Councilperson Jensen, seconded by Councilperson Anderson, and unanimously carried, it was:

**RESOLVED** to [declare January 8, 2026, Catherin Parker Day in the City of Rye.](#)

4. [Report of the City Manager](#)

5. [Hearing of the Public on Non-Agenda Items](#)

- Mary Ann Haines, 2 Coolidge Ave., spoke regarding the Osborn development.

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ACTION ITEMS

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6. [Consent Agenda](#)

- Approval of the Minutes of the City Council Meeting of December 17, 2025
- Approval of request by the Midland Fair Committee to hold a parade on Saturday, May 9, 2026, from 10:30 a.m. to 11:15 a.m. preceding the Midland Elementary School Fair

On motion by Councilperson Ward, seconded by Councilperson Anderson, and unanimously carried, it was:

**RESOLVED** to approve all Consent Agenda items.

7. [Items Removed From the Consent Agenda \(if any\)](#)

- Designation of the Journal News as the official newspaper of the City of Rye

On motion by Councilperson Jensen, seconded by Councilperson Kesavan, and unanimously carried, it was:

**RESOLVED** to designate the Journal News as the official newspaper of the City of Rye.

8. Appointments by the Mayor

The following appointments were made:

- James Ward as Deputy Mayor
- Keith Cunningham to the Rye Town Park Commission
- Marion Anderson, Amy Kesavan, and Mayor Nathan to the Audit Committee

9. Appointments by the Mayor With Council Approval

- Jamie Jensen to the Planning Commission
- Bill Henderson to the Port Chester- Rye-Rye Brook EMS Committee

The Council unanimously nodded with approval for both.

10. [Appointment of Rye City Manager](#)

On motion by Councilperson Ward, seconded by Councilperson Jensen, and unanimously carried, it was:

**RESOLVED** to appoint Brian Shea to City Manager.

Adopted by the following vote:

AYES: Councilpersons Cunningham, Jensen, Ward, Anderson, Kesavan, and Mayor Nathan

NAYS: None

ABSENT: None

11. [Appointments to Boards and Commissions](#)

- Louis Rollano – Board of Architectural Review (reappointment)
- Steven Secon & Richard Schaupp – Planning Commission (reappointments)
- Sue Drouin – CCAC (new appointment)
- Alison Relyea – Landmarks Advisory Committee Chair (new appointment)
- Elizabeth Griffin Matthews (reappointment) & Bill Henderson (new appointment)– Board of Ethics

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PRESENTATION AND DISCUSSION/PUBLIC HEARINGS

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12. [Proposed additions to the Rules and Regulations of the City of Rye Police Department.](#)

- Policy 410 – Appearance Tickets
- Policy 412 – Rapid Response and Deployment
- Policy 413 – Immigration Violations
- Policy 414 – Utility Service Emergencies
- Policy 415 – Aircraft Accidents

Public Safety Commissioner Mike Kopy summarized the proposed Rules and Regulations.

The Council unanimously nodded with approval.

13. [Presentation and Discussion on the Proposed Changes to the City’s Leaf Blower Law](#)

Corporation Council Kristen Wilson and City Manager Brian Shea presented proposed changes to the existing law.

14. [Consideration to set a public hearing for Local Law No. 1-2026 to repeal sections of Chapter 133 “Noise” § 133-7 “Lawn maintenance equipment regulations” in its entirety and amend Chapter 122 “Leaf Blower Regulations” of the Code of the City of Rye to prohibit the use of gas leaf blowers with certain exceptions and to amend the penalties for violations of the Chapter for the January 28, 2026 City Council meeting.](#)

On motion by Councilperson Ward, seconded by Councilperson Kesavan, and unanimously carried, it was

**RESOLVED** to set a public hearing to consider a Leaf Blower Local Law for January 28, 2026.

15. [Consideration to set a public hearing for Local Law No. 2-2026 to amend Chapter 1-12 “Definitions” by amending the definition of “Holidays” to conform the definition throughout the City Code for the January 28, 2026, City Council meeting.](#)

On motion by Councilperson Jensen, seconded by Councilperson Ward, and unanimously carried, it was

**RESOLVED** to set a public hearing to consider a Leaf Blower Local Law for January 28, 2026.

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INFORMATION

16. [Councilmember Reports](#)

Deputy Mayor Natha described how this new agenda item would work going forward.

17. [Old Business-New Business](#)

There was nothing discussed in Old Business-New Business

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ADJOURNMENT

On motion of Councilperson Ward, seconded by Councilperson Kesavan, and with the Council in favor, the meeting was adjourned into Executive Session II at 8:17 P.M.

Respectfully submitted,

Noga Ruttenberg  
City Clerk



# CITY COUNCIL AGENDA

DEPT.: Corporation Counsel

CONTACT: Kristen Wilson, Corporation Counsel

**AGENDA ITEM:** Resolution authorizing the City Manager to retain attorney Joel R. Dichter, Esq. of Dichter Law LLC for an amount of \$9,000 for professional fees and services regarding Veolia water rate increases.

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** That the Council consider the resolution.

RESOLVED that the Council authorizes the City Manager to retain Dichter Law, LLC for an amount not to exceed \$9,000 for professional fees and services regarding Veolia water rate increases.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See the attached invoice from Joel R. Dichter





# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

**AGENDA ITEM:** Consideration of a request by Rye Recreation for the closing of Purchase Street for the 73<sup>rd</sup> annual Halloween Window Painting Event on Sunday, October 18, 2026, with a rain date of Sunday, October 25, 2026. This event will require the City to close Purchase Street from the Square House to Purdy Ave. from 8:00 a.m. to 3:15 p.m.

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** That the Council approve the request.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See the attached request memo.



CITY OF RYE

# Recreation Department

Memorandum

To: Brian Shea, City Manager; Rye City Council  
From: Erin Mantz, Recreation Superintendent  
Date: 1/7/2026  
Re: Recreation Special Events

## **HALLOWEEN WINDOW PAINTING-**

Rye Recreation would like to request closing of Purchase Street for the 73rd Annual Celebration of the Halloween Window Painting Event. This year's event will take place on Sunday, October 18, 2026 with a rain date of Sunday, October 25, 2026.

- Closing of Purchase Street from the Square House (Boston Post Road) to Purdy Ave from 8:00 – 3:15 p.m. This will provide a safe place for the more than 1,200 youngsters and their families who participate in this event throughout the day.
- The closing of the street will be coordinated with the Rye Police Department so that all safety issues are taken into account. Rye/Port Chester EMS will be on stand-by during the day as well.
- On street entertainment will be performed between 10:00 – 2:30 p.m.

## **TURKEY RUN-**

Rye Recreation would like to request permission for the 49th Annual Turkey Run Road Race on Saturday, November 28, 2026. The race is scheduled to run from 9-11:30 AM, and will both start and end at Rye Recreation Park on Midland Avenue.

Rye Recreation plans on working with Rye Police and Westchester County Police in regards to any assistance we may need in regards to traffic and safety during the event. Rye/Port Chester EMS will be on stand-by during the day as well.





# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

**AGENDA ITEM:** Consideration of a request from Rye Recreation for the use of City Streets on Saturday, November 28, 2026, from 9:00 a.m. for the 49<sup>th</sup> annual Turkey Run.

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** That the Council approve the request.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See the attached request memo.



CITY OF RYE

# Recreation Department

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# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

**AGENDA ITEM:** Consideration of a request from Westchester Endurance Corp., for the use of City Streets on September 19 & 20, 2026, for the Toughman Westchester Triathlon.

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** That the Council consider the request.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** Westchester Endurance Corp. is requesting the use of City Streets on September 19<sup>th</sup> and 20<sup>th</sup>, 2026. The Toughkids race will take place on Saturday, September 19<sup>th</sup>, and the adult race on Sunday, September 20<sup>th</sup>. The 2026 race contemplates a minor adjustment to the running route from last year, utilizing a private road area.

See the attached request letter and slides with event details.

McCULLOUGH, GOLDBERGER & STAUDT, LLP

*Attorneys at Law*

1311 Mamaroneck Ave., Suite 340, White Plains, NY 10605

TEL (914) 949-6400 FAX (914) 949-2510

mcculloughgoldberger.com

STEVEN WRABEL

*Partner*

swrabel@mgslawyers.com

January 15, 2026

Honorable Mayor Josh Nathan and Members of the City Council  
City of Rye  
1050 Boston Post Road  
Rye, New York 10580

Re: Toughman Westchester Triathlon

Dear Mayor Nathan and Members of the City Council:

This office represents Dr. Richard Izzo of Westchester Endurance Corp., a Westchester-based company that organizes triathlons throughout New York, and its affiliate organization, Toughman Inc. (501C.3) (“Westchester Endurance”). As you will recall, Westchester Endurance recently organized the successful return of the Westchester Triathlon, which includes a portion of its route through the City of Rye.

In light of the success of the 2025 race, we are writing to the Council to formally request permission to hold the 2026 Toughman Westchester Triathlon on the weekend of September 19<sup>th</sup> and 20<sup>th</sup>, which will include the Toughkids race on Saturday, and the adult race on Sunday. The 2026 race contemplates a minor adjustment to the running route from last year, utilizing a private road area. See Proposed 2026 Run Course in the materials included herewith. Should the owner of the private road elect not to permit the race on their property, Westchester Endurance will utilize the same run course as was approved in 2025. See 2025 Run Course, also included herewith.

Details on Westchester Endurance’s operations are enclosed herewith, including an overview of the proposed route, staffing, permitting, and partners. Kindly place this matter on the next available City Council agenda for discussion, so that Westchester Endurance may move forward with the permitting process. Thank you for your consideration.

Very truly yours,



Steven Wrabel

Encl.

cc: Brian Shea  
Kristen Wilson, Esq.

**TOUGHMAN**

# WESTCHESTER TOUGHMAN TRIATHLON

OLYMPIC TRIATHLON

PROPOSAL  
SUBMITTED BY TOUGHMAN INC  
(501C.3)  
WESTCHESTER ENDURANCE LLC



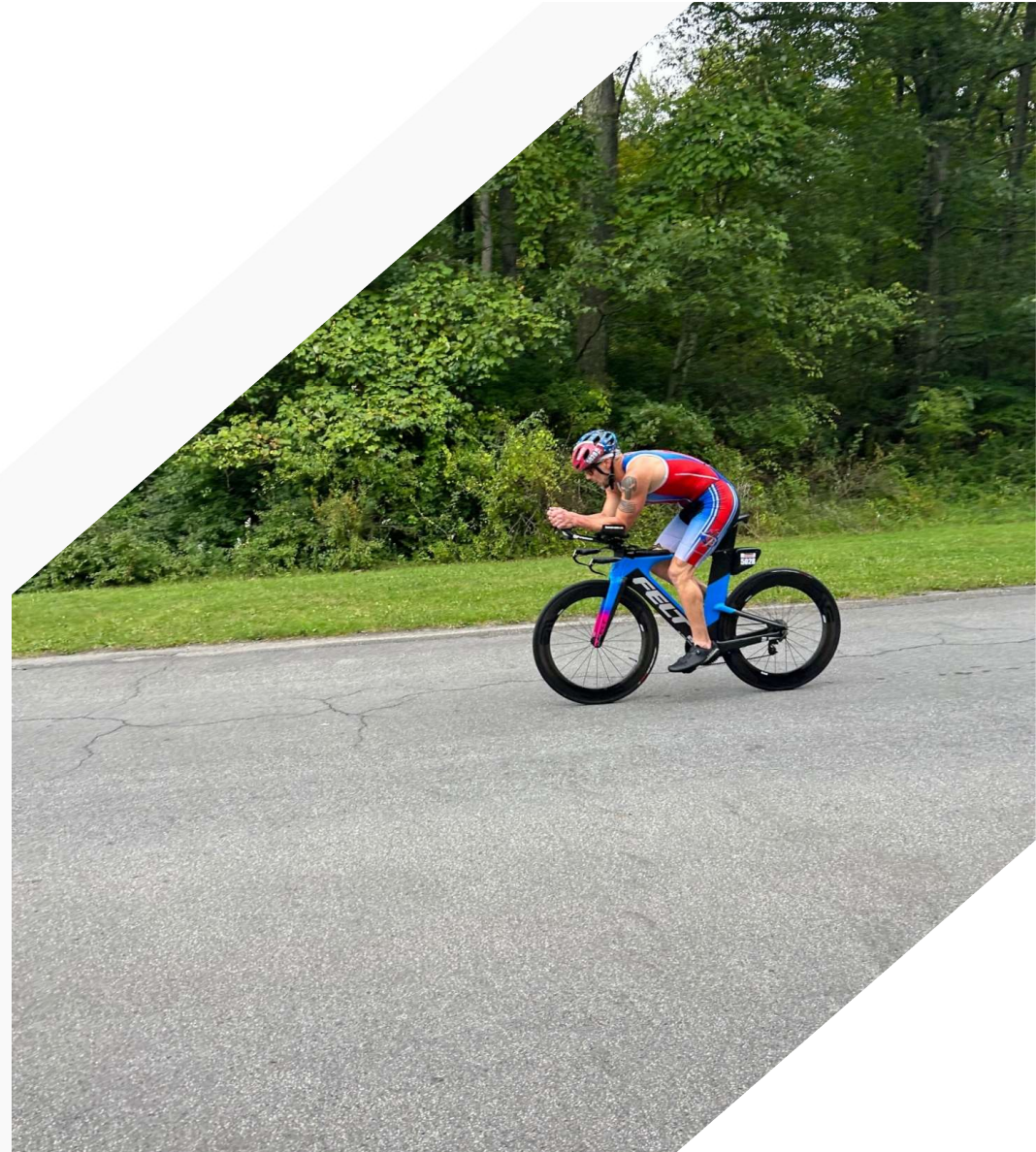
**TOUGHMAN**

# INTRODUCTION

For nearly 40 years, the Westchester Triathlon has been a fixture in Westchester County as well as the regional triathlon community consistently bringing in 1500 adult, college age and youth athletes into the Playland area.

The race has not been held for the past 6 years creating a void for the community as well as local businesses and charities.

Westchester Endurance LLC, as part of the Toughman Inc (501c3), is offering to resurrect the race and return it to prominence.





# SUMMARY

## RESUME HOSTING AN OLYMPIC TRIATHLON TO LEVERAGE THE RACE HISTORY

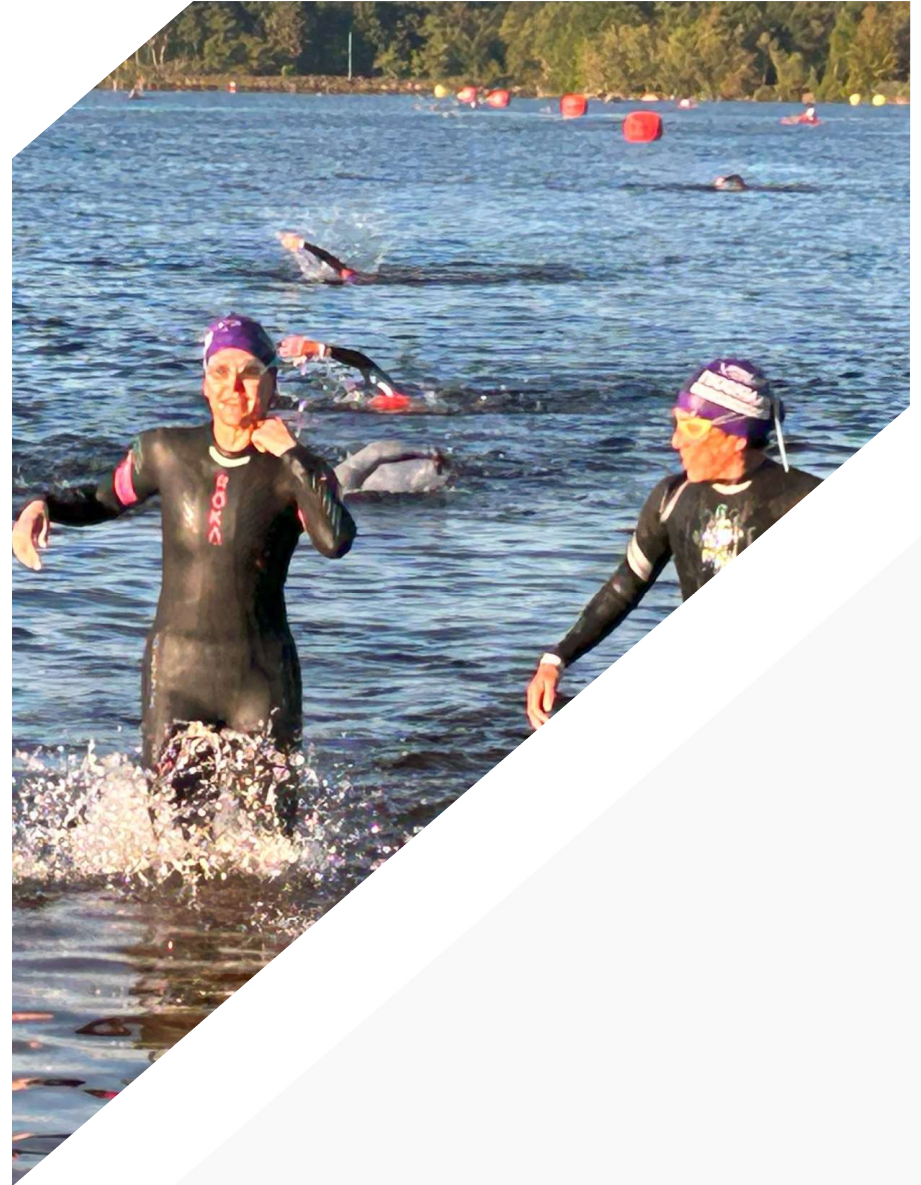
- Resume hosting an Olympic Triathlon to leverage the race history
- Westchester Tri has not happened for 6 years
- Toughman team has 18 years experience in triathlon production
- Staff of 30
- Corporate partners in place
- Past history: producing/resurrecting race 1998-2002
- Deferral options
- Economic impact on area \$3 million annually
- Charities- local community organizations, Westchester Parks Foundation



**TOUGHMAN™**

## TOUGHMAN TEAM

- Our Toughman and Toughkids Staff is made up of 30 team members that are all passionate about our mission and goals. They have been in place for 18 years with additional members added to the team as we have grown.
- We have structured our team in a hierarchy such that each position reports to the Race Director and subsequently our Event Director.
- Monthly calls with a master production plan sent out to every team member in June for review.
- On-site DRY RUN of the event with all team members 4 weeks out at the venue.
- First Responders meeting with the permitting agency 1 week out from race day.
- Last minute briefing the day before race weekend with all team members.



**TOUGHMAN**

## EXPERIENCE

Based on our 18 years of hosting and managing triathlon events we have the expertise at budgeting for events of this size. Since the founder is a full-time doctor that continues to work we are fully capitalized with no debt and very low overhead operating expenses.



**TOUGHMAN**

# ECONOMIC ACTIVITY

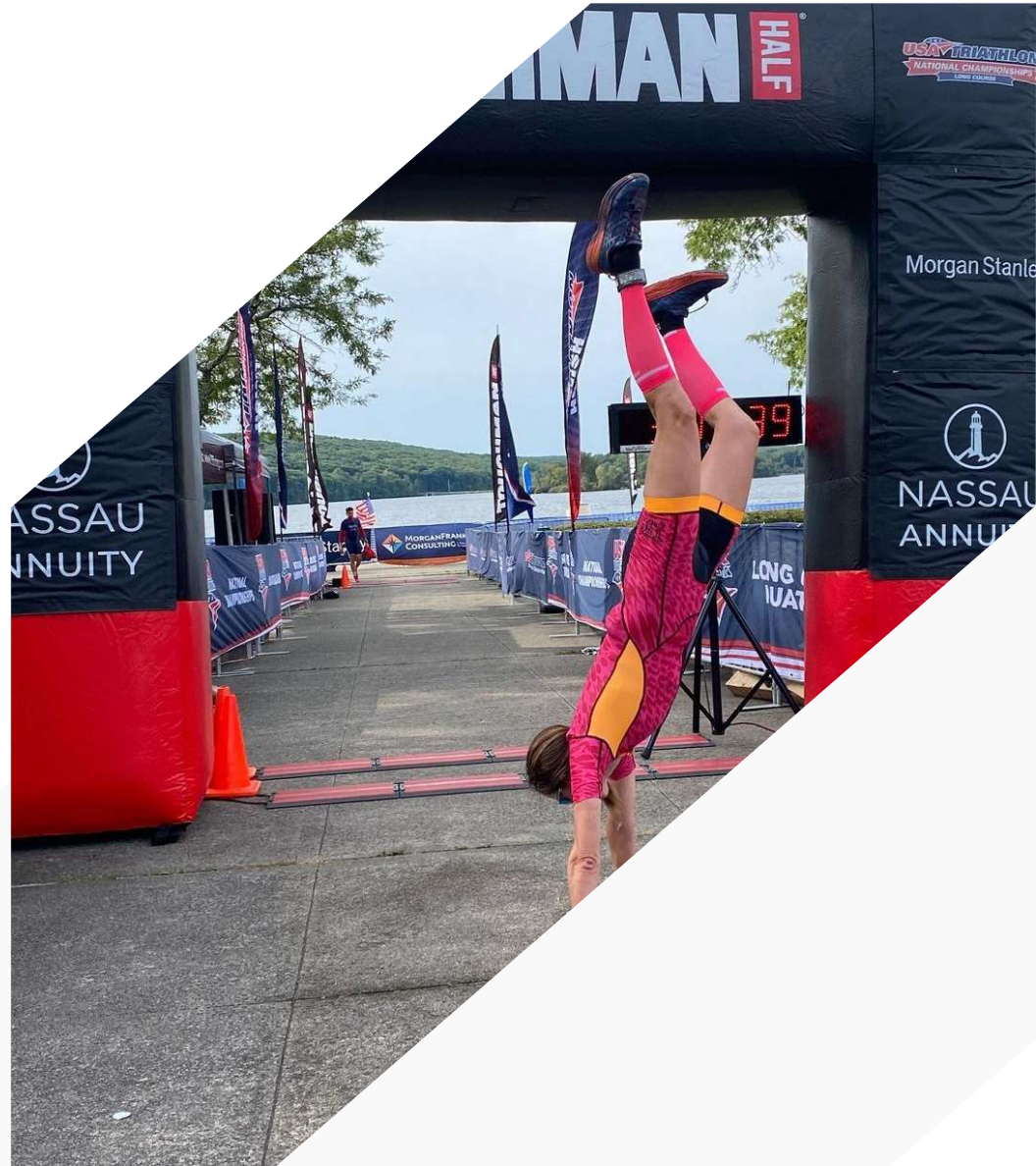
**ADULT PARTICIPANTS:** 2,200 **NUMBER OF DAYS:** 2

**AVERAGE DOLLAR AMOUNT OF SPENDING PER DAY:** \$175 **TOTAL:**  
\$1,155,000 **OUT-OF-TOWN**  
**ADULT SPECTATORS:** 4,500  
**NUMBER OF DAYS:** 3

**AVERAGE DOLLAR AMOUNT OF SPENDING PER DAY:** \$150 **TOTAL:**  
\$2,025,000  
**LOCAL ADULT PARTICIPANTS:** 600 **AVERAGE DOLLAR AMOUNT OF**  
**SPENDING PER DAY:** \$75 **TOTAL:** \$45,000

**LOCAL ADULT SPECTATORS:** 900  
**AVERAGE DOLLAR AMOUNT OF SPENDING PER DAY:** \$40 **TOTAL:**  
\$36,000

**PROJECTED ECONOMIC IMPACT:** \$3,261,000 (annually)



**TOUGHMAN**

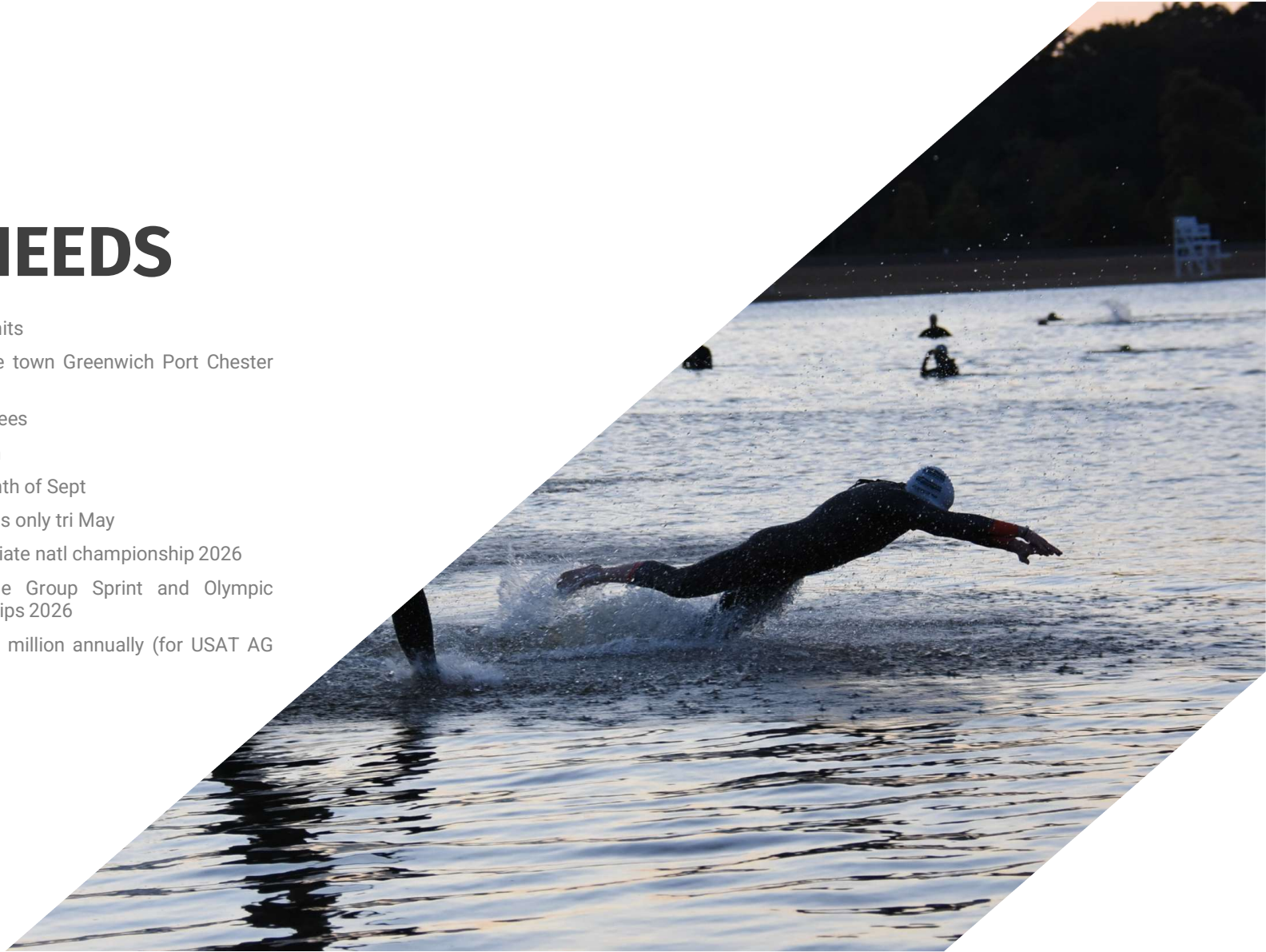
# MEDICAL AND COMMUNICATION

- Our medical partner is White Plains Hospital.
- Race Day Communications maintained via 3 channels:
  - Hand-held radio
  - Cell phone
  - Ham radio positions along the run and bike course as well as lead car, sag truck- including GPS locator.
- All radio traffic is directed to Communications hub which sits just off the main area onsite where a representative of the first responders sits as well
- All radio traffic is directed to the Communications Coordinator(CC)/legal counsel.
- The CC maintains chain of command to specific segment head.
- Decreased radio traffic that is redundant or counterproductive
- Communications log is maintained for all radio traffic.
- Full HIPAA compliance



# RACE NEEDS

- County, Rye City Permits
- Harrison, RB and Rye town Greenwich Port Chester DOT permits
- Reduction Of permit fees
- 2 yr permit 1 yr option
- Non compete for month of Sept
- Possible addl women's only tri May
- Possible USAT Collegiate natl championship 2026
- Possible USAT Age Group Sprint and Olympic National Championships 2026
- Economic Activity \$6 million annually (for USAT AG Nationals-2 yrs)





**FINISH -**  
Playland

Pier Restaurant  
& Tiki Bar

# OLYMPIC DISTANCE

SWIM .9 MILES

Practice Swim  
Area

**START -**  
Rye Town  
Beach

1

2

3

4

5

6

7

8

9

**TOUGHMAN**

# OLYMPIC DISTANCE

BIKE 25 MILES



**TOUGHMAN**

# OLYMPIC DISTANCE

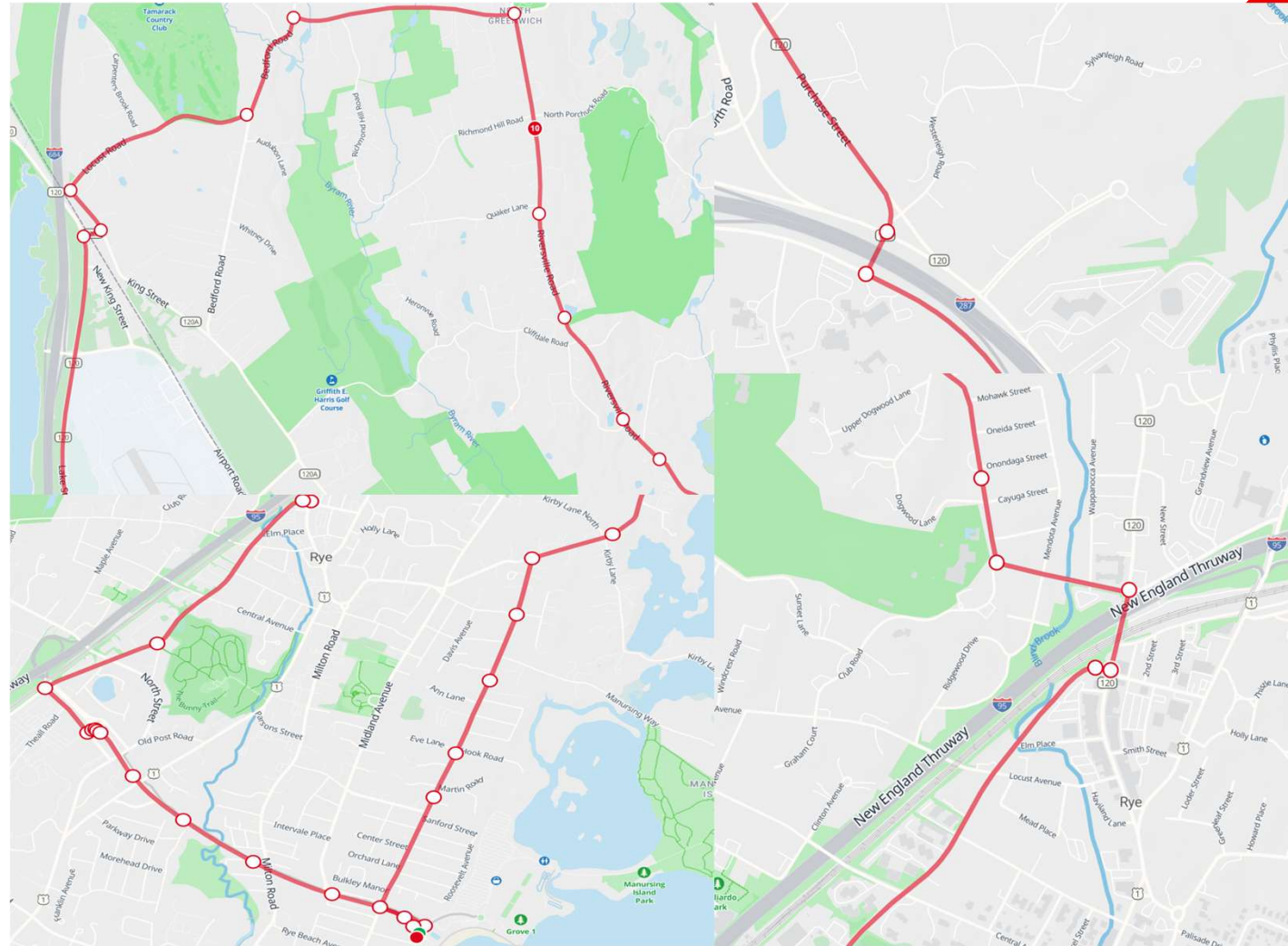
**Rye Forest Ave First Cyclist: 7:20am-7:30am**

**Last Cyclist 8am-8:15am**

**Rte 120/Hyland Rd Rye: First Cyclist 8am-8:15am**

**Last Cyclist: 9:20am-9:45am**

- Bike on Playland Parkway.
- North on Forest Avenue. .17 Miles
- East on Grace Church Street. 1.38 Miles
- Northeast on Don Bosco Place. 2.58 Miles
- Northeast on Abendroth Avenue. 2.89 Miles
- Northwest on Willett Avenue. 3.06 Miles
- Southwest on North Main Street/US 1. 3.10 Miles
- Northwest on Willett Avenue. 3.11 Miles
- Northwest on King Street/NY 120A. 3.23 Miles
- Northeast on Glenville Street. 5.31 Miles
- Turn left onto Riversville Road. 5.91 Miles
- West on John Street. 10.38 Miles
- Keep left to take John Street. 11.09 Miles
- South on Bedford Road. 11.11 Miles
- Keep right to take Locust Road. 11.45 Miles
- Southeast on King Street. 12.14 Miles
- Turn right onto Gateway Lane/NY 120A. 12.30 Miles
- South on Lake Street/NY 120. 12.37 Miles
- South on Purchase Street/NY 120. 13.75 Miles
- Continue on NY 120. 14.67 Miles
- Southwest on Westerleigh Road/NY 120. 17.59 Miles
- Bear right to stay on NY 120. 18.05 Miles
- South on Purchase Street/NY 120. 18.73 Miles
- South on Highland Road. 19.17 Miles
- Turn left onto East Purchase Street/NY 120. 19.88 Miles
- West on Theodore Fremd Avenue. 20 Miles
- Keep right to stay on Theodore Fremd Avenue. 20.63 Miles
- Southeast on Playland Access Drive. 21 Miles
- Southeast on Playland Parkway. 22.34 Miles
- Ride towards transition area. 25 Miles



**TOUGHMAN**

# SWIM / BIKE

## TIMELINE

Start time 7 am 3 min waves 150 per wave 10 waves

Swim-9m

Fastest Most Slowest

Swim-15min. 25min. 1 hr

Start time for Bike

Bike 25m

Mile 0

7:15am. 7:45am 8:30am

Mile 5

7:25am. 7:57am. 8:55am

Mile 10

7:37am. 8:10am. 9:20am

Mile 15

7:45am. 8:07am. 9:45am

Mile 20

7:55am. 7:35am. 10:10am

Mile 25 (end of police details)

8:05am. 8:47 am. 10:35 am



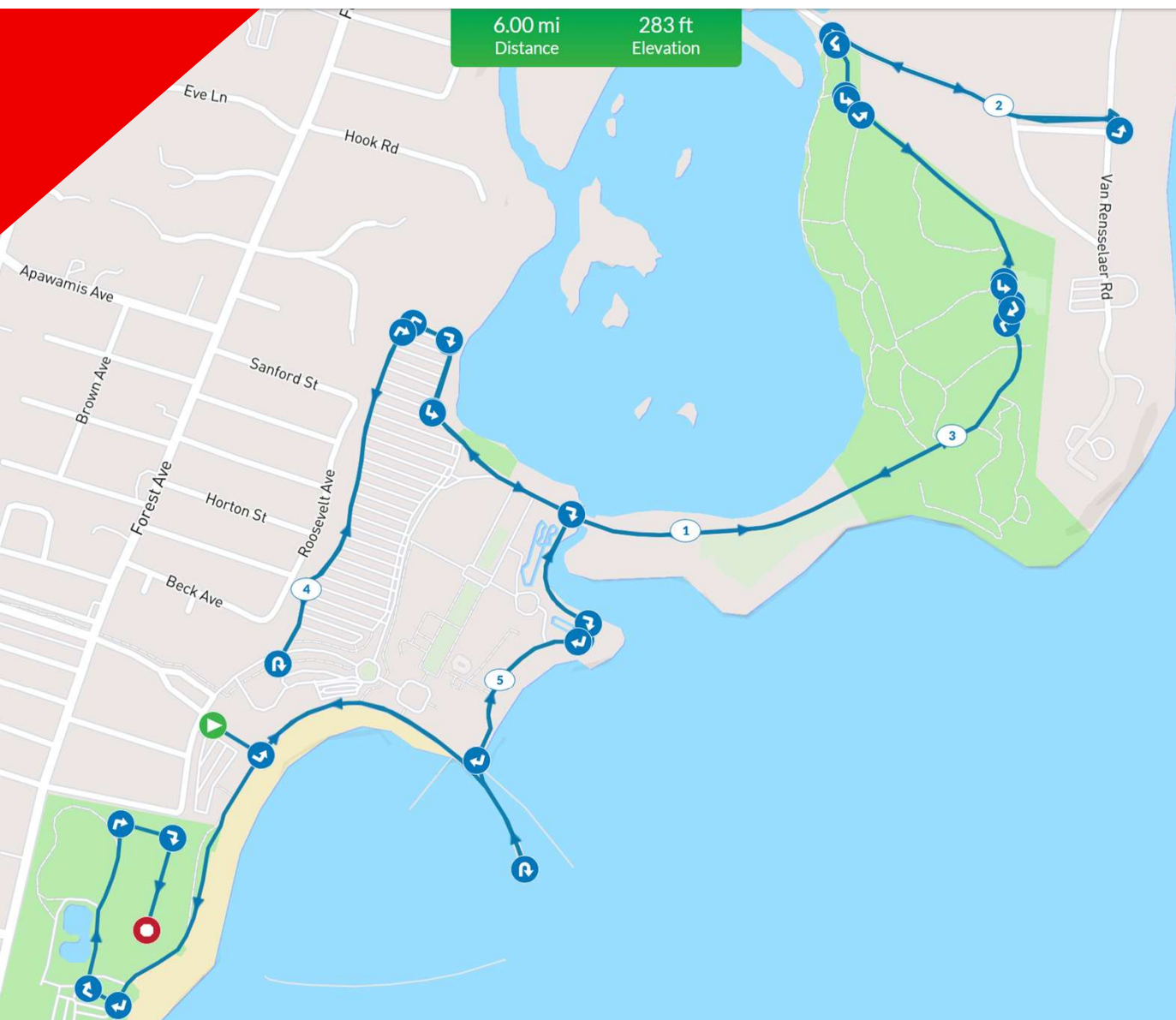
**TOUGHMAN**

# OLYMPIC DISTANCE

## PROPOSED NEW 2026 RUN 6 M

Proposed Run Course: addl 1/2m on Road

- Run Out of Transition 0 Miles
- Turn Left to run on Boardwalk .06 Miles
- Run onto the Pier
- Turnaround on Pier .5 Miles
- Turn right to continue to run up Boardwalk
- Turn right on trail .88 Miles
- Continue on Trial
- Turn right onto Manursing Way 1.81 Miles
- Continue on Manursing Way
- Turn around and go onto Manursing Way 2.15 Miles
- Turn left to go back onto the Trail 2.5 Miles
- Continue into Parking Lot 3.5 Miles
- Run around the Parking Lot until the turnaround at 4.08 Miles
- Turn right onto Boardwalk 4.75 Miles
- Continue run on the boardwalk
- Run and turn right near Restaurant 5.65 Miles
- Turn right into Rye Park 5.67 Miles
- Turn right 5.85 Miles
- Turn right 5.90 Miles
- Run towards the finish line 6 Miles

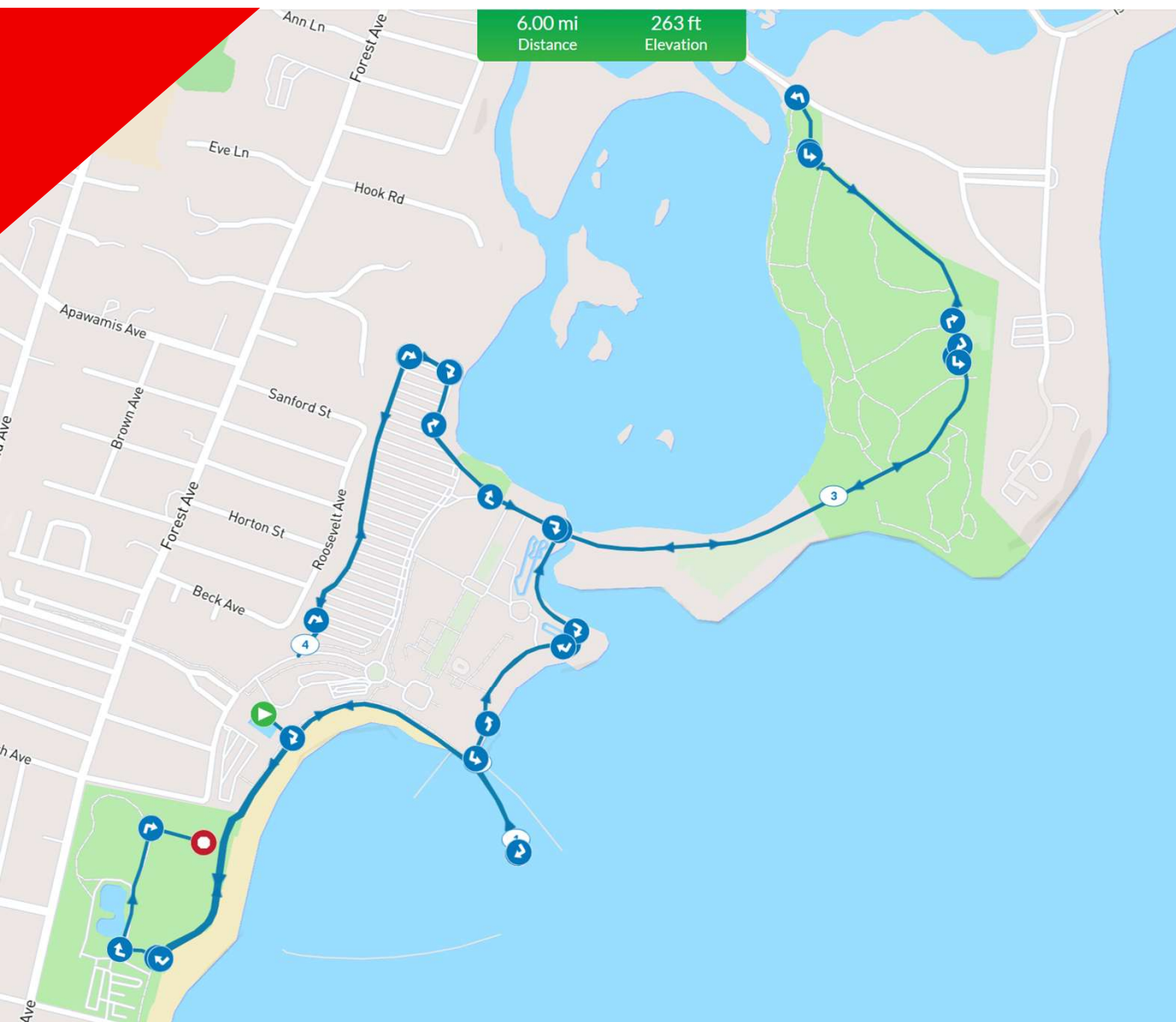


**TOUGHMAN**

# OLYMPIC DISTANCE

## 2025 RUN COURSE 6.0 MILES

- Run Out of Transition 0 Miles
- Turn Right Out of the Transition .04 Miles
- Turnaround at the Barley Beach House .34 Miles
- Run on the Boardwalk toward the Pier
- Turnaround on Pier 1 Mile
- Turn right to continue to run up
- Turn right on trial 1.45 Miles
- Continue on Trial
- Turn around onto Mannursing Way 2.4 Miles
- Continue to go back onto the Trail
- Continue into Parking Lot 3.4 Miles
- Run around the Parking Lot until the turnaround at 4.08 Miles
- Turn right onto Boardwalk 4.75 Miles
- Continue running on the boardwalk
- Run on the Boardwalk toward the Pier
- Turnaround on Pier 5 Miles
- Run and turn right near Restaurant 5.75 Miles
- Turn right into Rye Park 5.85 Miles
- Turn right 5.9 Miles
- Turn right 5.95 Miles
- Run towards the finish line 6 Miles



**TOUGHMAN™**

# RUN TIMELINE

Run		Course		6.2m
		Fastest.	Most.	
Mile	0.	8:05am.	8:47 am.	10:35am
Mile	1.	8:10am.	8:55am.	10:45am
Mile	2.	8:15am.	9:03am.	10:55am
Mile	3.	8:20am.	9:11am.	11:05am
Mile	4.	8:25am.	9:19am.	11:15am
Mile	5.	8:30am.	9:27am.	11:25am
Mile	.	.	6.2M	(finish)
Finish		8:35am.	9:35 am.	11:35am





TOUGHMAN IS THE OFFICIAL USA TRIATHLON  
NORTHEAST REGION COLLEGIATE TRIATHLON  
CONFERENCE RACE FOR 2024



The mission of the Northeast Collegiate Triathlon Conference (NECTC) is to promote triathlon to collegiate athletes in the region for the growth and development of the sport. The conference aims to develop a community that is both competitive and fun. Race weekend will be on September 14, 2024 at Harriman State Park, Lake Welch Beach, NY.

**TOUGHMAN**

# CONTACT

## INFORMATION

 [www.toughmantri.com](http://www.toughmantri.com)

 [Rizzo@toughmantri.com](mailto:Rizzo@toughmantri.com)

 914.251.1223





# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

**AGENDA ITEM:** Consideration of employment agreements.

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** That the Council consider the agreements.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, City Manager

**AGENDA ITEM:** Authorization for the transfer of \$7,000 from the General Contingency line to the City Council Consultants line for a drone deer population survey.

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** That the Council consider the following resolution.

RESOLVED the City Council authorizes the City Manager to transfer \$7,000 from the General Fund Contingency Account to the City Council's Consultant line to engage VersaDrone for a drone deer population survey.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The City of Rye Deer Management Committee is recommending the Council authorize the transfer of \$7,000 for a deer population survey. The Committee believes the survey is necessary to develop a comprehensive understanding of the deer herd size in the City of Rye.

See the attached memo from the Deer Management Committee and accompanying proposal from VersaDrone, the Committee's preferred vendor for the drone population count service. The vendor which offered the lowest price was unable to prove that they met the City's general liability insurance standards.

If approved by the Council, all flights will be independently reviewed and approved by the Commissioner of Public Safety and the City Manager.

## **City Council Briefing: Thermal Drone Deer Survey Vendor Recommendation**

FROM: The Deer Management Committee

TO: Rye Mayor & City Council

### **Purpose**

The City of Rye Deer Management Committee requests City Council approval to engage Versadrone Aerial Solutions LLC to conduct a thermal drone deer population survey within the City of Rye.

### **Background**

As part of early-stage evaluation of deer population levels and impacts, the Committee solicited proposals from qualified drone vendors capable of conducting non-invasive thermal wildlife surveys suitable for a suburban municipal environment.

### **Vendors Reviewed**

- Versadrone Aerial Solutions LLC (Recommended)
- Heatseeker Drone Services
- Aerial VP

### **Key Comparison Findings**

Versadrone submitted a comprehensive, Rye-specific written proposal with defined scope, methodology, safety protocols, FAA compliance, insurance coverage, and deliverables. Their proposal demonstrated strong professionalism, responsiveness, and attention to detail.

Heatseeker Drone Services provided a lower preliminary cost estimate; however, follow-up correspondence identified unresolved insurance issues, including reliance on personal liability coverage rather than a policy issued to the business entity and delays in securing coverage naming the City as additional insured.

Heatseeker also indicated difficulty defining scope and pricing despite previously provided mapped survey areas, raising concerns regarding detail orientation and municipal readiness.

Aerial VP provided a preliminary estimate significantly higher than other vendors without a defined scope or formal proposal.

### **Fiscal Consideration**

Versadrone's pricing ranges from \$6,000–\$10,000 depending on survey scope. The recommended option provides citywide coverage with detailed, georeferenced data suitable for NYSDEC coordination and long-term decision making.

### **Recommendation**

The indicative cost difference between Heatseeker and Versadrone is negligible, although not the lowest-cost vendor, Versadrone offers the strongest overall value due to professionalism, clarity of scope, confirmed insurance compliance, and reduced risk to the City. The Committee recommends City Council authorize engagement of Versadrone Aerial Solutions LLC to conduct the thermal drone deer survey.



# DEER SURVEY PROPOSAL

PREPARED FOR:  
CITY OF RYE, NY

## CONTACT INFO

Phone: 845.320.5510  
Web: [www.flyversadrone.com](http://www.flyversadrone.com)  
Email: [info@flyversadrone.com](mailto:info@flyversadrone.com)  
Location: Red Hook, NY 12571

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Kaitlin Vickers (Owner)    Justin Vickers (Pilot/ Operations Manager)    Visual Observer (TBD)

# PROJECT DETAILS

## Project Request and Information

The Deer Management Committee for the City of Rye, NY has requested a deer herd survey to be conducted by a thermal drone service to assist with their deer management program set to begin in 2026. From statistical data collected by mail-in surveys, game camera photo capture and from car/deer collision reports, the City has determined that the whitetail deer population has reached a point of negative impact on the forested land and local communities. New growth in the forests have been decimated to a point where the deer seek out other opportunities which is usually the local neighborhood landscaping.

High concentration of deer is also known to contract diseases such Chronic Wasting Disease (CWD). Deer also carry ticks that can spread Lyme and other tick-borne illnesses in pets and humans.

The data collected from this survey would provide highly accurate information that is needed in decision making with the NYSDEC for future management practices within the management limits.

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## Healthy Herd Facts (Suburban Areas)

A healthy, non-hunted deer herd would be a 1:2 Adult Buck to Adult Doe ratio. Total population of a healthy herd will be 20% bucks, 40% does, and 40% fawns (yearling deer). A population of 20 deer or less per square mile in suburban areas is considered a healthy number to prevent habitat depletion.

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## Limits of Survey

Drone survey request indicates thermal drone efforts to be concentrated over golf courses, utility company lands, nature preserve lands, park lands and marshes. Option 3 of our pricing page will include deer data across the entire city limits where there are wooded sections and where it is safe to do so.

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## Recommendations

It is recommended that this deer survey be conducted at least 1x per year once implementation of a management strategy has started for as many years that the committee and NYSDEC determine to be practical. The information from future surveys will be used to compare to the original data with detailed reports and graphical annotation. These comparisons will show the effectiveness of the management strategy and determine if other means of population control are needed.

# ABOUT VERSADRONE

AERIAL SOLUTIONS LLC



## ▶ OUR COMPANY

We are a versatile business with the experience and dependability to provide affordable aerial data solutions. Our team consists of licensed and trained professionals with a commitment to quality, safety, and client success.

Our thermal drone sector conducts solar and utility inspections, wildlife surveys as well as search and rescue operations for missing livestock & pets.

We hold FAA Part 107 licensure, thermography certification, NIST training credentials and 20+ years of experience in geospatial data collection, mapping and terrestrial surveying

## ▶ OUR APPROACH

Our approach is to use our knowledge and industry experience along side continuous training and networking to expand our program in providing expert solutions over a diverse group of services.

## ▶ OUR MISSION

Our mission is to provide dependable and professional drone services at an affordable price and deliver valuable solutions that strive for quality, safety and the goals of our clients.

# DEER HERD SURVEYS

VIA THERMAL DRONE



## Preparation

When our company is requested to perform a deer herd analysis survey via drone, there are many things that we do to prepare for scheduling our flights.

To provide an accurate customized proposal to the client, we begin by determining the desired goal of the survey, the total size of the project, seek out safe takeoff and landing locations, check for controlled airspace through the ALOFT app and plan for LANNC approvals if needed, establish a general workflow and timeline as well as a line of communication during field operations.

Our deer surveys are typically conducted between January and April when there is little to no tree canopy. However, we can schedule at any time of the year upon request.



Meet or talk with the client about desired goals



Determine size of the area to be included in the survey



Determine number of safe takeoff/landing locations



Check for potential airspace restrictions. Apply for flight authorizations if necessary



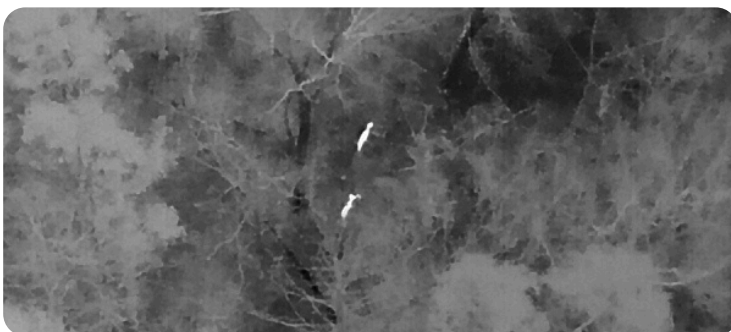
Establish a workflow, timeline and line of communication



Create custom proposal and deliver to client

## Procedure

Our deer surveys are scheduled during optimal weather conditions to increase thermal clarity. With infrared technology, we can identify the heat signature of deer and identify and classify with the RGB color lens. We “pin” each animal with georeferenced coordinates for reporting.



Schedule the drone survey for cooler overcast days



Coordinate with visual observer and local PD.



Search for heat signatures of deer



Identify each deer with color RGB lens



Each animal is geo-located with coordinates



Digital map created w/ georeferenced annotations



Generate a full detailed report to deliver to the client



## Field Operations + Safety

Under FAA rules and regulations, all flights are to be conducted within Visual Line of Sight (VLOS) of the drone. This means that multiple takeoff/landing areas will be needed to conduct the full survey across the city.

We use a Visual Observer (VO) and maintain contact with them via radio during all flights to ensure safe drone operations in the field.

Our drones have the required Remote ID, GPS connectivity through the local NYS CORS (NTRIP) system, and are equipped with safety lighting that is required for twilight and night time operations.

Our team will have visible signage and safety lighting on our vehicle when in operation. We also wear high visibility vests (PPE) during all missions.

We contact local police departments with our flight schedule. This saves them from unnecessary deployment if they are called about a suspicious drone sighting that would typically require them to leave other important posts to investigate.

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## Thermal Drone Equipment

We use a DJI M30T drone for our deer herd surveys. This drone is equipped with a 640 x 512 thermal lens, 48 MP zoom lens (200x zoom) and 12 MP wide angle lens for photos and 4K video. Each lens (IR and RGB) has photo and video recording capability. FOV varies by altitude. Survey is conducted from altitude of 250 feet to 400 feet above ground level (AGL). Twilight and night time flights possible. We may also conduct surveys with a DJI M3T/M4T. All drones are registered with FAA and are labeled with up to date registration stickers.

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## Documentation

We carry a \$1 million liability insurance policy and will increase as we continue to expand our commercial drone services.

FAA Part 107 license documentation and proof of insurance can be provided upon contract award. Our pilots also hold Level 1 thermography certification.

# PRICING OPTIONS

FOR CITY OF RYE, NY



## Deer Survey (Drone) – Option 1

\$1000 /day

**\$6,000**

- ✓ General deer count across survey limits of golf courses, parks, utility lands and marshes.
- ✓ General report with limited information
- ✓ Flight maps, GPS coordinates of all deer located (No sex distinction)
- ✓ Photos/Videos included
- ✓ Estimate (6 Field/Office Days)



## Deer Survey (Drone) – Option 2

\$1,000 /day

**\$7,000**

- ✓ Deer count with Buck & Doe distinction around golf courses, parks, utility lands and marshes.
- ✓ Report with more detailed information about the herd demographics
- ✓ Flight maps, GPS coordinates of all deer located. Buck/Doe annotation
- ✓ Photos/Videos included
- ✓ Estimate (7 Field/Office Days)



## Deer Survey (Drone) – Option 3

\$1,000 /day

**\$10,000**

- ✓ Detailed deer count with Buck, Doe and yearling distinction across city limits except for urban areas.
- ✓ Detailed report including full herd demographics, herd and forest health
- ✓ Attend committee meetings (on request)
- ✓ Flight maps, GPS coordinates of all deer located. Buck/Doe/Yearling annotation.
- ✓ Ground level visual of forest conditions within areas of high deer concentration
- ✓ Photos/Videos included
- ✓ Estimate (10 Field/Office Days)

Surveys with deer sex distinction involve more field time but are highly valuable for management program success.



# CITY COUNCIL AGENDA

DEPT.: Police Department

CONTACT: Michael Kopy, Public Safety Commissioner

**AGENDA ITEM:** Consideration of the proposed additions to the Rules and Regulations of the City of Rye Police Department.

- Policy 310 – Foot Pursuits
- Policy 705 – Personal Protective Equipment
- Policy 1008 – Communicable Diseases
- Policy 1011 – Safety Belts
- Policy 1012 – Body Armor

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** Consideration of the listed policies.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The proposed policies have been reviewed by the Commissioner and the Rye Police Association for review pursuant to the provisions of the collective bargaining agreement.

See the attached memo and policies.

Michael Kopy  
Public Safety Commissioner  
1051 Boston Post Road  
Rye, New York 10580

Tel: (914) 967-1234 ex 2011  
E-mail: [mkopy@ryeny.gov](mailto:mkopy@ryeny.gov)  
<http://www.ryeny.gov>

**CITY OF RYE**  
**Public Safety**

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**To:** Brian Shea, Interim City Manager

**From:** Michael Kopy, Public Safety Commissioner

**Date:** 01/20/2026

**Re:** Police Department – Lexipol Policy

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Reference the captioned subject, the attached policy changes are forwarded for review. As you know, the city contracted with Lexipol prior to my arrival to develop policies for the police department based on nationwide standards and best practices, while also incorporating state and federal laws. I have reviewed the policies submitted by Lexipol with a committee at the police department (including the PBA) and made the appropriate changes where necessary.

I believe that the adoption of these policies are in the best interest of public safety in the City of Rye and I recommend that they be forwarded to the City Council for action. Below is a brief overview of the changes from both the current City Police Department policy, as well as what was submitted by Lexipol, for each section.

I will be available to answer questions when these are reviewed.

**Policy 310 – Foot Pursuits**

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

**Policy 705 – Personal Protective Equipment**

The policy identifies the different types of personal protective equipment (PPE) provided by the Department as well as the requirements and guidelines for the use of PPE.

**Policy 1008 – Communicable Diseases**

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

**Policy 1011 – Safety Belts**

This policy establishes guidelines for the use of safety belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

**Policy 1012 – Body Armor**

The purpose of this policy is to provide officers with guidelines for the proper use of body armor.

## Foot Pursuits

### 310.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

### 310.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances as would be judged by a trained, reasonable officer. A foot pursuit will be considered a use of force. See Use of Force Policy.

### 310.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued.

Officers should consider initiating a foot pursuit when a subject flees and the officer has reasonable suspicion to believe an individual is about to engage in, is engaging in, or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not about to engage in, is not engaging in, or has not engaged in criminal activity alone shall not serve as justification for engaging in a foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.
- (e) Air support.
- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to

## Foot Pursuits

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immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

### 310.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspects should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the desk officer or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm or other essential equipment.
- (l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (m) The suspect's location is no longer known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
- (o) The officer's ability to safely continue the foot pursuit is impaired by conditions that a reasonable officer would take into consideration.

## *Foot Pursuits*

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### **310.5 RESPONSIBILITIES IN FOOT PURSUITS**

#### **310.5.1 INITIATING OFFICER RESPONSIBILITIES**

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

When a foot pursuit terminates, the officer will notify the desk officer of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

#### **310.5.2 ASSISTING OFFICER RESPONSIBILITIES**

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize nonessential radio traffic to permit the involved officers maximum access to the radio frequency.

#### **310.5.3 SUPERVISOR RESPONSIBILITIES**

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

## *Foot Pursuits*

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Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

### **310.5.4 THE DESK RESPONSIBILITIES**

Upon notification or becoming aware that a foot pursuit is in progress, the desk officer is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a Tour Supervisor is notified of the foot pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Division Commander as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

### **310.6 REPORTING REQUIREMENTS**

The initiating officer shall complete appropriate reports documenting, at a minimum:

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.
- (c) Course and approximate distance of the foot pursuit.
- (d) Alleged offenses.
- (e) Involved vehicles and officers.
- (f) Arrestee information, if applicable.
- (g) Any injuries and/or medical treatment.
- (h) Any property or equipment damage.
- (i) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

# Personal Protective Equipment

## 705.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

### 705.1.1 DEFINITIONS

Definitions related to this policy include:

**Personal protective equipment (PPE)** - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

**Respiratory PPE** - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

## 705.2 POLICY

The Rye Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

## 705.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

## 705.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in 12 NYCRR § 800.3, Labor Law § 27-a and 29 CFR 1910.95.

## 705.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the

## *Personal Protective Equipment*

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prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in 12 NYCRR § 800.3, Labor Law § 27-a and 29 CFR 1910.95.

### **705.6 HEAD AND BODY PROTECTION**

Members who make arrests or control crowds should be provided ballistic head protection with an attachable face shield.

Padded body protection consisting of chest, arm, leg and groin protection may be provided by other agencies if available.

### **705.7 RESPIRATORY PROTECTION**

The Patrol Division Commander is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan shall include procedures for (29 CFR 1910.134; 12 NYCRR § 800.3; Labor Law § 27-a):

- (a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.
- (b) Fit testing, including identification of members or contractors qualified to conduct fit testing.
- (c) Medical evaluations.
- (d) PPE inventory control.
- (e) PPE issuance and replacement.
- (f) Cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respiratory PPE, including schedules for these activities.
- (g) Regularly reviewing the PPE plan.
- (h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

#### **705.7.1 RESPIRATORY PROTECTION USE**

Designated members may be issued respiratory PPE based on the member's assignment (e.g., a narcotics investigator who is involved in clandestine lab investigations).

Respiratory PPE may be worn when authorized by a scene commander who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the scene commander shall

# Rye Police Department

## Rye Police Department Policy Manual

### *Personal Protective Equipment*

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reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes (29 CFR 1910.134; 12 NYCRR § 800.3; Labor Law § 27-a):

- (a) It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.
- (b) The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the facepiece.
- (c) The member needs to replace the respirator, filter, cartridge or canister.

#### 705.7.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke or vapors shall use respiratory PPE.

Members using respiratory PPE shall (29 CFR 1910.134; 12 NYCRR § 800.3; Labor Law § 27-a):

- (a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.
- (b) Not wear corrective glasses, goggles or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.
- (c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.
- (d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

#### 705.7.3 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Members must identify and use the correct cartridge based on the circumstances (29 CFR 1910.134; 12 NYCRR § 800.3; Labor Law § 27-a).

A scene commander may order the use of gas masks in situations where the use of a SCBA is not necessary. These incidents may include areas where tear gas has or will be used or where a vegetation fire is burning. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

- (a) They smell, taste or are irritated by a contaminant.

## *Personal Protective Equipment*

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- (b) They experience difficulty breathing due to filter loading.
- (c) The cartridges or filters become wet.
- (d) The expiration date on the cartridges or canisters has been reached.

### 705.7.4 SELF-CONTAINED BREATHING APPARATUS

Scene commanders may direct members to use SCBA when entering an atmosphere that may pose an immediate threat to life, would cause irreversible adverse health effects or would impair an individual's ability to escape from a dangerous atmosphere. These situations may include, but are not limited to:

- (a) Entering the hot zone of a hazardous materials incident.
- (b) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.
- (c) Entering a smoke- or chemical-filled area.

The use of SCBA should not cease until approved by a scene commander. Members who may be qualified for SCBA through outside training may, at their discretion, with supervisor approval use outside agency equipment.

### 705.7.5 RESPIRATOR FIT TESTING

No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (29 CFR 1910.134; 12 NYCRR § 800.3; Labor Law § 27-a).

After initial testing, fit testing for respiratory PPE shall be repeated (29 CFR 1910.134; 12 NYCRR § 800.3; Labor Law § 27-a):

- (a) Every 12 months.
- (b) Whenever there are changes in the type of SCBA or facepiece used.
- (c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

### 705.7.6 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE

No member shall be issued respiratory protection that forms a complete seal around the face until (29 CFR 1910.134; 12 NYCRR § 800.3; Labor Law § 27-a):

- (a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.
- (b) A physician or other licensed health care professional has reviewed the questionnaire.
- (c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

## *Personal Protective Equipment*

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### **705.8 RECORDS**

The Patrol or Detective Lieutenant is responsible for maintaining records of all:

- (a) PPE training.
- (b) Initial fit testing for respiratory protection equipment.
- (c) Annual fit testing.
- (d) Respirator medical evaluation questionnaires and any subsequent physical examination results.

1. These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department records retention schedule, 29 CFR 1910.1020, 12 NYCRR § 800.3 and Labor Law § 27-a.

### **705.9 TRAINING**

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (29 CFR 1910.132; 12 NYCRR § 800.3; Labor Law § 27-a).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (29 CFR 1910.134; 12 NYCRR § 800.3; Labor Law § 27-a).

# Communicable Diseases

## 1008.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

### 1008.1.1 DEFINITIONS

Definitions related to this policy include:

**Communicable disease** - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing, or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

**Exposure** - When an eye, mouth, mucous membrane, or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing, or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Rye Police Department (see the exposure control plan for further details to assist in identifying whether an exposure has occurred).

## 1008.2 POLICY

The Rye Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

## 1008.3 EXPOSURE CONTROL OFFICER

The Commissioner of Public Safety will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) that is appropriate for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them.
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
  1. Adhering to exposure control mandates and precautions in 29 CFR 1910.1030 (Labor Law § 27-a; 12 NYCRR § 800.3).
  2. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).

## *Communicable Diseases*

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3. Providing medical examinations of public protection officials (Civil Service Law § 178).
4. Recording employment-related, communicable disease-related incidents for the New York State Department of Labor's Public Employee Safety and Health Bureau (PESH) including:
  - (a) Work-related communicable diseases and tuberculosis cases (12 NYCRR § 801.7; 12 NYCRR § 801.11).
  - (b) Needlestick and sharps injuries (12 NYCRR § 801.8).

The ECO should also act as the liaison with PESH and may request voluntary compliance inspections. The ECO should periodically review and update the exposure control plan and review implementation of the plan.

### **1008.4 EXPOSURE PREVENTION AND MITIGATION**

#### 1008.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes but is not limited to (29 CFR 1910.1030; Labor Law § 27-a; 12 NYCRR § 800.3):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area of department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
  1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

## Communicable Diseases

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- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

### 1008.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030; Labor Law § 27-a; 12 NYCRR § 800.3). All employees are encouraged to receive the HBV vaccination series. If an employee declines the HBV vaccination, the employee must sign a statement to this effect. Employees who decline may request and obtain the vaccination at a later date at no cost.

### 1008.5 POST-EXPOSURE

#### 1008.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall (29 CFR 1910.1030; Labor Law § 27-a; 12 NYCRR § 800.3):

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practical.

#### 1008.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (29 CFR 1910.1030; Labor Law § 27-a; 12 NYCRR § 800.3):

- (a) Name of the member exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)
- (i) Any other information required by the appropriate Workers' Compensation Carrier

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting

## *Communicable Diseases*

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requirements that may apply (see the Work-Related Illness and Injury Reporting and Illness and Injury Prevention policies).

### 1008.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (29 CFR 1910.1030; Labor Law § 27-a; 12 NYCRR § 800.3).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

### 1008.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (29 CFR 1910.1030; Labor Law § 27-a; 12 NYCRR § 800.3).

### 1008.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Working with the New York State Department of Health (Public Health Law § 2100 et seq.).
- (c) Physician disclosure under 10 NYCRR § 63.8.
- (d) Court-ordered testing when a person has been a victim of certain sex offenses (Public Health Law § 2785-a).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

## *Communicable Diseases*

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### **1008.6 CONFIDENTIALITY OF REPORTS**

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

### **1008.7 TRAINING**

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (29 CFR 1910.1030; Labor Law § 27-a; 12 NYCRR § 800.3):

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure, and what steps should be taken if a suspected exposure occurs.

## Safety Belts

### 1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of safety belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

Guidance for transporting persons in custody may be found in the Transporting Persons in Custody and Handcuffing and Restraints policies.

#### 1011.1.1 DEFINITIONS

Definitions related to this policy include:

**Child restraint system** - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213.

**Safety belt system** - A system utilizing a lap belt, a shoulder belt or any other belt or combination of belts installed in a motor vehicle to restrain drivers and passengers, and that conforms to federal regulations (49 CFR 571).

### 1011.2 POLICY

It is the policy of the Rye Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle accident.

### 1011.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a safety belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

### 1011.4 TRANSPORTING CHILDREN

Child passengers shall be transported using an approved child restraint system in compliance with Vehicle and Traffic Law § 1229-c.

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of safety belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-

## *Safety Belts*

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side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

### **1011.5 INOPERABLE SAFETY BELTS**

Department vehicles shall not be operated when the safety belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the safety belt is inoperable.

Department vehicle safety belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Commissioner of Public Safety.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

### **1011.6 VEHICLES MANUFACTURED WITHOUT SAFETY BELTS**

Vehicles manufactured and certified for use without safety belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

### **1011.7 VEHICLE AIRBAGS**

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

## Body Armor

### 1012.1 PURPOSE AND SCOPE

The purpose of this policy is to provide officers with guidelines for the proper use of body armor.

### 1012.2 POLICY

It is the policy of the Rye Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

### 1012.3 ISSUANCE

The Patrol Division Commander shall ensure that body armor is issued to all officers and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

Body armor shall be issued when an officer begins service at the Rye Police Department and shall be replaced when the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

The Commissioner of Public Safety may authorize issuance of body armor to uniformed, non-sworn members whose jobs may make wearing of body armor advisable.

#### 1012.3.1 USE

Generally, the required use of body armor is subject to the following:

- (a) Members shall only wear department-approved body armor.
- (b) Members shall wear body armor any time they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Members shall wear body armor when working in uniform or taking part in department range training.
- (d) Members are not required to wear body armor when they are functioning primarily in an administrative or support capacity and would not reasonably be expected to take enforcement action.
- (e) Officers may be excused from wearing body armor when they are involved in undercover or plainclothes work that their supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.
  1. In those instances when body armor is not worn, officers should have reasonable access to their body armor.

#### 1012.3.2 INSPECTION

Supervisors should ensure through routine observation and periodic documented inspections that body armor is worn and maintained in accordance with this policy.

## *Body Armor*

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### 1012.3.3 CARE AND MAINTENANCE

The required care and maintenance of body armor is subject to the following:

- (a) Members are responsible for inspecting their body armor for signs of damage, wear and cleanliness at the start of each shift.
  - 1. Unserviceable body armor shall be reported to the supervisor.
- (b) Members are responsible for the proper storage of their body armor.
  - 1. Body armor should not be stored for an extended period of time in an area where environmental conditions (e.g., temperature, light, humidity) could potentially degrade its effectiveness.
- (c) Members are responsible for the care and cleaning of their body armor pursuant to the manufacturer's care instructions.
  - 1. Body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer.
  - 2. Failure to follow manufacturer's care instructions may damage the ballistic performance capabilities of the body armor. If care instructions for the body armor cannot be located, the manufacturer should be contacted to request the instructions.
- (d) Body armor should be replaced in accordance with the manufacturer's recommended replacement schedule, or when its effectiveness or functionality has been compromised.



# CITY COUNCIL AGENDA

DEPT.: Corporation Counsel

CONTACT: Kristen Wilson, Corporation Counsel

**AGENDA ITEM:** Open a public hearing for Local Law No. 2-2026 to amend Chapter 1-12 "Definitions" by amending the definition of "Holidays" to conform the definition throughout the City Code

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** That the Council hold the public hearing and consider adopting the local law.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See the attached draft local law.

**CITY OF RYE**

**LOCAL LAW NO. \_\_ 2026**

**A local law to amend Chapter 1-12, “Definitions” under “General Provisions,” by amending the definition for “holiday, as follows:**

Be it enacted by the City Council of Rye as follows:

**Section 1.**

§1-12, “Definitions,” is hereby amended to amend the following definition:

**HOLIDAYS**

For purposes of the City Code, the term ‘Holidays’ shall refer to the following days of the year: New Year’s Day, Martin Luther King Jr. Day, President’s Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Election Day, **Rosh Hashanah, Yom Kippur,** Veterans’ Day, Thanksgiving Day, and Christmas Day. This definition shall not, and is not intended to, govern the use of the term ‘Holidays’ with respect to the City’s labor contracts or for any other purpose.

**Section 2. Severability.**

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts.

**Section 3: Effective Date.**

This local law will take effect immediately upon filing with the Secretary of State.



# CITY COUNCIL AGENDA

DEPT.: Corporation Counsel

CONTACT: Kristen Wilson, Corporation Counsel

**AGENDA ITEM:** Open a public hearing to consider Local Law No. 1-2026 to repeal sections of Chapter 133 “Noise” § 133-7 “Lawn maintenance equipment regulations” in its entirety and amend Chapter 122 “Leaf Blower Regulations” of the Code of the City of Rye to prohibit the use of gas leaf blowers with certain exceptions and to amend the penalties for violations of the Chapter.

**FOR THE MEETING OF:**

January 7, 2026

**RECOMMENDATION:** That the Council open the public hearing and consider adopting the local law.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See the attached draft local law and EAF.

CITY OF RYE

LOCAL LAW NO. \_\_ 2026

**A local law to repeal sections of Chapter 133 “Noise” § 133-7 “Lawn maintenance equipment regulations” in its entirety and amend Chapter 122 “Leaf Blower Regulations” of the Code of the City of Rye to prohibit the use of gas leaf blowers with certain exceptions and to amend the penalties for violations of the Chapter as follows:**

**Section 1. Repeal § 133-7 in its entirety.**

**§ 133-7 “Lawn maintenance equipment regulations.”**

~~It is the policy of the City of Rye to minimize noise created by lawn maintenance equipment. The following rules are intended to help accomplish that goal.<sup>2</sup> In addition to these restrictions, operators should exercise courtesy and take reasonable steps to minimize the noise creation at all times.~~

- ~~A. No person shall operate within the City of Rye any gasoline or electric leaf blower between May 1 and September 30 every year with the exception that this ban does not take effect until June 1, 2008. As used in this subsection, "leaf blower" shall be defined to include any device powered by a electricity, gasoline, diesel or similar fuel engine which is used, designed or operated to produce a current of air for the purpose of pushing, propelling or blowing leaves, dirt, gardening and grass clippings and cuttings, refuse or debris.~~
- ~~B. The head of the Rye Department of Public Works may permit the use of leaf blowers from May 1 to September 30 for a period of time not to exceed seven days after significant storm events or during other emergency situations circumstances.~~
- ~~C. Additional rules for any person operating any leaf blower between the dates of October 1 and April 30 are as follows:
  - ~~(1) No leaf blower shall be operated simultaneously on the same lot with any other type of machine powered lawn equipment.~~
  - ~~(2) Two or more leaf blowers shall not be operated simultaneously except in R-1 Residence Districts as indicated on the City of Rye Zoning Map.~~~~
- ~~D. This section shall not apply to the following entities and activities: municipal, schools, religious institutions, membership clubs, golf courses, hospital and retirement communities, cemeteries, and driveway/road paving and sealing activities, except that any leaf blower use shall be minimized to the maximum extent practicable in proximity to residences.~~
- ~~E. The use of power or leaf blowers to move leaves or yard debris to City streets, public property, storm drains or abutting lots is prohibited at all times.~~
- ~~F. Between January 1 and March 1 of 2009, the City Council shall place on its agenda for~~

~~public comment a discussion of § 133-7 to evaluate the City's experience concerning the provisions of this section. Exempt entities in § 133-7D shall file a report with the City Manager by December 31, 2008 describing their efforts to reduce and minimize leaf blower use within their institutions.~~

## Section 2. Amend Chapter 122 “Leaf Blowers” as follows:

### § 122-1. Purpose.

The City Council finds that motorized landscaping activities generate noise, and more specifically the use of gas-powered ~~and certain types of electric~~ leaf blowers can significantly increase the level of noise, particularly in the higher-density neighborhoods of Rye. Gas-powered leaf blowers also create pollution and contribute to global warming through the release of carbon emissions. Accordingly, it is the intent and purpose of this chapter to **prohibit** ~~place limits on~~ the use of gas-powered ~~and certain types of electric~~ leaf blowers, **with certain exceptions, and allow year round use of battery powered electric leaf blowers to allow for** while promoting the use of quieter electric powered leaf blowers, with the ultimate objective of eliminating the use of gas-powered leaf blowers at the time when a more suitable and **a quieter environment** technology becomes available.

### § 122-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**BATTERY POWERED LEAF BLOWER — a moveable, portable, backpack style, handheld, tow behind or other device or unit powered by battery (not a cord or a generator) and used for the purpose of blowing, moving, removing, dispersing, vacuuming, or redistributing leaves, dust, dirt, grass clippings, cuttings, and trimmings from trees and shrubs or any other type of litter or debris.**

ELECTRIC LEAF BLOWER — A moveable, portable, handheld, backpack-style, tow-behind or other device or unit powered by electricity ~~is a cord attached to a generator or other power source or battery~~ and used for the purpose of blowing, moving, removing, dispersing, vacuuming, or redistributing leaves, dust, dirt, grass clippings, cuttings, and trimmings from trees and shrubs or any other type of litter or debris. **An electric leaf blower may be powered by a battery, or a cord plugged into an electric wall outlet or battery power bank. However, an electric leaf blower being used while plugged into an operating generator which is powered by an internal combustion engine shall be deemed an internal combustion leaf blower and use of such machine is prohibited.**

**GAS LEAF BLOWER (also referred to as an INTERNAL COMBUSTION LEAF BLOWER)** — A moveable, portable, handheld, backpack-style, tow-behind or other device or unit powered by an internal combustion engine using gasoline or other hydrocarbon fuel and used for the purpose of blowing, moving, removing, dispersing, vacuuming, or redistributing leaves, dust, dirt, grass clippings, cuttings, and trimmings from trees and shrubs or any other type of litter or debris.

LANDSCAPER — Any person, corporation, partnership, or business entity of any form who tends, plants, installs, maintains, or repairs lawns, or performs general yard maintenance work or leaf collection of any kind, on real property which such person does not own or at which s/he

does not reside.

MOTORIZED LANDSCAPING EQUIPMENT — Electric, battery or internal combustion engine powered equipment commonly used for general yard maintenance work, including cutting grass, aerating and seeding lawns, planting, digging holes, trimming hedges and shrubs, collecting and removing leaves and other common yard maintenance activities.

§ 122-3. Use of ~~battery powered~~ electric leaf blowers.

Effective ~~January 1, 2023,~~ **May 1, 2026, only battery powered** electric leaf blowers may be used for landscaping activities on a year-round basis.

§ 122-4. Use of gas **and certain electric** leaf blowers.

Effective ~~May~~ **January 1, 2026,** **the use of gas leaf blowers is prohibited unless such use falls within the exceptions listed in §122-5(D)** ~~gas leaf blowers may only be used during the Fall and Spring cleanup seasons defined as from October 1 to December 15 and from March 1 to April 30. At all other times of the calendar year, the use of gas leaf blowers is prohibited. Except in R-1 Residence Districts, and on lots greater than one acre in size, only one gas leaf blower may be utilized per lot during the Fall and Spring cleanup seasons as defined above.~~

§ 122-5. Days and hours of operation of motorized landscaping equipment.

- A. The use of motorized landscaping equipment, including lawn mowers, leaf blowers and other outdoor machine-powered equipment, is permitted only between 8:00 a.m. and 6:00 p.m. on weekdays and 10:00 a.m. and 4:00 p.m. on weekends. ~~The permitted hours described in this subsection will apply to the use of gas leaf blowers during the Fall and Spring eCleanup sSeason when the use of gas leaf blowers is permitted.~~
- B. The use of motorized landscaping equipment, including lawn mowers, leaf blowers and other outdoor machine-powered equipment, is not permitted on holidays, ~~Rosh Hashanah or Yom Kippur.~~ **[Amended 6-14-2023 by L.L. No. 9-2023]**
- C. The ~~City Manager~~ **head of the Rye Department of Public Works** may permit the expanded use of gas ~~and electric~~ leaf blowers, ~~or use of motorized landscaping equipment, on holidays,~~ for a period not to exceed 14 days after significant storm events or during other emergency situations.
- D. The restrictions regarding the use of motorized landscaping equipment, including gas leaf blowers and other outdoor machine-powered equipment, in this chapter shall not apply to the following entities and activities: municipal, schools, religious institutions, membership clubs, golf courses, hospital and retirement communities, cemeteries, **and non-residential lots greater than three acres in size** ~~and driveway/road paving and sealing activities.~~
- E. The above restrictions **in 122-4 (A through D)** shall not apply to snowblowers or use of motorized equipment for the purposes of snow or ice removal.
- F. Moving leaves or yard debris to City streets, **private streets**, public property, storm drains or abutting lots is prohibited at all times.

§ 122-6. Enforcement.

The provisions of this chapter shall be enforced by the City of Rye Police Department, the Rye Building Department or any other City employee designated by the City Manager.

§ 122-7. Penalties for offenses.

- A. The following parties shall have committed a violation of this chapter if it is not complied with:
- (1) The party(ies) operating the illegal leaf blower(s); and or
  - (2) The party who employed the person(s) who operated the illegal leaf blower(s) at the time of violation; and or
  - (3) The party who owns, rents or otherwise controls the property where the violation occurs.
- B. Conducting motorized landscaping work outside of permitted hours or on holidays. The following parties shall have committed a violation of this chapter if it is not complied with: **[Amended 6-14-2023 by L.L. No. 9-2023]**
- (1) The party(ies) operating the motorized landscaping equipment; and or
  - (2) The party who employed the person(s) who operated the motorized landscaping equipment at the time of violation; and or
  - (3) The party who owns, rents or otherwise controls the property where the violation occurs.
- C. Failure of commercial landscapers to comply with the provisions of Westchester County Law §§ 863.312 through 863.330. Commercial landscapers who fail to comply with WCC §§ 863.312 through 863.330, including working without a valid Westchester County license or failure to display license decals and required identification information on its vehicles, shall also be in violation of this chapter.
- D. Any person **found in violation** ~~violating any of the provisions of this chapter shall be guilty of a violation~~ **City Code infraction** and, ~~upon conviction thereof,~~ shall be punished by a fine not to exceed the sum of \$250 for the first offense. A second **infraction** ~~violation~~ shall be punishable by a fine not to exceed the sum of ~~\$350~~ **1,500** and a third **infraction** ~~violation~~ shall **result in a minimum fine of \$2,500** and a maximum fine not to exceed the sum of **\$10,000**. **Repeat offenders may be issued a court appearance ticket(s) and be subject to subsequent court orders including civil forfeiture of property.**

**Section 3. Severability.**

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts.

**Section 4: Effective Date.**

This local law will take effect on May 1, 2026.

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest    Agricultural/grasslands    Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban    Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____  Signature: _____ Title: _____		

Project:

Date:

***Short Environmental Assessment Form  
Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

### ***Short Environmental Assessment Form Part 3 Determination of Significance***

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)



# CITY COUNCIL AGENDA

DEPT.: Public Safety

CONTACT: Michael Kopy, Public Safety Commissioner

**INFORMATION:** Consideration of the proposed additions to the Rules and Regulations of the City of Rye Police Department at the February 11, 2026, meeting.

- Policy 302 – Handcuffing & Restraints
- Policy 303 – Control Devices
- Policy 304 – Conducted Energy Devices
- Policy 311 – Officer Response to Calls
- Policy 500 – Traffic

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** That the Council consider the listed policies at the February 11, 2026, meeting.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The proposed policies have been reviewed by the Commissioner and the Rye Police Association for review pursuant to the provisions of the collective bargaining agreement.

See the attached memo and policies.

Michael Kopy  
Public Safety Commissioner  
1051 Boston Post Road  
Rye, New York 10580

Tel: (914) 967-1234 ex 2011  
E-mail: [mkopy@ryeny.gov](mailto:mkopy@ryeny.gov)  
<http://www.ryeny.gov>

**CITY OF RYE**  
**Public Safety**

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**To:** Brian Shea, Interim City Manager

**From:** Michael Kopy, Public Safety Commissioner

**Date:** 02/11/2026

**Re:** Police Department – Lexipol Policy

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Reference the captioned subject, the attached policy changes are forwarded for review. As you know, the city contracted with Lexipol prior to my arrival to develop policies for the police department based on nationwide standards and best practices, while also incorporating state and federal laws. I have reviewed the policies submitted by Lexipol with a committee at the police department (including the PBA) and made the appropriate changes where necessary.

I believe that the adoption of these policies are in the best interest of public safety in the City of Rye and I recommend that they be forwarded to the City Council for action. Below is a brief overview of the changes from both the current City Police Department policy, as well as what was submitted by Lexipol, for each section.

I will be available to answer questions when these are reviewed.

**Policy 302 – Handcuffing and Restraints**

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

**Policy 303 – Control Devices**

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

**Policy 304 – Conducted Energy Device**

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

**Policy 311 – Officer Response to Calls**

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

**Policy 500 – Traffic**

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

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# Handcuffing and Restraints

## 302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

## 302.2 POLICY

The Rye Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, the Transporting Persons in Custody Policy, and department training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

## 302.3 USE OF RESTRAINTS

Only members who have successfully completed Rye Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or offense leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

### 302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

### 302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg restraints, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure themselves or others, or damage property.

See the Transporting Persons in Custody Policy for guidelines relating to transporting pregnant persons.

## *Handcuffing and Restraints*

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### **302.3.3 RESTRAINT OF JUVENILES**

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

### **302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS**

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility or other secure area.

### **302.5 APPLICATION OF SPIT HOODS**

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

## *Handcuffing and Restraints*

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### **302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES**

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg restraints, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

### **302.7 APPLICATION OF LEG RESTRAINT DEVICES**

Leg restraints may be used to restrain the legs of a person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the Department shall be used.

#### **302.7.1 APPLICATION OF RESTRAINTS FOR COURT**

If a person is being escorted to court by an officer of this department, that individual should be restrained utilizing leg restraints and belly chains. Any deviation from that should be approved by the Tour Supervisor.

### **302.8 REQUIRED DOCUMENTATION**

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.
- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

### **302.9 TRAINING**

The Patrol or Detective Lieutenant should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.

# Rye Police Department

## Rye Police Department Policy Manual

### *Handcuffing and Restraints*

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- (c) Options for restraining those who may be pregnant without the use of leg restraints, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.
- (e) Proper placement of safely secured persons into an upright or seated position to avoid placement on the stomach for an extended period, as this could reduce the person's ability to breathe.

## Control Devices

### 303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

### 303.2 POLICY

In order to control individuals who are violent or who demonstrate the intent to be violent, the Rye Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy. The Commissioner of Public Safety may also authorize other positions or individual department members to use specific control devices.

### 303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Commissioner of Public Safety or the authorized designee.

Only those members who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a person who is violent or who demonstrates the intent to be violent and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

### 303.4 RESPONSIBILITIES

#### 303.4.1 TOUR SUPERVISOR RESPONSIBILITIES

The Tour Supervisor may authorize the use of a control device by selected department members who may not currently be issued or carrying the control device or those in specialized assignments who have successfully completed the required training.

#### 303.4.2 HEAD FIREARMS INSTRUCTOR RESPONSIBILITIES

The Head Firearms Instructor shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Head Firearms Instructor or the designated instructor for a particular control device. The inspection shall be documented.

#### 303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

## *Control Devices*

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Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Head Firearms Instructor for disposition. Documentation shall also be forwarded through the chain of command, when appropriate, explaining the cause of damage.

### **303.5 BATON GUIDELINES**

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to him/herself or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt or on an outer vest carrier. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignments or at the direction of their supervisors.

### **303.6 OLEORESIN CAPSICUM (OC) GUIDELINES**

As with other control devices, OC spray and pepper projectiles may be considered for use to bring under control an individual or group of individuals who are engaging in, or are about to engage in, violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of department members or the public.

#### **303.6.1 OC SPRAY**

Uniformed members carrying OC spray shall carry the device in its holster on the equipment belt, outer vest carrier, or in their duty bag. Plainclothes and non-field members may carry OC spray as authorized, in accordance with the needs of their assignments or at the direction of their supervisors.

#### **303.6.2 PEPPER PROJECTILE SYSTEMS**

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Officers encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where an individual has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward an individual, whether or not the launcher was used.

## *Control Devices*

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Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training or a product demonstration, is exempt from the reporting requirement.

### **303.6.3 TREATMENT FOR OC EXPOSURE**

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those who complain of further severe effects shall be examined by appropriate medical personnel.

### **303.7 POST-APPLICATION NOTICE**

Whenever OC has been introduced into a residence, building interior, vehicle or other enclosed area, the owners or available occupants should be provided with notice of the possible presence of residue which could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner's expense. Information regarding how and when the notice was delivered and the individuals notified should be included in related reports.

### **303.8 KINETIC ENERGY PROJECTILE GUIDELINES**

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

#### **303.8.1 DEPLOYMENT AND USE**

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of individuals engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at officers, other department members and/or other people.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

#### **303.8.2 DEPLOYMENT CONSIDERATIONS**

Before discharging projectiles, the officer should consider such factors as:

## *Control Devices*

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- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the suspect must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

### **303.8.3 SAFETY PROCEDURES**

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect shotguns and projectiles at the beginning of each shift to ensure that the shotguns are in proper working order and the projectiles are of the approved type and appear to be free from defects.

When they are not deployed, shotguns will be unloaded and properly and securely stored in police department vehicles. When deploying a kinetic energy projectile shotgun, officers shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

### **303.9 TRAINING FOR CONTROL DEVICES**

The Patrol or Detective Lieutenant shall ensure that those members who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

## *Control Devices*

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- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the member's training file.
- (c) Members who fail to demonstrate proficiency with the control device or knowledge of the Use of Force Policy will be provided remedial training. If a member cannot demonstrate proficiency with a control device or knowledge of the Use of Force Policy after remedial training, the member will be restricted from carrying the control device and may be subject to discipline.

### **303.10 REPORTING USE OF CONTROL DEVICES**

Any application of a control device shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

## Conducted Energy Device

### 304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

### 304.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

### 304.3 ISSUANCE AND CARRYING CEDS

Only members who have successfully completed department-approved training may be issued and may carry the CED.

The appropriate instructor should keep an inventory of all CED devices.

Officers shall only use the CED and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed officers who have been issued the CED shall wear the device in an approved holster.

Officers who carry the CED while in uniform shall carry it in a holster on the side opposite the duty weapon.

- (a) All CEDs shall be clearly distinguishable to differentiate them from the duty weapon and any other device.
- (b) For single-shot devices, whenever practicable, officers should carry an additional cartridge on their person when carrying the CED.
- (c) Officers should not hold a firearm and the CED at the same time.

Non-uniformed officers may secure the CED in a concealed, secure location in the driver's compartment of their vehicles.

#### 304.3.1 USER RESPONSIBILITIES

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the appropriate instructor for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

### 304.4 VERBAL WARNINGS

A verbal warning of the intended use of the CED should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

## *Conducted Energy Device*

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- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the CED may be deployed.

The laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the CED in the related report.

A spark test may be utilized as a de-escalation tactic and does not constitute a Use of Force.

### **304.5 USE OF THE CED**

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range. Although the CED may be effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

#### **304.5.1 APPLICATION OF THE CED**

The CED may be used when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

Mere flight from a pursuing officer, without additional circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

The CED shall not be used to psychologically torment, to elicit statements, or to punish any individual.

#### **304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS**

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the potential risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or similarly restrained.
- (e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

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- (f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

### 304.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by medical personnel.

### 304.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

Given that on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the officer must pull the trigger twice to deploy two probes to create the possibility of neuro-muscular incapacitation.

### 304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

### 304.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

### 304.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEDs while off-duty.

## *Conducted Energy Device*

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### **304.6 DOCUMENTATION**

Officers shall document all CED discharges in the related arrest/crime reports and a Use of Force Report. Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the CED report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the report form. Data downloads from the CED after use on a subject should be done as soon as practicable using a department-approved process to preserve the data.

#### **304.6.1 CED REPORT FORM**

As applicable based on the device type, items that shall be included in the CED report form are:

- (a) The brand, model, and serial number of the CED and any cartridge/magazine.
- (b) Date, time, and location of the incident.
- (c) Whether any warning, display, laser, or arc deterred a subject and gained compliance.
- (d) The number of probes deployed, CED activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the CED was used.
- (f) The type of mode used (e.g., probe deployment, drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

#### **304.6.2 REPORTS**

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing CEDs
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication, or other medical problems

### **304.7 MEDICAL TREATMENT**

Officers may elect to allow EMS to remove the conducted energy weapon probes from a person's body. Used CED probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

## *Conducted Energy Device*

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All persons who have been struck by CED probes, who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The CED probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) It is discovered the person has a pacemaker.
- (f) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio/video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

If a subject is displaying signs of "excited delirium" as outlined in officers' training prior to, during or after CED exposure, EMS should respond to transport the subject to the hospital.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Medical Aid and Response Policy).

### **304.8 SUPERVISOR RESPONSIBILITIES**

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the CED may be used. A supervisor should respond to all incidents where the CED was activated.

A supervisor should review each incident where a person has been exposed to a CED. The device's internal logs should be downloaded by a supervisor or Head Firearms Instructor and saved with the related arrest/crime report. The supervisor should arrange for photographs of probe sites to be taken and witnesses to be interviewed.

### **304.9 TRAINING**

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED as a part of their assignments for a period of six months or more shall be recertified by a qualified CED instructor prior to again carrying or using the device.

## *Conducted Energy Device*

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Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time, if deemed appropriate, by the Patrol or Detective Lieutenant. All training and proficiency for CEDs will be documented in the officer's training files.

Command staff, supervisors, and investigators should receive CED training as appropriate for the investigations they conduct and review.

Officers who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Patrol or Detective Lieutenant is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Patrol or Detective Lieutenant should include the following training:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.
- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.
- (g) De-escalation techniques.
- (h) Restraint techniques that do not impair respiration following the application of the CED.
- (i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.
- (j) Proper tactics and techniques related to multiple applications of CEDs.

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## Officer Response to Calls

### 311.1 PURPOSE AND SCOPE

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

### 311.2 POLICY

It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

### 311.3 RESPONSE TO CALLS

Officers responding to non-emergency calls shall proceed accordingly, unless they are sent or redirected to a higher priority call, and shall obey all traffic laws.

#### 311.3.1 EMERGENCY CALLS

Officers responding to an emergency call shall proceed immediately as appropriate and should continuously operate the emergency vehicle lighting and siren as required by law and this policy (Vehicle and Traffic Law § 114-b; Vehicle and Traffic Law § 1104). The Rye Police Department recognizes that there are times when an emergency response is required, but the use of lights and/or a siren would not be prudent. These responses will be judged by the Commissioner of Public Safety to the standard of a reasonable officer on a case by case basis taking into account the expectation is to utilize emergency lights and sirens.

Officers should only respond to a call as an emergency response when so dispatched or when circumstances reasonably indicate an emergency response is required. This includes, but is not limited to:

- (a) When in pursuit or apprehending a violator or suspected violator.
- (b) When responding to a reported emergency involving possible personal injury, death or significant property damage.
- (c) When immediate assistance is requested by an officer or other law enforcement agency.
- (d) When an emergency response would be deemed necessary by a reasonable officer.

Any officer initiated emergency response should be reported to the desk.

Officers not responding to a call as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

### 311.4 REQUESTING EMERGENCY ASSISTANCE

When requesting emergency assistance, the involved department member should reasonably believe there is an imminent threat to the safety of him/herself or another person, or that assistance is needed to prevent imminent serious harm to the public.

## *Officer Response to Calls*

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If circumstances permit, the requesting member should provide the following information:

- Location of the emergency situation
- Identifying call sign
- Suspect information, including weapons
- Reason for the request and type of emergency
- The number of officers or resources required
- Hazards and any known or potential dangers for responding officers

In any event where a situation has stabilized and emergency response is not required, the requesting member shall immediately notify the desk officer.

### **311.5 SAFETY CONSIDERATIONS**

Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property, and does not protect the operator from the consequences of reckless disregard for the safety of others. However the officer may, when responding to a call with an emergency response, and provided there is no endangerment or unnecessary risk to persons and property (Vehicle and Traffic Law § 1104):

- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing direction of movement or turning in specified directions.

When two or more emergency vehicles approach an intersection simultaneously, the emergency vehicle that otherwise would have had the right of way shall proceed first.

#### **311.5.1 NUMBER OF OFFICERS ASSIGNED**

The number of officers assigned to respond to an emergency call or request for assistance should be limited to that which is reasonably necessary.

An emergency response involving more than one police vehicle should be coordinated by the Desk to avoid any unanticipated intersecting of response routes. The desk officer shall notify the Tour Supervisor or field supervisor, who will make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

### **311.6 EMERGENCY EQUIPMENT**

Vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in an emergency response. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicles are operated in compliance with all traffic laws. Those officers should terminate

## *Officer Response to Calls*

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their involvement in any emergency response immediately upon arrival of a sufficient number of emergency law enforcement vehicles.

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly. The officer shall notify the Tour Supervisor, field supervisor or the desk officer of the equipment failure so that another officer may be assigned to the emergency response.

### **311.7 OFFICER RESPONSIBILITIES**

An officer is expected to respond to all emergencies and calls as directed. The decision on how to respond should be based on weather, traffic, call type, and other mitigating factors that a reasonable officer would consider. The decision to initiate or continue an emergency response is at the discretion of the officer. If, in the officer's judgment, the weather, traffic and road conditions do not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of emergency lights and siren at the legal speed limit. In such an event, the officer should immediately notify the desk officer. An officer shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.

Upon receiving authorization or determining that an emergency response is appropriate, whenever practicable, an officer shall immediately give the location from which he/she is responding.

The first officer arriving at the emergency call should determine whether to increase or reduce the level of the response of additional officers and shall notify the desk officer of his/her determination. Any subsequent change in the appropriate response level should be communicated to the desk officer by the officer in charge of the scene unless a supervisor assumes this responsibility.

### **311.8 THE DESK**

When information reasonably indicates that the public is threatened with serious injury or death, or an officer requests emergency assistance and immediate law enforcement response is needed, the desk officer shall assign an emergency response and ensure acknowledgement and response of handling and assisting officers. In all other circumstances, the desk officer shall obtain authorization from the Tour Supervisor or a field supervisor prior to assigning an emergency response.

#### **311.8.1 RESPONSIBILITIES**

Upon notification or assignment of an emergency response, the desk officer is responsible for:

- (a) Confirming the location from which the officer is responding or requesting assistance.
- (b) Attempting to assign the closest available assisting officers to the location of the emergency call.
- (c) Continuing to obtain and broadcast information as necessary concerning the response and monitoring the situation until it is stabilized or terminated.
- (d) Notifying and coordinating allied emergency services (e.g., fire, emergency medical services).

## *Officer Response to Calls*

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- (e) Notifying the Tour Supervisor as soon as practicable.
- (f) Controlling all radio communications during the emergency and coordinating assistance under the direction of the Tour Supervisor or field supervisor.

### **311.9 SUPERVISOR RESPONSIBILITIES**

Upon being notified that an emergency response has been initiated or requested, the Tour Supervisor shall verify that:

- (a) The proper response has been initiated.
- (b) No more than those officers reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practicable.

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing officers into or out of the response, if necessary. If, in the supervisor's judgment, the circumstances require additional officers to be assigned an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize an emergency response, the Tour Supervisor should consider:

- The type of call or crime involved.
- The type and circumstances of the request.
- The necessity of a timely response.
- Weather, traffic and road conditions.
- The location of the responding officers and the location of the incident.

# Traffic

## 500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

## 500.2 POLICY

It is the policy of the Rye Police Department to educate the public on traffic-related issues and to enforce traffic laws. The efforts of the Department will be driven by such factors as the location and/or number of traffic accidents, citizen complaints, traffic volume, traffic conditions and other traffic-related needs. The ultimate goal of traffic law enforcement and education is to increase public safety. Vehicle and Traffic Law violations committed by residents and non-residents will be handled in the same manner.

## 500.3 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; timed to events, seasons, past traffic problems or locations; and, whenever practicable, preceded by enforcement activities.

Several factors will be considered in the development of deployment schedules for department members. State and local data on traffic accidents are a valuable resource. Factors for analysis include, but are not limited to:

- Location.
- Time.
- Day.
- Violation factors.
- Requests from the public.
- Construction zones.
- School zones.
- Special events.

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic accidents, and also will consider the hours and locations where traffic accidents tend to occur. Members will take directed enforcement action on request, and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents frequently occur.

## Traffic

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The Department may use speed measuring devices in traffic enforcement operations. Members must be properly trained in the use and operation of such devices. The Department will ensure that all such equipment is properly calibrated and that all necessary records are maintained so as to ensure that speed measurements are legally admissible.

### **500.4 ENFORCEMENT**

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas. The number of arrests or tickets issued by any member shall not be used as the sole criterion for evaluating member overall performance.

Traffic enforcement should be focused on the reduction of traffic accidents.

#### **500.4.1 PRE-STOP**

Officers must:

- Maintain a safe distance between the vehicle and the police unit.
- Locate a safe spot to stop the vehicle.
- Activate emergency lights and, when necessary, siren to signal the vehicle to pull over.
- Utilize appropriate equipment for the safety of the uninvolved individuals, the violator, and the officer.
- Call out the location and other pertinent information via the police radio or generate a CAD with that information.
- If feasible, activate body worn camera prior to making contact.

#### **500.4.2 TRAFFIC STOPS**

Officers must :

- Be alert at all times.
- Be certain the observations of the traffic violation were accurate.
- Present a professional image in dress, grooming, language, bearing, and emotional stability.
- Decide on the appropriate enforcement action based upon the violators driving behavior, not attitude.
- Communicate appropriately with the violator.
- Ask for the violator's drivers license, vehicle registration, and insurance card.

#### **500.4.3 WARNINGS**

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a minor violation was inadvertent.

## Traffic

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### 500.4.4 TICKETS

Tickets should be issued when a member believes it is appropriate. When issuing a ticket for a traffic violation, it is essential that the rights and requirements imposed on motorists be fully explained. At a minimum, motorists should be provided with:

- (a) An explanation of the violation or charge.
- (b) The court appearance procedure, including the optional or mandatory appearance by the motorist.
- (c) A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

### 500.4.5 PHYSICAL ARREST

Officers should exercise discretion in determining whether a physical arrest is appropriate for criminal traffic offenses (see the Appearance Tickets Policy for additional guidance).

### 500.5 SUSPENDED OR REVOKED LICENSES

If an officer contacts a traffic violator who is also driving on a suspended or revoked license, the officer should issue a traffic ticket or make an arrest as appropriate.

If the driver is not the owner, the Department is required to notify the owner (Vehicle and Traffic Law § 511-c).

### 500.6 TRAFFIC PROCEDURES MANUAL

The Patrol Lieutenant is responsible for developing, maintaining and reviewing detailed procedures for the enforcement of traffic laws. Traffic procedures shall include, but are not limited to:

- Roadside safety checks.
- Stopping and approaching vehicles.
- Required information provided to violators.
- High- and unknown-risk traffic stops.

The Patrol Lieutenant is responsible for developing and maintaining violator procedures for traffic law violations committed by, but not limited to:

- Non-residents of the department jurisdiction.
- Juveniles.
- Legislators.
- Foreign diplomats and consular representatives (see the Foreign Diplomatic and Consular Representatives Policy).
- Active military members.

## Traffic

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### **500.7 HIGH-VISIBILITY VESTS**

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic or by maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

#### **500.7.1 REQUIRED USE**

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn when increased visibility would improve the safety of the department member or when the member will be exposed to the hazards of passing traffic or will be maneuvering or operating vehicles, machinery and equipment.

Examples of when high-visibility vests should be worn include traffic control duties, traffic accident investigations, lane closures and disaster scenes.

When emergency conditions preclude the immediate donning of the vest, members should retrieve and wear the vest as soon as conditions reasonably permit.

Use of the vests shall also be mandatory when directed by a supervisor.

Officers must keep their high-visibility vests in good repair. Should a vest become damaged it is the officers responsibility to inform their Division Commander to obtain a serviceable vest.

### **500.8 RECORDKEEPING**

Officers will:

- Ensure that they are logged into their individual account prior to issuing an electronic summons.
- Close the call appropriately, recording if a warning or summons was issued.
- Submit summonses for processing at the end of each tour.
- Should an officer issue a summons in error, all parts of the summons will be turned over to the Tour Supervisor with a completed summons void form. The Tour Supervisor will then investigate the circumstances and, if in agreement, will sign the summons void form before submitting all paperwork to the Records Department.

### **500.9 SPEED MEASURING DEVICES**

The City of Rye Police Department will utilize speed measuring devices under the following circumstances: high or potentially high accident locations when speed is a factor, in areas where speed violations are prevalent, and in response to citizen complaints concerning violations. It is also this department's policy that all SMD will be calibrated as recommended by the manufacturer prior, during and after use.

#### **500.9.1 TRAINING**

All officers utilizing SMD will have successfully completed the basic operating training program and must have proper certification prior to utilizing departmental SMD.

## Traffic

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### 500.9.2 RESPONSIBILITIES

The Special Operations Sergeant will make the necessary arrangements, through the Patrol Commander, to have the devices brought to the Division of Criminal Justice Services Department of Municipal Police for testing and calibration.

The Special Operations Sergeant will have the responsibility of maintaining and keeping all records associated with departmental SMD including maintenance, testing, calibration and records for court testimony.

It is the responsibility of the SMD operator to ensure that the device receives proper care and upkeep while assigned to them.

### 500.9.3 OPERATION

The SMD operator will be thoroughly acquainted with the nomenclature and operation of the SMD utilized. When tracking a vehicle on the road the operator will:

- (a) Observe the vehicle traffic at the location.
- (b) Pick out the vehicle in violation.
- (c) Estimate the violator's speed.
- (d) Verify the speed with the SMD.

A complete calibration and testing of the unit will be done before utilization as well as prior to the end of the tour.

### 500.9.4 PACE CLOCKING

Speedometers on new vehicles come certified from the factory and members will verify the speed with moving mode from the radar unit.

Members will keep the patrol vehicle in a position to observe the target vehicle so that they are able to identify that vehicle, yet are far enough away to maneuver safely.

Members will follow the target vehicle for a reasonable distance while keeping the distance between the police vehicle and the target vehicle constant.

Members will note the approximate start and finish points where the target vehicle is clocked.

### 500.9.5 COURT PROCEDURE

[Rye Police Department Procedures Manual: 500.1 COURT PROCEDURE](#)



# CITY COUNCIL AGENDA

DEPT.: City Council

CONTACT: Josh Nathan, Mayor

**INFORMATION:** City policies related to immigration and communication from Westchester County.

**FOR THE MEETING OF:**

January 28, 2026

**RECOMMENDATION:** That the Council consider the information.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See the attached City Council resolution and current Rye Police Department policy from 2017 governing cooperation with federal immigration officials, draft Police Department policy 413 from the January 7, 2026, meeting, and email from Steve Bass, Director of Intergovernmental Relations for Westchester County.

## **RESOLUTION**

**T**he City of Rye is committed to upholding and protecting the civil and human rights of all individuals regardless of their race, creed, religion, ethnicity, gender, sexual orientation, gender identity, national origin or immigration status

We, the City of Rye, denounce acts of racism, bigotry, xenophobia, religious discrimination, antisemitism and acts of discrimination based on a victim's gender, sexual orientation or gender identity.

Our Department of Public Safety's primary mission is to keep the community of Rye, its residents, workers, and visitors safe. Its practices are designed to promote mutual respect and open dialogue between all members of the community, and law enforcement.

Immigration Enforcement beyond which required by federal or state law is not the role of our City employees and public officials.

Consistent with the City Charter and the authority delegated to the Commissioner of Public Safety, the City hereby directs the Commissioner to develop a policy that is consistent with the current practices of the department and in accordance with established policies in Westchester and throughout New York State within 45 days of the effective date of this Resolution.

Once received, the City Council will consider such policy at its next City Council meeting.

# CITY OF RYE POLICE DEPARTMENT

General Order #	New [ x ]	Revised [ ]
Supersedes:		
Subject: Immigration Enforcement		
Date Issued	Date Effective	Page 1 of 3
Issuing Authority: Michael C. Corcoran, Jr., Commissioner of Public Safety		

## I. PURPOSE

To establish procedures to be followed by Sworn Members of the City of Rye Police Department when encountering persons who actually or are suspected to have entered or remained in the United States unlawfully.

## II. POLICY

Members of the City of Rye Police Department shall not engage in enforcement activities solely for the purpose of enforcing federal immigration law nor detain persons based solely upon the suspicion that such person has entered or remained in the United States unlawfully except as provided for herein.

## III. PROCEDURE

### A. Enforcement actions and community interactions.

1. Members shall not stop, question, interrogate, investigate, or arrest an individual based solely on any of the following:
  - a. Actual or suspected immigration or citizenship status; or
  - b. A "civil immigration warrant," administrative warrant, or an immigration detainer (collectively, "Immigration Detainers) in the individual's name, including those identified in the National Crime Information Center (NCIC) database.

# Immigration Violations

## 413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Rye Police Department relating to immigration and interacting with federal immigration officials.

## 413.2 POLICY

It is the policy of the Rye Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

## 413.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or New York State constitutions.

## 413.4 DETENTIONS

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period of time in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the officer may continue to detain the person for a reasonable period of time if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

## *Immigration Violations*

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An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

### **413.4.1 SUPERVISOR RESPONSIBILITIES**

When notified that an officer has detained an individual and established reasonable suspicion or probable cause to believe the person has violated a criminal immigration offense, the supervisor should determine whether it is appropriate to:

- (a) Transfer the person to federal authorities.
- (b) Lawfully arrest the person for a criminal offense or pursuant to a judicial warrant (see the Law Enforcement Authority for Police Officers Policy).

### **413.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT**

Generally, an officer should not notify federal immigration officials when booking arrestees at a jail facility. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

### **413.6 FEDERAL REQUESTS FOR ASSISTANCE**

Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts.

### **413.7 INFORMATION SHARING**

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity

#### **413.7.1 IMMIGRATION DETAINERS**

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

### **413.8 U VISA AND T VISA NONIMMIGRANT STATUS**

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

## *Immigration Violations*

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Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Detective Division supervisor assigned to oversee the handling of any related case. The Detective Division supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
  1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
- (d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

### **413.9 TRAINING**

The Patrol or Detective Lieutenant should ensure officers receive training on this policy.

Training should include:

- (a) Identifying civil versus criminal immigration violations.
- (b) Factors that may be considered in determining whether a criminal immigration offense has been committed.

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Begin forwarded message:

**From:** "Bass, Steven"

**Subject:** Municipal Process For ICE Presence In Your Community

**Date:** January 12, 2026 at 4:34:00 PM EST

Dear Westchester Mayors and Supervisors,

Residents, regardless of their immigration status or national origin, have expressed concern regarding possible action by the Department of Homeland Security (DHS) or Immigrations and Customs Enforcement (ICE) as a result of the recent events in Minneapolis.

We respectfully request that if you are aware of any ICE presence in your community to please notify me with as many of the following details as are available:

- Was your local police notified that ICE was coming into your municipality?
- Whether or not ICE have been seen by a reliable, verified source?
- Were any arrests made?
- Did those who were arrested have a criminal history?

We will report this information to the Office of the New York State Attorney General for appropriate review.

Our goal in this effort is to ensure that all of Westchester County's residents can feel confident and secure in their communities; as always, public safety is paramount. Beyond the recent death in Minnesota and the shootings in Portland,

Oregon, Westchester County is aware of reports indicating that ICE has detained U.S. citizens – particularly vulnerable citizens, including children, the elderly, and pregnant women – for more than 48 hours, without access to legal representation. As such, proper coordination appears necessary in order to ensure that our residents receive lawful, expedient treatment throughout federal immigration action.

Thank you as always for your coordination. With your assistance, we can help keep our residents safe, and protect their legal rights.

Sincerely  
Steve

*Steve Bass,  
(He/him/his)  
Director of Intergovernmental Relations  
Office of Westchester County Executive Ken Jenkins  
148 Martine Avenue, 9<sup>th</sup> Floor*



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