

Police shootings in the Hudson Valley down despite high-profile lethal force cases

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Three high-profile police shootings in the Hudson Valley since November have sparked outrage in communities and calls for federal intervention after grand juries refused to indict the officers involved.

One family has charged that police used racial epithets before opening fire. Its lawyers have questioned whether the elite White Plains' police Neighborhood Conditions Unit is prone to needless violence.

The headlines, however, belie a trend.

Experts say cops are much less likely to use lethal force than they were a decade ago. They credit improved police training -- together with an overall drop in crime and increased use of nonlethal weapons like stun guns -- for a sharp reduction in the number of deaths at the hands of police.

"Police use of deadly force has been reined in considerably in recent years," said Eugene O'Donnell, a professor of police studies at [John Jay College of Criminal Justice](#) and a former police officer.

The number of arrest-related deaths in [New York State](#) was cut in half from 2003 to 2009, decreasing from 28 people killed at the hands of police in 2003 to 14 in 2009, the last year of available statistics.

Officers from the [Yonkers Police Department](#), the Hudson Valley's largest law enforcement agency, have fatally shot two suspects in the past 20 years, with the last incident occurring in 2005, Det. Lt. Patrick McCormack said.

Critics charge that there is still not enough accountability for the use of deadly force by police.

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They point to the death of Kenneth Chamberlain Sr. in White Plains on Nov. 19 as an example of excessive use of force.

Police went to Chamberlain's apartment after he inadvertently triggered a medical alert. His refusal to allow officers into the apartment led to a two-hour standoff during which cops removed his front door and Chamberlain reportedly charged them with a knife and a hatchet before Officer Anthony Carelli shot the 68-year-old former Marine dead, police said.

After a grand jury declined to indict, Chamberlain's family filed a \$21 million lawsuit and the victim's son, Kenneth Chamberlain Jr., characterized the shooting as murder.

Other recent incidents in the Hudson Valley have been nearly as controversial.

On Dec. 14, Herve Gilles was shot and killed by Spring Valley Police Officer [John Roper](#) during a violent struggle near a bar. Gilles had seized Roper's nightstick and was beating the officer with it, according to police.

In Newburgh, police shot and killed Michael Lembhard, 22, on March 7, after he came at them with a knife. Officers had spotted Lembhard on the street and recognized him as a fugitive named in several outstanding warrants. He fled to his sister's apartment in Newburgh and charged police with a knife, officials said.

Grand juries declined to indict officers in those two cases as well. In both instances, the families have said they plan to file lawsuits.

Mayo Bartlett, one of the lawyers representing the Chamberlain family, has said that their suit against the City of White Plains will question both the training that White Plains police officers receive regarding use of force and the department's protocols for controlling the use of force.

"It's not just about training," Bartlett said. "We believe police created the situation, created the confrontation that led to the use of deadly force. This was not a reaction to a situation. It was an incident of their making."

Mandating 'pistol cameras'

Conceding that metropolitan police departments have made progress in scaling back the use of lethal force, critics nevertheless argue that police can do more.

"It should be mandatory for every police cruiser to have an operating video camera," said Damon [Jones](#), the head of Blacks in Law Enforcement in Westchester. "Pistol cameras should be mandatory."

Jones advocates outfitting officers' guns with tiny video cameras that would begin recording when the pistol leaves their holsters. "We could actually see what an officer sees when he pulls his weapon" without interfering with police work, Jones explained.

Experts on police tactics are skeptical. They reason that, although cameras on guns might clarify accountability, they are unlikely to alter the behavior of cops gripped by fear.

"No matter how well-trained an officer is ... police officers get scared when they're in a situation where they're staring down the barrel of someone's gun or at a knife," said Dr. William Knack, a former NYPD psychologist from Chappaqua.

Fear frequently sparks a flood of adrenaline -- the hormone that gears up humans for so-called "fight or flight," he explained. A moderate increase in adrenaline can help individuals cope with

stressful situations, Knack said, adding that too much, however, can interfere with judgment.

Experts such as Knack are quick to note that, although the three recent Hudson Valley shootings occurred in different towns in different situations, they all took place under tumultuous circumstances.

Force 'one level greater'

Authorities suggest that the number of cop shootings has been dropping because officers are better trained to deal with chaos and the barrage of emotions involved.

Firearms instructors are particularly emphatic about the importance of training officers to deal with the heightened stress that accompanies chaotic situations.

"We've gone from nonreactionary shooting at paper targets in a casual atmosphere to recreating real-life threat response situations where you have to have solid decision making under chaotic circumstances," said Robert Bossey, the executive director of the International Association of Law Enforcement Firearms Instructors.

Stressors such as low light, bursts of loud noise and the sudden appearance of people who may or may not be adversaries are now routinely incorporated into training simulations, allowing officers to develop the ability to make good decisions in a split second.

Police are trained to use the least amount of force necessary to control a situation -- but one level greater than what they are facing.

"If you can bring someone under control with less than lethal force, that's always preferable," said Hugh Lennon, the director of the Rockland County Police Academy and a former [New York City Transit](#) police officer.

Lennon, who also served on an NYPD task force that reviewed tactical use of firearms, said "chemical agents and stun guns have helped greatly. But if someone pulls a knife or a gun, you're still going for your side arm, not pepper spray."

A knife-wielding opponent can close a gap of 20 feet in a matter of seconds, he noted. "And even if he's shot, he can still plunge the knife into you. So you literally are talking about split-second decisions."

In the last 20 years, officers have been trained to take cover and assess the situation whenever possible.

"By teaching them to take cover, hopefully you're buying them time to be in a position to make judgments about what force to use rather than reacting," said Peter Tarley, the firearms instructor at the Rockland County Police Academy.

Psychological evaluations

Knack, who worked as an NYPD psychologist in the 1980s, continues to treat police officers in a private practice. He advocates periodic psychological screening for all cops.

Currently, police candidates are checked before they are hired, but no regular treatment or screening is required after an officer joins a force. Knack believes that the stresses of police work warrant regular psychological evaluations.

"Police officers are expected to be polite when they pull you over in your car, to be understanding

and compassionate when they respond to domestic disputes -- even though those situations are rife with unknowns," Knack said. "In addition to all that, they have to be willing to confront, fight, subdue and perhaps take or lose a life. Those are really unreasonable demands for one person to have that capability."

Experts agree that, ultimately, the right degree of restraint requires strong leadership.

"You have to be very careful to strike the right balance between the ability of the police to protect themselves -- and others -- and the necessity of maintaining a democratic police culture," said O'Donnell, the John Jay police science professor.

"The police cannot operate as though they are in a war zone. So the messages that are sent explicitly, but also implicitly, by an agency and its leaders have to be reasonable and have to emphasize restraint and lawfulness," he added.

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