



Town of Highland  
Supervisor Jeff Haas  
4 Proctor Road  
Eldred NY 12732-0077

845-557-8901

[supervisor@townofhighlandny.com](mailto:supervisor@townofhighlandny.com)

#### PRESS RELEASE

The Town Board of the Town of Highland is in the process of reorganizing its law enforcement policies, procedures and organization. In doing so, the Town Board Constable Committee has done a preliminary investigation and has prepared a preliminary intra-agency report.

The report is not subject to being released in its entirety, since it is an intra-agency report [Public Officers Law §87(2)(g)] and is not a final agency policy or determination and if disclosed would constitute an unwarranted invasion of personal privacy [Public Officers Law §87(2)(b)].

However, so as to keep the residents of the Town informed as to the reasons for the recent actions of the Town Board and the investigation conducted regarding the Constables, a redacted report is being released, and is attached.

The Town Board will be reorganizing the law enforcement procedures of the Town shortly consistent with this report.

During this period, the Town Board wants to thank the Sullivan County Sheriff's Office, the New York State Police and the Sullivan County District Attorney's Office for their assistance in coverage and advice.

July 18, 2022

TOWN OF HIGHLAND TOWN BOARD

  
Jeff Haas, Town Supervisor  
(845) 557-6085

Problem Statement:

The Constables Committee, with Councilman [REDACTED] filling in for Deputy Supervisor James Gutekunst, was empaneled to review numerous allegations of impropriety by and amongst members of the Constabulary.

- Anonymous allegation regarding improper behavior of a criminal nature by Constable [REDACTED].
- Same anonymous allegation indicating improper relationship between [REDACTED] Constable [REDACTED] and known drug abusers [REDACTED]
- Statement from [REDACTED] regarding sexually suggestive and harassing statements made by [REDACTED]
- Violations of the Constable policy memo and the Town's Camera and Security policy by Constable [REDACTED]
- Workplace harassment, bullying, and creation of hostile work environment allegation by Constable [REDACTED] against Constable [REDACTED]
- Second anonymous allegation alleging sexual abuse and predation by [REDACTED] submitted by [REDACTED]

Process:

- Interview of Constable [REDACTED] and Constable [REDACTED]
- Temporary suspension of Constable operations to promote a safe space for reporting and to allow for a thorough investigation to occur
- Review of personnel files
- Connection with District Attorney's Office and local Law Enforcement
- Connection with DCJS
- Review of Training Records
- Summary of Findings and recommendations presented to the Town of Highland Board

Findings:

- *Anonymous allegation regarding improper behavior of a criminal nature by Constable [REDACTED]*

Unable to substantiate allegation. Anonymous in nature with no ability to investigate further or corroborate. Turned over to DA.

- *Same anonymous allegation indicating improper relationship between Constable [REDACTED] and known drug abuser*

Unable to substantiate allegation. Anonymous in nature with no ability to investigate further or corroborate. Turned over to DA.

- *Statement from [REDACTED] regarding sexually suggestive and harassing statements made by Constable [REDACTED]*

Substantiated. Constable [REDACTED] admitted to the insubordinate, sexually suggestive and harassing statement. He indicated he was "just talking to [REDACTED]" A witness present also corroborated the statement. Written statement from [REDACTED] Constable received by Board

- *Violations of the Constable policy memo and the Town's Camera and Security policy by Constable [REDACTED]*

Substantiated.

-Photos of the camera in the Constables office covered received on 11.3.21, 11.7.21, 12.22.21, 1.7.22, 3.14.22

-Photos of keys remaining in unlocked Constable Vehicles received on: 11.3.21; 11.24.21;

-Photos of personal items stored in Constable Garage received on 11.7.21

-Photos of unlocked filed cabinet in Constables office received on 11.3.21

- *Workplace harassment, bullying, and creation of hostile work environment allegation by Constable [REDACTED] against Constable [REDACTED]*

Substantiated by personal statement by Constable [REDACTED] and upon interview of witness

- *Second anonymous allegation alleging sexual abuse and predation by Constable [REDACTED]*

Unable to substantiate. Anonymously mailed to all parties with no return address.

Interview #1-

- Does not feel safe working with Constable [REDACTED]. "Cannot tell if he has your back or if he is out to set you up or worse."
- Constable [REDACTED] has remarked to other [REDACTED] that he will "get [REDACTED] badge" and that "he runs this Town. This is my playground."
- Review of DUI traffic stop where it was reported that a Sheriff's Deputy counseled Constable [REDACTED] that at the direction of the DA they needed to complete x,y,z, for a conviction and Constable [REDACTED] responded that he had been "doing this [REDACTED] and he was going to do it the way he knew."
- Feels like Constable [REDACTED] has created a hostile work environment
- Feels that Constable [REDACTED] does not follow any policies or procedures and is a liability for the department and the Town
- "He is operating [REDACTED] while working for the town. [REDACTED], [REDACTED]. Cars are left on empty. Keys are in the cars. Its dangerous."

Interview #2

- Confirmed that Constable [REDACTED] does not take redirection from other [REDACTED] except for a certain few ("If Trooper [REDACTED] is telling him something, he will listen.")
- Confirmed that the camera covering is an ongoing concern
- Shared that the perception of "senior guy" leads to inequality in scheduling of shifts
- Confirmed the confrontation between Constable [REDACTED] and Constable [REDACTED] as described in [REDACTED] statement.

On the date of both interviews, Constable [REDACTED] was on patrol. He waited outside of interview location harassing Councilman [REDACTED]. At the conclusion of the day of interviews, he followed both Councilpersons out of Town Hall, following Councilman [REDACTED] towards Barryville in a menacing manner.



## Review of Personnel Files and Training Documents

- Numerous complaints in the personnel file of Constable [REDACTED]
- Current weapons training for Constables [REDACTED] in DCJS
- Peace Officer Training is current for all to guidelines except for Constable [REDACTED] who has [REDACTED] hours only
- No current Taser training in DCJS
- Follow up with DCJS representative [REDACTED]. They have no current roster reflecting handgun qualifying for Constable [REDACTED] to permit him to carry a weapon while on duty. DCJS training certification expired 12.31.2021. NYMIR's position is that DCJS is the resource that training must be represented in [REDACTED] also indicated that the [REDACTED] hour course for Constable [REDACTED] meets the minimum requirement, but that the hiring agency can impose "any additional training they see fit."
- No Sexual Harassment training recorded in personnel file
- No CPR/AED training in personnel files. Constable [REDACTED] has NARCAN training noted

## Informational Meetings with Law Enforcement

- Meeting with [REDACTED] to ascertain the feasibility of Article 75 proceedings as well as viability of transition to Police Department
- Meeting with [REDACTED] regarding police force and disciplinary issues
  - Immediate vulnerability is lack of supervision/rank
  - Immediate vulnerability with failure to train/record trainings
    - ✦ Any issues, will consult DCJS for training record
  - Reviewed potential for Article 75 Proceedings
    - ✦ Reasonable case with violation of Town policy and aggressive language with Board
    - ✦ Insubordination
  - Review Civil Service procedures for hiring and discipline
  - Does not allow his officers to "moonlight"
  - Reviewed process for Inter-municipal Agreement with Sheriff's Office
  - Will support as available with whatever direction we choose

## Summary Recommendations

- Confirm training requirements with DCJS and NYMIR; create training rubric
  - Implement revised policies and procedure manual
  - Create a Constabulary review committee for reorganization/resetting of Constabulary
- Reinstate appropriately qualified Constables
- Provide inappropriately qualified Constables with [REDACTED] days to complete required trainings
- [REDACTED]
- Hire non-patrol supervisor responsible for maintenance of training records, disciplinary recommendations, etc. to act as a liaison between the Constabulary and the Board.

