

**STRICKEN AS OF 7/4/2016**

Intro. Res. No. 1042-2016  
Introduced by Legislator McCaffrey

Laid on Table 1/4/2016

**RESOLUTION NO. -2016, ADOPTING LOCAL LAW  
NO. -2016, A CHARTER LAW TO ESTABLISH MINIMUM  
QUALIFICATIONS AND SCREENING PROCESS FOR  
APPOINTMENT OF POLICE COMMISSIONER**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, 2016 a proposed local law entitled, "**A CHARTER LAW TO ESTABLISH MINIMUM QUALIFICATIONS AND SCREENING PROCESS FOR APPOINTMENT OF POLICE COMMISSIONER**"; now, therefore, be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. -2016, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO ESTABLISH MINIMUM QUALIFICATIONS  
AND SCREENING PROCESS FOR APPOINTMENT OF POLICE  
COMMISSIONER**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF  
SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the Suffolk County Police Department is one of the largest departments in the country; it is responsible for policing the five west end towns and protecting the safety of a racially and culturally diverse population that exceeds one million people.

This Legislature further finds that the Suffolk County Police Department confronts the same difficult issues as other large suburban departments; the Police Department must combat rising substance abuse, gang activity, domestic violence and other serious threats to public safety and, at the same time, be prepared to respond to possible acts of terrorism.

This Legislature finds that the leader of the Suffolk County Police Department must possess the administrative skills to manage the 2,900 employees of the Department (including over 2,000 sworn officers), the fiscal skills to oversee a budget in excess of \$600,000,000 and the communication skills to reach out effectively to all the constituencies and communities that comprise Suffolk County.

This Legislature further finds that the job of the Police Commissioner is demanding and complex and yet, the Suffolk County Charter establishes no minimum qualifications for this vital position and sets forth no procedure to ensure that the County of Suffolk seeks out and hires the best qualified individual to lead the Department.

Therefore, the purpose of this law is to establish minimum qualifications for the position of Police Commissioner and to establish a process that will evaluate candidates for this position when a vacancy occurs.

**Section 2. Amendment.**

Article XIII of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**Article XIII. Department of Police**

\* \* \* \*

**C13-2. Appointment of Commissioner**

- A. The Commissioner of Police shall be appointed by the County Executive subject to the screening procedure set forth in paragraph (C) of this section and the approval of the County Legislature and shall serve at the pleasure of the County Executive. The Commissioner of Police shall, at a minimum, possess a Bachelor's Degree from an accredited secondary institution and have eight (8) years of administrative/management experience in a large law enforcement agency (minimum of 500 employees) or a comparable large organization. If the person appointed Commissioner of Police shall at the time of his appointment be a police officer with at least 10 years of service as a police officer, then he shall continue to be a police officer while serving as Commissioner of Police and shall, in addition to the responsibilities and duties of Commissioner, continue to have all of the responsibilities and duties of a police officer.
  
- B. If a person appointed as a Deputy Commissioner of Police shall, at the time of his or her appointment, be a police officer with at least 10 years of service as a police officer, then he or she shall continue to be a police officer while serving as a Deputy Commissioner of Police and shall, in addition to the responsibilities and duties of a Deputy Commissioner, continue to have all the responsibilities and duties of a police officer.
  
- C. Prior to appointing a Commissioner of Police, the County Executive will establish a three member search committee to seek and screen applicants for the position. The committee will conduct appropriate background checks and interview candidates who meet the minimum qualifications for the position. The Committee will recommend to the County Executive at least one and no more than five persons who are best qualified to serve as the Commissioner of Police. In making their non-binding recommendations, the search committee will consider candidates' relevant law enforcement and management experience, communication skills, knowledge of the principles and practices of modern police administration, experience policing diverse communities and the ability to build relationships with community leaders.

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to appointments of the Police Commissioner occurring on or after the effective date of this law.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or

circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

This law shall not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the office of the Secretary of State.

[ ] Brackets denote deletion of existing language.  
\_\_\_ Underlining denotes addition of new language.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date: