

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

STEVE LEVY
COUNTY EXECUTIVE

July 8, 2010

Mr. Timothy Laube
Clerk of the Legislature
Suffolk County Legislature
Veterans Memorial Highway
Hauppauge, New York 11788

RECEIVED
2010 JUL - 8 P 4: 12
COUNTY CLERK'S OFFICE
SUFFOLK COUNTY, NEW YORK

RE: - June 22, 2010 - Legislative General Meeting

Vetoed 2010 Resolution: #664

Dear Mr. Laube:

Attached please find the above resolutions, which have been acted upon as indicated.

Very truly yours,

Brendan Chamberlain
Intergovernmental Relations Director

Received by D. Howard Date 7/8/10 Time 4:12P.

BC:gg
Enclosure

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

July 8, 2010

Presiding Officer William J. Lindsay and
Members of the Suffolk County Legislature
William H. Rogers Legislative Building
725 Veterans Memorial Highway
Smithtown, New York 11787

**RE: RESOLUTION NO. 664-2010 ACHIEVING COST SAVINGS THROUGH
EFFECTIVE USE OF LIGHT DUTY POLICE OFFICERS**

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein **Resolution No. 664-2010; "Achieving Cost Savings Through Effective Use of Light Duty Police Officers"** vetoed in its entirety.

While the intent of the resolution sounds laudable, the bill is seriously flawed in practical application and may in fact have the unintended consequence of having non-police functions at times being performed by full duty, and not light duty (aka limited duty), officers. The bill also greatly inhibits the department's ability to maximize its resources of able-bodied officers through civilianization.

The number of limited duty officers on the roster varies widely throughout the year, as does the amount of time any one officer is categorized as limited duty. Officers often transition from "limited duty" to "no duty" or to "full duty" depending upon their specific medical conditions.

The department presently utilizes limited duty officers with great efficiency in a wide range of roles. Examples include: precinct desks, Applicant Investigations, Pistol Licensing, Impound, Medical Evaluation, Support Services, Crime Stoppers, and the PAL.

As I am sure you are aware, late last year the Police Department has identified 50 additional positions that could be performed by lower-paid civilians, rather than by highly paid police officers (limited or full duty). Yet the Second Resolved clause prevents the Police Commissioner from civilianizing any position "...if the functions of that position can be performed by an available light duty officer."

This clause would seriously hamper the department's ability to civilianize those 50 identified positions in 2010 and beyond.

This clause does not take into account the objective of civilianization – that is to determine if the duties and functions presently being performed by a sworn police officer do not require the expertise and training of an officer and can in fact be performed by a civilian.

Instead, the clause would force the department to use a limited duty officer for a position the department feels would best be performed by a civilian.

And once that specific limited duty officer transitions back to full duty, or is classified as no duty, the department must then find either another limited duty officer to fill that position – or absent one, would have to assign a full duty officer to that role.

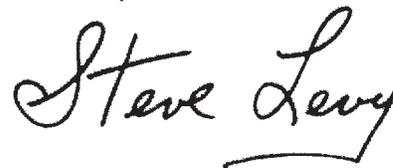
This would create a never-ending series of sworn police officers, both full and limited duty, rotating into and out of these non-police functions – the exact antithesis of smart management through civilianization, and a most ineffective method of deploying sworn staff.

Many of the positions being civilianized require considerable training and a civil service exam in a particular skill set. Moving officers into and out of these positions on a regular basis would be highly inefficient in that it would require continual training – and during that training, the position would have to be filled with a full duty officer from that particular command who is adept at the position.

Although the Third Resolved clause purports to give the Commissioner the ability to civilianize by filing certification that no limited duty officer is available to offer the position, in practical application it adds time-consuming and unwieldy administrative procedures that only further clog the process.

For these reasons, I strongly urge the Legislature to sustain my veto of this resolution.

Sincerely,

A handwritten signature in black ink that reads "Steve Levy". The signature is written in a cursive, flowing style with a prominent underline under the name "Levy".

Steve Levy
County Executive of Suffolk County

SL:mls

cc: All Suffolk County Legislators
Tim Laube, Clerk of the Legislature

Christine Malafi, Esq., Suffolk County Attorney
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney
Christopher Kent, Chief Deputy County Executive
Edward Dumas, Chief Deputy County Executive
Connie Corso, Deputy County Executive for Finance and Management
Ken Crannell, Deputy County Executive
Ben Zwirn, County Executive Assistant
Eric Naughton, Budget Director
Dan Aug, Director of Communications
Mark Smith, Deputy Director of Communications

**RESOLUTION NO. 664-2010, ACHIEVING COST SAVINGS
THROUGH EFFECTIVE USE OF LIGHT DUTY POLICE
OFFICERS**

WHEREAS, the Suffolk County Police Department (“the Department”) continually strives to reduce costs and become more efficient in providing law enforcement services; and

WHEREAS, one cost saving strategy employed by the Department is civilianization, that is hiring civilians to fill positions that do not require the skills of a sworn police officer; and

WHEREAS, the Department recently announced plans to civilianize approximately fifty (50) additional positions within the Department; and

WHEREAS, the Department has a significant number of officers assigned to light duties at any given time; and

WHEREAS, reassigning light duty officers to positions currently held by officers capable of working patrol will increase the number of police officers in sector cars and reduce the need to hire additional civilians, thereby providing additional cost savings; now, therefore be it

1st RESOLVED, that it shall be the policy of the County of Suffolk and the Police Department to replace fully active police officers working in non-patrol positions with light duty officers, to the fullest extent practicable; and be it further

2nd RESOLVED, that the Commissioner of the Police Department shall not civilianize any position presently performed by a police officer if the functions of that position can be performed by an available light duty officer; and be it further

3rd RESOLVED, that the Police Commissioner, at the time any position in the Department is civilianized, shall file a certification with the Clerk of the Legislature and the Office of Comptroller, that no light duty officer is available and/or capable of performing the functions associated with that position; and be it further

4th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (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, and 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 resolution.

DATED: JUN 22 2010

APPROVED BY:

VETOED
County Executive of Suffolk County

Date: 7-8-10

Intro. Res. 1407 Res. No. 10604

June 22, 2010

Motion:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	/				
2	Jay H. SCHNEIDERMAN	/				
3	Kate M. BROWNING	/				
4	Thomas MURATORE	/				
6	Daniel P. LOSQUADRO	/				
7	Jack EDDINGTON	/				
9	Ricardo MONTANO	/				
10	Thomas CILMI	/				
11	Thomas F. BARRAGA		/			
12	John M. KENNEDY, JR.	/				
13	Lynne C. NOWICK	/				
14	Wayne R. HORSLEY	/				
15	DuWayne GREGORY	/				
16	Steven H. STERN	/				
17	Lou D'AMARO	/				
18	Jon COOPER				/	
5	Vivian VILORIA-FISHER, D.P.O.	/				
8	William J. LINDSAY, P.O.	/				
Totals		16	1	-	1	-

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
<input type="checkbox"/> Send To Committee
<input type="checkbox"/> Table Subject To Call
<input type="checkbox"/> Lay On The Table
<input type="checkbox"/> Discharge
<input type="checkbox"/> Take Out of Order
<input type="checkbox"/> Reconsider
<input type="checkbox"/> Waive Rule _____
<input type="checkbox"/> Override Veto
<input type="checkbox"/> Close
<input type="checkbox"/> Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

<input checked="" type="checkbox"/> RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

Tim Laube
 Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote