

**HEALTH AND HUMAN SERVICES COMMITTEE**

**OF THE**

**SUFFOLK COUNTY LEGISLATURE**

A regular meeting of the Health and Human Services Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Thursday, January 28th, 2010 at 2:00 p.m.

**Members Present:**

Legislator Kate Browning - Chairperson  
Legislator Vivian Vilorio-Fisher - Vice-Chair  
Legislator John Kennedy  
Legislator Tom Muratore

**Members Not Present:**

Legislator Jack Eddington

**Also In Attendance:**

George Nolan - Counsel to the Legislature  
Sarah Simpson - Assistant Counsel to the Legislature  
Barbara LoMoriello - Deputy Clerk of the Legislature  
Jack Caffey - Aide to Presiding Officer Lindsay  
Michael Pitcher - Aide to Presiding Officer Lindsay  
Linda Bay - Aide to Minority Caucus Leader Losquadro  
Paul Perillie - Aide to Majority Caucus Leader Cooper  
Rob Calarco - Aide to Legislator Eddington  
Ginny Suhr - Aide to DPO Vilorio-Fisher  
Jessica Proios - Aide to Legislator Muratore  
Diane Dono - Senior Budget Analyst/Budget Review Office  
Craig Freas - Budget Analyst/Budget Review Office  
Ben Zwirn - County Executive's Office Assistant  
Steve Tricarico - County Executive Assistant  
Dennis Brown - Division Bureau Chief/County Attorney's Office  
Greg Blass - Commissioner/Department of Social Services  
Ed Hernandez - Deputy Commissioner/Department of Social Services  
Linda O'Donohoe - Asst. to the Commissioner/Dept of Social Services  
David Mohr - Finance/Department of Social Services  
Amanda Moore - Employment/Department of Social Services  
Tom Grecco - Employment/Department of Social Services  
Margaret Bermel - Administration/ Department of Health Services  
James Andrews - Finance/Department of Labor  
Dot Kerrigan - 4th Vice-President/AME  
Other Interested Parties

**Verbatim Transcript Prepared By:**

Alison Mahoney - Court Stenographer

*(\*The meeting was called to order at 2:11 P.M. \*)*

**CHAIRPERSON BROWNING:**

Good afternoon. I'm sorry we're starting a little late. However, we will start our first Health and Human Services Committee for 2010 with the Pledge of Allegiance led by Legislator Muratore.

***Salutation***

And if we could stand for a moment of silence for the victims in Haiti, and also to keep in mind our soldiers overseas.

***Moment of Silence Observed***

Thank you. Okay. We do not have any presentations, and I believe -- okay, our committee has changed a little bit this year, so I'd like to say welcome to Legislator Viloría-Fisher as my Vice-Chair. It's certainly a pleasure, I know this is a passion of yours, the Health & Human Services Committee. And also to Legislator Muratore, welcome to our committee.

**LEG. MURATORE:**

Thank you, Madam Chair.

**CHAIRPERSON BROWNING:**

And it's going to be a pleasure working with you.

With that, we do not have any correspondence, there are no presentations, so maybe this will move a little quicker today than our usual committee meetings. Do we have any Commissioners -- would anyone -- does anyone have anything they'd like to speak on? Okay. So maybe when we get to the bills there may be some discussion. So with that, we will begin with our resolutions.

**Introductory Resolutions**

***1001-10 - Designating March as Professional Social Work Month (Viloria-Fisher).***

**D.P.O. VILORIA-FISHER:**

I make a motion.

**CHAIRPERSON BROWNING:**

Motion, Legislator Viloría-Fisher. I'll second it. All in favor? Opposed? Abstentions? Motion carries. And could you please put me as a cosponsor? Thank you. ***Approved (VOTE: 4-0-0-1 Not Present: Legislator Eddington).***

*(\*Presiding Officer Lindsay entered the meeting at 2:13 P.M. \*)*

***IR 1042-10 - Accepting and appropriating 100% funding from the New York State Office of Children and Family Services to the Suffolk County Department of Social Services for supplemental child care subsidy allocations under the American Recovery and Reinvestment Act (ARRA) (County Executive).*** Motion to approve --

**D.P.O. VILORIA-FISHER:**

Second.

**CHAIRPERSON BROWNING:**

-- and place on the Consent Calendar. Second, Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? Motion carries. ***Approved and placed on consent calendar (VOTE: 4-0-0-1 Not Present: Legislator Eddington).***

**1044-10 - Transferring 100% grant funding in the amount of \$433,506 awarded by the New York State Office of Temporary and Disability Assistance from the Suffolk County Department of Social Services to the Suffolk County Department of Labor for the Transitional Jobs Program (County Executive).** Same motion, same second, same vote. **Approved and placed on the consent calendar (VOTE: 4-0-0-1 Not Present: Legislator Eddington).**

**1045-10 - Accepting and appropriating additional 100% grant funds from the New York State Office of Children and Family Services (OCFS) to the Suffolk County Department of Social Services for the Child Care Council of Suffolk, Inc. For day care registration and inspection contract.** Same motion, same second, same vote. **Approved and placed on the Consent Calendar (VOTE: 4-0-0-1 Not Present: Legislator Eddington).**

**1046-10 - Transferring 100% grant funding in the amount of \$255,048 awarded by the New York State Office of Temporary and Disability Assistance from the Suffolk County Department of Social Services to the Suffolk County Department of Health Services for the Health Care Jobs Program (County Executive).** Same motion, same second, same vote. **Approved and placed on the Consent Calendar (VOTE: 4-0-0-1 Not Present: Legislator Eddington).**

**1047-10 - Increasing the petty cash fund in the Department of Social Services (County Executive).** I would like to -- I guess we will request if we could get an explanation. I know it was something like 80 something thousand and --

**D.P.O. VILORIA-FISHER:**

No, it was eighty-five hundred.

**CHAIRPERSON BROWNING:**

Eighty-five hundred, I'm sorry, and it's a pretty extensive increase. So could we get some explanation, please?

**COMMISSIONER BLASS:**

Good afternoon, Madam Chairman and members of the committee and Mr. Presiding Officer. I am pleased to explain generally. The Department of Social Services has had the same petty cash level since the mid 1990's. We seek an increase for a variety of purposes, not the least of which is for access to emergency funds on an as-needed basis for a variety of functions in the department. I have with me, in addition to Deputy County -- Deputy Commissioner Ed Hernandez, David Mohr who is a Principal Accountant who will be able to discuss how petty cash works and why our needs are on a spiraling level. So David -- with your permission, Madam Chairman, I'll ask David to continue.

**CHAIRPERSON BROWNING:**

Okay. Thank you.

**MR. MOHR:**

Good afternoon one and all. First, I'd like --

**MS. MAHONEY:**

David, please press the button and pull the microphone closer?

**CHAIRPERSON BROWNING:**

Hold the button as you speak.

**MR. MOHR:**

How's that, better?

**MS. MAHONEY:**

Yes. Thank you.

**MR. MOHR:**

Just let me first correct my title, it's Chief Accountant. Thank you very much.

**COMMISSIONER BLASS:**

Sorry.

**MR. MOHR:**

That's okay. Yes, our petty cash level, as the Commissioner said, has remained the same since the mid 90's. We are seeing an increase in the need for it. These emergency needs require immediate access, and we're seeing our funds diminish that we have available. So we're seeking this increase so that we make sure that we have adequate funds in all our centers to meet those immediate needs.

**CHAIRPERSON BROWNING:**

Legislator Viloría-Fisher.

**D.P.O. VILORIA-FISHER:**

What are the petty cash threshold amounts?

**MR. MOHR:**

The threshold is \$100, above \$100 requires Audit & Control approval ahead of time.

**D.P.O. VILORIA-FISHER:**

Okay. And what type of uses occur for those \$100 increments?

**MR. MOHR:**

The uses are a variety of uses, all of which fall within Social Services Law; they could be for obtaining birth certificates, court transactions, almost anything that we have a need for. Many of these things are -- for instance, a birth certificate need, we actually have to mail a check to the respective State or County and get that birth certificate; we're seeing an increase in the number of those that we need to do. You could have an individual in an institution that is then hospitalized and they'll need clothing and we'll have to lay out the petty cash for that clothing.

**D.P.O. VILORIA-FISHER:**

Thank you.

**MR. MOHR:**

You're welcome.

**CHAIRPERSON BROWNING:**

Legislator Kennedy.

**LEG. KENNEDY:**

Madam Chair, I am -- having been familiar, somewhat, with petty cash when we were out in the Clerk's Office, I know that the concept is basically to not have to have employees basically go into their own pockets in order to facilitate and transact business on behalf of our constituents or clients but, you know, the emergency I think is kind of like the key thing here. As far as court actions and things like that, any business that had to be transacted on behalf of a constituent, you could always make application to the court for poor-person status, and any filing fees are waived pending, you know, a sufficient layout to the Court Clerks, or for that matter for the Judge.

So I am disinclined at this point to go ahead and support something like this based on just the general nature of the resolution. No employee should ever have to go into their pocket for any particular expense on behalf of a constituent or client, but I would much prefer to see a frank discussion about areas where we may need to augment or beef up or reprioritize areas of funding

streams. You know, if the departmental budget has some category that talks about client needs, be it, you know, clothing on an emergency basis, maybe because of a burnout, a fire or toiletries or food stuff or things like that, we look at them all through emergency food procurement, we try to budget as best as possible. Petty cash is almost like the antithesis of budgeting. So unless there's something else that I'm unaware of with what you're looking at, my motion would be to chair -- to table, Madam Chair, at this point. I don't see the need.

**CHAIRPERSON BROWNING:**

Okay. You know, I see the bill here and it really doesn't give us an itemized list of the kinds of things that it pays for. I know that a lot of times you have people who are homeless and they get cash assistance and I'm curious, is any of this money going towards cash assistance for rent payments?

**MR. MOHR:**

Yes, it does. Many times we do have homeless single individuals who present themselves late in the day to our centers and there is insufficient time to process them through the application and get them into the WMS system, and many times we give them a cash advance for one or two nights and then they have to come back with receipts in hand which is hopefully claimed through the New York State WMS System. So unfortunately it's not a budget thing, all these expenses, whether they are administrative or programmatic, go through the appropriate appropriation, so there's no loss of State funding or anything on that level. But yes, there are times when single individuals especially present themselves and we have to house them for a night or two.

**CHAIRPERSON BROWNING:**

Okay. Single individuals who are looking for housing vouchers for motels, possibly, which means sex offenders?

**COMMISSIONER BLASS:**

Absolutely. We would have a need for that purpose, we would have need for CPS petty cash, Adult Productive Services accesses petty cash quite often.

And with regard to Legislator Kennedy's motion, I would invite to your attention that this was no casual decision to present to the Legislature the need for an increase in the petty cash funding, it was made after careful study and a realization that the demands of this department, and petty cash, are arising -- are rising at a level that is of great concern to us. We had considered asking for much more than this, but what we will do is ask for an increment that we think is reasonable, and if it is still is not sufficient, we think it's better to return to the Legislature for an increase above that. But to suggest that there's been no candid discussion, I would have to take serious exception to that because there has been, there will be and I'm here to answer -- we are here to answer any questions you may have.

But this is not an antithesis of the budget, this is increasing what the budget provides for which is petty cash, among other things. We need it, we have studied it, it is a unanimous recommendation of the senior staff of the department and we would strongly suggest that you carefully regard the fact that the demands on the department are exponentially higher and continue to rise and make the need for emergency access to funds larger than they used to be.

**LEG. KENNEDY:**

Madam Chair?

**CHAIRPERSON BROWNING:**

Go ahead.

**LEG. KENNEDY:**

Okay. Do I think it's casual? No, I don't think it's casual. Is your department coming forward to us to attempt to meet a particular need that is before you now? Certainly. However, I'll also remind

you, which you know, today is January 28th, I believe, we are less than one month into the 2010 budget, which process commenced I believe last May or June. The Department of Social Services submitted to the County Executive a budget request. The County Executive's Office then reviewed that and compiled that into a budget that was submitted to us in the Legislature which we then reviewed and ultimately wound up adopting. The question I'd pose to you, Mr. Commissioner, is where are we now today on January 28th, so radically different than where we were for the seven or eight months of budget process that brought us to this point?

**COMMISSIONER BLASS:**

There's no change in the original appropriation; none, absolutely none. And I would also invite to your attention that we're talking about going from somewhere in the neighborhood of between eight to \$9,000 to between 25 and \$26,000, \$28,000, but certainly we're not talking about a major step here. If you wish to table it, we will only tell you that it will create difficulties for us from what we project has happening. We were not able to project with precision the demands upon this department, but generally we were aware that there might have to be some shifting in the appropriations and an increase in the petty cash fund. If it is the inclination of any Legislator to obstruct an increase in petty cash, I can't control that, but I would suggest to you that it would be an unwise move because the department has concluded that we are going to need a larger petty cash fund for a variety of purposes.

**LEG. KENNEDY:**

I take your advice and your request with great sincerity and earnestness. And if I have criticism, it's not necessarily that you are compelled to be here selecting this. However, I question whether or not we really are looking at seven or calendar months that's compelling a 200% increase in a request for an item, be it only from 8,000 to 25,000. Or in fact that we're talking about a radical shift in policy on the part of the administration that compels now to have to go ahead and fund homeless housing vouchers which, in fact, were not budgeted for at all and a major shift occurred over the course of these past couple of months.

**COMMISSIONER BLASS:**

I'll let David Mohr respond to that in part.

**MR. MOHR:**

I think what we need to understand is that we're not increasing any of our appropriations, all we're doing is shifting money from the General Fund to a local petty cash fund. All the expenditures that are -- all the expenditures that are used through the petty cash fund are claimed in the same manner as if it went through the General Fund. This is just facilitating getting funds that are necessary to handle an immediate emergency need.

For ongoing expenditures, we move them on to the WMS system, the State WMS system, and they get their money and their needs fulfilled through their EBT cards, but there is a delay in getting there. To get money on to an EBT card takes two to three days. By the time they apply for it, it goes up to New York State overnight, then it has a full day of review by the department and by the department of Audit & Control, and then those funds are accessed -- accessible after midnight on that second day. All these expenditures are claimed the same way they would be claimed through the WMS system, so if we're entitled to 50% State funding on it, we're still getting that 50% State funding. We move these funds through that WMS system, it's just that at times we can't get the money on to their EBT card in enough time to facilitate them needing -- you know, using those funds, so this is a way of accomplishing that.

**LEG. KENNEDY:**

Madam Chair, I made my motion to table because precisely I do not want to monopolize for the balance of the committee going through some of these rudimentary details. But nevertheless, I guess, I respect the Commissioner's statement that you are here to go ahead and explain. So now I'll ask you, what time is the cutoff for WMS in the afternoon?

**MR. MOHR:**

The workers in the centers can enter stuff into the system until early evening, at which point then it goes electronically up to New York State, it is checked and verified through the WMS system there, that then comes down the following morning and reports to my accounting unit. From there, my people take the paper verification that they get via courier, that moves it from the centers overnight to our Ronkonkoma office, that paper verification is verified against the electronic paper that we get in the morning. Once those two things are verified to be one in the same and that everything is coded correctly and that proper backup documentation is attached, we approve it and move it on to Audit & Control, they do a similar review. We have until early afternoon to cancel a benefit. Benefits are going out no matter what; once the worker in the center enters it into an EBT benefit, that benefit will be available to the client midnight the following day unless we stop it. That's the only thing we can do, stop it. If we perceive that it needs to be stopped, lack of documentation for whatever reason, we'll either put a hold on it or cancel it. If it's okay to move on, it goes the Audit & Control which is in our building, they do the same check and then the benefit is available to the client at 12:01 the following morning.

**LEG. KENNEDY:**

Has there been any request to OTDA to give the local department the ability to advance this funding and then do the approval process you just described subsequent for the cancelling? So that rather than looking at this 48 or 72-hour authorization, check, audit and then ultimate disbursement, has there been any effort to go ahead and have the State front-load it, if you will?

**MR. MOHR:**

The current WMS system that the State is working with was designed and developed in 1970. The State it's currently looking at a new State system, but currently there is no ability for them to change the system the way it is right now.

**LEG. KENNEDY:**

I'm going to yield, Madam Chair. But I still --

**MR. MOHR:**

I might say directly, the answer to your question is yes, we've actually inquired with them. We've actually inquired to see if we can get automatic deposits into accounts and they cannot do it in the current system.

**LEG. KENNEDY:**

But again, that's not something that I know that I had been aware of beforehand, and I'll be happy to go ahead and write to OTDA to request that they be done. If the State is operating off of a 39-year old IT system, that's unacceptable. I'll yield, Madam Chair.

**CHAIRPERSON BROWNING:**

Vivian?

**D.P.O. VILORIA-FISHER:**

Thank you, Madam Chair. Actually, we went through this when we were doing the child care issue where direct deposits couldn't be made because of the State system and we just keep hitting our heads against wall.

Mr. Commissioner, when you were not Commissioner I had visited the homeless in motels and I saw the need for emergency funds sometimes when people had to be taken in the evening and they required some food, and so it was important to have some petty cash available. I think Mr. Hernandez was there when I visited motels and I know what a heartbreaking situation it is, and our numbers are going up and so there certainly seems to be an apparent need.

I believe what's causing some prickliness among the committee is that we're seeing a sizeable jump

and we know that the need is going up and we're concerned that the lion's share of the difference between the eighty-five hundred and the twenty-five thousand is the need to have the vouchers for sex offenders, that that's where the lion's share is going. What kind of comfort level can we have that it's not just because of the sex offender issue and not being able to place them in the housing that had been planned, what kind of comfort level can we have that the lion's share of this money is not going for that specific purpose?

**MR. MOHR:**

I will say you are correct in your statement, we have seen a twelve-and-a-half percent increase in the number of single individuals that are presenting themselves to us. As of this month we have 224 single individuals, so there is a portion of it that is going to that. But we also -- as you said, we do also have them presenting themselves in the evening and they haven't eaten all day. It's a variety of things, they present themselves and they have no clothing and they need to, you know --

**D.P.O. VILORIA-FISHER:**

When you say single individuals, what do you mean? Can you give us more of -- what do you mean single individuals; are they all sex offenders? No.

**MR. MOHR:**

Single homeless individuals --

**D.P.O. VILORIA-FISHER:**

Just single homeless individuals.

**MR. MOHR:**

-- which includes sex offenders.

**D.P.O. VILORIA-FISHER:**

It includes -- but they're not all. You know, I just want to clarify that that's not a euphemism for saying sex offenders.

**MR. MOHR:**

No, we do not have 224 sex offenders.

**D.P.O. VILORIA-FISHER:**

Thank you. Okay.

**COMMISSIONER BLASS:**

We have actually up to 900 sex offenders, but the homeless portion of that population varies between 20 and 30, sometimes 25 and 35.

**D.P.O. VILORIA-FISHER:**

Okay. I just wanted to clarify that because, you know, you were right that we have 224 single individuals and I wanted to make sure that that wasn't -- that that was clarified. Go ahead, I'm sorry.

**MR. MOHR:**

Yes, you're totally correct, there are not 224 sex offenders. But that need, in conjunction with all the other needs, as more people present themselves late in the day, we have a greater need for food. We have greater needs for, as the Commissioner said earlier, APS. We'll be called out and you'll get to a house where it's just a disaster and there are times when they just need, you know, 50, 60, \$70 to take care of this individual to get them to a point where they're liveable, habitable. We try to avert using it, we don't like to use it, but we're seeing an ever increasing trend of the use of petty cash.

Currently where we used to voucher, which is to take our petty and put it through the system to get

a replenishment, we used to do that on a monthly basis, we're now down to doing it on a weekly basis. Whereas we used to have fourteen to fifteen hundred dollars in our checking account, as of today we had less than 500 in our checking account. You understand that there's a portion of this money that is out in the centers, we have multiple centers and locations including emergency services at night that have petty cash. There is a portion of it that is involved in the vouchering process which is putting all the receipts together, putting it on a voucher and putting it through the IFMS system so that we can get that money replenished. And then there's a portion of it that sits in the checking account waiting for a check to clear or for us then to write a check out of our petty cash account and get that as cash back into our custodian's lock box so that it can then be moved back out to the centers.

I should also point out that we have several DSS-owned homes now that are eating up some of our petty cash as well to get some minor repairs done.

**COMMISSIONER BLASS:**

Yes, we have a significant responsibility that we tried to see if the Department of Real Estate would assume control of those single-family houses. The Legislature saw fit to give credence to the Department of Real Estate or the Division of Real Estate's representation that they could not hold property, that any property that was given to them was surplus; nothing is surplus unless the policy making body, to wit the Legislature, declares it to be. And the department -- the Division of Real Estate is far better equipped to operate and maintain properties. The Legislature saw fit, as the Legislature apparently sees fit now, to ignore the input of the department and now we have several single-family homes with substantial repairs required and substantial access needs to petty cash. I do want to say one more thing in response to the suggestion that this is a sudden thing. Preparation of this resolution started in this department in early November of 2009. And as we began to see confirmation of the projections, we also made a decision not to come to you with a large increase in petty cash, though we may need it, but we certainly need this one, and if we need more after this, we will come back to you. That is the problem with budgeting. Budgeting is a year-long commitment with many changes that can occur, even as the preparation process is under way. I saw that happen frequently when I sat on that side of the horseshoe and I am seeing it even more frequently in this department under these exorbitantly excessive and demanding times, unprecedented for this department.

So I urge the Legislature to realize that we are trying to work in partnership with you, we have increasing responsibilities. And as David just indicated, the accounts at the centers and elsewhere for petty cash are far less than they used to be. The demands are not just for homeless, it's for CPS, it's for APS, it's for a number of our responsibilities that need to have a more secure cushion, but it won't be much of a cushion at all really when you get down to it. And if the needs arise again, further to that partnership, this administration will again approach the Legislature for yet another increase, it depends on how it goes. We're hopeful that all the publicity that's been given to the idea that things may be getting better will soon translate into the demands that are put upon this department and that we don't need further petty cash. We may actually come and say to you we can reduce petty cash again, I don't know. All I know is that as Commissioner, with the senior staff here, in consultation with our budget people, we are convinced that the needs of the department dictate an increase of petty cash by at least this amount.

**D.P.O. VILORIA-FISHER:**

You know, actually I'm going to have to sit down with you --

**MS. MAHONEY:**

Your microphone is not on.

**D.P.O. VILORIA-FISHER:**

I'm just not close enough, I'm sorry. Because you have to use petty cash to do repairs on homes?

**MR. MOHR:**

Small minor repairs, yes. Things that can be done where you go to Home Depot, buy 30, \$40 worth of, you know, repair stuff, whatever it may be, and one of our maintenance mechanics actually does the repair.

**COMMISSIONER BLASS:**

We're in that business now, we would rather not be.

**D.P.O. VILORIA-FISHER:**

Yeah, it seems that you certainly have enough on your plate without having that --

**COMMISSIONER BLASS:**

The recommendation of this department was for these properties to be transferred; the Legislature chose not to abide by that recommendation. Therefore, we are asking for this kind of a coverage of funding for that responsibility of being a landlord, essentially.

**D.P.O. VILORIA-FISHER:**

Okay. Thank you.

**CHAIRPERSON BROWNING:**

To respond to that, I think one of the issues was to do with the congregate homeless shelters that we currently have that have been having problems with, you know, being asked to pay back money, although they've already provided a service. And I think that's why that -- I do believe that's one of the reasons why that was held up.

But, you know, I think you know there's that one component in this bill that I have a real problem with. You did call me when you talked about the homeless sex offenders and that you were going to have to move them into industrial sites and I said that's more appropriate. I thought it was a better idea and that we're not saturating certain communities over others and -- you know, but at the same time now we're looking at we're going to give these people cash assistance to go wherever they want and we're not going to be paying attention -- we're not going to be able to pay attention to where they are and what they're doing, we're not going to be able to monitor them. So I think we're going down a very serious path when we have the homeless sex offenders now having to find somewhere to live.

That's my major issue. And my question is you're saying you have 20 to 35 homeless sex offenders. How many of them are coming out of parole and getting out of prison with nowhere to live?

**COMMISSIONER BLASS:**

We have -- a little more than half of them seem to be regularly on parole. So for those -- if we go to the voucher system, and the voucher system is still a work in progress. And once we have our system complete and ready and approved by the various State and local agencies, we will certainly share that with the Legislature; I don't think that we would operate any other way. But I have to make it clear, Madam Chairman, that to say that they would be unmonitored is not true because those on parole would be. But otherwise, they would be homeless sex offenders who would be given -- what we're contemplating now is giving them a list of location they cannot go and the laws require that they have the ability to go to certain places. But that is one component of many purposes of this petty cash fund. And to hold up the increase because of concerns about the use for homeless sex offenders suggests to me that there is an unawareness of what most all the other counties are doing. We are preparing a spreadsheet that when it's complete we'll share with you, the vast majority of the counties of the State of New York do use the voucher system for homeless sex offenders.

I would also invite to your attention that the problem doesn't lie with whether we get petty cash or not, it lies with the State of New York continuing to release sex offenders without addresses. The State of New York continues to fail to enforce and use the Civil Confinement Code, and the State of New York continues to have a Legislature that chooses to ignore the homeless sex offender problem.

And if I could be very candid with members of this committee, we -- this administration gets zero support from this Legislature -- I'm being candid now, with all due respect -- no support at all for the homeless sex offender problem. By choice, by default, by whatever description of the inaction you may want to describe, the Legislature chooses to simply oppose any opportunity to deal with it. Now, there are some exceptions that shall remain nameless, but I would say as a general proposition, the administration is tasked with the responsibility of housing homeless sex offenders, and yet I can't think of one time where members of the Legislature have told us that we will assist this department in getting this problem resolved. Instead, we are consistently opposed. And I'll pose the question, rhetorically, I won't be -- I won't be individual in my inquiry, but what do you suggest we do with them?

Do you have any thoughts on where they go?

**CHAIRPERSON BROWNING:**

Well, first --

**COMMISSIONER BLASS:**

And I'm almost finished; I'm on a roll now and I want -- I just want to finish this one point.

*(\*Laughter\*)*

**CHAIRPERSON BROWNING:**

You're going to put me on a roll, too.

**COMMISSIONER BLASS:**

I know, and we should be because this issue has to be dealt with.

It's the responsibility of every department to be aware of the impact of its policies, of social services policies on a community. And there's been such misstatement about the way the trailers are going to work, that they're the best way because they're at the jail in a secure location. Well, only one trailer is at the jail and it's not in a secure location, it's in the jail parking lot. And we are spending almost a million dollars a year, and it's going up, just to transport 90% of the homeless sex offender population, two trailers which are the subject of litigation. We are being sued by the two municipalities in which the trailers are located, Westhampton and Riverhead; Southampton Town and Riverhead Town.

I would add to that that the litigation is about to increase because there are those who contend that the sex offenders themselves who are homeless are not being properly treated by being placed in these trailers. And this is in a community, by the way, where the jail regularly releases its inmates, not with transportation back to where they came from but at the front door, possibly with bus fair. And I can tell you that one instance -- in one instance of the impact of this on a community, combined with the homeless shelters that are already in that municipality and the jail releases, you've had -- the library had to close their cafe and had to put monitoring systems in their restrooms because of what's happening with released inmates and homeless persons spending the day at the library in the restrooms in activities that I care not to discuss in a public forum. But this is just what one library's impact has been.

So when we talk about dealing with the homeless sex offender situation by retaining the system we have now, we're talking about a system that is on the precipice and it's about to fail because of a judge's order and because of continued litigation. The County Executive has already made it clear that these trailers and the whole prospect of a specialized shelter for them can't get public support. It certainly hasn't had any Legislative support, and yet the task remains with us to house them. And that is why we have to come to solutions and not reasons to find yet another resolution to table, another project to oppose, another formula to tear part.

**CHAIRPERSON BROWNING:**

You see, this is the problem. If this was a bill for petty cash for everything but the homeless sex offenders, not one person here would have an issue with it. And I understand what you're saying.

You know my district, you know the issues I have. And parole, I have no respect for them, I have no faith in them, and as far as I'm concerned, they -- they come to my district, they dump in my district and they think it's okay. It's not okay. And when it comes to these homeless parolees, as much as I wouldn't want to do it, I will do it; I'd put them on a bus and take them back to Albany and tell Albany to fix it, because it's their problem and they're shoving it on us and it's not fair.

The parolees are homeless and they should not be released if they have nowhere to go. In the meantime, New York State Parole -- and I can tell you, they have seen vagals come into my district with parolees dropping off in certain homes and I've had enough of it. I'm not going to support Parole dumping more people in Suffolk County because where else are we going to put them? I'm sick and tired of their response. So they need to step up, Albany needs to step up and do something about it. And you said it, when it comes to civil confinement, they have done zero, they have done nothing. The law passed, they need to get up off their duffs and do something because we're not taking them any more, we've had enough. And they give us this lame excuse, I've even heard, "Well, you know, if that's the last place they committed their crime, we can take them back there." That's a lot of bull.

**COMMISSIONER BLASS:**

But does it make sense, Madam Chairman, for that frustration to be taken out on the department which has a constitutional obligation to house them?

**CHAIRPERSON BROWNING:**

Right, I understand that. I understand that. But like I said, as much as I wouldn't want to do it, I'll take those homeless sex offenders who are on parole, I'll drive them to Albany; I'm happy to do it.

**COMMISSIONER BLASS:**

I'm glad -- your happiness is welcome. The problem is we have to house homeless sex offenders. We have no choice. The choice of the Legislature, of the County, of the State rather, is to look the other way and its corrections department continues these practices.

We have the obligation to house them, notwithstanding the shortcomings of parole, not notwithstanding the difficulties in communities. How does it make sense to spend hundreds of thousands of dollars a year just on taxis to the farthest point of the County which has, unfortunately, the least political clout by numbers. The 90% to 10% population distribution in Suffolk County, west end to east end, applies to the sex offenders who are homeless as well.

**CHAIRPERSON BROWNING:**

We have an obligation, yes, to house people when they're homeless. However, when they go to an office in the city and the city tells them, "We can't help you," they go to Nassau County, and I know for a fact they're coming out of Nassau County and coming to Suffolk County. They're being steered towards certain communities in certain homes.

**COMMISSIONER BLASS:**

Nassau County still has up to -- really up to 500 home -- well, homeless -- up to 500 sex offenders, about half the population of Suffolk's. But they also have a large number of homeless and they use the voucher system as well. They don't --

**CHAIRPERSON BROWNING:**

Do you know what their homeless number is?

**COMMISSIONER BLASS:**

Their homeless is I believe in the teens, standard in the teens, because they -- don't forget --

**CHAIRPERSON BROWNING:**

So probably half of what we are.

**MR. MOHR:**

Yes.

**COMMISSIONER BLASS:**

Yeah.

**CHAIRPERSON BROWNING:**

And we don't know where these people are coming from. I mean -- you see, this is the problem. We are getting them and we're not -- we're accepting them and saying, "Come on in, we'll give you somewhere to live." You know, the reality is I know for a fact that they're coming out here from Nassau County, they're coming out here from Queens, you know, they are in certain communities. I had a resident who overheard one of them on a phone walking past his home talking and he says, "You know, I don't know where I am. I'm out somewhere in Suffolk County and I have to stay here for a while." You know, I'm sorry, it's time for us to turn around and hit back at Albany and say, "Take them back."

**COMMISSIONER BLASS:**

Madam Chairman, I would respectfully suggest that the number of homeless sex offenders that fall into the category you just described is extremely limited and comes nowhere -- if we resolve that issue, which I would certainly try to do and have discussed this with Nassau County and they insist they don't do it, Nassau County's department. But if we addressed that problem to your satisfaction, that none of them came from outside the County, we still have a substantial population.

**CHAIRPERSON BROWNING:**

I made a request of Parole for information and I said I would like to, know how many of your parolees -- I gave them a list of the problem sober homes in my district and I said, "I'm giving you the addresses. I want you to be able to tell me who did it." You know you got that letter where now they say it's DSS is responsible to house them, and I asked them for information, I said, "At least if you could give me what hamlet they lived in, what town they lived in before they get out of jail and now they're here. I want that information"; they have yet to respond to that question. They don't respond and that's the problem, they just keep shoving them out here because they seem to find it's easier.

**COMMISSIONER BLASS:**

What do we do about the ones that are from here, who are registered sex offenders, who are homeless, who do live with their families and relatives and friends during the day, many of them, but who because of the restrictions on where they can live, including restrictions imposed by this body, what do we do with them when they cannot stay overnight because the friends and relatives and family residences are in restricted areas? Soon we'll have a restriction imposed by the Town of Brookhaven that requires that they not reside near bus stops. What do we do? I am looking for a solution because as Commissioner of this very huge department with enormous responsibilities, we are trying to house homeless sex offenders and have absolute -- this administration has -- the only cooperation we have is, of course, from the County Executive, but when it comes to the Legislature we have none, we have nothing but objection, obstruction, further restriction, unwittingly increasing the population of homeless sex offenders. Where do we go with this kind of problem?

And look what's happening -- just if we could reflect for a moment on what's happening here. Because a petty cash resolution might also enable us, in limited emergency situations, to assist with the homeless sex offender problem, this Legislature has already decided, at least as it's manifested in this discussion so far, that the petty cash resolution has to be stopped. It's senseless. I don't get where we're going with this. And I would strongly urge the policy-making body of this County to show, us if we have all these steps that we cannot take, could we have a step that we could take that would meet with your approval?

And I would just point out on the trailers, one last point. In the litigation, and we can't really talk publicly about litigation but it's a matter of public record, that the County Attorney lodged a motion to dismiss in the actions by the towns against the trailer -- the two trailers, one in each place -- and

that motion was summarily denied, without even an opinion. So we have the lawsuits on behalf of the sex offenders, the lawsuits on behalf of the municipalities, the Legislature with its restrictions, the Constitution of the State of New York mandating that we house them, the problems with the limited rental housing, affordable housing, and the ever increasing population of homeless sex offenders, and we are even obstructed with a petty cash resolution. That, I think, is worth reflecting upon before action is taken.

**MR. ZWIRN:**

Madam Chair, can I jump in at some point?

**COMMISSIONER BLASS:**

I'm sorry.

**CHAIRPERSON BROWNING:**

Yeah.

**MR. ZWIRN:**

That's all right.

**CHAIRPERSON BROWNING:**

And again, you're saying that this petty cash goes towards so they can go find a motel to live in. Do we have a list of where they can go? I mean, do you have a list of places where they can go, where they cannot go?

**COMMISSIONER BLASS:**

We're developing --

**CHAIRPERSON BROWNING:**

It would be nice to get that.

**COMMISSIONER BLASS:**

That list is being formulated. We have motels where they could go, for those who use it. We have -- we still are transitioning homeless sex offenders into permanent housing, mindful of those restrictions, but the problem is that we don't have that list complete yet. That's what Nassau's system is, by the way. They give them the voucher and they give them a list of places they cannot stay. We're hoping to have something more comprehensive than that; but again, we have to have something.

**CHAIRPERSON BROWNING:**

Ben?

**MR. ZWIRN:**

Yeah, if I might. You know, we took a -- the administration and the County Executive really, I think, took some courageous steps here that were very unpopular and we thought made good sense to protect the communities. And Legislator Kennedy can attest to this, we were out in the Commissioner's home town where we had the trailer at the County jail, about 400 people showed up on the night of a blizzard at Riverhead High School who were outraged that they were going to be the host community to a trailer. And the reason behind the trailer was to try to keep these individuals who had no place to live under control and where we could watch them from eight o'clock at night to seven, eight o'clock in the morning, and for a while it worked. And we took -- politically we took a beating; lawsuits, demonstrations. We had Legislator Romaine and Legislator Schneiderman and all the local State representatives and local school board individuals all out in Riverhead and in Westhampton where the two trailers, you know, were protesting. Because no -- we understand that, nobody wants anything like this in their community, but we thought it was a better system than just turning them loose. If we don't even give them a voucher to find a place to live, then they're just going to roam the streets without any place to go until they run into somebody

or something where they can only get into more trouble. So we're between a rock and a hard place. The County Executive -- we thought we had found a third spot because the east end, as the Commissioner stated, shouldn't have been bearing the entire burden for the entire County indefinitely. That was one of the things that they complained about and they said, "Look, it's not fair that we bear the entire burden," and that was true, and the County Executive looked for an additional spot and we thought we had found one in an industrial area in East Farmingdale. A thousand people turned out at the Farming -- in the Farmingdale High School a couple of weeks ago and that was after they found out that we weren't going to go forward with that location, that was after we found out it wasn't going forward. I can't imagine how big the crowd would have been, it overflowed almost out the building, it was enormous. There's no more volatile issue. But if we don't do anything, there's no control and these people just -- there are 900 of them just roaming the streets now. People say, "Well, they're at Dave and Busters and they're at Adventureland," they're there now, they're there now. If they've served their parole and they've served probation, they're off, you know, they've served their time, they're all over the place.

What we're trying to do is do the best we can without any help from the State of New York. At that meeting in Riverhead, we asked our State Legislators at that time to submit legislation that would prohibit the release of parolees without a permanent site for them to live, a temporary shelter was not acceptable. Out of that meeting, Senator LaValle and Assemblyman Thiele introduced such legislation and it's pending now up in Albany, at the current time it's been sent to corrections for review and hopefully that will help.

The County Executive was out front on civil confinement, and one of the first things he did when Governor Spitzer had first been elected was to ask him to sign the Civil Confinement bill and Governor Spitzer did. Now, it has not worked anywhere near what we had hoped to try to get more of these people, after they are released, to be kept in a hospital in a facility where they can be treated indefinitely until they are safe to be released. I think out of the first hundred and some-odd, there were about 17 people who were committed. And that's not going to be the answer forever because at some point some of them are probably going to be released back into our communities.

So we are in a very difficult position. And as the Commissioner said, we really haven't had any support. And nobody wants to be perceived as being on the side of sex offenders, homeless -- nobody wants that perception; you know, we're soft on -- of course not. We've done everything we possibly can to try to keep them behind bars and away from our communities; that was the thought behind the trailers. But we had no support, we had none, we got no support from anywhere.

One of the things that I suggested at that meeting in Riverhead to Legislator Schneiderman and to Romaine was to ask each of their colleagues on the horseshoe to come up with a site in their community which they thought would be acceptable. Now, that was probably a foolish thing to do, but it just highlighted the fact that nobody -- this is such a hot potato, nobody wants to be perceived as being anywhere on this side. In fact, in Farmingdale High School that night, the people in Nassau County were surprised to learn that there were voucher systems and these people were being released into their communities without -- all of a sudden the shelter system began to look -- maybe it's not so bad if it's not here. Maybe the shelter system would be good if it was in somebody else's community, that's a better plan. But we can't find additional sites, you know. So we're here -- you know, we're asking for your help to help not only this group, because we really don't want to help them, but we've got other groups that do -- that are hard on their luck and do need help.

The only thing -- and I -- and it's an issue that just -- I mean, it's a tough issue, there's no question about it. I would hope we could -- I know you would say if we could separate it, we can't. We need the petty cash. We got petty cash increases last year for the Parks Department without any trouble because we needed it. And here we are talking about people who are homeless, people who are in need, and then we have this other very small group. Because you remember, we're talking about 25 people in a County of one and a half million that we're going to penalize everybody for, and that doesn't seem fair either. It is a tough issue, it is one that we have wrestled with. We got rid of the shelter system because we couldn't find a third location in a County as large as Suffolk. Everywhere

we looked there was some drawback and the Legislature has passed a lot of restrictions, in good faith. They did it because they wanted to keep their communities safe, they wanted to keep residential areas safe and children safe, we understand that. But it has made it even more difficult and more problematic to find any location and therefore the County Executive said, "Look, maybe we should adopt a program that every other County, just about, in New York State has," which is a system where they can go out and they can't -- they still have to, you know, observe all the restrictions that are in place with the State and the County, but we want to be in the position of steering people or having shelters and communities. You know, we're at -- we're really at our wit's end, unless somebody can come up with some solemn -- you know, a decision that King Solomon could come up with.

You know, maybe this is a debate that we should have before the entire Legislature. Maybe this bill could get discharged without recommendation to the full board and we can discuss again on Tuesday, but to try to just move it along. Because the discussion is not going to end, we're still going to have to have something to be resolved and maybe we should get the entire Legislature to weigh in on it. Because perhaps Legislator Romaine and Legislator Schneiderman could add some insights because those districts that they represent have been affected, and Legislator Gregory as well who had a proposed location in his district that he was opposed to. Maybe we could get that debate before the entire Legislature, it might be healthy.

**CHAIRPERSON BROWNING:**

Well, you know, I'd like to know -- first of all, you said that those ones that are on parole are being monitored? I don't think so. They're not doing a very good job as it stands right now, in my opinion.

As far as all of the sex offenders, not all sex offenders are on parole or probation. I think Suffolk County Probation definitely does a much better job than parole does when it comes to monitoring the sex offenders, but not all homeless sex offenders are on probation or parole. What are we putting in place? I mean, I understand what you're saying. I don't want to take money away from people in need, but at the same time what are we putting in place? I don't know where they're going to go and -- I have that problem in my district again, I don't need any more than I've already got. And what are we going to put in place for those ones who are not being monitored by Probation or Parole? How are we going to make sure that they're staying where they're supposed to be?

**COMMISSIONER BLASS:**

One of the counties that we have studied was Westchester County. For the very limited sex offender homeless population that they have, they're spending over a million dollars a year having escorts actually accompany the homeless sex offenders during the day, one-on-one. That system is enormously expensive and is about to be challenged in court. Because not -- we have to be careful that we are not imposing restrictions on a person simply because they're homeless, who also happen to be a registered sex offender. We are choosing to add more than the sentence that was incurred or imposed by a court has -- we're choosing to actually add to the monitoring and the limitation of their freedoms -- convicts who are now off parole and off probation, you're talking about them -- and there's a very serious legal question as to whether we can do that, whether we as a department can choose the ones that are homeless to live with these restrictions while the ones who are not just live with the restrictions the law requires.

**CHAIRPERSON BROWNING:**

Yeah, I'm --

**COMMISSIONER BLASS:**

I'm almost finished.

**CHAIRPERSON BROWNING:**

I'm familiar with the Westchester issue.

**COMMISSIONER BLASS:**

The Social Services Law does not allow us to impose a monitoring system like that. There's been suggestions that we have GPS for the homeless sex offenders; we can find no authority to do that. Our job is limited to housing them. However, we do note that the recidivism of homeless sex offenders hasn't occurred in Suffolk County in several years and it involved, again, the usual relationship between the offender and the victim where there was familiarity and acquaintance. But the point is that we have to house them and we are doing everything we can to make sure that they have the same lack of problems that they're having in Nassau which is they are given a list of places they cannot go. And they will not be provided transportation, so they will very likely go to the -- unless they want to use their voucher monies for that, for the purpose of getting to where they need to go. But the point I'm trying to make is that they will very likely seek housing in the areas from where they originally came during the day. And again, to suggest that they will gravitate each night to a particular community won't really apply to this kind of situation. They will go to areas or to housing, as long as it's not restricted, that is available as motels primarily and which are not subject to the restrictions that the State and the County have imposed. They're not going to travel far and wide or congregate to one area. It really does -- this is the reason we found most of the counties have chosen this system, because it doesn't disrupt anything with numbers.

**CHAIRPERSON BROWNING:**

Okay. Westchester; didn't Westchester get permission from the State to have the monitor with the homeless sex offender?

**COMMISSIONER BLASS:**

My understanding is that they haven't -- they've received informal approval. But try dealing with OTDA on the homeless sex offender issue; they take one step forward and two steps back. And Westchester officials admit that they think that this monitoring escort system that they have is of limited duration.

**CHAIRPERSON BROWNING:**

Okay. Vivian?

**D.P.O. VILORIA-FISHER:**

Greg, I understand your frustration. I am -- we're also in a difficult position because Kate and I overlap districts and I have been to community meetings where the people feel that they're dumped on, a variety of issues create a difficult living situation for them. But there are just two things I would -- two pieces of information I'd like, and one of them is of the difference, again, between the eighty-five hundred and the 25,000, what percent of that is going to be going to this particular issue? Is there -- I know that it's hard to give a hard number because it's an emergency fund, but I've seen too many hungry kids out there going to motels who are going without food before they get there.

**COMMISSIONER BLASS:**

I'll turn it over to David and to Ed in a minute, but it's only for a matter of days until we have this benefits card system, the debit card system finalized. Then the homeless voucher system will become a very minor part of the petty cash function.

**D.P.O. VILORIA-FISHER:**

For the sex offenders.

**COMMISSIONER BLASS:**

So it would be a temporary application. This is a work in progress and we think a considerable break through is the debit card approval -- approval for the debit card system that we just got from Audit & Control and I believe OTDA too. So we're --

**D.P.O. VILORIA-FISHER:**

So once that's in place, you won't be using any of the petty cash money for that purpose, for that voucher system?

**COMMISSIONER BLASS:**

Very likely we would --

**MR. MOHR:**

We would use small allotments of it. As the Commissioner said earlier--

**D.P.O. VILORIA-FISHER:**

When you say small, that's what I'm trying to get at; what do you mean by small, 1% of it, 2% of it, 10% of it?

**MR. MOHR:**

The way the system is being designed is that an individual would present themselves, they would be given a sum of money for that one night's stay. They have to present themselves back at the center the following day, they would have to present a receipt from wherever they were, that receipt would have to have the motel's name, address, signature, all things that Audit & Control requires --

**D.P.O. VILORIA-FISHER:**

David, I'm sorry.

**MR. MOHR:**

Sure.

**D.P.O. VILORIA-FISHER:**

I'm sorry to be so familiar, but I don't remember your last name. But can you just tell me --

**MR. MOHR:**

Sure, no problem; David Mohr.

**D.P.O. VILORIA-FISHER:**

I just think mathematically and I just want to know what kind of percentage. You went through the process already, I'm just trying to understand because the Chairwoman -- and there's another dimension to this. This is my colleague who is faced with this all the time in her district, and you can see that she certainly has been doing her due diligence to protect the people that she represents, and so there is a sense of wanting to stand with my colleague as well. And so in the meantime, I want to protect and provide services and nutrition and everything else for the people who are the most vulnerable in our district. But there's also a vulnerability for people who are hard working people who live in my colleague's district who feel that they're being dumped on and they feel that the safety of their children is being compromised. And I do know the statistics on sex offenders, that most of them are people that are family members or are known people, in people's lives, I understand that, but there's that perception in her district of being dumped on.

So what I'm trying to wrap my hands around here is that we are voting for something here that is primarily directed to something other than the vouchers to sex offenders, and this is why I keep pressing for what is the level here? What percentage of this total amount, more or less, I can't tie you to numbers because it's emergency, but what kind of percentage are we talking about and what is the duration? Because when this debit card system is in place, how -- when can we expect that to really be effected and what is the percentage now?

**MR. MOHR:**

When the debit card procedure is in place, it takes about three to five days to get that into place. So if you figure -- our number that we're using is \$90, ninety times five is where you're looking at for one person to move them into this system.

Initially, a larger portion of our petty cash will be used to transition these people from the trailers

into this promise. Once the program is up and running, it would depend totally on how many homeless single individuals --

**D.P.O. VILORIA-FISHER:**

How much will the transition cost?

**MR. MOHR:**

When you say how much will it cost --

**D.P.O. VILORIA-FISHER:**

You just said we need a larger amount of money to transition people out of -- from the trailers; what's that cost?

**MR. MOHR:**

The cost -- we have approximately 25 to 30 individuals per night out in the trailers, we're beginning to transition them into this program. At our current level, we can only transition two or three at a time before we run out of petty cash. Because we have to sustain enough petty cash for up to five days, depending upon a weekend, and in fact when we have our nice four day holiday at the middle of February, that will be even longer if somebody presents themselves on a Thursday because we'll have to house them Friday, Saturday, Sunday, Monday before they come back. So right now we can only transition a couple at a time. If we get this infusion of cash, we'll be able to transition more of them so that we can get them out of the trailers and into this program, and then it will be scaled back because they'll be out there. They'll be in this program and we won't have the exorbitant petty cash need that we have right now.

**D.P.O. VILORIA-FISHER:**

So for each of those 25 people, it will be, you said, \$270 --

**MR. MOHR:**

Figure you look at it this way.

**D.P.O. VILORIA-FISHER:**

Two hundred seventy dollars a piece for the three days?

**MR. MOHR:**

You're looking at --

**D.P.O. VILORIA-FISHER:**

Is that what you're considering transition, the three-day voucher?

**MR. MOHR:**

You're looking at roughly five days funding, then you have to add another five days to process the request through the County IFMS system so that the County can get a replenishment, that takes a week, and then to get the petty cash back into the bank account and then out of the bank account back into our bank account; total process takes about 15 days.

**D.P.O. VILORIA-FISHER:**

But wait a minute, that will use up the whole amount. Because you're saying you have 25 people and if it's ten days, that's \$900. So 900 times 25, that's taking us almost to the \$25,000.

**MR. MOHR:**

We've already begun transitioning some of these individuals. Our problem is going to come into play on February 11th; the trailers are going to be closing and we're not going to have a place to put these people. So we're looking at February 11th as a point at which we're going to need a large infusion of cash.

**D.P.O. VILORIA-FISHER:**

Okay. I think the problem that we're having here is --

**COMMISSIONER BLASS:**

Forgive my interruption.

**D.P.O. VILORIA-FISHER:**

Sure.

**COMMISSIONER BLASS:**

I just want to add that this would be an initial use of it, but the overall petty cash fund increase is eventually and very soon going to be devoted to a number of other purposes that require an increase in the fund as well. So to say that -- I don't want there to be an impression or a misapprehension that we have decided that this petty cash increase is for the homeless sex offender voucher program; it is by no means that. And we may need it -- the other purposes may need even more than the 25,000 which will still be there.

**D.P.O. VILORIA-FISHER:**

But Greg, help me here, because what we just arrived at is close to \$25,000 for the 25 people that are in there.

**MR. MOHR:**

I think where we started from, as the Commissioner said, this process began back in November, and at that time the trailer system was up playing and nobody was objecting to it, or limited. We were looking at it from the standpoint of maintaining our once a month vouchering for our standard petty cash use. As time progressed and as we got to the end of the year and realized that we had to wait till this year to submit it all and did that, now we have another problem that has presented itself. Initially, a large portion of this petty cash will be used to transition these individuals.

**D.P.O. VILORIA-FISHER:**

And then will be reimbursed back into the petty cash account.

**MR. MOHR:**

It will be reimbursed back into the petty cash system and then it will go towards the more daily pressing needs that we have and affording us the ability to go back to only vouchering our system once a month as opposed to once a week as we're doing right now.

**D.P.O. VILORIA-FISHER:**

So that's where you were going with this, Commissioner Blass, that the large amount is going out now, it will be reimbursed. And what's the reimbursement level; all of it would be reimbursed?

**MR. MOHR:**

Safety Net individuals, 50% from the State.

**COMMISSIONER BLASS:**

Okay.

**COMMISSIONER BLASS:**

Fifty-fifty, us and the State.

**D.P.O. VILORIA-FISHER:**

Okay. So --

**MR. MOHR:**

Yeah, 50/50, us and the State.

**D.P.O. VILORIA-FISHER:**

-- of the approximately 25,000, only twelve -- let's say 13,000 would be reimbursed, so we would be left with 13,000 in our petty cash?

**MR. MOHR:**

No, the amount will still be 25,000. It's the claiming process, which is a back-end process, that you're referring to.

**D.P.O. VILORIA-FISHER:**

Oh, because you would also fill it back in from the General Fund.

**MR. MOHR:**

We will fill it back in from the General Fund --

**D.P.O. VILORIA-FISHER:**

Our 50% would come from the General Fund and then the 50% reimbursement from the State.

**MR. MOHR:**

Correct.

**COMMISSIONER BLASS:**

For a max of 25, for now.

**D.P.O. VILORIA-FISHER:**

Okay. But you see why there was a lack of -- or a concern.

**COMMISSIONER BLASS:**

Yes, I take full --

**D.P.O. VILORIA-FISHER:**

-- about this being detailed? Because what we're looking at and what you're representing is that we are indeed going to be using all of this at the outset for the --

**MR. MOHR:**

I think what it was is that initially that was not what it was going to be used for. It was only --

**D.P.O. VILORIA-FISHER:**

But that's what it became.

**MR. MOHR:**

It became within the last couple of weeks that we're going to need this to make sure that we can afford to move these people through this system and get them out of the current system and into the new system. We want to try do that as rapidly as possible to appease everybody that we're trying to appease.

**D.P.O. VILORIA-FISHER:**

And how soon would we know the sites, that would be the recommended sites? Are you going to give out that information or not? I don't -- I wasn't clear on that. You said there would be a list of motels where they can go? Apparently now there's a list of places that they can't go, because that's by -- that's statutory at this point.

**COMMISSIONER BLASS:**

Nassau has -- only gives out a list of prohibited sites. We will probably do the same thing because we don't want to be steering any individuals or groups of them into any one place, but we are confident that there are sufficient sites and we're working with the Police Department to assist us in identifying them so that we're sure where they can't go is made known to them. And then we will avoid the steering problem because they will find where they can go and we will know the next day

where they have been, with the presentation of the receipt for the additional funding. So that in a sense is the monitoring that was found to be lacking here, that we will have knowledge of their trends and their activities and their use of time, where they stayed that night.

The other problem that we haven't even mentioned here yet is a respite facility in the daytime. We don't think we're ever going to reach that point because we can't get anywhere when it comes --

**D.P.O. VILORIA-FISHER:**

Where do they go after the three days? I mean, this takes care of that emergency, but then what happens after that?

**MR. MOHR:**

The initial way it's working is that they would bring back this receipt. They then get an allotment of cash equal to the cost of that particular location that they stayed at. If they want to change locations, they have to come back to the center and start the process again. So they will be staying wherever they're constantly staying which, as you know, they would then have to register and we would all know where they are and we would be getting receipts for every night's stay at whatever motel, hotel, Holiday Inn that they're at, we're going to know where they are on a daily basis.

**D.P.O. VILORIA-FISHER:**

But then after the third day they have to find another place and then start the process again?

**MR. MOHR:**

If they want to change location, otherwise they will stay at that location they're at until they've --

**D.P.O. VILORIA-FISHER:**

But by then they have a debit card, so it's not coming out of this fund.

**MR. MOHR:**

Right, the cash would be coming through on their debit card, but they still have to provide a receipt.

**D.P.O. VILORIA-FISHER:**

Right. But what I'm saying, it doesn't keep depleting this -- it doesn't continue to deplete the petty cash account.

**MR. MOHR:**

No, after their -- after the initial three to five days of petty cash that we use, it then goes through the State WMS system and it becomes a daily benefit which we process on a daily basis.

**COMMISSIONER BLASS:**

Further to the point of monitoring, I would respectfully invite to your attention that Megan's Law requires they register either as homeless with an indication of where they've been staying or with a permanent address as to where they've been staying. So that monitoring plus our receiving the information from them as to where they have been staying, plus the prohibited list we'll be giving them, is a control system that works relatively well and without incident in virtually all the counties in the State.

**CHAIRPERSON BROWNING:**

Okay. So is there a possibility we could get a list of locations that they are not permitted to go to?

**COMMISSIONER BLASS:**

When that is ready, yes, we'll provide that. We'll provide you with a spreadsheet of the counties and what they do and how many -- what their populations are. This is a work in progress, but in the meantime we have a need to do a lot of things with petty cash, our discussion is focused on only one of them.

**CHAIRPERSON BROWNING:**

Can we get that before Tuesday?

**COMMISSIONER BLASS:**

We'll try, but I don't know if we'll have it Tuesday. I can't promise that because we're waiting for the Police Department to give us a list of the prohibited sites. And by the way, we can be confident that it's almost everywhere in Suffolk that they can't be. When you overlay the State and local and town restrictions, there's -- we can be confident that you name it, they can't be near, they can't stay there.

**CHAIRPERSON BROWNING:**

Okay. You know, the State capital looks really good to me. They're the ones that have to fix the problem, let them go live in there.

You know, I understand that, you know, we have other reasons that we need the money. I spoke to my colleague about a discharge without recommendation because I know he has some concerns about where the money is going.

**LEG. KENNEDY:**

Madam Chair?

**CHAIRPERSON BROWNING:**

If you want to put your request in?

**LEG. KENNEDY:**

Sure, sure. I do not want to obstruct or supplant the role of the Commissioner or the department. And I have listened to everything that you have said, Mr. Commissioner, and I respect your years of service, of public service, in all of the roles that you have held, so I don't think that you would come to us lightly. And as I've listened to the discussion, it occurs to me that because there is a hard date that's been selected for closure and a rate at which we need to go ahead and reimburse, we're probably in excess of the 25 that you would be looking to go to and that you'll have to churn fast.

That notwithstanding, I'm still not comfortable with the tone of the reso itself. I would ask BRO, as we all sit here and we're scratching for numbers, have you had any discussion with the department as to what this cost need is, the account shift, where the funding will be coming from? Has there been any of that, any dialogue with BRO?

**MS. DONO:**

Other than what we put into the fiscal impact statement, which is on a comment level because this was the County Executive's resolution, no, we have not really gone into any details with the department as to what exactly they're paying for.

**LEG. KENNEDY:**

Mr. Commissioner, what would be the impact to the department in meeting its mission for the next 30 days were this resolution to remain here tabled? And I don't make a motion to table to kill a bill, I make a motion to table because I need additional time to gather additional information. Clearly, I need to sit with whomever you would direct so could see the degree of expense that's coming out of CPS, APS, the other areas that speak about the occurrence per month, why we're looking at that as far as here in the latter part of January and how you project it out. And for me to not answer those questions in my mind, I wouldn't be doing my duty.

I'll also say to you just one other piece for the discussion here, and clearly this is something that's going to be a vexing issue for us going forward. I was the lone no vote back in 2005 for a piece of restricted legislation that I felt was unconstitutional and because I was desperately concerned that to continue down that road would unhinge the whole regulatory scheme we have right now, and that we see in sister counties is being challenged and challenged very seriously.

So my answer with this is not just to put my head in the sand and say, "Not here." I know it's my responsibility as an elected to address the issues, but at the same time I do not have to go ahead and have my constituents bend over backwards to facilitate some kind of hotel stay every night that might approach hundreds of thousands of dollars throughout this year; that's no answer.

**COMMISSIONER BLASS:**

Oh, the cost of the voucher system will be substantially less than what we have now. We're spending -- as I said, we're at almost a million dollars a year rate now on just transporting to the trailers out east. That is climbing, there's no doubt that that's going to go up. Hopefully the money that we save there will justify the money that we'll spend at a far lesser degree; and I shouldn't say hopefully, it's clear to us that that will be a less expensive proposition. But could I propose this? And far be it from me to intrude upon the Legislative process as that is not my prerogative. I'm only suggesting that it be discharged today so that we can answer these questions between now and Tuesday. And if the Legislature, in its plenary recession, determines that questions such as those you're posing are not answered satisfactorily, they can table it at that level, but at least there's a chance for us to continue on -- at the pace that we have been proceeding which is to get the transition smoothly over addressing all that we're juggling with these issues, including the litigation, the negotiations that are going -- that are under way with the communities, the monitoring that's been going on by the department and by the communities as to what we're doing with this issue.

I would prefer that some time -- some thought be given to addressing the questions you and, if BRO has any, them as well. It's a relatively simple and yet complicated issue, but the process is relatively simple. I believe David has answered a lot of them and will be available Tuesday, as I will be. But in the meantime, your questions about CPS use of petty cash and APS, we will address them between now and then. And if we are not successful in reaching a satisfactory level of information and sharing, then in that event certainly it should be tabled on Tuesday, and maybe even referred back to committee.

**LEG. KENNEDY:**

So but I'll go back to just one other question. And for the purposes of procedure here, I will withdraw my motion to table. And we are now back at, as they say, equal pause, so we will see where it goes. If the motion does not pass, what will be the impact for the department? This month, what will happen this month?

**MR. MOHR:**

We're going to have a problem on February 11th.

**LEG. KENNEDY:**

Okay. And what does that mean, we're going to have a problem? Give me some more specifics, please. Convince me why this cannot go 30 days where we would have the time to go ahead and ferret out all these questions? What causes us to be in this emergent state?

**MR. MOHR:**

The closing of the trailers on February 12th and a four-day weekend, we will not have enough cash to house the roughly 20 to 25 sex offenders that will not have been moved out of the program yet and into the EBT program, which is the debit card program.

**MR. ZWIRN:**

What does that mean; do they get released?

**CHAIRPERSON BROWNING:**

But under who's order?

**MR. MOHR:**

No, they would -- what would happen would be that they would -- with this infusion of cash, they

would -- we would have the cash.

**MR. ZWIRN:**

Without the cash.

**MR. MOHR:**

Without the cash, I don't know what's going to happen.

Keep the trailers open another week?

**LEG. KENNEDY:**

Ah. Ah. Here we are, now basically back at after beating this horse for about 50 minutes, how did we arrive at February 11th to close this operation?

**MR. MOHR:**

We had to give 30 days notice to the provider.

**COMMISSIONER BLASS:**

The provider being the security firm and the CHI security guards mainly, and the other services that are attached to the trailers; they needed 30 days notice to conclude their contractual obligations to us.

**LEG. KENNEDY:**

So then am I to take it that a week or ten days ago there was correspondence that was sent to these providers saying their services would no longer be needed?

**COMMISSIONER BLASS:**

This was announced by the County Executive even longer ago than that, that the trailers were being phased out. And that announcement, by the way, came in the wake of the decision to close down the intended operation and planning of the western Suffolk facility as well. That's when the decision was made and announced, that the idea of a supervised facility wasn't working anywhere and wasn't supported anywhere.

**LEG. KENNEDY:**

Okay. With that, I'm really loathed to do this and that's why I made the motion to table. What's the contractual arrangement with the provider at this point, the security provider? How do we retain him, how do we pay him and what kind of arrangement have we had going forward?

**MR. MOHR:**

How do we pay them? It's a per diem rate that has been established by them submitting a budget on what their costs would be to run the facility, that is then transitioned into a per diem rate, a per person per night rate. That's how they're currently paid. The contractual obligation is if we want to shut it down, we have to give them 30 days notice. Upon the County Executive announcing that they were going to do that, we issued a 30 day notice to close them.

**COMMISSIONER BLASS:**

This is separate from the taxi process which is with various taxi calls from various places in the County.

**LEG. KENNEDY:**

And we had no prior notice requirement with the transportation provider.

**COMMISSIONER BLASS:**

No.

**LEG. KENNEDY:**

Medicaid transportation or whatever it is, public service transportation, we have --

**COMMISSIONER BLASS:**

It's mostly --

**LEG. KENNEDY:**

-- blanket contracts that occur as needed, right?

**COMMISSIONER BLASS:**

Right, it's on a per diem -- that's a per diem basis, just a taxi call based on where they are.

**LEG. KENNEDY:**

Okay. So how much do we pay, then, for the security services a day, a night, a week, a month?

**MR. MOHR:**

Seventy-two dollars and eighty-five cents per person per night.

**MR. ZWIRN:**

On that provided security, they could not leave the trailers once they were there. You know, if it wasn't for the State policy, we wouldn't be here today, but because of that and because it hasn't changed, we are in this position. When we had the trailers out there, you know, we received no support from anywhere, but we kept them going even though, again, it was a very difficult thing to do politically because we had no support except people who were suing us or protesting. But --

**CHAIRPERSON BROWNING:**

Ben, let me ask you. I mean, I probably know the answer, but I'm going to ask anyway. You know, the trailers are on the jail property. Why can we not -- we have a 24/7 security of Deputy Sheriffs at the jail; why can we not have the Sheriff's Department keep it monitored rather than hiring a contractor?

**MR. ZWIRN:**

Well, the reason we -- the people that are in the trailers are not in jail. The original proposal that we had was to put a trailer behind the barbed wire on the jail grounds itself, because we figured that would be the most safe place for the people who are there staying over night and for the community as well. The State Office of Corrections said we were not allowed to do that because they had already served their sentence and they could not be put back in jail, so we did the next best thing. And this is a private security firm, it is not a Police Officer, it is not a Correction Officer, it is not a Deputy Sheriff, it is not a law enforcement. They are not in jail, they are just -- these are just security personnel who are privately trained and they're very effective, I spent time out there one night because I wanted to know, too, because people in the community were concerned. And nobody -- they were intimidating to the extent that nobody was going to be leaving the trailer after they signed in. But this plan -- originally, if you remember back, we were going to rotate trailers around the County because nobody wanted this, we were going to try to -- but because of the restrictions and because it was just prohibitive to bring electrical and waste facilities along with these trailers all over the place, that we made it fairly permanent at Westhampton Beach and the BOMARC site and at the County jail. It is behind a fence but it was not behind the real barbed wire fence of the County jail.

**CHAIRPERSON BROWNING:**

Okay.

**D.P.O. VILORIA-FISHER:**

Ben, if we have to give them 30 days notice, then there must be a contract for a period of time, right? And when is the termination of the contract that's in place? When is the end date of the contract that's in place?

**MR. MOHR:**

They are one of our existing homeless shelter providers. Their contract ends on June 30th, but they do other than single individuals, they also are one of our largest homeless shelter providers and this is just one component of what they have.

**D.P.O. VILORIA-FISHER:**

Oh, so we have a contract with a provider who has facilities at various sites and this is one of the sites, is that what you're saying?

**MR. MOHR:**

That is absolutely correct.

**D.P.O. VILORIA-FISHER:**

And if we're closing any one of the sites, they must be given 30 days notice?

**MR. MOHR:**

You are absolutely correct.

**D.P.O. VILORIA-FISHER:**

Okay.

**MR. ZWIRN:**

My only point before was with the discharge petition. And of course, you folks will do what you have to do but, you know, Legislator Schneiderman and Legislator Romaine are not here and I think their perspective on this might be different than other Legislators, so to give them an opportunity to weigh in.

**D.P.O. VILORIA-FISHER:**

Although we haven't stated our perspective on this.

**MR. ZWIRN:**

No, no, I'm just saying, but they've had the trailers in their districts and they were adamantly opposed. And Legislator Kennedy just happened to be out there, he did make a special trip out there and saw that the opposition from the people in the Riverhead community was overwhelming. And again, there would have been twice as many people there, and it was a huge crowd as it was, because the weather was so horrible and we were cognizant of that. Nobody -- look, we're -- who would want to be in this position? We would rather give them nothing. You know, somebody suggested Plum Island or on a boat to nowhere.

**CHAIRPERSON BROWNING:**

(Raised hand).

**MR. ZWIRN:**

I mean, this is not -- but because of State law, we are in a position here that none of us would normally want to be in. Fortunately, it's a small population. Look, the trailer system worked. There were no -- any incidents when they were kept there, but it didn't have any support anywhere. And we promised the communities that we would look for other locations and it is virtually impossible to find another location and the population has grown. So what we have done is tried --

**D.P.O. VILORIA-FISHER:**

You know, Ben, we understand all of that. I think the problem that we had here today is that we felt that it wasn't really a direct resolution, that it wasn't transparent. And when we have a resolution before us without transparency, when you feel that somebody is trying to pull the wool over your eyes and it takes 50 minutes to discover, that indeed, at least at the outset, at least out of the gate, all of the money is going to be going for this particular use, and that wasn't disclosed at the beginning of the conversation, and that makes one suspicious. And although the money will eventually be reimbursed and will be used for all the other things, it just doesn't give a great level of

comfort. Now that we --

**COMMISSIONER BLASS:**

Let us respond to that. That's an important point to respond to.

**D.P.O. VILORIA-FISHER:**

Okay, yes.

**COMMISSIONER BLASS:**

If you'll suffer an interruption, please. That was not our intention at all. We intended to have full discussion of this resolution, but -- and we still contend that the major purpose of this is an immediate need, but the major purpose of this is we've had the same petty cash level since the mid 90's and the needs of the department have risen exponentially since that time. So yes, we have a need for it for homeless vouchers, sex offender and non sex offender, but we also have a need for it for a variety of purposes. That is the position we took initially and that -- and as soon as the question was raised, very early in the discussion, is this not going to be used for homeless sex offenders and my answer was absolutely yes, and I would suggest that the minutes would bear me out. That was my response and that was the early part of my response.

**D.P.O. VILORIA-FISHER:**

Yes, and I'm not saying that you lied to us, but the extent of the use of this was not clear.

**COMMISSIONER BLASS:**

I take responsibility for that. I apologize.

**D.P.O. VILORIA-FISHER:**

And what concerns me now is that our chief accountant said that we have \$500 in the checking account right now for this.

**MR. MOHR:**

That's correct.

**D.P.O. VILORIA-FISHER:**

If we begin to expand the money when we increase the petty cash to 25,000 and we begin to expend the money on the vouchers, then will we have money for all those other needs, for those people that don't have food that night when they have to find emergency shelter, or the birth certificates or the court transactions or the clothing? Because this is going to seem to absorb everything.

You know, we still have a lot of questions. I'll support a discharge without recommendation, but I want to have a long discussion with all 18 Legislators and I want to get right to the crux of this. I want to have very clear numbers from the outset. All of this money, this amount of money has to be used for this voucher system. How are we going to take care of the rest of the people who need petty cash funds.

**MR. MOHR:**

The use of the petty cash for the vouchering system will be a short term use until such time as they're all transitioned out of the trailers and into this program. Once that is completed, then the funds will be used, as you said, for all the other things that it was originally designed for and what we originally came to this body requesting an increase for. The sudden need for this money to be used for the sex offenders only occurred recently when it was announced that we had to close the shelter, the trailer, and that we were not going to be opening another shelter on the west end. So --

**D.P.O. VILORIA-FISHER:**

Madam Chair, if I may? Could you do maybe a Power Point presentation or a written presentation on how this works, how that's going to work, how the flow will work with the money coming from this?

**MR. MOHR:**  
Sure.

**D.P.O. VILORIA-FISHER:**

So that we can see it, so that we can really get a handle on it. I haven't served on this committee for a while, I'm not in your department, so there are some things that we are not accustomed to dealing with on a daily basis and I want it to be very clear, how the flow will work and how the money will get to those people who are hungry and cold in the winter.

**MR. MOHR:**  
I would be more than happy to do that for you.

**D.P.O. VILORIA-FISHER:**  
Thank you.

**CHAIRPERSON BROWNING:**

Good. Okay, so I guess we have some homework that needs to be done by Tuesday. I really would like to get as much information as possible before Tuesday. Do you --

**MR. NOLAN:**  
He withdrew his motion.

**CHAIRPERSON BROWNING:**  
You did withdraw your motion to table?

**LEG. KENNEDY:**  
I withdrew my motion, Madam Chair, yes I did.

**CHAIRPERSON BROWNING:**

Okay. And we have a motion to discharge without recommendation by Legislator Viloría-Fisher. I will second that. And Commissioner, before we go, I have to tell you, you are an excellent Commissioner.

**COMMISSIONER BLASS:**  
Thank you.

**CHAIRPERSON BROWNING:**

I have thoroughly enjoyed working with you, and I understand your predicament. But with that, I guess we'll --

**LEG. KENNEDY:**

Just one more on the motion, Madam Chair. I also concur. As a matter of fact, the Commissioner is an outstanding representative for the department and you do the administration well with issues that are difficult issues for all of us. And I have had constituents at 4:55 in the afternoon with no place to stay and your department has met the need. So as I said, I do not want to be an obstructionist on this. I'll support the discharge without recommendation pending the items that we've spoken about. I'm going to ask you to please, please engage BRO for this dialogue as well, though, because it is critical that we be able to look to them so that they can advise us, particularly on some of the more complex funding issues, the offsets, the flow, the turnaround, the archaic-ness of WMS, whatever else might be in play here as you struggle with it. Please engage them.

**COMMISSIONER BLASS:**

I thank the committee very much for their courtesy and consideration. And my success is due largely to the people who are with me and many that you haven't even met yet in the department, and I look forward to our continued cooperation. Thanks very much.

**CHAIRPERSON BROWNING:**

Okay. I guess we'll finish with the vote. There was a motion and a second. All in favor? Opposed? Abstentions? Okay, it's ***discharged without recommendation (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***.

With that, there are no mother -- no other issues, so I'll make a motion to adjourn.

**D.P.O. VILORIA-FISHER:**

No mother issues. Second.

**CHAIRPERSON BROWNING:**

I'll make a motion to adjourn. Second, Legislator Viloría-Fisher.  
We are adjourned.

***(\*The meeting was adjourned at 3:52 P.M. \*)***.