

**PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE
of the
Suffolk County Legislature**

Minutes

A special meeting of the Public Safety & Public Information Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on **October 23, 2002**, to discuss the matter of the Operating Budget.

MEMBERS PRESENT:

Legislator Angie Carpenter - Chairman
Legislator David Bishop - Vice-Chair
Legislator Lynne Nowick
Legislator Joseph Caracappa
Legislator Maxine Postal
Legislator William Lindsay

ALSO IN ATTENDANCE:

Paul Sabatino - Counsel to the Legislature
Doug Sutherland - Aide to Legislator Carpenter
Tom Donovan - Aide to Presiding Officer Tonna
Terrence Pearsall - Aide to Legislator Lindsay
Ed Hogan - Aide to Legislator Nowick
Rosalind Gazes - Budget Review Office
Joe Muncy - Budget Review Office
Joanne Doering - Budget Review Office
Gail Vizzini - Budget Review Office
Joe Michaels - Deputy County Executive for Public Safety
Bob bortzfield - Budget Director/County Executive's Office
Ken knappe - County Executive's Budget Office
Bill Faulk - County Executive's Office/Intergovernmental Relations
Alfred Tisch - Suffolk County Sheriff
Walter Denzler - Under-Sheriff/Suffolk County Sheriff's Department
Alan Otto - Chief of Staff/Suffolk County Sheriff's Department
Joseph Rubacka - Lieutenant/Suffolk County Sheriff's Department
John Gallagher - Commissioner/Suffolk County Police Department
James Maggio - Deputy Commissioner/Suffolk County Police Department
Debbie Eppel - Public Information Office
Vincent Iaria - Director/SC Probation Departement
Anne martin - Deputy Director/SC Probation Department
James Golbin - Chief Planner/SC Probation Department
Barbara Rivadeneyra - President/SC Probation Officer's Association
Ann Abel - SC Probation Department
Carlene Maimoni - SC Probation Department
Thomas Spota - Suffolk County District Attorney
Robert Kearon - Division Chief/District Attorney's Office
Chris Nicolino - District Attorney's Office
Lon Kochany - District Attorney's Office
Andrea Relyea - District Attorney's Office
Dave Fischler - Commissioner/Fire, Rescue & Emergency Services

Don Gackenheimer - Deputy Director/Suffolk County Fire Academy
Warren Horst - Suffolk County Fire Marshal
Scott Davonski - Quoque Fire Department
John Jordan - North Babylon Fire Department
Frank obremski - President/Town of Babylon Fire Chief's Association
Vincent DeMarco - President/Deputy Sheriff's Benevolent Association
John Meyericks - Vice-President/Deputy Sheriff's Benevolent Assoc.
Ruth Cusack - Suffolk County League of Women Voters
Elie Seidman-Smith - Director/Community Service Program/ARC
Diane Amarosa - American Red Cross/Community Service Program
Warren Roser - Holbrook Chamber of Commerce
Michael Walsh - PAL Youth Twirling Program
All Other Interested Parties

MINUTES TAKEN BY:

Alison Mahoney - Court Stenographer

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(*The meeting was called to order at 1:08 P.M. *)

CHAIRPERSON CARPENTER:

I would ask all Legislators of the Public Safety Committee to please come to the auditorium. We will begin in a few moments. What the process is going to be is we will go through the various divisions of Public Safety and I think we're going to start with the District Attorney, then the Police Commissioner is up next and we will proceed in that fashion. Legislator Lindsay, since you're the one that's here first and foremost, if you would lead us in the Pledge of Allegiance.

Salutation

Thank you. District Attorney Tom Spota is here and whoever you would like to have join you at the table, please come forward.

DISTRICT ATTORNEY SPOTA:
May I just make one request?

CHAIRPERSON CARPENTER:
Certainly.

DISTRICT ATTORNEY SPOTA:
I would like to address --

CHAIRPERSON CARPENTER:
We had a conversation, you had some sensitive matters to discuss.

DISTRICT ATTORNEY SPOTA:
Matters that I would like to address in executive session, if I could.

CHAIRPERSON CARPENTER:
And if you could, just specifically, one of the issues was --

DISTRICT ATTORNEY SPOTA:

It has to do with wire taps.

CHAIRPERSON CARPENTER:

Okay. Then I would ask if we could, please, clear the auditorium,

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except for the District Attorney's people. We will not need the stenographer. I think we will keep the budget people; is that okay?

DISTRICT ATTORNEY SPOTA:

Oh, sure.

CHAIRPERSON CARPENTER:

We'll have Budget Review here, members of the committee, the Legislative aides that are here may stay and Counsel of course. We are in executive session.

(*Executive Session: 1:10 P.M. - 1:25 P.M.*)

CHAIRPERSON CARPENTER:

Okay. Thank you, everyone, for your patience. We will continue. The District Attorney is here to go over his budget and what Budget Review has come back and recommended to the Legislature and if you have any comments or any issues with any of the recommendations, this is the time.

DISTRICT ATTORNEY SPOTA:

Thank you very much. As you know from my prior appearance before you, I have initiated four or five new areas of investigations for the District Attorney's Office. First is the insurance fraud investigations. We have presently three Assistant District Attorneys, I am adding a fourth District Attorney to that unit, we now have I think eight Investigators. This was something that had never been done before. We have 40 current investigations dealing just with property damage and we are presently -- we have made -- until October 1st 380 arrests for insurance fraud, 329 indictments and we have returned to the insurance companies a little less than \$2 million. I anticipate from the number of pending cases that we have that we will probably return another million dollars this year alone to the insurance carriers.

CHAIRPERSON CARPENTER:

Hopefully they'll pass that on to their policy holders.

DISTRICT ATTORNEY SPOTA:

Right; I'll leave that to you.

LEG. POSTAL:

Don't hold your breath.

DISTRICT ATTORNEY SPOTA:

We are in the this type of insurance fraud investigations, they are --

there are massive amount of papers that we have to subpoena, telephone records, and we find that in order to do that it enhances our ability to not only bring indictments for insurance fraud itself but some other crime called enterprise corruption. Enterprise corruption is basic -- it's a Class B Felony which is punishable by up to 25 years imprisonment, and we have found that we have been very productive in this particular area. This month alone, one insurance carrier, a major insurance carrier has referred us 35 new cases which will probably entail an investigation of probably somewhere of about three to 400 no fault cases. Now, when we do that we have to subpoena

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records not only from the insurance company but also from physicians, from chiropractors, from health clinics and again, it's a massive undertaking on our part.

We are dealing now, we have a Labor Law Unit which is headed by Mr. Nicolino which now has three Assistant District Attorneys working full-time along with Police Department personnel and we have returned -- and if need be, Chris has got the numbers -- but a significant number of indictments against people, contractors and subcontractors who are not paying the prevailing wage. Right now we have 28 -- I'm sorry, 29 investigations under way, just within the last six weeks we executed eight search warrants. And again, we have recovered over \$600,000 so far which has been returned to the workers who have been cheated by the contractors and subcontractors who are doing this type of fraud. Once again, the amount of paperwork that is entailed by subpoenaing all these documents and reviewing the documents and having our insurance, our auditors conduct forensic audits is massive.

We have initiated the East End Drug Task Force, I have tripled the size of the task force. We have conducted wiretap investigations which have led to many, many arrests for -- especially in the area of cocaine. Our Gang Task Force, many of you have read, we have 26 pending cases in Riverhead right now -- I'm sorry, 29 pending indictments in Riverhead right now. Within just the last few weeks we have had two kidnappings, a kidnapping/robbery/burglary which involved a home invasion by gang members where the husband was tied up and forced to watch his wife being raped and sodomized by people who are known gang members. We had a shooting that occurred in the 4th Precinct area, we had another shooting occur over in the Babylon -- 1st Precinct rather area. And this is a particular initiative which I have and I think -- I know that you were present during the press conference, we partnered not only with the Suffolk County Police Department and the Sheriff's Office, but with our Federal Law Enforcement. We presently have under way a matter with the FBI, a very active investigation of one particular gang that's under way.

And of course our Economic Crimes Unit. Under the prior administration they had seven Assistant District Attorneys assigned to it, we now have 17 Assistant District Attorneys because we are finding that there is an enormous amount of fraud cases that are being

generated in this particular County. Under that particular unit we also have our Insurance Fraud Unit which I just address addressed to you.

We have increased our productivity to the extent that our indictments are up almost 20% and they are mostly from these White Collar types of fraud, and our dispositions are up almost the exact same number, but this all comes at a very significant cost. We have tripled the number of our wire taps, our telephone expenses in the area of wire taps and the types of investigations that we're conducting are also very, very costly. We have requested of Mr. Gaffney \$233,000 for expenses for the wiretap investigations and we received a recommendation I think for \$125,000. So in essence, I am asking you to consider increasing that another \$108,000. Part of the problem with the wire taps is because of Federal legislation that mandated that telephone companies

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increase their technology and that is -- those numbers are -- those costs, rather, are being passed along ultimately to the District Attorney's Office.

I've reviewed Mr. Gaffney's recommended budget and I find that as far as our office it is in all respects rather fair. We have reviewed Ms. Gazes' Legislative Budget Review analysis and I believe that also to be fair. The only things I do ask that you consider and strongly urge you to consider is that we do receive an additional \$108,000 in the monies allocated for wire taps to give us \$233,000 in effect.

And also, again, I can't emphasize, these are very, very important investigations, it certainly benefits the people of Suffolk County when we're doing insurance fraud, when we're doing elder abuse frauds and every other type of economic fraud that there is under the sun, you cannot imagine. These people are very imaginative and it requires a great, great deal of time for investigative auditors to go over thousands and thousands and thousands of documents that we receive on a weekly basis. We had requested two Investigative Auditors and the reason why we had asked for two is that we now only have three Investigative Auditors. As of I think the end of this month or very, very shortly, one of our Investigative Auditors is going to be -- become or assume the position of Treasurer of AME and that is a full-time release position, so we will be down to two. So while I thought I had three, I'm now down to two but I had asked for two additional assuming the fact that we would have three.

Nassau County has a total of I think 12 or 14 auditors and we are -- our numbers compared -- are significantly higher in the terms -- in the number of investigations that we're doing and I like to think as far as the quality of the investigations, although I'm pretty sure Mr. Tonna would disagree with that. And that basically is why I'm here today, the wiretap money and two Investigative Auditors.

CHAIRPERSON CARPENTER:

Are there any questions from any members of the committee for Tom

Spota. I thank you very much for your candor and thank you very much for coming down and I'm sure that we will try to meet your needs.

DISTRICT ATTORNEY SPOTA:

Thank you so much.

CHAIRPERSON CARPENTER:

Thank you. Commissioner Gallagher, if you want to come forward with your people.

COMMISSIONER GALLAGHER:

Good afternoon. First, just for the record, I'm joined by the Assistant Deputy Commissioner in charge of Budget, Jim Maggio and the Chief of Department, Chief Robilotto. Actually we're here to -- we're here to bring I think a fairly positive message to this committee and that is our budget as far as the department is concerned is basically one that we can manage within the limits that have been placed on us by the Budget Office and by the recommendations coming out of the Legislative Budget Office also.

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We have -- I might stress to you that we have worked very diligently to reduce overtime costs and we have tightened up the overtime budget to the point where from each of the funds 01 and 15, we reduced those funds by \$500,000 each in overtime costs in this present operating year. In the year 2003, as anticipated by everybody that's looked at the budget from ourselves through Legislative Budget Office, we face an increase in those costs due to an increase in the basic pay of the bargaining units. By 2003 that increase in the Superior Officers Association collective bargaining agreement would run up to 9%, 4.5% for each of these two years; the Detectives similarly, 4.5%; PBA stays at 4.5%. But we're trying to live within that increased budget need for overtime, you know, as far as we can. We're trying to find every way we can to keep the overtime to a minimum.

The Budget Office I think, and I thank them for their notation to you of the use of their offices in the non-teaching mode when they're outside of the classroom. What we have done is take them and put them into COPE Units that are now -- DARE is now an arm of the COPE, Community Policing Units throughout each precinct where their officers, depending where they end their day or where they're assigned to by virtue of their DARE assignments, either beginning or ending of the day, they check in with the COPE officer and when their assignments are through for the day, whatever time is left in their tour they become COPE officers; that has cut down on our overtime.

We have 14 abolished civilian positions, some of which are the result of the early retirement incentives; we have decided to go to the positions that were vacated and have abolished 14 of those. There are seven new positions, not that we're looking to cut down on the 14 but we did feel that there were seven areas that we do need additional personnel and one of those within that seven, three of them, three of them are something I have a personal interest and that's heavy

equipment operators, those are the tow truck operators. I have urged them -- for some years now I have urged our budget people and the County Executive's budget people to increase the number of tow truck operators. It's simple, good business management because with the lack of tow truck operators you are confined by certain tows which have to be done by police personnel, civilian personnel but personnel assigned to the Police Department depending on the nature of what it is you're towing. So oft times when they are shorthanded, that necessity can tie up a police officer standing by the vehicle waiting to be towed for hours at a time. And I always used to -- as I ride around and listen to the radio I think to myself, you know, if they hired a civilian that could take one on those tow trucks that are tied up, you know, they're laying idle because we don't have the personnel. You know, that's not much money saved on the officer's time being spent waiting for someone to tow this vehicle. We do use civilian tows where we can, where applicable, but we can't always use them because of the legal constraints.

The only thing I would, you know, in effect, urge the committee, through the committee and the Legislature in general, is to try to keep our equipment and technology budget in tact. We have tried to cut down to what we think are the absolute necessities of these two budgets and we have come a long way in the technology that we need to come into to meet the 21st Century standards that are set. And I

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think any of you that remember or knew anything about this department five years ago would attest that we've made giant strides in those year. Citing five years ago when I first became Commissioner I made it one of my first -- I asked when I first walked in the door what it takes to get a piece of information moved through the department and the resulting paper display that I got looked like the wiring diagram for the a {so used} missile. I said I can't believe it's that many different steps that have to -- so I tried to cut back as much as possible by going to wireless transmissions and going to technology that allows us to use the electronics of today's society to, you know, cut back and streamline.

I would ask that we keep in mind those things that we're continuously moving towards, we're trying to get into something that's become a buzz word in today's society filled with the need to prepare for the possibility of -- terrorist incidents are the things that get the headlines, but any major emergency, interoperability, the ability to deal with other agencies through your radio systems being interoperable. Well, we're working towards that, we're moving towards that and that's -- you know, it's come some distance, it has a way to go but these are all things on the technology side.

As I was driving over here, on the command van radio that is part of the radio system that we usually -- I usually monitor there was a report of a stolen vehicle, and this is interoperability at step one but it's an example of it. As that vehicle was reported the plate was put out over the air, within seconds on our command van a Sheriff's

unit said, "I have that vehicle in sight, it's right ahead of me, I will be attempting to pull it over." And a Parks Police Unit also on the same road said, you know, "I'm approaching the Sheriff's Unit, we'll back up the Sheriff's Unit;" that's over the police radio. So it's an example of when interoperability at it's basic level is working how quickly all -- there's three different agencies, ourselves, the Parks Police and the Sheriff's Department all working -- I don't know who's car or vehicle it was that was stolen, but I think they must be in shock because it was recovered within like three minutes of being put out, someone -- apparently it was just taken in front of the operator and somebody just got in the thing and took it and it wasn't, I don't know, within three or four minutes of the broadcast of the alarm that you had two other departments cooperatively with us taking care of that problem.

So that interoperability, that's basic level, it gets a lot more sophisticated and complicated when you get into major incidents, the incident command structure and the need for communication among all the different aspects of incident command. But they can -- that can be done out here in Suffolk County and we have our -- we have taken major strides to do, but I just have to keep moving, I need the technology to keep that kind of infrastructure development at pace with what we're trying to do with all of our public safety agencies.

Intelligence has also brought us into, you know, a whole new level of need and we're working on that, too. And again, that requires a certain amount of infrastructure and a certain amount of sophisticated surveillance equipment, all of which is part of the budget, the equipment budget or operating equipment budget that I'm asking you to

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just leave it alone, to put it in the bluntest terms. I don't know if Commissioner Maggio or Chief Robilotto have anything to add.

MR. MAGGIO:
Answer any questions.

COMMISSIONER GALLAGHER:
Any questions?

CHAIRPERSON CARPENTER:
I have a question. The police class for this year, when is that due to start and how many recruits?

COMMISSIONER GALLAGHER:
It's due to start in November. We're on the budget for 40, we are working towards a number above that, I don't know that we've come to final terms with the Budget Office. By way of shifting numbers from this year -- from next year's anticipated numbers to, you know, moving them in effect back to this year, in order to give us a better police personnel presence for the summer, you know, we're always thinking ahead of one season really, so for the summer of 2003. I will let the Chief give you any further information.

CHIEF ROBILOTTO:

The lag time on a class inside the academy is six months and then it takes from one to three months to get them through the field training segment for the State requirement. If we put the class in in November, we would have them out at the very, very latest by July of 2003 and that would have a huge impact on our overtime budget.

CHAIRPERSON CARPENTER:

So you're now working at trying to increase that number of 40 to put more in there to help with next year's overtime.

CHIEF ROBILOTTO:

Yes. There's that issue and there's also the issue that the test is ending, this current test --

COMMISSIONER GALLAGHER:

The list.

CHIEF ROBILOTTO:

The list is up.

CHAIRPERSON CARPENTER:

Okay. I know Legislator Bishop had a question but he seems to have stepped out. Legislator Caracappa.

LEG. CARACAPPA:

Chief, when does the list expire, for which class, would it be the February or June class, would they be affected by a new list?

CHIEF ROBILOTTO:

No.

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LEG. CARACAPPA:

If those classes are kept in tact, that is?

CHIEF ROBILOTTO:

The test, the new test is scheduled for May of 2003. Now, the issue that we're looking at is one of the banding problem that we currently have. We have vetted and gone through the entire 92.5 band; we have 101 people eligible out of the 92.5 band. There are approximately 250 people who have taken declinations. Now, one of the things that we're -- the Commissioner is dealing with the Budget Office about is exactly how do we vet the 90 band? There's been a lot of redrawn on that, there's 800 --

COMMISSIONER GALLAGHER:

That's I think the one you're interested in.

LEG. CARACAPPA:

Well, I know you most recently went to a lottery system for those who were eligible, correct? I was just curious to see with relation to the

Budget Review Report, the 40 that are coming in November, a new class of 40 in November and then 50 each are scheduled for February and June of '03; my question was is the current list, will they be -- would the names coming off the list that currently exist, would they be in those classes?

CHIEF ROBILOTTO:

That's where they would come from, the current list. The new list, the 2003 test list won't be out to till February, 2004.

LEG. CARACAPPA:

Thank you. Very good.

CHAIRPERSON CARPENTER:

Legislator Bishop.

LEG. BISHOP:

When we get this Budget Review Report it's very exciting, but one thing is not in there, of course -- it is exciting, it's like the superbowl of legislating.

LEG. CARACAPPA:

Get a life.

COMMISSIONER GALLAGHER:

I'm sure the people in the Budget Review Office are pleasantly surprised to hear that their report is described as exciting. Others have been known to call it soporific, but I know that you truly have caught the fright spirit of the Budget Review.

CHAIRPERSON CARPENTER:

I had someone this morning comment because there are pictures in it this year.

LEG. BISHOP:

Right. Well, that's part of our austerity, times have changed; no

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blithe pictures. These are just the numbers but what is going on in terms of our crime trends right now; are we seeing an increase?

COMMISSIONER GALLAGHER:

Right now the crime trends are -- you know, actually the overall picture is flat, it's pretty flat; if anything, very, very slight decrease. You know, talking about overall, when you look at the index crimes, the one crime trend that tends to -- it tends to be unstable and it's because of the instability of -- the numbers are driven by few who make many -- make large statistics and that's residential burglaries. House burglaries have spiked up in some of the precincts, but that same spike can often be flattened out by the arrest of maybe one or two -- one or even at most two people. You find, you know, one arrest clears up maybe 50 burglaries.

LEG. BISHOP:

At the next Public Safety meeting you'll bring the stats?

COMMISSIONER GALLAGHER:

Yeah, I thought we were sending them to you on a monthly --

LEG. BISHOP:

Yeah, okay. We used to get them quarterly, we don't get those anymore.

COMMISSIONER GALLAGHER:

All right.

LEG. BISHOP:

If they're transmitted they don't make their way to me, so.

COMMISSIONER GALLAGHER:

I apologize, we will get them to you.

LEG. BISHOP:

Okay, and I'm looking for like a multi-year trend to see if the recession and also the number of sworn personnel are having an impact.

COMMISSIONER GALLAGHER:

All right, we can do that.

LEG. BISHOP:

Which is the next question, the number of sworn -- I'm looking at the chart on 282, page 282, and if I'm reading it correctly, the number of uniformed officers over the course of the last -- from about 1999 to the present has varied by as much as about 10%.

COMMISSIONER GALLAGHER:

I'm not sure -- I'm not even sure if this high number -- what year was that supposedly?

LEG. CARACAPPA:

Ninety-six.

LEG. BISHOP:

I'm going to '99, it's about 200, more than 200 officers. Well, it doesn't matter, my question doesn't require that level of --

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COMMISSIONER GALLAGHER:

Oh.

LEG. BISHOP:

What I just want to know is when I read something where there's that kind of 10% variation, shouldn't there be a correlation in either some quantifiable statistic of police activity, a number of arrests, amount of crime that's occurring? I assume since Police Officers are critical to our society there should be some upside and downside as the numbers of uniformed officers vary.

(*Legislator Caracciolo entered the meeting at 1:53 P.M.*)

COMMISSIONER GALLAGHER:

I don't know if I have, you know, an easy answer for that in terms of the trends in crime are not always --

LEG. BISHOP:

Right, I know it wouldn't just be trends in --

COMMISSIONER GALLAGHER:

-- dependent on the --

LEG. BISHOP:

Number of arrests.

COMMISSIONER GALLAGHER:

Number of arrests or number of officers. But there's one rule of thumb I think proven under the leadership of the New York City Police Department credit, was claimed by Commissioner Bratten -- I happen to think there were others involved besides himself -- but nevertheless, the simple rule of thumb, you put more cops on the street you reduce crime; you know, that seems to be a rule of thumb that's been found in city after city, community after community. We are a little different in that given the suburban nature of the department, we don't always have that kind of provable statistic that you can say here. We do have it in some districts, some of the districts that you represent, I think some of you are well aware of some of the districts you represent, when we saturate the districts with officers crime does go down in those communities. But I don't know that there's a correlation, a direct coefficient between the number of officers that you have actually in the department and the number of -- and the amount of crime going on in the department, it's not always that direct I don't think.

I think it's a wise thing to hold to the general rule that if you have -- you know, that you can't let your Patrol Division which is really the backbone of the department, you can't let the Patrol Division go down. The Patrol Division must be the division that if it goes down below a certain critical mass then you will see, I think you will see criminal activity spike up.

LEG. BISHOP:

I think what I'm driving at is that this is obviously a very difficult budget year and perhaps it would be in the department's interest to run numbers that would demonstrate that correlation. Since, you know,

Legislators are going to be considering a great many alternatives, including delaying classes, cancelling classes, you know, we need to know what the implications of those decisions are. When I see that there's a 10% variation and there's no variation in the crime statistics of significance, maybe --

COMMISSIONER GALLAGHER:

Well, among other things, I'll let the Chief address some of that, Legislator Bishop, but I can tell you that one thing that will go up if the numbers of officers go down is my overtime costs because there posts I have to maintain --

LEG. BISHOP:

Right, I know it by those numbers.

COMMISSIONER GALLAGHER:

-- 24 hours, seven days a week. Hold on.

LEG. BISHOP:

Next question --

COMMISSIONER GALLAGHER:

I'm sorry, can I ask -- I think Chief Robilotto had a comment, if he would.

CHIEF ROBILOTTO:

One of the things that really wouldn't impact on that and doesn't show statistically is that this body and the County has consistently supplied us with the staffing, whether it be in actual numbers or in bodies hired. In simple plain English, when we don't have a sufficient number of Police Officers we pay overtime and the overtime is what drives it. We never go below a certain minimal staffing level or you can't answer 911 at that point.

The other thing that would have to be glaringly obvious in that three year period is the economy. Once the economy is high your index crimes drop, when the economy begins to take a hit they begin to go and the first designator that you're ever going -- or always going to see is burglary rate.

LEG. BISHOP:

Right and that's what I was -- that's why I began my inquiry with that because intuitively I would think that our crime is going up as our economy goes down. The -- I know there's a lot of ground to cover this afternoon so I'm just going to go through these quickly.

The DARE Program. The status of the DARE Program right now is what; what is the status of the DARE Program?

COMMISSIONER GALLAGHER:

The DARE Program remains in effect, you know, as is until December, the end of December of this year. There is a priority group formed by this Legislature that is to be working with the school Superintendents and the school district officials regarding a review of the totality of their drug education programs. But right now the DARE Program remains till the end of December and I do not have any -- I don't have

any formulated plan to dissolve the program. The officers involved in the program, I would like to have the flexibility of using them without having to tie them to the 17 week DARE commitment that's made at the beginning of each DARE semester.

LEG. BISHOP:

What I want to know in terms of the budget is if the Legislature choose to continue DARE as it currently exists, are you going to come back and say, "Well, that was not what we budgeted for?", or did you budget with the presumption that you would be able to end DARE as it currently exists and reassign the officers?

COMMISSIONER GALLAGHER:

No, I budgeted -- having gone through the DARE Program and this Legislature on more than one occasion, I budgeted that the DARE Program will remain in effect with the officers assigned to DARE remaining as DARE officers. I think that I would be remiss if your own Legislative Review Budget comment is that that program and the cost of those officers would be a significant impact on our overtime costs.

LEG. BISHOP:

I'm going to refer all my PTA parents to Roz from now on.

MS. GAZES:

I am one of them.

COMMISSIONER GALLAGHER:

By the way, Virginia City became the 13th major police department --

LEG. BISHOP:

Which city?

COMMISSIONER GALLAGHER:

Virginia City, Virginia, to drop the DARE Program.

LEG. BISHOP:

Okay. Traffic; this question is inspired by my colleague, Legislator Lindsay and numerous constituents who always, you know, make the comment, "If we would just enforce the traffic regulations in this County we wouldn't have to pay any taxes." Supposedly; you never heard that one, Commissioner. If I had a nickel for every time I heard that one. This year I know that you instituted a program to increase traffic enforcement.

COMMISSIONER GALLAGHER:

Right, Operation SITE.

LEG. BISHOP:

Does that mean anything for County revenues, or do we see those revenues or they go to the State; how does that work?

COMMISSIONER GALLAGHER:

I am not an expert on the revenue distribution of finds collected

under the --

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LEG. BISHOP:

Maybe the gentleman on your right.

COMMISSIONER GALLAGHER:

The two gentlemen that are here are and I'll defer to them. I know that you're going to be disappointed by the answer, Legislator Bishop.

LEG. BISHOP:

Yes, I know.

CHIEF ROBILOTTO:

The tickets are written in three forms. The first and primary issue is on behalf of the people of the State of New York, it goes to TVB, we get a percentage back from TVB after costs, administrative costs, that to the best of my recollection is usually in excess of a million.

Then the second series are the District Courts and the third series go to the local courts. When we write to the Town courts and the Village Courts, the money goes to that agency or that jurisdiction.

LEG. BISHOP:

So what determines where the police officer writes the ticket to, the statute that these --

COMMISSIONER GALLAGHER:

The location, the actual location of the incident, what section of the Vehicle and Traffic Law he's going to write the citation under.

LEG. BISHOP:

Right.

COMMISSIONER GALLAGHER:

And sometimes that's not a discretionary item, that's mandated by what the violation was.

LEG. BISHOP:

And sometimes it is discretionary?

COMMISSIONER GALLAGHER:

I think at times, yeah, sometimes it can be a village or citation of a village code or --

LEG. BISHOP:

I know but the majority of tickets are no doubt speeding.

COMMISSIONER GALLAGHER:

Traffic Violations Bureau and Commissioner Maggio says that that million dollars that we realize out of our percentage of the fines collected in the Traffic Violations Bureau is earmarked over to the District Court Fund.

LEG. BISHOP:

Okay. And then the last question on this, the cell phone law. Where are those -- does anybody know where those tickets are written to and if we actually --

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COMMISSIONER GALLAGHER:

New York State, they're written under the New York State Code. And so they are collected -- you know, they actually are sent to TVB, the Traffic Violations Bureau.

LEG. BISHOP:

And we can't write them under the Suffolk County Law; is that correct?

CHIEF ROBILOTTO:

I believe the law was preempted, the Local Law was preempted, there was a caveat in it; when the State went into effect our law became null and void.

LEG. BISHOP:

That's a shame. Okay, thank you.

LEG. POSTAL:

How nice for them.

CHAIRPERSON CARPENTER:

Yes. Thank you. Legislator Postal.

LEG. POSTAL:

Yeah, just one question. You spoke about 14 civilian positions that were eliminated, seven of which will be refilled; am I right?

COMMISSIONER GALLAGHER:

Well, there are seven additional civilian positions, 14 positions were eliminated, there are seven positions we're asking for; they're not correlated necessarily. For example, we have lost a Police Personnel, Police Sworn Officer Helicopter Mechanic, we're asking to have one -- was he a Police Officer? We're asking for a civilian to replace that position.

LEG. POSTAL:

So those seven are not necessarily the positions that we lost due to early retirement incentive.

COMMISSIONER GALLAGHER:

No. In fact, as the Chief just said, they're absolutely not because in all but two questions, in two instances we downgraded two positions that were early retirement positions but the others -- you know in keeping with the early retirement requirements set forth by the Executive, we're staying away from those.

LEG. POSTAL:

Will uniformed personnel, sworn personnel, be assigned to the

responsibilities which were the responsibilities of those 14 civilians?

COMMISSIONER GALLAGHER:

No.

LEG. POSTAL:

Okay, so that those positions -- those functions will not be performed by anybody.

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COMMISSIONER GALLAGHER:

They're either not performed by anybody or performed by somebody that's already -- you know, the function will be absorbed into someone else's job functions or in some instances the -- well, reorganization and in some instances, I was just saying the seven, there might be some functions that were lost due to the loss of civilian individual, the civilian personnel that retired, but that some of those functions will be absorbed in some of those seven additional positions, they might be -- you know, some of the job description that goes to that person that retired will be transferred over to the new person being hired, but it's not a one-for-one replacement.

LEG. POSTAL:

Okay. But we definitely will not assign the responsibilities of one of those 14 positions to a sworn person.

COMMISSIONER GALLAGHER:

No, none of these fit the sworn person category.

LEG. POSTAL:

Okay, thank you

CHAIRPERSON CARPENTER:

Thank you very much. Are there any other questions? Thank you very much, gentlemen, for coming down.

COMMISSIONER GALLAGHER:

Thank you. I might just add to Legislator Bishop, I'm going back to read that Budget Review Report, there must be pages I missed.

CHAIRPERSON CARPENTER:

And a portion of the profits will go to the General Fund.

The Sheriff's Department. Sheriff Tisch, I just noticed that you were here. And whoever else you would like to have join you.

LEG. CARACAPPA:

How's Lizzy?

SHERIFF TISCH:

I'm glad that you brought it up; I really needed more Lizzy Grubman talk. It seems like that's the only thing of any importance that we

do lately.

LEG. CARACAPPA:

Maybe if you treat her well her friends will pay for your budget problems.

SHERIFF TISCH:

Well, actually one of our people was out there in Yaphank today making the apprehension that Commissioner Gallagher mentioned, that might get some press. I'm sick and tired of hearing about Lizzy.

CHAIRPERSON CARPENTER:

Well, I think the less we talk about it the better off we're all going to be. So let's get to the budget.

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SHERIFF TISCH:

Thank you very much for having the opportunity afforded to our office to come and discuss with you the major concerns that we have about the Sheriff's Office 2003 Operating Budget as recommended by the County Executive.

We fully agree with the Legislature's Budget Review Office recommendations insofar as authorized staffing pages require the following technical corrections.

First, the abolished two designation should be removed from the Correction Officer III Lieutenant positions at Riverhead Medium Security Correctional Facility to reflect an authorized staffing level of five. Second, the two additional Jail Cook positions created by Resolution No. 363 of 2002 should be added since they're currently filled. Based on the Department of Public Work's fleet inventory, the Sheriff's new vehicle allocation can be reduced by 15 Sedans, 12 marked and three unmarked, for a savings of \$349,500. Revenue of \$53,929 should be added to reflect anticipated Federal aid received by the County for assistance in identifying inmates receiving Social Security benefits.

We either partially or fully disagree with the following Legislature's Budget Review Office recommendations. The Budget Review Office states, "The Sheriff requires a minimum of 1.2 million in additional overtime funding which should be included in a contingency account." Our response; this 1.2 million in additional overtime is a very optimistic figure. It could occur only if 35 Correction Officers and 10 Deputy Sheriffs are hired in November of this year and all abolished positions are restored and filled this year along with their accompanying backfills.

It must also be pointed out, as you were inquiring of Commissioner Gallagher and Chief Robilotto with regard to recruit class, if no Deputy Sheriffs are hired for this year in the police November class, we may not be able to hire Deputy Sheriffs until 2004 since there is the distinct possibility that the Police Department may not conduct an

academy recruit class during calendar or fiscal year 2003.

In the worst case scenario, if the recommended budget is adopted without modifications and the current vacant budgeted positions remain unfilled for most of next year, then there is the real possibility that our overtime could exceed \$22 million next year. The fiscal year 2003 recommended budget provides 14.75 million, so we have the potential to be short 7.25 million in overtime funding.

Next, the Budget Review Office states that, "Six Deputy Sheriffs assigned to provide security at Gabreski Airport should be reassigned to other deputy sheriff posts experiencing high overtime. The security detail at the airport can be privatized." Our response; the Federal Aviation Administration recommended that only law enforcement officers patrol and provide security at any airport that handles flights in and out of the United States. This apparently was one of the reasons why the Town of Islip recently supported their own Code Enforcement Officers at McArthur Islip Airport with their successful request to obtain New York State Peace Officer status for them. Since

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Gabreski is a County Airport and it is Suffolk County property, for liability reasons alone I do not recommend removing the Deputy Sheriffs.

Finally, the Budget Office states that, "The recommended budget fails to include line item for various equipment and supplies requested by the Sheriff. At a minimum, the budget should be corrected to reflect the requested funding." Our response; the recommended budget fails to include line items for the following equipment and supplies for the Sheriff's Office: \$8,976 for the purchase of inmate admission kits which include personal toiletries, toothbrush, toothpaste, etcetera. Previously, those items were purchased from the inmate profit account, however, County Audit & Control has stated that since we are mandated by the Commission of Corrections to provide these items to the inmates, the purchases should be made with County funds.

The Sheriff's Office has begun to implement a new "Live Scan" Fingerprint Imaging System, allowing our office to transfer fingerprint images electronically to the Division of Criminal Justice (DCJS). This is now required of DCJS and \$26,390 needed for the annual maintenance and support services contract. We agree with Budget Review that it is important that the budget be corrected to reflect the requested funding. However, it is more important that the actual funds for these two line items be included in the adopted budget.

That concludes our response to the Budget Review Office recommendations. I would now like to take this opportunity to address the other major concerns that we have with the 2003 recommended operating budget.

First, the recommended Operating Budget for the Sheriff's Office for Fiscal Year 2003 is not a cost to continue budget but rather one that

is destined to fail. In fact, this year's budget for the Sheriff's Office is another example of a budget doomed to failure from the onset. It must be pointed out that for Fiscal Year 2002, the Sheriff's Office requested a total of 72 -- 74.2 million for salaries and overtime. When we add on the 6.5 million in retroactive pay for Correction Officers which was unforeseen at the time we prepared our budget, the total comes to 80.7 million. The County is now estimating that we will be spending 80.3 million in these two salary accounts, difference of only 400,000. On the other hand, the County adopted a Fiscal Year 2002 budget of only 71.5 million for Sheriff's Office salaries and overtime, resulting in a shortage of 8.8 million. Therefore, it turns out that the Sheriff's Office requested budget for this year will be much more accurate than the adopted budget. However, critics of the Sheriff's Office will once again say that we over spent our budget when in reality it is a matter of underfunding rather than over spending.

Over the last 25 years, each Sheriff has come before this Legislature requesting additional staff in lieu of overtime. At times they were totally unsuccessful, at times they were partially successful, however they were never totally successful when they were totally unsuccessful overtime increased dramatically; when they were partially successful overtime still increased accordingly. There are two points to be made here. First, the Sheriff's Office has never had the full compliment

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of uniformed staff it actually needed in any given year. And second, when we request additional staff, the figures are not inflated to allow for anticipated cuts. Consequently, when we receive only a portion of the staff we requested, the void must be filled by additional overtime.

The entire workload of the Sheriff's Office is, for all intents and purposes, mandated; there is little room for discretion. Various elements in the programs and services for which this office is responsible are subject to change that is often rapid and dramatic. This change may be the result of new policies or problems over which the Sheriff has little, if any, control. On the other hand, the permanent salaries portion of this equation is a figure controlled for the most part by the County Executive's Office and the Legislature. These two elements, workload and permanent salaries, dictate what the overtime figures will be. Therefore, any attempt to evaluate the fiscal management of the Sheriff's Office must include not only an analysis of the overtime accounts but also the permanent salaries, for it is the combination of these two accounts that pays for getting the job done. If vacancies remain unfilled or not filled in a timely fashion, there is a turnover savings and the permanent salaries accounts are reduced. However, in the Sheriff's Office, because the majority of our functions are mandated, turnover savings is a misleading term; any savings realized in our permanent salaries account equates to added expenditures in our overtime accounts.

Simply stated, it costs a certain amount of money to perform the job

functions within the Sheriff's Office. It is the County and not the Sheriff's Office that chooses what portion of the job is performed using permanent salaries and what portion is performed using overtime funding. While the recommended Operating Budget provides the exact amount of overtime funding that was requested by our office, it does not create any of the new 147 positions we requested and abolishes 40 vacant positions, many of which resulted from the Early Retirement Incentive Program. Our projected overtime figures for Fiscal 2003 were based on certain assumptions that were specifically stated in our request, they included the following.

Assumption one, Deputy Sheriff salaries would not increase in Fiscal 2003. Current condition; we now know that the Deputy Sheriff salaries will increase by 3.25% in 2003 resulting in higher overtime costs than projected.

Assumption two, thirty vacant Correction Officer I positions in the 2002 Adopted Budget would be filled by September 16th of this year and would be part of the actual work force by January 1st, 2003. Current conditions; as of this date we have not received any signed SCIN forms to fill Correction Officer vacancies. Since the Civil Service list expires on November 12th, 2002, the entire screening process will have to start all over with the new list. Moreover, some of these positions have actually been abolished in the recommend 2003 Operating Budget. Consequently, even if these positions are filled in 2003, they will not have an impact on reducing overtime until October, 2003. This alone will increase our original overtime amount by an additional 1.5 million.

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Assumption three, the number of mandated posts would remain constant with no substantial increase in the inmate population. Current conditions; the inmate population is up 10% over last year resulting in the need for additional ad hoc security posts.

While the recommended budget creates seven new positions, it abolishes 47 for a net loss of 40 positions, as follows; 25 Deputy Sheriff I positions, 3 Deputy Sheriff I Investigators, 1 Deputy Sheriff Sergeant, 1 Deputy Warden, 5 Correction Lieutenants, 4 Correction Sergeants, 4 Correction I positions, 2 Administrator I's, 1 Principal Clerk and 1 Jail Cook.

The recommended Operating Budget shows a savings of 2.5 million as a direct result of abolishing these 47 positions and another two million in turnover savings due to positions remaining vacant for a portion of the year. As I stated earlier, the reality of the situation is that money being saved in these 110 permanent salaries accounts will not be true savings. If a position is abolished or left vacant in our office, it only means that the same workload will have to be covered by fewer staff; the only way that can be accomplished is through additional overtime. Consequently, the money being saved in permanent salaries will only have to be spent on overtime.

The Sheriff's Office requested 73 million in permanent salary funding and 14.7 million in overtime funding for a total of 87.7 million. If the recommended Operating Budget only provides 66.2 million in permanent salary funding, then we will need 21.5 million in overtime funding; it's very simple math.

The point that must be made here is that the Sheriff's Office is projecting that it will spend an estimated 18 million in overtime this year. This amount of overtime has already placed a tremendous strain on our employees. Officers must now be ordered to work overtime when no one volunteers. Correction Sergeants have been required to be acting Lieutenants out of title, untrained to be Lieutenants; they are doing this because of the severe shortage of Lieutenants. Notably, the amount of time-owed Deputy Sheriffs are taking in lieu of payments has tripled from last year, and when you work two days of overtime and can take three days off in lieu of payment, it obviously exacerbates the problem.

Not filling vacant positions, abolishing others and ignoring the need for additional staff has cost the County more in overtime than these actions or inactions have saved. Simply stated, overtime puts tired officers in high security areas at an inflated price tag, yet Suffolk County continues to rely heavily on overtime to cope with a burgeoning inmate population resulting in overtime payments likely to exceed 21.5 million.

This year we are having a tremendous amount of problems with staff working the overtime hours equivalent to 18 million. Given this fact, it would be humanly impossible to have the existing staff work 21.5 million in overtime hours without creating a major problem that would make our current situation simple by comparison. We must sharply condemn the County's practice of relying so heavily on overtime and strongly recommend hiring additional staff.

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The work of our Deputy Sheriffs and Correction Officers mandate that they perform at optimum mental and physical levels. They must have the mental and physical sharpness to perceive and diffuse explosive situations and to withstand without overreaction to torrent of inmate insult and abuse to which they are regularly subjected. Indeed, these officers must work within standards that require more constraint than most people can endure. Mandated overtime only serves to create an even more dangerous condition in our overcrowded correctional system. When you combine an over crowded facility with under staffing and fatigue level due to forced overtime, it's fair to say the officer's lives are in jeopardy.

As Sheriff, I have a positive duty to keep the other elected officials who are in charge of the budget informed of the needs of this office and the potential liability of the County for failure to maintain and operate our institutions in a legal manner. The hard fact of life in Suffolk County today is that those who have sworn to uphold the Constitution cannot fail to provide minimal constitutional conditions

in our correctional facilities. We cannot permit the day to come in this County when those who are incarcerating criminals are themselves guilty of constitutional violations or serious breaches of Federal, State or Local Law.

As the Budget Review Office stated in their report on page 321, the New York State Commission of Correction recently re-evaluated the minimum staffing requirements for Riverhead and Yaphank Correctional Facilities resulting in a new minimum standard of 864 Correction Officers; this includes the ranks of Warden through CO I. It should be noted that the Sheriff's Office own staffing analysis was conducted and resulted in the need for 862 Correction Officers. The Commission fully understands that when you factor in the fringe benefit packages of new employees, there is a point at which it may be more cost efficient to cover a small percentage of the posts on overtime. Consequently, the Commission in their staffing analysis will allow the Sheriff's Office to meet this requirement of a total of 864 officers by having 779 actual officer and covering the balance, or the equivalent of 85 officers, with overtime.

As the Budget Review Office states in its report, based upon a 764 Correction Officer positions currently authorized for 2002, an additional 15 would have to be created and all vacant Correction Officer positions would have to be filled to be in compliance with minimum staffing. However, since the recommended Operating Budget for 2003 abolishes 12 CO positions, in addition to filling all current vacancies and creating 15 additional positions, we must also insure that all 12 of these positions slated to be abolished are, in fact, restored in the 2003 budget.

The total number of Correction Officers that must be hired in order to be in compliance with the Commission's minimum standards would therefore be 77. However, since this is the absolute minimum staffing allowed, it would be prudent to hire at least 12 additional CO's to account for separation of service over the year; Otherwise, the moment one officer resigns we would be in noncompliance. The 12 extra officers would allow us to hire a small class of 10 recruits whenever we fall to two above the 779 level of staffing. These 12 additional

Correction Officers would obviously assist in reducing the inordinate amount of overtime.

Part 7041, staffing requirements of the New York State Commission of Correction's minimum standards specifically states that, quote, "Each local correctional facility shall employ that number of persons necessary to provide care, custody and control for all prisoners and to perform all other necessary facility functions." With emphasis, "In no case shall the number of such persons be less than the minimum facility staffing requirement as determined by the State Commission of Correction." Consequently, if the County will not provide the minimum staffing level mandated by the New York State Commission of Correction, then there exists a very real possibility that the

commission will revoke our variances thereby reducing our inmate housing capacity by 400 inmates.

The Sheriff's Office requested two million for housing prisoners in substitute jails in the event our facilities become severely over crowded or the commission revokes our variances; the 2003 Recommended Budget does not include this funding. It must be pointed out that two million for substitute jails would only provide enough funding for 64 inmates for a full year at \$85 an inmate per day. To house 400 inmates for a full year at 85 per inmate per day would cost 12.4 million. The Sheriff's Office has always had a heavy burden in terms of its obligation to the public and to the people committed to its care.

The current status of corrections has exaggerated that burden by the sheer weight in numbers. The unfortunate thing is that our correctional system has been at crisis level for so long that it appears that the County has become jaded in its response to the situation. We cannot afford to wait until growing institutional violence, further court intervention and crippling fiscal problems occur before taking a comprehensive and hard look at the problem. Consequently, if our inmate population continues to increase as projected, the only available option we will have at this time is to rent space from less crowded jails in the State; this is a direct yet costly means of reducing our inmate population.

If the County faces this issue realistically and responsibly, essentially there are only three general strategies that may be taken to resolve our inmate crowding problem. We can build a new 600 bed facility, we can reduce intake into the system or we can accelerate releases from the system. Until fundamental questions of correction policy are addressed by this County and State in a coherent fashion, the future of this office is doomed to resemble its troubled past, allowing crowding and excessive overtime to build until a crisis occurs, fixing the crisis and awaiting the next. While crisis management is less than effective, management that is oriented to expect crisis is certainly worse.

In the final analysis, there is an underlying tone of mistrust in the Budget Review Report. It speaks of placing 1.2 million in a contingency account and also recommends that the County Comptroller discontinue the practice of paying overtime expenses when sufficient appropriations are no longer available.

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As an elected official of Suffolk County, I can assure you that I have a genuine concern that the cost of government should not consume an increasing portion of our taxpayers income. Therefore, be assured that I would not stand idly by while my office overtime skyrockets, taking corrective action only when the overtime funding runs out. I have been carefully monitoring overtime and assessing my office's staffing needs since my first day in office. We are virtually in total agreement with the staffing and manpower analysis performed by the State Commission of Correction. We continue to request more staff

in lieu of overtime, we prepare document after document showing that the County will not save money by keeping positions vacant and abolishing others, and that the permanent salaries saved only goes to pay for more overtime.

In summary, we request the following. First, that 35 Correction Officer I positions be filled on November 4th of this year and 10 Deputy Sheriff I positions be filled in the November 12th recruit class. In order to do this, the 10 Deputy Sheriff I positions must be rescored in the fiscal 2003 Operating Budget. If this is not done, it is likely that no Deputy Sheriffs will be hired in 2003 and there will be a new Correction Officer Civil Service list. This will require that we start the entire screening process for CO's all over again with all the time and effort that went into getting 35 candidates screened being a complete waste of time. By delaying the hiring of Correction Officers until June of 2003, it would mean that they would not become a part of the actual work force until September or November of 2003; this would, therefore, have very little impact on reducing overtime next year.

Second, we request that all 47 positions that were abolished be reinstated in the 2003 Adopted Budget. We simply will be unable to supervise our staff given the amount of positions of rank that were abolished. When you speak of monitoring our overtime more closely, I ask you how can you expect us to have Correction Sergeants who are first line supervisors serving as Acting Lieutenants, not qualified to give that capacity determining the degree of staff needed for overtime posts? Yet given the fact that 20% of our Correction Lieutenant positions have been abolished for 2003, that's what it has come to.

Third, we request that 15 additional Correction Officer I positions be created in the 2003 Operating Budget and be hired as soon as possible so that we can be in compliance with the State Commission of Corrections minimum staffing requirements.

Fourth, that all the items discussed early on in this report that both the Sheriff's Office and Budget Review are in total agreement with be reflected in the adopted Operating Budget.

Fifth, that all vacant positions that occur during the course of the next fiscal year be filled in a timely fashion which will limit the amount of overtime that is generated as a result. In preparing our 2003 Budget request, we realized that the magnitude of the task ahead would be defined by our present problems. We, therefore, felt compelled to submit an Operating Budget that fully addressed all the deficiencies of the present, specifically the inordinate amounts of overtime required due to staff shortages. A great deal of time and

thought went into the preparation of this budget request so that we may begin to activate the program changes that are so urgently needed; I believe the way to do this is to begin to recognize the need to begin. Our budget request accomplished that task. The Sheriff's

Office stands ready to work with the County Executive and the Legislature to make these reforms a reality.

One of my primary goals is to provide a normal and professional work environment for all our Sheriff's Office employees; this in turn will permit us to achieve all our other goals together. In order to achieve this, we must reduce the amount of overtime required because of insufficient number of staff. A less stressful work environment is necessary for all staff.

We believe that the hiring of additional staff -- Correction Officers, Deputy Sheriffs and civilians -- will result in higher morale which will cause greater productivity and lower attrition rates, enabling savings in employment and training costs of new employees and above all, a reduction in overtime. Thank you.

CHAIRPERSON CARPENTER:

Thank you very much, Sheriff. You certainly have shared an awful lot of information. Do you have copies or at least one copy that you can leave so that I can distribute it to the members? Are there any --

SHERIFF TISCH:

There were several typos -- excuse me, I'm sorry.

CHAIRPERSON CARPENTER:

That's all right.

SHERIFF TISCH:

There were several typos because, as you know, we got this report and then had to generate this in a very short period of time. We have hand with pen made some changes and that will be reflected.

CHAIRPERSON CARPENTER:

Not a problem, we certainly understand. Thank you. Are there any questions? Sure, Legislator Nowick.

LEG. NOWICK:

Hi, Sheriff. Just to make one thing clear and I think to make it very concise. Am I to understand that if you continue utilizing overtime it will cost the County more money than if we fill the positions that you're talking about?

SHERIFF TISCH:

That's correct.

LEG. NOWICK:

To the tune of \$200,000, more or less?

SHERIFF TISCH:

It really depends on what figure we're looking at. But any time that you're filling these posts, mandated posts on overtime, it's costing more than straight time.

LEG. NOWICK:

That sounds clear. Thank you.

CHAIRPERSON CARPENTER:

Legislator Caracciolo.

LEG. CARACCIOLO:

Thank you. Sheriff Tisch, I don't know if you are prepared to make a similar presentation tomorrow before the Budget and Finance Committee meeting committees at 9 A.M.? If not, I would encourage you to do so. As the Chair of the Budget Committee, I think it would be very important for the other members of the Legislature who are not members of the Public Safety Committee to hear this presentation.

SHERIFF TISCH:

I would be more than happy to do that, Legislator.

LEG. CARACCIOLO:

I look forward to that. Thank you.

LEG. BISHOP:

I have to hear it again?

CHAIRPERSON CARPENTER:

Sheriff Tisch, you may want to have someone check with Legislator Crecca's office because there was some discussion today, he might have changed that starting time of the meeting, the Finance Committee.

LEG. CARACCIOLO:

It will be either 9 or 9:30, I spoke with Legislator Crecca and we'll be co-chairing that meeting. So I will be here at 9.

SHERIFF TISCH:

I will be here at 9, he will be here at 9.

CHAIRPERSON CARPENTER:

I guess -- are there any other questions? Thank you very much, gentlemen, for coming down.

SHERIFF TISCH:

Thank you for your time.

CHAIRPERSON CARPENTER:

You're welcome. Next, Dave Fischler and the staff of FRES who are here.

COMMISSIONER FISCHLER:

Thank you.

CHAIRPERSON CARPENTER:

Thank you, Dave.

COMMISSIONER FISCHLER:

In beginning to address the proposed 2003 budget, we concur with most of the budget with some, two major exceptions, some minor additional changes. We have a few budget lines that we'll talk about, the first

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one is budget 3174 which is the Arson Task Force. We concur with the recommendations or the proposal of the County Executive and the recommendations from Budget Reviews and that budget is acceptable to us.

The next budget line is budget 3400 which is the Department of Fire, Rescue and Emergency Services. In that budget we requested additional personnel, and I think it's important to note that additional personnel is important to us. We're a small department that has been asked to do more and more every year without an equal increase in personnel. More particularly and administratively, there are only two of us who are doing the administrative work of the department, myself and the Deputy Commissioner, and we're looking to create a Chief of Fire, Rescue Services to serve as the Chief, Head Chief in uniform for that personnel, but also to move into administrative ranks; that would be a promotional position that would be created. In addition, within our emergency management area which has become a tremendous -- has had a tremendous amount of additional work over the years and improvements made over what we're doing in terms of our emergency management operations, we request an Emergency Management Preparedness Officer. That total increase would be \$96,284.

The other account in 3400 is account 3680; 3680 is repairs for special equipment. We requested a total of \$67,000, a proposal of \$58,000. It was important to note where that money is used. One, Fire Training Academy. Historically we've always asked for more and we've always been cut down to between 10 and \$12,000 to repair props, fire training props on the fire academy grounds. That money every year is inadequate for that training to prepare -- to repair their props for the training sessions. We have to look to other avenues, we have to share. The fire academy has stepped forward and has taken from their accounts at times because we just needed to get done to repair the fire training grounds so that the fire fighters are given the ability to get the best training and that we don't have to cancel training sessions because one of our facilities is down waiting to be repaired. So we asked for the \$25,000 in that account.

Additionally, we have a maintenance contract of \$29,808 that would be for, again, the Fire Training Academy on our gas simulation facilities. As you know, we had extensive programs supported through the Capital Projects, supported by this Legislature to help us become more environmentally safe, to eliminate fuel oil use for training. A cost to maintain the system on an annual basis, the maintenance contract is the 29,808 is for. We have a maintenance contract for a UPS System for our communications center and a maintenance contract for high vac system. Therefore, that money, all the things we have listed is money that's needed. It's a small amount that we're asking you to increase to bring us back to the requested amount. And

actually, there was one other item in there, \$2,000 that we actually could eliminate. So really could reduce that amount, the requested amount from 67,000 to \$65,808.

And that is basically it for the 3400 account, so that would be a total in the 3400 account of 162,092 to increase that. It would be important to the personnel for operations and then that one account where we do have maintenance contracts and we will have to beg them or

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steal money from another account to meet it if we don't have that increase.

The next account is budget 3405, Domestic Preparedness budget. This Legislature last year became a leader after September 11th because our budget proposal had already been submitted and came forward with funds not only for the Department of Fire, Rescue and Emergency Services but also for the Health Department and the Police Department so that we can continue with the efforts that all of us have initiated to prepare for a domestic attack against the United States, against our region.

This year -- last year you gave us approximately \$887,000 and this year we requested \$753,435. The proposal came in at approximately \$442,000. I think there was a problem that occurred that I will try to explain and maybe can be explained further by Budget Review. The monies that were -- if you look at the hard copy of what we submitted, we submitted for 753,000. If you look in the proposal from the County Executive, it shows that we only requested \$442,000. There were lines that were somehow not -- probably through a computer glitch, I believe, that were never reported as being requested and, therefore, never showed. Those are important lines in personnel. We are receiving not only equipment from the Federal and State coming to Suffolk County that will be going to different emergency responders, but the equipment that we purchase from money that was given to us last year by the Legislature, we need personnel to calibrate, maintain and also to offer training opportunities and multi agency approaches to respond to a terrorism incident.

I ask that that money be restored to bring us whole to the 753,000. How that was dropped out, I really believe it probably was a computer glitch or an input problem, but I understand we were not the only department that occurred to, that it was a true computer glitch. And I --

CHAIRPERSON CARPENTER:

Excuse me, Dave. I know you and I have had a conversation about that particular line item and I did see in the budget that it did not -- it was not represented fairly, the amount of money that was allocated last year was not reflected in the document that we saw. Did you check with the County Exec's Budget Office and Budget Review; was everyone in agreement that that was, in fact, a clerical error, if you will?

COMMISSIONER FISCHLER:

The error -- I spoke to a rep, they said it was a computer glitch, I made my budget examiner from Budget Review aware of it. I don't know what their response is, why it occurred.

CHAIRPERSON CARPENTER:

All right. Jim, can you speak to that now or at least please check on that and let us know about it?

MR. SPERO:

I have no idea why that occurred.

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CHAIRPERSON CARPENTER:

Okay. We're not as concerned with why as much as trying to correct it so that, you know, if there was a 10% reduction off last year's amount, they actually got a 60% reduction because the amount that showed up was half of what they actually received last year. So if you could look at that and let me know about that.

COMMISSIONER FISCHLER:

Thank you.

CHAIRPERSON CARPENTER:

Go ahead, Dave.

COMMISSIONER FISCHLER:

And that is where we are with the 3405. The final one is the Fire Academy budget and with me I have Chief Gackenheimer from the Fire Academy. Before I let Chief Gackenheimer talk of where we are with the Fire Academy, I want to thank this body, the Legislators. You have been very supportive over the last few years in working with us with recruitment retention programs, funding many of the programs, many initiatives to get more recruits from the signs that Legislator Postal has introduced that we have on County roads to the efforts with the community college that Legislator Carpenter has worked on, the rest of the support of every member here who has done various things to support the fire and EMS services of Suffolk County.

One of the things that it obviously has generated has been a very successful increase in membership. I think it's a combination of many things that have occurred over the years. Your support, that really planted the seed and then various other programs that you have committed to has kept watering that seed and has become a growing plant. And then post 9/11, we saw a lot of people want to reach out and they remembered what we had been doing and have said, "Yeah, I want to do something for my community," and have come forward and wanted to volunteer.

We have asked you over the years, you know, and we appreciate -- and there is no question, we truly appreciate all the things that you've supported here. I ask you to consider that continued support by restoring all our budget items as we've submitted and have requested,

that would really show the support of the fire and EMS services. We have all been out there at the various dinners and functions where a spouse, how great a job the volunteers are doing. These are unpaid professionals, fire/EMS professionals who are out there day and night, holidays, weekends, giving of their time, risking their lives, and I think that we're asking for a small -- you know, small step in terms of supporting them fully with the budgetary process. That really will show that you support what they do.

Chief Gackenheimer has put some materials together for you to show what has occurred within the training academy and comparing it to past years. Have those been distributed already?

CHAIRPERSON CARPENTER:

Yeah, we all have copies of it.

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COMMISSIONER FISCHLER:

Okay. So at this point I'm going to let Chief Gackenheimer talk about what has occurred at the Fire Academy, what will occur in terms of,

you know, if he has to go forward with any time of budget reductions and the need that we really need to restore the full amount. Chief?

CHIEF GACKENHEIMER:

Thank you, Commissioner. First, I would like to echo the Commissioner's words and say thank you because you have been a big support to us in the past and we really appreciate it.

The Commissioner mentioned the chart that I handed out and I usually try to get this to the Chairperson every year -- every month, excuse me -- so she knows where we're going, and the numbers don't lie. Our student contact numbers have gone through the roof, to put it mildly. For the total year 2001, we had 34,000, roughly 34,700 student contacts; through September of this year I'm up to 36,200 student contacts. Outlooking this for the rest of the year, which there's 25% of the year left, I figure we're probably going to be around, someplace around 42,000 student contacts. And to give you an idea of how that is, last year's numbers put us bigger than 29 states in the union for fire training. We're a big agency and we do it with a little bit of money and I'm very proud of that. I'm very proud of my staff and I'm very proud of the fire service in Suffolk County who accepts that.

Recruitment. I think it's fair, and again, I'm sort of saying the same thing the Commissioner said. Two things have driven the recruitment and the recruitment drives our training. One, the recruitment program, it has been a success; any way you look at it, it's paid dividends, we've gotten new fire fighters. And the second item that drove it is 9/11, there's no ifs, ands and buts about it; to deny that happened, you're putting your head in the sand. So between the two of them, that's why if you take a look at the last page on these graphs I gave you, why you see those green bars are so much

higher than the previous year. Those two items are paying dividends. Well, I'm going to say the recruitment program is paying dividends; 9/11 of course there's no dividends to be paid there.

Our budget. My requested, my proposed budget was 1.8 million; again, just going to use round numbers. My operating budget for this year approved was 1.5 million. The County Executive says next year I should operate with 1.4 million. To me it's a 10% cut over what I have this year, but in reality for the Fire Academy it's a 30% cut. I have the increase in my student contacts, I have the increase in my number of courses being offered that are coming on board for 2003 and we do it -- I will say the fire service, we can do anything you give us to do, we're that type of a service. But someplace along the line something is going to suffer and basically what will suffer is that you may have fire fighters out there who aren't trained up exactly to the level they should be trained which is putting their lives in danger, and that's not my job. My job is to make sure that they understand safety and they follow safety procedures. If we turn around and reverse that where they're not going to, well, then I think you can take the whole 1.4 million and you do the fire training, because

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I'm not going to train somebody if they're not going to be safe, that's what it comes down to. And we have to do that, we have to think of their safety. I mean, God forbid we start losing fire fighters in Suffolk County because they're not trained correctly, it's going to have an impact on everybody everywhere in the County, not just the locale where it happens.

So I really would hope that this committee would keep that in the back of their mind, this is what we're talking about, their safety. And it becomes more important -- again, something the Commissioner said -- these are volunteers. How much money do we pay these people that do this? There's approximately between nine and 10,000 of them in this County; how much are they receiving in salary? They don't receive a thing. They may get a dinner and a picnic a year, that's about it. At least we can make the training opportunities there for them when they want to take it when they can take it and make it good, viable training that may save their life.

Other money requested. My per diem salary is my biggest nut to crack in my budget. My present budget allows for \$466,000 in per diem salary, I have requested 653 in my proposed budget for 2003, a difference of approximately \$187,000. What I have to tell you is if we put on the new courses that we intend to put on in January, right there adds up to 650 training sessions that I have to pay for, that's how we've just -- the way we outlooked it, how many times is Hasmat technician cost going to be requested, we estimate it's going to be requested ten times and it's approximately twenty two hour sessions, it's a 40 hour training course; it's expensive to put it on line. Gross decline which is something we have to have here along with the technicians training in Suffolk County. How can you take mass numbers of people that have been affected by either biological or chemical

agents and get them deconned? Well, we have to train all the fire departments how to do that, there is a method to do it. And again, we estimated that six sessions and we'd have to offer it to the County at least 20 times taking and combining departments together, instead of just doing one department at a time we would have maybe ten departments, or a little less than that, eight departments at a class session and do them all at once; but again, that's an additional 120 sessions. Heavy rescue II which gets into the use of the thermal imaging camera, these are the new cameras that they call the lifesaver, it allows fire fighters to look through a camera and see through the smoke. It picks up body heat and it helps them to find victims, in addition to helping them find hidden fire in walls, ceilings where fire hides when a building is burning. We estimate it would have to do that course also, combining departments ten times for an additional 200 classes.

Last but not least, a separate course on thermal imaging which we estimate we'll probably end up having to do an additional twenty times -- a hundred times which gives us about 200 additional classes there. The total number of sessions increase over our present program is 650 sessions, and that's not putting in any increase in the requested training we are doing now. There will be an increase in it. To give you an idea of what do we expect as an increase, we have pretty much been a five day a week operation, Sundays through Thursdays. Well, we're going to a seven day a week operation next

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year, we're going to be doing training on Friday, daytime, Friday night, Saturday mornings and Sundays which we do presently.

So we're trying to do the best we can with what we got, but you've got to help us. We've got to have the money necessary to do this. I have to pay my people for working for us. A hundred and eighty-seven thousand dollars, that's only in the per diem salary line of my budget. That, too, has a trickle down effect, that affects when my student enrollment goes up I need more manuals, I need to use more fuel, the cost of the propane or the natural gas that we use in our live fire evolutions. All these expenses also go up which adds up to the total of just about \$300,000.

I think the best buy that the this County is getting is the fire training. When you go around the country and you take a look at other facilities, what it costs them to operate, to do the types of training that we do with the numbers that we have, and nobody comes close to us, you'll find when you break it down per student contact, it's fairly reasonable and understandable.

CHAIRPERSON CARPENTER:

Don, thank you very much. I just want to review then. So after all is said and done, the total restoration of funding, if you will, or the amount that you feel that you need is an additional 300,000.

CHIEF GACKENHEIMER:

Over what has been put out by the County Executive's Office, yes.

CHAIRPERSON CARPENTER:

All right. Are there any questions?

COMMISSIONER FISCHLER:

I would just like to make one, two further comments, or actually one further comment. In terms of the Budget Review Report, it recommends two things in there that I think we have addressed time and time again over the years, I've been doing this since 1977, where they're always saying, "Well, let's charge for what we do. Let's charge the volunteers for training, let's charge the volunteers for dispatch services," and I think that really needs -- the Budget Review Office from this body needs to say, "We can't do that, that's not acceptable, it has never been acceptable to this body or to anyone in County government to look at that." And I think, you know, to keep seeing that time and time again is not an acceptable means to support our fire or EMS services. So I ask you just to consider that for future cycles and discussions with Budget Review Office.

And secondly, the fire service concern. There are representatives here today from major organizations within the fire communities from both the east end and the west end to support the restoration. Total restoration we're looking at within our department's entire budget is \$9 million, 926 -- no, it's not, excuse me, I wish it was \$9 million -- \$926,000, I think that's really a small amount for what the services are being given to you and every one of us as volunteer fire and EMS personnel. And as I said before, it really -- while you've done a lot of good things and we ask you to just continue and really show your support by restoring all that money.

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CHAIRPERSON CARPENTER:

Okay. Are there any comments or questions? Thank you very much for coming down, gentlemen, we appreciate it.

COMMISSIONER FISCHLER:

Thank you.

CHAIRPERSON CARPENTER:

Thank you. Okay, that takes us to Probation. Vinny is here and I know there are some people from the department, if you'd like to have them come join you.

DIRECTOR IARIA:

Good afternoon. I'd like to enter my report into the record and just touch on the highlights of the -- some of the Budget Review reports, if that's acceptable to the Chair.

CHAIRPERSON CARPENTER:

Sure, go right ahead. Ever is the most expedient. Thank you.

DIRECTOR IARIA:

Okay. We were hit very hard by early retirement, as noted in the Budget Review Report, and we lost about 12.5% of our work force and lost a high percentage of management, of supervisory personnel. As a result, we've -- I felt we had to reorganize rather rapidly and we've moved offices, we consolidated offices, all of our Family Court operation is under one roof in Hauppauge on Oser Avenue, we've reduced our two Criminal Court Supervision sites, one in Riverhead -- I mean, one in Yaphank and one in Edgewood. Criminal Courts Investigation, Presentence Investigations were relocated to our Riverhead office and basically we transferred about 75 staff and staff has had to sacrifice by longer commute miles and less mileage payments. And we accelerated equipment purchases to implement our remote access of caseload information so that Probation Officers and their supervisors would have information on a real time basis in terms of what was going on with their caseloads. Now, the reason for all of this organization, again, is a lot of reduction in supervisory personnel, we needed supervisors that knew the Criminal Court function to be able to cover other Criminal Court functions because the span of supervisors had to increase as a result of this loss in staff.

Now, some of the things we have also recommended was to discontinue filing, preparing petitions, Family Court Petitions. And I checked with State Counsel on this, we're regulated by the Department of Probation Correctional Alternatives and they basically told us that there's no statutory requirement that Probation do this; in fact, it's basically left up into the hands of the individual. But since my discussions with Budget Review over this plan, because I felt that the courts would have to do their own petitions in some areas, they have their own petition clerks handling this rather than making it a County cost that becomes a State cost. And I figured this is one way to pass -- since the courts have been raising our costs, this is one way of affecting their budget rather than ours. But in discussing it with the County Exec's Office and the County Attorney, that plan now is unacceptable.

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So what I'm recommending in light of -- in lieu of giving up the petitions, we put lower level personnel in, instead of Probation Officers we've put Probation Assistants in the roll of preparing petitions. I'd like to recommend that we charge a fee of \$50 for those people that can pay and the reason is not that we would fund six additional Probation positions. And the number of petitions we do a year, about 17,000, if we collected conservatively on a third, we would be able to pay for those Probation Officers. The -- it would also discourage petitions being prepared. Ten percent of our petitions are prepared but never filed, the person never comes back, it's -- and some petitions are used as leverage and people might think twice about preparing a petition that they're not really going to go forward with. So we see that there would be a significant reduction in petitions as a result of that. So again, I'm asking for a resolution to put in a fee structure for petitions and use that money to fund six Probation Officer positions.

The -- the big rise in our budget is dependent upon the mandated costs in Juvenile Detention and Placements, and I know some on this committee have been following this very closely. Ann Martin, the Deputy from my office, has been on this daily and she can provide you with some updated information. But one of the things that we are doing to curtail this is a Juvenile Day Reporting Program and I've gotten a commitment from OCFS to also look into the possibility of doing juvenile after care. That -- after care from State training school people are released at some point along the way. Since our studies have showed that more kids are going to State training school with medium and low risk behaviors that they could probably be released earlier with proper case management and services and that would not require a judge's okay, that would be an administrative decision by Office of Children and Family Services. So they're willing to pay for the whole program because we see just a three month early release is going to save both the County and the State money. So we will be -- when we get that straightened out we will be back to talk to you about that.

In addition -- well, Ann, do you want to give them the latest figures on placement?

DEPUTY DIRECTOR MARTIN:

Sure. I guess maybe this is one of the most dramatic numbers that I could share so that there's some context to this. Not too many years ago in 1996 our department placed -- in the given year of 1996 we placed 87 PINS and JD youth in both OCFS facilities and private facilities; at the current rate in 2002, we're doing that in a quarter. So if we continue at the rate of placing youth as we have thus far in the year we will place some 352 youth; that's a pretty dramatic growth.

Another very significant factor is that for example today we have 400 -- there's a cumulative number that's also important to look at. As of October 1st there are 408 youth in various facilities having been placed by the Family Court System in this County, those are PINS and JD youth. Of that number, 37 of them are out of the State of New York in places like Virginia, South Carolina, Pennsylvania, we have had youth in Minnesota and so forth. That's a very significant factor

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within the context of the placement phenomenon. The cost is obviously significant and when a youth goes out of the State of New York the cost is just about double what a facility would be in New York. So it's been a very dramatic increase over the last couple of years, it is the subject of the Institutional Strike Force that is about to issue its report. In the material that Dr. Golbin distributed, there is an expert that relates to our recommendations for cost containing and placement avoidance.

In terms of detention, we are moving along with a plan to build a facility. The County Architect and the consulting architects that were hired are nearing the final plan that we will then submit to the

State for approval. And given the plans as they are now, we expect to be breaking ground in the spring assuming everything goes as planned. In the meantime, we today have 14 youth and in secured detention, only three of them are in Nassau County, the rest are in the Bronx. We have not had to go to places outside of the region because for some reason the New York City system has been the downside or they have greater capacity that they can share with us, but what it means is that we take kids almost every day of the week to the bridges facility and the Bronx and so forth, so that's really the essence in terms of detention and placement.

DIRECTOR IARIA:

And the next issue is mandatory preventative funding. One of the things that we found we were able to do with Persons In Need of Supervision, based on a change in the State law, mandated preventative money was unkept by the Governor's Office and we were able to get an agreement, a purchase of service agreement with our local DSS that will, in effect, bring in more revenue to the County; 65% for our Persons In Need of Supervision Program as opposed to the 25% that the Department of Probation Correctional Alternatives pay. There will be some additional paperwork involved but we think that it's a smart move on our part to lobby for this change in the State law because the Federal Law had allowed it. And instead of just having a new mandate to do the 16 to 18 year old PINS without any money, we're at least able to get some additional funding for it.

The other item, another item that I wanted to discuss is incorporating the Community Service Program into the Probation Department. And while we recognize the American Red Cross has been in this business for a while, I believe that it should be a Probation function, it is a Probation function in most of the country. And I also believe that we can integrate it into our normal operations with the addition of some staff so that we will save 4344,000. Now, the Budget Review analysis agrees with us and I appreciate that. The one thing -- but the savings are really greater than stated there because Community Service is looking to raise 200,000 through fees, they have a contract with us, they can't raise fees and it would impact -- even if they could, we've already charged the probationers a \$50 fee, it would probably impact on the County's ability to collect those current fees. So I also see that this is something that could be very easily integrated into our operation since we have Probation Officers in the communities that we could use that work force to develop new sites as well as better monitor the probationers that aer doing community service. So we would hope that you would support that recommendation. I would

 also recommend that there be a three month transition period to allow the Red Cross to give sufficient notice to their staff that this program is ending and that they can find other employment.

The other important thing about the program is that we have people on site at the courts to also lobby for this. So basically we have staff, we have Probation Investigators that could -- during their

course of the investigation they're going to have to ask the same questions that somebody in Community Service would have to ask to see if they're suitable for Community Service, so that's how we see that we can integrate it throughout our operation and be able to save the County money and I believe to do a better job and expand it to the east end as well.

The other piece of information, we have some disagreement and we're going to be sitting down with Budget Review on the additional -- there's some documentation that there's additional money in the 110 accounts, we don't see it so we have to go back and talk to the Budget Review Office and see how they arrived at their alterations. Because we think that if our 110's are reduced that will reduce our ability to fill positions immediately and we're concerned about that since we lost 22 actual positions from this year's budget, 22 filled positions and we're going to need those as soon as possible. Any questions?

CHAIRPERSON CARPENTER:
Legislator Lindsay.

LEG. LINDSAY:
Vinny, I -- the Community Service transfer, and I'm reading Budget Review's analysis as well, I'm not sure I quite understand where the savings is. You say the potential is to save us \$300,000?

DIRECTOR IARIA:
Yeah. One of the things that happens is since Community Service is a contracted service, we're not able to bill the State Division of Probation Correctional Alternatives for reimbursement for that service; if it was done by Probation staff it would be reimbursable. So that's one big area. The other area of savings would be there's a need to have more people in Community Service to duplicate some of the things that we're doing and so we feel that we could also streamline the operation if it's within our shop with our staff.

You know, the other thing I should point out is that this thing -- this contract -- basically what we did was we're getting ready to put it out to bid, every three year years we have to put these programs out to bid and we costed it out what would it cost to run in-house and we were surprised at the amount of savings we arrived at. So why contract this out if we can save funding?

LEG. LINDSAY:
Putting what out to bid, vin, the actual --

DIRECTOR IARIA:
The actual program always gets put out to bid every three years or so.

LEG. LINDSAY:
And that's how Red Cross has been performing that service.

DIRECTOR IARIA:

Right.

LEG. LINDSAY:

But if it's transferred to Probation we'll do it with all in-house people.

DIRECTOR IARIA:

Right.

LEG. LINDSAY:

You're going to hire eleven more people assign to that.

DIRECTOR IARIA:

Right.

LEG. LINDSAY:

How many does Red Cross have doing that work now, do you know?

DIRECTOR IARIA:

Where's Carlene? How many, Bill?

MS. SEIDMAN-SMITH:

Twenty-nine people.

DEPUTY DIRECTOR MARTIN:

Twenty-nine positions.

LEG. LINDSAY:

You can do it with that --

DIRECTOR IARIA:

Well, you have to understand. The Probation Officer does supervision, they're the ones that have to monitor whether or not the community service is done. They're the ones that are in the communities meeting with -- the way I see it, meeting with leaders like yourselves to development community service placements. They're usually -- they don't do that now but they're usually looking for resources from communities to help their probation population. So now they can go to the community not only looking for resources but also saying, "Look, I have some people that I can put to work to, you know, clean-up your graffiti or fix this particular garden or whatever, so I see it as an integrated operation that could further the ability of the Probation Officer to do their work in the community.

LEG. LINDSAY:

Because in all honestly, the few experiences I have had with Red Cross has always been directly with Red Cross, not with Probation.

DIRECTOR IARIA:

Well, that's right because they're contracted to do this work right now.

LEG. LINDSAY:

But didn't you just say that it would create a duplication or stop a duplication of services?

DIRECTOR IARIA:

No, no, what I said was there's a duplication in terms of we're already preparing an investigation for the court, we're going through an interview, then we send the case over to Community Service, they do their own interview. I can incorporate our investigation interview as part of the Community Service interview if we did it in-house, that's how we get some of the savings as well.

LEG. LINDSAY:

There's a chart in Budget Review's report here that I'm looking at and it says, "Potential reduction due to DemoDirect funding, \$295,000; " is that the grant money that you're talking about?

DIRECTOR IARIA:

They get an additional fund directly from the State that the County has no say so over. And that money is based on a member item and funneled through the Department of Probation Correctional Alternatives; that money is up every year for an award. Now, who knows what's going to happen to that funding given the State situation. But if we were permitted to do the program, I would contact the appropriate State Senator and tell them that this program was authorized, this is a County program that was authorized by our local Legislature, we would like to get that funding that you've been providing to the Red Cross. Now, again, that will be a -- but when we do the analysis, you know, we're not counting that as a definite.

CHAIRPERSON CARPENTER:

Are there any other questions? Do you have any other comments?

DIRECTOR IARIA:

No. I do want to thank you for the cars for my staff. We have 16 vehicles of the 20 that were authorized by the Legislature, we're waiting for four more to be delivered before the end of the year and those are --

CHAIRPERSON CARPENTER:

Well, I'm glad we finally got it, it certainly was long overdue. Thank you for mentioning it.

I think we've touched all the departments. I do have some cards and I thank everyone's patience for hanging in here with me. The timing on this works well. In fact, what I'm going to do -- because we've been here since one o'clock, as you all almost all have. There are a number of people to speak on the Red Cross Community Service Program, so I'm going to ask that you all come up together and try to make this as concise as possible. Warren Rosser, Diane Amarosa and Ellie Seidman-Smith. Please sit at the table and you have three minutes.

MS. SEIDMAN-SMITH:

Warren, you go first.

MR. ROSER:

I have two children I have to go get.

CHAIRPERSON CARPENTER:

I'm sorry it took so long, but we couldn't avoid it.

MR. ROSER:

Oh, that's okay.

CHAIRPERSON CARPENTER:

Thank you for your patience.

MR. ROSER:

I would just like to thank the Legislator here for allowing me to speak. My name is Warren Roser, I am a member of the Holbrook Chamber of Commerce and, more importantly, committee member for the Holbrook Beautification.

Over the past several years I have worked with the Town of Islip, the KICK Program, Suffolk county Boy Scouts and the American Red Cross Community Service Program, all of which have been invaluable assets to Suffolk County as a whole. As a leader with the Boy Scouts, I am always encouraging the boys to participate in community service projects, but where we fall short is having a constant and continuous work force like the Red Cross Community Service Program supplies. Which has been such a valuable asset to all of Suffolk County not only providing beautification and clean-ups to our towns and parks but also giving youthful offenders and adult offenders an opportunity to be kept out of the system and give something back to their community. By eliminating this program or trying to take it away from the American Red Cross would be detrimental to Suffolk County and not cost effective to our community. So I stand before you to urge you not to eliminate this valuable organization from us.

I would just like to add that when you look over the budget savings by cutting this program, you take into consideration what it is going to cost our towns, villages and our communities in labor costs to maintain the services the American Red Cross Community Service Program has been providing Suffolk County all these years. Thank you.

CHAIRPERSON CARPENTER:

Warren, thank you for coming down. And I think we all have Warrens in our district who work with beautification in the chamber and in my area it's Bill Johnston and I'm sure you know Bill --

MR. ROSEN:

Yes.

CHAIRPERSON CARPENTER:

-- from KICK. And without gentlemen like this and women across this County who do volunteer, we couldn't get done what we do get done. So

thanks for coming down.

MR. ROSER:

Thank you very much.

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CHAIRPERSON CARPENTER:

Diane?

MS. AMAROSA:

I will try to keep this very brief --

CHAIRPERSON CARPENTER:

I'd appreciate it.

MS. AMAROSA:

-- because I know you've been sitting here for hours. As you know, the Suffolk County budget proposal for 2003 has zeroed out the two line items for Community Service, both the adult and juvenile lines have been cut out. And quite frankly, it left us shocked and bewildered because it didn't appear to be a cost saving to the County because the money was being put into another budget even though it was a lesser amount. But since the inception of the Community Service Program on August the 1st of 1981, we have successfully monitored 11,266 adults and 4,562 juvenile clients. These clients have provided over two million hours of service to the community at a savings to the County of \$33 million. Since 1981 we've received only \$8,842,296 to operate this program; we believe this was a good return on taxpayer dollars.

In 1989 when we were in jeopardy of losing our funding, our County Exec, who was not the County Exec at that time, but Mr. Gaffney believed enough in the program to fight to get these funds restored. Suffolk County judges consider our program highly effective and continue to send us clients in record numbers. Community groups, elected officials, municipalities, villages, not-for-profits and County offices are pleased with the services we provide. Not only do we make a difference in our community, we make our community a better place to live and we install a work ethic in the clients that hopefully they will build on when their hours are completed.

I'm here today to ask that you help us to get the funding for both the adult and juvenile programs reinstated to the American Red Cross so as we can continue to operate this effective and successful program. And today we received a letter from Caroline Sullivan who is the Coordinator for the Juvenile Drug Court in Suffolk County and she indicates that by utilizing community service we have been able to decrease placement in non-secure and secure detention facilities, and I have brought a copy of her letter.

I would also like to state that the RFQ -- which is the Request For Qualifications -- that was done by the Red Cross was done at least ten years ago. It was actually done before the Sunrise fires, I don't

have the exact date on that but I remember it well because Elizabeth Dole who was the President of the Red Cross at that time had come down to thank all the volunteers that had worked that fire. So I -- you know, if they're going out for RFP or RFQ that's fine I understand that, everybody has a chance to bid on a program. But if we have not had an RFQ put out to the public in ten years, I think we have done a darn good job. And I thank you for your time.

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CHAIRPERSON CARPENTER:

Thank you. I think it's probably more like seven years, I think those fires were in '95. Ellie?

MS. SEIDMAN-SMITH:

I know that. I just want to thank you all. I'm just going to make you a promise, that on January 1st, 2002, our four in-kind vans that were given to us by the State and will revert if we were given over will revert to Red Cross, I have no problem with taking the vans and giving them to Red Cross if we -- our money goes to Probation, but that's not County vans they were given to us by the State of New York. Our 15 mandated community service offenders and our eight crew chiefs will be out on January 1st of 2003 removing snow and debris from the senior centers as we have done for 21 years, clearing litter from our parks as we have done for 21 years, and removing graffiti from the insides of the County buildings helping over 900 not-for-profit education, municipal and government agencies as we have done for 21 years. We're not going to miss a beat. We'll be there January 1st for you, we'll be there complete because we've had nobody retire, we've had no reductions in staff and we're doing what we do best which is one thing and one thing only and when you do only one thing you undoubtedly succeed.

And I could promise you that we're not -- we're stopping in whatever we're doing, we're continuing, the Judges have given us 37% more in referrals in the last four months than we've ever had. And I just want to share with you a couple of things. On the Budget Review, if you'll turn to page 290 of the Budget Review, there is an error in the potential reduction due to DemoDirect funding and I do want to let you know that over the last -- since 1989 our DemoDirect funding has remained the same, it's \$209,300, it has not changed. Included in the money this year was a member item from Senator Johnson for \$86,000 which is a one time member item; as all of you know, we don't know whether we're going to get the money back but we have taken an account for that. So if you do your math on that, we are still coming in \$17,000 shorter, cheaper than Probation with all their reductions. So if you'll just correct the 209,300 from 295.

But I did include all the other in-kind monies we get. Not only do we get State monies, we have town monies because you've asked us for years and years to get other monies so that we don't make a hit on the County and that's what we've done. So I've included, it says, "American Red Cross, Suffolk County Chapter Community Service

programs." I've included all the monies that we get from the villages, from the Community Development monies, from the Brookhaven Youth Bureau, from the Babylon Youth Bureau, from the Division of Probation Correctional Alternatives and from the New York State Division of Criminal Justice Services. So our in-kind money that we're bringing into the County is almost \$500,000 and this is money that does not come in any way to the Suffolk -- you know, we provide the services on the weekends, we're there on the weekends. We have four vans going out with kids on the weekends all over the County and we also have two adult -- one adult crew that goes out on Saturdays as well at no cost to the Suffolk taxpayer whatsoever.

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We also did how much we cost you, the next evaluation, this was all done by our bookkeeper in the Red Cross headquarters working with the Budget Office in Suffolk County Budget, verified by the County Executive budget, that over the last 21 years we've brought in \$8 million which is a cost of about \$300,000 a year. And then if you divide that by 15,921 people, I think it cost \$20 a year over the last 21 years to supervise and monitor. That's all we do is supervise and monitor, so if you do one thing you do it well and we don't have to worry because that's our whole job.

Lastly was on the last page and then I'm going to end with this because you guys have been wonderful listening and I know after a while it gets amazing. We have five years that we charge you our every single staff position and as you could look on there, from 1997 to 2002, these are just the County monies. If you look at 1991 to 19 -- to 2000 and then 2000-2001, you'll see that my salary dropped, actually the County was paying less money for me and still continues to pay less money for me on the County line. And even looking down at all the other lines, our money really is very consistent, we have not really increased any lines significantly. And the County, we've always followed the County cap of no more than 4%, we've never raised total personnel 4% since the beginning of the 4% cap, so we are fine in terms of our monies.

CHAIRPERSON CARPENTER:

Ellie, I have a question.

MS. SEIDMAN-SMITH:

Sure.

CHAIRPERSON CARPENTER:

These figures that you have given us, salaries, you are breaking out what the County portion was.

MS. SEIDMAN-SMITH:

Yes.

CHAIRPERSON CARPENTER:

So this does not reflect what the salaries actually are.

MS. SEIDMAN-SMITH:

For the juvenile, for A1, 2, 3, 5 and 7, yes, that's their total salary, that's all they get. For my salary, I get -- I actually use the State monies for my salary, and for 1, 2, 3, for A2, A3, A7 and A8 we get a proportion of the monies that goes to -- from the State. It's a 60/40 match on most of our lines or a 50/50 match on some of them, but I can send you exactly if you want to see the exact.

CHAIRPERSON CARPENTER:

I have a question, also. Did you file the contract agency disclosure form that's required of all the contract agencies?

MS. AMAROSA:

Yes.

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MS. SEIDMAN-SMITH:

Yes, it's on file.

CHAIRPERSON CARPENTER:

Good. Thank you. Are there any other questions?

MS. SEIDMAN-SMITH:

East end, I'm sorry. One more because it's been in here, the east end, thank you, Diane. East end, we have four Red Cross offices, we are in the east end every week in Southampton Red Cross. We have an office there, we work with the Southampton Court, so we are definitely on the east end. On the east end, one out of every ten agencies are on the east end and approximately 194 out of 946 agencies we work with. We only have 15 out of 122 of our people not placed at this point and that's one -- less than one out of ten people and that's all because we have to find them specialized placements and we have three to five years to do it so that's really never an issue. But this is the communication we give and it's heavy. Every single month we give to Probation, we give to the courts, we give to DCJS, we give them 335 pieces of information on where every single person is placed, where every single one of our people, how are they doing, who are their case managers, the telephone numbers, and I'm just going to give you a sample of what we give to every single person. We probably go through at least 15 trees, I'm sure the environmentalists won't be too happy with me, but we give enough information that anybody who needs the numbers and anything can contact us at any time, so I'm just going to pass that out. And with that, I thank you

CHAIRPERSON CARPENTER:

Okay, thank you. Lynn?

LEG. NOWICK:

Elie, you were the Director of the Community Service from its inception?

MS. SEIDMAN-SMITH:

Since its inception.

LEG. NOWICK:

You want to remind me how many years ago that was?

MS. SEIDMAN-SMITH:

It's going on 22 years, Lynn.

LEG. NOWICK:

Well, I guess we were both in grammar school then, huh?

MS. SEIDMAN-SMITH:

I was only four, but I appreciated Diane's considering me.

LEG. NOWICK:

You have done a great job.

MS. SEIDMAN-SMITH:

Thank you so much, Lynn.

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CHAIRPERSON CARPENTER:

Bill. Elie, one more question, please.

LEG. LINDSAY:

You were in the audience before when Vinny was giving his testimony and Vinny does a great job and I know you guys work very closely with each other.

MS. SEIDMAN-SMITH:

Uh-huh.

LEG. LINDSAY:

But what we have to do here is to come up with dollars because of our financial crisis.

MS. SEIDMAN-SMITH:

Uh-huh.

LEG. LINDSAY:

There seems to be a wide difference in what you say, what Probation says, what the County Executive says, what Budget Review says. He's talking about saving \$300,000 with -- and doing, providing the same services with less than half the amount of people that you're providing now. And I really -- and I don't mean to pit one against the other but I'd like a comment of your opinion of whether that's possible.

MS. AMAROSA:

You had asked me the other day when I was in Riverhead, and I hope you got my memo, on what the starting salary was for Probation Officers, and the starting salary is \$35,853, after 13 years they go to a high of 61,000. Now, I was unable to get a percentage of their Civil Service benefits because of course it varies by whether they make a

lower salary or a high, but I was able to find out that the health insurance for County employees is \$9,000 per year; our figures come in nowhere near that, I can assure you.

LEG. LINDSAY:

And that isn't what I asked, really. I mean, that's comparing one of your people to a Probation Officer.

MS. AMAROSA:

Right, okay.

LEG. LINDSAY:

I guess the whole context is that we -- if we took the program back in-house, from what I got from Vinny's testimony, we could save a lot of money because we would be able to capture some kind of State grants and we could do the program with less people because there would be less duplication, and I would like a comment on that.

MS. SEIDMAN-SMITH:

When I talked to Vinny in June he said he had to do an evaluation and the one thing I said was, "Vinny, are we going to come out okay?", he said, "Well, of course because you have no duplication, there's nobody

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to do that to duplicate your program," so that was Vinny's comment in June.

LEG. LINDSAY:

So you don't see a duplication between what you do and Probation.

MS. SEIDMAN-SMITH:

We're out on Saturday mornings, we're there, you know, doing every single week, we've done 168 crews. I mean, we have four vans, there's no duplication. We are following the mandate of 65102(h) which says we have to supervise those that were sent to us. Again, I also want to remind everybody that we have 110 conditional discharges that are sent directly to us from the judges, so they will not go through the Probation Department, so they are our people that come directly to us and they're on their own caseload with their own managers, with their own everything. So we have our own population that does not go through Probation and I don't know would happen to them, you'd have to talk to the Judges on that one.

LEG. LINDSAY:

Okay. And the second part of it, that there's an advantage of us doing it in-house because we could capture some grant money that we can't get now because you're a contract agency.

MS. SEIDMAN-SMITH:

Well, yesterday we went to a DCJS meeting and they said that there are a lot of grants coming down just to contract agencies and they're going to be doing pass-through. Just like we have the pass-through with the DemoDirect on the State, there are now going to be some Title

monies that are coming down directly through Criminal Justice, the Division of Criminal Justice Services and they gave us a walk through on how we'll be able to capture more grant monies. So we'll be going after some grant monies that will be coming directly down to us and I got an assurance from Bill Benjamin that they will be discussing it with us as the time gets closer to the monies coming in. So yes, we'll be going through for more aggressive grant money, absolutely.

LEG. LINDSAY:

Last question. Instead of zeroing out your budget, if we were to apply a cut to your budget could you exist, could you continue on with the same services?

MS. AMAROSA:

I would hope --

LEG. LINDSAY:

I mean, all the contract agencies are experiencing like a 10% cut.

MS. AMAROSA:

Yes, I understand that. I would hope that we would be able to do that but we really would have to look over; I could get back to you probably tomorrow, I'll have my financial person look it over.

LEG. LINDSAY:

Thank you.

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CHAIRPERSON CARPENTER:

Thank you very much. Okay, we just have a few more cards so be patient. Frank Obremski, Town of Babylon Fire Chiefs.

MR. OBREMSKI:

Good afternoon, and thank you for allowing me to address the council here.

On September 11th, fire fighters responded to the call and many of them made the ultimate sacrifice. And during those days and weeks afterwards, tools, equipment and money were given without question to save lives. And here we are now a year and a month later and memories have become cloudy. We hear in the city that firehouses are going to close and personnel are going to be being laid off. We hear in Suffolk County here that our recruitment budget, and more especially our training budgets are going to be reduced significantly.

We are your first-line of defense in the event of a terrorist attack. We will respond to biochemical and explosive hazards but we need the tools to be able to do this and the tools we need is the training to provide it. Training is knowledge and the knowledge is just like an axe or an air tank, that is a tool we need to be able to address these issues. I strongly doubt that Al Quaida is reducing its recruiting budget or its recruiting or even its training budget, so I ask why are we doing such?

We will continue to respond, we will continue to be there for you. I see us reducing the budget as the same thing as telling a sailor that we don't have any fuel for your ship or a soldier in the field that we don't have any equipment for you; you can't do that. We will continue to stop up to the plate but we ask that you step up to the plate with us, to protect our citizens and this County. Thank you.

LEG. LINDSAY:
Could I --

CHAIRPERSON CARPENTER:
Thank you very much, Frank. Sure, Legislator Lindsay.

LEG. LINDSAY:
I appreciate your remarks, except this isn't our budget, this is the County Executive's budget, he's the one that proposed these cuts; I just want to make that clear. And I would appeal to you and your colleague to raise the same issues with his office.

MR. OBREMSKI:
We have, at least I know my Council, we have sent letters to all of our elected representatives and to Gaffney himself also. We know that it doesn't come from here, but we want to make our case to you who represent us when it goes to the big budget issues. And we're here, we don't charge anything for our services, we're not paid employees, we're volunteers and we will continue to volunteer our services.

LEG. LINDSAY:
We know that and we appreciate everything that you do for our communities, we really do. It's a matter of dollars and where to

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allocate the dollars that we have and right now the process that we're in is really a mess because there is vast disagreements between the budget that the County Executive sent over and with a lot of my colleagues. So it's very, very important that that side of the government aisle hears the same plate.

MR. OBREMSKI:
I can assure you that at least with my council they will hear it very clearly and I hope that the other councils that represent the various departments within the County also make this issue a number one priority item amongst ourselves. And again, I thank you for giving me the time to speak here and I just ask you to step up to the plate with us. We will do our part and we ask you to do yours too to help us out. Thank you.

CHAIRPERSON CARPENTER:
Frank, thank you very much for coming down and raising the issue. We are, as Legislator Lindsay said, looking at the budget and we are trying to do the best that we can for everyone involved. And whatever is decided, I think we could all be in agreement that there is a vast appreciation for everything that the fire fighters and the emergency

workers do in our County for us. Thank you.

MR. OBREMSKI:

We all thank you.

CHAIRPERSON CARPENTER:

Thank you. Next, Michael Walsh.

MR. WALSH:

I'd like to thank the Legislature also for letting me speak here today. I will be extremely brief, I won't even read everything I brought. I represent the PAL Youth Program, the Twirling Program, and we have a tremendous need right now to change facilities. I'm not going to go into what we do, I think you Legislators all know what you youth programs do, we do provide us a great service that will save a lot of money for public safety just by keeping some children out of your systems.

Legislator carpenter was helpful the other day in getting me an appointment at a local school district where I may be able to pick up a piece of property to build a facility. Right now our children, we have about 2,000 youngsters involved throughout the County and our main practice facility is a converted bus garage which we moved into about six years ago when we had to move out of our final school building. And the bus garage did not provide adequate facilities, it's cold in the winter, it's hot in the summer time, there's a large, steel column in the middle of the gym floor which is not even a gym floor, it's a concrete floor, and the ceiling is too low for the particular activity we're involved in.

So we are putting together an advisory committee of our own to look into building a building and my only reason to be here today is to let the Legislators aware of what we're planning on doing and seeking your assistance there with possible financial aid or just opening up some

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doors and giving us information on how to proceed in the future. All right? With that, I'll say thank you.

CHAIRPERSON CARPENTER:

Thank you very much, Mike. Thanks for the update and we'll keep in touch. Next we have Ruth Cusack.

MS. CUSACK:

Good afternoon. Ruth Cusack for the League of Women Voters of Suffolk county. The League strongly supports alternatives to incarceration wherever appropriate and when feasible. We also support evaluation of all programs and Legislative oversight of them. We also recognize the need for cause containment. Now, I did also want to say, one of the things I wanted to comment about the community, the proposed change in the Community Service Program.

We were surprised when we heard about the proposed change because over

the years it had appeared to have fulfilled its objective, both in terms of outcome and costs. So I have heard what has been said here, the interchange back and forth about what is happening. We had wanted to suggest rather than dropping the contract, to look and see how it has been administered. That if anyone sees ways in which they can operate more economically to work with the program administration to make those changes. We wouldn't want to see loss of the experience in the context that are developed over the years that have contributed to the program's success.

And the only other thing that I wanted to comment was although it isn't a direct dollar comment about this year's budget, we hope that there will really be a good follow-up on the JSAT Report that you have now received and when that is gone over to explore all of the alternatives to incarceration possibilities. We don't want to see a rush to the conclusion that the only solving of the problems that we have is to build more cells, I think we all want to avoid warehousing of people. And if you look at the recommendations in that report that Janet {Rothecker} wrote, she suggested that the resource team should review the data for both pretrial and sentence cases to suggest alternative strategies where appropriate. The process that the committee used assisting down ended up looking mostly at one pretrial (inaudible), but I think she was trying to say this is an important thing, go back and look at all the raw data that you have there. And also, that overlaps I think with your concern for this RFP on the Jail Utilization Study, that that overlaps a little bit with the JSAT review and give it full consideration for as many alternatives as possible. And then also when you find the alternatives for financial support as possible to see that they really work.

CHAIRPERSON CARPENTER:

Thank you. Thanks for coming down.

MS. CUSACK:

Thank you.

CHAIRPERSON CARPENTER:

Next we have Barbara Rivadeneyra; I know I massacred that, I apologize. I just know it was Barbara, it's a lot easier.

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MS. RIVADENEYRA:

Good afternoon. I'm Barbara Rivadeneyra, I'm representing the Suffolk County Probation Officer's Association and I wanted to speak on the issue of the Community Service Program.

We are in support of the Probation Department taking over the responsibilities of that program and as a line officer, I would like to give you a couple reasons why. First of all, we're not talking about an elimination of the Community Service Program but simply a change in who's running it. The same community service can be performed in the villages and towns and, in addition, in our County parks. Right now -- I'll give you an example. On September 4th I had

a case where a young man was sentenced to probation and given some community service as one of his conditions of probation, that normally is how the community service gets sentenced as a condition of probation or as a pre-plea deal or as a conditional discharge. This morning on October 23rd, nearly seven weeks later, I received a phone call from Community Service because they are now ready to perform their investigation on the case. What they asked me for is a copy of our investigation on the case, then it will be another couple of weeks before a Community Service interview is set up with the client. I don't see why, if I'm already -- I already have an investigation, I already have a case file, I'm already supervising this person's conditions of probation, why I as his Probation Officer can't place him and monitor his hours. As far as the pre-plea and the conditional discharge cases, we'll have 11 additional people to address those. We'll have more crews out than are currently out and Probation Officers do work on Saturdays and Sundays and nights.

The money that we've talked about getting reimbursed is not from grants, this is local assistance money from the State that we'd be entitled to. We would like to expand the east end community service. I know that the Red Cross currently does some work in Southampton but, you know, Southampton is a long way from Greenport and we have people way out on the north fork, way out on the south fork that need programs where they are; a lot of these people don't have licenses, they can't drive, it's difficult for them to get around.

I just really want to stress that we're not talking about an elimination of Community Service, we're just talking about not duplicating the service. The way it is right now, there is a very big lag time. My Probation clients have to go and make a special trip to Community Service to get a special interview when they're seeing me four and five times a month. They don't need to do that, they're already seeing me, I'm already supervising them on all their other conditions of probation. So I would just like to reiterate that the Probation Officer's Association is in support of Probation taking over this program.

CHAIRPERSON CARPENTER:
Thank you.

LEG. LINDSAY:
I have a question.

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CHAIRPERSON CARPENTER:
Sure.

LEG. LINDSAY:
I think your comments finally cleared up something for me. The 11 people, the 11 new positions would do the oversight and the paperwork involved and then Probation would contract out with somebody to actually watch people do the community service, is that --

MS. RIVADENEYRA:

No, no. The way it's being done now is Community Service finds a placement for them, be it at a church or a firehouse or somewhere.

LEG. LINDSAY:

Right.

MS. RIVADENEYRA:

That person reports to that site --

LEG. LINDSAY:

Right.

MS. RIVADENEYRA:

-- and they do the work there and someone at the firehouse or the church fills out a card saying Joe Smith did nine hours; that time is reported to Community Service who then reports it to me.

LEG. LINDSAY:

See, I've had Red Cross Community Service in my district where, you know, the people that are doing community service are accompanied by Red Cross personnel doing clean-ups, gardens, etcetera.

MS. RIVADENEYRA:

Right, it's done two ways, either at individual sites or by work crews.

LEG. LINDSAY:

Okay.

MS. RIVADENEYRA:

And we will also have the work crews.

LEG. LINDSAY:

So the 11 people are going to man the work crews as well?

MS. RIVADENEYRA:

Yes.

LEG. LINDSAY:

Doesn't sound like a lot of people to --

MS. RIVADENEYRA:

You don't need a lot of people. You only need maybe one Probation Officer to supervise 10 or 15 people cleaning up a park. We drive them there in a van, we drive them back, we know exactly how many hours they've all worked.

CHAIRPERSON CARPENTER:

Okay. Thank you very much, Barbara.

MS. RIVADENEYRA:

Thank you.

CHAIRPERSON CARPENTER:

Last speaker is Phyllis Garbarino.

MS. GARBARINO:

Thank you for giving me the time to speak here. Obviously all of the budgets involve the AME members, so I'll just briefly touch on the subjects today of the departments that presented it where I see concern. I will start backwards -- which I didn't intend on doing since it became such an issue right now -- with the Probation Department's recommendation or the budget recommendation for them to assume Community Service. AME wholly supports this because we have seen this time and time again where a permanent employee certainly can do the job better than an outside agency in many ways. In this case, I think this body has a perfect -- your one perfect opportunity which is rare where you can save \$300,000 and still get the job done. One of the things I took offense to that the Red Cross presented is that a Probation Officer gets paid to just supervise a Community Service person. Certainly their salaries are not predicated on that, their jobs are multi-task and certainly at much, much higher levels also.

What they're saying is this can be done by the Probation Department, by the Probation Officer or assistant or whoever is assigned to it. Right now that same person, as Barbara just pointed out, who sees -- goes to the Community Service Program still has to see their Probation Officer; so you're not saving anything there, they can do this all in one task and still save money doing it. And obviously, you now have a permanent place to look for reports on this, you have the Probation Department which will now take over the whole task, not just rely on reports. The time frames that were just pointed out would be reduced where you don't have somebody waiting three months possibly waiting for duplication of reports before they can assign somebody to Community Services.

So I took a little bit more to this than I originally had planned on because I think it was misrepresented to you by the outside agencies as to what the Probation Department's roll is in this and what their roll is in it. I think, as he said, it's probably one of the easiest things in the budget right now that you're facing, this most difficult budget this year, to save \$300,000 and feel comfortable with it where there's no loss in anything else. So that's the one thing.

The other part of the Probation is just that I will work with the department and watch because I have had some concerns from some members, particularly Probation Officers, concerned with the reassignment of some duties to maybe lower levels, to Probation Assistants or the like. To make sure that the job titles are clearer than that, that people are not being asked to work out of title, that the lower level will not be asked to assume Probation Officer's duties when they are not Probation Officers; that is something I intend on

monitoring. So if there's any discomfort with that, you know, we will be watching it.

On the Sheriff's Department budget, the civilian part of it of course is my concern there. And I just want to give you an example with two of the positions that are proposed to be eliminated and they are two Administrator I's. I know for a fact they were grade 21's, by eliminating them right now there are two grade 11's doing all of that work. Even if desk audit was done, those grade 11's are not in a position in their career to be eligible to take the promotional test. So right now they're being asked to do work that they don't even have a chance to aspire to as far as a career ladder at this point, it would take several years and several promotions to go from where they are now to an Administrator I, they couldn't just jump ship. So by eliminating positions like that, we have to be very, very careful. And that's why the Sheriff is not advocating to eliminate them because that's where the positions are right now, right in his department, and this I became aware of right after the department. So a hard look has to be looked at the elimination of positions.

In the Police Department it's similar. The 14 positions, they're all AME positions, at least 12 of the 14 are of serious concern. They are all clerical supervisory titles, there are several concerns there. A, who else is going to do the work; B, we have a question there right now, we have a severe problem with people wanting to leave the Police Department, the women in clerical careers, they do not see the opportunity for a promotion. And right now every one of these positions is a promotion at some level, there's a Senior Clerk, there's Principal Clerk, there's Head Clerk, there's Administrator I's, that's all a series. Right now there are complaints that there is no level because these are civilian positions, they are predominantly female so there's an indication or an appearance that the opportunity for promotion are not there. You eliminate all these positions, you make it worse.

So those are just examples of the problems that I see with the budget and you must take a hard look at it. And eliminating these positions, I think you're all aware that we are at kind of a bare bones level right now and I know we're all facing a very, very difficult budget time. But we could get worse if the jobs aren't done, we could wind up in a worst fiscal crisis. The word that I would hate to see happen is the word contracting with other agencies to do work that can't be done in-house which is what happens as a result very often of elimination of positions. So then you wind up with a huge budget problem there where you have contracting out and then you don't have the permanent people to rely on.

So I would just like to make this body aware of what to look at before they either change or go along with the recommendations of these kind of cuts. And I thank you for listening to me at this point and I will be back tomorrow. Thank you very much.

CHAIRPERSON CARPENTER:

Thank you, Phyllis. Any questions? We stand adjourned. Thanks.

(*The meeting was adjourned at 3:55 P.M. *)

Legislator Angie Carpenter, Chairperson
Public Safety & Public Information Committee

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