

PUBLIC SAFETY COMMITTEE

Of the

Suffolk County Legislature

Operating Budget Minutes

A special meeting of the Public Safety 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 24, 2007, to discuss the matter of the 2008 Operating Budget.

Members Present:

Legislator Jack Eddington - Chairman
Legislator Kate Browning - Vice-Chair
Legislator Joseph Caracappa
Legislator Lynne Nowick

Members Not Present:

Legislator Wayne Horsley
Legislator Daniel Losquadro
Legislator Elie Mystal

Also In Attendance:

Presiding Officer William Lindsay - District #8
Legislator John Kennedy - District #12
George Nolan - Counsel to the Legislature
Kara Hahn - Director of Communications for PO Lindsay
Linda Burkhardt - Aide to Presiding Officer Lindsay
Gail Vizzini - Director/Budget Review Office
Jim Maggio - Budget Review Office
Jill Moss - Budget Review Office
Ben Zwirn - Assistant County Executive
Joe G - County Executive Assistant
Ed Webber - Chief of Support Services/Suffolk County Police Department
Dennis Caine - Deputy Chief/Suffolk County Police Department
Pat Sitler - Administrative Services Bureau/Suffolk County Police Dept
Donna Miles - Senior Budget Analyst/Suffolk County Police Department
Joe Williams - Commissioner/Fire, Rescue & Emergency Services
Belinda Pagdagan - Deputy Commissioner/Fire, Rescue & Emergency Svcs
Warren Horst - Suffolk County Chief Fire Marshall
Vincent DeMarco - Suffolk County Sheriff
Alan Otto - Chief of Staff/Suffolk County Sheriff's Office
Joseph Rubacka - Deputy Warden/Suffolk County Sheriff's Office
John Desmond - Director/Suffolk County Probation Department
Mike Sharkey - President/Deputy Sheriff Police Benevolent Association
Dr. James Golbin - Chief Planner/Suffolk County Probation Dept
Karlene Maimoni - Senior Research Analyst/SC Probation Department
Robert Kearon - Division Bureau Chief/District Attorney's Office.
Lon Kochany - District Attorney's Office
Beatrice Gallo - District Attorney's Office
Robert Mitchell - Attorney-in-Charge/Legal Aid Society
Phil O'Reilly - Legal Aid Society
Debra Alloncius - Legislative Director for AME

Anita Fleishman - Pederson-Krag Center
All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Stenographer

(*The meeting was called to order at 9:38 A.M. *)

CHAIRMAN EDDINGTON:

This is the Public Safety Operating Budget meeting. Ladies and gentlemen, if you could all rise for the Pledge of Allegiance led by Legislator Browning.

Salutation

If you would remain standing for a moment of silence for all those who defend our country, domestically and abroad.

Moment of silence observed

Okay, thank you. All right, I'd like to start with the public portion. We have two cards and you'll have three minutes to make your presentation. Anita Fleishman.

MS. FLEISHMAN:

Good morning. If either of you heard what I've been speaking about this week and last week, I apologize, I will try to make it very brief.

I am speaking before the Public Safety Committee because I believe that mental health is very much a public safety issue. By itself, that term is not a very popular concept for many consumers and advocates, however it should always be qualified by the words "untreated mental health issues."

From the increased numbers of incidents that we're reading about in our schools and now our streets, we are all witness to what happens when children and adults who need mental health services fall through the cracks. Like the California fires that continue to grow uncontained, so are the numbers of children and families that are unable to access timely services.

The Pederson-Krag Center in Huntington, Smithtown, Coram, Wyandanch, Setauket, treats the largest number of individuals seeking mental health and substance abuse services in Suffolk County. We have maintained contracted levels of units of service for the past three years despite a no-growth budget. In 2008, we will no longer be able to maintain that level of service without jeopardizing the fiscal integrity of our agency.

(*Legislator Kennedy entered the meeting at 9:41 A.M. *)

At this time, we are requesting the restoration at our post-adoption funding to 2007 levels and an additional 137,000 for our mental health clinic budgets; those are for mental health clinics that are operating in Huntington, Smithtown and Wyandanch. I have not doubled the request, you know, so that I can get 137,000, nor have I really requested funding to cover what has been our unfunded -- our uncovered deficit for the last three or four years of over three to \$400,000. I am only asking for what I believe is necessary to continue operating our mental health clinics and our post-adoption program according to the 2007 levels.

Our need generally in Suffolk County for the expansion of services is another issue which I will not address at this time. Thank you.

CHAIRMAN EDDINGTON:

Thank you very much. Robert Mitchell and Phil O'Reilly.

MR. O'REILLY:

Good morning.

MR. MITCHELL:

Good morning.

CHAIRMAN EDDINGTON:

Good morning.

MR. MITCHELL:

Mr. Chairman, Members of the Legislature. My name is Bob Mitchell, I'm the attorney-in-charge of the --

MS. MAHONEY:

Can you speak directly into the microphone, please?

MR. MITCHELL:

I'm the Attorney-in-Charge of the Legal Aid Society and I'm here in regards to our budget request.

We have a handout which we'll pass around, but basically, very briefly, we had requested a \$762,000 increase. The County Exec gave us 397,000, but Legislative Budget Review has recommended an additional 240,000, that leaves us shy of \$125,000 that we requested to make for additional -- for raises. So it's the same thing as last year. And we have a handout with all the numbers and so we'll just hand it out to you.

Any questions?

CHAIRMAN EDDINGTON:

No, thank you. Hopefully you won't be here next year.

Thank you very much.

MR. MITCHELL:

Thank you.

CHAIRMAN EDDINGTON:

Okay, I'd like to call the Sheriff's Department up, please, to speak to the budget. Go.

SHERIFF DEMARCO:

Okay, good morning. I want to take this opportunity to thank the Legislature for affording us the opportunity to address our concerns with the 2008 Recommended Operating Budget. We'd like to thank both the County Executive's Budget Office and the Legislative Office of Budget Review for their comprehensive evaluation of the Operating Budget.

This year's operating budget request represents a very clear and accurate assessment of our needs. As a result, both the County Executive's Budget Office and the Legislature's Budget Review Office has responded favorably with only minor changes. At this time, I'm going to turn the presentation over to Chief Otto and Deputy Warden Rubacka.

CHIEF OTTO:

Good morning. First, I'd just like to take this opportunity myself also to recognize three people; Connie Corso, Tricia Sanders and Jim Maggio. Their dedication and loyalty and just the ability to work with us all the time through all the years I've been doing this is -- should be recognized and I want to put that on the record.

What we must emphasize at this time is that all facets of our 2008 Operating Budget request relate to the twin problems of under staffing and over crowding. Today we have 25 less Correction Officers

and ten less Deputy Sheriffs on staff than we had last year at this time. This reduction in staffing has come at a time when our workload has grown significantly, with a 5.8 increase in the inmate population compared to last year alone. Moreover, this Monday, October 22nd, we reached a new one-day high of 1,909 inmates. Not only does this surpass the previous high set just the day prior of 1,889 inmates, but we have every single reason to believe that a new record will be set before the end of this month.

For the first time ever, we have been required to house out a portion of our inmates every single day with no relief in sight. Sending these low-risk inmates to substitute jails throughout the State leaves us a very volatile situation in which we are left with a much greater concentration of high-risk, maximum security inmates within the walls of Suffolk's antiquated correctional facility. This in itself leads to additional security posts with the inmate housing areas. This under staffing, coupled with the severe over crowding, has required us to use an exorbitant amount of overtime to cover mandated posts; this has been cited by our office as one of the most critical problems.

Our 2007 year-end overtime estimate is \$16.7 million which is 2.6 million over budget. This year-end estimate now confirms the overtime projection we made exactly one year ago today; therefore, this should not come as a surprise. In fact, on October 25th, 2006, we stated before this Legislature the following, and I quote:

"The last recommendation made by the Budget Review Office is probably the most important. When the Sheriff's Office prepared its 2007 Operating Budget request in May, we anticipated that we would hire 45 Correction Officers in January of 2007 and 25 Deputy Sheriffs in September of this year," which was then 2006. "We only hired 16 Deputy Sheriffs in September of 2006, nine less than originally planned, and there was no provision in the recommended budget to hire 45 Correction Officers in January of 2007. Our 2007 overtime projections are no longer valid. Consequently, since we were not filling our vacancies as previously planned, our overtime expenses must be adjusted upward. Deputy Sheriff overtime must be increased by one-half a million dollars to account for the shortage of nine Deputy Sheriff positions, and the Correction Officer Overtime must be increased by 2.1 million to account for the 45 Correction Officers."

Unfortunately, Our request to increase the overtime funding was ignored and \$14.1 million was included in the 2007 Adopted Budget. The point to be made here is that the Sheriff's Office will not overspend its overtime budget by 2.6 million, but rather that our overtime budget was underfunded by 2.6 million and we had made that known to everybody one year ago today.

Today the Sheriff's Office has reached a critical point in its evolution whereby we must have at least one recruit class of Correction Officers each year just to fill the positions that become vacant due to separation of service. Since we did not have a class this year, we must have two next year.

We are basing our 2008 Correction Officer overtime on two assumptions. First, there will be a contract settlement in the first quarter of 2008; and second, that an estimated 24 Correction Officers will retire at that time. This is only one-third of the number that can actually retire in 2008, so we feel it to be a very conservative number. Moreover, in addition to retirements, there are three Correction Officers that are resigning this December to join the Police Department.

Due to the fact that we did not have a Correction recruit class in 2007, and there is a high probability that a large number of officers will be retiring in 2008, the Sheriff is requesting that a second Correction Officer recruit class be scheduled for July, 2008. Since the exact number of retirements is not certain at this time, the class size would be based upon the actual number of vacant Correction Officers that exist on July 1st, 2008, filling every vacancy that exists at that point in time. The Sheriff is also emphasizing the need to fill all vacancies in a timely fashion from this point forward so that when the new facility opens, we have a sufficient number of staff adequately trained and experienced.

It must also be pointed out that the last staffing analysis by the State Commission of Correction was conducted in October, 2002. At that time, the Commission analysis required that 864 Correction Officer positions of all ranks were required. However, the commission then allows for a degree of overtime in lieu of positions; this amounts to a 10% reduction of the 864. Consequently, the absolute minimum staffing five years ago was 779. However, since that time, a significant number of mandated security posts have been added by the commission. The point to be made here is that today, with only 806 filled Correction Officer positions and an estimated 24 slated to retire, we will be either at or below the minimum staffing requirement that was set, you know, years ago. If this occurs, the Commission of Corrections can impose sanctions which will adversely impact our daily operation.

Notably, the Commission of Correction has stopped the opening of other County correctional facilities when they determined that the existing staffing was insufficient. The Sheriff's Office now must go on the record and state that we cannot allow this to happen to Suffolk County.

We will now discuss the 2008 recommended overtime which is also a concern. Our 2008 requested overtime is two million more than the 2008 recommended, because we feel even with the scheduled hiring of 20 Deputy Sheriffs this December and 40 Correction Officers on January 28th, we will still be in worse shape next year than we are this year for the following reasons.

First, the inmate population is projected to increase in 2008 resulting in additional ad hoc security posts and an increase in transporting inmates to substitute jails across New York State.

Second, the Correction Officers should have a salary increase in 2008 with an increase in overtime costs. However, the County Executive's Budget Office used the 2007 year-end estimate overtime figures for their 2008 recommended budget. Even if everything else remains consistent, a contractual increase alone would raise the overtime in the Correction Officer appropriation by an estimated \$745,000. Even if this money is accounted for elsewhere in the overall County budget, it would still be perceived that the Sheriff's Office overspent its overtime accounts.

Third, the recently-created twelve member transition team which was required by the New York State Commission of Corrections to oversee all aspects of the new correctional facility will be in place for all of 2008.

Fourth, when the Correction Officers contract is ratified, we are projecting that a minimum of 24 Correction Officers will be retiring in early 2008. We, therefore, agree with BRO to hire a second-class of Correction Officers based on the number of officers that retired next year.

In summary, we ask that the Legislature consider the following BRO recommendations in the adopting resolution.

First, hire a second class of Correction Officers in addition to the class scheduled for January 28th. As the Budget Office has stated, "Failure to do so would increase the overtime costs not included in the 2008 Recommended Budget." The number of Correction Officer recruits in this second class will be based on the number of Correction Officers that retire next year, after the contract is ratified. Consequently, turnover savings would go to fund the salaries of the new Correction Officers. In essence, we would be replacing a \$65,000 a year Officer with a \$38,000 a year recruit.

Second, hire a class of Deputy Sheriffs filling all existing vacancies to coincide with the BRO recommended Police Officer class in September of 2008. There are sufficient appropriations in this policy -- for this policy decision. The reasoning is the same as it was for the Correction Officers; if we do not maintain a base line of Deputy Sheriffs by filling vacancies on an annual basis, the overtime will increase to unacceptable levels.

Third, increase the equipment lines in 3110-2020 by \$13,324;

3150-2020 by \$42,770; and 3110-2060 by \$12,500.

BRO also raised concerns, and we concur, that the funding of our unmarked vehicles should be addressed. The Sheriff's Office had requested 15 unmarked vehicles and we received none in the recommendations; that's unacceptable.

It also should be pointed out that the increases in funding for equipment can be offset by a recent increase in revenue from SCAAP which is the State Criminal Alien Assistance Program. The original award was for 1.7 million. However, after the recommended budget was prepared, we were informed that we would be receiving an additional supplement payment of \$197,953, bringing the total to almost \$2 million. Consequently, this additional \$198,000 in revenue is more than enough to fund an increase of \$68,000 for the equipment.

Notably, the Budget Review Office also recommended increasing the revenue for the El Dorado Grant in 001-4329 by \$30,000 in 2007 and in 2008; these are additional monies that we could use to offset what we're asking for.

We also ask the Legislature to consider the following Sheriff's Office recommendations in the adopting resolution. For the past 20 years, as part of the requested budget process, the Sheriff's Office has utilized Form 1-A's to transfer positions from one appropriation to another as the workload dictates; by the way, as far back as I remember, thirty something years, we've always done this. This is done so that the staffing in the Operating Budget accurately reflects the actual deployment of our staff. Unfortunately, only 50% of the transfers in and out were made in the 2008 Recommended Budget. We, therefore, request that the remaining transfers be complete.

The 2008 Recommended Budget abolishes four positions in the Sheriff's Office; two Principal Clerks, one Head Clerk and one Senior Clerk Typist. The Budget Office disagrees with the abolishment of these positions and stated that there are sufficient funds in the Permanent Salary Account to fund these positions. Both the Head Clerk and one of the Senior Clerk Typists are assigned to the Civil bureau. As the Budget Office has stated, the Civil Bureau contains the largest group of civilian staff and it also generates significant revenues. We, therefore, urge, at the very least, that the Head Clerk and the Senior Clerk Typist be reinstated in the 2008 Adopted Budget.

The Budget Office recommends that the Prisoner Maintenance Account, 3151-4560, fees-for-service, be increased by \$700,000 in 2008. The reports states 2007, so there was an error in the actual date. This is based on year-to-date expenses, historical trends and current population. This is the fund that's used to pay for substitute jail housing. For the first time in the history, the Sheriff's Office has been forced to place a significant number of prisoners in substitute jails throughout the State every day of the year without exception. With an all-time high of 1,909 inmates set this Monday, October 22nd, there is every indication that this trend will continue until the new facility is operational. Three point five million is included in the 2007 Adopted Budget for this purpose. As of today, we're already \$900,000 over budget with a year-end total now projected at 5.45 million. The 2008 Recommended Budget includes 4.5 million. Consequently, increasing this fund in 2008 by 700,000 to 5.2 million would bring it more in line with our 2007 year-end estimates. Since we do not foresee any relief until the new facility is operational, we concur with this recommendation, that should be done.

This concludes our presentation. We'd be happy to answer your questions.

CHAIRMAN EDDINGTON:

Okay, so let me summarize a little bit for myself. The good news is that the Sheriff's Department, with the Corrections, are doing an outstanding job with less money and more inmates. So I want to commend you on what you're doing because you're keeping us safe. It sounds like you don't have enough money for the rest of this year and you're not projected to get enough. And these are with all the proactive things that we've been doing with Probation and the DA's Office, with the mental health, you know, allocating where they go, so with all of that going on we're still in a hole. So

we've been proactive, but we're now seeing the increase in inmates.

What I'd like to do is get a rough number of -- and by the way, you've been doing an outstanding job with the immigration and customs enforcement in trying to save us money on that end; over 500, I believe, people deported.

SHERIFF DEMARCO:

Six hundred.

CHAIRMAN EDDINGTON:

Tell me, how much are you spending right now to maintain the illegal immigrant population? And what's the number of like New York State Parolees that you have to keep on? I mean, in other words, we're not getting funded by the Federal and State government and we're going to bear that expense; are they at all in line with the deficit that you're seeing?

SHERIFF DEMARCO:

Yes, we -- it's costing us about \$10 million a year to house the illegal aliens. Parole, we have probably close to 200 parole violators in the jail, some of them are -- just strictly have a parole hold, some have parole hold with local charges. And we get reimbursed \$40 a day by the State of New York for the parole violators who just have a parole hold, but we don't get reimbursed when they have a parole hold and local charges, and we're trying to work with the Criminal Justice Coordinating Council and some of the Judges to try and help them understand that. When somebody has a parole hold they can't get out of jail, that's better than bail, but they continue to put bail on people that have local charges and because of that we cannot get reimbursed by New York State, so we're really losing a lot of money on that. But we're taking another snapshot of the jail population on October 25th, which I believe is tomorrow, and after we get that we're hoping to do another presentation in front of the courts.

CHAIRMAN EDDINGTON:

Okay. So what I am hearing is anywhere from like ten to \$15 million, we're bearing the burden of Federal and State not paying --

*(*Legislator Caracappa entered the meeting at 10:01 A.M. *)*

I mean, if it's \$200 a day, roughly, in our jail, you're getting \$40 sometimes, we're losing out.

SHERIFF DEMARCO:

Yes.

CHAIRMAN EDDINGTON:

Okay, so then those are two areas, and I appreciate what your efforts are going to be to redefine the jail population so we can work on that. It sounds like we definitely have to look at how to fund you and how to get the money back. Questions? Legislator Nowick.

LEG. NOWICK:

Good morning. Just a question on one of the items. The 2008 Recommended Budget abolishes four positions in the Sheriff's Office, that was the two Principal Clerks, one Head Clerk and a Senior Clerk Typist. Are those positions that are filled and people would have to be fired or are those vacant positions?

CHIEF OTTO:

Those are vacant positions which we asked for SCIN forms for for years.

LEG. NOWICK:

Yeah, okay.

CHIEF OTTO:

In some cases we have not been able to get them and it's getting unmanageable now.

LEG. NOWICK:

Okay, thank you.

CHAIRMAN EDDINGTON:

Legislator Kennedy?

LEG. KENNEDY:

Thank you, Mr. Chair. Good morning, Sheriff.

SHERIFF DEMARCO:

Good morning.

LEG. KENNEDY:

There have been several things that have been instituted going all the way back to the {SEEFROC} Commission looking at some alternatives as far as management.

One of the things that comes to mind was I know that we did have at one point expeditors, bail expeditors that were in place. Is that function still going on? I guess what I'm really asking you is when you look at this 1,909 right now, that is -- I think your statement says that is the highest number of prisoners we've ever had in our facility?

SHERIFF DEMARCO:

That's true.

LEG. KENNEDY:

Okay. Are all of the alternatives that had been identified by these various groups being implemented full force, or are we needing to try to promote some of those things better?

SHERIFF DEMARCO:

The bail expeditors are in full force. We have two -- one full-time Bail Expeditor, two part-time Bail Expeditors; last year's budget turned that function over from Probation to the Sheriff's Office. The other recommendations from that 2005 report for the most part have not been implemented.

LEG. KENNEDY:

So what -- obviously, I mean, you've given us a very --

SHERIFF DEMARCO:

And they're not in my control necessarily either.

LEG. KENNEDY:

No, I understand that. But, I mean, you've given us a very exhaustive and detailed snapshot of where we're at monetarily at this point. And basically, I guess, you know, if I was going to look at, I'd call it a hemorrhage; I mean, you're doing a great job, but we've got an arterial bleed going on here.

What, besides money to get officers -- clearly, we need more Correction Officers, even I can grasp that. But what else can we be doing in addition to putting more personnel on that's going to help? A Correction Officers class will take, what, six months, seven months, eight months? So admittedly, we're talking about ten months of major bleed here. What else are we going to do to help?

SHERIFF DEMARCO:

Well, a corrections class would probably take about 14 weeks, but still, in the short term there's probably not much we can do. We're going to continue to work with the Criminal Justice Coordinating Council, with the District Attorney and the courts; to me, that's where the real problem

lies, and just each of us understanding what each others problems are and taking this new snapshot of the jail population tomorrow, which is similar to what they did in 2005. And I think the fact that we have a fully operational Criminal Justice Coordinating Council now and a willingness among the District Attorney, myself and the courts to work together. I think that this investment is going to pay off, but it might take a little time.

LEG. KENNEDY:

I commend you for that dialogue. And sitting at a couple of those meetings, I did hear that there certainly were different things going back and forth. One of the things that I recall was a spike in individuals being sent to your facility was associated with motor vehicle infractions that were relatively -- I don't want to call them minor, but they didn't necessarily seem like they were something that would necessitate somebody being imprisoned, and it was a matter of some dialogue between yourselves and the courts?

SHERIFF DEMARCO:

Yeah, there were some issues with people getting bail put on them for traffic violations but, you know, in some cases people had reasons for that, in other cases there was no logic, but just because -- the fact that the lines of communication are open. And I think the Criminal Justice Coordinating Council has been great at helping everybody keep those lines open, so when there is an issue, you know, we can have a meeting quickly and resolve the issues.

LEG. KENNEDY:

All right. So all the stuff we recommended you're doing, basically there's -- you've got no other rope to throw us other than let's get the personnel, huh? All right, I'll yield, Mr. Chair.

SHERIFF DEMARCO:

No, that's not necessarily true. Like I said, there are still some people that come to the jail that could be diverted to other places, but it's maybe not personnel I need, it might be personnel that maybe Probation needs, maybe that some other people need, so.

LEG. KENNEDY:

We didn't get Desmond up yet, right? That's going to be a whole nother range of conversation. Okay, thank you, Sheriff.

SHERIFF DEMARCO:

Okay.

CHAIRMAN EDDINGTON:

Legislator Browning.

LEG. BROWNING:

Yeah, I think this may be part of your breakdown that you're going to do. One of the questions I have is the jail is -- if you're going to jail it's a year and a day, something like that, right, to stay in the jail rather than going Upstate; correct?

SHERIFF DEMARCO:

It's just under a year.

LEG. BROWNING:

Okay. I guess when you do your breakdown, my curiosity is if somebody gets sentenced to one year, maybe it's two years, I'm not sure how you explain that, and the concurrent sentences; is that what you call it?

*(*Presiding Officer Lindsay entered the meeting at 10:07 A.M. *).*

SHERIFF DEMARCO:

Well, that --

LEG. BROWNING:

Where they're not actually spending one year jail, there may be two?

SHERIFF DEMARCO:

Well, sometimes, I guess, I don't want to speak for other people, but, you know, as part of a plea, in order to get a plea, there could be different sentence deals that are worked out, but I'm not going to speak for the -- I mean, it happens.

LEG. BROWNING:

Okay. But as far as numbers are concerned, that's going to be part of your breakdown, when you do the breakdown?

SHERIFF DEMARCO:

This snapshot will show, you know, who's where. That's what the last report did, too, it showed what percentage, you know, could have been here, should have been here or whatever.

LEG. BROWNING:

That's just my concern; you know, how many of them should actually be Upstate and we wind up housing them down here.

SHERIFF DEMARCO:

Well, a big problem is, too, that -- let me go back to the parole violators. You know, they have bail put on them but they can't get out, so there's no reason to have the bail. The only reason the bail is put on them is so that their time in the County jail counts so they never wind up doing any State time which is, in my opinion, being a little soft on crime.

LEG. BROWNING:

Yep. Thank you.

CHAIRMAN EDDINGTON:

Then maybe I'd ask, before you leave, BRO to just give us a little feedback on what you heard, the numbers.

MS. VIZZINI:

As Chief Otto pointed out, a lot of the highlights in his presentation are actually consistent with the recommendations in the Budget Review Office Report. In certain cases, as far as filling a class of Deputy Sheriffs and an additional class of Correction Officers, there are sufficient appropriations; the positions would have to be filled.

The same thing with the clerical positions that are long outstanding; although there's not sufficient appropriations for the four of them, there certainly are for two of them.

CHAIRMAN EDDINGTON:

Okay. So based on our budget, we do have enough money for personnel?

MS. VIZZINI:

If the policy decision is made, yes.

CHAIRMAN EDDINGTON:

Okay. All right, any other questions?

LEG. CARACAPPA:

Just real quick, Mr. Chairman.

CHAIRMAN EDDINGTON:

One question, Legislator Caracappa.

LEG. CARACAPPA:

Thank you. I apologize for getting here a little late this morning. Sheriff, when it comes to Correction Officers, you're speaking about a second class. Recently a test was given. Now, where are we with that list, a current list, the test that was just taken and how does that all fall out? I may have missed this earlier, so I apologize.

SHERIFF DEMARCO:

We have a current list and we're hoping to hire 40 Correction Officers on January 28th off that list. We're anticipating a new list would come out in roughly April?

CHIEF OTTO:

It could come out as early as after the first class is appointed.

LEG. CARACAPPA:

So that most recent test is the one that you're hoping to get that second class out of.

SHERIFF DEMARCO:

Right.

LEG. CARACAPPA:

Okay. And when will that process come to a close by way of vetting the exam and Alan Schneider's people doing their thing?

CHIEF OTTO:

Right. It's -- we had to back in to the class date, we concur with Budget Review's recommendation in July. After we do get a new list, I'm thinking that we could possibly get a list in February, a new list; when that happens, we'll do our investigation, we'll be ready to hire possibly mid-June.

LEG. CARACAPPA:

So you'll start your investigation --

CHIEF OTTO:

Immediately.

LEG. CARACAPPA:

-- on possible candidates come early spring, you're hopeful.

CHIEF OTTO:

Immediately.

LEG. CARACAPPA:

From this most recent test?

CHIEF OTTO:

Yes.

LEG. CARACAPPA:

Excellent, then. Thank you very much for your presentation.

SHERIFF DEMARCO:

Thank you.

CHIEF OTTO:

Thank you.

CHAIRMAN EDDINGTON:

Okay, next on my list is Fire, Rescue & Emergency Services.

COMMISSIONER WILLIAMS:

Good morning. I'm going to be putting the presentation over to Warren Horst, our Chief Fire Marshal who has worked very much on this budget and to give you a presentation on FRES.

CHIEF HORST:

Good morning. First off, we'd like to start out by thanking both the budget -- Budget Office, I'm sorry, the County Executive's Office, particularly Allen Kovesdy and Jill Moss in the Legislative Budget Review Office for their efforts in crafting a budget that we actually feel very comfortable with.

Having said that, we do have to concur with one of -- the first recommendation of the Budget Review Office which asked to add \$27,000 to the 110 account -- I'm sorry, the 1100 account, a 3405 appropriation. And that resulted from the fact that we prepared a -- I'm sorry, a requested budget that was based on a staffing pattern and a hiring plan that did not actually come to pass due to the freeze on hiring and a freeze on promotions. And what it would have done if it went into place is the Senior Fire Marshal in the 3405 appropriation would have been promoted to a Supervising Fire Marshal position and moved out of that appropriation into 3400; the individual that would have filled the position would have come in at entry-level, at the lowest salary obviously. And the difference between the two, the senior individual leaving and the new person coming in, would have been the \$27,000, and that also would be inclusive of the K-9 stipend that's provided to that Senior Fire Marshal because he handles one of the Excellent-Detection K-9's. So that difference, in fact, is a shortage as we see in the 3405 appropriation in the 100 -- I'm sorry, the 1100 account simply because of a hiring plan or a staffing pattern that did not come to pass.

I'd also like to point out, although it appears, based on the Budget Review Office Report, that the Control Register of September 23rd, 2007 shows 14 vacancies in the department, it actually is only eight. The top portion, the 3400 portion which is the primary budget for FRES, there were three Emergency Service Dispatcher vacancies at the time, there are actually now four because someone has left the department. However, what follows after that, the 3405, 3406 and 3407 appropriations were all grant funded and the people that are shown -- or the positions, I should say, that are shown under those appropriations have been actually continued under subsequent appropriations 3412 and 3413. So in fact, they would be one in the same of what already exists in 3412 and 3413 and they would not be considered vacancies from our point of view.

Other than that, I believe the department, as I said, is comfortable with the budget. We'd be happy to answer any questions that might be raised of us.

CHAIRMAN EDDINGTON:

Questions? No, you're doing a great job. And thank you for all your help on the hurricane preparedness, you guys are outstanding. Thank you.

CHIEF HORST:

You're welcome. Thank you.

LEG. CARACAPPA:

Actually before you go. A question, I'm sorry.

CHAIRMAN EDDINGTON:

Oh, Legislator Caracappa.

LEG. CARACAPPA:

It just popped in my mind, having spent the day yesterday with some fire personnel friends of mine. The Secondary Preparedness Facility, communications that we've been speaking about for some time that was supposedly going to go to the lab, now I'm hearing some talk about a shared facility with Nassau County and Bethpage; is that true?

COMMISSIONER WILLIAMS:

Well --

LEG. CARACAPPA:

And if so, is that accounted for within the budget or without -- most of that would actually be capital for equipment, things of that nature.

COMMISSIONER WILLIAMS:

There are actually two different items. What's happening is we're still looking at an in-County backup radio communications for FRES.

LEG. CARACAPPA:

Uh-huh.

COMMISSIONER WILLIAMS:

What's happening with the -- the facility they're talking about in Bethpage is that there's an organization LIFT, Long Island Technology -- you got a \$5 million grant from the State of New York to buy a building at the old Grumman site. They're moving technology companies into it and one of the things they're doing is they're actually going to build a state-of-the-art Emergency Operations Center on the first floor.

What they're looking at with New York State is maybe some type of regional emergency operation center for a major, major event. What's that's going to afford us is we were looking at Brookhaven National Lab as a backup radio room and also a backup emergency operation center, if we had to leave the facility we're in right now.

LEG. CARACAPPA:

So that's still on track for the lab portion of it.

COMMISSIONER WILLIAMS:

The lab portion right now, we're still -- we're looking at some other different areas but right the lab is still -- we're still talking to the County Executive about that, we do have some funding for next year on that; that is still on track. The only thing we've taken out of the picture as of right now is the Emergency Operation Center which is not the radio room with the emergency operations center. It's approximate a little over \$200,000 cost which would only be used if something happened to our existing Emergency Operations Center.

LEG. CARACAPPA:

Right.

COMMISSIONER WILLIAMS:

What we're being offered here by the State of New York if we go ahead with this regional program is a state-of-the-art one that we would be -- no matching funds from the County, there would be nothing coming from the County. But if we did lose the Emergency Operations Center -- not the radio room, just that one facility -- we could go to Bethpage and use this state-of-the-art at no cost to the County.

LEG. CARACAPPA:

I just wanted to make sure one last time, it's not -- Bethpage is not going to be in lieu of our backup, our supposed backup plans for wherever it may be in Suffolk County.

COMMISSIONER WILLIAMS:

Yes. The backup -- I can guarantee, the backup radio room will be in Suffolk County.

LEG. CARACAPPA:

Thanks.

CHAIRMAN EDDINGTON:

Okay, thank you, gentlemen.

CHIEF HORST:

Thank you.

COMMISSIONER WILLIAMS:

Thank you.

CHAIRMAN EDDINGTON:

I would like to call up the District Attorney's Office.

MR. KEARON:

Good morning.

LEG. CARACAPPA:

Good morning.

MR. KEARON:

My name is Bob Kearon, I'm here on behalf of District Attorney Tom Spota who is unable to be here because he's out of town. I brought with me my budget gurus, Beatrice Gallo to my far right and Lon Kochany who's sitting next to me.

Before we begin with our analysis of our budget or the recommended budget, I would first like to thank very much Jim Maggio and Gail Vizzini and Tom Cunningham from BRO for the time and effort they've put in to analyzing the recommended budget on our behalf. And I'll say, first and foremost, that we agree with all of their findings and recommendations.

I guess unlike FRES, Tom Spota has asked me to convey and express his dismay with the budget that's been recommended for us. Mr. Levy's budget recommends a 1% increase in our 2007 budget. And given the fact that there's AME salary increases that come in January and step increases that follow, that 1% is, right out of the box, much too inadequate.

We asked for 17 positions, new positions, we received minus one.

We come before you recognizing that the County does have fiscal issues, thankfully the sales tax matter was resolved. But by way of compromising, we're asking this Legislative body to give us six new entry-level ADA positions for our 2008 budget. We feel that we can -- by bringing in entry-level people, we have people that we can promote upward into the felony bureaus and continue what we believe to be the fine work that we have been doing since Tom took office.

As noted in the findings of the BRO, our workload has increased substantially since Tom took office. Felonies are up 30%, misdemeanors are quite high as well, it's been increasing every year. We have to cover 49 courtrooms on a daily basis, including weekends, sometimes evenings. Our staffing levels have increased and will continue to increase because we continue to do what we think is a fine job in law enforcement. I will acknowledge that Mr. Levy has agreed to take 16 positions that we have had grant funding over the last several years and that grant funding has expired and he's agreed to put those positions into the normal operating budget. The work that was inspired by those grants continues, it involves DWI enforcement targeting gun possession and gun usage, as well as in large part gang prosecutions as well.

I'll be happy to answer any of your questions. There's one other thing I would like to point out, the turnover savings that Mr. Levy has put into the 2008 Recommended increases our turnover savings

by five and a half times. I'm sure you're all familiar with the concept of turnover savings; what it means to me and to Tom Spota is that notwithstanding whatever budget is adopted, when we send over SCIN forms they're not going to be signed.

LEG. CARACAPPA:

That's right.

MR. KEARON:

In order to generate the type of turnover savings he's projecting, we're going to have a lot of vacancies for a good part of the year and that is unacceptable to us.

CHAIRMAN EDDINGTON:

If I could get Budget Review to just comment?

MS. VIZZINI:

Yeah, at the time we did the report the District Attorney has 32 vacancies, and as he points out, insufficient funds to fill even a small percentage of those towards the end of the year. We're actually recommending the addition of the six new positions but with appropriate funding so that there would be sufficient appropriations to fill those positions.

CHAIRMAN EDDINGTON:

Talk about the -- you're saying there's 32 and you'll be okay if you get six?

MR. KEARON:

Well, if we get six additional positions, which has been calculated by BRO at a cost of \$330,000 which I believe also includes benefits, as well as if we can get additional funding that would reduce the turnover savings. You know, traditionally we've targeted turnover savings in the neighborhood of about \$400,000, so we'd like to see that reduced. So bottom line, what we're asking for is an increase of the recommended budget by \$1.1 million, that way we feel we'll have the ability to fund these vacant positions during the course of 2008.

Like everyone else in the County, we haven't had any positions filled over the last few months because of the crisis over the sales tax, and that's understandable. Now that that's been resolved, I, along with everybody else, will be sending in SCINS as soon as I leave this meeting, but we do need that extra money. And if I can just add one other thing --

CHAIRMAN EDDINGTON:

Sure.

MR. KEARON:

-- about the computers. And this is nothing that's specific to our department, but I understand it's happened to all of the departments. The County Exec is taking all of the monies that have been previously allotted for the purchase of computers and business machines and he's giving it all to the IT Department.

I just envision a scenario like we go through when we want to bill personnel, that we have to send over the functional equivalent of a SCIN form if we want to buy a copy machine. As it is right now, the County has -- puts up a lot of hurdles if we want to make a purchase of any equipment over \$5,000 and, you know, we live with it, that's the way the procedure has been for a lot of years. But to have to go hat-in-hand when we want to buy a Xerox machine or lease one, it seems to me is just adding too much bureaucracy to an already bureaucratic system. So we'd ask for the return of our computer money as well.

CHAIRMAN EDDINGTON:

Okay. Legislator Caracappa.

LEG. CARACAPPA:

Thank you, Mr. Chairman. And Bob, you took the words out of my mouth, it's the first thing -- I wanted to talk to you about the positions, too, but from what I heard a week or two ago, and it's not unique to your department, that all the departments are being basically told that they will have to go hat-in-hand, as you said, for things as simple as a copy machine, a fax machine.

And when it comes to the District Attorney's Office -- and from what I'm hearing, I don't know if it's true, you were blamed by the County Executive's Office for misspending over a million dollars and the wrong computer systems over the last couple of years and that was his -- the reason why he wanted to shift everything and consolidate it within Sharon Cates-Williams' department. I think that's wrong, I certainly do. And I don't know if the budget working group -- Mr. Chairman, I'm glad you're here -- has taken this up; have you considered reversing?

P.O. LINDSAY:

We're talking about it.

LEG. CARACAPPA:

You're talking about it now? Well, at this juncture, I would like to -- seeing that this is the time we do that, is first put in a standalone, sponsored by myself, reversing that policy for all departments affected by the change and appropriately putting the proper dollar amount into each -- back into each department so that they can handle their own equipment for their own reasons at the right times and when they need it.

Secondarily, the positions. I know you're going over to sign the SCINS, you know. I'm going home to, you know, rub my magic lamp for a couple of million bucks, too, and it's not going to happen and I'm certain that your SCINS aren't going to happen. But I also would like to put in a standalone, if the working group hasn't dealt with this, I'll ask the question again; the extra positions for the District Attorney's Office?

P.O. LINDSAY:

We're not done with positions yet, Joe.

LEG. CARACAPPA:

Okay. So at this point, I will do a standalone to add the positions for the entry-level ADA's that were mentioned; if that's okay?

MS. VIZZINI:

We will prepare both those requests for you.

LEG. CARACAPPA:

I appreciate that. Thank you.

MR. KEARON:

Thank you.

CHAIRMAN EDDINGTON:

Legislator Kennedy.

LEG. KENNEDY:

Legislator Caracappa brings up good points, as he always does; you know, I guess that's his testament to doing this now twelve years running. But in particular, when you talk about the equipment, I experienced this on the other side back in my time in the Clerk's Office. But what strikes me is amongst all of these separate offices, the District Attorney is procuring equipment often times that I believe would be not just integral to the operations of your office but also integral to investigatory work and prosecution on occasion. You have Detective Investigators, you have other individuals that are out there in the field that need to rely on laptops and other types of

support equipment, I would imagine, in order to make out those investigations.

MR. KEARON:

That's correct.

LEG. KENNEDY:

So it occurs to me that it's a wrong-headed policy across the board as far as selecting technology. But certainly in your case it's, once again, compromising the ability to go ahead and preserve public safety. So I would -- I'll tell you what; I'll cosponsor his resolution, how's that? Both of them.

LEG. CARACAPPA:

Thank you.

CHAIRMAN EDDINGTON:

Okay. Thank you very much, gentlemen.

MR. KEARON:

Thank you.

CHAIRMAN EDDINGTON:

Next I'd like to call up Probation.

DIRECTOR DESMOND:

Good morning. John Desmond, Probation Director. To my right is Dr. James Golbin who is our Chief Planner and to his right, Ms. Karlene Maimoni who is our Director of Program Evaluations; I got that right. I'd like to be both brief and as informative as I can be, so let me move quickly ahead on this.

I'd like to put on my hat as Chairperson of the CJCC for one minute just to note that in between January and June of 2007, there's been a 13.7% reduction in violent index crime and a 1.3% reduction in property index crime. Further, according to the Family Court, in September of this year there's been a one-third reduction in juvenile delinquency arrests in all categories. I believe that's due to the incredible cooperation that exists among all the law enforcement sections in Suffolk County and that it goes further than that and it also speaks very highly of the degree of cooperation that law enforcement gets from both mental health, the Health Department and the Department of Social Services as well as the Youth Bureau and all the community agencies that work with us so closely.

When you look at what's going on in Suffolk County in terms of the interagency cooperation and you look to New York City where their rates, especially crime rates among JD's have gone up by 40%, I think it indicates that this County should be extremely proud of the relationship that all these different departments have with each other and the degree of cooperation and communication that occurs. And I just want to note one more thing which is that the courts have been outstanding working with us and we really appreciate that.

Going back to the Probation Director hat. Last year I came in and I said to you that we would be able to do, with the staff that we had, everything that we were currently doing; I lied, we did more. My people gave me 110% and I'm very, very grateful for that.

From nine -- from 2005 to 2007, the first nine months in each category, out of state residential placements of PINS juveniles has been reduced by 82%; in-state residential placement of PINS juveniles has been reduced by 70%; juvenile delinquent residential placements were reduced by 23%. This year, Suffolk County Probation also instituted for the first time a Respite Program, both for juvenile, for JD's and for PINS. This year, for the first time we're doing a psycho/social evaluation on every juvenile delinquent that comes into the department. We've also begun doing Orders of Protection on-site at the Family Court Office in Riverhead, thus rapidly increasing the

turn-around time for the issuance of the Orders of Protection.

Regarding the Criminal Court side, we've had a 20% increase in pre-sentence investigations. These have been handled by the use of overtime, we have been able to keep up with the court mandates. We've also had an unfunded mandate, both ourselves and the Sheriff's Department, of rapidly increasing import with a requirement that DNA testing be done on more and more individuals convicted of more and more crimes; so far we've also been able to handle that with our existing staff.

In addition, we've developed a much more comprehensive Job Readiness and Placement Program with the Labor Department and we've also used -- utilized Probation Officers in the US Marshal Fugitive Task Force, Project Impact which is the State program of violence reduction, and the Pre-trial Probation ICE Intervention Program. Furthermore, this year we've developed a new automated system for all components of Probation that is the first in the State and with the help of the State will be implemented throughout the rest of the State.

In addition, under our Sex Offender Unit we've developed both the ability to monitor the probationer's use of personal computers and other communication devices, as well as developed a new forensic team which will be able to examine equipment seized from sex offenders and to provide competent witness information in court.

Finally, we've developed -- between our Information Systems Unit and the Suffolk County Police Intelligence Unit, a new automated system that allows Probation and Police to coordinate information regarding probationers and for us to respond within 24-hours to any contact by a Police Officer with a probationer. Thank you very much for your time. Any questions?

CHAIRMAN EDDINGTON:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. Good morning, John. How are you?

DIRECTOR DESMOND:

Good morning. Thank you, good.

LEG. KENNEDY:

Good. I've spent a better part of the year, as have some of my colleagues, working for the GPS Monitoring Unit to give you the resources to do what we could to go ahead and support what appears to be a pretty successful program. This body passed a resolution in June that would have doubled the capacity with the Probation Officers.

I believe, and I'm going to ask BRO to confirm this, that all of the personnel has been zeroed out for the '08.

MS. VIZZINI:

Yeah, the new positions created for the Sex Offender Court have been abolished in the '08 budget.

LEG. KENNEDY:

Okay. Let me ask -- I mean, what is the number of individuals that are in the unit at this point? Is it maximized and is there a need to expand that; would that benefit the safety of the public or give the courts the tool they want or give your Probation Officers the ability to go ahead and track these people? Did I miss something?

DIRECTOR DESMOND:

No, you missed nothing at all. The GPS Unit has been very successful. There are, of course, severe budget constraints this year, I was unable to add on the additional personnel that the Legislature very kindly passed a resolution.

LEG. KENNEDY:

John, let me ask you this. We had this conversation throughout the better part of the year. You're the expert here, I am not. What is it going to take to take it from 50 predators or DWI folks or whatever is being monitored now to double it? Our conversations, I believe, said that this unit operates in blocks of whatever, ten or eleven personnel?

DIRECTOR DESMOND:

Correct, 10, 11 professional and paraprofessional personnel for a group of 50 offenders.

LEG. KENNEDY:

Well, now it's really important that I understand the language here. Because I believe the resolution from June identified 10 Probation Officers and one Supervising Probation Officer.

DIRECTOR DESMOND:

Correct. In larger -- if we went in the future to say 200 offenders being supervised with GPS, we would be able to supplement, replace some of the professionals with paraprofessional and there would be some cost savings there.

LEG. KENNEDY:

I would like to see all 400 monitored, John, to be honest with you, I think that's what would keep people safe. Fifty now is where we're at. I'm trying to figure out what it's going to take to just double, to get it to a hundred. So what if -- I guess I'm going to ask you one more time now; what needs to be added to this budget and actually filled in order to expand that unit so that a hundred of these felons can be monitored rather than the 50 we have now?

DIRECTOR DESMOND:

It would require 10 additional Probation Officers and one Supervisor.

LEG. KENNEDY:

Okay, I'm going to ask BRO to go ahead and prepare that as a standalone then, please.

LEG. CARACAPPA:

Entry-level?

LEG. KENNEDY:

Again, the idea here is I guess whatever an incoming Probation Officer ought to be at salary-wise, is that how we do it? I'm going to defer to my senior colleague here who's got the experience in order to make this work.

LEG. CARACAPPA:

We usually do it entry-level and usually half the year of fringe benefits.

MS. VIZZINI:

That's correct. You need some lead time in terms of -- since these are Civil Service positions, you need some lead time to get the SCIN form approved and you need some lead time to request a list, a canvas and appoint appropriately. So that would lead -- you're at least optimistically nine months, practically six months.

LEG. KENNEDY:

Fine, okay. Is there a list in effect now, John?

DIRECTOR DESMOND:

Yes, there is.

LEG. KENNEDY:

All right. So assuming that we could get the Exec to go ahead and approve this, we'll go through the canvassing process, get the folks hired.

DIRECTOR DESMOND:

Thank you.

LEG. KENNEDY:

All right, thank you. I'll yield, Mr. Chair.

LEG. NOWICK:

Would it be okay if I asked a question that didn't have anything to do with this?

CHAIRMAN EDDINGTON:

Go for it. Legislator Nowick.

LEG. NOWICK:

And my question, really, I know all the public hearing questions are finished, but while I have you sitting here, could I just ask you a fast question? A constituent question of mine.

If there's a person that is in jail in Florida, lived here in Smithtown, was accused in Florida of a sexual sex offence. Has served time in Florida, now is released from jail in Florida. And let's assume Parole let him come back to his home here, do we -- do we -- do our computers integrate with other computers? Do we know -- say he's coming back here; do we then let the neighborhood know that this person is coming back? And also, I understand there's a playground at this area; is he then not allowed to move back to his home that he lived in? I know the neighborhood is concerned.

DIRECTOR DESMOND:

Yeah. There's the interstate compact on the transfer of parolees and probationers.

LEG. NOWICK:

Go back; I didn't hear what you said, I'm sorry.

DIRECTOR DESMOND:

There's an interstate compact on the transfer of parolees and probationers that stipulates what happens in terms of movement of individuals between separate states; it's basically a treaty among the 50 states and some territories.

LEG. NOWICK:

Okay.

DIRECTOR DESMOND:

The two categories, parole and probation, are treated somewhat differently.

LEG. NOWICK:

Okay.

DIRECTOR DESMOND:

Probation, what happens is the case comes in, it first goes through Albany and then is sent out to the County where we do an investigation, we report back to Albany, they then decide whether they want this person to be allowed to come back into the state or not. With --

LEG. NOWICK:

All right, so let's just assume that he's allowed to come back in, parole, probation, whatever it is. At that point, if there's a playground in the neighborhood that he originally lived in, I assume he wouldn't be able to be there, right; yes?

LEG. BROWNING:

(Inaudible).

DIRECTOR DESMOND:

He would be -- he should be registered as a sex offender.

LEG. NOWICK:

Even though he --

DIRECTOR DESMOND:

Even though he's from another jurisdiction.

LEG. NOWICK:

And who registers him, the State of New York?

DIRECTOR DESMOND:

Well, if he comes in under Parole, Parole would make sure that he registers with the Police Department.

LEG. NOWICK:

Okay. And if he comes in under Probation and I don't --

DIRECTOR DESMOND:

The same thing.

LEG. NOWICK:

Same thing. So either way, he would not be allowed to be in a neighborhood where there's a playground. Is that -- do I have that right?

LEG. BROWNING:

Within a quarter mile.

LEG. NOWICK:

A quarter mile.

DIRECTOR DESMOND:

A quarter mile would be the -- and again, I can't speak for Parole in terms of enforcement, but Probation does enforce the guidelines set by the Legislature.

LEG. NOWICK:

So if it's Parole, could it then be different or --

DIRECTOR DESMOND:

I just don't have --

LEG. NOWICK:

-- as long as it's in Suffolk County?

DIRECTOR DESMOND:

I just don't have -- I don't have enough information on what -- how Parole is addressing those resolutions. I do know they have set up a Sex Offender Unit for Nassau/Suffolk, but we haven't had enough interaction with them for me to know conclusively that they're abiding by County regulations.

LEG. NOWICK:

But in Florida, he's a sex offender in Florida, whether he's on Parole or Probation, does the law still hold true for Suffolk County, can't live near a playground?

DIRECTOR DESMOND:

Yes.

LEG. NOWICK:

Okay, so it doesn't matter; he served time, he's got -- he's a felon, he was a convicted felon.

DIRECTOR DESMOND:

Right. He will register with the Police Department --

LEG. NOWICK:

So he still can't live next -- okay.

DIRECTOR DESMOND:

-- and he's not supposed to be living --

LEG. NOWICK:

It doesn't matter, either way. And the neighborhood is informed that he comes back, is coming back?

DIRECTOR DESMOND:

Well, the Police Department informs the school district.

LEG. NOWICK:

Okay. And I'm sorry to go out on a tangent, but I had you here so I might as well ask the question. Thank you.

LEG. BROWNING:

I can answer all of those questions.

CHAIRMAN EDDINGTON:

Okay, thank you very much for your presentation.

LEG. BROWNING:

I know all that stuff these days

LEG. NOWICK:

I bet you do. I'm sorry.

CHAIRMAN EDDINGTON:

And now Suffolk's finest, the Police Department, please.

CHIEF WEBBER:

Good morning, Legislator Eddington and members of the board.

Thank you very much for allowing us to come speak to you this morning about our 2008 Operating Budget. My name is Edward Webber, Chief of Support Services, and to my right is Deputy Chief of Support Services, Dennis Caine.

As the budgets put forth by the County Executive and the Budget Review Office are pretty much in accord, I thought I might just address some of the -- what were identified as major issues in BRO's

report and then answer any questions you may have.

MS. MAHONEY:

Can you speak directly into the microphone, please?

CHIEF WEBBER:

In the way of civilianization that was addressed in the first part of the Budget Review Report, we currently, as mentioned, have 89 positions identified for civilianization and currently have 53 of those positions filled. We've had as high as 67 filled, but unfortunately we hired provisionally and as the test results come out they either failed the test completely or were unreachable. So we found that since it's very time consuming to train these people only to lose them, we're now working very closely with the Civil Service Department in the formation and giving of the exams and that's what we're waiting on now. So much of the positions, there are 36 vacant positions of which we have 32 signed SCINS. So we are working very closely with Civil Service so that the announcement of exams and we will proceed hiring as the exams come out and the results are posted.

As far as the overtime goes, we -- our latest calculations are that the County Executive's estimates will be met, or actually may even come slightly below. And we agree that the 2008 recommended overtime is a reasonable amount, so we're good on the overtime.

As far as the expenditure goes, there are two items that I would like to address, also address by BRO and that's the GPS receivers and what we call radio standardization. GPS receivers, there's one -- it's not to do with global positioning, it's something -- it actually controls the operating frequencies at each of our eight tower sites. They're 13 years old some of them, the manufacturer is out of business, the parts are no longer available. If they go down we could lose not only a particular site but the entire system; it's critical. It's not just the Police Department on this system, but as you know, DPW, the Sheriff's Department, Police agencies, the entire County rests on this radio system. So it's important that we look into replacing these as soon as possible.

The other area, as I mentioned, is what we refer to as radio standardization. As part of the rebanning, we are receiving free radios, but unfortunately they're on a compatible or like basis, so we turn in a ten year old radio, whatever, whatever the features that particular radio has is the type we get as far as replacement. That means we have multiple radios out there, in the time of emergencies the police officer will be hitting the wrong knobs, wrong positions, they will be unable to make the necessary announcements that we have to do. For a very small fee we can upgrade these radios.

There's an additional benefit in that the FCC has required what is known as narrow banding in the very near future, that's going from analogue to digital. And if we don't, these radios that are replaced for the older ones will not be capable of this upgrading, so consequently we will be looking in the very near future of replacing these radios for 2,500 to 3,000 a piece. So for a small, upfront amount, we'll be able to have compatible -- not only compatible radios, but also be able to upgrade at no cost in the very near few future.

The replacement vehicles, we differ with BRO, we have a slightly different method of calculating the requirements. The Police Department, unfortunately, runs on wheels, not only the marked units that the uniformed officers go to the various calls on, but also our Detectives and plain clothes officers who investigate felonies and misdemeanors. We base our calculations on need, based on historical data. Historically, marked units put on between 40 and 42,000 miles a year which means they only last two-and-a-half years or less, not the three years as mentioned. We lose between 25 and 30 vehicles a year to total accidents, and unlike private vehicles, when these vehicle are totaled we do not receive replacements, so those are right out the window.

And finally, when ordering the vehicles, they don't arrive on January the following year, there's a bidding process, an ordering process and traditionally don't come in until July or August the following year. So we need not only the cars in 2008, but the first part of 2009.

Having said that, however, as we know that the totals are unpredictable, we would be willing to reduce some of our marked cars in order to purchase some additional unmarked cars. Thirty-seven percent of our unmarked cars are the model year 1999 or older, and it's come to the position now where DPW does a cost benefit analysis when these cars break down and they've been deadlining those cars. So while they may not have the requisite 100,000 miles, their age alone requires the cost far exceeds the potential benefit. We lost 17 so far this year by DPW that decommed the unmarked cars. Not only that, but included with our unmarked cars are Crown Vics that we utilize on the highway as enforcement cars and nine of those will meet the requirement in 208, so if we just purchase 15 we will be in a very bad position as far as the unmarked cars go.

Finally, just an update on the E-911 and the shortage of positions. The County Exec recently signed ten SCINS, we have requested the list, the ECO's and PSD list from Civil Service, we only began our process of interviewing and hiring and so on.

LEG. CARACAPPA:

That's good.

CHIEF WEBBER:

So if there's anything else, any questions?

CHAIRMAN EDDINGTON:

No, but could you just comment, BRO, especially on the transportation issue?

MS. VIZZINI:

Well, in terms of the radios, the total cost is estimated to be about \$750,000, the money is not in the budget. It's a possibility that this could be a capital expenditure. Budget Review, if the Legislature were going to add money, we'd like to see it as a pay-as-you-go expense since it is nominal. However, it's also possible that the radios be expended through the Capital Program.

As far as the vehicles, in light of the restrictions placed on the entire County in terms of this particular budget, we know that there are approximately 183 marked Sedans ready and waiting to be distributed based on last year's stock piling. Therefore, we've made a recommendation that if there's a need for additional funds, \$1.3 million would be what the equivalent of reducing the purchase of the marked cars by 50 would net.

CHAIRMAN EDDINGTON:

Okay, Legislator Browning.

LEG. BROWNING:

I know you're talking about the 911, you're hiring four more people, so what would that put you up to?

CHIEF WEBBER:

No, no, ten.

LEG. CARACAPPA:

Ten.

LEG. BROWNING:

Ten; sorry, I thought you said four. I'm sorry.

CHIEF WEBBER:

No, no, ten. There was an article in the paper recently mentioning four, but the County Exec signed ten SCINS --

LEG. BROWNING:

Good.

CHIEF WEBBER:

-- so we're moving forward.

LEG. BROWNING:

Now we have the new number, the 852-COPS?

CHIEF WEBBER:

Yes.

LEG. BROWNING:

Who answers that; is that 911 operators that answer that?

CHIEF WEBBER:

Yes, they do.

LEG. BROWNING:

So they're answering that at the same time as they're doing 911 calls?

CHIEF WEBBER:

The system comes in on a priority basis, so 911 calls would be answered before the 852-COPS. If there's a lull in the 911 calls, it bounces over to the 852. In addition, if the caller is ECO, the call taker is on the phone when the 911 comes in on the 852 call, they can put them on hold, park it temporarily and respond to a 911 call.

LEG. BROWNING:

Okay.

CHAIRMAN EDDINGTON:

Okay, thank you very much for your presentation.

Is there anybody else that would want to speak to the committee?

No, then I will close the meeting. Thank you.

*(*The meeting was adjourned at 10:52 A.M. *)*

{ } - Denotes Spelled Phonetically