

PUBLIC SAFETY COMMITTEE

Of the

Suffolk County Legislature

A regular meeting of the Public Safety Committee was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on February 28, 2008.

Members Present:

Legislator Jack Eddington - Chairman
Legislator Kate Browning - Vice-Chair
Legislator Wayne Horsley
Legislator Daniel Losquadro
Legislator Lynne Nowick

Also in Attendance:

Presiding Officer William Lindsay - District #8
Legislator Edward Romaine - District #1
George Nolan - Counsel to the Legislature
Ian Barry - Assistant Counsel to the Legislature
Robert Calarco - Aide to Legislator Eddington
Linda Bay - Aide to Minority Leader Losquadro
Paul Perillie - Aide to Majority Leader Cooper
Greg Moran - Aide to Legislator Nowick
James Montalto - Aide to Legislator Losquadro
Michael Cavanaugh - Aide to Presiding Officer Lindsay
Kara Hahn - Director of Communications/P.O. Lindsay's Office
Jim Maggio - Senior Budget Analyst/Budget Review Office
Diane Dono - Senior Budget Analyst/Budget Review Office
Ben Zwirn - Deputy County Executive
Brendan Chamberlain - County Executive Assistant
Robert Moore - Chief-of-Department/Suffolk County Police Department
Michael Sharkey - Chief-of-Staff/Suffolk County Sheriff's Office
Joe Williams - Commissioner/Fire, Rescue & Emergency Services
Warren Horst - Chief Fire Marshall/Fire, Rescue & Emergency Services
John Desmond - Director/Suffolk County Probation Department
Laura Ahearn - Executive Director/Parents for Megan's Law
Daniel delValle - Vice-President/SC Probation Officer's Association
Louis Molinari - Fin. Secretary/Police Benevolent Association
Russ McCormick - Suffolk Detective's Association
Matthew Mullins - Deputy Sheriff Police Benevolent Association
Matt Bogert - 1st Vice-President/Correction Officer's Association
Debra Alloncius - Legislative Director/AME
Deborah McKee - 3rd Vice-President/AME
Hope Collazo - American Red Cross/Community Service Program
Colleen Ansanelli - Criminal Justice Coordinating Council

Minutes Taken By:

Lucia Braaten - Court Stenographer

Minutes Transcribed By:

Alison Mahoney - Court Stenographer

[THE MEETING WAS CALLED TO ORDER AT 9:42 A.M.]

CHAIRMAN EDDINGTON:

If I could get everybody to rise for the Pledge of Allegiance that would be led by Legislator Browning.

(*Salutation*)

If we could remain standing for a moment of silence for all those that defend our country on our domestic soil and foreign soil.

(*Moment of Silence Observed*)

Okay, thank you. Be seated. I would like to start with the public portion and I have one person that would like to speak, John Bogack.

MR. BOGACK:

Thank you. This is actually a neglected piece of business. As some of you probably remember, I've been here several times on the Soundex issue; in fact, I started coming to this group in July of last year, this is now 2008.

Several weeks ago I got a letter from Legislator Eddington that he had gotten from the Police Commissioner indicating that an additional staff person was going to be apportioned to the Soundex Unit, and I thought that was a very helpful step by the Police Commissioner. I wanted to come and say that it's a sign of progress and I wanted to thank both yourself and the Commissioner for allocating that additional person. Hopefully, that's been done, because the situation in CPS is still the same; these reports are not being taken care of as quickly as they ought to be. The Police do a good job on priority situations, but we have many cases that are not priority situations and those cases are being closed.

Every week, I'm closing cases without police reports. Why is that important? You only have to turn to Newsday for the last three days to see the story about the Nassau system and what problems they have been encountering in getting to the bottom of resolving child abuse and neglect cases and what happens when they can't get to do their cases effectively as I'm sure that they wish to do. Amongst the reasons we are now discovering is the failure to be able to access the Police Information System. We don't need to reinvent the wheel, it's very evident that we need this information. The battle against child abuse is not only the responsibility of CPS, it's the other agencies, the Police and other agencies as well. We are so dependent upon the Police for this information, it's critical that even as the Commissioner of Police has allocated an additional person, that we keep moving on and get to a real solution.

I might remind you, it's 20 years since the Grand Jury recommended that this system be in effect for every single case in Suffolk County; I think that's long enough. But again, thank you for your efforts so far. I've been asked -- I will now wait and see what happens over the next couple of months, I'll be back if we haven't gotten an improvement.

CHAIRMAN EDDINGTON:

Thank you very much. Is there anybody else that would like to address the committee? Okay then, I'd like to -- oh, wait, one more. Daniel McCabe.

MR. MC CABB:

Thank you. Good morning. My name is Dan McCabe and I'm speaking this morning on behalf of the Smithtown Central School District. I'm one of the Assistant Principals at Smithtown West High School and I'm speaking on behalf of Salvia, and Salvia is a form of, for lack of a better term, grass that we're aware that is being sold legally and it has come to our attention that students are smoking in and around school grounds. And we have an account from a student recently who a

female student, senior, shared with us that Salvia is readily available in local, quote/unquote, head shops, and when asked for examples, the student offered the following examples: Utopia, which she described as three minutes past the Smithaven Mall on the right, next to the Tick Tack Tattoo, and she says it's in the back room; the sign says you must be 18 years or older to enter, but obviously the students are getting their hands on it. She also referenced a business called Gotham in East Northport and another business called West Coast in Commack or Islip, she wasn't sure. She said that the stuff comes commercially packaged in different strengths from 10X through 80X, and she said most often it's found near these smoking paraphernalia items. So, I just wanted to bring that to your attention. Thank you.

CHAIRMAN EDDINGTON:

Thank you very much. Maureen Rossi.

MS. ROSSI;

Hi, guys. My name is Maureen Rossi and I am the mother of two teenagers, a college student and a high school student at Kings Park. I'm also a professional journalist who has written extensively on social issues facing today's families. However, today I'm here on behalf of Kings Park in the kNOW. We're a brand new, small group of parents, it's a little grassroots movement, and we're dedicated to fighting the illegal use of drugs and the sale of drugs. We just instituted a hotline where people call in about drug dealing and drug dealers. We work directly with law enforcement and we're getting a lot of great tips on heroine dealers and pot dealers and you name it, cocaine dealers, but today I'm here to talk about Salvia.

I'm here to support Legislators Nowick, Browning and Eddington's resolution to make the sale of Salvia illegal in Suffolk County. Many parents have never even heard of Salvia, but, unfortunately, Suffolk County teenagers have. Do a simple search on the internet and you get 4,700,000 hits on Salvia; those hits will tell you how to buy it, how to smoke it. It's often smoked, but it's often used in addition with an extract like a potent extract, they will soak the smoking stuff in the extract to make it more potent.

The most disturbing websites are those showing teenagers high on Salvia. YouTube, this is a YouTube generation -- I actually have an account, I'm 43 -- but you go on YouTube and there are 30 -- 3,100 videos showing kids high on -- it's very disturbing. You really must look at this because it's being touted as legal marijuana, and that's how a lot of kids are getting hooked, "Oh, it's legal, it's okay." It's the strongest hallucinogenic known to man right now. If you look at what these kids are doing on-line, there's hysteria, some of them go into catatonic states; just, you know, check it out when when you get a chance.

Children are physically compromised. Often, when the kids are tripping on Salvia, they have a watcher, someone who stays sober because that's how dangerous it is, they lose complete control over their physicality. As a society, we now fight drug dealers on the streets and drug dealers cloaked in anonymity on the internet. From the comfort of their homes, our children can buy countless substances and can get high; just sit at home and click and cop. Search "head shops" on the Internet, you get thirteen million hits where kids can buy a number of smokable items, marijuana seeds, etcetera.

Will this resolution keep all Suffolk County kids from using Salvia? Of course not. We have a long road ahead of us to educate parents and create laws that protect our children from substances sold on the internet. However, today you guys have the power to send a strong and clear message to your constituents and lawmakers all over the State. You can say we care about the children in Suffolk County and we will raise the awareness about Salvia and keep our children from buying it right here in Suffolk. Because of your work, important dialogues will begin about Salvia, and for this the members of Kings Park in the kNOW are eternally grateful. Thank you.

CHAIRMAN EDDINGTON:

Thank you very much. Okay, anybody else? Okay, if I could have Director Desmond to come

forward for a presentation.

Director, as you know, for the last two years we've been in communication on this issue of the illegal immigrants on probation, and a request from other Legislators to be filled in on this was brought to me so I wanted to ask you to come forward and give us some information and we'll have some questions for you. Thank you.

DIRECTOR DESMOND:

My pleasure. Good morning, all. As I've indicated previously in general discussions about the Probation Department, our current software is quite old and we don't have the ability to track illegal undocumented aliens as such within our current software. By the end of the year we'll be installing new software that should be not only cutting edge, but probably finest available to any Probation Department in the country; at that time, I'll be able to give you very reliable, statistical reports on this topic.

For this presentation, my IT people created a list of 966 people that, according to our records, had questionable status in terms of documentation. We then did a survey of that, a percentage that we looked at in-depth; based on that survey, we estimate that between 200 and 225 of the individual -- the adult individuals on Probation supervision are criminal aliens, that is illegal aliens that have a criminal conviction. Out of that number, 36 are sex offenders and are in our Sex Offender Unit. The vast majority of the rest of those offenders are on probation for driving while intoxicated. In the survey, interestingly, we did not find any individuals that were on just purely for driving with a suspended license, and that is something that has been discussed often in the past, and hopefully, in the upcoming year with the software, we'll be able to focus more explicitly on that. I was kind of surprised by that result.

One of the things that has happened with Probation as a result of the initiatives by the County Executive and by the Sheriff is that there has been significant interventions by ICE, by Immigration and Naturalization Service, ICE is their component for Customs Enforcement. We've had much more involvement with them since County Executive Levy came into office than we've ever had before.

When I was a Probation Officer, and I was in the Narcotics Section for about 15 years, I believe that I probably had as much involvement or more than almost any other officer that was in the field at the time, and my experience with Immigration and Naturalization was horrendous. The telephone numbers that we were given to contact those officers, and all the numbers were in the city, were never answered. The only way that I was ever able to get through was that I had made a contact with one immigration officer, I had his private telephone number and that allowed me to make some contacts and occasionally to get an individual deported. The situation that has occurred since this administration focused on that issue in the first year of his first term has been absolutely remarkable; the turnaround has just been incredible from my standpoint. Whereas before, if we had one or two individuals deported in a year out of a number of caseloads, it was remarkable. Now we are having many individuals deported before they even get on probation.

One of the problems that we had earlier on in County Executive Levy's first Administration was that we would have individuals on with us, especially sex offenders, that would be with us for two to three years that we would devote a great deal of expense and energy to providing treatment and then at that point they would be deported. We're not finding that anymore. Now these individuals are being identified early on in the process and many, if not most, are being removed from the jail at the completion of any period of incarceration. So the numbers that we're finding that we're treating and then having deported are way down and this represents a very good improvement for us in terms of not wasting resources.

I'd say between 90 and 95% of the individuals that are illegals that are placed on probation either complete their probation or are violated and incarcerated. Only somewhere between five and 10% are deported. Because of the system we currently have in place, when an individual is arrested in Suffolk by the Police Department, a teletype is sent up to the Vermont Clearing House, that

information comes back to the Probation Officers that are in the ATI Programs at the court, the positive hits are -- that information is transmitted to the Judges and also to the Sheriff's Office for follow-up. As you're aware, we now also have ICE officers at the jail who are doing a great deal of screening there, and we also have much improved contact with the ICE officers, both in Nassau and Suffolk County.

About once a year, we're requested by ICE to participate in what we refer to as a sweep in which we receive the names of a number of individuals that ICE is interested in picking up for hearings and possible deportation. The first couple of times this occurred, we utilized the office reporting situation in order to have these individuals come in and were then detained by ICE and transported out. Our concern about that was the fact that since 90 to 95% of those on our caseloads are going to complete their probation or otherwise stay in the community, that we didn't want the reputation to come out that if you came into office reports that you would then be picked up. So what we've done in the past year is we've offered to ICE that any time they want to come out and do a sweep, we will put to their use any number of Probation Officers and supervisors that they need in order to effect the apprehensions in the community. I think that's the best approach long-term.

Last year a Probation supervised approximately 16,000 adults in Suffolk County. Of that number, as I indicated, I think we had somewhere between 200 and 225 that were criminal aliens.

I've been asked what the costs are to supervising criminal aliens and I worked out a rough approximation. It costs approximately \$3.50 to supervise an adult on a regular caseload. On the PAT Unit, which is our Probation Alcohol Treatment Unit which specializes in treating those who have had persistent DWI offenses, it costs \$7.72 a day; for the sex offenders, it comes to \$9.18 a day. Based on those figures, my estimate is it costs Suffolk County approximately \$1,000 a day to supervise the criminal aliens, for a figure of somewhere between 350 and \$375,000 per year.

The other figure that I had generated to the Committee about a year ago was the number of presentence investigations that we do on individuals of questionable status. The last data I have for that is from 2005 when we did 343 investigations. The vast majority of those investigations were done on individuals from Mexico, El Salvador and Ecuador. Is there any other questions that I could answer?

CHAIRMAN EDDINGTON:

Yeah. Before I turn it over to the Committee, I just wanted to ask you, could you clarify for me the number between 966 and 225? There's a discrepancy; what is that?

DIRECTOR DESMOND:

Nine hundred and sixty-six is the total number of individuals that we have on probation supervision on which we had not enough information to determine their status. And then we did a statistical survey of that group and determined that somewhere between 200 and 225 were actually criminal aliens.

CHAIRMAN EDDINGTON:

Okay, thank you. Legislator Romaine.

LEG. ROMAINE:

Thank you, Mr. Chairman, for your indulgence. I'm not a member of this committee, but as Director Desmond knows, I brought these questions to him on February 6th of this year and indicated that I had some concerns. I'll tell you why I had the concerns and I'll spell it out and then I'll ask some questions.

Obviously, our County Executive has put forward several pieces of legislation regarding illegal aliens. A recent New York Times article indicated that sweeps reflected that -- and we spent a lot of time on

that and we had a lot of debates and everyone sitting around this horseshoe knows that. Reflected that of all the contractors doing business with the County that had an illegal alien, one was found, for all the hours of debate about that legislation. And yet we're looking at a Probation Department where we have 225 -- and we're not sure, because you said it's somewhere between 225, you had 966 questionable status. I assume that of the 225 that might be criminal aliens, the other part of that 966 have all been absolutely cleared up, sir?

DIRECTOR DESMOND:

No, not absolutely. What I indicated was that I had done a statistical sampling.

LEG. ROMAINE:

So, in essence, we could have more than 225 criminal aliens on probation.

DIRECTOR DESMOND:

Definitely.

LEG. ROMAINE:

Okay.

DIRECTOR DESMOND:

Further, if I could just take that a little further.

LEG. ROMAINE:

Sure.

DIRECTOR DESMOND:

Individuals that come into us that at the time that they're placed on probation have legal status because of their convictions --

LEG. ROMAINE:

Lose that.

DIRECTOR DESMOND:

-- can then -- right; can then not be able to reapply to continue their status.

LEG. ROMAINE:

Would it be a fair statement to say that there could be more than 225 illegal, undocumented aliens on probation in Suffolk County as of this day?

DIRECTOR DESMOND:

Yes.

LEG. ROMAINE:

Okay, let's proceed from there.

They say in the United States that we have about 15 million illegal or undocumented aliens in our country; I don't know if that statistic is true, but it has a ring of truth to it. It's very clear that we are not going to deport all of these people, no matter what policy the Federal Government eventually chooses. But what is clear is if there is going to be deporting of people here illegally, it obviously should be those involved in criminal activity. The County Executive and the administration has control over the amount of what we do and how we approach those on probation and you have said today that it could be far greater than 225. Some of them are sex offenders, some of them are for driving illegally or driving drunk or things of that nature.

What I'm amazed about is that sufficient effort hasn't been given to allow you to have the software

at this point to track these individuals. I'm amazed that this administration hasn't put a greater emphasis with ICE on deporting those on probation. I'm just -- I have to say, I'm thunderstruck by that considering their tactics in other areas regarding undocumented workers. However, let me proceed and say what I'd like to get --

DIRECTOR DESMOND:

If I could just respond to that.

LEG. ROMAINE:

Sure, absolutely.

DIRECTOR DESMOND:

I am truly struck, again, I've been in law enforcement, I've been in Probation for more than 35 years and I can't tell you the {see-change} that has occurred between Probation and ICE with the current administration. We have so much more cooperation, so much more contact with them.

The major problem is the fact that ICE does not have a custodial space to place these individuals. You know, this is something that the ICE officers out here have indicated to us their frustration, there's just a limit to the number that they can take. And you know, we are willing at any time to cooperate and I've always had instructions to cooperate fully and utilize whatever resources are necessary to cooperate fully with ICE.

LEG. ROMAINE:

Well, I would hope as part of your appearance today that pressure could be put on the Federal Government, that those who have committed crimes that are here without documentation, that ICE cooperates to a greater extent and provides more resources. I understand -- when do you think you'll be getting the new software?

DIRECTOR DESMOND:

The new software hopefully will be installed by the end of the year. We're actually the lead County with New York State in the development of this new software which is going to -- again, I think it's going to be the primary package for the entire country. It's going to be able to allow us to track everything and do pretty much everything with our laptop computers in the field for the Probation Officers.

LEG. ROMAINE:

When will we have a definite answer as to how many undocumented or illegal aliens are on probation? Do you know when we'll be able to -- you'll be able to say on, "On this date we've had so many people?"

DIRECTOR DESMOND:

Well, you know, the garbage-in/garbage-out problem with software, you're only as good as the information that goes in. Once we have the software in -- and there are many more new fields in this software than in our previous software, so the officers are going to have to manually enter in the additional information. So probably my hope would be that by the beginning of 2009, we'll be able to give you accurate information on this and almost anything else.

LEG. ROMAINE:

I want to wrap up because I don't want to dominate the committee, but clearly when you said it's 350 per adult to supervise -- I assume adult per day.

DIRECTOR DESMOND:

Per day.

LEG. ROMAINE:

To supervise people on probation, it's 772 for people who are in the alcohol and drug program and

it's 918 for sex offenders. Can we get a breakdown from -- of the illegal aliens and who fits into each category?

And the other thing I'd like, and I think the Chairman would want this as well, is how we came up with the 350 number, the 772 number and the 918 number. Because my first impression is, having been an elected official of this County for 24 years, that seems relatively inexpensive. But even at that -- even if it's underestimated, we're spending \$375,000 on resources that Probation could be involved in spending in other resources, so it's the opportunity cost that's involved here. If those who had committed crimes who had entered this country illegally were deported or retained by ICE and taken out of probation and put in a status to be removed from this country, that is -- that's amazing to me. I mean, I have to say that on the record because it seems incredible, because considering the effort that this administration has put regarding those who have entered this country illegally that are now residing in Suffolk County, this is a situation totally within their control, totally that's manageable. And to find out that we have more than 225 people on probation -- I would call on the County Executive to meet with our local Congressional Delegation and our United States Senators to see what can be done.

The last question I have is how many of these people that have entered this country illegally that are on probation have recommitted crimes while on probation; do you have that number?

DIRECTOR DESMOND:

No, I don't. That would be a very interesting sampling to do.

LEG. ROMAINE:

I think that would be a very interesting number to determine how many people are on probation. And finally, just one last question. Was there a committee set up by the Probation Department to deal with housing and employment issues of illegal aliens on probation?

DIRECTOR DESMOND:

There was -- let me read you the memo that I sent out. Because what happened was we constantly review our policies and procedures, we have specific policies and procedures for certain groups, sex offenders comes to mind, PAT, alcohol treatment, Day Reporting Center, and I had basically noticed that we didn't have a policy that would deal with the question of the criminal aliens. So in -- on December 10th, I had sent out a short memo to my professional staff stating that, "I am establishing a committee to focus on issues surrounding this department's involvement with undocumented immigrants. It is my intention that every aspect of the situation be addressed and that as a result there will be significant changes in our policies and procedures. In addition, I believe that there will be substantial sharing of information and approaches within the committee structure which will lead to improvements throughout the department."

And then I indicated the officer to get in charge -- that was in charge, people if they were interested on being on the committee to talk to. That committee basically was there because what we seek to do is have uniformity of policies and procedures throughout the caseloads. It wasn't the intention of that committee to focus on housing or anything else, but to make sure that all of the work that was being done was being done in a uniform manner.

LEG. ROMAINE:

Was there any focus on finding housing and/or employment for the undocumented workers that were on probation for committing some type of criminal act?

DIRECTOR DESMOND:

That was not my intent. Now, I have not gotten the report from the committee yet, I'm not really expecting it yet. Again, what I was looking for was uniformity in policies and procedures. We have officers that have a great deal of experience working with particular -- with these individuals on particular caseloads and I was hoping to tap them so we can develop new policies and procedures. And very frank --

LEG. ROMAINE:

When the committee reports, could we see -- could the Chairman of this committee --

DIRECTOR DESMOND:

Yeah, it would be my pleasure to share that.

LEG. ROMAINE:

-- get an unsanitized copy of that report?

DIRECTOR DESMOND:

Fine, I have no problem with that.

LEG. HORSLEY:

Unsanitized?

LEG. ROMAINE:

Thank you. Thank you, Mr. Chairman.

DIRECTOR DESMOND:

We'll make sure all the germs are off it.

CHAIRMAN EDDINGTON:

If we could just make sure --

LEG. ROMAINE:

No, nothing redacted is what I meant, sir.

CHAIRMAN EDDINGTON:

If you could just get that to me and I'll make sure that it's distributed. And just before I go to Legislator Losquadro, I wanted to add that I have been in contact with Congressman Bishop on these issues and he is looking at the two issues connected there. So when I get that information, I will make sure our committee knows it and also have him talk to you directly.

DIRECTOR DESMOND:

Great, and that just brought up one other thought that I just wanted to mention on this. One of the other problems that we have with ICE, again, goes back to their lack of space to house the individuals that they actually pick up in the community. And we have situations where we work with ICE to have these individuals taken away and they are then taken to a deportation holding center someplace and eventually are released by one of the ICE hearing officers and then come back to the community. So what we do is when we have a situation where somebody is taken away, we don't close the case immediately, and in felony situations we will file a Violation of Probation, get a warrant and then hold that warrant for as long as the courts will allow us. Because we do have situations where ICE basically lets the individual go and they return to the community and we have had a few situations where an individual was deported and has actually come back and we've then rearrested him on the violation of probation warrant.

CHAIRMAN EDDINGTON:

Okay, thank you. Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. Pardon me for saying so, but this is insanity. This is the most counter-intuitive thing I have ever heard in my entire life. The criminal justice system is there to make sure that people who are breaking the law are held accountable. And we arrest someone on a violation, committing a crime, they serve their time in jail and then we have them in jail and we know they've done something else illegal, which is the very basic act of entering this country illegally; and by its very nature, illegal alien, it's illegal, you broke the law. Is it the judge then who -- when the person

serve out that time, why during that period of incarceration are arrangements not made to have that person released immediately into the custody of Immigration and Naturalization?

It shouldn't be -- you know, I understand that they are overwhelmed, I know some of this you're going to say is out of your control, but during that period of incarceration -- and I understand that people have to serve their time here because we want to make sure that the punishment fits the crime and they don't go back to their -- you know, wherever their home country is, be it Ireland, China or Guatemala, I don't care, and maybe they wouldn't serve the same punishment as they do here. So I understand we want to punish them in this country for the crime they committed to make sure that they are held accountable. But during that period of incarceration, why are arrangements not made to say that as soon as that person is going to be released -- it is so counter-intuitive to me that someone who's here illegally would be released back into our society under supervision or not. I mean, 36 sex offenders, I mean, these are the most heinous offenders that we have with the highest rate of recidivism and this is someone who is here illegally and we are supervising 36 of these individuals and paying our money to do that; this is lunacy to me, I mean, absolute lunacy.

If I can offer a suggestion to you. You formed a committee or a -- yeah, a committee on criminal aliens to focus on --

LEG. ROMAINE:

Housing.

LEG. LOSQUADRO:

Well, to focus on any number of issues. If I could offer a suggestion. The only focus of that committee, the only focus should be how do we get them into the hands of Immigration and Naturalization Services the day of their release? No ifs, no ands, no buts; how do we accomplish that? That's what that committee should be working on, because to have 966 people of questionable status on our Probation rolls based on a statistical survey 200 to 225 individuals that we're saying are definitely here illegally -- that number could be higher, it could be lower, you know. We know what Mark Twain said about statistics, "There are lies, there are damn lies and there are statistics." So --

DIRECTOR DESMOND:

Especially the budget ones.

LEG. LOSQUADRO:

Absolutely. So we don't know what that real number is, but there are 966 people of questionable status and within that there's some percentage that are certainly here illegally. It could be all of them, it could be a very small percentage, the point is we don't know for certain because it's based on statistical analysis.

Could I ask you a question? Is the local level different than State or Federal level in terms of their dealing with immigration or their ability to have people taken by the Federal authorities? Do we have less success than the State and Federal level?

DIRECTOR DESMOND:

Very frankly, from the communications that I have, the conversations that I have with other probation authorities, my perception is that we do very well. That there -- most probation professionals that I speak to are amazed that Nassau and Suffolk actually have ICE personnel at both jails who are screening and detaining people.

LEG. LOSQUADRO:

What I don't understand about that is if we have this -- it seems like basic logic to me. If we have the ICE officer at the jail, how does anyone who is illegal fall through the system?

DIRECTOR DESMOND:

You'd obviously have to ask ICE about that. But my understanding of the situation --

LEG. LOSQUADRO:

That seems --

DIRECTOR DESMOND:

-- is that they only have a limited number of custodial spaces that they can fill and that they winnow down to the most serious offenders.

LEG. LOSQUADRO:

The reason that I ask about the State and Federal level is I've spoken to some attorneys who have a good deal of experience in immigration law and in criminal law, and when dealing with individuals who have committed crimes, they say it's sort of the ultimate stick-it-to-you by the government in that when that person reaches the end of their incarceration, especially for a serious crime, that those people are deported immediately. And that's why I was asking that, maybe if they're going to a State penitentiary or if they committed a crime that falls under a Federal crime guideline, that's why I was asking do we seem to have less success on a local level. And you said you've spoken to other individuals; are those other counties?

DIRECTOR DESMOND:

Other -- other probation directors and managers, yeah.

LEG. LOSQUADRO:

Right, I was really asking about comparing, contrasting to a State level or Federal detention centers.

DIRECTOR DESMOND:

Okay, we're really getting out of my expertise.

LEG. LOSQUADRO:

Okay. Well, you can just say, "I don't know." That's why I was asking.

DIRECTOR DESMOND:

What I can tell you is that many individuals are released from the State Prison System that are illegals and they are not deported, they return to the community.

LEG. LOSQUADRO:

Like I said, I know that some of this is beyond our control and one of the things that frustrates us so greatly is the lack of support from the Federal Government on issues of illegal aliens. But I have to tell you, if there were ever a simple opportunity for the County to save, I mean, at minimum 350 to \$375,000 a year, probably half a million, it could even be more than that, we don't know. I mean, this is -- this is a no-brainer. I mean, this is -- these are people who don't belong here in the first place and to boot have committed crimes and violated our own laws other than entering this country illegally.

You know, I just want to point out in Minnesota, just recently, in the past few days, an illegal alien, a woman driving a minivan, had been picked up twice before on criminal violations, had served time on probation in their system, struck a school bus and killed four children. And it's just -- this is happening all over the country. And it's just a matter of time before we see an issue or a situation like this, worse than this, someone goes -- you know, decides they like what they see on T.V. and they're going to be a copy cat and go on a shooting spree, I don't know. But the point is we have people who have committed crimes in this country who are here illegally and have been on probation and then are back out in society. It is -- as I said, this is the most counter-intuitive, insane thing I have ever heard. You know, I always figured: "Well, there's probably some people that slipped through the cracks," but to hear these type of numbers in our system is really staggering to me. And I think -- as I said, if I could offer a suggestion to you, the sole focus and the entire time and attention of that committee that you formed should be put towards figuring out a way to get these

people out of our system immediately; that's my suggestion to you. Thank you.

CHAIRMAN EDDINGTON:
Legislator Browning.

LEG. BROWNING:

Yeah, you're talking about the incident in Minnesota. I can give you an example right now of not an undocumented or illegal resident and we hear it often from people -- it's our justice system stinks, as far as I'm concerned. Rt. 101 and Woodside Avenue, a 14 year old was just killed; he was a legal resident, no license, driving somebody else's car. It's not necessarily about whether they're documented or undocumented. I believe, I'm hearing that this administration's getting beat up about not doing anything. I think this is -- this administration, the Sheriff's Department, Probation is doing everything they can do; the bottom line is they have no control. It's a Federal issue and until our Federal Government steps up and does something, we're just going to be spinning our wheels. So that's all I have to say.

CHAIRMAN EDDINGTON:
Presiding Officer.

P.O. LINDSAY:

Commissioner, the question I have, is there anything else we can do?

I think we all agree that this situation is not a good situation. Is there anything else that your department can do to make this situation better or expediate this process or get this problem off our plate and onto the Federal government's plate where it belongs?

DIRECTOR DESMOND:

Frankly, no. I think that we've done everything -- the County Exec has just been incredible in terms of organizing resources and letting us do things. We have more communication with ICE than we've ever had before, we have lots of liaisons. It's purely a matter of Federal space.

P.O. LINDSAY:

Let me ask you something, and you'd probably recall this because of your tenure as -- in the Probation Department. But probably 10 or 15 years ago we had a situation where we were holding State prisoners because there wasn't enough space Upstate to take them, and I think we wound up suing the State for reimbursement for holding these State prisoners. Has anything like that been contemplated? Because you're talking about \$375,000 for probation. What does it cost us for the people that are incarcerated that are illegal here that should be deported?

DIRECTOR DESMOND:

I've come across references in professional journals and such, the fact that it's an unfunded mandate by the Federal Government and that somebody should do something, but I am not familiar with any lawsuits that any municipality has brought to the Feds for reimbursement.

P.O. LINDSAY:

Because I would venture to say you're probably looking -- it wouldn't surprise me if it costs us a million dollars a year to either house or supervise this problem.

DIRECTOR DESMOND:

Yeah, roughly -- my understanding is that approximately roughly 5% of your jail population is normally illegal aliens. So if you combine that with the cost of probation, you're probably very comfortable in that million dollar area.

P.O. LINDSAY:

Uh-huh. I would suggest to my colleagues that rather than just leaving the onus on the County

Executive, that maybe we should jointly sign a letter asking for relief from the Federal Government on this situation. Certainly, the first preference would be to have these people removed immediately, but if we have to house them then we should be reimbursed for it.

LEG. HORSLEY:

It makes sense.

CHAIRMAN EDDINGTON:

Legislator Losquadro.

LEG. LOSQUADRO:

Through the Chair, I know you came in a little bit late, Mr. Presiding Officer, to hear the discussion that we were having, but I thought I was pretty clear with my understanding that we have to make sure that the punishment that people receive takes place in this country, that we actually don't want to see them deported immediately upon commission of the crime because they may not face the same punishment in their own country upon their return, wherever they're from. So we all -- when someone commits a crime in this country, regardless of their status in terms of immigration, they serve the punishment here. My point was upon their release from that punishment, they should be released immediately into the custody of Immigration and Naturalization. It shouldn't even be an option to have the burden put on the Probation Department to have to supervise people who are here illegally.

P.O. LINDSAY:

You missed my point.

LEG. LOSQUADRO:

No, I understand your point.

P.O. LINDSAY:

No, you missed my point. My point is if they had enough custodial space, they would take them right away, we wouldn't have the option of them having served here, they would deport them right away. They don't have enough custodial space, so they're serving their time here; we should be reimbursed for that.

LEG. ROMAINE:

Mr. Chairman?

LEG. LOSQUADRO:

Oh, I see what you're saying. In the actual serving of their time, if they're to serve in in a Federal facility, not in our facility; I understand what you're saying.

P.O. LINDSAY:

We should be reimbursed for that.

LEG. LOSQUADRO:

And I agree with that.

CHAIRMAN EDDINGTON:

Legislator Romaine.

LEG. ROMAINE:

I want to thank the Chairman for his courtesy in allowing me as a non-member of this committee to come, and I had discussed these questions with Mr. Desmond so he would not be surprised by them and I appreciate his frankness and his ability to lay out the facts.

I agree with the Presiding Officer, I'm happy to sign a letter; happy, once the letter doesn't work, to

contemplate a Procedural Motion in terms of a potential lawsuit for reimbursement. I think it's something that this body should meet and discuss and contemplate. But certainly a letter is well advised and happy to join with you in a bipartisan spirit to see that that would happen. Thank you, Mr. Presiding Officer and Mr. Chairman for your courtesy.

CHAIRMAN EDDINGTON:

Legislator Nowick.

LEG. NOWICK:

I just couldn't help responding to what Legislator Losquadro just said. While I do agree that when people are committing the crime here that they should serve here. I think that maybe, if its a major felony, yes, they should serve, but if we had a lot of cases that we could deport a lot of people for lesser crimes, I say why do three meals a day when we don't have to, you know?

LEG. LOSQUADRO:

Through the Chair, again. I mean, this is not -- certainly not my decision. I mean, we have to abide by what the criminal justice system says and the courts hand down. But there is certainly a tremendous opportunity here to -- if the Federal Government will step up at all, which unfortunately the case has not been, you know, for municipalities, not just Suffolk County, to save a great deal of money. And this is just yet another cost that gets passed along to the legal taxpaying residents and a municipality and it's one of the -- it's part of that soft under belly when we talk about costs associated with illegal populations. This is yet another cost that gets passed along to the legal taxpaying residents that no one ever really talks about, that no one, quite frankly, is aware of. And it's really a failing of the system overall, especially starting at the Federal level, that we have, you know, very little control that they don't put enough resources to it, but this is something that's costing all of us a great deal of money, and especially in a time where we are facing a significant -- a significantly tight budget coming into next year.

Again, like I said, this is a no-brainer to me. So we really need to ratchet up the pressure, tighten the screws, make life uncomfortable and whatever else I can come up with to illustrate that we really need to make it clear that we are completely dissatisfied with the job that the Federal Government and our Congressional representatives have done on this because they've failed to address it, quite frankly.

CHAIRMAN EDDINGTON:

I can just let the committee know that that's been my intent with Congressman Bishop. And he is concerned and aware and interested and we're trying to set up a meeting to discuss this and see if he can advocate more verbally or in writing for us. So I will keep you apprised of what's happening on that issue. Legislator Horsley.

LEG. HORSLEY:

Yes. Legislator Eddington, I think that it is a good idea, the idea that Presiding Officer Lindsay has put forward today, that we should put forward a letter spelling out our concerns, our desires and whatever, and if we do not receive an adequate answer that is one that we're in agreement with that maybe we should look for a lawsuit. I think it makes sense.

CHAIRMAN EDDINGTON:

Thank you, we'll note that.

LEG. HORSLEY:

Would that be the direction of this committee?

CHAIRMAN EDDINGTON:

Yeah. What my intention is is to actually sit down -- I've been seeing the Congressman at

installation dinners, so it's very hard to get the schedule, but I want to sit down with him and talk to him and then if we have to deliver a letter to him we'll start with that, if I can get him maybe to do legislation and we can send a letter of support.

LEG. HORSLEY:

Right.

CHAIRMAN EDDINGTON:

But I want to work it out with our representatives to see how we can go forward with this issue.

LEG. HORSLEY:

With the idea that if we do not get satisfactory results that we are -- we are a damaged partner here.

CHAIRMAN EDDINGTON:

Absolutely.

LEG. HORSLEY:

And that we should move to the next level at that point.

CHAIRMAN EDDINGTON:

I agree. Okay. Thank you, Director. If I could have Commissioner Joe Williams just come forward for just a couple of minutes.

Commissioner, I just wanted to ask you about this position, a Computer Assisted Dispatch Program? If you could just give us a quick overview of the issue of getting someone to fill that spot.

COMMISSIONER WILLIAMS:

Yes. If you don't mind, I'm going to turn the microphone over to my Chief Fire Marshall, Warren Horst who is the lead person on that and can explain it.

CHAIRMAN EDDINGTON:

Great, thank you.

MR. HORST:

Good morning. The position that we're speaking about is one that was vacated in July of 2006, and we have been attempting diligently since then to fill it. In that particular year, the budget was amended to include a second position because of the fact that the incumbent at that time was performing multiple tasks. What landed up in our budget was basically an individual that had GIS background, a mapping individual, and the position of System Administrator for a Computer Aided Dispatching System landed up in the budget for Information Technology.

They have, in cooperation with Commissioner Williams -- actually, both Commissioners Williams in this case -- have been working diligently to try to find somebody within the County to fill that position. And then externally, through some of the existing Civil Service lists that are in place for various titles, we started out with Office System Analyst IV, after being unable to fill that position from candidates that work with the County as well as those that were on the list, they re-examined that particular title, the appropriateness of it and it was changed, I believe, in the fall of last year, the latter part of last year to Programmer Analyst and now that search is on to try to fill that position as well.

It appears, although I don't want to speak for the Commissioner in this sense, that his conversations with Commissioner Williams of IT that there doesn't appear to be anybody from within the County that's interested in that particular title as well, so at this point it looks like we're going to have to go to the outside again to see if we can advertise for filling the position. I trust that answers your question.

CHAIRMAN EDDINGTON:

Is the problem getting somebody a dollars and cents issue? I mean, if they have to become part of social -- Civil Service, they're going to have a cap and is that what's the issue here?

MR. HORST:

Initially, my take on it is that it's the responsibility that's associated with filling that position. The Computer Aided Dispatch is for the dispatch of fire departments and ambulance companies to obviously fire and medical emergencies. Those people that have come in looked at the position, sat down and spoke with us are, I guess, concerned that they don't want to hold that particular responsibility solely by themselves. There also has been some reluctance expressed because we only have one position that they would be subject to call out, basically, after hours at any particular time; apparently that is what some people are not accustomed to or they don't want to change their lifestyle.

CHAIRMAN EDDINGTON:

I can see that.

MR. HORST:

I would believe that --

CHAIRMAN EDDINGTON:

Okay, so it's the scope of the responsibility that is really the question right now.

COMMISSIONER WILLIAMS:

If I may add to that, too. The other position we filled, we actually filled that through an agency going outside and we had it with the grace -- with the okay of the County Executive. We actually upped the salary range, we had to do that compared to what we had in the County. We may be doing this, and in talking to the County Executive he realizes how important this position is, we're very willing to do that.

I am talking with Commissioner Williams, Sharon Cates-Williams about this, we're going to canvass it one more time. It is a very important position. And the other part, what we're up against is the learning curve. We bring somebody in to this position, they do have experience but they need to get experience in our system. There's going to be some classes, there's going to have to be a good six to seven months before we get them up to speed. Remembering what we're dealing with, we're dealing with dispatching EMS, Fire and emergency vehicles, we need to make sure that's correct. So when we do bring this person on board, there will be a little duplication with the current person we have now which is an outside engineer in that position until everybody is up to par.

CHAIRMAN EDDINGTON:

Okay. Was that a Freudian slip? I thought you were going to say, "With the grace of God," and you said, "With the help of County Executive Levy," that's scary to me. Okay, thank you very much for that explanation. Thank you. Any questions? No, okay. Thank you.

Then before we start the agenda, I would like to turn it over to Legislator Nowick for a brief presentation.

LEG. NOWICK:

Yes. Today I want to make a presentation just to make my colleagues aware of what Salvia Divinorum is, also known as Sally-D. It's a short presentation. These are what -- these are little presentations that you find on YouTube, there are thousands and thousands and thousands of them. I know a picture speaks a hundred words or a thousand words and so I wanted my colleagues to see, because I think as a Public Safety Committee, this is going to be important.

*(*YouTube Presentation Made*)*

LEG. NOWICK:

There are kids in the background, if you're listening

CHAIRMAN EDDINGTON:

Yeah.

LEG. HORSLEY:

I can hear them.

LEG. NOWICK:

There you go. Would you just go to the next one, quickly? I want to show you the next one and I had to cut the sound on it because the language was more -- we're not used to that language.

*(*YouTube Presentation Made*)*

LEG. NOWICK:

It's legal.

LEG. HORSLEY:

Is it grown locally?

LEG. NOWICK:

Yeah.

LEG. HORSLEY:

And you can go out in the backyard and grow this stuff?

LEG. NOWICK:

Yeah. You can do that with marijuana, too.

LEG. HORSLEY:

Well, I knew that; I was from the 60's.

LEG. NOWICK:

Me, too.

LEG. HORSLEY:

I've heard. Lynne, how long does this last? Is this a long drug or is this something that passes quickly?

LEG. NOWICK:

It passes quickly but you can see what it does. Today it's going to be tabled for a public hearing, but I needed you to see this so you knew what it was, what it could do and I know some of you do, but this seems to me like a very dangerous drug. I hate to put one of these young men in a car driving, it is legal. I do have testimony that I won't go into now about a young man who committed suicide, so it's something we need to --

LEG. LOSQUADRO:

What are the long-term neurological effects?

LEG. NOWICK:

I don't know what the long-term effects are, but to me this can't be good.

LEG. HORSLEY:

Is it a weed?

LEG. NOWICK:

It's a plant. It's a plant and it's used in gardens, but it's sold in smoke shops, head shops. By the way, they mention one in Centereach and I thought that was one that might have sold it. Young people know -- thank you very much. Young people know a lot more than parents about this; they buy their Mom's Day gifts of Salvia plants. And you can recycle it, obviously it's recyclable.

LEG. BROWNING:

I didn't get one yet.

LEG. NOWICK:

That's good. Again, I know it's being tabled for a public hearing today, but I wanted an introduction, a fast introduction so you have an idea and I'm hoping the Public Safety Committee comes on board with this.

P.O. LINDSAY:

Mr. Chairman?

CHAIRMAN EDDINGTON:

Yes, Presiding Officer.

P.O. LINDSAY:

Legislator Nowick, the short film strip here is worth a thousand words. I would ask that when it comes out of public hearing that you show this again to the whole Legislature.

LEG. NOWICK:

I was hoping that you would. I know we have a busy public hearing schedule, but I think --

P.O. LINDSAY:

No, we're --

LEG. NOWICK:

I think it has to be seen.

P.O. LINDSAY:

Absolutely.

LEG. NOWICK:

Okay, thank you.

P.O. LINDSAY:

Okay. With that, let's go right to the **Introductory Resolutions:**

IR 1038-08 - A Local Law to prohibit the sale of Salvia Divinorum (Nowick).

LEG. NOWICK:

Table.

CHAIRMAN EDDINGTON:

Motion to table by Legislator Nowick for public hearing, I'll second that. All those in favor? Opposed? Abstentions? Okay.

Tabled (VOTE: 5-0-0-0).

IR 1046-08 - A Local Law to prohibit text messaging while driving (Schneiderman). I'll make a motion to table for a public hearing.

LEG. HORSLEY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Horsley. All those in favor? Opposed? Abstentions? ***Tabled (VOTE: 5-0-0-0).***

IR 1047-08 - A Local Law prohibiting sex offenders from residing in close proximity to senior housing (Schneiderman). I make a motion to table for a public hearing.

LEG. BROWNING:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Browning. All those in favor? Opposed? Abstentions? ***Tabled (VOTE: 5-0-0-0).***

IR 1058-08 - Accepting and appropriating 100% Federal funds awarded by the U.S. Marshals Service to the Suffolk County District Attorney and authorizing the Suffolk County Executive to execute related agreements (County Executive).

LEG. NOWICK:

Motion.

CHAIRMAN EDDINGTON:

Okay, motion to approve.

LEG. LOSQUADRO:

And place on the Consent Calendar.

CHAIRMAN EDDINGTON:

Okay, motion to approve by Legislator Nowick and second by Legislator Losquadro. All those in favor? Opposed? Abstentions?

LEG. NOWICK:

And put it on the Consent?

CHAIRMAN EDDINGTON:

And put it on the Consent Calendar. ***Approved and placed on the Consent Calendar (VOTE: 5-0-0-0).***

IR 1069-08 - Accepting and appropriating 100% Federal pass-through grant funds from the National Association of County and City Health Officials for Suffolk County Medical Reserve Corps (County Executive). Motion by Legislator Browning to approve and put on the Consent Calendar.

LEG. LOSQUADRO:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Losquadro. All those in favor? Opposed? Abstentions? ***Approved and placed on the Consent Calendar (VOTE: 5-0-0-0).***

IR 1070-08 - Accepting and appropriating 84% grant funds received from the New York State Division of Criminal Justice Services for services provided by the Suffolk County

Probation Department in Operation Rolling Thunder (County Executive). I'm making a motion to approve.

LEG. LOSQUADRO:

Second. I just want to ask, I know it's \$6,000 grant funds for overtime expenses, but what is Operation Rolling Thunder?

LEG. BROWNING:

I was going to ask the same thing.

CHAIRMAN EDDINGTON:

You know, I had that on my agenda to ask and I forgot. Counsel?

LEG. LOSQUADRO:

I'm certainly not going to turn down the money.

MR. NOLAN:

Just from the resolution itself, it says it's an effort between the New York State Division of Criminal Justice Services, the U.S. Marshal Service and the Suffolk County Department of Police, Probation, the Sheriff's Office to conduct a sweep of felony fugitives with outstanding warrants.

LEG. BROWNING:

Oh, great.

LEG. LOSQUADRO:

Okay, thank you.

CHAIRMAN EDDINGTON:

Okay, I have a motion to approve and -- do I have a second?

LEG. LOSQUADRO:

Yeah, I made the second.

CHAIRMAN EDDINGTON:

And a second by Legislator Losquadro, All those in favor? Opposed Abstentions? **Approved (VOTE: 5-0-0-0).**

CHAIRMAN EDDINGTON:

IR 1076-08 - Accepting and appropriating a grant in the amount of \$16,648 in pass-through funds from the New York State Division of Criminal Justice Services for the renovation and upgrading of the Suffolk County Police Department's Video Interview Room with 90% support (County Executive).

LEG. BROWNING:

Motion to approve.

CHAIRMAN EDDINGTON:

Motion to approve by Legislator Browning, second by Legislator Losquadro. All those in favor? Opposed? Abstentions?
Approved (VOTE: 5-0-0-0).

CHAIRMAN EDDINGTON:

IR 1077-08 - Accepting and appropriating a grant in the amount of \$88,325 from the State of New York Governor's Traffic Safety Committee to target speeding, aggressive driving and motorcycle safety with 85% support (County Executive).

LEG. LOSQUADRO:

Same motion.

LEG. BROWNING:

Same motion.

CHAIRMAN EDDINGTON:

Same motion, same second?

LEG. BROWNING:

Yeah.

CHAIRMAN EDDINGTON:

Okay. All those in favor? Opposed? Abstentions? **Approved**
(VOTE: 5-0-0-0).

IR 1087-08 - Accepting and appropriating 100% Federal pass-through grant funds from the New York State Office of Homeland Security in the amount of \$827,000 for the "State Homeland Security Program (SHSP) FY2007" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements (County Executive).

LEG. LOSQUADRO:

Motion to approve and place on the Consent Calendar.

CHAIRMAN EDDINGTON:

Motion to approve and put on the Consent Calendar by Legislator Losquadro, I'll second that. All those in favor? Opposed? Abstentions? **Approved and placed on the Consent Calendar**
(VOTE: 5-0-0-0).

IR 1086-08 - Accepting and appropriating --

LEG. LOSQUADRO:

Eighty-nine.

CHAIRMAN EDDINGTON:

Eighty-nine, thank you. ***1089-08 - Accepting and appropriating 100% Federal pass-through grant funds from the New York State Office of Homeland Security in the amount of \$2 million for the Urban Area Security Initiative Program administered by Suffolk County Department of Fire, Rescue & Emergency Services and to execute the grant related agreement (County Executive).***

LEG. LOSQUADRO:

Same motion.

CHAIRMAN EDDINGTON:

Same motion, same second. All those in favor? Opposed? Abstentions? **Approved and placed on the Consent Calendar (VOTE: 5-0-0-0).**

IR 1091-08 - Accepting and appropriating a grant in the amount of \$8,640 from the New York State Governor's Traffic Safety Committee (GTSC FFY2008) Buckle-Up NY Program with 100% support for Sheriff's Traffic Safety Initiative (County Executive).

LEG. LOSQUADRO:

Same motion.

CHAIRMAN EDDINGTON:

Same motion, same second. All those in favor? Opposed? Abstentions?
Approved and placed on the Consent Calendar (VOTE: 5-0-0-0).

IR 1092-08 - Accepting and appropriating a grant in the amount of \$8,500 from the New York State Governor's Traffic Safety Committee (GTSC FFY2008) Child Passenger Safety Program to support a Sheriff's Traffic Safety Initiative (County Executive).

LEG. LOSQUADRO:
Same motion.

CHAIRMAN EDDINGTON:
Same motion, same second. All those in favor? Opposed? Abstentions?
Approved and placed on the Consent Calendar (VOTE: 5-0-0-0).

IR 1093-08 - Accepting and appropriating a grant in the amount of \$154,000 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's Operation Hot Wheels IV Program with 100% support (County Executive).

LEG. LOSQUADRO:
Same motion.

CHAIRMAN EDDINGTON:
We'll put this on the --

LEG. LOSQUADRO:
All the other ones were.

CHAIRMAN EDDINGTON:
Okay.

LEG. LOSQUADRO:
The same motion was with the Consent Calendar on all the other ones.

CHAIRMAN EDDINGTON:
Okay, same motion, same second. All those in favor? Opposed? Abstentions? **Approved and placed on the Consent Calendar (VOTE: 5-0-0-0).**

IR 1120-08 - Appropriating furniture and equipment funds for the expansion of the Sheriffs Enforcement Division at the Criminal Courts Building (CP 3013) (County Executive).

LEG. LOSQUADRO:
No, this one can't go on the Consent Calendar.

CHAIRMAN EDDINGTON:
Okay. I'll make a motion to approve.

LEG. LOSQUADRO:
I'll second it.

CHAIRMAN EDDINGTON:
Second by Legislator Losquadro. All those in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0).**

IR 1126-08 - Appropriating funds in connection with improvements to the County Correctional Facility C-141, Riverhead (CP 3014). I'll make a motion to approve.

LEG. BROWNING:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Browning. All those in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0).**

IR 1129-08 - A Local Law establishing crime prevention requirements for scrap metal processors (Eddington). I'll make a motion to table for public hearing.

LEG. LOSQUADRO:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Losquadro. All those in favor? Opposed? Abstentions? **Tabled (VOTE: 5-0-0-0).**

Home Rule Messages:

Home Rule Message No. 5-2008 - Home Rule Message requesting New York State Legislature to amend the Vehicle and Traffic Law and the Public Officers Law in relation to adjudications and owner liability for a violation of traffic-control signal indications and providing for the repeal of such provisions upon expiration thereof (Assembly Bill A1231) (Presiding Officer Lindsay).

LEG. LOSQUADRO:

Motion.

CHAIRMAN EDDINGTON:

Motion to approve by Legislator Losquadro, I'll second that. All those in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0).**

Okay, ***Home Rule Message No. 6-2008 - Home Rule Message requesting New York State Legislature to amend the Vehicle and Traffic Law in relation to establishing a Demonstration Program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic control indications in Suffolk County (Assembly Bill A1314) (Presiding Officer Lindsay).***

LEG. LOSQUADRO:

Motion.

CHAIRMAN EDDINGTON,

Motion to approve by Legislator Losquadro, I'll second that. All those in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0).**

Home Rule Message No. 8-2008 - Home Rule Message requesting New York State Legislature to amend the General Municipal Law, the Vehicle and Traffic Law and the Criminal Procedure Law in relation to establishing a Traffic and Parking Violations Agency in the County of Suffolk (Assembly Bill A.9593 and Senate Bill S.4174). (Presiding Officer Lindsay).

LEG. LOSQUADRO:

Could I -- since the sponsor is here, if I could ask the Presiding Officer to just explain that one?

CHAIRMAN EDDINGTON:

Mr. Presiding Officer?

P.O. LINDSAY:

This all has to do with the Red Light Camera System.

LEG. LOSQUADRO:

Right. I understood the other two, I just wanted to --

P.O. LINDSAY:

Well, if we don't establish the Parking Violations Bureau, we don't get the revenue.

LEG. LOSQUADRO:

Motion.

LEG. HORSLEY:

Jack, I've got a question.

CHAIRMAN EDDINGTON:

On the motion, Legislator Horsley.

LEG. HORSLEY:

Yes, to Presiding Officer Lindsay. Would that also cover the new technology of roving cameras and speeding tickets, would that also include that?

P.O. LINDSAY:

No.

LEG. HORSLEY:

No, just the red light.

P.O. LINDSAY:

No, it's just red lights. You know, we've been trying to get this legislation passed forever and this year it was put in the Governor's suggested legislative package, so we're very hopeful that it will get passed. But it only covers -- I think it's 50 sites, you can only do this at 50 traffic signals around the County or is it 25, George?

LEG. HORSLEY:

Yeah, because they now have that mobile camera.

P.O. LINDSAY:

Yeah. No, this is only for traffic signals.

LEG. HORSLEY:

Okay.

CHAIRMAN EDDINGTON:

Okay, so we --

MR. NOLAN:

Just so we --

CHAIRMAN EDDINGTON:

Yeah, go ahead.

MR. NOLAN:

Just so the record is clear, actually, this would -- this bureau, if it's set up, would be able to

adjudicate more than just red light violations, it would be other traffic violations, parking violations.. there's a similar agency set up in Nassau County, it would take the cases out of the District Court, relieve congestion in the District Court and I believe Budget Review may have done a report on this which indicates we would generate more revenue to the County by having such a bureau.

CHAIRMAN EDDINGTON:

Okay. So there's a motion by Legislator Losquadro, I'll second that. All those in favor? Opposed? Abstentions? ***Approved (VOTE: 5-0-0-0).***

Okay. If there's no other business, then I will adjourn the meeting. Thank you.

(*The meeting was adjourned at 10:58 A.M. *)