

**PUBLIC SAFETY COMMITTEE  
OF THE  
SUFFOLK COUNTY LEGISLATURE**

**Minutes**

A regular 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 Thursday, December 11, 2008, at 9:30 a.m.

**MEMBERS PRESENT:**

Legislator Jack Eddington, Chairperson  
Legislator Kate Browning, Vice Chair  
Legislator Wayne Horsley  
Legislator Lynne Nowick  
Legislator DuWayne Gregory  
Legislator Kate Browning, Vice Chair  
Legislator Daniel Losquadro

**ALSO IN ATTENDANCE:**

Legislator Edward P. Romaine  
George Nolan, Counsel to the Legislature  
Paul Perillie, Aide to Majority Caucus  
Robert Calarco, Aide to Legislator Eddington  
Maxvel Rose, Aide to Legislator Gregory  
John Ortiz, Budget Review Office  
Ben Zwirn, Deputy County Executive  
Barbara LoMoriello, Deputy Clerk of the Legislature  
Debra Alloncius, AME Legislative Director  
Richard Dormer, Suffolk County Police Commissioner  
Robert Anthony Moore, Chief, Suffolk County Police Department  
Aristides Mojica, Inspector, SCPD Commissioner's Office  
Jan Rios, Deputy Inspector, SCPD  
Robert Ponzo, Chief of Patrol, SCPD  
Lola Quesada, Police Officer, SCPD  
Jim Barr, Long Island ABATE  
Wendy Liu, Riders of Fire Motorcycle Club  
Peter Rogers, Long Island BMW Riders Club  
Craig Culver, Long Island BMW Riders Club  
Rick Levine, Long Island ABATE  
Michael Barba, Long Island ABATE  
Kenneth Dean, Riders of Fire Motorcycle Club  
Billy Quinn, Long Island ABATE  
Martin J. Dick, Long Island ABATE  
John Kwasna, Patriot Guard Riders  
Stephen Link, Long Island ABATE  
Russell Dalba  
A.J. Travis, Long Island ABATE  
Rick Bove, Long Island ABATE  
Joshua Rubinfeld, Long Island BMW Riders Club  
L.J. James  
Keith Fingers  
Manna Cali, On the Road Again

Victor Prusinowski, CSEA Local 852 Unit 8758  
Laura Ahearn, Parents for Megan's Law and Crime Victims Center  
Sal Lima  
Timothy G. Micca  
Michael Giammona  
Other Interested Parties

**MEETING TAKEN BY:**

Lucia Braaten, Court Stenographer

**[THE MEETING WAS CALLED TO ORDER AT 9:41 A.M.]**

**CHAIRMAN EDDINGTON:**

Okay. If I could get everybody to stand for the Pledge of Allegiance, and Legislator Gregory will lead us.

**(\*Salutation\*)**

If we could remain standing for a moment of silence for all those that protect us, both domestically and foreign, overseas.

**(\*Moment of Silence\*)**

Okay. Thank you. All right. I'd like to start with the Public Portion, and first up is Jim Barr.

**MR. BARR:**

Thank you, Mr. Chairman. Good morning, Members of the Committee. I'm here to speak -- I'm a member of Long Island ABATE. It's American Bikers Aimed Toward Education. And I'm here to speak representing our membership regarding Introductory Resolution 2191, which seeks to accept \$25,500 from the Governor's Traffic Safety Committee in order for the Suffolk County Police Department to use for a motorcycle safety program.

My concern is that, historically, these funds were utilized for an unfair discriminatory practice of pulling all motorcycles off of major highways and requiring them to be detained 20, 30, 40, 50 minutes while each motorcycle was subjected to a thorough safety inspection, along with the motorcycle rider's documentation, his driver's license -- his or hers driver's license, registration, insurance cards. If you pull over 20 motorcycles, it takes an hour to inspect them all. You have six, seven Police Officers there. Even if you had more officers, it's not that even that would be okay, but these riders, we're being detained unlawfully, unfairly. There's no justification to single out a motorcyclist, subject them to this.

Our motorcycles are inspected on an annual basis by certified repair shops. Excuse me. If these -- while these inspections are performed, many times there are no summonses issued, but that's irrelevant to the motorcyclist. Somebody buys a nice motorcycle, puts on a DOT helmet, gets pulled over, they're still sitting there 40 minutes, because someone else might not have a DOT helmet, or someone might have a taillight out, or the horn might not work. You know, it's just -- it's completely unfair, unrealistic, and we can't comprehend the acceptance of this practice.

If this was truly for motorcycle safety, you know, there's better things to do with funds. You can improve road conditions, you can put up signage, you can educate motorists, tell them to watch for us. You know, we're out there also. Educate the public. That will -- I'm sorry. That will achieve motorcycle rider safety. So I urge this Committee to, please, you know, not accept this bill based on the historical use of these funds by the Police Department.

Now, we are not here to be confrontational whatsoever with the Police Department. We understand, there's laws out there, you need to enforce your laws, and we have no objection to that whatsoever. Our objection is the unfair detainment of motorcyclists simply because they're on a motorcycle. Thank you, Mr. Chairman.

**CHAIRMAN EDDINGTON:**

Thank you. Next speaker, Wendy Liu.

**MS. LIU:**

Okay. Please let me know if you can't hear me. I think you have a very good P.A. system, it will be okay.

Good morning. Thank you for having us today. My name is Wendy Liu. I'm a law abiding citizen, a mom, a wife, a member of the Sayville Fire Department who volunteers in my community. I am a member of the Riders of Fire Motorcycle Club. The Riders of Fire Motorcycle Club is made up of volunteer and career firefighters. We raise money to donate to charitable causes. We also promote fire prevention and motorcycle safety to our members and the biker community.

I have to say that we are offended by the proposal to grant the funding of motorcycle-only safety inspection stops that singles out and treats motorcycles -- motorcyclists like outlaws. Most of my brother and sister riders are hardworking, law-abiding people who enjoy experiencing the sites and sounds of the outdoors while straddling their motorcycle. We are not the typical rebel motorcycle rider of yesterday.

I object to the idea that I will have to pull off the road and be detained without cause because I am riding a 550-pound motorcycle that is far less of a threat to public safety than a heavy car, bus or truck.

Had a proposal come up to check all vehicles on 5th Avenue in Bay Shore for insurance, licensing and registration, everyone would be up in arms, because we would be possibly singling out minorities. Why is it okay to single out motorcyclists from all vehicles? Of course, if the police witness or suspect a driver of vehicle or motorcycle breaking the law, a traffic stop should be made. Checkpoints should include all vehicles, not just motorcycles just because we're easy targets.

Singling out motorcycles for off-road safety checks is not the answer to reducing motorcycle accidents, which should be the priority here. I believe many motorcycle accidents are caused by a motor vehicle driver's failure to see a motorcycle, not so much by operator error or unsafe equipment. We, as motorcyclists, are very aware of our vulnerability on the road. Unfortunately, many motor vehicle drivers don't seem to be cognizant of the fact that we share the road with smaller, less visible motorcycles.

I would like you to turn your efforts to spending your time and money on a public safety campaign, educating motor vehicle drivers and motorcycle drivers on how to safely share the road. This could actually save lives. Unfortunately, there are both motor vehicle and motorcyclists out there without licenses, proper registration and insurance. Why not turn your efforts towards coming up with laws that tie licensing with insurance, inspection and registration eligibility to enforce proper biker and driver credentials?

I ask you to consider what this law-abiding motorcyclist has to say. Thank you for your time.

**CHAIRMAN EDDINGTON:**

Thank you. Peter Rogers.

**MR. ROGERS:**

For the record, that's Peter Rogers.

**CHAIRMAN EDDINGTON:**

Oh, Rogers, sorry.

**LEG. LOSQUADRO:**

Just lift your microphone up, sir.

**MR. ROGERS:**

How's that, is that better?

**LEG. LOSQUADRO:**

Yes.

**CHAIRMAN EDDINGTON:**

Yep.

**MR. ROGERS:**

I will be very brief. If the funding is to go through, I would rather see it spent on education than enforcement. And I echo the sentiments that the previous two speakers have voiced.

**CHAIRMAN EDDINGTON:**

Thank you very much. Next speaker, Craig Culver.

**MR. CULVER:**

Good morning. My name is Craig Culver and I live in Rocky Point. I have been a motorcyclist for some 55 years. I'm here this morning basically representing the Long Island BMW Riders Club of approximately 120 members.

I'll have to endorse pretty much what the previous speakers have said. I think a better turn, rather than motorcycle safety enforcement, would be motorcycle safety enlightenment, and that I think has to do with training of motorcyclists and the general motorist population. It seems to me we're talking about a very minuscule group of people, usually on the highways. You go down the L.I.E. and count the number of motorcycles compared to the number of other vehicles and it's got to be somewhere less than 1%. What I think I'd prefer to see would be an emphasis on training.

My career was basically in the aviation business and I can't think of any other group of people that are more aware of the benefits of proper training. That's where I would like to see the assets and money and personnel of the County employed. Thank you.

**CHAIRMAN EDDINGTON:**

Thank you. Rick Levine.

**MR. LEVINE:**

Good morning, Ladies and Gentlemen. My name is Rick Levine. I live in East Setauket; East Setauket, Long Island. I work for a very large firm, Visa and Master Card, it's nationwide. I've been riding since 1974, and other than the few tickets that I got in 1974 and 1975, I have not received any tickets since then, and I've been riding that long.

I think that this is an issue targeting motorcycles, like the previous speakers have spoke about. And the funding that is going into this should be used for other things like when a person's going to get their motorcycle license, they should have to take a motorcycle course, and before they could insure that motorcycle, they should make sure that they're the person that's going to insure it with a proper motorcycle license, not somebody else putting it under their name and have a motorcyclist use it with a permit. I think that there's other safety rules that should be -- that monies should be used for other than targeting groups of motorcycles just to pull them over. To me, it's a way of putting a little bit of money in to promote a lot of revenue are coming from any little infraction that a person may have on themselves or on a motorcycle.

And it's just -- I could go into a couple of incidents. One incident I had, I was coming back from a trip out from Claudio's and I wasn't stopped on the L.I.E., I was riding with two other people that they were -- one person is actually a scientist. He had his wife on his motorcycle and he had broke a piece of his motorcycle in the back. And when we saw that this piece of metal had flown off, we had pulled over to the side. He was with his wife on the back of his motorcycle, he was probably in his late fifties, and he had his son, which he's probably in his late -- his early thirties. We were off on the side of the road and I actually flagged down an officer. The officer pulled on over, and instead of asking what was the situation, as soon as he got off, he started to say, "I can give you a ticket for this and a ticket for that." As it turned out, that the things that he was targeting were not infractions at all. It was -- he was saying that I had no blinkers when, in fact, I have a custom made motorcycle that the blinkers were in certain parts of the motorcycle that the harnesses were not

seen. When I put the lights on, he goes, "Oh, is this another way to fool the enforcement now?"

My issue is this, that by them targeting motorcycles in a large group, it's just like catching -- catching tuna. Once in awhile you're going to catch -- you're going to get a dolphin in there, so people are going to have to sacrifice for other things that other people are doing. Using the revenue just to promote this type of -- this type of a rule, this type of law, I think is just targeting -- targeting motorcyclists to bring in revenue the easiest way that they know how. Thank you very much for your time

**CHAIRMAN EDDINGTON:**

Thank you. Michael Barba.

**MR. BARBA:**

Good morning. Thank you. My name is Michael Barba, I've been riding for about 30 years. And I feel like I'm just saying the same thing that they were saying, I'd really like it to go towards education instead of pulling over an easy mark. It's a great idea to educate people, you know, but the fashion it's done in the last three years we need to change. Thank you

**CHAIRMAN EDDINGTON:**

Thank you. Kenneth Deau.

**MR. DEAN:**

Good morning, everyone. Just for the record, my name is Kenneth K. Dean, D-E-A-N.

**CHAIRMAN EDDINGTON:**

Oh, I'm sorry.

**MR. DEAN:**

That's okay. It's a short, but hard, name. I'm also representing the Riders of Fire Motorcycle Club, and I'd like to thank Wendy for shortening up my time of three minutes.

I was a Police Officer here in Suffolk County, and I would like to say good morning to all the Heads of the Department.

**COMMISSIONER DORMER:**

Good morning.

**MR. DEAN:**

The word "motorcycle safety" in this verbiage here, when we get stopped with an approval rating of 85.3 support as of right now, what is going to be safety? Helmet, or is it going to be a license check? Is a license check safety? I don't believe so. The price of the grant, how much we're going to get, versus how much revenue is going to come in. I know how much a Police Officer makes, it's common knowledge. If you do it hourly, you have to have at least, as I remember correctly, at least two officers, plus a Supervisor; correct?

**CHIEF MOORE:**

Checkpoint, yes.

**MR. DEAN:**

On a checkpoint, two officers, plus one Supervisor, on a checkpoint. Are we going to do this and do it for eight hours, or are we going to spread it out and randomly target somebody, because I did get pulled over recently and I did get a ticket, which I deserved. I wasn't wearing my cheese head, I was wearing my brain bucket, and I deserved the ticket, but I know the rules and regulations. The guy wasn't on a Federal grant, he wasn't with two P.O.'s and a supervisor, he was in a 906 car. I was targeted unfairly. I paid the ticket. So what, so be it. I didn't have enough backbone to go up and stand up against this. Now in this day and age, gas prices, I ride my motorcycle as much as I

can now, because my fuel-guzzling SUV is just way too much. Am I going to get pulled over? I don't know. It seems that right now, with the Suffolk Sheriffs being on the L.I.E., I get a little bit of a -- a little bit of a pass, because they don't know the helmet law so well, which is good for me.

**CHAIRMAN EDDINGTON:**

They do now.

*(\*Laughter in the Audience\*)*

**MR. DEAN:**

That's okay. Hopefully, they'll be looking for the other guy. My name is Joe Smith.

When we get pulled over, of course, loud pipes. It saves lives? Well maybe. But it's like driving a '69 Camaro. You're not going to buy a Harley Davidson motorcycle for twenty or thirty thousand dollars and just let it sit idle, you just want to have some fun with it. All right? It doesn't make us bad people unless you live in Port Jeff. All right?

**CHAIRMAN EDDINGTON:**

Thank you.

**MR. DEAN:**

Which this might have stemmed from. Okay?

**CHAIRMAN EDDINGTON:**

Thank you very much. Your time is up.

**MR. DEAN:**

Thank you, sir

**CHAIRMAN EDDINGTON:**

Thank you, Ken. Billy Quinn.

**MR. QUINN:**

My name is Bill Quinn. I want to thank you all for having me today. I am the Treasurer of the Long Island ABATE. We're a membership of about 500, as explained to you by previous speakers. We're Americans -- the American Bikers Aimed Towards Education.

I oppose this grant from the standpoint that, you know, I'm a citizen, a resident, and a taxpayer on active duty. And, you know, I work hard during the week. I'm taking time off right now from my work and, you know, it's costing me money in my pocket, and all my brothers and sisters, I'm sure it's costing money in your pocket. And if you look at it, you know, that may be a significant amount as opposed to the grant. We could have used five, six, seven thousand dollars of our salaries this day to address this issue.

Now, you know, on -- you know, five days a week I'm working hard. If I have to work Saturday, I'll work Saturday. Sunday is my day, that's a day for my soul. I can get my bike out on the road, take my sweetie with me and we can go cruising down the road with the wind blowing in my ugly face and I'm free for a little bit of time. Now, what I oppose is that, you know, we hear about the traffic stops, we're pulling off the road where we're trying to duck it, you know. And, basically, I don't ride illegal. My bike is inspected, it is safe. I don't want to -- I don't want to hurt anybody with it. If it's going to be hurt, it will be me, because I made the choice to ride, it's my choice.

Now, as far as the Police Department is concerned, I love all these guys. I've had like, you know, great friends that are Police Officers. My niece is currently a Suffolk County Police Officer, I'm very proud of her. I think there's a lot of things they could do with this money. I think they could -- we have an elite motorcycle unit in Suffolk County, that when you see these boys perform, it will take

your breath away. I think they could do things for the younger rider. We have these riders that they ride what we kind of call the "crotch rockets", young kids. When I see them go by with an Endo -- which was the Endo? That's all right, whatever. Which one is it? I can't do that no more. But, anyhow, when you see them go by, I don't want that little kid hurt. That could be my son, that could be my daughter. Maybe we could get our Police Department's Motorcycle Unit. They could maybe do a demonstration at the high school, then give a little bit of safety. Even for us old guys, maybe you could have a safety course. Show us what we should do, some evasive maneuvers. I'm always in favor of learning something.

And I just hope if this -- and the other thing you got to think about is you always have to take the money. These are hard economic times for all of us. That money comes somewhere out of the taxpayer's pocket. Maybe just because it's there you always have to take it. You know, the economy is in shambles. We're losing the automotive companies, so you have to kind of think we got to tighten up. But I do not want to see this money used for randomly detaining us on my little Sunday jaunt to go out with my sweetie.

And I appreciate your time and all your efforts in making a wise decision on this bill. Thank you.

*(Applause)*

**CHAIRMAN EDDINGTON:**

Martin J. Dick.

**MR. DICK:**

Good morning, Ladies and Gentlemen. My name is Martin Dick. I'm President of Long Island ABATE. I've been President for nine years of this, and am very proud to see my brethren here, not only from my chapter, from other chapters of other organizations also. I have been privy to be at the stops with a lot of my members, and I have seen what goes on at these stops and how they're profiled and pulled into these stops, having policemen stationed on the L.I.E. in amongst the traffic, slowing traffic down just so they could pull the motorcycles over. I have seen people going westbound on the L.I.E. directed to cross over the L.I.E. to go back eastbound to get into Exit 66 on the L.I.E. Now, if this is truly a safety stop, why would they put motorcycles in jeopardy to cross over the middle of the L.I.E. to go back to a motorcycle stop on the eastbound side of the L.I.E.?

And, in general, I don't know if 50 minutes is an accurate number, but in general, when somebody pulls into a motorcycle stop, I know a lot of guys don't keep their credentials in their pockets, a lot of times they're under a seat, they've got to undo the seat, they got to take their helmet off, they got to do this, then the policeman takes their I.D. and they go to the police car and they run the check. So that takes a few minutes, so you're already about five minutes. Now they come back and they say, "All right, start up your motorcycle, right directional, left directional, high beam, low beam, brake light." They got through a whole inspection. I've even seen them take a thimble tire gauge and actually stick the tire to see what the tread was on the tire.

Now, if we go through a safety -- we go through safety inspections every year to make sure that our motorcycles are correct to drive on the road, and I don't for anybody else, I go through my own motorcycle before I even get on it in the Spring to make sure all the bolts are tight, to make sure the oil is changed, to make sure the thing is running right.

I would like to see the funds from this grant be used to educate the public, maybe create some PSA's that could be put on television to let the public know what's going on with motorcycles, to make them aware that we are out there. I know the inform signs have been used to alert people in May, it's Motorcycle Awareness Month, and things like that to bring the awareness further. As we are an educated -- ABATE is an educational organization, we are not a club, we're considered a motorcycle rights organization, and we get involved in the Legislature and trying to pass laws that are friendly towards motorcycles, and to make our lives easier on the roads and not being prejudiced against. So I thank you for your time.

**CHAIRMAN EDDINGTON:**

Thank you, Martin. John Kwasna.

**MR. KWASNA:**

Good morning. My name is John Kwasna. I've been a Correctional Officer now for 17 years in Suffolk County. I'm also the lead ride captain, the senior ride captain for the Patriot Guard Riders here on Long Island. It's a national organization. We have 150-plus thousand members nationwide, well over 400 members here just in Nassau and Suffolk. We all ride for the veterans who give us these rights to ride free throughout the country. For you to impose these type of laws to where it's just arbitrarily pulling people over without probable cause to say whether or not they're right or wrong is just wrong. This is America.

Everything I would like to have said has been said by all my prior speakers, but I would like to also say that it's just wrong. There's no reason, when three-quarters of the people that have accidents on motorcycles are licensed. It's obvious that you actually need to do more for education, and to put that money towards that would be a much better cause. A majority of the accidents that happen are from cars that pull out in front of us, talking on their cell phone, turning left, turning right right in front of you. It's not motorcycles hitting other motorcycles. Very rarely it's motorcycles that go off the road; that's more education. I think it should be split 50-50 if the funds do come about for education for the riders, and also education for the drivers of the cars that cause all these accidents. And that's all I'd like to say.

**CHAIRMAN EDDINGTON:**

Thank you very much. Steven Link.

**MR. LINK:**

Good morning. My name is Steven Link and I've been a licensed motorcycle operator for over 35 years. I'm a registered voter and I vote regularly. In 2004 I purchased a new motorcycle and paid over twenty-five hundred dollars in Suffolk County sales tax. My bike is maintained by both the dealership and myself. I preflight my motorcycle before I ride, for my life depends on it. I wear a DOT approved helmet, because my life depends on it. I do not deserve to be harassed in a discriminating manner.

If the purpose of these motorcycle-only safety stops is to save lives, a police person can see a novelty helmet while the single motorcyclist is on the highway. A police person can observe an underinflated tire on a motorcycle and be given cause to save that person's life with a traffic stop. A police person can see and hear straight pipes and stop that person and issue a summons, but to treat us all as fish in a net to find the rotten ones is lazy police work and outright harassment. If the purpose of these motorcycle safety stops is to raise cash through the issuing of summonses, then I suggest ticketing all the special persons who park in fire zones, at safety -- at shopping centers. You know they're guilty when you pull up. Thank you.

**CHAIRMAN EDDINGTON:**

Thank you very much. Russell Dalba.

**MR. DALBA:**

Just good morning, everyone. I'll change the subject. I had an altercation Friday

**LEG. LOSQUADRO:**

Pull the microphone down, sir.

**MR. DALBA:**

Excuse me?

**LEG. LOSQUADRO:**

Pull the microphone down.

**MR. DALBA:**

Go down?

**LEG. LOSQUADRO:**

Thank you.

**MR. DALBA:**

Better?

**LEG. LOSQUADRO:**

Yes.

**MR. DALBA:**

An altercation Friday with four landscapers. I'm tired of having landscapers or any other individual that seems to be able to visit my neighborhood, accomplish property damage, and get next to no police response. I faced four guys, did not see a Police Officer for two hours. We wind up calling 911, 911 people called me back to say the police were busy, so they did do that, but when I told them that these people were getting ready to leave and asked what I should do, they told me to use my own judgment what to do. Should I keep them there on site, because once they left, we would not know who the driver of the vehicle was that destroyed property. Your 911 operator didn't seem to really care one way or the other.

I followed up on Monday calling the Fourth Precinct. I started calling at 9:30 in the morning; called to 5:00 in the evening, let the phone ring ten to twelve times each time. No one answers the phone. Called Yaphank. The operator out there wanted to send me another patrol car to take a complaint. I didn't think that we really had officers to spare to do administrative duties like collecting complaints on something that happened the previous Friday. On Monday I also called the Third Precinct and the First Precinct. Again, no one picks up the phone. Do you really want people who can't get an answer at the Precincts to be calling 911 with administrative problems? I visited the Fourth Precinct, spoke to a couple of the officers there. That's how I found out this meeting was in session. Public safety sounded pretty good to me.

I understand that we're short officers. I don't want to hear about shorting officers. You want to raise the taxes for more officers, as far as I'm concerned, raise the taxes, because what's going to happen is -- and, again, the officers don't seem to mind. I don't feel like having an altercation in the streets. I'm getting a little too old for that stuff. When I was a little bit younger, wouldn't have minded it in the least. But the particular driver of this truck, when I asked to see a driver's license, since he destroyed my property, did not speak a word. I didn't realize -- I thought he was just ignoring me initially. I didn't realize until afterwards he spoke no English, and I got that out of one of the people on the crew who spoke some English. We can't have this. Now, I'll give you just a little related thing also. My son --

**CHAIRMAN EDDINGTON:**

I just want to let you know, your time is up, so if you could just finish, please.

**MR. DALBA:**

All right. Just one quick thing. My son's a paramedic. He's run across situations where he cannot really help a person because they do not speak our language. Somebody better get a hold of the Hispanic community, I know we're having a lot of problems lately, but tell them they better make some efforts, because it's -- we've already had one loss just recently, I feel we're going to wind up having more. Thank you.

**CHAIRMAN EDDINGTON:**

Thank you very much. A.J. Travis.

**MR. TRAVIS:**

Hello. My name is A.J. Travis. I'm President of ABATE Road Riders of Freedom Political Action Committee. I'm here getting back about the motorcycle roadblocks.

Aside from the obvious moral objections against our personal liberties that these roadblocks represent, I'd like to just remind you that it's a relatively small amount, even as a percentage of the Suffolk County Police Department operating budget. I'm sure it's minuscule and irrelevant. I would ask you to refuse this grant, as it would be unjust to us, and, as you can see, our resolve to stopping these roadblocks. Just a single civil liberties lawsuit against Suffolk County Police Department or Suffolk County Legislature, I'm sure the legal aspect alone would equal the amount of this grant.

I don't want you to think of our organization as being anti-safety. ABATE of New York is responsible for the current rider education program operating in New York State. We've worked on many other issues, including increasing the ability for people to get licenses. Licenses have always been a problem in New York State. ABATE of New York is responsible for the fact that certain motorcycle schools can now give you your license upon taking a course with them. We worked very hard over the past 20 years on a lot of motorcycle safety issues. This is not a motorcycle safety issue, this is a personal civil liberties issue. These roadblocks are clearly unfair and unjust to a small percentage of the population, which is maybe just because we're not as popular as we should be.

The Federal government has a 20-year reputation for encouraging motorcycle use through a lot of the programs and stuff that they have pushed. Our State government, about ten years ago, has started to encourage motorcycle use. With our current dependence on foreign oil, all levels of government, including Suffolk County, should be encouraging motorcycle use, not setting up roadblocks like this, which tend to discourage motorcycle use. We're an infrastructure-friendly vehicle. There are many ways we can help our society by encouraging motorcycle use.

I appreciated seeing the motorcycle parking areas out front. If there's -- if you're going to accept this money, I would hope that you will find many other better uses for it than putting these motorcycle-only roadblocks back in place. Thank you.

**CHAIRMAN EDDINGTON:**

Thank you. Rich Bove.

**MR. BOVE:**

Good morning, everyone. Thank you for this opportunity to express my viewpoint.

Motorcycle riders do not specifically know how the Federal 402 grant money will be utilized by the Suffolk County P.D. for 2009. Judging by previous years, profiling and discriminatory strategies have been employed through designated discretionary safety checkpoints throughout the County.

Another approach has been to pull over numerous motorcycles at large motorcycle related events. In each case, countless numbers of street legal motorcycles are herded into these discretionary safety checkpoints, all pulled over in multitudes by the roadside. Both scenarios occur without probable cause or provocation, which present some constitutional violation questions.

It's a sad testament for our society when the simple pleasure of riding our motorcycles on a gratifying afternoon is suddenly and unjustifiably disrupted by demands for paperwork and typically having petty summonses issued. There are some who will use scare tactics by manipulating statistics to justify this practice. Clearly, the number of motorcyclists on our highways has exploded due to its popularity, and undoubtedly due to its economic -- due to the economic turndown. So, with motorcycle registrations at all-time highs, it's easy to cherrypick negative data to suit one's needs.

Unreasonable detainment, gratuitous harassment, demeaning discrimination, pursuit helicopters, ceaseless scrutiny, it's all very intimidating, abusive, and simply uncalled for. The public's best interest is not being suited with these practices in the name of safety. If safety was the primary concern of this action, why is it limited to motorcycles only? Why are motorcyclists only subjected to instant roadside inspections when we've already paid to have our vehicles undergo their mandated annual safety inspections? The singling out of a specific mode of transportation is blatant discrimination and profiling. Safety is best addressed through rider education and motorist awareness programs, both of which are anemically lacking in this state and county.

***(Applause)***

The appropriated funds for this initiative would be better spent on such programs. One of our longstanding philosophies is education, not legislation.

So, with all this said, motorcycle riders are supposed to be pleased and submissive with the intentions of this resolution, a resolution that pays Suffolk County P.D. overtime to expressly place us in their crosshairs while our safety funds and programs are nowhere to be found; a resolution and potential violation of our Fourth Amendment Rights, which guards against discretionary vehicular stoppage without probable cause or suspicion of criminal activity; a resolution that unfairly targets and essentially places us at the mercy of authorities who may or may not have our best interests in mind. I think not, and we will remain vigilant in our cause for equal justice on the highways of Suffolk County. Thank you for your time.

***(Applause)***

**CHAIRMAN EDDINGTON:**

Thank you. Joshua Rubinfeld.

**MR. RUBINFELD:**

Good morning. Thank you for the opportunity to speak about this issue. My first comment is that I've been a motorcyclist, recreational, and racer years ago, for 45 years. I'm a General Dentist, I'm a Forensic Odontologist, so I wear several hats or helmets, as you may imagine, with this issue of safety, from a standpoint of utilization of funds.

I represent also the Long Island BMW Riders Club. We have approximately 120 members, and I would say less than 1% don't agree with what's going on as far as the use of these funds for stopping. The vast majority are against usage of the funds for the -- what we think is arbitrary stopping of recreational safe motorcyclists.

I have a question for Legislator Eddington, and maybe you could explain this to the public that are here as well. Is there any way not to have to sacrifice the available \$25,500 if the funds are not used for this specific item? That's an issue here I don't think any of us understand.

**CHAIRMAN EDDINGTON:**

I'll just tell you that when we're done the Police Commissioner will be addressing that issue.

**MR. RUBINFELD:**

Ah, okay. I think that's very important. Everyone speaking before me basically has enumerated on my personal thoughts, as well as professional. One thing, you will notice that most of us are of approximately the same age and experience with motorcycles. Myself and my professional experience, I cringe every time I read about a young motorcyclist who's been killed in an accident. And just to voice what other people have spoken about here, if there's any way to increase funding for courses, such as Motorcycle Safety Foundation, so that we can get younger people to operate more efficient vehicles in a safe manner, I think that would be the best usage of funds. Thank you.

**CHAIRMAN EDDINGTON:**

Thank you.

*(Applause)*

L.J. James.

**MR. JAMES:**

All right. How are we doing out there? All right. First, I've been told this isn't --

**LEG. LOSQUADRO:**

Back up a little.

**MR. JAMES:**

Can you hear me?

**LEG. LOSQUADRO:**

Back up.

**MR. JAMES:**

Back up? Oh, this is not a regular microphone, huh?

**CHAIRMAN EDDINGTON:**

Yeah, we don't get to say that very often.

**MR. JAMES:**

All right. It's not my mike, what can I tell you. Now, I've been told these aren't -- these stops aren't supposed to be considered profiling? This isn't profiling? So I looked up the definition of profiling, and it says, "Recording a person's behavior and analyzing psychological characteristics in order to predict or assess their ability in certain spheres. To identify a particular group of people. Identification. Evidence of identity. Someone identified as a person or thing." I would say a motorcycle is what identifies us all here.

At a time like this, when we have -- this country is counting pennies, and we're sitting here deciding where to spend \$25,500 here. Children are hungry, people are living in the streets, but okay. This money was set aside to keep motorcycle riders safe. Now, keeping motorcycle riders safe is something that's very dear to my heart and I spend my life doing. And you've got to trust me when I tell you, this is something that's important to me.

All right. Now where was I here? Now, if these motorcycle-only traffic stops came anywhere close to this and keeping motorcycle riders safe, I would be on your side, I wouldn't be up here on this side. The only thing these stops really do is harass bikers. These motorcycle-only safety spots are set up at places where most motorcycle riders gather, giving out hundreds of tickets, not information, to keep them safe. In reality, we need to educate those who do not ride motorcycles.

In Suffolk, these spots always seem to be set up either by Bald Hill on Tuesday, where all the motorcycle riders gather. I've seen a lot by Maples in Manorville on a Sunday afternoon. Now, these facts can easily be verified. There is no motorcycle education going on at any of these stops that I know of for sure, because I've been stopped a few times. All right? Each time all the officers have told me they think these stops are nothing but harassment. These are coming from the officers. One time an officer was telling me why my helmet was not safe and why I should wear a DOT approved helmet. I said to the officer, "I do not wish to argue with you here on the side of the road, but your facts are not 100% accurate." He then asked me what I meant. I explained some things to him. He then told me that he was just saying what he had been told to say. He wasn't for this and he didn't know anything -- he then asked me if I knew of any places where he could actually learn actual motorcycle safety facts. I mean, this is the guy who's supposed to be there teaching me. He's asking me where he could learn things.

Now, my point here is that there are not real motorcycle safety stops. Hold on, here we go. Where the police pull over -- all right. The bikers are being pulled over in large groups and they're given tickets for things the officers think, but do not know, may be wrong with their motorcycles, and then they tell them they can do nothing about it right now, and they tell us we must fight them in a court, all right, on a day during the week when almost all of us have to work, like 9:30 on a Thursday after -- Thursday morning. All right? How many of you here are going to take a day off of work, all right, to fight a \$60 ticket that you know you're right? You're going to lose \$100?

What I want to know, too, does this money have to go to these stops? Is this where this has to go, or can it go for other things?

**CHAIRMAN EDDINGTON:**

I'm going to tell you that your time is up and you need to finish up, but we're going to have the Police Commissioner come and address that issue. It's a question that I've asked.

**MR. JAMES:**

Oh, okay. I'm going to finish up. I'm going to finish up with, let's not pretend we're doing a good thing with this money for motorcycle riders when we really can do a good thing for motorcycle riders. How about this year we really save a few motorcycle riders' lives and we put this money to something useful, like signs and actual education?

Thank you.

**CHAIRMAN EDDINGTON:**

Thank you very much.

*(Applause)*

Kenneth (Keith) Fingers.

**MR. FINGERS:**

Good morning. I kind of like this process. This is -- this is America. We get a chance to come and speak our mind and use the process in a positive nature. And that's why I kind of wrap my arms around this, because it is something that we can be heard, and I thank you for listening to us.

I'm a disc jockey for a radio station and I do a couple of runs for charity, as well as just about every single one of the clubs that has shown up here today. The things that are done by the motorcycle community to help the community are rather vast, but often overlooked.

I'm not sure exactly how the language reads in this resolution as to what you exactly want to accomplish. I'm not really sure if it is in an effort to make motorcyclists safer or to make the community safer from motorcyclists. With the amount of different things that go on on the roads, as a cyclist, one of the most dangerous things that we do is getting on and off of a major road. I don't know why you'd want to increase the activity of that, you know, action.

The bottom line is, is that the laws are there for us to be safe and to make the community safe, and laws need to be in place. When I bought my motorcycle and I opened up the owner's manual, and the first three things say, "May cause injury or death," I'm taking my own life in my own hands by riding a motorcycle. I'm a 50-year-old guy with two kids and I love Long Island, and I certainly like to ride my motorcycle, and it's a dangerous place to ride, so I have to make sure that I'm alert and watching out what I'm doing and that my bike is safe. I do that. I can't account for everybody else on the road. So, in my thinking, the money should go to educate the public awareness that we're out there, and to slant maybe the thing in a positive nature instead of a negative nature. One of the things I thought about is, like, well, I'd hate to see us lose the opportunity to take the money from the traffic safety community if, indeed, it can be used in a positive nature.

I'm sure all of these gentlemen that are behind me, these officers, have been at a bike run or a bike event where they have protected our rights on the road and made sure that we are safe, and we are extremely grateful for the protection that we get when we do runs. Maybe we can put the money into a fund that takes care of the overtime that would be needed to pay these gentlemen in order to protect us, so that maybe that there's a proper protocol set up. So, if I want to set up a motorcycle run, and without boasting, I have the run that's got the biggest turnout on Long Island, we do the New Years Day Cold Finger run, and one year we did over 4,000 motorcycles, and to date, that run has raised over \$100,000 to help children with cancer. Maybe the money could be used to pay the officers to show up at these runs to protect us without having to get into this two to three week craziness before the run where we're trying to find out if the money is available, if the policemen are available. We would know we have a fund to cover "X" amount of runs, people could seek a permit to do the run, whatever it is, but we would still be able to ride our bikes, do something positive in the community, and use the funds that are available to us in a positive way.

Outside of that and signs, and everything that people have said here, I'm just glad that we have this process and they're able to use it. I'm very grateful to the Suffolk County Police Department for the stuff that they do to help us be protected on the runs and on the road, and I'm grateful for you guys to hear us out today.

**CHAIRMAN EDDINGTON:**

Thank you very much.

*(Applause)*

Manna Cali. Manna? I just want to preface that this next speaker has On the Road Again Motorcycle Safety School, and she helped when I passed my legislation that people should have licenses when they drive bikes off, and, of course, she was my motorcycle instructor. Welcome.

**MS. CALI:**

Hi. Good morning. My name is Manna Cali. As Legislator Eddington mentioned, I'm the owner and lead instructor at On the Road Again Motorcycle School.

I just want to address something, that I have a unique perspective compared to the other speakers in that I can give you some reference as to the demographics of today's rider. Don't let the ponytails and the black leather give you a certain idea of what your average rider is like. I can tell you, as a motorcycle safety instructor, that I've taught people who are very successful business people, emergency room nurses, attorneys, surgeons, even a Supreme Court Judge and Legislator how to ride a motorcycle. So you have to keep in mind that your average rider out there is not a scofflaw, is not a habitual lawbreaker, these are responsible, very often highly educated people who are not out there breaking the law.

To reuse this fish analogy that keeps coming back and back again, don't net the whole pond to get the one fish that you want to catch; okay? And I would like to see that \$25,000 used in a more productive manner, such as rider education and safety. And, as a taxpayer, I do also object to the use of that money in that way. I'm sure it could be used in a much better fashion. Thank you.

**CHAIRMAN EDDINGTON:**

Thank you.

*(Applause)*

Victor Prusinowski.

**MR. PRUSINOWSKI:**

Good morning. Mr. Chairman, Members of the Legislature, it's a pleasure to be here this morning. I'm here to speak on Resolution 2207, which was sponsored by Legislator Ed Romaine, who's

present here in the auditorium.

By Riverhead Town Board Resolution 1094, I've been appointed to a Transition Committee that consists of County officials and River Town officials for the orderly transition of our Public Safety dispatchers to the Yaphank operation or to the County operation. And I represent CSEA Local 852, Unit 8758.

We're here today to endorse the passage of Legislator Romaine's legislation as a matter of fairness. The Town officials, Town of Riverhead, and I used to be a Town official for 16 years on the Riverhead Town Board, nobody in Riverhead Town is asking Suffolk County for any money or additional funding. We would prefer, let the record show, most people in Town, and most of the Town Board, would prefer to retain our Public Safety dispatchers as a local service. What Ed Romaine's bill will do is to sort out the funding situation.

One thing that we would like this Committee to investigate is, and maybe ask the Budget Office, is to get a detailed accounting of the surtax, the excise tax, which is on the phone bill that Riverhead residents pay Suffolk County, and I think we get approximately \$45,000 from that to make sure that we're getting our fair share of the amount of dollars that's being collected that goes to funding the Public Safety dispatcher E-911 system. In addition, Legislator Romaine's bill will eliminate the double-dipping on the taxpayers in the County warrant.

And the other thing I would ask this Committee to investigate is to see what the actual cost of the services that is being -- that's being levied on our Riverhead taxpayers for the County operation as it pertains to the Public Safety dispatchers, and to make sure that there is no double taxation here. So what we would prefer is to keep the Public Safety dispatchers at the Riverhead Police Department, if we can eliminate this possible double taxation.

So we support Legislator Romaine's bill, we ask that it be passed, and our unit would offer any assistance to this Committee, to the Legislature, to assure this passage. Thank you very much.

**CHAIRMAN EDDINGTON:**

Thank you.

*(Applause)*

**LEG. ROMAINE:**

Mr. Chairman

**CHAIRMAN EDDINGTON:**

Yes, Legislator Romaine. You did ask for a couple of minutes to address this, and so --

**LEG. ROMAINE:**

Two minutes

**CHAIRMAN EDDINGTON:**

Put you on the clock. Go.

**LEG. ROMAINE:**

Okay, you absolutely can. First of all, I'm not a member of this Committee, so I thank you for your indulgence. This bill will be tabled for Public Hearing, but it's a bill to prevent double taxation. We should not be taxing people for services that we do not provide, and that's clear with 911.

As you know, the five eastern Towns and several of the Villages have their own emergency dispatching, and, yet, we tax them as part of the County general tax for service that we do not provide. I am told, as I look at Legislator Horsley and Gregory, that Babylon Town also provides their own 911 dispatching services for their fire departments, their ambulance companies, and I

assume that is something that we should take a look at, too. But the five eastern Towns, they have their police departments. Many of them are over 100 years old. They've had their 911 dispatchers, just one police service that is provided, and they pay for it themselves. I mean, Riverhead's paying almost a million dollars a year for its dispatching services, and, yet, they're also being taxed as part of the County general tax for dispatching services.

The Riverhead Supervisor, in an attempt to end this, has put forward a budget proposal to eliminate 911 operators in Riverhead and put it on the County. But, of course, as we all know, we probably won't see any 911 operators hired in the County, and that will only lengthen the time that sometimes it takes to get a 911 response.

This bill and many of the questions that former Councilman Prusinowski has raised merit this Committee asking the Budget Review Office to look at these questions seriously. This is going to be tabled for Public Hearing. Next Tuesday, I'll probably recess the hearing, so we have until February to take a comprehensive look at all these issues and sort this out, because in this country, we should not double tax. We should not tax for a service that we do not provide. Thank you, Mr. Chairman

**CHAIRMAN EDDINGTON:**

Thank you. Legislator Horsley, you said you wanted to --

**LEG. HORSLEY:**

Yeah. Ed, I just wanted to echo some of your concerns. We do have that issue in the Town of Babylon. Ours is what's called Central Alarm. The -- one of the problems, and I think that is what is probably bringing this to a head, is that the tax or the fee is on hard wire phones and -- which are -- as you know, are diminishing. So we're seeing less and less dollars, because people are using cell phones, and so that revenue is no longer coming to the Town of Babylon, it's coming to -- not to Riverhead, and whatever. So I have talked to our State Senator. They wanted to wait until after last election before they would even address this issue, because it's a State -- it's a State issue, which we were going to put in a Home Rule Message and stuff like that. So it's a bigger question than just unfairness and the like, it's a lack of funds and this is a diminishing dollar amount.

**LEG. ROMAINE:**

Well, it's particularly unfair for the East End, because we do tax East End and Village police. But between --

**LEG. HORSLEY:**

Well, we --

**LEG. ROMAINE:**

-- the three Legislators from Babylon --

**CHAIRMAN EDDINGTON:**

Excuse me. Excuse me. I'd like to not --

**LEG. ROMAINE:**

-- and Legislator Cooper's four Villages --

**CHAIRMAN EDDINGTON:**

Legislator Romaine.

**LEG. ROMAINE:**

-- we're ready

**LEG. HORSLEY:**

Okay.

**CHAIRMAN EDDINGTON:**

Okay. Thank you very much. Next speaker, Laura Ahearn.

**MS. AHEARN:**

Good morning. The Suffolk County Department of Social Services is placing homeless registered sex offenders in a trailer on the grounds of the Riverhead Correctional Facility. If I.R. 1904 were passed and implemented, registered homeless sex offenders would be transitioned back into community neighborhoods, where the additional level of supervision they're currently being provided while at the trailer on the grounds of the Correctional Facility would be completely eliminated, thereby creating an even greater risk to the community.

There isn't currently a plan, a policy, or a law in place that is being proposed that offers a better choice than where they currently are, which is, again, on the grounds of the Riverhead Correctional Facility. There aren't many options. You, as policymakers, don't have many choices, but the choice that you have selected and the option that you have selected is the best option, and we continue to support that.

And I'd like to -- we took a look at the number of registrants in the County and where they're spread out. The Riverhead community has been saying that they are overburdened. So we took a look -- and this -- these numbers are -- and I see Legislator Browning shaking her head, because the numbers change regularly, because sex offenders are mobile, and because we're not always informed of every sex offender, and sex offenders move out and we're not informed when they're moving out. We might find out a week or two later. So, of the -- currently, the way it looks, we took a look at each of the Towns. Approximately 10% of the sex offender registration population is residing in the Riverhead Town, 10%. The Town of Brookhaven has over 40%. So they are not being overburdened by the number of registered sex offenders.

Now, if we look at Riverhead itself, approximately 76 are there, 37 of them are in the jail. So the percentage of sex offenders in the community in the Riverhead Town is actually between 4 and 8%, depending upon if you add the trailer. So the trailer has between 10 and 20 offenders at any moment in time. So that community or that Town is not being overburdened by a greater number of sex offenders than any other Town in the County. In fact, again, as I said, Brookhaven has the highest percentage, based upon the information we've received, which is, again, not 100%, because we don't get information on all Level 1's, but the second one is the Islip Town.

So we would support where the sex offenders are currently being housed, or homeless registered sex offenders, where they're being housed right now. If there's a better solution, we'd like to hear it, but, right now, this is the best option.

**CHAIRMAN EDDINGTON:**

Thank you. If you could just hang on, I think your answer might be forthcoming with Legislator Romaine.

**LEG. ROMAINE:**

First of all, Laura, I want to say that we're both on the same side, and I appreciate all your efforts. But let's take -- what was the number for Brookhaven?

**MS. AHEARN:**

Forty-three percent.

**LEG. ROMAINE:**

Forty-three percent of the population and 10% for Riverhead. What is the relative weight of the Riverhead population in the County? Riverhead has thirty --

**MS. AHEARN:**

As I said, Riverhead, the Town of Riverhead --

**LEG. ROMAINE:**

Has 32,000 people, Brookhaven has a half a -- almost a half a million people.

**MS. AHEARN:**

Legislator Romaine.

**LEG. ROMAINE:**

Yes.

**MS. AHEARN:**

I have to say this, that the Correctional Facility is the best place for registered sex offenders who are homeless to be temporarily housed, unless there's another option that you can propose that would give the community a sense of greater safety, because if they're transitioned out of that trailer, which is in your Legislative District, or.

**LEG. ROMAINE:**

No.

**MS. AHEARN:**

-- Legislator Schneiderman's Legislative District?

**LEG. ROMAINE:**

Legislator Schneiderman's.

**MS. AHEARN:**

And I understand your community is very angry about that trailer being there, but if there's a better proposal, I am really open to hearing that. I don't know where else they could be placed, other than on a barge in the Atlantic.

**LEG. ROMAINE:**

I'm going to invite you to meet with me --

**MS. AHEARN:**

Which I'm not saying I'm not, you know --

**LEG. ROMAINE:**

-- and Legislator Schneiderman, and a representative from the Executive's Office to discuss this. Let's talk about this.

**MS. AHEARN:**

I would love to

**LEG. ROMAINE:**

First of all, it's in the parking lot. Second of all, Deputy Sheriffs and Correction Officers have been told to have nothing to do with that trailer, so they don't protect or guard that trailer. Third of all, there's -- they hire rent-a-cops that are there for some of the day, not all of the day. Fourth of all, there is no check-in or checkout of where they go. Fifth of all, those trailers have no sanitary facilities in terms of showers, so they don't shower there. They have no cooking facilities, so they're giving food vouchers to go down to the local McDonald's, or wherever else they can buy food with those food vouchers in town. Fourth of all, there were 15 offenders there, thirteen of which were Level 3, and I got a call from one of them and said, "I want your help as a Legislator." First of all, I explained it wasn't my District, but, "I'd like to find some housing, because I don't like the facilities here." And I looked -- I asked my staff, "Look him up." He served 16 years for molesting and sexually raping an 11-year-old child.

**MS. AHEARN:**

And, Legislator Romaine.

**LEG. ROMAINE:**

Yeah.

**MS. AHEARN:**

You're not an advocate for sex offenders, and neither am I. I'm an advocate for the community, and your proposal will take those offenders that are on the grounds of the Correctional Facility, which, out of all the options, is the best option --

**LEG. ROMAINE:**

No.

**MS. AHEARN:**

-- and it will take them and put them in neighborhoods again, probably in Gordon Heights, probably in Legislator Browning's District, right smack dab in the middle of a neighborhood, four sex offenders, two sex offenders, because of the new Town of Brookhaven law, two sex offenders residing right next door to families of children. That is not acceptable. I don't know a better -- a better option right now, but if you have one --

**LEG. ROMAINE:**

Yeah, I'll give you one --

**MS. AHEARN:**

-- better than putting them in the community, then I'll listen.

**LEG. ROMAINE:**

I'll give one right off the top of my head. You could leave it in Riverhead, put the trailers behind the fence where they're guarded by Correction Officers. Do that, make sure that they have showers and cooking facilities, so they don't have to go into town all the time to eat.

**MS. AHEARN:**

I'm not interested in their showering or their cooking.

**LEG. ROMAINE:**

Neither am I, but I don't want them in --

**MS. AHEARN:**

I'm interested in ensuring they're not in our neighborhoods.

**LEG. ROMAINE:**

I don't want them in town eating at eating facilities. I don't want them -- there's a library that's directly across the river, there are several schools that are directly across the river. This is a concern to the Riverhead community. And, as I said, I welcome you to sit down with myself, Legislator Schneiderman, and a representative of the Executive's Office to look at other options, because we were not notified when this happened. There is no guarding, there's no check-in, no checkout. These people can come and go --

**MR. ZWIRN:**

It's not true. If I might, Mr. Chairman. This --

**CHAIRMAN EDDINGTON:**

Okay. Well, before you start, I just wanted to say --

**MR. ZWIRN:**

Have you ever been there? Have you ever been to the trailer?

**CHAIRMAN EDDINGTON:**

Excuse me. Excuse me.

**LEG. ROMAINE:**

Yeah, multiple times.

**MR. ZWIRN:**

Yeah?

**CHAIRMAN EDDINGTON:**

Mr. Zwirn, just a general announcement, because I see a gentleman with his hand up, and my teaching background wants me to call on you, but we're not allowed to have public comments during this period, unless you had signed out a card. So this is going to have to be a dialogue between us. You're welcome to be an active listener, though. Thank you. Mr. Zwirn.

**LEG. ROMAINE:**

I'm willing to stop. Let's say -- let's meet. Let's --

**CHAIRMAN EDDINGTON:**

I think I'll let Mr. Zwirn now respond.

**MR. ZWIRN:**

I just want to correct the record. And we're grateful for Laura Ahearn's, from Megan's Law, support on this. This was thought out to try to give the community a sense of safety. And we did try to put them behind the barbed wire. The Correctional Office of the State of New York said that's not allowed, because they are no longer in jail. Now, the County Executive supported the Civil Confinement Bill that former Governor Spitzer signed, so that when people serve their term, and Laura Ahearn of Megan's Law supported, and we had the support of the Legislature with respect to that, that even after they've served their sentence, if they're deemed to still be dangerous, they're sent to a facility Upstate and not released into the community. But we have put them on the grounds. There are three private security guards there, and if you've met these private security guards, you may call them rent-a-cop and denigrate them, but these guys are professionals and they are serious about what they do.

I have been to the trailer and I have met with these guys. Yes, there are no shower facilities there, because we don't want these guys to make this their permanent home. We are trying to push them back into -- you know, getting back into their lives ahead of them, because they've been released from prison. They're either on probation or on parole, whatever they -- we're not going to make it so comfortable to provide them with showers, cooking facilities, and make this a Holiday Inn for homeless sex offenders.

**CHAIRMAN EDDINGTON:**

Okay.

**MR. ZWIRN:**

So, what we're trying to do is protect the community, so they are monitored. And why -- the reason why there aren't private security guards there all day, because the homeless sex offenders aren't there all day. They come in and they do check in every night. This information that Legislator Romaine has may want to wave red meat in front of the community, but he ought to get his facts straight, you know, for once.

**CHAIRMAN EDDINGTON:**

I appreciate your input. And, Legislator Browning, did you want to add?

**LEG. BROWNING:**

Yes. Laura, I appreciate that you do come, because I did not support this bill, and mainly because one of the Resolved Clauses. And I spoke with the sponsor of this bill, and the Resolved is saying -- I'm trying to see if I can see it. I still don't have glasses. That no County department, office or agency shall place or facilitate the placement of more than four sex offenders, registered sex offenders, in emergency housing in a single community.

Now, I remember passing a bill not too long ago that does not allow County agencies or Probation to house more than one sex offender in a residential community. This is taking us backwards, not forwards, so -- and again, the homeless sex offenders, I can tell you, we had a sex offender moved into my community near a daycare center. He is now a homeless sex offender at the Riverhead Jail. He was staying with a family member, which is -- you know, it's upsetting that he could not live with his family. However, he takes the taxi from the homeless shelter at the Jail and takes it to Shirley and stays and mills around in the neighborhood all day until he has to take that taxi back.

So I can't support this, because I know where they're going to go, they're going to go to the Third L.D., and we've had enough. And I'm going -- I'm damned to let this bill get out of committee, because it's going to hurt my District again. And I'm tired of hearing how the -- that District is being dumped on. They're not being dumped on. Come see my community.

**MS. AHEARN:**

Yes, I would agree, Legislator Browning. And all -- every community feels that they're dumped on when a sex offender moves in. And, again, there are over 800 in Suffolk County, over 26,000 in New York State, and 650,000 in the nation, so this is not a problem that is unique to Suffolk County.

And, Legislator Romaine, you and I had conversations about this issue, and I understand and respect your position, and I know that you understand and respect my position. However, if there are -- if there are any solutions, I would appreciate you calling me instead of just submitting a proposal without me knowing, other than getting a copy, you know, on the agenda. So I would --

**LEG. ROMAINE:**

This isn't my bill.

**MS. AHEARN:**

It would really mean a lot to me if you do want to sit down and work out a solution, which is going to be difficult for every community. I am open to it. But our primary concern is overall public safety, not a community, one community saying, "We're overburdened," when, statistically and factually, that's not accurate.

**CHAIRMAN EDDINGTON:**

Okay. So, just for the record, this is not Legislator Romaine's bill. But I think he's agreed that we would be willing to meet with you and the County Executive's Office, so let's see if we can make that happen. Thank you very much.

**MS. AHEARN:**

Thank you.

**CHAIRMAN EDDINGTON:**

Timothy G. Micca.

**MR. MICCA:**

Hello. We're back to the motorcycle stops momentarily. I'm against motorcycle stops only because of the bias of these stops. The Suffolk County Police Department should not be used as a tax-collecting entity on one group only, because, at the heart of the matter, this is what it is, an easy target -- an easy target for guaranteed money collection from one specific group. It also takes the police away from what they'd be better off doing, policing the entire road, as a whole, for public

safety.

Also, as an unseen side affect, as with all stops, DWI, safety belt inspections included, is that could strain the public's personal freedom. Public be damned, taxes will be collected whether or not you're on a pleasure cruise, on the way to an important job interview, or in the extreme possibility, being on the way to see a loved one in a hospital, possibly dying or being born.

In closing, as worried as you might be about my health, don't worry about it. I know what my risks are every time I throw my leg around my bike. Thank you.

*(Applause)*

**CHAIRMAN EDDINGTON:**

Thank you. Sal Lima.

**MR. LIMA:**

I'll pass today.

**CHAIRMAN EDDINGTON:**

Sal Lima?

**MR. LIMA:**

I'm going to pass.

**CHAIRMAN EDDINGTON:**

Okay. Thank you. Michael Giammona.

**MR. GIAMMONA:**

Very good. Hi. My name is Mike Giammona. I'm a resident of Suffolk County for over 45 years. I'm a motorcycle rider. I'm proud to say I've been a motorcycle rider before the helmet law was in effect and licensing was. And, also, besides being a motorcycle rider, I have a commercial drivers license with HAZMAT, so I know the motorcycle stops, and I also know the Suffolk County and the Nassau -- the Nassau County and the State Police stops that the truckers go through.

I don't want to be discriminated against, and I ask the Legislature, if you're going to take the money, help Miss Ahearn out with the sex offenders.

*(Applause)*

Don't point it to us. I ride every day, I ride, my wife rides, and I'm a grandfather and I have seven grandchildren and my grandchildren ride with me. When they get on that bike, I make sure that bike is safe. You got to remember, we're on two wheels, we know we're on two wheels. Educate the people that are in the four-wheelers that show us no respect, they show no respect at all. Those are the people who need the safety instructions, not us.

I thank you for the time. I say, if you take the money, again, give it to the people who need to protect us from the sex offenders and the criminals. Thank you very much.

*(Applause)*

**CHAIRMAN EDDINGTON:**

Thank you. That's all the cards I have. If there's anybody that would like to have their three minutes, this is your last chance. Come on forward. I see a hand. And then right after this, I'll have the Police Commissioner and staff address some of the issues that we have on our agenda.

**MR. SCHIEFERSTEIN:**

Hi. I'm very sorry, I got here a little late. I had a problem finding the building. For the record, my name is Carmine Schieferstein, I reside in Mastic, and I am definitely against the motorcycle thing.

I've heard a lot of guys talk about discrimination and all these different things. And, you know, I haven't heard what's going to happen when, like one of the newer generation, the younger guys, he's going to see the stop, he's going to get scared, you know? I mean, I get pulled over by police and I get all nervous and giddy, and, you know, everything just seems to not make sense. Now you've got a kid on a machine that was definitely not intended to probably be on the roads anyway, and now they're scared. And what's going to happen when he runs? They're going to chase, and when they chase, now you've got a scared kid, three, four, five vehicles, 9,000 pounds or better, speeding through back roads. Somebody's going to get hurt. And, you know, it's just a bad idea. I mean, officers, they're trained to spot things like bad helmets and flat tires, and, "Hey, that bike doesn't belong on the road, let's check it out." You know, we don't need checkpoints to just wrap everybody up and stick them all together. Thank you

**CHAIRMAN EDDINGTON:**

Thank you. Okay. Then what I would do is I'd ask the Police Commissioner and his staff to just come forward.

On the agenda today, I'd like to -- the Committee had asked about what the Police Department's been doing in response to the horrendous death in Patchogue Village. And then the second piece of the agenda would be is there a more appropriate use of the \$25,500 where it could be used for education and not targeted enforcement?

**COMMISSIONER DORMER:**

Thank you, Mr. Chair. Good morning, everybody, and thank you for the opportunity to give a short presentation this morning to the Public Safety Committee, and also to the people in the audience. You have Chief of the Department, Robert Anthony Moore, to my right, Chief Ponzo is the Chief of Patrol, Inspector Ty Mojica, who's the new Commanding Officer of the Fifth Precinct in Patchogue, and Deputy Inspector Jan Rios, who's the Executive Officer in the Fifth Precinct.

**CHAIRMAN EDDINGTON:**

Welcome.

**COMMISSIONER DORMER:**

Thank you. And I think maybe if I may answer some questions that were brought up by the people in the motorcycle group that testified just awhile ago.

**LEG. NOWICK:**

Commissioner, just turn on the mike, please.

**COMMISSIONER DORMER:**

I'm sorry, it's not turned on?

**LEG. LOSQUADRO:**

No, it's on, just tilt it up.

**LEG. NOWICK:**

Just raise it up.

**COMMISSIONER DORMER:**

Oh, I'm sorry. I'm sorry.

**LEG. NOWICK:**

Thank you.

**COMMISSIONER DORMER:**

Okay. And, by the way, you know, I listened to these folk very carefully and, you know, we have no issues with them. They're fine people, they're part of our community. I just want them to know that the Police Department has no grievances with them in any way whatsoever. They do a lot of good work for their communities, and, in fact, as mentioned by one of the speakers, they work very closely with the Police Department to raise funds for worthy causes. But having said that, let me answer a few -- a few of the questions that were brought up during the Public Portion.

The checkpoints that we engage in are constitutional. They have been litigated in the Courts of New York for a number of years, and the Court of Appeals, the highest court in New York, has ruled on them if they follow certain procedures. And we are very, very careful that our people follow the procedures as set down by the Court of Appeals decisions. And we have written procedures that -- in our patrol manual, in our rules and procedures, that cover that particular aspect of this operation. It is an enforcement initiative. It's part of the three E's. Somebody mentioned education, that's one prong. Engineering is the other E, and enforcement is the third prong of traffic safety.

We have been receiving this grant for over four years. This Committee has voted on it for the past four or five years, and our Highway Patrol Motorcycle Unit, very professional unit, has utilized this money for to ensure the safety of our motorcycle riders and the general public.

It was mentioned that we single out motorcycle riders. And I should point out, by the way, that we conduct checkpoints on school buses, boats, trucks, and regular motorists on the highway for DWI checkpoints, seatbelt checkpoints, and cell phones, and so on. You know, and I don't want to in any way, you know denigrate the motorcycle group in our -- that rides in our community, but I should point out that safety, traffic safety for motorcycles is one of the top priorities of the Governor's Traffic Safety Board. They're the ones that allocate the money to Suffolk County, and we are restricted in how we can utilize \$25,500. It has to be for enforcement at checkpoints.

Everybody should be aware, by the way, that the death toll on motorcycle crashes has gone up tremendously over the past few years. Motorcyclists account for 2% of the vehicles on the roadways, but 10% of traffic fatalities. Even some of the testimony from the audience indicated that it's a risk -- risky endeavor. And not everybody, I'm not including the group here behind me, but not everybody that rides a motorcycle has the proper equipment, is properly licensed, and should be riding a motorcycle. So that's the reason that we conduct this enforcement initiative.

**CHAIRMAN EDDINGTON:**

Let me stop you for a second, because I'm already hearing, and maybe I'm wrong, that this is how it's going to be, the way it's always been. The reason I'm here today is because I'm saying that's not -- it's not going to be business as usual.

*(Applause)*

It may have been voted on before, but we're here to say that, you know, the past is the past. And now, when I hear there's an abuse, I'm not going to look the other way, and as I've talked to my other Legislators. And, you know what, I have this problem when I hear people say, "Well, legally we can do it." My question is, is it the right thing to do? And then, when you talk about seatbelt checks, I don't think there's anybody here that if once a month there was a safety check and people were pulled over, they wouldn't care, because once a month, if you're doing seatbelt checks and car inspection, you know, it's like you're not getting the word "targeted". If you picked up -- if you pulled over every red pickup truck, you would have a group of people here from the truck industry. And, for some reason, we're not making it clear that we don't want it to be all motorcycles every weekend on Exit 66, or Upstate, or on I80. You know, we're against that type of thing, and, yet, basically, you're trying to say it's like the same thing as a seatbelt check. Well, I'll tell you right now, I haven't been checked in a long time about seatbelts, but I know I could get checked on the

Long Island Expressway this Spring and Summer for my motorcycle. So it doesn't seem to be the same thing. And, yet, what you're saying to me is, "It's my way or the highway, because we're not going to change." And you're hearing everybody here saying, "Can you move the money into more education?" Because you're talking about more accidents? Yes. Cars are running into motorcycles. Yeah, motorcycles are going down.

*(Applause)*

Educate the public. You want to do it, let's put some signs saying, "Remember, there are motorcycles on the road." But I just am not going to sit by and say, "Well, this is how we've always done it and this is why we've done it, so we're going to continue to do it." So, unless you can assure me that it will be used in a better way, I'm going to table this as best I can and it will not be used. And I hate to lose money, but that's what's going to happen if I have my way today. Legislator Losquadro.

**COMMISSIONER DORMER:**

And if I may --

*(Applause)*

If I may, with the -- with permission of the chair, if I may, we follow -- we follow the law. Okay? We don't do this just because we like to do it, we have nothing better to do. This is something that the Governor, Governor Paterson's Traffic Safety Board, has given us the money for to reduce the carnage on the highways of Suffolk County, by the way, which has the distinction of being the number one fatality county in New York, and has had that distinction for many, many years, and this is a concern for anybody that's in --

*[DISCUSSION IN THE AUDIENCE]*

**CHAIRMAN EDDINGTON:**

Go ahead. I'm sorry. Don't interrupt.

**COMMISSIONER DORMER:**

-- that anybody that's in the public arena to try and reduce this carnage, okay, where we lose our citizens and young people, not just to car crashes, motorcycle crashes, and truck crashes. We will continue, whether this resolution is passed by this Committee. I can promise you that the Suffolk County Police Department will continue to enforce the traffic laws across the spectrum. Okay?

**CHAIRMAN EDDINGTON:**

Are you hearing anybody here saying not to do that?

**COMMISSIONER DORMER:**

And that will include -- that will include checkpoints, of all the checkpoints that I mentioned. So whether we get the 25,500, if you send it back to Albany, fine. Or they will probably allocate it to Nassau County or New York City, if it's not allocated to our Highway Patrol, by the way, for to keep -- if it saves one life, one life in Suffolk County --

**CHAIRMAN EDDINGTON:**

And that's what the education is about.

**COMMISSIONER DORMER:**

-- \$25,500. Now, by the way, Mr. Chair, if I may, you mentioned you're a motorcycle rider. Well, I rode bikes in the military, okay, a long time ago, and they didn't have all the bells and whistles that you have today, so I'm well aware of the issues involved with motorcycle riding and safety. Our officers, by the way, do not abuse their discretion or their powers. We're very proud of our Suffolk County Police Officers.

**CHAIRMAN EDDINGTON:**

Okay.

**COMMISSIONER DORMER:**

We're very proud of this Suffolk County Police Department that has kept people safe for many years, and will continue to do that. Thank you, Mr. Chair.

**CHAIRMAN EDDINGTON:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. Commissioner, I just want to clear up a couple of things. I've driven through many checkpoints in my vehicle. They're routinely set up on the southbound entrance ramp from 25A onto William Floyd Parkway, onto the entrance to the Rocky Point Bypass on 25A. There are a few points in my District that routinely get checkpoints. The point is they capture all operators of all vehicles on the road, and they're checking for simple things, seatbelts, reggie, inspection. If those are not current, if someone is not wearing a seatbelt, then they get stopped. Then they go through a further examination, "Let me see your license, let me see proof of insurance." Then you might look over and see if there's safety check problems. Well, I know a lot of kids now, they call it the "tuner market", a lot of kids, with these small foreign cars souped up, you know, all the Honda Civics, put illegal mufflers on them. You hear them driving by, it sounds like they have an Electrolux vacuum strapped onto their exhaust system. Why don't we do a checkpoint and pull over all Honda Civics? It would make perfect sense, following this same logic.

I have to respectfully disagree with you. And, with all due respect, I thought your comment before to the Chairman was very obtuse to just say, "We don't care what the testimony is, we don't care what the will of this Committee is, we're just going to keep doing exactly what we're doing," and we're not willing to even reexamine our methodology to see if maybe we can do something different that might have a better effect on protecting the motoring public. I didn't appreciate that comment.

And let me continue. We have a group of individuals that -- and it's not just motorcyclists, because I'm going to relay a personal story back when I had my WaveRunner. A group of individuals that are generally weather dependent, I know we have some hard core guys out there who ride rain, sleet, snow, it doesn't matter, but, generally speaking, if they're out for a pleasure ride, it's weather dependent, and you have a certain amount of time that people are going to go out and enjoy themselves. So it's very easy, as Legislator Eddington pointed out, to nitpick certain areas where you know you're going to be able to capture large groups of these people. I don't think that's fair. And I'll give you a clear example back from when I had my WaveRunner. Every time I went to Port Jefferson Harbor, and I used to drop in Wading River and ride all the way across to Port Jeff, and we'd tie up at Danfords and we'd go and grab something to drink, something to eat, and then we'd ride all the way back, every time I went into Port Jeff Harbor on my WaveRunner I got stopped, every single time. There could be a hundred boats passing me and I got stopped on my WaveRunner. And this is not anything against the officers who did it, because I asked them specifically, "Why do you always pull over the WaveRunners, guys?" And you know what the officer said to me? He says, "Well, you know, we're sort of instructed to, because it's like looking for a felon in a jail." That's what the officer told me, because it was easy pickings. That's what the man told me.

Now, I was a little bit older, I was responsible. I had my Coast Guard safety kit, I had a laminated copy of my transferable registration, because I would never carry the original, being a transferable registration. I did everything right, so I never had a problem. But hundreds of boats going by, you know there's coolers full of beer on those boats; none of them are getting checked. It's a clear singling out of a group of individuals. And I see the same thing here and I'm remembering these things that happened to me back when, and I'm listening to these individuals and I'm saying, "We haven't changed anything."

I don't think it is in the best interest of protecting the motoring public. I understand your point, 2% of the vehicles, 10% of the deaths. And you said not everyone who drives these motorcycles is licensed or insured. Well, guess what, not everyone who drives a car is licensed or insured. Applause.

***(Applause)***

You've heard me say it many times, I worked in insurance for a long time. There's a reason on that policy that you have UM as part of your coverage, uninsured motorist, because you have a lot of uninsured motorists on the road. I don't think these arguments are specific to motorcycle riders, I think this is singling out a group unfairly. If you want to set up universal checkpoints in these same areas because you feel you're going to have, you know, a large number of people going through those areas who do not have the proper registration, insurance, all of those things, you want to set up universal checkpoints, go right ahead, but I think there has to be a predicate, there has to be something that draws you to do a further inspection of a vehicle.

You pointed out trucks earlier. I think trucks are a whole different story. You have other areas of the law that are involved. You have interstate commerce laws, there are commercial trucking laws that factor in when it comes to inspection of commercial vehicles, specific laws that are on the books that relate to looking at commercial vehicles. I don't think those laws exist in relation specifically to motorcycles.

I was actually very surprised, not being an on-roader. I used to be an off-road rider and a water-rider, but not being an on-road rider, I was actually very surprised to find out that specific checkpoints were in place just for motorcycles, because, to me, it doesn't seem as though we are being fair to these individuals, especially individuals who we see very few exceptions put in place for use of high occupancy vehicle lanes. Most recently, we've seen hybrid vehicles, Clean Pass vehicles, but what we've always seen since the day they were instituted was motorcycles. We want to try to promote the use of these vehicles because they're efficient. And to single out these vehicles, I was very disappointed to hear that. It's something that I will not support the continued practice of. And I think we need to do a better job than just the easy approach at issuing summonses.

You know, if there are a number of people who are, you know, not operating with DOT approved helmets, you know, I certainly don't think the State is going to implement, you know, a Snell standard on the helmets. I think that would be quite onerous. But, you know, I don't know where we draw the line when we're doing something such as targeting individuals just because of the type of vehicle that they're operating, private citizens. I think that those who have a CDL license and are operating commercial vehicles with our Motor Carrier Safety Units is a different story entirely, but, as far as I know, those laws don't apply to motorcycle riders.

And I really hope that you are willing to listen and work with the members of this Committee to do something different. I'm not saying it's not going to be something that the operators of motorcycles are going to like, I'm not saying it's something this Committee is going to like, I'm not saying it's something you're going to like, but the point is I think we need to do something different than what we're doing, because if what we were doing worked, we wouldn't see the disparity in the number of deaths for motorcycle riders. Thank you.

***(Applause)***

**CHAIRMAN EDDINGTON:**  
Legislator Nowick.

**LEG. NOWICK:**  
Yeah, Commissioner, I just wanted to make something clear in my mind. I'm just gathering information. How many years have you been doing this program?

**COMMISSIONER DORMER:**

I know since I came in, I think it's four years

**LEG. NOWICK:**

Four years?

**COMMISSIONER DORMER:**

Yeah. And it's been --

**LEG. NOWICK:**

And just so --

**COMMISSIONER DORMER:**

It's been passed by this Committee for four years.

**LEG. NOWICK:**

And just so I'm clear, Commissioner, is it -- is every motorcycle -- motorcyclist stopped at certain points, or how many points are set up on the Island? I'm just not sure how it works.

**COMMISSIONER DORMER:**

Yeah. We do -- we do four a year and that's during the --

**LEG. NOWICK:**

Four a year?

**COMMISSIONER DORMER:**

Yes. And that's during the riding season, and it's done by the Motorcycle Unit in the Highway Patrol Bureau, and it will start sometime in May and end around October. And it's the four checkpoints where motorcycles, just like we do truck checkpoints, bus checkpoints, and so on. And, by the way, we do the checkpoints weekly in the Precincts

**LEG. NOWICK:**

So over a -- May, June, July, August, September, October, over a six-month period, you do --

**COMMISSIONER DORMER:**

Four.

**LEG. NOWICK:**

Four --

**COMMISSIONER DORMER:**

Checkpoints.

**LEG. NOWICK:**

-- of these in how many different locations?

**COMMISSIONER DORMER:**

Well, I'm not sure of the locations, but we did them on the Expressway. Of course, that, obviously, will not happen anymore, but we do them in the other locations in the County and on major highways.

**LEG. NOWICK:**

And when you say four times a year, is it -- when you say four times, is it like a week of doing it, or one day of -- how --

**COMMISSIONER DORMER:**

No, it's just a one-time thing, one day.

**AUDIENCE MEMBER:**

How about every Tuesday at Bald Hill?

**LEG. NOWICK:**

Okay. I'm just trying to gather information. And the other question I have for you is that will the program, if the money -- if the \$25,500 is not accepted as a grant, are you -- will the program continue, even though the money doesn't come from the State where you continue to run the program?

**COMMISSIONER DORMER:**

Well, that's something we have to evaluate as we go along. I'm not sure that we would do that, but that's something that we'd certainly sit down with -- have the Chief sit down with the Commander of Highway Patrol and decide if they wanted to do that.

But I just wanted to point out that our enforcement efforts, relative to traffic safety, is going to continue in Suffolk County, and that means checkpoints for DWI, seatbelts, cell phones, equipment, and no --

**LEG. NOWICK:**

No, no, I understand that. I'm just -- I was just --

**COMMISSIONER DORMER:**

And no group should be excluded from that.

**LEG. NOWICK:**

Okay. I just wanted to know if -- how long it has been going on and if you continue it for -- so, if the grant was twenty-five-five, then the County right now expends an additional 15%? I guess that grant is 85% of the total, is that what that grant is?

**COMMISSIONER DORMER:**

Yeah. I'm not sure what --

**LEG. NOWICK:**

Okay.

**COMMISSIONER DORMER:**

-- the matching requirements are.

**LEG. NOWICK:**

Okay. Thank you, Commissioner.

**CHAIRMAN EDDINGTON:**

Legislator Browning.

**LEG. BROWNING:**

You know, I'm looking at this money and I'm saying, you know, how can we reject this money, but I think it's important that, you know, we're hearing the testimony from the people here. And it's kind of funny, because my newsletter here, I have a picture with BACA, Bikers Against Child Abuse, that I have worked with. And I know many of them here do great things and work with our communities, and I don't want to see them being hurt. And I think that, you know, for us not to accept the money would be foolish, but I think it's a good idea to meet with their organization, and talk to them, and understand what their complaints are. I get many calls, especially in the summertime. I don't know

how -- I know we have the gentleman from Mastic, and those Kawasaki type motorcycles that are drag racing on William Floyd Parkway. I want to see something done with those people. And I know that I have a problem with drug dealers now that are using those bicycles, because the police can't chase them, and I know the police won't chase them. So, you know, again, are we targeting? You know, we would be. But I don't want to reject the money. I want us to be able to work with the organization, understand what their arguments are, but to be able to go after the people who are not complying with what the laws are.

So that's pretty much what it is that I have to say, and, you know, I appreciate what they do, but I just got pulled over, what, about a week ago. We were getting off the Sunrise Highway and they were pulling the cars over, checking seatbelts, registration, and whatnot. No, I didn't get a ticket, I'm in compliance, but, you know, they had a lot of cars pulled over. I was surprised. So it is important to do the safety checks. It's important -- you know, you never know what you're going to get when you pull them over, and I think it's the same with motorcycles. You know, not everybody that drives a car is good, not everybody that drives a motorcycle is good, so, you know, it is important for public safety.

And it's funny, I just got a news report today that there was a motorcycle driver who was hit by a car. I don't know if it was today or yesterday. And, yes, we do need more education with the people who drive cars, especially in the summer, to pay attention with the motorcycle riders and to be cautious with them. So, again, you know please, I'd like us to work with the organizations to see what their arguments were and to be more conscious of, you know, that they are trying to do the right thing.

**COMMISSIONER DORMER:**

Yeah, thank you.

**CHAIRMAN EDDINGTON:**

Legislator Losquadro.

**COMMISSIONER DORMER:**

If I may respond to Legislator Browning's --

**CHAIRMAN EDDINGTON:**

Go right ahead.

**COMMISSIONER DORMER:**

-- very reasoned response to this issue, and I thank you for that. We're willing to sit down with the group, have our Highway Patrol Motorcycle Unit sit down with them, and we can examine the issues. Let's sit down together, deal with the issues. And if it means that we can speed up the checkpoint process, we'll certainly look at that, because I think that that was one of the major issues with the group, and so we're willing to do that for to see if we can move forward with this.

**CHAIRMAN EDDINGTON:**

Then, what I would say is that, if that's the case, then what we'll do, I will ask the Committee to table it until you have that meeting, and then we'll get back with the group and we'll see if we've been able to do something.

***(Applause)***

See, I think that's the best way. I think Legislator Browning's suggestion is the right way. You've got an audience filled with people that could probably tell you where, when, and who are violating motorcycle, you know, rules. So, I compliment you on being willing to do that, and so that -- then I will make sure I get a name of a committee and give it to you, and then you guys can work out when you can meet, and so on, and if I can facilitate that, I will. Legislator Losquadro

**LEG. LOSQUADRO:**

Thank you. I just wanted to clear something up for the record. You know, you said that this bill has been passed every year. And, on it's face, it sounds completely innocuous. And I just want to thank the individuals who came here today, because there are many times grants, other things that come before us, that on their face sound good. You know, in the body of the bill, you know, "To increase motorcycle awareness, safety issues, by enforcing the New York Vehicle and Traffic Law regulations," it sounds pretty good, but the devil is always in the details. And I want to on the record thank the individuals who get involved and have a public voice. And I want to say, you know, I listen to Fingers all the time, and one thing he does, having a public voice, is I hear him talk about motorcycle safety and awareness on a regular basis. So, for the individuals here who take the time to get involved, and take the time to contact their elected officials, when they see something that is not right or they think is not fair, is to me the perfect example of democracy in action, and I think it's a testament to members of the Committee. Obviously, we have a member over here who's a little more sympathetic, but he obviously clearly understands the issues.

And I really hope that we do work towards an equitable resolution here, because, to my mind, just to say that because the Governor wants it, it's right, well, I think we've had a past example of a Governor in New York and now one in Illinois, that sometimes they're always not making the best decisions. Sometimes they make knee-jerk reactions to things.

In my District, County Road, William Floyd Parkway, the clear problems with motorcycles are speeding. I have the people that live along County Road 83, they hear, especially those -- you know, the racing-type bikes. When those things are at full throttle, at high RPM, it sounds like the space shuttle taking off going past your house. So, if we wanted to use -- if we can move some of this money, which is for overtime, towards speed enforcement issues, targeting motorcycles on certain roadways, so be it. I think that it would be a wonderful thing, because the complaints I get regarding motorcycles are all speed related, they're not safety-related, they're not loud pipes, they're not guys with helmets that are too small with sometimes rather offensive stickers on them. Please, take it easy. The issues are speed related. And I would appreciate that the Department look at that issue, because, as a local elected official, those are the complaints I get from my constituency.

**CHAIRMAN EDDINGTON:**

Legislator Horsley.

**LEG. HORSLEY:**

Good morning, Commissioner.

**COMMISSIONER DORMER:**

Good morning.

**LEG. HORSLEY:**

Thank you for coming down, as usual. Let me just ask you, is it possible, just in your deliberations when you speak to these groups, that you could combine the monies with other enforcement monies for checkpoints that wouldn't have to be just for that one particular, so you could -- you're talking about checkpoints, more checkpoints across the Island for everybody; is that a possibility?

**COMMISSIONER DORMER:**

No. They're very, very specific on what you can utilize the money for, and that's the grant the way it's written. So the answer is no, we couldn't do that, even if we wanted to do it. So we don't have a choice. That's just the way the money comes and it's for enforcement. By the way, it's a model program throughout the State, recognized by the Governor's Traffic Safety Board. So it's not something that, you know, somebody plucked out of the air. This is viewed throughout the State as the model for other municipalities.

**LEG. HORSLEY:**

Okay. Thanks.

**CHAIRMAN EDDINGTON:**

Legislator Gregory.

**LEG. GREGORY:**

Good morning, Commissioner. I just have a quick question. You said this is a program that we've done for the past four, five years.

**COMMISSIONER DORMER:**

Yes. That's correct, yes.

**LEG. GREGORY:**

Do you have -- are you familiar with the statistics, when you first began the program as to now? Has the numbers decreased, increased, level?

**COMMISSIONER DORMER:**

No, I have no statistics on that.

**AUDIENCE MEMBER:**

You said the deaths went up.

**COMMISSIONER DORMER:**

Oh, you want statistics on deaths?

**AUDIENCE MEMBER:**

No. Is it working? Is the program actually working?

**LEG. GREGORY:**

Well, yeah. Well, that would be interesting. Yeah, do you have statistics?

**COMMISSIONER DORMER:**

Well, I know -- I can tell you that statistics show that ridership has gone up, crashes have gone up, fatalities have gone up, injuries have gone up.

**AUDIENCE MEMBER:**

If it's working --

**LEG. GREGORY:**

Ever since you started the program.

**CHAIRMAN EDDINGTON:**

Okay. Quiet from the Peanut Gallery, please.

**LEG. GREGORY:**

And this is since you started the program?

**COMMISSIONER DORMER:**

Well, I'm talking about nationwide now.

**LEG. GREGORY:**

Oh, okay. Okay.

**COMMISSIONER DORMER:**

This is national statistics.

**AUDIENCE MEMBER:**

No. This is a County issue.

**CHAIRMAN EDDINGTON:**

Sorry, can't have any comments from the gallery, please. Okay.

**LEG. GREGORY:**

Okay.

**CHAIRMAN EDDINGTON:**

Then, you know what I'm going to do, I'm going to ask -- I know you're going to be talking about the procedures that have been put in place for Patchogue Village and so on in the County. But, before we do that, I'm going to ask you to just hang loose. And I'm going to ask to take I.R. 2191 out of order.

**LEG. LOSQUADRO:**

Second, Mr. Chairman.

**CHAIRMAN EDDINGTON:**

Okay. I've got a motion and a second. All those in favor? Opposed? Abstentions? ***(Vote: Approved to take 2191 out of order 6-0-0-0)***

Okay. I.R. 2191 - Accepting and appropriating a grant in the amount of \$25,500 from the State of New York Governor's Traffic Safety Committee for the Suffolk County Police Department to fund a Motorcycle Safety Enforcement Program with 85.3% support. I'm going to make a motion to table.

**LEG. LOSQUADRO:**

Regrettably, I certainly don't want to lose any money, especially in these times, Mr. Chairman, but I do not see that we are making, at the moment, any attempt to find an equitable solution to this, so I'll second that motion to table.

**LEG. GREGORY:**

Mr. Chair, just on the motion, real quick.

**CHAIRMAN EDDINGTON:**

Yes, on the motion, Legislator Gregory.

**LEG. GREGORY:**

Commissioner, is there a timeline that we have to act on these funds?

**COMMISSIONER DORMER:**

Yes. Yes, there probably is, because we're going to be moving into the riding season, as they call it, so --

**LEG. GREGORY:**

I guess what my real question is, do we have to access these funds before the end of the year, or do we lose them?

**COMMISSIONER DORMER:**

The Chief reminds me that grants do have a due date with the State, and, if you don't make the due date, you lose the --

**LEG. GREGORY:**

Well, what is the due date?

**COMMISSIONER DORMER:**

Yeah, I'd have to find out on that.

**CHAIRMAN EDDINGTON:**

Well, at the very least, just to respond, you have made a commitment to meet, and we will have that meeting as soon as possible. We have another cycle coming up the beginning of next month. And I don't think anybody would be upset if we can make some kind of an agreement on how the enforcement -- I understand you have rules and regulations from the State, so I think if you can take the feedback from the community, I think we can come to some type of solution.

**COMMISSIONER DORMER:**

Mr. Chair, if I may.

**CHAIRMAN EDDINGTON:**

Yes.

**COMMISSIONER DORMER:**

We're attempting to find out right now what the time frame is on this grant. We can make some phone calls.

**LEG. LOSQUADRO:**

Jack, we could always discharge it if they get us the information.

**LEG. BROWNING:**

Discharge.

**CHAIRMAN EDDINGTON:**

Okay. So we'll table it for now and then bring it back up if -- okay. All right. Then I have a motion and a second to table. If we do get the information and it's time-sensitive, we can look at it again.

**LEG. LOSQUADRO:**

We can do a discharge.

**LEG. BROWNING:**

We can give a CN?

**CHAIRMAN EDDINGTON:**

We'll do a discharge at the end. I'll call it back up on the table.

**LEG. LOSQUADRO:**

On the motion. I will just say that if, for some reason, it's time-sensitive and this -- the body feels that an equitable solution is at least going to be worked towards, then we could always do a discharge petition.

**CHAIRMAN EDDINGTON:**

Okay. Well, then there's a motion and a second to table. All those in favor? Opposed? Abstentions? Okay. This legislation is tabled for now. **(Vote: Tabled 6-0-0-0)**

***(Applause)***

Okay. Now, if I could get the Commissioner's staff to address the Public Safety issue concerning the deaths in -- the death in Patchogue and what has been done and what is being done, I'd appreciate it.

**ACTING CHAIRPERSON BROWNING:**

Okay. I think we'll give everybody some time to move out before we begin. Okay. For the record,

we will take an additional two-minute recess until we can all get ourselves together. It's like everybody disappeared.

***[THE MEETING WAS RECESSED AT 11:32 A.M. AND RESUMED AT 11:37 A.M.]***

Okay. We are back in session and we have Moore, Chief Ponzo, Deputy Inspector Rios. Okay. If we're having any conversations that are not going to be sitting here at the table, could we take them outside, please? Thank you. Chief Ponzo, who is going to start? Is there a Commissioner going to start? I see Inspector Mojica disappeared on us, but I guess he'll find -- he'll find his way back in. We are ready. Please, begin.

**COMMISSIONER DORMER:**

Okay. If I may, we did find out about the timeline on the grant from the State on the motorcycle enforcement effort, and it's mid-January. That's when we have to make -- it has to be done by then, so you've got the timeline.

**ACTING CHAIRPERSON BROWNING:**

Okay. Thank you. Okay. I know that -- I guess Officer Quesada, did she leave? She did? No?

**AUDIENCE MEMBER:**

She'll be back in a moment. She'll be back.

**ACTING CHAIRPERSON BROWNING:**

Okay. Before you start, Officer Quesada came in to see me and there was an issue with a local deli. And I just want to put on the record, she went to visit them. She had a great conversation with the owners of the deli, the people that work there, and some of the issues that were brought -- that were received in my office, some complaints, and immediately they took care of it. So I appreciate that you put her on the job doing what she's doing. She's already showing some good results. Thank you.

**COMMISSIONER DORMER:**

Thank you very much. And we'll pass that on to her, if she's not here. Is she here.

**CHIEF MOORE:**

She's out. She'll be back.

**COMMISSIONER DORMER:**

She'll be right back.

**CHAIRMAN EDDINGTON:**

So, what's happening, Commissioner?

**COMMISSIONER DORMER:**

Okay. Thank you, Mr. Chair. As you know, we had this horrendous incident in Patchogue, and you know that, obviously, was disturbing to not just the Patchogue community and the surrounding communities, but everybody in Suffolk County. And all people of good will were outraged and horrified at this incident. And I should mention before we get into the details of what we've done in the Police Department in response to that incident, that I applaud publicly, before the Public Safety Committee, the officers that were working that night who apprehended the alleged perpetrators within minutes. Outstanding job by the officers in Patchogue that night, and I think that that should be stated right at the outset, because it would have made the investigation a lot more difficult, as you know, if these folk had left the area and now we had to try and find them. So they were right on the ball, they did the right thing, and, hopefully, we can move forward now. But these officers have been thanked personally by me for their outstanding actions.

What we've done is -- as you know, one of the major things that we did was change the Commander's position in the Fifth Precinct in Patchogue. Inspector Ty Mojica, I think some of you have met him already, is now the Commander in the Fifth Precinct. He worked for the Chief of the Department in an administrative staff position for a number of years. He's the highest ranking Hispanic officer in the Police Department, he's an outstanding professional. We have all the confidence in the world in Inspector Mojica, that he will do a great job serving the people, everybody in that community.

Also, the Deputy Commander, Deputy Inspector Jan Rios, also a Hispanic Commander, served in the Sixth Precinct, and in other commands in the Police Department, and he joined with Inspector Mojica serving the people of that Fifth Precinct area, and I think they're going to be well-served, and we know they'll do a terrific job.

We are in the process of doing a number of things that we think will certainly be a benefit, not just to the Police Service, to the Police Department, but also to the people that we serve. We have -- I have directed a complete analysis of all Fifth Precinct police reports filed since January 1st, 2008 to determine if any of them fit a pattern of activity or harassment against Latino people or Hispanics. This analysis has been conducted under the direction of the Chief of the Department. There are Captains assigned to this task, and, as we speak, they are doing that.

Number two, an Hispanic-speaking officer assigned to the Precinct Commander's office will call -- return calls to Hispanic complainants, victims, obviously, Spanish-speaking, to determine if they have been properly serviced by the Suffolk County Police Department; the retraining of all patrol officers and supervisors in the Police Department on responding to and reporting hate-related incidents; assign a Hispanic officer to the Community Outreach Bureau for outreach to Hispanic communities, and, also, as Special Assistant to the Police Commissioner, Police Officer Lola Quesada.

**LEG. BROWNING:**

She's here.

**COMMISSIONER DORMER:**

Did she walk in? Yes. And some of you have met her, an outstanding Police Officer, with an outstanding record of community service. And we have no doubt that she's going to be an asset to the Police Department and to the citizens we serve.

Radio, T.V. ads to reach out to the Hispanic community, to let them know that they can report crimes, criminal acts, or harassment incidents to the police without fear of their status being checked. This, by the way -- and we'll utilize the 1-800-220-TIPS number, and that's a 24-hour number that we have in headquarters.

I should mention, by the way, that this Department has a written policy, has had a written policy which everybody follows, that no person who's a victim of a crime or is a witness to a crime or an incident will have their status checked in Suffolk County, and that has been our policy from day one. And, actually, this Department has put it in written form, has made it part of our patrol guide, our rules and procedures. And I think that that's very important, because not many police departments have done that.

Citizens Police Academy for Hispanics. We're going to bring our Training Bureau, a mini Training Bureau, to Patchogue, and it's to educate the people in Patchogue about police procedures and how we handle incidents. It's not going to be the full-fledged citizens academy that we run a couple of times a year, it will be a mini version, and we think that that's the right thing to do, because there is a misunderstanding in a lot of communities, not just the Hispanic community, that -- about police procedures, and why we do things, and we think that that's important. By the way, we've done that in the First Precinct in the Wyandanch community and it was very well received.

The assignment of a Hispanic Officer to patrol Patchogue Village. Police Officer Pablo Morales, he's

got over 20 years on the job, Hispanic officer, speaks Spanish, comes from Patchogue. His parents owned the deli in Patchogue for a number of years. He knows the community, he knows the people down there. He has been down there now for a couple of weeks walking the streets. As the Chief pointed out, this officer volunteered to do this. He reached out to the Commissioner's Office to say, "Commissioner can I be of help?" And we certainly embraced him with open arms. And he, again, will be the face of the Suffolk County Police Department in the Patchogue Village area, working two tours. He'll work days and then switch off to evenings, back to days, evenings, and very enthusiastic about it.

We're going to audit all Hispanic hate crimes for the years 2007 and 2008 to ensure that they were properly classified under New York State Law, following the DCJS guidelines. That is being done as we speak. By the way, this is no reflection on the Hate Crimes Unit, and Detective Sergeant Reecks was told that by me. This is just good business practice. It's something that we should do and we're doing it.

We have large Hispanic populations throughout the County. Precinct Commanders are meeting today with the Chief of Patrol, the Chief of the Department, the Deputy Commissioner and myself, for to now audit their reports over the past months back to January 1st, 2008; find out, is there any pattern that would fit this pattern of harassment, robbery, assault, etcetera, because I have to explain that when Police Officers make up reports, they can make it up calling it a number of things, neighborhood dispute, disturbance, police information, attempted assault, harassment, attempted robbery, menacing, and so on. It is difficult to correlate in a computer these kinds of calls, so we need people to go back and actually pull the reports and look at them, and then we're going to retrain the officers on how they write these reports up, if there's any hint whatsoever of a racial, religious, ethnic, or sexual connotation to the incident, so that we'll be able to capture it on our computer system. So that's one of the good things that came about because of this horrible death of this young man.

As you may know, I know the Legislators from the Fifth Precinct know that we've stepped up patrols in the Fifth Precinct. That was the appropriate thing to do. Our job is to calm the fears of the community, to make people feel safe. We can say "You're safe, we're out here," but they have to feel safe, they have to know that. How do you know that? When you see a Police Officer, when you see an Officer on foot post, in a patrol car. That makes you feel safe.

Back to the hate crimes issue. And, you know, there's been a lot of controversy about how we tabulate, or how we report, or how we investigate hate crimes in Suffolk County. I should state, by the way, that in 2003 DCJS audited the Suffolk County Police Department hate crimes statistics, a normal audit that they do with police departments throughout the state. At that time, there were a number of categories that were being reported as hate crimes, that they directed Detective Sergeant Reecks, who's the CO of the Hate Crimes Unit, and the Police Department to cease reporting. And you may have read about this in the media. Some of them were obviously hateful incidents or hateful conduct, but didn't fit under the State Law, and they said, "Do not report them as hate crimes. You can investigate them and take appropriate action if there's a violation of law, but they're not hate crimes." I'll give you an example that a lot of people would say should be a hate crime. Desecration of a cemetery, where you have headstones knocked over, and actually sometimes graves disturbed. That is not a hate crime. Is it hateful? Yes, everybody understands that. And when we catch these folk, and we have, they are prosecuted to the full extent of the law. But remember that the hate crime statute, without getting into details, must target an individual that is a protected class and it must be a crime, so specifically targeting the person, and they commit a crime that's listed right in the Penal Law, in the State Law. We don't make it up, our opinion doesn't count. Unfortunately, a lot of things don't fit the hate crime statutes, a lot of things that you could think of, it's hateful, it should be a hate crime and it's not, it's not in the law.

This year the noose was added to the Hate Crimes Statutes, where the noose, if it's directed at an individual, is a hate crime. A burning cross on somebody's lawn is a hate crime. The other part of the Hate Crime Statute says that it has to be directed at a religious institution, a church, a mosque,

a synagogue. So when we investigate these things, when we have to charge, we follow the law.

Now the Hate Crimes Unit does pick up all incidents that has anything to do with hate. Detective Sergeant Reecks' Unit picks them up and at some point determines whether it really is a hate crime or not. And it is very difficult for people to understand why we don't charge a hate crime when it doesn't fit the law. It's very hard to get their minds around that. It's not our decision, it's the law. And do we like it in certain instances? No, but it's not what we like. It doesn't count, the law counts.

I want you to know that we aggressively investigate every incident that comes to our attention. We ask, especially the Hispanic community, to reach out to us. We've had posters and handouts made out for the Patchogue area, and for every other Precinct, advising them to come forward and report incidents to the Suffolk County Police Department, without fear of your status being checked. We have Hispanics or Latinos that report crimes to the Police Department every day. They deal with the same issues that everybody else deals with in Suffolk County. They can be a victim, they may need services, they need directions. They walk into the Precincts, the officer says "How may I help you?" They don't ask your status. Under Federal Law, we're not allowed to do it. And, number two, it's in your rules and procedures that you're not allowed to do it. We make it very clear and our officers follow the rules. If they don't, there are sanctions.

Also in our rules and procedures is the temporary Nonimmigrant Victims Federal Program. Nonimmigrant -- Immigrant Status Federal Program, where if you're a victim of a crime or you're required to prosecute a crime, you're given status by the Federal Government to stay in the country for up to four years. That is part of our written procedures. We've had people, by the way, avail themselves of that where they've been victims of a crime. We do the paperwork for them, and have done that over the past months. And all this, by the way, was in our procedures before the unfortunate Patchogue incident.

We have over 300 Hispanic-speaking members of the Police Department available to do interpreting, to sit down with somebody in the Precinct, go over their issues, over 300, and we have programs in place that the officers can access on their computers for to learn Spanish, the words that they need for to conduct their business when they deal with somebody on the street. In Suffolk County Police Department, we have 197 Hispanic officers of all ranks. Ty Mojica is the highest rank, the Inspector, but all ranks, from Police Officer to Sergeant, Lieutenants. We have a Captain, Hispanic Captain here today who was just promoted a little while ago, Teddy Nieves, and all the way up. And, eventually, you know, I hope Inspector Mojica is not going to hold me to this, but he's the future of this Department, the Suffolk County Police Department.

**INSPECTOR MOJICA:**

I want a transcript.

**LEG. LOSQUADRO:**

Don't wish that on him.

**COMMISSIONER DORMER:**

There was a meeting -- there was a meeting at the Patchogue Congregational Church on December 3rd, and we had -- Inspector Mojica attended that meeting, Detective Sergeant Reecks attended that meeting, Chief Ponzo attended the meeting, and people were invited in for to tell their stories, to don't be afraid, come in, tell us the story. I'm not going to get into the motives of why that thing was held and how it was conducted, that's not my issue, but we took 19, between the D.A.'s people and the Police Department, 19 complaints. Four of them are being investigated by Detective Sergeant Reecks as possible hate-related incidents out of the 19. The other complaints involve other government agencies, and they're going to be appropriately taken care of, landlord/tenant dispute, not getting paid their wages, that kind of thing. We're making sure, by the way, along with the District Attorney, that these are investigated properly, and that there's proper followup with the victims. The Chief reminded me that Lola was at that meeting, too. She -- did Lola come back, by

the way? Hi, Lola. She was at that meeting at the church.

I think what I'd like to do is just, if -- Inspector Mojica should be allowed to say a few words as the boss down there now in the Fifth Precinct. I know I've stolen a lot of his thunder. He was involved in this, you know, process, he's involved intimately right now in the process, and, you know, so I'd like to say to the Inspector -- if the Chair would like to hear from the Inspector.

**CHAIRMAN EDDINGTON:**

Sure.

**COMMISSIONER DORMER:**

It's your call.

**CHAIRMAN EDDINGTON:**

Sure. I guess, let me just start with a question. I'm wondering, do we have a Spanish-speaking officer at the intake desk at the Precinct?

**INSPECTOR MOJICA:**

Something like that is not an absolute guarantee from day to day, but, if the need arises, we do have the resources to get somebody there. If there's not a specific -- if there's not an individual there with that skill and the skill is needed, we do have the resources to make that available. So it's not like, "Come back tomorrow," or "Come back next week."

**CHAIRMAN EDDINGTON:**

Right.

**INSPECTOR MOJICA:**

It's just, "Sit down for few minutes and let's get the ball rolling," so we can do that.

**CHAIRMAN EDDINGTON:**

Well, I figured that if that wasn't the case, I would take the opportunity, while the Commissioner is here, to see if he can facilitate that, because I know that's one of the first things we did in the school district in areas that were highly Hispanic -- populated with Hispanics, is to have one of the secretaries there, so that maybe we could look into that. Because, if you want to make people feel accommodated, you need to have somebody that can welcome them in their language and not just say, "Okay, hold it. We're going to be trying to get somebody." You know what I'm saying. So maybe we could look into that. If not, we've got to invest in the Rosetta Stone training real quick, so --

**INSPECTOR MOJICA:**

It was noted earlier that we do have -- there are 300 members of the Department that speak Spanish. So, again, it's not a -- it's not a heavy lift to get somebody there --

**CHAIRMAN EDDINGTON:**

Great.

**INSPECTOR MOJICA:**

-- if, in fact, it's not an immediate presence, but it's not a heavy lift to get it done.

**CHAIRMAN EDDINGTON:**

Thank you. Do we have any -- yeah, Legislator Gregory.

**LEG. GREGORY:**

Thank you, Chief, again, for coming here today, and Commissioner, I'm sorry, and Chief, and the rest of your staff.

I'm pleased to hear some of the things that you guys have started so far. You know, it looks like you're definitely in the right direction. I just have just one basic question that came to mind. Do we have any bilingual operators? Because I know you said that you're referring people to the Crime Stoppers line. Are there bilingual people that -- at the Crime Stopper hotline and at 911, so that people can actually voice their complaints in the direction that we're steering them to?

**COMMISSIONER DORMER:**

Yes. Yes, we do. And they have to be certified, by the way. It can't just be somebody off the street. We have seven of them --

**LEG. GREGORY:**

Okay.

**COMMISSIONER DORMER:**

-- in Communications, and we're in the process of hiring one more this week, as we speak.

**LEG. GREGORY:**

But do we have someone on each shift, or is that a hit or miss?

**COMMISSIONER DORMER:**

Yeah. Well, again it's like what the Inspector mentioned about, you know, the desk. Just remember that if somebody is not there immediately to answer the phone, that we have the resources available to get them very quickly, if they're not working that night. Again, these 300 people that we have that speak Spanish are spread throughout the Police Department, from Police Officers all the way up to different ranks, and so there's always somebody working. And we have the lift, the Duty Officer has the lift, so -- and those, when they're working, and where they're working, so we can make instant communication to them, whether they're on the street or in a squad someplace.

**LEG. GREGORY:**

Okay. Now, you said that you're having a review of your statistics on hate crimes during the past year?

**COMMISSIONER DORMER:**

I'm sorry.

**LEG. GREGORY:**

You're reviewing your statistics, or reports and complaints.

**COMMISSIONER DORMER:**

Well, yeah. With the -- I mentioned about the Precinct. They're going back over all the reports, every one of them that has been filed since January 1, 2008. Just know that that's labor-intensive.

**LEG. GREGORY:**

Right.

**COMMISSIONER DORMER:**

And that's the time period we want to look at. Also, that's an audit of all the Fifth Precinct reports, and the Precincts that have a heavy Hispanic population are going to be doing the same thing. Huntington Station, for example, Brentwood, the Third Precinct, the Second Precinct just come to mind right away, and they're going to be doing that. They're going to be tasked with that over the next weeks. We don't think it should take months, but the next weeks. And if they do find something that resembles an issue with hate, we will follow up with that. We'll reach out to the victim complainant, the witness. And they're doing that as we speak, by the way, because some of the calls come in as a disturbance, as a harassment, and they could be lost, because they may be looked at as a minor incident. But they may be a symptom of a bigger issue, and so we want to know if there's something going on anywhere else, and so that's one.

Then the audit of the Hate Crimes Unit, again, we're looking at all the hate crime and hate incidents that came in that Sergeant Reecks' Unit investigated for two years, and we're having that reviewed. Each one is going to be looked at by a high-ranking officer in the Detective Division. Again, this is no reflection on any of the people that were involved in this, and I tell people that all the time. This is proper to audit what you've been doing, so that we can be confident that what we're doing is okay. If it's not, then corrective action will be taken. And by that, I mean, if we have to change procedures and we have to tighten up the way we take reports and put them into the system, into our computer system, we'll certainly work on that.

**LEG. GREGORY:**

Okay. Let's just -- yeah, let's just do that. Let's talk about procedure for a second. Say I'm a victim of a hate crime or an incident, or I'm a victim. An officer comes. I call 911, an officer comes, the officer takes my complaint. Now, he determines -- he makes the determination on the street whether he feels it could be possibly a hate crime or not, and then it's referred to the Hate Crimes Unit?

**COMMISSIONER DORMER:**

Actually, the victim has a lot to do with this.

**LEG. GREGORY:**

Okay.

**COMMISSIONER DORMER:**

If you were the victim of a robbery and the guy puts the gun in your face and says, "Give me your wallet," and you give him your wallet and he takes off and you call the police, it would not be carried as a hate crime, because it's a robbery.

**LEG. GREGORY:**

Right.

**COMMISSIONER DORMER:**

We don't have any of the requirements under the Penal Law to show that this is a hate crime. Now, if there was some language exchanged, if this person said something to you, that would be very important on how the officer wrote that up. For example, if there was, you know, derogative terms made to you, that would -- clearly, you were targeted because of your race, or ethnic background, or religion, or sexual orientation, the officer would now refer that to the Hate Crimes Unit.

**LEG. GREGORY:**

And then the Hate Crimes Unit looks at that report and they agree with the determination, or they make the determination, or how does that --

**COMMISSIONER DORMER:**

No. When they get the report, and they'll get the report immediately, they're called immediately, it doesn't matter what time of the day or night. It doesn't go through channels, the report. They get called out, the recall system, and they will interview you, and they'll take a statement, exactly what transpired, what was said to you. "Why were you robbed?" "Was it just because the guy wanted your money, or did he do it because of your race or your ethnic background?" Now, they can be a combination of both, people should understand that, but it's very -- a lot of times the victim will say, "He was just a robber," you know, "He robbed me," but they'll still pick it up. If that officer called, Sergeant Reecks people will go out, and then they may write it off as a non-hate crime. But they have responded to that incident and they'll carry that incident, you know, that they responded to it, but it didn't reach the level of a hate crime. The victims are usually satisfied with that, that's not an issue. If a victim has a problem with it, then there is usually a problem if they think they were targeted for -- again, because they were a protected class.

**LEG. GREGORY:**

Okay. That's all I have.

**CHAIRMAN EDDINGTON:**

Just before I call the other Legislators, I just wanted to apologize to Legislator Nowick. Her Committee should have started ten minutes ago, and this is unlike, usually, my committees, but this is such a serious issue that we don't want to cut you short, so -- but we have to do the agenda yet, too. So, with that in mind, Legislator Horsley.

**LEG. HORSLEY:**

Commissioner, let me refer to you, or have you refer to this package that you provided with us today on statistics for crime in Suffolk County, in which, by and large, looks extraordinary. The only issue that seems to have increased would be murder/manslaughter.

**COMMISSIONER DORMER:**

Yeah.

**LEG. HORSLEY:**

I'm looking for general comments on that. But besides -- beside that, in poorer economic times, during a recession, it is -- you know, it seems to be common thought that when things are bad, crime goes up, we need more Police Officers on the street, all those comments. We hear it every day and is accepted. But, yet, I'm looking at some numbers that look very positive, and that may be a tribute to our Police Force and their actions, and your policies, and your -- the Police Force in general.

Let me ask you something, is -- including your comments about your report. The issue is, is this something that is Suffolk-specific, or are we -- that these good numbers are coming out, or, you know, how does this compare to, say, Nassau or the City? Are we seeing a general decrease in crime across New York State or Nassau, or whatever, or is this something that is just special because we are that good? I mean, could you comment on that?

**COMMISSIONER DORMER:**

We are that good.

**LEG. HORSLEY:**

I thought you'd go there.

**COMMISSIONER DORMER:**

And that we are very, very proud of the job that our Officers, and Supervisors, and Detectives do every day. They do an outstanding job. And I just wanted to get that on the record. And I think that the members of this Committee --

**LEG. HORSLEY:**

We all agree.

**COMMISSIONER DORMER:**

-- are well aware of that. The statistics in Suffolk County beat other municipalities of the same size. We're doing better. I don't want to get into any other municipality. They take care of their shop, we take care of ours, but we're very proud of what we do. These numbers speak for themselves, by the way. And you will have people -- I know that the unions had a press conference just before in the lobby and they were blasting us because crime was up, okay, using the same old scare tactics that they use all the time. And I want to say here, I want to refute this allegation that crime is rampant in Suffolk County. It's not. As you can see from the matrix that we handed out to everybody, crime is down across the spectrum. Now, that's over four years and into 2008. I gave the 2008 figures.

**LEG. LOSQUADRO:**

I haven't seen those.

**LEG. HORSLEY:**

Yeah, they're right here.

**COMMISSIONER DORMER:**

Oh, I'm sorry, you didn't get one.

**CHAIRMAN EDDINGTON:**

What you did is you put ten copies of -- we thought it was, you know, done for us.

**COMMISSIONER DORMER:**

No, no, no, no, no.

**LEG. LOSQUADRO:**

We're trying to collate ourselves up here.

**COMMISSIONER DORMER:**

I have it here.

**CHAIRMAN EDDINGTON:**

I'm sure you weren't trying to confuse us.

**COMMISSIONER DORMER:**

That wasn't done on purpose, by the way.

**CHAIRMAN EDDINGTON:**

Of course not. Of course not.

**LEG. HORSLEY:**

It was a test to see if we'd know the difference.

**LEG. BROWNING:**

We're paying attention.

**COMMISSIONER DORMER:**

I have extra copies here.

**LEG. BROWNING:**

We're paying attention.

**LEG. LOSQUADRO:**

Could we maybe have someone make a copy of the full packet?

**CHAIRMAN EDDINGTON:**

Yeah. Could you give my Aide the full packet and then we'll get the full packet?

**LEG. BROWNING:**

Is there three pack -- three pieces in the packet?

**LEG. LOSQUADRO:**

How many pages?

**LEG. HORSLEY:**

Oh, we get billboards now.

**COMMISSIONER DORMER:**

Okay. Thank you. Mr. Chair, I have the displays --

**LEG. HORSLEY:**

Did I start this?

**COMMISSIONER DORMER:**

-- just to make -- you didn't get one?

**LEG. HORSLEY:**

No, no. Did I start this? I mean --

**COMMISSIONER DORMER:**

No, this --

**LEG. HORSLEY:**

It was a simple question.

**COMMISSIONER DORMER:**

No, this is fine. I think --

**CHIEF MOORE:**

We're glad you asked.

**COMMISSIONER DORMER:**

If I may, Mr. Chair, if I could, you know, I mentioned before that the union or the unions had a press conference talking about crime being up in Suffolk County. That's the reason that you're looking at these figures here today, that's the reason that you got a handout, so that we'll deal with the facts. These are the numbers that we give to DCJS in Albany. These are verified numbers. We stand by these numbers. This is not somebody believes, somebody thinks. And I just have to say that these scare tactics, by the way, are not going to work when we show these figures here today, when we show actual numbers that are verified and go to DCJS.

Now, since 2003, we used that as a baseline, because it was the year before we came in, to 2007, murder/manslaughter was down 12.5%, and so on. Violent crime over that four years is down 8.2%. Property crime is down 10.58%. The ten-month period, I wanted to include the first ten months of 2008, so we compared ten months, ten months of the past year, so that they'd all look the same. And if you can see, murder/manslaughter went from 25 to 30. That is the only crime, violent crime that's up. And I think that we all agree that these crimes, by the way, are not in any way impacted by Police Officers on the street. Murder, unfortunately, is usually between people that know each other or are acquainted in some way, and police presence in every jurisdiction, not just Suffolk County, are not impacted by police -- the number of police on patrol. Now, having said that, I should mention that in the sector patrols today, sector cars, the people that answer 911 calls that are out on the street patrolling, we have 140 more officers in that command than we did January 1st, 2004. These are facts. In fact, if you go to the last graph, when we came on board in 2004, we had 50.9% of our Police Officers in sector cars. Today, we have 63.25%, an increase of 13 1/4%. These are facts. We verified this with Budget. The Budget Review Office has reviewed these numbers and we stand by them.

The figures speak for themselves, Mr. Chair, and anybody that goes before the media and says that this County is in trouble because of crime, okay, is being disingenuous, and I say bring your figures forward. If anybody says that, you bring up your graphs. Bring me the certified figures from someplace that show otherwise. But we're very satisfied with that, and I'm sure that this Committee, when they look at the figures, are going to be satisfied with it, and, again, it's because of the outstanding work that our officers and detectives do every day on the streets of Suffolk

County.

**CHAIRMAN EDDINGTON:**

Thank you. Does anybody have any questions?

**LEG. GREGORY:**

Mr. Chair, I have a question, comment.

**CHAIRMAN EDDINGTON:**

Yes, Legislator Gregory.

**LEG. GREGORY:**

I don't think you'll find a bigger supporter than me. Since I've been here, my short tenure here, the Legislature has advocated for more police. A lot of crime going on in my community. Yes, a lot of the numbers are down. You guys have done a great job. But when we look at the one area that there's an increase, there's a 20% increase from 2007 to 2008 in murders and manslaughters, 80% of that 20% increase comes from my District. Four out of those five deaths came from my District, just one death just two weeks ago, so I'm very concerned.

I don't want to get in between the match between you and the Police Unions. You know, I've said it and I'll say it again, we need more police. The debate doesn't settle crime, I just want it to stop. Whatever's going to happen, to whatever we can do to stop the increase in violence that we all expect because of the recession, because of what's going on, whatever it is, the water, the air, I don't know, something's going on. We need to sit down at the table and address it.

I appreciate you coming forward today and bringing these numbers, but I just wanted to highlight again that there's some real serious issues in my community, and I hope that we can address the murders and the manslaughters, these very serious violent crimes that are going on in my community, just as we have addressed the other issues and the other statistics all across Suffolk County.

**CHAIRMAN EDDINGTON:**

Thank you.

**COMMISSIONER DORMER:**

If I may, Mr. Chair, could I answer -- follow up on that?

**CHAIRMAN EDDINGTON:**

Briefly.

**COMMISSIONER DORMER:**

You're bringing up a good point. We -- I directed about three weeks ago that we form a Gun Team. These are a special Task Force, special impact team concentrating on gun violence in specific arenas or areas in Suffolk County, and they will be starting at the beginning of the year, and it will be tasked with reducing the possession of guns and the possession or the use of guns in crime, and your community is going to be one of the impact zones or hotspots. So this -- right now, the training is ongoing with the group. They have to be properly trained in this aspect of policing, and we think that it's the right thing to do. And they'll be detached from patrol. They'll be doing this specific gun initiative, gun violence initiative. We also have a Gun Buy-Back Program, which is going to be in the First Precinct that --

**LEG. GREGORY:**

We got the flier.

**COMMISSIONER DORMER:**

-- that Lieutenant Donohue is working on, and we hope that that's successful. We're working with

churches in your community, in your Legislative District, to get handguns off the street. I believe they're going to pay -- is it \$200 per gun? Yeah. And we just received the Impact Grant, which, again, I think you're going to vote on, or you voted on, where we initiate impact teams into hotspots in the County, in the Police District. So that's going to be ongoing in 2009, and the numbers are going to reflect it.

Your point about more cops, I don't want anybody to forget that sector cars have been increased under this administration. Since 2004, we've put six sector cars, I think a couple of them in Legislator Losquadro's District

**LEG. LOSQUADRO:**

One-and-a-half.

**COMMISSIONER DORMER:**

Well, one-and-a-half. Okay.

**CHAIRMAN EDDINGTON:**

Right.

**COMMISSIONER DORMER:**

It wasn't there before, full service Seventh Precinct. I could go on and on.

**CHAIRMAN EDDINGTON:**

But, please, don't.

**LEG. GREGORY:**

Yeah, we have 20 --

**COMMISSIONER DORMER:**

We have 140 more cops.

**LEG. GREGORY:**

We have a 20% increase in murders.

**COMMISSIONER DORMER:**

Well, if you look at the numbers -- unfortunately, unfortunately, when you -- I agree it's 20%. It went from 25 to 30. If -- one is too many, I understand that. I understand that, so -- and we have a terrific Homicide Squad that clears these murders very quickly. Now, I understand that that's after the fact, but I hasten to say that the police, unfortunately, unfortunately in a lot of instances, cannot do anything about the murder, about the particular murder. But, if we can get the guns off the streets, if we can show a presence on the streets -- and that's where the extra cops are coming in. We have extra holiday patrols ongoing now, as we speak, in spare units at downtown shopping malls, in our large malls in Suffolk County. This is ongoing.

**CHAIRMAN EDDINGTON:**

Okay. Thank you. Legislator Vilorio-Fisher.

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

Thank you, Mr. Chair. I'm not a member of this Committee, so I appreciate your indulgence. Thank you for being here, Commissioner, and to everyone. I only have one bone to pick with you before I ask my questions, and that is you stole Jan Rios from my District and we miss him already.

But, on a more serious issue, you spoke of that meeting at the Congregational Church, and, you know, I have a lot of problems with what occurred there, but I have two very specific questions regarding that. The first one, I had read in the paper that somebody from outside of Suffolk County

invited the Guardian Angels to come here and to help patrol the streets. I have a very basic problem with the inherent nature of their leadership. Mr. Curtis Sliwa was here in Suffolk County about 18 months ago at a Conservative Party dinner where he had extraordinarily vicious and derogatory remarks aimed at me and against me, never having met me, because of my stance in the protection of the rights of all residents of Suffolk County, and my position against some of what I call anti-immigration policies. And Mr. Sliwa took that opportunity to use my name and my character as raw meat that he threw out at this Conservative Party dinner. I have a real problem with somebody who makes those kinds of comments against a sitting Legislator, crowning himself as a savior who's going to go out and protect our streets against the very people that he's railing against. So, you know, I just want to put that on the record, and I want to underscore that for you, Commissioner. Of course, I was not at that dinner, not being a member of that party or supporter of it, but I did want to bring it to your attention, because it was a personal attack against me.

I hope that we can have enough police out there, and our Suffolk County Police I think can hold their heads, head and shoulders above anybody trained as a peace officer. I've seen nothing but professionalism in the peace officers that I know here in our Police Department, and I would rather see them patrolling the streets than people imported from out of Suffolk County. That's the first thing I wanted to mention.

The second thing is a question. You said that there were 19 complaints that came out of that meeting. My question, and I think this issue begs the question, why had those 19 complainants not felt comfortable enough or avail -- able to avail themselves of our Police Department that those complaints had not been made before that?

And then I have a third, and you can answer these any way you want, but my daughter in school, as part of the DARE Program, had taken --

**LEG. LOSQUADRO:**

The what program?

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

DARE Program, you remember that? Something, I think it was called, and forgive me, I don't remember the acronym exactly, I think it was called SMART or START, and it was an anti-racial prejudice course. It was part of the DARE Program, training kids on how to get along better with and break -- was it called START? Does anybody --

**CHIEF MOORE:**

STARE.

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

STARE, okay, that's what it was, the STARE Program. Now that we don't have DARE in our schools, how are we getting this message to our kids, where, clearly, we have such a need for this message and we're seeing, I think -- and we also don't have enough support of Crime Stoppers in our schools. Gentlemen and Ladies, we need to get the message to our students. I know, as a teacher, it was part of my curriculum to put it into my literature studies, examples of where kids either hazed or harassed, or joined a group to, you know -- or watched a group of peers attacking somebody else and did nothing. That was all part of how I taught literature in my classroom, but it can't be anecdotal, it has to be a strand in all of our educational endeavors. So, I put a few things before you, and if you could just respond to whichever you can.

**COMMISSIONER DORMER:**

Well, thank you. Our Police SMART Program does cover, you know, dealing with different ethnic groups. That's part of the program, and -- but you're bringing up a good point about the schools. We have 40 school resource officers in Suffolk County Police Department, 10 of them are full-time, 30 of them are part-time. That means they have more than one school that they go to. And, you know, again, it was something that we didn't have when we came on board in 2004, and so we

found that even the part-timers are, you know, well received and needed in the schools. I hear from the schools all the time, "Please, don't take my School Resource Officer away."

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

But they have a very different role from what had been done with the STARE Program, it's a very, very different role.

**COMMISSIONER DORMER:**

Yeah. No, I know. No, we're aware of that.

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

We don't really have a STARE Program now.

**COMMISSIONER DORMER:**

We're aware of that. And one of the things that Lola is going to do is reach out to the schools in that District and, you know, build up some kind of program with them, so that we can address that. But, you know, the schools, the police can only do so much. You know, everybody looks to the police to do everything, and, you know, we do what we can, we help people, we'll help the schools with programs, but, you know, our primary function is to be on the street answering 911 calls and dealing with the issues on the street, that's our main role. And so we've gone into this whole other arena, and, you know, that you brought up, and it takes everybody for to make this work, but --

**CHAIRMAN EDDINGTON:**

Commissioner, I want to add something, because, you know, having been in drug education for 28 years and in education, schools, you know, it seems that I see a theme. We put more responsibility on the teacher to do more than just teach, to be a social worker, a psychologist, a guidance counselor and a parent, and I'm seeing the same thing happening to the police. And, you know, this is not a new concept that I'm going to say, but the number one prevention program in the world is parenting education. And I would like to see us start directing some funds to educate the parents, because, I mean, when I look back into even the Patchogue event -- incident, it's a continual thing. Everybody else does early intervention, that's what you're doing, early intervention. What we really need is prevention, and we have to somehow connect -- if it's going to be the police and the educators, with the parents who spend the most amount of time teaching these kids. So, you know, I just -- I don't want you guys in the schools doing the teaching, because I want you out patrolling, but I would like some education with parents. So, if you can get a program together, or, if you do, I'd like to see more of that, because teach a parent, they teach all their kids, you know, because I want the police out on the streets.

**COMMISSIONER DORMER:**

If I may, Mr. Chairman, also, in response to Legislators' question, Lola, do you want to say --

**OFFICER QUESADA:**

Sure.

**COMMISSIONER DORMER:**

-- a few words?

**OFFICER QUESADA:**

I would like to thank everybody, the Ladies and the Gentlemen of this Committee, for giving me the opportunity to talk.

As you know, I am the Community Outreach Liaison for Suffolk County Police Department to the Hispanic community. During the time that I have been a Liaison, I have actively reached out to several of the churches, several of the communities that service the Hispanic community. I am actively trying to also reach out to the school districts, which I did this week with William Floyd School District, which is one of the largest school districts here in Suffolk County. I did so almost for

dynamics reason, only because I am a member and a resident of the William Floyd School District. I am reaching out to everybody that I possibly can to educate.

The main concern that I hear from the community -- I happen to be bilingual, born in South America in Ecuador, so I know the language well. I communicate with a lot of the Hispanics in a level that I can get them to be comfortable with me. My job is to be able to communicate with the Hispanic population through community servicing agencies that can give this word out, too, that we are here to assist them. We're here to possibly educate them in different services. We're here. As you know, Legislators, that every District has different availability for different services. Some of them have stronger things in one District, some of those-- I'm trying to get all these services to be available to many people in order for them to have it available. If we don't let them know that we have them available, they can't reach out to us.

The same thing with the incident in Patchogue, I spoke to a lot of the residents there, the people that were able to come to me in a comfortable level and say, "You know what, we" -- "it's not like they didn't service us, the Police Department, we were afraid to call." So how do we service people that are afraid to call? So we come back to the educational part. I am here to educate them, to let them know, this is our policies, "Let me tell you, don't be afraid." I keep telling them, "Don't be afraid of us. I am here to voice your concerns." And I'm very proud today to come to you to tell you that I will do my best to do that for each of the districts. I will, hopefully, meet with you individually and in a future date and that's what I'm doing for this Department.

**CHAIRMAN EDDINGTON:**

Thank you, and I commend you for your actions. Thank you. Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. Commissioner, Chiefs, I appreciate you coming down here and giving us some of these statistics. I'm going to have to look through these at a little more length. The last page, something that's always of interest to me when you talk about staffing in the Department, I'm sure it's just a clerical error, but the percentage change in the number of officers is wrong, it's 12.35%, not 13.25%. I just looked at it and I thought the math looked wrong to me and it is.

**COMMISSIONER DORMER:**

That was on purpose.

**LEG. LOSQUADRO:**

Just testing, that's right, making sure we're on top of things. But one of the things I wanted to point out was you've given us up-to-date statistics on the number of officers, but a lot of these statistics here only go through October 31st. Legislator Gregory pointed out he had an incident in his District only two weeks ago. Some of these things have really been in the throes of this economic downturn, and I think we all, unfortunately, only expect things to get a little worse. So it will be interesting to see what those statistics show through the end of this year, unfortunately. And, you know, I see we've taken certain time periods out of certain years that are different than others. So I'm going to have to look at this very carefully to analyze exactly what these numbers show. And I won't repeat my favorite Mark Twain line about statistics, but we all know what that is. But what I will ask again, I have asked for this many times, and I like when you give me these charts, because it allows me to do my accounting again, 147 less officers, 140 more on patrol. That's 287 officers that have been transferred or moved into sector patrol from other areas.

**COMMISSIONER DORMER:**

No, not necessarily. We've hired 180 officers.

**LEG. LOSQUADRO:**

Well, you have to use the microphone, sir.

**COMMISSIONER DORMER:**

I'm sorry. We could have a lengthy discussion on this thing, but you're leaving out the equation that we've hired since 2004 180 officers -- I'm sorry, 280 officers. There was 130 and --

**LEG. LOSQUADRO:**

I understand that, but raw numbers, there's less than -- there was 147 less in the Department.

**COMMISSIONER DORMER:**

Yes. Yeah, that's correct.

**LEG. LOSQUADRO:**

So, regardless of whether or not you hire people, that still means that there were people, even if they retired doing a different job than someone's doing now, that means that there is a function or a position that is no longer being serviced in the same way. I don't know what those positions are.

**COMMISSIONER DORMER:**

Yeah, that's true.

**LEG. LOSQUADRO:**

That's what I continued to ask.

**COMMISSIONER DORMER:**

That's true, there are sworn officers that, when we came on board in 2004 --

**LEG. LOSQUADRO:**

Right. We have less civilians now than we did in January of 2004.

**COMMISSIONER DORMER:**

If I may --

**LEG. LOSQUADRO:**

Budget Review has confirmed that for us in the budget process. Some of that was due to the early retirement incentive. But the fact of the matter is we have fewer -- we've hired people, we've hired civilians, but the fact of the matter is, live bodies, we have fewer now in the Department than we did in January of 2004. That's something we just went through at length in our budget process.

**COMMISSIONER DORMER:**

No, he's not asking me the question.

**LEG. LOSQUADRO:**

That was a statement, sir.

**COMMISSIONER DORMER:**

Yeah.

**LEG. LOSQUADRO:**

Because I was afraid we were going to go back into the civilianization issue, and I didn't want to get into that, because we do have fewer now than when we started then.

So, again, all I'm asking for is -- it's 287 officers. We are a policy-making body. I think everyone on this panel, everyone in this Committee has asked a question, I've asked it repeatedly, we just want to know what the Department is doing differently. What has been the policy change, what has been the shift in the staffing in the Department? What are you not doing that you were doing before? Because, I mean, that's a lot of officers. That makes up a significant amount. We have a fairly large Police Department, but not -- you know, it's not New York City where you have 30,000, 40,000 officers. 287 officers is a large percentage of the population of our Department. What jobs

have they been transferred out of, what functions are no longer being filled or being serviced? Just where did those bodies come from to where they are now?

I think we all agree that sector patrol -- and you're right, it makes people feel safe, we want to see bodies on the street, but at what expense? Where did they come from? Maybe even it's not an expense. Maybe you've done analysis and said, "You know what, we don't need these people doing that function anymore." But I don't know if that accounts for all of those, because every time I ask that question, I get nods, I get, "Yes, we'll take care of that up here," and then there's nothing forthcoming to my office in terms of an accounting for this number of individuals. And this is the highest number I've seen to date. You know, we're getting close to 300 bodies now that we've moved in this time period.

So, again, I will make the request formally. I will put it in writing. Please, to the members of this Committee, if only to myself, so you have to -- so you can stop listening to me, please, I would like to see an accounting of where these transfers came from. Are some of them, and I've asked this question before, are some of them partial year? Are you accounting for three weeks out of this unit and two weeks out of this unit? Where are these individuals coming from? Are they not being moved out of their units in their entirety and you're doing a conglomeration of the number of weeks or hours that they're working to account for that? I would like to see that. I think that would be very beneficial for us to see how our policy decisions are working.

And, you know, regardless of what the Department had officially asked for, I hope that you are all pleased that this body added a class of 80 additional officers to next year's budget. I think that was something very important, and something that we won't have those individuals out on the street until the summer of '10. But I think that that's something that we are going to need, given that within that time period we're going to have our normal rate of attrition from retirements and injuries. So I would like that information. It would be very helpful to me in terms of my deliberations on how I move forward on policy decisions. Thank you.

**CHAIRMAN EDDINGTON:**

Okay. Well I would have to say thank you very much. And, actually, we have to get to the agenda, so I appreciate it. And maybe you can make contact with Legislator Losquadro. Otherwise, I'll just play the recording of this, so we won't have to have him say it again, so -- but I would like to have that answered for him satisfactorily.

**COMMISSIONER DORMER:**

Thank you very much

**CHAIRMAN EDDINGTON:**

Thank you. Okay. Let's get to the agenda. ***I.R. 1499 - A Local Law to require that Probation Department employees use County vehicles while conducting County business. (Losquadro)***

**LEG. LOSQUADRO:**

Table for public hearing.

**CHAIRMAN EDDINGTON:**

Legislator Losquadro, table for public hearing.

**LEG. HORSLEY:**

Second.

**P.O. LINDSAY:**

Legislator Horsley seconded it. All those in favor? Opposed? Abstentions? ***(Vote: Tabled for Public Hearing 6-0-0-0)***

***I.R. 1865 - Establishing the Police Fund Review Committee to examine the impact of escalating Suffolk County Police Department personnel cost on the fiscal stability of the police fund. (Co. Exec.)***

**LEG. BROWNING:**

Motion to table.

**LEG. GREGORY:**

Second

**CHAIRMAN EDDINGTON:**

Motion to table by Browning, second by Legislator Gregory. All those in favor? Opposed? Abstentions? **(Vote: Tabled 6-0-0-0)**

***I.R. 1904 - Establishing community safeguards from registered sex offenders placement in emergency housing (Schneiderman).*** Make a motion to --

**LEG. BROWNING:**

I'd like to make a motion, table subject to call, based on the information provided us by Laura Ahearn

**LEG. LOSQUADRO:**

I will make a motion to table. I think that the information provided by Ms. Ahearn, while informative, did not address some of the concerns that the sponsor has. I think we do have a situation, you know, to deliberately not provide someone sanitary facilities within their accommodations in hopes of moving them out faster I think raises a whole host of other questions that are not related to this bill. But I think that the sponsor of the bill has some legitimate concerns about safety protocols that are not being provided by our law enforcement agents on a facility that on its face -- you know, we're saying we're placing these people at the jail, and I think that the public would have the expectation, when they hear that it's placed at the jail, that we're having -- somehow our law enforcement, sworn law enforcement personnel, are having some hand in monitoring these individuals when that's just not the case, and we heard that testified to today. I think the sponsor has a legitimate concern. I'm not saying this bill is necessarily the right answer, but I'd like to give him a chance to amend it.

**LEG. NOWICK:**

Second.

**LEG. BROWNING:**

Fine. You know, I think this resolution is basically in opposition to having them at the jail, period, whether it's the correction officers or a security company to do it.

**LEG. LOSQUADRO:**

We could always move them to the jail in Yaphank.

**LEG. BROWNING:**

I can -- actually, they can't because of the construction, because I know that's been questioned. However, you know, I will withdraw my motion, but again --

**CHAIRMAN EDDINGTON:**

Okay. We have -- oh, sorry

**LEG. BROWNING:**

It's not -- it's not resolving the issue I see for the Legislator, but, at this time, it's the best place to have them.

**CHAIRMAN EDDINGTON:**

Okay. Legislator Browning withdraws her recommendation for subject to call. We have a motion to table by Legislator Losquadro and second by Legislator Nowick. All those in favor? Opposed? Abstentions?

*(Vote: Tabled 6-0-0-0)*

*1991-08 - Directing the Department of Public Works to issue an RFP to perform a study on the creation of one Police District for Suffolk County (Beedenbender).*

**LEG. LOSQUADRO:**

Motion to table

**LEG. GREGORY:**

I make a motion to discharge without recommendation.

**CHAIRMAN EDDINGTON:**

Okay. We have a motion to table by Legislator Losquadro and a motion to approve without --

**LEG. BROWNING:**

Discharge.

**LEG. GREGORY:**

Discharge.

**CHAIRMAN EDDINGTON:**

Discharge without recommendation.

**LEG. BROWNING:**

I'll second.

**CHAIRMAN EDDINGTON:**

Legislator Browning seconds the discharge without recommendation.

**LEG. LOSQUADRO:**

On the motion?

**CHAIRMAN EDDINGTON:**

On the motion, Legislator Losquadro.

**LEG. LOSQUADRO:**

Do we have -- based on the concerns that I raised at the last Committee meeting, do we have any indication or any documentation that there are departments that are interested in participating in this? And if so, are they willing to contribute to the cost of this study, or that would be borne entirely by the County?

**CHAIRMAN EDDINGTON:**

I don't have an answer to that.

**LEG. GREGORY:**

I know my department's against it. I will not be supporting it, but I'm willing to allow the study to go forward so that there are other departments that are willing to buy -- not buy into but to combine themselves with the Police District, that's fine with them. I know I won't be supporting and my community won't be supporting combining with the Police District. But the study, I can support the motion for the study.

**LEG. LOSQUADRO:**

Well, as I said, I'm not necessarily opposed to it. I think if other departments -- and this has been offered for quite some time to them. But if they are interested, they should come forward and they should bear some of the cost of this. They are other taxing entities and I just don't think this cost should be borne entirely on the part of Suffolk County.

**LEG. HORSLEY:**

Do we have a cost on this, Dan?

**LEG. LOSQUADRO:**

There's obviously going to be a cost associated with it; I don't know what that is and I think that makes it even more subject to scrutiny at this point because it is a yet undetermined cost.

**LEG. HORSLEY:**

Do you want to ask BRO to see if they have any comment on that, on the cost?

**CHAIRMAN EDDINGTON:**

John?

**MR. ORTIZ:**

This resolution simply just directs DPW to issue an RFP which would have a consultant do the study that would determine the cost or the savings and a cost benefit analysis Countywide. So the resolution itself, the impact is just the cost of issuing the RFP.

**LEG. LOSQUADRO:**

But when we issue the RFP, we are not -- it doesn't come back to us to be let and once it's let, the contract is then granted to the consultant that wins the RFP, that's selected by the Department; correct?

**MR. ZWIRN:**

If I might, Mr. Chair?

**CHAIRMAN EDDINGTON:**

Yes, Mr. Zwirn, please.

**MR. ZWIRN:**

The County Executive looked at this bill and we would agree with Legislator Losquadro with respect to this. There has been no interest expressed by any of the five East End towns that have their own Police Departments or any Villages that they would want to participate and join the Suffolk County Police District. Unless we would see that there was some support, it would be almost pointless to go ahead if we're not going to -- after we do the entire study, you know, we have a study and we have no support from the police departments --

**LEG. LOSQUADRO:**

Please take note that Mr. Zwirn and I are agreeing here.

**LEG. GREGORY:**

Where's the defibrillator?

**LEG. LOSQUADRO:**

But --

**MR. ZWIRN:**

Every once in a while Legislator Losquadro makes sense and I have to -- I'm forced to come up here and say we concur.

**LEG. LOSQUADRO:**

But I think especially in economic times as volatile as this, things change so rapidly, we could do this study and then have the numbers be completely obsolete six months from now when one of these departments decide they might want to come on board and we might have to redo the whole thing to prove to them that it might be something that's economically viable. I don't see doing this without a clear expression of interest and possibly a cost sharing on the part of those departments, but that would be determined once we knew which departments we're asking. I think without -- in the absence of that, I can't support it.

**MR. ZWIRN:**

And that would be the County Exec's position as well.

**CHAIRMAN EDDINGTON:**

So let me just clarify this. If it's discharged without recommendation, it's not approved, it has to come before all of us and at that time we could just say "no" if it doesn't meet the requirements that we're all asking right now. So do we have -- all right, on that motion, do we have a -- you made the -- Legislator Gregory, is there a second?

**LEG. BROWNING:**

I second.

**CHAIRMAN EDDINGTON:**

Seconded by Legislator Browning. Then we'll go with on the motion; all those in favor? Opposed?

**LEG. LOSQUADRO:**

Opposed.

**CHAIRMAN EDDINGTON:**

One opposed. Abstentions? Okay, *discharged without recommendation. (VOTE: 5-1-0-0 Opposed: Legislator Losquadro).*

*I.R. 2093 - A Local Law to protect Suffolk residents by permitting the seizure and forfeiture of vehicles engaged in unlawful fleeing a police officer in a motor vehicle (Co. Exec.)*

**LEG. BROWNING:**

Motion to approve.

**MR. NOLAN:**

I think Public Hearing is recessed, so it has to be tabled.

**CHAIRMAN EDDINGTON:**

Oh, okay it has to be --

**LEG. BROWNING:**

It was recessed? Okay.

**CHAIRMAN EDDINGTON:**

Okay. It has to be tabled for Public Hearing. I'll make that motion.

**LEG. LOSQUADRO:**

Second

**LEG. BROWNING:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Browning. Yes, sir.

**MR. BROWN:**

Well, Legislator Losquadro didn't pose the question this time he did at the General Meeting.

**LEG. LOSQUADRO:**

I did last time.

**MR. BROWN:**

Yeah, last meeting. This bill only has a one-conviction requirement in order to have a seizure and a hearing on the vehicle. And we did talk to Lieutenant Armet at the Police Department why he made that request, and then we looked at it from a legal perspective as well, and it's because of the lack of probability of there being more than one fleeing incident. And if we look at -- if we -- and we think that there's a rational basis for that.

**LEG. LOSQUADRO:**

As do I. I just didn't want to do something that would run afoul of the constitutional issue and put us in a situation where we would be subject to liability exposure.

**MR. BROWN:**

Yeah. We think we're good. We think we could defend it on a rational basis.

**LEG. LOSQUADRO:**

Okay, that's fine.

**CHAIRMAN EDDINGTON:**

Okay. So we have a motion to table for Public Hearing and a second. All those in favor? Opposed? Abstentions? ***(Vote: Tabled for Public Hearing 6-0-0-0)***

***Okay. I.R. 2110 - Accepting and appropriating grant funds from the United States Department of Justice, Office of Justice Programs, under the Suffolk County District Attorney's Elder Abuse Program. (Co. Exec.)***

**LEG. LOSQUADRO:**

Motion to approve and place on the Consent Calendar.

**CHAIRMAN EDDINGTON:**

Okay. So we're doing motion to approve by Legislator Losquadro, I'll second that.

**LEG. LOSQUADRO:**

And place on the Consent Calendar.

**CHAIRMAN EDDINGTON:**

And place on the Consent Calendar. All those opposed? Approved. Abstentions? Okay. ***(Vote: Approved 6-0-0-0)***

***I.R. 2111 - Accepting and appropriating a grant in the amount of \$1,594,095 from the New York State Division of Criminal Justice Services for the Operation Impact V Task Force with 96.62% support. (Co. Exec)***

**LEG. LOSQUADRO:**

Motion.

**CHAIRMAN EDDINGTON:**

Motion to approve by Legislator Nowick, second by Legislator Losquadro. All those in favor?

Opposed? Abstentions? *(Vote: Approved 6-0-0-0)*

***I.R. 2113 - Accepting and appropriating a grant in the amount of \$731,500 from the New York State Office of Homeland Security for the Buffer Zone Protection Program with 100% support. (Co. Exec.)***

**LEG. LOSQUADRO:**

Motion to approve and place on the Consent Calendar.

**CHAIRMAN EDDINGTON:**

Motion to approve, put on the Consent Calendar by Legislator Losquadro, I'll second that. All those in favor? Opposed? Abstentions?

*(Vote: Approved 6-0-0-0)*

***I.R. 2114 - Accepting and appropriating 100% Federal grant funds awarded by the U.S. Department of Justice under the Edward Byrne Memorial Justice Assistance Grant to the Suffolk County Probation Department. (Co. Exec.)*** Same motion, same second. All those in favor? Opposed? Abstentions? *(Vote: Approved 6-0-0-0)*

***I.R. 2151 - Authorizing execution of law enforcement officer reimbursement Sub-Recipient Agreement with the Town of Islip for MacArthur Airport. (Co. Exec.)***

**LEG. BROWNING:**

What is that?

**LEG. GREGORY:**

Motion to approve

**CHAIRMAN EDDINGTON:**

Motion to approve by Legislator Gregory, second by Legislator Losquadro. All those in favor?

**LEG. LOSQUADRO:**

On the motion, quickly.

**CHAIRMAN EDDINGTON:**

On the motion.

**LEG. LOSQUADRO:**

I just want to make sure. I know we finally, I guess, got -- gotten it negotiated with the Town, or got the Town to apply to the TSA for the reimbursement of the funds for the services being provided by the SCPD; correct?

**MR. BROWN:**

Yes.

**LEG. LOSQUADRO:**

Is this something -- is the application just a formality process? Are we -- because I know we were hoping to get them to do this, because we figured we would get the money back once we got them to actually apply. So what's the likelihood of us getting reimbursement on this now that we got them to apply?

**MR. BROWN:**

I actually think they have some money in the coffers right now waiting to pay over to us.

**LEG. LOSQUADRO:**

Excellent.

**MR. BROWN:**

So, as soon as we get this agreement approved, yeah.

**LEG. LOSQUADRO:**

Fantastic.

**MR. BROWN:**

It's about a million dollars over five years.

**LEG. LOSQUADRO:**

Thank you.

**CHAIRMAN EDDINGTON:**

Okay. All those in favor? Opposed? Abstentions? Approved.

*(Vote: Approved 6-0-0-0)*

*J.R. 2155 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with the interim backup Fire, Rescue Communications Facility (Co. Exec.)*

**LEG. BROWNING:**

Motion.

**LEG. LOSQUADRO:**

I'll make a motion.

**CHAIRMAN EDDINGTON:**

Motion by Legislator Browning.

**LEG. LOSQUADRO:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Losquadro. All those in favor?

**LEG. LOSQUADRO:**

On the motion?

**CHAIRMAN EDDINGTON:**

On the motion.

**LEG. LOSQUADRO:**

If we have someone from FRES, I know -- I just can't recall. I know we had some discussion as to where the backup communications facility would be. This is an interim facility. Could we just get the location?

**COMMISSIONER WILLIAMS:**

The backup facility is going to be at the old Sixth Precinct in Coram in the basement.

**LEG. LOSQUADRO:**

Okay.

**COMMISSIONER WILLIAMS:**

That's where it's going to be set.

**LEG. LOSQUADRO:**

Excellent. Thank you.

**CHAIRMAN EDDINGTON:**

All those in favor? Opposed? Abstentions? Approved.  
**(Vote: Approved 6-0-0-0)**

***I.R. 2192 - Accepting and appropriating a grant in the amount of \$20,000 --***

**LEG. BROWNING:**

We did that one.

**MR. NOLAN:**

No.

**CHAIRMAN EDDINGTON:**

No, we didn't do this one. ***In Federal pass-through funds from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's Second Precinct Community Support 2008 Supplemental Grant Program with 100% support. (Co. Exec.)***

**LEG. LOSQUADRO:**

Motion to approve and place on the Consent Calendar.

**LEG. GREGORY:**

Second.

**CHAIRMAN EDDINGTON:**

Motion to approve and put on the Consent Calendar by Legislator Losquadro, I'll second that. All those in favor? Opposed? Abstentions? **(Vote: Approved 6-0-0-0)**

***I.R. 2207 - A Charter Law to prevent double taxation for police services in certain Towns and Villages (Romaine).*** We need to table this for public hearing. I'll make the motion.

**LEG. GREGORY:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? **(Vote: Tabled for Public Hearing 6-0-0-0)**

Seeing no other business, we'll adjourn for the month -- for the year. Thank you very much for participating in our record-setting Committee.

***[THE MEETING WAS ADJOURNED AT 12:58 P.M.]***

***{ } Indicates Spelled Phonetically***