

PUBLIC SAFETY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

Operating Budget

A special meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Wednesday, October 21, 2009, at 9:30 a.m., to discuss the matter of the 2010 Operating Budget.

Members Present:

Legislator Jack Eddington - Chairperson
Legislator DuWayne Gregory - Vice Chair
Legislator Thomas Barraga
Legislator Kate Browning

Members Not Present:

Legislator Daniel Losquadro

Also in Attendance:

George Nolan - Counsel to the Legislature
Sarah Simpson - Assistant to Counsel of the Legislature
Barbara LoMoriello - Deputy Clerk/SC Legislature
Kara Hahn - Director of Communications/PO Lindsay's Office
Michael Pitcher - Aide to Presiding Officer Lindsay
Bobby Knight - Aide to Presiding Officer Lindsay
Michael Cavanagh - Aide to Presiding Officer Lindsay
Greg Moran - Aide to Legislator Nowick
Maxvel Rose - Aide to Legislator Gregory
Gail Vizzini - Director/Budget Review Office
John Ortiz - Senior Budget Analyst/Budget Review Office
Jill Moss - Budget Analyst/Budget Review Office
Patrick Heaney - Commissioner/Economic Development
Brendan Chamberlain - County Executive Assistant
Ed Hennessy - County Executive Assistant
Allen Kovesdy - Director of Management & Research/CE Budget Office
Tricia Saunders - County Executive's Budget Office
Theresa Lollo - County Executive's Budget Office
Robert Kearon - Division Bureau Chief/District Attorney's Office
Lon Kahaney - Budget Office/District Attorney's Office
Richard Dormer - Commissioner/Suffolk County Police Department
Robert Anthony Moore - Chief of Department/SC Police Department
Ed Webber - Chief/Suffolk County Police Department
Tracy Pollak - Suffolk County Police Department/Headquarters
Donna Miles - Budget Office/Suffolk County Police Department
Pat Sitler - Administrative Services Bureau/SCPD
Matthew Rossano - Suffolk County Police Officer
David Fuentes - Suffolk County Police Officer
Michael Nicolosi - Suffolk County Police Officer
Vincent DeMarco - Suffolk County Sheriff
Joseph Caracappa - Undersheriff/Suffolk County Sheriff's Office
Michael Sharkey - Chief of Staff/Suffolk County Sheriff's Office

Charles Ewald - Warden/Suffolk County Sheriff's Office
Joseph Rubacka - Deputy Warden/Suffolk County Sheriff's Office
Joe Williams - Commissioner/Fire, Rescue & Emergency Services
John Searing - Deputy Commissioner/Fire, Rescue & Emergency Services
Warren Horst - Suffolk County Fire Marshall
Dick Stockinger - Executive Director/Suffolk County Fire Academy
Bob Holley - Deputy Director/Suffolk County Fire Academy
John Desmond - Director/Suffolk County Probation Department.
Dr. James Golbin - Chief Planner/Suffolk County Probation Department
Karlene Maimoni - Director of Program Evaluation/SC Probation Dept
Gail D'Ambrosio - President/Suffolk County Probation Officer's Assoc.
Marina Szmala - Program Coordinator/Suffolk County Probation Officer
Gary Quinn - Commissioner/Department of Information Technology
Doug Miller - Director of Management Information/Dept of IT
Dot Kerrigan - AME/4th Vice-President
Sheila Johnson - Director of Development & Government Affairs
Nassau-Suffolk Law Services
Jeff Siegel - Executive Director/Nassau Suffolk Law Services
Kaitlyn Pickford - Brighter Tomorrows, Inc.
All Other Interested Parties

Verbatim Transcript Prepared By:

Alison Mahoney - Court Stenographer.

(*The meeting was called to order at 9:42 A.M. *)

CHAIRMAN EDDINGTON:

Would everyone please stand for the Pledge of Allegiance to be led by Legislator Barraga.

Salutation

Okay. I think I'm going to do the public portion first, public hearing and let people come up, and then I will have the different departments come forward. If I could have the representative from the DA's Office.

MR. KEARON:

Good morning, Mr. Chairman. My name is Bob Kearon, I'm the Division Chief with the District Attorney's Office, and to my left is Lon Kahaney who is our budget guru in the office. And I thank you for the opportunity to address the County Executive's Proposed budget for the District Attorney's Office for 2010.

First, though, I would like to thank Gail Vizzini and John Ortiz of the Legislative Budget Review. We work with them throughout the year, as you know, but in particular, at this point in the budget cycle, they have proven to be an invaluable help to us and we thank them for their report which we fully endorse.

There's just a couple of matters in the report that I'd like to bring to your attention that we consider to be problematic for the District Attorney's Office going forward next year, and the primary problem that we see is the 110 funding in our salary account. Essentially, the County Executive has given us enough funds to continue with the current staffing levels that we have. We virtually cannot hire anyone or fill any of our vacancies that we are currently carrying which are 24 in number, and among those 24 are eight Investigator positions.

You know, as you know, from dealing with us at Public Safety and through what you read in Newsday, we have become a very proactive office in terms of investigations ourselves. Not only do we prosecute that which the Police Department brings to us, but we do our own investigations that

are often very long-term and intensive in nature. Not having these eight Investigators is somewhat problematic to us. There's no secret that the cost of an Investigator is expensive, and without having additional funding in our salary account, we won't be able to replace any of these eight vacancies, as well as the ancillary staff that supports us in our every day work. So what we're asking for is for an additional million dollars into our salary account so that we can, during the course of 2010, fill at least some of these 24 vacancies that we're now carrying.

The second point I would like to address is vehicles, particularly our undercover vehicles that are used by our Investigators during the course of their work. We have 12 vehicles that will go over the imposed mileage limit that we deal with when we're dealing with DPW. So we are aware that the County Executive has put about \$1.5 million into the budget in 2010 for all public safety vehicles, so we're asking your support in having DPW give us an additional 12 cars to purchase in 2010.

That's pretty much all I wanted to address. Those were the major problems that we saw in the County Executive's budget, any help you could afford us would be greatly appreciated. Thank you.

CHAIRMAN EDDINGTON:

Okay. Legislator Gregory is on the Budget Committee development, so I'm sure he will bring this back to you -- bring this information to our committee to work on it. So thank you for your presentation.

MR. KEARON:

Thank you very much.

CHAIRMAN EDDINGTON:

Gail D'Ambrosio.

MS. D'AMBROSIO:

Is it okay to speak here?

CHAIRMAN EDDINGTON:

Wherever you like.

MS. D'AMBROSIO:

Good morning. My name is Gail D'Ambrosio and I am the President of the Suffolk County Probation Officer's Association and a Senior Probation Officer for the Probation Department.

The County Executive's 2010 budget recommendations calls for the abolishment of three Senior Probation Officer positions. One of these positions is from our Adult Day Reporting Center. DRC, as we call it, has the capacity to handle 75 Probationers. It is a mandated program which is an alternative to incarceration for the drug and/or alcohol addicted, ages 16 and older. DRC's current population is predominantly young heroin users. It costs approximately \$42 per day to be supervised in DRC compared to \$268 per day at the Suffolk County Correctional Facility. The second position is from our Criminal Courts Supervision Unit; the third is from the Juvenile Intensive Supervision Unit.

The Senior Probation Officers in these units and programs handle intensive and difficult cases that need experienced, senior Probation Officers. I was asked last week at the full Legislature meeting if an increase of probationers would occur as a result of the Rockefeller Drug Laws. A projection that has been made based on prior years indicates that there will be approximately 54 new cases per year sentenced to probation as a result of this change.

More importantly, I believe heroin use among our young is rising. It is just a matter of time before we have more arrests and more convictions. Once convicted, the Judge will sentence the offender to incarceration or probation, and we all know that the probation sentence is a much more -- is much more cost effective. After the arrests, after their immediate attention -- media attention and after

court hearings and sentencing, Probation Officers take over. While keeping the community safe, we get the offenders into the appropriate treatment, back in school or employment and on the way to becoming productive citizens. Probation officers continually reassess the offender's situation and make recommendations to the court if incarceration is needed. I would think that the number of potential probationers will increase.

The Legislature Budget Review Office report indicates that the probation vacancy rate is the highest it's been in ten years.

When I first began speaking before you in January of this year, I would speak on behalf of our 287 Probation Officer members; this number has decreased to 274 and continues to rapidly decline due to retirements. We understand the difficulty the County Executive and the Legislature have in dealing with the current discrepancy projected for sales tax revenue and where to make the appropriate cuts. However, once these peace officer positions are abolished, they're gone, it's not that they're not needed. We still have 37 vacancies, as discussed several times this past April. In the event there is an unexpected influx of revenue, we would ask that these positions be filled. We're asking now that these three positions in the budget not be abolished.

I would also like to remind you how important our Automation Unit is to the safety of our peace officers and the public. Again, Probation Officers, especially in the field, need information about their probationers that is crucial to their safety. If there are any breakdowns of their computer equipment or system malfunctions, both the Probation Officer and the community are at risk. Probation's Automation Unit has a vested interest in Probation Officers and the work we do, and they are under the direction -- and now they are under the direction of someone who works for and understands Probation Officers specific needs.

I would like to thank the Budget Review Office for recognizing our concerns that to transfer our Automation Unit to the Department of Information Technology Services would be imprudent. Thank you.

CHAIRMAN EDDINGTON:

Thank you. I have a question from Legislator Browning.

LEG. BROWNING:

So the abolished positions are not filled at this time, right?

MS. D'AMBROSIO:

No.

LEG. BROWNING:

Okay. But you do need those three Senior positions filled.

MS. D'AMBROSIO:

Yes.

LEG. BROWNING:

Okay.

CHAIRMAN EDDINGTON:

And just to clarify, you're saying that those -- I think, is it five positions? You want to make sure they stay in Probation --

MS. D'AMBROSIO:

Correct.

CHAIRMAN EDDINGTON:

-- and not go to IT, someone under IT.

MS. D'AMBROSIO:

Right.

CHAIRMAN EDDINGTON:

Okay. All right, thank you very much.

MS. D'AMBROSIO:

Thank you.

CHAIRMAN EDDINGTON:

Matthew A Rosado -- Rossano, I'm sorry.

MR. ROSSANO:

Good morning, Mr. Chairman and respective members of the committee.

MS. LOMORIELLO:

Are you pressing down the button?

MR. ROSSANO:

I'm pressing the button. I am not only a Suffolk County Police Officer, but also a taxpayer and Suffolk County resident. I have many concerns about the current state of our Police Department, a department that I proudly serve for the last 16 years. Many of my concerns are the ones that you, the Public Safety Committee, have been addressing or, at best, trying to address throughout the last few years. As I currently see it, the safety of my family, my neighbor's family and the public is compromised if the current trends continue.

The members of this very committee have questioned the Police Department's policies, decisions and budgetary measures and have become so dissatisfied with the responses you received that you sought out and now have subpoena powers to further your inquiries. These very questions and concerns that you the committee have are harmful to the Police Officers, my department and, more importantly, to the public they serve. My once proud Suffolk County Police Department is seemingly being dismantled before my very eyes.

Now we have a Federal probe looking into our department, a Federal probe that will likely review decisions made by Police Officers in the course of their duties, decisions that might have been, and in some cases probably should have been, reviewed already by a first-line supervisor to ensure that proper decisions are made and that everything is done that needs to be done. We will not know how many of these decisions were properly reviewed because as it stands now, there are nowhere near the proper amount of Patrol Supervisors. As testified before this very committee two weeks ago, there are currently nearly 44 Sergeant positions unfilled in the department. Eligible candidates, their list established almost two years ago, have been waiting patiently to fill those positions. This lack of proper supervision is not only disgraceful but harmful as well. It's harmful to the Police Officers who continue to carry out their responsibilities, a tribute to their professionalism, who do not always have a Sergeant to provide guidance. It's harmful to you, the Legislature and the Public Safety Committee, the proper service you and your constituents expect is in jeopardy; you have budgeted for services and personnel that are not being provided. And it's harmful to the public whom we serve; just as they rightfully demand proper service from their Police Officers, they also expect these very officers to be properly supervised, supervised to ensure that correct decisions are made, complaints are responded to, crimes and injustices properly investigated.

So I put the questions to you, the Public Safety Committee. Why have nearly 30 -- excuse me, almost 44 now, I have the updated number -- Sergeant positions been left vacant for almost two years by viable candidates who, in good faith, took a County-run promotional exam, wait to eagerly

fulfill these roles? Why is the public's faith and safety being put in jeopardy, and at what cost to the taxpayers who elected you to watch over their County and to assure it is run properly.

As I close my statement, I think of a quote from Larry Moore, an FBI training bulletin; "Unlike in other careers, supervising law enforcement personnel who have an awesome life and death responsibility in their dealings with the public is not an easy task. In the exercise of effective law enforcement, supervisors bring not only their life experiences and duty performance in different assignments, but also their common sense which requires the application of sound judgment and prudent performance activity backed up with reasoning and logical decision making." Thank you for your time.

CHAIRMAN EDDINGTON:

If you can stick around, we'll be asking the Commissioner that very question about the Sergeants and supervision.

MR. ROSSANO:

Thank you, sir.

CHAIRMAN EDDINGTON:

Okay. Thank you. Richard Stockinger.

MR. STOCKINGER:

Good morning, and thank you. My name is Richard Stockinger, I'm the Executive Director of the Suffolk County Fire Academy. I'm here today just to make the Legislature aware of the problems that we have at the Fire Academy due to budget cuts and mainly our State aid has been reduced, as many educational institutions are experiencing today. I prepared a little report just to talk a little bit about just what impact this is going to have.

You know, we're responsible for training the 11,000 volunteer fire fighters in Suffolk County. We're one of the busiest fire academies actually in the country because of the amount of people that we train. But the impact that the recommended budget is going to have where it's a \$50,000 decrease coupled with the amount of State aid that we're losing due to the cutbacks in the State aid system, we're experiencing a \$134,000 loss this year, and I tried to equate that into the dollars to hours of training I think is the easiest way to understand that.

The way we're looking at right now is presently we're going to be -- we offer two types of training; we offer hands-on training is when we do our live burns at the Fire Academy, and then we do a lecture-based training when we go to the firehouses or when students come out to the Fire Academy for training. But we're looking at a cutback right now of our -- I'll give you some exact numbers. Just for the hands-on training alone, we're looking to cut back about 108 training sessions which would result in a total of about 4,850 student training hours. What that would do is it would reduce our costs, operating costs by about \$56,000. The lecture-based training that we do, we're going to be cutting back 350 sessions, that represents 9,750 student training hours and that would reduce our operating costs by \$35,000.

And then we're going to look at cutting back in our Program Development Department, and those are the people that take all of our training programs, they constantly update those to the new training standards that are out, you know, the NFPA, the National Fire Protection Association; their standards are updated every five years, so obviously, you know, we have to comply with those updates. So that's the responsibility of our Program Development Department. We currently have one full-time employee and three per-diem employees in that department and we're looking to cut that department back to a four-day work week and we're going to take the one full-time employee and make him a per-diem employee. So we would still have functionality in that department, but it would greatly reduce the amount of programs that we would be able to update on that.

With these -- the one thing that would help us is with the \$50,000 reduction in the recommended budget, if that was placed back in, we would be able to reduce the amount of cutbacks in the training hours and it would be a cutback of only 30 -- 63,000 hours -- I'm sorry, 6,300 hours rather than 14,600 hours, which is what we're looking to cut back right now. So anything that the Legislature could do to help us out obviously would be greatly appreciated, not by the Fire Academy but by the Long Island Fire Service who service all free of charge. Thank you very much.

CHAIRMAN EDDINGTON:

Thank you. We will definitely bring back those numbers to the working group.

MR. STOCKINGER:

Okay. Thank you.

CHAIRMAN EDDINGTON:

Thank you. Kaitlyn Pickford? Who happens to be the daughter of the best administrator of Patchogue-Medford Schools. Welcome.

MS. PICKFORD:

Thank you. Hi. My name is Kaitlyn Pickford. I'm here today representing the Alliance of Domestic Violence Agencies in Suffolk County that consist of Brighter Tomorrows, Suffolk County Coalition Against Domestic, The Retreat, as well as VIBS Family Violence and Rape Crisis Center. And I want to draw your attention to a vital Suffolk County service that has lost its funding effective September 30th, 2009. The domestic Violence Project of Nassau Suffolk Law Services Committee was funded by New York State COPS funding received through Suffolk County. The Domestic Violence Project consists of two attorneys who represent victims of domestic violence in Family Court -- one in Central Islip and the other in Riverhead -- in matters of family offenses, custody, visitation and child support. They work very closely with the advocates from our four agencies providers -- service providers in Suffolk County to help improve safety and increase the self-sufficiency of victims of domestic violence and their children. In 2008, the Domestic Violence Project represented 168 clients in Family Court matters, and as of August 31st of 2009, they have represented another 159 clients. This is an extremely vital service and if it is terminated, most of these victims will be left with little or no recourse.

While the Legal Aid Society offers representation to indigent people, their financial guidelines are more restrictive by law than Law Services guidelines, and they do not provide representation on child support cases. Also, most Family Court Judges do not assign 18-B attorneys to these cases. I also just want to stress, this is an unduplicated service in the County and how closely our agencies all work with these two attorneys in this project.

So just in the closing, we want to affirm the value of this service to the domestic violence survivors in this County and request that you please do whatever you can to assure continued funding for the project. Thank you for your attention in this matter.

CHAIRMAN EDDINGTON:

One question from Legislator Gregory.

MS. PICKFORD:

Sure.

LEG. GREGORY:

Hello. Thank you for coming here today. How much are we talking about in funding?

MS. PICKFORD:

A representative will speak next from Nassau Suffolk Law Services who should be able to provide more specifics in the finances.

LEG. GREGORY:

Great. Thank you.

CHAIRMAN EDDINGTON:

Thank you very much.

MS. PICKFORD:

Okay.

CHAIRMAN EDDINGTON:

Okay. Sheila Johnson.

MS. JOHNSON:

Good morning. I've just got to get a little coordinated here. Thank you for the opportunity to testify today. My name is Sheila Johnson, I am the Director of Development and Government Affairs for Nassau Suffolk Law Services. I'm joined this morning by Mr. Jeffrey Siegel who is the Executive Director of Law Services.

MR. SIEGEL:

Good morning.

MS. JOHNSON:

We know that you are quite familiar with Law services, but for those present who are not familiar with Law Services, we are a non-profit, community-based poverty law program which provides legal assistance in civil, those are non-criminal matters, to low income and disabled persons throughout Nassau and Suffolk Counties. Established in 1966, Law Services was the first legal services corporation program in New York State and it is one of the largest in the State. We have offices in Hempstead, Islandia and Riverhead.

Our program is committed to helping the poor vindicate their rights under the law. Law services provides free legal services in thousands of cases each year, as well as legal support to every agency, religious group and grassroots organization that works with the poor on Long Island. And we know many of your Legislative staffers because they use the services of the Legal Support Center for Advocates.

I am here today to discuss our Domestic Law Project. Since 1990, the Domestic Violence Project of Nassau-Suffolk Law Services has provided free legal assistance in Family Court and the Integrated Domestic Violence Court to individuals, mostly women, who have been subjected to physical or mental abuse by a domestic partner or a family member. Throughout its 20 year history, the project has been funded by various combinations of Suffolk County and New York State COPS funding, and that's Community Optional Preventive Services funding. This year, County and COPS funding was made available through September and when the funding ended the project had to close intake. We were hopeful that the County's collaborative grant request for Federal Burn Amendment funding would have enabled us to continue the project. Unfortunately, we learned two weeks ago that we did not -- that the grant application was denied. Of course we take our ethical obligation seriously and we assure you that we will continue to represent clients by whom we have been retained until their cases are completed; however, as of October 16th, we close intake.

Prior to the termination of funding, Law Services employed two staff attorneys to handle cases referred by the County funded domestic violence agencies and by the Family Court Judges themselves. The attorneys assisted the clients to obtain permanent Orders of Protection, including stay-away orders, removing the abuser from the home, as well as custody, visitation and child support orders related to children in common with the abuser. With two attorneys, we were able to cover courts both in Central Islip and Riverhead, thereby providing services to persons residing anywhere in Suffolk County. Prior to closing intake for lack of funds, the project was accepting 20

referrals a month from four domestic violence agencies and occasionally from the court, and that's nearly one case every business day. The overwhelming majority of these cases required more than one Family Court appearance and many will continue as active cases for many months. Our assistance provided these women their best hope of providing permanent Orders of Protection against their abusers and securing the safety of themselves and their children. More than three-quarters of the cases involve families with children. Out of the 159 cases we accepted through August of this year, we represented 120 families involving a total of 234 children. For women who are abused by the father of their children, resolving issues of custody, visitation and support are often as important as the Order of Protection. Getting the Orders of Protection is just the beginning of what we do. The abuser often uses threats of taking the children or refusing to support them as weapons against the victim; our project provided representation in these matters and well. The Domestic Violence Unit stabilizes families traumatized by domestic violence. At the most recent level of funding and the most recent levels of funding referrals prior to closing the project, the cost of the project was running at approximately \$771 per client. The poor client figures includes what are frequently multiple cases with individual docket numbers; by any measure, this is a highly cost effective project.

Legislators, in closing, I want to reiterate what we said in a letter we sent to your respective offices about the current funding crisis. This program is vital at any time, however, it is a program that is vitally needed in these dire economic circumstances. It has been reported that incidences of domestic violence are increasing across Long Island, as families are stressed out and struggling with deteriorating economic conditions. This is not the time to cut funding for legal services. We are the last resort for many victims of abuse, they have nowhere else to go. Therefore, can you please help us to save this important project by including funds in the County budget for 2009-2010.

We thank you for your interest and for your commitment to Legal Services and victims of domestic violence, and we look forward to working with you to preserve the availability of these critical legal services in Suffolk County and the State of New York as we work our way out of this terrible recession. Again, thank you for your time and your consideration.

CHAIRMAN EDDINGTON:

Yes, Legislator Gregory would like to ask a question.

LEG. GREGORY:

Hi. Good morning, Sheila. How are you?

MS. JOHNSON:

Good morning.

LEG. GREGORY:

As you may be aware, domestic violence is something that's near and dear to my heart, dating back to when I did an internship with District Attorney Catterson. In my Junior year in college, I was in the domestic violence unit and I saw some of the horrors that happened.

We actually had someone who died who was under surveillance, so I've seen it firsthand. So you have my support, obviously, but I haven't heard a number yet as to how much funding you actually need.

MS. JOHNSON:

I'll defer to the Executive Director.

MR. SIEGEL:

They brought me here to talk about the numbers. Right now, for this past year we received approximately \$139,000 for nine months. That was -- as far as I understand it, that was 25% of County funding and 75% of State funding which came through at the last minute in April, that's the COPS funding that's been referred to; annualized, that's about \$185,000. The project is really costing us closer to \$200,000, and several years ago it was cut once before from about \$272,000

down to the 185 annualized number. So, I mean, to make us whole and to be able to continue this in the same fashion, we really need close to \$200,000.

LEG. GREGORY:

That would provide two attorneys?

MR. SIEGEL:

Two attorneys, they each have 15 plus years experience. As you heard from the representative from the alliance, they work very closely with the advocates, you know, they have their cell phone numbers and are in constant contact with them, they're taking referrals on a daily basis. And these two gentlemen do a yeoman's job, I mean, they are really in court literally every day of the week, five days a week.

LEG. GREGORY:

All right, thank you.

CHAIRMAN EDDINGTON:

One more. Hold it, Legislator Browning has a question.

LEG. BROWNING:

Kaitlyn mentioned something about that you don't use 18-B attorneys, or you can't use 18-B attorneys? And I'd like to know what the cost difference is if you did use one.

MR. SIEGEL:

Let me see if I could take a stab at 18-B. We don't have any control over the 18-B system; that's when Family Court appoints an attorney from a panel and then they put in a voucher. There's usually attorneys in private practice who are doing this as well and they get reimbursed through, I think it's with County funding, but there's a whole system in place that requires them to do that. They're occasionally appointed, they're limited in number, the amount of that money has gone up recently. You know, a few years ago the hourly rate was increased. So I'm just not that familiar with the availability, but it doesn't seem to be the prevalent way in which to provide these services. Also, they're getting paid \$75 an hour, which is still a modest amount, you know, in terms of attorneys fees, but our services are actually much more efficient and we do a much greater volume.

They mentioned Legal Aid. Legal Aid does some work as well, but for a lower income population. Also, if you happen to own a home, even if you can't -- even if it has no equity in it, you won't be eligible, as I understand it, for representation by Legal Aid.

So there's a niche here of hundreds of individuals who would not otherwise be represented but for our services. Now, they're all low income, because our guidelines are 200% of the poverty level, so we're talking about people who also can't afford to pay anything to an attorney in order to be represented.

CHAIRMAN EDDINGTON:

Thank you very much.

MR. SIEGEL:

Thank you.

CHAIRMAN EDDINGTON:

Is there anybody else that wanted to address the committee?

Okay, then what I would ask is if the Police Commissioner could come forward and bring your staff.

COMMISSIONER DORMER:

Good morning, Mr. Chair and members of the committee. I thank you, thank you for your time, and also the opportunity to say something about the proposed budget that you are considering for the Police Department. And at the outset, I want to say that I'm not here looking for you to enhance the proposed budget that the County Executive has sent over to the Legislature. I want to explain and maybe clear up some of the issues that you may have, particularly as it relates to personnel and equipment in the Police Department.

Just a little background. In 2004, when the County Executive took over as County Executive, and we had conversations about the Police Department and public safety, and we made a policy decision at that time that we would try to attempt to get officers from Headquarters positions and behind desks doing, you know, work that could be accomplished by civilians and get them out in patrol, doing the job that they were hired to do. And so we initiated that initiative in 2004, civilianization, and you're all familiar with that. And I think that Legislators across the board, the unions, the PBA, supported that.

It was the right thing to do, it was smart government and, again, it was responding to the taxpayers of Suffolk County. Knowing that Police expenses are a major portion of the County expenses and they were every year going up and didn't look like they would ever stop going up, so there was a major effort to redeploy and civilianize starting in 2004.

Over the almost six years now, we have certainly -- we make no bones about reducing the overall numbers of Police Officers, sworn Police Officers in the department; that number is down, as everybody knows, and you will hear that number mentioned time and again. But I think it's important also to know that in the main patrol function which is sector cars, these are the officers that drive the sector cars that you see every day on the streets in Suffolk County, they answer 911 calls emergencies, car crashes, and today -- as of October 1st, which was the latest figures I got, we had over a hundred more Police Officers in that 10 command, which is sector car operation, than we did January 1st, 2004. And that is an example of a redeployment and civilianization which has been successful and has saved taxpayer money over the years and resulted in, again, more efficient police service, saving taxpayer money and still keeping crime down over that six years; in fact, overall crime down dramatically, violent crime down, property crime down. And you will hear people mention about the two spikes in two crime -- crimes, robberies and aggravated assaults this year. We addressed that issue and we believe that the initiatives that we put in place will have an impact on these two particular types of crimes.

I just mention a figure, and I don't want to, you know, get into too much statistics here. But since 2004, when we came on board in 2004, 51% of our Police Officers were in Patrol, these are sector cars which, by the way, is the main mission of the Police Department, sector car operation. We now have 65% of our Police Officers in sector cars, an increase of 11.23%. And I think that that's a testament to the men and women of the Police Department who have managed this operation, made sure that this was done, and at the same time making sure that services were maintained.

The issue of the promotions and the openings in the Police Department. And I understand the concerns of officers that are on promotion lists, I'm not unaware of that and not unsympathetic to it. But I also -- and I know that the committee is very much aware of this, that this is unprecedented economic times that we're going through. We're aware of that in the Police Department and we know that we have to tighten our belts, we have to make due with less than maybe what we would like. Looking at the budget that is being proposed by the County Executive, it is a tight budget, but we can live with it. We can manage and keep services up in our communities.

Back to the promotions. You will hear people say that we leave officers unsupervised; not true. There's a procedure and policy in place in the precinct that a minimum of three supervisors be on staff every tour, and that includes Lieutenants and Sergeants. If they go below that because somebody calls out sick or takes a day off, we will fill it with overtime, and that's what overtime is for. It's a very cost effective manner for to manage your personnel, that's why you give us overtime money. We never leave them without at least three supervisors, which the Commanders have determined is adequate to supervise any calls that the officers require supervision. We're very

confident, by the way, and you will hear people mention the Federal Government, the Civil Rights Division from Washington and the Eastern District of New York are coming in to look at our operation, and we welcome that. I told everybody that we welcome the Police Department and the County welcomes a review of our procedures and how we do things in the Suffolk County Police Department, and we're confident at the end of the day we will come out fine. And we're going to cooperate with the Feds, we pledge our full cooperation.

Back to the promotions to Sergeants. We're utilizing overtime and we will continue to do that, we're mindful that the list expires in November, no decisions have been made on promotions. There are no guarantees that anybody will get promoted. I must caution because, again, the economic situation that we're going through and if we do promote Sergeants, all of you I'm sure are aware that these Sergeants will come from the Patrol units, they'll come from sector cars, the people that are out on the streets answering 911 calls, so that's a consideration. And so I'm open to questions from the committee, from members, and I will try to answer them as best I can.

CHAIRMAN EDDINGTON:

Yeah, I have a few questions and then I'll open it up to the committee. I'm sure that you read Newsday, Commissioner? I've got a sense that maybe you're not keeping up with what we're reading in Newsday. When you tell us, you know, crime is down; I've got a Legislator to my left who's had eight murders this year, I have a Legislator a little further down that had a rape and a murder in the last week, and then I have statistics from the Division of Criminal Justice that basically says that it's the highest rate of crime in five years with violent crimes and property crimes. And you expect us not to be confused when you're sitting there telling us that crime is down and I'm getting a report from New York State and from the DA and from the FBI that are all saying that -- that we're playing with figures here, that murder, robbery and rape are up. Aggravated assault is down, it's the only one in the violent crime group that has gone down. And when you talk about property, burglaries have increased, larceny has increased, but motor vehicle theft has gone down and that's a compliment to the motor vehicle industry because they've made it harder.

So I have a real concern when I'm trying to tell people crime is down when everybody around them is seeing increased crime, and then I'm told that you can't make the assumption that because of bad economic times crime goes up. So, you know, I want to deal with the reality as the people are seeing it, not the reality that I'm getting from your office, and here's a good example. Since 2000 -- you're talking about civilianization; "Since 2004, the department has relied heavily on civilianizing non-police functions so that we can redeploy officers. However, we have less civilians on staff now than we did in 2004."

How do you say we're doing better by taking Police out and putting civilians there when we have less civilians than we had in 2004?

COMMISSIONER DORMER:

Well, with the civilians we utilize overtime, too, and that's a good business decision. Overtime is a lot cheaper and a lot more efficient than hiring a full-time employee with all the benefits that that entails. And that's why we get overtime in the Police Department; it's not just for sworn personnel, it's also for civilian personnel.

CHAIRMAN EDDINGTON:

Aren't you cutting overtime by something like \$5 million in your budget?

COMMISSIONER DORMER:

I'm sorry?

CHAIRMAN EDDINGTON:

Aren't you cutting overtime in your budget by \$5 million?

COMMISSIONER DORMER:

Well, the overtime -- if I could back up just on the overtime.

Every year since we came on board, since 2004, we have reduced our overtime expenditures every year; unprecedented because of our management principals and the management of the overtime budget by Commanders and bosses in the Police Department. And we have turnover savings in our overtime budget every year, so this is nothing new.

Now, the \$5 million that you're talking about, if the PBA and the County finally agree to the lag payroll and that agreement is signed, that overtime will go back into the overtime budget, that's my understanding.

CHAIRMAN EDDINGTON:

What's your understanding about that agreement; is it going to be signed?

COMMISSIONER DORMER:

Well, it's almost finished. The County and the unions are working as we speak, and it's a matter of writing up the agreement, you know, crossing the T's and dotting the I's and we expect that to be done very shortly.

CHAIRMAN EDDINGTON:

You know, that sounds good. I mean, I've learned words, last time when Ben Zwirn came here and I asked him about the grant that you had told me we turned down for the Police Officer training, a K-9 Unit at the airports, he told me, "Oh, that matter is fluid." First you tell me no, then I hear it's fluid, now I'm hearing basically that that agreement is fluid; do you understand that that's very hard when that's the answer you get? "Well, it's" -- because you've got 44 people that are waiting to find out whether they're going to get promoted or not, and it might sound great, but it doesn't help the individuals.

But let me get to a couple of other questions. The department is down 233 sworn personnel, 181 Police Officers. How are you going to continue to do the services that you're doing now with that many less staff?

COMMISSIONER DORMER:

We have over a hundred Police Officers in Patrol today than we did in January, 2004; these are sector cars. Now, I should mention -- and that's because of our civilianization and redeployment and I mentioned that before. And I don't make up these numbers, they come from budget people, from civilians in the County and also in the Police Department. So the numbers are not fudged, they are what they are.

We utilize overtime for to backfill in the sector cars, so we never put down a sector car. You always get the same number of sector cars that you had 20 years ago, plus the six sectors that we put in place, the new sectors in place since we came on board in the east end, Mr. Chair, some of them in your district. And the 7th Precinct in your district, we've made it a full service precinct which was not so when we came on board in 2004.

CHAIRMAN EDDINGTON:

Yeah, and I think that's wonderful. You know, I think that's a great accomplishment and I would like to see that fully staffed all the time. The problem is that in the budget -- I mean, I believe right now, in my heart of hearts, you don't have enough staff. You may be using overtime, but I think we're moving people around and eliminating positions to get them so we can say we have more in Patrol, and Patrol is extremely important. But in the budget, there's 60 positions to be eliminated and we've got 80 people retiring in January. Now, I don't play with numbers either, but to me, I'm looking at the Police force going down even more. In a time when I'm asking for more, you're telling me you can deal with not only 60, we can get rid of 60, but we can also deal with not having a class and 80 people retiring. What kind of magic are you guys doing? How are you going to do that?

COMMISSIONER DORMER:

If I may.

CHAIRMAN EDDINGTON:

Yes, you may.

COMMISSIONER DORMER:

I never mentioned the 60 that are in the budget, you misspoke. I did not mention the 60 that are in the proposed budget which, by the way, the County Executive has stated, that will be removed if -- when the agreement is signed with the PBA. So these 60 officers, when the PBA and the County sign their agreement, will --

CHAIRMAN EDDINGTON:

If and when, I hear those words, "if" and "when"; if pigs had wings, you know? I mean, I want to know how you're planning -- if it is -- if they don't sign -- if they don't make the agreement, how are you going to deal with it?

COMMISSIONER DORMER:

We'll do what we always do, we will manage. We will manage like any other department will manage. If for some reason the agreement is not signed, then we'll have to go back to another plan which --

CHAIRMAN EDDINGTON:

That's what I'm asking you; do you have a plan? I don't want our department to be reactionary. This department has been known for being proactive, having gang officers in the precincts going out and doing stuff, now we have them all in one area reacting. I don't want to see the Police Department, under my tenure, become a reactionary force rather than be the wonderful force it has always been, being very proactive and reactive, and I'm seeing part of it disappear and I don't think I'm the only one. And so I'm asking you, what plan do you have if that doesn't get signed? Because, I mean, they've been talking about it for months now. So I want to know what's going to happen if they're not signed. And if you do have something, how are we going to deal with the 80 people that are retiring? Because that's another problem that I see.

COMMISSIONER DORMER:

If the agreement is not signed, we will address that issue. I anticipate it being signed, I have all the confidence that it will be signed. And again, and I'm not -- you know, you say you don't believe this, but they're working on it diligently as we speak. So I think that just be patient, it will get done and it will be -- it will certainly be a help for the County and the Police Department and we'll move forward.

You know, you mentioned about being proactive and reactive. We're one of the most proactive Police services anywhere, we're ahead of the curve. We noticed a spike in two crime categories which, by the way, a lot of people cherry-pick, they pick a couple of categories, no doubt that they're serious crimes, but we responded to that long before anybody had it on their radar. We created the Special Operations Gun Team last January in the Patrol Division, and then when we saw gangs were getting out of control, we sat down with the Commanders and had a staff meeting and a session to come up with a plan to combat this. This is being proactive. The gangs have been with us for many years, we're arresting them every day, we're making a difference. Crime, over time is the way you look at crime, not a snapshot at a particular month or two of a year because you'll see spikes all the time, up and down, it will go down in certain categories, it will spike up. And we don't blame the economy; you've never heard us blame the economy for crime, never said that, none of the Commanders ever said that. We have to deal with it no matter what causes it, and we're doing a terrific job in Suffolk County. When we mention overall crime being down over the last six years, that's a fact. Violent crime is down over the last six years, that's a fact. And we will stand by these numbers because we get the numbers from DCJS, the numbers that go from one of our database, only one, to DCJS and --

CHAIRMAN EDDINGTON:

You know, I just -- I've got to tell you, because you keep saying it don't make it true. I'm looking at something from the Criminal Justice Services that says that that's very misleading what you said because violent crime increased in three out of four categories. If you -- look, let me be as clear as possible. If murder increases by 3%, if forceable rape increases by 3% and robbery increases 3%, but aggravated assault goes down by 12, what you do is nine and twelve, "Oh, it's down 3%"; those things don't equate to the community. So you keep saying the same thing and I guess I'm -- you know, look, I'm a hypnotherapist, I don't think you are because it's not working. I am not going to buy that when I get statistics and you interpret it one way and they're telling me, "That's very misleading," I have it right there.

So that, you know what? I've been trying to get the straight scoop for over a year, you know? I'm not getting it. You know, we talked about stand-by for a while and then I asked you right here, "Do you have any intentions of changing that policy," and from the time I talked to you, it's been changed twice. So I am not getting truthful statements from us here. And this just shows me again, if you keep saying violent crime is down and the statistics show that in the three out of four categories it's up, maybe that's how you should say it. But don't try to get a mantra, "Crime is down, crime is down," because nobody is really believing it. And that's what we have to deal with in the Legislature; when we go to community groups, we have to respond.

Now, you've got a gang task force. What are you going to do -- we have a gang problem. Are you going to increase those numbers? Because it sounds like right now you have a great deal with your group going to put out fires and I think that's great. But now wouldn't this be the time to increase that? Just like we have -- Chief Moore I think was here or he sent an e-mail talking about the Narcotics Detectives. When Lieutenant Burke was here he told us we were down nine, then I quickly got an e-mail from the Chief saying, "No, it's the same numbers as in '04." How many actual Detectives do we have and wouldn't this be a good time to increase that number? See, I'm looking to increase Gang Unit, increase Narcotics because we have, in your words, an uptick. I want to see us really solve this problem. Do you have any intentions of increasing those two squads?

COMMISSIONER DORMER:

We review our redeployment on a regular basis and we review it on a regular basis, that includes the Detective Units and the Patrol Units, including the Gang Units. I should remind you that there are 39 Police Officers in the Gun Gang Unit, the Patrol Special Operations team, but I call it the Gun Gang Units. That's 39 Police Officers with supervisors and a Deputy Inspector which, in the military, would be the rank of a Major in Charge of that. They're making arrests throughout the County for gang activity. We've pulled it together based on intelligence and with the cooperation and the assistance of the District Attorney's Office, and we're coordinating with the FBI and other Police Departments surrounding us. This is a comprehensive response to the gang issue in Suffolk County. Rather than this, you know, hit-and-miss type of response where we had two or three gang people in a precinct who really didn't have the resources to respond appropriately, and it was felt by the Commanders that the best way to do this was centralize it and use a tactical response unit philosophy, which we've done. We've made hundreds of arrests in the last weeks and months, we've taken guns off the street, we've taken bad guys off the street, and that's going to have an impact over time on crime.

And as I mentioned earlier with crime statistics, and they can be interpreted ten different ways. You see spikes in crime all the time, you see upticks and downticks; you have to look at it over time. I like to look at it over a year before you really get a good reading of what has happened, and that's what we're doing in the Police Department. And again, I mentioned that even if we get an uptick, we do respond to it. We had a ComStat meeting yesterday with Precinct Commanders and they're having another one this morning to talk about crime and disorder in their communities. We have adopted Comstat and we did that in 2004, and so we look at this across the whole spectrum and get input from the Commanders about how to respond to it. And that's the way we do the policing

business in Suffolk County, it's very, very proactive.

The statistics that you're looking at, if you want to share that with us, I'll have Chief Moore review it and have his staff which handles all the statistics review it and get back to you with a response to the statistics that you have.

I can tell you, from talking to the Chief of Detectives, that murders are lower right now in Suffolk County, thank God, even than they were last year, even with the sensational crimes that we have. We've always had that, unfortunately. And murder -- again, unfortunately -- is one of the crimes that we can't prevent. It's not a crime that is preventable by Police presence because it's not done in the presence of police.

CHAIRMAN EDDINGTON:

Well, I guess I find myself in the position, and I won't speak for everybody, I want to give you as much support as possible, but it seems like I'm fighting with you to help you. You know, if I wasn't in this position I'd just throw my hands up and walk away and like, "Am I nuts?" I want to give you more staff so you can do a better job and all I keep hearing is, "No, we're doing a great job and we don't need any." I'm just totally perplexed, I really am. And I'm never going to let it come down to money when it equates to public safety, I'm never going to look at it that way. Maybe as a manager you have to, but I am never going to allow that to be it. I'll have a bake sale on the corner, if I have to, to get more Police and Sheriffs and Probation Officers. So, anybody else on the committee? Legislator Browning.

COMMISSIONER DORMER:

If I could? If I may, Mr. Chair?

CHAIRMAN EDDINGTON:

Sure, you may.

COMMISSIONER DORMER:

With your permission, please, a comment. Look, there's not a manager or a Commander anywhere in the world that wouldn't like to have more resources, okay? More people, more money, more equipment, anywhere. My Commanders would love to have more, but that's not the reality that we're dealing with today. We're not dealing with where you can have everything that you want. We deal with -- we manage what we've got, and we think, we believe -- and I wouldn't be saying this to you if I didn't believe it -- that we're doing an outstanding job with the resources we've got and that's because of our smart initiatives that we've put in place not last week, not six months ago, but back in 2004 when we initiated the civilianization, the redeployment and the movement of people around the department. You talk about moving people around, that's an appropriate response, to move people, that's what we do; you move them in response to an issue.

And I should say one other thing, too. That with large departments and large organizations, over time there's a tendency to over specialize. And when I came on board in 2004, that was one of the things I looked at, along with the staff, specialization in the Police service. And there's a tendency to give an issue to one unit and then everybody else says, "That's not my problem, that's COPE, they take care of that. They take care of traffic problems. That's not my problem any more." Well, I tried to change that philosophy to make it everybody's problem. If you have a traffic problem in your neighborhood, your sector car operator should be taking care of that. If there's a quality of life issue in the community, the sector car operator during downtime takes care of that, that's what we did for years.

Patrol, by the way, the most important part of policing, our main mission. And by the way, I just don't say that; Jeff Frayler, the PBA President, agrees with me that Patrol, the sector cars is the primary function in the Police Department. And that when he was a Police Officer, and he's quoted in the staff committee that was formed in 2004 as saying that when he was on the streets, we didn't have all these people doing specialized jobs. But again, when we look at moving people around,

that's the type of thing that we do where we look at our main function, which is answering 911 calls, and having officers respond, a sector car respond, and then having Detectives respond and we do that and we do an excellent job doing that. I thank you, Mr. Chair.

CHAIRMAN EDDINGTON:

Yeah. You know, you are doing an excellent job with what you've got. But it just reminds me of my Irish grandmother when she used to use the tea bag three times, she'd keep wrapping it around the faucet. The last time she used it I'd say, "Grandma, that's just hot water".

*(*Laughter From Audience*)*

I think that's where we are in the Police Department. I think I'm going to fight to get you more resources, regardless of what is happening. Legislator Browning.

LEG. BROWNING:

Yeah, just a couple of things. You know, I remember, I believe it was Lieutenant Burke saying that heroin, you know, has caused an increase in crime. So, you know, I spoke with a mom who's a security guard in a school district on the east end and telling me that, you know, it's a nice school district, wealthier families and she's telling me how out of control the drug use is in the school district. It's not getting any better, it's getting worse with this heroin issue.

But you keep saying there's a hundred officers on patrol right now; that's just the sector cars, the 10 command?

COMMISSIONER DORMER:

Yes, it's 109, I said over a hundred. It's 109, more officers than January 1st, 2004, which is when the Levy Administration came on board. We use that as a benchmark.

LEG. BROWNING:

That doesn't include COPE, that's strictly the --

COMMISSIONER DORMER:

That does include --

CHAIRMAN EDDINGTON:

Microphone.

COMMISSIONER DORMER:

I'm sorry. That is just the sector cars, it doesn't include COPE and it doesn't include the plain clothes officers. It doesn't include the Gun Unit, the Gang Unit which are extras in patrol as we speak. It's 39 Police Officers in them two units, working side by side throughout the neighborhoods in Suffolk County. They're patrolling or doing their response in every precinct. Some people would say they're just putting fires out; well, that's -- you know, that's what we do, we respond to hot spots. And that's the term they use in the policing business, you pay attention to hot spots. It's used in other business areas, too.

I should remind you, by the way, this epidemic of heroin, we in the Police Department saw this way back in 2004, and at that time I had a conversation with the County Executive and got extra people into Narcotics, two street Narcotics teams at that time. We also created at that time, 2004, Heroin Response, our investigative team that would go to all heroin overdoses and investigate them. I talked to reporters and people in government about it way back in 2004, 2005, it has only come to the surface through the media and through schools in the last six months, but we were aware of that in the Police Department. And again, being proactive, Mr. Chair; we created a special unit in the Narcotics Division to check up or go after the dealers that caused the death of youngsters in particular for overdoses, and than unit is still operating today, and I think that's as proactive as you can get. But that's -- you know, the Police, by the way, can only do so much with that. It's a

problem for society. We will do what we have to do, we will arrest the dealers, the DA will prosecute them, and we've been doing that; hundreds of them, by the way.

LEG. BROWNING:

Okay. So let me ask you, you say there's 109 officers and, you know, I would like to know that there's a name to that number. Could -- two weeks from today we have to pass this budget. I would like the names of the 109 officers and I'm sure the rest of the committee would like those names.

CHAIRMAN EDDINGTON:

Can they?

LEG. BROWNING:

Of course they can.

COMMISSIONER DORMER:

Not that we want to be obstructionists in any way, but once you give out officers names, we have to get their permission to give their names out. We believe, I just talked to the Chief, that we can give you the Social Security numbers --

CHIEF MOORE:

No.

COMMISSIONER DORMER:

No, you can't?

LEG. BROWNING:

No. I think you can give us their name, even a last name. I mean, first -- I don't know why that should be an issue for us, I guess we can check and see if there's a legal issue why we directly can't receive those names? Also --

*(*Commissioner Dormer has side discussion with Chief Moore*)*

COMMISSIONER DORMER:

I just talked to the Chief. We could share that with you in executive session rather than public forum; does that make -- is that okay?

LEG. BROWNING:

You want to check and see?

CHAIRMAN EDDINGTON:

Our attorney happens to be here.

LEG. BROWNING:

Any way you got it --

CHAIRMAN EDDINGTON:

We'll check it out.

LEG. BROWNING:

-- I want to see 109 names. And also, how many -- how many Sergeants do you currently have?

COMMISSIONER DORMER:

Two hundred forty-one.

LEG. BROWNING:

Two hundred forty-one Sergeants?

COMMISSIONER DORMER:

Yes.

LEG. BROWNING:

Okay. Is there a possibility we could get names to that 241? You know, the concern is I know that -- you know, you know I speak to the Police Officers in my district and heard about a transfer of a Sergeant who's very well respected by the Police Officers out at the 7th Precinct. I don't know the details behind that, I don't know how much truth there is to it, but I am concerned when I hear that a Sergeant's been transferred who is very, very respected by the guys on patrol. You know, I talked to Legislator Barraga and Legislator Gregory and I said, "You know, isn't a Sergeant, when you talk military terms, when you have a patrol unit and they go out, isn't that Sergeant the direct line of supervision who kind of keeps the soldiers under control?" And that's what I understand them to be. You know, and I want to make sure that we do have them because we have young Police Officers who are not too long on the job and we want to make sure that the supervision is there, making sure that they know that they're doing their job right and that they're getting the assistance they need.

So I am concerned if there's a shortage of Sergeants, that there's not enough Sergeants to go with the number of Police Officers we have on the street. Because you know the size of my district and if a Sergeant is up in Ridge and something happens in Mastic Beach, how is he -- you know, if he's attending to an issue up there and something is going on somewhere else, you know, who is going to be that direct line of supervision if the supervisor is needed in Mastic Beach? I mean, we just had some horrible incidents happen in my district. So I'm very concerned to make sure that, you know, there is that supervision that's needed.

COMMISSIONER DORMER:

I can reassure you that, and I mentioned this earlier in my opening remarks, that we have a minimum of three supervisors on in every precinct, every shift, and I said if we have to we hire on overtime to make sure that it's three, at least. Sometimes we have more, but we never go under three. And that includes Lieutenants as well as Sergeants, that is a standard policy throughout the Patrol Division.

So if somebody is on vacation, they will hire a Sergeant on overtime, and that's why we have overtime, and we never let them go under that in the Patrol Division. And not all the openings for Sergeant, by the way, are in the Patrol Division. The Sergeants openings are in Headquarters Units, too. And it's not 44 openings for Sergeant, it's 29 openings.

LEG. BROWNING:

Okay. So I'll make it easier for you; tell me how many Sergeants there are working with the sector cars, that's what I would like to know.

COMMISSIONER DORMER:

Yeah, we can get that for you. Yes.

CHAIRMAN EDDINGTON:

Just to clarify what I'm hearing. If we have adequate Sergeant supervision, because I guess I heard recently that like say the 5th Precinct, there was one Sergeant for a tour there and he was in like the desk and there was nobody -- and that's not true, there's usually, what, for every five patrol officers --

COMMISSIONER DORMER:

One is inside.

CHAIRMAN EDDINGTON:

Right.

COMMISSIONER DORMER:

Doing the supervision inside.

CHAIRMAN EDDINGTON:

Right.

COMMISSIONER DORMER:

And there are two on the road.

CHAIRMAN EDDINGTON:

Two on the road. So there's always three at each precinct.

COMMISSIONER DORMER:

Yes and there could be a Lieutenant inside.

CHAIRMAN EDDINGTON:

Right, but there's always at least three --

COMMISSIONER DORMER:

Exactly. Yes, that's what I mentioned, three. That's the policy and the Precinct Commanders will hire a Sergeant for the shift to make sure they're covered.

CHAIRMAN EDDINGTON:

Okay, thank you. Legislator Gregory.

LEG. GREGORY:

Okay, thank you. I really have an issue with -- as a Commissioner -- and I don't have anything personally against you, I know you're in a tough position. You have a County Executive that's -- you know, he's a conservative with his budget and you have to work within his guidelines. But as the Commissioner, you know, and being involved with the budget and on the Working Group, I can't imagine having heard of any other Commissioner that says, "Well, I'm okay with a budget where I lose 60 positions"; I find that difficult, particularly as, you know, you don't have a backup plan. If the agreement doesn't go through, what are you going to do with 60 less officers?

COMMISSIONER DORMER:

I spoke to the County Executive yesterday about the agreement with the PBA and it's 99.9% ready to go, it's just a matter of signing this thing off. We're very confident, we're confident that it's going to get done and so the issue of the 60 layoffs, okay, would be off the table, we will not have to deal with it.

LEG. GREGORY:

I --

COMMISSIONER DORMER:

You know, if I may, Mr. Legislator. Many Police Departments throughout the country are laying off officers, we're not doing that in Suffolk County. These 60 officers that are in the budget are in there for a reason, but it will be pulled off the table, as the County Executive said when he submitted the budget to the Legislature, when the agreement is signed that will be off. I'm confident that that's going to happen; I have no information otherwise. The information I have is that this is a go. The union wants to get it done, the County wants to get it done, and so we're looking forward. These 60 officers will be on -- well, the 60 would not be taken from Patrol, they would have been taken from Headquarters units other than Patrol, we would never take them from Patrol. And so it's not going to be an issue because we believe that the agreement is going to be signed very soon.

LEG. GREGORY:

But when the budget was proposed, the feeling that there was an agreement wasn't there and you were okay with that. And as I look through the documents that we've received from you, and I know this is not exactly the appropriate forum, but what I'm seeing is a pattern of taking officers and some Sergeants, like COPE, and putting them at a desk. So you're saying now that if the budget were to go as proposed, you would have even more pressure to take officers off the streets and put them at a desk because you're doing that now.

COMMISSIONER DORMER:

No, if the agreement falls through -- and as I said, I don't think it will fall through. I believe this is going to be done, we have all the confidence that it's going to be done; from the information that we get from both sides, it's going to be done. But we will not deplete our patrol response. If we did have to do anything, it would be at the expense of Headquarters, people off the street. We certainly wouldn't take cops away from their primary function which would be 911 response.

LEG. GREGORY:

But the concern that I have is -- and I'm trying to -- you know, being a former soldier, I try to look through the eyes of a soldier or just the guy on the street. You know, they're seeing their boss, their superior saying, "Well, it's okay that we lose 60 positions." We know that we're not at the number that -- potentially, we're not at the number where we probably should be, and then when they come here and they voice their frustration -- because that's what it is, not even concern, it's frustration, they get disciplined.

And then in my district, you know, we had a melee in, what was it, July I think it was or June of a hundred people, three officers were involved in that, one got seriously hurt. You know, it's not only a community issue, it's an officer safety issue, and they're looking to the left and the right and saying, "What the hell is going on? You know, we need more people so we can feel more secure so we can do our jobs so we can make the community feel more secure, and our boss is saying, "Well, you know, we can lose 60 people, that's okay, we'll just get by."

COMMISSIONER DORMER:

If I may, I never said that. I never said that it was okay if we lose 60 people? I said --

LEG. GREGORY:

You said you would manage, you had no plan. You said, "We'll deal with it."

COMMISSIONER DORMER:

I said that's what we do; we deal with what you give us when your budget --

LEG. GREGORY:

But what I'm saying is your subordinates want you to say, "Hell, no, we're not going to deal with this, County Executive. This is something that you shouldn't do. Cut money from overtime, do something else, but we shouldn't lose 60 positions"; I think that's what they're saying. And I think that's reasonable, you know, considering the levels that we're at. If we had 5,000 officers, yeah, maybe we can afford to lose some, but we don't. We all know, you know, that we need more officers, and I think they're looking for that voice to say that someone is sticking up for them and not, you know, sticking it to them, because that's how they feel. This is what I'm hearing.

COMMISSIONER DORMER:

The County Executive doesn't want to cut 60 Police Officers from the Police Department. The Police Commissioner doesn't want to cut 60 positions from the Police Department, and I don't want anybody thinking we think that that's a good thing. Nobody has been laid off in Suffolk County, we don't anticipate anybody being laid off. This agreement, again -- and I repeat, I keep repeating --

looks like it's going to be signed.

And back to the incident at Wyandanch High School. We had our full compliment of patrol officers on duty that day. Unfortunately, events like that occur, unfortunately officers are injured; it happens. It's something we don't like, but unfortunately it happens. And all the sector cars were covered in that precinct that day when that incident occurred. The sector cars are fully filled every day. If we have to, we utilize overtime, that's why we have over \$20 million in overtime, is to make sure supervision is kept up on the streets and the patrol cars are kept up on the streets.

LEG. GREGORY:

And I'm really confused about that. You know, a few months ago you were saying overtime was the anti-Christ. You know, we've got to cut overtime, we're not monitoring parades, we're not doing this and that, we have to satisfy the budget, and now you're saying, "Well, we go to overtime because it's so great and that's why we don't need to fill any positions." You know, you're talking both sides.

COMMISSIONER DORMER:

If I may. If I may. I never said we would not Police parades.

LEG. GREGORY:

No, you said that we're going --

COMMISSIONER DORMER:

I never said that.

LEG. GREGORY:

-- come up with a plan so that we won't cover, we'll ask -- actually, there were two parades that go on every year and they had to change the date because you weren't able to patrol them on the date that they're scheduled so that you can manage them, and that's reasonable.

COMMISSIONER DORMER:

Yeah.

LEG. GREGORY:

And we had asked that you do that. But don't say that we're okay with overtime and we're asking communities to reschedule events that they have annually so that you can cover it properly because you don't have the resources.

COMMISSIONER DORMER:

Well, I think that it's appropriate to reach out to a community and say, "Can you have your parade on a Saturday rather than a Sunday?" And if they can't do it, we still police it. We've had communities that said, "No, it's usually on a Sunday, we'd like to leave it on a Sunday," and we work with them, But we had directed to reach out to community organizers who are going to have a parade and ask them if it was possible, that's being proactive, it's being smart, it's smart government, it's paying attention to the taxpayer's dollar which is not inappropriate at this time that we're going through. And so I make no excuses for doing that. I don't know if it makes me the anti-Christ; I'm not sure where that came from.

LEG. GREGORY:

I'm not saying you are, I'm saying that overtime -- you painted that the overtime was the worst thing ever, you know, and you said, "I don't know what it is," and I said it's 24 million, because I happened to look at the numbers the night before, and you said, "Yes, it's 24 million, we've got to reduce it, we've got to cut it 5%, 10% or whatever.

COMMISSIONER DORMER:

No, I tell Commanders to manage it very prudently. In this day and age, when people are losing their homes, their jobs, their health insurance, they're struggling out there, government had better

do their bit, too. Our job in government, and I'm making a blanket statement here, is to make sure that the taxpayer's buck is being properly spent. And the County Executive, as you mentioned, is a fiscal conservative, he makes no bones about that; I can live with that. I talk to him and tell him what I need, I talked to the County Executive and his budget people before the budget was sent over here to make sure that we could live with it. And when I stated, "I'll manage the budget and that's what we will do," and it didn't include, hopefully, the 60 cops being laid off; it's not something that anybody is looking to do.

LEG. GREGORY:

They were only just proposing it. But it's a reality. Two weeks from today we have to approve a budget and we don't have all the pieces in place to do that. I'm on the Working Group, we were trying to set up a two track systems, set up a budget without the layoffs, set up a budget with the layoffs. I mean, how do we as a body, a Legislative body, how do we do that? And, you know, I'm going to move on.

Honestly, I'm not really impressed with the increased numbers of Patrol over six years, it's, what, a little over 20 vehicles or something like that? I think you even, in your own way, even admit to that, because if it was such a significant number that you're increasing the patrols or whatever, you would think that you would need supervision, and the fact that you're not even going to the Sergeant's list to do that tells me, well, it must be insignificant where you're not increasing the numbers so that there are supervision. I have people coming to me saying, "We have COPE units out there, they're flying on their own. They don't have any supervision." And from my understanding, we have the money in the budget to do it, so it's not like we're going to increase the budget. In other words, any increase on pressure of taxes, we like to talk about property taxes, the money is there, let's promote these people. You know, we have, what, three weeks to call from the list? And if we're increasing the numbers and we're increasing without supervision, I don't think that's the prudent thing to do. You know, coming from a military background, you know, we wouldn't create a new platoon without a platoon Sergeant or a platoon leader. But you're saying that we should have these people out there flying on their own; I don't understand that.

COMMISSIONER DORMER:

If I may, Mr. Chair, if I could clarify. The hundred, over 100 officers that are in the 10 command or the sector car operation did not increase the number of cars out there, it just increased the number of bodies that were available to fill in the cars. The car numbers in the 1st Precinct, your district, stayed the same. So filling these sector cars, okay, required the same supervision.

LEG. GREGORY:

But most -- if I may. But most cars are single cars. You do have places -- hot spots, if you will -- that have double cars, but most of them are single cars, right?

COMMISSIONER DORMER:

Yeah, as they have been for years with the same supervision that we had in 1999, in 2004, the same supervision. You may have a Sergeant working tonight on overtime, because they -- somebody took a vacation day or a sick day. And that's what we do, we don't let them go down under the three, the rule of three, and that's what the Precinct Commanders have determined is adequate, two on the road and one inside to deal with issues that come in off the street.

LEG. GREGORY:

But from the reports that I'm seeing, you're taking Sergeants, in some cases, off the street and putting them behind a desk, and you're taking officers from patrolling the community off the street and putting them behind a desk. So that to me doesn't increase public safety, that may help your operations, internal operations continue, but the presence is not there.

And I -- you know, I totally agree with the Chair that, you know, we're here to help you. And, you

know, it's like you're fighting us, you know. And I understand you have a job and, you know, everyone is concerned about their job and you want to do the best -- I believe that you want to do the best that you can do but, you know, I find it difficult sometimes to try to get what we need. And I think -- you know, again, this may not be appropriate here, I'm considering submitting a bill that will make your position a term position, give you a little bit more independence so that your membership and yourself can -- there's some confidence behind that, that you don't have to worry about the political rings, if you will, and give you that independence so that you can do the job that you feel is best and that you're -- you know, you have seventeen hundred subordinates that are looking at you and every move that you do, they need to feel confidence in what you're doing.

I think you're capable of doing a great job, I think you're doing a good job with what you have. We don't necessarily agree all the time on things and that's okay, I don't agree with my twin brother on 90% of the things we do, but, you know, we're trying to help you. And we're not -- you know, we're fighting you and we shouldn't have that adversarial relationship. And your people, you know, they want someone that they can feel confident in and we're trying to build that confidence, that's all.

COMMISSIONER DORMER:

Well, I -- Mr. Chair, I thank you for the kind comments. And I should say, by the way, I consult with the County Executive on a regular basis, two or three times a week, about public safety. As you know, the County Executive is a hands-on Executive. If I have an issue and I'm -- I sell the issue to him, he responds and he responds appropriately. He'll ask me, "Can you live with this budget," and we worked on the budget before it was sent over here. And I said this before, it's a tough budget, okay, but we all knew it was going to be a tough budget, it's tough times. And again, as a manager, I said to the County Executive, as one of his department heads, "We can manage this. If the Leg changes it, we'll manage whatever they give us and what you give us." That's what we do in the County. But I'm not going to stand up here and say that we want this, we want that, you know, it's just not appropriate at this time. I can live with the budget as proposed, and I'm being sincere about that. But I thank you for your comments about the department, on behalf of the men and women in the department that are working hard every day to keep this County safe.

CHAIRMAN EDDINGTON:

Legislator Barraga.

LEG. BARRAGA:

Good morning, Commissioner. My own opinion is that I think all of the discussions we have here, even though some of them might be a little uncomfortable, are appropriate for this particular committee.

Just a few comments. I agree with you; I think at this point those 60 positions are basically not something that we should be concerned about, they will eventually sign that agreement. I'm sure that one of the reasons, probably one of the main reasons for the delay is that a few of the key people from the PBA who would normally sign off on this agreement have been very busy campaigning against me in my Legislative District.

*(*Laughter From Audience*)*

But I'm sure once they get through that, they'll return to the table and there will be finalization.

I have another concern. And, you know, as the Commissioner or the head of any organization, you control a great deal within your department, but sometimes things go bump in the night, coming out of left field and all of a sudden you have to deal with it. Beyond the 60 positions, let's put that aside, I do have some concerns about the potential PERB decision which may come at the beginning of the year. Now, if that decision comes down where the Suffolk County police have to be returned to the Expressway and Sunrise Highway, if I recall correctly, the shift was like 45 to 50 Police personnel when they were taken off those highways; you're going to find yourself in the position

where those people have to go back. And all I'm asking, and you don't have to respond, but I think you've got to have a contingency plan ready to go in case that decision comes down that way.

COMMISSIONER DORMER:

Yes, we've obviously thought about that. Again, it's appropriate to think about it because we're not sure how that decision will go and so we have talked about it and discussed it at the top levels, and if it does happen we'll respond appropriately.

LEG. BARRAGA:

Okay. Because -- and I may be wrong on this, because I was led to believe that most of the 45 or 50 that were taken off those two roads were back in Patrol, okay, and just think of what happens when you have to remove 50 of them, and you're already down with reference to personnel. So I would think that, you know, that's a major challenge that you're going to have to deal with and you're going to have to get a specific plan in place which may never be implemented but it has to be there.

And the other thing that I'm concerned about is that if -- at some point, and we really haven't discussed this, whether or not -- you know, I'll at least get your opinion. And I understand you want to live within the existing budget, and the County Executive and I are both conservatives, I'm a lot more conservative than he is. But we have not discussed here this morning this idea of a potential new Police class. And if you're down "X" amount of people and there is a shift, should we as a Legislature were to take a look at that in this budget? Where are you -- or have you taken a position that, you know, for the time being, we don't need it, or you can do without it. I think the need is there, the question is can you do without it?

COMMISSIONER DORMER:

Okay, I'll give you my position on this. I don't hire Police Officers, that's a Legislative and Executive decision. I deal with whatever I get as a manager and that's what we've said from day one. Whatever resources we get we will manage them the best way we can, again, keeping in mind that our primary function is response to 911 and emergencies in our community and we will continue that. So whatever we get, you know, we'll manage. And I said, too, in my opening statement, what Commander, what department head wouldn't like to have more? But again, I'm very much aware of the realities of these economic times. And I know that Legislators have a tough decision to make, relative to this, I understand that. We're all making tough decisions, but that's what we have to do at this particular time in history.

LEG. BARRAGA:

Just one closing comment. I know the center of the universe in this room has to do with public safety but, you know -- and I don't think my district is any different than most others, maybe a little bit different, but when you take a look at my district, 55 to 60% of those polled indicate that the economy and taxes are the issue. When you start getting into the other issues, specifically crime, it drops to about five or 6% who regard that as a major issue, which is indicative of many things. You know, obviously the best approach is to say that the Police are doing a good job, as these individuals don't feel this is a priority issue. And in my district, frankly, encompasses West Islip, Bay Shore and a section of Brentwood. And this past summer, I spent a lot of time knocking on doors and I hear quite a bit, but I don't hear a great deal about discomfort with reference to Police protection or crime in the area. And yet, you know, I grant when we pick up the papers we see these terrible things happening with Vilalobos and others, but when it comes to the average person, at least the feedback I'm getting direct, is that, you know, do whatever you can to control our taxes. You know, the property taxes, we're having a tough time economically, that seems to be the main issue, even though, like I said in the beginning, these discussion are totally appropriate within the framework of this particular committee. Thank you.

CHAIRMAN EDDINGTON:

Legislator Browning.

LEG. BROWNING:

Yeah, I think you took some of my question, because that was -- one of my questions was if PERB decides to put the Police Officers back. And when you say you have -- besides asking for the names of the officers, what their assignments were. Obviously some of them came from the Police Academy, newly graduated, but if we have that 65% are on the street today, where did they come from besides the Police Academy?

And it's funny that, you know, you talk about taxes is an issue for all of us, but I can tell you public safety is an issue for me, too, and for the people in my district. In fact, I was at a civic meeting last night and it's kind of funny but not so funny because I found a flier with the number of murders, sex offenders and the various crimes that have been committed in my district and to find out I'm responsible for them, and I am very curious to see how. But obviously when that's something that I'm seeing on a flier in my district for why people don't want to reelect me, it's telling me we need better police presence. And I do hear it on the streets, our cops are doing a great job, but we need more.

So I definitely -- you know, besides the names of the officers, I think it's important to find out where do they come from that you were able to increase them sector cars.

CHAIRMAN EDDINGTON:

Just to add on to that, you can watch my debate on News 12 and I was blamed for the increase of crime in Suffolk under my watch as the Chair of Public Safety. So it is something we're trying to get a handle of.

You know, you mentioned when you were answering Legislator Gregory's question, that the 60 positions were put in there to eliminate -- they're there for a reason; what's the reason?

COMMISSIONER DORMER:

If the agreement is not signed, there will be 60 layoffs, because obviously it's a budgetary issue. But again, I don't believe --

CHAIRMAN EDDINGTON:

So basically you're saying that's a threat.

COMMISSIONER DORMER:

I never said that, no.

CHAIRMAN EDDINGTON:

Well, you can say it any way you want --

COMMISSIONER DORMER:

I think it's --

CHAIRMAN EDDINGTON:

But it's there only -- you just said, if they don't sign the agreement, these people -- the Police Officers will be laid off.

COMMISSIONER DORMER:

If there's no agreement signed --

CHAIRMAN EDDINGTON:

Right.

COMMISSIONER DORMER:

-- okay, there's obviously a hole in the budget which will necessitate letting 60 Police Officers go. As

I stated before, I don't think that's going to happen, we have all the confidence in the world that the agreement will be signed shortly and we can move forward and that will be taken off the table.

CHAIRMAN EDDINGTON:

Sounds good. Let me just end with a couple of good policing initiatives. Stand-by; you did it, I asked you for reasoning, you gave reasons. You said you wouldn't change it, it was changed after a couple of incidents. Marine I, I understand now, has been put back and taken from the 1st Precinct. Of course, I was not notified that on September 20th at ten o'clock, there was a hard landing of an aircraft with three people on board and at the same time a ferry fire and the person from the 1st Precinct couldn't get over there because he wasn't familiar with the area. So now I see that that's kind of quietly been changed, so these good policing initiatives have been going back to the way they used to be. And now I'm wondering about any of the other changes like holistic policing? Are we going to have any of these other things just quietly rescinded in the next couple of weeks?

COMMISSIONER DORMER:

I'll answer that question last. But we redeploy people all the time, that's what we do in the Police Department. That's the prerogative of the Police Commissioner and the Commanders and, you know, that's appropriate, that's why there is a Police Commissioner and that's why we have inspectors and Captains and Chiefs for to do that kind of thing. As far as the -- and by the way, that's not my term, holistic.

CHAIRMAN EDDINGTON:

Policing?

COMMISSIONER DORMER:

That's not my term and that's not what we use in the Police Department. That's part of the agreement that's being worked on with the County and the PBA as we speak, and so that will be addressed in the agreement. When that's finalized, then we'll deal with that issue.

CHAIRMAN EDDINGTON:

So I guess what I'm saying is that when I'm told that the reason this is being done is because it's good police initiatives and policies and then it can be negotiated away, how good of a policy is it? I mean, that's what I'm questioning. If it's sound to do, why would it be negotiated away? Other than if it's just threats to try to get a group to do what you want and I'm opposed to that kind of negotiations. But if it's good policing, why are we gradually changing these things back?

COMMISSIONER DORMER:

Well, I'm not going to comment on threats. I never threaten anybody. We do move people in the department, we do move units around, that's what we have to do, we create units. We sometimes have to disband a unit if it's appropriate based on statistics and demographics and what's happening with crime. And so that's what a Police Department does and, you know, we're going to continue doing that. You know, it's just one of the things that policing, is part of the policing business. It happens in every Police Department. And as far as negotiations, I don't get involved in the labor management negotiations, that is not my arena and so that's conducted by the County Labor Director and the particular union.

CHAIRMAN EDDINGTON:

Well, I guess when we have to pass a budget that eliminates 60 positions and we're told that it won't happen unless the agreement is signed, we're thrown into the middle of negotiations, so that's why I'm concerned. I don't want to be in negotiations. But when you ask me to eliminate positions and sign-off on it, I'm put into that, so that's why I'm questioning it, because if I'm going to be involved, I want to have some say on how it's done. So then I guess is there any other commands that are going to be changed, like airport or Marine Bureau, are there any changes coming down the pike that you see?

COMMISSIONER DORMER:

As we sit here today, I don't see any changes with Marine Bureau or the airport operations, none whatsoever. And again, I caution everybody that we never know when we're going to change operations or redeploy and that's what we do, but certainly there are no plans to do any major changes in any unit in the Police Department at this time.

CHAIRMAN EDDINGTON:

Then I'll just close, unless anybody has anything. If there are any other changes, could you alert the committee here of possible changes and the rationale? Because I just don't want to read it in Newsday. If you have any changes, just let us know and just give us a reason and I would be happy to verbalize the reason when I get a call from any reporters or anything.

COMMISSIONER DORMER:

If there's any major changes or redeployment, we will keep you -- we will notify you and keep you apprised.

CHAIRMAN EDDINGTON:

Thank you very much. Any other questions? Thank you for your testimony today.

LEG. BROWNING:

Real quick.

CHAIRMAN EDDINGTON:

Oh, one last.

LEG. BROWNING:

I'm sorry. We were just talking about Homeland Security. You know, in light of recent events that occurred in the city, there was some TSA money that was -- that we rejected? I believe I remember seeing a letter from you for Police Officers with dogs, that they -- that you have rejected a grant from the TSA for bomb dogs and, you know, that really concerns me. I believe it's four or five years that this money comes to us, three dogs training? Can you explain to me why? Because I'm seriously concerned. I mean, we just had the recent incident in the city and Homeland Security can't say enough about it that we need to make sure we are safe.

COMMISSIONER DORMER:

I just want to reassure everybody and reassure the public that the Suffolk County -- Suffolk County and the Suffolk County Police Department, working very closely with our partners in Nassau County and NYPD in particular, are very much involved and keeping our region safe. We have a Chief in charge of our Homeland Security unit, a separate unit, by the way, with adequate staff. Didn't have that in 2004 when we came on board, it was just like, you know, an off-shoot of the Patrol Division. We made it a standalone Homeland Security operation.

To answer your question about the TSA grant, we looked at that very closely and the TSA grant would give us \$40,000 year per Police Officer for to pay 40,000 for five years. We'd have to take three Police Officers off patrol and put them into this TSA operation which was directed at transportation facilities and vulnerable entities, for example, ferries, etcetera; I don't want to get into any of the confidential entities. And when we looked at the whole contract where we get \$120,000 a year, this would not cover the cost of our officers. Our officers cost about, a senior officer, about \$150,000 a year, that's including benefits. We were going to get \$40,000 from the Feds, so we would have to eat the rest of it. And what we decided to do was not accept the TSA grant because of that factor, taking them off the street and not being properly reimbursed.

We now sat down with the Chief of Patrol and the Commander in Special Patrol that has the operational supervision of the K-9 Unit and we came up with an alternate plan where we'll utilize K-9 which, by the way, is already paying attention to our vulnerable entities, without going into all of

them, they're checked on a daily basis, I don't want to get into too much of that. But a special response, much like the TSA contract, we're going to do the same thing in-house. And the Commander over there, Stu Cameron, Deputy Inspector Stu Cameron came up with a plan to do this, and I believe it was put in operation, I let the Commanders do that and so it's in operation as we speak.

Another problem with the Federal TSA grant was that we would have had to spend 80% of our time on targets that they identified. We now can utilize our K-9 if we have an emergency somewhere else and we need them we can pull them off without violating a TSA agreement. And so looking at it very closely, it wasn't a smart thing to do. It looked like we were turning down, you know, 40,000 per officer, 120,000 a year, but it wasn't cost effective to do that. Homeland Security is one of our number one priorities, it's under the radar a lot for obvious reasons, but I can assure you and assure the public that they're well protected in this region.

LEG. BROWNING:

But I know these dogs are specifically trained for bomb sniffing, so you're telling me the dogs that we currently have in our K-9 Unit are -- they're trained to do bomb sniffing also?

COMMISSIONER DORMER:

Yes, they're trained for bomb sniffing, cadaver searches and drugs, and they're all cross-trained as trackers. When we came on board, by the way, there were only 16 dogs that had limited time that they were patrolling; there are now 21 dogs with handlers and it's 24/7.

Again, an enhancement in the patrol response that you don't hear mentioned very much. But this is a safety net for our officers on the street, we saw that when we put it in place in 2004 and 2005. And again, a Homeland Security issue. There's a lot of other things in place that you may not be aware of, but we could brief you privately on that if you wish.

CHAIRMAN EDDINGTON:

Okay. Thank you very much. All right, next up Sheriff DeMarco and crew. Okay, you have three minutes.

*(*Laughter From Audience*)*

SHERIFF DEMARCO:

That's fine. Good morning. Thank you for affording us the opportunity to come here today and address our concerns with the 2010 Operating Budget. We would also like to take the time to thank the County Executive's Budget Office as well as the Legislative Office of Budget Review for all their hard work on this comprehensive evaluation of our budget request.

As you are well aware, it's incumbent on each of us to improve both spending and saving practices to preserve the collective economic well-being of our County. My 2010 Operating Budget Request was prepared under those guidelines, and it represents a very clear and accurate assessment of our needs. As a result, both the County Executive's Budget Office and the Legislature's Budget Review Office have responded favorably. Nevertheless, we do have some concerns which need to be addressed and I'm going to turn the presentation over to Chief Michael Sharkey who will address the specific concerns that we have.

CHIEF SHARKEY:

Thank you and good morning. I would like to echo the Sheriff's appreciation of both the BRO's work and the Executive Budget Office.

I also would like to thank my colleague, Deputy Warden Rubacka, for all his work in the preparation of the department's budget.

Before we get into our specific concerns, I'd like to clarify one data item in the BRO report, it's concerning our current inmate population. On page 319 there's a chart illustrating the inmate

population from 2002 until present, and it should be pointed out that the 2009 figures in the chart are not actual numbers but rather our projection for 2009 year-end which were made back in May.

Subsequent to that time, in reality, when we compare the actual first nine months of last year with the actual first nine months of this year, our inmate population is actually down by 3.2% on average. So I wanted to clear that up so there wouldn't be any confusion, because there are several items that are affected by that. One in particular that comes to mind is our agreement to reduce the inmate food budget by \$150,000, it wouldn't make sense in light of that data.

First and foremost among our concerns is the staffing component of our 2010 Operating Budget which in light of the planned opening of the new facility in Yaphank in 2011. I believe each of you were given a chart to kind of graphically represent where we are and where we need to get before the opening of the facility. The Sheriff's Office maintains that we need to take a phased-in approach to staffing the new correctional facility. In 2008 we requested 83 additional Correction Officers and received zero; in 2009 we requested 42 additional Correction Officers and received zero; and now in our 2010 budget we are, once again, asking for 42 and the County Executive is recommending 20 new Correction Officers. This 20 would place us at exactly the minimum staffing currently required by the State Commission of Corrections which is 866 filled positions; filled being the key here. If you were to refer to the first section of your graph, you would notice that although we would come to the 866 as a budgeted item, we are well below the minimum staffing as required by the State currently. We currently have 805 filled positions.

Having 866 in the budget does not guarantee they will be all filled at -- all the time. In fact, historically the Sheriff's Office has a 5% vacancy rate, which is probably better than most. And so while the 2010 recommended budget does not meet the minimum staffing on paper -- does meet the minimum staffing on paper, it does not and cannot meet it given the reality of the situation, given the number of separations of service that occur monthly and the potential number of Correction Officers that can retire is growing larger each year. It must be emphasized the Commissioner of Corrections has already allowed us to reduce our minimum staffing by 10% and to use overtime to fill those positions. Consequently, the 866 number is an absolute minimum that must be filled at all times.

On October 27th, the Commission will meet with the County so that we can update them on the progress being made on the expansion of the correctional system. The only issue of concern to the Commission of Corrections which we can address via the Operating Budget is required minimum staffing. There are other capital issues that are of concern to them such as the usage of a large section of 4.2 million of the furniture and equipment money was transferred to another Capital Project, and the fact that Phase II is being looked at as a later time. The only thing we can address with them is the staffing. So we, therefore, urge that you adopt the BRO's recommendation to add 20 new Correction Officers positions for a total of 40 new Correction Officers and to have one class in January, but advance the second class to July as opposed to December.

The second area of concern is in our equipment and supply lines. The equipment accounts were reduced by 30% over last year and the supply accounts were reduced by 6%. And while a cut of \$564,000 in supplies and equipment may not appear to be critical, it must be pointed out that we already made significant cuts prior to submitting our 2010 request; it already represented the bear minimum, our cost-to-continue level.

Moreover, last year when we addressed the Legislature to address this year's Operating Budget we stated the following; "The Sheriff realizes that with money for public purposes becoming increasingly scarce, it is more important than ever to spend only what is clearly essential and to spend it in the most effective way. Therefore, given the current economic conditions, the Sheriff will not seek to have this funding restored to the requested level." However, we want to say, "Having committed to that, we must make one thing perfectly clear. Budget cuts of this magnitude must be viewed as a one-time event. Given the extent of our own internal cuts prior to submitting our request, there is no doubt that multi-year reductions of this degree in the equipment and supply lines will have a

devastating effect on our daily operation. Therefore, we request that this 2009 reduced level of funding not be viewed as the new baseline to stay within for 2010. And while we think we can survive one year at this reduced level, we simply cannot endure two years of such drastic reductions by the County Executive's Budget Office."

We went on to state, "It must be noted that the Legislature's Budget Review Office fully agrees with us, stating in last year's review, "It is questionable as to whether the department can withstand this drastic and sweeping cut for 2009. It is likely that these items will have to be increased in 2010."

As we stated earlier, not only were these items not increased, they were, once again, drastically reduced. And when we compare the 2010 recommended to the already drastically reduced 2009 Adopted, the equipment accounts were further reduced by 13% and the supply accounts by 3%. We, therefore, ask the Legislature to continue -- consider restoring the equipment and supply accounts to at least the 2009 levels in the adopting resolution which would restore 240,000 of the \$564,000 cut in the recommended budget.

I would like to move on to the personal services accounts. A discussion of the reduction in personal service accounts will be broken down into three categories; overtime in general, Correction Officer positions and Deputy Sheriff positions. First we'll discuss overtime in general.

The use of overtime to cover mandated posts decided by this office, is one of our most critical issues. Therefore, our primary goal of this office in 2010 will be to reduce the over-reliance on overtime and to accomplish our workload by providing the permanent manpower required for long-term coverage. We based our 2009 Correction Officer overtime on two assumptions. First, that all Correction Officer vacancies would be filled in March of 2009; and second, that 42 additional Correction Officer positions would be approved and hired in September of 2009. The 42 additional officers were not approved and no vacancies have been filled this year. Consequently, today the Sheriff's Office continues to rely heavily on overtime to cope with not only the increased workload, but also the loss of budgeted positions, along with our inability to fill vacancies at the Sheriff's Office. Our overtime projection for this year now stands at 22.6 million, this includes four years of salary increases for Correction Officers. We have now based our 2010 overtime on having all 40 Correction Officer vacancies filled in January of 2010 and 42 new positions filled in December. However, the County Executive's recommended budget has a class of 20 scheduled for January and a second class of 20 scheduled for December. Obviously only hiring 20 in January will require additional overtime, since we based our overtime on a class of 40, 50% more than being recommended. This 50% reduction in filling of vacancies equates to 1.2 million more in overtime. So even though almost the exact amount of overtime we requested is also being recommended, reducing the number of officers being hired by half invalidates our original overtime request. The only way we can stay within the recommended overtime funding is by incorporating your Budget Review Office's recommendation into the adopting resolution.

We'll now discuss Correction Officer staffing. The Sheriff's Office has reached a point where we must have at least one recruit class of Correction Officers each year just to fill the significant number of positions that become vacant due to separation of service, the majority of which will be retirements. So far this year, 26 Correction Officers left our employment, and so our projections of 22 leaving in 2010 and another 24 leaving in 2011 are very conservative numbers.

In our 2010 Operating Budget submission, the Sheriff's Office requested 42 additional Correction Officer I positions to be hired in 2010. The primary reason for this additional staff is to allow for a phased-in approach to staffing the new correctional facility which we view as imperative for a smooth transition. However, until the new facility becomes operational, these 42 additional Correction Officers will make a direct and substantial impact on reducing mandated overtime. What must be emphasized here is that we simply cannot wait until the last minute to hire additional staff that will be required to run the new facility. And in terms of hiring and training, both new positions and filling an ever-increasing number of vacancies, the last minute would be 2011. We, therefore, now have only two years to fill both new and existing Correction Officer vacancies to ensure an

orderly and smooth transaction into the new Yaphank Correctional Facility. It must be noted that BRO had recommended last year that two classes be included in 2009 to avoid confronting the problem of adding so many new officers in 2010 and '11; unfortunately, their recommendation was not included in the adopting resolution.

If the current recommendations of BRO are not taken and we wait until 2011 to address the staffing shortage, an estimated 186 new Correction Officers would have to be hired in one year, which is not only virtually impossible but also unsafe. Having that many younger Correction Officers with less experience hired in such a short period of time, supervising maximum security inmates who are more violent and less controllable than ever is without question a recipe for disaster. It must be pointed out that on September 24th, just three weeks ago, we received a letter from Chairman Beilein from the State Commission of Corrections which stated the following with regard to staffing; "The Commission staff have completed an initial position and staffing analysis for the entire department to include the Riverhead and Yaphank facilities. Understanding the completion of the project is expected in July of 2011. The Commissioner is requesting a detailed plan outlining specific timeframes for the phased hiring of the new staff. Once again, it's extremely imperative that the department and the County understand how important it is to have ground-ready, trained officers prior to the opening of the expansion portion of the facility. Without properly trained staff to operate the buildings and safely monitor the inmate population, the commission will not set a maximum facility capacity thereby not allowing the occupancy of the facility." Notably, the Commission of Corrections has stopped the opening of other County's correctional facilities when they determine the existing staffing was insufficient. The Sheriff's Office must now go on the record, as it did last year, and state that we cannot allow this to happen in Suffolk County.

We can say with absolute certainty that any perceived delay in the opening of the facility would not be taken lightly by the commission. And given the degree of overcrowding we are facing and the fact that the Commission of Correction is granting 511 variance beds, if the new correctional facility is not ready to be occupied and we do not have the required amount of Correction Officers fully trained and ready to staff it, the commission would eliminate most, if not all, 511 variance beds as a penalty for inaction. Sending the 511 inmates that were being housed in the variance beds to substitute jails would cost 1.9 million per month, or 23.3 million a year, not including transportation costs.

Our final area of concern is Deputy Sheriff positions. So far this year we have managed to get along without having to make drastic staffing changes in the Sheriff's Office. We have met this personnel shortage on a day-to-day basis. Now that it's apparent that our Deputy Sheriffs will, in fact, continue patrolling the LIE and Sunrise Highway for at least a portion of 2010, we are moving to a longer-term solution to the situation.

At the present time, we are able to absorb the additional patrol functions largely due to three reasons. First, the Sheriff has redeployed Deputy Sheriffs by reducing the number of times when two are needed in a car and realigning zones. Second, we have the new variance that we spoke about earlier that provides 152 additional beds. And third, for the first nine months of this year, our inmate population has been slightly lower than last year. Consequently, we are doing less transportation of prisoners to substitute jails throughout the State. However, while we have every reason to believe that the 152 bed variance will continue next year, we are projecting it will be countered by a slight increase in inmate population which will require a corresponding incremental increase in transportation of prisoners to substitute jails.

We, therefore, are urging that our 12 Deputy Sheriff vacancies be filled in the 2010 budget, as recommended by the County Executive.

We are still not requesting additional Deputy Sheriff positions, only that our current vacancies be filled in January of 2010.

In summary, we're asking if the Legislature can consider all of BRO's recommendations in the adopting resolution and they are as follows; add 20 new Correction Officer positions to be filled in

January of 2010; secondly, add 2.5 million to fund the additional Correction Officer positions and advance one class to July of 2010; add a new Material Control Clerk IV position at a cost of \$51,460 to enhance civilianization efforts. Based upon year-to-date estimates, reduce the recommended expenditure for food by \$150,000.

In addition to the BRO recommendations, we ask that the Legislature consider restoring equipment and supply accounts to at least the 2009 levels in the adopting resolution which should be an increase of \$240,000. That concludes our formal presentation.

CHAIRMAN EDDINGTON:

Okay. Thank you very much. I'd like to ask you a question. Now, I heard redeployment, variance and less transportation; is that how you've been able to move, I guess, 20 officers to the highways; is that what I'm hearing?

CHIEF SHARKEY:

I don't believe 30 -- 30 is a little high. I think we've permanently moved somewhere in the low 20's. But yes, those are the three reasons we were able to do that.

CHAIRMAN EDDINGTON:

Okay. Well, you know, I'm having trouble, after the last presentation, with numbers, so let me just clarify. Weren't there like 45 Highway Patrolmen on the highway and now you're saying there's only 20 sheriffs?

CHIEF SHARKEY:

I can't speak to how the Police Department was staffing the highway. I know that we're supplying coverage in an equal amount of sectors on those roadways 24-hours a day, seven days a week. We may be doing it somehow differently, I don't know. We have -- our Deputy Sheriff's work chart annually allows for approximately 13 additional work days a year and we have not permanently assigned every position. We're still rotating a percentage of the staffing from other commands to most efficiently use our staff.

CHAIRMAN EDDINGTON:

So is there more than 20 people being used? There's 20 permanent and then there's other people filling in; is that what you're saying?

CHIEF SHARKEY:

Yes. I wouldn't call it filling in, they are being rotated through the patrol function, yeah.

CHAIRMAN EDDINGTON:

Okay. I mean, because I know what I've been told is the Sheriffs get paid less, that's why they're on the highway. But if you could do twice the amount of work, now we're really hitting something. So that's why I was questioning, I'm hearing 40, I'm hearing 20, so I couldn't put it together in my head.

Look, there's something called an economics opportunity cost. I know we hired 20 more Sheriffs, Deputy Sheriffs in 2008, and we know that they were for jobs. This is before the highway, so they were for jobs. Who's doing those jobs?

CHIEF SHARKEY:

We discussed in our presentation that we're able to do this because our inmate transportation has been reduced significantly. So we're able to use a significant portion of those staffing towards this effort.

CHAIRMAN EDDINGTON:

So there's been really no negative impact. You're doing everything you always did, only more now; is that what you're telling me?

CHIEF SHARKEY:

Yeah, there is a reflection in our overtime budget that shows that there is an additional overtime cost.

CHAIRMAN EDDINGTON:

And what is the additional overtime for the Sheriffs, up to this date?

SHERIFF DEMARCO:

Between seven and eight hundred thousand

CHIEF SHARKEY:

Between seven and \$800,000.

CHAIRMAN EDDINGTON:

That's it? I mean, I hear reports, "Oh, it's a million dollars every couple of weeks or month." So total, from when you took over the highways to now, is \$700,00 in overtime.

CHIEF SHARKEY:

That's what we estimate we can attribute to the highway, yes.

CHAIRMAN EDDINGTON:

Okay. How about the warrants; has there been any less attention to -- I know you do the civilians, you know, like with domestic violence calls? Because we've had people make presentations about domestic violence, and I know the Sheriff's Department has always been on top of that. Do you need any more staffing in that way?

CHIEF SHARKEY:

Well, we said in our presentation that it is imperative that we fill our vacancies. We do have separations from service and we are covering --

CHAIRMAN EDDINGTON:

Right. Twelve you're saying, right, 12 vacancies?

CHIEF SHARKEY:

Well, yeah, we want to fill every vacancy. You know, if someone leaves between now and when we hold the class, we want to fill any vacancies that occur, and that's more imperative than ever because we are trying to extremely efficiently use our personnel.

CHAIRMAN EDDINGTON:

Now, the budget calls for eleven Deputies in a new class, I believe that's what I'm seeing here. And the Deputies get -- isn't that what I'm reading here? Twenty Correction Officers and then 20 more in December is what BRO is recommending. But the -- but 11 Deputy Sheriffs in January; that's correct?

CHIEF SHARKEY:

That number was probably based on the current amount of vacancies that we had at the time that it was prepared.

SHERIFF DEMARCO:

Now it's twelve.

CHAIRMAN EDDINGTON:

Right. Now, they're not going to open the Police Academy for 11 Sheriffs, and there's no scheduled Police class. How are you going to get trained, what are they saying?

CHIEF SHARKEY:

Well, we do depend on the Police Academy. The Police Academy does not only run when they run a Suffolk County class, they do run outside agency classes which would be a combination of Sheriff's Office personnel and any number of towns and villages within the County.

CHAIRMAN EDDINGTON:

And you're projecting that there will -- I guess what I'm saying is it could be -- this is great, we could pass it and then they don't have a class so that you can't be trained and you're depending on it. And I haven't heard of a lot of training from Southampton, East Hampton or anywhere else, so, or New York State. So I'm just looking, is there an alternative for training if the Police Academy doesn't have a class?

CHIEF SHARKEY:

We're dependent upon the Suffolk County Police Academy.

CHAIRMAN EDDINGTON:

Okay. All right. Legislator Browning?

LEG. BROWNING:

Yeah, just a quick one. You want your 12 vacancies filled and you need 11 new Deputy positions, right?

CHIEF SHARKEY:

No. We're simply requesting that all of our budgeted Deputy Sheriff positions will be filled when a class is run, hopefully in January.

LEG. BROWNING:

Okay. And, you know, we just had the conversation with the Commissioner about, you know, PERB coming down with a decision hopefully some time next year. So say they come back with a decision and they put the Suffolk County Police Department back on the road; you now have twenty something Police Officers on the highway. So are you going to need that class if you get them off the highway?

CHIEF SHARKEY:

Absolutely, because you're looking at -- number one, we're fortunate to have a drop in inmate transportation which allowed us to reassign people to that task. But also, the Sheriff's Office historically has a large overtime budget. If, in fact, we're not doing that, that we'll be going directly towards overtime reduction.

CHAIRMAN EDDINGTON:

You said the overtime budget is only 700,000, that's not a large --

CHIEF SHARKEY:

That's what we're attributing the increase to the highway. We're projecting our entire budget for overtime with Correction Officers and Deputy Sheriffs for this year to be -- what is it?

WARDEN EWALD:

Twenty-two point six.

CHIEF SHARKEY:

Twenty-two point six million dollars in the Sheriff's Office.

CHAIRMAN EDDINGTON:

I mean, how much of that is Sheriff's Department? I mean, you're giving me Corrections and

Deputy Sheriffs; I'd like to have it separated.

CHIEF SHARKEY:

Deputy Sheriffs account for roughly \$6 million out of that.

CHAIRMAN EDDINGTON:

Okay. Go ahead, Legislator Browning.

LEG. BROWNING:

I know they all fall under you and I know you have Corrections officers and you have Sheriffs; can you shift monies from Corrections to the Sheriffs to fill for overtime or anything like that?

SHERIFF DEMARCO:

No.

LEG. BROWNING:

You can't?

CHIEF SHARKEY:

No, it's mandated and discretionary portions of the budget.

LEG. BROWNING:

Okay. You know, as far as your Corrections Officers are concerned, when you're saying, you know, you have -- you have mandates, you have to have so many Corrections Officers in the jail at a time. So I'm concerned, I know it's a very stressful job and, you know, I'm wondering how much overtime each of these Corrections Officers are being mandated to work because of shortages. I mean, do.-- you do mandate officers if you need them to do overtime? I could be wrong.

SHERIFF DEMARCO:

No, you mean forced overtime, like they're being forced to stay?

LEG. BROWNING:

Right, right.

SHERIFF DEMARCO:

We're not at that point yet because we still have people who are volunteering to work, and I don't believe -- we haven't, right?

WARDEN EWALD:

We just started.

SHERIFF DEMARCO:

The Warden is saying we're just starting to reach the point where every once in a while we have to force somebody to stay and it's usually the most junior people that get forced.

LEG. BROWNING:

And you know, when the winter gets here you know your numbers are going to go up. So how much average overtime does a Corrections Officer do right now? A month.

DEPUTY WARDEN RUBACKA:

I would say about 30,000 would be the average officer in overtime.

LEG. BROWNING:

No, no, no.

DEPUTY WARDEN RUBACKA:

Per year. Per year.

LEG. BROWNING:

No, I'm not talking about dollars, I'm talking about time. You know, a Corrections Officer who's volunteered to do the overtime, what's the average amount of overtime that they're doing in time?

SHERIFF DEMARCO:

You're asking for per month, like per --

LEG. BROWNING:

No. You know, a Corrections Officer is doing overtime because you need somebody to fill overtime. I'm just asking how much time they're actually covering.

SHERIFF DEMARCO:

Usually an eight hour shift, sometimes a four hour shift, four to eight hours per time.

LEG. BROWNING:

So they would do an additional four hours.

SHERIFF DEMARCO:

Four to eight.

LEG. BROWNING:

Okay. You know --

SHERIFF DEMARCO:

Depending on what post it is.

LEG. BROWNING:

Yeah. It's just, you know, I've been in the jail and I can see that when they spend eight hours in there, I'm sure they're dying to get out the door, so to have to spend 12 hours in there, and I was just curious how much overtime they're all spending in there. You know, your staffing positions are I think are very important for the officers and we need to make sure that you are properly staffed, that they're not going to be stressed. And I am concerned about when you start doing forced overtime, what it does to the morale of the officers when they start getting forced to have to work when they really don't want to.

SHERIFF DEMARCO:

And we're very concerned about that, too, because what happens is if you don't want to be forced, you just call in sick for the whole day which creates more overtime, creates a bigger problem. So it's a big problem.

CHAIRMAN EDDINGTON:

Okay, just -- you know, I look at my notes here and I see that we hired 20 officers in 2008. And I know that the highway issue was you were given three days notice, but it does seem like significant that we hired 20 officers and 20 officers were needed for the highway like six, seven months later, and the jobs somehow have all been taken care of; no?

CHIEF SHARKEY:

That's not an exact number that we're using. We're using in the low 20's permanently assigned and we are also rotating staff in from various commands on a daily basis; it's more than that number.

SHERIFF DEMARCO:

And also the rationale behind hiring the 20 -- I think it was 23, but then I think some people went away to the military, they haven't been back -- was those people were hired mostly for overtime reduction. So what happened is when the highway came along, the overtime didn't get reduced, it

went up \$700,000 as we took on the additional duty which is still a pretty good bargain.

CHAIRMAN EDDINGTON:

All right. I guess what I'm seeing sometimes with my committee is there's so much going on in public safety that we get pieces of information and numbers today and numbers tomorrow and try to put it together. I'm going to -- I think what I'm going to try to do is have more communications between the different groups over the next year, whether it's invite you to my office and ask the Legislators in an informal meeting, you know, but we have to figure out a way to keep closer so we're current on what's going on so that when something happens we're not surprised or questioning the numbers. You know what I'm saying? Plus there's outside forces whispering in your ear. I'd rather hear the straight scoop continually from you guys in one way or another; maybe we'll visit you on a more regular basis. Anything else?

LEG. BROWNING:

No, I don't think so.

CHAIRMAN EDDINGTON:

Thanks very much for enlightening us.

SHERIFF DEMARCO:

Thank you.

CHAIRMAN EDDINGTON:

Okay, how about Probation? So let me guess; you guys are happy, you've got everything you need, it's going to be a great year.

DIRECTOR DESMOND:

We're looking forward to an outstanding year. With me today is Dr. James Golbin who is my Chief Planner and Ms. Karlene Maimoni who is my Director of Program Evaluations. I would just like to take a couple of minutes to read some stats and then we'll take questions.

The Suffolk County Probation Department last year supervised in excess of 17,000 adults and a thousand juveniles. We forwarded 16,000 Family Court petitions; we provided 15,000 court reports for bail status determination; we conducted more than 7,000 Criminal and Family Court presentence investigations; and we supervised more than 700 interim cases, more cases than are supervised by any interim program in New York State. We did this with recidivism rates below the national averages and with our specialized caseloads far below national averages, and I'm talking here about sex offenders, the mentally ill and domestic violence. Also, in the last year we brought on-line a new web-based case management system that allows our officers in the field instant access to their caseload information and also ties into our geographic information system. We responded to the 2008 State changes expanding Family Court jurisdiction over Orders of Protection by reassigning staff and working with the Court Clerk's Office to ensure that every request for an Order of Protection is heard that day.

We assigned two Senior Probation officers to work with the newly created County Court Drug Court in response to the changes in the Rockefeller Drug Laws which became effective October 7th, 2009. Potentially, over 100 additional felons will be supervised locally for substance abuse problems rather than sentenced to Upstate prisons. These Senior Probation Officers will monitor treatment and enhance public safety.

The department has enhanced Family Court services through AFI, Home Base, PINS Diversion and our Mental Health Juvenile Justice Program so as to significantly reduce residential placements. In 2002, 235 juvenile delinquents were placed in institutions, by 2008 this had been reduced to 193. In 2002, 89 PINS children were placed, by 2008 this has been reduced to 23.

Thanks to the County Executive and the Legislature, we will shortly complete the hiring process to initiate a new class of 12 Probation Officer Trainees. This will return our number of sworn personnel to our January, 2008 level. The majority of these officers will be assigned to Adult Supervision caseloads and to our ATI programs whose numbers have been -- have risen due to PO retirements. With your support, the Probation Department proudly provides community service and community safety. Thank you.

CHAIRMAN EDDINGTON:

Let me ask you, you're saying the budget has 12 new officers in it? Because my understanding is it's the elimination of nine positions.

DIRECTOR DESMOND:

No, what I'm saying is that we are in the process of bringing on board 12 replacement officers for existing budgetary slots.

CHAIRMAN EDDINGTON:

Oh, okay. God, I heard it differently. Well, let's talk some rational. The rational of transferring five people from Probation and IT; justify it. Here's what I want. I want -- I want the Probation Department's union to see it as a positive thing. They came here and said, "No, it won't be helpful to the officers; in fact, it could endanger the officers." How can you -- you know, I want them to see it as a positive. If you're doing a change, I think everybody has to see it as a good thing, not just a cost effective thing but a good thing. Go ahead.

DIRECTOR DESMOND:

Okay. I -- excuse me. I envision the support that my Automation Unit will get from IT to be a very positive thing. I've been guaranteed that those individuals will stay within my department and that they will have access to the IT section's experience and knowledge.

As you are aware, my IT section has diminished, we lost three people last year due to retirements, and I think that -- and those were very senior people, and I can view this as a real assistance to my personnel. The County Exec's Budget section has informed me that the State aid reimbursement situation for these positions needs to be clarified and I believe that they will be providing you with that information.

CHAIRMAN EDDINGTON:

Yeah. So based on that, these -- are these positions going to be excluded from the budget, then, until that matter is decided?

DIRECTOR DESMOND:

I honestly have no idea. I'm not familiar with --

CHAIRMAN EDDINGTON:

Well, could that be a recommendation from your office to the County Executive, that if we're in danger of losing reimbursement by moving them out of Probation, then maybe we shouldn't do it until we got clarification. So, I mean, I'm looking at it as you can take them out and at some other time legislation could be passed to put them into IT, but why do it if there's a chance of jeopardizing? I mean, I don't know, maybe I think crazy, but I'm just thinking that to ensure safety here.

DIRECTOR DESMOND:

Well, I believe that --

CHAIRMAN EDDINGTON:

This is the international sign for yes (Nodded head yes), if you think that might be a good idea.

*(*Laughter*)*

DIRECTOR DESMOND:

I believe that the --

CHAIRMAN EDDINGTON:

And that stare is the safe way to go.

*(*Laughter*)*

DIRECTOR DESMOND:

I believe that the Budget Office is in contact with the State for some clarification.

CHAIRMAN EDDINGTON:

Okay.

DIRECTOR DESMOND:

And I think that's the safest thing. This is a little outside my expertise.

CHAIRMAN EDDINGTON:

Okay. My understanding is IT is down staff, that they don't have an adequate compliment. So if you move the Probation people down into another area that is down, why doesn't that sound like a good idea to me?

DIRECTOR DESMOND:

Again, that situation with IT is not within my jurisdiction. I have been promised that my people would continue to be in -- located in my department and that they would get support.

CHAIRMAN EDDINGTON:

And let me ask, does that sound like a good idea to anybody in this room? You want to -- come forward and tell me how it's a good idea, then, because I can't get it in my head.

COMMISSIONER QUINN:

Just push this down?

CHAIRMAN EDDINGTON:

Yeah, just pull it down.

COMMISSIONER QUINN:

Mr. Chair, I'm Gary Quinn, the Commissioner of IT. Good afternoon, or good morning. In listening to a lot of the issues going on with public safety and individuals and performing tasks, to answer your question does that sound like a good idea; it depends on what function you're actually performing.

In Information Technology, the ability to manage, maintain, provide service in the, say, underlying infrastructure of -- think of it as electricity and plumbing, all right; whether you have one person managing one server or one switch or one person managing ten or a hundred, it's not the same as if you have a patrolman in a sector car and we have a one-to-one relationship, it's a one-to-many relationship in technology. So, to say is that a good idea? In some of the cases, what we're looking at, it is a good idea; in some of the departments that we're looking at, those departments are on the brink of potential disaster because they're down to one individual, in some cases a temporary individual who's been put into a position to try to support the environment with no knowledge and no training.

In the case of Probation, that's not the case. The case of Probation, they do have a number of individuals there, all right. Some of them are actually quite talented, and one of them is actually

leaving who, to answer your question, I would like to have used that individual to apply them to the entire County to develop and deploy some technology because some of that expertise doesn't reside in other departments. So to answer your question is it a good idea; it's a good idea to a certain point based upon the fact that you have a one-to-many relationships. When you don't have a one-to-many relationship, it's a bad idea.

CHAIRMAN EDDINGTON:

I guess the way I'm looking at it is we're trying to pass more legislation to utilize like GPS interlock devices, you know, more and more technology centered on the one branch of public safety that's proactive a hundred percent. I mean, they're really -- and early intervention maybe, but -- I mean -- so to put them under somebody else, here's my fear. They're doing their job and then somebody comes in, maybe you, and says, "Look, we need a little help with this," and now they're off their task and doing some other IT job or function, and based on what I see in the County, that's how it's been. So that's my concern.

And for me to support this, I think you would have to, in my mind, sit with the people in the Probation union and show them how this will help their members. Because I really don't have enough knowledge in what they're doing and how they do it, but they do, just like the gentlemen you had mentioned who's highly skilled. You can get those people to think it's a good idea, I'll support it. But when management wants something else and the union is saying, "No, that's not a good idea; in fact, it's unsafe," I have to look at that issue, and I can't make a legitimate decision. That's why I think that open and honest negotiations and communication can resolve these issues, I really believe it. Not just saying, "We're going to do it," and you know what I hear often, "Because we can"; I hate that answer. So I would say if you could make an appointment to meet with Gail and her staff and show them how this will benefit it, I would sport it.

COMMISSIONER QUINN:

Sir, I'm happy to do that. You know, I think that you have to take the emotion out of the situation here or the decision and get down to the bare facts, and I think at the moment we have some emotion there. And I'm willing to go either way. I mean, I think for the benefit of the County, we have some knowledge gaps address the County to support the infrastructure. And you're right, the Probation Department does have laptops that are roaming around outside that connect, that support their officers to approach, you know, their -- I shouldn't say customers, but their people that they look after. And if they have important information up-to-date as they arrive at somebody's home to do an in-house inspection, they will know if something has occurred. And you're right, it needs to be -- we need to be dedicated to them to do that. And I think it comes down to who runs it.

CHAIRMAN EDDINGTON:

Uh-huh.

COMMISSIONER QUINN:

You know, it's -- to be quite honest with you, I think my view on what is happening here is that we do not have the right people or enough of the right people to support technology in the County. Okay?

CHAIRMAN EDDINGTON:

You know, I'm smiling because I really enjoy -- I haven't really met you, and when a person from IT is talking to a social worker about emotion, it makes me smile because that's who I am and who you shouldn't be.

*(*Laughter*)*

You know? And I like -- I want the IT people to fact -- but you know what? That's who I am because of who I am, and I can't help it because I look at people doing the job, not just the job

itself. And I believe that you have enough knowledge and sincerity to be able to present this to the people that do the job and have them see the benefit, and that's really what I would like to see; and do it with no emotion, I think you can win them over. But until that happens, I'm not going to support this.

COMMISSIONER QUINN:

That's fine. I mean, I'm happy to meet with them and go through it and, you know, whatever lands lands. You know, I think that you -- also they should look into finding out for sure. You know, there's no reason to take any money out of the County's coffers from somebody else, as has been presented, but I think we may find out that that's not -- that there is a way to actually do it without losing money for the County, because other counties are doing similar things. And I'm not saying that just because someone else is doing it we should do it, but I do think that the County needs to evaluate its technology at the moment and we have some -- the departments that we've looked to do this with are ones that are down to one or two people or no people; you can't run a business that way.

So I think, you know, it's not a turf thing, it's a sharing of resources to get the most out of those resources. In the case of this Probation gentleman, he's only applicable to Probation, we can't use him anywhere else in the County. So you've got to look at it from a reverse perspective, you know, how do we deploy him for everybody's benefit, and we can't. And even -- and I think Mr. Desmond will also know that I have extended one of my employees throughout the last year, being new here for the last year, thinking it was the right thing to do to help him because one of his other people retired. So I'm happy to meet with them, I'm happy to discuss it with them, you know, and we'll -- I guess we'll get back to you.

CHAIRMAN EDDINGTON:

That sounds good to me. Legislator Browning.

LEG. BROWNING:

Yeah, the more I listen the more confusing it becomes. But, you know, you're saying your departments are short -- don't say another word. But what I'm -- what I think I'm hearing is is that certain IT departments are short-staffed and so to kind of fill those staffing positions, you're looking at other IT areas where you can pull from them to fill up your holes.

COMMISSIONER QUINN:

No, no.

LEG. BROWNING:

Right?

COMMISSIONER QUINN:

What's happened -- as I mentioned before, technology is not a one-to-one relationship, all right? It's not -- and also, as far as staffing in the IT Do It Department, although there's indicated openings there, if you look at the openings, the number of technology openings, people who actually do work on applications, on servers, not administrative functions, I think we're missing two or three out of the nine. So I wouldn't say that we're down staff.

LEG. BROWNING:

If you're down by three you're down by three, so you're down staff. But --

COMMISSIONER QUINN:

But we're actively looking for those people.

LEG. BROWNING:

Okay. The Probation IT people, are they Probation Officers or are they civilians?

DIRECTOR DESMOND:

We have one individual who is classified by the State as a Peace Officer because of the nature of his duties.

LEG. BROWNING:

One out of how many?

DIRECTOR DESMOND:

One out of the five.

LEG. BROWNING:

You know, I just -- you know, we talked earlier about the Rockefeller Drug Laws, the increase for Probation Officers, the technology, the things that we're doing to help Probation do their job; I'm really, really concerned about pulling away from them what they need to do to do their job and to do it right and effectively. So I don't know. I just feel that this is an effort, it seems, to pull away from one department because they have staff to fill up somewhere else because they don't, and that just doesn't seem to make sense to me. Especially what they do; public safety is public safety, it's important.

COMMISSIONER QUINN:

As I just mentioned, I actually extended one of my staff to help them get through the year.

LEG. BROWNING:

Okay. So Probation was short, he had to extend one of his staff, and so now -- but you're still short. Okay, I get it.

CHAIRMAN EDDINGTON:

Okay. Well, I think we're done. Thank you very much. And we'll -- if you could get back to me with the conversation that takes place, all right?

DIRECTOR DESMOND:

I'll be happy to arrange a meeting. Thank you very much.

CHAIRMAN EDDINGTON:

Thank you.

LEG. BROWNING:

Thank you.

CHAIRMAN EDDINGTON:

Okay. I don't see anything else, so -- BRO, you guys were brilliant, as always, at this meeting.

MS. VIZZINI:

(Indicated "thumbs up" sign).

LEG. BROWNING:

Did you want Commissioner Williams to come up?

CHAIRMAN EDDINGTON:

Only if we needed it; he didn't want to -- did you want to say something? You just were waiting to be called if we needed you, right?

COMMISSIONER WILLIAMS:

If you needed me.

CHAIRMAN EDDINGTON:

If there was a fire, he was going to put it out. Okay, then we will adjourn.

*(*The meeting was adjourned at 12:22 PM*)*