

## **PUBLIC SAFETY COMMITTEE**

### **OF THE**

## **SUFFOLK COUNTY LEGISLATURE**

A regular meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Thursday, March 18, 2010, at 9:30 a.m.

### **MEMBERS PRESENT:**

Legislator Jack Eddington, Chairman  
Legislator DuWayne Gregory, Vice-Chair  
Legislator Kate Browning  
Legislator Tom Cilmi  
Legislator John Kennedy

### **ALSO IN ATTENDANCE:**

Presiding Officer Bill Lindsay, Legislative District No. 8  
Legislator Rick Montano, Legislative District No. 9  
Legislator Tom Muratore, Legislative District No. 4  
George Nolan, Counsel to the Legislature  
Alicia Howard, Clerk's Office  
Robert Calarco, Legislative Aide to Legislator Eddington  
Terry Pearsall, Chief of Staff, Presiding Officer's Office  
Kara Hahn, Legislative Aide to Presiding Officer Lindsay  
Marge Acevedo, Legislative Aide to Presiding Officer Lindsay  
Maxvel Rose, Legislative Aide to Legislator Gregory  
Bob Martinez, Legislative Aide to Legislator Montano  
Debbie Harris, Legislative Aide to Legislator Stern  
Bobby Knight, Legislative Aide to Presiding Officer Lindsay  
Linda Bay, Aide to Minority Caucus  
Paul Perillie, Aide to Majority Caucus  
John Ortiz, Budget Review Office  
Ben Zwirn, County Executive's Office  
Ed Hennessy, Intergovernmental Relations  
Dennis Brown, County Attorney's Office  
Richard Dormer, Commissioner, Suffolk County Police Department  
Robert Moore, Chief of Suffolk County Police Department  
Roger Shannon, Suffolk County Police Department  
Jeff Tempera, Director, Personnel and Labor Relations  
Dot Kerrigan, AME  
Noel DiGerolamo, 2nd VP, PBA  
Mike Sharkey, Chief of Staff, Suffolk County Sheriff's Office  
Vito Dagnello, President, COA  
Laura Ahearn, PFML/CVC  
Gerard Gigante, Deputy Inspector, Suffolk County Police Department  
Ed Webber, Chief of Support Services  
Ted Nieves, Deputy Inspector  
Chris Bergold, Deputy Inspector  
Maureen Looby, Human Resources, Suffolk County Police Department  
Greg Fischer, Self and Abducted Sons and Daughters  
Jim Barr, President, ABATE

Gary Osarczuk, 2nd VP, SCCOA  
Fred Gorman, Nesconset/Sachem Civic Association  
Michael Matteo, Jr., Town of Brookhaven Fire Marshal  
Don Hausz, President, All Out Fire Equipment  
Anthony V. Laferrera, Chairman, Suffolk County FRES Commission  
John M. Searing, SC FRES  
Edward Springer, Assistant Chief Fire Marshal  
Gail D'Ambrosio, SCPOA President  
Mike Applequist, SCPBA  
Mike Catalane, TOI  
Andrea Vecchio, CLS, LI for Education Reform  
Ron Barz, Suffolk County Fire Chiefs  
Don Lynch, Suffolk County Fire Marshal  
Larry Faraone, SOA, Treasurer  
John Carey, Suffolk County Police Officer  
Tim Morris, SOA, 1st VP  
Gene Pritz, Fairfield at St. James, President  
Peter Hanratty, Firematic Supply, FELB Board  
Kevin Peterson, SC FRES, Fire Marshal  
All other interested parties

**MINUTES TAKEN BY:**

Lucia Braaten, Court Stenographer

**MINUTES TRANSCRIBED BY:**

Kim Castiglione, Legislative Secretary  
Alison Mahoney, Court Stenographer

***[THE MEETING WAS CALLED TO ORDER AT 10:06 A.M.]***

**CHAIRMAN EDDINGTON:**

We're going to start the Public Safety Committee meeting now and Legislator Cilmi will lead us in the Pledge.

***(Salutation)***

Please remain standing for a moment of silence for all those who protect our country, both home and abroad.

***(Moment of Silence)***

Thank you very much. Okay. I'd like to start with public portion. And I have -- first speaker is Jim Barr.

**MR. BARR:**

Thank you. Good morning Mr. Chairman, members of the committee. My name is Jim Barr. I'm the President of Long Island ABATE, American Bikers Aimed Toward Education. I'm here to speak in favor of Introductory Resolution 1237, adopting April as motorcycle awareness month. I would think that it would be a simple resolution to pass, probably a no-brainer, but I just didn't want to not come in case there was any questions any members of the committee might have had. May is typically considered motorcycle awareness month across the country. Moving it up one month in Suffolk to April is only a benefit. We would appreciate the passage of this resolution to help start the campaign to bring awareness of motorcyclists on our roadways. And I'm really here just to answer any questions that any committee members might have.

**CHAIRMAN EDDINGTON:**

Thank you very much, Jim.

**MR. BARR:**

Thank you, Mr. Chairman.

**CHAIRMAN EDDINGTON:**

Fred Gorman.

**MR. GORMAN:**

Good morning. Is this working? My name is Fred Gorman. I'm with the Nesconset-Sachem Civic Association and I'm here to support Chief Dormer. I've had a personal experience with Chief Dormer, which is one of the main reasons I'm coming here, and I'm looking at Legislator John Kennedy, who will attest to everything I am about to tell you.

I'm the guy that basically started all this stuff about drugs because I went to the Bavarian Inn and I found a whole bunch of needles. I held a meeting. I said we've got to do something about this. We sent out alerts throughout the neighborhood; 250 people showed up. Having experience as a block leader we got our own phone number and put it together and we were prepared to go out there and with this phone number tell everybody call us with the tips and we'll pass it on to the Fourth Precinct.

Detective -- I should say Police Chief Dormer gave us the 800 TIPS lines to do it. That line led to the arrest of that 10,000 packet drug bust and it also led to the arrest all the way down and, you know, as I say, Legislator Kennedy is very much aware of everything I said.

And also even when it comes to the dogs, you know the guy from Smithtown, the Superintendent did all the bragging. Well, John is here, I see Mrs. Nowick isn't. They both know I sent him a letter

telling him he better do something about it, if he didn't I didn't, and I would have 1,000 of his kids come up there and tell him his high school is a drug store.

So that's why I'm here. That one simple act. And the next day -- I want you to know, the next day I got a call from him saying please come down and meet with us. So I understand the strategies and the plans that he's trying to do, and I understand that you can't have a strategy and then take it into a public forum. I don't know why you guys just can't say, you know what? We'll appoint a special committee to meet with you and we'll discuss our concerns and you can tell us what's going on privately, because you can't let the thugs know what's going on, particularly with the problems that we have now.

Now with that being said, you know, I read this press release by Steve Levy and I'm going to say something. If your problem is, you know, the fact that Levy is negotiating hard with the cops, if -- that's Steve Levy. That's not the Commissioner. He's following the directions of his superior and that's the way it's designed, which brings me to the next step.

I was very disappointed when this Legislature thought that they were more important than the people and they had the right to turn around and null and void the people's propositions when those propositions said that only the people could do it. That was strike one. If you now try to take the power from the Executive Branch and decide that you are going to determine whether or not somebody can sit in an Executive position, you will have usurped authority again, and I will seek judicial remedy.

Now I've done this before. I've been a pro se intervener on behalf of the County and I've also -- I've actually sued the Governor over the LIPA bill, Kessel and all of them over the LIPA. I went to Federal Supreme Court. And I got an army of lawyers because Mr. Kennedy will also tell you --

**CHAIRMAN EDDINGTON:**

I'm going to have to ask you to wrap up, please.

**MR. GORMAN:**

Okay. Mr. Kennedy will also tell you that I have a number of very good attorneys on our side. He attended a meeting just the other day. By the way, Mrs. {Redmond} is also an attorney, and we have, we have quite a large staff and we will you fight you tooth and nail, to say nothing about what is going to happen to your phones. I guarantee --

**CHAIRMAN EDDINGTON:**

Thank you. Thank you very much.

**MR. GORMAN:**

-- you if you usurp this authority you're going to get a lot of phone calls.

**CHAIRMAN EDDINGTON:**

Thank you. The next speaker is Don Hausz.

**MR. HAUSZ:**

Hello. I think we got it now. Hi, good morning. My name is Don Hausz, the President of All Out Fire Equipment, and we're here today in support of Resolution 1173, which is a licensing resolution that's pending adoption. We had spoken at several meetings before your Public Safety Committee meeting. We also went to the full Legislature two weeks ago, and we did also subsequently have a meeting with the FRES Licensing Board and have discussed our concerns about the legislation as it stands. And having met in the hall with some of the gentlemen from the Licensing Board, we do believe that there are some changes we submitted through the New York Association that are going to be adopted or, you know, put into the resolution. And, you know, unfortunately we're not aware of exactly what was considered -- being considered by them due to, you know, some time constraints and people on vacation, etcetera, but I do believe that their, you know, their

consideration of our changes is greatly appreciated and I guess it's -- I'd like to see that the resolution be tabled for another month so that we can get a full accounting of the changes that are going to be taken, and we may even hear of that shortly from some of the other speakers. Once again, thanks for your consideration. Any questions?

**CHAIRMAN EDDINGTON:**

No. Thank you very much.

**MR. HAUSZ:**

Thank you.

**CHAIRMAN EDDINGTON:**

Next speaker is Peter Hanratty.

**MR. HANRATTY:**

Hello and thank you for this opportunity. My name is Peter Hanratty. I'm the President of Firematic Supply Company. We've been based in Suffolk County since 1968. We're a family organization. I myself have 27 years experience in this industry. I am also on the FELB Licensing Board. Up until this time there's been talk of no industry represented on this Board, which is not true. My 27 years and Ken {Hahn's} over 40 years represent over 67 years. In my own personal organization, Firematic Supply, the four managers of the organization have over 161 years of experience. So we have and we have tried very hard to represent this industry.

In my period of 45 years in Suffolk County, no Legislator has ever come to me to give me a report on what has gone on at a hearing. It's my responsibility to follow through, if it's in my interest to find out about these things to do so.

I'm in full support of the law. We need your support to move this forward because we've been handcuffed over the last four years to try and move this entire industry forward with honesty and integrity. So we'd like your consideration to actually move this forward and do not table it, please. Thank you.

**CHAIRMAN EDDINGTON:**

Thank you. Next speaker, Michael Matteo Junior.

**MR. MATTEO:**

Good morning, Mr. Chairman, good morning members of the committee. My name is Michael Matteo, Jr. I am the representative to the Fire Extinguisher Licensing Board for the Suffolk County Fire Marshals Association. I was appointed as such as being past president of that association a few years back. I've been a firefighter in Suffolk County for 26 years. I've been a Fire Marshal and Code Enforcement Officer for 12. Just a little bit of my history there.

As far as this licensing board is concerned, this original law was passed in 19 -- I'm sorry, 2004. Since then we've been meeting regularly as a board and we've been moving forward to license companies, throughout Suffolk County and beyond, to do work within Suffolk County to try to bring some light and bring to the forefront what is necessary for public safety and life safety as far as extinguishing systems and extinguishers are concerned.

We did find a few points that were necessary, such as expanding the license to the installation of some of these systems due to the fact that there were companies out there that did not need to be licensed to install, but licenses were needed to maintain. We thought that was a hole in the law and we intend to fix that with this intended resolution, I.R. 1173. I would hope that we move forward today and pass this resolution, move it on to the full Legislature for a vote.

The items that were noted by the New York Association that came to you earlier, there are some

good points and those can be addressed in the rules and regulations that are covered under this law, that we do not need to put them into the law itself. Rules and regulations are a part of most, if not all, of the different committees that are out there, and the rules and regulations are out, you know, out and available for all to see, and it is something that is handled on a regular basis and has been part of the law since 2004. The issues are, I don't want to say minor, but is regarding definitions and the such.

As far as the law is, it is whole right now as far as I'm concerned and as far as the board is concerned, and we would like to see this move forward and we request you doing that such today. Thank you.

**CHAIRMAN EDDINGTON:**

Thank you. Mike Applequist.

**MR. MATTEO:**

Yes, sir.

**CHAIRMAN EDDINGTON:**

I just said thank you very much.

**MR. MATTEO:**

I thought you said you had a question. I'm sorry.

**MR. APPLEQUIST:**

Good morning Mr. Chairman, Public Safety Committee. My name is Mike Applequist. I'm the Financial Secretary for the Suffolk County PBA. I've been a Police Officer for 32 years and I just want to speak briefly on the upcoming what I believe presentation that the department is going to give on civilianization.

I'm not here over a turf war or protecting so much. People will think that because I'm from the union I'm necessarily protecting the cops jobs. That's part of my job. Another part of my job, or any type of leadership, is to look what's fiscally responsible. We have a plan, I think, that is going to be brought before you for civilianization of numerous positions, both as PBA members and SOA members and Detectives. Some of these, to be quite honest, we can't argue with. And that's good government and good management if you can replace somebody with a lower paying position for, lack of a better term, a menial job, and not to degrade our civilian employees. They all do a terrific job.

But on certain instances where I see they want to take a Police Officer out of the Range Unit where we do all the firearms training for the County and they're going to take a Police Officer out and replace him with a Range Officer I, I believe that's the Civil Service title, and he will be operating what they call the booth. That's where they turn the targets, they have the timers and do other type of work as far as when the line is clear and making announcements to the line as they're firing.

Well, why are we going to hire, and again, this comes to fiscal responsibility. Are we going to hire a civilian as a Range Officer to do maybe two to three hours work a day, and that's only on the days you have a line at the range. We could very easily take a light duty Police Officer, who we have many, and assign him there and get other additional work out of him. If he's not a range instructor, we can train him to be a range instructor. It just seems that replacing a Police Officer with a civilian is not necessarily saving money. You're adding to the department's budget.

Another couple of positions I want you to look at as they give their presentation, there is talk of taking the Police Officers out of Emergency Service Section. My understanding as the department has told us they're full duty Police Officers, and they want to replace those with a civilian who's a P.O.A., a Police Officer Aide. Well, the Emergency Service Section is a very highly trained unit. They have many specialties and they handle very sensitive information, dignitary protection,

narcotics warrants, raids. This is very highly sensitive.

We happen to have three light duty former E.S. officers assigned to various precincts. Why? Because they wanted them on patrol, but they're light duty. Again, why hire three civilians to do the job these Police Officers could be reassigned to Emergency Service to do? They have the institutional knowledge, they know what has to be done when a call comes in. I don't think we have to worry about security with the sensitive information they have. And that building, where E.S. is, just so you have an understanding, is probably the most secure building other than the Property Bureau. A regular Police Officer can't get in that being. We have no access. You have to be an E.S. officer to get in there.

I'd just like you to consider these points as they give their presentation, and there are many other positions that we'd like to discuss with you, but we don't have the time here. Any information that we could give you to make a decision, feel free to call our office and we'll do what we can to give you a balanced picture. Thank you.

**CHAIRMAN EDDINGTON:**

Thank you very much. Next speaker, Greg Fischer. Greg Fischer? Okay. All right. Next speaker, Frank Copper. Frank Cooper. I'm sorry.

**MR. COOPER:**

Good morning Mr. Chairman, members of the Public Safety Committee. My name is Frank Cooper. I've been a Police Officer with the Suffolk County Police Department for 16 years, and I've been a pilot assigned to the Aviation Section for the last 13 years. I'm here to address part of the department's potential civilianization plan as well, just like Mike Applequist. I just wanted to give you a little bit of stats and figures and to let you know as to why I feel that if this plan goes through it's going to severely impact the way that aviation is operating.

It will risk our operation based on their plan of replacing six of our fully qualified tactical flight officers, who are fully rated helicopter pilots, and replacing them with civilian EMTs who have no aviation experience, no pilot rating, no law enforcement background. It's going to severely impact the way that our limitations and the way that we conduct our operation is going to be performed.

With a highly experienced flight crew, right now our tactical flight officers have over 13 years experience on average. We're able to perform a function for Suffolk County the way that a typical law enforcement Aviation Section does the job. If you look at statistics, a fully qualified Helicopter Unit with two qualified Police Officer pilots up front is essentially the same effect of having six Police Officers on the ground. So instead of taking from our unit, which has an unprecedented safety record, over the past 44 years we've had zero fatal accidents, and we've been conducting operations for the people of Suffolk County for search and rescue, law enforcement, helicopter, MedEvac, they're looking to disrupt or take away from our operation right now at a time under financial concerns which are totally legitimate, but it's going to definitely affect the operation here in Suffolk County and affect the taxpayers. If anybody has any specific questions.

In 2008 was the deadliest year for one specific aspect, which I think the department as they explain their plan, they're just looking at the MedEvac role. The model that they're going to is authorized by the FAA. Helicopters for MedEvac operation are certified to be flown by one pilot and there's typically two EMS personnel on board. But Suffolk County Police Department and our safety record supports this. We've always operated above and beyond the bare minimums that the FAA and the NTSB has recommended. And when you look at those accident rates of 4.5 fatalities a year from 2002 through present, those are the operators that are operating at the bare minimums.

If you look at the airlines, if you look at their accident rates, they always fly with a crew of two, and they have the best accident rate in all of aviation. If you look at the military, they always operate their helicopters with a crew of two, and even Canada, Canada's MedEvac industry since 1977, zero fatalities, and again, they've chosen to require two pilots. Following all the recommendations of the

NTSB our Aviation Section has and will continue, barring any changes by the department, to serve the members of our community as best we can. Thank you.

**CHAIRMAN EDDINGTON:**

Hang on. We have one question from Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, and I appreciate you coming forward. This is an area that's of great interest, I think, to all of us. Just so that I understand, what is the normal crew that gets deployed with one of our police helicopters?

**MR. COOPER:**

I've been in aviation for 12 years, and prior to that, we've always operated with two Police Officers as a crew and we have a paramedic assigned from University Hospital, Stony Brook. They're actually State employees. So 95% of the time when an aircraft is dispatched for a call we're operating with two Police Officers and a paramedic so that we can conduct any of the missions that we are tasked to do here in Suffolk County, MedEvac, police operation, search and rescue.

**LEG. KENNEDY:**

Okay. And both of the Police Officers are pilots as well?

**MR. COOPER:**

All of our Police Officers are rated as helicopter pilots. That's a minimum requirement to get in. The junior pilots or tactical flight officers, which are the ones who are being looked at for replacement, are our junior pilots. They are the ones with the least amount of experience. But the experience that they're gaining in that seat, they're basically our future pilots. So another drawback to the proposed civilianization plan is now you're taking away our future pilots for the Aviation Section as well. So it's going to be a problem in the future when retirements take place, because if you look at our numbers, more than a third of our pilots right now have more than 20 years of experience with the Police Department and they're eligible for retirement as well. So it's going to add to potential problems in the Aviation Section.

**LEG. KENNEDY:**

What kind of experience did you have with flight before you came to the Suffolk County Police Department?

**MR. COOPER:**

My personal experience, I'm a non-military. I got all my training civilian wise. I went to an aviation school. I got my degree and my flight training while attending college. About half of the unit is military or former military pilots. The other half of us have invested our own time and money and got our ratings and experience in the civilian world.

**LEG. KENNEDY:**

Do you have any trainings or do you keep up any kind of certifications that would be unique to law enforcement beyond what a civilian probably would do?

**MR. COOPER:**

Absolutely. As part of some of the National Transportation Safety Board recommendations with night vision goggles and some of the speciality equipment to try to minimize our exposure to the risks of the type of flying that we do. So we have a whole list of special speciality mission equipment that's on board our aircraft that we do routine or annual and recurring training with. We all go factory school annually and do our recurring training, which the insurance company mandates in order to maintain our flying capabilities.

So these are all additional costs that the County would have to now spend if you were to replace our

fully qualified tactical flight officers who have already gone through all of these specialized schools and training, and now you're going to have to basically start over. We're going to take somebody who's got no experience other than an EMT certificate, and now they're going to be expected to perform the function of a veteran Police Officer on top of all of the special -- specialized training that our guys have acquired that we do on an annual or monthly basis to make sure that we're capable of performing and doing a safe mission for the Suffolk County residents.

**LEG. KENNEDY:**

Okay. Thank you. I really appreciate you coming forward. I think your testimony is very important in this consideration that we'll have before us. Thank you, Mr. Chair. I appreciate it.

**MR. COOPER:**

Thank you.

**CHAIRMAN EDDINGTON:**

Is there anybody else who would like to address the committee? Okay. Seeing none, then I'm going to ask -- I had made a request based on requests from other Legislators to have Chief Robert Anthony Moore come talk about civilianization, and then I got requests for the Police Commissioner also with no set agenda for that. So however you want to go, it's okay with me.

**COMMISSIONER DORMER:**

Thank you, Mr. Chair. Good morning, everybody. And I guess the first item on the agenda would be the civilianization plan that all of you have been briefed on over the past month, six weeks. The department has briefed Legislators from the Presiding Officer to the Chair of Public Safety, individually to other Legislators. We've also briefed the unions. We've had sessions with the three units in the department to advise them of what our plans are, what we're looking at at this time.

I should say right off the bat that some of it is preliminary. For example, the aviation issue. We're just looking at that, that's a proposal that's out there. No decision is made at this point. We have to examine it very closely. It's a long ways off for a final decision, and I told people that. I told people in Aviation. I've told -- the unions are being told that, I think Legislators are being told that.

So, you know, the preliminary talks were with Civil Service to find out if there is any issues with Civil Service rules. We were told by Alan Schneider that it wasn't a problem with civilianizing the tactical flight officer's position. We checked with Risk Management for insurance issues and they told us there was no issue with the insurance or Risk Management. And so the preliminaries were being done and like I said, no final decision is being made yet. We still have a ways to go on that. So, you know, I tell everybody there's nothing imminent on this, it's just something we're exploring.

Again, it's mentioned by the union official that these are tough fiscal times. Some departments are selling their helicopters, they're eliminating them completely; we're not doing that. We're not considering that. Some departments are laying off cops. We haven't done that. We don't anticipate doing that. Some departments have eliminated their narcotics units, and so on and so on. In these tough fiscal times, you know, civilianization, and I think most of you agree, if it doesn't require the expertise of a sworn officer we certainly have to look at it for civilianization and put that officer back on the street doing the job that they were hired to do. We know that it's disruptive, but we think it's the right thing to do.

Some of the other positions, as the union official mentioned, are less contentious. They agree that it's the right thing to do, and so I'd like to mention some of these, you know, civilianization positions that we are looking to, you know, civilianize pretty soon. We're actually having SCINs signed and hiring people as we speak.

The academy staffing or EMT positions, we're trying to hire two EMTs. The officers have already been moved out of that position, so it doesn't have an impact on any of the officers in the Police Academy. It's EMT qualification, and that's for to train our officers for recertification and train

recruits in EMT.

The Firearms Training Section, the civilian position, that's the person up in the -- there's a booth that goes up in the air that oversees the firing range. All they do is move the targets in a sequence so that the officers that are training can fire them. Everybody agrees, from the range staff to people in the department, agree that that position could be a civilian position and we could put that officer back out on the street. We're not taking anybody away from the firing line that deal directly with officers and officer's safety. We made sure of that. We're very, I guess, conscious of public safety and officer safety when we make these moves. So we look at them very carefully, we talk to the people that do -- that work in the operation. It's not made up on the top in the ivory tower, so I just wanted to tell people that we do talk to people at the operating level and it was agreed that that position made sense to civilianize.

The Applicant Investigation Section, these are the -- this is the unit that investigates for the County, civilian hires and sworn hires, not just for Suffolk County P.D. but for other agencies in the County. And presently we have 15 sworn in that unit. I'm sorry, 16 sworn. One Lieutenant, one Sergeant, 14 Police Officers, and there are three civilians in there. What we propose to do is civilianize seven -- I believe it's seven -- I'm sorry. Oh, okay. Five positions and put two light duties in there, and the result of that will be that there will be 11 sworn officers remaining in that unit; 9 Police Officers and the two supervisors. And the reason that we're leaving sworn officers in that unit is because they investigate and interview officers for police jobs in the County, associated agencies and for the Police Department. And we feel it's appropriate that that -- the officers in that -- doing that chore be sworn. The civilian background will be done by the civilians, just like it's done in the private sector. And the officers that will be replaced will move back to patrol.

Duty Officer Station. The proposal is that we civilianize the 11 Duty Officer positions. They're Sergeant positions in Headquarters. We want to completely civilianize that and move the 11 Sergeants back into the Patrol Division. We're not the only department that civilianizes that operation. Many police departments utilize civilians to do dispatch, to answering the phones and also the Duty Officer Station, which is basically a computer and a phone operation, which can be done by civilians.

Court Liaison. There are seven sworn Police Officers in Court Liaison. We propose to civilianize two positions, and move the two officers back into patrol. Crime-Stoppers. Four sworn Police Officers; we want to civilianize all four positions, and the officers would go back to patrol. E.S. Section, Emergency Service Section. That's a desk position in Emergency Service. It's also a desk position in Highway Patrol and in the Marine Bureau. And our proposal is that we're going to civilianize these positions. We've moved to do that immediately and we've put the officers back out on patrol. The Marine Bureau, the midnight desk officer will be a sworn officer. We feel that the unit should have a sworn officer on the midnight shift in Marine Bureau because of the duties that they're involved in.

The Identification Section or CSI Section in the Detective Division, the -- there are 12 sworn Detectives, four Detective Sergeants, eight Detectives. There are 21 civilians in that unit right now. We propose that the complete unit be civilianized. That would be done over time because of the transition and the training required. We think it's the right thing to do. Properly trained civilians in other departments do that kind of duty and the Detectives will go back into the Detective Squads. Again, that's going to take some time. It's not something that's going to happen over night.

The Impound Section, this is unit out in Westhampton where we have four sworn officers, three Police Officers and a Sergeant. We are going to civilianize one position. It will still be sworn officers in that unit, one position will be civilianized and that officer will go back on patrol.

Marine Bureau. During the winter, we have four winter work crew positions or Police Officer positions that maintain the boats and the equipment. The proposal is, and we're going to be moving on that, that two marine mechanics be hired to replace the four officers in Marine Bureau, and these four officers during the winter would work in the Precincts. When the summer patrols in Marine

Bureau are initiated, they would go back to Marine Bureau, do the Marine Bureau patrol during the summer, and then in the winter they would go back into the precincts. We do that now, where we have officers from Marine Bureau patrolling in our Precincts because it's the winter months. And I mentioned the desk officer in the Marine Bureau. We are going to hire three P.O.A. positions and put desk officers back on patrol.

Pistol License Section. The four Police Officer positions to be civilianized, right now we have ten Police Officers in there. We will go down to six instead of ten, and four officers will go back into patrol.

The Property Section. Right now we have seven sworn, six Police Officers and a Sergeant, ten civilians in our Property Bureau. We're going to civilianize two Police Officer positions and move the two officers back in patrol. It won't be completely -- sworn officers won't be completely removed. There'll still be five sworn in that unit; four Police Officers and one Sergeant.

Public Information Bureau. We have one sworn Police Officer in Public Information. That officer will be going back on patrol; a civilian will be hired.

The Transportation Section. That's the section in Hauppauge right across the street. We have two sworn Police Officers in that unit. We're going to civilianize one position and leave a light duty officer in the unit, so that will be one sworn Police Officer going back to patrol.

There'll be 45 Police Officers that I just mentioned and 11 superior officers. I'm sorry, I'm corrected. Thirty-seven Police Officers, eight Detectives, and 11 Sergeants.

**CHAIRMAN EDDINGTON:**

Can I -- are you ready to ask a couple of questions?

**COMMISSIONER DORMER:**

Yes, Mr. Chair. Yes.

**CHAIRMAN EDDINGTON:**

I just want to start by just saying you just mentioned 37 Police Officers, eight Detectives, and 11 Sergeants, and I didn't quickly do the math, but it looks like it's close to 60 or 50 something. I remember sitting here four or five years ago when I was 100% behind civilianization and I got numbers of like 77 people, and I got other word that oh no, some of those positions are going to be done away with and they won't be civilianized. And I think I sat with you and other people and I was guaranteed no, no, no, no, they'll all be. But when the smoke cleared, only about 44 of those positions were filled. Are you ready to give me a guarantee that all the positions you're talking about will be filled?

**COMMISSIONER DORMER:**

You mean actually filled with a civilian with the SCIN signed?

**CHAIRMAN EDDINGTON:**

Yeah. That's what you're saying to us, right?

**COMMISSIONER DORMER:**

Yes. We've talked to Budget and we have a guarantee that the positions will be filled with a civilian. And also the backfill, if it's necessary, will also have a SCIN signed. That's our understanding with this civilianization plan.

**CHAIRMAN EDDINGTON:**

Okay. I wish I could have heard a guarantee, but I heard an understanding, so I understand it's the best you can do. Mr. Presiding Officer.

**P.O. LINDSAY:**

Hi Commissioner, how are you? I must be getting up in years, because I don't remember you briefing me about any of this. You started off your presentation that you briefed me about this and I didn't get a briefing. Although I've been known to forget some things, so it's possible.

**COMMISSIONER DORMER:**

If I may, Mr. Presiding Officer. The Chief of the Department told me that he had two conversations with you, but you weren't -- he just advised me. I assumed that you were briefed because you had questions on the civilianization when you had a conversation with Chief Moore, and I was assuming that you were being briefed. And also, and maybe I shouldn't have assumed that the Chair of Public Safety maybe passed on the results of the briefings, the couple of briefings that you've had. So I stand corrected. We did not sit down and get briefed.

**P.O. LINDSAY:**

I just thought maybe I forgot it, you know.

**COMMISSIONER DORMER:**

No, that's how the misunderstanding came up, because Chief Moore told me he talked to you twice, but it wasn't a briefing on the civilianization. It was about civilianization and I thought you were briefed.

**P.O. LINDSAY:**

The civilianization policy has been going on now for like five years. How many police jobs have we civilianized over the last five years?

**COMMISSIONER DORMER:**

I don't have the numbers in front of me, but approximately 80 positions have been civilianized.

**P.O. LINDSAY:**

Budget Review, do you have the civilian population in the Police Department? And can you tell me whether it's went up or down over the last five years?

**COMMISSIONER DORMER:**

It's pretty much the same as it was five years ago the last time I looked at the numbers, and I don't have that total number.

**P.O. LINDSAY:**

So my question is if we're civilianizing all these positions, shouldn't we have more civilians?

**COMMISSIONER DORMER:**

I have a copy of the civilianization that -- in front of me right now. We can have copies made up and, you know, distribute this.

**P.O. LINDSAY:**

But if we civilianized 80 positions, I mean, logically shouldn't we have 80 more civilians in the department?

**COMMISSIONER DORMER:**

Well, you know, civilians have retired and we had the early buyout where we couldn't hire people to fill their positions. If you remember that was a couple of years ago, and so it stands to reason that the numbers would go down, but these civilians that were hired to replace the officers are in place doing the duties of the Police Officers. Certainly -- certainly the numbers are not the same as they were five years ago. There is -- it's pretty stable from looking at the numbers. There may be one or two up or down.

**P.O. LINDSAY:**

Okay. It's just a point that's always confused me. We keep talking about taking sworn officers and civilianizing them, but it doesn't appear that we're hiring civilians either, you know, and I -- you know, it's a numbers game. I don't know how you are doing it but.

**COMMISSIONER DORMER:**

Well, you know, Mr. Presiding Officer, our civilians work very hard in the Police Department. I think we all know that. And all of them have picked up the slack, especially with the economic times that we've gone through and that we're going through today. We are getting the job done with what we have. They're doing a fine job, and, you know, it's just what we deal with. Again, these officers are out on the streets today, which is the important thing for everybody, because that's our primary function, is to have officers in our patrol cars.

**P.O. LINDSAY:**

I don't think anybody's arguing with you over that, you know, but it's just as confusing to us that we keep civilianizing positions but the civilian population isn't going up. You know, I don't know, it's going down.

Just a different subject. How many officers do we have on light duty now?

**COMMISSIONER DORMER:**

At this present time, every day, we got approximately 100 officers on light duty. But a lot of these officers are just temporary light duty. They're carried in the command as light duty. That means if an officer gets hurt in the First Precinct, they stay in that Precinct on their rolls unless they go 30 days, and then they'll be transferred for medical evaluation.

**P.O. LINDSAY:**

I think what we want to know is how many people are on long-term light duty, all right? Because the point that was made by one of the speakers before and, you know, it's something that we did with PAL a couple of years ago where you wanted to civilianize them and I introduced a resolution to use light duty people, they're on the payroll anyway, and that seems to be working. I haven't heard anything from PAL that -- they're running the operation with light duty officers and that seems to be working out really well. And it would be my preference, for no other reason than an economic reason, to use our full contingent of light duty people in some of these jobs that we're civilianizing because we're saving money. If we don't have to hire a civilian and somebody that's on light duty is getting paid anyway and we can use them in that role, we would actually save a salary.

**COMMISSIONER DORMER:**

Mr. Presiding Officer, we are -- there's 50 long-term, that's the number I'm given. Now, that can be off one or two, so approximately 50. We are utilizing these officers in the units that we talked about to fill in for full duty officers, Property Bureau, Candidate Investigations, Pistol Section.

**P.O. LINDSAY:**

So all 50 are working.

**COMMISSIONER DORMER:**

On the desk, if they're working.

**P.O. LINDSAY:**

Yeah, but all 50 working? No.

**COMMISSIONER DORMER:**

No, they're not.

**P.O. LINDSAY:**

So could we look into --

**COMMISSIONER DORMER:**

We'll get the numbers for you.

**P.O. LINDSAY:**

Could we look into that to see if we could use some of those people in positions that, I mean, I don't want anybody to hurt themselves, but if a man has a bad back or a woman has a bad back or something they could probably do one of the desk jobs or something like that that you described for civilianization, because it would save us a salary.

**COMMISSIONER DORMER:**

No, we agree and we've looked at that. We can share these numbers with you. We can get them to you within the next few days. But I'll give you an example. We had a light duty officer on the desk at Highway Patrol. That officer was transferred to Candidate Investigation to release a full duty officer now for the street, and so that was done. We're doing that in the other units. Transportation, for example. Instead of hiring two civilians we're hiring one and a light duty officer is staying there in Transportation.

**P.O. LINDSAY:**

Okay. I just want to maximize that opportunity.

**COMMISSIONER DORMER:**

Yeah.

**P.O. LINDSAY:**

Let's just talk about Aviation for a minute. So the plan or the potential plan is to take the second pilot out and replace him with an EMT?

**COMMISSIONER DORMER:**

Well, only six of them, not all of them. But that's what we're looking at right now.

**P.O. LINDSAY:**

But that is the plan, to replace a pilot with an EMT.

**COMMISSIONER DORMER:**

Yes, that's a preliminary plan that we're examining right now.

**P.O. LINDSAY:**

In every one of our helicopter crews we're still using the EMT from Stony Brook; is that correct?

**COMMISSIONER DORMER:**

No, only on -- if they're required on a call where the EMT is required, and then when they get to the scene, the second officer may be left on the -- at the scene on the ground because of the space limitations and the EMT and the pilot now fly to the hospital.

**P.O. LINDSAY:**

We have the single engine helicopters instead of the twin engine.

**COMMISSIONER DORMER:**

Well, there are space limitations in the small craft as you know.

**P.O. LINDSAY:**

I know, in the small craft. What is the contingent? How many EMTs do we have in Aviation, how many pilots and copilots do we have? Can you answer that for me?

**INSPECTOR CAMERON:**

Good morning, sir. I'm Inspector Cameron from the Special Patrol, I'm the Commanding Officer and I oversee the Aviation Section. Stony Brook provides not EMTs to us, they provide paramedics and they staff our bases when they're operational. The MacArthur Airport base is operational seven days a week, 24 hours a day and we always have one Stony Brook paramedic there. The Gabreski Airport base is open seven days a week, 16 hours a day, and again, we always have one Stony Brook paramedic. We not only take the paramedics with us when we go on medical missions, we very often take them with us when we go on police missions because there's a chance that a medical mission will come up when we are on a police mission and that's a higher priority for us and we will have to divert. So very often the paramedic -- almost always the paramedic is with us.

**P.O. LINDSAY:**

But my question and where I'm going with this, I could see the fiscal implications of taking the Police Officer out of the cabin and replacing them with an EMT, you know, it's a much cheaper grade, but what are we going to do with him? I mean, we already have a paramedic on the aircraft if it's a medical thing. What are we going to do with the second medical person?

**COMMISSIONER DORMER:**

Well, that person would operate the equipment as the second -- as the flight officer in the second seat would operate equipment on the craft where necessary. I'll have the Inspector explain exactly what they would be doing.

**INSPECTOR CAMERON:**

Sir, we have -- we always go out presently with two Police Officers. Some of them are considered by us pilots and some of them are considered by us tactical flight officers, but they are all pilots. The reason several years ago we established the title of tactical flight officer primarily is that it saves us money because our insurance company requires that all our pilots go to factory training every year, and it costs the County hundreds of thousands of dollars to do that. So we created that tactical flight officer position, but we were able to bring over pilots because there were trained pilots that were Police Officers that had lower experience than the officers we had as pilots. So we brought them over as pilot tactical flight officers. We don't have to send them to the factory training.

What they do is they serve in the -- essentially in the copilot seat and they operate the equipment and they contribute to the flight safety when we go out and operate. But they operate the search light, the color and infrared camera, the microwave downlink, the moving map and other equipment like that for the pilot, the radios, so that the pilot can focus on flying the aircraft.

**P.O. LINDSAY:**

Is the copilot, for lack of a better word, capable of flying the aircraft?

**INSPECTOR CAMERON:**

Yes, he's capable of landing the aircraft if there was an emergency or he could take over if something happened to the pilot.

**P.O. LINDSAY:**

Will the EMT be capable of flying the aircraft?

**INSPECTOR CAMERON:**

That would depend on who was hired, sir.

**P.O. LINDSAY:**

Well, if we're hiring an EMT, I mean, wouldn't we rather hire a civilian pilot than an EMT?

**COMMISSIONER DORMER:**

I must reiterate again that this is in the preliminary stages and we're talking with everybody, including the Inspector and the people in Aviation. And it's one of the things on the table, but it's a

long ways away because we have a lot of research to do and I think I've cautioned everybody about that.

**P.O. LINDSAY:**

I just -- just a word of warning. I applaud you guys for looking through the list of anything that can be civilianized. That pilot's position I don't feel comfortable with and I would take a strong look at that before you go forward with that, because that could be a disaster. I mean, the other thing is, you know, what happens if you have a police mission where a fugitive is on the ground. What are you going to do, send out a civilian and a cop and the civilian is an EMT? You know, I don't -- I'm not a Police Officer, I'm not familiar with what you guys do on a day-to-day basis. It sounds dangerous to me. All right? That's all I have to say.

**CHAIRMAN EDDINGTON:**

Legislator Browning.

**LEG. BROWNING:**

This is something that I spoke with Inspector Bergold about this because, you know, I went home and I told my husband, you know, what do you think of this? You know, he's a pilot in the City and, you know, talking about civilianizing the copilot. And, you know, one of the concerns is I know the City doesn't do MedEvac, they do patrol, and I'm curious as to actually how much time these guys are allowed to actually patrol, especially these days. I've seen the helicopters flying over in my community when there's been robberies, and I asked him about okay, if you're flying the aircraft and you're now in contact with the Police Officers on the street, and you're looking for some bad guy that did something, I said can a civilian do the job with you? And his comment was no. He says the other Police Officer is the one who's speaking with the guys on the street, and it takes their police background to be able to coordinate with the officers on the street. If they have to set up a perimeter, it requires police training.

So I just want to make it very clear, you know, I've had the conversation with the Inspector, and I do think it's important that we have to realize when it comes to police functions, are we going to now have a civilian performing police functions? And if he is, then he should be a Police Officer. So that's one of my major concerns.

And again, Legislator Lindsay mentioned about how many civilians -- sorry, how many light duties we have and I do have a question about ESU. That's a very secured building, right, the ESU building as far as who gets to come and go? I mean, can any Police Officer walk into the ESU building?

**COMMISSIONER DORMER:**

No. You've got to be, you know, checked in, just like most police facilities. You can't just walk in unless it's the lobby in the Precinct, but everything else is locked up and you've got to get proper access with identification. We do have civilians that work in this facility, so it wouldn't be the first civilian that would be in the facility.

**LEG. BROWNING:**

Okay. But, again, I think instead of talking about civilianizing, you have the 50 light duties and, in fact, you have 100 that could possibly be working in ESU. I'm concerned about security issues. I know some of their functions are very secure and there should be really some serious looking at civilianizing anything there.

And, again, the range officer, the officer in the booth, put a light duty up there and save that civilian spot. You know, so seriously look at your civilian positions, sorry, your civilian positions that you're looking to put in and look at the light duties and say where can I put the light duty before I need to hire a civilian, and then you are going to save more money.

**CHAIRMAN EDDINGTON:**

All right. I'm going to -- Legislator Kennedy is on the committee. I'll ask you to go and then

Legislator Montano.

**LEG. KENNEDY:**

Thank you, Mr. Chair. And, Commissioner, thank you. It's nice to see you as always. And I applaud you for bringing forward some of the description. I did have the opportunity to hear Chief Moore and Captain Bergold speak about some of the general concepts, and I agree with you wholeheartedly that a civilian should be doing a function any time it's not necessary to have a sworn do that function. But I think the words that I'll go back to are the necessary piece.

As I tried to make the notes when you were speaking to us about the various areas, in each case I said to myself I guess I need to know a little bit more about what a court liaison officer does, or I probably need to know a little bit more about what the duty function is for EMS or for the Marine Bureau. My experience is my interaction with the Fourth Precinct primarily. Obviously I call you and I write you, and I do all kinds of things, but on a day-to-day basis, most of what I know is my interaction with Inspector Rhoads and the personnel that work over there, and they do a great job. As I say, all your officers, all our officers, do an outstanding job.

But I don't know whether a civilian can take calls, can go ahead and do dispatch or do the other things that I think a desk officer or duty officer does over there. Maybe I'm confusing it. Maybe I'm really taking apples and oranges and trying to reconcile. Like the Presiding Officer, I have no law enforcement background, I have no military background, but I do need to be able to make a decision because this clearly is policy, and I'll say that I applaud you because today we will be talking about policy with our resolutions and the importance for us to be engaged with this.

So the first thing I'd ask you is, is if you could not only give us a number of what you're contemplating, but at least a little bit of a description. I don't want to say a justification, but how can I know for certain that what you're suggesting makes sense to go from sworn to civilian? And it's not that you necessarily have to justify it to me, but help educate me. I would -- on the aviation side obviously I would have the same kinds of concerns. You know, the Marine Bureau I've had an opportunity to go ahead sometimes and see some of the things that the Marine Bureau's done, and I think that they do rescue work that may go up until the late fall. You know, we have a boating season that's unique here on Long Island. We have fishermen that are out on the water in January. And so, again, if we have officers that are scraping barnacles maybe I'd scratch my head a little bit on that, but I do know that we have Police Officers that are out there operating our rescue vehicles, and so I would scratch my head a little bit about that.

And I also, just on a side note, do we still have vehicles that our officers are patrolling the beaches with in the Marine Bureau? Because what I hear through the grapevine is there's not many operational.

**COMMISSIONER DORMER:**

Yes, we do have vehicles on the barrier beach and we're aware of the issue with repair of the ATV's. We're working on that as we speak. We're going to be buying two -- okay. We're going to upgrade the ATV's on the beach. We have to prepare for the summer, obviously the summer crowds, and so we're preparing right now. So we were aware of that and working on it.

**LEG. KENNEDY:**

So we'll be better prepared than to just have one vehicle for 30 miles of beach.

**COMMISSIONER DORMER:**

Yes.

**LEG. KENNEDY:**

Okay. That would be a good thing to hear. I don't want to beat a dead horse. I think the conversation here is important. I would go towards, you know, again what the Presiding Officer talked about. If net there are officers that are going to come towards patrol function and there's

going to be a concomitant hire on the civilian side, that's fine.

I'd also ask BRO, though, just -- do the civilians in the Police Department, do they -- where does their salary come from? Is that from the levy, from the Police District levy just like our sworns are?

**MR. ORTIZ:**

There's approximately an 80-20 split. About 80% of them are in the Police District Fund 20 and the General Fund.

**LEG. KENNEDY:**

And is that something that will out of this list, will you be able to identify when you're looking to replace a civilian? Will it be a civilian that's coming from General Fund or from Police Fund? That would be an important figure for me to know as well. Again, I'll go back to the 3% Police District increase this year predicated on 200 Police Officers, and I would hate to think that we were taking some of that and moving it towards civilians in lieu of putting our sworns in that we all voted to go ahead and do. That would be my request for now. Thank you, Chief.

**CHAIRMAN EDDINGTON:**

Legislator Montano.

**LEG. MONTANO:**

Thank you, Mr. Chairman. And particularly since I'm not a member of the committee, I would first like to just really thank, on behalf of the residents in Brentwood and Central Islip, particularly the Presiding Officer and yourself, and members of this Committee and other Legislators that attended the Speak Out Forum in Brentwood and Central Islip that we had, as well as the Police Commissioner and his staff. And I want to say that many people have told me that the presence of outside Legislators in Brentwood made them feel reassured that their concerns were not only being heard by those in the district, but those outside, and it meant a lot. I want to thank you for that.

Just before the meeting, the meeting was scheduled for March 3rd, the day before, there was a news release announcing a 10-Point Plan to address the crime problem in Brentwood. Since that meeting, we have had additional shootings. There was one that received a lot of publicity involving a young man, Joe Nieves, who was shot five times. I believe that he is still in the hospital in critical condition. And, actually, there was a shooting two houses from where I live, which gives an indication that no one in the area is immune, and that does not appear to be gang related. I was home at the time, but I actually didn't hear anything. And I understand there was a shooting in Wyandanch; is that correct, Legislator Gregory? Was it a fatality?

**LEG. GREGORY:**

No.

**LEG. MONTANO:**

Okay. With your permission, and I know that time is short, would you allow me an opportunity to ask questions with respect to the Ten-Point Plan? We're having another meeting tonight and we haven't had a chance specifically to get an explanation of these ten points. I assure you that I will be brief, and if I overextend my welcome, you let me know and we'll -- you know, we'll end that with your permission. Would you allow me to do that?

**CHAIRMAN EDDINGTON:**

If it empowers you to help your constituents pass information, yes.

**LEG. MONTANO:**

Thank you. Good morning, Commissioner, and again thank you for attending with your staff, Chief Moore and the rest of you. I'm going to try and go through this very quickly. I'm going to refer to the 10-Point Plan. We did not have -- it came out the day before the meeting. We were in the

Legislature, so all that day I didn't have a chance to discuss the plan with you and I'm going to go through this quickly as I can. Just very quickly, whose plan is this? It says Commissioner Dormer's plan, but how is this plan formulated? Was it formulated in Headquarters? Was it formulated in conjunction with the Precinct people? You know who gets credit for the implementation of this plan or who gets blamed if it doesn't actually work? That's essentially what I'm looking at. Could you just briefly describe that.

**COMMISSIONER DORMER:**

No. This plan was made up with a consultation with the Precinct, Precinct Commander, with the Commander of the Gang Unit, with the Chief of Patrol, Chief of Detectives, Chief of the Department. We all got together because of the high profile incident in your community, and we felt that it was imperative that we let the community know that, number one, we were taking it very seriously, the incidents of violence, and that we were doing something about it. And so we felt that we've got to get that out quickly, because the violence itself is a major issue, but the fear of crime, the fear that it puts into a community is another issue that we as Police Officers and professionals and also Legislators have to deal with. And so we had to calm the community and that's why we put it out after consultation with the -- with the group that I just told you in Headquarters, and brainstorming. And we've done this before; we've done it in Huntington Station, we've done it in Wyandanch, North Amityville, Mastic Shirley, so it's nothing new. This is what we do when we have a heightened fear in a community.

**LEG. MONTANO:**

Thank you. It says that the plan will be in -- remain in effect for as long as deemed necessary. Do you have any idea how long that is at this point, or that's just an open-ended?

**COMMISSIONER DORMER:**

Yes, Legislator Montano, that's open-ended.

**LEG. MONTANO:**

Okay.

**COMMISSIONER DORMER:**

We certainly don't expect the plan, and I tell people this, to work overnight. We've got to give it a chance to work. We've saturated the area with Police, you know that. The community has told me that they've seen officers and Detectives and special units and they're very thankful that we're doing that and I think give it time, over time we'll see if we can have an effect on the crime issue in the area.

**LEG. MONTANO:**

I have seen an increased presence of Police Officers, but I've seen them during the day. You know, I'm getting like Mr. Lindsay, I probably get to bed earlier than I used to these days. So I want to talk about the presence of Police Officers, when and where they're -- with your permission, I want to go through this very quickly.

Transfer of four -- the first point plan is transfer of four officers and a Sergeant from the Police Academy to the 3rd Precinct, and the creation of a special five-officer Tactical Unit to concentrate on neighborhood crime hotspots. I think there was a question about the wording of that particular sentence, because some people understood it to mean a transfer of five people from the academy plus an additional creation of a five-officer Tactical Unit. I'm pretty clear that what you mean there, and correct me if I'm wrong, is that the Tactical Unit is the five members that are being transferred from the -- or is that ten -- we're talking ten people or five people?

**COMMISSIONER DORMER:**

No, we're talking five people.

**LEG. MONTANO:**

Okay.

**COMMISSIONER DORMER:**

The five people from the academy transferred to the 3rd Precinct to be put into normal patrol, and then taking five seasoned, experienced officers that know the community from the 3rd Precinct and making them a Tactical Unit.

**LEG. MONTANO:**

Okay.

**COMMISSIONER DORMER:**

Because they're familiar with the community, community leaders, the gang issue, and so we felt that that Tactical Unit should come from the Precinct itself.

**LEG. MONTANO:**

Okay. So this translates into an addition of five personnel from outside the 3rd Precinct, and a technical unit, a new unit composed of existing 3rd Precinct personnel.

**COMMISSIONER DORMER:**

That's correct.

**LEG. MONTANO:**

Thank you, that explains that. Gang Unit -- by the way, can you tell me when they're going to be assigned? Are they -- are these day officers, are these evening officers, are these specific times? You know, in other words, are we increasing patrols at night, are we increasing patrols during the day or are things remaining the same?

**COMMISSIONER DORMER:**

Yeah. You know, I have the head of the Gang Unit here and the Chief and, you know, it was mentioned earlier by somebody that we don't want the bad guys to know exactly what we're doing all the time, and I hope you'll appreciate that.

**LEG. MONTANO:**

I do appreciate that.

**COMMISSIONER DORMER:**

I can give you that information --

**LEG. MONTANO:**

Privately.

**COMMISSIONER DORMER:**

Off the record.

**LEG. MONTANO:**

Okay.

**COMMISSIONER DORMER:**

But I can tell you they're out there.

**LEG. MONTANO:**

All right. Well, I've got to tell you that in talking to people in the district, I think the bad guys know just as much as -- probably know more than me about who's where and when, but we can talk about that privately.

"Gun and Gang Units will patrol the Brentwood community on the day and evening tours. Tours of duties will be added and extended as necessary"; have they been added and have they been

extended into the evening hours? And is that something that you want to discuss publicly or privately?

**COMMISSIONER DORMER:**

They're out there, too, they have been extended. And this is when we utilize overtime, when necessary, in the Patrol Division for to increase our presence at different hours of the day and night. I don't want to go into the specific --

**LEG. MONTANO:**

Okay, I'll respect that. Question, the gang -- when I first became a Legislator, I met with the Gang Unit in existence, that was in 2004, along with Assistant District Attorney LaSalle who's now Supreme Court Justice LaSalle. And the unit at that time was -- I think it was about six or seven officers specifically in the 3rd. Are they back -- is the Gang Unit back in the 3rd Precinct or are they still working out of this specialized Gang Unit Task Force that was created recently and shipped to Headquarters which combined officers from the various Precincts? What is the status of the 3rd Precinct Gang Unit, if it exists today?

**COMMISSIONER DORMER:**

No, the gang units were centralized and that's the Gang/Gun Unit with approximately 40 Police Officers under the command of Inspector Gigante. And they don't report to Headquarters, they are out in the field, that's where they work from. It's not a Headquarters unit, they're decentralized --

**LEG. MONTANO:**

Well, where is their central location?

**COMMISSIONER DORMER:**

Well, I can -- they're in --

**LEG. MONTANO:**

I mean, where do they start their tour?

**COMMISSIONER DORMER:**

In Brentwood.

**LEG. MONTANO:**

All right, so they're located in the 3rd Precinct now?

**COMMISSIONER DORMER:**

No, not in the precinct. I don't want to give the location, but they're in the area of the 3rd Precinct, but not in the precinct itself.

**LEG. MONTANO:**

Okay. And this is the entire -- you're still breaking them up according to need or are they concentrated in the Brentwood/Central Islip community? If you can tell me.

**COMMISSIONER DORMER:**

Well, it's based on need. But I don't want to get into -- we have other communities that the Gang/Gun Unit is working in, too.

**LEG. MONTANO:**

I understand.

**COMMISSIONER DORMER:**

That's why -- that's why we centralized it so we have the ability, with a large number of officers, for to concentrate on more than one spot at one time.

**LEG. MONTANO:**

Okay. I have been told that the concentration of gang activity in Suffolk County within the 3rd Precinct constitutes about 52% of the overall gang activity in Suffolk County. Is that an accurate estimation of gang activity as far as the -- as far as you know?

**COMMISSIONER DORMER:**

Yeah, the Commander advises that that's probably accurate, yes.

**LEG. MONTANO:**

So more than half of gang activity on Long Island occurs or is concentrated in the 3rd Precinct which is primarily Brentwood, Central Islip and north Bay Shore and maybe going into Bay Shore; is that a fair statement, officer?

**INSPECTOR GIGANTE:**

The gang activity is very fluid, but approximately half of gang members that we currently have registered reside within the confines of the 3rd Precinct.

**LEG. MONTANO:**

Thank you. All right, "No. 3, an additional patrol car will be assigned to Brentwood between 11 and 4 a.m. every night"; that's a sector car?

**COMMISSIONER DORMER:**

No, it's a zone car, that's an additional car. The sector cars are still in place that are there all the time. This is an additional car that the Precinct Commander has, you know, initiated during that time period. And again, we mention a time in the plan for a specific reason; we want people that go to bed at eleven o'clock at night feel safer because they know there's extra patrols in their neighborhood. So it was important, again, to try and calm the community by letting them know we're using extra -- we're putting in extra patrols in the community.

**LEG. MONTANO:**

My understanding is that a sector car, and I think it was -- correct me if I'm wrong, I think it was the 316 car, that patrolled the area where the murder victim on Gates Avenue was discovered had been shut down prior to the incident. Is that car, or is that an accurate statement? In other words, it was taken off patrol in that particular sector before the Gates Avenue homicide victim was discovered.

**COMMISSIONER DORMER:**

Yeah, that 316 car is one of the overlay cars that has been put down for over 20 years, more than 20 years, in the Police Department, and that happens in every Precinct. And the Gates Avenue murder which, by the way, as you know, started in another community --

**LEG. MONTANO:**

Right, I'm aware of the facts there.

**COMMISSIONER DORMER:**

-- and it ended on Gates Avenue, but the extra patrol was put in in that community.

**LEG. MONTANO:**

After the -- we have now extra patrol in that particular sector in that community?

**COMMISSIONER DORMER:**

Well, that community is not uncovered. The other sectors pick up an extra piece of their territory in every precinct on the midnight tour, and this has been in the police business for over 20 years, not instituted by us. And so, again, it's based on calls for service. And again, I should reiterate that the Brentwood community has now seen a stepped-up presence.

**LEG. MONTANO:**

Yes.

**COMMISSIONER DORMER:**

So that 316 should not be an issue because we have extra patrols out there.

**LEG. MONTANO:**

Okay. Now, these patrols, do they come from the regular assignment or is this overtime? Are you paying overtime for these patrols?

**COMMISSIONER DORMER:**

Well, that's up to the Precinct Commander, but they're being advised that they can utilize overtime if it's necessary.

**LEG. MONTANO:**

Okay. "Precinct Narcotic Detectives will be assigned to Brentwood to crack down on drug activity in the community"; are they being assigned to the area or are they being assigned to the 3rd Precinct?

**COMMISSIONER DORMER:**

You know, that's based on the need in a particular time, but they've been told to focus on Brentwood and Central Islip and north Bay Shore. The 3rd Precinct is a large precinct, but their focus is on the communities that we're talking about.

**LEG. MONTANO:**

But there's no specific assignment for that, is that what you're telling me?

**COMMISSIONER DORMER:**

Oh, yes. Their Commander, and they work for Detective Lieutenant Matt Sullivan and we meet with them regularly and they're focused on narcotics in that community.

**LEG. MONTANO:**

Are they out of -- are they out of the precinct, or are they out of Headquarters or another locale?

**COMMISSIONER DORMER:**

No, they're out at the precinct; that's Precinct's Narcotics Unit.

**LEG. MONTANO:**

Okay. "No. 5, members of the Emergency Service Section" -- and the reason I'm asking is because people have asked me and I want to be able to inform them of what it is that they can expect to see or not see. "Members of the Emergency Service Section and K-9 Section will patrol Brentwood and add a commanding presence and to supplement patrol officers"; can you just tell me when, where, what that means?

**COMMISSIONER DORMER:**

Well --

**LEG. MONTANO:**

How that's going to be implemented?

**COMMISSIONER DORMER:**

Well, that's already in place. We have Emergency Service vehicles on the road all the time. And so, again, the focus was that community, so that there would be a visible presence in the community. If they get a call of an emergency nature they respond to take care of it, and then when there's a downtime, when they're just on patrol, they pay attention to that community.

**LEG. MONTANO:**

Is this in addition to evening or is this day tours, or is this 24-hours?

**COMMISSIONER DORMER:**

No, it's --

**LEG. MONTANO:**

Twenty-four hours?

**COMMISSIONER DORMER:**

(Nodded head).

**LEG. MONTANO:**

Okay? And could you tell me -- would it be appropriate to tell me how many people we're talking about, or you'd rather tell me privately?

**COMMISSIONER DORMER:**

Yeah, I can tell you privately. Thank you.

**LEG. MONTANO:**

Okay. I'm not going to -- I'm not going to push the envelope. Electronic -- DW enforcement teams, that speaks for itself.

"No. 7" -- I want to go through this quickly, I know I'm taking a lot of time -- "Electronic street surveillance will be increased"; what does that mean exactly?

**COMMISSIONER DORMER:**

Again, we've got to be careful that we don't tip the bad guys off to exactly what we're doing, but I think it's fair to say that cameras --

**LEG. MONTANO:**

Okay.

**COMMISSIONER DORMER:**

The camera system, video systems have been increased, other technology is being utilized. I would rather not get into that at this time.

**LEG. MONTANO:**

Let me ask you this; where is the budget or what supports these increases financially? Is this equipment you already have that you're moving, is there an increased allocation for this type of equipment, are we taking equipment from other areas and putting them in different locales; how is that working?

**COMMISSIONER DORMER:**

Well, you know, we utilize asset forfeiture money very extensively for this type of equipment. It's a terrific supplement to the budget, so it's not coming out of the Operating Budget. And Chief Moore manages that Asset Forfeiture Fund very carefully, and this is a proper expenditure of that money.

**LEG. MONTANO:**

Okay. Neighborhood watch groups speak for itself, that really is an ongoing situation. I understand that there's been an effort to increase that neighborhood watch. I don't think we really need to get into that.

"No. 9, the Narcotics Bureau and Heroin Opiate Task Force will be assigned to Brentwood to further concentrate on reducing drug activity in the community." Could you, again, just tell me the what, when, where, how? What this is going to be, who's going to -- how many people are coming in, you know, what time, or is it something you want to discuss privately?

**COMMISSIONER DORMER:**

Yeah, the numbers we'd like --

**LEG. MONTANO:**

All right. So we have a commitment to discuss these issues privately and I'd like to get to that as soon as we can.

"Mobile Police vans staffed by an officer will be stationed in various" -- I would assume that that is one van that you have that's going to be traveling the district?

**COMMISSIONER DORMER:**

Yeah, this is the command post which, by the way, is utilized at major crime scenes. So we can't have it there all the time because it may be needed somewhere else to handle a crime scene. We have a lot of equipment in there. But again, it's Police presence, it's letting the community know your Police are around. Let the bad guys know, too, send a message to them that the Police are around and we're here and, you know, I think it's --

**LEG. MONTANO:**

Is this a 24-hour operation, or is this specifically a daytime tour?

**COMMISSIONER DORMER:**

Mostly daytime and evening tour. So you won't see --

**LEG. MONTANO:**

So what time does the evening tour end; is that the eleven o'clock cutoff?

**COMMISSIONER DORMER:**

Yeah, 11 p.m. and sometimes they go 'til 1 a.m., depending on if there's an event or an issue in a community.

**LEG. MONTANO:**

So if there's -- if they end at eleven o'clock on a regular day and there's a shooting at one o'clock, they're called back to the scene?

**COMMISSIONER DORMER:**

Yes, they're called out, yes. They don't work 24/7.

**LEG. MONTANO:**

And are they located in the 3rd or are they located in Headquarters? Where are they coming from when they're called back?

**COMMISSIONER DORMER:**

They're coming from Hauppauge; it's parked at the garage in Hauppauge.

**LEG. MONTANO:**

From Hauppauge. From the 4th Precinct? Okay. I would like an opportunity to go over some of the specifics, whatever you can tell me and whatever, you know, I can share with members of the community.

I'm just going to very quickly digress to this press release that was just handed to me this morning by the -- issued by the County Executive with respect to, I guess, legislation that has been introduced by Legislator Eddington, which will be the subject of I think this meeting, Legislator Eddington? I won't vote on that because I'm not a member of the committee. But I just want to turn your attention to the third paragraph, it says, "According to Levy, through civilianization and strategic redeployment, he and Police Commissioner Richard Dormer have slowed the annual growth

of Police taxes by two-thirds while at the same time lowering a total of I and II crimes by over 20% over a six year period." Could you just tell me what part I and part II crimes constitutes and what that means?

**COMMISSIONER DORMER:**

Yeah. Part I crimes are the seven major crimes that are submitted by the Police Department to DCJS in Albany which, in turn, transmits them to the Federal Government. These are the major --

**LEG. MONTANO:**

Okay. So Part I are your major felonies, murder, rape, etcetera; I got you.

**COMMISSIONER DORMER:**

Exactly, yes.

**LEG. MONTANO:**

And Part II are, what, your lesser --

**CHIEF MOORE:**

Everything.

**LEG. MONTANO:**

Okay. Part II is everything?

**CHIEF MOORE:**

Yeah.

**LEG. MONTANO:**

Including -- so Part II includes Part I.

**CHIEF MOORE:**

No.

**LEG. MONTANO:**

No. All right, Part II is everything other than Part I.

**CHIEF MOORE:**

Yes.

**COMMISSIONER DORMER:**

Yeah, Part II would be DWI.

**LEG. MONTANO:**

Got you.

**COMMISSIONER DORMER:**

Narcotics arrests.

**LEG. MONTANO:**

Yeah, criminal trespass and all that, everything that's not included in Part I.

**CHIEF MOORE:**

Right.

**LEG. MONTANO:**

Suffolk also experiences -- it goes on, "Suffolk also experienced an 8.3 decrease, percent decrease in Part I crimes in 2009, according to New York State Division of Criminal Justice." Now, I saw some figures, and I don't have them with me today, but I saw some figures that were provided by your

department and I believe, too, it was NPR Radio. And in looking at those figures, the impression I got was that there had been by Precinct a 23% increase in crime in the 3rd Precinct; is that accurate?

**COMMISSIONER DORMER:**

I have no idea. I'd have to look at the statistics.

**LEG. MONTANO:**

Well, they came -- the statistics that I saw were over a period of, I think, from 2004, and as I said, I apologize, I don't have them with me, but I wasn't expecting this press release to come out. Can you tell me whether or not there has been an increase in crime in the 3rd Precinct within the last six years; and if so, what percentage of increase are we talking about?

**COMMISSIONER DORMER:**

I don't have these figures with me, and I have -- you know, I have no idea what the press release says.

**LEG. MONTANO:**

Oh, this press release, you didn't see this? All right, well -- well, yeah, they handed it to me, but it really is issued by the County Executive and I thought it was in conjunction with Commissioner -- the Police Commissioner.

**CHAIRMAN EDDINGTON:**

Legislator, I do have a list here.

**LEG. MONTANO:**

Yes and I'm going to end on that. One last thing, Commissioner. And, you know, I appreciate -- we expect you tonight, I appreciate your involvement. But after the Nieves shooting there was a comment made on Channel 12 where it said that I questioned the ability of the department in terms of, you know, getting the job done, and your response was that it was unfair to criticize the Police Officers; and I agree with you, it is unfair to criticize the Police Officers. But I just want to state for the record, and no disrespect meant, but I was not talking about the men and women on the force, because I did get several calls on that. I really was talking about the management of the Police Department when I said that and, you know, and I just want to be clear on that. I'm not criticizing the officer and, you know, the men and women on the job. But there is a perception out there that more needs to be done from the top, and that's what I was talking about. So with all due respect, I just want to clarify that.

And I want to thank you for being at the last meeting and for being there -- you know, for coming -- in anticipation of your coming tonight. And I would like an opportunity to pursue this, because we need to work together to resolve these issues. Thank you. Thank you, Mr. Chairman, and I apologize for the length of that.

**CHAIRMAN EDDINGTON:**

Legislator Gregory.

**LEG. GREGORY:**

Thank you, Mr. Chair, and thank you, Commissioner, and your staff for being here today. And thank you for coming to the March 3rd meeting in Brentwood. I think that was -- I think that was certainly appropriate. It was noted, though, that the County Executive wasn't there, that his representatives weren't there. Did you have any conversations with the County Executive about attending the meeting? The March 3rd Speak Out?

**COMMISSIONER DORMER:**

The County Executive and I did have a conversation before the meeting and I told him I was going. He advised me that he wasn't invited, but that I could, you know, carry the ball for the Police

Department and, you know, tell the community how much we -- how we take this issue seriously, and that we're doing something about it. And so that was basically the conversation.

**LEG. GREGORY:**

Okay. Now, just regarding this Ten Point Plan that Legislator Montano went through, did the County Executive have any part, did he sit in the meetings in coming up with the Ten Point Plan?

**COMMISSIONER DORMER:**

Well, no. The County Executive did not sit in on any meetings, but I did advise him of our Ten Point Plan, so he was aware of it.

**LEG. GREGORY:**

Okay. Now, I think I read Newsday last night, I had amnesia -- amnesia. I couldn't sleep last night. I woke up 5:00 this morning and went to bed at 1:00, and I read the Newsday story about the F.B.I., they're coming in, they're bringing in their resources to address gangs in the Central Islip/Brentwood community through the help of Congressman Israel and Assemblyman Ramos. Is that correct? Have you had any input in that?

**COMMISSIONER DORMER:**

Yes. As I'm sure that all of you know, we've been working with the F.B.I. for a number of years. We have officers, Detectives, on the Task Force, the Gang Task Force. We've increased that by two more Detectives. We have Detectives on all the Federal task forces. You know, the F.B.I. has been working with the Suffolk County Police Department for some time on the gang issue in Suffolk County. We certainly welcome, and I told the F.B.I., you know, agent in charge yesterday, we welcome any support that they can give us that can focus on this issue, especially in the Brentwood/Central Islip area, which is plagued by gangs. And so we welcomed any resources that they can bring in to the County. We're going to continue working with the F.B.I. and, you know, we have a very good relationship with them. Our gang commander meets with the F.B.I. on a regular basis and has been coordinating with them over months now, and so it's a good thing. And, you know, we again pledge our cooperation and we think it's helpful and it will be good for Suffolk County and our communities.

**LEG. GREGORY:**

Great, absolutely. To your knowledge, and only to your knowledge, has the County Executive had any conversations with the F.B.I. about bringing or adding additional resources to address this issue?

**COMMISSIONER DORMER:**

Yeah. I believe the County Executive, he's in support of the F.B.I. bringing in resources. Again, stepping up our focus on these communities that are having problems. I believe he wrote a letter to Senator Gillibrand a while ago expressing that sentiment, so the County Executive is in support and welcomes the -- any assistance we can get into the County that will help, you know, with the crime problem.

**LEG. GREGORY:**

Okay. Now, my concern is, and I guess I read it today also in the Joy Brown article, is the noticeable absence of the County Executive in the community, addressing the community. I sent him a letter similar to that effect, and from what I see, my community, just in the beginning of the year, we've had two murders, we had ten shootings, we had six shots fired. I saw a statistic wherein Legislator Montano's district there's a 300% increase in murders, another district there's a 50% increase in murders. Forcible rape I think is up 24%. And the County Executive is absent; he's nowhere. He hasn't been in the community to address these concerns. He's sent his representatives. You know, where is he? What is he doing? What plans does he have to address this issue and to reassure, and as you know as a man that's been involved in the police force over 30 years, over 25 years, a lot of your job is and as a Commissioner is reassuring the public that

they're safe. And no better person that I can think of to do that besides yourself is the top elected official in Suffolk County, your boss, the person who has actual -- the final say in how resources are being deployed; they haven't seen him.

You know, the Presiding Officer at the March 3rd meeting had said that, you know, reiterated the fact that this body, this Legislature, budgeted for 200 more officers in the -- for this year and it was the County Executive's decision, not your decision, to go along with 70 of the 200. So I think it's important that the person who has the final say where the buck stops actually faces the community. I know it's difficult, but, you know, if you make difficult decisions you've got to, you know, face the consequences or face difficult circumstances and I don't think he's done that. And I'd be interested to hear what your response is.

**MR. ZWIRN:**

If I might jump in, Legislator Gregory, only because I'm a representative of the County Executive's Office. I know that the Commissioner and the County Executive were in contact before he went down in to the meeting that Legislator Montano had down in his district, and he is certainly engaged in the situation. I think he believed that the Police Department going down there and the top law enforcement official in the County, Commissioner Dormer, could best answer the questions of the community with respect to the response that was coming from the Police Department to make them immediately safer. So I think that's why he asked the Commissioner to go down there and to do that. Tonight I know that --

**LEG. GREGORY:**

And, Ben, if I could -- with all due respect, and I really do respect you. You're brilliant at your job, but you're wrong in this instance. And, you know, we've heard, I think, three explanations of why he wasn't there. First he said he didn't get an invitation. Then -- and you reiterated I think the second or the third was that well, he got an invitation but he didn't want -- you know, he sent the Commissioner. And then I think I read in the paper, well, he heard about it but he really didn't want to come because two of his nemesis or, you know, outspoken critics are organizing the meetings, Legislator Montano and Jeff Frayler from the PBA. I think -- don't think that really speaks well of him as a person who wants to run for Governor but doesn't have the courage to walk into a room where people he disagrees with on something that we can all agree on, that the public needs to be safe, but that's another point.

So I understand that you are trying to do your job, but to say that, you know, you're going -- that's not something you delegate. You want to delegate getting your lunch and something else, yeah, that's fine. But when you're talking about a community in crisis, they need to hear from this guy and he's nowhere. And then you read in the paper he's in Albany. You know, he could drive six hours, three hours there and back, have a two hour meeting, but he can't drive freakin' 20 minutes to Brentwood? Are you serious? And this guy's talking about responsibility, he's talking about leadership? That's not leadership. That's cowardness to me. Twenty minutes. Not even 20 minutes; 15 minutes to go to Brentwood.

You have Huntington Station, a middle school, talking about transferring their students to another school because of the shots that are being -- that the students, the fear of life that their parents are having. This guy would rather go to Albany? He can't drive 30 minutes to Huntington Station? Come on.

**P.O. LINDSAY:**

Where is he today?

**LEG. GREGORY:**

Yeah, where is he today? You know, I read five o'clock in the morning he's switching to Republican, he's going to be in Albany tomorrow morning. Has he been to Brentwood? I'm not even asking him to come to my community; has he been to Brentwood? Has he been anywhere? No. He's AWOL. If he were in the military he'd be brought up on charges of AWOL, dereliction of duty. He's absent.

**CHAIRMAN EDDINGTON:**

Legislator Cilmi.

**LEGISLATOR CILMI:**

Well, I don't know how to follow that. And I certainly don't mean to make light. The -- first of all, I want to thank the Commissioner and your staff for being here today. You and I have spoken, you know, how important I feel the communication is. I think it's very constructive at least and I appreciate it.

I wanted to just get quickly to a question that comes up in hearing you speak about the Ten Point Plan with Legislator Montano. And certainly all of us here on the Legislature who represent communities and districts that aren't in the Third Precinct or, you know, not affected by this, by the severity of these crimes that are happening in the communities of Brentwood and Central Islip and Wyandanch etcetera. We are all empathetic and horrified by what's going on and certainly want to do everything possible to address the problem on a global basis.

But we also want to be sure that some of the measures that you're taking aren't going to negatively impact the other communities in the County. As you know, the heroin problem is significant, underage drinking is significant. There is a variety of other problems, gang related problems in the other communities as well, graffiti, etcetera, and I just want to make sure that at the bare minimum that our police presence in those other communities remains at least constant, if not stepped up. So if you could just address that very quickly for me and then I'll move on to one other question. Thanks.

**COMMISSIONER DORMER:**

Yes, thank you. That was under discussion when we had our meetings and we made sure that the Commanders in the other Precincts maintain vigilance, maintain their stepped up patrols. And as I mentioned earlier, that's why we have overtime in the Police Department, \$24 million. We do manage it very prudently, but there are times when that has to be utilized and that's what we do. We do it very carefully and we do it in a measured way to address problems that may crop up in other communities. We're well aware of that, and so it's on our minds all the time that we pay attention to the other Precincts and we're doing that. And I'm glad that I had a chance to clear that up.

**LEGISLATOR CILMI:**

Okay. So just to be clear, the extra patrols that are going on in the Brentwood and Central Islip communities, North Bay Shore etcetera, are not diminishing in any way, the patrols that are happening in the other areas of the County.

**COMMISSIONER DORMER:**

No, exactly. And we have, you know, other units that are deployed in other locations in the County to address problems, and so we will continue that. We don't neglect one community to address a problem in another. But certainly the focus publicly and here today is on the Brentwood/Central Islip area, so that's why we're addressing that in a comprehensive way with the Ten Point Plan. Again, as somebody mentioned, I think Legislator Gregory mentioned the fear in the community is an issue that we deal with, and we have to address that and we're doing that in all the communities, including Huntington Station, and we will continue that.

**LEG. CILMI:**

Okay, great. Thanks. And with regard to the -- one of the resolutions, Legislator Eddington's resolution that we'll be addressing today in committee, I guess the single most important question to me in looking at that resolution and debating whether or not to move forward with it, is what constitutes policy and what constitutes management. As a County Legislator I don't purport to know how to run a Police Department. And, yet, I find myself conflicted in thinking about some of the decisions that are made and whether or not those are policy decisions that are germane to public

safety in the County, or whether they're management decisions that relate to the efficiency and effectiveness of the Police Department.

So could you just reflect on that a little bit and discuss with us if you believe there are any functions within the department within your control that are -- that could be construed as policy versus management?

**COMMISSIONER DORMER:**

Well, certainly if this resolution goes forward and becomes, you know, law in Suffolk County, it will tie the Police Commissioner's hands. Not just this Police Commissioner, but future Police Commissioners. That's why you have to be very careful with this. A Police Commissioner and command staff have to redeploy their officers very quickly to address problems that crop up, hot spots, spikes in crime, issues that come up all the time. A unit that was put in place 15 years ago, units that I put in place, maybe the next Police Commissioner after me wants to make a change on -- has a change in management prerogatives or philosophy or in tactics, they have to have the ability to do that. You know, and I believe that sincerely.

Legislator Gregory is military, I know there's some military people on the panel, you know exactly what I'm talking about. We have to move quickly, we've got to be able to turn on a dime. That's what we do.

Six months ago, Brentwood was not a big issue; Central Islip at least publicly, although we've made over 4,000 arrests last year in just Brentwood.

So I just want to say that we've been doing the job, but we have to have the ability to move people around, use units in other ways. Disband the unit and create another unit because of the change in dynamics of policing. A year from now, two years from now, do we know what the issues are going to be? Who was talking about heroin two years ago? We now have a Task Force created to deal with the heroin issue. Two years from now, hopefully the heroin issue has been taken care of. That unit or that Task Force may have to move on to other things. Why should a Police Commissioner or a command staff have to come back to the Legislature to debate whether that unit is now moved or disbanded? It's just not good management. It's not the way to run an agency in the 21st century. And I would say to everybody, be very careful of this, because you're going to tie the hands of the Police Commissioner, future Police Commissioners down the road. It's not something to be taken lightly.

Certainly, this Police Department, this Administration, has been very open with our Legislators. We advise you of what's going on. We briefed you on the civilianization and we give you statistics when we have them. It may take a little while. You may not like all the stuff that we give you, but we give it to you. Every Legislator that's sitting here in front of me has had a sit down with me personally to discuss the Police Department, to discuss policy and issues. I'm being very open with you. It doesn't matter the political side of the aisle. We do it across the board. Our Precinct Commanders are very open with members of the Legislature and the Public Safety Committee. Legislator Gregory asked for statistics yesterday that were given to him immediately by the Commander. Legislator Kennedy asked for information; we give it to him immediately. You've asked for information. The Chair has asked for information. We give it to them. And so that's my take on this, and again, I remind everybody that be careful of where this is going to lead you.

**LEGISLATOR CILMI:**

So, first of all, you have been very open and responsive to me in the short time that I've been here, and as have members of your staff, and I very much appreciate that. But I didn't quite get the answer to the question that I was looking for, so I'll just try and restate it. And the question is, of all of the changes that could be made within the Police Department, do you believe any of those changes would constitute policy changes versus management changes?

**COMMISSIONER DORMER:**

Well, when you try to decide -- decipher the difference between a management and a policy decision, you're splitting hairs. I can tell you we look at it from a management position, that it's

good management. It's a better way to serve the public. It's a public safety issue. That's on our radar all the time when we make moves in the Police Department. Now, certainly, we do tighten up on overtime and we, you know, make people pay attention to the overtime and the spending, but that's appropriate for any agency anywhere, especially now. But they're managerial decisions that we make on a daily basis and that Commanders make on a daily basis to deal with issues in their Precinct or in their command.

**LEGISLATOR CILMI:**

Okay. So, just to let you know that this is the question -- this is the question in my mind that I'm going to continue to wrestle with with regard to this resolution. I'm speaking to as many people as I can about it. Some of that question may be answered in the following questions, which relate to some of the definitions that relate to the clause C13-13, the transfer elimination of Police Department functions within this resolution. I don't know if you have the resolution in front of you. But, specifically, Sections A, B and C all speak to public safety functions, and more specifically Section B speaks to a command or responsibility within the department.

So my question is how do we define exactly public safety function and how do we define exactly command? It seems to me command may have a very specific definition within the department, public safety function may be more broad and vague.

**COMMISSIONER DORMER:**

Well, the way -- they way I look at this, everything we do, every decision, managerial decision that we make at my level or at the Chief's level or at the Command level, public safety is number one. Everybody has been -- that's our policy, by the way, if you want the definition of policy. Now, you carry that out as a professional, and that's why we have a Police Department, that's why we have ranks, that's why we have a Police Commissioner under the Charter, is to make decisions, day to day decisions on how commands operate. How units operate. How many people are in the units.

Now, you will know, and I know you know this very well, any time that we make changes there's going to be a push back. Nobody likes change, whether it's civilianization or otherwise. So, if, you know, a department head, like a Police Commissioner, has to now go before 18 Legislators, who are influenced by the unions, let's call it the way it is, and to now get permission for to move a unit or to make changes in how you operate, which are managerial decisions that should be left with the head of the department, that is the problem with this resolution in that it ties the hands.

I mean, you can read this any way you want to, whether it's civilianization, whether it's moving a unit around, putting more people in a particular unit, taking people out of a particular unit and putting them somewhere else. These are the things that a Commander and a Police Commissioner should have the authority to do. I have no problem, and I don't think any Police Commissioner would have a problem answering why you did it, what you did and why you did it, but asking permission for to run your agency, okay, will hinder law enforcement in Suffolk County and will endanger public safety. I don't want to get into what it would cost, the cost factor and all that kind of stuff. It will certainly hinder our ability for to address problems like Brentwood, like Central Islip, like Wyandanch, like North Amityville, and military people know exactly what I'm talking about. You've got to turn on a dime. And that's what we do.

**LEGISLATOR CILMI:**

Commissioner, could you simply define, or maybe somebody from your staff can define for me the term command? What is -- they have numbers associated with them? How is that defined?

**COMMISSIONER DORMER:**

Okay. A command is like the Precinct Commander, the Plain Clothes Commander, the Detective Commander in the Precinct. That's a command. You have so many people working under you, you're the Commanding Officer of that unit. It can be a small unit with ten people, or it could be a Precinct with 250 people. And so you're like the unit commander and that's how we define a command.

**LEGISLATOR CILMI:**

Are those commands regularly created and eliminated just during the normal course of business in the Police Department or are they set functions that are specified?

**COMMISSIONER DORMER:**

It's very unusual to eliminate a command, but we've done it in the Detective Division, for example, to create the Identity Theft Unit. We moved another command or eliminated a command or we would join two commands to make it more efficient. Based on what's happened in the police business, for example -- for example, when we came on board, we didn't -- in 2004, when we took office, there was no Identity Theft Unit. We have a full service Identity Theft Unit now because we created that unit. But the answer is that it's very seldom that a command is eliminated. They are usually there for a good reason and a good function.

**LEGISLATOR CILMI:**

Mr. Chairman, I just want to make sure that we're talking about the same bill here. I'm on --

**CHAIRMAN EDDINGTON:**

I actually would like to respond to clarify some of it because --

**LEGISLATOR CILMI:**

Please.

**CHAIRMAN EDDINGTON:**

-- like what happens in the media, you always get one viewpoint and it's totally misrepresented. And I want to let -- and the reason I'm bringing it up now is I want you to be here when I'm saying it. I don't want you to leave and then we deal with the bill. I resent what you said about influenced by unions. I am walking the line towards public safety, and when I'm walking the line and you like what I'm doing, then I get beat up and I'm a Levy lackey and oh, I'm a good old boy. But when I'm not on the same line I'm called other names. I am working only -- I may be one of the only few people. I got no other agenda. I'm not looking for State office or Federal office. When this is over, I'm retiring. But I'll tell you right now, as long as I'm in this position, it's only going to be public safety and I will not be bullied or intimidated, and that's what I see happening through the media.

This policy is -- you can still turn on a dime. This has nothing to do with it. But you can't change total commands like you -- and you talk about open? You tell us what you want us to know when you want us to know it. The newspaper knows it way before us, and I've been asking you for five years. Just give me a heads up so I can understand what you're doing. You guys run things by edict and this legislation is to stop that. All I want is what you said you do, which you don't, open and honest communication, a free flow. It isn't that. You come in and often tell us here's what we're doing, I have to do it. Well, I have a boss, you know.

Well, you know what, this legislation is to remind anybody in your position that it's not one boss. There are two branches of government and with the problem we're having in public safety with -- and that's another thing, statistics. I've already told the County Executive what to do with his statistics, because it's always different. The thing is here's what I'm hearing. There's crime and there's too much crime. And there's cops and there's too few cops. It doesn't take a brain science, and I'm not talking about salaries or any of that, that's not my concern. My concern is ensuring the public safety, and calling names and throwing things, that's not the way to do it. And this legislation is just to make sure that we have some say in major things.

And if you look at the -- if you just look back in the last year, the things you changed is like you threw it against the wall to see if it would stick, because what happened? You rescinded most of them. So if they were so important they would still be intact because you would have fought like me to keep them if they were the right thing at the right time. So I'm tired of a media blast beating up anybody that doesn't agree with the County Executive's line. I'm with them when he's right and I'm

not with them when it endangers the public safety, and you just have to read the papers and you can see what's going on in our community. Legislator Browning.

**LEG. BROWNING:**

You want me to follow that? I was going to make mention about the issue with being influenced by the unions. I do take offense at that. I know I've been in touch with you with my school district and the influence from my school district to provide an SRO for the school district, because they don't have one. I'm hearing it's coming from Longwood. Now we're going to be sharing Longwood's SRO, and Longwood's SRO is being shared with other school districts. That's what the influence is for me, and you have to look at my school district and the recent events that just happened. So that's where the influence comes; it comes from my constituents.

I actually have an E-mail from a constituent that I received yesterday about the Police District tax, only hiring 70 officers, saying we need more officers in the Shirley/Mastics community. So that's my influence, not the PBA, not the Detective's Association. It's the people who elected me, and that's where my influence is and I'm going to continue to support them.

You know, I'm reading an article, there's a couple of questions I have, but March 12th, there's an article in the New York Daily News, Police Commissioner Ray Kelly talking about financial constraints, just like we have, and that they're at a 20 year low with 32,000 Police Officers. And I know that probably about ten years ago they were at about 40,000. So they have a dramatic drop. They will have the lowest number of Police Officers in the academy this year, I think a class of 112 recruits. That's not normal for the New York City Police Officers. Kelly told the City Council budget hearing that financial constraints will trim the NYPD to a 20 year low. He continues to say that they will lose 892 officers through attrition under Mayor Bloomberg's proposal. He insisted the department would continue to do more with less, but acknowledged the cuts are having affects. The Operation Impact, the initiative that floods crime hot spots with rookie cops may soon pack less punch.

What -- we sit here every day and we hear from you that you're going to do more with less, that you're not going to have an affect. Can you say what he's saying in Suffolk County? Can you agree with him that Suffolk County is in the same position, that with less cops you have less impact?

**COMMISSIONER DORMER:**

If I may, before I comment on -- and I usually don't comment on other Police Commissioners or police departments. I deal with Suffolk County. When I took office in William Floyd School District you had no school resource officer at all.

**LEG. BROWNING:**

We don't now.

**COMMISSIONER DORMER:**

Well, just let me finish. At least you have a part-time school resource officer and if there's an issue in that school, they go in there and they take care of the problem. So we've increased that compliment of school resource officers tremendously throughout the Police District. We made the decision to do it part-time, which was the most efficient thing to do. We would love to put full duty in every school and all the schools would love that. It's not going to happen. This is managing our resources, okay, as best we can.

Commissioner Kelly, by the way, is doing the same things that we do in Suffolk County. He's moving people out from behind desks, from special units and putting them out on the streets in the community. A lot of push back, because Kelly told me that. We're doing the same thing that you did out in Suffolk and we're going to continue to do it. The money isn't there in the City for to hire thousands of cops, so they're doing a tremendous job with what they got, just like we are in Suffolk County. We're keeping crime down overall. These spikes, no, nobody wants to hear the statistics. I hear from Legislators, by the way, some Legislators, "I don't want to hear the stats. I know crime is

up." Well, certain high profile crimes drive the fear of crime up and give the impression that crime is out of control. This is known throughout the police business, by the way, where these crimes garner a lot of attention. And I'm not saying they shouldn't; they should garner attention and they should garner response and people paying attention to it, especially in the police departments and in government.

Commissioner Kelly, again, moves his officers around to address hot spots, so if you're in one Precinct today, you could be in another Precinct next week. That's what they're doing in the City. They changed their tours to address hot spots and crime spikes. He has major shootings, major incidents, just like Nassau County has. We have them unfortunately. And despite all our best efforts in the policing business, these incidents are going to occur. I tell everybody that. But our officers, Detectives and cops out there, are doing a tremendous job every day policing their communities. We've taken officers, by the way, civilianized, and put them out in the patrol cars. We make sure that our cops are in the patrol cars doing the primary function, which is patrolling the neighborhoods and answering 911 calls. That is a primary function of a police agency. The other primary function is answering the telephone when somebody dials 911. We're doing that. And the other third function, which is primary, is having a detective respond to investigate a serious crime. We are maintaining that, these functions, which is making an impact on crime in our communities. I'm not downplaying in any way the issues that are obviously in our communities today and other communities surrounding us. They're wrestling with the same issues that we are here in Suffolk County.

And by the way, by the way, what commander, if I may, what commander, and I've said this before, and I've been misquoted, wouldn't like to have more troops? I've said that. But I'm a realist. I'm a realist. We all are. We have to deal with the issues of today and we've got to, you know, know that we can't have everything we want.

**LEG. BROWNING:**

But we're talking about a police force of 32,000 and they're saying that the cuts that they're experiencing now is going to have a negative effect. And we're not hearing that in Suffolk County, yet we're making cuts and crime is up and Huntington Station had another shooting last night, and what do you plan to do? Are we going to have Ten Point Plans? There's more than one hot spot. Wyandanch is a hot spot, Shirley/Mastics at times can be a hot spot. North Bellport can be a hot spot, and now we have Huntington Station being a hot spot. Are you going to put a Ten Point Plan together for all of those hot spots at the same time?

**COMMISSIONER DORMER:**

As I mentioned earlier, we are addressing these problems, and I should say to you we -- Huntington Station still has a saturation of officers in Huntington Station. Wyandanch has tactical units in Wyandanch. North Amityville, extra patrols. We haven't forgotten about them. You had called me two weeks ago and asked if you were going to lose any of the resources in your district and I told you no. You are going to continue to get the same services in your community. That was a proper question from a Legislator and I reassured you that we weren't pulling any of our people from your district for to police Brentwood. That's why we have overtime. If we need extra patrols we utilize the overtime, we utilize the officers we have, and by the way, I know nobody wants to buy this. As we speak today we have a hundred more officers in patrol, that is the sector cars, than we did when we came into office in 2004.

**LEG. BROWNING:**

Okay. Let's get to the -- I did get the numbers of light duty officers. As of 12/09 there are 95 light duty officers. There are 185 vacant civilian positions. And I believe 91 vacant civilian -- vacant positions that were to be civilianized. Would you like to check those and get back to me and make sure I'm correct?

And another question. You have additional officers that came from the academy to the Brentwood area. Do you have a start date for the police class yet, and when you do have that police class start,

you are going to have to pull those academy officers and put them into the academy. So what's your plan when you do that?

**COMMISSIONER DORMER:**

Well, that was the emergency vehicle operations officers. We will certainly adjust at that time. The officers will not be training on driving cars for some time. That can be scheduled at our, you know, direction. So we'll certainly address it at that time. We are aware that we'll have to respond to that. So, you know, the plans -- we're thinking about it. We just, again, you know, we turn on a dime. The order will go out to, you know, change our procedures hopefully. Our operation in Brentwood will be having some impact, and so we'll wait and see. Give it time. It's too early to even talk about that at this time.

As to the class, we expect sometime in June the officers will be sworn in and start their training in Suffolk County.

**LEG. BROWNING:**

Good.

**CHAIRMAN EDDINGTON:**

Legislator Muratore, why don't you end our questioning.

**LEG. MURATORE:**

I get to end it, huh? Thank you. It's not so much a question, it's probably just a statement. If we see what's going on, we know we need change. The Commissioner comes here and says well, we really shouldn't support Legislator Eddington's resolution because we are okay the way we are. He talks about spikes. I mean, we are talking Wyandanch, Brentwood, CI, Huntington, North Babylon. It's like a mace out there, it's more than one spike.

So what I feel, he's not doing the job. He's being effective. This Ten Point Program is a result of lack off commitment on the part of the department. A lot of the communities are suffering. And, you know, when you spray the bug killer down, the bugs move and they go other places. So what is going to happen in my district and what's going to happen in Smithtown and what's going to happen in other areas in Suffolk County when we rid all the vermin out of Brentwood and Central Islip?

We need a commitment. We need accountability. We need someone to be open and honest with us. I look at this plan, this Ten Point Plan and, you know what? A lot of it's been in place. You know, the EVOC officers were removed a while ago. The electronic surveillance. But he doesn't want to answer anything. Here I am going to be very interested to see how he answers Legislator Montano's questions in private.

So I really think we need, you know, I'm not on the committee, I am not saying I am supporting or not supporting Legislator Eddington's bill, but I really think we need some change, Commissioner, because reality -- who is running the Police Department? Is it the Commissioner or is it the County Executive. We need to put control in the hands of the people that need the control. And like the Commissioner says, they have to turn on a dime sometimes and, you know, if an individual is out of town campaigning, maybe he doesn't get that right to turn on a dime. He's going to have to wait a little while and then we'll have more problems. Thank you.

**CHAIRMAN EDDINGTON:**

I thought we were going to escape. Would you like to say a couple of words, Mr. Zwirn?

**MR. ZWIRN:**

Mr. Chairman, I just want an opportunity to talk a little about your bill, 1164, which has been discussed at this stage. Can I make some comments now?

**CHAIRMAN EDDINGTON:**

Sure. I'd rather hear it rather than read it.

**MR. ZWIRN:**

Well, I think that reading it is probably not much different. First of all, let me just say I don't know where I have ever read that you are considered a Levy lackey. I just don't know, unless the rumors that you are about to change parties and join with the County Executive in his quest up in Albany are true.

But on a real serious note, I heard your response and the emotion in it. The reason the County Executive is concerned is that this bill, as the Commissioner said, goes far beyond this Commissioner. It talks about, you know, policy by resolution coming before the Public Safety Committee to a vote, and that three people in this room can table policy for the entire County. I mean, if we are going to have a shared resource officer, if we are going to have a research officer or share one in Longwood with Mastic/Shirley, do we have to do that by resolution? I'm just saying, where does this go?

**CHAIRMAN EDDINGTON:**

But you see, you use examples that undermine the intent, because it's major policy decisions, which we're supposed to be responsible for anyway.

**MR. ZWIRN:**

The underlying incident that seems to be the birth of this bill is when the Sheriffs took over the highway patrol duties on the LIE and Sunrise.

**CHAIRMAN EDDINGTON:**

Incorrect.

**MR. ZWIRN:**

Well, that's what it says in the bill.

**CHAIRMAN EDDINGTON:**

That was the first. The was the first thing that started the ball rolling and it was a whole --

**MR. ZWIRN:**

The most significant -- if I might just read from the bill. "The most significant policy change was the reassignment of highway patrol duties on the LIE and Sunrise Highway from the Suffolk County Police Department and Suffolk County Sheriff in September of '08." That's what it says in the bill.

**CHAIRMAN EDDINGTON:**

Right. That's the most significant, but there are ten other things -- I mean, otherwise I would have put this in two years ago then. It's obvious that it's not in response to that incident. It's a culmination of the lack off communication and in sometimes respect for the Legislature.

**MR. ZWIRN:**

That particular act, speaking about that which is in the bill itself, freed up 55 trained, seasoned Suffolk County Police Officers to move --

**CHAIRMAN EDDINGTON:**

You know, you are going harp on this, and if you can remember, I didn't get -- the only negative thing I said about that whole thing was that it was being done on the 4th of July, the most dangerous weekend in our country, and I got beat up for not just going along to get along, but because I thought it was a public safety issue. Now, that -- you can talk all day about that one piece. That is not the whole intent.

**MR. ZWIRN:**

It's almost the whole first page of the bill. It's three paragraphs. With all due respect, it goes into the next one. The summer of 2009 the police -- other policy changes including the dissolution of some police units, the transfer of some public safety functions to the Sheriff. The Legislature also finds that the Legislature's Public Safety Committee has conducted an investigation to determine the rationale underlying the above described policy and there's been no -- they weren't subject to rigorous review. With respect to the Sheriffs, which was a big one, took almost 60 cops off the streets and put them in, off the highways, and put them into communities, into Wyandanch.

**CHAIRMAN EDDINGTON:**

Do you understand that we never had any -- we were told when it happened.

**MR. ZWIRN:**

Yes.

**CHAIRMAN EDDINGTON:**

And yet we had to answer questions like were those 60 Sheriffs having coffee somewhere? What's happened to the jobs they were doing? We had no input at all and no information to work with. That's what the intent of this bill is, so that at least if we are going to take the heat, I think, and some people are afraid to take the responsibility, I didn't run to not take the responsibility to make decisions. I'll help make decisions when I have to, and I'll stand behind them.

**MR. ZWIRN:**

But the entire process, doing this by resolution, first of all, the PBA had remedies if they thought that they were being damaged by that act and they've done that; they've filed a PERB application. Now, they filed an injunction, they filed for injunctive relief. It was not granted so they went through a PERB hearing, which will probably be decided some time this summer. Whatever the decision is the County Executive and the union decided not to appeal that decision. So that's one issue. But there are remedies when the unions think that there is -- they have -- their positions have been imposed on. But what you've done is you are reducing every decision possibly the Commissioner makes to a committee resolution.

**CHAIRMAN EDDINGTON:**

That's incorrect. Major policy decisions.

**MR. ZWIRN:**

What does that mean, though?

**CHAIRMAN EDDINGTON:**

Well, I would say doing away with a whole unit is what it means.

**MR. ZWIRN:**

Can you give us some examples of what you think this covers? Because it's not --

**CHAIRMAN EDDINGTON:**

Go back over. You know what? I'm not going to do your homework right now. You can look at all the things that were taken away and then reinstated very quietly. Very publicly it was how we are saving money, and then very quietly they were all put back. Major changes.

**MR. ZWIRN:**

Mr. Chairman, this is your bill so I'm asking you if you can define what you mean.

**MR. NOLAN:**

You don't have to answer that.

**CHAIRMAN EDDINGTON:**

You know what? I am not going to debate it with you. You are going to argue your point and you

are going to try to trivialize it. I'm saying these are major decisions that all of us here know what they are. If you don't know it, I think you can figure it out. It's major policy decisions and, you know, I am going to turn it over to the Presiding Officer. He wanted to respond.

**P.O. LINDSAY:**

I'm just -- I'm, you know, going over the parts of the bill. The first part is "No public safety function performed primarily by the Police Department shall be transferred to another law enforcement agency without prior approval of the County Legislature". Would that be done without the approval of the County Executive? Would you transfer a major police operation to the Sheriff or another law enforcement without approval of the County Executive?

**COMMISSIONER DORMER:**

No. The answer is no. I certainly wouldn't.

**P.O. LINDSAY:**

Okay.

**MR. ZWIRN:**

Mr. Presiding Officer, the answer is -- is no.

**CHAIRMAN EDDINGTON:**

You know what, I think I gave the floor to the Presiding Officer.

**P.O. LINDSAY:**

"The Police Department shall not eliminate a public safety function, command or responsibility without the prior approval of the County Legislature". Would the Police Department eliminate a public safety function without the approval of the County Executive?

**MR. ZWIRN:**

You know, that's why I asked --

**P.O. LINDSAY:**

Yes or no. Would you?

**MR. ZWIRN:**

I don't know what you mean.

**P.O. LINDSAY:**

I am getting to it. Would you do that -- would you do that without approval of the County Executive?

**MR. ZWIRN:**

I can't -- I don't know the answer to that. I don't. If you could be -- I don't know exactly what --

**P.O. LINDSAY:**

Would the Police Department shall not reduce Police Officer personnel assigned to a public safety function commander responsibility by more than 50% without approval of the County Executive?

**COMMISSIONER DORMER:**

You know, I can't recollect when we have done that, but I am certainly sure we've done that and it wouldn't be something that the County Executive would be involved in.

**P.O. LINDSAY:**

Okay. So on your own, if you wanted to reduce the size of the Homicide Division by 50%, would that be something that you would seek approval from the Executive? Would you make that decision on your own?

**COMMISSIONER DORMER:**

No, we would make that decision. I mean, that's not a good example, but no, that would be a managerial decision made by the Police Commissioner and the command staff. But if we, you know, any major change --

**P.O. LINDSAY:**

My point is, first of all, I don't -- I think anything here is of a nature that you wouldn't go forward without the County Executive's approval. If you guys -- here's where I am going. You want to know where I'm going? I'm going to tell you where I am going. Look at the Charter. There's co-branches of government in this County and we're the other branch, and you do things without telling us. That's where I am going.

**CHAIRMAN EDDINGTON:**

I think we've made our points clear on both sides. I understand what you are saying. I do appreciate you coming and being open, and I think we've had a lively discussion. We are going to disagree, but I think if we had more of these all along I think it would have been better for all of us. Unfortunately, that hasn't happened and we've ended up across -- sitting across each other like this now. But I do appreciate you all coming and bringing everybody with you. So I'll thank you for your participation this morning.

Legislator Browning, you wanted to ask one other person to come up?

**LEG. BROWNING:**

Yeah. I guess, Chief Sharkey, you're the only one here for the Sheriff's Department; correct? This will be quick. There was an article recently where Sheriff DeMarco was quoted and the County Executive pertaining to staffing issues and the hiring of Corrections Officers. I know that you've requested 40; you got 30. You are currently shipping out about a hundred prisoners at, what, \$125 a day to Reichers Island. One of my questions for you is, and I believe I remember hearing it some time ago, that when you ship these guys to Reichers Island, that basically Reichers Island is saying we're only going to take your best. We don't want your bad prisoners; we want your best prisoners. Is that correct?

**CHIEF SHARKEY:**

Yes, that's correct.

**LEG. BROWNING:**

So my concern is, is the best prisoners, what kind of things do they do? Obviously they're kind of honored prisoners where they get to do -- are they the ones that do the SLAP Program, work in the kitchen?

**CHIEF SHARKEY:**

What they prefer to take is our sentenced prisoners first, which is also we prefer because it's less onerous on us. If we send a pretrial prisoner it involves a lot more transportation back and forth. But those sentenced Suffolk County prisoners are the ones that we use as workers. And the more we have to ship out, the deeper we get into that pool of workers.

**LEG. BROWNING:**

Yeah, because it's a little over four years ago I was elected and I met with Sheriff DeMarco and we talked about reinstating the Prisoner Work Program and that produced the SLAP Program. So my concern is, is if we, you know, if we lose our variances because of the staffing issues, you know, we are going to wind up having to ship out more prisoners, which is ultimately going to cost us more money and will pretty much eliminate our SLAP Program. I think you know how much we use them. So I -- I just wanted to double check and make sure that those are the people that are going, are the SLAP prisoners, the ones who do that work.

**CHIEF SHARKEY:**

It's not necessarily the SLAP prisoners, it's primarily the first ones that go out are sentenced inmates. When we reach the point where -- I mean, we have to have a certain amount of inmate workers to run the facility, if you will, with the kitchen workers and laundry workers and the SLAP Program. Once we have reached the point where we have just what we need, then we're going to have to dip into sending out the pretrial prisoners which, again, becomes more of an issue for us because it's more labor intensive to transport them back and forth.

**LEG. BROWNING:**

So if we don't adequately staff our jails we are going to ship them out, and it ultimately is going to cost us more money; correct?

**CHIEF SHARKEY:**

Ultimately if there is a reaction by the Commission of Corrections that's going to curtail our variances, it's going to impact us financially to house them out.

**LEG. BROWNING:**

Thank you.

**CHAIRMAN EDDINGTON:**

Legislator Lindsay.

**P.O. LINDSAY:**

And, again, I hate to hold up the committee, but Undersheriff, we're not shipping anybody out now, right?

**CHIEF SHARKEY:**

Yes, we are.

**P.O. LINDSAY:**

I didn't know that. How many prisoners?

**CHIEF SHARKEY:**

In the 100 range, give or take, right now.

**P.O. LINDSAY:**

How many waivers are we carrying?

**CHIEF SHARKEY:**

Our total variances are just over 500 between the two facilities.

**P.O. LINDSAY:**

Okay. So our population, that must mean in excess of 600 then, right, because we are using all our waivers, right?

**CHIEF SHARKEY:**

Yes, we are currently using all of our variances so we are -- our population has been creeping up.

**P.O. LINDSAY:**

Okay. What is the 125 costing us, do you have any idea, to ship them out of the County?

**CHIEF SHARKEY:**

It's roughly, depending on where we have to send them, you know, in the \$125, \$130 range per day.

**P.O. LINDSAY:**

No, but a month, a year. You don't have any numbers on that?

**CHIEF SHARKEY:**

I didn't know there was going to be a question on that so I didn't bring any statistics with me.

**P.O. LINDSAY:**

Okay. No, that isn't fair to you. I agree. In our current waivers I understand we are put on 30 day status. We are only extended for 30 days. Is that right?

**CHIEF SHARKEY:**

The Commission's latest correspondence with us has reduced the amount of time in between review of our waivers to 30 days.

**P.O. LINDSAY:**

And that's because they didn't get a plan on how we are going to staff the new jail. Is that correct?

**CHIEF SHARKEY:**

That was -- we have, since that last correspondence, we have sent them our anticipated hiring plan.

**P.O. LINDSAY:**

Do you think that will satisfy them to extend the waivers further?

**CHIEF SHARKEY:**

I have not had any conversation directly with the Commission.

**CHAIRMAN EDDINGTON:**

Thank you very much for coming forward.

**LEG. BROWNING:**

I think John has some information.

**CHAIRMAN EDDINGTON:**

Oh, okay. Did you have some information, John?

**MR. ORTIZ:**

Yes. The cost to ship those prisoners out is about four million dollars a year, and that doesn't include the transportation costs for the Deputy Sheriffs to do the work. And that's just for the hundred. If we had to do -- if we lost the 500 variances you'd multiply that number by five.

**CHAIRMAN EDDINGTON:**

Okay. So we're in serious trouble if we don't meet the requirements.

**MR. ORTIZ:**

Correct. The Sheriff has always had a hiring plan. It's a matter of whether we hire them.

**CHAIRMAN EDDINGTON:**

That sounds familiar. Okay. Thank you very much.

**LEG. BROWNING:**

Thank you, Mike.

**CHAIRMAN EDDINGTON:**

I'm going to just break with protocol for a second because -- is Greg Fischer still here? This is the second time I've called him. I heard he ran back from somewhere. Okay. I want to give him his three minutes because he did rush back and missed us by a couple of minutes.

**MR. FISCHER:**

Thanks, I appreciate that. I'm here to speak in support of Legislator Romaine's bill, 1301, to ask the police to enter child abduction information into the NCIC reporting system. That's already required by Federal law, but it's not being done in practice. So what's important here is for us to start to gather statistics. We really do have a problem, running into more and more people that are having abduction issues.

One of the things that's happening is the bill in its original draft, as I provided it to Legislator Romaine, was to create a felony for the abduction in Suffolk County. But that was not done at this time. It's good that we're going to start to record this information.

What has started to happen is that many states are providing what is called safe harbor status, meaning that anybody can run there, apply for an order of protection, get it instantly, with child custody. That is thwarting all of the Federal anti-kidnapping laws and New York State's anti-kidnapping laws as well.

In my personal case, it took two-and-a-half years to resolve, or 25 months actually, to resolve that issue, with lies on the record saying that the abductor was never a New York State resident. So the judge in error sent the case to Wyoming to decide jurisdiction. The children were born in Suffolk County in the house, yet they provided a convincing argument with fraud, and it took a year to have Wyoming give jurisdiction to New York where it was proper. Thereafter, the judge made another error and said let's have Wyoming hold the kids until we have a trial. Another year, it was another trial, so I had to take other action to bring the case back to New York where it should be, where the witnesses were.

So this is being done a lot. I'm running into more and more people where it's being done. I just ran into somebody a couple of days ago. The same thing happened to him with North Carolina. He was never in North Carolina in his life. Order of protection in North Carolina, kids taken in North Carolina. It's becoming standard operating practice for people that want to play a dirty game and thwart the family courts. And that person has a couple of warrants out in North Carolina and doesn't have his matter resolved after a couple of years either.

What we have to get to eventually is to make it a felony on concealment, like New Jersey, like California, like a lot of other states. The second a child is concealed make it a felony and then that person does not get standing in the foreign state so we can bring them back to New York instantly. But this is a good first step, it's an important first step, to have the police enter the information in NCIC. Thank you very much. Thanks for letting me speak.

**CHAIRMAN EDDINGTON:**

Thank you. All right. Let's get to the agenda. We have some tabled resolutions -- oh, I'm sorry. Legislator Browning has a letter that she wanted read into the record.

**LEG. BROWNING:**

Yes, real quick. I have a constituent who was going to come to the Legislature today. He wanted to, but he sent me an E-mail and asked me if I would read this into the record. He wrote, "Dear Kate. I just got home tonight and read the article on the internet. I felt I was going to explode with anger. How many more of our children must die in the streets before something is done. We need more cops as you know. I urge you and other Legislators to support Jack Eddington's efforts to return our Police Department to the mission of protecting the residents of Suffolk County. They cannot accomplish this without resources and a commitment by the leadership to get the job done. Do you really think the families of the victims are interested in exchanging their loved ones for a promise not to raise property taxes?"

As a long time social studies teacher, I always taught my students to be aware of those who abuse power, as they are the biggest threat to democracy and our quality and way of life. I could not put my head on the pillow tonight without speaking out as I taught them to do.

I urge the Legislature to step up and do what is necessary to stop the killings. My God, after a career of extensive study and as an instructor of criminal justice, I never thought we would be having this conversation in Suffolk. I don't yet know where I should go with this, but I think you know me well enough that I will not be able to sit back and do nothing. Thanks for listening. Daniel Tomaszewski."

He's a resident of Middle Island and he's also a member of the Longwood School Board.

**CHAIRMAN EDDINGTON:**

Well, if I knew the content I would have had you read it first. Thank you. Okay.

### **Tabled Resolutions**

***IR 1029, A Charter Law to provide fixed terms for Public Safety Appointments. (Cooper)***

This has to be tabled for Public Hearing. Legislator Lindsay made the motion. I'll second it. All those in favor? Opposed? Abstentions? **(Vote: 6-0-0-0)**. **(Presiding Officer Lindsay is included in votes on IR 1029 to IR 1164).**

***IR 1078, A Charter Law amending the membership of the County Fire, Rescue and Emergency Services Commission. (Losquadro)***

**LEG. BROWNING:**

Motion to approve.

**CHAIRMAN EDDINGTON:**

Motion to approve by Legislator Browning. Second by Legislator Cilmi. All those in favor? Opposed? Abstentions? **(Vote: 6-0-0-0)**

***IR 1145, Requiring homeless sex offenders to wear GPS tracking devices. (Eddington)***

I'll make a motion to approve. Second by Legislator Lindsay. All those in favor? Opposed? Abstentions? **(Vote: 6-0-0-0)**

***IR 1164, A Charter Law to guarantee continuity and stability in County Law Enforcement and ensure adequate resources for public safety. (Eddington)***

I'm going to make a motion to discharge without recommendation.

**LEG. GREGORY:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Gregory.

**LEG. BROWNING:**

Can I ask a question?

**CHAIRMAN EDDINGTON:**

On the motion, Legislator Browning.

**LEG. BROWNING:**

This is one that I would like to support, but my concern is labor management issues, and are we

going to be interfering. Maybe George can respond on that.

**MR. NOLAN:**

I don't see that it really is going to impact labor issues. These are decisions that presumably the Police Department would intend to make. I'm sure they'll be weighing those type of issues, but before they move ahead with big policy changes they would come here for approval.

**LEG. BROWNING:**

Okay. I'm just afraid that we're going to interfere with something where they have the right to their grievance process and it's to do with negotiations, so clearly you don't think so.

**CHAIRMAN EDDINGTON:**

Legislator Kennedy.

**LEG. KENNEDY:**

Mr. Chair, I'm going to support your motion to discharge without recommendation today. And as a matter of fact, I am fairly familiar with this bill, and I think that it is an action that this body has to take, because I think what we witnessed today, certainly what I witnessed today, was probably the first time that there has been any preliminary discussion about significant policy issues associated with the Police Department. From my perspective, I don't pretend to stand in the role of the Police Commissioner. I find the concern put forward by the Administration disingenuous at best, because today we see the County Executive seeking to be the governor of this state. Quite candidly, I don't think he's concerned at all about being a County Executive.

If for some reason the Police Department is seriously constrained, the bill can always be modified. But I for one am tired of finding out from Newsday what's going on with our homicide squads or our warrant squads, or our Marine Bureau, or any of the number of police functions that it seems get subject to bingo on a daily basis. So it is a matter that needs to be before all of us, and unless we take this action, it appears this Administration will not engage in any discussion with us at all before it acts, so I'll support it.

**CHAIRMAN EDDINGTON:**

Legislator Cilmi.

**LEG. CILMI:**

I just very quickly wanted to put on the record that I, too, will be supporting this motion, Mr. Chairman, just simply in the interest of getting this before the entire Legislature for more debate and so I can try and clarify my opinion on what is indeed policy and what is management. Thank you.

**CHAIRMAN EDDINGTON:**

Okay. I have a motion and a second. All those in favor? Opposed? Abstentions? **(Vote: 6-0-0-0)**

***IR 1173, A Charter Law repealing Article III of Chapter 294 of the Suffolk County Code and enacting strengthened and improved regulation of the installation and servicing of portable fire extinguishers and automatic fire extinguishing systems. (Co. Exec.)***

**P.O. LINDSAY:**

Is this ready to go, Ben?

**MR. ZWIRN:**

I believe it is.

**CHAIRMAN EDDINGTON:**

I'll make a motion to approve.

**LEG. BROWNING:**

Second.

**CHAIRMAN EDDINGTON:**

Seconded by Legislator Browning.

**LEGISLATOR CILMI:**

On the motion.

**CHAIRMAN EDDINGTON:**

On the motion, Legislator Cilmi.

**LEG. CILMI:**

I just wanted to ask Counsel to elaborate; we discussed this briefly the last time I think. I'm in favor of the concept of this resolution, it sounds like it's necessary. However, I'm concerned about the monetary implications to some of our businesses. So if the Counsel could just kind of reflect on that I'd appreciate it.

**MR. NOLAN:**

This is, as to the fees that are charged, there's two separate things. There's a license to actually do the work with the extinguishers and then there's a certificate of registration for businesses that will service the apparatus. For a license, the application fee is \$200, and the fee for a renewal application is \$50. The fee for the license itself is \$400, which is good for two years, and for each renewal of the license, also \$400. For the certificate of registration, the application fee is \$200, and the application fee for all subsequent renewals would be \$200. The fee for the actual issuance of the certificate of registration is \$800, which is good for two years, and every time it's renewed it's an additional \$800 for the certificate.

**CHAIRMAN EDDINGTON:**

Legislator, I was going to ask Deputy Commissioner of FRES to come forward, John Searing, and just give us a little feedback on it.

**MR. SEARING:**

Good afternoon. Thank you. Deputy Commissioner Searing from Suffolk County Fire Rescue. We actually met with the industry folks last week on this as well and took some very good comments from them, which I won't bore you with the details right now, but if you'd like to hear some more. Regarding the license application renewals, we actually took the other applications and renewals that are already in the system under Consumer Affairs and we tried to make it almost equal to those using the Consumer Affairs model.

**CHAIRMAN EDDINGTON:**

So you would say that most of the groups are -- you're all in agreement with this at this time?

**MR. SEARING:**

I would say they are, and Nassau has the same tape type of system and fee arrangement as we speak.

**CHAIRMAN EDDINGTON:**

And you support this, FRES.

**MR. SEARING:**

Yes.

**CHAIRMAN EDDINGTON:**

Okay. Legislator Cilmi.

**LEGISLATOR CILMI:**

So, the industry professionals that you've been dealing with have no problem with the fee structure associated with this?

**MR. SEARING:**

Not that we've heard. I mean, they expressed some other concerns which we think were very good and we'll incorporate into rules and regulations because we think that's where they belong, but in terms of the fees, we've already had fees for the past several years as well for the license. The individual licences is where it's going to be the impact.

**LEGISLATOR CILMI:**

Where does the \$800 come in with this whole thing?

**MR. SPRINGER:**

That would be a two year fee. It would be the \$400 for each year and then 800. That's for the registration of the shop.

**LEGISLATOR CILMI:**

Okay. So there is a registration of the shop for \$800, and then a renewal after two years for -- same \$800?

**MR. SPRINGER:**

Yes. It would be the same amount, yes.

**LEG. CILMI:**

So \$800 every two years for the registration of the shop, and then in addition to that you have license fees and certification fees?

**MR. SEARING:**

If I step back to the shop for a second. The fees are based on the fact that we need to go out and inspect according to whatever standards, pretty much the NFPA 10 primarily, but it cost, you know, staffing and resources to go out and do that. That's why it's every two years and that's why the fee is \$800.

**MR. SPRINGER:**

When we go out we make sure that they have the proper equipment according to NFPA. We send two Fire Marshals out for each inspection, and the inspections are done every two years. Just in Suffolk County alone, we've been as far as Pennsylvania to do inspections of the shops of the people that are actually doing services in Suffolk County, so there is a cost to the County also to go out and to do those inspections. Nassau County has the same fee arrangement. However, this year in the NFPA 10 it requires technicians to be tested, and we actually have to have each technician who goes out into the field come to us to take a test to be certified to do this kind of work in Suffolk County.

**LEG. CILMI:**

How many of these businesses are we talking about? I don't want to belabor this unnecessarily.

**MR. SPRINGER:**

Right now we have 47 businesses that are licensed in Suffolk County, another 17 that are in the process of being licensed in the County. If this new law does go through it requires them to have a shop, which basically reflects the NFPA 10. It actually tells you that you need this equipment to perform maintenance. And maintenance consists of inspecting that fire extinguisher, and if it needs to be taken to the shop to be serviced, that would be considered a one year maintenance. And you do need all that equipment to do that, you know, conduct that business.

**LEGISLATOR CILMI:**

You know what, if I'm doing the math correctly, and maybe somebody can just double check me here. If you take \$800 times 47, I'm thinking you get something like 37,000 -- \$37,000. So when you think about it that way, it's really not -- I mean, it's barely paying for the salaries of these folks that are going out. Okay. Thank you.

**MR. SPRINGER:**

Could I just make a comment?

**CHAIRMAN EDDINGTON:**

Sure, go ahead.

**MR. SPRINGER:**

We've had many problems with the vendors here, not all, a number of them. We currently have four that were arrested by the D.A.'s Office on felony charges scheming to defraud, many other charges. Not all are dirty businessmen, but I have to tell you, there is a number of them out there and sometimes you have to have a better law to get those individuals that are doing the dirty work so we can get them off the street. We continue to this day to receive calls in regards to a certain number of individuals, and until it becomes criminal, it's going to be very difficult for us to do anything with them. Again, the D.A. put an investigation together. They arrested four of them. They're out on the street again. They're negotiating with the DA. So there is a problem in the industry and we're trying to help the whole industry out as a whole. I think a majority of the businesspeople know that and reflect it. And they did have a couple of concerns and we met with them, and some of that is actually going to be put into the rules and regulations and some of it is not going to be. We will continue to negotiate with them as far as what's going to go in and what's not going to go in.

**LEG. CILMI:**

I applaud the intent and it sounds like it's a good bill. I just want to make sure that with all of the financial burdens that our businesses are facing today that we're not putting any more undue onerous burden on them, but it sounds like you've got that covered, so thank you.

**LEG. BROWNING:**

I just want to add, when you talk about an undue burden on businesses, I can tell you of two local businesses in my district that have been pretty much gypped by some of these companies.

**LEGISLATOR CILMI:**

I understand that, too.

**LEG. BROWNING:**

So it was a burden on their part and they were out a lot of money. So I've had the calls from them. That's why this is a good bill.

**CHAIRMAN EDDINGTON:**

Okay. Thank you very much, gentlemen. We have a motion and a second. All those in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

### **Introductory Resolutions**

***IR 1228, A Local Law to expand Suffolk County's Law against bias acts. (Gregory).***

We need to table this for public hearing. Legislator Gregory made the motion and I'll second it. All those in favor? Opposed? Abstentions?  
**(Vote: 5-0-0-0)**

***IR 1231, A Local Law requiring owners of private residential communities to ensure***

***emergency access to roads after snowfall. (Romaine)***

This has to be tabled for Public Hearing. Legislator Gregory seconds that. All those in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

***IR 1237, Declaring April as "Motorcycle Safety Awareness Month" in Suffolk County. (Eddington)***

I'll make the motion to approve.

**LEG. GREGORY:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

***IR 1241, Accepting and appropriating a grant in the amount of \$13,500 from the New York State Governor's Traffic Safety Committee (GTSC FFY2010) Child Passenger Safety Program to support a Sheriff's Traffic Safety Initiative. (Co. Exec)***

I make a motion to approve.

**LEG. KENNEDY:**

Second.

**CHAIRMAN EDDINGTON:**

It doesn't say 100%. Okay. I made a motion, Legislator Cilmi made a second. All those in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

***IR 1242, Accepting and appropriating a grant in the amount of \$12,800 from the New York State Governor's Traffic Safety Committee grant (GTSC FFY2010) Highway Safety Program with 100% support for Sheriff's Traffic Safety Initiative. (Co. Exec)***

I'll make a motion to approve and put on the Consent Calendar, second by Legislator Gregory. All those in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

***IR 1243, Accepting and appropriating a grant in the amount of \$34,000 from the New York State Governor's Traffic Safety Committee grant (GTSC FFY2010) Selective Traffic Enforcement Program (STEP) with 100% support for Sheriff's Traffic Safety Initiative. (Co. Exec.)***

How about same motion, same second. All those in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

***IR 1244, Accepting and appropriating 100% Federal grant funds awarded by the U.S. Department of Justice under the Edward Byrne Memorial Justice Assistance Grant to Suffolk County Departments of Probation, Police, Sheriff, and District Attorney. (Co. Exec.)***

Same motion, same second. All those in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

***IR 1245, Accepting and appropriating 100% State grant funds awarded through the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation. (Co. Exec.)***

I'll make the same motion, same second. All those in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

***IR 1258, Accepting and appropriating federal pass-through funding in the amount of \$345,147 from the New York City Police Department in conjunction with the Federally Sponsored Securing the Cities Program with 85.14% support. (Co. Exec.)***

I make a motion to approve.

**LEG. GREGORY:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

***IR 1301, Requiring the timely filling of information by law enforcement agencies in cases of parental child abduction. (Romaine)***

I'll make a motion to approve.

**LEG. KENNEDY:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Kennedy. All those in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

I'll take a motion to adjourn.

**LEG. KENNEDY:**

Motion.

**CHAIRMAN EDDINGTON:**

Motion by Legislator Kennedy. I'll second that. We did it. Thank you everybody in attendance.

***[THE MEETING WAS ADJOURNED AT 12:56 P.M.]***

{ } Denotes spelled phonetically