

**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, June 3, 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 William Lindsay, Legislative District No. 8  
Legislator Kate Browning, Legislative District No. 3  
Legislator Thomas Muratore, Legislative District No. 4  
Legislator Thomas Cilmi, Legislative District No. 10  
Legislator John M. Kennedy, Legislative District No. 12  
Legislator Jon Cooper, Legislative District No. 18  
George Nolan, Counsel to the Legislator  
Sarah Simpson, Assistant Counsel  
Renee Ortiz, Chief Deputy Clerk, Suffolk County Legislature  
Terrence Pearsall, Chief of Staff, Presiding Officer's Office  
Kara Hahn, Aide to Presiding Officer Lindsay  
Marge Acevedo, Aide to Presiding Officer Lindsay  
Linda Bay, Aide to Minority Caucus  
Greg Moran, Aide to Legislator Nowick.  
Christopher DeLuca, Aide to Legislator Cilmi  
Jason Richberg, Aide to Legislator Gregory  
Lora Gellerstein, Aide to Legislator Cooper  
Sarah Hartmann, Aide to Legislator Eddington  
John Ortiz, Senior Budget Analyst, Budget Review Office  
Ben Zwirn, County Executive's Office  
Ed Hennessey, County Executive's Office  
Richard Dormer, Commissioner of the Suffolk County Police Department  
Robert Moore, Chief of Department, Suffolk County Police Department  
Ed Weber, Chief, Suffolk County Police Department  
Pat Cuff, Suffolk County Police Department  
Peter Conte, PBA Trustee, and SCPD, Marine Bureau  
John Desmond, Director of Suffolk County Probation Department  
Joseph Abramo, Suffolk County Probation Department  
Mike Sharkey, Suffolk County Sheriff's Office  
Bob Kearon, District Attorney's Office

Noel Digerolamo, Second Vice President, Suffolk County PBA  
Dennis Brown, County Attorney's Office  
Gail D'Ambrosio, Probation Officers Association  
Laura Ahearn, Parents for Megan's Law  
Joe Williams, Commissioner of FRES  
Russ McCormick, Suffolk County Detectives Association  
Jerry Gilmore, President, Superior Officers Association  
Tim Morris, First Vice President, Superior Officers Association  
Billy Plant, First Vice President, Suffolk Detectives Association  
Harold Jantzen, SCPD, Marine Bureau.  
John Hanley, Captain, SCPD, Marine Bureau  
Ed Bodenmiller, PBA  
Robert Kearon, Suffolk County District Attorney's Office  
Louis J. Molinari, Treasurer, SCPBA  
Anthony Prudenti, DSPBA  
Gwen O'Shea, Health and Welfare Council of Long Island  
Dot Kerrigan, AME, 4th Vice President  
All other interested parties

**MINUTES TAKEN BY:**

Lucia Braaten, Court Stenographer

***[THE MEETING WAS CALLED TO ORDER AT 10:03 P.M.]***

**CHAIRMAN EDDINGTON:**

If I could have everyone stand for the Pledge of Allegiance, led by Legislator Gregory.

***(Salutation)***

Please remain standing for a moment of silence for all those that serve overseas and at home.

***(Moment of Silence)***

Okay. Thank you very much. Okay. I'd like to begin with the public portion. First speaker is Noel DiGerolamo from the PBA.

**MR. DIGEROLAMO:**

Thank you very much. Mr. Chairman, before I begin, if I could, with your permission, I'd like to give my three minutes to a fellow officer of the Suffolk County Police Department. Frequently I come here and speak to you about all the problems within the department, but I believe that the officer who's here today would be able to give you a very clear account, firsthand account, of the inept management that's been running this department, and he can give you specific details of an incident that needs your attention.

**CHAIRMAN EDDINGTON:**

He didn't fill out a card?

**MR. DIGEROLAMO:**

He did. I believe he's number two.

**CHAIRMAN EDDINGTON:**

Okay. Well, then let's have him come up then. Ed Bodenmiller.

**MR. BODENMILLER:**

Yes. Good morning. I'd like to take this time to thank this committee for the opportunity to speak to you this morning. My name is Edward Bodenmiller. I've been a Suffolk County Police Officer for 29-and-a-half years. I'm proud to say all of those years were in the Patrol Division, the backbone of any department. I am presently assigned to the Marine Bureau and I am also the PBA delegate for Team 2. While the staffing problem I will address today will be limited to one particular day, these staffing shortages are more often the norm rather than the exception.

The Marine Bureau has designated vessel patrol sectors similar to the patrol sectors on land. On the South Shore there are three designated sectors. Marine Juliett patrols the Great South Bay and all its channels and rivers west of our Headquarters at Great River. It also patrols New York State boat channel, the Fire Island Inlet, and the Atlantic Ocean three miles out on the western half of our Police District. Marine Kilo covers the Great South Bay, all its rivers and channels from our Headquarters at Timber Point east to Bellport Bay and will assist in the Atlantic Ocean as required. The third vessel, Marine Mike, which covers all bays and inlets in Bellport Bay east of Moriches Inlet, and also the Atlantic Ocean three miles out on the eastern half of the Suffolk County Police patrol area.

On Tuesday of this week, June 1st, I was working the 9 to 5 tour assigned to Marine Kilo; as I described above, the patrol vessel on the South Shore of the Police District. Upon arrival that morning I noticed there were only two patrol vessels manned on a 9 to 5 tour, Marine Kilo and

Marine Mike, leaving the Marine Juliett sector unmanned due to personnel shortages. At this point our patrol vessels were already down by a third, expanding greatly the patrol areas for the remaining two vessels.

Checking weather conditions for the day, I became aware of the fact that small craft warnings would go into effect at noon and advised supervision of the weather change. Supervision at this time made the decision to shut down the Marine Mike sector, utilizing one officer as the third officer on Marine Kilo, as required by contract during small craft warnings, and placing the second officer on another assignment. We were now down a full two-thirds of our patrol vessels with only one vessel being manned on the entire South Shore. This vessel will be now -- this vessel now would be responsible for all waters from the Nassau County line to the Moriches Inlet, and the entire Atlantic Ocean patrolled by our County.

As the day went on, it appeared as though we would once again -- we had once again beaten the odds and would not be called to task while working with such limited resources. That was until 4:22 p.m. while en route to the Marine Bureau with the Marine 5 operator so we could be released by the 5 to 1 tour, we were assigned a call in Cherry Grove for a lost 65-year-old female with a ten-year old child who had become separated from their companions. This group, we were advised, was visiting Fire Island from another country and spoke little English. We advised supervision that responders to this call would require overtime.

**CHAIRMAN EDDINGTON:**

Excuse me for a second. You know what? I'm going to ask you, because we're going to have the Commissioner speak and Legislator Cooper is going to have some questions. Rather than give you a time, can you stay for a while so that we can have you come back up?

**MR. BODENMILLER:**

Yes.

**CHAIRMAN EDDINGTON:**

Because I don't want you to get cut off. But I just have to ask one -- what date are you talking about?

**MR. BODENMILLER:**

This was Tuesday, June 1st.

**CHAIRMAN EDDINGTON:**

Now, I'm going to have a real problem with this because I toured the Marine Bureau. I saw that there were nine boats. I was guaranteed that there will be five boats patrolling this summer, and you're telling me that like two days after I was there we were down to one boat patrolling?

**MR. BODENMILLER:**

One boat on the South Shore. There were two on the north.

**CHAIRMAN EDDINGTON:**

Don't go anywhere because there's going to be a lot of questions for you.

**MR. BODENMILLER:**

I'd like to add right now that I have just been informed by one of my men that there's only one boat on the South Shore again today.

**CHAIRMAN EDDINGTON:**

Okay. Please hang out, because we would want to talk to you at length. The next speaker is Gwen O'Shea.

*(\*The following testimony was taken & transcribed by*

*Lucia Braaten - Court Reporter\*)*

**MS. O'SHEA:**

Good morning. Good morning, Mr. Chairman and members of the Committee. I'm Gwen O'Shea, President and CEO of the Health and Welfare Council of Long Island, and I'm here today to support Resolution 1532, which was introduced by Presiding Officer Lindsay.

Just to give you a little background, the Health and Welfare Council of Long Island is an umbrella agency for health and human service providers across Long Island who serve the interest of poor and vulnerable populations in our communities, and we focus on four areas in particular, access to health care, economic stability, nutritional security, and disaster preparedness. We facilitate what's called the Long Island VOAD, Voluntary Organizations Active in Disaster, and the VOAD really serves as the convenor for health and human service providers, government and for-profit sectors, weaving together the diverse resources and services that families and individuals will need after a disaster. By providing this oversight and direction, the VOAD, Health and Welfare Council is able to facilitate collaborative efforts which establish the well-developed, coordinated and supportive systems and processes necessary for regional disaster response efforts. It's a coalition of over 80 different entities in both Nassau and Suffolk County, all of which are committed to working together in the areas of disaster preparedness, response and recovery. Given Long Island's geographic location, the question is not what would we do if a disaster happens, but the question is what would we do when a disaster happens, because it is "if", not "when".

In light of recent disasters over the past decade in the United States, September 11th tragedy, Katrina, what was strikingly painfully obvious to many of us was that marginalized, at-risk, vulnerable populations are left without the necessary resources to recover appropriately. And this is really a focus of the VOAD, making sure that those high-need at-risk populations have adequate resources available, but this can only happen with appropriate planning and organization prior to the disaster. And that's why I'm here today to support the passage of this resolution, because this can only assist in the planning efforts that take place between first responders and those involved in the long-term recovery.

Large scale disasters such as a hurricane or an unforeseen terrorist attack are not contained by arbitrary border, and Long Island needs a regional and coordinated plan that addresses not only preparedness, but response and ongoing recovery. While many of the first key responders, such as Suffolk County Fire, Rescue and Emergency Services, the American Red Cross, the Police and Fire Departments, have appropriate coordinated plans already in place. This resolution really allows for ongoing communication amongst the key planners involved in disaster recovery and long-term recovery. This response does not aim to amend or redistribute authority of any of the key stakeholders that are listed, but, rather, it only helps reinforce the importance of each of their roles and the need for ongoing continuous communication related to disaster response. I thank you for the time to testify before you today.

**CHAIRMAN EDDINGTON:**

Thank you very much. Okay. Before I call up Commissioner Dormer, I just -- I just want to tell the Committee, I asked Laura Ahearn to come forward today quickly, because I've been getting a couple of phone calls about -- and I asked John Desmond to come here with his staff, and if he could come forward, because I'm getting calls about the release of sex offenders into our communities early, or something, and I figured let's deal with it, and Laura said she was hearing the same thing. So I would like the Director to come forward and just clear this up, so I don't -- so I know what to say when I get these phone calls. Thank you. Laura, if you could just reiterate what I was asking you and what you've heard.

**MS. AHEARN:**

Parents for Megan's Law and the Crime Victims Center has received reports from multiple sources that appear credible, that the Suffolk County Probation Department made recommendations to and requested that the court discharge convicted sex offenders from probation supervision. Reports to

the agency allege that up to 15 sex offenders in March and April were released early from their probation sentences at the request of the Department of Probation. While it was reported that one offender suffered a debilitating medical condition, the reports allege that Probation Officers were directed by Supervisors in the Department of Probation to reduce their sex offender caseloads by 10%, absent any rare and extraordinary circumstances and with absolutely no provision for victim notification or victim input. It was also reported to the agency that when the County Executive's Office became aware of what Probation was doing, they were directed to stop immediately. I'm here today to respectfully request the assistance of Public Safety to determine if this did happen.

Some of these offenders that it was, again, reported to us some of the offenders were released early, up to a year early from their completion of their sentence, two years early, two-and-a-half years early, and in one case five years early. Again, these were reports to the agency. I would request that the individuals who were responsible for initiating, approving and implementing this directive within Probation report back to the Public Safety Committee to substantiate their reasoning behind releasing sex offenders early.

The New York State Department of Probation has a guide for sex offender management and it clearly states that they do not recommend that sex offenders are released early from probation, only in rare and extraordinary circumstances, but it is not recommended. If these allegations are correct, they have identified clearly that we need Legislative intervention, even if the allegations are not true.

The Probation Department should not have the authority to request that sex offender be released early from probation. That was an agreed-upon sentence when a sex offender is convicted, and there's a split sentence of local jail and probation. The Police Department has investigated, the District Attorney has prosecuted, and the victim may have had substantial input into that final sentence. So Probation then, moving toward or even having the authority to simply dismiss whatever the remaining amount of time on their sentence is, is outrageous and it compromises public safety.

If Probation has released any sex offenders early from probation, they must be directed to notify the victims, or in cases where there are minors, their parents. Lastly, if Probation makes contact with victims for any reason, presentence investigations at any point in time, they must be required to provide victims the same victim resource sheet that the Suffolk County Police Department provides to every victim of a violent crime which lists all of the victim service providers that are available in Suffolk County, and those victim service providers will inform them of what their rights are and, of course, of services available. And this is a practice that the Suffolk County Police Department not only strongly supports, but strongly enforces.

**CHAIRMAN EDDINGTON:**

Okay. Just to start, Laura, what I'm going to ask is that you and I work together on that legislation so we can alleviate this from ever being a problem in the future.

Director Desmond, I thought this would be a good opportunity to clear it up publicly what's going on, what happened. Is it just rumors? Is there truth? Give me what's going on.

**DIRECTOR DESMOND:**

Good morning. John Desmond, Probation Director. I have with me Joe Abramo, who's the Program Coordinator Probation Officer for the sex offenders caseloads.

Probation does not release probationers. We recommend to the courts whether individuals should be discharged early from probation supervision. It's a normal part of the process. The abnormal part of the process is the sex offenders, because, indeed, we only recommend to the court on very rare occasions that these individuals be discharged from probation. Generally, those individuals on probation for a sexual offense are carried to the end of their supervision period by the Probation Department. However, we generally have approximately 350 sex offenders on with us at any time. The laws regarding the periods of probation for sex offenders have been extended and extended to

the point now there are individuals who are on Probation with us for ten years. Only with sex offenders do we have this situation where we carry these individuals, for the most part, for the entire length of their probation supervision. In every other category, there -- the individual situation is reviewed periodically for discharge or for transfer to a lower level of supervision when indicated. It's a perfectly normal function of probation.

When you have 350 sex offenders, you're going to have occasional situations where we're going to recommend that individuals are discharged. Just having spoken to the Program Coordinator, he informs me that we've had five sex offenders discharged by the courts. I don't think that's unreasonable. Yes, we do have a large number of sex offenders, and we have a reasonable number of Probation Officers that are supervising them. In addition, thanks to the County Executive, I've been authorized to bring aboard two additional Probation Officers to assign to the Sex Offender Unit in anticipation of the growing caseloads. But there's nothing unusual or different here. It's a normal probation practice to occasionally release someone. And, again, the Probation Department does not release the person, we make a recommendation to the Court. The Court, the Judge is the individual that makes the decision to put this person on probation, that gives him or her the specific conditions that we are supposed to supervise that person by, and the court makes the determination if that individual is to be released or not early in their probation sentence.

**CHAIRMAN EDDINGTON:**

You know, I always enjoy when you come here because my blood pressure always go down after you talk.

*(\*Laughter\*)*

And your social work background is always clear. Because when I hear things like been told to reduce caseload, I mean, if maybe you haven't been keeping up with what's going on, but we're concerned with staffing levels throughout the County. And when I -- and we've had a few issues dealing with sex offenders in the Legislature. So when I hear that connected to reducing caseloads, it concerns me, because I don't think that should be the motivator, and that's why I wanted to clarify it. Now you're saying five; people were telling me up to 15, so that's definitely not correct.

**DIRECTOR DESMOND:**

I don't believe so.

**CHAIRMAN EDDINGTON:**

All right. Okay. So that's a no. When was the last time that we released five sex offenders early? Well, let me -- I'll answer it for you. It hasn't been recently, then, huh?

**DIRECTOR DESMOND:**

No. And it's not that we release them all in a group, it's just that we periodically request the Court to discharge a sex offender.

**CHAIRMAN EDDINGTON:**

Yeah, but you can't remember the last time, so it's not really periodically it's once in a great -- a blue moon. And now you're doing it now, when staffing is an issue throughout the County, although the County Executive, in his wisdom and mercy, has given you two more people, you said.

**DIRECTOR DESMOND:**

(Nodded Yes).

**CHAIRMAN EDDINGTON:**

When are they arriving?

**DIRECTOR DESMOND:**

We're in the process of hiring them. I'm doing interviews on Monday.

**CHAIRMAN EDDINGTON:**

So that they may be working in six months from now?

**DIRECTOR DESMOND:**

No. We're hoping they'll be on within two months.

**CHAIRMAN EDDINGTON:**

Two months, okay. Are they going to I.T., is that -- somebody was retiring or --

**DIRECTOR DESMOND:**

(Shook head no).

**CHAIRMAN EDDINGTON:**

They're going to be added to the caseloads?

**DIRECTOR DESMOND:**

What will happen --

**CHAIRMAN EDDINGTON:**

They'll have a caseload?

**DIRECTOR DESMOND:**

Yeah. What will happen is we'll we will take two experienced Probation Officers, put them in the Sex Offender Unit, and then replace those officers with the new hires.

**CHAIRMAN EDDINGTON:**

Okay. Does anybody else have any questions?

**LEG. BROWNING:**

I have.

**CHAIRMAN EDDINGTON:**

Legislator Browning.

**LEG. BROWNING:**

How many sex offenders does each Probation Officer handle?

**MR. ABRAMO:**

Some of them as high as 47.

**DIRECTOR DESMOND:**

The highest we have is 47. I need to indicate to the Committee, the problem that we have is the fact that these individuals are on for ten years now, and there's just a limit --

**LEG. BROWNING:**

That's okay.

**DIRECTOR DESMOND:**

-- to what we can do with these people after a certain amount of time in terms of therapy, supervision. A lot of these individuals do not need the intensive work that they get the first two to five years they're on with us. So while some of these -- while some of these numbers may sound somewhat high, in terms of the amount of work that needs to be done with some of these individuals, it really isn't. We're at the point of diminishing returns with having some of these individuals under supervision.

**MS. AHEARN:**

Commissioner, the one -- you know, what's really just startling to me is that what you're describing is because the -- back in 2006, when the law changed and extended probation from five years to ten years for felony offenders, what you're saying is that because you have an increased caseload, you're in a situation where you need to kind of discharge sex offenders, which is completely unacceptable. And anybody in Probation across New York State will tell you, and the documentation demonstrates, that sex offenders under supervision have marked reduced rates of recidivism. This is a risk to public safety to release sex offenders early from probation. And even the State guide states clearly it's rare and extraordinary circumstances. And I don't know that in their definition of rare and extraordinary would include that because in 2006 the law changed and we now have to monitor sex offenders for a greater length of time. When sex offenders are under supervision, there is a marked decrease in recidivism. That is the bottom line. Sex offenders should not be released early from probation absent rare and extraordinary circumstances. And for our organization, rare and extraordinary circumstances might include a tragic accident which renders an individual completely immobile. That might be a rare and extraordinary circumstance --

**CHAIRMAN EDDINGTON:**

I guess I want to add --

**MS. AHEARN:**

-- but supervision is invaluable.

**CHAIRMAN EDDINGTON:**

I want to add -- I want you to understand that this Legislature, and I think even the County Executive's Office, have often gone to Miss Ahearn for feedback for information on this topic. You know, I think she's accepted as an expert in this area. So that I just -- we don't seem to communicate with the people that we -- when we want information, we call them. When we want to do something but don't want to have anybody ruffle anything, we don't include them, because this could have been dealt with if you had called her and said, "Here's what we're proposing to do. What do you think? I mean like an outside advisor. I mean, does that -- am I out of line or does this make sense?"

**DIRECTOR DESMOND:**

It's not the general policy of the Probation Department to discharge sex offenders early, and it wasn't done as an attempt to reduce caseloads. We've had a lot of sex offenders on probation for a long time. We review the cases. A couple of them were just not any longer appropriate, there wasn't anything to be gained by continuing to supervise them. We take the responsibility very, very seriously. There is no policy of early discharge of sex offenders, and as long as I'm Director, there won't be. We don't -- we have no intention of endangering public safety.

**CHAIRMAN EDDINGTON:**

But somehow the word gets out and you know, you know, it starts with something. When it gets to my office, it's like, you know, they're opening the doors, you know. And I just -- I guess somehow it's -- there's a lack of communication. I guess -- I guess when you do something like this, you need to sit down and say, "Okay, what could be the negative spin?" And it might be they're going to come to Jack Eddington and then he's going -- and maybe you'll just say, "Hey, look, this is what we're doing." I mean, I'm not looking to say yes or no, you can do it, you don't work for me, but at least I'd be prepared for the phone calls I get. And when I call Laura, she's hearing the same thing, because that's who I call about these issues, and she's hearing the same thing, and I don't really know where to go then, because then it's -- I don't know where the truth is unless I get you here to tell me. Legislator Browning.

**LEG. BROWNING:**

Yeah. To finish up, I know we have three levels of sex offenders, 1's, 2's and 3's. I know we have had conversations before about a Level 1 sex offender, well, it's the least, but you yourself have told me that a Level 1 could potentially be a Level 3. So, you know, when I look at 1, 2 and 3, I don't

say, "Oh, well, it's only a 1," I look at that as a person who has the potential to be a 3. I'm curious how many of those five sex offenders are Levels 1's, 2's or 3's, because it scares the hell out of me. I just got two notices this week that two new sex offenders moved into my community, Level 1. We don't know where they live, and we're supposed to live with this? I don't know if they're on probation. And, in my opinion, ten years on probation, they should be lifetime on probation. So it really bothers me.

I'd love to know who these Judges are that are agreeing with you and saying, "Okay, go ahead, let them go hang out on the street," and potentially have other victims. Saturday's newspaper, we read about a sex offender, I shouldn't say -- he's an alleged sex offender. He's already gone to court for sex offenses. He broke into a home and is being charged again with another sex offense, and that was in Mastic Beach. So when it comes to these people, I'm sorry, lifetime is what they need, and to release them a year, even, I'm sorry, it's not acceptable.

**MS. AHEARN:**

We received again multiple reports, and, again, the Director would have to report to the Public Safety Committee which offenders were the ones that were released. But one in particular, it was my understanding was a 28-year-old man who had sexual intercourse with a 12-year-old, released early from probation. A child pornographer. Now, child pornography is the currency of the exploitation of children. Federal studies demonstrate that child pornographers have on average twenty-six hands-on victims that have gone undetected by the Criminal Justice System. Again, it is our position that the Department of Probation should not have the authority to release sex offenders early from probation.

**CHAIRMAN EDDINGTON:**

Okay. You're assuring us that these people that have been released are not -- I mean, listen to what Laura just said. That kind of frightens me.

**DIRECTOR DESMOND:**

The Probation Department attempts to monitor every individual as closely as we can, see what their needs are, what their situation is, provide them with the appropriate level of supervision and therapy. We are going to have the occasional situation where, as lawyer says, the State regulations say that there can be, under unusual circumstances, a discharge of a sex offender from supervision. This is going to occasionally happen. And, again, it is not a policy of this department for this to be -- occur on a regular basis to the vast majority of the probationers.

**CHAIRMAN EDDINGTON:**

Then I guess what I'm going to do is I'm going to work with Laura to put in legislation so that we become part of the loop, because if I'm going to get phone calls concerning it -- I mean, I've been saying the same thing over and over again. Just prepare me. I don't know what's going to come on my doorstep, but I don't like surprises, and this was a surprise. And when I called the person that I rely on, she's hearing the same thing. So I'd rather get it up front what to expect if something's going down like that. I mean, we've been having real issues in this Legislature about sex offenders, so this isn't like a new topic. I think everybody is starting to feel that civil confinement is there. The only thing we've got is you now, because we're not getting civil confinement. So to think that we might be letting people go early is a little frightening at this point. So be prepared for that legislation coming down.

**P.O. LINDSAY:**

Jack.

**CHAIRMAN EDDINGTON:**

Yes, Legislator Lindsay.

**P.O. LINDSAY:**

Director Desmond, the release of these five sex offenders early from probation was approved by a

Judge?

**DIRECTOR DESMOND:**

Yes, it always has to be approved by --

**P.O. LINDSAY:**

Okay.

**DIRECTOR DESMOND:**

-- the sentencing Judge, or if the sentencing Judge is no longer available, a Judge of equal stature.

**P.O. LINDSAY:**

Would the Judge approve the early release without a recommendation from Probation?

**DIRECTOR DESMOND:**

Generally, the case is brought to the Judge's attention by Probation, but there are times when the Court will instruct us.

**P.O. LINDSAY:**

Okay. Of these five, did that happen, or were they all by recommendation of Probation?

**DIRECTOR DESMOND:**

These were all by recommendation of Probation.

**P.O. LINDSAY:**

I kind of feel like the Chairman here, I'm very, very nervous about this whole issue. Between, you know, Probation releasing these people early and the County Executive's policy of vouchers, which just puts these guys in a motel room and leaves them virtually unsupervised, is -- I think is an extremely dangerous situation for our community, extremely dangerous. And, Legislator Eddington, I'll support your legislation.

**CHAIRMAN EDDINGTON:**

Thank you.

**DIRECTOR DESMOND:**

I would just like to add this was basically a cluster effect that we -- you know, there are individuals occasionally released by the courts from probation that are sex offenders. In this case, we did have a cluster of them, a rare occurrence, but it happened.

**MS. AHEARN:**

Well I would just like to clarify a little further on the recommendations to the Court, because I really feel very strongly. It's very unfair to be directing attention to judiciary for the release of these registered convicted sex offenders. It is the Department of Probation that the community relies upon to ensure that they are supervising and ensuring that offenders are following their conditions of probation. We certainly would never expect those responsible and charged with supervising offenders to release them early. However, the process is that the Department of Probation will make recommendations to the Court, and the Judge is relying upon those recommendations and trusting that what Probation is doing is in the best interest of public safety. I certainly will be exploring the higher level with judiciary and why those approvals were just done so quickly, but we've made so many attempts to try to access that paperwork and, of course, it's very difficult, because it's not typically public information and there was no hearing. So, if there's no hearing, we can't access the calendar, we can't access any of those transcripts. But it is unfair to blame judiciary when the recommendations are coming from those individuals that are charged with doing the supervision from the original sentence.

**CHAIRMAN EDDINGTON:**

Legislator Gregory.

**P.O. LINDSAY:**

Just before --

**CHAIRMAN EDDINGTON:**

Legislator Lindsay.

**P.O. LINDSAY:**

What -- Director Desmond, what's a cluster? What does a cluster mean?

**CHAIRMAN EDDINGTON:**

We use that term in the military.

**P.O. LINDSAY:**

I know, I know. There's usually another word after it.

*(\*Laughter\*)*

**DIRECTOR DESMOND:**

I was using it in a statistical way to indicate an unusual grouping of a situation, that that was my use for the term. I just want to just have one clarification. Not all the individuals that we consider sex offenders are registered sex offenders. Some of the people that we supervise are not required to be registered, but we still consider them sex offenders and they still go into that unit.

**MS. AHEARN:**

Director, were there five convicted registered sex offenders discharged and others who were not registered because they were pre-Megan's Law? Are you confident that the number is five?

**DIRECTOR DESMOND:**

I was not expecting the exact reason I was brought in today, so I don't have hard stats on this particular situation, but it was a small number, whether all of them are registered or not.

**CHAIRMAN EDDINGTON:**

Wait, wait. You testified a few minutes ago that it was five. I heard the number five. I said fifteen, you said five. Now you're saying you're not sure it was five?

**DIRECTOR DESMOND:**

I'm saying that I don't know whether those individuals were registered or not registered.

**CHAIRMAN EDDINGTON:**

Okay. You know what? Let's, rather than -- get to my office and to the Committee offices the number of sex offenders that were released based on your recommendation, so we don't have to worry about five or three or twelve, okay, and whatever the status, if they were registered or not registered, so then we'll deal with that. Legislator Gregory.

**LEG. GREGORY:**

Okay. Thank you, Mr. Chair. I'm confused. You said -- I think it was when the Chairman had asked the question, you said it wasn't like all these people were released at one time. And he said, "Well, when was the time last time you were called," you said something about occasionally, and now you say that they were released in a cluster. So what was the time frame in which these five people were released?

**DIRECTOR DESMOND:**

It was apparently over the month of March.

**LEG. GREGORY:**

So five people were released in March, okay.

**DIRECTOR DESMOND:**

Excuse me. Five people were discharged.

**LEG. GREGORY:**

Discharged, I'm sorry. Discharged is the appropriate term. This gentleman, I forget his name, but he's the Supervisor, Joe?

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

Joe Abramo.

**MR. ABRAMO:**

Abramo. Joseph Abramo.

**LEG. GREGORY:**

Okay, Mr. Abramo. Thank you. So how long have you been the Supervisor?

**MR. ABRAMO:**

Since 2002.

**LEG. GREGORY:**

2002. And you've worked in that unit prior to that, I assume, or --

**MR. ABRAMO:**

Yes.

**LEG. GREGORY:**

Okay. So in your past eight years in that department as a Supervisor, has there ever been an occasion where you released -- discharged five sex offenders in one month?

**MR. ABRAMO:**

No.

**LEG. GREGORY:**

Okay. All right. Now, how many people under your supervision? How many Probation Officers under your supervision? Sorry.

**MR. ABRAMO:**

Eight.

**LEG. GREGORY:**

Eight. And you said you have a case -- you have a supervision population of about 350?

**MR. ABRAMO:**

Approximately, yes.

**LEG. GREGORY:**

Or the average caseload of 47 per person?

**MR. ABRAMO:**

No, no. Some have as low as 34, they're supposed to have 30, and others, again, as high as about 47.

**LEG. GREGORY:**

Okay. Is there any State guidelines as to the minimum?

**MR. ABRAMO:**

No.

**LEG. GREGORY:**

No? What precipitated the need or the requisition for two additional Probation Officers?

**MR. ABRAMO:**

I can't speak to that.

**DIRECTOR DESMOND:**

The fact that the caseloads have been growing, because, again, the period of probation supervision has extended, so we had requested the County Executive, and he had agreed, to provide us with two additional Probation Officers so we can keep the caseload numbers down as much as reasonable.

**LEG. GREGORY:**

Okay. Last question. The -- do you recall last year how many people were released -- discharged, excuse me, from probation?

**MR. ABRAMO:**

I can say that since 2002, we made one recommendation prior to this number recently.

**LEG. GREGORY:**

So, in eight years, you made one recommendation?

**DIRECTOR DESMOND:**

No, recently.

**MR. ABRAMO:**

Recently -- repeat the question. I'm sorry.

**LEG. GREGORY:**

Originally, I wanted to know, in all of say, let's say, just to pick a general time frame, 2009, did you discharge anyone?

**MR. ABRAMO:**

Well, we did not recommend any discharge in 2009.

**LEG. GREGORY:**

Were any discharged?

**MR. ABRAMO:**

Well, some were discharged from Probation when they finished their probation term.

**LEG. GREGORY:**

Okay, but -- no. The reason I asked that is because I believe the Director said that the Judges on their own initiative can discharge someone from probation.

**MR. ABRAMO:**

That's true.

**LEG. GREGORY:**

And none from your recollection --

**MR. ABRAMO:**

None that I recall.

**LEG. GREGORY:**

So, since 2002, since you've been there, how many have been discharged?

**MR. ABRAMO:**

Well, we recommended one and there was one discharged or termination.

**LEG. GREGORY:**

Right. Okay. So, in the past eight years, only one, but in this past month, we've had five, or past March, the month of March, were five.

**MR. ABRAMO:**

Yes, correct.

**LEG. GREGORY:**

All right. Thank you.

**MS. AHEARN:**

At a minimum of five, because we're not confident what that number is yet.

**CHAIRMAN EDDINGTON:**

Right. We'll get the number. We'll get the number. Legislator Cilmi.

**LEG. CILMI:**

Thank you, Mr. Chairman. Have the courts ever sort of denied your recommendations and not discharged a probationer against your recommendation?

**DIRECTOR DESMOND:**

Yes, that does occur.

**LEGISLATOR CILMI:**

Recently, has that occurred?

**DIRECTOR DESMOND:**

If you're referring to the sex offenders, I don't think this ever considered. When it comes to normal Probation supervision, it does occur occasionally.

**LEGISLATOR CILMI:**

Okay. Are the -- I guess -- do you provide the Judge with some sort of a written brief or recommendation, or is it verbal?

**DIRECTOR DESMOND:**

No, it's all on record. We provide a record of the probation supervision, period of time the person's on, what the person has done to merit being discharged early by the court.

**LEGISLATOR CILMI:**

Is that public information?

**DIRECTOR DESMOND:**

Not that I'm aware of, no. That's a court report.

**LEG. CILMI:**

Under what -- what criteria do you use in order to base your recommendations for early discharge?

**DIRECTOR DESMOND:**

That they've succeeded in all the probation conditions that were set for them by the court. So, if they were supposed to be in therapy, if they were supposed to be working, if they were supposed to get a driver's license, stay out of trouble, cooperate with any kind of specialized programs or laws, support their families. There's approximately 85 different probation conditions that the court can impose.

**LEGISLATOR CILMI:**

In your opinion, has the swell of the number of probationers or sex offender probationers on your role, is that at all related to a -- sort of the court's eagerness to -- or the systems eagerness to get them out -- you know, out of jail or leniency in terms of the -- in terms of the sentencing?

**DIRECTOR DESMOND:**

We get a certain number of sex offenders given to us by the courts each year. It pretty much hasn't changed over the years. We see no change in the judicial approach.

**LEGISLATOR CILMI:**

And, yet, the numbers have swelled you said?

**DIRECTOR DESMOND:**

Well, again, because the period of probation supervision has gone from five years to ten years. So where those individuals would have at one time finished their probation supervision after five years, we now carry them for an additional five years. So this has the effect over time of doubling the caseloads, which is why we've -- we're getting the additional Probation Officers.

**LEGISLATOR CILMI:**

What triggered that five to ten-year addition?

**MS. AHEARN:**

In 2006, there were major changes to the Penal Code, and also gave the authority for Probation on certain sentences, now Probation would be supervising sex offenders for a longer period of time. So prior to 2006, if a sex offender was convicted of a felony and took a split sentence on a local level and was going to be on probation, it was five years. It was extended to ten years because, as I said earlier, the literature has demonstrated beyond a doubt that sex offenders under supervision have much lower rates of recidivism. So the State Legislature responded by putting sex offenders on probation for a longer period of time. In fact, misdemeanor offenses, the amount of time that they were being supervised, increased from three years to six years as well. So while the number of offenders being supervised has increased, the number of sex crimes being committed by those offenders is decreasing. So the change in the legislation was really in response to protecting the community.

And the Probation Department has discretion under State Law to remove or recommend to the court termination or discharge of their probation sentences. However, the law is very clear and it is similarly referring to rare circumstances, but it doesn't address in the law the release of sex offenders or discharge of sex offenders early. However, it does say that it has to be consistent with public safety. And another level down from that, if you're looking at the policy of the State, the -- as I quoted before from the New York State Probation Sex Offender Management Practitioner Guide, which was released in 2009 by the New York State Division of Probation and Correctional Alternatives, clearly states in two sections, early discharge should not be granted except under rare circumstances for sex offenders. There is typically no early discharge for sex offenders. Probation Officers recognize the importance of sustained supervision and treatment. And in the second section, early discharge, absent extraordinary circumstances, Probation Department should not ask the court to grant or support early discharge from Probation supervision for f sex offenders.

**LEGISLATOR CILMI:**

Maybe I missed this, I apologize if I did, but how many sex offenders are currently under your supervision?

**DIRECTOR DESMOND:**

Approximately 350.

**LEGISLATOR CILMI:**

And so -- and you've recommended in the past couple of years five to fifteen, or some number similar to that, in that range, to be discharged early?

**DIRECTOR DESMOND:**

(Nodded yes).

**LEGISLATOR CILMI:**

Laura, in your opinion, and in your opinion as well, it seems to me there's been a direct correlation or a success in terms of the stronger legislation, or stronger sentencing for sex offenders, and the number of crimes that occur, at least recidivist crimes that are occurring. So what are your thoughts about further strengthening those laws and punishment for sex offenders?

**MS. AHEARN:**

Well, I think that the Director, and Joe as well, said that in the past eight years, they only recommended discharge for one sex offender. But in the past -- in March, they recommended a minimum of five, so it did happen all in March and April; is that correct?

**MR. ABRAMO:**

Yeah.

**MS. AHEARN:**

Yeah, okay. So, in terms of increasing sentences, that's not a function of the Suffolk County Legislature. However, on a State level, we are -- you know, that's part of the initiative. But, as everybody is aware, the State is at this point very dysfunctional and we're having difficulty passing any legislation. But we are -- we are absolutely working on increasing penalties and strengthening laws to provide victims more rights.

**LEGISLATOR CILMI:**

I guess the last question. So, if there's been such a sparse history of you recommending discharge of sex offenders, and maybe you've -- maybe you're reiterating this, or maybe I'm reiterating a question, but why all of a sudden five at one time? What triggered all of -- I mean, were they related in any way? Are they all part of a certain category that -- were they all monitored by one particular officer? Can you elaborate on that a little bit?

**DIRECTOR DESMOND:**

Generally, what had happened is, again, as I had indicated, that we have these individuals that are now on with us much longer than they had been in the past, and there had just been a general review of the cases, and a decision that there were a few that were appropriate for discharge. You know, from a public relations standpoint, you know, maybe we should have staggered them out, but, we're trying to be appropriate in our use of resources, and it's -- again, it's a very rare thing when we go into court and request this type of action, but the court supported this in every one of these.

**LEGISLATOR CILMI:**

Laura, have you looked at these individual circumstances for each of these five theoretical?

**MS. AHEARN:**

We've had multiple reports. However, we don't have all of the names of all of the offenders. As I said earlier. One of the offenders reported to us was a 28-year-old man who had sexual intercourse

with a 12-year-old. So that's a prepubescent, on the verge of pubescency, which would indicate the potential for pedophilia, which would indicate the high probability of a significant number of victims. One was, as we know, as reported to us, a child pornographer.

**LEGISLATOR CILMI:**

Let me just -- let me just stop you for a second. How long ago was that person convicted?

**MS. AHEARN:**

I don't have the notification with me, but I believe that that one was released -- it was either two-and-a-half years early from their probation sentence or five years, because there was one that was five years early, and I believe that was an adult male who -- another case, again, reported to us, an adult man who had sexually assaulted a 63-year-old female. So a lot of these -- you know, the information right now, it's all reported to us and it's -- I really want to have those facts. And I think it's important for the Public Safety Committee to have those facts to understand the reasoning behind that, although Legislator Eddington, Chairman, you had said that you would like to work with us on that legislation to prevent them from ever doing that again.

I think it's important to understand, to go to where the problem lies and understand why a decision like that was made based upon what? When there's a sentence already been given and victims were part of -- in many cases are part of that plea decision. And, again, victims have not been notified, so sentences changed. And, obviously, in a child pornography case, you may not have a victim identified, so it wouldn't be appropriate there. But I am confident that victims in those situations would want to be made aware that the sentence was changed. And, in fact, in Probation in 2006, if you recall, we had to do a policy to require that Probation notify victims and next of kin if a probationer who was a sex offender absconded, because that happened. A probationer absconded and a next of kin contacted Probation and we came right before you here because they hadn't notified, and I don't even know if they're exercising that policy.

**LEGISLATOR CILMI:**

Mr. Chairman, if I could ask through the Chair if you can request, in whatever legal way possible, possibly redacting the names of these folks, if we, as a Committee, could be provided with the circumstances that resulted in the convictions of these individuals and sort of, you know, a summary of -- a summary of their -- of what, you know, the time that they've served and sort of what the rationale for Probation's recommendation for discharge was. Again, redact the names so that we don't violate any sort of -- you know, any sort of -- any laws. But this way we can at least look at the situation and sort of address it in a general way and determine whether or not we're doing all we can with this issue.

**CHAIRMAN EDDINGTON:**

I would agree. If you could provide that for the members, if that's possible. And last question, Legislator Browning wanted to ask BRO a question.

**LEG. BROWNING:**

Yeah. I'd like to know, did we put Probation Officers in the budget last year? How many, and just curious how many retirements, how many have left over the past year. How many vacant positions are there?

**MR. ORTIZ:**

I don't know off the top of my head, but I will get back to you.

**LEG. BROWNING:**

I would appreciate it.

**CHAIRMAN EDDINGTON:**

Okay. Thank you very much for coming forward. At this time, I first want to -- you guys can go. I want to --

**LEG. BROWNING:**

Can Joe answer that question?

**CHAIRMAN EDDINGTON:**

Who?

**LEG. BROWNING:**

The positions?

**CHAIRMAN EDDINGTON:**

Do you guys know the answer to that question?

**LEG. BROWNING:**

Do you guys have any information on the vacancies?

**CHAIRMAN EDDINGTON:**

I'm sorry.

**LEG. BROWNING:**

Sorry.

**CHAIRMAN EDDINGTON:**

I figured -- I didn't realize you guys might know.

**DIRECTOR DESMOND:**

Again, off the top of my head, I think there are between 12 and 14 Probation Officer vacancies. I don't think any new positions were put into the budget last year. Most of the vacancies that currently exist, I really can't address it any further than that. That's pretty much where I am.

**LEG. BROWNING:**

Have you had any retirements, anyone leave over the past year?

**DIRECTOR DESMOND:**

We've had a few, not that many. We're anticipating that probably at the end of this year we'll lose quite a few, because the Probation Officers Association's contract ends in December, and a number of individuals have indicated to us that they are thinking of retiring.

**LEG. BROWNING:**

Okay. I know that we have -- Gail is here from the Union. Would you have any answers as far as numbers, staff and issues.

**MS. D'AMBROSIO:**

I thought it was much higher than 12.

**LEG. BROWNING:**

You have to come up to the mic.

**MS. D'AMBROSIO:**

I thought that the number was much higher than 12, but I don't want to give you an inaccurate figure, so I'll find out also.

**LEG. BROWNING:**

Okay. Thank you. You know, last thing is God forbid you release five from supervision. And you look at what happened in California not too long ago, you look at what happens in other places, and God forbid one of those five commits a serious crime. You know, I'd hate to think what that could

do to us.

**CHAIRMAN EDDINGTON:**

Okay. Thank you very much. I'd like to ask Commissioner Dormer to come forward with his staff, and I want to apologize for the long wait. I don't want you to think it was in any way disrespectful. We had a question that we wanted to get this dealt with immediately, so I apologize for you having to wait this long.

Before we start I would just like to have -- if I could get Mr. Conte to come to the microphone for a minute, just for a point of clarification for myself. I started to question myself. You were on the tour with me the other day. At that time was I basically told that there's going to be five boats patrolling out of the nine for the summer?

**MR. CONTE:**

Yes, absolutely. I reiterated with you in the parking lot what we both heard.

**CHAIRMAN EDDINGTON:**

Okay. But I want to make sure because I'm questioning what I'm hearing now, so I want to make sure. Okay. Thank you very much. So I could move forward from here.

**MR. CONTE:**

I have one other point I'd like to make, if it's possible, take one minute.

**CHAIRMAN EDDINGTON:**

Okay.

**MR. CONTE:**

Curiously, after Officer Bodenmiller's testimony, a phone call was made to the Marine Bureau and two out of the four sectors on Fire Island were shut down to put up a second boat, which means from the Nassau border to the Moriches Inlet there are two Police Officers on Fire Island right now, and two boats operating on the South Shore.

**CHAIRMAN EDDINGTON:**

Okay. Thank you.

**LEG. MURATORE:**

Mr. Chairman?

**CHAIRMAN EDDINGTON:**

That was Officer -- Peter Conte from the PBA?

**MR. CONTE:**

Yes, Pete Conte, PBA Trustee and member of the Marine Bureau.

**CHAIRMAN EDDINGTON:**

Okay. Thank you.

**LEG. MURATORE:**

Mr. Chairman.

**CHAIRMAN EDDINGTON:**

Commissioner.

**COMMISSIONER DORMER:**

Thank you, Mr. Chair. Good morning, members of the Public Safety Committee, and I appreciate this opportunity to appear before you this morning. You know, I understand and accept the delay. I

thank you. I thank the Chair.

And before we get into specifics, if I could make a brief statement on the issue in the Huntington Harbor where unfortunately three people lost their lives. The Suffolk County Police Officers who responded to this incident on that evening responded very quickly. Anybody that looks at this incident and looks at the timeline and gives it a fair analysis will understand that this was an outstanding response by the officers on the shore who were very close to the incident. They were at the scene within five minutes from the time the 911 call was received. They were carrying all the proper rescue equipment. They carry that in their vehicles. The same equipment, I should mention, that would be on a marine boat.

The -- 13 minutes looking at the timeline, within 13 minutes after the call to 911, after the call was dispatched, officers had reached the boat, vented the boat, because the windows had to be smashed to vent carbon monoxide, and the boat was approximately 200 feet off shore, and they were administering CPR to the occupants within 13 minutes. We're very proud of our officers who responded to this incident and they were first at the scene and they did everything that they could to save these lives. I would like to mention the two officers that responded that went out on the boat: Officer Tim Tonkin of Unit 217, 2nd Precinct; John Peter Guadoso, the COPE Unit. These were the officers that administered first aid to the victims.

I would urge this committee and the people of Suffolk County, Suffolk residents, to carefully assess the motives of those who would fault -- who would fault our officers' response and the department's response to this tragedy.

The second point I'd like to make today is referenced a Police boat that was docked near the houseboat that night. Those who suggest that the nearby presence of the unstaffed Police boat is somehow significant in terms of what transpired are deliberately misleading the public, this committee and the families that lost loved ones. It is unreasonable to believe that the deceased would have had a better chance of survival if the Police boat had been staffed, because an operating Police boat very well would be out on patrol in rough seas. Remember, we had small craft warnings that night, inasmuch as an hour or maybe more, away from the incident. The Investigators that investigated this incident and this tragedy have indicated to me that the -- if the boat had been staffed and even close by, the outcome would have been the same because of the state of -- the physical state of the victims.

What has been completely absent thus far from the media coverage of this incident is the fact that the staffing of Marine boats was and is consistent with staffing levels prior to this administration. Nothing has changed. Keep in mind this tragic incident occurred during the winter, not during the summer when coverage of our waterways, as one would expect, has a larger contingent of officers. There are a lot of boaters in the summer and thus there are a lot more Marine officers on patrol. I think if you research this you'll find that Suffolk is hardly unique in having a smaller contingent of Marine officers patrolling waterways in winter than in the summer. Again, I want to emphasize for this committee and for everybody that's listening to me, staffing levels of Marine boats have not changed under this administration.

What's interesting, and I point this out, is that when a Marine Bureau Police Officer, Pete Conte, who is also a PBA Trustee, made an issue out of the fact that the boat in Huntington Harbor was unstaffed in a recent New York Times article, he did not site public safety as the source of his concern. He told the Times that the union hoped that insisting on the strict enforcement of contractual clause that required boats to be staffed by three officers would force their commanders to pay more overtime. Trying to exploit this tragic incident to secure overtime or to process an agenda, whatever it is, is reprehensible.

The officers that responded that night did a great job. In the near future, these two officers that I mentioned will be put in for an award for their quick response and their lifesaving attempts.

I thank you very much. And I have to my right Chief of Department, Robert Anthony Moore, I have

the Deputy Inspector Commanding Officer of the Marine Bureau, if there are questions about the staffing of the boats, and the Marine Bureau is here.

And before I turn it over for questions, I think that it might be helpful to the committee if I did give you the staffing numbers in Marine Bureau for the winter months starting in 2001. There were 52 Police Officers in Marine Bureau in 2001 during the winter months. In 2010, there were 65. 2004, if you want to start with when the County Executive took office, there were 60. We have more officers in Marine Bureau in the winter months than we did in either 2001 or 2004. There has been no reduction in staffing of the boats.

If you put supervisors in there, Sergeants, Lieutenants, in 2001 there were a total of 58; that includes Police Officers and supervisors. In 2004 there were 69. In 2010, there were 74. Now these numbers -- which by the way I didn't make up, they come from the records of the department -- show that staffing has increased in the Marine Bureau over the winter months. And so I think that it's important that you understand that, because staffing has become an issue. How that staffing is utilized we leave to the Commanders either at the Precinct level or the Bureau level. They have to deal with it on a daily basis.

For example, in the Marine Bureau, small craft warnings will have an impact on staffing and safety. If it's in the winter, obviously very few people are on the waterways in Suffolk County and so staffing is based on that. We've done that for years, long before this administration. As I mentioned before, and I want to reiterate, nothing has changed other than that we've increased staffing during the winter months. Thank you.

**CHAIRMAN EDDINGTON:**

Okay. I'd just like -- you know, Prime Minister Disraeli really was quoted by Mark Twain over and over again on this issue. You know, he talks about lies. There's lies, there's damn lies and then there's statistics. And, I mean, I get -- I love the statistics that I get from you, because it's always -- we got more people on patrol and now we have more people on -- in Marine Bureau than we ever had. The other thing that you forget is that we have more people in Suffolk County now, so that although those numbers may be going up, I don't know if it's going up with the amount of registered boats or people living in the community. So, you know, statistics, I've got to tell you, I really -- I've looked for bodies and when they're needed and I think that's what we're talking about today.

I'm a little concerned because I did go to the Marine Bureau and I had a very good demonstration and walk around. And I thank you, Inspector. I felt very comfortable after leaving, that you're doing what you can with what you got, and that seems to be the Commissioner's philosophy, and I thought it was great. But when I'm told that there's -- now that it's summer we're going to have like five boats or four boats or whatever, and then I hear there's one boat like two days later. And then I hear that -- and I hear that there's three emergency calls and the way that the boats are relieved is that there's -- you go -- I don't know, I guess you bring the boat in and the other guys bring it over, so there's nobody there for an hour twice a day, and we had three emergency calls during that hour. And as I look into it, last year somebody drowned during that time.

So I'm trying to be proactive. And I want to believe what you tell me, but when you tell me what I'm hearing isn't what I'm hearing and what I'm seeing isn't what I'm seeing, I get angry, I'll be honest with you. I wanted to give you the benefit of the doubt, but if there was one boat patrolling this morning, and now after a phone call there's two, that's not four or five. So I don't know, you know, it's very hard for me to understand. If you tell me one thing and something else is happening, I really don't know how we can even communicate. So tell me what the deal is with the staffing. I know I'm going to get a chart which will help a lot. I appreciate that. What's going on?

**DEPUTY INSPECTOR JANTZEN:**

Can you hear me now, am I on?

**CHAIRMAN EDDINGTON:**

I can hear you.

**DEPUTY INSPECTOR JANTZEN:**

Good. I'll respond first to what Officer Conte and what Officer Bodenmiller just brought to your attention. And at 11:00 this morning small craft advisories went into effect, which means that we're going to change our staffing levels from two people on board the boat to three people on board the boat.

**CHAIRMAN EDDINGTON:**

I'm sorry. They're just saying to please identify yourself for the record.

**DEPUTY INSPECTOR JANTZEN:**

My name is Harold Jantzen, J-A-N-T-Z-E-N. I'm the Commanding Officer of the Suffolk County Police Marine Bureau.

**CHAIRMAN EDDINGTON:**

Thank you.

**DEPUTY INSPECTOR JANTZEN:**

As I was saying, there was a change in the weather conditions. At 11:00 small craft advisories had been posted, which means that we change our staffing levels. The number of boats you're focusing on, I presume, is on the South Shore, because we do have our Bravo staffed and that's doubled, the Delta boat is staffed and that is doubled. What happened this morning was that the small craft advisory went up and they took one boat crew and they split it in half to triple one of the other boats, and they sent the other officer over to double a beach sector, which was Marine Five, they call it Marine Five Alpha, which is in Marine 5 Sector, the eastern portion of Fire Island.

After I learned this, when it was brought to the attention by Officer Bodenmiller, his explanation was correct. But by the way, I should point out he was one of the officers who was scheduled to work today and be in a boat, but he's here instead. That said, what we did was we had the office change the staffing so that there's now a boat with three people in it on duty as required by the contract. There is also a boat with two officers in it that will patrol the Great South Bay since there's no small craft advisory in the Great South Bay. There is no small craft advisory on the Long Island Sound. There is, however, small craft advisory in the ocean between Fire Island Inlet and Moriches Inlet. And the reason that we tripled the boat is in the long shot case that we're going to have to go through the inlet into the ocean to handle a call out in the ocean. It's not the areas that the officers are patrolling right now.

That said, I also hired another boat to come in as early as they can to put a third boat into service down on the South Shore. Things pop up, weathers change and we adjust for it, and that's exactly what happened here today, and I did that. You know, I don't have control over the weather and I don't know when the small craft advisories are going to be posted, but when they are, there's certain things that the contract delineates and I have to adjust the manpower to do. So I was 100% frank with you the other day, although we were speaking in general terms, I told you I am going to keep my boats staffed to the best of my ability. There won't be an issue for the evening tour, and it won't be an issue in a few minutes from now when the other boat crew arrives.

**CHAIRMAN EDDINGTON:**

And I believe that you'll do it to the best of your ability. I'm just thinking that you need more ability. That's basically what I'm saying. That we're in the summer and two boats really doesn't seem acceptable when we could have four or five boats. I mean, again, I said to you and to the Chief that I'm really talking prevention. I know prevention, whether it's drug prevention or fatalities, costs money, I know that, but I think the people of Suffolk want that and I'm concerned.

I'm also concerned that, you know, I didn't know Officer Bodenmiller was going to be here. I hope

he's not going to be scraping barnacles as a result of his testimony, you know what I mean? I do remember in the past somebody that went off a little bit, so I'm hoping that -- if he was in the Navy I know that's what he would be doing, so I hope it's different.

**DEPUTY INSPECTOR JANTZEN:**

Officer Bodenmiller has been in the Navy and he has been in the Marine Bureau a long time and he's one of the people we rely on for his experience and his depth in the playing field, so to speak. We don't retaliate for things. He's being frank, he's being honest.

**CHAIRMAN EDDINGTON:**

That's why I thought I would mention it here where we're all here and we could all say. I just want people to give us information. I prefer getting it from the department. I'll take it from Newsday and the PBA if I have to, but I'll get it wherever I can. But I want to continue how we have everybody together and discuss it, not behind anybody's back or whatever.

**COMMISSIONER DORMER:**

If I may, Mr. Chair, can I just interject a second?

**CHAIRMAN EDDINGTON:**

Why not.

**COMMISSIONER DORMER:**

Officer Bodenmiller was very professional and gave a professional presentation, and that's what we expect from our officers, and I commend him for that. In this public forum, it's important that we all, you know, behave in a respectful and dignified manner.

**CHAIRMAN EDDINGTON:**

Thank you, Commissioner, I appreciate that. Okay. Then -- so we're not going to have four boats out on the South Shore every day. You're going to do with whatever you got.

**DEPUTY INSPECTOR JANTZEN:**

No, not that -- the nature of this work is we kind of respond to the activity that's present. We're certainly always going to prepare for the worst and hope for the best. But the nature of this is that we know that it's going to be busier on a Friday night, a Saturday and a Sunday than it is going to be on a Thursday morning on a cloudy foggy day. That said, you know, I've been -- this will be my ninth season, I've been there eight years. We kind of anticipate the activity level and when it's needed we use the resources, including overtime, to augment the patrol boats, the beach vehicles and other assignments that are in the Marine Bureau. It's the way it's done. I think it's been working reasonably well for the last eight years. I've learned a lot from it. I've made a few enhancements that I think that many of you have heard me speak of before, including adding a sector further east out in the Moriches Bay area which is a treacherous body of water.

**CHAIRMAN EDDINGTON:**

Okay. Thank you very much. Legislator Cooper, I know you wanted to kind of kick off some information.

**LEG. COOPER:**

Now I'm chomping at the bit. Thank you very much. I'm not on this committee so I appreciate the opportunity to speak here today. Commissioner Dormer, thank you for coming. You just said that we should be treating each other in a respectful and dignified manner, but I have to say I'm -- I was upset at the statement that you made earlier where you said that we have to assess the motives of those faulting the department's response. Earlier the County Executive said that I was part of a Legislative PBA cabal. What are you implying exactly? You keep dancing around the edges, you and the County Executive. Just for the record, what, if anything, are you -- what are my motivations here? I thought my motivation was taking steps to protect my constituents, public safety of people that live in my district. We could have honest differences of opinion, but I'm sick and tired of the

administration and you personally questioning my motivations.

For the record, I'm not running for re-election. I couldn't care less what the PBA thinks about me. Last election I think I got \$400 in contribution from them. My Republican opponent got 17, \$1800, so they favored my opponent over me. They endorsed my opponent in one election. I'm not part of a PBA Legislative cabal. I'm trying to do what I can do to protect the lives of my constituents, whether it is kids in Huntington Station that I'm afraid could get killed in a drive-by gang shooting or of it's people on the waters off the North Shore in my district that I am concerned are not being properly served because of poor Police staffing in the Marine Bureau. But anyway, you said that we should assess the motives of those like me faulting the department's response. Could you clarify for the record what you mean exactly?

**COMMISSIONER DORMER:**

Thank you, Legislator. And I have no idea what the motives are. I'm not going to get into that, but I think that -- and I said this from the outset. I think that everybody involved in this should have been commending the response of the Suffolk County Police Department and the officers that responded that night and worked very hard to save three people, and I think that that should have been the thrust of the story. Whether the boat was staffed that night had nothing to do with whether these people survived or not. I have the details of the investigation and I think that having the facts is very important before people draw conclusions.

I commend the officers, and as I mentioned, we're going to be commending these officers in a formal way in the department for their actions that night. And they were on that boat treating these three victims within minutes, which was outstanding by any standard that they were there so quickly and improvised to get to the boat, which was offshore. And so anybody to say that having the boats staffed or not, which by the way, that boat is not staffed a lot of times as it has the same situation in previous administrations. That boat was not staffed so nothing was new with that.

Again, I would say that commending the officers and the Police Department for the great job they're doing, including Huntington Station. We have more cops on the street in Huntington Station today than we did last year taking care of the problem.

**LEG. COOPER:**

Commissioner, what you said is not true. And I know that we can play around with statistics. If you look at the two charts that my office prepared, first of all, you said that staffing levels have increased over the years, there are more officers in the Marine Bureau in 2010 than there were in 2004. If you look at the chart I prepared, two charts because there have been different statements that I've heard from the County Executive. One compares month of March to month of March, 2010, and we picked three years arbitrarily, 2003, 2004 and 2005 because we couldn't get access to the data before the Levy Administration. And then you'll see we also have a chart comparing winter months 2010 to previously.

If you take the month of March, Bravo boat staffing, that's my concern, Bravo sector -- in 2010 Bravo boat was manned 25.8% of the time, 25.8% of the time. It was sixteen tours out of a total of 62 tours. In 2003, it was manned 85.5% of the time, which was 53 tours out of I believe 62 tours. How do you -- if you're saying that despite the fact that we have one-fourth the number of tours operational in my sector than in previous years, and you're saying that you have more officers in the Marine Bureau, I take you at your word, then where the heck were those officers assigned?

**COMMISSIONER DORMER:**

If I may, I'm going to have the Inspector answer that because he's responsible for utilization of his staff and he has a good handle on how the boats are staffed and how Fire Island is staffed.

**DEPUTY INSPECTOR JANTZEN:**

We did a similar inquiry to see if the numbers were, in fact, accurate since we saw them in the paper and had no other way of substantiating that, and our numbers came up reasonably close to that,

within two or 3%. So the fact of the matter is that there is less time where the Bravo boat is in service now as compared to the years 2003, 2004. And I'm going to offer you my explanation. I mean, not everybody is going to agree with it or sign onto it, but it's the reason and the rationale that I employed to come up with the staffing levels the way that I do.

Back in 2003 and four and five, we did use the same staffing criteria even in the dead of winter, the worst and least active months. We would have one boat staffed on the North Shore, one boat staffed on the South Shore, as our minimum. Now back then, it was not always the Bravo boat that went down. Occasionally, and very rarely, the Delta boat would be down and the Bravo boat would be up. I have since changed that. The Bravo boat, as you know, Legislator Cooper, is in the Huntington area. In the dead of winter, as you are probably also aware, that we can't keep it in Halesite because of the icing condition and we take it and we move it. We used to move it out toward Eaton's Neck which would buy us a little bit additional water time as opposed to being iced in. This particular year we moved it out to the LIPA facility and near the Northport stacks just so that it wouldn't get frozen in solid. Each year, the weather being the weather, and it varies so much, we experience icing conditions and it causes the sector to go down in and of itself just because of the weather.

During my recent years and experiencing some of the input that I've gotten from a lot of different sources and the Federal Government, I made a decision to staff the Delta boat always. So when a North Shore boat goes out of service, it's going to be the Bravo boat going down.

We also made some changes on the South Shore, and some of the personnel resources that I took from the North Shore. And in the case of the North Shore/South Shore boat staffing as the minimum, when there's sufficient manpower the first boat that I put up is the Marine Mike boat after that. It's not the Bravo boat as it once was. The reason for Marine Mike's use is because in the winter months it's a very active part of the Great South Bay, Moriches Bay, Moriches Inlet. They have a lot of sport fishing activity, they have a lot of hunting activity down there and we don't have the thorough level of support that we do up in the Huntington area, like from the Huntington Harbor Master, the Smithtown Bay Constable, Eaton's Neck Coast Guard. Northport Fire Department has a very elaborate rescue vessel itself.

So it's my decision to move those personnel resources on occasion when I have sufficient staffing to put the Mike boat up and have that in service down on the South Shore to cover the very eastern part, east of Bellport Bay, if you will, out to Moriches Inlet. The next boat that goes up is the Mike boat when staffing is sufficient. Did I answer your question?

**LEG. COOPER:**

You provided an answer, yes. A statement was also made by Commissioner Dormer that there was an outstanding response by officers on the shore and officers did a great job. I absolutely agree, and no one is implying that the two cops, the patrol cops, that showed up when the 911 call came out and there was no Marine Bureau boat in the area, they come on the scene and they did what they -- they risked their lives to try to save those three folks on that houseboat. Just so you know, arrive at night, rough weather, weather advisory, rough seas, they're calling for the March boat. The Marine boat is nowhere to be found. These guys find a dingy by the shore, they climb into the dingy, didn't even have life vests on. They had their police vests, their gun belt. If they had fallen in the water on their way out to the boat they could have lost their lives. Yes, they had some medical equipment in the car, but as you know, Bravo boat is a certified ambulance. There's no one that can say that they had the same medical rescue equipment in that sector car than they had in the -- in Bravo boat. And number two, they didn't bring the equipment with them because they were going out in a dingy in tough seas in this emergency. They row out to Bravo boat and they do what they can to try to save those victims, do CPR themselves. They were ultimately overcome by carbon monoxide, as you may know.

So I am in no way questioning the courage and the actions of those two cops. They absolutely are heroes and I'm going to be honoring them at the Legislative meeting on Tuesday. But that does not

take away from what I think is a great likelihood that if the Marine Bureau boat had been properly staffed that evening, an ambulance, there was an ambulance waiting there in the harbor with complete medical equipment, if that had been properly staffed they could have been out there in moments. And I was told by several folks that two of the victims were still alive, two of the victims still had a pulse. I know Commissioner Dormer is shaking his head. I was told that two of the victims still had a pulse. And I'm not saying that it's definite that they would have survived, but they could have survived if they had gotten prompt medical attention.

Now, what's precipitating all of this, as you mentioned, was the New York Times story, the Newsday story. Those are three of my constituents that lost their lives. I happen to live on the Long Island Sound. When I look out my back window, I see the vast amount of boat traffic, both private and commercial boat traffic, that passes through all the time. So this is something that as a Legislator representing that district on the North Shore is of great concern to me. It's been a longstanding concern as you're aware of.

I have some questions for you. And whether it's the Deputy Inspector or Commissioner would like to answer this. Why, just generally, why are sector boats being shut down and manpower redeployed in the Marine Bureau? And my understanding is it's not just to other boats, but occasionally they're sent to sector cars and the like. Maybe I'm wrong about that, but could you clarify -- could someone answer that for me?

**DEPUTY INSPECTOR JANTZEN:**

I'll be glad to respond to it. The fact that you conveyed a few minutes ago regarding no Marine Bureau response, there was, you know, a trio of officers, because of the small craft advisory, coming from another sector. The Delta is the North Shore, so they were en route there.

**LEG. COOPER:**

But they were 28 miles away. It took them 44 minutes to drive from Port Jefferson to Huntington and then they got in Bravo boat and they were the guys that went out to the houseboat and rescued the two cops that were overcome by CO2 fumes. So I'm well aware that the Delta officers ultimately did respond. The implication that there's something wrong with this requirement, it's in this union contract that in rough weather you need three cops, I think that was done for safety reasons. I think it makes sense that if there are rough seas, four foot, five foot, six foot seas, gale force winds, it sort of makes -- the Commissioner is shaking his head again. I think it makes sense for safety reasons that there be three cops on board rather than two cops on board. Is anyone disputing the fact that it makes sense from a safety point of view for the safety of not just the Police Officers, but members of the public that they may be trying to rescue, to have more cops on board if there's a weather advisory, or is this just some deal that was cut by the union as part of their contract and there's no merit to this?

**COMMISSIONER DORMER:**

Inspector, if I may before we answer the question. I was not shaking my head. We adhere to the contract. If it requires three cops, that's what the Inspector puts on the boat, and I don't disagree with that, so I have no idea what you saw. I certainly wasn't disagreeing with that particular requirement.

**LEG. COOPER:**

Okay. But according to I think it was Newsday, at first either you, Commissioner, or County Executive Levy disagreed with the policy of having three Police Officers on Marine boats during rough weather, and they said it was just part of the contract. But then you backtracked and you said, "Oh, no, it does make sense from a safety point of view." I just want to clarify for the record. Do you think that it does make sense, regardless of whether there's a union contract that mandates it? Does it make sense from a public safety point of view, both members of the public as well as our Police Officers, that during rough weather, weather advisory, that there be three officers on a Marine boat versus two? Just so we can settle this once and for all.

**COMMISSIONER DORMER:**

Yeah, I just said I agreed with that. We do not violate the contract and if it says three officers on the boat and it's small craft warnings and it's a safety issue, the Inspector certainly doesn't violate that. But I'll let him answer it.

**DEPUTY INSPECTOR JANTZEN:**

We did that this morning. I mean, when a small craft advisory came up we altered our staffing.

**LEG. COOPER:**

I actually think it came up this morning at about five, six a.m., I've been told. I'm not so sure why it took so long to react, But be that as it may.

**DEPUTY INSPECTOR JANTZEN:**

Well, News 12 had it as 11 o'clock and the National Weather Service had it at 11 o'clock because I called the office to have them check, but I'm not going to debate it with you. If you say it was 5 a.m, it was 5 a.m. It may have been posted where it went into effect at 5 a.m. -- I I'm sorry, at 11 a.m. But that said, you know, I'm not going to disagree with you. You know, three officers on board a boat, you know, in horrible sea conditions, bad weather, is certainly an advantage over having two.

**LEG. COOPER:**

Thank you. Why exactly was Bravo boat shut down the evening of March 23rd, the evening of the houseboat tragedy, on the 5-1 tour? And as you acknowledged, the closest boat now was 28 miles away, so in rough weather it would take even longer to get there. Why exactly was that decision made? You said that we have more staffing in the Marine Bureau than we ever had before, so why would you shut down that boat in my sector in Huntington Harbor?

**DEPUTY INSPECTOR JANTZEN:**

Considering the number of personnel we had that night at work, the decision was to go with Delta as it usually is, and we had a North Shore boat and a South Shore boat staffed and as well as some of the Fire Island sectors.

**LEG. COOPER:**

And where were the officers who normally work the Bravo boat? Can someone tell me where they were working that night, where they were assigned.

**DEPUTY INSPECTOR JANTZEN:**

One, the additional man on board Delta, was from the Bravo sector.

**LEG. COOPER:**

And the other officer, was he working that evening?

**DEPUTY INSPECTOR JANTZEN:**

I don't know if he was working that evening. I can check.

**LEG. COOPER:**

Chief Moore, you don't know?

**CHIEF MOORE:**

No.

**DEPUTY INSPECTOR JANTZEN:**

I can check, though. I can give you an answer in a few minutes.

**LEG. COOPER:**

Thank you. Commissioner Dormer, did you not tell the Legislature on May 6 of 2009 that the Bravo

boat would be staffed?

**COMMISSIONER DORMER:**

I have no recollection of that. I'd have to look at the record from that -- the transcript from that date.

**LEG. COOPER:**

Okay. I believe that that -- actually I think there's a video of you saying that online, but that was certainly my understanding. Is it true that we currently do not have any Marine Bureau boat on the North Shore from 0100 to 0900 hours, unless it's within rowing distance?

**DEPUTY INSPECTOR JANTZEN:**

That's correct. We don't have an overnight shift that works on the North Shore. And the answer to your previous question was the other officer on board the Bravo boat would have been on the Bravo boat if there were no small craft advisories, was sent to Fire Island to cover the sector on Fire Island. So the two officers that usually would have been assigned to Bravo were each working, they were sent to different places.

**LEG. COOPER:**

So, again, you're saying that you -- you said I think significantly more manpower today than you had six, seven, eight years ago. Where are all those cops? I don't get it. I'm trying to do the math, and you don't have enough officers to staff Bravo boat in Huntington and it's not just the winter months, apparently it's even worse in other parts of the year. So if you have more officers than before, where are they being deployed? If it's bad enough that you have to shut down the boat in Western Suffolk, the only boat we have there, where are these guys?

**DEPUTY INSPECTOR JANTZEN:**

I mean, I could break down where the assignments are if it would answer your question.

**LEG. COOPER:**

Well, I mean, are any of them -- as I had eluded to earlier, I hear rumors that some of the Marine Bureau officers had been assigned to sector cars. I mean, is that true or is that just a false rumor?

**DEPUTY INSPECTOR JANTZEN:**

Typically we have always staffed it the way I described earlier. We had one North Shore boat and one South Shore boat in the winter months. That really hasn't changed. What has changed is when I get sufficient staffing I don't make the Bravo boat the next boat that's put up into service. I usually put it up in the order of Mike before Bravo just to deal with some of the issues that I discussed a few minutes ago.

**LEG. COOPER:**

I understand, but, I mean, if you had sufficient manpower you'd be able to have Bravo boat staffed at the same time as Delta, and we'd have full protection along the North Shore. So my question again, I think I've asked it three times now and no one has answered, have any Marine Bureau officers been reassigned to patrol cars?

**DEPUTY INSPECTOR JANTZEN:**

What we did this year, last year, and many years in the past is similar to what has been done historically. We try to make the best use of our personnel resources and keep them active and engaged in the Marine Bureau should some catastrophe occur. By doing that we have them occasionally do things like a holiday patrol in a community, particularly near their sector or in the precinct where they work. We will occasionally go out to an area of high traffic accident locations and go to those areas and do some stepped up enforcement. We did some warrant activity over the years.

Last year down in Patchogue, or was it the year before, when the Lucero murder -- we took some South Shore Police Officers when they weren't needed during the busy times on the water and we had them saturate the Patchogue area. This year there's been other issues throughout the County that we used our judgement to deploy these people around, keeping them as close to their boats should a tragedy of sufficient magnitude require that. There was not that type of patrol at night. There was a number of people on chart days, which is something that is assigned to them by the contract. And we made the best use of the personnel that we had working that night by keeping the North Shore, South Shore boat up in the beach sectors.

**LEG. COOPER:**

Deputy Inspector, and I hate to keep going back to this, but I still -- maybe I'm just slow, but I'm not getting this. You have ostensibly more officers in the Marine Bureau than you've had in past years and previous administration, earlier in the Levy administration. But I'm looking at the statistics, looking at the chart, just taking the month of March, because that was the month when this tragedy took place. In 2003 Bravo boat was up and running 85.5% of the time. This year the month of -- the tragedy took place it was only up 25% of the time. Why was a decision made despite the fact that you have more officers ostensibly in the Marine Bureau than you had in 2003? Did you take Bravo boat offline, what is that, an extra 60% of the time? I just -- I don't understand.

I mean, my constituents are paying property taxes and Police District taxes as much as anyone else, not more so, and they're getting no service. And my constituents are concerned. I've spoke to -- spoken to boaters, spoken to folks that live on the water, and they absolutely say that they see Bravo boat up and about a lot less than they used to. So a decision was made for some reason, despite your having more Marine officers than you ever had before, to take Bravo boat down. So I guess was it to save money? Was it because the officers were being reassigned to duties on land? I mean, there must be some explanation.

You say you had the cops, so why would you take a boat that was up and running back in 2003 85.5%, and despite the fact that you have even more cops than before, than at that time? You are now shutting the boat down almost all the time.

**DEPUTY INSPECTOR JANTZEN:**

Well, I'm unable to comment on the 85%. I don't have a way of tracking that, but I'll take it at face value and I'll assume that the number is close to being accurate as the others were. And perhaps the boat was in that particular month staffed an awful lot. It may have been done at the expense of the Delta boat. I don't know that, I can't elaborate on that.

That said, I'm going to tell you that we evaluate the calls for service in that particular area and we try to put our staffing where it's needed most. I don't think there's been occasion up there where we've actually missed a call or had such a long response time that we were unable to get there and handle it, just going from my own personal recollection and not from statistics, because that seems to be the question you want answered, how did I come up with this idea of reducing the number of times that the Bravo boat is in service.

And I may offer as a possible suggestion that the reason that some of your constituents are pointing out to you that they see the Bravo boat around less is twofold. First of all, the Bravo boat is not even there any longer, they're using the November boat. The November boat -- I'm sorry, the Romeo boat, and that is often in the winter months berthed at a different location rather than the Halesite location. Now, this particular winter it was out at the LIPA facility so that it would be able to get free and respond to a call on the sound, since there was some icing condition up in Halesite.

**LEG. COOPER:**

Deputy Inspector, do you believe that during a time of a small craft advisory where waters are particularly treacherous, do you honestly believe that having one boat on the North Shore and one on the South Shore is sufficient?

**DEPUTY INSPECTOR JANTZEN:**

I believe it is sufficient. I mean, the Coast Guard has one boat on the North Shore in that area. The next nearest boat is out in New Haven, Connecticut. I think it meets the needs of the community. If the question is would I like more boats or would I like more officers, you know, I think any Commanding Officer would respond the same way.

**LEG. COOPER:**

Well, but you have more officers. You've already testified, or Commissioner Dormer said you have more officers, or you have more officers and despite that fact, you're taking boats down.

**DEPUTY INSPECTOR JANTZEN:**

The number is more, it's slightly more, it's not grossly more. You know, there's a few more Police Officers. It's not enough where I can, you know, launch additional sectors in the dead of winter. It's sufficient for what we're doing and I think we're meeting the needs of the people we serve.

**LEG. COOPER:**

Commissioner Dormer, are you aware of the volume of commercial marine traffic that passes through the Long Island Sound to Manhattan each and every day?

**COMMISSIONER DORMER:**

No, I'm not aware of that, no.

**LEG. COOPER:**

Well, it's a lot. And considering the fact that we all live on an Island, do you honestly believe, do you honestly believe that we have sufficient Police marine coverage today?

**COMMISSIONER DORMER:**

I agree with the Inspector who just mentioned that he believes he's taking care of the waterways of Suffolk County adequately. We haven't reduced our presence during this administration, as I mentioned before. This is the way it's been done for years, nothing has changed. He's constantly evaluating the needs of the waterways and, you know, we're looking at the calls for service and that's what determines how we staff. I leave it to the Inspector to utilize the personnel as he deems appropriate.

**LEG. COOPER:**

Well, Commissioner, I mean, something certainly has changed, at least in Bravo sector.

**CHAIRMAN EDDINGTON:**

Legislator, could I just add something? Just because --

**LEG. COOPER:**

Sure.

**CHAIRMAN EDDINGTON:**

I mean, we've had these meetings for a couple of years, and some of the information that we've got it's obvious that you're not aware of. When we hear more officers are assigned, that only means on paper, it doesn't mean they're working. They could be in the beefed-up Patrol area in the winter. And two years -- a year ago we were down 234 Police Officers and then we had 122 retirees, that's 359 less officers than we have right now. So they're scattered, and I think we're seeing people sent around from different places. I've got a sense that Huntington Harbor all of a sudden will be staffed more adequately all of a sudden.

**LEG. COOPER:**

Well, hopefully you're correct in that, Mr. Chairman.

**CHAIRMAN EDDINGTON:**

But we'll lose them on the South Shore.

*(\*Laughter\*)*

**LEG. COOPER:**

No, but I don't want to enhance the safety of my constituents to the detriment of constituents of other -- in other Legislative Districts.

**CHAIRMAN EDDINGTON:**

Thank you.

**LEG. COOPER:**

Look, after the tragedy in Huntington Harbor, I met with seven family members of the three victims. It was the toughest, most emotional meeting I've had with constituents in my ten-and-a-half years in the Legislature. Daughter crying, sister crying, come to the realization that it was at least conceivable that one of -- one mother and father and the father of another girl could have still been alive, could have still been alive if there had been a fully staffed Marine boat in the area. As the brother of one of the victims said, it's like coming upon an accident scene and there's an ambulance across the street but there's no one in the ambulance to help out.

And in this case, it's particularly apropos because Bravo boat was a certified ambulance, it was a certified ambulance, I've been told, with a full slew of all the medical safety equipment that you could hope for with fully-trained officers on the boat. Unfortunately, as you mentioned, they were shipped off to Port Jefferson and it took them 44 minutes to drive out there, I think another 14 minutes once they got there. They got on Bravo boat, the Delta officers got on Bravo boat and went out to the house boat and rescued the two 2nd Precinct officers that were still there. By then, the other victims had already been transferred to the hospital and I think they were dead by then.

So the family victims believe that there's a chance that their loved ones could have been saved, that's my concern. But you know what? I can't do anything about that. What I can try to do something about is making sure that this tragedy doesn't happen to another family in my district in the future, and that's all I'm trying to get at.

I just have a couple of more questions. Commissioner Dormer, are you aware that the Department of Homeland Security reports that the next terrorist attack may well be water-borne?

**COMMISSIONER DORMER:**

Yeah, there's a lot of scenarios that they envision and we're updated on that as we speak. Obviously our Marine Bureau is part of our Homeland Security initiative. The Coast Guard, all local Harbor Masters, Village and Town Harbor Units, so it's a comprehensive initiative on the part of everybody. I would not in any way state that because Bravo boat wasn't running, that homeland security was endangered. You know, without giving up any privileged information, I can state that there was no, you know, terrorism issues with Bravo boat.

**LEG. COOPER:**

But that is -- I mean, it's a concern to me as a Legislator representing my district. As you're aware, Huntington has a National Grid fueling platform, a National Grid plant, numerous fuel storage facilities, and my concern is that a potential disaster is waiting to happen every day and yet you're refusing to provide or authorize adequate water-borne Police service.

**COMMISSIONER DORMER:**

I would disagree -- Legislator Cooper, I would disagree with you. Our Homeland Security initiatives, along with our neighbors to the west, are outstanding. We're on top of this on a daily basis. And it's something that is on everybody's radar in the Police Department and in the government. And so I would, you know, want to reassure the people of Suffolk County

that we're doing everything in our power, along with our law enforcement partners, to keep the community safe.

**LEG. COOPER:**

This is perhaps at least my final question at this point. Considering that if there is a situation such as happened during the house boat tragedy where every minute is critical -- I was told, I was speaking to someone at Huntington Community First Aid Squad and they said that it's really critical that within eight to ten minutes, or thereabouts, that first aid be provided. You have this narrow window to save someone's life. So, you know, my concern is that if Bravo boat is shut down, we're relying on Delta boat out in Port Jefferson, 28 miles away to get there, I mean, it's further exacerbated in rough weather because with high waves and rough water, it takes longer, obviously, to get the boat out there.

So could you, Commissioner, provide assurances to me today that Bravo boat will be properly manned, will be up at least as much as Delta boat is so we, once again, have both boats on the north shore operational? And then while we're at it, could you provide reassurance that the three South Shore Marine boats will remain properly staffed in the future?

Because again, I can't do anything about the lives that were lost on March 23rd. My goal is to try to prevent future tragedies and future loss of life, and I know that you share that goal. And considering the fact that we apparently have more Marine Officers than we ever had before, I don't think there's any -- I don't think there's any excuse for not having Bravo boat fully staffed along with the other Marine boats.

**COMMISSIONER DORMER:**

Legislator Cooper, I would like to reiterate again that even if Bravo boat had been staffed that night, it would probably have been out on the sound. It's not going to dock right next to the dock waiting for something to happen. So it's speculative. Knowing the way the Marine officers work, the boat would have been out on the water. It could have been up to an hour response, it could have been anywhere out on the sound.

And so, you know, as far as the staffing, the Inspector, I have all the confidence in the world that the Inspector -- who is in command of that unit, has to deal with it on a daily basis, on an hour-to-hour basis -- has the, you know, knowledge and experience for to deal with staffing. And I leave it to the Inspector for to utilize his people based on the conditions that they're dealing with at a particular time.

**LEG. COOPER:**

What is the likelihood -- and I'm not sure who's qualified to answer this, but what is the likelihood that during a weather advisory, small craft advisory, where seas could be -- well, it's not sea, it's Long Island Sound, but the water could be so rough that if you're on a boat you feel like your teeth are getting knocked out, that officers would have been out there in the open waters as opposed -- I mean, I guess no one knows whether they would have been in more sheltered waters, whether it be Huntington Harbor, Huntington Bay, Sand City, whether they would have been docked, whether they would have been out there. But to say that you don't think that even if it had been manned it would have made a difference; I'm sorry, I just don't buy that.

I think that there would have been a much greater likelihood that medical assistance would have been provided on a timely basis during that window, that critical window of eight, 10, 12 minutes. And I was told from several sources that two of the victims were still alive, had a pulse and could conceivably had been saved. I had to sit in a conference room with family members of those victims, and it was very tough. And I don't think that you would be able to sit down across the table from them, Commissioner Dormer, and tell them that you don't think that even if it had been staffed, it could have saved their loved ones. No one will know for sure, even if medical attention had been provided promptly. I'm not saying that there's a guarantee that one or both of the victims would have survived, or all three, but I think at least there was that chance, and that's what bothers

me.

At the heart of this, I'm concerned that Police staffing decisions are being made not with public safety at the forefront, but with budgetary concerns at the forefront. And you know, Suffolk residents are paying an awful lot through Police District taxes and they should be getting their money's worth and my concern, honestly, is that they're not, for whatever reason.

So I don't know if I gave you the opportunity to answer the question as to whether the two North Shore boats and the three South Shore boats will be staffed more often now after this tragedy, or specifically whether you can guarantee that Bravo boat will be staffed more often now than before the tragedy.

**COMMISSIONER DORMER:**

Again, I should state that during the winter months -- and that's what we're talking about, the summer is obviously a different situation -- the staffing of the boats and Fire Island I leave to the Commanders. Based on the conditions, as I mentioned, what's happening that particular day, what's happening that particular hour, they have to make that decision at the operational level, not at the Commissioner's level or even the Chief's level.

**CHAIRMAN EDDINGTON:**

Okay. All right, thank you.

**LEG. COOPER:**

I'm sorry, actually, one additional question. Deputy Inspector, you said -- I believe you said that during holidays, Marine Bureau Officers are assigned off-water duties; is that correct, or did I misunderstand?

**DEPUTY INSPECTOR JANTZEN:**

I think what I referred to was that we occasionally put our officers out on holiday patrol around the Christmas shopping time to maybe travel through some of their local area shopping malls and downtown areas in the event of, you know, an incident that occurs, maybe a purse snatch or a robbery, that they're nearby to assist that way, since their calls for service on the water are so extremely low and the likelihood of something happening nearby their sector is certainly elevated during the shopping season. Maybe I misled you when I used the terminology.

**LEG. COOPER:**

Well, I'm sorry, so maybe I misunderstood. So you're talking about only during the Christmas holiday season, you're not talking about Memorial Day Holiday season and all the other holidays?

**DEPUTY INSPECTOR JANTZEN:**

No, during Memorial Day and Fourth of July and Labor Day, trust me, we're not driving around in the shopping centers. We're out on the water and in the beaches and taking care of the marine aspect of what's going on as well as the Fire Island activity.

**LEG. COOPER:**

And over the weekends, night coverage, how often do you have night coverage of the Marine boats over the weekends? Which I assume would be periods of time when boaters would most likely be on the water.

**DEPUTY INSPECTOR JANTZEN:**

Well, actually, the overnight hours of 1 to 9 in the morning is not the most popular boating time, but we do have coverage over the overnight shift and we run that all year long, but it's run from Timber Point and it's called our Marine X-Ray boat. It was something that was implemented about seven or eight years ago, it is very effective in assisting the officers on patrol on Fire Island. They also have the ability to travel to the North Shore should a call for service on the North Shore come in. They assist the officers on Fire Island, they do medical transports for them; there's a variety of different

functions that the Marine X-Ray, which is the overnight boat, it's staffed with two officers and it's run out of Timber Point.

**LEG. COOPER:**

And I'm sorry, my last question. What would you recommend that I tell my constituents, who I spoke to one prominent constituent from the boating community just last weekend who was saying that he almost never sees Bravo boat out anymore. What should I tell them is the reason why they're no longer seeing that Marine boat up and about? I have to tell my constituents something, what would you recommend that I tell them?

**DEPUTY INSPECTOR JANTZEN:**

Well, I guess you could tell them to give me a call and we can discuss it, or I could tell them that depending on the timeframe that he was making this observation, where the boat was berthed, if it was not in Halesite or if it was somewhere else. If he notices fewer patrols and he's been noticing them for some period of time, I'll be glad to discuss it with him.

**LEG. COOPER:**

Thank you.

**CHAIRMAN EDDINGTON:**

I just want to jump on this. So that what I've heard as a result of this conversation is you're the man; you decide where they go, not the Commissioner. You decide who's patrolling and when they're patrolling, so it's your responsibility to make sure that adequate staffing is on the water.

**DEPUTY INSPECTOR JANTZEN:**

That's correct. I mean, I don't operate in a vacuum, I keep my Chiefs informed of what we're doing. But I make recommendations, I try to recall certain, you know, issues and patterns that occurred in the past.

**CHAIRMAN EDDINGTON:**

Right. Well, I basically heard the Commissioner say that you're going to make the recommendations and make basically the decision, he's going to go along with you because you're there and making the decisions of staffing. So that when we look to hold somebody accountable, it's you, that's basically what I heard and I want to make sure before you go away. Because if I call and say, "How come there isn't three boats on the South Shore," it's you. It's not going to be the Commissioner, you had the ability to staff them if you thought they were needed. And I understand there's the rain and the wind and all, I don't think it's an easy decision, but you're the guy that makes the decision and that's what I wanted to make sure.

**DEPUTY INSPECTOR JANTZEN:**

That's correct.

**CHAIRMAN EDDINGTON:**

Okay. The other thing is I have a concern with, Commissioner, that twice you said that if Bravo boat was out, it could have been an hour or longer response time. Well, that, in fact, is what bothers me. I mean, if somebody falls off a boat, we're going to allow an hour possible response time? My quick thought is maybe we need another boat patrolling then. I mean, would you accept an hour as a response time adequately?

**COMMISSIONER DORMER:**

Well, I should mention that this response to this incident was within minutes, within five minutes after it was dispatched the officers on shore --

**CHAIRMAN EDDINGTON:**

No, I'm not asking you that.

**COMMISSIONER DORMER:**

Well, I will get -- if I may.

**CHAIRMAN EDDINGTON:**

Well, you're not answering my question. I'm talking about the Marine Bureau. It seemed to -- you made an assumption that an hour is not an outrageous response time for the Marine Bureau, and I'm asking you generally, not on this incident, but are we under the assumption? Because when I hear about patrol, we talk about how it's five minutes, three minutes, two minutes, 80 seconds, but you said an hour or more, and I want to just make sure. That's not the accepted practice for the Marine Bureau response, is it?

**DEPUTY INSPECTOR JANTZEN:**

Mr. Chairman, if I can offer you an explanation? Because the Commissioner is probably not that familiar with the areas of some of our sectors and how large they are.

You can be eight, ten miles away from a call and still have to travel through a harbor at virtually idle speed to get there. And once you do exit the harbor, if the sea conditions are so bad that the best that you can do is eight or ten knots, you could have -- I mean, that's not unreasonable. If there was something that happened on the outside of Fire Island, let's say two or three miles south of point of woods that's out on the ocean, the boats actually have to go around the length of Fire Island, through Fire Island Inlet and then travel back the, you know, eight or ten miles to get there, the answer to the question is occasionally it can be an hour, yeah.

**CHAIRMAN EDDINGTON:**

Well, it seems like you're making a case for more boats in the water. I mean, maybe I don't think straight. I'm not into the Police Department; but when you go from A to B to C, I think D is the next letter. When you're telling me it could be, you have to plan for those scenarios. Because my big concern is that we've been responding to tragedies, and I don't want us to be sitting here in the summer saying, "Well, yeah, it took us an hour to get there, you know, rough seas." I want to know that if there's rough seas, you can get enough boats so it won't be an hour. Do you follow what I'm saying?

**DEPUTY INSPECTOR JANTZEN:**

Yes, I follow exactly what you're saying, and I don't know how to answer that.

**CHAIRMAN EDDINGTON:**

I'll fight for whatever you need, even if everybody else doesn't. I will fight for increased boats and personnel if that's what we need, but I need you, as I said the other day, I need you to -- I know you've got to walk the walk, I understand that, but I can't help you if you don't let me know. So, and I think that's what I heard some other people say. Legislator Lindsay.

**P.O. LINDSAY:**

Yeah, just a change of pace. Do we have a date when we're going to start the class of new officers?

**COMMISSIONER DORMER:**

Yes, the target date is June 28th. You know, it looks like we're on target. There are some appeals because of the Civil Service procedures, as you're well aware, that we have to deal with. We're hoping that doesn't delay anything. We're waiting to --

**P.O. LINDSAY:**

So the applicants have been notified already?

**COMMISSIONER DORMER:**

Well, they're being processed and we have a lot of them already fully vetted. And as far as notification, I'm not sure if anybody told them the target date. You know, we always wait until we have the final numbers where everybody is now cleared before we give that final date, because you

can imagine if people leave their jobs and we're two weeks late.

**P.O. LINDSAY:**

Yep, and the number is 70?

**COMMISSIONER DORMER:**

Yes, 70, that's what was determined. When Civil Service gave us the list, they told us that we had to, you know, investigate 70 recruits.

**P.O. LINDSAY:**

But the Executive has signed 70 SCINS?

**COMMISSIONER DORMER:**

Well, we will -- that's something that we will do when we're ready to go; it will go up to the Executive for the signing of the SCINs and we'll move forward.

**CHAIRMAN EDDINGTON:**

Legislator Cilmi.

**LEG. CILMI:**

Thank you very much, Mr. Chairman. This is sort of a more general question, although it relates to what we've been talking about. And certainly, if Chairman feels or other Legislators who are on your list feel that there are more specific and pointed questions to this specific incident, I would be happy to yield. But I'll ask my question first, then let everybody else sort of make that determination.

Inspector or Commissioner, can you speak to the overlapping of service and responsibilities and the coordination of services and efforts between our Police Department, specifically with our Marine Bureau, and the Bay Constables and other Police enforcement agencies that patrol some of our waterways in Suffolk County?

**DEPUTY INSPECTOR JANTZEN:**

I understand that you want me to speak to my relationship with them, do I have it correct, or how we interact with them or how we work in partnership with them?

**LEG. CILMI:**

Yeah, my interest is the interaction and the coordination of efforts and the overlapping of services. Because, you know, I suppose it's possible that there are some areas of our waterways that are patrolled by numerous agencies, and I would imagine that the coordination of those efforts is very important.

**DEPUTY INSPECTOR JANTZEN:**

Sure. Certainly, we do interact with them. That said, we also act as their partners. We on occasion do similar roles and enforcement functions. We are in constant communication with each other using the VFH radio; some of them are even on our Marine command frequency which is a Police ban radio.

In times of emergency, their response is usually similar to ours. I mean, sometimes they can actually be in a closer proximity to a location that needs a response. Huntington Bay, as we discussed earlier, Huntington has a rather well established Harbor Master, Smithtown is on for at least 16 hours out of the day, we hear them on our frequency; Brookhaven has a North Shore and a South Shore safe boat, one in Port Jefferson, one out of Patchogue; Babylon, you know, they're on the water most of the year; Islip is on the water the entire year. We interact with them, we assist each other in cases of things like disturbances, emergencies, sinking vessels, search and rescue. We partner and interact with them well.

**LEG. CILMI:**

To what degree are your staffing decisions dependent upon the level of service that those other agencies are able to provide?

**DEPUTY INSPECTOR JANTZEN:**

It's usually not. We do consider what resources are available and the location and for that reason I attribute a little bit of their ability to provide service to the local area. But my staffing decisions are generally not dependent at all. We don't report to each other what boats they have up every day; if that's where the question was intended, that's my response. You know, I don't say, "Smithtown's got their boat up today, let's pull one of ours out of service." The answer to that would be no, I don't consider their personnel resources and their ability to get underway with a boat when I make my staffing decisions.

**LEG. CILMI:**

Are any of those agencies demonstrably duplicative to what we're able to provide, or are they, you know, far less capable to provide the services that our Police Department can provide?

**DEPUTY INSPECTOR JANTZEN:**

That would probably vary with the agency. You know, some of them are fairly capable and they have pretty well-outfitted vessels of sufficient size to handle, you know, sea conditions. Others are fairly small and are predominantly seasonal operations. I don't know if any of them are Police Officers, they all at best would be peace officer status, you know, which would inhibit their ability to take action out of their geographical area of employment. I don't know if I'm hitting on what you're exactly looking for, but that's the best I can do.

**LEG. CILMI:**

Thanks very much.

**CHAIRMAN EDDINGTON:**

Legislator Kennedy.

**LEG. KENNEDY:**

Good afternoon, gentlemen, and thank you for being here. I have two areas that I want to go ahead and speak to you about. One is I'll stay on the Marine Bureau theme, and I guess, Inspector, I have -- I'll pose a hypothetical for you, but it's a fairly specific question. I -- my Legislative District does not run up to the sound, but many of my constituents are avid fishermen and they'll trailer up to Old Dock Road or they'll go over to Long Beach, and let's say we have a, you know, stripe bass fisherman or blue fisherman who's out on the water, or for that matter even up in the river at one, two, three o'clock in the morning and we have some kind of an incident with a vessel, we have a fire, we have an explosion, we have anything. If somebody on shore sees that and dials 911, who's going to respond to that?

**DEPUTY INSPECTOR JANTZEN:**

The marine x-ray crew that is down on the South Shore has the wherewithal to respond to any of the North Shore berths, and right now that's Huntington and Port Jefferson, and get under way with a boat. It's obvious that they're not going to have an immediate response, they're going to have to travel a distance from Timber Point up to whether it be the Bravo sector in Halesite or Port Jeff Village. In your particular area, neither the Smithtown Harbormaster nor the Suffolk County Police has a boat on the water on the Long Island Sound between the hours of 1 AM and 9 AM.

**LEG. KENNEDY:**

So we really have no capability at this point to respond to that within a timeframe to actually render any kind of emergency assistance. Our fire departments, as a matter of fact, I know are out and they have, as you had mentioned, you know, some capabilities; I think Kings Park can respond, I know Smithtown has been out on marine types of issues if there's a call. But from our perspective, and I think what you're saying to me is there just is no capability for us to go ahead and respond to

that type of a marine incident in a timely fashion.

**DEPUTY INSPECTOR JANTZEN:**

From a Police perspective, the answer is the sector car in that sector would receive the call and begin making some kind of transmissions relative to this explosion. They would notify whatever marine assets are available and, needless to say, the Coast Guard is in a very good vantage point to move in that direction quickly. Our Aviation Unit would be moving in that direction quickly.

We would, rather than send somebody from Timber Point or Fire Island, call North Shore Police Officers that live just minutes from their boats, get them on overtime, take that boat away from the dock and start moving in that direction. It's not an immediate response, but under the circumstances, that's the plan that we utilize, that's the way that we handle those things.

**LEG. KENNEDY:**

Well, again, I guess it's a matter of from our constituents, my constituents' perspective, whether or not they're actually being -- you know, receiving things safely, but I guess we can leave that to have some kind of discussion.

I am unfamiliar with how the marine vessels are deployed on the North Shore. You mentioned a Delta boat before; I only first became aware when Legislator Cooper was speaking, the boat that's in Huntington is the Bravo boat?

**DEPUTY INSPECTOR JANTZEN:**

(Nodded yes).

**LEG. KENNEDY:**

Okay. And you spoke about a sector; what is the range of patrol for the Bravo boat?

**DEPUTY INSPECTOR JANTZEN:**

Well, their sector is generally from the Nassau County line and it goes out to the Nissequoque River, roughly. But it's not like a highway where you have the Sunrise Highway or Route 111 that's going to divide it, there's a certain gray area that both Bravo and Delta will usually cross over into each other's sector, and the State line between New York and Connecticut is the northern boundary.

That said, since they're on the water and if they get something that's an emergency or complicated like a search and rescue, each will go to the call, no matter where it is. They won't stop short at their sector line and say, "Well, Delta's got a call in Rocky Point," I'm not going to go and assist them for a search, an overdue boat or a flare siting. They're going to go with them and they're going to assist it.

So I guess the easiest way to explain it is if you're looking purely academic at where their boundaries would be, I would say from the Nassau County line to an imaginary line, roughly from the Nissequoque River to the Connecticut state line would be Bravo sector, and Delta sector would be the other side of that line out to Wading River where the Shoreham Power Plant it.

**LEG. KENNEDY:**

And where is that Delta boat based?

**DEPUTY INSPECTOR JANTZEN:**

It depends on the season, but in the summer months it's in Port Jefferson, in the winter it's in Mt, Sinai,

**LEG. KENNEDY:**

You brought up another point that I became aware of when we had the whole Broadwater issue. The Suffolk County's sphere of patrol or range in to the Long Island Sound goes fairly quite a ways north, I believe, doesn't it, almost up to the coastal Connecticut are; is that correct?

**DEPUTY INSPECTOR JANTZEN:**

The State line is roughly down the center of the Long Island Sound. So if you're 14 miles across at the widest point, somewhere around by Sound Beach or Rocky Point, it would be roughly seven or eight miles off-shore would be the boundary line. Certainly as you go west, down towards Huntington, Connecticut is much closer.

**LEG. KENNEDY:**

It becomes compressed, yes, but you're quite a ways out there for patrol purposes.

While I appreciate your sharing that information with me, I don't know that I'm necessarily comfortable. And I would probably go back and point to what the Chair had spoken about, Commissioner, as far as the adequacy of the vessels on the North Shore at this point, but maybe that's a question for another time.

What I have been made aware of, though, is that we have Marine officers that do beach patrol. That's exclusively on the South Shore, I believe; correct, Inspector?

**DEPUTY INSPECTOR JANTZEN:**

Yes. Fire Island, there's Marine Patrol officers over there, they patrol by truck and ATV and on foot.

**LEG. KENNEDY:**

Okay. From time to time, I've had occasion to understand that a number of those vehicles -- first of all, I'm very familiar with beach operation. As I kid I used to spend a lot of time out on Smiths Point, so I know riding the beaches, I know it beats up vehicles significantly. How many vehicles do you have right now that are operational? Not the total number of vehicles in the fleet; how many vehicles do you have right now that are four-wheel-drive operational that can drive a patrol on a beach?

**DEPUTY INSPECTOR JANTZEN:**

I don't know the real up-to-the-minute answer. I can tell you going into Memorial Day, we had seven of 11 were operational.

**LEG. KENNEDY:**

Okay.

**DEPUTY INSPECTOR JANTZEN:**

But that can change at any moment.

**LEG. KENNEDY:**

Well, as I said, for whatever reason, I guess, it's the majority of them are Durangos or whatever at this point and they just -- the transmissions get lumped up. My question is are you getting those vehicles turned around and repaired in a timely fashion so your officers can do adequate beach patrol with our inventory, or do you need more vehicles?

**DEPUTY INSPECTOR JANTZEN:**

There was certainly a period of time, particularly over the winter, where they were not getting repaired quickly enough. I made a number of phone calls to see if we could at least learn why the problem existed and, you know, the explanation to me was legitimate, we got by with a grossly reduced number of beach vehicles for a period of time because in the winter months our calls for service are very low. The garage has placed their emphasis on keeping the highways cleared by focusing on the sanders, spreaders, plows and that type of equipment, so they were unable to keep up with the repairs at that time. It's gotten much better recently since the snow season is over. I certainly always wish it was better but, you know, the turnaround in the middle of the winter was protracted in many cases.

**LEG. KENNEDY:**

Okay, but that's an important answer for me, too. Because you're telling me then that our County mechanics in our vehicle shops are the ones that actually maintain these four-wheel-drive vehicles. So once again, we need to be looking at what our mechanic staff is in order to be able to turn them around adequately.

Mr. Chair, I have a question about the Emergency Services Unit, too. I know we've been on the marine theme, and that's a question I would have for Chief Moore and for the Commissioner. If that's appropriate?

**CHAIRMAN EDDINGTON:**

Yeah. You know, I just wanted to add that I did a tour of the Marine Bureau last week, and there was a vehicle that came in that needed some work. Their mechanic got on it so quick that by the time I left it was operational and go. So I have to compliment the Marine Bureau mechanic, he was like awesome. So go right ahead and ask your question.

**LEG. KENNEDY:**

I'm pleased to hear. Thank you. Commissioner, my --

**COMMISSIONER DORMER:**

Legislator Kennedy, if I may say so. When we took office in 2004, Marine Bureau didn't have, I believe, a mechanic; is that correct, Inspector?

**DEPUTY INSPECTOR JANTZEN:**

We didn't have a Marine -- we had a Marine mechanic, not a vehicle mechanic.

**LEG. KENNEDY:**

So in other words, Commissioner, you're saying then that one of our Public Works automobile mechanics is dedicated exclusively to servicing marine vehicles?

**COMMISSIONER DORMER:**

Yeah, they have two mechanics now and they only had one before. It didn't come from DPW, it was an extra officer -- or civilian that was hired, I believe.

**LEG. KENNEDY:**

Well, I'm just pleased you got anybody swinging a wrench, to be candid with you, and that they're not sitting idle. So that's great, Commissioner, I'm pleased to hear that. Can we talk a little bit about the Emergency Service Unit and civilianization?

**COMMISSIONER DORMER:**

Yes, Legislator Kennedy.

**LEG. KENNEDY:**

Okay. I became aware that you issued a directive, I believe it was in the latter part of May, that actually civilianized I believe in total it was six or seven functions that had been done by sworns, by Police Officers, some in the Marine Bureau and some in Emergency Services Unit. To be exact, I believe it was three officers that had -- were performing a function, there was now Police Operations Aides that were assigned to those functions?

**COMMISSIONER DORMER:**

Yeah, that is correct. As you know, one of our initiatives from 2004 was to civilianize positions in the Police Department where officers were doing administrative functions that didn't require sworn officer status, and we have moved forward with that civilianization over the last six years and continuing it into 2010. And this is officers that are basically on the desk answering phones and moving paperwork. And so the Marine Bureau and Emergency Service who had officers on desk

duty, along with Highway Patrol, were targeted for civilianization, and we looked at it very carefully and determined that it was appropriate, that lower paying civilians could do this job and we would put the officers back out on patrol, whether it's on boats and Marine Bureau, or, you know, out in the sector cars.

**LEG. KENNEDY:**

I appreciate the Commissioner, and as a matter of fact the Chief briefed us earlier in the year. And I'm aware that there were a variety of areas that the department was looking at, some which I believe that you've taken a step back from.

My question is very simple. The District Attorney penned some correspondence about his concerns specifically about -- and I'm going to do this in a general fashion because there's times where our conversations need to be general, but warrant execution, particularly with the role that Emergency Service Unit plays in supporting warrant execution. And are you aware of the correspondence that the District Attorney authored?

**COMMISSIONER DORMER:**

No, I did not have any correspondence with the District Attorney. I did have a conversation with the District Attorney.

**LEG. KENNEDY:**

Okay, I'm sorry I misspoke. It was a letter that the District Attorney himself sent to the department expressing concern and reservation about placing civilians within that ESU unit.

**COMMISSIONER DORMER:**

Well, I didn't get the copy of that correspondence. And I'm not sure when that came out, but a couple of weeks ago I had a conversation with the District Attorney and he expressed some reservations. He told me that he had heard from the union who had some reservations about civilianizing the desk functions in Emergency Service. I immediately sat down with the Chief of the department, the Chief of Patrol and we addressed the issues that were brought up, in particular the issue of when Emergency Services called out for a sensitive assignment. And so the Commander of Specific Patrol, which Emergency Services is assigned to, has put out a directive which takes care of that problem, and now if a call comes in from another agency or from somebody in the Police Department requiring a sensitive -- a sensitive assignment, they will immediately turn it over to a supervisor in that unit, and if a supervisor is not available, to a sworn officer. They will not deal with sensitive information, they will not get involved in it, they'll just take a phone call and then pass the phone message on to the appropriate person. So everybody in the Police Department is satisfied that it will take care of the concerns of the sensitive nature of some of our assignments from that unit.

**CHAIRMAN EDDINGTON:**

I think that's the District Attorney's letter, I just grabbed it out of a bunch of --

**COMMISSIONER DORMER:**

I'm just looking at the letter and it wasn't addressed to me, that's why I didn't get it.

**LEG. KENNEDY:**

Okay. Well, I'm sorry that -- I know the correspondence was something that was prepared, perhaps it might have been something the County Executive and perhaps I might have misspoke. But nevertheless -- so you're saying that notwithstanding the fact that we have civilians now located in ESU, the concerns associated with warrant execution, warrant information transmission, and involvement with the Emergency Services Unit should in no way be compromised by going outside of a chain of sworns for the transmission of that information?

**COMMISSIONER DORMER:**

No. I think that it's adequately addressed with the procedure that's in place that I had mentioned to you. And, you know, I should mention, by the way, reference the letter; the County Executive did have a conversation with me about this issue. I didn't see the letter, I wasn't aware that there was a letter.

**LEG. KENNEDY:**

Okay, my apologies.

**COMMISSIONER DORMER:**

So I just wanted you to know that we took it seriously and we addressed it immediately to make sure that public safety was not compromised.

**LEG. KENNEDY:**

All right. Last question with ESU, then, if I will. I think that I heard most recently that we are going to be getting another vehicle that will replace -- I think several of the vehicles there are approaching in excess of 150, 160, 180,000 miles on them, and their operational life is kind of hitting its sunset?

**COMMISSIONER DORMER:**

Yeah, that's correct. We're on rotation for replacement of the vehicles in ES.

**LEG. KENNEDY:**

Okay. That's great. Thank you very much, Commissioner. I appreciate it. All right, thank you, Mr. Chair. I know Legislator --

**CHAIRMAN EDDINGTON:**

Legislator Muratore.

**LEG. MURATORE:**

Thank you, Mr. Chairman. Good morning, Commissioner, Chief, Inspector. Good to see you again. Just a couple of questions. You know, everything that's going on here and me trying to put this all together with what I know and what I don't know. To the Inspector, you did man the boat this morning after the Chairman asked you about the promise you had made to him?

**DEPUTY INSPECTOR JANTZEN:**

Yes.

**LEG. MURATORE:**

Okay, because -- what time did you know of the small craft warnings? I mean, I have a National Weather Service form here and it says that 06:15 hours you were advised of small craft warnings. So that would be taken up by the desk person, unless we had the civilian make the -- did the civilian drop the ball? When did you find out about small craft warnings, when Jack brought it up or when you went to work this morning?

**DEPUTY INSPECTOR JANTZEN:**

When I saw it on The Weather Channel this morning and they said that the small craft advisory was going into effect at 11 a.m., that's when I was aware of it this morning getting ready for work.

**LEG. MURATORE:**

Don't we normally get prepared for small craft warnings? Or did you go out and you hired overtime today, then? So you did hire overtime today.

**DEPUTY INSPECTOR JANTZEN:**

Yes, there's overtime hires for today.

**LEG. MURATORE:**

So it is possible. And then you also made a statement, I don't know if it was correct what I heard,

on the midnights, if we need marine you've got to call people out, you're going to call people at home?

**DEPUTY INSPECTOR JANTZEN:**

Yes, we call them out from home.

**LEG. MURATORE:**

So we have standby in -- well, we don't want to go to that word, but we have standby?

**DEPUTY INSPECTOR JANTZEN:**

No, no, we don't have standby.

**LEG. MURATORE:**

Okay. So in other words, so you're almost like a volunteer fire department in Marine Bureau on the evenings, we call people at home and bring them out to go to work.

**DEPUTY INSPECTOR JANTZEN:**

I don't know if I'd use the same comparison, to be honest with you.

**LEG. MURATORE:**

Well, what else is it? I mean, how do we get volunteer firemen out? We call them at home. So now we're getting Police Officers when we need them, we're calling them at home; that's got to be unacceptable. I mean, you know, Mr. Cooper asked the question, you know, like why isn't the boat manned, and everybody sees this. I mean, we just don't have enough bodies out there to do the job.

I remember as a young Police Officer in 1973, and Chief Moore will tell you, we had in the 4th Precinct 15 cars that were manned every night, we had four desk officers -- three, I'm sorry, three desk officers, a Sergeant, a Lieutenant, and we had 11 foot posts that were manned every night and we had surplus people to man these. What's happened? I mean, the population's increased, crime has increased, and now we can't man boats on midnights? So, I mean, really, I think this committee, although I'm not part of it, needs to really address this issue.

Because I also hear that in July we're looking at maybe 70 or 80 or 90 more retirements, so the number you brought up before, Jack, was over 300, we're now looking close to probably between 450 and 500. So, I mean, the committee really needs to do something.

As far as calling out on midnights, I mean, did you know that, Mr. Chairman, that they call cops out on the midnights when they need them for the Marine Bureau?

**CHAIRMAN EDDINGTON:**

Thank you. Legislator Gregory.

**LEG. GREGORY:**

Thank you, Mr. Chair. There's been a lot of testimony. I just want to refresh my memory, back to the hospital incident. I'm not sure if it was the Commissioner or the Inspector who said that -- I believe it was the Commissioner, because we didn't have Bravo boat out that it -- or actually if we did have Bravo boat out, that it might have taken 28 minutes for them to respond to this call? I don't know where that timeframe came from.

**COMMISSIONER DORMER:**

Well, yeah, I'm the one that mentioned that, Legislator Gregory. We have no idea where the boat would be; you know, it's speculative. But I counter that with saying that the response of the officers on shore was extraordinary.

If you look at it, the timeframe, from the time the call came in, they were on the boat within 11

minutes and they vented the cabin and they were performing first aid within 13 minutes. You know, it had nothing to do with the boat being staffed, that was my point. Because we have no idea where the boat would be if it had been staffed that night. And so, you know, we should look at the response itself and say this was outstanding. They received medical attention. Even though I have cautioned that, you know, I have been told that the outcome would have been the same because of the condition of the victims, unfortunately.

**LEG. GREGORY:**

No, I understand that, and from my recollection of the Newsday or New York Times article, they were there within four or five minutes, and I think that's exceptional, extraordinary.

I just want to get an idea for myself, because although a lot of focus in my attention on public safety has been on the high crime areas of Wyandanch and North Amityville, I do represent shore communities of Amityville and Copiague, so this is an issue for me as well. But I want to try to get an idea, how big are these marine patrol sectors, whatever you call them?

**DEPUTY INSPECTOR JANTZEN:**

The winter months, there's one boat on the North Shore and one boat on the South Shore, so all of the Suffolk County Police District on the North Shore is covered by one sector.

**LEG. GREGORY:**

No, I mean just -- I know that there are more than one, I think you said five. I'm not talking about staffed. I mean, you know, we can have, you know, a sector, it doesn't mean it's staff. I'm interested in how big geographically or whatever, you know, timewise.

**DEPUTY INSPECTOR JANTZEN:**

I don't have the square miles for you, but I can tell you roughly from the Nassau County border on the South Shore to Timber Point, which is kind of in Great River, East Islip, Oakdale, that's where our office is. What happens is the Juliett boat usually leaves its berth at Timber Point and that boat heads west and it can go down to the Nassau County line. The Kilo Boat usually leaves its berth at Timber Point and that boat goes east and it covers the corresponding medical transports from Fire Island. Then out in the Mike sector which is out in Bellport, that boat roughly goes from about the Patchogue area out to Moriches Inlet. So if you can just envision a map of the South Shore with those kind of things in mind, you know, maybe like -- you're familiar where Timber Point is, Timber Point Golf Course, Great River; that's kind of a dividing line for Juliet and Kilo, the dividing line is roughly Patchogue for Mike and Kilo.

So there's three sectors on the South Shore. The North Shore boundaries we kind of went over before which were roughly the Nassau County boarder to the Nissequoque River, the Nissequoque River to Wading River on the North Shore. They're massive, they're big sectors.

**LEG. GREGORY:**

Right. Okay. You know, just going over what has been stated, the Delta boat eventually responded, and they were able to provide assistance to actually the officers who responded within four or five minutes, and they were able to provide aid to them; am I correct?

**DEPUTY INSPECTOR JANTZEN:**

Yeah, I believe so. I wasn't present that night, but that's the way I understand it.

**LEG. GREGORY:**

Okay. And from my recollection of that timeline, they had -- there was 45 minutes until Delta boat came from Port Jeff, Mt. Sinai or wherever it came from.

**CHAIRMAN EDDINGTON:**

It wasn't the boat, right? They got in a vehicle.

**DEPUTY INSPECTOR JANTZEN:**

They responded by vehicle, three officers responded by vehicle and used the boat in the Bravo sector, which actually shortened their response. There were, you know, small craft advisories in effect. It probably was as quick or quicker to go by land than it was by boat.

**LEG. GREGORY:**

That's a second group of officers, right?

**DEPUTY INSPECTOR JANTZEN:**

I think that there's the first Marine Bureau officers, the second group of officers considering the fact that the 2nd Precinct had already boarded the boat and provided initial first aid, yes.

**LEG. GREGORY:**

So they came by car. Whatever it was, it was 45 minutes later.

**DEPUTY INSPECTOR JANTZEN:**

I don't know the exact timeline, but it is -- you can imagine the distance that you travel from Port Jefferson to get to Halesite has got to be somewhere in the 30 to 40-minute range.

**LEG. COOPER:**

For the record, it was 44 minutes.

**LEG. GREGORY:**

Forty-four minutes, and I think by the time they got on the Bravo boat and got to the boat, it was like 58 minutes. And within that 58 minutes, they were able to provide assistance to the officers who arrived there four or five minutes after they had received a call from which the friends of the victim or family members had called 911. And I wonder, why are we still questioning that if the boat were out patrolling, that we can -- these officers were saved within 45 minutes, being succumbed to carbon monoxide, why do we think that the victims who died, unfortunately, wouldn't have been -- wouldn't have benefitted from a boat being out on the ocean which you would think would respond in a shorter timeframe? And I would think that the boat would have been able to respond in less than 45 minutes.

**COMMISSIONER DORMER:**

Let me respond to that. Legislator Gregory, when the Marine Bureau officers that were stationed in Port Jefferson arrived, the victims had been removed to the hospital. Shortly after the officers had ventilated the boat, the ambulance was immediately there, first aid, first responders, and so the victims had been taken to the hospital and they were gone to the hospital before the Marine Bureau officers responded from Port Jefferson. And so the victims weren't at the scene when they arrived. So -- and the victims were in the hospital in a very short period of time. The hospital's right around the corner and so rescue was right there, because they get dispatched the same time the officers get dispatched.

**LEG. GREGORY:**

So if the officers had succumbed to carbon monoxide, how did they make it back to shore or, did someone else come out to the boat and bring everyone back to shore?

**COMMISSIONER DORMER:**

You know, Legislator Gregory, I don't know that. When people say that the officers had to be rescued, I think we've got to be careful with that terminology. I believe they needed oxygen because they were on the boat that had to be ventilated. They were obviously exposed to carbon monoxide, and so it's appropriate to give them oxygen. That happens at house fires, car fires, boat fires, so that's not unusual. But having to rescue them sounds like they were in dire straits which was not true.

**LEG. GREGORY:**

But I believe it was Legislator Cooper who said earlier that those officers were actually hospitalized, not just given oxygen.

**LEG. COOPER:**

Admitted to the -- treated at the hospital.

**LEG. GREGORY:**

Oh, treated. Okay.

**COMMISSIONER DORMER:**

If I may, that's a normal procedure. When an officer inhales any kind of substance, we require under our procedures that they be -- they go to a medical facility, get checked out, paperwork filled out, just in case there were any ramifications from the incident. So that's to protect our officers.

**LEG. GREGORY:**

Okay. Well, I appreciate your response. You know, as you -- as you know, I'm concerned about staffing levels and when I see officers potentially put in harm's way because of -- possibly because of staffing issues, that raises a concern not only for me but for all of us. And I have to say, on Friday, May 7th, after a long day of working, sitting back drinking a beer, I read the article about the incident in Huntington Station on Cinco De Mayo. And you had mentioned this earlier, that we have more officers in Huntington Station than we've -- well, you said, you'll say your words, I won't repeat them for you but you know what you said. And I read this article that I have and it talks about that there was a melee of a hundred people, and in this article I read that -- and I'll read it for you, it says, "Police also arrested Mattia Branch, 24, of Melville, charging her with punching a 1st Precinct officer," from my area who happened to respond to an incident in the 2nd Precinct. And it's my understanding that there were 3rd and 4th Precinct officers that responded to this incident as well. To me, that says that we don't have enough officers.

There was an incident that you're aware of in my district in Wyandanch, there was a melee of a hundred -- mostly high school students, three officers were there, one officer actually got hospitalized because his eye socket was ruptured. When we talk about staffing levels and not having enough Police Officers in our communities, yes, there's significant public safety concerns for the public at large, but just as equally, and maybe even more important, is that those officers are -- you know, their safety is at risk, and that's a grave concern that we shall all have. And when I see incidents in other communities needing the response of officers in my community, for one there's less presence, so that means that the public safety in my community is being put at risk so that we can respond to other areas. What's your response to that?

**COMMISSIONER DORMER:**

Yes, I'm very familiar with that incident in Huntington where a hundred plus people were engaged in tumultuous behavior, some of it violent. The response was appropriate. This is what the Police Department has done for years. When you get a large crowd or a large group or an incident like that, we call in officers from other Precincts for to make sure it doesn't get out of the control, and that's what they did that night. We looked at it carefully with the Chief of Patrol in consultation with the Precinct Commander, and it was an appropriate response from the other Precincts for to quell that incident quickly, okay, as the newspaper article mentioned a large number of people who had been drinking, they were rowdy, there was some violence, and so the Police Department will take care of that quickly and effectively in any community. And it's not unusual, we have done this traditionally since I was a cop on the street. When you have something ongoing on in a community, you don't want it to get out of the control. And so the bosses or Sergeants in the Precinct that send resources or sector cars to the scene also make sure that they have coverage in their Precinct while this event is being taken care of. So we don't completely clean the Precinct out. We make sure that coverage is maintained in that Precinct, and then when it's over the officers go back to their patrols and peace is restored, which it was in Huntington. Hopefully we don't have too many of these incidents, but if we do, we'll respond in the same manner with a show of force. We have procedures

in place for officers to respond in this manner, because in this business we have to anticipate that.

**LEG. GREGORY:**

All right, I'll leave it at that. I understand what you're saying. I don't agree with it. I think if you're telling us that we have enough -- our presence in Huntington Station, and particularly that what's you said earlier, is increased and it's sufficient, I don't see the need to call officers 10, 15, 20 minutes away and you call that a rapid response; to me that's not rapid. If an officer's life is in jeopardy or safety is in jeopardy, you want them minutes away. I don't care if you're driving 200 miles an hour from the 4th Precinct, you're not going to get there in two minutes.

**COMMISSIONER DORMER:**

If I may, Legislator Gregory, and members of the committee. This was an unusual event, an unusual incident. And, you know, we respond. We have, like I mentioned, a procedure in place for officers to respond from the surrounding Precincts to take care of that situation before it gets any worse. And so we get something like that once or twice a year and the officers take care of it, the supervisors take care of it, and that's the way we do the business. This was over a hundred people milling around the streets, in the parking lots, with all sorts of issues that could have become more serious if we hadn't responded quickly and in force. Actually, the arrest and the injuries were very minor, because if you look at the numbers of people involved in this and the time of day that it occurred.

**LEG. GREGORY:**

And I agree, there should be a show of force. My point that I'm making is that an officer's safety is at risk because, you know, they're waiting for back-up in the 4th Precinct and they're in the 1st or the 2nd. And as I stated, when that very same scenario or similar scenario happened in my district, an officer was hospitalized. You know, could that have been avoided if -- and I don't even know what the response was, if they received officers from the 2nd Precinct or the 3rd or the 4th. You know, they were hospitalized and you need that rapid response. And when you wait for someone from Huntington or Smithtown or Brentwood to come to Wyandanch, and that was a situation where it was all gang related, you know, guns, knives, whatever. You know, I would think that the risk is elevated as opposed to some, you know, out of control drunken, you know, partiers. I mean, you know, so I think we really have to look at this.

You know, officers should feel secure and I know that you're concerned about that, but maybe we can do it a different way. I don't think calling officers from other precincts, particularly, you know, 15, miles away is the best approach. Thank you for your time.

**CHAIRMAN EDDINGTON:**

Thank you. Legislator Browning.

**LEG. BROWNING:**

To follow-up on what DuWayne said, you know, I understand when you have events that you have to redeploy officers, if there's parades and certain things that happen. But, you know, not too long ago there was a union rally on 110 and we had Police Officers from the 5th Precinct -- 5th and 6th Precinct that came to that rally to work and that was a peaceful demonstration that was going on. So I was kind of shocked when I seen four cars from the 6th Precinct and I'm thinking, okay, so if you guys are up here, who's doing your job?

Another incident that happened not too long ago was Easter Sunday night. I heard helicopters flying over my home and I find out later that -- I mean, Easter Sunday night, you think everybody is home having, you know, their Easter dinners and a nice and quiet night, but to find out that the 5th Precinct was covering some of the 7th Precinct because of some incidents that were occurring. So there was no parades, no demonstrations, it was a normal what should have been a quiet night. So I'm curious why we would have the 5th Precinct covering the 7th Precinct; is it because of staffing issues or high activity that happened that night? I don't know. I'd be curious to get those answers.

You know, not to beat a dead horse, I just -- the thoughts of two Police Officers having to find a dinghy somewhere to -- without vests, to go across to the house boat, I would like to think that you have some real concerns about the safety of those officers having had to go over there without the proper protection. And also, the fact that they didn't have the equipment that's necessary to save the people; that's what I understand. You know, the Marine boat has the necessary equipment, it's an ambulance. These two officers, did they have the necessary equipment to assist these victims when they got there in the small dinghy that they had? Was that dinghy big enough for them to carry themselves plus the necessary equipment?

**COMMISSIONER DORMER:**

If I may, Inspector. Yeah, we looked at this incident very closely, and the equipment that the officers had in their vehicles is the same equipment that's in the boats. So there was no inadequate equipment. You know, the officers were very innovative, they used what was available, which is -- you know, people that have been in the military know exactly what I'm talking about. You know, when we talked about this and discussed the whole incident, just imagine an officer coming to a house that's fully engulfed, and on the second floor there's somebody hanging out the window, the officer is now looking for a ladder, and so they're scrambling to try and get that person saved. So you can't plan for every eventuality, it's just not possible. You do what you have to do under the circumstances and with what you have available.

These officers, by the way, these two officers did an outstanding job, as I mentioned. And the speed of getting over there, okay, was outstanding, nobody questions that. And then they immediately ventilated the boat, worked on the victims and did everything they could to save them. These victims were removed to the hospital very quickly, within minutes.

**LEG. BROWNING:**

Okay. To cut it short, because I know we are running out of time, we haven't gotten to the agenda yet, but did they carry the defibrillators, all the equipment that were in their vehicles was on the dinghy with them when they went to the house boat, they had all that equipment on the dinghy?

**COMMISSIONER DORMER:**

I don't know the answer to that. I do know that the defibrillator did -- I don't know if they had it initially, but the defibrillator did end up on the -- near the house boat. But, you know, if you have a pulse, and I know you're probably aware of this, a defibrillator is not appropriate.

**LEG. BROWNING:**

Okay. I just wanted to know, did they have that equipment when they went to the house boat? Another question is when you talked about holidays and how you redeploy them to the shopping malls and whatnot, it's more of a procedural question I don't know the answer to. If a Marine officer is deployed to a sector car, to, you know, say cover shopping malls in certain areas, if he's in the middle of an arrest, if he's arrested somebody and now there's a call to respond for the Marine Bureau, can he leave what he's doing to go do -- to respond to that marine call? I mean, how does that happen? Because if he's doing the arrest, he's now jammed up with an arrest, that he has to take the person to, you know, the Precinct. How do you do that to make sure the officer can respond to the marine call?

**DEPUTY INSPECTOR JANTZEN:**

When the officers are doing holiday patrol, they're still assigned to the Marine Bureau. If they do encounter a situation that requires an arrest, it's their obligation to place the person into custody and transport them to the precinct. If something came up where they had to leave, someone else could do the paperwork, they could return to the Precinct to sign the paperwork at a later time.

That said, there's also other Marine Bureau officers that are on duty that shift and would be already moving in that direction. So I understand your question and I think it's focused that what loss of service do -- or could we encounter if the officers were tied up in an arrest while they were doing some of this directed holiday patrol. And there is a period of time, you know, whatever it takes to

put the person in custody, transport them to the Precinct. If simultaneously a call comes over while they're involved in the transportation of him to the Precinct and they had to return, certainly someone at the precinct would continue processing the prisoner and they could return.

**LEG. BROWNING:**

It can effect a response time.

**COMMISSIONER DORMER:**

Could I clarify something with this holiday patrol? This has been done for years during the winter, previous administrations have done it. We continued the practice when we took office in 2004. So this is nothing new, where Marine officers during the winter patrol a community hear where the boat is. When we came on in 2004, we didn't change that. We certainly looked at it, and the Inspector and the people that do this business said it was the appropriate utilization of the officers time.

**LEG. BROWNING:**

Okay. Last question, one last question. The 70 officers who are being hired, previously when the Presiding Officer asked you about the positions, and there's 70, you said that Civil Service told you you could hire 70 positions. I want to clarify this. Is it Civil Service that's telling you you can only hire the 70, or was he -- is he telling you, "This is what I'm directed?" I want to make sure, because I know that -- it's not the first time I heard it and it kind of gives me the impression that Civil Service is telling you this is what you can hire.

**COMMISSIONER DORMER:**

Yeah, the process is -- and, you know, I don't like to speak for Civil Service, but they deal with the Executive branch. They're told the numbers that are going to be hired, which is 70. When we ask for the list, they give us the list with the provision that 70 recruits will be, you know, investigated for to go in the class. It's just a matter of Civil Service rules; they send it to us with 70 as the cutoff, so we don't make the decision. But they don't do that in a vacuum. Obviously the Chief Fiscal Officer of the county, the County Executive, makes the decision on the numbers that are hired.

**LEG. BROWNING:**

Okay, I just wanted to clarify. So the County Executive directed him, "You can fill 70 positions, that's what I'm signing," and that's where you get your information. Okay, that's good. Thank you.

**CHAIRMAN EDDINGTON:**

Legislator Cooper.

**LEG. COOPER:**

Thank you, Mr. Chairman. This is my last question. Commissioner Dormer, if one of your loved ones had been on that house boat that evening, one of your family members, would you have wanted Bravo boat to have been manned that evening?

**COMMISSIONER DORMER:**

I've learned in this business, Legislator Cooper, for years that I don't speculate. You know, I deal with facts, I deal with what the situation is, and so it doesn't serve any purpose for to answer that question.

It's unfortunate that three people lost their lives, not through the fault of the Police Officers. Again, the officers responded fast and effectively, and we commend them for that. And so I would like to leave with that note, that the officers and the Police Department should receive some credit and applause for the way they responded to that incident that night.

**LEG. COOPER:**

Well, I do applaud the officers, but you cannot blame the officers for decisions about Police staffing levels. Thank you.

**CHAIRMAN EDDINGTON:**

Okay. I just want to change it a little bit here; COPE and backfill. The last time I asked you, I was told that it's one or two times a month. And I want to believe what I am told, but I've been surveying COPE officers throughout the County and they're telling me once or twice a week. And when I talk to some of the bosses, they're saying, "Oh, yeah, at least five times a month I've been called." So that, I mean, I'm seeing your head shaking and I'm saying -- so every COPE officer that I've asked has lied to me.

**COMMISSIONER DORMER:**

Well, I'm not going to say that. I knew you were going to ask this question because you had asked for paperwork on this some days ago. And so I checked with Patrol, I have the Assistant Chief here, what's the procedure? And it's two days a month for COPE Officers that they will fill in in a sector car, that's in three Precincts. Three Precincts right now are exempt because of spikes in crime and we're dealing with situations, and it could change. And the other Precincts, because it's a dynamic situation that we deal with all the time, but the 1st, 2nd and 3rd we don't backfill right now. The other Precincts they do, they're telling me, too. There may be incidents that I don't know about that they give extra backfill, but my understanding is from the Chief of Patrol's memo to the Precinct Commander is two days a month, and I believe they're adhering to that. I have Chief Cuff here, if he wants to elaborate on that.

**CHAIRMAN EDDINGTON:**

Did I just hear a sigh of relief from the Inspector leaving?

*(\*Laughter\*)*

I'm just kidding you.

**CHIEF CUFF:**

The memo that went out does indicate to all the Precinct Commanders that both COPE and the Crime Section backfill up to two times a month. There is one piece in there that also allows the Precinct Inspector, if he needs to backfill more than that, depending on his overtime budget, he can do that. But generally, the general rule is up to two times a month. And currently --

**CHAIRMAN EDDINGTON:**

Well. I guess I'm giving you information, then. Because I'm telling you right now, when I go, "Don't tell me your name, hide -- put your hand over your chest. Just how many times have you backfilled," nobody has said, "Well, once or twice a month." I'm telling you, they're telling me once or twice a week. So it must be needed because of circumstances, and you're not aware of it, I guess.

**CHIEF CUFF:**

I don't believe that anybody is doing backfills twice a week for the whole month, five to eight times a month, I don't believe that.

**CHAIRMAN EDDINGTON:**

Well, five is what I'm hearing. Okay. Well, then I guess I'm going to have to put hoods on officers and have them walk in here and testify. Because I just -- I don't want to believe that every officer I've stopped in the last two months has lied to me, because they have no motivation to lie. I mean, I just don't -- again, it's this problem where you're telling me that it's supposed to be once or twice a month, unless there's a need because of overtime. I guess what I'm saying to you is there must be a need because of overtime, because they're doing it. When Sergeants are doing it five times in a month, there must be a need. I'm going to go back and check, but I've got to tell you, maybe you better check, too, because I think it is much more than you're being told.

**COMMISSIONER DORMER:**

Mr. Chair, if I may? We're going to check when we go back --

**CHAIRMAN EDDINGTON:**

Good.

**COMMISSIONER DORMER:**

-- and we'll get that information to you.

**CHAIRMAN EDDINGTON:**

I appreciate that.

**COMMISSIONER DORMER:**

Again, you know, somewhere in the middle there's always the truth, you know? So we certainly will look at that because you brought it up today.

**CHAIRMAN EDDINGTON:**

Good.

**COMMISSIONER DORMER:**

There may be instances where they'll do more than two. But again, the Chief will look into that when we get back. Thank you.

**CHAIRMAN EDDINGTON:**

Okay. I've got one more thing. I wanted to thank you, I was not available two weeks ago for the South Country Forum where I believe you went and Legislator Browning was there and other Legislators. I went to a meeting yesterday because I couldn't make that other one. I want to tell you that I don't think in five years I've ever been to a sadder meeting. I had men that were very angry and women that were literally crying. It was a three-hour meeting, I had three officers from the 5th Precinct who were outstanding and trying to answer questions. And whether we call it the South Country community or the North Bellport or The Greater Bellport, you know, I'm seeing a community now trying to move names around to help, and that isn't the answer.

What I'm hearing is that Inspector Mojica is going to be having an initiative in this area that both Legislator Browning and I share. I'm going to be calling him, and I wanted to let you know, to meet with him to hear about the plan. And that I am going to ask formally to do a ride-around with a police officer, because I'm going to do a ride-around with community leaders. I want to make sure you know when I'm out there. They're telling me -- I mean, there are -- whether you call them home invasions or not, they've had people break in doors. There's gunshots fired all the time. The response time is based on what's going on. And I mean, they've explained to me, there's two cars in that area. And if, the way they said it, an old lady falls downstairs, the cop car has to go to help that woman, meanwhile there's been a break-in or a stolen car or something else.

This is a community now in crisis. It's been having problems for years? And about, I think it was four years ago the Police Department did a task force initiative; they said it was outstanding. And then of course we took that group to another area. We need a real serious effort. I'm going to continue, because of what I saw, to ride around that community, because somebody has to get out there and be able to do witness. Maybe I'll get News 12 to ride with me. Because these people are saying to me last the night, "You just aren't seeing it, the cops aren't seeing it. There's only two cars." I want people that will be there to see it. This is a sad, sad community.

And the other piece to it is that Suffolk County is doing a magnificent job of housing, for affordable housing, Habitat For Humanity is doing all kinds of things, but the people are afraid to go out of their house. So I really am going to ask to support Inspector Mojica and that I will be sending you a letter asking to go with one of your officers in that precinct, Legislator Gregory.

**LEG. GREGORY:**

Okay, I apologize. This is something I heard, too. I don't think it's happening in the 1st Precinct, but I think in the 3rd Precinct I heard that we eliminated overnights because of overtime concerns? So there's no patrol vehicles, or I guess crime stops at twelve o'clock to nine o'clock?

**COMMISSIONER DORMER:**

No, we didn't eliminate anything. I'm not sure what you mean by eliminate the overnights.

**LEG. GREGORY:**

That's what I heard. I heard that -- I mean, you know, that either eliminated or severely reduced the patrol cars over midnights because of overtime concerns.

**COMMISSIONER DORMER:**

No. You know, that's the first I've heard of this. We've maintained, you know, a Police presence, stepped up Police presence in that community. It's continuing, as it is in other communities, North Bellport is one, You know, your district is another, Huntington is another. We haven't reduced any commitment. And so I'm not sure, you know, what's coming from that. We have utilized overtime. We're continuing to utilize overtime for to hire people for to deal with spikes in crime that we get every now and again, and so we'll continue to do that. Our Commanders have the authority to utilize overtime.

**LEG. GREGORY:**

Okay? I just thought I -- I heard it from two separate people, so I thought I would put it out there. All right, thank you.

**CHAIRMAN EDDINGTON:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Commissioner, I just want to shift to a cost issue, and I'll make it quick. And I'm also going to ask BRO, too. First, with the incoming class, as a result of the new arbitration award, the starting salary for our cadets now is what, 42,000, I believe, on an annual basis? I think it's about that.

**MR. ORTIZ:**

The six months they're in the academy it's 42 and then it goes up to 53 for the next six months.

**LEG. KENNEDY:**

Okay. So if we look at the six months, if we assume that we're going to be able to seat the class at the end of June, then basically we'll have six months that we'll be paying the new cadets 42 on an annual, 21 for a half-year. Basically, we're going to have an expenditure of, what, about a million four plus their bennies, we'll go to about two million, John; is that it?

**MR. ORTIZ:**

That's a good ball park figure, yes.

**LEG. KENNEDY:**

Okay. And we did, when we did the 3% increase, increase the revenue stream into the department by about 12 million I believe it was; correct?

**MR. ORTIZ:**

It was 9.1 for the two classes.

**LEG. KENNEDY:**

We had budgeted 9.1 that was dedicated to seat the two classes of a total of 200 officers. Right now, if we go with the projected seating that we're talking about, we'll expend approximately two

million.

**MR. ORTIZ:**

That's correct, about two-and-a-half. And then -- because a couple of hundred thousand dollars for the hundred in December.

**LEG. KENNEDY:**

Okay. So that presumably there's seven million remaining uncommitted towards what we had intended.

Let's turn for a second to the overtime. How much do we have budgeted in total for 2010 for overtime?

**MR. ORTIZ:**

Approximately 24 million.

**LEG. KENNEDY:**

Twenty-four million dollars? Okay. Do we have any idea where we are with the use of that to date?

**COMMISSIONER DORMER:**

Chief Webber, the Chief of Support Services, keeps an eye on the overtime budget, so he's very much up-to-date on it.

**LEG. KENNEDY:**

Okay. Thank you, Commissioner. Hi, Chief. How are you?

**CHIEF WEBBER:**

How are you doing? We are approximately 12 million into our budget.

**LEG. KENNEDY:**

So we're in -- we've not even gone through the sixth month yet and we've expended about half of what the overtime budgeted for this year is at this point?

**COMMISSIONER DORMER:**

If I may. We start our fiscal year a little earlier than the County. The end of November we close out the books on the year, so -- and as you can imagine, we get a lot of overtime that's been on the books for December, which is a big hit. And so our year is a little different from the County, because we have to close out the books earlier. I think the Chief can concur on that.

**CHIEF WEBBER:**

Yes.

**LEG. KENNEDY:**

Well, I appreciate that. And I know from an implementation perspective in the departments, as you're trying to track expenditures, you try to get a snapshot before the end of the year. But the budget that we work off of, what we adopted and what we have is a calendar year, so is it safe to assume that there is 12 million left in overtime to go for seven more months?

**MR. ORTIZ:**

There are a lot of factors involved. The officers can put in for their overtime pay at different times in the year, so it's hard to track on a biweekly basis. We also get a lot of grants for like HOV enforcement that can impact how much overtime we're going to receive and spend. But our projections are that we are going to over expend our overtime.

**LEG. KENNEDY:**

We are going to over expend it, okay. And I would assume if we get the number of retirees that has

been talked about in July, that that's going to increase what our overtime demand is. Cadets don't go into departments, cadets go into school, correct? So there will be that many less bodies to do regular tours and we will need more people doing overtime to cover those tours.

**COMMISSIONER DORMER:**

Well, that's where, you know, the managers, again, have to manage their overtime. We look at it on a daily basis, a weekly basis. You know, it's something we'll keep an eye on as we move forward, we'll adjust. But certainly, we're not going to let it interfere with responding to crime spikes, to incidents of, you know, in neighborhoods that we have to address for public safety sake, that's why we have the overtime. We're very prudent with it. I mean, you will hear some push-back from the unions about loss of overtime, we understand that. We understand that overtime is important to the people, to our officers, but we have to look at it from a public safety point, not just expending overtime.

**LEG. KENNEDY:**

Absolutely, Commissioner. And please don't misunderstand, my reason for asking is is that we struggle mightily to adopt a budget that's a workable budget when we do our work in November. But it occurs to me, as we're here in June having these conversations, more than an hour and a half or two hours about the adequacy of Marine coverage, and yet the reality is that we've consumed more than half of our overtime budget and we're not even halfway through the calendar year. You know, I don't think it's that big a jump to say we're going to be up against a hole in our current year, let alone where we're going into for next year.

So I would ask, through the Chair then, I think that's a number that's important for us here at the committee to be aware of. So maybe if the Chief can go ahead and brief us again later on, particularly where you have the demands in the summer, that's certainly something that I'm going to want to be cognisant of going into the budget year.

**CHAIRMAN EDDINGTON:**

Thank you, Legislator.

Thank you, Commissioner, and you're staff for coming today. I appreciate it. Did you have anything else that you wanted to say?

**COMMISSIONER DORMER:**

No. Thank you, Mr. Chair. And thank you, Members of the committee. Have a good day.

**CHAIRMAN EDDINGTON:**

Okay, thank you. Be safe. Okay, let's get right to the agenda.

**Tabled Resolutions**

***IR 1231-10- A Local Law requiring owners of private residential communities to ensure emergency access to roads after snowfall (Romaine).*** I'll make a motion to table.

**LEG. GREGORY:**

Second.

**CHAIRMAN EDDINGTON:**

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

***IR 1371-10 - Removing Richard Dormer as Commissioner of the Suffolk County Police Department (Cooper).*** Do I have a motion?

**LEG. GREGORY:**

I'll make a motion to discharge without recommendation.

**CHAIRMAN EDDINGTON:**

Okay. I have a motion to discharge without recommendation.

**LEG. BROWNING:**

Can we get Counsel? I know that there were some issues with the County Attorney's Office.

**CHAIRMAN EDDINGTON:**

Do you want to second that and then we can go to --

**LEG. BROWNING:**

I guess. I mean, I will still not vote for that bill. Like I've said before, it's better the devil you know than the devil you don't know. I hate to say it that way, however --

*(\*Laughter\*)*

You know, who's to say who the County Executive might bring in if we don't have this Commissioner, and I am very concerned about what could potentially happen. So, you know, like I said, we know what we're dealing with right now. I know that there are some Legislators who would like to see it on the floor next week and I guess I'll support that second, but it will not get --

**CHAIRMAN EDDINGTON:**

Okay, I have a motion and a second to discharge without recommendation. All those in favor? You're in favor? Put him on the list.

**MR. BROWN:**

No, but thank you, Legislator Eddington.

**CHAIRMAN EDDINGTON:**

We do know the County Attorney's view on this.

**MR. BROWN:**

That's all I wanted to say. Thank you.

**CHAIRMAN EDDINGTON:**

Yes. And we know our attorney's view on it, and I think that between now and Tuesday, maybe there can be some more discussion. That's why we just want to -- I want to get it out of the committee.

**LEG. CILMI:**

On the motion?

**CHAIRMAN EDDINGTON:**

On the motion, Legislator Cilmi.

**LEG. CILMI:**

Yeah, I would just like to say that in the interest of having a full discussion at the Legislature, in the interest of fairness, not only to the department, the members of the department, the residents of Suffolk County and the members of this body, I think it's a worth while endeavor to have this discharged out of committee. Despite the possibility that there may be some sort of a lawsuit of illegality related to it, I think it's worth discussing at the full Legislature on Tuesday, so I'll support this motion. Thanks.

**CHAIRMAN EDDINGTON:**

Okay. We have a motion and a second. All those in favor? Opposed?

**LEG. KENNEDY:**

Opposed.

**CHAIRMAN EDDINGTON:**

One opposed. No abstentions? Okay. ***Discharged Without Recommendation (VOTE: 4-1-0-0 Opposed: Legislator Kennedy).***

***1390-10 - A Local Law to prohibit cyber-bullying in Suffolk County (Cooper).*** I must table this for a Public Hearing. I'll make that motion.

**LEG. GREGORY:**

Second.

**CHAIRMAN EDDINGTON:**

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

***1407-10 - Achieving cost savings through effective use of light-duty Police Officers (Presiding Officer Lindsay).***

**LEG. BROWNING:**

Motion to table.

**CHAIRMAN EDDINGTON:**

I think the sponsor asked to have this tabled. Legislator Browning made that motion, I'll second it. All those in favor? Opposed? Abstentions? ***Tabled (VOTE: 5-0-0-0).***

***1452-10 - A Local Law prohibiting demonstrations at funeral services in the County of Suffolk (Stern).*** I'll make a motion to approve.

**LEG. GREGORY:**

Second.

**CHAIRMAN EDDINGTON:**

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

***1507-10 - A Local Law increasing the accountability of schools on bullying behavior (Cooper).*** This has to be tabled for a Public Hearing; I'll make that motion.

**LEG. BROWNING:**

Second.

**CHAIRMAN EDDINGTON:**

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

***1509-10 - A Local Law prohibiting cyberstalking in Suffolk County (Cooper).*** This needs to be tabled for Public Hearing.

**LEG. BROWNING:**

Same.

**CHAIRMAN EDDINGTON:**

I'll make that motion, second by Legislator Browning. All those in favor? Opposed? Abstentions?  
***Tabled (VOTE: 5-0-0-0).***

***IR 1510-10 - A Local Law to strengthen citizen protections against sex offenders (Presiding Officer Lindsay).*** I'll make a motion to table for Public Hearing.

**LEG. BROWNING:**

Hold on a minute.

**MR. PERILLIE:**

It was actually marked wrong on the agenda. It was closed, so we can move on if you want.

**LEG. BROWNING:**

Right, George?

**MR. NOLAN:**

Yes.

**CHAIRMAN EDDINGTON:**

Oh, okay. So do I have a motion?

**LEG. BROWNING:**

I'll make a motion.

**CHAIRMAN EDDINGTON:**

1510, I have a motion to approve by Legislator Browning. I'll second that. All those in favor? Opposed? Abstentions? ***Approved (VOTE: 5-0-0-0).***

### **Introductory Resolutions**

***IR 1512-10 - A Local Law establishing a Gun Offender Registry in Suffolk County (Gregory).*** I believe this has to be tabled for Public Hearing. I'll make that motion.

**LEG. GREGORY:**

Second.

**CHAIRMAN EDDINGTON:**

Legislator Gregory will second that. All those in favor? Opposed? Abstentions? ***Tabled (VOTE: 5-0-0-0).***

***IR 1515-10 - Approving an increase of one vehicle in the fleet for the Suffolk County Sheriff's Office (County Executive).*** I'll make --

**LEG. BROWNING,**

Motion.

**CHAIRMAN EDDINGTON:**

Legislator Browning made the motion to approve. I'll second that. All those in favor? Opposed? Abstentions? ***Approved (VOTE: 5-0-0-0).***

***IR 1533-10 - Establishing a Suffolk County Emergency Preparedness Coordination Council (Presiding Officer Lindsay).*** And I believe that Commissioner Williams wanted to approach us.

**COMMISSIONER WILLIAMS:**

Good afternoon. FRES would like to just talk about this one particular bill. We're 100% in favor of preparedness. I think looking at the bill, the time I've read it, is that there may be some duplication of what we do now, but the most important thing to us to make this committee work is we're very concerned about the Open Meeting Law.

If we can conduct our meetings quarterly and we're subject to the Open Meeting Law, our plans that we have in place right now are non-FOILable. We've got requests many, many times about that. If we're going to have open discussions and talk about it, I think we need to take a hard look at this to see if it's passed, how can we address this. The same thing with our minutes and also our yearly report back to this body and the Executive.

**CHAIRMAN EDDINGTON:**

Mr. Nolan, could you respond to that?

**MR. NOLAN:**

That issue has not been raised previously, so I'd have to really talk with the Commissioner and find out exactly what the concern is and what type of information we're talking about that they're trying to protect.

**CHAIRMAN EDDINGTON:**

Okay.

**MR. NOLAN:**

So I don't know the answer off the top.

**LEG. BROWNING:**

Table it? I'll make a motion to table.

**CHAIRMAN EDDINGTON:**

Okay. Motion to --

**LEG. KENNEDY:**

I'll second that motion to table.

**CHAIRMAN EDDINGTON:**

Okay.

**LEG. KENNEDY:**

And on that motion also --

**CHAIRMAN EDDINGTON:**

No, wait a minute. Legislator Cilmi asked to speak.

**LEG. CILMI:**

No, it's okay.

**CHAIRMAN EDDINGTON:**

Okay. Now Legislator Kennedy.

**LEG. KENNEDY:**

There we go. I received contact today from the Smithtown Chiefs Council asking for the possibility of an addition to the Council for representatives from the volunteer fire service. I need to speak to the sponsor, to Legislator Lindsay, Presiding Officer Lindsay on that request.

**CHAIRMAN EDDINGTON:**

Okay. Then we have a motion to table and a second. All those in favor? Opposed? Abstentions?  
**Tabled (VOTE: 5-0-0-0).**

IR 1542 -- thank you, Commissioner.

**IR 1542-10 - Accepting and appropriating 100% Federal funds awarded by the United States Department of Justice, Drug Enforcement Administration to the Suffolk County District Attorney and authorizing the Suffolk County Executive to execute related agreements. (County Executive).** I'll make a motion to approve and put on the Consent Calendar.

**LEG. GREGORY:**

Second.

**CHAIRMAN EDDINGTON:**

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

Before I adjourn the committee, Legislator Browning has some information concerning the Probation sex offender numbers.

**LEG. BROWNING:**

Well, would BRO like to give us those numbers? I guess we requested the number of vacancies within the Probation Department?

**CHAIRMAN EDDINGTON:**

Oh, okay.

**MR. ORTIZ:**

Just give me a second to call it back up. There were 38 vacant Probation Officer positions as of 5/30/2010.

**CHAIRMAN EDDINGTON:**

Could you make sure that information gets to Director -- what's his name again? I forgot.

**LEG. BROWNING:**

Desmond.

**CHAIRMAN EDDINGTON:**

Desmond, yeah. Director Desmond? He obviously hasn't gotten that.

**MR. ORTIZ:**

I will forward it to him directly.

**CHAIRMAN EDDINGTON:**

Thank you.

**LEG. BROWNING:**

I believe he said 12 to 14. And even -- can you run the breakdown on that, just real quick? Do you have the Principal --

**MR. ORTIZ:**

There were 19 Probation Officers, two Spanish-Speaking, five Principal Probation Officer positions, eight Senior Probation Officer positions and four Supervising Probation Officers, totals 38.

**LEG. BROWNING:**

Thank you. That's a lot different from 12 to 14. Thank you.

**CHAIRMAN EDDINGTON:**

Yeah. Thank you very much. If there's no other business. I'll adjourn the meeting. Thank you.

*(\*The meeting was adjourned at 1:26 PM\*)*

*{ } - Denotes Spelled Phonetically*