

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, Friday, November 12, 2010, 10:00 a.m.

Members Present:

Legislator DuWayne Gregory - Vice-Chair
Legislator Kate Browning
Legislator Tom Cilmi
Legislator John Kennedy

Not Present:

Legislator Jack Eddington - Excused

Also in Attendance:

Legislator Tom Muratore, Legislative District No. 4
George Nolan, Counsel to the Legislature
Robert Calarco, Aide to Legislator Eddington
Kara Hahn, Aide to Presiding Officer Lindsay
Bobby Knight, Aide to Presiding Officer Lindsay
Paul Perillie, Aide to Majority Caucus
John Ortiz, Budget Review Office
Ed Hennessy, County Executive's Office
Nicholas Mango, Chief of Patrol, Suffolk County Police Department
Dennis Carmen, Lieutenant, Suffolk County Sheriff's Office
Dan Papele, Warden, Suffolk County Sheriff's Office
Mike Sharkey, Chief of Staff, Suffolk County Sheriff's Office
Kerry Kneitel, Chief, Suffolk County Sheriff's Office
Joseph Caracappa, Undersheriff, Suffolk County Sheriff's Office
Joe Williams, Commissioner, Fire Rescue and Emergency Services
John Searing, Deputy Commissioner, Fire Rescue and Emergency Services
Anthony LaFerrera, FRES Commission Chairman
Russ McCormack, Suffolk County Police Department
Hank Mulligan, SOA, 2nd VP
Gail D'Ambrosio, President, SCPOA
Mike Rando, DSPBA
Laura Ahearn, Parents for Megan's Law
Linda Lynch, AME
Rick Brand, Newsday

Minutes Taken By:

Alison Mahoney, Court Stenographer

Minutes Transcribed By:

Kim Castiglione, Legislative Secretary

(The meeting was called to order at 10:07 A.M.)

ACTING CHAIRMAN GREGORY:

We will start with the Pledge of Allegiance led by Legislator Cilmi.

Salutation

Again, welcome and good morning. Legislator Jack Eddington, Chairman of the Public Safety Committee meeting -- Committee, has an excused absence today. I'm sure you can tell that I am not him. So we're going to proceed. We don't have any cards. But is there anyone in the audience that would like to come before us and speak?

LEG. BROWNING:

Can I?

ACTING CHAIRMAN GREGORY:

Yes.

LEG. BROWNING:

I see Mike Sharkey is here. The jail transition team is here?

CHIEF SHARKEY:

Yes.

LEG. BROWNING:

Okay. We've been hearing a lot of stuff about the hiring of corrections officers, yeah. And, you know, I think it's quite some time no one has been here from the Sheriff's Department to speak on that and I think, you know, it would be nice for us to get an update how things are moving along, when you expect to open hopefully.

CHIEF SHARKEY:

All right. So just breaking that down a little bit, your first question was you want an update on anticipated opening, and with me is Lieutenant Dennis Carmen. He is the lead of the transition team. I will let him speak on that.

LEG. BROWNING:

Okay. And also, it's, you know, what is the transition team tasked with doing.

LIEUTENANT CARMEN:

Okay. The transition team was formed to monitor construction from a security standpoint. We have officers that walk the site on a daily basis to make sure that all the design requests that we had as far as from a security and from the Sheriff's Office standpoint are being met. We also are writing the directives and/or policies and procedures on how the building is going to operate. Right now it's approximately 200 policies and procedures we're working on.

After that we're going to go into post orders, which will tell you how to work a specific post and what's expected of you during that day. From there we're going to come up with a training schedule on what training our staff is going to need to move into the new building, including the operation of the new security systems. And we also will work hand in hand with DPW dealing with punch list items, which would be discrepancies or issues or problems that we're going to work out when the time comes prior to moving in.

We're also tasked with putting together a move plan which is required by the Commission, the New

York State Commission of Corrections, and the move plan will entail cleaning the place up, getting it so it is secure for us to move into, how we're going to move inmates in, how we're going to move staff in, how we're going to test our systems and stuff along those lines. That would be the transition team's main function.

Right now DPW has told us that the end of December of 2011 is when they anticipate construction being complete. At that point then we would come in and we have to -- there's a number of things that have to be taken care of by the Sheriff's Office prior to moving inmates in. That would be what we call shaking the building down, which would be going over the place and making sure there's no sawzall blades. It's a very bad thing for a corrections environment. You know, anything like that we're going to go through and make sure there's nothing left in the building that can injure us or, you know, become contraband by the inmates.

ACTING CHAIRMAN GREGORY:

Legislator Browning?

LEG. BROWNING:

Okay. So as far as your correction officers are concerned, now you have a class graduating soon; am I correct?

CHIEF SHARKEY:

I believe the graduation date is December 16th.

LEG. BROWNING:

Okay. And, you know, you are talking about the training officers to be prepared for the new facility. Have you started any training at all or when do you propose to start doing that?

LIEUTENANT CARMEN:

Yes. The academy -- all our academy classes are receiving direct supervision training right now. That has been going on, I believe, for the past three classes so the direct supervision stuff is being taken care of. Some of the stuff that our people are going to have to be trained on are systems that we really can't train on until the building is more or less up and running. We're going to have a whole new security system. We're going from keys, which is our existing building using keys to open and close everything, to going to high tech security -- integrated security system with cameras and duress systems. So that's the stuff that we're going to have to train our people on when we finally come over to the new building.

LEG. BROWNING:

And you say DPW says 2011 of next December that you will be complete. So what's your time frame from construction completion to actually being -- do you expect to be fully in there and fully operational.

LIEUTENANT CARMEN:

Right now I have a draft, there's nothing official, of approximately -- it's a six month window of training and system tests and punch list items and then the move plan to move the inmates in. But that doesn't mean that that starts when construction ends. We've been working with the general contractor to try to take over pieces of the building as he deems complete so we could kind of get ahead of the curve a little bit.

LEG. BROWNING:

Okay. Joe did you have something you want to add? You came up. I thought maybe you had something to say.

UNDERSHERIFF CARACAPPA:

No, I just wanted to be here if you needed me.

LEG. BROWNING:

Okay. And classes, I know there's some discussion over how many officers are going to be hired for next year, how much classes you are going to have. Do you have any new information?

CHIEF SHARKEY:

Well, just based on the budget cycle that just completed for next year, we had asked for I believe it was somewhere around 100 new positions. I think we were granted like two shy of our request. As far as funding for classes, we were requesting three classes next year and the funding is available for two. Our anticipation now would be that when we go through our 2012 budget process we're going to ask for that last class at the beginning of January to facilitate the transition.

LEG. BROWNING:

Okay. You know, I just -- like I said, we haven't had you guys in to tell us what's going on in quite some time, I don't know. As long as I've been on the Public Safety Committee I don't remember the team coming in to talk to us. I think it's important that we keep updated, that you keep us updated. I know I've gotten to visit the jail, I don't know about everyone else. But again, we want to make sure that you're up and running and you've got what you need.

CHIEF SHARKEY:

Thank you. And as you were saying, you did go on a tour. Any other Legislator that's interested is more than welcome to arrange a tour through our office.

LEG. BROWNING:

I'm sorry. DuWayne says he did go and I forgot about that.

UNDERSHERIFF CARACAPPA:

It is, if you haven't been in there in at least a couple of weeks, the change is quite significant. So if you feel like coming back you will see quite the change really on a weekly basis thanks to our transition team. They really have been pushing the contractors and it's moving right along.

Also, I don't know if Chief Sharkey had done this prior to me arriving, but we'd just like to introduce you to our new warden, Dan Papele. Dan, if you just want to stand up. Dan's going to be -- Warden Papele will be completely in charge of the new facility and its construction phase, working closely with Lieutenant Carmen to make sure that all the procedures and policies, every piece of brick and bar and door and anything associated with that facility, Warden Papele and Lieutenant Carmen will be working in tandem to make sure it's a smooth construction and a smooth transition.

LEG. BROWNING:

Okay. Thank you. One more?

ACTING CHAIRMAN GREGORY:

Yes.

LEG. BROWNING:

You know, the direct supervision, I know there's been a lot of discussion over that, too, and you mentioned about security. Is there some kind of a different type of security system that's put in because of direct supervision? How does that work?

LIEUTENANT CARMEN:

Direct supervision is a concept that's been around since the early 70's. Basically what it is, is if you went -- if you used the example of the Police Department, what you would have is instead of being

in a sector car remote from the community, you'd put the person on the beat and be walking around. That's how direct supervision actually works. The officer is inside the housing unit walking around, interacting with the inmates. What they found was with this interaction a lot of things that used to go on don't happen anymore, inmate on inmate assaults dropped, inmate on staff assaults dropped. There's a lot less problems inside the unit because now the officer is inside and he becomes the leader of the housing unit, where when the officer was remote from that location what the inmates would tend to do is they would seek a leader of some sort and it would be one of them. So then you would have the hierarchy of the inmates would become related to the strongest or the most, you know, influential inmate that lived there. What we're trying to do by going to direct supervision is eliminate that, have the officer inside.

Along with that it also comes with now over time, now that we're moving into the 21st century, the security systems, it's not so much because of direct supervision the security systems are changing, it's because technology over time has changed. What we tried to do when we designed the facility is go keyless as much as possible. Any time somebody is walking around with a set of keys it's a risk of losing them and causing a security issue. If an inmate were to take my keys off me now they could get out of certain spaces. They might not be able to get all the way out of the building, but they would be able to get out of certain spaces. Now, going to electronic locks and touch screen computers and stuff like that, we have the capability of doing away with the keys, being able to operate remotely. I don't have to physically walk over and unlock a door anymore; I can simply do it on my touch screen.

And the other thing security wise is if there's ever a problem inside we can simply, by hitting a duress button, disable all of the computer software inside the housing unit. Now you don't have to worry about an inmate getting to the software or whatever piece of equipment it is because it will be totally disabled. What happens when it disables is it goes back to a remote location and they would actually take over the housing unit. And that's how the security system works in essence.

LEG. BROWNING:

I'm just curious because you have one corrections officer and I have seen the pods -- so you have one in the pod, only one officer?

LIEUTENANT CARMEN:

Correct. It's one officer for 60 inmates inside the pod housing units.

LEG. BROWNING:

And say something happens within that housing unit, a fight breaks out or, you know, the officer himself is attacked. I mean, how does -- how do you respond to something like that?

LIEUTENANT CARMEN:

Every officer is going to have multiple options available to him to call a duress is what we would call it. We would have a radio -- every officer would have a radio that has a button on it that sends out a duress message if needed. The touch screen itself, if he was sitting at the work station, has a duress button on it if it was needed, and when the officer gets up and leaves his desk and walks around we're going to have like a PDA that controls the doors. On that PDA there is also a duress button, so you have those options. As far as responding, we're going to have our staff that are available inside the building. We're also talking about the possibility of having our CERT team, which is our emergency response team, available to us at all times.

LEG. BROWNING:

You're training the academy classes right now. What about the current officers who have been there for quite some time? When does the training start for them or have you started yet?

LIEUTENANT CARMEN:

The plan we have is to phase in the training. One of the things we need to do because of our union contract is we're going to have to put out some kind of posting as an anticipated opening to see what officers, senior officers, are interested in moving over. Once we accomplish that then we'd have a better idea of, you know, how many people we have to train and train in what because as I said a few minutes ago, some of our staff has already been trained in direct supervision and stuff like that, so we won't have to necessarily train them over. But if there is a senior person who's been on the job say 15 years or whatever it happens to be, they would not have that training, so then that would add training to their -- we would need to train them. Once we get those people then we'll have a better idea of what kind of training we're going to need and the time frame.

LEG. BROWNING:

Okay. Thank you. I don't want to hold you up any more, but I appreciate you coming in and, you know, giving us an update. And, Joe, any time you think you need to come in and let us know, if you need to update us in the Public Safety Committee.

(Legislator Kennedy entered the meeting)

UNDERSHERIFF CARACAPPA:

We're at your disposal.

LEG. BROWNING:

I appreciate it. Thank you.

ACTING CHAIRMAN GREGORY:

All right. Thank you, guys. Okay, we're going to go through the agenda.

Tabled Resolutions

We have Tabled Resolutions. ***IR 1782, A Local Law to register prepaid cell phones purchased in Suffolk County. (Browning)***

Legislator Browning makes a motion to table for public hearing. I second the motion. All in favor? Opposed? Abstentions? ***Tabled (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***

IR 1863, A Local law to reduce minors' access to spray paint. (Browning)

LEG. BROWNING:

Same motion.

ACTING CHAIRMAN GREGORY:

Same motion, same second, same vote. ***Tabled (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***

IR 1916, A Local Law to ensure the safe use of air guns in Suffolk County. (Eddington)

This motion has to be tabled for a public hearing so I make that motion.

LEG. BROWNING:

Same.

ACTING CHAIRMAN GREGORY:

Second by Legislator Browning. All in favor? Opposed? Abstentions? ***Tabled (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***

IR 1939, A Local Law to require Homeless Sex Offenders to report their overnight

locations. (Eddington)

LEG. BROWNING:

Is that closed?

ACTING CHAIRMAN GREGORY:

We have to table it. The sponsor is requesting to table so I make that motion.

LEG. BROWNING:

Second.

ACTING CHAIRMAN GREGORY:

Second by Legislator Browning. All in favor? Opposed? Abstentions? ***Tabled (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***

IR 1952, A Local Law to protect animals in Suffolk County from abuse. (Cooper)

This has to be tabled for a public hearing.

LEG. BROWNING:

Second.

ACTING CHAIRMAN GREGORY:

Second by Legislator Browning. All in favor? Opposed? Abstentions? ***Tabled (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***

Introductory Resolutions

IR 1983, Accepting and appropriating \$315,499 in 100% Federal grant funds awarded by the U.S. Department of Justice under the Edward Byrne Memorial Justice Assistance Grant to Suffolk County Departments of Probation, Police, Sheriff, Social Services and District Attorney. (Co. Exec.)

I make a motion to approve and place on the consent calendar.

LEG. BROWNING:

Second.

ACTING CHAIRMAN GREGORY:

Second by Legislator Browning. All in favor? Opposed? Abstentions? ***Approved and placed on consent calendar (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***

IR 1994, Accepting and appropriating Federal funding in the amount of \$86,011.25 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department's participation in the DEA Long Island Task Force with 83.37% support. (Co. Exec.)

I make a motion to approve and place on the consent calendar, second by Legislator Browning. All in favor? Opposed? Abstentions? ***Approved and placed on the consent calendar (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***

IR 1995, Accepting and appropriating a grant in the amount of \$30,500 from the State of New York Governor's Traffic Safety Committee, for the Suffolk County Police Department to fund a Motorcycle Safety Enforcement and Education Program with 83.60% support.

(Co. Exec.)

I make a motion to approve and place on the consent calendar. Seconded by Legislator Browning. All in favor? Opposed? Abstentions? **Approved and placed on consent calendar (VOTE: 4-0-0-1 Not Present: Legislator Eddington)**

IR 1996, Accepting and appropriating a grant in the amount of \$250,000 from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for the Suffolk County Police Department's Internet Safety in Suffolk Grant Program with 86.17% support. (Co. Exec.)

I make a motion to approve and place on the consent calendar. Seconded by Legislator Browning. All in favor? Opposed? Abstentions? **Approved and placed on the consent calendar (VOTE: 4-0-0-1 Not Present: Legislator Eddington)**

IR 2007, Appropriating funds in connection with the purchase of communications equipment for Sheriff's office. (Co. Exec)

I make a motion to approve.

LEG. BROWNING:

Second.

LEG. CILMI:

Second.

ACTING CHAIRMAN GREGORY:

Second by Legislator Cilmi. All in favor? Opposed? Abstentions? **Approved (VOTE: 4-0-0-1 Not Present: Legislator Schneiderman)**

IR 2010, A Local Law to strengthen the Social Host Law in Suffolk County. (Cilmi)

LEG. CILMI:

Table for public hearing.

ACTING CHAIRMAN GREGORY:

The sponsor makes a motion to table for public hearing. I second that motion. All in favor? Opposed? Abstentions? **Tabled (VOTE: 4-0-0-1 Not Present: Legislator Eddington)**

IR 2012, Authorizing transfer of surplus County vehicle to the Society for Prevention of Cruelty to Animals ("SPCA"). (Cilmi)

LEG. CILMI:

Motion.

ACTING CHAIRMAN GREGORY:

Motion by Legislator Cilmi.

LEG. KENNEDY:

Second.

ACTING CHAIRMAN GREGORY:

Second by Legislator Kennedy. All in favor? Opposed? Abstentions? **Approved (VOTE: 4-0-0-1 Not Present: Legislator Eddington)**

IR 2013, A Local Law to establish minimum standards for Breath Alcohol Ignition Interlock Devices. (D'Amaro)

I'm sorry. My pen just blew up, I don't know what happened.

(Laughter)

I hope that's not a sign. This motion has to be tabled for a public hearing. Second by Legislator Browning. All in favor? Opposed? Abstentions? ***Tabled (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***

IR 2019, Accepting and appropriating a grant in the amount of \$41,240 from the New York State Governor's Traffic Safety Committee Grant (GTSC FFY2011) Selective Traffic Enforcement Program (STEP) with 100% support for the Sheriff's Traffic Safety Initiative. (Co. Exec)

I make a motion to approve and place on the consent calendar.

LEG. BROWNING:

Second.

ACTING CHAIRMAN GREGORY:

Second by Legislator Browning. All in favor? Opposed? Abstentions? ***Approved and placed on consent calendar (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***

IR 2020, Accepting and appropriating a grant in the amount of \$11,500 from the New York State Governor's Traffic Safety Committee (GTSC FFY2011) Child Passenger Safety Program with 100% support for Sheriff's Traffic Safety Initiative. (Co. Exec)

I make a motion to approve and place on the consent calendar.

LEG. BROWNING:

Second.

ACTING CHAIRMAN GREGORY:

Second by Legislator Browning. All in favor? Opposed? Abstentions? ***Approved and placed on consent calendar (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***

IR 2035, Directing the Criminal Justice Coordinating Council to prepare a report on supportive housing options for individuals in recovery. (Browning)

LEG. BROWNING:

Motion.

ACTING CHAIRMAN GREGORY:

Motion from Legislator Browning, seconded by myself. All in favor? Opposed? Abstentions? ***Approved (VOTE: 4-0-0-1 Not Present: Legislator Eddington)***

IR 2036, Establishing a Suffolk County Surveillance System Task Force. (Cooper)

MR. PERILLIE:

Table.

ACTING CHAIRMAN GREGORY:

The sponsor asked that we table this motion a cycle. Seconded by Legislator Browning. All in favor? Opposed? Abstentions?

Tabled (VOTE: 4-0-0-1 Not Present: Legislator Eddington)

IR 2037, A Local Law to expand the scope of the County's Social Host Law. (Montano)

This motion has to be -- still has to be tabled for public hearing. Seconded by Legislator Browning. All in favor? Opposed? Abstentions? **Tabled (VOTE: 4-0-0-1 Not Present: Legislator Eddington)**

IR 2042, Amending Resolution No. 417-2010 regarding the location of homeless sex offender shelters. (Lindsay)

I make a motion to approve.

LEG. BROWNING:

Second.

ACTING CHAIRMAN GREGORY:

Second by Legislator Browning.

LEG. KENNEDY:

On the motion, Mr. Chair -- Mr. Vice Chair.

ACTING CHAIRMAN GREGORY:

Yes.

LEG. KENNEDY:

Just to Counsel, can you give us a quick explanation as to what the amendment or the change is?

MR. NOLAN:

You recall several months ago the Legislature passed a resolution terminating the voucher program and directing the Department of Social Services to implement a new program for housing homeless sex offenders. This adds a RESOLVED clause to that original resolution saying that when the plan is implemented the shelters will not be placed in residential communities. It makes that explicit.

LEG. KENNEDY:

Okay, that's fine. Thank you very much.

ACTING CHAIRMAN GREGORY:

This bill ensures that they all go in your district.

(Laughter)

LEG. KENNEDY:

Well, Mr. Chair, you know, it's either that or down on 110 next to, you know, Adventurer's Inn.

(Laughter)

ACTING CHAIRMAN GREGORY:

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

Approved (VOTE: 4-0-0-1 Not Present: Legislator Eddington). Legislator Browning?

LEG. BROWNING:

I see Gail is here from Probation. I'd like to say a special thank you to the Probation Officers that allowed me to come do a ride along with them. I have a very newfound respect for them. An amazing experience. I highly recommend that we all do it. I think, you know, we've gone to the jail, I've done the police ride alongs, now I have done Probation. I'm scheduling another one on a different area, but I think it's important for all of us here in Public Safety to, you know, get to see what you guys do on a day-to-day basis. And, you know, for somebody to sit behind the desk and make decisions for you I don't think it's a good thing. I think it's important that we get out there and see exactly how you do your job. It certainly helps us when we make decisions for, you know, for our budgets and whatever else we do.

I want to say a special thank you to Becky and Steve. They really have taught me something that -- I tell you, it's a little scary sometimes going into some of those homes. Thank you.

MS. D'AMBROSIO:

I want to say thank you for taking that opportunity and I hope that the other Legislators will do that. They loved it, too. Thank you.

ACTING CHAIRMAN GREGORY:

Okay. That's all that we have on our agenda. We stand adjourned. Thank you.

(The meeting was adjourned at 11:32 A.M.)