

## **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, January 27, 2011, at 11:00 a.m.

### **MEMBERS PRESENT:**

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

### **ALSO IN ATTENDANCE:**

Presiding Officer Bill Lindsay, Legislative District No. 8  
George Nolan, Counsel to the Legislature  
Sarah Simpson, Assistant Counsel to the Legislature  
Renee Ortiz, Chief Deputy Clerk, Clerk's Office  
Gail Vizzini, Director, Budget Review Office  
John Ortiz, Budget Review Office  
Dennis Brown, County Attorney's Office  
Paul Perillie, Aide to Majority Caucus  
Rob Calarco, Aide to Legislator Eddington  
Kara Hahn, Aide to Presiding Officer Lindsay  
Michael Pitcher, Aide to Presiding Officer Lindsay  
Ali Nazir, Aide to Legislator Kennedy  
Chris DeLuca, Aide to Legislator Cilmi  
Mark Smith, Press, County Executive's Office  
Ed Hennessey, County Executive's Office  
Robert Moore, Chief of Department, Suffolk County Police Department  
Stephen Hernandez, Detective Lieutenant, Hate Crimes Unit  
Thaddeus Nieves, Suffolk County Police Department  
Mike Sharkey, Chief of Staff, Suffolk County Sheriff's Office  
Hank Mulligan, SOA  
Gail D'Ambrosio, President, Probation Officer's Association  
Laura Ahearn, Executive Director, Parents for Megan's Law

### **MINUTES TAKEN BY:**

Lucia Braaten, Court Stenographer

### **MINUTES TRANSCRIBED BY:**

Lucia Braaten, Court Stenographer  
Kim Castiglione, Legislative Secretary

*(The Following Was Taken and Transcribed By  
Lucia Braaten-Court Reporter)*

*(THE MEETING WAS CALLED TO ORDER AT 11:11 A.M.)*

**CHAIRMAN EDDINGTON:**

All right. If we could rise for the Pledge of Allegiance, led by Legislator Gregory.

*(Salutation)*

If we could remain standing for a moment of silence for all those that protect us, both at home and abroad.

*(Moment of Silence)*

Thank you. Well, I guess it just takes 15 inches of snow to make sure you don't have any people for public portion. I don't have any cards. Is there anybody that would like to come and address the committee? Okay. Then what I would like to do is ask Detective Lieutenant Stephen Hernandez to come forward, the new Commanding Officer of the Suffolk County Police Department Hate Crimes Unit, and Chief Moore, Robert Anthony Moore. Good morning.

**DET. LT. HERNANDEZ:**

Good morning.

**CHAIRMAN EDDINGTON:**

I thought we'd have you just give us a little information of what you've been doing and what your plans are for the Hate Crimes Unit.

**DET. LT. HERNANDEZ:**

Since being assigned as the Hate Crimes Commander, I've met with all my Detectives and Detective Sergeant Reecks and I've gone over all the things that they've done so far this year to get me up to speed right away. I've also begun reviewing some prior cases just to see how they go about investigating these types of incidents. I've also gone out into the community and begun to meet some different leaders. I've met with the Suffolk Commission on Human Rights and other associated agencies.

**CHAIRMAN EDDINGTON:**

I guess you're aware of the Federal investigation that was going on and they weren't overly -- they didn't say wonderful things about the way we reported issues and stuff. Can you tell me a little bit about what you're going to do to ensure the integrity of the reporting and everything? Are you familiar with what I'm talking about?

**CHIEF MOORE:**

As you know, the Detective Lieutenant has only recently been assigned to the unit. I'm not sure he's had the opportunity to talk with the individuals from the Department of Justice as Commanding Officer of the unit.

**CHAIRMAN EDDINGTON:**

Oh. I guess I was saying that there was a lot of information in the paper and stuff and also, you know, rumors floating around of what we should have done, what we didn't do, and I was just wondering if he had really sat down with the officers and other stuff, but I guess that's going to be happening now.

**CHIEF MOORE:**

If I may, Mr. Chairman, the Suffolk County Police Department -- I think that the individuals from the Department of Justice have been conducting their review for about a year or so, and we have assigned a Deputy Inspector to assist them in obtaining any information they seek, whether they are visiting or back in Washington. They've interviewed a number of individuals within the Suffolk County Police Department, including the Police Commissioner, they interviewed me. And whenever they have any requests, we fill those requests immediately. In addition to that, we've been proactive. We have made every attempt to anticipate their needs and address those needs, even in those instances where they may -- it may not have occurred to them.

**CHAIRMAN EDDINGTON:**

Well, good. That's basically what I wanted to hear, that, you know, you're working proactively to make sure that we don't get any kind of a bad reputation, you know, or anything like that. I'm sure it was undeserving, but we don't want to see that in the media anyway. So I appreciate if you could do -- reach out to more of the community groups. Does anybody else have a question for the Lieutenant?

**P.O. LINDSAY:**

DuWayne, do you want --

**LEG. GREGORY:**

Yeah.

**CHAIRMAN EDDINGTON:**

Legislator Gregory.

**LEG. GREGORY:**

Good morning, Detective Lieutenant.

**DET. LT. HERNANDEZ:**

Good morning.

**LEG. GREGORY:**

Thank you for being here today, and congratulations on your appointment.

**DET. LT. HERNANDEZ:**

Thank you.

**LEG. GREGORY:**

I did get the letter yesterday, I believe it was, from the Commissioner appointing you to the Hate Crimes Task Force, so I look forward to working with you.

**DET. LT. HERNANDEZ:**

As I with you.

**LEG. GREGORY:**

Okay. I just wanted to -- so, so far you've met with some of your employees that work in the department, you've met with some community leaders. What is -- have you formulated a vision yet as to how you see running the department, the unit?

**DET. LT. HERNANDEZ:**

I've met with all of my unit members.

**LEG. GREGORY:**

Right.

**DET. LT. HERNANDEZ:**

My vision is to run my unit the way a precinct squad or one of the major squads work now. With the addition of a Detective Lieutenant to the Hate Crimes Unit, we can now run more like a traditional squad, where we'll have a Detective Lieutenant as a commander, we have Detective Sergeants that will run the case investigations, and Investigators to do the investigations.

**LEG. GREGORY:**

Okay. In that -- and from what I can tell from your initial actions, you know, you have an interest in reaching out to the community and then keeping them involved and working with them, or at least having lines of communication with the community, so I think that's a good thing. So your previous experience is not -- you're not from the Hate Crimes Unit.

**DET. LT. HERNANDEZ:**

No, that's correct. I have 26 years as a Police Officer, 23 of which are in Suffolk County, three prior years in New York City. I was a -- I've been a Lieutenant for about seven years now, three years Internal Affairs, three years Highway Patrol. Before that, I was with the precinct squad, five years as a Sergeant.

**LEG. GREGORY:**

Okay. Good, good. And I'll go back to the point about communicating with the community, because even through my experience just on the Hate Crimes Task Force, I see that as a more integral part, I think, of your operations, because there's so much concern from different demographic groups, that their needs are being attended to, or their concerns are being attended to. And when you have those lines of communication, they can have confidence in you, in the unit, that you're doing the right thing and that they can assure that their issues will be addressed, so I hope that you keep that up.

**DET. LT. HERNANDEZ:**

I agree, I think the lines of communication with the community are key.

**LEG. GREGORY:**

Okay. Now, will you continue to have -- I know right now the unit does presentations to schools and community groups, and whoever, civic leaders, civic groups. Is that something that you hope to continue in the future?

**DET. LT. HERNANDEZ:**

Yes.

**LEG. GREGORY:**

Okay. Recently, there was an article -- yes, Detective Sergeant Reecks, the whole thing with Joye Brown, the back and forth. There was -- I don't want to say an allegation, but there was a statement that was made that the Administration has had some influence or involvement, I'll put it that way, in investigating hate crimes. How -- as the new Commanding Officer, how do you seek to address that? Is that something that you see as a positive, having the Administration involved in the public disclosure of a potential hate crime or not? What are your feelings about that? What are your thoughts about that? Excuse me.

**CHIEF MOORE:**

May, I sir?

**LEG. GREGORY:**

Yeah, sure.

**CHIEF MOORE:**

I think you may be referring to the matter of press releases in particular --

**LEG. GREGORY:**

Right.

**CHIEF MOORE:**

-- and not so much investigations, because I am not aware of the County Exec's Office attempting to influence or direct the investigation of hate crimes in Suffolk County.

**LEG. GREGORY:**

Right. Did I say that?

**CHIEF MOORE:**

No, no, no.

**LEG. GREGORY:**

If I did, I didn't mean to. Okay.

**CHIEF MOORE:**

Oh, I'm sorry.

**LEG. GREGORY:**

Okay. No, go ahead.

**CHIEF MOORE:**

No, I didn't mean to imply.

**LEG. GREGORY:**

Okay.

**CHIEF MOORE:**

The Suffolk County Police Department, whenever there's a homicide or a hate crime, in particular, there are other offenses as well, but in particular, homicides and hate crimes, a part of the reporting process is to share the press releases with the Office of the County Executive. We've discovered that the County Executive, when it comes to serious matters, likes to make a statement, and he feels that it's appropriate to make that statement within the press release. I think maybe that's what you're referring to. So, to -- hopefully, I'm answering your question.

**LEG. GREGORY:**

Yes, but I would imagine you would want to correct your word "serious". I would think all crimes are serious, but they're going -- certain situations are going to get more attention than others is what you meant, right? Okay.

**CHIEF MOORE:**

Thank you.

**LEG. GREGORY:**

I wanted to save you. The media just walked in. And I like you, Bob, you're one of the few that I like.

**LEG. BROWNING:**

You just got him a demotion.

**LEG. GREGORY:**

Yeah, I hope I didn't get you a demotion. I hate you, Bob, get out of here.

*(Laughter)*

No. My concern is, when you have the Commissioner come out with the whole Gilgo thing -- and some will say he -- you know, he could have acted differently, forthright, came out right from the beginning. Then there are situations where there are hate crimes, and we know that they've happened, but there's no public statement from the Police Department, so it's -- where does that calculation come, you know, to address one issue, not the other? And not saying that they're both equal, but as a layman, I'm not in law enforcement, I don't have a background, obviously, in that, but I just want to, you know, question you about that.

**CHIEF MOORE:**

That's a very good question, sir. And I hope you don't mind, the Detective Lieutenant, we're just helping him to prepare for what for him is a new and very challenging role.

**LEG. GREGORY:**

Oh, yeah.

**CHIEF MOORE:**

But in the area of hate crimes, and again, homicides, because the public has a tremendous interest in these issues, part of -- part of the challenge for us is not fixing in our mind a particular avenue. We discovered that, you know, our officers and our detectives, should we put in our mind that this is the most probable avenue, human nature is such that you tend to ignore evidence to the contrary, and that could have devastating impacts for someone who's falsely accused. It can be devastating impacts for visits. So, in the area of hate crimes, labeling an incident a hate crime, when, in fact, it may not be a hate crime, can have a devastating impact on the victims, it can have a devastating impact on the person who is accused, possibly falsely, and it could have a devastating impact on the community. And, in fact, in Nassau County and in Suffolk County, we've seen incidents recently where someone labeled an incident a hate crime and it turned out not to be the case. One specific incident in Suffolk was this incident where a gentlemen went into a laundromat and he attacked a child, and all the while making offensive statements, and this was labeled a hate crime. It turns out that the individual was mentally ill, so he didn't have the requisite mental state for him to be charged with a hate crime. Was it a hateful incident? In terms of the language, I think we could agree, but when you look at the Penal Law definition of a hate crime, it wasn't a hate crime. Now, this creates a terrible dilemma for the District Attorney, because the District Attorney cannot in all good conscience prosecute this offense as a hate crime, but now it's already been labeled in the media, no offense to our friends in the media, a hate crime. So it creates a dilemma for the District Attorney, it creates an upheaval in the community.

So the Suffolk County Police Department is really trying to be a little more responsible when it -- when it investigates incidents that may or may not be hate crimes, it's -- but, unfortunately, that's often misinterpreted. Now, the same thing happens with homicides. I mean, I can give you -- and forgive me if I ramble, but a Police Officer comes upon a scene and here's a person without a head. Now, the Police Officer has to call a physician assistant to come down and say, "Yeah, he's dead." Why? Because that's what -- you know, that's what law and practice requires. So it's not only the incident, you know, hate incidents and hate crimes, there are many areas within the law where we have to be very careful about the labels we attach to things until we are absolutely sure. When it comes to homicides, we depend on the Medical Examiner. We do have our

suspicions. There is some evidence that, you know, this may have been foul play, but we need the Medical Examiner's expert opinion as to what may or may not have occurred before we spout off and make that determination ourselves. I hope you found that useful.

**LEG. GREGORY:**

Right. No, my concern, my bottom line concern is that this young man, who's a little older than me, has the ability to do his job effectively. And what I mean by that, not -- I'm sure he's very capable, but that he is not hamstrung for political considerations or other considerations, that he is apprised of incidents when they happen that are potentially hate crimes, because in the article, and it's just an article, I don't know if there's truth or not to it, it alleges that there were crimes that happened that could be potentially classified as hate crimes that the Commanding Officer at the time wasn't apprised of. And that's, as far as I understand, and was briefed to -- I think to Public Safety Committee, as well as the Hate Crimes Task Force. That's a breach of procedure. He is -- that way I understand it, the procedure is that any time there's a potential hate crime, the Commanding Officer or the unit is notified right away, they come out, they make the determination. There was some instance, or at least one instance referenced in an article the other day that that didn't happen. And I don't want this -- the new Commanding Officer to be put in that situation, for whatever reasons.

And, you know, do I think it's -- and I have no horse in this race, but I think, you know, given that there's an investigation going on, I'm not sure having a change in the leadership is necessarily a good posture to show the Department of Justice. It implies that we've done things wrong. But, you know, I'll support you 1,000 percent. I look forward to working with you. I hope that you have all the tools that you need to be successful. The man next to you, I'm sure he'll fight his hardest to do that, and everyone up here will do the same, and I'll leave it at that.

**CHAIRMAN EDDINGTON:**

Let me just add that this committee sometimes questions the information or lack of information, and that's been a problem, that's why you're hearing this. And we can't help you help the community unless we get the true facts, good or bad. And, I mean, my local paper did an editorial, "When Information Is Obstructed," because we're not getting the information, and we haven't for years, from the Police Department, a timely accurate information. In fact, they said we report on good things that occur in North Bellport, but the truth be told, the bad incidents are very -- aren't easy to write, the stories, including break-ins, drugs, gangs, abandoned dogs, abandoned hopes. And when -- and when we talk about that, here's a quote from the Police Commissioner: "Sometimes these things happen." You see, that's what we've been saying here, it's not sometimes, it's all the time.

And what we want is, from you, so that you don't have to look, you know, to your left, so that you'll be able to give us accurate information as it happens. I mean, certainly, I think you have to talk to your Commanders, but we then have to get the information so we can allocate funds or resources to help you. And we've been saying that for three years, and since you're the new guy on the block, we're going to tell you, too, and you have to work it through the system. We will support your needs if you honestly let us know, because the community lets us know, you know. I mean, Legislator Browning and I get people coming all the time telling about crime in North Bellport, and then we tell them, "Well, crime is down in North Bellport." So it's pretty hard. We need information and truth to really be able to help you, and I think that's what we're saying here. Anybody else?

**LEG. BROWNING:**

Yeah.

**CHAIRMAN EDDINGTON:**

Legislator Browning.

**LEG. BROWNING:**

The editorial, I think, Chief Moore, you know where that came from, you know, the reporter was basically trying to do a report on an incident that occurred in the district. There was an arrest, it was even in the police blotter, but they don't like to just take the police blotter information, they want the confirmation from the precinct or somewhere. I hate to tell you, but I am getting really tired of them calling me and saying they called the precinct and they say, "Well, you're going to have to call public information." There's absolutely no information comes out of that Precinct, and it's always, "Well, you have to call Police Headquarters, you have to call Public Information." Then they call public information and they said they just don't know what's going on in the Public Information Office, because it's either that they are clueless, or that they are just refusing to give information.

I had to make a call to the Police Headquarters to confirm her request, and I appreciate that they finally did, but, you know, I don't think that they should have to call a Legislator to call the Police Headquarters to get an answer. And then the next thing that happens is we read the article that Joye Brown wrote. And I said, "Well, you know what, maybe it's not just this precinct, maybe it's just the department as a whole, that information is not going out, and I think that -- and I'm disgusted that, you know, this officer has basically been torn to pieces by certain individuals because he spoke out. Well, maybe he's right. Like I said, the Long Island Advance just printed an article and now this came out, and his comments, he's getting blasted for it. I think the man's a man of integrity, he's trying to do his job, and I think that, personally, he's being prohibited from doing the job that he needs to do, and it's not helpful to Suffolk County residents. So I'm really getting tired of the -- trying to block everything.

And I know the incidents that are occurring in Bellport, we don't hear about it, we don't read about it. You know, there was an incident in Shirley, we haven't heard anything. A murder that occurred in Shirley, it was very quickly reported, there has been nothing since, and, you know, I'd like to know what in the name of God happened in my district. That was -- my son was coming out of the library when he'd seen all the police cars and he called me to let me know what was going on. So, you know, I just -- I'm just -- I'm fed up with not hearing the truth. And, you know, this continuous reports of crime is down, crime is down, well, you know what, the people in Bellport, the crime is down because they're sick and tired of calling, because they're not getting responses and, you know, they're just -- they just feel like, well, there's not enough people to respond to them, and, you know, they're just not reporting anything anymore. And everything is downplayed. Even when it's a serious enough crime, I just think that they're taking those crimes and they're saying, "Okay, you know, this is what it's" -- "what it really is, but let's not make it that. Let's drop it down to a lesser offense and that keeps our crime stats down." So I'm telling you, I know that -- you know, this is what's going on and it really has to stop, because it's not helpful.

**CHIEF MOORE:**

In the case of the reporter, I did become aware of that incident. And I spoke personally with the Precinct Commander, Inspector Ty Mojica, and he assured me that he attempted to contact that reporter. In addition to that, I spoke with our Public Information Office, the Police Department's Public Information, and they showed me a copy of an E-mail that they had sent to that reporter, so I'm not sure why they weren't able to communicate. The principals involved from the Police side assured me that they did attempt to reach out to the reporter and she didn't contact them back.

**CHAIRMAN EDDINGTON:**

You know what, but listen to what you're saying, you're not sure why. What we're saying here is we don't want to hear that. We want to know why the lack of communication. Why are we not

aware of crime in our areas as Legislators? I mean, I've been asking for five years, "Just let me know," so that when I get calls, I can say, "The police are on it." You know, there's helicopters all over the neighborhood, I'm going to get calls. Just let me know there was bank robbery. I'll tell the people, "Don't worry about it, the police are on it, it's being taken care of," or it was resolved, but we don't get the flow. Or if you say to us, "This is not for public information," I don't think anybody ever here has broken a confidence. We take an oath, too. So we're saying give us the information. And now you have at least a newspaper validating that they're having trouble.

You know, we're not -- it looks like we're blaming the Police because we don't know what the problem is. All we want to do is whatever we can do to help. If we need to hire somebody that just does that, tell us. I'll try to find some funding. We want to alleviate a problem, not make believe it doesn't exist. And, usually, what we get at the end of a meeting like this is a press release basically saying we don't know what we're talking about. All we want is a more adequate flow of information. I mean, please chime in anybody if I'm wrong, but that -- I don't think we're trying to tell you how to do your job, just tell us what you're doing.

**LEG. BROWNING:**

I can agree. I have asked -- I mean, like I said, I have -- my son comes home to tell me about a murder in my district. You know, I have asked on numerous occasions, you know, I know that there's investigations going on, but I don't think I really want to be hearing it from local community members and community leaders that something happened in the district and I didn't know about it. You know, I think it's just -- you know, give me a heads up. I was coming home, we'd been away on a trip, turned around the corner, there's police cars, there's all kinds of activity just a few blocks from my house and, you know, I'd like a heads-up, you know? Just give me a phone call, something happened. You know, "This is what happened, just in case, you know, you get any phone calls," because, I guarantee you, people in my community do pay attention to what's going on.

And the other thing is, is, you know, just curious, is, you know, the number of homicides this year alone, am I correct to say it's the highest in the history of Long Island in just this one year?

**CHIEF MOORE:**

I really can't answer that right now, but we will get the information for you.

**LEG. BROWNING:**

Well, I would like to know that, because crime is down, but we have an awful lot of homicides going on this year.

**CHAIRMAN EDDINGTON:**

Legislator Lindsay.

**P.O. LINDSAY:**

Hi, guys. Welcome, Lieutenant Hernandez. And it's always a pleasure to see you, Chief Moore. And we're not picking on you two guys per se, but there is some -- some things that we don't understand that's going on and it's our job to raise that issue.

**CHIEF MOORE:**

Absolutely.

**P.O. LINDSAY:**

And this is to Chief Moore. Did Sergeant Reecks do anything wrong in his performance as the head of the Hate Crimes Unit?

**CHIEF MOORE:**

It was inappropriate for Detective Sergeant Reecks to resign from Legislator Gregory's Task Force, so I can tell you that that was inappropriate on his part. Other than that, I'm not aware of -- you know, Detective Sergeant Reecks did not report directly to me.

**P.O. LINDSAY:**

So, would it be fair to say that Lieutenant Hernandez' ascension to the head of the unit was as a result of Sergeant Reecks participating in the Hate Crimes Task Force?

**CHIEF MOORE:**

No, sir. As a matter of fact, there were a number of reasons why Detective Sergeant Reecks was assigned to the Task Force. First, he was assigned because you asked. He was assigned because he was at the time the highest ranking African-American officer in the Suffolk County Police Department. He was assigned because of his expertise in hate crimes. He was assigned because he was the Commanding Officer of the Hate Crimes Unit. He was assigned because he was the Special Advisor to the Police Commissioner on minority affairs. Now, of those five reasons, he still has four of those. He's still one of the highest ranking African-Americans, he still has his expertise in hate crimes, he still the Special Advisor to the Police Commissioner. Assigning Detective Lieutenant Hernandez was the Commissioner's recognition that -- and I know that you all agree, hate crimes have impacts in the community far beyond the level of offense. Many hate crimes, from a Penal Law definition, are misdemeanors or lower level felonies, but the impact on the community is horrific.

Now, the Police Commissioner reasoned that -- you know, Homicide has a Detective Lieutenant, Arson has a Detective Lieutenant, Fugitive has a Detective Lieutenant, Narcotics has a Detective Lieutenant, every precinct squad, the seven precinct squads have Detective Lieutenants. We didn't replace Detective Sergeant Reecks in Hate Crimes, we enhanced the command level within the Hate Crimes Unit by putting a Detective Lieutenant in command of that, just as we have Detective Lieutenants in virtually every one of the -- Special Victims, there's a Detective Lieutenant. So, having a Detective Lieutenant assigned to the Hate Crimes Unit made perfect sense to the Police Commissioner.

**P.O. LINDSAY:**

You know, the reason why I asked, if in the eyes of the Police Department whether Sergeant Reecks didn't perform his job correctly, and I take your answer that that isn't the case at all.

**CHIEF MOORE:**

Yes.

**P.O. LINDSAY:**

But what's disturbing is the County Executive's press secretary issues a two-page press release on January 24th saying just the opposite. And, guys, I think that's probably the core of what's wrong, is it appears to us that the Executive Branch is running the Police Department. And, I mean, there's no doubt about it, our County Executive is the Chief Operating Officer of the entire county, but I don't think -- I don't think that they should be involved in the assignment of officers, I think that should be the role of the Police Department. And I think that's probably at the core of it, as well as an awful lot of questions of what my colleagues raised about the stats. You know, one of the things that Mr. Aug says here is that Sergeant Reecks classified crimes as hate crimes when they shouldn't have been. How would Dan Aug know that? I mean, that isn't his business.

**LEG. BROWNING:**

He's not a cop.

**P.O. LINDSAY:**

And just, Lieutenant Hernandez, and this is no reflection on you at all, and I'm sure you're a very qualified Detective, why do you think you got promoted to this unit? You probably don't know. I don't know, maybe Chief Moore knows.

**DET. LT. HERNANDEZ:**

Because the Police Commissioner promoted me.

**P.O. LINDSAY:**

Okay, okay. And I hate to be insensitive, but because your surname?

**DET. LT. HERNANDEZ:**

I can't answer that.

**P.O. LINDSAY:**

Okay. Do you speak Spanish?

**DET. LT. HERNANDEZ:**

Yes.

**P.O. LINDSAY:**

You do. Oh, good, very good.

**CHIEF MOORE:**

Sir, I don't know if you find this helpful, but, you know, the Hate Crimes Unit today has been evolving for the decades that it's been an organized unit. It's been called the Racial Religious Unit, it's been called the Bias Crime Unit. When it was first organized, it focused almost exclusively on anti-Jewish incidents. It's answered to the Office of the Chief of Department, it's answered to the Office of the Police Commissioner, to the Office of the Chief of Detectives, back to the Chief of Department, back to the Police Commissioner, back to the -- physically, it's been moved from Headquarters to -- I mean, and today our rules and procedures, if you were to look at the role of the Hate Crimes Unit as compared to the original intent, the original members, the first two commanders of the unit were Jewish, the next commander was Italian. Detective Sergeant Reecks, as you know, is African-American. Detective Lieutenant Hernandez is Hispanic. So there have been several Commanders from different ethnic and racial groups.

The charge of the unit has evolved over time, just as society and the Police Department has evolved. Geographically, in terms of the table of organization, the commanders moved around, but that's not the only command that's happened to. When I first became a Police Officer, if a man beat his wife, that wasn't an offense. Today, and this happened during the Halpin administration, we have pro-arrest policies where it is a criminal offense to attack a member of the family and you will be arrested. As a matter of fact, we've taken discretion away from Police Officers when it comes to enforcing those types of offenses.

So the Police Department is in a constant state of flux. The type of work that we do is very dynamic. The demands of society change. Yes, the Police Department is socially conservative. We generally follow change rather than lead change. Yes, just like the military, the Police Department is under civilian command, which is probably appropriate, because, if I were running the Police Department and I didn't have to answer to anyone who could throw me out of my position, I might be a little more enthusiastic when it comes to pursuing many of these matters, and I don't think any of us want to see that.

**P.O. LINDSAY:**

Chief Moore, I think that you've been with Commissioner Dormer for too long. You gave me much more information than I really was looking for. All right?

*(Laughter)*

**CHIEF MOORE:**

You're welcome.

**P.O. LINDSAY:**

And I didn't mean to imply that the Department shouldn't change as society changes, that's an absolute, and I didn't mean to imply that the only person that could head the Hate Crimes Unit is a minority or of an ethnic background that would be discriminated against, I didn't mean that at all, it was just the -- how the events evolved to try and get to the bottom line here. And I think -- you know, I read the newspaper articles. That didn't bother me as much as Mr. Aug's press release. That's -- I just would like to see these matters resolved within the Police Department. And there's been a number of these incidents where one of your officers, whether a patrolman, whether that young patrolman in Brentwood a couple of weeks or months ago was reassigned because she said, "Call the County Executive's Office if you want more patrols." I mean, that's what the community thinks, whether that's true or not, you know, I don't know. Or the head of the Homicide Unit a few years ago, after the death of that person in Brentwood, suddenly gets reassigned. It seems to be a disturbing pattern. We don't -- you know, we know that you run a paramilitary organization and command is most important, but I think -- I think the Department and the County Executive should be a little bit sensitive to the people in the field of what they're saying and what they need. And if they say that and they're punished for it, then that's wrong.

I also talked to -- it wasn't the reporter, it's the editor of the Advance, who I've known for a long time, is a constituent of mine, and I think she's a top-notch reporter and a top-notch lady. Her name is Linda Leuzzi, and she was very, very disturbed about this, about what she feels is the lack of information, the lack of their ability to deal anymore with the precincts, that's what she said to me, and probably the manipulation. She was talking about this fella in your district, Alvin Brothers, was murdered.

**LEG. BROWNING:**

He was murdered, 15-year-old.

**P.O. LINDSAY:**

And somehow it fell off the crime stats. You know, I mean, she did a whole front-page story about this, and that's just upsetting how that could happen.

Recently, in my district, there was two arrests of two thieves who stole a pocketbook from a woman in Sayville, and gutsy, gutsy woman, she's in her sixties, got into a struggle with them, got the right information, the plate numbers, and, as a result, two arrests were made. But what -- and again, I get my -- sometimes too much information from Newsday and not enough from you guys. But, according to that, these two thieves were suspected of committing multiple other similar crimes. Do you know, have -- do we have a problem with -- I mean, I know there was a big thing going on in Nassau where women's pocketbooks were being, you know, grabbed from their -- and there was alerts and everything. Do we have a similar problem here?

**CHIEF MOORE:**

Not that I'm aware of, sir. But, having said that, I can tell you that time and time again, I mean, one burglar can commit dozens of burglaries over the course of a month or two, the same thing with the purse snatchers, a form of larceny, or even robbery.

**P.O. LINDSAY:**

Okay. But my point is, if these guys -- it was a man and a woman suspected, and I don't, you know, know whether they actually committed any other crimes, but do we have that many purse snatching that they're asking them about? And if this is the case, I mean, shouldn't we have done what Nassau did and make women aware that this -- that this is going on in our community? Were these -- were these crimes reported that they're being examined for?

**CHIEF MOORE:**

I'm really not sure, sir. You know, I -- why don't I get that information for you?

**P.O. LINDSAY:**

Okay. I guess that's all I have.

**CHAIRMAN EDDINGTON:**

I'm going to ask you, since you're going to be doing some research. I might as well ask you then, rather than call the Fifth. I had a constituent say to me, and I validated with an unnamed police source, that a couple, an elderly couple woke up to someone robbing their house.

**CHIEF MOORE:**

Okay.

**CHAIRMAN EDDINGTON:**

And -- but the person fled. And is that happening? And is it being reported? To me, that's a home invasion. However, I'm hearing that it's reported as an attempted burglary or robbery or something. I'm concerned about that, because I really would like to know, is that type of robbery, which I called a home invasion, happening? Because I've got people that have heard it in my community and they're calling me, saying, "Is this happening?" And I'm like, "Well, I don't know." So, if it is happening, could I know, so at least I can tell people that it's -- they've already caught the guy, don't worry? So that's what I'm hearing. And I'd like to know how that is -- how would that incident be reported, or how was it reported?

**CHIEF MOORE:**

This was an individual who woke up and found a person standing in the --

**CHAIRMAN EDDINGTON:**

In the house, in the house, and when they got out of bed, the person fled. How would that be reported?

**CHIEF MOORE:**

Most likely, a burglary or some sort of criminal trespass, depending on the circumstances. But, you know, how would you define a home invasion?

**CHAIRMAN EDDINGTON:**

If somebody comes into your home.

**MR. NOLAN:**

While you're there.

**CHAIRMAN EDDINGTON:**

Yeah, while you're there. So, you know what I mean? If somebody -- burglary, I always thought, you know, nobody's home, you come in, somebody burglarizes your place. But, if you're there, I think that's a home invasion, then, because you're there, you're at more risk. But that could be my lack of information, that's why I'm asking you, or knowledge.

**CHIEF MOORE:**

No. This commonly happens. You know, the police are called and the caller says, you know, "I've been robbed." And when the officer arrives, he or she discovers that the house has actually been burglarized, you know, but people say, "I've been robbed." I mean, they -- because they really don't understand and --

**CHAIRMAN EDDINGTON:**

I guess what I'm saying, what I just described to you, that's considered a burglary?

**CHIEF MOORE:**

Yeah, that's a high level burglary.

**CHAIRMAN EDDINGTON:**

Okay.

**CHIEF MOORE:**

When the house is occupied, it raises the level of offense. I think that most people would consider a home invasion one of these instances where, you know, people are home and someone breaks down the door. You know, it's like a violent entrance --

**CHAIRMAN EDDINGTON:**

Okay.

**CHIEF MOORE:**

-- where they're making no attempt to, you know, be --

**CHAIRMAN EDDINGTON:**

Okay. Well, I mean, at least I can make the constituents feel a little more relaxed, that it's not really a home invasion, it's only a burglary, a serious burglary; so a serious burglary, but not a home.

**CHIEF MOORE:**

Well, I don't know if they're going to be more relaxed, you know, a person standing in their bedroom as opposed to knocking down the door, but --

**CHAIRMAN EDDINGTON:**

Right.

**CHIEF MOORE:**

I think that home invasion, which is really a term used more by media than by police, and my experience is that the media will generally label an incident a home invasion --

**CHAIRMAN EDDINGTON:**

Right.

**CHIEF MOORE:**

-- when there's a, you know, physical attack, you know, on the door and crashing.

**CHAIRMAN EDDINGTON:**

Okay. So I guess I've got to look over the Penal Law. It's not in the DSM4 for the psychologists and social workers, so I'll have to read that book, too.

**CHIEF MOORE:**

There you go showing off again.

**CHAIRMAN EDDINGTON:**

The only thing is that I'm responding, because a lot of times we hear that -- you know, we did hear during the whole problem in Patchogue that things are not -- are being downgraded, you know what I'm saying? I want to be able to fight against that. When somebody says, "Oh, this is a home invasion," I want to be able to say, "No, that's not true." So maybe I have to look a little bit more into the classifications. Or, if you can get me that information, I will go over it, I'll do my homework.

**CHIEF MOORE:**

Well, I can tell you that a home invasion is not a defined term in New York State Law. A home invasion is a label that's been given to a certain classification of what we would call either a robbery or a burglary, depending on the circumstances.

**CHAIRMAN EDDINGTON:**

Okay. Well, I'd appreciate it if you'd just like look into it.

**P.O. LINDSAY:**

One more thing.

**CHAIRMAN EDDINGTON:**

Yes, Legislator Lindsay.

**P.O. LINDSAY:**

I know, Chief Moore, you were going to get the stats on the murders. And, again, my information is from Newsday, that there was 50 murders last year, which is way up from recent time.

**LEG. GREGORY:**

No, 50% increase.

**P.O. LINDSAY:**

Okay. But, when you get that, could you find out how many of those are still open? All right. How many --

**CHIEF MOORE:**

Yeah, of course.

**P.O. LINDSAY:**

-- have we not found? And the other thing that I'm interested in is I know that this body has continually, you know, expressed a feeling that we need more police officers on the street as a deterrent, and we've hashed that out and we've come to some resolve where police classes are starting to replace some of the retiring police officers. How are we doing with detectives, though? I mean, I'm -- again, I'm not a police officer and I'm a novice, but I view the police officer on the street as a deterrent for crime, but the detectives are actually the ones that solve the crimes. Would you think that's --

**CHIEF MOORE:**

Well, in Suffolk County, detectives generally focus on felony crimes. Crime Sections, which are police officer units within each of the precincts, focus on misdemeanor crime. One exception, interestingly enough, is the Hate Crimes Unit, which investigates offenses, whether they're misdemeanors or felonies. But, no, there are a number of investigation units within the Suffolk

County Police -- and Task Forces as well, which focus on either a classification of crime, like, you know, serious felonies, or a geographic area, or a specific type of preventive activity, like the Precinct -- the PSOT Team, which is the gang and gun team, which focuses on those issues, Narcotics, which, you know, focuses almost exclusively on narcotics offenses. So, no, it's really not the case that detectives only do certain things, it's -- you know, it's a holistic approach.

**P.O. LINDSAY:**

Okay. Where I was going, though, is I'd like the numbers on detectives. Somebody told me the other day we're down 65 detectives and I just don't know whether that's true or not true.

**CHAIRMAN EDDINGTON:**

Legislator Cilmi.

**LEG. CILMI:**

Thank you, Mr. Chairman. Good morning, Chief. How are you? Detective Lieutenant, congratulations, I think.

*(Laughter)*

**DET. LT. HERNANDEZ:**

Thank you.

**LEG. CILMI:**

And I just have a couple of questions that relate to the communication issue that seems to be sort of consistently expressed among us. Is it legal for the Department to share with us, as Legislators, at least on a cursory level, information about crimes that are committed?

**CHIEF MOORE:**

Probably it's legal, it may not be appropriate. Now, when I say it may not be appropriate, when -- for example, homicides, an integral part of the investigatory process is to withhold information, and the detectives withhold information for very good reasons. Sometimes disturbed individuals, and I think the Chairman can support me on this, claim to have committed offenses that they really didn't commit. And the only way that the detective -- and they're very convincing because their mental state is such that they're very convincing. So the detectives need to be able to assure themselves that this is really the person who committed the offense. So they'll withhold a lot of information so that they can compare what they're being told by this confessor to what really occurred at the scene, and it's remarkable how often. So that's one instance.

When it comes to the victims of sex crimes, we are very sensitive to the needs of the victim, because I have to tell you, the victim suffers horribly as a -- from the offense, and the prosecution afterwards is very, very traumatic for the victims. So we try as much as possible to withhold the information on the victim and what occurred and that sort of thing. Offenses that occur against children may be an area where, clearly, it's not legal to disclose certain types of information. So the -- I think the answer is some information, absolutely, we can share and we do share. Some information we withhold because it supports the investigation, and there is -- and probably the smallest category information that we can't legally disclose.

**LEG. CILMI:**

Okay. So getting past the legal part, then, maybe you can look into, from an I.T. perspective, because correct me if I'm wrong, but all of these incidents that occur on a daily basis get entered into the computer; correct?

**CHIEF MOORE:**

Yes, yes.

**LEG. CILMI:**

Okay. So, as a matter of fact, I believe that the Commissioner is going to be dealing with our I.T. folks in the County on another question that I posed a couple of days ago. While that's happening, maybe he could also explore the possibility of sharing on a daily basis, let's say, the -- some very limited information on every entry that gets made into the computer. So that, for example, you know, we would know, we would get -- we would get a report that we have access to, or we could access a report that's already available and maybe being, you know, compiled within the Department as it is, but we would have access to a certain limited amount of information, such as, you know, there was a robbery on such and such street, there was a -- you know, an alleged hate crime perpetrated on such and such -- you know, in such and such a supermarket, information like that. Take out the names, take out the -- you know, all of that information that might be sensitive from an investigative point of view or from a legal point of view and just give us the information that we can have, so that it basically alleviates the need for folks within each precinct to think, "Oh, I have to call" -- you know, "Is this Legislator Cilmi's district or is it Legislator Lindsay's district?" You know, is this something that he'll want to know about or not want to know about? Should I call him, should I not call him? It takes all of that, sort of -- and, you know, "I don't have time to call him today, I'll call him tomorrow." So it takes all of that subjectivity out of it and it would just give us access to knowing what's going in our communities that we represent.

**CHIEF MOORE:**

Yeah, I'd like to work with you on that, because I believe that you all have access, you know, to the County website, and I'm not sure how difficult it would be to make some sort of accommodation. As you know, notwithstanding our earlier discussion, reporters routinely, at least historically, would stroll into the Precinct and look over the blotter. Interestingly enough, with the introduction of technology, the electronic blotter is indiscriminate as opposed to the old method of manually inputting the information. So it's become a little more dicey to let just anyone gaze at our incident reporting system, for example, because that has some information that could be sensitive. But I'm sure that if we were to sit down, we could make some sort of accommodation, which wouldn't be a heavy lift for the precinct by, you know, having to sort and filter and do all of that, and would meet the needs of this body.

**LEG. CILMI:**

Right. I mean, does the media have access to that electronic blotter now?

**CHIEF MOORE:**

You know, I'm not sure. It's been a little while since I've been in the precincts. My instinct is to say probably not, because it may have more information than we'd be comfortable with disclosing, like the names of victims of sex crimes, that sort of thing. But, yeah, reporters still -- local papers, usually, still go to the precincts, and, "What's going on?"

**LEG. CILMI:**

Right. So I'm sure there's a way to sort of select certain fields within the report document that you're entering into in the computer that could populate, you know, a report that we could visually see on a daily basis. So I'd be happy to work with you on that.

**CHIEF MOORE:**

Good, yes.

**LEG. CILMI:**

Great. Thank you.

**CHAIRMAN EDDINGTON:**

Legislator Gregory.

**LEG. GREGORY:**

Okay, great. Lieutenant, I was -- I'm glad to hear that you're Spanish-speaking. I was told the other day that there was a meeting in Brentwood or C.I. and that there was an interpreter and that you may not have been, so I'm glad to hear that, that, you know, there's certainly a capability. In your position, I think that's beneficial, so it's good to hear that.

I wanted to just address your relationship with -- I use that term loosely, relationship, but I don't know if you know Detective Sergeant Reecks prior to you coming to the Hate Crimes Bureau or not, but now how do you see his role as a -- I know it's difficult for him personally being the former Commanding Officer, but for you as the new Commanding Officer, having an ExO, or Executive Officer, of his experience and position and -- you know, and all the dynamics that are involved with that. What do you see his role as in helping you lead your unit?

**DET. LT. HERNANDEZ:**

To address the first part of your statement regarding my ability to speak Spanish, growing up Spanish --

**LEG. GREGORY:**

No, no, I didn't -- I didn't say your ability, I -- well, I guess I did. I said I heard that you didn't, but I heard that there was an interpreter, so I think that's a good thing that you can. Right?

**DET. LT. HERNANDEZ:**

Growing up, Spanish was spoken in my house. Since my grandparents passed away -- it is my second language, Spanish, so I am a bit rusty. I did use the interpreter that night. It was getting late and we would have been there all night if I tried to get through the whole thing in Spanish.

**LEG. GREGORY:**

No, good. I think it's great that you -- you know, you jump right in and you had a community meeting and you're out there, out front. You know, I would think it would be, you know -- I mean, you're a police officer, not too many things, I would imagine, intimidate you, but I would imagine that it can be intimidating coming out to a community, trying to, you know, get your -- settle your feet and, you know -- because there are concerns, and particularly with the -- I don't want to say controversy, but discussion or talk about what's going on in the unit, that it -- you know, that it may be difficult for you and then that you want to learn as quick as you can without -- with as little distractions as possible. But, again, you know, where do you see Detective Sergeant Reecks, his role and how he can help you in the unit?

**DET. LT. HERNANDEZ:**

Detective Sergeant Reecks and I have worked together in the past. We were assigned to the Community Response Unit about 20 years ago together, and I've known Bob for my entire career pretty much here in Suffolk County. We work very well together and he's a key part of the team.

**LEG. GREGORY:**

Okay. Now, my -- there wasn't an ExO in the past, right? So is there an actual position in the procedures, or whatever you guys use, that's slotted for an ExO. I don't know who would be suited -- I guess, you Bob?

**CHIEF MOORE:**

Yeah, I can -- I think I can help with that. You know, the Commissioner decided to upgrade the command structure within that unit, and, you know, not because of the size of the unit, because,

admittedly, it's a small unit, not because of the volume of the caseload of the unit, because compared to other Detective units, the caseload is very low, but because of the significance of the issues that they address. Now, Detective Sergeant Reecks, you know, filled a lot of the downtime, if you will, with speaking engagements, and it's an integral part of the function of the Hate Crimes Unit, and that's going to continue. The -- upgrading the position from Detective Sergeant to Detective Lieutenant, Sergeant Reecks is not a Lieutenant, and it was not likely he was going to be promoted to Lieutenant. But, having said that, the Commissioner was determined to upgrade the, I don't know, prestige, if you will, of the unit by putting it on the same level of virtually every other Detective unit in the Suffolk County Police Department. There are only a handful of units, in the Detective units in the Suffolk County Police Department today that are headed by Detective Sergeants, most of them are headed by Detective Lieutenants.

**LEG. GREGORY:**

Great. No. And I appreciate that, I mean, particularly at the reversal of the thought that I guess only a few years ago they were looking to put the unit under another unit, or some issue like that.

**CHIEF MOORE:**

Yeah.

**LEG. GREGORY:**

But my concern is, since the -- it hasn't been this structure in the past, you know, is there a future for Detective Sergeant Reecks? If his title is not officially in this command structure, you know, you look around, there's only four seats, but there's five of you, someone's leaving, you know. So I just -- that's why my deep question is really more, is there a future for Detective Sergeant Reecks if there's no official designation or position for him as an Executive Officer in the unit?

**CHIEF MOORE:**

To answer that question directly, yes, there is.

**LEG. GREGORY:**

Okay. All right. I'm just -- that was just -- I would think it would be great -- not great. I think it would be a great loss to lose someone of his experience. I just wanted to know what the structure was, because I know there wasn't in there in the past and, you know -- so all right. Thank you.

**CHAIRMAN EDDINGTON:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Good morning.

**DET. LT. HERNANDEZ:**

Good morning.

**LEG. KENNEDY:**

I guess I'd like to have a little bit of a conversation with you, Lieutenant. I have on occasion worked with Detective Sergeant Reecks in the past for some incidents, and, Chief, you know of them up in my district. And, as a matter of fact, I would say they are not frequent, but when they did occur, they were particularly heinous, and they were clearly what would be categorized as a hate crime, a cross-burning, threatening correspondence that came to a mixed racial couple up in the Smithtown area. And the incidents, at least in -- every place, not just in my district, but every place, occur and almost instantaneously have a tremendous incendiary effect in the community.

**CHIEF MOORE:**

Absolutely.

**LEG. KENNEDY:**

Some individual takes some act and sometimes -- well, let me put it another way. Lieutenant, one of the things I think, and the Chief alluded to it before, the aspect of when an incident is presented to the Police Department and the evaluation and then the charging function is an extremely important function. We alluded to it before. I think the Chair was talking about home invasion, burglary. I was almost ready to go grab my Penal Code, because I was starting to try to think of the gradations. But the charging aspect in the first incident I think is critical. And my recollection is, Chief, that those incidents that are categorized as hate crimes are elevated as far as how they're treated. You know, damage to an exterior of a home may be a violation or a misdemeanor. A cross on a front lawn set on fire, my recollection is, rises to a felony, I believe.

**DET. LT. HERNANDEZ:**

Yes, sir.

**LEG. KENNEDY:**

So talk to me a little bit about that aspect of the function, Lieutenant. I presume that's probably one of the most critical aspects of what goes on with this unit; am I right?

**CHIEF MOORE:**

Absolutely.

**DET. LT. HERNANDEZ:**

Section 485 of the New York State Penal Law is clear on what the State of New York now classifies as a hate crime.

**LEG. KENNEDY:**

So the statute is pretty self-evident; the fact as they present themselves, you feel comfortable. Chief, there's also -- you know there's some dialogue that goes on here.

**CHIEF MOORE:**

Oh, yeah, yeah. You know, hate crimes is -- can often be a very convoluted -- as a matter of fact, the noose is only recently added, thanks to -- I believe it was the County Executive who was one of the individuals who was pushing hardest to include that in the hate crimes statutes. There are things that -- and that's -- again, the law evolves rapidly, too.

If I may, our rules and procedures right now -- now, I told you, when I first started in the Police Department, this is going back 35 years, we called it the Racial Religious Crimes, and it was almost exclusively anti-Jewish offenses. Today -- and this is right in the rules and procedures. And even before the Detective Lieutenant and his staff show up, there are things that the police officers are required to do, and one of those things the police officer is required to do, it's an absolute, get a hold of a supervisor and get that supervisor down, get -- make sure that the duty officer contacts Hate Crimes and lets them at least know so that they can start to evaluate, you know, what -- are we dealing with a hateful incident, or are we dealing with a hate crime. And a lot of times the answer is they don't know.

We've had instances, and I can go on and on about stories, but let me just read the way it is today. Just bear with me for a moment. Okay. Under the definitions, a hate crime: Race, color, national origin, ancestry, gender, religion, religious practice, age, disability, sexual orientation. I mean, the definition of a hate crime has been expanded dramatically. The incidents that qualify as hate crimes have been expanded dramatically, and some of that over the past five years, forget about the past

ten years or the past twenty years. So you're right, it's in a constant state of flux, it's evolving constantly. Other categories of victimization are being included, and, as a matter of fact, many, many of the local areas, before sexual orientation caught the interest of the State, sexual orientation as a category under hate statutes, Suffolk County was assigning the investigation of those types of offenses to the Hate Crimes Unit before it was State Law. The thing with the noose, it was remarkable, that was not considered a hate crime. And, as a matter of fact, it was out east where an incident had occurred and that's where our County Executive said, "You know what, we've got to include this thing," because no one believes you when you say, "Yeah, this is hateful. Everyone agrees that this is awful, but there's not anything that the police can do from a prosecution perspective, because it's not a matter of law, and now it is. So, yes, sir, there are things that today qualify that maybe three years ago did not.

**LEG. KENNEDY:**

Well, here's -- I guess here's my point with this, Chief. And I'm hoping, Lieutenant, that this will be the case. And I'm reassured to hear you share with me that that is not permissive or subjective, but that when a patrol officer first responds --

**CHIEF MOORE:**

Right.

**LEG. KENNEDY:**

-- they're being trained, as they are in the academy right now, to be somewhat sensitized and to have that notice up and that engagement be automatic. I don't say this to be gratuitous, but we've seen things in the paper before. There were questions about what went on with the John White case out in Miller Place. My interest isn't to go ahead and do a postmortem, my interest is more to just -- with Detective Sergeant Reecks, I think we all know he's got not only a reputation of excellence here within our county and Long Island, but, as I understand it, national significance.

**CHIEF MOORE:**

Oh, absolutely.

**LEG. KENNEDY:**

I believe that he spoke and lectured throughout the country --

**CHIEF MOORE:**

Yeah.

**LEG. KENNEDY:**

-- in this particular area.

**CHIEF MOORE:**

Yes, he has.

**LEG. KENNEDY:**

So, what I'm hoping, Lieutenant, is that you're going to be able to integrate that experience, because, you know, you pointed to it, Chief, we're seeing it in all types of places now, and things we don't even know about.

Hispanic, we talk about Hispanic incidents on occasion. You know, some of the subtleties goes to differences between cultural things between Salvadorans, Hondurans, Guatemalans, things -- that's where some of the gang types of things go to. So it seems as if Commissioner Dormer has selected you, Lieutenant, for a job that actually looks like it's got complexity all over it, but I'm hoping that you will be vigilant in applying that hate crimes character when presented with a set of events

because of the power that the title has in elevating the prosecution. And that's what my -- I guess my request would be, as far as coming forward with this.

**CHIEF MOORE:**

You know, sir, before I was a police officer, I was a deli clerk. Now, some may suggest that I'm still slicing baloney, but --

*(Laughter)*

I didn't start out as a police officer, I didn't start out as Chief of Department. When a person is elevated to the rank of detective, he or she doesn't start out as a detective. They, through experience, through education, through doing the work, they evolve. Now sometimes they discover that, you know, "This kind of work isn't for me," for whatever reason, they don't find it interesting, they're not comfortable with it, but we evolve into our positions. How the heck does a homicide detective become a homicide detective? You're not born that way, you're not even made that when you become a police officer, you evolve into that position.

The Police Commissioner is very comfortable with the credentials of our Detective Lieutenant. The fact that he was in Internal Affairs is a major plus because of the types of investigations and the depth of the investigation they do, and they take on some of the things that for police officers are the most heartbreaking of all incidents and that's the investigation of other police officers. That breaks your heart, but somebody's got to do it, because the integrity of the Department is too important to not do it, and that's his experience.

Getting back to the case with Mr. White. You know, Mr. Chair, I'm going to provide you with a copy of our rules and procedures as it pertains to hate crimes, because I think you may all find it useful within the definitions and rules and regulations. But this addresses the White case, under responsibility in rules and regulations. "It shall be the responsibility of the Hate Crimes Unit to review all offenses and to have primary investigative responsibility to hate offenses, except for incidents involving death or other violent felony incident resulting in serious physical injury. In such cases, the homicide section or the appropriate precinct detective squad section shall have the primary investigative responsibility. Hate Crime Units will nevertheless investigate the hate-related nature of the incident," and it goes on, but I'll provide you a copy of it. So there was a hate aspect to the White case, but it was first and foremost a homicide case.

**LEG. KENNEDY:**

Absolutely.

**CHIEF MOORE:**

And that was investigated by the Homicide Section with -- married to the District Attorney's Office. Now, I'm not sure whether or not they ever reached out, you know, to Detective Sergeant Reecks for the hate aspect of it, but at the point that the District Attorney becomes involved, we defer to the District Attorney, because he is the -- he in this instance, because he's a male, but he's the one who has to empanel the Grand Jury, he's the one who's got to make the determination as to, you know, what level of offense we're going to charge. Are we going to charge, you know, murder? Is it going to be manslaughter? So we really had to defer to the District Attorney when it came to that specific instance. And I really don't know if they ever reached out to Detective Sergeant Reecks and discussed any hate aspect to that particular offense, but I can tell you, it's right in the rules and procedures, that's a homicide case.

**LEG. KENNEDY:**

I will be eager to go ahead and get a look at that, through the Chair. I'm going to ask you for just one other issue, not so much for a comment perspective, Mr. Chair, but the Presiding Officer and I

heard about an impending budgetary cut associated with the Coroner's Office in the Crime Lab. Have you --

**CHIEF MOORE:**

I'm very sorry, sir, could you repeat that?

**LEG. KENNEDY:**

Sure. The Presiding Officer and I heard yesterday about an impending budget cut from the State associated with the Crime Lab in the Coroner's Office. Have you heard anything to that effect?

**CHIEF MOORE:**

No, I haven't. You know, in Suffolk County, that is a separate office, a separate County office. There are many agencies where the Medical Examiner's Office or the Crime Lab is a function of the Police Department. That's not the case in Suffolk County, so I really don't know.

**LEG. KENNEDY:**

Okay. But, nevertheless, integral to what you do --

**CHIEF MOORE:**

Yes.

**LEG. KENNEDY:**

-- they were involved in the identification of the four bodies down at Gilgo just recently --

**CHIEF MOORE:**

Yeah.

**LEG. KENNEDY:**

-- and have done tons and tons and tons of work, so they do provide a valuable --

**CHIEF MOORE:**

Yes, they do.

**LEG. KENNEDY:**

Okay. Thank you. Thank you Mr. Chair.

**CHAIRMAN EDDINGTON:**

Legislator Browning.

**LEG. BROWNING:**

Yeah, just real quick. I know the Presiding Officer talked about detectives. I found out that -- I know there was some promotions to sergeant, but I've heard that now the Seventh Precinct is down one sergeant. I guess one was transferred to another precinct and so now we're less one. I've always been a strong supporter of making sure we have enough sergeants, their direct supervision over the police officers. So, can you give me any status on how long it's going to be before we get a sergeant back in the -- we're minus one, so we -- I know we got promotions and so you got more, but now we're actually less in the Seventh.

**CHIEF MOORE:**

You want the status of -- they're down one sergeant?

**LEG. BROWNING:**

Yeah. Is there going to be more sergeants promoted? And, you know, I'm -- you know, I'm a little

concerned. I do believe that we need the sergeants for the direct supervision and I want to make sure that the -- that they have what they need.

**CHIEF MOORE:**

The only answer that I can give you is that the Commissioner has given me no indication that he intends in the near future to request additional promotions.

**LEG. BROWNING:**

Okay, because there was recently some promotions, right?

**CHIEF MOORE:**

Yes.

**LEG. BROWNING:**

So my concern is, is that I know that there was promotions, but they're down one sergeant. I had -- actually some of the P.O.'s said they lost a sergeant and so now they're minus one. So you got promotions, but now you're less. Okay. I'd like to know when.

**CHIEF MOORE:**

Okay.

**CHAIRMAN EDDINGTON:**

Okay. I appreciate you coming and sharing information. The only possible negative thing that I could see, or the positive for Sergeant Reecks is that he owns a Harley. You don't happen to own a Harley by any chance, do you?

*(Laughter)*

But we welcome you. We want to help you. Let us know in any way if we can facilitate anything in your organization.

**DET. LT. HERNANDEZ:**

Yes, sir. Thank you.

*(The following was taken by Lucia Braaten, Court Stenographer, and transcribed by Kim Castiglione, Legislative Secretary)*

**CHAIRMAN EDDINGTON:**

All right. I saw Chief Sharkey. Is there any information that you wanted to give us?

**CHIEF SHARKEY:**

No, no.

**CHAIRMAN EDDINGTON:**

You came out on a snowy day. Everything's cool?

**CHIEF SHARKEY:**

Yes.

**CHAIRMAN EDDINGTON:**

Good. Thank you very much. We did want to have John Desmond present from Probation to answer a question and they weren't able to get out, nobody in their Probation Department could get here. But we do have Gail from the union. Could you come up and just give us some information

on this question of level 1's, 2's and 3's and things going on? We're hearing some information through the backdoor. Sure, sit right down. Legislator Browning.

**LEG. BROWNING:**

Gail, I -- you know, normally I get these anonymous letters and I'll usually say if they can't put their name to it, you know, I'm going to ignore it. But to me this was a little disturbing to find out that 1500 -- and I did speak with some people and they did say this is in fact true. Fifteen hundred probationers have been moved -- reassigned to a Level 3, which means less supervision. And the concern is is many of these people are DWI's that -- multiple DWI, you know, convictions. And I'm -- you know, who's watching them? And I'm really concerned about that.

**MS. D'AMBROSIO:**

Okay. First of all, thank you for sharing this letter with me so I could see it. It would be good if John Desmond was here because he could answer even exactly what they're doing with this and the different levels of supervision, how much they're seen and so on, and the criteria they're using to do this because I know there is criteria for transferring a case back to Level 3 or to Level 3. I did prepare something that was going to be in response to his presentation after you questioned him. I'd like to read it, if you don't mind, just so that you have a better understanding of where Probation Officers are coming from.

**LEG. BROWNING:**

Sure.

**MS. D'AMBROSIO:**

I do have a copy for you guys. Okay. As you know, I'm the President of Suffolk County Probation Officers Association, and I represent 270 Probation Officers. When there's an increase in workload, you either hire people or you figure out how to manage the extra workload. I commend the Department honestly for trying to get through this staff shortage crisis, but we need more Probation Officers. Since January 1st, 2010, we lost 18 officers and only two have been hired. We expected to get a class of 12 in October, but this never happened. Currently there are 53 officer vacancies. Last year at this time we had 37. I understand that we're going to be getting six new hires, but we need more. It makes sense to hire more now. They're needed and they're to be -- they'd be able to get their training all at the same time. Hiring people in dribs and drabs is a waste of resources and energy.

Not only are we dangerously understaffed, but our workload has increased tremendously due to State mandates and I'm not going to bore you with them. I know you know them; ignition interlock, more DNA testing, more restrictions on sex offenders, and so on. My members are very concerned about public safety. They're working with a population that is criminal. Some of the people that are put on probation are low level offenders. They make a mistake, they do what they have to do while they're on probation, they get off, we never see them again. But some of them are seriously dangerous violent offenders. Sometimes a Probation Officer will recommend jail and the court will send them back to us to continue their probation.

A huge part of the probation supervision is in the rehabilitation of the offender. The Probation Officer builds a relationship with the offender and the Probation Officer's training and skill, along with outside resources, helps the offender effect the change. While doing this, the number one priority is always keeping the community safe. With the growing number of cases and not enough Probation Officers, the bare minimum is being done. If you're not constantly on some of these probationers, it's easy for them to revert to their criminal behavior. It's a learning process.

Yesterday's paper, I think -- yeah, it was yesterday's, Newsday was -- Presiding Officer Lindsay, I'm always reading Newsday. *Police Smash Major Heroin Ring*. One of the things that I noticed in

there, it said -- in the article it said the 19 lower level dealers were charged with second degree conspiracy. All those arrested pleaded not guilty. These are people that we could get on probation. More importantly, the kids that they sold this heroin to also end up on probation for committing such crimes as purse snatching to pay for their serious drug habits. People will continuously be placed on probation, especially in this economy, and especially when the alternative jail costs the taxpayers so much money.

Several years ago I had 90 juveniles on my caseload. My biggest worry was that -- or one of my biggest worries was that one of these kids was going to commit suicide or kill one of their parents or one of their parents was going to kill them. The cases were triaged. I triaged them but there was no way to get to everyone. That was not doing probation work. It was pushing cases through the system. We need sufficient, educated and trained Probation Officers to supervise offenders properly. Okay. I hope that gives you a little bit of what the Probation Officer struggles with.

**CHAIRMAN EDDINGTON:**

Right. What I'm hearing, though, from what you just said is that this is being done because of the lack of personnel, and that, quite frankly, the public safety of the citizens could be at risk. That's what I'm hearing from you.

**MS. D'AMBROSIO:**

It's risky. Yeah, I agree, it's risky. It's always risky. I mean, you can be fully staffed and there can be -- there's risk to it also but --

**CHAIRMAN EDDINGTON:**

Well, see, I'm always willing to look at, you know, how to maximize personnel usage. I think we've been doing that for the last five or six years and that we've got to the point where we can't do more with less. And my concern is, though, that when -- you know, I did a ride around and we did a number of DWI, you know, people and we caught some people. So I know it's a constant supervision. It's not like you can put these off and assume -- you have to follow the behavior for months to see that it's changed. I'm concerned. I'm concerned when it's budgetary things that can affect -- could affect the public safety of our citizens. So -- and --

**LEG. KENNEDY:**

Chair.

**CHAIRMAN EDDINGTON:**

We're going to have to get John here. Legislator Kennedy.

**LEG. KENNEDY:**

Okay. Gail, thank you for bringing this to our attention. As a matter of fact, you do so on a fairly consistent basis, try to keep us apprised of what's going on. And you alluded to some of the things that are going on with the probationers. The ignition interlock is one thing, but, as you know very well, the Rockefeller Drug Law repeal, much ballyhooed, a lot of talk about it, about systemic changes and different ways of addressing folks. And to my knowledge, basically, we in Suffolk County got spit in order to deal with the shift from incarceration to an expanded probation load. What are you seeing? What's the experience been for the department with what the courts are doing now?

**MS. D'AMBROSIO:**

I'm not really sure what you mean.

**LEG. KENNEDY:**

Basically, are judges now, rather than sentencing those who have been charged with drug

possession to jail, are they now more frequently sentencing them to probation and treatment?

**MS. D'AMBROSIO:**

Okay. I just know by the amount of caseloads, you know, whether the judges are doing that or not. I know I just heard Judge Asher, he was the judge who was in that Judicial Diversion Program.

**LEG. KENNEDY:**

In drug court?

**MS. D'AMBROSIO:**

Yeah. And he -- it's the Judicial Diversion Program I think it is called, but the drug court. And he -- for the Rockefeller Reforms, because there's others, you know, and he was saying how it works. And it does and I know they've had two PO's in there and I think I said to you, in fact I was corrected by the Director the last time I said that the Department said there was going to be like 54 cases in that program. It was the State that had made that statement.

**LEG. KENNEDY:**

Okay.

**MS. D'AMBROSIO:**

But now I have the figures. I mean, the caseloads are ridiculous. They just put a third Probation Officer in that program and they're over 200.

**LEG. KENNEDY:**

Really.

**MS. D'AMBROSIO:**

Like 224. I can tell you, I have it someplace.

**LEG. KENNEDY:**

I don't need the exact number but --

**MS. D'AMBROSIO:**

Whether they're doing it because they're just putting people, you know, higher level offenders in this program, I mean, they have assessment tools also, you know, things that they go by between the Probation Officers. I'm not sure if it's a social worker that they have or --

**LEG. KENNEDY:**

Case act. They have to do case act screening, too.

**MS. D'AMBROSIO:**

I just know that the cases from a Probation Officer's standpoint they're just -- they're climbing.

**LEG. KENNEDY:**

You spoke specifically about a need immediately for six Probation Officers?

**MS. D'AMBROSIO:**

My understanding is that we -- the Department was given six SCINs for Probation Officers, new hires.

**LEG. KENNEDY:**

But you have 53 vacancies.

**MS. D'AMBROSIO:**

Correct.

**LEG. KENNEDY:**

Could I speak to BRO for a second, Mr. Chair?

**CHAIRMAN EDDINGTON:**

Absolutely.

**LEG. KENNEDY:**

John, what, if anything, is in the budget? I mean, how do I frame this question? All right. What is six Probation Officers going to cost at this point, or what's in the budget in order to actually bring on any additional Probation Officers?

**MR. ORTIZ:**

I'd have to find that out from the analyst who handles the Department.

**LEG. KENNEDY:**

All right, you don't have that before you. All right. Well then I guess I'll have a conversation with them after the fact, because it seems that we're just going to have to talk about finding some funding to bring personnel in. Thank you, Mr. Chair.

**CHAIRMAN EDDINGTON:**

I have a question. Aren't those 56 positions funded in the budget? I mean, they're funded. They're just not filled.

**MR. ORTIZ:**

I wouldn't believe that all 50, I think it was 53 vacancies, were fully funded. A portion probably were for -- a lot of times what we budget is for a half a year, so some are hired earlier in the year, some are hired later in the year. I was just looking at the filled positions. We currently have 270 Probation Officers. Going back just a year ago we were well over 285.

**CHAIRMAN EDDINGTON:**

So we're -- so in other words, what we're hearing is the caseloads increasing, the staff is decreasing.

**MR. ORTIZ:**

Yes.

**CHAIRMAN EDDINGTON:**

Okay. Now we've got to find out is the funding there or isn't, so that's something we'll have to check out. And I did ask them to come, next meeting we'll have them here to do a report. Thank you for -- oh sorry, Legislator Browning.

**LEG. BROWNING:**

Yeah. You know, based on what that letter says, if you could explain, you have the -- when they talk about reclassifying those 1500 to a Level 3, I might not be using the right terminology, but I guess everything is one, two and three. So can you give me some idea what 1, 2 and 3 is, what type of supervision if you're a 1?

**MS. D'AMBROSIO:**

One is intensive supervision, and you may have to make -- you might have to report -- and I hate to be quoted because I know that the Director would be much better at telling you, you know, specifics.

**P.O. LINDSAY:**

He isn't here.

**LEG. BROWNING:**

Well, he's not here, but you can do the best that you can.

**MS. D'AMBROSIO:**

Okay. Intensive supervision is a higher level of supervision. Sometimes they report as much as four times a month. You make monthly home visits to the house. Level 2 supervision, which is the supervision that most people go on, you know, when they're placed on probation by the court, that's when they make one home visit a quarter, which is once every three months, and they have to have at least one face-to-face with the probationer every month. They usually report twice a month. Again, the ones who need more get more, the ones who need less get less. Level 3 is they don't make home visits on Level 3. They do have to report and they do have to see them. I believe it's once a month they have to see them. I don't know about the call-ins. They might have to call in in addition. I'm not sure about Level 3.

But I think, again, the Director could answer this better, but they would have certain criteria that they would use to decide if a case should go to a lower level of supervision. I have in mind that if anybody needed to go back to the higher level of supervision, that would happen. But I would, you know, like I said, I think it would be best for John to explain that.

**LEG. BROWNING:**

So, now, the 1500 that are being moved to a 3, so you don't know how many of them were 1's and 2's?

**MS. D'AMBROSIO:**

I don't.

**LEG. BROWNING:**

Okay.

**MS. D'AMBROSIO:**

I don't. I know that conditions --

**LEG. BROWNING:**

Well, give me an example because the person mentioned, you know, if somebody was three, four time convicted of DWI, what level would that person probably be?

**MS. D'AMBROSIO:**

You know, I don't know, because if they were -- if they had three DWI convictions in their lifetime, you know, and they're in their 70's, you know, I don't know. They might be on regular supervision.

**LEG. BROWNING:**

Okay. So it's discretionary.

**MS. D'AMBROSIO:**

Yeah, it is.

**LEG. BROWNING:**

Okay. It's just, you know, to think somebody like that could potentially wind up as a Level 3, and, you know, who's checking them? Who's making sure that they're staying sober? You know, are we even -- do they even have a license to drive, and who's making sure that they're not driving, that's

my concern. You know, alternatives to incarceration are a great thing, but if you're not getting the resources that you need to supervise them, and I can tell you with the ride-along that I did and the Probation Officers when they went to the homes and we talked to them, it's almost like they're a parent to these people. And when we walked in, I mean, the girl, one girl actually admitted that, yeah, she'd been smoking pot. And she was right out before they even decided to do a test on her, and so they are -- there is a good response and, you know, there's a good -- you know there's a good communication that goes on between them. And I have to say, they do a great job with them. But we took somebody to the hospital because she was, you know, under the influence when we got to the house. But, like I said, it's -- people like that are now raised to a higher level where there's little supervision. God forbid somebody's going to get killed on the road and we'll find out well, it's because there wasn't enough Probation Officers to supervise. That's a shame.

**MS. D'AMBROSIO:**

And you never know what you're going to walk into.

**LEG. BROWNING:**

Yeah.

**MS. D'AMBROSIO:**

You never know what's going -- know what you're going to have.

**CHAIRMAN EDDINGTON:**

Legislator Cilmi.

**LEG. CILMI:**

Thank you, Mr. Chair. How are you, Gail? Just a statement. To me this all really comes down to priorities. You know, if we all agree that our tax base is declining and therefore the amount of revenue that we have to work with is limited and becoming less and less and less, at the same time mandated costs continue to increase. And if we all can agree that at the very, very basic foundation level what our government should be doing is providing for the public safety and providing for, you know, safe streets and clean communities for our residents, then we have to make some decisions as to what we can afford and what we can't afford.

We need more Probation Officers, obviously, because that's important to keep our streets safe. We need more police officers, we need more supervisors in our departments. We need more Sheriffs, we need more Detectives to investigate the crimes. We need Correction Officers for our jails so that when we put the criminals in jail we can keep them there instead of putting them back out on the street.

So, therefore, again, with limited resources, how do we do all of those things, which I believe and I think many of us believe, are the priorities for our government. Maybe what we can do is through our Budget Committee, Legislator Gregory's committee, maybe we can sort of undertake some sort of a study. You know, not a formal study, but sort of an inquiry into where we're spending. Obviously, we have a budget. You know, we know where the money's going, at least we think we do. Maybe we can look at the whole picture and sort of find a way to prioritize what we're doing in the County, because we -- it just doesn't seem like we can afford to do all of the things that we're doing. We certainly aren't doing all of them well. And we certainly need to do the public safety piece much, much better.

**CHAIRMAN EDDINGTON:**

Legislator Gregory.

**LEG. GREGORY:**

My initial response to Legislator Cilmi is we're going to be hosting a bake sale to raise revenue. I hope that you'll contribute.

**LEG. CILMI:**

Some pecan pie?

**LEG. GREGORY:**

Yeah.

*(Laughter)*

I find this anonymous letter and the downgrading of the levels of 1500 probationers, you know, a little alarming. You know, it's reminiscent of a few months ago when I had found out about the downgrading of our Level 3 sex offenders, or releasing them, excuse me, early from probation. In your experience, have you ever seen such a downgrade of such magnitude? I mean, 1500 people, that's a lot of people.

**MS. D'AMBROSIO:**

I know that there have been times when we have been very shorthanded, like I said, when -- you know, a good ten years ago when I had those 90 -- when I was in supervision and I had the 90 juveniles. You know, an ideal caseload was 25, you have the 90, that's big. I don't know as far as this I have never -- I wasn't in that capacity that I paid attention. I wasn't in Criminal Court at the time. I don't know if they've done this before. I believe that they think out what they do and I think that, you know, there's a mechanism in place if something -- well, it's hard to say. You know, again, it's my opinion. I mean, it's risky. I mean, what we do is risky.

**LEG. GREGORY:**

Right.

**MS. D'AMBROSIO:**

The thing is even with the probationer, they're used to the same Probation Officer and anything can set somebody back. You know, so, they get a transfer, sometimes it's an excuse to start using drugs again, you know, when they're transferred to a new Probation Officer. I used to tell people when I transferred them, "This is not an excuse to use and I'm telling your Probation Officer that."

**LEG. GREGORY:**

Now, and that's -- to me that's not an acceptable excuse for the administration to say, well, we don't have enough staff so we're going to downgrade people's supervision. You know, we should hire people, make sure that they're in the proper level of supervision so that they can be rehabilitated and be productive citizens. We'll find the money to do it, you know, that's inexcusable. Are there any guidelines as to how many, you know, what the caseload should be for a Probation Officer?

**MS. D'AMBROSIO:**

I believe the State has some numbers. I don't know what they are offhand. I've seen them in the past, nothing recent.

**LEG. GREGORY:**

I would think with 53 vacancies the caseload would be beyond that. I happened to just run into a friend the other day who's a Probation Officer and she had stated to me that, you know, it's not unusual to have caseloads, you know, 125, 150 cases. Now --

**MS. D'AMBROSIO:**

150.

**LEG. GREGORY:**

Now, with this influx of people being the level of supervision, the 1500, the caseloads are down to 90, 95, but as you indicated, that's still even possibly high, a high number for a caseload.

**MS. D'AMBROSIO:**

I think it is. You know, I think that's high. I mean, I think I figured out the average the other day and it is between -- it's like 88, you know, with the units I was able to get, it was like 88, the average. That's high.

**CHAIRMAN EDDINGTON:**

Legislator Lindsay.

**P.O. LINDSAY:**

Hi, Gail.

**MS. D'AMBROSIO:**

Hi.

**P.O. LINDSAY:**

I've been listening to the testimony and I agree with Legislator Kennedy and Legislator Cilmi about prioritizing, you know, what's important in these very difficult times. We all admit that -- I really don't know how we are going to get through this year with our budget because nothing is going right, including all these snowstorms.

We had a discussion at length the other day on a bill in Public Works that Legislator Cilmi is the sponsor about directing Public Works to engineer to prevent this wrong-way driving epidemic we have all over the County. Bill Hillman, our traffic engineer, you know, he said, you know, most of our roads are, you know, two lane highways. Besides putting, you know, guardrails down the middle there's no way that I can engineer from people crossing the double line. He said most of it is as a result of drunk driving. That's what's so disturbing about this anonymous memo that we got, that evidently you confirmed is correct. Because following the stories in the paper, most of the people that we arrest going the wrong way are repeat offenders. Some of them don't have licenses, some of them certainly should be on probation.

My point is that if we're going to prioritize, I'm all for that and I got one way of prioritizing right away. You know, the County Executive had a press conference. He's going to use the helicopters to prevent drunk driving. I think those resources put into additional Probation Officers would be much more effective than trying to stop a drunk driver with a helicopter.

**CHAIRMAN EDDINGTON:**

Thank you, Gail. I guess just from my colleagues, because I heard what Legislator Cilmi suggested and I believe we've already done that. I just want to make sure that we agree that we needed more Police Officers. We put in for 200. We said it was such a high priority that we raised the police district tax and then we only got 70 out the 200. So we can prioritize and we can even put money in the budget, but it doesn't look like it's this side of the highway that's keeping these positions blank. You know, I think we could look through the budget forever, but unless the SCINs are signed and made, we're going to be just sitting right here again. So I am hoping that your plea is heard and our voices are also validated. Thank you very much for coming before us, Gail.

**MS. D'AMBROSIO:**

Thank you.

**CHAIRMAN EDDINGTON:**

Okay, we've got three minutes to do the agenda, so why don't we just go right ahead.

**Tabled Resolutions**

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

**CHAIRMAN EDDINGTON:**

Legislator?

**LEG. BROWNING:**

Motion to table for a public hearing.

**CHAIRMAN EDDINGTON:**

Motion to table for Public Hearing. I'll second that. All those in favor? Opposed? Abstentions? It passes. ***(Vote: 6-0-0-0 Presiding Officer Lindsay is included in the vote)***

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

**LEG. BROWNING:**

Table for Public Hearing.

**CHAIRMAN EDDINGTON:**

Table for Public Hearing by Legislator Browning, second by Legislator Gregory. All those in favor? Opposed? Abstentions? It passes. ***(Vote: 6-0-0-0 Presiding Officer Lindsay is included in the vote)***

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

**LEG. GREGORY:**

Motion to table.

**CHAIRMAN EDDINGTON:**

Motion to table, I'll second that. All those in favor? Opposed? Abstentions? ***(Vote: 6-0-0-0 Presiding Officer Lindsay is included in the vote)***

***IR 2234, A Local Law to restrict the residence of sex offenders near amusement parks. (Gregory)***

**LEG. GREGORY:**

Motion to table for Public Hearing.

**CHAIRMAN EDDINGTON:**

Motion to table for Public Hearing. I'll second that. All those in favor?

**MR. PERILLIE:**

The Public Hearing was closed.

**CHAIRMAN EDDINGTON:**

It's closed? All right.

**LEG. GREGORY:**

I withdraw my motion to table.

**CHAIRMAN EDDINGTON:**

Okay.

**LEG. GREGORY:**

I make a motion to approve.

**CHAIRMAN EDDINGTON:**

Okay. Legislator Gregory makes a motion to approve, I'll second that. All those in favor? Opposed? Abstentions?

**LEG. KENNEDY:**

I'm opposed on that, Mr. Chair.

**CHAIRMAN EDDINGTON:**

One opposed.

**LEG. KENNEDY:**

Thank you.

**LEG. GREGORY:**

Oh, you don't even want me to start.

**CHAIRMAN EDDINGTON:**

Keep him off the Ferris wheel. *(Vote: 5-0-0-1 Opposed: Legislator Kennedy; Presiding Officer Lindsay is included in the vote)*

### Introductory Resolutions

*IR 2244, A Local Law to regulate the off-road use of four wheel drive vehicles and motorcycles. (Browning)*

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

**LEG. BROWNING:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Browning. All those in favor? Opposed? Abstentions? *(Vote: 6-0-0-0 Presiding Officer Lindsay is included in the vote)*

*IR 2258, A Charter Law to provide for fair and equitable distribution of public safety sales and compensating use tax revenues. (Schneiderman)*

I make a motion to table for Public Hearing.

**LEG. GREGORY:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? *(Vote: 6-0-0-0 Presiding Officer Lindsay is included in the vote)*

*IR 2267, To improve the safety and security of Suffolk County through the use of surveillance cameras. (Cooper)*

**LEG. BROWNING:**

Motion.

**CHAIRMAN EDDINGTON:**

Motion to approve by Legislator Browning.

**P.O. LINDSAY:**

I'll second it.

**CHAIRMAN EDDINGTON:**

Second by, who was that? Oh, Legislator Lindsay. All those in favor? Opposed? Abstentions? *(Vote: 6-0-0-0 Presiding Officer Lindsay is included in the vote)*

*IR 2277, Accepting and appropriating 100% federal grant funds awarded by the Department of Justice, Bureau of Justice Assistance Second Chance Act Reentry Demonstration Program: Targeting Offenders with Co-Occurring Substance Abuse and Mental Health Disorders for the Suffolk County Criminal Justice Coordinating Council to Suffolk County Probation Department. (Co. Exec.)*

I'll make a motion to approve and put on the Consent Calendar.

**LEG. BROWNING:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Browning. All those in favor? Opposed? Abstentions? *(Vote: 6-0-0-0 Presiding Officer Lindsay is included in the vote)*

*IR 1002-11, A Local Law to protect the public from injury caused by accumulated snow or ice on moving motor vehicles. (Cooper)*

I need to table for public hearing. I'll make that motion.

**LEG. BROWNING:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Browning. All those in favor? Opposed? Abstentions? *(Vote: 6-0-0-0 Presiding Officer Lindsay is included in the vote)*

Hearing no other business, I will adjourn this Public Safety Committee meeting on time.

***(THE MEETING WAS ADJOURNED AT 1:02 P.M.)***