

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, May 5, 2011, at 10:00 a.m.

Members Present:

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

Members Not Present:

Legislator John Kennedy - Excused

Also In Attendance:

Presiding Officer William Lindsay - District #8
George Nolan - Counsel to the Legislature
Sara Simpson - Office of Counsel to the Legislature
Renee Ortiz - Chief Deputy Clerk of the Legislature
Robert Calarco - Aide to Legislator Eddington
Terry Pearsall - Chief of Staff to Presiding Officer Lindsay
Bobby Knight - Aide to Presiding Officer Lindsay
Jack Caffey - Aide to Presiding Officer Lindsay
Kara Hahn - Director of Communications for Presiding Officer Lindsay
Nancy Jacobsen - Aide to Legislator Gregory
Ali Nazir - Aide to Legislator Kennedy
Nancy Jacobsen - Aide to Legislator Gregory
Paul Perillie - Aide to Majority Caucus
John Ortiz - Budget Review Office
Eric Kopp - Deputy County Executive
Ed Hennessey - County Executive's Office
Gerard Cooke - Director/Suffolk County Probation Department
Robert Anthony Moore - Chief of Dept/Suffolk County Police Department
Ted Nieves - Deputy Inspector/Suffolk County Police Department
Chief Dominick Varrone - Chief of Detectives/Suffolk County Police Dept
Tracy Pollak - Headquarters/Suffolk County Police Department
John Keary - Detective Investigator/Suffolk County Police Department
Hank Mulligan - 2nd Vice-President/Superior Officer's Association
Russ McCormick - Suffolk County Detective's Association, Secretary
Mike Sharkey - Chief of Staff/Suffolk County Sheriff's Office
Mike Rando - President/Deputy Sheriffs Police Benevolent Association
Hope Callazo - American Red Cross/Community Service Program
Dot Kerrigan - 3rd Vice-President/AME
Laura Ahearn - Executive Director/Parents for Megan's Law
Peter Lankowicz - Regina Drive Resident, Sayville, New York
Donna Lankowicz - Regina Drive Resident, Sayville, New York
Rob Graygor - Regina Drive Resident, Sayville, New York
John Guinessey - Regina Drive Resident, Sayville, New York
All Other Interested Parties

Verbatim Minutes Taken By:

Alison Mahoney, Court Stenographer

*(*The meeting was called to order at 10:05 A.M. *)*

CHAIRMAN EDDINGTON:

We'll have Legislator Cilmi lead us in the pledge of allegiance.

Salutation

If you can remain standing. Usually I ask for a moment of silence, but today I'm going to ask for an applause for all the service men who have worked so hard to bring the number one enemy of the United States to justice.

Applause

Thank you very much. Be seated.

Okay. Legislator Kennedy is excused from this meeting, he has to attend a funeral mass for a close friend. The rest of us will continue, and I'll start with **Public Portion**. We have Rob Graygor. Just come up to the podium and you have three minutes.

MR. LANKOWICZ:

Do you mind if I -- I would like to introduce Rob. Is that a problem? Peter Lankowicz.

CHAIRMAN EDDINGTON:

No, no problem at all. It's Peter Lankowski? Lankowicz. Okay, sure, come on up. You've got three minutes.

MR. LANKOWICZ:

Okay, I have to hold this and press this down.

MR. LAUBE:

Yes, while you speak you hold it.

*(*Presiding Officer Lindsay entered the meeting at 10:07 A.M. *)*

MR. LANKOWICZ:

Hi. My name is Pete Lankowicz, I live at 62 Regina Drive in Sayville, New York. Today I'm here because of the unfortunate situations that I personally have experienced in my neighborhood over as much as a three year time period. And I just -- you know, everything that I've experienced with respect to a certain individual that lives on my block, has brought harm to my family, and I need to speak to you all, the Legislature, because I've been down to my local precinct to appeal to the Inspector, to the Sergeants; as of recent, I've been down to the Internal Affairs Department.

The gist of it is that this individual happens to be a Police Officer who lives across the street from me and the name is Burgos. And over the three year time period, this individual, because I believe he has the power and used undo influence with his powers within the Police Department, was able to have my wife arrested for child endangerment, was able to present to the courts fake and unjust reports that were not true. And as a result, thank God, the jury found her not guilty of this charge, but due to the fact that he was able to use is undo influence with the Police Department and use his direct family members in line, it did result in a small charge of harassment.

I had -- prior to that happening, I've gone to the Police Department and I first filed a report, a formal report, to have him investigated, and after I filed that formal report, ironically enough, that's when my wife was arrested. We let that -- we're working on that right now and really today we're here because this activity has not stopped. There has been, through my request, through Freedom

of Information Reports at the Police Department, through Yaphank, I've filled out multiple reports and as a result, I found out there were 29 -- 29 reports that Mr. Burgos and his family had filed against me, 29. Now, these reports -- and I can present these reports to you if you request it -- are as silly as can be.

My concern here today is that he's trying to either get me arrested, my wife arrested again or someone else on the block arrested by filling out these reports. I've viewed and read each and every one of these reports and thank God they didn't result in an arrest on me or my wife again. Unfortunately, there is an order of protection that he was able to obtain from the court against -- with my wife against his child, and my wife has lived up to this order of protection up until this day. And I'm here also to let you know that I'm just not getting the respect from the Police Department because there are many instances, and I'll give you a specific one where this --

CHAIRMAN EDDINGTON:

You know, you're going to have to wrap up, your three minutes are over.

MR. LANKOWICZ:

This child has been at the end of my block doing wheelies, riding his bike, you know, kind of taunting me and my family and my wife; meanwhile, he's got the order of protection out against my wife. I've appealed to the Internal Affairs Department as recent as two weeks ago to at least have them talk to Mr. Burgos, talk to the Police Department, the local 5th Precinct. I spoke to Lieutenant Fields and Lieutenant Geer and this is what he said. He said, "Mr. Lankowicz, do not come back and see me again. I do not want to see you again."

I've been down to the 5th Precinct to file reports regarding Mr. Burgos and Mrs. Burgos harassing me, staring me down, going to the middle school, picking up -- where my wife is picking up my son at the school, staring and intimidating and harassing and stalking my wife. I've attempted to fill out these reports at the 5th Precinct and they have now stopped taking my reports. I was down there as much as two weeks ago, I requested to speak to a Sergeant and he said he would be out momentarily. I was there at 9:30 at night, I waited until eleven o'clock, no one ever came out to see me, I decided to leave. That's --

CHAIRMAN EDDINGTON:

Okay. Now, I do understand that your Legislator is involved in the issue, so we will -- we will be talking to him.

P.O. LINDSAY:

Let me just ask --

CHAIRMAN EDDINGTON:

Okay. Legislator Lindsay, sure.

P.O. LINDSAY:

Mr. Lankowicz, I know it's been a long and frustrating trip for you and your neighborhood. You know, I know you guys have been looking to have a voice, so I'm going to ask you to continue to tell us what's on your mind.

MR. LANKOWICZ:

Okay. Basically I have a few of my neighbors here, not all of them because they're all afraid of the retribution. They all have their personal experiences with this individual and his family, many examples of harassment, false allegations, some that are very disgusting and grotesque, as you might hear today from them. But I can tell you there's a lot more people that would like to come down and speak on behalf of themselves and me, but they're afraid; they're afraid of the retribution because this person is a representative, he's a Police Officer in the 5th Precinct.

I can just -- I'm here to tell you that the harassment, the lies, the allegations have not stopped. And I would appeal to everyone here to take a further investigation, either with the 5th Precinct directly and with Mr. Burgos directly, because, quote/unquote, we know that he is "out for blood", okay. We've heard through other people in the neighborhood -- at this time it's hearsay because that person doesn't want to come forward -- but, quote/unquote, he's "out for blood." And he mentioned my name, he mentioned other people's names and he said, "You know, I don't care if the neighbors don't like me. If they want a war, I'll start a war." We're not looking to start a war.

All we're looking to do is to live and act civilly and live in peace, without being harassed by the Police Department and this individual, without being afraid of being arrested and all of these false allegations. And I'm telling you, they are false allegations, not just against my family but against other people in the community as well.

I would like for -- I would like for the 5th Precinct to take this seriously, I would like for them to talk to Mr. Burgos. And to be honest with you, I have ideas from a Legislative point of view which is probably we're not at that step yet, but to be honest with you, I'd like to form or investigate forming a CCRB. This County does not have a community review board for the Police Department. There are many counties, many cities across the nation that have successfully created that; I think that this County would benefit from that, because of my personal experience that I've had, and that's a long-term goal and I think that's something that we should put on the table to -- as a result of this very unfortunate situation.

P.O. LINDSAY:

Thank you.

CHAIRMAN EDDINGTON:

Okay. I can tell you that we have the Chief of Police here, so he's hearing this. And I will be sending the Commissioner a letter to investigate this, supporting what I'm sure the Presiding Officer has already done. So we will look into this further.

MR. LANKOWICZ:

All right. Thank you for your time today.

CHAIRMAN EDDINGTON:

If Rob could come up now.

MR. GRAYGOR:

Hi. My name is Rob, Rob Graygor, I live at 58 Regina Drive in Sayville. Pete pretty much covered much of what's going on. I wanted to come up as another voice, as someone in the neighborhood. I live right across the street from Mr. Burgos. We were actually friendly a number of years ago, as many of the people in the neighborhood were; one-by-one the friendships ended. It usually involved our children.

Our children are afraid of this house, they don't walk on the sidewalk in front of this house. It's not right. I grew up in this neighborhood, I bought the house I grew up in from my father, and the neighborhood was never like this. There's people that live across the street from me that are neighbors with the Burgos', you know, in their late 60's; they're lifetime residents, since their children were small. Just the other day my neighbor was in his backyard and overheard the Burgos' having a very loud conversation about, you know, "Their granddaughter," and, you know, "Isn't smoking in the car illegal? Couldn't you arrest her because she's smoking with her grandchild in the car?" These are the type of things that have happened to us. I've been at a baseball field and had, you know, them walk by and point to me and say, "There's the kid. There's the guy whose son lies." I have many neighbors that have similar situations. You know, I wish that more of them

could stand up and speak in front of you a little bit more eloquently than myself right now.

I can tell you, though, I have been down to the 5th Precinct to talk to them, I spoke with Lieutenant O'Brien. At one point there were bumper stickers up on a light post in front of Burgos' house that said, "Just move." I was out there as the Police came to take the bumper stickers down and I had a Police Officer, as I was standing in my front yard watching it, tell me, you know, "Maybe you should move out of the way if you don't want to be in the picture." And I felt, why wouldn't I want to be in the picture? I have done nothing with this, you know, I have no guilt. And I went down to make a report and I spoke to Lieutenant O'Brien, he said he was going to look into this. He kind of dissuaded me from making a Police report, and so I didn't do it. I've never had to deal with the Police before. I only now understand that it's very important to keep a record, to be on record for these things.

We went down -- two months now we've been trying to go down to the community meeting that Inspector Mojica has to talk about this. Last night we had ten people that said, "We called the 5th Precinct, they told us yes, the meeting is tonight, it's starting at seven o'clock sharp, you know, come on down." We went down last night, waited around for ten minutes as people made phone calls and they told us, "Oh, you guys didn't get the memo? You didn't get the e-mail? It's not this week, it's next week." These seem to be the kind of things that we run into over and over again. It's very disappointing.

Legislator Lindsay has listened to us and has taken this serious. There's a problem. When people go down to -- you know, when a Police Officer's wife can call up and make Police reports that, "People are looking at my house," and they're taken seriously and we go down to the precinct and people won't take our complaints, I find there's a big problem there, and this is the 5th Precinct. The same thing with Internal Affairs. I went down with Mr. Lankowicz and --

CHAIRMAN EDDINGTON:

I think your finger is off the button.

MR. GRAYGOR:

Sorry. I went down to Internal Affairs with Mr. Lankowicz to talk about this and they wouldn't even take a statement from me, they didn't want to talk about it. So it's very disappointing and we hope that maybe you guys can put some light on this and get some more attention for us.

CHAIRMAN EDDINGTON:

Okay. Thank you for your input.

MR. GRAYGOR:

Thank you.

CHAIRMAN EDDINGTON:

John Guinessey.

MR. GUINESSEY:

Hi. My name is John Guinessey and I also live on Regina Drive in Sayville, and I'm here to support the Lankowicz Family, I just want to say that I couldn't believe how the whole affair went down with charging Donna Lankowicz, and I'm still to this day just stupefied that it went that far, that she was brought to trial and actually charged with crimes. And it's all because the Burgos Family knows how to manipulate the system and they're given respect because Officer Bergos is a Police Officer.

Now, I've written to Commissioner Dormer requesting that he be transferred from the 5th Precinct, I think that would definitely help our matter. Because I've personally gone down to complain there and been treated as if I really shouldn't have been there. They said, "Well, what you're complaining

about really isn't any kind of a crime." And finally I just told me them, "Look, I'm here to defend myself because I'm worried it's going to happen to me," so they did take a statement from me. I got a call from a Deputy Inspector on the 5th Precinct, from the 5th Precinct, and he told me, "Well, basically what you have to do is call us up if there's any type of an incident and we'll send a patrol car." Now, to me that is such a waste of Police resources and tax-paying money, and that's what the Burgos Family does. So in essence, we have to fight fire with fire, and that just doesn't make any sense to me to do that, so that's one reason I'm here today.

And also to tell you that the -- their son, Brian Burgos who this whole incident is about, he was portrayed in the trial, he actually took the stand and said -- and said he was frightened of Mrs. Lankowicz and other people in the neighborhood, and that is absolutely ridiculous. The kid has been harassing me now. I'm a Little League coach and he comes on to the field as I'm raking it and walks over the field; I went into the bathroom at the Little League, he starts banging at the door. This kid is not afraid of anybody. He's ridden his bike over my lawn. He's trying to bait me into being the next victim, and it's very frustrating to not do anything about it. I'm trying to keep my cool but it's very difficult, and these are the type of things they do.

So like I said, I'm here in support of the Lankowicz' and I just want you to know, it's not just them, it's not just one family fighting each other, it's the whole neighborhood and we're fearful of the Burgos'.

CHAIRMAN EDDINGTON:

Well, we hear you loud and clear. We will be looking into this matter further. Thank you all for coming.

MR. GUINESSEY:

Thank you.

CHAIRMAN EDDINGTON:

Okay. Next speaker, Michael Watt.

MR. WATT:

Good morning. Can you hear me all right? My name is Michael Watt and I'm here to speak on behalf of the 600+ members of the Long Island Gasoline Retailers Association, most of whom do their business in Suffolk County, regarding IR 1266, a Local Law requiring all retailers of prepaid cellular cell phones in Suffolk County to collect and retain identifying information from the customer each time a prepaid cellular phone is used -- is sold.

Running a retail operation that relies on the high volume of sales or multitude of products to generate enough profit to make the endeavor worthwhile is fraught with risks and challenges. So much so, in fact, that when it comes to deciding whether to carry a specific product line in the store, the ease with which that product can be sold is just as much a factor as the product's desirability.

This proposed legislation would add yet another challenge and risk without any additional reward to the complicated process of operating a convenience store. Store owners already operating as lean as possible in response to a down economy and onerous burdens of ever-increasing taxes and fees will look at the record retention responsibilities required by this legislation and opt not to carry the product simply because the few dollars generated by its sale do not warrant the expense of record keeping nor the risk of fines should the record keeping fall short of the involved processes called for here. The result? Fewer products sold, hurting the manufacturer; fewer sales for the store, hurting the store owner; and fewer sales tax dollars generated, hurting the County and the constituents it serves.

And let's not forget the significant segment of our society who rely on this product to meet their communication needs because they cannot afford more traditional cell phone subscription packages. Their ability to enjoy something most of us take for granted will be greatly diminished because their options will be limited in terms of where they can buy this product, and the cost of the product will go up because its availability will go down.

LIGRA members understand and appreciate the desire to track criminal activity. The burden and responsibility of achieving this goal, however, should not be placed solely on the shoulders of the convenience store operator. Perhaps the companies providing the actual phone service are better positioned and more capable of the record keeping this legislation calls for. As it stands now, the convenience store owner/operator in Suffolk County already has too many responsibilities and challenges to deal with just to stay in business; this added burden should not be enacted. Thank you very much for allowing me to speak on this issue.

CHAIRMAN EDDINGTON:

Legislator Browning, just one second.

LEG. BROWNING:

It's nice to see you again. You know, a couple of questions and maybe comments. You know, I spoke with a 7-Eleven owner and basically one of his comments was, you know, "We really don't sell a lot, it's more out of convenience," that the calling cards is where they make more money. You know, should I say -- not the calling cards, but the cards to put the minutes on the prepaid cell phone is where they make the most money. And the prepaid cell phone, some of them say they really don't sell that many, that, you know, it's more out of a convenience that they have them.

Again, going back to -- I know we've met and providers killed this idea in Georgia, I believe in 2007. And one of the things that they didn't -- they were here on Tuesday -- and this bill will be tabled because I have made additional amendments, and hopefully I'll be closing it next Tuesday. But, you know, I do believe this should be a Federal law, and this is where the industry has not been very cooperative. They have continually tried to kill this idea in a number of states, and in Georgia they agreed that this is something that should be done on the Federal level and that they should also play a role in solving this problem. To date they've done nothing, because this is a nice market for them, they make a lot of money. In fact, the gentleman came here to the public hearing and said, "Well, we really don't have any administrative costs because of this." It's a very cheap way for them to sell something. You know, like your contract phone, they have to pay employees, so this is a way that they save a lot of money and it's a place where they make a lot of money.

And it's funny, I was talking to Laura Ahearn outside and I said, "You know, while I've been working on this bill, the Times Square Bomber, the Craig's List murderer," and we're hearing also Gilgo Beach, and then this morning I'm listening to the news about Bin Ladin and they found a number of cell phones in his home, or whatever this place was he was living in. So, you know, I'm thinking, gee, I wonder were they prepaid cell phones.

And I just keep saying, I just don't know why anybody would want to oppose something when -- you know, I can't go to your store and buy a gun, and that's what these cell phones have become, they're tools for crime. And yes, there's good people and innocent people that are buying these prepaid cell phones, but there's good people that buy guns, too, but it's limited as to where you can buy them. And I think there really needs to be some kind of regulation. And I've seen -- I've had too many people come to me and say, "This is a good idea." People who have lost their kids to drug overdoses, you know, law enforcement themselves have been here and said they strongly support this.

So, you know, I respect your opinion, but I think you also have to look at the reality of it. And I will tell you, I have a Nassau Legislator who is looking at my bill and saying he wants to do the same thing. So it's getting traction. I know that we have some law enforcement people who have said they want to take it Upstate and get it done in Albany. So, you know, if there's a way that I can make it better, I would certainly do it. I think I've been very -- I have worked a lot over the past year to try and make this as easily done as possible with everybody, but I just can't back down on this. I just see -- it's like every day I'm hearing something new on the news that a prepaid cell phone was involved, and I just don't know why the industry doesn't want to cooperate and do something, other than it's about the money.

MR. WATT:

Well, obviously I can't speak for the phone companies. I'm just sharing with you that the requirements that you're calling for would really eliminate the viability of this being sold in convenience stores and would cause a hardship to the convenience store operator. And it's really not just this, it's, you know, on top of all the other things that get put in front of these people, it's just one more thing that they have to deal with. And what I'm sharing with you is that if this does go through, then you're going to see this product disappear from the shelves because it's just not worth it for them to sell and it's going to cause, I think, an undo hardship for the segment of society that really depend on these communication tools.

LEG. BROWNING:

I think, yeah, it may disappear on some shelves, but I don't think it's going to disappear entirely. There are places that are going to continue to do it. I think the big box stores, they sell them, they're not going to go away from it. We have our small franchises that are going to continue to sell them, they have been. And in fact, the franchises are saying to me, "Why haven't -- why hasn't somebody done this sooner?" Because they have seen the problem with the prepaid cell phones, and I've got a lot of strong support from them.

Again, I did amend it where if they send the information to the Police Department, they can destroy the records within 30 days. And I think, you know, that's -- I think that's something that can be doable for a small business.

MR. WATT:

Well, I think -- you know, you talk about the big box stores. Okay, so they can do it, we can't, so now the people are going to go there and spend their money in the big box stores as opposed to the local Mom and Pop convenience store operator. You know, again, now you have legislation that's steering customers away from our business and that makes our -- my membership extremely frustrated and angry, because they're looking to survive and contribute to the local economy, not see their local Legislator steer business away from their stores to the big box stores.

LEG. BROWNING:

Well, the small franchises in my district are Mom and Pop stores. And I think, too, you know, this is an issue with, you know, the minute cards where you can reload your phone; they can continue to be sold. And like I said, a 7-Eleven owner said to me he really doesn't make money selling them, it's more of a convenience. There really is not much profit in it, and it's not going to put him out of business. So I don't know what else I can say, but I'm hoping that some day we're going to see this on the Federal level.

MR. WATT:

I appreciate you letting me speak on the topic. Thank you.

LEG. BROWNING:

Thank you.

CHAIRMAN EDDINGTON:

All right. Is there anybody else that wanted to address the committee?

Okay, we're fortunate enough today to have Chief Dominick Varrone come before us to give us a brief overview of the high profile South Shore murder investigation. Chief? Thank you for coming on such short notice.

CHIEF MOORE:

Good morning. I am Robert Anthony Moore, Chief of Department, Suffolk County Police Department. Before Chief Dominick Varrone, our Chief of Detectives, begins, please understand, this is an ongoing investigation. The briefing that he's going to present in the public forum is going to be very short on details, and I'm sure you can appreciate that. If you would like a more comprehensive briefing, we could do that in executive session, but I'll leave that to you, Mr. Chair, to decide which of the two you would prefer.

CHAIRMAN EDDINGTON:

You know, I guess if you could just give us just a brief overview. I'm not looking for anything -- I guess I'm going to continue to say anything that would be fit to be printed in the paper, we would like to know, and just keep us like, you know, an hour ahead of the papers. So I don't want you to give us anything that you wouldn't release to the news.

CHIEF MOORE:

Well, that's not usually a standard that we take into consideration.

*(*Laughter*)*

CHAIRMAN EDDINGTON:

Yeah, I hear that.

CHIEF VARRONE:

Good morning, Mr. Chair. That kind of limits me. It's such -- it's a high profile case and so widely covered. I provided you with some photos of the victims which also are well publicized, as well as a layout of the human remains and the bodies that we have found to date. In private session we can go into much more detail and I can answer some of your more specific questions, but I'll give you what I can and hopefully be able to answer some of your questions.

This has quickly become one of the largest, if not the largest, investigation in the Suffolk County Police Department's history, and it's a matter that we're not taking lightly. And of course we've devoted a significant number of resources to this case, and some of the best of our best are involved in this. We're working with outside agencies, we're working with the FBI; some of its been reported, some of it has not.

Just to give you a quick overview of where the case is, and forgive me because I know most of you know all of this, but I'll just mention it. Of course this whole case started with the disappearance of Shannon Gilbert which occurred on May 1st -- almost a year ago, a few more days -- and Shannon Gilbert was a young woman who advertised on Craig's List. On the day in question she left her home in Jersey, took a train into Manhattan where she engaged in one, maybe two tricks, and she had a driver who was contacted by an individual in the Oak Beach Association and she was taken there at approximately two o'clock in the morning.

She spent a couple of hours with that client and then she became disoriented, confused. We're not exactly -- what happened, we have some ideas; we believe drugs may have been involved. And that led to a 911 call which went to our operator initially, but she had no idea where she was and all she remembered was Jones Beach on her way out there. And once she relayed that she thought

she was at or near Jones Beach, that call was relayed to the New York State Police, and she was on the phone for about 18 minutes and then she was disconnected. That began a very intensive investigation for her disappearance.

Within the ensuing months, numerous canvasses and searches of the area were done to no avail. In December -- again, well publicized -- K-9 Officer John Malia and his dog Blue -- and it has been reported that this was a training -- that he was on training exercise; no. Any time he had free time, he and others would go into that area and search. He went well beyond the area, the immediate area that we thought she could have been, and he discovered human remains on December 11th. On the overview photo I gave you, there's numbers of the bodies and remains that were found; the numbers represent the order that we found them in.

So number one was the first set of remains that John Malia found, and everyone, everyone thought that it was Shannon Gilbert. We continued the search within the ensuing days to broaden the crime scene, and much to our surprise we found other remains and continuing the search more and more, initially, then, within those few days in December, finding four sets of remains. As you see listed, Maureen Brainard Barnes, who had been reported missing in July of 2007, last seen in New York City; Melissa Barthelemy, last seen in July, 2009 in New York City; Shannon Gilbert, we haven't -- still not part of this; Megan Waterman, June 6th, 2010, last seen in Hauppauge; and Amber Lynn Costello, last seen on September 2nd, 2010 in West Babylon, right around the corner from where I live, in fact.

The common denominator with these missing persons, they had all advertised on Craig's List. Some of them, the initial investigations on Barnes and Barthelemy were conducted by NYPD; these were cold cases for the most part. We took over the investigation, again, with the belief that some of the remains or one of them would have been Shannon Gilbert. Forensic -- our Medical Examiner had entered into an agreement with the New York City Medical Examiner's Office, their Forensic Anthropologist, and that served us very well. Brad Adams, nationally recognized, kind of was instrumental in doing the forensic analysis of the remains that were found and we were able to quickly -- they were able to quickly identify the four.

A task force was created, a homicide task force, involving three immediate supervisors and 13 -- about 13 Detectives. We took the best of our best, we took a couple of our best people in cell phone technology as well as computer forensics and assigned them to this task force; we've been working on the case ever since. The FBI was contacted and brought in in December, we had a number of contacts with their Behavioral Analysis Unit in Quantico. Many of us, almost the entire command staff of the Suffolk County Police, have gone through the FBI National Academy, we're well aware of their abilities and capabilities; many of us trained down there, myself included. We were in phone consultation with them and then finally in February of 2011 they flew up an entire team of their investigators from the Quantico unit. They spent a couple of days with us, we took them to the sites where we recovered the remains, we showed them everything that we had in the case. We sat down at a round table and brainstormed and discussed all the ramifications and possibilities and discussed various investigative strategies and we've been consulting with them since.

We felt that additional search had to be conducted, but of course the winter -- we were in the winter then, the ground was frozen, and we all know the amount of snowfall over the winter. We had made up our minds that we were going to expand the search after the snow-melt and prior to the growing of the foliage in the spring, which we did. And that, of course, resulted in a find on March 29th by a Marine Bureau Officer who happened to be -- after we had done another extensive search in the Oakdale area -- again, we're still looking for Shannon Gilbert -- he's driving along Ocean Parkway towards the end of our search on that particular day and something catches his attention on the side of the road. I'm not going to mention what it was other than to tell you that it had absolutely nothing to do with anything, but it just caught his attention and caused him to look and

peer in beyond the bramble and he observed something that raises a suspicion, his curiosity. He took it upon himself to walk in now 30 feet into the bramble and he made another discovery. That was different from the first discoveries, of the first four, because in those it was obvious that the killer apparently transported his victims, we believe by vehicle, off the shoulder of the road of the Ocean Parkway.

It was for the most part in the summer, very busy months, but overnight you can see headlights from a good distance behind you. We surmise that if someone was following you or you saw headlights, you wouldn't pull over, you would wait until there were no headlights behind you, utilize one of the turnarounds, pull off the shoulder of the road, on to the grassy area, open the trunk or the back of the vehicle, whatever it happened to be, and then toss the victims into the bramble as far as a person could toss. But on the March 29th discovery, this Marine Bureau Officer, it was a whole different thing. We were kind of concentrating on the shoulder, but now we realize, "Wow, we have to cover the entire area." And we also realized that that area had been covered by K-9 and here a Marine Bureau Officer found it on his own, so we were clearly of the understanding that we had to rely on more than dogs. We had to utilize more human assets, more visual assets, and that's why the search was continued again. You're all aware of it, well publicized. We utilized trucks with officers on top of the trucks to drive along the bramble and peer in, and of course we utilized our local volunteer fire departments and that resulted in the discovery of additional remains. And how we found them I can't -- I'm not going to be able to discuss with you other than to say -- and some of this has been reported by the media. Other than to say that they are different in many ways from the first four, which is, again, a dilemma for investigators and something that we're looking at.

The question everybody has, are they related to the first four? Is this a different killer? Is this a different circumstance altogether? Those remains, as well as the remains that were subsequently found in Nassau County -- again, everyone sent their remains to the same New York City Medical Examiner's Office; Brad Adams and his entire team are analyzing all of those remains. We thought we may have had some results already, but it became very time consuming because the manner in which these remains were disposed, there could have been one or more people combined. So rather than just take one sample from each find, they have to take multiple samples and they're extracting DNA from the bones. Once they've done all of that and they make comparisons between the sets, it's all going to be uploaded into the DNA CODIS bank which only happens once a week. I don't -- I wasn't sure if they were going to get it in yesterday or not, on Wednesdays, I'm not sure. But hopefully once that information is uploaded, we have DNA on file for some of these victims and we would be able to quickly identify them, but if we don't, it might be a much more painstaking task to identify these victims. And once we do that, then it will be a whole nother (sic) facet of this investigation.

Basically -- oh, the only other thing I'd like to add before I entertain some questions is that there's a lot reported in the media. When a case becomes this big, and it's such a high profile case, every resource, every media resource has teams of reporters and people contacting every person they possibly know within the Police Department, within Medical Examiner's Offices. There are a lot of people along the beach, there are helicopters with cameras and information gets out. And I can tell you that some of the information that the media has publicized is accurate or close, a lot of the things that they report is inaccurate. But we cannot, of course, share those details and there's no -- it serves no purpose to serve those details. The media, the public has a right to know, and when we can release the information we will and we can. But of course our highest priority is to identify and apprehend the individual responsible or the individuals responsible for these crimes.

CHAIRMAN EDDINGTON:

Thank you. And that's why I asked you to come, because you're -- we can read a lot of different reports and constituents read and call, but at least we can repeat what you have said so that we start from truth, and that's a good spot to start from,

For my own clarification, so we've identified half the victims; is that it, four out of the eight?

CHIEF VARRONE:

That's correct, sir.

CHAIRMAN EDDINGTON:

Okay. The reason -- another reason I wanted to have you come here is that in a week or so we're going to be having a budget committee meeting for public safety, and this has to be draining your staff. I mean, I know, you know, as we look at the Police Department, they're under staffed in many areas. And you're doing a tremendous job and you're using -- I mean, the idea of using the recruits and everything was great. But I'm hoping that you'll put together a budget that will include your task force and that they'll be able to continue. I really don't want you to have to not be able to do your job because it's costing too much in overtime or whatever the other problem is.

So I wanted to put that out there today, just so that the Chief and you, you know, will give us a legitimate thing. This is going to be expensive, I understand it, but I think the citizens demand it and they would understand it.

CHIEF VARRONE:

Okay. Thank you.

CHAIRMAN EDDINGTON:

Any other questions?

LEG. GREGORY:

Yeah.

CHAIRMAN EDDINGTON:

Yes, Legislator Gregory.

LEG. GREGORY:

I just want to say thank you and your officers under your command, Detectives under your command, for all the efforts that you do. I have all the confidence in the world in you. This is not like an episode of *Law & Order*, which I've watched too much of in my time. And we know it's much more difficult than that and this is a strenuous and arduous task that you have at hand and the world is watching, so we know it's a lot of pressure.

I just wanted to clarify, and I think this is probably public already, because there were some people in my community, and I'm not -- this certainly isn't in my district, but some kids in my community were concerned that there was a serial killer out there and they were afraid to go out at night. It's my understanding that there aren't -- these are recent discoveries, obviously, but not recent murders, at least within the past year. Can you comment on that?

CHIEF VARRONE:

Certainly. For the most part they're cold cases. However, Megan Waterman was June of last year and Amber Costello was September of last year; so that's, you know, very, very recent and very concerning. It's concerning to me, it's concerning to all the investigators. I mean, there is a serial killer among us and that's something that bothers us.

We're hoping that finding and discovering the area that he utilized may have him in enough of a panic to perhaps stop, at least stop for a while. But we have no reason to believe that he will, so that adds to the pressure of trying to resolve this case. But I would say the other victims are over a few years, and I think the most recent finds, and we'll have to wait for the forensic analysis, but we think those are going to even predate the more recent finds. So that -- there's a little consolation

in that, but it's something has got us very concerned .

The other consolation is he's not selecting citizens at large, he's selecting from a pool and the selection process is based on -- serial killers select on three factors; availability, vulnerability and desirability. These girls who advertise on Craig's List are very available, they're very vulnerable, they're willing to get into a car with a stranger. And the desirability factor is covered by the fact that he could select, pick and choose from their advertisements height, weight, whatever he'd like. So these are all factors that a serial killer utilizes in selecting his victims, and right now it's narrowed to that segment of the population.

It's certainly a concern and danger for all of us. It's particularly a concern and danger for anyone who's engaged in that trade. And unfortunately, you'd be absolutely astonished and amazed, I was, as we've looked into this case, the number of people involved in this Internet and metropolitan, you know, anything that involves profiting for sex. It's just an amazement, it's very astonishing and it's very troubling.

LEG. GREGORY:

Well, thank you. And whatever you need, obviously it goes without saying that this committee is here to support you in your efforts.

DETECTIVE VARRONE:

Thank you.

CHAIRMAN EDDINGTON:

Okay. Thank you very much for your presentation, we really appreciate it.

Okay. We'll start with the agenda then.

Tabled Resolutions

IR 1093-11 - Naming the Suffolk County Police Department Range "The Stephen J. Clark Memorial Range" (County Executive). This won't be eligible till June 9th, so I'm going to table it.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

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

IR 1124-11 - Adopting Local Law No. -2011, A Local Law to change the formula for distribution of funds and fees generated from the seizure and forfeiture of vehicles (Schneiderman). This has to be tabled for public hearing. I'll make that motion.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

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

IR 1266-11 - Adopting Local Law No. -2011, A Local Law to register prepaid cell phones purchased in Suffolk County (Browning). This 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?
Tabled (VOTE: 4-0-0-1 Not Present: Legislator Kennedy).

IR 1277-11 - Adopting Local Law No. -2011, A Local Law to protect animals in Suffolk County from abuse (Cooper). The sponsor has asked to have this tabled, so I'll make that motion.

LEG. GREGORY:
No.

LEG. BROWNING:
No, not this one.

CHAIRMAN EDDINGTON:
I beg your pardon?

LEG. BROWNING:
Motion to approve.

CHAIRMAN EDDINGTON:
This is 1277?

MR. PERILLIE:
He didn't request that.

CHAIRMAN EDDINGTON:
Oh, okay. I have a note on my paper here that --

LEG. BROWNING:
No.

CHAIRMAN EDDINGTON:
No? Okay. Then I will withdraw my motion to table and make a motion to approve.

LEG. BROWNING:
Second.

CHAIRMAN EDDINGTON:
Second by Legislator Browning. All those in favor? Opposed? Abstentions?
Approved (VOTE: 4-0-0-1 Not Present: Legislator Kennedy).

Introductory Resolutions

Okay, ***Introductory Resolution 1315-11 - Adopting Local Law No. -2011, A Local Law to limit the restraint of pets outdoors (Romaine).*** This has to be tabled for a public hearing; I'll make that motion.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

All those -- second by Legislator Gregory. All those in favor? Opposed? Abstentions?
Tabled (VOTE: 4-0-0-1 Not Present: Legislator Kennedy).

IR 1352-11 - Accepting and appropriating Federal funding in the amount of \$9,879 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in operation SCORE II with 81.53% support (County Executive). I'll make a motion to approve.

LEG. BROWNING:

Second.

CHAIRMAN EDDINGTON:

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

IR 1363-11 - Approving an increase in the fleet of the Suffolk County Sheriff's Office funded through the use of Asset Forfeiture Funds (County Executive). I'll make a motion to approve.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

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

IR 1367-11 - Accepting grant funds from the New York State Department of Transportation for provision of dedicated traffic enforcement in the vicinity of certain highway construction projects with 100% support (County Executive). I'll make a motion to approve and put on the Consent Calendar.

LEG. GREGORY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Gregory. All those in favor? Opposed? Abstentions? ***Approved and placed on the Consent Calendar (VOTE: 4-0-0-1 Not Present: Legislator Kennedy).***

IR 1402-11 - Accepting and appropriating funds totaling \$200,000 via the Town of Brookhaven and a private donor for the Enhancement of the Shotspotter® Gunshot Location System in North Bellport (Eddington). I'll make a motion to approve.

LEG. BROWNING:

Second.

CHAIRMAN EDDINGTON:

Seconded by Legislator Browning.

LEG. CILMI:

On the motion?

CHAIRMAN EDDINGTON:

On the motion, Legislator Cilmi.

LEG. CILMI:

Just to the Chair; have you worked out the details on this with -- because of the lease situation that we're doing with the other ShotSpotters, etcetera?

CHAIRMAN EDDINGTON:

Yes. I think what's been added is this one in North Bellport will be a five-year commitment, the others are all three.

LEG. CILMI:

Very good.

CHAIRMAN EDDINGTON:

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

Approved (VOTE: 4-0-0-1 Not Present: Legislator Kennedy).

All right. If there's no other business, I'll adjourn the meeting. Thank you.

(*The meeting was adjourned at 10:58 A.M. *)