

PUBLIC SAFETY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

Verbatim Minutes

A regular meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Thursday, June 2nd, 2011, at 10:00 AM.

Members Present:

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

Also In Attendance:

Presiding Officer William Lindsay - District #8
Legislator Jon Cooper - District #18
George Nolan - Counsel to the Legislature
Sara Simpson - Office of Counsel to the Legislature
Tim Laube - Clerk of 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
Michael Cavanagh - Aide to Presiding Officer Lindsay
Bobby Knight - Aide to Presiding Officer Lindsay
Kara Hahn - Director of Communications for Presiding Officer Lindsay
Paul Perillie - Aide to Majority Caucus
John Ortiz - Budget Review Office
Eric Kopp - Deputy County Executive
Ed Hennessey - County Executive's Office
Robert Anthony Moore - Chief of Dept/Suffolk County Police Department
Ted Nieves - Deputy Inspector/Suffolk County Police Department
John Busweiler - Detective Sergeant/Suffolk County Police Department
Commanding Officer/Electronics Investigations Bureau
Gerald McCarthy - Deputy Inspector/Suffolk County Police Department
Commanding Officer/Detective Division's Major Crimes Bureau
Tracy Pollak - Headquarters/Suffolk County Police Department
Hank Mulligan - 2nd Vice-President/Superior Officer's Association
Russ McCormick - Suffolk County Detective's Association, Leg. Chair
Jeff Gergol - Suffolk County Detective's Association/Leg.Co-Chair
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
Gail D'Ambrosio - President/Suffolk County Probation Officer's Assoc.
Anthony LaFerrera - Chairman/Suffolk County FRES Commission
Bryan Prosek - Nominee/SC Fire, Rescue & Emergency Services Commission
Patrick Lespinasse - Verizon Wireless Representative
Raymond Mayo - Brentwood Association of Concerned Citizens
Amy Kramer - AT&T
Jessica Glynn - Supervising Attorney/SEPA Mujer

Martha Maffei - Program Director/SEPA Mujer
Erika Brooks - SEPA Mujer/Domestic Violence Victim
Cristiane Camparian - SEPA Mujer/Domestic Violence Victim
Tatiana Grez - SEPA Mujer/Domestic Violence Victim
Alexandra Grant - SEPA Mujer/Domestic Violence Victim
Donna Kukura - Parents and Families of Homicide Victims
All Other Interested Parties

Verbatim Minutes Taken By:

Alison Mahoney - Court Stenographer

(*The meeting was called to order at 10:00 A.M. *)

CHAIRMAN EDDINGTON:

We will start the Public Safety Committee with a salute to the flag led by Legislator Gregory.

Salutation

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

Moment of Silence Observed

Thank you.

Okay, I'll get started right away with the Public Safety Committee's **public portion**, and I have Raymond Mayo. Raymond, you have three minutes.

MR. MAYO:

Thank you. Good morning.

MS. ORTIZ:

You have to hold the button down.

MR. MAYO:

Okay. Good morning.

CHAIRMAN EDDINGTON:

One minute and 59 seconds.

MR. MAYO:

Wow.

CHAIRMAN EDDINGTON:

No. Go ahead.

(*Laughter*)

MR. MAYO:

Okay. So my name is Raymond Mayo and I'm a proud homeowner and resident of the Brentwood community. In the past year I have been actively involved with other homeowners engaging in various community projects throughout Brentwood and Central Islip. As residents of the Town of Islip, specifically Brentwood and Central Islip communities, we are tired of seeing our youth fall to senseless violence.

Within the last month there have been several murders. Juan {Rusario}, murdered 4/22; Eugene Smith of Brooklyn was killed in Central Islip; Luigi Casmere, 19-years old of Brentwood; Andrew Watson, 24 years of Central Islip; most recently Andrew Jones, 18 years old, killed on May 24th of this year, he was shot in the backyard of his mother's house. A neighborhood watch meeting was held on 5/25 in the Brentwood Community Gardens Neighborhood Watch Group. Outraged by the murder that week, other neighborhood watch groups and civic organizations were called to come together in unity with the objective of devising a game plan to combat the plague of violence and prevent our community from becoming an all-out war zone, and these are some of the bullet points from our meeting.

** Implementing anti-gang education programming for parents, facilitated by the Police Department, to be scheduled and communicated throughout our community.*

** Change COPE Unit hours from the current 3-11, 3 PM to 11 PM day-tours to a 7 PM to 3 AM tour.*

** We need more officers and greater overall Police presence. Sector cars respond to 911 calls and COPE Units can address the community issues.*

** To reinstate Suffolk County Gang Task Force and facilitate the task force involvement in Brentwood and Central Islip communities. The task force should provide updates to our community regularly.*

** Suffolk County Police Department and Suffolk County Legislature to bring in Federal assistance to combat these gangs.*

I would like to also state, if they are here, we haven't heard any progress that has been made. So, I mean, if they are here, I'm hearing about it in other townships but not this one.

** Counseling and bereavement therapy accessible to our schools when violent incidents or deaths occur amongst our young. It was brought to our attention that a grieving CI high school student, attempting to cope with the Andrew Jones murder, was held by school officials and her parents contacted. No one asked her any questions or provided any type of counseling and this is not acceptable. They thought she was drunk and called her parents.*

** Another issue that was brought up was to make available to the public a listing of address of gang houses, something similar to the sex crimes offenders, similar to that, or those areas of criminal activity so we know what areas for our children to avoid.*

** I would like to get a law banning gang members from any distance from schools. In other states they're implemented and we need the same thing implemented in our area, 200, 300 feet.*

** In Brentwood it has been brought to our attention that gangs are in the high schools and kids must walk with their heads down while passing through their corridor; this should be investigated immediately and ended immediately.*

** From the community standpoint we the residents must get more involved. If you see something, say something, report anything out of the ordinary and so forth.*

** More communication between local community organizations, business and churches; we've have already started this, implemented that.*

CHAIRMAN EDDINGTON:

If you could wrap up, please.

MR. MAYO:

Yep, I'm wrapping it up right now. Our town is crying for no more children dying. We need help and we need it now. We look forward to working with you to get our community back to a safe, functional environment that our children deserve.

And then I listed here the following organizations that took place in that meeting; Brentwood Gardens Community Organization, Brentwood Association of Concerned Citizens, VISION, Shepherds Gate, Suffolk County PD had an Inspector there which was very appreciated, Clean Streets Committee, Common Ground Church, Islip Chapter NAACP and Central Civic. Thank you for this time in this matter.

CHAIRMAN EDDINGTON:

Okay, we've got a couple of questions. One is first, it's obvious you haven't gotten the memo that crime is down in Suffolk County.

MR. MAYO:

Yes, we've -- oh, sorry. Yes, I've seen that crime is down in Suffolk County, and I applaud the efforts that has been done to do that. They have been more increased in our area within the last few weeks and/or months. There are other murders that I haven't mentioned, I didn't want to, you know, list every single one of them down here.

CHAIRMAN EDDINGTON:

Right. So you're basically saying, to use the Commissioner's words, there's a slight uptick in your area --

MR. MAYO:

That is correct.

CHAIRMAN EDDINGTON:

-- and you would like to get some more forces to deal with that uptick.

MR. MAYO:

That is correct. And some Federal assistance, if needed. Actually, in yesterday's paper, I believe, there was a raid in Lynbrook I believe it was, that they did and it was -- I applaud them for it. But I haven't heard any such raids or gang activity, anti-gang violence, you know, done in our area.

CHAIRMAN EDDINGTON:

Okay. Legislator Gregory has a question.

LEG. GREGORY:

Thank you, sir, for coming out here today and expressing your concerns.

MR. MAYO:

Thank you.

LEG. GREGORY:

So you're saying that the Anti-Gang Task Force is not in the community? Because I've heard that, but I haven't heard much else about that.

MR. MAYO:

Okay. So I also volunteer for the Ambulance Corp., Brentwood Allegiance Ambulance, and I have been on call a couple of months ago where we were told, "They stopped us from getting out of the ambulance to go to one house and we had to wait for the Gang Unit to come." It's been brought to my attention that the Gang Unit, a 6-member unit, is currently active in Huntington at this present time. So if something does happen in Brentwood, there is a long response to get there. Okay?

*(*Legislator Kennedy entered the meeting at 10:08 A.M. *)*

LEG. GREGORY:

Okay. Yeah, there were some other concerns that we had. There was a 20-member unit that was taken from different Police Departments and they were from my precinct in the 1st and some in Huntington, some from the 3rd and other areas and we were concerned about the time that it takes to react when something can go on in different communities. I think we've had five shootings in the past two weeks in my district; we just had a 15-year old girl who was shot, I want to say last week. So I hear your concerns, you know, I'm with you.

As far as the banning members, gang members from schools, I think the State Legislature is considering a measure like that right now. I don't know if it's going to pass this session, but I believe it's before the Legislature, I think it's a 1,500-foot barrier. Within any luck we'll get it passed, but at least they're considering it so that it's not, you know, just Suffolk then, it will be Statewide.

But thank you for coming here today, I know it takes a lot. And whatever I can do; although you're not in my area, we have very similar concerns and problems and issues and our communities should work together to address them. So I'm available.

MR. MAYO:

Thank you. Thank you, I appreciate that.

CHAIRMAN EDDINGTON:

Legislator Browning.

LEG. BROWNING:

Yeah, it's nice to hear you coming. Because when -- you don't have to say the word Brentwood, you could say certain communities in my district and it sounds exactly the same.

I'm curious, as far as School Resource Officers, that I know that's something that one of my school districts has been asking for.

Do you have a School Resource Officer?

MR. MAYO:

Yes, we do have School Resource Officers. I cannot speak to the amount of availability and time that is spent at schools, but there is one available. Whether the school is utilizing that officer is another question, another concern that is -- that has been brought up to the school board, but I didn't feel that that was something to bring up at this meeting.

LEG. BROWNING:

Okay. I think I would like to find out exactly what -- because I know there are Police Officers being used, but I think that they're given other tasks which is not giving them the quality time that they need in the school district. So, you know, I think -- I guess, Ric, is -- this is your district, right?

LEG. MONTANO:

Yes, it is.

LEG. BROWNING:

Yeah. I think maybe we could follow-up and see how much time the school is actually getting from a Resource Officer. What about Probation; do you have Probation also?

MR. MAYO:

Probation Officers in the school, you mean? That I am unaware of. I would have to look into that and report back to Legislator Montano.

LEG. BROWNING:

Yeah, maybe we can try and get that information also. Because I know one of my school districts did have a Probation Officer and the Probation Officer was removed, and they found that the officer actually really helped a lot and created, you know, some interference with some problems and was able to pick up on some issues with the teachers and for the school district before problems really happened. So I would like to find out, too, if you are being given a Probation Officer also.

But I think we share -- you know, like my colleague here next to me, I think, you know, I have communities that we share the same problems that you have. And hopefully -- you know, we're working on ShotSpotter and hopefully we'll be able to have ShotSpotter also in your community.

MR. MAYO:

Yes, thank you. That was a follow-up and that question has been raised as well. It was also brought up I think in our area last year, however it has not been implemented in our area, so that's been a major concern as well.

LEG. BROWNING:

No, it's not anywhere yet. I know the agreement with the Police Department, so it's in the process but it's not quite done yet.

MR. MAYO:

Okay, thank you.

CHAIRMAN EDDINGTON:

Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Chairman. Thank you so much for coming today. This is a problem that I don't think is unique to any one Legislative District and I don't think it's a concern that's unique to any specific Legislative District or area. It concerns everybody, regardless of exactly where the concentration of problems exist.

I know it's very troubling to me and it's heartbreaking that you have to come here and express what you're expressing. And I sat -- although Brentwood is not in my district, I sat and listened to folks, I don't know, I guess it's about a year ago now, Legislator Montano?

LEG. MONTANO:

Yes.

LEG. CILMI:

At the library, I believe it was?

LEG. MONTANO:

Yes.

LEG. CILMI:

Yeah, and listened to one of the young ladies I think I see in the audience whose son was murdered. And any time that you have children in school particularly who are afraid to learn, really, is just tragic. Education is -- for a child, education is probably at the epitome of rights that kids should have to a quality, safe education.

Have you had any conversations with school officials regarding their ability to discipline and control activities within the school district?

MR. MAYO:

There have been communications with the school board regarding our children's safety within the school. There's been meetings in the past with Federal Task Force to assist with getting gangs out of the school, out of schools. Again, there has been no follow-up, there has been no feedback, and it seems to get progressively worse within the schools. Kids are targeted. Again, walking down the corridor seems to be an issue from the kids standpoint and, bottom line, it has not been addressed; it's been mentioned but it has not been addressed.

LEG. CILMI:

So they haven't shared with you any constraints that they feel in terms of disciplining these kids other than fear for their own safety? I would imagine you have to be careful about what colors you're wearing as you're walking through school, right?

MR. MAYO:

That is correct.

LEG. CILMI:

I don't know, maybe there's a way that we could establish some sort of a dialogue. I know we have no jurisdiction in Suffolk County over the school districts, but it seems to me we're in a very bad place in this state where -- I mean, I've heard from district administrators and from teachers that it's very, very difficult to discipline kids today without -- without being called to task or second-guessed. So the teachers have a difficult time, and I think a lot of the teachers become sort of disenfranchised by their -- you know, they have the desire to educate and to discipline when necessary, but they feel handcuffed from doing so.

I'd also like you to comment, though, on sort of -- I mean, we can provide law enforcement, we can create laws, we can advocate certainly, we can create consequences, and I'm all for all of that. But at some point you also have to look at the root cause of some of these things.

MR. MAYO:

I agree.

LEG. CILMI:

So I'd like you to talk to us a little bit about what you think those root causes truly are, honestly are.

MR. MAYO:

Okay.

LEG. CILMI:

And how the community and government can help address those root causes.

MR. MAYO:

Okay. So a lot of families now are working two jobs; to be real and up front, the economy is not in the best of states right now. But we're asking as well that parents -- this is not just a Legislative problem, it's not just a Suffolk County PD problem. Adults, parents need to step up and look after

their children, ask questions, be involved in their lives. So we're looking to get that implemented as well in the, you know, surrounding townships, Brentwood/CI/Bay Shore area. Even though it might be Huntington, we're looking to work with other organizations in different areas as well.

We -- a positive thing that was done last year from Suffolk County PD. They implemented stops and checks on the road. It wasn't racial profiling, they stopped everyone, they checked, you know, different things. That was very helpful, it dropped crime tremendously and people felt safe. At that time they beefed up patrols. I was made to understand that after speaking to Deputy Inspector Michael Calderal -- you know, I might be butchering his name -- they moved the shifts from the COPE Units to 1 AM after the meeting last week, Wednesday, just to help out with this issue. So we just need more involvement and more communication. We need parents to step up and be parents and discipline their kids.

To be quite frank with you, a lot of kids are disrespectful to their parents and that needs to stop. But we can't control that, so what we're looking to do is to implement communication from diverse backgrounds to reduce that. We're not trying to get involved in their households, we're trying to get them to discipline their kids. Not abuse their kids, there is a difference.

LEG. CILMI:

Yes.

MR. MAYO:

But to discipline their kids. I was disciplined, okay, and I'm still here today to talk about it.

*(*Laughter*)*

We need more of that. Kids calling, you know, 911 to report their parents shouldn't be an automatic removal, and if it is, take them so you can see what you're supposed to be acting like. Something needs to be done and it needs to be communicated on both sides. I'm not putting all the blame on the Legislature or Suffolk County PD, it takes a community.

LEG. CILMI:

Yeah, thank you for that. You know, I think we all agree. And from my point of view, I just want to sort of send this message to you and to everyone, that there's nothing more important, at least to me, than our kids. And anything I can do, regardless of whether you're in Brentwood or in East Islip which I represent or Yaphank or Mastic, wherever, I will be there to help. So my door is open.

MR. MAYO:

I appreciate it. Thank you very much.

CHAIRMAN EDDINGTON:

You know, I just wanted to comment because Legislator Cilmi said that, you know, we can provide law enforcement, and in fact you're saying that you want more of it, so we haven't. That's why we've been struggling here for three or four years, trying to get more law enforcement available, and every time we put a class in we have the same amount of people or more retire so that we're going down.

You know, my background is in social work and drug prevention and, you know, the problems you're saying, you're given some solutions and they're not new; they were put out by Harvard University in 1983.

They say you have to have a concerted and comprehensive effort to deal with community problems; one, you've got to get law enforcement involved, you've got to get parents involved, you said that. You know what it is? It's parent education. Get them --

MR. MAYO:

Correct.

CHAIRMAN EDDINGTON:

But how do you get them in? Well, you know what? You've got to have the community involved, and you're here, you've got to get schools involved, and then you've got to have alternatives for youth. You can't just say, "Don't be bad and hang out on the street," we've got to provide those things. But nobody seems to want to step up and fund them and get involved, and unless -- we can't just get -- if we can't get enough Police there, we're already behind the eight ball. But we need all the things that you actually know, because you've mentioned like three out of the five. We've got to all get together and solve that problem and the time is now.

MR. MAYO:

Well, a bunch of these measures have already been -- are in the planning stages as we speak. What we need to do is get more invitations out to the Legislative and, if possible, have a majority of you show up and show your support when these events take place. We have a couple of things in the planning already, and I will do my best and I will send you all e-mails and invitations to all the events that we have planned. And if we can implement these, not only here but in other communities, then it shows a larger unity and a larger community, which is what we want.

CHAIRMAN EDDINGTON:

Excellent.

MR. MAYO:

A couple of the gangs are actually, from news casts and other investigations, headquartered in Brentwood. So I'm not sure how many of you know that aspect of it, but it's serious. We are looking into implementing and planning for activities to be done while school's out; family nights, health nights, things like that.

CHAIRMAN EDDINGTON:

Great.

MR. MAYO:

We're working with another company to try to get blow-ups in certain areas every month, once a month or twice a month so that the kids have something to do during the summer instead of just hanging out.

CHAIRMAN EDDINGTON:

Excellent.

MR. MAYO:

But we're also asking that -- and this has been brought up to the Inspector, Deputy Inspector as well, loitering, to just tell these kids, "Get out of here." Whether the businesses are for it or against it, the law enforcement has the right to tell the kids, "This is not -- don't loiter here. Get out of here. And if I see you back here in ten minutes, I'm going to write you a ticket or summons or whatever."

We need more -- it has to be unified support. And it also has to be the neighbor across the street that calls in, "Hey, you know what? 852-COPS, those kids are back over here. Can you send a car back over here and get back?" Kids are slick. I was a kid, too. You know? So they're slick, they're going to come back there. But we just need more involvement on all angles to get the problem resolved, and that's what it's going to take.

CHAIRMAN EDDINGTON:

Sounds great. Legislator Browning, you had a comment?

LEG. BROWNING:

Yeah. I will say that in my community, the Longwood School District had a forum with Probation, there was Police, community groups and the school district and they have been reaching out to various school districts and communities. Before this is over, I'll give you his number because I think he wants to reach out and have not just one community working on it, but all of the communities sharing -- who share the same problems to work together on the issue. So I think it might be somebody worth talking to.

MR. MAYO:

Thank you, I appreciate that. We're also -- the other agencies around the New York City area that are going to work with us to have parents stand at the gates after school to watch what's going on with the students and this gang involvement. So we have other outside individuals that are looking to come in and help.

We're looking to get rid of this problem and we're not taking no for an answer. We're looking to work with all who are seriously -- (*getting emotional*) -- excuse me, looking to help get rid of this problem. Our kids are dying at an alarming rate, we've got to stop it.

CHAIRMAN EDDINGTON:

Well, if your community has the passion and drive that you have, you're going to be successful. You will. Legislator Kennedy. Just take a break.

LEG. KENNEDY:

Thank you, Mr. Chair. Thank you for coming forward to go ahead and bring this -- I don't want to say bring this to our attention, because many of us around the horseshoe here have gone to Legislator Montano's speak-out, we have been there in the community. But you're right, you need to continue to bring this to us. We need to continue to look at other ways to give you the assistance that you need in the community.

And I haven't shared this with my colleagues, but I'll pose it actually both to -- both our committee Chairs here, Legislator Browning and Legislator Eddington with Health and Public Safety. There may be an opportunity for us with one of our committee meetings to actually host a committee meeting in the community, be it Public Safety at any of the forums down there, or for that matter Health & Human Services at the Brentwood Clinic which continues to be the focus of a lot of attention as well, yet another critical ankle in the community that's under siege from Albany with misguided thinking as far as funding critical sources. So the community should see that we're willing to come and actually be right at the nexus and the heart of where you need assistance and that we're not concerned to go to a community so other folks shouldn't be as well. I pose that to all my colleagues to consider as we go forward through the summer. Let's think about that. I think it will be a worthwhile venture. Thank you.

MR. MAYO:

Thank you.

CHAIRMAN EDDINGTON:

Thank you.

LEG. MONTANO:

Just very briefly.

CHAIRMAN EDDINGTON:

Legislator Montano.

LEG. MONTANO:

Yes. Ray, I just want to thank you for coming. I explained to you earlier, I'm not a member of this committee, but I did want them to hear the concerns directly from the community. I want to thank you, Erika, Lenny and the others that have come forward. I know you said you were a little nervous speaking before the Legislature, but you really articulated the issues.

MR. MAYO:

Thank you.

LEG. MONTANO:

And, you know, I know my colleagues and they're sincere when they say they want to do something, and we will be working together to see what we can do to get this thing moving. On disappointed that ShotSpotter is not in effect yet. We had hoped to have it in by July 1st, it's not going to happen, at least not by July 1st, but we're working as quickly as we can to get that in there. And the other issues that you discussed, we'll be talking about those continually. And thanks, Ray. Thanks for coming.

MR. MAYO:

Thank you. I appreciate it.

CHAIRMAN EDDINGTON:

Thank you very much for your time today and your important message.

MR. MAYO:

Thank you. God bless.

CHAIRMAN EDDINGTON:

Okay. Next speaker Anthony LaFerrera.

MR. LAFERRERA:

Good morning. Anthony LaFerrera, Chairman, Suffolk County FRES Commission. I just wanted to make a note in reference to the agenda on the several reappointments to the FRES Commission, that these members have been dedicated to the commission and hard working to public safety and I know the new appointment will be the same. So I just wanted the committee to know that. Thank you.

CHAIRMAN EDDINGTON:

Anthony, can I ask you a question? Does the Fire Marshals come under your purview?

MR. LAFERRERA:

The Commissioner, Commissioner Williams.

CHAIRMAN EDDINGTON:

Oh, okay. Okay, gotcha. Thank you.

MR. LAFERRERA:

He's the FRES Commissioner, I'm just Chairman of the commission, which is all volunteers from organizations throughout the County.

CHAIRMAN EDDINGTON:

I mean, they work with you?

MR. LAFERRERA:

Every one.

CHAIRMAN EDDINGTON:

Okay.

MR. LAFERRERA:

And I have to work with the Commissioner.

CHAIRMAN EDDINGTON:

We all do, yep; and it's a pleasure to do that.

Okay, Amy Kramer. Amy, it was so nice to see you sitting next to Verizon. AT&T and Verizon next to each other.

MS. KRAMER:

We get along great.

CHAIRMAN EDDINGTON:

That's awesome.

MS. KRAMER:

Every week we sit next to each other.

CHAIRMAN EDDINGTON:

Yeah, I like that. We all get along up here. It's just a nice place to be here at the Legislature.

MS. KRAMER:

Good morning. Thanks for having me again. Chairman Eddington, Legislator Browning, members of the Public Safety Committee, again, I'm Amy Kramer with AT&T testifying in opposition to IR 1266 which would require merchant collection retention and transmittal of prepaid cell phone customer ID. On behalf of AT&T, I thank you again for providing us with the opportunity to discuss this proposal. We've had a long history of support for and cooperation with law enforcement to the extent allowed by the law and limits of technology.

So despite good intentions, this provision will not generate a County database of criminals. When retailers interact with customers and alert them of the documents, the multiple documents required to purchase prepaid, law-abiding and criminals will likely, number one, not have the information with them at the time of purchase; and number two, not offer their personal information to the retailer and just simply purchase their prepaid phone elsewhere. Those wishing to obtain prepaid for use in crimes will not be captured in the database or in store records. At the same time, law-abiding families unable to produce the two forms of ID will be shut out of access from telephone service.

Additionally, when law enforcement obtains a prepaid device with a serial number attached, it's unclear how law enforcement will effectively match that serial number to the store records when the database produces no results. So ultimately, the enactment of 1266 would ultimately cause its malfunction. If enacted, the law would drive prepaid sales out of the County because retailers will likely discontinue sales of prepaid and because customers will purchase prepaid elsewhere. In the County, there would be very few prepaid customers to track. Your constituents will still utilize prepaid devices in your County, but they will not have been purchased in your jurisdiction and therefore not be tracked.

Another reason you can expect retailers to abandon the marketplace is that developing training programs and new technologies for a single County just isn't cost effective at the local level. Retailers rely on custom software, their cash registers are actually computers, specialized software and hardware are often consistent across the country. Add to the technology costs the legal costs of developing the retail procedures for the store to handle, store, even on a short-term basis, and train staff on those new procedures for one County or even just one state; just simply pulling it off the marketplace is going to be more cost effective. And I think policymakers with a business background know that a patchwork of laws from County to County or town to town doesn't promote a healthy business environment in the State.

So let's talk about this at the national level with one set of requirements. Senator Schumer's bipartisan bill introduced in 2010 would establish national standards and it's an appropriate vehicle for further discussion of the issue. Last week Assemblyman Thiele from here on the Island also introduced legislation in Albany, Assembly Bill 8006. While we're mindful that Suffolk County has a long reputation for being at the forefront of legislative change, passage of this legislation would be more symbolic than anything else. The bill would not function as reported and would not initiate national and global corporations to make substantial investments in new technologies. And ironically, the first group who will respond to IR 1266 are criminals.

We continue to explore alternatives that would avoid the obstacles set forth while addressing the legitimate concerns you have raised and we urge your opposition. I'm happy to answer any questions you might have.

CHAIRMAN EDDINGTON:

Thank you. Legislator Browning.

LEG. BROWNING:

Okay. Thank you for coming. You say here that it will harm families, individuals in Suffolk who have no other means of telephone communication. Can you tell me why? This is not a ban on the cell phone. It's not just changing the cost of the phone, it is strictly just requiring an ID so that you can purchase that phone. So where is the harm?

MS. KRAMER:

I think you're going to find many residents that are --

CHAIRMAN EDDINGTON:

You've got to press the button.

MS. KRAMER:

Oh, I'm sorry. I think you're going to hear this from other groups that serve low income, that serve folks who just may not be comfortable for a whole host of reasons; producing the four forms -- two forms of ID or may not have the two forms of ID. Especially the second one that has a home address on it; those folks may not be able to readily purchase a device in Suffolk County and, you know, may not have the resources to travel elsewhere.

LEG. BROWNING:

And you're familiar with the Federal Program that provides a free cell phone to low income families; correct?

MS. KRAMER:

I did learn of that in the course of this legislation. I remember that question was posed to another group, are they familiar with the program, and I know that they called into question some of the functionality of the program; they didn't see it helping their constituency. So I guess I have more to learn about that program, but I appreciate you bringing it up.

LEG. BROWNING:

Okay. And, you know, a DSS card is a form of ID and it would be acceptable. So to say that they don't have forms of ID, if they are on Social Services they will have that card.

Again, you mentioned Assemblyman Fred Thiele. The reason why Assemblyman Fred Thiele introduced that bill is because I brought mine to him, and I am continuing to go work on it. There is a bill that's been filed in Nassau County. And to follow-up, Senator Schumer is very supportive of what I'm doing, I've had communication with him also. So I appreciate you coming.

Also, in 2007, we've discussed that, where Georgia decided that maybe the industry could do something. It's very clear, how much have you done to help law enforcement be able to track the prepaid cell phones when they need to?

MS. KRAMER:

Well, I think obviously before any company invests the millions or billions of dollars what it's going to take to come up with some new technologies that are going to work across the nation, lawmakers like yourself, using your bully pulpit to urge Senator Schumer to take this up at the national level, would be very appropriate. I think bringing us all together at the Federal level is something that many of our corporations, from retail to groups that are interested in serving low income, and the wireless companies would entertain.

LEG. BROWNING:

But you didn't answer my question; what has the industry done? Because I know back in 2007 it was required that the industry work with law enforcement and work to do something to help. So my guess is nothing?

MS. KRAMER:

I'm sure if Senator Schumer or the Federal Government asked us to come together, a task force or a round table or some way to discuss this at the Federal level, our company would be open to do so. I can only speak about New York State.

CHAIRMAN EDDINGTON:

Okay. You know, I want to make sure I'm hearing it, what I think you're saying; that us using our bully pulpit will force the industry to take action to help resolve a problem that has been identified by the Police Department.

MS. KRAMER:

Right. And just to clarify, using your bully pulpit to bring about legislation or discussions at the Federal level. Again, we don't think that local legislation, this legislation is appropriate for the County level or even at the State level. And again, it's been rejected in a number of states.

CHAIRMAN EDDINGTON:

Right. And you said that when we talked privately and I just said, *"Just look at Suffolk County. We've been the leader in legislation, not only in the State but in the country."* So, and I don't think we're going to change, that's why we're so good.

But the other problem is that you were here, and I see a number of people, I don't know if they're going to speak, but you were here when all the speakers talked last time and we had like two hours, and at that point at the end Brighter Tomorrows, an organization, spoke and they talked about -- you know, they were the only ones that recognized that, yes, there is a problem with prepaid cell phones and, yes, there is also the issue that it could cause some difficulty for certain groups of people if they're not allowed to get them. And at that time, I said, *"Well, then would you be willing to get the people that are negative around this bill to get together and to try to find a solution?"*

Because it's very easy to just throw bombs at legislation.

And yes, you have legitimate concerns. But you're basically saying, and that's what I'm hearing all the people that are just giving, you know, concerns.

I want to solve this problem. I think Legislator Browning has come up with a possible solution. It may not be the best one, but we're trying to deal with the problem. And unless somebody steps forward with a concern and a solution, I think this is going to pass as it is.

And I can't make it clearer; get together, come with a possible solution, present it to the author of the bill. She's said this every time we have this discussion and yet we get the same eight people that come and say, "It's bad, it's going to hurt people." Then help us solve it. There's only 18 of us in the Legislature, we'll take help from anybody. We don't want just critics, we want people to help us.

So for the next couple of days, you guys can get together and come up with something. Ask Legislator Browning, she'll work with you, we all will. I mean, is that -- I mean, I keep saying the same thing, but we keep hearing the same comments, "I hate it, I don't like it."

MS. KRAMER:

I know you didn't have a question there, but permission to comment?

CHAIRMAN EDDINGTON:

Well, I mean, do you think you'll get involved? I mean, I said it very quickly last time and nothing happened, so I'm trying to make more of an impact. Will you get involved in trying to solve the problem, rather than just say, "It's a problem. We don't like the law."

MS. KRAMER:

Right. Well, keep in mind, you know, AT&T, on behalf of AT&T -- and I believe other wireless carriers and merchants feel the same way, that prepaid was not created for the purpose of perpetrating crimes. We believe prepaid is a safe product and it wasn't created for anonymity, it's a -- the faces of prepaid are moms and dads and kids and folks trying to control their income and folks who just don't want to be in a month-to-month or in a contract, and certainly we believe that it is a safe product.

CHAIRMAN EDDINGTON:

Okay. I guess you never watched the movie or the show *The Wire*? I would recommend you get it, it's a really interesting story, and it will show you the other side of it, because there are some abuses. Legislator Gregory.

LEG. GREGORY:

Thank you. I got it, it's working. Thank you. Hi, Amy. Thank you for coming here today. So that I understand, I'm looking at your comments that you handed to us, that AT&T is okay with requiring a valid ID information at the point of activation. They -- you're okay with requiring presentation of a photo ID at point of purchase, and you're okay with restricting the number of phones and/or sims at one time, sim cards, and willing to report suspicious purchasing activity to local law enforcement.

Now, the first two I'm a little confused about because I thought that some of -- at least some of your previous comments or maybe some of the comments from other organizations that you had worked with in opposition to this bill strictly had concerns about ID, presenting ID, whether at purchase or activation or any point because -- particularly with domestic violence victims, they're fleeing, they're fleeing their home, they may not have identification, how can they submit ID that they don't have, but now you're saying that you're okay with submitting the ID.

MS. KRAMER:

I can't speak on behalf of the other groups, but on behalf of AT&T, whenever this legislation has been entertained in other states, those bullet points there on the compromises, we've always been in favor of those compromises. Those are -- those are supported by AT&T.

And additionally, I know Legislator Browning has been great about having an open door to us since I was involved in this last fall, and I know that we've submitted different proposals to her, in addition to these, for compromises, so.

LEG. GREGORY:

Okay. Now, your third one, restrict the number of phones and/or sims at one time. So if a person comes -- and what would that number be; do you have any recommended suggestion?

MS. KRAMER:

No, I don't. But certainly that's something that's on the table for discussion, that would be something that's okay with us.

LEG. GREGORY:

Okay. What about if someone comes in and purchased three prepaid cell phones on one day, they come back the next day they purchase five, and over the course of a week they purchase, let's say, 15 prepaid cell phones; there would be no mechanism to track that. You're just talking about one day, one time, or even multiple stores?

MS. KRAMER:

I can get back to you with more information on that because I know it's been a proposal that's been discussed in other states, so I can get you more information on that.

LEG. GREGORY:

Okay. Reporting suspicious personal activity to local law enforcement; how do you propose to do that if you're not picking up any information from the purchaser? What would you be reporting, that some guy with a green shirt, jeans came to my store and was suspicious?

MS. KRAMER:

I think our store employees, obviously if something was a clear suspicious activity to them, they would feel as a citizen they should report that.

CHAIRMAN EDDINGTON:

You are suspicious.

LEG. BROWNING:

Suspicious looking.

LEG. GREGORY:

Okay.

MS. KRAMER:

I don't have a definition of that now, but it is --

LEG. GREGORY:

Oh, okay.

MS. KRAMER:

Those are bullet points of further discussion to be entertained, so we're always happy to discuss further, if you're serious.

LEG. GREGORY:

No, I appreciate the effort. I just wanted a little more details. As a black man, we're always kind of high on the totem pole for suspicious activity, but that's okay.

*(*Laughter*)*

That's a joke.

MS. KRAMER:

No, I understand. We've had those -- those have been part of our correspondents. And all along, when I got involved in this issue I said, you know, "Come on, AT&T, give me some compromises. What have we offered in other states?" And we've always had those four points in our correspondence.

LEG. GREGORY:

Oh, okay. No, I think -- okay. I appreciate your concerns, the corporate's concerns. I appreciate the sponsor's -- you know, what she's trying to do. It's my understanding, and I hope I'm not speaking out of turn or without facts, but I think some of the 9/11 -- some of the activity related to that, I mean, it came from a prepaid cell phone from Deer Park.

CHAIRMAN EDDINGTON:

Yep.

LEG. GREGORY:

So that's real to us. And it's not about limiting even low income or domestic violence victims which is an issue that's very close to me, personal to me, access to cell phone technology when they need it, but it's a balance. How do we, you know, present something good but not hurt those to a point where they can't get something that they need, particularly in a time of emergency? Do you happen to have an idea of your portion of sales or activity or the number of your buyers, of your market, I guess, prepaid cell phone market, that comes from domestic violence victims; is it 5%, 10%?

MS. KRAMER:

I'm sorry, I don't have that. I can see if we can get it.

LEG. BROWNING:

The phones aren't registered.

LEG. GREGORY:

Yeah, right. That was a stupid question, I guess. But I'm sure you've done some type of survey where it's not -- you know, like you had mentioned, that there are single moms or parents who want to give their kids cell phones and they don't want to put them on a plan or people who want to just, you know, keep their costs down; I'm sure you have that information somewhere.

MS. KRAMER:

On the number of sales or the number of --

LEG. GREGORY:

Well, some type of information to --

MS. KRAMER:

-- prepaid? I know the last time I testified, and it was in the CTA testimony and then last time I testified we had the figures. I don't have them up here at the podium with me, but I can give that to your office.

LEG. GREGORY:

Right. Because it would be helpful for me that if we were to change the way someone can purchase prepaid cell phones, that -- well, you know, you may impact say 60% domestic violence victims, you know, they are, you know, 60% of your market. I mean, I know that's a high number, I'm just throwing it out there for example. You know, that says something if you have that, if it's a -- you know, it's good to have that information. Okay, thank you.

CHAIRMAN EDDINGTON:

Legislator Kennedy just wanted to make a comment.

LEG. KENNEDY:

Thank you, Mr. Chair. Thank you for coming before us again and speaking. You know, listening to this issue and trying to read, you know, the various perspectives and the information that's being brought forward by yourself, and certainly by Legislator Browning as the sponsor, it kind of occurs to me that once again we're here looking at how best to try to balance needs of the community, needs of business, and facilitating or allowing commerce in general industry to go on, but at the same time not giving a green light to those who utilize a product, you know, in some untoward way. You know, there's only so far that we can go, I guess, to regulate human behavior.

I don't know if you can answer some of these questions. I did hear you speak in the beginning of your statement about not only AT&T but some of the other carriers. So do you folks, as wireless carriers, have an association? I like to sometimes try to define the universe before we get down to what's going on. Similar to, as Legislator Gregory just spoke about, that subset of the DV victims. We've heard about many different groups that would be negatively impacted by this. And quite candidly, I don't know that I'm necessarily persuaded by any of those particular groups, because I don't think that a prepaid cell phone is generic to a domestic violence victim or an undocumented minority or for that matter anybody. I purchased one for my child not too long ago. Conversely, Verizon has owned me for about 15 years, and I might as well just send my paycheck over to them because I have so many of these units. But I still don't know how many of these there are in Suffolk County, how many of them are just over the shelf prepaid, and what are the metrics associated with this? What do you know about this, what can you tell us?

MS. KRAMER:

Well, your first question was regarding trade groups or trade associations for the wireless industry. At the last public hearing, CTIA, that's the wireless industry, they testified I believe it was the last time or the time before that -- I have their testimony with me, I can share that with you again, and they have offered statements. They have been -- they've spoken on this issue in the past, so.

LEG. KENNEDY:

Okay. I would welcome seeing that and I'll take a look back at that testimony. But as to -- it would be unfair for you to speak on behalf of all of the carriers, but how about as to AT&T? How many units are we talking about here? Because I know every time I get a new Verizon unit, I've got to give them everything, down to my date of birth, you know, what I ate last week, and they have, you know, my check and everything else. So they know where I am all the time, they call me often.

*(*Laughter*)*

So, you know, I'm looking at the spectrum and the continuum here and I'm wondering, you know, why it's so heinous or offensive to ask that there be any kind of identifying information furnished on the, you know, prepaids when the other opportunity, you know, you're pretty much signing over a -- you know, your first born.

MS. KRAMER:

Right. I can give you State numbers. Some of the County numbers are proprietary, but I will provide to you whatever I can provide to you as a follow-up.

LEG. KENNEDY:

Okay. I would like some of that hard data as I continue to try to make some decisions about this bill and what kind of a burden it really is going to be in comparison to the board of universe of the units. Thank you.

CHAIRMAN EDDINGTON:

Thank you very much. Did you want to say something?

MS. KRAMER:

I mean, I just had one comment. While you do have questions about the prepaid versus post-paid, you know, lawmakers, on one hand where you're requiring more, asking for more ID to be collected on the prepaid product, we have many policy makers who applaud prepaid as a great way for folks to very easily control their costs and they like the idea. They want carriers to provide something that is less burdensome, has -- you know, is easier to secure for many individuals rather than a post-paid contract.

LEG. KENNEDY:

I have no issue with cost control. As a matter of fact, I think it's probably the better way to do it, because there's an inherent creep on contract and unit. You're always chasing something that's faster, better or has more gizmos, and that's never easier or cheaper, it's always more expensive. So I'm not suggesting that industry shouldn't provide the full menu of options out there for consumers to choose. I am very much in favor of consumer choice. I remain at this point unconvinced that consumers are inordinately disenfranchised by having to furnish any information whatsoever; that I remain unconvinced on so far.

CHAIRMAN EDDINGTON:

Thank you very much.

MS. KRAMER:

Thank you.

CHAIRMAN EDDINGTON:

Okay. I've got -- I have a feeling that there are a number of people in the front row ready to get up here and talk. Jessica? Thank you.

MS. GLYNN:

We have something to distribute. And I know that the Clerk is not here; do you want me to pass it around?

CHAIRMAN EDDINGTON:

My Aide will get it from you. Just press the button down and you're ready to go.

MS. GLYNN:

Great. Thank you so much. Good morning, Public Safety Committee members. My name is Jessica Glynn, I am the Supervising Attorney at SEPA Mujer, and I've brought with me today several of our leaders, our SEPA Mujer volunteers who would be directly affected by this legislation if it were to pass. We did extend an invitation to the Legislature and we didn't have any takers, so we've brought them to you.

Because of the nature of their stories, I do ask that you please be respectful and you be kind. They'll be talking about some of the most difficult things that any human can face. And in that vain, because my testimony is already on the record, I'm not going to reiterate my points to save time. I will, however, say in response to Mr. Kennedy and Mr. Eddington's comments, that you're looking for solutions. And I saw this morning with the first gentleman who spoke this very pragmatic, how can we take a community approach to address crime measures in Suffolk County, and we support that, we absolutely support that. And I ask that you be similarly pragmatic when addressing this issue and you take into consideration that if your intent is to track would-be criminals and would-be terrorists, we do that, why? We do it to prevent future victims. We prevent -- you know, we have all of these public safety measures, we have this committee so that we address the concerns or the would-be victims, not just to prosecute the people who would be the criminals, but to make sure we don't have future victims. And in that vain, I really beg that you take seriously the considerations of the people who would be disproportionately harmed by this legislation.

And we're on board. I think community education is vital in addressing, you know, crime in our communities, and certainly the people who perpetrate domestic violence. One in four women will be the victim of DV in their lifetime, one in four, and that's who's reported. In terms of with regard to collecting statistics and data on the number of women who use cell phones or prepaid cell phones in the course of reaching safety and are victims, I have to say, as an advocate for these women, it is seriously under reported. And to be able to collect statistics on all of the woman who use their cell phone for DV, I mean, it really -- it's truly impossible. The people who actually reach safety, who reach the Police, who reach a DV shelter, certainly. But all of the woman who never reach that safety, you'll never be able to get those numbers. Thank you.

CHAIRMAN EDDINGTON:

Just a second. And I want to just start off by saying that in no way would anybody on the committee want you to think that we under value the problem of domestic violence. I've counseled women, and even one man in domestic violence, so I know it's a serious problem, there's no doubt about it. That's why a number of us here sponsor every year a Sexual Assault Awareness Workshop in our local high school. I work with VIBS; I've given every year \$5,000 to VIBS as a grant to do this. And someone representing VIBS came and I said, "Well, if we continue to give \$5,000 or more to your organization and then you buy the cell phones and advertise in the community that women can come and get them, wouldn't that help solve the problem?"

MS. GLYNN:

And no, and I know that Legislator Browning has brought to this our attention as well. Our concern remains that there are a large proportion of women who never reach a shelter. And given our homicide statistics, you know, DV is the leading cause of death among women, the leading cause. Those women don't reach that, they don't reach safety. And so to put the prepaid cell phones in the hands of the DV agencies, while it's applaudable, certainly it will help some women, our concern are the many women who it will not reach.

CHAIRMAN EDDINGTON:

Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Chairman. Could you try and paint a picture for us, describe to us what could potentially happen, a circumstance wherein if this bill were to pass and let's say that many of the local merchants who currently sell these prepaid cell phones cease to sell them because they just don't want to deal with the burden of the regulation and therefore you only have the big box stores that are selling the phones, how does that specifically -- you know, give us a circumstance how that specifically affects those affected, the victims of domestic violence.

MS. GLYNN:

Absolutely. So I have three very courageous women today who will be, you know, giving the real stories, but to give you an idea of the many stories that I hear. Often, when a woman is in a violent relationship, her abuser controls her every move, he knows where she is at every moment. You know, he controls her by making her check in constantly if, you know, he's not physically there and, you know, controls transportation. And given the geographic layout of Suffolk County, you know, Brentwood/Bay Shore, you have the local bodegas, but further out east you have almost a rural community. And so for some women, you know -- so for one woman in particular I'm thinking, the only time she was out of the house every day was to pick up her child from the school bus and possibly go to the local 7-Eleven, or a local -- I think it was 7-Eleven, the local like corner store and get milk and, you know, groceries just for that day, because he also controlled her finances so he would just give her enough money to buy whatever food she had to buy that day. She didn't have a car. Public transportation, as we all know, in Suffolk County is difficult. And so for her, reaching the Best Buy or the big box store would be impractical because she doesn't have transportation, her abuser would know where she was, it wasn't the one place she was allowed to go, and if she deviated from that he would beat her and he would possibly kill her.

LEG. CILMI:

Thank you.

MS. GLYNN:

Uh-huh.

CHAIRMAN EDDINGTON:

Legislator Kennedy.

LEG. KENNEDY:

Thank you for coming out to speak. And you do an excellent job on behalf of your -- I don't want to say clients, the women that you work for. I had occasion to do an internship in Family Court and I've done OP's and TOP's and I've dealt with cases that would make you wretch, but as an attorney, you know I cannot and will not speak about them.

I do not in any way, shape or form want to take an act in this capacity as Legislator that would undermine or put any of these women or anybody that you work with in greater harm or greater jeopardy. And quite candidly, this equally is offensive, and if we knew who this person was I'd walk over to Chief Moore and hope he'd go arrest this individual, throw him in some hell hole and leave him there forever. So I don't have a problem with making certain that perpetrators of domestic violence are dealt with stringently and that victims are protected. And you're right, it is unfortunately a very significant and severe psychological process that goes on where an abuser demeans, batters down and breaks down a victim, be it male or female.

MS. GLYNN:

Uh-huh.

LEG. KENNEDY:

And, you know, we're dealing with trying to on one hand, as I said before, strike a fair balance between individuals who will utilize cell phones to poison and kill our children and everybody else through drug use, and at the same time not impact commerce.

So what I -- what I think I want to do is I think I want to be able to have a conversation with you outside of this forum, because I'm aware -- I'll even give an at-a-boy to the County Executive. I know just recently he made about 180 surplus Blackberries available for domestic violence agencies. Now, you're talking about how do you assist the individual victim before they ever get that first encounter with the agency.

MS. GLYNN:

Exactly.

LEG. KENNEDY:

And, you know, we know of different entities, resources that are out there in the community, whether they're parish outreaches or some other types of agencies. But I don't know, I don't know what the best answer is here. I'll talk to you a little bit about this individually, but know that I'm not looking to take a stance that disenfranchises or impacts the folks you work with.

MS. GLYNN:

Thank you very much. And we appreciate that and we're willing to share what we know and our expertise working with the community.

I also wanted to address a question that was posed earlier to the representative from AT&T about the DSS card being used as a form of identification. And for our clients, even those who have legal immigration status in the United States, under Public Benefits Law in New York, you have to have resided here for five years, and many of our clients are ineligible for public benefits cards and have no access to them.

CHAIRMAN EDDINGTON:

Legislator Gregory.

LEG. GREGORY:

Okay, thank you for coming. I understand your concerns. And as I mentioned earlier, domestic violence is something that's particularly important to me. I did an internship in the District Attorney's Office in the Domestic Violence Unit when I was in college, and horrible, horrible, horrible stories. But domestic violence is nothing new, not that we accept it, but it's going on, and my point is it's gone on for centuries, and certainly well before prepaid cell phones, but the problem still occurs. So are there any suggestions that you can have as an alternative to this bill that can help this issue?

Because, you know -- and I know all the statistics. I know that the women flee with, you know, the clothes on their back and nothing else, pretty much. So it's even difficult, I would imagine, for them to even have the money to purchase a cell phone, to pay for the minutes, let alone, you know, money to either get to a friend's house. Our bus transportation system is not perfect, so if you're fleeing after six o'clock you're pretty much walking, unless somebody picks you up.

MS. GLYNN:

Uh-huh.

LEG. GREGORY:

So, you know, so there are challenges that they would face even just purchasing the cell phone. So I'm trying to understand the argument a little bit more and if there are any other alternatives that you feel that could be put in this legislation.

MS. GLYNN:

Absolutely. And thank you for that question because it really -- this is my favorite thing to talk about, not the victimization but what we can do and the way that we can work with the community to address violence against women as a whole.

I think you have kind of a two-part question. The first is, one, how significant -- it's already so difficult for women to escape, how do they even get the money to buy prepaid cell phones? And I have to say that, you know, when you talk about victims, you don't really think about their resourcefulness. And I have to tell you, like humans have this innate desire to survive, it's in all of

us, it's just this innate desire, and you will do everything you can to keep yourself safe and your children safe, and they scrounge and they save quarters and they steal away money and they, you know, find a way. And I have to say, that shouldn't be your concern, they will find a way as long as you make the means available to them. And I've had women who hid their escape bag in bushes down the street for weeks until they have the perfect moment to flee their abuser. And so that said, they'll find a way, so long as you don't create barriers to getting, you know, this lifeline, this access to safety.

The second is violence against women as a whole in our society, and that certainly around the world, the station of women is one that is tragic. The fact that I can speak out today in our country about legislation that I find troubling is an anomaly in our world. And sadly so, just the other day a woman was killed in another part of the world for opposing legislation that would impact women in her community. And so I thank you for allowing me to speak and not fear, you know, authorities showing up at my door later tonight in retribution. And this is really -- this is the status of women in our society still. Domestic violence is violence against women, and certainly it affects the whole family and men can be abused, but it is 95% women. And we only talk about statistics in terms of who is victimized, we never talk about who are these perpetrators? How many men -- and I say this knowing, again, that men can be abused; how many men beat their wives and their girlfriends and their sisters?

And so with that said, community education, so vital. In order to remedy millennia of violence against women, we need to, in forums like this, address these unintended consequences of bills and take them seriously and think about ways that we can be pragmatic and educate our children and educate our sons and our brothers and our lovers and let them know that, you know, committing crimes against your spouse and your loved one is unacceptable.

CHAIRMAN EDDINGTON:

Legislator Cilmi.

LEG. CILMI:

Yeah, thanks again, Mr. Chairman. Just a couple of more questions for you. And let me say thank you in advance to the courageous women who are here today to speak. What percentage, do you think, of domestic violence victims don't find their way to an organization like yours?

MS. GLYNN:

I think we can look at homicide statistics and the amount of those -- I mean, all statistic gathering is flawed. I mean, I have, you know, one college course in statistics. So with that said, the majority of homicide victims who are women died at the hands of their intimate partner. And I'd be happy to get the New York statistics for you and more local statistics, but, you know, the most dangerous time for a woman who is being abused is in that process of leaving, and so quite a lot of them.

LEG. CILMI:

Yeah. I mean, I'm guessing, I've been on a couple of ride-alongs with Suffolk's finest and on both occasions when I asked them what is the -- what represents the majority of your calls, it's domestic violence.

MS. GLYNN:

Yep.

LEG. CILMI:

So, I mean, I have to assume that the vast majority of domestic violence victims never find their way to an organization like yours.

MS. GLYNN:

Uh-huh.

LEG. CILMI:

The second question; what percentage of domestic violence involves alcohol? You know, the perpetrators drinking or whatever.

MS. GLYNN:

Yeah, no, I understand the question. You know, substance abuse I know, obviously, is one aspect that can sometimes hinder the control of a person and their actions. But I have to say that violence against women is largely perpetrated because we create a culture that fosters it. We have a culture that says boys will be boys, you know, just let them be aggressive, and until we address that, you know, say "Just don't drink," you know, "Just make sure you're not smoking pot," and then your -- women will be safe? We really need to address the more systemic issues that lead to the perpetration of violence against women.

LEG. CILMI:

I guess my point with the question is, I mean, would you say that a significant amount of offenders are using alcohol as they're offending?

MS. GLYNN:

As they're offending?

LEG. CILMI:

Or -- not as -- I'm not saying that they're drinking while -- but, you know, that the alcohol or drugs are causing -- may be causing them to act out what they're feeling in a more egregious or violent way.

MS. GLYNN:

You know, I could get statistics.

LEG. CILMI:

And if you're unclear, that's fine, you can just say you don't know.

MS. GLYNN:

Yeah. No, well, here's -- here's what I do know, is that we often excuse behavior because it is hindered by drug and alcohol abuse.

And certainly, I mean, I think all of us here have probably had one night where we've had a little bit too much to drink, but we're still accountable for our actions. And if you drink and drive and you kill somebody, you know, it's a felony, so I wish the same were true when someone beat their wife.

LEG. CILMI:

Okay. Would you -- would you oppose requiring ID to be presented at the point of purchase of one of these phones and not necessarily that information kept? Because I think if we did that, in concert with AT&T's suggestion of somehow affecting some sort of communication when there's a suspicious activity, it seems to me that that would be a lot less onerous on business owners and possibly accomplish, you know -- if not, you know, quite what this bill as it stands would accomplish, it would get close. What's your opinion?

MS. GLYNN:

We have women who will be directly addressing that question. But for DV victims, their personal identity documents are often kept under a lock and key or destroyed. So for the women I represent, I would say that constitutes the large majority, upwards toward, you know, like 75, 80%, and for the rest, they just don't have the documentation. Because I represent solely immigrant survivors of

domestic violence, and so they don't have -- they're not eligible for State-issued identification.

LEG. CILMI:

Okay. Thank you.

CHAIRMAN EDDINGTON:

Just before you go, I want to give you a homework assignment. My wife was an Assemblywoman. She tried very hard, by reaching out to the DA's in all the counties and her colleagues, to try to make domestic violence a hate crime. I would say that you need to get your organization behind that, because in the stature it says gender --

MS. GLYNN:

Uh-huh.

CHAIRMAN EDDINGTON:

-- but they don't use it. And I think maybe with the power of that law, and if you could change that, that may make people realize that it's not okay to flex your beer muscles or whatever else. And if you need to call her and tell her I directed you to her and I'll take the heat if it's a lot of work for her.

MS. GLYNN:

Thank you, I certainly will. And I also want to say that we do have on domestic incident reports a little circle, a little bubble that says "DV". You know, like here's what happened, the responding officer says assault and battery, threatening, menacing, stalking, domestic violence; they don't get filled in. And that's a separate conversation, but I thought I would raise it because, you know, it is the purview of this committee. But I thank you so much for listening to us today.

CHAIRMAN EDDINGTON:

Okay. Thank you, Jessica. Erika.

MS. BROOKS:

Thank you very much for having me here today. I heard so much from you and my emotions are all over the place, okay? So I want to start.

My name is Erika Brooks and I am a survivor of domestic violence, and I'm here to express my great concern for the bill IR 1266. I was trapped in an abusive relationship for six years, and the most terrifying time was when I attempted to leave him. My ex-husband used to lock all my personal documents in a file cabinet. If this law was in effect when I left my abusive relationship, I could have been dead. Means of communication in a life-threatening situation can be the key to either be safe or to be in danger.

I purchased a prepaid cell phone in a 7-Eleven. I made the calls to the organizations that help me on my trips to the local library or when my ex-husband allowed me to go to the store to buy milk. The cell phone was kept secret and I was fearful that he would find it. Eventually he found out about it and I was blessed to have a prepaid phone at the time I called the Police. Something else you need to know is that my ex-husband kept looking for me after I got my order of protection. If this legislation was in effect two years ago, he would have found me.

I understand that your intentions -- your intentions, Ms. Browning, are to protect us from drug dealers and terrorism. However, I need to ask you, how does this law prevent drug dealers and terrorists from going to another County, from using a pay phone or asking someone else to purchase a phone? This law is intended to protect people, but the reality is that it will harm women and their children trying to leave the abuser. I know you might be thinking, "But there are so many resources for domestic violence victims," and it's true. However, I can tell you by experience that it is not

easy to reach out to them when you're being watched and controlled all the time. The statistics don't lie. Not every victim is as lucky as I was, not everyone can get to a shelter or obtain services. In my case, a cell phone made all the difference.

I did some research and I found an article from Newsday dated October 28, 2009, in which you made a statement, Ms. Browning. You said, "Before I am a Legislator, I am a parent", so please understand our fear in which we have to live every day of our lives. I am here to ask you, mother-to-mother, woman-to-woman, to reconsider your decision because the lives of battered women are in your hands and in your hands now. And I'm nervous because I heard that you guys want a solution.

I don't have a solution right now in my head, but domestic violence is an epidemic. Nobody has found a solution to it yet. I know we need to stop drug dealers and terrorists from doing what they're doing, but I don't believe that this is the way. Okay? So thank you very much.

CHAIRMAN EDDINGTON:

Thank you. Could you just stay one second? Legislator Browning.

LEG. BROWNING:

Not a question, more of a comment. I appreciate you coming and speaking. I understand where you're going. I understand your position because someone very close to me is dealing with the same stuff that you're dealing with, has been through the same, the control, everything getting locked up, only having a certain amount of money and has a prepaid cell phone. And believe me, I've spoken to that person who is very close to me and she's very much aware of what I'm doing. And believe me, I'm not doing this with not taking into consideration your position or anyone else's position.

You know, one thing that you did say was if prepaid phones had to be registered that he would find you. I'd like to know how that could be. Because first of all, that person would need to know what store you went to and would have to be able to find a way to get into the records. How would that person be able to do that?

MS. BROOKS:

These kind of men don't stop to anything, okay? I have fellow volunteers and my caseworker, I've heard stories of women that we don't know the ways that these men have found us, okay? I read the legislation, it says it will require to -- retailers to enter the personal information of prepaid cell phone purchasers into the Police Department's database or maintain a paper record. You cannot guarantee that this man will not ask my friends or stalk me or do anything to find where I found that prepaid cell phone, and all he has to do is talk to the retailer, maybe pass some money, I don't know. I just know that I never -- I never imagined that a person could do the things that he did to me, okay? I loved this man at the beginning, I had a child with this man, but he turned into a monster and I never foreseen that. So I'm sorry to say like this, but you cannot guarantee our safety, okay? They will find a way to get us.

LEG. BROWNING:

Thank you.

CHAIRMAN EDDINGTON:

Thank you. Tatiana.

TATIANA:

I would like to say that because my English is not --

CHAIRMAN EDDINGTON:

Press the button and talk right into the microphone.

TATIANA:

My English is not very well. I try so hard. My name is Tatiana, I would like to tell you about the time a cell phone saved my life. I was with my abusive husband for 17 years before I left him. In 1999, we came to United States and he began to abuse me.

One night my husband beat me for hours. He circled around and around the bed, threatening me. Finally, it was like two o'clock in the morning, after having been repeatedly insulting me and beating me, my husband left the bedroom. I am not sure what he went to do. I ran to close the door and put some furniture in front so he couldn't -- he could not open the door. He threatened me, insulting me again, then went away from the door and the entire house went black and silent; he had shut off the electricity. Can you imagine the terror, after having been beaten, of the house getting completely dark? The cordless phone in the room didn't work, not without electricity, it had to be plugged into the wall. By then a miracle happened. I was -- I saw a blinking light at the end of the bed; it was a cell phone my husband had forgotten behind. Because there was a cell phone, I was able to call the Police. I am sure that cell phone was the one who saved my life that day.

This is just one of many nights where I was beaten and left in the silent darkness. I am here to ask you to please not make the life of a woman like me more difficult. When the perpetrator controls the woman's life, it's like you are being kidnapped. You will have identity documents because the man hide it or destroy it. You don't have time or the freedom to go when and where you please.

Without this bill, the Police can still get criminals and drug dealers, and probably the terrorists who all have the documents you are asking for. Women like me often don't have anything they're -- when they are trying to get help. I am asking you for no more terror. I am asking you for life. Thank you very much.

CHAIRMAN EDDINGTON:

Thank you. Cristiane,

MS. CAMPARIAN:

I am glad I am here today. I am Cristiane Camparian, I am mother of two children and I am a survivor of domestic violence. When I saw from Facebook what they're doing, so I said to them, "I want to go there, too," because what happened with me -- (*getting emotional*). I'm sorry.

CHAIRMAN EDDINGTON:

Take your time. Speak right into the microphone. This is your chance to let everybody know.

MS. CAMPARIAN:

Okay. So when I said to them that I want to participate in that because what happened with me can happen with another woman or a man or a child or anyone. I'll give one of the examples that I had to choose the phone, the cell phone was the first time will be my example. I had another example, but I won't mention all of them here.

In September, 2009, I was with my kids at my friend's house and my ex-husband, at that time he already was my ex-husband, but he was following me. Still with the Order of Protection and everything, he still was following me. And my kids were inside the house and I went to -- I went outside and he waited for that -- that time I was by myself and he went there and he started to say things. I locked myself in my car and he was -- he said things that -- this discussion was for a long time, I inside the car and he was outside the car. He was giving me a choice, you come to outside the car or I go to the kids, so I had to chose, me or the kids. I had a cell phone in the car, it was the first time that I called the Police for him. After all the fights that we had in the house, Order of Protection, I never had to call the Police before; that time I felt the necessity to do that.

Today, after all the years of having this, the only thing that I felt safe is my cell phone because I live by myself with my kids in a house. As of today, I sleep with the cell phone under my pillow; not just one, I have two. One that everybody knows the color, everything; I have another one that it's -- just some people know that I have, but I have another one because if somebody wants to do something and blocking me to have an emergency call, I have the other one. Just my son's school has that and some of the people from the organization have that phone, because I know this is something that I need.

As a woman, if some man comes into my house or something, it's the only one thing you have to have. It's for my son, my older son because of district problems in his school, and I have a real conversation between the school and parents, my son came and in the house that was supposed to do because the school doesn't send letters or like my son's coming from -- he's supposed to come five in the afternoon after club and he come at four and then he's too early so I'm not there. So I say for the safety of my son, he needs a cell phone to tell me, now I have to know if he come at four or five. So it's for the safety of my kids too.

So after these things that happened, that time I didn't have a way to present two forms of ID. Today I have, so maybe somebody can save us so you don't need to be there. I won't sleep better because of what happened to me. I know that can happen with other woman that it wasn't the situation there was that they didn't have the two forms of ID to have a prepaid cell phone. So I'm here for them today. For them, for me just for the woman, but for the kids. Because what you do today is what you have tomorrow, or all the violence that we have is the mother to the kids, especially that. I have two boys, so I have to care of them, they are not just boys and they can do things that the boys do. Thank you so much for listening.

CHAIRMAN EDDINGTON:

Thank you very much for your testimony. Martha.

MS. MAFFEI:

Thank you so much for listening to us today.

CHAIRMAN EDDINGTON:

Press the button and then just speak right into the mic.

MS. MAFFEI:

My name is Martha Maffei, I am the Program Director of SEPA Mujer. I am a Latina immigrant and my testimony is about my personal experience as well as my professional experience with SEPA Mujer.

I came to the United States on 2004 legally with a J-1 Visa to conduct research with a Peruvian Group at Texan A&M University. I remember my first priority, after finding a place to live, was to buy a cell phone. I needed it to call my family, for work, to get transportation, to get services, and to call the Police or the hospital if something to me. As a new resident in the United States, I couldn't buy a cell phone with a contract because I didn't have any credit; credit is the magic word in this country, that represents who you are.

The only option for me was to buy a prepaid cell phone. I was very thankful to have it with me and I cannot imagine what would have happened to me if a law like IR 1266 has been in effect preventing me from buying a prepaid cell phone. I could not talk with my family that I left behind in Peru. I could not call the Police the day that the gentleman came into my apartment. We all know the reason why having a cell phone is necessary; nothing I am saying is new. Many of you on this committee have heard this or similar stories. However, only those who have experienced the fear and insecurity personally understand what it means to forbid a person to buy a prepaid cell phone because they don't have ID's. Only they really understand how this bill will put the lives of entire

families in danger.

Every day at SEPA Mujer, I hear terrible stories about victims and their children, fleeing their homes, how abusers destroy their documents, how women have to strangle to reveal their life. Many of these women do not even have the opportunity to call the Police or go to a shelter. I ask you, all of you, why would you make things even more difficult for these women? Why to put the lives of these children in more danger when it is already so difficult for them to reach safety? Why must women and children, who are the most vulnerable in our country, suffer doubly the consequence of criminals and terrorists? The end result of this bill will be that people who we seek to protect the most will be the far more harmed by legislation than any would-be criminals or terrorists. Do these concerns not warrant a rougher review and consideration by the committee and the Legislature?

On behalf of all the women who will step foot in our office and those unfortunate women who will never reach the safety, please listen to us. Do not ignore the stories that we share with you today. SEPA Mujer feels the duty and responsibility to speak for all women and children that we serve every day. If this bill passes, you will feel the pangs of the consciences for having ignored all these stories and endangered the lives of many women who live every day in violence.

Lastly, I would like to clarify that SEPA Mujer does not receive money from any company, nor have we worked with them in any way to forming our opposition. We just came here with a voice that all women who are -- who go to our office for help.

And I want to also answer a question to say -- we passed around a picture of a Latina woman. It is a real case, living in Central Islip, living with abuser for seven years. She never called a shelter or a DV agency because she speaks Spanish and they -- she called twice and they didn't provide a person who speaks Spanish and understands. I know that DV agencies have people who speak Spanish, but at the moment that she was in danger, no person answered in Spanish. So let's think about all these women that will never reach the Police or shelter or the DV agency. Thank you very much.

CHAIRMAN EDDINGTON:

Thank you for your testimony.

Okay, is there anybody else that would like to address the committee? Come forward, please. And just hand -- Renee, would you get her a card.

MS. KUKURA:

Good morning. I have testified at the last hearing, but once again, I'd like to appear before you with some solutions and some suggestions. Being a mental health worker in an emergency room, I am very familiar with the plight of domestic violence. And you women are very brave to come here.

The purpose of this legislation is not to penalize domestic violence victims. I myself am a survivor of a homicide victim and I take great offense to the fact that you would even think that a Legislator would make legislation to hurt us, the victims.

The last thing that we want to do is to create more victims. However, I think that there are solutions available to address this issue. One of them is that we're not saying that a cell phone is not a tool that can be used by domestic violence victims. It's not to prevent victims by having some sort of registration. When you go to a drug store and you buy a controlled drug such as the things that are used to make speed balls, you have to sign in the notebook with your name and your ID. It's a thing that we do when we go to buy those kind of cold formulas to prevent children from using it, it's not saying no one can ever have those cold medicines again. Criminals do find a way around it, they buy stuff on the street. We register our guns, they're licensed; there are criminals that find their way around it, they get it. This particular legislation is just another tool in an arsenal of tools that can be used by the Police to help solve crimes.

And as far as domestic violence, I do see a way that this legislation can be helpful to domestic violence victims, because I personally know of several that have come into our emergency rooms who were stalked and harassed by prepaid cell phones used by their abusers against them. And the Police could not do a thing because they could not track where that phone was coming from. That number was a prepaid phone. We got the number, we were able to track the number but we couldn't find out who had that phone, and so there was no way to actually in court say, "This person has this phone or purchased this phone." So it can be turned around on you and revictimize you.

I think that the agencies need to step up the pace as far as being available to these victims, maybe have somebody in an emergency room at all times to give them access to these cell phones, maybe have some available to the Police or a waiver form that can be given to people at the libraries. These victims talked about going into the libraries, maybe hiding out there a little bit; maybe there can be some way to have a waiver or some easy access to a cell phone in the libraries where these folks can get their prepaid phones inexpensively or easily, or give the grants to the libraries if the agencies -- the people can't get to the agencies. Let's put the grant wherever the people can get to. Give it to parish outreach. I know most of the Spanish population that I know of does go to church; maybe that's the place to get these phones, too. I don't know, the victims know where they go, they can identify where it is that they could get their access. I think we need to ask the victims, "Where would you want to get your phone? Where's the easiest place," and let's give those places the phones so that these victims can get it.

I still think the legislation is good. I think we do need some tools to give the Police to be able to solve these crimes. Loads of crimes go unreported. How many cell phones can you buy at a time? I think anybody that makes repeated purchases should be looked at, that's suspicious. Whether it's one day, two day. I mean, even if it's a family of ten, you're not going to buy them every day of the week.

So if something is going on it will create a flag. Who do you hold accountable for that? I don't know if it's the vendor of the cell phone or if we should just have it go directly to the Police to just take those vendors right out of there, and then the Police would be flagging it as it came up in the computer more than one purchase.

But there are solutions to the problem, and I think that our job here is not to keep blocking possible solutions. We have to get the ball rolling. And yes, I realize we're only Suffolk County and this is a Local Law, and they may go to Nassau. But every little bit helps, and maybe the start, that's how things start, one person takes an action. No action, no relief. It's the same with anything in life; if you don't take any action, everything is going to stay the same. We have to go against this kind of thing that's going on with prepaid cell phones. They are a problem in our society.

And, I mean, I think every life is of value and that whether you're undocumented or not, you should have access to the resources in this country. However, I don't think that we should create legislation strictly on the bases of who has ID and who doesn't. And at no time should anyone be deprived safety. I know that if they come into the emergency room they're provided care, whether they have documents, insurance or not. I mean, I work at the hospital, we serve people every day. And if they were to make it known to us that they were a domestic violence victim, we certainly would call an agency and get them hooked into services.

So I think more resources have to be out there in the community where the victims are rather than waiting for the victims to call these places and get an appointment, it's not realistic. So maybe we need to step up the pace as to how we're working with victims in the community rather than looking at legislation that's keeping them from getting phones. Thank you.

CHAIRMAN EDDINGTON:

Thank you for your comments. Did you have a question?

LEG. BROWNING:

No.

CHAIRMAN EDDINGTON:

Okay. Thank you, everybody, for your testimony.

We'll get to the agenda then. I'm going to ask to take IR 1433 out of order so that the gentleman can say a few words and get to work. I make a motion then to take that out of order.

LEG. CILMI:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Cilmi. All those in favor? Opposed? Abstentions?

Okay, then, ***IR 1433-11 - Approving the appointment of Bryan Prosek, as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive).***

Bryan, could you just come forward?

MR. PROSEK:

Good morning. My name is Bryan Prosek, I am currently the Vice-President of the Suffolk County Ambulance Chiefs Association.

I started in EMS about 11 years ago where I have volunteered and worked for multiple ambulance agencies and fire districts while holding multiple positions at them. I look forward to continuing to serve Suffolk County by being appointed on to the FRES Commission, and I appreciate your consideration.

CHAIRMAN EDDINGTON:

Okay, thank you. Okay, then, do I have a motion?

LEG. CILMI:

Motion to approve.

CHAIRMAN EDDINGTON:

Motion by Legislator Cilmi. I'll second that. All those in favor? Opposed? Abstentions? ***Approved (VOTE: 4-0-0-1 Not Present: Legislator Kennedy)***. Thank you, Bryan.

MR. PROSEK:

Thank you.

CHAIRMAN EDDINGTON:

Okay, then, we'll go to Tabled Resolutions.

Tabled Resolutions

IR 1093-11 - Naming the Suffolk County Police Department Range "The Stephen J. Clark Memorial Range" (County Executive). I'm going to make a motion to table. It won't be eligible till next meeting. So I'll make a motion to table for this meeting.

LEG. CILMI:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Cilmi. 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 (Schneideramn). Table 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).

LEG. BROWNING:

I'd like to make a motion to approve. But also, we have two of the Police Officers who have worked with me on this bill for the past year, if anybody has any questions for them.

CHAIRMAN EDDINGTON:

Okay. I have a motion to approve and I'll second that.

LEG. CILMI:

I'll make a motion to table.

CHAIRMAN EDDINGTON:

Okay, we have a motion to table. Okay, the tabling motion goes first. Oh, that's right, I don't have a second. No second. Okay, then we'll go with the tabling motion -- with the passing motion.

LEG. GREGORY:

I'll make a motion to discharge.

CHAIRMAN EDDINGTON:

Okay, we have a motion to discharge without recommendation. Do I have a second for that?

LEG. KENNEDY:

Hold on, this is on 1266?

CHAIRMAN EDDINGTON:

Yep.

LEG. KENNEDY:

Can I speak on that for just a moment, Mr. Chair?

LEG. BROWNING:

John, there's two of the Police Officers here that worked with me that would be willing to come up and answer any questions.

CHAIRMAN EDDINGTON:

We have three motions, so I'd like to get a motion. We have a motion to discharge and a second; a motion to table, no second; and a motion to approve with a second.

LEG. BROWNING:

I can withdraw my motion to approve and I'll support the discharge without recommendation.

LEG. KENNEDY:

Yeah, I'll support the motion to table at this point. I personally need to get a little bit more information. Some of what I heard today I have a little bit of a concern about. Not that I don't believe that this bill has great merit. I do have one question in particular for Chief Moore, especially with what I've heard now as far as what's going on with the DV victims. I want to make sure that the panic button program is still in place.

LEG. BROWNING:

Can we --

LEG. KENNEDY:

And Chief, how many units do we have out there? The last --

CHAIRMAN EDDINGTON:

Would you like to have the Chief come up?

LEG. KENNEDY:

Could we? Could we have that, Mr. Chair?

CHAIRMAN EDDINGTON:

Yeah. Somehow I'm feeling like I'm losing it here. Okay.

LEG. KENNEDY:

Thank you.

CHAIRMAN EDDINGTON:

Okay, Chief, if you would just come forward.

LEG. BROWNING:

Can we have --

CHAIRMAN EDDINGTON:

Can you come forward?

LEG. BROWNING:

Are you Inspector or Deputy Inspector? I'm going to -- John Busweiler and Gerry McCarthy. I don't know your ranks probably.

LEG. KENNEDY:

Thank you, Mr. Chair. The last time that I had any dealings with this, there were about a hundred panic button set-ups that were in place, and it's a while ago. I mean, back at that time there was a specific communications device that was usually home-based. Do we still have something to the department that's that type of a communications device?

MR. BUSWEILER:

Yes, absolutely, sir.

MS. ORTIZ:

You need a microphone.

CHIEF MOORE:

I'm sorry. May I introduce Detective Sergeant John Busweiler. He is the Commanding Officer of our Electronics Investigations Bureau, and as a matter of fact, it's his bureau that's charged with the task of placing these instruments.

LEG. KENNEDY:

Thank you, Chief.

DETECTIVE SERGEANT BUSWEILER:

Yes, sir. We -- the program is, in fact, expanded. We were the first to institute this and we are still the biggest in the whole state of New York in terms of panic alarms.

When I took over the bureau three years ago, we had 180 alarms in inventory. I saw that there was a problem, that we were going to be running out of these alarms. I went to Chief Moore, I asked him for \$60,000, he gave that to me, we increased the inventory of the panic alarms to 240. Right now we have 241, and I've just been told by Sara {Fiori} who is our grant person that we can expect approximately 35 more, roughly \$35,000. The alarms cost approximately twelve hundred dollars a piece to build.

LEG. KENNEDY:

Okay. So I'm pleased to hear that we have them. I know that they are extremely -- they work well; I know for a variety of reasons they work well. But my last knowledge of them specifically was that they were a fixed unit that was usually in a victim's dwelling.

*(*Presiding Officer Lindsay entered the meeting at 11:47 A.M. *)*

Do we give victims any kind of mobile ability? I'm trying to ask, the one woman who spoke about the incident with a guy with an OP in place, when she was in the car and she was relying on a cell phone to get to 911; that's somebody who's already engaged in our system, has afforded protection of the criminal justice system, but yet she's still relying on a track phone to actually, you know, get safety. What, if anything, do we do there, or can we do?

DETECTIVE SERGEANT BUSWEILER:

All of the domestic panic alarms that we have are stationary, they're meant to be home-based. We don't have anything for them, I'm not aware of anything for them in terms of a mobile basis that provides the same exact services, which is basically instant communication with the 911 center with a pre-vetted history of the victim and the possible offender.

LEG. KENNEDY:

Right. Let me yield. There's other questions, right, I would assume? Do we have any other questions?

LEG. BROWNING:

Well, you know, I think these two gentlemen --

CHAIRMAN EDDINGTON:

You're yielding, then I can let Legislator Browning go?

LEG. KENNEDY:

Yeah, sure.

CHAIRMAN EDDINGTON:

Okay. Legislator Browning.

LEG. BROWNING:

You know, I have spent a lot of time with these two gentlemen, and also with the industry, on this issue. And I will tell you, it's been about a year, I think about April, May of last year that I started working on this, doing some research. We have had numerous meetings with representatives from the industry. It was only in the past month, couple of months that the domestic violence organizations came to me, and one of the organizations said that they had a conference call with the industry and it was the industry who called them to inform them, and I like to say misinformed them about this bill. So I think you should really take that into consideration.

I know that you guys sat here listening, and many of the comments that you had heard. I really would like for you guys to respond to some of the comments that you've heard throughout the year, the testimonies. Is there a possibility?

CHIEF MOORE:

The other gentleman with me this morning is Deputy Inspector Gerry McCarthy who is the Commanding Officer of the Detective Division's Major Crimes Bureau. And I'm not sure which comments you would like the gentleman to discuss, if you can recall, perhaps.

LEG. BROWNING:

Well, you've seen the statement from the industry, we could talk about the domestic violence organizations. The other thing is, not to forget, the data system has to be set up, and IT has said it could take six to nine months. So even after this bill passes, it will take some time to get the data system set up. And I will be in touch with the domestic violence organizations to work with them to see how we can resolve this issue.

But I will tell you, I have an article here, it's an article, it was dated I believe from 2010, in April of last year, and Mexico has passed a law to handle the problems with prepaid cell phones. They have the concerns, obviously we all know about the drug problems and the human trafficking that goes on. And they're not just doing the prepaid cell phones from here on, but every resident is required to give a Social Security number which is not what this bill requires, and even the Federal bill here that's being proposed does not require, I believe, a Social Security number. So it's being done in other countries, it's being done in Mexico. So tell me that this is a bad idea.

So is there any way you could respond? I mean, the one lady that had said that the -- you know, the problem with, "If I have to give my ID at a store, that my victim could find me"; can you respond to that?

DEPUTY INSPECTOR McCARTHY:

Yes. Let me just -- currently I command a couple of sections, one of them is the Homicide Section, another one Narcotics. Basically when we started doing this, we were looking to have an availability to subpoena this information where the industry would hold it, we would just be able to subpoena this so we can conduct investigations. A lot of our investigations get stalled. We've heard some not only compelling testimony from these victims of domestic violence, but the gentleman that represent Brentwood and CI.

Just as a point of information, we were reviewing some of the homicides in the last few years, there were 19 homicides over there that we're currently looking at. In that community there's of course domestic violence victims, there's narcotics trafficking, and most certainly that plays on all of this is the prepaid cell phone. They stall investigations, cases go cold, and when a case goes cold or a victim of a homicide doesn't get -- that family doesn't get some closure in terms of a successful prosecution, the reality is we have more violence because the people are emboldened when they can take someone's life for whatever in this gang violence or in gang culture they can do that. Within that culture there's, of course, domestic violence, and within that culture there's human trafficking. So specifically, you have to balance -- and I think -- just let me read a quote from the Verizon

spokesman when he was dealing with Schumer's bill. And I think he states, "We are living in a time where unfortunately our public safety requires small gives by everyone", Verizon spokesman Jeffrey Nelson said. And that's really what we're looking at, a small give by everyone to accommodate the needs of these women, to accommodate the needs of law enforcement, but most importantly to accommodate the needs of these victims of this violence and this senseless drug abuse that's going on.

I don't see how, honestly, how if I decide to buy a prepaid cell phone and talk my wife to meeting me at a location and executing her, how that advances my wife's interest or any woman's interest. But if that's the reality that can occur, and that's what we have to be careful of, that we don't have those policies. So we have to balance their needs, for certain, with this type of policy that one might be putting in place, and that's what really I guess you have to vet through yourselves on what's the best way to do it.

CHAIRMAN EDDINGTON:

Inspector, then I guess -- we're the Public Safety Committee. We're not the Economic Development Committee or the school-based -- you know, we're the public safety. So you guys are the experts. You know, we charge you with providing public safety with you and FRES and the Sheriffs and all the different organizations.

So what I'm hearing you say is that the benefits to public safety out number the possible detriment, and I'm hearing people that are willing to work on those negative things; am I correct?

DEPUTY INSPECTOR McCARTHY:

I believe you're correct. The overall benefit to the community, so long as there's provisions to accommodate the victims that are behind me, if they're still there, I think that's fine.

And remember, in the precincts, because I've also done domestic violence because I've done five years in Crime Section where I was doing a lot of these cases. Now there's advocates in the precincts to assign, there is -- the woman who herself, a family member was a victim of a homicide, she mentions the hospitals, I think Legislator Kennedy had just mentioned, well, what about mobile devices, how do we get -- we certainly would want everyone to have a mobile device that they could reach out to and have some sort of public safety response to that, so long as we can go and track it. And whether it's a not-for-profit women's group, whether it's a hospital or whether it's a victim of a crime, that's certainly, I think, the accommodation that we could reach while we meet these other objectives. Because right now, I'll be frank, a lot of cases stall because of this prepaid cell phone issue. And even on narcotics investigations, when you subpoena this case and I drop my phone, then you have to wait until you have another lead on what phone I'm using to sell my narcotics, and that's a delay. I've continued to sell those drugs, we have more overdoses. It's just a whole comprehensive problem.

CHAIRMAN EDDINGTON:

Legislator Browning.

LEG. BROWNING:

Yeah, I would like you to respond to Legislator Cilmi's comment earlier when he talked to the domestic violence victims and talked about presenting an ID at the store and not having to take a record. Can you respond to how effective that would be for you guys, or ineffective?

DEPUTY INSPECTOR McCARTHY:

Taking an ID and just acknowledging, in my opinion, that it's Gerry McCarthy that bought a cell phone, you're not going to recall that, you're not going to remember that. We're going to have a situation, we do have situations where we're looking backwards on a purchase of phones, those that we can trace to the retail level. Believe me, we've tried to even get descriptions of people who may

have bought that phone, there is none. I don't see recalling, looking at my picture, if I come to somebody six months later who is conducting a lot of volume sales, is going to remember on a date back last November that I purchased this cell phone. So we prefer some sort of paper trail.

And again, we -- our initial thought was to allow the industry to police themselves through their contractual obligations and stuff; that is not happening, it has not happened. And I think if you advance this legislation, at least you'll get other counties to start doing it. It will be fractionalized for certain, it will allow an opportunity for that Federal legislation then to stay, if not the State, and hopefully preempt this law.

CHAIRMAN EDDINGTON:
Legislator Kennedy.

LEG. KENNEDY:

You've been here and we've talked before about a number of the other areas that we've looked to try to put identifying information into place. I'm thinking about the precious metal merchants, and for that matter the scrap metal, scrap metal merchants. And in both of those categories, before we had the transaction identification requirements, I think it's fair to say you were having greater difficulty in being able to make arrests and solve crimes. Is that a fair statement?

DEPUTY INSPECTOR McCARTHY:

Yes. Actually what you're doing is -- and this came up actually in another discussion at the end of last meeting with Ms. Kramer. The reality is on the precious metals, that these individuals that may be hooked on these drugs, committing these commercial and private, residential burglaries, stealing these events, do go in and sell some of these proceeds through the system. The system identifies them and allows the Detectives to follow-up on those leads and subsequently make the arrest on the burglaries, and even then the Court can then deal with whether his person is going to a rehab or how that's going to occur. But without that -- and by the same token, again, think of that when we're regulating me if I go to sell my watch, but there's no regulation if I go to kill my wife. It just seems like there's not a balancing act to me in this process, that there has to be some sort of balancing to it.

LEG. KENNEDY:

How about the security associated with the information collection process and then the actual repository? I think, my recollection is vendors are capturing it in the first instance and they're uploading data to the department where your personnel then are able to kind of glean it, if you're seeing a pattern or you get whatever would be -- in occasions that you should be going to look towards that. Is that -- I'm trying to get at the secure aspect associated with this.

DEPUTY INSPECTOR McCARTHY:

Well, there's a document, I'll give it to you at the end, it's from Consumer Affairs, but it just articulates the process that you just discussed. And basically Sub 1 is, *"At the time of the transaction, the purchaser must send the information, as specified by the Code, to the Suffolk County Department's On-Line Tracking System and the seller must then sign the print out of this document. The document must be maintained for three years in a looseleaf or similar binder in the order it was transmitted. It must be open to inspection by Suffolk County Police Department and the department at all times, including Consumer Affairs."* And then Sub 2 is, *"A receipt book must be maintained with all information required by the Code and the seller is required to sign this record of the transaction. This book must have a non-repetitive serial number,"* and it goes on to just a few more things.

LEG. KENNEDY:

Okay. Last thing I'll go at is let's talk about the large vendors, like the Wal-Marts and the Targets and folks like that. Has -- have you -- well, there will be no reason to go ahead and have a

conversation with them because, as you said, nobody is going to recall what they sold to whom unless it was such an atypical transaction. If somebody came in and purchased a hundred -- I only know the track phone. I know there's other types of prepaids, but I only know the one track phone. Normal purchases, it's just not going to stick out in a person's mind.

DEPUTY INSPECTOR McCARTHY:

That's correct. And we also have to consider the bar scanning now, that you can go in to these major stores and just scan out your phone. So if you want to keep -- even if you were to set a limit what would be suspicious, six phones, ten phones, they'll just cut under the limit and do it in two transactions. So that's not going to help.

We have had discussions in these meetings with some of the major retailers about that. And one of the small gives recommended by the Verizon spokesperson -- let me just commend Gary Quinn from the County IT, because he was willing to put up his own resources and help develop this on-line tracking system for us because we didn't have the resources at the time to start developing it. So we were trying to accommodate every interest through these discussions; as you can see, there's still some disagreements.

LEG. KENNEDY:

All right. I guess I need -- I'll yield, I don't want to keep monopolizing.

CHAIRMAN EDDINGTON:

Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Chairman. I guess I want to have sort of a conversation with you to try and get to the bottom of some of the assertions that have been made and some of the characterizations that have been made relative to this issue, and I need to ask a couple of questions in that conversation.

You know, we have a. There's a flea market down in -- I don't know exactly where it is, Bohemia or Oakdale -- Attias Flea Market. You can go in that flea market and there is a booth that sells machetes. My question is do we have a law that requires the seller of those machetes to keep track of the people who are purchasing those items?

LEG. BROWNING:

Sounds like a new bill.

DEPUTY INSPECTOR McCARTHY:

No, not that I'm aware of.

LEG. CILMI:

Okay. You know, I read something yesterday that roughly 17,000 people are killed every year in the United States as a result of drunk driving accidents, and yet we don't require liquor stores to maintain records of people who are purchasing alcohol; is that correct?

DEPUTY INSPECTOR McCARTHY:

That's correct. I believe you brought that argument up the last time.

LEG. CILMI:

Yes. Somebody buys a prepaid cell phone. When you sit there and hold -- and this is with all due respect to you, I have every bit of respect for yourself and the department and our Police Officers. But when you hold a cell phone up and say we have no regulation of preventing somebody from being murdered, you're indicting an entire industry for criminal activity. I mean, it's not the cell phone's fault, it's not AT&T's fault that people are committing crimes. People commit crimes with

guns, we have gun laws. People commit crimes with alcohol, with vehicles, with knives, with hammers, with any manner of items. We can't prevent or record or otherwise regulate every single item that is somehow used in the commission of a crime.

Now, I recognize that prepaid cell phones and contract cell phones, I would imagine, are used in the commission of crimes. But by passing this law, we're not going to prevent the criminals from getting those devices. We're not going to prevent somebody from going on the Internet and purchasing prepaid cell phones. We're not going to prevent a black market from occurring wherein we're selling prepaid cell phones out of somebody's truck in a supermarket parking lot; we're not going to prevent any of that from occurring. We're not going to prevent somebody from going to Nassau County. And you can say, "Well, we're trying to get Nassau County to pass a law." Okay, well, try to get New York State to pass a law then.

You know, it seems to me that we need to somehow find a way to, number one, you know, create stronger consequences for people who break the law and keep people in jail longer who are convicted of drug crimes, and we need to have more cops so that we can go find the people who are committing these crimes. I just don't -- I don't see how this bill is going to accomplish what it seeks to accomplish. I don't see how it's going to work, I don't -- the mechanism by which it's going, I don't understand how it's actually going to facilitate better law enforcement. And New York is known -- is widely known throughout the country as the least business-friendly state in this country. There's a reason for that. I mean, how much more are we going to do? How many empty stores do we have to create before we wake up?

You know, you're -- what's going to happen here is the 7-Eleven is going to stop selling the phones, the bodegas are going to stop selling the phones. And by the way, the ID thing, I have -- that portion of it I won't defend; you know, I think somebody should have ID. But what you're going to do is you're going to create unfair competition. All of the -- you know, your Best Buys and your Wal-Mart's and your K-Mart's are going to sell the phones and you're going to have -- none of the local competitors are going to be able to sell the phones. And how does that limited competition affect the price of these cell phones? These are issues that I know you're not equipped to answer all of those questions, but I had to make the points. Thank you.

CHAIRMAN EDDINGTON:

I just want to -- I'm confused, because I think I heard that Legislator Cilmi agrees that the idea of ID's would be good.

LEG. CILMI:

I do, I just don't -- I just don't like requiring the stores to maintain and -- unless we're prepared to give every vendor who sells these phones enough money to accomplish what we want them to accomplish, I'm not prepared to tell them to do it.

CHAIRMAN EDDINGTON:

Okay. Okay, then I guess we all agree that it's a good idea but we don't want to pay for it. Legislator Browning.

*(*Legislator Cooper entered the meeting at 12:09 P.M. *)*

LEG. BROWNING:

Yeah. I think we did have somebody who came from a 7-Eleven and spoke here at the public hearing about the prepaid cell phones, and I know he was asked, "Well, how many cell phones do you sell?" He said two to three a month. That's -- it's not going to put him out of business. And I actually sat with him, he's been to the meetings with us, and he said he'll probably stop selling them, the two to three a month. However, he said that where he makes his money is the minute cards that you purchase to fill up that phone. So he can continue to sell the minute cards which is

where he makes his profit.

I can tell you, you can go up and down Montauk Highway where my office is, I can find you at least five stores that sell prepaid cell phones, and they're all franchise stores, they're the AT&T's, the Sprints, the T-Mobile. And each and every one of them -- some of them actually do currently take record of the seller -- the purchaser of the prepaid cell phone because a lot of times they activate the phone right there and then in the store for them. So there is no shortage and I'm sure you see yourself, in your own communities, there's no shortage of those stores.

The grocery stores, the big box stores, our IT department did meet with them. They went to the store, they looked at their systems and they said it really wouldn't take an awful lot to enable them to capture the information and sent it directly to the database, and it can be done. I've met with the grocery stores, I've met with the big box stores, I've met with the industry and, again, two very, very expert people sitting in front of you who have told me the importance of getting this done. And yes, it's only in Suffolk County. I do have the Legislator in Nassau County who's filed his, we need to make sure it's passed and we need it to be a Federal law. But the industry has fought this. And I can tell you, when they tighten Assemblyman Fred Thiele's bill, I guarantee you they'll go up to Albany and they'll fight it tooth and nail. And why? Because they make a lot of money doing this, and that's my concern.

I will share with you, where this started, I had family members who have lost their children to heroin overdoses, and we set up a meeting with them, with Narcotics, because they had information to give to the narcotics officers. And they picked up their kids cell phones and they said, "Here's my son's drug dealer," but there's a number of phone numbers for the drug dealer. It's all prepaid cell phones, first name; how do we find this guy? Cell phones are not registered, so these drug dealers who are selling heroin to our children and dying every day are getting away with it.

CHAIRMAN EDDINGTON:

Well, I've got -- I have a motion to table, and I don't have a second.

LEG. KENNEDY:

Mr. Chair, I'll second on the motion to table and I'm going to do it based on this. We're in a tight cycle, we have another 14 days, 13 days before we'll be here again. I asked a couple of questions that are out there today, I'll speak to the sponsor. I seem to think that it's an effective tool. And particularly with the drug problem that Legislator Browning speaks about, I would like to see this put into place. But I do want to see a demonstration of how a vendor would be able to upload the data and our repository function and, you know, then be able to go ahead and have an idea of what the actual impact to merchants would be. So I'll second on the tabling.

CHAIRMAN EDDINGTON:

Okay, we have a motion to table and a second. All those in favor? Opposed? Opposed.

LEG. GREGORY:

Opposed.

LEG. BROWNING:

Opposed.

CHAIRMAN EDDINGTON:

Three opposed. Abstentions? ***The motion fails (VOTE: 2-3-0-0 In Favor: Legislators Kennedy & Cilmi).***

We had a motion to discharge without recommendation. I don't know if I had a second; do we?

LEG. BROWNING:

I made the second. I withdraw my motion to approve.

CHAIRMAN EDDINGTON:

Okay. So we have a motion to discharge without recommendation and a second. On that motion, all those in favor? Opposed?

LEG. CILMI:

Opposed.

CHAIRMAN EDDINGTON:

Abstentions? So the motion carries. *IR 1266 is passed out of committee without recommendation (VOTE: 4-1-0-0 Opposed: Legislator Cilmi).* Thank you.

IR 1315-11 - Adopting Local Law No. -2011, A Local Law to limit the restraint of pets outdoors (Romaine). I'll make a motion to approve.

LEG. BROWNING:

Second.

CHAIRMAN EDDINGTON:

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

Introductory Resolutions

IR 1429-11 - Approving the re-appointment of David Carrigan as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (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: 5-0-0-0).

IR 1430-11 - Approving the re-appointment of Christopher Del Vecchio as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive). I'll make a motion to approve.

LEG. CILMI:

Second.

CHAIRMAN EDDINGTON:

Second by -- who was that? Legislator Cilmi.

LEG. GREGORY:

Question.

CHAIRMAN EDDINGTON:

Question on the motion, yeah.

LEG. GREGORY:

I guess this goes to Counsel. What's the term of these appointments? Is it a one-year, two-year?

MR. NOLAN:

It's three years.

LEG. GREGORY:

Three year term. And how long have they been vacant?

CHAIRMAN EDDINGTON:

These are reappointments.

MR. NOLAN:

These are reappointments.

LEG. GREGORY:

Oh, right, right. Okay. All right, thank you.

CHAIRMAN EDDINGTON:

Okay. We have a motion and a second on IR 1430. All those in favor? Opposed? Abstentions?

Approved (VOTE: 5-0-0-0).

IR 1431-11 - Approving the re-appointment of Jay Egan as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive).

LEG. KENNEDY:

Motion.

CHAIRMAN EDDINGTON:

Motion to approve by Legislator Kennedy.

LEG. CILMI:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Cilmi. All those in favor? Opposed? Abstentions?

Approved (VOTE: 5-0-0-0).

IR 1432-11 - Approving the re-appointment of Gary Peter Garypie, Jr. As a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive).

I'll make a motion to approve.

LEG. CILMI:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Kennedy. All those in favor? Opposed? Abstentions?

Approved (VOTE: 5-0-0-0).

IR 1434-11 - Approving the re-appointment of Richard Sorrentino as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive).

I'll make a motion to approve.

LEG. CILMI:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Cilmi. All those in favor? Opposed? Abstentions?

Approved (VOTE: 5-0-0-0).

IR 1435-11 - Approving the re-appointment of Frank Thornhill as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (County Executive). I'll make a motion to approve.

LEG. KENNEDY:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Kennedy. All those in favor? Opposed? Abstentions?

Approved (VOTE: 5-0-0-0).

IR 1436-11 - Approving the re-appointment of Richard Vella, as a member of the Suffolk County Fire, Rescue and Emergency Services Commission (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: 5-0-0-0).

IR 1444-11 - Accepting and appropriating Federal pass-through funding in the amount of \$189,045 from the New York City Police Department in conjunction with the Federally Sponsored Securing The Cities program with 85.02% support (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: 5-0-0-0).

Two quick things. I've been told by Commissioner Williams that there are two SCINS being looked at for Fire Marshals and four SCINS for the dispatchers and that you should be hearing something by the end of this week, or is it next week? Thank you, Commissioner.

COMMISSIONER WILLIAMS:

The SCINS have been submitted. I have been in negotiations with the County Executive's Office, Ed Dumas. And I do have another meeting next week with them and we're just going through the paperwork in the process and I do expect them to eventually be approved.

CHAIRMAN EDDINGTON:

Okay. Did you have a question, Legislator Browning?

LEG. BROWNING:

Yeah, actually for Chief Moore, it was a real quick question. I went to the commission's meeting and there was some discussion about the --

CHAIRMAN EDDINGTON:

I don't think you have his attention.

LEG. BROWNING:

I don't think he hears me.

CHAIRMAN EDDINGTON:

He's out of uniform so he can't hear you.

LEG. BROWNING:

It was a discussion -- yeah, he's out of uniform so he's not listening?

CHIEF MOORE:

I was hugging the Legislator.

LEG. BROWNING:

There was some discussion about a helicopter; are we getting one soon or do you know anything about that?

CHIEF MOORE:

(Shook head no.)

LEG. BROWNING:

No, okay. And the second question; how did we do with the DWI thing with the helicopters? I've seen a press release, a press conference about we're going to use helicopters to catch DWI's. How many did we catch, do you think?

LEG. GREGORY:

Use the mic.

CHIEF MOORE:

Yeah, thanks. It's not clear right now what the cause and effect is between our enforcement efforts and the results. If you like, I could look into that.

LEG. BROWNING:

That would be nice, because I'm just curious. When I seen it, my husband was sitting next to me and he says, "Are you kidding me? You're talking something like 60 gallons of fuel an hour to fly a helicopter," and that's probably one of the smallest ones. And how low would he have to fly in order to see a car driving that could be a possible DWI? So I'm still trying to find out how they did that. So I'd be curious to see what kind of -- the number of DWI's they caught, you know, from observation from a helicopter.

CHIEF MOORE:

As you know, this is a conversation that occurred between the committee and the Police Commissioner. And as I recall, I think he mentioned that it wasn't going to be direct patrol but rather indirect patrol, and what I mean by that is the helicopters, during their regular patrol, whatever that may be, were charged with the task of, in addition, if you see cars that are acting irradically, let us know. I think that was the -- but I'm not sure the Commissioner ever stated that the Suffolk County Police Department was going to put helicopters in the air for the sole purpose of tracking down DWI's.

LEG. BROWNING:

It's my understanding that they don't do regular patrol, and that's what I'm curious. Because generally they're basically called -- they go up when they're called to respond to something. And we don't have them doing regular patrol, which might be a good idea, but if we're not doing regular patrol, how do we catch the DWI's, the responding to calls when they go up in the air?

CHAIRMAN EDDINGTON:

Could you clarify that for -- at the next meeting, maybe just let us know, do the helicopters, in fact, do patrol? And how is that done? Because that's -- you know, do they have a sector; what's the deal?

CHIEF MOORE:

Yeah, that may be a slight misstatement on my part. When I say patrol. I'm talking about the course of their duties. I'm not sure, I'd have to check as to, you know, specific patrol; for example, the shore lines in the summer, you know, that sort of thing. But I'll certainly get back to you on that.

LEG. BROWNING:

I'm just a little concerned about press releases to make people feel good, and that certainly looked like a feel-good press release that really is not doing anything. And I don't want to see the public being fooled, I don't think that's right. Thank you.

CHAIRMAN EDDINGTON:

We just got Legislator Kennedy came back.

LEG. KENNEDY:

Chief, just one quick question, and I guess I'll ask you to find out and bring it back, unless you know the answer. The Governor's decision to pull out of the Secure Communities Program which I guess allows for access with immigration or the FBI database when there are arrests made. I am curious as to whether or not it's an effective tool. If so, maybe you could share with us a little bit about that.

And I think I actually saw an article that says that the County Executive intends to keep Suffolk County in the program notwithstanding the Governor's decision to pull out of the program. So if you could speak to us on that next time, that would be good.

And I just want to give you and the department a great big at-a-boy for the arrest made up on Main Street in Smithtown of the drag races on Wednesday at 1 AM. It is absolutely positively outstanding work and you should have that recognition go to the officers. I love it, the vehicles were impounded and it's great work. Keep doing it.

CHIEF MOORE:

Thank you, sir. I'll pass that on to the Precinct Commander and to the officers. And I would like to mention that no helicopters were used in that operation.

*(*Laughter*)*

CHAIRMAN EDDINGTON:

All right. Okay, then, I will adjourn the meeting. Thank you, everyone.

*(*The meeting was adjourned at 12:25 P.M. *)*

{ } - Denotes spelled phonetically.