

***PUBLIC SAFETY COMMITTEE***  
***OF THE***  
***SUFFOLK COUNTY LEGISLATURE***

***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, March 8th, 2012 at 10:00 a.m.

***Members Present:***

*Legislator Kate Browning - Chairperson*  
*Legislator Robert Calarco - Vice-Chair*  
*Legislator DuWayne Gregory - Member*  
*Legislator William Spencer - Member*  
*Legislator Kara Hahn - Member*  
*Legislator Lou D'Amaro - Member*

***Also In Attendance:***

*George Nolan - Counsel to the Legislature*  
*Sarah Simpson - Assistant Counsel to the Legislature*  
*Barbara LoMoriello - Deputy Clerk/Suffolk County Legislature*  
*Craig Freas - Budget Analyst/Legislative Budget Review Office*  
*Josh Slaughter - Aide to Legislator Browning*  
*Bobby Knight - Aide to Presiding Officer Lindsay*  
*Michael Pitcher - Aide to Presiding Officer Lindsay*  
*Justin Littell - Aide to Legislator D'Amaro*  
*Lora Gellerstein - Aide to Legislator Spencer*  
*Robert Lipp - Deputy Director/Budget Review Office*  
*Ben Zwirn - County Executive Assistant*  
*Tom Vaughn - County Executive Assistant*  
*Tedd Nieves - Deputy Inspector/Suffolk County Police Headquarters*  
*David Geer - Lieutenant/Suffolk County Police Department*  
*Peter Ervolina - Sergeant/Chief of Patrol Office-SCPD*  
*Daniel Meyer - Lieutenant/Highway Patrol - SCPD*  
*Noel DiGerolamo - 2nd Vice-President/Suffolk County PBA*  
*Russ McCormick - Sergeant-at-Arms/Suffolk Detective's Association*  
*Richard Meyer - Legislative Director/AME*  
*Tom Young - County Attorney's Office*  
*Laura Ahearn - Executive Director, Parents for Megan's Law/CVC*  
*Jeffrey Behrens - Parents for Megan's Law/CVC - Program Management*  
*Irma Orozco - Parents for Megan's Law/CVC - Advocate*  
*Ron Earz - Suffolk County Fires Chiefs Association*  
*Vito Dagnello - President/COA*  
*Anthony Papparatto - Sheriff's Office*  
*Anthony LaFerrera - Co-Chairman, SC FRES*  
*Anthony Prudenti - DSPBA*  
*Arthur Sanchez - DSPBA*  
*Louis Viscusi - SCCOA*

John Sipala - Appointee  
Other Interested Parties

**Minutes Taken By:**

Alison Mahoney - Court Reporter

**Verbatim Transcript Prepared By:**

Kim Castiglione - Legislative Secretary

*(\*The meeting was called to order at 10:04 A.M. \*)*

**CHAIRPERSON BROWNING:**

Okay. Good morning. I would like to welcome you to the Public Safety Committee. We will begin our meeting with the Pledge of Allegiance led by Legislator Hahn.

***Salutation***

Okay. Good morning and we will have a moment of silence for those who have passed away in defense of our country and in our County.

***Moment of Silence Observed***

Thank you. I see we don't have any cards.

**MS. LOMORIELLO:**

No.

**CHAIRPERSON BROWNING:**

If there's anyone who would like to come forward? No? That sounds good. And I do -- I was notified Joe Williams will not be here, our Commissioner for FRES. He had a family death and I believe a funeral today, so we extend our condolences to the Commissioner and his family.

And with that, we have two, actually, presentations. I don't have --

**MR. SLAUGHTER:**

E-mail is in your binder.

**CHAIRPERSON BROWNING:**

Okay. We have Lieutenant Geer and we have, I think, Laura, you were going to go first. So we have Laura Ahearn from Parents for Megan's Law. There has been some updates and changes. If you would like to come forward and give us your presentation.

**MS. AHEARN:**

Good morning. My name is Laura Ahearn, I'm the Executive Director of Parents for Megan's Law and the Crime Victims Center. With me today I have a few of our staff; Irma Orozco, she's a Crime Victim Advocate. Jeff Behrens is a Program Manager for the agency. Notably, Irma is our crime victim advocate. In our Crime Victims Center we provide services to all victims of violent crime, in our Rape Crisis Center for victims of child sexual abuse and adult rape, and in our Crime Victim Center side, all victims of violent crime, and Irma's speciality is the provision of services to hate crime victims. So Legislator Browning actually asked me to come here today and talk about what's new with the agency these days.

On our Helpline, we -- actually, let me back up a little. When we came before you before budget cuts for contract agencies, we were all asked to talk about what we had accomplished and to provide some type of measurable results. So I wanted to just give you real quick overviews of what we did for the year. In 2011 we processed 12,000 contacts on our Helpline. Our Helpline is designed to educate community members about Megan's Law sex offender registration notification, if they have questions about the law. We also aim to educate them about responsible use of information, because we don't want community members to use that information to harass or commit crimes against sex offenders because that undermines really the value of the law, because it is designed to inform community members about those individuals that have been determined to pose a risk to public safety. So we want to make sure that the community has that information so they can take necessary precautions and those precautions mean educating yourself and your children about child

sexual abuse prevention.

Also on our Helpline, which I'll talk a little bit more about later, is it's like a hub for the community when notifications go out. People who have been victims of crimes themselves, people who are aware that somebody has become a victim of a sex crime, people who maybe a family member has experienced something like this, there -- sex offender notifications generate not only questions about Megan's Law, but questions about sex crimes in general. So those victims of sex crimes or family members are then referred to our Advocacy Unit of our organization.

A new program, fairly new program, is our Sex Offender Registration Tips Program. This is an awesome program for the community. This program allows the community to report registered sex offenders who they believe may be in violation of local laws, residency restriction laws, employment laws, State registration laws, or if they're in positions of trust where they can potentially access children. So probably the most -- we've had a hundred SORT cases and we don't have time to go through all of them, but the most notable one that you guys may remember, the registered sex offender who was living in a New York State registered day-care center in Islip Terrace. So we got a tip from the community. It was anonymous, we worked with them, we worked with law enforcement and eventually parole, he was on parole, moved him out. I'm sure, Legislator Browning, you are really interested in that comment.

Also on the SORT -- in the SORT Program it was tips from the community where we discovered that there were 10 registered sex offenders living in a residential neighborhood in the Medford area. So those were Level I sex offenders, and I'll get into that. I'm pretty sure most of you have an understanding of the risk levels, if not, just interrupt me at any time. But ten Level I sex offenders living right on the same block as a woman who had six children. She recognized the offenders only from photos through our Sex Offender E-mail Alert Program.

Also, the agency works very closely with Facebook, so if we are -- we get tips to the Helpline about sex offenders who may be on Facebook, so law enforcement can't be burdened and use all their resources for situations like this because there's no law that prevents sex offenders from being on social networking sites, but Facebook and My Space have policies. So when we are given a tip from the community about a registrant on a social networking site, our staff work with Facebook and they knock him right off. Nothing to say that they're not going to log right back on, but the community reports this information to us on the Helpline.

So our latest project is Reynaldo Flores, and I'm sure most of you saw the media attention. This was an individual who had been arrested numerous times for public lewdness and he was recently arrested in Patchogue for committing a public lewdness offense in front of two minor children in Chuck E. Cheese.

***(\*News 12 Video Played for Committee\*)***

**MS. AHEARN:**

So the question is why is he not registered under Megan's Law, and the reason why is public lewdness is not a hands-on sex crime registrable offense under New York State version of Megan's Law. So you can be literally arrested 50 times for committing these types of offenses in front of children and not suffer the ramification of notification, which is -- that's their perception of it. But from the community's perception is to be warned about an individual that is seemingly acting like a predator.

So Flores himself actually had ten public lewdness arrests in Suffolk County, ten. So it was -- it's all of our problem, it's just not -- it's not just a problem in Legislator Calarco's district in Patchogue. He was arrested at four libraries; Longwood, Babylon, Deer Park and South Country. K-Mart in Farmingville, Wal-Mart in Middle Island, twice in Cedar Beach and he was caught masturbating on

camera at Borders in front of an 11 year old girl doing her homework. And he was also arrested for sex abuse I and sex abuse II, which was pled down to endangering the welfare of a child. So convictions, he's got five public lewdness convictions in Suffolk and one in Nassau, so he's Nassau County's problem as well. For endangering the welfare of a child in Suffolk, one in Nassau, and one stalking.

So now we finally have the poster child for what we have been looking for. Since 2003 the agency has been FOILING all of the public lewdness arrests in Suffolk County. We have 521 separate public lewdness arrests in Suffolk County since 2003. That's not saying that one person doesn't have multiple arrests, so it's 521 individuals. Twenty-two of them were arrested at least three times for public lewdness offenses. And as I said, Reynaldo had ten. We have another guy who has eight arrests and they're primarily at colleges, Suffolk Community College and St. Joseph's College. Then we have another guy who has five outside of Mandees multiple times, Lucille Roberts and hair salons in Coram. Then, of course, we have this guy who's a convicted sex offender, who after his conviction for sex abuse I in 1992 he had three public lewdness offenses. He was done with probation so there was nothing anybody can do.

So we're working with the New York State Senate, with Senate Majority Leader Dean Skelos. We found a law in Illinois that registers individuals that commit three or more public lewdness offenses. It elevates the misdemeanors, which they are; public lewdness is a misdemeanor. It elevates it to a felony and then requires registration under Megan's Law. So I'll update you on that as time goes on.

If you have any questions about public lewdness, Inspector Nieves has said that he is certainly willing to let you know the difference, because people have this misperception. Public lewdness is not urinating in public. Public lewdness is an intention to expose another person to your private areas in a lewd manner. Do you have any questions about public lewd?

**CHAIRPERSON BROWNING:**

No.

**MS. AHEARN:**

Tedd, you're off the hook. Okay, next, quickly moving on. Prevention education. In 2011, the agency completed 379 prevention education workshops. We do these workshops in the public and private schools. Traditionally when notifications go out community members become stirred up about that notification so we go in and do an adult prevention education program and then we work directly with the kids K through 12. Our newest program is Safe Dates. It's a dating violence program. And also, we have been working very closely with the Police Department on our Hate Crime Prevention and Cultural Sensitivity Program. We just educated a number of programs -- Irma, how many did we do for Social Services?

**MS. OROZCO:**

Two hundred people.

**MS. AHEARN:**

We educated over 200 Department of Social Services workers on hate crime prevention and cultural sensitivity as well. So Irma is our hate crime advocate, but as budgets dwindle we all get multiple titles, so Irma does multiple, multiple things, and one of them is also to go into the community and do hate crime prevention programs, including Social Services, community organizations. We outreach extensively to the public and private schools and also to houses of worship as well. So when we receive referrals from the Police Department for a hate crime that's been committed for Victim Services, we outreach to them and try to do a prevention program in that community. You will actually find the outreach individually to use. If you hear us calling you that we want to do a hate crime prevention program with you in your community, it's more than likely because there was a hate crime committed in your community. We can't release that confidential information because

we have to honor certain codes of confidentiality with Victims Services, but it's because a hate crime has been committed. So pay attention to that because we come in and we'll talk to the public and private schools and to your civic associations and anybody else who will listen about hate crime prevention.

Crime Victim Center, we're proud to report in 2010 we served 2,043 victims of violent crime and eligible victims of property crime. In 2011, we brought back over \$700,000 in crime victim reimbursement to Suffolk County crime victims. In 2010, \$969,000 was brought back to crime victims for reimbursement. We outranked every single victims service agency in the entire state for the amount of money we brought back to crime victims. In 2011, the Suffolk County Police Department in collaboration with the Crime Victims Center won the National Association of County Award for that program.

The Crime Victims Center Program is a phenomenal program. The way that it works is it starts out on the left here where when patrol, on the left, responds to a crime. They're required in their protocol to ask a victim, surviving family member or parent or guardian, if they want an advocate to follow-up for services. If it's an affirmative, they then going down, working with the victim down there, they then have to go back and bring that signed sheet of paper that says we want victim services, they have to bring it back to the precinct where the precinct admin then has to match it up with an incident report, and then they fax it to us at the Crime Victims Center. It's a phenomenal program. And like I said, I mean, in times of dwindling resources there are ways, very efficient ways, to comprehensively and compassionately serve victims. You can do it efficiently.

So what we're now doing to improve on this program is we're cutting all of that process out, and we recently met with the Police Department to now get that process going, and that's the electronic transmission of information. We're cutting out the whole process. So the law enforcement is required to ask the victim if they want services. They will ask, if it's an affirmative, it goes into their incident reporting system right in their car, and once the incident report is approved it will then be electronically transferred to the agency. So we cut out the whole entire cumbersome process, the resources that are used by the admins in the precincts to fax things to us, and also for the patrol officer to link up that incident report, give it to the Sergeant or to have the patrol officer give to the Sergeant the CVIR, the approval from the victim, and then have the admin link it up and then fax it to us. It's a cumbersome process, although effective. As you see, we've brought back millions of dollars to crime victims in Suffolk County. Now we're going to make that process much more efficient.

So lastly, our website. We have been doing sex offender notifications in the County for a number of years. The New York State Department of Criminal Justice Services, the DCJS website has a registry, but they only include Level II's and III's. Every Police Department on Long Island, including the municipals, participates in this program. They give us all of their notifications, Level I's, II's and III's. When -- it starts out on the left, the sex offender registers, DCJS gets the notification information, the Police Department is then notified when a sex offender moves into their district. Then what happens is law enforcement will then notify vulnerable populations. And as I said, we're considered a vulnerable population for every single community in Suffolk County, so we get all the notifications. We upload that on to our website and then we send sex offender e-mail alerts out to those that are registered.

Sixty-two of the school districts in Suffolk County participate in the E-mail Alert Program. What that means is they send notices out to all their community members letting them know about the program to register so that they can be informed when a sex offender moves into their community. Since 2011, or in 2011, sorry, we transmitted 5,864,000 sex offender e-mail alert notifications. Since we started keeping track, and it goes back many more years, unfortunately we didn't track each of the notifications, it's over 16 million notifications. Now, what Legislator Browning is very excited about, and so are we, is the new addition to the Sex

Offender E-Mail Alert Program. When you register for an e-mail alert it's really simple. All you have to do is go to the home page of the website, on the left menu bar select sex offender e-mail alert registration, put in an e-mail address, a password, you have to agree to certain terms, and then all you do is enter in zip codes that you want to be notified about. It's that simple and there's no cost to doing it. But now what happens is when a sex offender moves in you will get an e-mail alert, but when a sex offender moves out from the zip code you're registered in, you will also get an e-mail alert. I know that's been very important for your community, Legislator Browning, and I'm sure for every one of you, but most especially for Legislator Browning, because you are getting a lot of notifications, and people are under this false impression that you still have those offenders in your community.

**CHAIRPERSON BROWNING:**

I'd like to jump in on that, because it's not even just about the ones who are moving in and moving out. In fact, I just got one of your e-mail alerts about one who has lived in the community for a long time. I think this is probably his fourth address that he's moved to, but he's still within the community. So if he moves from the Mastic Beach zip code to the Mastic zip code, you know, the school gives a notice, "We have a new sex offender." He's not new, he just moved. He's still in the community. I know he's living with a girlfriend and her children, which really bothers a lot of people in the community, yes, but, you know, I know he's from the community. There's people who have told me they knew him, they went to school with him.

What was bothering me was, and I've talked to the school district, was when they're sending out the notices and now they don't do it by mail, they do it by phone call, but they say new. He's not new; he's been around. He has -- I think he's been there for about eight years or more. So for whatever reason he keeps moving from one address to another. I think it's important that we get this notice because it's not the first time. And we are also, in my office, registered with the State site also and they do the similar thing, but the nice thing is it's I's, II's, and III's with Megan's Law.

**MS. AHEARN:**

Yeah. The Level I information is vitally important, although you are not going to get the exact street address, you still get the photo. And had the person who reported to us in Legislator Calarco's district, had she not gotten those photos, she would have never known that there were ten sex offenders, because she was under the impression it was just individuals who needed residence, homeless, the homeless population. But she saw the photos and she matched the photos up when they walked by her house.

**LEG. CALARCO:**

Parolees (Inaudible).

**CHAIRPERSON BROWNING:**

That's another issue. Parolees, we are seeing a lot of that, and I think you remember in Gordon Heights there was nine parolees moved into the one house up in Homestead. I mean, this has been an ongoing complaint of mine, is they don't come from our community, they're not coming home. They're just coming out of an Upstate prison and they need somewhere to live and they wind up moving to Suffolk County. I think that's a major problem. I don't know if that's something that -- I would love to work on that, you know, we can't keep bringing them out here. There's notices being posted in the prison letting them know about these sober type homes that they can go to. I just feel if they don't come from here, why are they coming out here.

**MS. AHEARN:**

Well, in the Town of Brookhaven they have a Local Law that requires no more than two registered sex offenders per residential home. And even with that, that law was violated.

**CHAIRPERSON BROWNING:**

Right.

**MS. AHEARN:**

So pretty regularly now I think, Jeff, you might be able to comment on this. We ran our -- we run a program.

**MR. BEHRENS:**

Once monthly we run -- we have all the sex offenders in New York State, especially out here in Suffolk, and once a month we scrape that to see multiple addresses, so we keep an eye on that. If it's two or more it jumps up at us and we do an investigation on it. So it keeps that down to a minimum. As long as we know -- the only slippage in that, if it's registered I, Level I's, because we don't have the exact address. That's when we need the community to say, "Wait a minute. There's a third guy in there. He's a Level I." That's what helped us out in this other case.

**CHAIRPERSON BROWNING:**

Go ahead.

**MS. AHEARN:**

Thank you very much. If you have any questions, we're here, send your community members to us. I know you do, we're working with actually a number of you right now, so give us a call.

**CHAIRPERSON BROWNING:**

Thank you. Any questions from anyone? No? Oh, John.

**LEG. KENNEDY:**

Just a quick thank you, specifically Laura has been helpful with my office with a couple of violations, I think, of the distance for offenders and elementary school and church I believe. And as a direct result of your assistance with us, I know that individual has been cited and is scheduled, I guess, to be put out of that residence. And they were on a block that had I believe eleven children, so thank you.

**MS. AHEARN:**

You're welcome. You know, I would be -- it would be such a mistake for me, and I'm so glad that you brought that up, Legislator Kennedy. Suffolk County Police Department works so collaboratively with our organization that we have effectively, when there's a sex offender who's violating residency restriction or any other law, they are right there to do the investigation. And, you know, there are issues on the State website where they'll have the street name wrong, and Jeff just brought that up. They will have a street name wrong so the community believes a registered sex offender is in violation or the converse, they believe that they're not in violation. So whichever it is, law enforcement works so closely with this organization, not only on our Megan's Law initiatives, but also on our Crime victims Services and they really need to be commended because it's a phenomenal collaboration that produces immeasurable results.

**CHAIRPERSON BROWNING:**

Okay. Thank you, Laura. As you know, I'm always in touch with you. I appreciate everything you do to help me with my community.

**MS. AHEARN:**

Thank you.

**CHAIRPERSON BROWNING:**

Thank you.

Okay, next we have Lieutenant Geer. Is he here? Yes. We recently had, Legislator Kennedy, you

had requested that they come today to speak on the incident on the LIE with the trucks that were pulled over?

**LEG. KENNEDY:**

Yes, Madam Chair. As a matter of fact, thank you, and I believe we have Lieutenant Meyer and Deputy Inspector Nieves. Motor Carrier does great work. And as a matter of fact, as you know, it's an issue that we have been working on to establish a permanent inspection site in the southwestern part of my district. And as a matter of fact, on Tuesday we'll see the appropriating resolution get laid on the table. But working collaboratively with Motor Carrier and with some information from various groups, they were able to go ahead and do a tanker, a fuel tanker effort and the results, when you hear what they talk about, are startling as far as the numbers of vehicles that had issues. So I appreciate the opportunity, and thank you.

**DEPUTY INSPECTOR NIEVES:**

Good morning, Madam Chairperson, Ladies and Gentlemen of the committee. I'm Deputy Inspector Tedd Nieves, Executive Officer of the Chief of Department's Office, Suffolk County Police.

First, let me offer the regrets of the Commissioner Webber and Chief Burke for not being here today. After Tuesday's revelations, as you can imagine, the schedule has become rather full, but they assure you that they will be here in the future. I have with me today Lieutenant Dan Meyer from Suffolk County Police Highway Patrol. We did not prepare a formal presentation, but I have Lieutenant Meyer here to answer any questions you may have about the issue that Legislator Kennedy indicated.

**CHAIRPERSON BROWNING:**

Go ahead, John.

**LEG. KENNEDY:**

Okay. If I may, then. If you could just speak a little bit, Dan, about what made this enforcement effort somewhat unique, and I guess if you can, just frame for us what the, you know, general outcome and experience was that you and your officers encountered with that operation, please.

**LIEUTENANT MEYER:**

On February 28th, the Highway Patrol Motor Carrier Safety Section conducted a fuel tanker truck checkpoint. Twofold; we wanted to check the trucks that are traveling late at night. We conducted this from 9 PM till about 4 AM in the morning, and we did this in conjunction with the New York State Department of Taxation and also the District Attorney's Office Taxation and the New York State Environmental Conservation. We inspected 19 tanker trucks that night. Six were placed out of service for equipment violations, you know, such as breaks and -- I mean, these tanker trucks when they're full they're basically moving missiles, and Motor Carrier Safety Section is the only one out there enforcing these laws and checking these trucks. Our neighbors to the west, Nassau County, only two motor carrier officers, and I'm not sure if they'll be able to stop that.

What we were also looking for was the tax violations. We're looking for the fly-by-night guy that comes out and doesn't pay the taxes to the State and/or the County, and usually those guys are traveling at night delivering. I don't know if you have ever seen them, but three, four in the morning they're dropping off gasoline at these places. We found -- New York State Tax Finance investigators found seven manifest violations, and the manifest tells the -- tells the County where the truck picked up the gasoline, where it dropped off -- each drop off along the way and out of the 19 trucks, seven of them had manifest violations, which is going to be followed-up by the New York State Tax Investigators. We also issued a total of 54 summonses that evening.

**LEG. KENNEDY:**

Yeah, if I can, just to go a little step further. So needless to say, I guess it's safe to conclude we have a significant number of these vehicles that are out on the road at this point, A, that have safety issues that rise to the level that these vehicles do not belong on a roadway; and then, B, at a time where we're desperate for revenue, bandits are bringing gasoline into our County that hasn't been properly taxed in the first instance. There's a component with this as well. I mean, obviously safety is paramount, but the fines that are associated with some of these violations can get somewhat steep, as they should be; is that true?

**LIEUTENANT MEYER:**

That's correct. The seven manifest violations ones, not only are they -- each one is a misdemeanor, but each one is up to a \$20,000 fine.

**LEG. KENNEDY:**

So if we do the math and it went to the max, that could be \$150,000 exercise just in the manifest violations alone.

**LIEUTENANT MEYER:**

That's correct. Also, I would like to add that in addition to the tax money that we might be able to get back, or the fine money we might be able to get back, this whole operation was funded by a Federal grant, so any overtime incurred was covered by the Federal grant.

**CHAIRPERSON BROWNING:**

How much of that revenue would we actually wind up receiving?

**LIEUTENANT MEYER:**

I have asked the Lieutenant Strack over in the Court Liaison to look into that for me.

**CHAIRPERSON BROWNING:**

You mentioned some of these vehicles not having brakes.

**LIEUTENANT MEYER:**

Yes.

**CHAIRPERSON BROWNING:**

You're talking about a moving bomb, really. And I know this happened in the Commack area where we're actually looking to put that pull over site off of Wicks Road that this happened?

**LIEUTENANT MEYER:**

That's correct. It's near County Road 4. But we actually set up the checkpoint in Wicks Road Park and Ride because we need a somewhat secured area and large enough to pull in that many trucks.

**CHAIRPERSON BROWNING:**

How are we doing that? Did we appropriate the money for that yet?

**LEG. KENNEDY:**

The resolution was going to go on the table on Tuesday. As a matter of fact, we have it in our 2012 Capital Budget as you may recall. Last we approved the ability to go ahead and exercise the lease with the Town of Smithtown for a 20-year lease, so now we're going to move forward, I guess, and do the appropriation for about 600,000 to build the site and it allows -- it facilitates this kind of effort on a more frequent basis I would imagine, plus it also maintains safety. When your officers are inspecting, are they all over the vehicles? How does that occur?

**LIEUTENANT MEYER:**

Yes. I mean, the inspection can happen anyplace. We try to obviously make it as safe as possible. During the day it's a little bit harder because the park and rides are all filled and so it leads us to move into the shopping centers or, you know, the movie theaters that are not busy during the day. Needless to say, I mean, those people start to get upset and they don't want to see us there. So, I mean, this new place that the land was donated would be a perfect spot for our Motor Carrier Safety Section.

**CHAIRPERSON BROWNING:**

It just seems to me if we keep doing what you're doing it will pay for itself with all the fines that you could get.

**LIEUTENANT MEYER:**

That's one aspect. But the other aspect is to stop these trucks that are driving around our County unrestricted.

**CHAIRPERSON BROWNING:**

Right, right. Now, question, because some of the violations, and they were so bad, especially ones with no brakes, are you able to seize any of those vehicles?

**LIEUTENANT MEYER:**

I believe according to the Federal Law we place them out of service and they have the right to bring a mechanic right to the scene and/or a tow truck to take care of the problem.

**CHAIRPERSON BROWNING:**

Okay. Anybody else have any questions? No? Well, I appreciate it. Keep doing it because it was pretty scary when I saw, you know, when I read in the paper and seen the types of violations. My husband works at night and drives home on those roads at night, God forbid, or anybody that's coming home could potentially have been killed.

**LEG. KENNEDY:**

Madam Chair, if I can just -- one other mention, and I echo the Madam Chair's comments. Please remain vigorous with this. But it's my understanding that you also are looking at vehicles that cover really the whole spectrum of what might be coming into our County that may be suspect or tainted cargo. The fireworks, your unit is intimately involved in doing those types of stops, tainted medical waste. Anything that might be out there on our roads, your unit is the primary point of contact I believe.

**LIEUTENANT MEYER:**

That's correct.

**LEG. KENNEDY:**

Good. So make sure you check it all.

*(\*Laughter\*)*

**CHAIRPERSON BROWNING:**

Okay. Another question, Legislator Gregory.

**LEG. GREGORY:**

Thank you, Madam Chair. You had mentioned that this program is run off of a Federal grant. How long is the grant for?

**LIEUTENANT MEYER:**

The grant we just received is from the Motor Carrier Safety Section by the Federal Government and it was for \$250,000, which also included two brand new trucks for us.

**LEG. GREGORY:**

Okay. And that should last for the year? Two years?

**LIEUTENANT MEYER:**

Well, it's -- that's just a grant we have. Each year we hope to renew it and we're working on that right now.

**LEG. GREGORY:**

Okay. All right, thank you.

**CHAIRPERSON BROWNING:**

Okay? No more questions?

**LEG. KENNEDY:**

That's it. Thank you very much for coming down.

**CHAIRPERSON BROWNING:**

Deputy Inspector, I'm sorry. I have a question for you. I did speak with Chief Burke yesterday and it's been brought to my attention about the Detectives and I have a couple of questions; I know you can't answer them today, but if you could get back to me.

You know, it was brought to my attention that there's currently about 352 Detectives. In six months we'll be losing about 12 of them. What I'm interested in is, you know, I've talked to Police Officers on the street who have told me that in the past they were told when they wrote a ticket or if they got a call and it was a certain type of crime, that a lot of times they were writing them down where it would be a lesser charge. I'm very concerned about that. I know that the Chief has met with the precincts and wants accurate reports from hereon in.

When we talk about crime statistics, that's where I think that crime statistics have been played with; I don't know how else to say it. But my concern is that if we're going to lose Detectives and we're going to see an increase in crime stats, who's going to do the work? I'd like to know how many Detective units we have. I know you have Narcotics, Homicide and such, you know, Gilgo Beach is still going on. How many cases are currently open? And also, what the average number of cases say per Detective. I'm not sure if it's just one Detective has so many cases.

But I am concerned if we do have a reduction in the Detectives and based on what the Chief is saying, he wants Police Officers to do their job. And if we do see a spike in crime and reports, I want to make sure that we have the adequate number of Detectives doing that work. Because I know that if someone loses a loved one or, you know, has property stolen, you know, they don't want to wait for six months to a year or maybe longer because the Detective has so many cases that he can't get to it. So I'm not an expert on this, but I'd like you to provide me with whatever information you can give me on that.

**DEPUTY INSPECTOR NIEVES:**

Yes, Ma'am. Absolutely, I will get you that information. Just very quickly to address the crime stat question. This question has been brought up a lot over the last few years and I've been personally involved because the individuals who do the crime stats work for me.

**CHAIRPERSON BROWNING:**

Uh-huh.

**DEPUTY INSPECTOR NIEVES:**

I can assure you that they do a very good job and that the stats are -- because we meet criteria set by DCJS in New York State and the FBI down in Washington as to how we report our crime stats, and the people who produce those numbers are very proud of the work that they do.

I think the problem has been, you know, has crime by the criteria set gone down in the County over the last few years. Yes, it has. The problem has been that we have kind of beat people over the head with that. If someone in your family is affected by a crime, if there's crime in your neighborhood, you don't want to hear about how assaults are down 20%, you want to know what the Police Department is doing about what's going on on your street. And with the new program of intelligence-driven policing that Chief Burke has implemented, those are the questions that we're going to address. Crime is down and that is a testament to the dedication of the men and women of this Police Department. Their hard work through difficult times has kept this County safe. However, even if there's only one homicide in the County that's too many, and especially if it occurred on your street, or heaven forbid if it's a loved one, you don't want to hear how crime is down. You want to know what the Police Department is doing about what happened.

That's going to be our focus from here forward. Everybody in the County, every citizen deserves to live on a safe street and to be safe in their homes. That's the goal that we're going to be working towards from here forward. I'll get you that information as soon as I can, Madam Chairperson.

**CHAIRPERSON BROWNING:**

Yeah. I agree that you're doing everything you can, but like you said, and I'm glad to hear you say that, because it doesn't matter where it is. I got that CD with the report, you know, I don't think it was a whole lot of information in there. I may know that there's certain types of crimes have gone down, however, in this economy the robberies, that type of stuff, does continue -- does spike. Boarded up homes in my district, the foreclosures, the copper piping that's been stolen, those types of crimes are going on, home invasions, you know, that has gone up.

So obviously we have to make sure that we're focusing on those types of crimes and I appreciate everything that you're doing but, again, the Detective issue, if we do have a spike of any kind I just want to, you know, again, what -- how many cases are they currently working on and is that going to have an effect if we lose 12 Detectives to continue to do the right job and be efficient. Legislator D'Amaro.

**LEG. D'AMARO:**

I'm good.

**CHAIRPERSON BROWNING:**

You don't have any questions?

**LEG. D'AMARO:**

No.

**CHAIRPERSON BROWNING:**

Okay. Legislator Hahn.

**LEG. HAHN:**

I, too, have had data and statistic questions over the years that I've worked at the Legislature; not here at the horseshoe, but Rob and I -- Legislator -- excuse me, Legislator Calarco and I have talked in the past, and John Ortiz from Budget Review. You know, I think we need a more comprehensive reporting to us about statistics that drill down past just, what are they, the seven major crimes, you know, that's clearly not enough. Smash and grab and things of that nature we just don't really have data on and I think we should be getting it regularly. You know, it's our job to oversee and to know this stuff and it has been like pulling teeth in the past to get the information, even our Budget

Review Office. So it should just -- I mean, whether it has to be legislated I'm not sure, but it's certainly something we have been talking about, but we should be getting data and statistics in way more detail and much more regularly than we have been.

**DEPUTY INSPECTOR NIEVES:**

I'm sure, and I know that Chief Burke is aware of those concerns. I'm sure a component of our new data driven policing initiative will be to keep public officials in the loop as to what's happening in their districts. But I will definitely bring your concerns back to the Chief.

**LEG. HAHN:**

Thank you.

**CHAIRPERSON BROWNING:**

Legislator Kennedy.

**LEG. KENNEDY:**

Deputy Inspector, let me echo with a specific what my colleague's comments were in general. And your department has been helpful on -- to a point, and I don't think it's an issue of where you're not furnishing, I'm just wondering whether or not the data is properly being captured.

Recently I had a constituent who approached me about asking to petition the State for an upgrade to felony status for sale of narcotics within parks, or within the thousand feet limit, analogous to what we have with schools right now. You know, we just saw last night with the woman from Nesconset, who was just convicted with the Oxycodone sale, ironically a thousand feet within one of our middle schools. She faced very severe penalties under the Federal statute.

My point here is, is that as you move forward with the data-driven policing effort, I believe there's going to be a need to be able to capture and aggregate crimes in particular categories to help furnish that objective evidence. Certainly when we're asked to go ahead and take action one of the first things we do is, is we say, "Show us. Show us the frequency, show us the stats, show us how significant this particular issue is" in whatever jurisdiction that we're at. Unfortunately, I can't give that to my colleagues in the State Senate and the State Assembly right now because it's not being -- how can I say it, it's not being captured. So an arrest may occur and it may be for a sale of a controlled substance, but it's not routinely being aggregated so it's easy to produce 10, 20, 100, 200 in a broad category of parks in Suffolk County.

So I'm hoping as you go forward that you're working with whomever are the software engineers for this data package to have them identify key factors that our officers I know are putting in. I see them with the laptops in the car. The data is getting put in there, but I think the software itself may not have been set up to easily pull that and aggregate it. So that's my request.

**DEPUTY INSPECTOR NIEVES:**

Yes, Sir. As you are aware, there's myriad variables involved with crime stat reporting. Right now we are performing a review of our data systems to ensure exactly what you're pointing out, that we are capturing relevant information in order to produce more accurate stats because that's going to be important towards the intelligence policing initiative that I mentioned earlier. So we are moving towards that, as I said, reviewing our systems and looking to produce more accurate crime stats in the future.

**LEG. KENNEDY:**

Good. Okay, thank you.

**CHAIRPERSON BROWNING:**

Good.

**LEG. KENNEDY:**

Yes, thank you.

**CHAIRPERSON BROWNING:**

Okay, and I guess one last thing, actually. Legislator Calarco and I were talking about there was recently an incident in Bellport, a shooting, and ShotSpotter picked it up, responded to where the shots were fired. And I guess the people said, "Well, how did you know to come? We didn't call." So I said I'm glad to see I guess ShotSpotter works. So I think maybe -- I know we have another meeting in March, but I am expecting the Sheriff's Department to come in and do a report at the next March meeting, maybe in April if you would like to update us. We'll be in touch and see if there's any new updates or anything you would like to clue us in on as far as that's concerned.

**DEPUTY INSPECTOR NIEVES:**

Yes, Ma'am. We'd be happy to do that.

**CHAIRPERSON BROWNING:**

That would be great. Thank you. As I said, I know that we had requested last month for the Sheriff's Department to come in and give us an update on the jail and any new things that he is working on for the rest of the year for this year. I guess he said he has a staff meeting and could not attend, so I will expect that he'll be at the next meeting to give us an update on what's going on. You can go, we're done. I appreciate it.

*(\*Laughter\*)*

We're not going to hold you up any more.

**LEG. KENNEDY:**

Thank you very much.

**CHAIRPERSON BROWNING:**

Thank you. I guess is there anyone else in the room? I see we have all the union representation here, so welcome and thank you for coming. Feel free to reach out to us or if you ever need to speak at the public portion we would be happy to have you come up. With that, I guess anybody else have any questions about anything? No. The agenda -- oh, small print.

**Introductory Resolutions**

Okay. So we have ***1065, Adopting Local Law No. -2011, A Charter Law to provide for fair and equitable distribution of public safety sales and compensating use tax revenues. (Schneiderman)***

**MR. NOLAN:**

It has to be tabled.

**CHAIRPERSON BROWNING:**

It has to be tabled for a public hearing. I'll make that motion.

**LEG. CALARCO:**

Second.

**CHAIRPERSON BROWNING:**

Second, Legislator Calarco. All in favor? Opposed? Abstentions? It's tabled. ***(VOTE: 7-0-0-0)***

**1122, Appointing member of the Suffolk County Vocational, Education, and Extension Board (John Sipala). (Schneiderman)**

I'm so sorry, I forgot he was going to be here. John Sipala, are you here? I should have took you out of order. Come on up. I apologize, I should have took you out of order. Good morning. And if you would like to introduce yourself.

**MR. SIPALA:**

My name is John Sipala, 2nd Assistant Chief, Quogue Fire Department.

**CHAIRPERSON BROWNING:**

Okay. Does anyone have any questions? No? And this is a new appointment, it's not a reappointment; correct?

**MR. SIPALA:**

It's to replace Cliff Foster.

**CHAIRPERSON BROWNING:**

Okay.

**LEG. GREGORY:**

Can you give us his background?

**CHAIRPERSON BROWNING:**

Yes. Just if you want to give us a little bit of your background that would be great.

**MR. SIPALA:**

I have been in the Quogue Fire Department for almost 11 years. I have been moving through the ranks. I was most recently moved up to 2nd Assistant Chief just this past week. And my livelihood, I've been in farming all my life. I raise trees that I produce and send to New York City on 150 acres in Jamesport and Aquebogue. So I know a little bit about pumping water, mechanics, the general running of equipment and that kind of thing. And being in the fire department, I have been thoroughly enjoying my service with the volunteer fire department at Quogue.

**CHAIRPERSON BROWNING:**

Okay. Any questions? No. Okay. Well, thank you. And a motion by Legislator Calarco to approve.

**LEG. HAHN:**

Second.

**CHAIRPERSON BROWNING:**

Second, Legislator Hahn. All in favor? Opposed? Abstentions? Okay. Congratulations and thank you. **(VOTE: 7-0-0-0)**

**MR. SIPALA:**

Thank you, and I consider it an honor. Thank you very much.

**CHAIRPERSON BROWNING:**

Thank you for your service.

**MR. SIPALA:**

You're welcome.

**CHAIRPERSON BROWNING:**

And you do not have to come on Tuesday.

**MR. SIPALA:**

Oh, very good. Thank you.

**CHAIRPERSON BROWNING:**

Okay, thank you.

***1126, Accepting and appropriating \$248,472 in 100% Federal grant funds awarded by the U.S. Department of Justice under the Edward Byrne Memorial Justice Assistance Grant to Suffolk County Departments of Probation, Police, Sheriff, Social Services and District Attorney. (Co. Exec.)***

I'll make a motion to approve and place on the consent calendar. Second, Legislator Calarco. All in favor? Opposed? Abstentions? It's approved. **(VOTE: 7-0-0-0)**. And I guess if I turn to the second page I guess it's going to Probation, Police, Sheriff and Social Services and the District Attorney.

***1130, Accepting and appropriating 100% Federal pass-through grant funds from the NYS Office of Emergency Management of the NYS Division of Homeland Security and Emergency Services in the amount of \$45,966 for The Suffolk County Citizen Corps Council (SC CCC) FY 2010 and to execute grant related agreements. (Co. Exec.)***

Same motion, same second, same vote. **(VOTE: 7-0-0-0)**

***1146, Accepting and appropriating a grant in the amount of \$4,176 from the New York State Governor's Traffic Safety Committee Grant (GTSC FFY2012) Buckle-Up NY Program with 100% support for Sheriff's Traffic Safety Initiative. (Co. Exec.)***

I guess same motion, same second, same vote. **(VOTE: 7-0-0-0)**

***1147, Accepting and appropriating a grant in the amount of \$912,000 from the New York State Department of Transportation for the Long Island Expressway High Occupancy Vehicle Lane Enforcement Program in Suffolk County with 100% support. (Co. Exec.)***

Same motion, same second, same vote. **(VOTE: 7-0-0-0)**

***1187, Directing the Suffolk County Police Department to establish a "Scam Alert" on the Departmental Website. (Anker)***

**LEG. CALARCO:**

(Inaudible).

**CHAIRPERSON BROWNING:**

Did they leave?

**LEG. CALARCO:**

No.

**CHAIRPERSON BROWNING:**

Okay, I'm sorry. Well, just curiosity, is this something that you can do? Are you okay with this?

**DEPUTY INSPECTOR NIEVES:**

It's actually ready to go. We were just waiting -- we have been working with Legislator Anker on it. As soon as the resolution is approved it will be up in, we estimate, two days it will be on the website.

**CHAIRPERSON BROWNING:**

Okay. Thank you. So motion, Legislator Calarco. Second, Legislator Gregory. All in favor? Opposed? Abstentions? It's approved. *(VOTE: 7-0-0-0)*

*Home Rule Message No. 4-2012, Requesting the State of New York to amend the Tax Law, in relation to requiring a Revenue Distribution Agreement for Equitable Allocation within the County of Suffolk for public safety purposes of sales and compensating use tax (Senate Bill S.2638 and Assembly Bill A.3735). (Schneiderman)*

I guess it's Senate Bill 2638 and Assembly Bill 3735. Motion to table, Legislator Calarco. Do we have a second?

**LEG. SPENCER:**

Second.

**CHAIRPERSON BROWNING:**

Second, Legislator Spencer. Can you explain what this is?

**MR. NOLAN:**

This has to do with the distribution of the public safety sales tax revenues the County collects. It would require the County to adopt a law that would require the County to give money to the towns and villages outside the Police District roughly based on their population relative to the overall population. Right now in our Charter the County Executive is required to include special payments to the towns and villages, but the County Legislature is not required to adopt a budget that does that. And this law would -- like I said, would amend State Tax Law to require us to both have the County Executive propose and the County Legislature to adopt a budget each year that makes payments to towns and villages based on population, roughly.

**CHAIRPERSON BROWNING:**

Okay. Okay. I guess based on Tuesday's information I don't know that we want to march ahead with this. Ben, do you want to comment?

**MR. ZWIRN:**

I -- we would ask you to table this resolution. This could have an impact on the Police District taxes that could be dramatic. I mean, it can go back and forth, but I think with all the budget issues that we have, I think this is something we are not in a rush to do right at this point.

**CHAIRPERSON BROWNING:**

Right. I mean, I know that there's a possibility of possible even layoffs in the Police Department, so I can't see moving this at this time. So there was a --

**LEG. SPENCER:**

I apologize, I do want to withdraw my second.

**CHAIRPERSON BROWNING:**

You want to withdraw your second?

**LEG. KENNEDY:**

I'll second. No problem.

**CHAIRPERSON BROWNING:**

I was going to say I'll jump in with a second. So we had Rob made the motion and second, Legislator Kennedy. Okay. So we'll do the vote. All in favor? Opposed? Abstentions? Opposed -- two abstentions. Okay. Legislator Spencer and Gregory abstaining. So -- okay. Are we good to go? So I guess it is tabled. ***(VOTE: 5-0-2-0 Abstentions: Legislators Gregory and Spencer)***

With that, there is nothing more on the agenda, so you have -- okay. Hold on a second. Laura, you want to say something?

**MS. AHEARN:**

I just -- I left something out that is so important right now for you guys in your positions. You're making fiscal decisions and I wanted you to just understand a process. When somebody is a victim of a violent crime or if they're elderly, minor or disabled, they're eligible for reimbursement for crime victim expenses. So somebody could have a hospital bill in the amount of \$100,000, not have health insurance or be undocumented so not have some entitlement to coverage; instead of Medicaid covering those individuals that don't have insurance, the -- we are applying for State reimbursement from a Crime Victim Fund. That money comes from the Federal Government when they distribute restitution and also the fines levied on offenders in court. So we've brought back \$2.3 million worth of reimbursement for expenses. So when you have crime victim services agencies, look at measurable results, look to see if they are shifting the burden of expense from the County to the State and Federal Government when it comes to crime victim reimbursement for medical and counseling expenses. Thanks.

**CHAIRPERSON BROWNING:**

Thank you, Laura. So I guess we are adjourned. Thank you.

***(\*The meeting was adjourned at 11:06 A.M. \*)***