

**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, August 16, 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:**

*Legislator Tom Muratore - District #4*  
George Nolan - Counsel to the Legislature  
Sarah Simpson - Assistant Counsel to the Legislature  
Barbara LoMoriello - Deputy Clerk/Suffolk County Legislature  
John Ortiz - 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  
Lora Gellerstein - Aide to Legislator Spencer  
Justin Littell - Aide to Legislator D'Amaro  
Ali Nazir - Aide to Legislator Kennedy  
Tom Ryan - Aide to Legislator Hahn  
Ben Zwirn - County Executive Assistant  
Tom Vaughn - County Executive Assistant  
Gina Kommer - County Executive Assistant  
Ed Webber - Acting Commissioner/Suffolk County Police Department  
Tedd Nieves - Deputy Inspector/Suffolk County Police Department  
Tracy Pollak - Headquarters/Suffolk County Police Department  
Michael Romagnoli - Lieutenant-7th Precinct/SC Police Department  
Adina Beedenbender - Assistant to the Commissioner  
Mike Sharkey - Chief of Staff/Suffolk County Sheriff's Office  
Joseph Williams - Commissioner/Fire, Rescue & Emergency Services  
Noel DiGerolamo - President/Suffolk County PBA  
Russ McCormick - Sergeant-at-Arms/Suffolk Detective's Association  
Hank Mulligan - 2nd Vice-President/Superior Officer's Association  
Peter Dykeman - Delegate/Suffolk County Probation Officer's Association  
Laura Ahearn - Executive Director/Parents for Megan's Law  
All Other Interested Parties

**Minutes Taken By:**

Alison Mahoney - Court Reporter

*(\*The meeting was called to order at 9:51 A.M. \*)*

**CHAIRPERSON BROWNING:**

Good morning. Sorry we're starting late. We will start the Public Safety Committee meeting. If everyone would please stand for the Pledge of Allegiance led by Legislator Calarco.

*Salutation*

And we'll have a moment of silence for those who have lost their lives in the defense of our country.

*Moment of Silence Observed*

Thank you. Okay. We will start. We have -- Commissioner Webber is here; if you would like to come forward. I know I'm probably not the first to say congratulations. I was not able to be present when you were -- when the news came out, but I want to say congratulations. I know that you have been a phenomenal Commissioner since you took the position and I know that you will continue to be one.

But with that, we shall let you -- if you have anything that you would like to say, and I'm sure maybe some members of the committee might ask you some questions.

**ACTING COMMISSIONER WEBBER:**

Good morning, everyone. I just want to thank you all for giving me the opportunity to come and speak this morning. I think in addition to the police experience, executive experience that I had, I think in these particular financial times, I have a skill set that's particularly helpful to the County. I'm a CPA with an MBA. I have prepared the County budget since 1988, both the Capital and Operating. I think that my experience, work ethic and ability have been recognized as I've been in an appointed position for 24 years, meaning non-Civil Service.

I've worked with three County Executives and five Police Commissioners. I have worked with the County Executive Office, the County Budget Office, the Legislators themselves, Legislative Aides, County Executive hierarchy. I'm familiar with the three, quite complex collective bargaining agreements, having been in negotiations since 1993 on the part of the County. And I think that with my background dealing with other department heads, I've worked with them or have personal knowledge of most of them, to enable us to -- the knowledge that someone else coming in from outside the department would have to have a big learning curve. I think I would be an asset for my past experience and institutional knowledge. And with that, I'll answer any questions

**CHAIRPERSON BROWNING:**

Thank you. Do we have any questions? Okay, Legislator D'Amaro.

**LEG. D'AMARO:**

Good morning, Commissioner Webber. Thank you for coming here today. And congratulations, also, as expressed by the Chair, on your being chosen and selected to head up the Suffolk County Police Department, not as Acting Commissioner but now as Commissioner, and I congratulate you for that.

I wanted to have a discussion with you this morning concerning budgets and staffing. And I agree with you that it's very -- an opportune time for us to have someone running the Police Department that's not only a top-notch Police Officer and professional, but also someone who is very closely affiliated and understands the County budget. So I appreciate that very much.

But we have a few things going on right now. As you know, we have a very difficult economy, we're grappling with a huge budget deficit as a result of this economy that we're in. We have given a present staffing level of our police force right now. We are talking about perhaps another class of officers or whether or not we should defer that class to a later time is something we might want to look at as one of our mitigation measures. We also see coming in the near future perhaps the County Police Department going back on to some of the highways. So with all of that, can you give me a sense of where we are with staffing? And given the background of the budget considerations, where are we going with staffing and new classes and how do we deal with bringing the Highway Patrol Officers back on, how does that affect staffing?

**ACTING COMMISSIONER WEBBER:**

I'll address the last part of the question first. The plan that we have, that we will not take any Police Officers from the precincts who were utilized for the Highway Patrol, we utilize our existing Highway Patrol and other units that we'll be merging into the Highway Patrol to cover the sectors that we deem appropriate.

**LEG. D'AMARO:**

Let me just understand that, because that's an important point. So you're saying that whatever uniformed officers are in the precincts right now are staying there, should the Suffolk County Police Department go back on to the highways.

**ACTING COMMISSIONER WEBBER:**

That's correct. That's correct. We have sufficient personnel which we'll reassign from other existing units, at least initially to cover it. We also intend to utilize some of the sector units that adjoin these highways. That's one of the reasons we believe it's beneficial. We have 134 sectors, a lot of which -- many of which adjoin those two highways which we can --

**LEG. D'AMARO:**

Yeah, can you just explain that? First, going back to your first point, was the taking them from other areas. How many Police Officers are we talking about, should you have to assume the responsibility of those highways?

**ACTING COMMISSIONER WEBBER:**

I don't have the exact number with me, but I can tell you that we anticipate utilizing -- we have an aggressive driving unit, some of them are motorcycle personnel. I prefer not to go into bleak detail, but we do have a plan in place, because we haven't notified or discussed it with either the officers and/or some lower ranking superior officers, so we would prefer to tell them first. But I can tell you that we do have a plan that will take no one from the precincts initially.

**LEG. D'AMARO:**

Right, but you're not sure about how many officers we're talking about in order to --

**ACTING COMMISSIONER WEBBER:**

No, I do -- I just don't have it in front of me. I do have the number and I can get back to you.

**LEG. D'AMARO:**

All right. Well, is it more than ten, less than a hundred? I mean, you know, just give me some sense.

*(\*Legislator Hahn entered the meeting at 9:57 A.M. \*)*

**ACTING COMMISSIONER WEBBER:**

In the thirties.

**LEG. D'AMARO:**

In the thirties.

**ACTING COMMISSIONER WEBBER:**

Yes.

**LEG. D'AMARO:**

Okay. So for the Suffolk County Police Department to assume, reassume that responsibility, you're anticipating roughly 30 officers that would be needed to go back into what you call I guess your Highway Patrol Unit; is that correct?

**ACTING COMMISSIONER WEBBER:**

They're already in -- most of them are already in Highway Patrol, so we're not taking them from anywhere.

**LEG. D'AMARO:**

Okay. Right, because --

**ACTING COMMISSIONER WEBBER:**

We're just reassigning their functions that they're doing.

**LEG. D'AMARO:**

Okay, right, because there are other Highway Patrol responsibilities. It's not like the unit was ever disbanded.

**ACTING COMMISSIONER WEBBER:**

That's correct, it was never completely disbanded.

**LEG. D'AMARO:**

Right. So you feel that you have sufficient staffing available to assume that responsibility without withdrawing anyone uniformed officers from any of the precincts?

**ACTING COMMISSIONER WEBBER:**

That's correct.

**LEG. D'AMARO:**

Okay, good. Now, what about -- you know, there's a dynamic, of course, and there's adverse pull on our budget. We always want to have more police. We always want to make neighborhood safety a number one priority, at least I know I do and I'm sure many of my colleagues do. And we want to keep the Police force adequately staffed to get the job done. But tugging against that, of course, are always the budget considerations. And a lot of what I've read so far about you, and I think what you've even said even today, you seem to be saying that you understand the dynamic between how important it is to keep the Police force at the proper levels, but at the same time considering taxpayers and who's footing the bill.

So given the present staffing levels we have now, do you see a need going forward for increased staff, more Police classes? And if so, to what extent?

**ACTING COMMISSIONER WEBBER:**

Again, this is a function of retirements, but I would definitely say we would need additional personnel and we will need additional personnel going forward. Until we know, fortunately, of the number of personnel who resigned or retired -- or actually we call separated from the department this year which is retirements, disability, those type of things, and/or quit or terminated -- only 32 came from the precincts, and we just put 57 from our class into it, so we actually have a plus at the

moment.

**LEG. D'AMARO:**

Well, when you say that, you mean -- you're talking about what -- we're talking about whether or not you think in the future, in the near future you would require more uniformed officers. And if I'm understanding you, what you're saying is that, yes, based on retirements or who would leave the force. But putting that aside, because I agree with you that to the extent, you know, the level that we're at right now we have to at least maintain, so if someone's going to retire or terminate employment with the County Police Department, I think they should be replaced. But beyond that, what are the staffing needs?

**ACTING COMMISSIONER WEBBER:**

We could -- again, we have to look -- and I'm fully aware, as you suggest, of the financial impact. I would suggest we need more people, we're working with the County Executive on that. One of the items we're doing is reducing the costs such as overtime, we saved over two -- we're estimating at least a two million five savings this year under budget. Traditionally, we're over budget. That money will assist us in hiring new additional personnel. If the contract goes through as it reads, the new starting salary of 42,000, 12-year payout, makes it much more reasonable and the ability to hire will obviously be greater.

**LEG. D'AMARO:**

I agree with you. And I think -- and I appreciate your answer very much, because I think that in a troubled economic climate that we're in right now, when it comes to policing, if we want to add more police, and I know we all want to do that, you have to find a way to pay for it. And I appreciate your sensitivity to that issue as well.

So what you would look for is to become more efficient. And I know that's thrown around in government these days, but there are ways to become more efficient to actually save money so you can afford more police. Have you given some thought to that? Do you have some ideas going in? You don't have to detail everything here today but, you know, I'd like to hear just the broad strokes of how you believe we can get some savings from the department while not cutting back on its primary function, of course, and maybe even making some room for more officers.

**ACTING COMMISSIONER WEBBER:**

In some of our leases and telephone costs, we're looking to utilize some -- what we consider -- I haven't even discussed it with the County Executive yet, but a significant savings using Voice Over Internet rather than the Verizon which will save significant amounts of money. We have several other areas we're looking to do just that, to become more efficient and to save money using the technology.

**LEG. D'AMARO:**

I appreciate that. And as I said, I agree with the Chair that I think it's a very appropriate time to have someone like yourself coming in to head up the department, given the fact that you understand both sides of two competing interests; the cost as opposed to the need for police protection, which are both very important issues.

Let me just shift a little bit in my questioning here. What do you see as the top issues for the department facing Suffolk County today?

**ACTING COMMISSIONER WEBBER:**

Well, we have three -- three major ones, of course, is drugs, gangs and recidivism.

**LEG. D'AMARO:**

Okay. Gangs is something that I know the Chief of Police has been here speaking to and I know also that you've implemented the -- what is it, intelligent-based policing as well, intelligence-based policing. How are we doing on the gang front? Because I know that's an issue for me in my district and some of my other colleagues here today.

**ACTING COMMISSIONER WEBBER:**

We've improved. Part one crimes are down so far this year, and I think we're improving in our area of attacking the gang problems.

**LEG. D'AMARO:**

Yeah. I mean, my concern was always with Huntington Station because I represent a portion of Huntington Station, as does my colleague sitting right here on my right, Legislator Spencer. And we've seen the implementation of ShotSpotter now being used in Huntington Station, we've seen some recent -- I think several, more than several, we've seen numerous arrests of gang members. And certainly I just want to express to you that I appreciate the Department's efforts being made in Huntington Station, I think it has making a real difference for us.

Is that something that -- do you have any opinion on the ShotSpotter Program?

**ACTING COMMISSIONER WEBBER:**

It's kind of early at this point, they're still tweaking it. We've had problems with it, to be very candid, but they've addressed them. A couple of times we've had shootings which weren't picked up so, you know, they're looking at it, but it's just a matter of setting up the sensors in the appropriate places. It should be an assistance to us.

**LEG. D'AMARO:**

Okay, good. And with the intelligence-based policing, has it lived up to what your expectations were?

**ACTING COMMISSIONER WEBBER:**

Yes, it has. We've made over 75 arrests, cleared over 161 cases with it.

**LEG. D'AMARO:**

Very good. Okay. Well, again, I congratulate you. I appreciate you answering my questions this morning. I have no doubt that you will find support from this committee and most likely the full Legislature. I know I intend to support you and I wish you the best of luck going forward. Thank you.

**ACTING COMMISSIONER WEBBER:**

Thank you.

**LEG. D'AMARO:**

Thank you, Madam Chair.

**CHAIRPERSON BROWNING:**

Thank you. You know, while we're on the issue of staffing, I know we just had the new class and I was wondering, one of the biggest is Detectives and Superior Officers, the Lieutenants and the Sergeants. You know the importance of Sergeants and Lieutenants on the job, and I'm sure going further up. So do you have any current plans for any new promotions for Detectives or any Superior Officers?

**ACTING COMMISSIONER WEBBER:**

Yes. As we speak, we're working with the County Executive. Again, we're trying to offset some of the costs that we would incur with some savings. So it would be easier to accomplish it without an

impact on the budget, or a minimizing impact on the budget.

**CHAIRPERSON BROWNING:**

Okay. Well, because I think we all know what the numbers are. And I'm looking forward to hearing more from you on the numbers and how many new retirements -- new promotions there will be. Okay?

I know that Legislator Muratore has a question.

**LEG. MURATORE:**

Thank you, Madam Chair. And thank you for allowing me to sit in, even though I'm not assigned to this committee. Really not questions, I just -- you know, I bring a little bit of inside information on Commissioner Webber. You know, we worked together for 34 years and 20 of those years I was Vice-President of the PBA. So I congratulate the Commissioner first on the appointment. I congratulate the County Executive on his choice, I think it's an excellent choice.

You know, we've heard his experience and I can tell you, every word he has spoken is the truth. What I know about Commissioner Webber is, number one, he respects his position, he always has, every position he's held in the department with the utmost pride. He knows his responsibility to the residents of Suffolk County and the taxpayers and to the department. He knows his job. I mean, he's done a lot of jobs in the department, so he's not just been, you know, a man who's been in the private sector someplace else and has been appointed the Police Commissioner.

But most of all about Commissioner Webber is he's respected by the men and women of the department, I mean highly respected. So I think he's going to be the kind of Commissioner that's going to be honest and forthright. I don't think this body is going to have problems obtaining information from him, nothing is going to be hidden.

He told me what he felt about staffing and how he wants to do it.

So in closing, I would just like to say, you know, I urge this body to unanimous -- unanimous -- well, whatever, to appoint --

*(\*Laughter\*)*

-- the Commissioner because he's really going to do a lot of good for the Department, and you know I carry a lot of pride for the department. So again, I congratulate you, Commissioner. And good luck and you know you'll always have my support. Thank you.

**ACTING COMMISSIONER WEBBER:**

Thank you very much

**CHAIRPERSON BROWNING:**

Legislator Spencer.

**LEG. SPENCER:**

Congratulations, and thank you for coming this morning. And again, I have been very impressed just over my time here at the Legislature and working with you as the interim Commissioner.

I wanted to -- I appreciate it, you answered most of my questions with Legislator D'Amaro. I just had just kind of a logistical question, that when I heard that to patrol the highways, you're going to not pull from the precincts but be able to utilize existing staff. If those -- that existing staff has been pulled to the highways, then what happens with our current duties? Does that immediately -- until we get more officers, will there just be an increase in overtime? Could you clarify what those 30-odd positions were doing that they could just move over into this new

position? What happens with their old responsibilities?

**ACTING COMMISSIONER WEBBER:**

No, it shouldn't have any effect on overtime. They'll be doing many of the same functions that they'll be doing continuing on the highway. What would be DWI enforcement would be DWI enforcement on the highway, just as it would be off the highway.

As I mentioned, we fully plan to utilize, to assist and augment those staff members with the ability of utilizing some of the adjoining sector units. You know, we have, as I mentioned earlier, 134 sector units, we can supply personnel, whether it be supervisors and/or officers, very quickly.

**LEG. SPENCER:**

And the other thing that's important to me, which I work with the 2nd Precinct, so I have a wonderful relationship with Inspector Brady, he's doing a phenomenal job. And I see in your appointment of your Deputy Commissioner Rasko (sic), is that -- my question is, is there a particular vision for community relations that will be implemented County-wide that you can see in terms of helping to kind of -- you've mentioned the third priority of recidivism, so part of recidivism is having the support systems in place and changing the culture of crime. And I just wondered if you had any thoughts or particular plans to continue that.

**ACTING COMMISSIONER WEBBER:**

That's one of the major functions Ms. Risco Lewis is working currently in the Nassau County and has a distinguished record of establishing relationships and reducing the targeted groups that we have to deal with, has great results with reducing recidivism which is what we're looking, intervention. As I mentioned at the press conference, 10% of the criminals commit 90% of the crimes; if we can cut that short, reduce that, we not only reduce violence and crime, but we also reduce costs to the County and to the taxpayers by way of incarceration costs and those type of things. She has some very -- I don't want to steal her thunder because I'm sure she'll be here when she comes sometime in September, but, you know, her groups -- 69% of those who belong to her COTA, Coalition of Thought & Action; 69% of the time they're employed, recidivism over three years is only 10% as compared to 40% with the State and 60% for the nation. So she has very good credentials and we're looking to utilize her talents and expertise in training to reduce recidivism, which is a major part of our plan.

**LEG. SPENCER:**

Thank you. And the last thing I'll ask, we're focusing primarily with regards to gangs and drugs, and these things are extremely important and prevalent. I haven't heard a lot in general just with regards to white color crime, bouncing checks. I guess in a down economy where you have things such as extortion, also cybercrimes. Is there any -- how is that addressed in your department? Is there a separate unit that's in charge of these sorts of things, and is there a particular division that you have on that side of law enforcement?

**ACTING COMMISSIONER WEBBER:**

We do have specialized units that control those things. And yes, we anticipate maintaining those units and continuing to fight the crimes you mentioned.

**LEG. SPENCER:**

Thank you, Commissioner. And again, I fully support your nomination and appointment. Thank you.

**ACTING COMMISSIONER WEBBER:**

Thank you.

**CHAIRPERSON BROWNING:**

Legislator Kennedy.

**LEG. KENNEDY:**

Commissioner, I'm pleased to see that you're before us. I have found that working with you and dealing with you with issues throughout your time in the department as the Chief has always worked certainly to the benefit of my constituents, and I think to all the citizens of Suffolk County. And I look forward to your taking the mantle. You've been doing the job, you should actually have the title and I think we're all going to benefit from your decades of experience and your commitment to service.

I want to talk about one particular area that actually kind of overlaps or dovetails, and we just had a brief conversation about it before. The resolution that I had the privilege to cosponsor with Legislator Hahn regarding the Narcan pilot has, in just I think two weeks or three weeks, resulted in actually three saves. I think that's astounding. And I know, in speaking to go Dr. Coyne, I believe we have approximately 300 officers that are now trained in the use of the atomizer. I'm hoping that we'll have an expansion on that. And then I'm just also going to ask you to speak a little bit to the commitment or the recommitment to have all of our Police personnel at the EMT trained level and maintaining their certification.

**ACTING COMMISSIONER WEBBER:**

We wholeheartedly support, as you know, the Narcan. As you suggest, there's been three savings to date. We appreciate you allowing us to do that and also helping us to regain control of the EMT trainers, because we believe it's more efficient in having working for directly our department so we can assign them as needed.

We have a commitment to go forward and with the new contract, should it go forward, there's two extra days in training. It's a great time, we can utilize some of that extra time for the training of the EMT. We are committed to do so. It's not a one-way street, we do get reimbursed from New York State for training, so the cost, we don't intend to do it on overtime because we can change tours for changing. So we'll not only enhance the ability to service the public, but we also get reimbursed for some of the costs involved.

**LEG. KENNEDY:**

That's excellent to hear. And so my sense is that our citizens, if you will, are getting a more effective officer, a more intelligent officer, a better officer by virtue of our commitment to having them adept and skilled at doing that EMT level intervention when they come upon a 911 call. I've heard different metrics, but it can be as much as 1-in-4, 1-in-5 calls medically associated, whether it's a chest pain or it's a choking or who knows what. And I've also been told that almost always it's our Suffolk County Police Officer who is there first at the incident following the 911 call.

So I think, I hope that commitment to training bears fruit and translates into saving lives. Do you agree.

**ACTING COMMISSIONER WEBBER:**

I didn't know if there was a question there. Yes, I definitely agree and we've always been committed, which is why we sought help in having to reassign -- the instructors reassigned to the Police precinct, so we could do just that, making our officers the most efficient personnel that can possibly be on the street.

Again, the mere fact that we're out on the street 24 by 7, we could be around the corner, and I'm not being melodramatic, but when there's bleeding, minutes make a difference.

**LEG. KENNEDY:**

Yes, it does. Thank you. And good luck, Commissioner.

**ACTING COMMISSIONER WEBBER:**

Thank you very much.

**CHAIRPERSON BROWNING:**

Okay. Legislator Calarco.

**LEG. CALARCO:**

Good morning, Commissioner. Thank you for coming today. Just one quick question. I know many of the Chiefs that we have, Chief of Patrol, Chief of Detectives, they're all in acting positions at the current time. Do you expect, once your appointment is confirmed, that there will be a shake-up with the Chiefs or do you think most of those individuals are going to stay in their current positions?

**ACTING COMMISSIONER WEBBER:**

I don't anticipate making a major change. Again, we didn't want to make too many moves until the Commissioner was officially appointed, whomever it may have been. So we wanted to leave it to the new Commissioner to make any decisions, but I don't anticipate any major changes.

**LEG. CALARCO:**

Okay. Thank you.

**CHAIRPERSON BROWNING:**

Okay. You know, one last comment I have to say, there has definitely been a more proactive policing going on over the past -- within the past year, and I'm pleased to see that. And I know we have a representative from Probation here, and I think one of the most important things, and I will have that conversation with our Probation Department, is making sure that everything is seamless. You know, you work well with the District Attorney's Office and I want to make sure that -- you know, Probation Officers have so much information on their probationers, and I know of an incident that happened in my district not too long ago where there was a need for the Police to show up, Probation Officers caught one of their clients, or whatever you want to call them, you know, violating his probation. And the Police were called to respond to arrest him, which is rightfully so, he should have been. And I wanted to make sure that you are working very closely with Probation, because they know who they're supervising, they know if these people should still be on the street or not. And I just -- you know, that's one of my concerns, is to make sure that there is no gaps anywhere, and that when Probation is in need of the Police Department, that that is readily there for them and vice versa.

So, you know, I'm just curious, I mean, what is your current relationship with Probation? I mean, are you actively working with them? You know, I just want to make sure that everything is seamless between the two departments.

**ACTING COMMISSIONER WEBBER:**

Yes, it is seamless and we anticipate improving relations not only with Probation but Parole and many of the other organizations out there, because we can glean, as you suggest, an awful lot of information working with these agencies. And we feel that working together, because that's how we have to do things today, especially as we continue to mention with the finances the way they are, that we can cut costs by working together, it's the way to go, become more efficient and effective.

**CHAIRPERSON BROWNING:**

Yeah. And I think especially on the narcotics issue, that is something that really needs to be addressed. But I believe Legislator Hahn has a question.

**LEG. HAHN:**

Welcome. Thank you. I'm really excited about your pick and I look forward to supporting you.

A lot's been said, a lot's been asked, I don't want to waste time repeating it all, but I echo the questions about the Sergeants and Lieutenants, the Narcan and the training, working across departments, Probation, Sheriff, Parole. You know, there can't be silos anymore, we're all working together for public safety, I think that's really important.

On the highways; talk to me just a little bit about the training. Is there speciality training for Highway Officers and are the officers who were in Highway before, were they all offered to come back, or how are the new crew getting picked?

**ACTING COMMISSIONER WEBBER:**

The people that we plan on putting up there are people who remained in Highway and have all the requisite training. Since we're not taking anyone initially from the precincts, no, we have not asked people to come back, but if there are some transfer requests, obviously we'll honor them.

**LEG. HAHN:**

I was -- I'm really excited about your pick, Risco Lewis; did I say that right?

**ACTING COMMISSIONER WEBBER:**

Yes.

**LEG. HAHN:**

And I think what Kate got at with working with the different departments is, you know, all right on her talking points and I'm really excited to work with her.

So let's see, we covered so much, I'm -- Oooh, School Resource Officers. I've just -- I say it every time, I really do believe they can make a difference in the schools, especially, you know, on this issue of heroin and prescription drugs and other issues that start early. And so I would just like to make another push for more School Resource Officers, especially in the 6th. Thank you.

**CHAIRPERSON BROWNING:**

Okay. Legislator Gregory.

**LEG. GREGORY:**

Thank you. Thank you, Madam Chair. And thank you, Commissioner, for coming here. Everyone speaks very highly of you and has a great level of confidence and you certainly have a track record of success and I look forward to supporting your nomination.

I just wanted to, I guess, you know, make a statement, ask some questions. I think Legislator D'Amaro had mentioned the intelligence-led policing, I think that's been -- you know, from what I'm hearing, it seems like it's been a tremendous success, or at least enables us to focus on the areas of crime, where they are and allocating our resources to that. Do you see instituting any other types of technological advances that help the Police force carry out their duties?

**ACTING COMMISSIONER WEBBER:**

Initially I believe this intelligence-led policing, augmented by this enhanced community relations that we're trying to do, will help us go a long way. And of course, as I mentioned earlier, if there's any technology that we can utilize, we're doing some stuff with cameras with Huntington, Babylon and those types to enhance some of our training, but again, a lot of them is just on the drawing boards at this time. But we obviously will look forward to any technological advances that will help us combat crime and serve the people of Suffolk.

**LEG. GREGORY:**

Okay. You know, as you know better than I that, you know, criminals are getting smarter and more devious every day. I just had some constituents that contacted my office this week where they feel that they've been victimized, and it appears that there's this couple that has gone into foreclosed and vacant homes, taken down the boards and representing that those properties are theirs and they're leasing them out to people. One lady, you know, \$1800 a month and the property is not theirs, and they're, you know, getting money from them and they asked to turn on the utilities, and there are several places in the Wyandanch community that this has happened. So they're, you know -- and this happened to someone I know personally. So they're getting very devious in these hard economic times. So it's important that we keep ahead of the times, use the technology and resources that we have to fight the crimes of the day.

Traditionally there's been difficulties with communities of color and their relations with the Police Department, and I applaud the Police Department for their efforts, particularly the community policing, to build those bridges to the community. But I think it's still important that as we look at promotions, that we have a police force that reflects the community that it serves. So I just ask, you know, that you monitor that, because the community does pay attention to that. It's important that they feel the comfort level with those in charge or responsible for their safety that they have an understanding of their community and where they live, and I think that will go even a further way or help further build bridges to those communities. That's it.

**ACTING COMMISSIONER WEBBER:**

Definitely. As you know, Legislator Gregory, I worked myself in North Amityville for five and a half years. I'm fully aware, I had the ability to work with the people of color or any diverse community and we look forward to enhancing our ties with promotions. And unfortunately it's Civil Service with promotions for the most part, so we have to get them to pass an exam and make them reachable.

**LEG. GREGORY:**

No, I understand. I think the appointment of Risco Lewis is the appropriate message that, for one, for your focus on recidivism, you know, I think she's perfect. But I think having a person of color at that level, and a woman nonetheless, sends the message that you're open to a diverse workforce, that you're open to, you know, respecting and appreciating those that have the talents to move your Police Department in the right direction or the direction that you want it to go which I believe is the right direction, regardless of gender, race or any other, you know, demographic identity. And that's important, that we have a diverse community and a Police Department that reflects that. So thank you. I think you're really starting off on a great foot and I welcome your -- working with you and I look forward to many years of success and support from this body.

**COMMISSIONER WEBBER:**

Thank you.

**CHAIRPERSON BROWNING:**

I think last but not least, Legislator Spencer.

**LEG. SPENCER:**

Thank you. You answered all of my questions before and something just came to mind, more of an observation that a constituent had pointed out to me and I thought I would get your input since I have this wonderful opportunity to speak to our new Commissioner.

There's concern with kind of an increase of driving under the influence or driving while intoxicated. I've seen a series of articles of some horrific accidents with fatalities. I guess normally you would see an increase during the warmer months, but this constituent just indicated concern that the numbers seem to be higher. So I didn't know if you had -- if that had been brought to your attention, if it was indeed true. And you can get back to me if you like, but I didn't know if there

were any particular plans to address this issue with regards to more check points. Would there be room for stronger legislation? Currently, if someone is convicted of driving, I guess under the influence, if those vehicles are seized. So just as a Legislator, the constituent had asked me for stronger laws in this area. And again, obviously, before any legislation would be introduced on my part, it would be in connection with working with you.

So my question; do you feel the current laws are strong enough? Have you seen kind of an increase in this particular area? And last, are there any particular plans to address this problem?

**ACTING COMMISSIONER WEBBER:**

We're always very aware. We had some horrific accidents, both on land and in the water. We are enforcing, vigorously enforcing the DWI laws, we have a safety team out there and we're enforcing it. We're getting into the boat because that's close to you also up there.

**LEG. SPENCER:**

Sure.

**ACTING COMMISSIONER WEBBER:**

We have actually become creative where we have put Highway Patrol Officers on the Marine Bureau who are specialized in recognition of people under the influence of alcohol and/or drugs. So we've made a significant number of additional arrests on the water which would help out. And we have some other plans which I'd rather not discuss now, but we're going to do them very shortly; creative, unusual in the area of marine enforcement of DWI.

**LEG. SPENCER:**

Excellent. Excellent. Thank you.

**CHAIRPERSON BROWNING:**

Okay. I think we're done? Okay.

Well, you know I don't know if there's a few resolutions here that I'm just curious if you would want to have any comments. I see the one about the USAR Team. Hold on. And they're all Public Safety, I guess. It would be a combination of FRES, Police Department, Sheriff's Department, Health Services. I'm just curious if you have any comments about any of those bills? There's a couple of creations of Suffolk County Incident Management and the I-MAT; is that more with FRES? Nobody knows?

**COMMISSIONER WEBBER:**

I must admit that I'm not familiar with any of the resolutions you mentioned. I'd be happy to review and get back to you on them.

**MR. ZWIRN:**

It's FRES.

**CHAIRPERSON BROWNING:**

Oh, okay. So I guess we'll have our FRES Commissioner speak on those. With that, we don't have any more questions. But what I would like to do is take out of order **1829**. I'd like to make a motion.

**LEG. CALARCO:**

Second.

**CHAIRPERSON BROWNING:**

And second, Legislator Calarco. And that's confirming the appointment of County Commissioner, Suffolk County Department of Police.

**LEG. D'AMARO:**

Is this to take out of order?

**CHAIRPERSON BROWNING:**

To take out of order. So we had a motion and a second. All in favor? Opposed? Abstentions?  
*It is out of order (VOTE: 7-0-0-0).*

***1829-12 - Confirming the appointment of County Commissioner, Suffolk County Department of Police (County Executive).***

I'd like to make a motion to approve.

**LEG. CALARCO:**

Second.

**CHAIRPERSON BROWNING:**

Second, Legislator Calarco. All in favor? Opposed? Abstentions?  
Okay, it has been *approved (VOTE: 7-0-0-0)*. Congratulations.

*Applause*

**COMMISSIONER WEBBER:**

Thank you very much for your support. I look forward to working with each of you. Again, we intend to be very receptive, responding and transparent as we go forward.

**LEG. GREGORY:**

Cosponsor.

**CHAIRPERSON BROWNING:**

Well, thank you. I'm guessing there may be a possibility -- I will be in touch with you and I'll see if, you know, any other Legislators who are not on Public Safety may request that you be here next Tuesday. I'll reach out to all of the Legislators and see if they have an interest in having you come.

**LEG. CALARCO:**

It's in Riverhead.

**CHAIRPERSON BROWNING:**

In Riverhead; yay.

**LEG. D'AMARO:**

Well, he probably should be there.

**CHAIRPERSON BROWNING:**

Okay. The committee believes that you probably should be there. So I guess we'll make a request of the Presiding Officer to, you know, get you in and get you out as soon as possible. And I would like that -- I know we'll have a Deputy Commissioner at the next meeting, that we could have the Deputy Commissioner come to the next Public Safety meeting so we can all meet her and ask some questions.

**COMMISSIONER WEBBER:**

I'm sure she'll be available. Again, I'm not quite sure of the start date, probably the 4th but I'm not sure. We have to get her back into the office and get some basic stuff done before she comes, but we're more than willing to bring her out and I'm sure she'll be happy to.

**CHAIRPERSON BROWNING:**

Well, whatever committee comes right after her appointment, that would be great.

**ACTING COMMISSIONER WEBBER:**

Thank you again, all.

**CHAIRPERSON BROWNING:**

Thank you. Congratulations.

Okay. And I didn't forget, I know we have one public portion, we have one card and that would be Peter Dykeman.

**MR. DYKEMAN:**

That's going to be a tough act to follow, I guess.

**CHAIRPERSON BROWNING:**

Not at all.

**MR. DYKEMAN:**

I'm holding two pictures -- yeah, it's going to be one of those presentations. I'm holding two pictures in my hand and for the benefit of the minutes, I'll state what they are; one is a container of orange juice, the other is a container of ice cream. If you haven't already, I'd ask you to say to yourself what volumes of containers these are. How much do they hold? Well, if you haven't already, you probably thought to yourself, "Well, it's a half-gallon of ice cream and a half-gallon of orange juice." Yet, the orange juice container that's pictured holds about eight to 10% less than what we assume it does; it holds about 59 ounces compared to 64, the 64 and a half gallon. The ice cream container holds up to 25% less than the half gallon that has become our vernacular for such size and shaped containers. These containers have dwindled in size over the years so that you pay the same four to \$5 for each item at the register and do not ultimately see a spike in your grocery bill. But at the end of the day, you get what you pay for; a few less sips of orange juice and a few less spoonfuls of ice cream.

Well, the Suffolk County Probation Department is a container that once held a full half-gallon of Probation Officers. Yet from just 2009 to today, we've seen greater than a 10% reduction in sworn Peace Officer staff. Our vernacular tells us that as long as we have a Probation Department and Probation Officers that it's the same as it ever was. Well, the truth is that while these con -- while the container may look the same and the quality of each Probation Officer on the inside has stayed the same, there's simply less of that quality product available to our end consumer, the taxpayer. I spoke in May at Legislator Browning's May Day for Mandates Forum about all of the mandates, most unfunded or underfunded, which bogged down our already diminished workforce. Our caseload numbers are, as ever before, on the rise. Several specialized units have been affected. Specifically, the GPS Program, which this Legislature was instrumental in establishing about six years ago, will no longer be staffed by Probation Officers 24/7, 365. It's my understanding that this was a question or an issue in the March, 2012 meeting of the Human Services Committee. Some caseloads just simply will not have an assigned Probation Officer and will be covered on a rotating basis.

Now for the scariest truth of all. There is one subset of the Suffolk County population who's perfectly well aware of the decreased number of Probation Officers. Very simply, it's those sentenced to probation. They easily notice at an office report, when they look around in that lobby, that there Probation Officer's caseload has jumped from 65, 70, 75 to 105. They easily notice that their Probation Officer doesn't stop by their home as often because the Probation Officer has more people to see and/or a bigger geographical area to cover. They easily notice that when their Probation Officer does find them at home, they're not able to take the same amount of time to either search for contraband, obtain a urine sample because their Officer has to hurry out to a large number of other home visits to satisfy some mandate.

Times are tough and the economy is in trouble. These facts only lend themselves to increases in criminal activity. While a few less ounces of orange juice or ice cream may not be a big deal, too few Probation Officers is.

**CHAIRPERSON BROWNING:**

I have to say, very well said.

**MR. DYKEMAN:**

Thank you.

**CHAIRPERSON BROWNING:**

You know, I absolutely agree. Over the years you have had -- your numbers have dwindled. And I know the Performance Management Team has been looking at Probation to see where they can enhance performance with the current staffing. I think -- I don't think anybody here can disagree of the importance and the need of Probation Officers.

One of my questions for you is, because for about the past year or more there's been some discussion about the supervision of sex offenders and the need to have 24/7 supervision. And I know that there had been a push to try and have a company oversee sex offenders in the evening. I have a serious concern about that, because I don't believe that that company can respond as quickly as Probation Officers who are there at hand who can respond. My concern is that if a sex offender is violating his probation on a Saturday and the company is overseeing them, to me, the super -- you know, the supervising Probation Officers who are monitoring them in real-time can respond much quicker. And I'd like to know if you could -- you know, if you could respond to that, because that is one of my serious concerns. I know some of us have communities that are inundated with sex offenders, and I do have a real concern about monitored by a company from God knows where.

**MR. DYKEMAN:**

You're, of course, right. I mean, the sheer logistics of having full 24/7-365, which was the case, staffed with Suffolk County Probation Officers, they were based out of the Yaphank office, so relatively central within the County geographically, always at least two officers on. And as you probably know from the inception of this program when Legislator Eddington was followed around the County and found at dinner and he forgot to tell them he was going to go to dinner that night and the manager came -- I was just reading this article the other day in preparation for this, that the manager of the restaurant came up all pale-faced saying, "There's two Probation Officers here to see you." You know, that's not going to happen from -- you know, I forget what state this company is located in. But of course, I mean, even by the time they get the alert, well now they have to make some kind of phone call, some kind of communication. I hope that communication -- you know, we have to count on them making it, it being received, that being transmitted on to an on-call Probation Officer, which that's a separate issue. You know, it makes -- the more links you add to the chain the more links can, you know, fall apart.

So of course, having a real-time Probation Officer in front of a computer who's able to, you know, get an alert, see where the little dots on the map are and go find that person, just as quick as they found Legislator Eddington, compared to someone who may be a thousand miles away, again, the sheer logistics speak to what I would call lack of efficiency.

**CHAIRPERSON BROWNING:**

Yeah. And I definitely will be following up with the Director of Probation to find out what exactly is going on. Because it's my understanding that's been implemented; when did that come into effect doing this?

**MR. DYKEMAN:**

Like now (*laughter*). I'm not sure of the exact date, but if it hasn't happened already, it's probably due to happen by the end of the month, I would say. I believe it may have happened already. The rumor mill has been floating about which officers are getting assigned where and whatnot, but I don't know the effective date.

**CHAIRPERSON BROWNING:**

Okay. Legislator Calarco has a question for you.

**LEG. CALARCO:**

Thank you for coming. Just a follow-up on that issue, because I have had a few conversations with a few other Probation Officers on this topic. So you're not certain if it's actually been implemented yet, this decision to use this company, I think it's out of Florida, to do the monitoring over night and on the weekends?

**MR. DYKEMAN:**

I can't say 100%, although my strong inclination is that it's already in place.

**LEG. CALARCO:**

And I've been told that the plan here is to actually send Probation Officers home with a laptop that can connect to the system so that they can be connected even though they're not on duty?

**MR. DYKEMAN:**

That's why I said the whole on-call thing was a separate -- separate issue, which I think my union executive board will handle.

**LEG. CALARCO:**

Yeah, I was going to say, has there been any conversation with the union about how to handle that on-call provision?

**MR. DYKEMAN:**

I believe that was an issue. And when Don Grauer asked me to speak today, he did ask me to mention the on-call, just that that's an issue. Again, I don't want to go into what's, you know, obviously more his business. But the fact that officers are being asked to go home without, you know, a contractual agreement or a clause in a contractual agreement asking them to -- making some kind of provision for being on-call, but to be home and be ready to answer your phone and jump on a computer and go do what you have to do, obviously I think that's an area for concern.

**LEG. CALARCO:**

Do you know how many officers are current liability assigned to the GPS unit?

**MR. DYKEMAN:**

There were ten at its height, maybe even 11 or 12. With the midnight shift going away, I think they're dropping it down to maybe five or six.

**LEG. CALARCO:**

So it's my understanding that this body approved for I think 11 officers to be approved, placed in that unit, and we have not reached those levels. And to be clear, this unit not only takes a look at sex offenders who are deemed to be high risk, but also some very high-risk domestic violence abusers, the SCRAM Units that do the alcohol monitoring; all of those different types of activities are monitored by this unit, correct?

**MR. DYKEMAN:**

That is correct, domestic violence, gangs. As you mentioned, they can come from any type of conviction, whether it's domestic violence or violence in general, gangs, you know, serious drug dealers, things of that nature, along with obviously sex offenders. So yes, that's true, that it encompasses really -- it could be on anyone on probation. Anyone sentenced to probation could have a GPS bracelet on them if they were of the highest risk of recidivism, which is the key word there, and if the Court imposes those conditions, which can be done at our request.

**LEG. CALARCO:**

Okay. And under this proposal, though, what we would be doing is sending a laptop home with a Probation Officer, asking that officer to stay on-call. Should there be something that the company can't decipher being a non-issue, then that officer is going to have to be called out of their home to respond to the incident.

**MR. DYKEMAN:**

That is correct. To my understanding, that's correct.

**LEG. CALARCO:**

Okay. Thank you.

**CHAIRPERSON BROWNING:**

I don't want to put you on the spot to answer a question -- oh, okay.

I did receive an anonymous letter and I would prefer that people would send these letters, but I think when it comes to the Probation Department, public safety, it's important. There's an intensive narcotic unit in the department. I'd like to give you a copy of this letter to take a look at it. And obviously I'll be in touch with the Director, but it's my understanding that they're moving some officers from that unit and they're not going to replace them. I obviously will be talking to Mr. Melito from Performance Management to see if this is part of what they're doing. But I will give this to you. I definitely would like to get a response on -- I don't think any of us are in doubt that a narcotic unit and the supervision of probationers who have been involved in drugs should not be intensively supervised. And, you know, he continues to talk about the Medford massacre and, you know, the concerns of, you know, increasing their caseload. Like you had said already, you know, you have a high caseload, you're not able to monitor them and supervise them as easily and as well if your numbers are a little lower.

So I would certainly like to get a response on this. And with that, you know, I'll give this letter to my Aide Josh, he'll make a photocopy and give it to you and maybe we can later have a conversation on this one. Okay?

**MR. DYKEMAN:**

Very well.

**CHAIRPERSON BROWNING:**

With that, I guess no other questions?

**LEG. GREGORY:**

I have one.

**CHAIRPERSON BROWNING:**

Oh, sorry; Legislator Gregory.

**LEG. GREGORY:**

Thank you. Thank you for coming here today. Can we just go over a little bit, I guess, the staffing levels over the past several years. You had mentioned that caseloads have increased from 60 some-odd to over a hundred. Now, what has been, I guess, the staffing levels that kind of precipitated the increase in staff and caseload?

**MR. DYKEMAN:**

In 2009, to which I made reference in my presentation, I know because at that time -- and Gail D'Ambrosio was brand new into her presidency of the POA -- we faced the layoff and lag payroll in April or May of 2009? And being the numbers-crunching, Excel spreadsheet-loving guy that I am, she asked me to work some numbers. So I know for a fact at that time we were doing that calculation based on about 288 or 289 Probation Officer staff.

Today -- as of my last meeting with the union, our last Board of Directors meeting, I believe President Grauer said that we are at about 256. Again, these aren't numbers that I have -- that number in particular isn't a number that I have, you know, officially access to, so I have to go on his word on that, but, you know, that's over 30 people gone out of an original less than 300. So like I said, more than 10% in the last three years.

**LEG. GREGORY:**

Right. So you've lost 30 Probation Officers, but the caseload has doubled.

**MR. DYKEMAN:**

In effect, yes, because the amount of probationers we're seeing isn't the same. Five or six years ago I think the magic number was about 14,000. In 2009 it was around 16, I think today we're supervising 18,000 cases, so that number is going up while the other number is coming down. So yes, it's almost like exponential growth in caseloads, caseload size.

**LEG. GREGORY:**

Right. And I know the Ruckerfeller Drug Laws have greatly impacted the caseloads as well.

**MR. DYKEMAN:**

Absolutely.

**LEG. GREGORY:**

But it's certainly -- I don't think those numbers are going to decrease any time soon. I mean, I know there was a policy change, I guess a year and a half ago, that reduced the number, I guess Level III, if I recall.

**MR. DYKEMAN:**

Yeah.

**LEG. GREGORY:**

The lowest level or whatever you guys --

**MR. DYKEMAN:**

Right. Level III probationers, when they're assessed, they're periodically assessed, and since even that there's been more policy changes, I'll get into that if you want to. But the lowest -- when offenders are assessed, and they're assessed periodically, if at any point they score at a lower level, they can go to -- the lower risk of recidivism, they can go to a lower level of supervision; yes, what's called Level III supervision.

**LEG. GREGORY:**

So that eliminated, I think it was like fifteen hundred people at the time.

**MR. DYKEMAN:**

It moved them over, yes. And I think the question at that time was that the guidelines in place at that time that were, I believe, originally State guidelines that we had adopted, the question at that time was are we shoving people into the wrong category, again, to deal with staffing issues back then.

**LEG. GREGORY:**

Right, right; oh, yeah, absolutely. So we have a reduction in the number of Probation Officers, probationers have increased, we've even changed the system in which we kind of label people in the different categories and that still hasn't done enough to reduce the number of probationers in the caseloads. So it's really, you know, a staffing issue.

**MR. DYKEMAN:**

Absolutely.

**LEG. GREGORY:**

Is there a -- have you guys done a projection as to how many personnel you need to kind of decrease the staff levels? I know there's not a State -- there's no State mandates on the caseload, but there is a preference, and what is that preference?

**MR. DYKEMAN:**

Off the top of my head, I think the -- for a Level II, which is what you would probably consider regular criminal court supervision, I believe that number is in the area of 60 to 65, I believe.

**LEG. GREGORY:**

Okay.

**MR. DYKEMAN:**

I forgot, you had another --

**LEG. GREGORY:**

But as far as the number of personnel?

**MR. DYKEMAN:**

Oh. On the union side, I don't think we've necessarily done that projection, and if the department has, I wouldn't be able to speak to that. But just qualitatively, from my own experience, I can tell you that, you know, six years ago when I was hired and we were a lot closer to 300, things were a lot easier and more manageable.

**LEG. GREGORY:**

All right. Well, that would be good to have as we go into the budget discussions. But thank you for coming today.

**MR. DYKEMAN:**

Thank you.

**CHAIRPERSON BROWNING:**

Thank you. And I think I talked earlier about things being seamless and I think, you know, your numbers, if the numbers are not there, recidivism is going to suffer. We are -- you know, we look at what we caught and what we pay per prisoner in a jail. You cost less. So somewhere along the line, I think we really need to be looking at, you know, how can we get more Probation Officers to

prevent those jail costs? Because in the long run, the taxpayers are paying for it.  
But thank you, Peter.

**MR. DYKEMAN:**

Thank you.

**CHAIRPERSON BROWNING:**

And we appreciate you coming in.

**MR. DYKEMAN:**

Thank you very much.

**CHAIRPERSON BROWNING:**

So we -- do we have any other speakers in the room? No? Okay.

I guess we have --

**LEG. HAHN:**

Do we have the Probation Director scheduled to come here? When was the last time he was here?

**CHAIRPERSON BROWNING:**

No, but we can certainly contact him and ask him to come in.

**LEG. HAHN:**

I think that's a pretty good idea.

**CHAIRPERSON BROWNING:**

Yes.

**LEG. HAHN:**

When was the last time he was here?

**CHAIRPERSON BROWNING:**

Oh, boy.

**LEG. HAHN:**

Okay. Yeah, I think he needs to come on down.

**CHAIRPERSON BROWNING:**

Probably the early part of the year maybe. So we can certainly make a request that he come.

We do have our FRES Commissioner here, and there were a couple of things here, bills. I apologize, but if you would like to kind of clue us in on some of these task forces.

**COMMISSIONER WILLIAMS:**

Good morning. These three task forces, the Decon Unit, the Urban Search & Rescue Team, and the Incident Management Assistance Team, we -- actually, we've been operating these in the County for the last three or four years. They just came into our knowledge that we had to establish them with a resolution.

What's happening with the Decon Unit and the Incident Management Assistance Team, they are made up of 100% County employees; Sheriffs, PD, FRES, DPW. The Urban Search & Rescue Team, that's an already specialized type of team, that was the team that you saw just two days ago at the house that exploded in Brentwood. The good thing about that is that that is made up of County employees. Also, it's made up of volunteer fire departments and EMS units that volunteer their

time and their equipment. So it's a good working relationship.

All the costs for all the equipment that we've purchased over the last three or four years, all the training costs is 100% funded by Homeland Security grants, any backfill we have to do for training or anything like that.

What's happening in New York State right now, they're actually forming regional teams and New York State Emergency Management has come to us and asked us to be one of those regional teams. What that will afford us is actually more grant money. The State will be funding us some more money. In return for that, if there's any type of large incident out of our own County, we could be asked to respond to that. But again, I use the word "asked" -- it's still up to the County Executive if we wanted to let that team go.

But again, these teams have been in place the last three or four years and they're working really well with all the County departments.

**CHAIRPERSON BROWNING:**

Okay. Well, I appreciate you giving me that. Is there any other issues or any other --

**COMMISSIONER WILLIAMS:**

No, I just wanted to mention one thing; I mentioned to the Police Commissioner before he left, too, that the incident we had in Brentwood the other day was a very good example of what these teams do working between all the departments. We had numerous fire departments there, we had Suffolk County PD there, we had EMS there. And unfortunately we had a fatal there, but by the same token they worked -- it worked seamlessly. Everybody worked together fine. After the initial incident became a crime scene, and then it became a Police scene, but I just wanted to go on record as saying that I think it was one of the best run things I've seen.

**CHAIRPERSON BROWNING:**

Okay. And I believe one question, Legislator Gregory.

**LEG. GREGORY:**

Thank you, Madam Chair. Joe, just -- I know that you said that you've had these teams in place for three or four years. What's the reason that you were given that we had to -- why we had to codify it now?

**COMMISSIONER WILLIAMS:**

It came up through the volunteer fire service. One of the attorneys from one of the districts that brought it up to us that he did some type of research that the teams had to be officially established through a resolution. I went to the County Attorney's Office with it, they had meetings with this other attorney, and they felt that this was the best way to do it. That's why we're doing it now.

**LEG. GREGORY:**

Okay. All right. Thank you.

**CHAIRPERSON BROWNING:**

Okay. Well, I thank you. And I guess no more questions; no?

**LEG. GREGORY:**

I do have a question.

**CHAIRPERSON BROWNING:**

Oh, sorry.

**LEG. GREGORY:**

Sorry. I've been meaning to contact the office, I didn't mean to do it this way. But the Pine Barrens Report that was done, has that been released publicly or is that going to remain an internal document?

**COMMISSIONER WILLIAMS:**

You mean the one from the fire?

**LEG. GREGORY:**

Right.

**COMMISSIONER WILLIAMS:**

That's going to remain internally in. We did get another FOIL request from the press, the County attorney has -- I have seen a copy of the letter. What happens is even though the DEC has determined that to be an arson fire, the Suffolk County Police Department is still investigating that, and under a section of the law pertaining to law enforcement, they researched that we cannot release anything, any paperwork or anything on that while that investigation is still going on.

The whole intent of that report is actually to make a better operation. It allows -- it's an accepted way to do things. It comes under the Incident Management Team and all, and what it really does is your plans are in place, but after every large event or small event, you look at what went well, what went wrong and you modify your plans. The concern about that even across the nation on these types of after action reports is that if it's released to the media and it's interpreted the wrong way, you would never have an honest discussion from the incident commanders again, because they felt that would be being judged by something. Those firefighters out there did a fantastic job, they saved a lot of homes. There is -- the internal report, they addressed some issues and we are addressing it and they are addressing it themselves.

**LEG. GREGORY:**

All right, great. Thank you.

**CHAIRPERSON BROWNING:**

You know, I'd like to add to that real quick. Because I know when this incident came up and we read the article in Newsday, you know, the after-incident report -- and I think, you know, having been in the military, when you go on missions or you do anything, there's always an after-incident report and you -- you know, everybody is debriefed. And especially with our volunteers and I think that, you know, they're phenomenal volunteers. They take an amazing amount of training and I see it as an opportunity for them to be honest about themselves and to be able to see their own faults.

And my concern is publicizing when they're criticizing themselves to say, "Okay, this is what we did wrong," or, "This is what we could have done better." And so when another incident occurs, now they'll be better prepared for the next time. And I think out of fairness to them, I don't think that really should be something that should be put out there. Because they're not -- like Joe said, they're not going to be honest and they're not going to be forthcoming with realities, and they're human and there are human errors. And I just think out of fairness to them, I personally didn't think it was a report that should put out there for the public eye. I think it's an opportunity for them to do a self-critique and improve on themselves. So I'm sorry. With that, Legislator D'Amaro, I believe you had a question.

**LEG. D'AMARO:**

Yeah, thank you. I have an unrelated question, but I just want to comment on that as well. I agree that the report shouldn't have been released, but, you know, that's a real double-edged sword

when you talk about that. Because although it's important that people should be able to speak freely, it's also important that people be able to read a report like that and make sure that the deficiencies that might have been pointed out actually do get remedied.

So it's a tough call on whether or not to release a report like that. I think in this particular case, it's probably a good thing. But what I would encourage, though, is that a report like that be shared with at least the Legislature on some kind of confidential basis, because I think we have a right to know.

**COMMISSIONER WILLIAMS:**

A number of the Legislators had asked for a copy. Anyone that asked for a copy, we gave them a copy of the report. If anybody would like a copy of it, we would just ask -- you know, just keep it confidential. But if any Legislators want a copy of that report, I could get you a copy of that report.

**LEG. D'AMARO:**

All right. I appreciate that. Let me go back just to what Legislator Gregory was asking you about with these various teams that we're now voting on to create. You said that the County had been -- actually established these teams for a couple of years now, two or three years. And someone, you mentioned, had raised the issue that they were not duly constituted unless there was Legislative approval; who was that again that brought that up?

**COMMISSIONER WILLIAMS:**

It was an attorney for one of the fire departments, the volunteer fire departments.

**LEG. D'AMARO:**

And what was the concern that they had?

**COMMISSIONER WILLIAMS:**

What his concern was on the Urban Task Force one, where we were using volunteer firefighters as part of our team, he was concerned about the liability issue. What was happening with the volunteer fire departments, when they considered a training issue, their Board of Fire Commissioners or their Board of Directors would just vote on and letting their members attend this. This particular attorney felt that that wasn't enough, that we -- there should really be an established team, and which we're establishing it now by resolution. And also, too, it was to be put in the resolution that the liability on the volunteer side is still back with the Fire District themselves, or fire company.

**LEG. D'AMARO:**

That the liability would run to the volunteer's fire district or company?

**COMMISSIONER WILLIAMS:**

Yes, on the -- for the volunteer fire departments. What happens is that the way the volunteer fire departments do their training is -- naturally, a fire call is a fire call, but this is -- on their training, what they do, the Chief's Office or their Board of Fire Commissioners authorized the training, and then what that does, that protects them under their local insurance they have in the fire district or fire company.

**LEG. D'AMARO:**

Okay. So they needed a -- or they wanted at least, let's say in writing, that when the participants, if they should be injured or something should happen, and they needed to make a claim that they were acting in this training capacity.

**COMMISSIONER WILLIAMS:**

That is correct. That's the gist of the law that I heard that he is referring to.

**LEG. D'AMARO:**

Okay. So -- okay. That's the only reason why this came up?

**COMMISSIONER WILLIAMS:**

That was the only reason why it came up. Like I said, it was established a couple of years ago under County Executive Levy and it was just like a verbal type of thing. We never realized we had to go through this particular exercise.

**LEG. D'AMARO:**

Does passing these resolutions tie your hands in any way? Is it something that you -- I understand the liability issue, but is it something that you're okay with memorializing in writing and disclosing and all of that?

**COMMISSIONER WILLIAMS:**

Absolutely. I think it -- I don't see any not benefits to it. What I had mentioned before, these teams, we've had New York State come down and take a look at us. We handled a number of -- unfortunately, like line-of-duty funerals for FDNY, the large fires that New York State is actually recognized and commended on how well these teams operate.

**LEG. D'AMARO:**

Thank you.

**CHAIRPERSON BROWNING:**

Kara?

**LEG. HAHN:**

Thank you. I think I agree on the not releasing the report. However, there was an after-action report from 1995; was that released?

**COMMISSIONER WILLIAMS:**

That -- no, that was not released. And I don't know if they even did an after-action report in 1995; I wasn't there.

**LEG. HAHN:**

Is it possible that recommendations be put together and something that could be discussed here, if there's a need for additional training? You know, I heard -- you know, incident command training and protocols and making sure that the local departments are up-to-date on drafting and just anything more on wildfires that -- and there may be equipment needs that are specific to wildfires that we don't have. I just -- I wish there was something that we could talk about here and, you know, discuss and, if need be, put resources into.

**COMMISSIONER WILLIAMS:**

When I send you a copy of the report, part of this report is due diligence. We not only mention what the problem was, we also put what the correction action is going to be. And we also --

**LEG. HAHN:**

I'll look forward to getting that one, because I don't think I requested it.

**COMMISSIONER WILLIAMS:**

And we also put on that we want that to get done. One thing which I think we could talk about later on, we're in the partnerships right now with the Suffolk County PD and all of looking -- we have to eventually someday expand a County-wide common frequency, whether it be a 700 or an 800

system, into all our fire department people.

One of the problems we enter every day is that the level of calls, we're going to be doing over 200,000 calls this year in the County as volunteer fire departments and EMS. What's happening is that we're getting -- we do get more fires, we're getting more ambulance calls. A lot of the departments have gone out and they've gotten what they call their own private frequency, which you can get. Right now in this County, we have a County-wide frequency that we can talk to everybody on. Some of the departments have installed their own frequency that we can actually have 92 different frequencies in this County. So we have to -- we're working right now on a Federal grant, we're working with the Suffolk County PD, I know my people are working with them, to get a common frequency, whether it be an extension of the current 800 system which the PD uses now and we use, or whether it be a 700 series that's coming down the line, we are working on that. That is something that we definitely need in the County.

**LEG. HAHN:**

And right now, I know -- what is it, one per department, or maybe one per Chief, they get a special kind of radio that they can talk to PD?

**COMMISSIONER WILLIAMS:**

What we issued under a Federal grant about four years ago, five years ago, we have an 800 radio portable that we gave to every fire department; that's mainly to talk to us, FRES, during a large emergency. What we've asked for -- these things go about \$3,000 each. We've asked them not to carry it in the Chief's car, leave it in the radio room, if they go into a large incident to bring it with them, because we wanted it accessible to everybody. That's the radio that went out. Now, the 700 series that's coming down, there's a new ban that's coming up, there's a lot of changes going on. I think that's something we have to address.

I know the concerns with the 800 system is that we share it with PD. There's an awful lot of fire trucks in a major event, it just could get overloaded, so we understand that. We're working on correcting that, but it's not going to be a six-month correction. It's going to take its time to get there.

**LEG. HAHN:**

Yeah. I mean, we've been working on this since I worked at Vivian's office. I went around. We're talking about inoperability after 9/11 and, you know, it doesn't sound like we've gotten a whole lot further.

**COMMISSIONER WILLIAMS:**

Well, we've gotten further, but the problem is we have no control sometimes over the fire departments themselves. What we did is like frequency. We talked about -- we talked about a County-wide frequency. We talked about we have a Statewide frequency. Some of the departments have elected to take out those particular frequencies and install their own frequencies. So now we're going to go back to them and ask them to get another radio, so that's the reason why we're going for -- looking for this Federal grant, that we will buy the radio and put it in every fire truck and every ambulance.

**LEG. HAHN:**

And hopefully it will be able to be adaptable to the next frequency we decide is important to have five years from now. But back to the wildfires. There was a 1995 wildfire plan that the Pine Barrens Commission put out; how do you think we are in terms of being prepared according to that plan?

**COMMISSIONER WILLIAMS:**

I just got a copy of that plan the other day. I think it was even in the paper that they have not updated that plan since 1999. I think it serves as a document and it serves as a blueprint on how things are done. You know, a firefighter, you're still firefighting. But I know they're in the process of updating that right now.

**LEG. HAHN:**

And how about the wells? Weren't we -- didn't we approve drilling wells, etcetera?

**COMMISSIONER WILLIAMS:**

The only thing I know about that is that that's the {Wild Land} Task Force. They have been talking about putting some wells out in the areas out there to get better water supply. And I know that some of my staff attended meetings on that, but I'm not really versed in it myself right now.

**LEG. HAHN:**

Okay. Thank you. And so this is my official request for that report. Thank you.

**COMMISSIONER WILLIAMS:**

If everybody -- I'll just send it to everybody with a cover letter.

**CHAIRPERSON BROWNING:**

Okay. Thank you. And just one real quick one from me, I know {Bamsar}, we had some meetings before the summer with some of the communication problems. How has that been going over the summer with them?

**COMMISSIONER WILLIAMS:**

It's been going okay. Unfortunately, some of the information we asked back from them, they never got back to us. And we're still talking -- we've talked with the Marine Bureau, Suffolk County Marine Bureau; any time they want to put these radios, we have the radios for them.

**CHAIRPERSON BROWNING:**

Okay. Sounds good. Thank you.

And I believe Chief Sharkey is here from the Sheriff's Department. Chief Sharkey, do you have any comments or anything you'd like to report to us?

**CHIEF SHARKEY:**

No.

**CHAIRPERSON BROWNING:**

No? Any questions from the committee? No? Okay. Well, I appreciate you coming. I know you're here every meeting, and we thank you for that.

We will now move on to the agenda. Okay. We have ***Tabled Resolutions, 1233-12 - Adopting Local Law No. -2012, A Charter Law to clarify the process for distributing public safety sales tax revenues to municipalities outside the Police District (Schneiderman).***

**LEG. CALARCO:**

Motion to table.

**CHAIRPERSON BROWNING:**

There's a motion to table, Legislator Calarco. I'll second that. All in favor? Opposed? Abstentions? It is --

**LEG. GREGORY:**

Abstain.

**LEG. SPENCER:**

Abstain.

**CHAIRPERSON BROWNING:**

Two abstentions, one -- Legislator Gregory & Spencer are the abstentions. Okay. So *it is tabled (VOTE: 5-0-2-0 - Abstentions: Legislators Gregory & Spencer)*.

**Introductory Resolutions**

***1723-12 - Accepting grant funds in the amount of \$5,929.11 from the New York State Division of Homeland Security and Emergency Services to reimburse the Suffolk County Police Department Asset Forfeiture-Justice Account for previously expended funds at 100% (County Executive).***

Motion to approve and place on the Consent Calendar.

**LEG. CALARCO:**

Second.

**CHAIRPERSON BROWNING:**

Second, Legislator Calarco. All in favor? Opposed? Abstentions?

***It is approved (& placed on the Consent Calendar (VOTE: 7-0-0-0).***

***1797-12 - Adopting Local Law No. -2012, A Local Law to establish boating safety instruction requirements ("Suffolk's Safer Waterways Act")(Stern).*** Motion to table.

**LEG. CALARCO:**

Second.

**CHAIRPERSON BROWNING:**

Second by Legislator Calarco. All in favor? Opposed? Abstentions? ***It's tabled***

***(VOTE: 7-0-0-0).***

***1822-12 - Accepting and appropriating a grant in the amount of \$1,170,580 from the New York State Division of Criminal Justice Services for the Operation Impact IX Task Force with 90.19% Support (County Executive).***

**LEG. CALARCO:**

Motion.

**CHAIRPERSON BROWNING:**

Motion to approve, Legislator Calarco. Second, Legislator Hahn.

All in favor? Opposed? Abstentions? ***It's approved (VOTE: 7-0-0-0).***

***1825-12 - Authorizing the creation of a Suffolk County Decontamination (Decon) Strike Team (County Executive).*** Motion to approve.

**LEG. CALARCO:**

Second.

**CHAIRPERSON BROWNING:**

Second, Legislator Calarco. All in favor? Opposed? Abstentions? ***It's approved***

**(VOTE: 7-0-0-0).**

**1826-12 - Authorizing the creation of the Suffolk County Urban Search and Rescue (USAR) Team (County Executive).**

**LEG. SPENCER:**  
Motion.

**CHAIRPERSON BROWNING:**  
Who said "motion"?

**MR. NOLAN:**  
Spencer.

**CHAIRPERSON BROWNING:**  
Legislator Spencer; we'll give you that one (*laughter*).

**LEG. SPENCER:**  
I have to get in there somewhere.

**(\*Laughter\*)**

**CHAIRPERSON BROWNING:**  
Motion by Legislator Spencer. Second, Legislator Calarco. All in favor? Opposed? Abstentions?  
***It is approved (VOTE: 7-0-0-0).***

**1827-12 - Authorizing the creation of a Suffolk County Incident Management Assistance Team (IMAT) (County Executive).** And I guess we can do same motion, same second, same vote?

**LEG. CALARCO:**  
Sure.

**CHAIRPERSON BROWNING:**  
There you go. ***Approved (VOTE: 7-0-0-0).***

And with that, I guess the other one we've already done. With that, we will adjourn. Thank you.

**(\*The meeting was adjourned at 11:13 AM\*)**

**{ } – Denotes Spelled Phonetically**