

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, September 9th, 2014 at 10:00 a.m.

Members Present:

Legislator Kate Browning - Chair
Legislator Robert Calarco - Vice-Chair
Legislator Kara Hahn
Legislator John Kennedy
Legislator William Spencer
Legislator Monica Martinez

Also In Attendance:

P.O. DuWayne Gregory - Legislative District No. 15
Legislator Tom Muratore - Legislative District No. 4
Legislator Robert Trotta - Legislative District No. 13
George Nolan - Counsel to the Legislature
Lora Gellerstein - Chief Deputy Clerk/Suffolk County Legislature
John Ortiz - Budget Analyst/Legislative Budget Review Office
Michael Pitcher - Aide to Presiding Officer Gregory
Josh Slaughter - Aide to Legislator Browning
Bill Schilling - Aide to Legislator Calarco
Brendan Chamberlain - Aide to Legislator Muratore
Liz Alexander - Aide to Legislator Spencer
Greg Moran - Aide to Legislator Trotta
Alysa Turano - Aide to Legislator Hahn
Tom Vaughn - County Executive's Office
Amy Keyes - County Executive's Office
James Burke - Chief of Department/Suffolk County Police Department
Kevin Fallon - Deputy Chief/Police Commissioner's Office/SCPD
Mark White - Chief of Support Services/Suffolk County Police Department
Joseph Busweiler - Lieutenant/Chief of Department's Office/SCPD
Fred Webber - Lieutenant/Headquarters-Suffolk County Police Department
John Sumwalt - Detective-Sergeant/Office of Chief of Detectives/SCPD
Matt O'Malley - Sergeant/Chief of Department's Office/SCPD
Matt Jones - Director of Information Management/SCPD
Michael Sharkey - Chief of Staff/Suffolk County Sheriff's Office
Dr. Michael Caplan - Suffolk County Medical Examiner
Patrice Dishopolsky, Director, Suffolk County Probation Department
Christine Larkin - Vice-President/Probation Officers Association
Arthur Sanchez - Treasurer/Deputy Sheriff Police Benevolent Association
Lou Tutone - 1st Vice-President/Suffolk County Police Benevolent Assoc
Russ McCormick - Sgt-at-Arms/Suffolk County Detective's Association
Jim Bruenfelder - Trustee/Superior Officers Association
Jimmy Roddin - Trustee/Superior Officers Association
Joe Williams - Commissioner/Fire, Rescue & Emergency Services

Bob Holley - Director/Suffolk County Fire Academy
Ron Barz - VEEB/Board of Directors
Suzanne McBride - AME/President/Police Emergency Unit
Laura Ahearn - Director/Parents for Megan's Law/Crime Victim Center
Rabbi Stephen Moss - Director/Suffolk County Human Rights Commission
Gerald H. Martin - Southampton Town Anti-Bias Task Force
Michele Bicidomini, Lauren LaMana, Leila Erisha, Tayisha Stvil/Planned Parenthood Hudson Peconic
Douglas King - Suffolk County Disability Advisory Board
Rosa J. Quiles - New York Communities for Change
Sonya Black - New York Communities for Change
Irma Solis - Interpreter/Make the Road New York
Concepcion Saenz - Make the Road New York
Maria Rebaza - Make the Road New York
Olivia Post-Rich - Planned Parenthood/Hudson Peconic Action Fund
Martha Maffei - Executive Director/Sepa Mujer
Michele Santantonio - Long Island Housing Services, Inc.
All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Stenographer

(*The meeting was called to order at 10:09 A.M. *)

CHAIRPERSON BROWNING:

Okay, I believe we have a quorum. If everyone -- we will start the Public Safety meeting. If everyone can please stand for the Pledge of Allegiance led by Legislator Calarco.

Salutation

And if everyone please would continue to stand for a moment of silence for those who defend our country home at home and abroad. And also as a reminder, September is the month for suicide awareness, so for those family members that have been lost through suicide.

Moment of Silence Observed

Thank you. Okay, we have a few cards. We will start with the cards (***Public Portion***), and after that we'll do the NextGeneration 911 presentation first. So with that, the first card is Rabbi Moss.

RABBI MOSS:

Good morning, everyone. I do want to say that unfortunately I cannot remain at the meeting today for the portion when you'll be voting on bill 1620, but I am quite confident that it will be passed on to the Legislature for next week. But let me say that it is my honor to again stand before you and urge the passage of legislation bill 1620.

As all of you know, over the last few years, Suffolk County has certainly received most negative press nationally regarding the treatment of members of our Hispanic community. Suffolk County is rated within the top most segregated counties, not only in New York State but the entire nation. As many of you also know, within the last few months, Hispanic men have been assaulted and robbed in Huntington, Huntington Station, and also in Riverhead. And of course, during the last two weeks, it has been brought to all of our attention that the KKK pamphlets are being distributed out east in the Hamptons. And also you might recall how the West Borough Baptist Church, a true house of bigotry and racism, chose Suffolk County for its racist protests a few years ago. So although 1620 the bill deals with discrimination law and certainly not criminal law, the passage of this bill will send out a very clear message to all of those in Suffolk County who harbor prejudice, bigotry, racism, and

certainly practices in many ways including the various areas and categories that are protected under Human Rights Law. It sends out a very clear message that you, our Legislature, our County Executive, our Police Department, all in law enforcement, from the DA's Office on down, and certainly all of the good citizens of our County will not be tolerant of intolerance.

So I thank you for, once again, considering this piece of legislation. May I say I hope and pray that it shall be passed on to its next step. And if I may conclude with these words; *Just say no by saying yes to bill 1620*. Thank you.

CHAIRPERSON BROWNING:

Thank you, Rabbi. Well said. Next one is Douglas -- oh, sorry. Rabbi, if you could stay, Legislator Calarco has a question.

RABBI MOSS:

Sure.

LEG. CALARCO:

Good morning, Rabbi.

RABBI MOSS:

Good morning.

LEG. CALARCO:

How are you?

RABBI MOSS:

Good. How are you?

LEG. CALARCO:

I have a quick question for you that you may be able to answer; if not, maybe somebody from the County Attorney or the Attorney's office should answer it. But when the cases are brought up with regards to, you know, someone makes a claim that something had happened, they had been subject to some sort of discrimination. What is the process by which it's investigated and then eventually adjudicated in terms of due process for both parties involved?

RABBI MOSS:

Well, let me say that we are very fortunate, of course. Jennifer Blaske, our Executive Director, is here and she is much more qualified to answer that specific question than I am.

LEG. CALARCO:

Okay. We'll hold off for her, then.

RABBI MOSS:

I'm the spiritual advisor of the commission --

(*Laughter*)

-- and she is the professional. And so I know later on when the bill is going to be presented for discussion and vote, she really can answer that question much better than I can.

LEG. CALARCO:

That's fine, and we appreciate it. And I think this is a very good bill and a very important resolution.

RABBI MOSS:

Thank you.

LEG. CALARCO:

We just want to make sure everybody gets their due process.

RABBI MOSS:

Oh, that's very, very important to us, that's for sure, no question. Any other questions? Thank you, everyone.

CHAIRPERSON BROWNING:

Okay, thank you. Douglas King?

MR. KING:

Good morning. My name is Douglas King, I am a member of the Suffolk County Disability Advisory Board. The reason why I'm here today is to talk to you about IR 1620. For the people with disabilities, it's a very important bill because it includes all disabilities, which is something that we all stand for on the advisory board. I ask that you please pass IR 1620 today so that people with disabilities can finally have a word or a say in this County. Thank you.

CHAIRPERSON BROWNING:

Thank you, Doug. And I'm pretty confident it will be. Next is Rosa Quiles.

MS. QUILES:

Thank you. Good morning, Legislators. I am Rosa Quiles and I am with the New York Communities for Change. I urge you to support IR 1620, a bill to update Suffolk County's Human Rights Law. For support for veterans to pregnant women, this bill makes necessary updates to existing law. This bill will ensure that all people are treated equally in our County. Thank you.

CHAIRPERSON BROWNING:

Thank you. I'm not sure if I can say the last name, but Concepcion Saenz? I hope I said your name correctly.

INTERPRETER/MS. SOLIS:

Mr. Saenz is going to read his statement in Spanish and then I'll read the translated version.

CHAIRPERSON BROWNING:

Okay. Could you please give your name also for the record?

MR. SAENZ:

(Read statement in Spanish).

INTERPRETER/MS. SOLIS:

My name is Irma Solis from Make the Road New York. Good morning, Legislators. My name is Concepcion Saenz, I'm an active member/leader of Make the Road New York. I'm here today to ask for you to support IR 1620 that includes amendments to the Suffolk County Human Rights Law. Unfortunately, housing and employment discrimination are a daily experience for many in my community. I live in Central Islip. In Suffolk County, we desperately need stronger laws that protect pregnant women, seniors and individuals with disabilities against discrimination.

I suffered an accident recently that left me with serious injuries to my spinal cord, limiting my ability to walk up a flight of stairs. One of the updates to the Human Rights Law being proposed would make it clear to landlords that tenants, like myself, with a disability deserve to have complete access to their apartment in the same way we did before becoming disabled. Please approve this bill and

help protect other individuals with disabilities like myself. Thank you for your attention, and I respectfully ask that you vote this bill out of committee so that it may go back to the full Legislature for a final vote. Thank you.

CHAIRPERSON BROWNING:

Thank you. Next is Maria Rebaza.

MS. REBAZA:

(Read statement in Spanish).

INTERPRETER/MS. SOLIS:

Good morning, Members of the Suffolk County Legislature's Public Safety Committee. My name is Maria Rebaza, I'm an active member/leader of Make the Road New York. I'm here today to ask that you support proposed bill IR 1620. Housing discrimination is a huge problem in Suffolk County. Discrimination leaves many residents without access to affordable housing, high quality housing and in desirable communities. I'm a citizen of this country and a resident of this County. I'm retired and depend on my pension to pay part of my rent. Many landlords do not wish to rent to people like me. This type of discrimination could affect any individual, including families who have lost their jobs, veterans that receive Federal benefits, individuals with temporary disability, and seniors like myself who are on a fixed income. There should be no place for discrimination in Suffolk County. Thank you for your time, and I respectfully ask that you support the bill. Thank you.

CHAIRPERSON BROWNING:

Thank you. Next is Olivia Post Rich.

MS. RICH:

Hello. My name is Olivia Rich, I live in Westhampton and I'm a volunteer with the Planned Parenthood/Hudson Peconic Action Fund which is the advocacy and political arm of Planned Parenthood/Hudson Peconic which serves 16,000 Suffolk County residents with reproductive health services annually.

I believe that it is essential that we pass IR 1620 in order to update our County laws to be in keeping with the times we live in. Our residents deserve modern laws that prohibit discrimination. While all of the provisions are critical to protecting residents from discrimination, one section is of personal importance to me. In 2014, it is time that we treat all of our residents equally under the law, no matter their gender, identity, belief or expression. Luckily for those of us living in New York, it is already illegal to discriminate based off of sexual orientation. However, we need stronger protections for those individuals who identify as transgender or gender/non-conforming. Just because a person's gender expression does not meet another's expectation does not mean that person should be subject to discrimination.

I was President of my school, the Gay/Straight Alliance for two years, and during those years I met transgender youth facing heart-breaking levels of adversity. Being transgender is more than a mere social challenge, it can be downright dangerous. The National Center for Transgender Equality reports the following statistics; more than four of five transgender youth felt that they felt -- reported that they felt unsafe at school because of who they were. Nearly half, 44% of transgender students, said they had been punched, kicked or injured with a weapon on at least one occasion in the last year. An estimated 20 to 40% of more than 1.6 -- of the more than 1.6 million homeless youth in the U.S. are LGBT. According to one survey, 41% of transgender individuals said they had attempted suicide compared to a rate of 1.6% for the general population. My personal experience with transyouth is not inconsistent with these statistics. The vast majority of transyouth I know, to some degree, fear for their safety.

The incredible stigma associated with being gender/non-conforming continues into adulthood. Discrimination, harassment and violence is simply an unavoidable part of life for many transgender individuals. According to the Empire State Pride agenda, one out of every three trans New Yorkers have been homeless, and two out of three have experienced discrimination at work. Almost 30% have faced a serious physical or sexual assault. I believe that this is completely unacceptable. Our residents have a right to feel safe and free from discrimination, regardless of how they choose to express their gender. And I'm not alone in this belief, most New Yorkers agree with me. According to the Empire State Pride agenda, nearly four out of five New Yorkers are in favor of protecting transgender people from discrimination. So now we have a perfect opportunity to send the message that Suffolk County is determined to protect all of our residents.

I also enthusiastically support the other provisions of this bill, including protecting pregnant people and breast-feeding parents in the workplace, prohibiting source of income discrimination in housing and protecting veterans and active duty soldiers. I believe that when IR 1620 becomes law, it will reduce discrimination and improve access to housing for all residents. I ask that you protect the rights of me and my neighbors by voting to pass this bill. Thank you for your consideration.

CHAIRPERSON BROWNING:

Thank you. Next is Sonya Black.

MS. BLACK:

Good morning, Legislators. I am Sonya Black, I am with New York Communities for Change. I urge you to support IR 1620, a bill to update Suffolk County's Human Rights Law. This amendment matches State law to provide protections to victims of domestic violence in the workplace, ending housing discrimination based on source of income, and the bill will insure that people will be treated equally in work, in housing, in public space. Thank you.

CHAIRPERSON BROWNING:

Thank you. Next is Martha Maffei.

MS. MAFFEI:

Hello, good morning. My name is Martha Maffei and I am the Executive Director at SEPA Mujer. SEPA Mujer is a Latina Rights Organization that protects and supports arrival of Latinas on Long Island. So today I come here to ask you for your support on IR 1620. Working with survivors of domestic violence for more than five years now, I have learned all the struggles that they have, and one of the biggest struggles is discrimination. When they're looking for a house to provide homes for the kids, women have been discriminated because they are victims of domestic violence, they don't have a husband next to them to rent a place. So I think IR 1620 is -- protects the principles of human rights and protects the principles of gender equality, protects pregnant women, immigrants, women and survivors of domestic violence, and I think if today the Safety Committee approved the passage of this bill, you will be honoring the most important right is the human rights and gender equality. I ask for your support and thank you for the opportunity.

CHAIRPERSON BROWNING:

Thank you. Okay. There are no more cards. Is there anyone else in the room who would like to speak? Okay. If you want to come forward, state your name and the Clerk will give you a card to fill out.

MS. SANTANTONIO:

Good morning. My name is Michele Santantonio, I'm the Executive Director for Long Island Housing Services. We're a private, not-for-profit fair housing advocacy and enforcement organization. And I'm just here today to emphasize what was previously said before the Legislature by all of our colleagues, that this is a very important bill for Suffolk County to pass and help us be more of a leader in New York State and throughout the country, as the President and the State is looking

toward amending its laws, too, to include protections against sexual identity, discrimination and source of income discrimination.

I can tell you that we have 45 years of experience in fighting discrimination in Suffolk County, and the biggest issues in the past decade and the half relate to people with disabilities. And as you, I'm sure, all know, that could happen to any of us. And implicated there is the source of income protections that are really so important for retired people, for people with disabilities, for people that have court-ordered child support; these are the kinds of discrimination we routinely are hearing, as well as the race and color and national origin, marital status, familial status because you have a child, a landlord doesn't want you. We need greater enforcement efforts and this bill can do it. So thank you. I hope you will vote to support this bill.

CHAIRPERSON BROWNING:

Thank you. And do we have anyone else in the room who would like to speak? No one else in the room who would like to speak? Okay. With that, we'll close the public portion.

We'll start with our presentations. I know the agenda does say that Chief Burke will go first, but we are going to have a meeting afterwards with him, so I'd prefer to let Matt Jones get in and get out. So Matt, if you want to come up, and Mr. Webber, and I do not remember what your rank is anymore.

LIEUTENANT WEBBER:

Lieutenant.

CHAIRPERSON BROWNING:

You're a Lieutenant, okay. Congratulations if I missed that one. You are going to do the presentation on the NextGeneration 911. And we'll hold off on questions. If anybody has any questions, we'll let you get through the presentation first.

MR. JONES:

Good morning. My name is Matthew Jones, I'm the Director of Information Management for the Suffolk County Police Department, Information Technology Section. I'm here today to provide an overview to this body on the upgrade of Suffolk County's Enhanced 911 system to the NextGen-911 platform.

The NextGen-911 platform can be extremely complicated from a technical standpoint. I plan to keep this presentation at a higher level, but can get down into the nuts and bolts if anyone has questions.

Suffolk County has been following developments of the 911 industry, especially the direction of NextGen-911, while NextGen-911 standards have been developed over the years. It has finally come to a point where the technology and the standards are now emerging and a large scale system can be implemented. When we talk about standards, these are standards developed by the National Emergency Number Association, NENA, which is comprised of industry experts from the private and the public sectors.

While few states have implemented NextGen-911 systems, New York State has always relegated 911 services to the counties. Today Suffolk County has a vision to begin the multiple steps necessary to implement a County-wide NextGen-911 solution. Suffolk County will provide a foundation for a NextGen-911 system that permits residents the ability to contact 911 no matter what device or method they desire to use.

911 today is based upon 40-year old technology. All call routing is based upon the prevalidation of the caller's location, whether it be their physical street address or the cell tower handling the call. The 911 call routing was defined long before the person makes that 911 call. While the origins of

911 were simply for the wireline, residential and business phone lines, the changes in communications technology with cellular phones and voice-over Internet protocols, the 911 system has to be modified in a very simplistic form to handle these calls as well.

The current set up of Suffolk County's Enhanced 911 system is comprised of 12 independent 911 systems at each of the 911 centers within the County. Those centers are spread out from Amityville/Babylon to East Hampton/Southold. All of these systems are at a point where an upgrade and a refresh needs to be done over the next 18 months.

So what is the NextGen-911 system? The NextGen-911 system is a combination of computer and networking hardware, application software, data from multiple sources including voice, texts and images. It is complete integration with geographical or GIS data for a spacial, realtime 911 call routing. NextGen-911 is based upon standards developed by the National Emergency Number Association which is comprised of 911 industry experts.

From the 911 center perspective, the bottom line is taking that 911 call, gathering as much information as possible in a short timeframe and getting the appropriate responder on their way to the call. The NextGen-911 system has to be reliable, secure, robust enough to handle peak call times and events, be able to be maintained while not impacting operations, accuracy so the First Responder goes to the exact location, and scalability to support multiple 911 centers.

The NextGen-911 system is much more than just the equipment at the 911 center. The NextGen-911 system will be able to interconnect to the Emergency Services Internet Protocol Network, or ESInet, which will eventually be established as a public safety network for all 911 and emergency services across the country to share information. Although similar to the internet, it is specifically for public safety. This foundational network supports the comprehensive I-3 National Emergency Number Association standard which includes the NextGen-911 and ESInet functional elements.

The NextGen-911 system will actually be comprised of three major elements; the NextGen-911 equipment at the 911 center, the ESInet to share information with local, regional, state and national resources, and finally the carriers whom will all build their 911 call delivery into the ESInetwork. The carriers represent traditional wireline services, wireless services, voice-over Internet phone calls, telematics and whatever new technology emerges down the road.

Suffolk County has begun to formulate a comprehensive plan to leverage our prior investment in the current 911 system to bring forward an upgrade that will create a single, geo-diverse 911 system for all 12 of the 911 centers in Suffolk County. By leveraging our investment previously made in our 911 system software, we can upgrade that software and build out a Public Safety Internet Protocol Network that will interconnect all the 911 centers. This upgrade is fully compliant with all of NextGen-911 standards. By consolidating the 12 systems down to one, we can partition the one system into 12 and also take advantage of interagency capabilities. This is a consolidation of the 911 system, not of the actual 911 centers. All twelve 911 centers will still operate independently.

While the plan is still in the early analysis stages, it is expected that the County shall be able to implement this upgrade and still remain within the current budget constraints for the E-911 systems that exist today.

Over all, the benefits of implementing the NextGen-911 system will be improved efficiencies by locating the 911 caller faster and more accurately; improve public safety by providing multiple ways to contact 911, and greater call redundancy and alternate routing during natural disasters. Hearing and speech-impaired communities will have broader access to 911 with their phones, no more relay services or additional devices, and officer safety will be improved with the ability to send digital information directly a first responder.

This last slide is sort of the nuts and bolts technical picture that diagrams all the interfaces that shows a completely integrated NextGen-911 system.

CHAIRPERSON BROWNING:

That's it? Okay. So I guess we'll open it up for questions. Legislator Kennedy?

LEG. KENNEDY:

Thank you, Madam Chair. And Matt, thank you. It's nice to see that it looks like we're trying to move to a more robust product, I guess, and one that gives us the consistency.

I need to understand a little bit about what you're presenting to us is this is a concept that we're attempting to promote, or do we actually have -- is this a piece of software or an initiative? What is it that we're -- where is this at, this initiative?

MR. JONES:

We're already on the drawing table to implement this solution across the County. We're in the early stages of analysis. We're looking at all the information and all the fact-finding that we have to do. There's a considerable amount of network and infrastructure build-up that has to be performed, but I'd say it's fair to say that we are moving down this path today.

LEG. KENNEDY:

Okay. So we are one of twelve PSAPs then, I believe, right?

MR. JONES:

Yes.

LEG. KENNEDY:

Okay. Where are the eleven other PSAPS, then, with this concept? Have they -- are they embracing it? Have they signed on? Is this a collaborative effort across the twelve PSAPS?

MR. JONES:

It will be a collaborative effort. We're all in the position where there has to be an upgrade done, and the County has the responsibility of providing the 911 systems to all those agencies, so we're working or we will be working with them more closely. Right now the initial phase was to get the Suffolk County Police PSAP and the Suffolk County Fire Rescue PSAP upgraded into this technology, and then begin to draw in the other ten non-County agencies.

LEG. KENNEDY:

Well, you know, that concept, I guess, from a buy-in perspective, maybe we're looking at, between those two, roughly, what, 70 or 75% of all the 911 calls that we would have County-wide.

MR. JONES:

Right.

LEG. KENNEDY:

But nevertheless, each one of the other independent PSAPS still performs an important function. And let me get a little parochial to speak about Smithtown, we've talked about that extensively. We have five departments that are dispatched out of Smithtown at this point and that Smithtown PSAP, governed by the Smithtown Fire District, which then, I guess, levies to each one of the member PSAPs. So from a concept of buy-in, my perspective is I would like to see all of them involved as early as possible so that they can just look at whatever the solution is and embrace it or ask questions, give suggestions, make recommendations as early as possible in the process. So are we at that point, or --

MR. JONES:

We're at the point right now where we will bring it forward on the 911 Commission standpoint. We have our first -- a meeting next week --

LEG. KENNEDY:

Okay.

MR. JONES:

-- where this subject will be posed to them. But in the past, we've always made sure that we're working together on this, you know, as a group so they're aware of what the changes are that may be coming and that everyone is more than satisfied with the results.

LEG. KENNEDY:

Good, I'm glad to hear that. Just for a moment, let me stay on that. How is the surcharge piece going with the support of the PSAPs? I've not heard a lot lately, and so I would tend to think it's been moving along pretty routine, we're getting a distribution to the PSAPs, all that is operating in a satisfactory manner?

MR. JONES:

I'll say that we had a -- not a difficult time, but a little bit of a process getting all the contracts executed. Some of the agencies were missing information on the contracts that were returned. But thus far, we've got the first quarter done and we're getting ready to do the second quarter analysis, so we are getting those done. Most of the contracts really just turned around in July and August.

LEG. KENNEDY:

Oh, is that right? No kidding. Okay.

MR. JONES:

Now that we have everything pretty well established, we'll be able to move forward.

LEG. KENNEDY:

Did we get the added flexibility when we did the revision so that now we can utilize that revenue stream for operations as well as equipment, or are we still holding just to equipment?

MR. JONES:

Operations and equipment.

LEG. KENNEDY:

Operations and equipment, okay.

You know, listen, I am 100% behind applying an improved ability to communicate. From my perspective, I just want to make sure that we have good buy-in, and I would be interested to hear what the response is with the 911 Commission, you know, discussion about this next week.

MR. JONES:

Okay.

LEG. KENNEDY:

Okay? Thank you.

CHAIRPERSON BROWNING:

Legislator Hahn.

LEG. HAHN:

Thank you so much for all your work on this. I know how hard you all have been working to move in this direction, and I'm very excited about it, as I spoke of in June, at the June committee when we were debating the bill about NextGeneration-911. I had read in a NAACO newsletter about, you know, North Carolina using NextGeneration-911 technology, about folks being able to send in photos from crime scenes or of suspects or whatever it is, you know, or accidents, information that could help First Responders or however they could be used to assist, so I'm really excited about this.

I must have missed -- I think I missed a little bit when you were talking about what it will take to get there. Do you mind just repeating a little bit about --

MR. JONES:

Sure.

LEG. HAHN:

-- what is needed to upgrade to that (*pointing to graphic on screen*).

MR. JONES:

(*Laughter*) that picture?

LEG. HAHN:

Whatever that is (*laughter*).

MR. JONES:

So initially our -- you know, the first focus will be on the twelve PSAPs, getting the NextGen-911 compatible equipment within the 12 agencies. And the next step after that will be to build this Emergency Services IP Network which eventually will be the network that all the carriers will point their information at. The FCC hasn't put out a mandate yet for the carriers to route their call, their 911 calls in this new manner, but we would assume that will be coming soon. A lot of times the FCC puts information out there saying they suggest it, and then after some time they'll come back and, say, draw some lines in the sand with dates and deadlines.

LEG. HAHN:

So hardware, probably some software.

MR. JONES:

You're talking, yeah, hardware, software, network infrastructure.

LEG. HAHN:

Network infrastructure, which is hardware, too. Do you have cost estimates yet?

MR. JONES:

Not a hundred percent yet. But we know, with some of the work we've done already, that by relocating some of the 911 trunks, between what we call those two geo-diverse locations, that can save a tremendous amount of money. So that offset helps cover the increased expenses of the rest of the equipment and network.

LEG. HAHN:

And are there Federal grants for this kind of upgrade?

MR. JONES:

There are some State grants. You know, we've always applied for them; sometimes we faired well, sometimes we don't. And there's a new round of grants coming out this month, as a matter of fact.

LEG. HAHN:

Okay. No, I'm excited. I think we need to move, obviously move in this direction and get there to help public safety. So thank you so much for all your hard work on this. Thank you.

MR. JONES:

Okay.

CHAIRPERSON BROWNING:

Okay. Doc Spencer?

LEG. SPENCER:

I wanted to just ask a couple of questions as far as from the user perspective of how it would look different. And what I mean, I guess, one, would there be any ability, for instance, to like text 911? If you had someone that was in a situation where they couldn't talk, would they be able to utilize the system to maybe send a text, if you had someone that had an intruder or they were in a closet or something like that; is there the capability there?

And then the other thing I wanted to ask, when you look at the technology, would that give instant location information? Where, you know, a lot of times where someone is trying to describe where they are, for instance when a child calls or something like that, would this be part of the system or part of its capabilities?

MR. JONES:

The quick answer to both of those is yes. Essentially, any device, whether it's a tablet, a cell phone, texting, telematics like the On-Star in your car, you know, those devices will be able to automatically contact 911. And the second benefit is it's providing that exact location of where you are. So if in the event you're on a cell phone and you're standing up on the north shore and you hit a cell tower in Connecticut, just because of the way the bluffs and the things work, that call would actually know in Connecticut, once there's, you know, a nationwide system, that call would know, Hey, that person's location is Suffolk County, and literally route the call back through that Emergency Services Network, so that you wouldn't go to Connecticut and Connecticut would try to be sitting there figuring out, you know, what agency are you standing near, where are you at? So it does give you much better accuracy on the call. On the call itself, the call routing is based upon your location. You know, where today I know your home address, we know the cell tower you're working off of, so that determines your routing. But in the NextGen-911, it'll be routing based upon your location.

LEG. SPENCER:

And how about the texting; would that --

MR. JONES:

Texting is definitely one of those features.

LEG. SPENCER:

Okay. All right. Thank you.

CHAIRPERSON BROWNING:

Okay. I don't think there's any more questions. We appreciate that you have been putting so much work into this. I know there was a question I had, but it's just gone out of my head, but I'm sure I -- I know how to find you.

I guess with that, there is no more questions. I would like to say thank you for coming in, and I'm sure you will keep us updated on how things are moving.

MR. JONES:

Thank you.

CHAIRPERSON BROWNING:

Okay. Now we have Chief James Burke who will do a presentation on crime stats. And I know that I was told that possibly you might have an update, more recent information, so we'd appreciate anything. Again, we'll let you do the presentation. I will tell you, I'm looking at my phone and I get the PIOs, and I think one of the biggest concerns I think for most of us is how frequently we read in the paper about petty larcenies, robberies, you know, home break-ins, and all drug related. Basically I know they're all drug related. You know, I'd like to maybe, at some point if you could respond to that and, you know, what are we doing on that?

I read in the paper the other day about one guy from Centereach who was caught down I think in the Blue Point/Bay Point area. They found out he robbed quite a few homes and, again, had drugs on him. And so we're happy to see, and I'm sure the Bayport residents and the Blue Point are happy to see that he's no longer casing the community.

But we'll let you go ahead and start and we'll hold off on questions until you're finished.

CHIEF BURKE:

Thank you. Good morning, everyone. The Chairwoman asked me to come before the committee to discuss crime statistics in the wake of the press conference that I had engaged with with County Executive Bellone in June. At that time, we were addressing crime statistics up to and including April, the first third of the year. Today I'll be speaking about index crimes through July 31st of 2014.

I hope that you all had a safe and enjoyable summer, and I thank you for the opportunity to come to speak to you not only about numbers, but about concrete programs and strategies employed daily by the men and women of the Suffolk County Police Department in our overall crime fighting efforts. There's numerous reasons that can be attributed to a reduction in crime; intelligence-led policing, enhanced community outreach, collaborative efforts between the SCPD and other government and law enforcement agencies are among those. However, I also know that effective policing starts with effective political support. And I would like to thank the members of this committee and the members of the Suffolk County Legislature for the unwavering support that they have given law enforcement in this County over the past two and a half years.

In 2012, January, the department began to implement philosophical changes in its crime reduction effort and the way in which it provides police services to its people. Data-driven intelligence policing, which essentially is providing timely and accurate crime information to the cops on the street, enables rapid, strategic deployment based upon real-time conditions. A main component of intelligence-led policing is the identification of crime patterns and trends, and that's done through our Criminal Intelligence Bureau; we have a cadre of crime analysts that work out in Police Headquarters.

Additionally, we have crime analysts assigned to most of our seven precincts. A pattern is a series of crimes that is believed to have been committed by a particular person or group, similar crimes. A trend, on the other hand, is a particular type of crime that is being committed not necessarily by a single individual or group, but it's emerging in an area or a region. A prime example of that would be the widespread theft of scrap metals that we're currently experiencing throughout not only the County but the region. We publish crime patterns and trends and disseminate them to our Police Officers. To date, since its inception, we have identified 154 separate crime patterns; of those, 100 of them have been cleared by arrest, 265 total subjects have been arrested, and 588 cases have been cleared. Those numbers represent apex criminals; these are criminals who get good at a particular type of crime and, therefore, commit most of the crimes. You get good at a type of crime,

you keep committing that particular type of crime. A prime example of it was County-wide crime pattern 1305, its title was the chinese fast food burglaries, it was issued on March 15th of 2013. That pattern consisted of 27 separate burglaries. A strategy was developed and implemented and in April 18th, the subject was arrested. That subject, that lone subject was responsible for nearly 20% of the County's commercial burglaries at that time.

We have also made some organizational and administrative realignments as well. A pattern crime unit was established to coordinate and at times be the lead investigative team regarding patten investigations. In 2013, they investigated a total of 79 cases, 58 of which were cleared by arrest. Thus far, in 2014, they've investigated 75 cases, 60 of which have been cleared by arrest. Most notably, they were the lead in County-wide pattern 1401 wherein two individuals embarked on one of the most prolific and dangerous robbery sprees possibly in this County's history. There was an unprecedented effort put forth by this Police Department. In the beginning of January we would deploy 50 to 70 people a night to apprehend these robbers. The effort culminated in their arrests and they were charged with robbing over 15 -- they robbed 15 fast food restaurants and convenience stores over a 30-day period occurring in the 4th, 5th, 6th and 7th Precincts.

Our patrol gang teams were decentralized and returned to the precincts. That means we've got the cops in the neighborhoods where the gangs exist as opposed to having a centralized gang unit that goes from community to community. We have established a Field Intelligence Officer Program within the police department. A Criminal Intelligence Detective is assigned to and works out of each of our seven precincts. These Detectives provide a crucial role in the department's crime fighting effort. The FIOs, that's what they're known as, Field Intelligence Officers, FIOs conduct the briefings, they review department databases, they develop informants, they identify intelligence deficits. They figure out where we need to find out intelligence, where we don't have adequate intelligence. They develop specific prisoner debriefing questions relative to current trends and patterns that may be occurring within a precinct or County wide. The FIOs are also aware of active narcotics defendants, one in subjects, parolees, probationers, sex offenders, gang members and crime-flowing locations within their commands. They're tasked with assisting Precinct Detective Squad Commanders and Precinct Commanders to target groups, locations and persons of interest. These detectives are critical in ensuring that intelligence guarded on the County-wide level is passed down to the precinct level.

In addition, we established an arrest debriefing system, ADS. It's been implemented wherein all arrestees are debriefed about their knowledge of criminal activity. The best time to talk -- the best way to get information about criminals is from other criminals and the best time to get them to talk is in the wake of an arrest. We established a Narcotics Intelligence Tracking System, NITS; it's instituted and it allows for the centralized collection and analysis of drug information. That enables us to rapidly deploy strategies -- rapidly develop strategies and tactics with respect to those individuals that may be involved in narcotics activity.

On a daily basis, the command staff of the Police Department has meetings regarding criminal activity. These meetings can include not only members of the Precinct Patrol and Detective Squads, but Intelligence Section, Narcotics, District Attorney Section, Warrants, Electronics Investigation and our Communication Section, to name a few. Oftentimes we have Assistant District Attorneys at those meetings also.

These meetings allow for the development of strategy and for us to engage in predictive analysis to ensure the proper deployment of resources. This enables us to focus on the crimes that most affect the citizens of this County, with our priority, of course, being violent crime. The key is getting the whole department to be aware of and in the game when it comes to fighting crime. Two recent events illustrate how the awareness of patterns and trends has become engrained in our culture.

Last Sunday, off-duty Emergency Service Section Police Officer Steven Niggemeier, aware of a burglary pattern in Blue Point, affected the arrest off-duty of the serial burglar that I believe that you were referring to, Madam Chairwoman. The previous Sunday, a 4th Precinct Crime Section Officer, Michael Milo, he was on his way to work, driving to work, observes a suspicious vehicle parked behind a closed restaurant here in Smithtown. He was aware of a crime trend involving the theft of waste cooking oil which has recyclable value; so they're stealing that because it's a recyclable. Two individuals were subsequently arrested and charged with a total of 22 counts as it related to that trend.

Our cops are in the crime fighting game both on and off-duty. Joe, if you could just distribute that to them? Lieutenant Busweiler is going to pass out the index crime numbers for the last several years, up to and including July. And as you'll be able to see -- and we may have to make some more copies, Lieutenant. As you'll be able to see, the Suffolk County Police Department has seen a steady decrease in crime over the past two and a half years. Since this administration took office, total index crime rate, which includes property and violent crimes, has dropped from a total of 26,806 crimes in 2011 to 22,293 crimes in 2013; this is a drop of over 16%. Violent crime continues to trend downward year-to-date, as of July 31st, as compared to that time period in 2013. And you have to understand, 2013 was one of our probably historic low. That has been a drop of 12%, so we're 12% below in violent crime where we were at this time last year.

There's several specific types of violent crime that I want to talk about. First is robbery. Robbery is the forceable stealing of property. An analysis showed that street robberies wherein a victim is accosted on the street were the prevalent type of robberies being committed in this County. They were often, most often perpetrated by males, age 16 to 24, often gang members, and they occurred mostly in the late evening and early morning hours. We developed strategies and deployed officers in specific response to these crimes and these strategies. As a result, we have seen nearly a 12% reduction in robberies County-wide this year.

Now, let's talk about people getting shot. We have recorded five more incidents this year where people have been hit by gunfire than at this time last year. Most shooting incidents are fueled by conflict; conflict involving gangs, drugs or personal enemies. Assisted by grant money through the Statewide GIVE Grant, that's Gun Involved Violence Elimination; it used to be called Impact, but they changed it and they changed the focus to focus directly on firearms-related crimes. We've embarked on a program to identify conflict and intervene, prior to or subsequent to an event, by engaging in predictive analysis. Officials from DCJS have requested personnel from Suffolk County to lecture in other parts of the State as to our strategies; they consider them that successful.

In response to the increase in shootings, we initiated violent crime initiatives in the 1st and 3rd Precincts and a second one separately in the 2nd Precinct. They are operated under the purview of our Organized Crime Bureau and consist of Precinct Detective and Gang personnel, Criminal Intelligence, District Attorney Firearm Suppression Team, Narcotics Detectives and our Warrant Unit. District Attorney Spota has dedicated Special Investigation Bureau ADAs to each precinct and weekly meetings are conducted concerning the efforts and they're chaired by our Chief of Detectives, Will Matigan and the District Attorney's Office Division Chief of Investigations.

Thus far, the results have been impressive. In the 1st and 3rd Precinct initiative, 160 people have been arrested, 220 persons -- 28 persons have been debriefed, 93 separate narcotics operations were conducted, 101 surveillance operations of persons and locations of interest were conducted, 19 search warrants were executed, and 15 firearms were seized. Of particular note, at the beginning of the operation we identify 82 persons of interest, people that we know were the bad players in those particular precincts. Of those 82, 40 of them have been arrested during the course of this initiative.

In Huntington, we began at the end of July, from the end of July, July 30th to the date in Huntington alone, we've made 140 arrests, 12 of which were of confirmed gang members. The officers assigned to the initiative wrote 857 tickets and they conducted 59 debriefings outside of those that are conducted as the result of an arrest.

And lastly, I'd like to talk about Burglary, First Degree. Burglary First Degree occurs when someone unlawfully enters an occupied dwelling with an intent to commit a crime there and usually armed with a firearm; this is what people call home invasions. An analysis of our Burglary First Degrees revealed that oftentimes drugs, particularly marijuana, was the underlying factor in targeting a particular residence, because there's a lot of money to be made in marijuana and relatively little risk as it relates to controlled substances in terms of a criminal. In turn, we have developed strategies to quickly identify these locations and focus our resources in an effort to obtain search warrants to put them out of business, thereby preventing the home invasion or Burglary First Degree before it occurs. As a result of this year, there's been a 24% decrease in Burglary First Degrees County-wide as compared to this time last year.

We continue to address the causal factors that drive crime. It is, of course, our goal to prevent crime. To that end, Deputy Police Commissioner Risco Mention-Lewis has developed strategies and initiatives to break the cycle of recidivism, one of the prime drivers of crime. Conflict, intervention, community-based initiatives and the Counsel of Thought and Action are among those initiatives and they are operating, or about to be operating in the 5th, 1st, 3rd and 2nd Precincts. Crime, however, is an ever fluctuating condition, and as such, the Police Department is constantly in a state of collection, analysis, strategy development, deployment and evaluation. It's daily; never stops, never changes, it's constantly evolving. And although there has been a significant reduction in crime, we understand that that's no consolation to those who have been victimized. Our residents can be assured that their Police Department will continue to aggressively, intelligently and with purpose pursue crime to make Suffolk County the safest place possible for all of its residents.

And in conclusion, as always, I would just again like to thank the political support that we receive from the Suffolk County Legislature. I would like to acknowledge the support that our Police Officers received from labor unions. And of course, most importantly is the work that the men and women of this Police Department do every day, every day, day-in/day-out. There are Police Officers doing phenomenal jobs every single 24-hour period, saving lives, making arrests, dedicated to duty. Thank you very much.

CHAIRPERSON BROWNING:

Well, thank you, and I know I have a few questions. I did put in a request for staffing levels. Kara made a request for staff levels in each precinct, and thank you, John, for providing the information, but I'll hold off. Kara, you can start. You have a question? I thought you did.

LEG. HAHN:

Yeah, I have so many.

CHAIRPERSON BROWNING:

Go ahead.

LEG. HAHN:

Thank you. I'm a numbers person, so numbers and data-driven and all your statistic-driven points really resonate with me. But being a numbers person, I also -- you know, I look at technically some of the things and want to fully understand what's happening. So sometimes I get held up when we refer only to index crimes, and so what can you tell me about what's not there? You know, index crimes are seven; how many are there? Six?

CHIEF BURKE:

Those are the crimes that we're required to report to the State and the Federal government --

LEG. HAHN:

Right, but this is --

CHIEF BURKE:

-- and they're the prime drivers of our department.

LEG. HAHN:

I get that. I get that that's what you're required to report to the State. We are the County Legislature overseeing body of you, and you can get more detail with us because the State has to cover all 63 counties Statewide and, you know, they're going to pick crimes that they think are most important. I'm just kind of -- there's more crimes that are not listed here, clearly, that you do make arrests for. So what's not here, and is there something important that, you know, you can tell us about what we're seeing in trends, we're seeing -- because you're clearly keeping statistics and trends on everything.

CHIEF BURKE:

Well, the prime things that we deploy on are those seven -- those seven things are primarily what we deploy on. Those are the crimes that most affect people.

LEG. HAHN:

So there are lots of -- so where would a smash-and-grab of someone's car come in here?

CHIEF BURKE:

That's larceny.

LEG. HAHN:

Is that listed in the six?

CHIEF BURKE:

It's listed in larceny.

LEG. HAHN:

Larceny. So down here under property crime, that's one. Okay. So how many are there, then? There's one, two, three. So you have them separated by violent crime and property crime, so a total of eight index crimes?

CHIEF BURKE:

Well, technically, yes. I mean, if you count -- you want me to count them?

LEG. HAHN:

Okay. So what's not here? What's not here? What's not listed here, and are there things that are ticking up in your statistics?

CHIEF BURKE:

There's entire the Penal Law that's filled with crimes, other types of crimes. There's white collar crime that's not recorded, identity theft is not recorded. I mean, there's an entire Penal Law that has hundreds of crimes that are in it.

LEG. HAHN:

And is there anything -- I guess my question is, is there anything -- well, quite frankly, things like drug -- you know, drug related --

CHIEF BURKE:

Drug related crimes generally get logged as arrests. In other words, nobody really reports a -- nobody makes a report of a drug related crime like you would make a report of a larceny. Like when we record a drug related crime, generally speaking that is related to an arrest. In other words, if you came in and said, *Someone is dealing drugs at such and such a location*, we don't characterize that as criminal possession of a controlled substance. We would open that up as a confidential investigation and if an arrest resulted as a result of that, it would be whatever the particular arrest charge would be.

LEG. HAHN:

So --

CHIEF BURKE:

But just if I may. It's our belief that the crimes that most affect people, that effect the lives of people here are shootings, robberies, burglaries and larcenies. Those are the crimes that really affect people, and that, to me, is where we should be driving our resources; people getting shot, people getting robbed, people's houses being broken into and people who have been the subject of larcenies, that's the priority in this Police Department. I mean, it's not to the exclusion of all else, but when you have a limited amount of resources, what you have to do is, in my view, direct your resources to the crimes that most affect people. And if I may, direct resources to the factors that drive crime; gangs, recidivism, drugs, those things drive crime. So what we do do, in a robust way, is we drive our resource to the things that drive shootings incidents, robberies, burglaries and larcenies. And if I might --

LEG. HAHN:

Right. And that being said, the drug-use crimes would be valuable for you to be talking about, things like arrests related to drug related crimes, are they up. We're talking about Narcan saves in our Police Department and in our EMS Division that are through the roof, that are triple, quadruple years in the past. And so we clearly have an issue there, but it's not reflected, you know, here in terms of where are we seeing it. Obviously in your crime data driven analysis and your statistical analysis and your narcotics intelligence tracking system, you are recording more than larceny and burglary --

CHIEF BURKE:

We have the ability --

LEG. HAHN:

-- you're recording when you're finding heroin and sales of heroin, and like that kind of thing is not listed here. And so are there trends in that area that we should know about?

CHIEF BURKE:

Yeah, there's a direct correlation. As Legislator Browning said, most of our property crime is being driven by drugs, and most often heroin. That's what drives theft in this County. So there is robust effort in this County to go after people who are -- in fact, you know, when we do our analysis, when you get a theft spike in a neighborhood, we know who the people are who have been arrested for opiate related crimes in that particular neighborhood. We know who is on parole or probation or theft related crimes or drug related crimes. That's a big thing that drives us to catching burglars and catching people who are doing theft related crimes. All you have to do is overlay the heroin arrests -- not all you have to do, but a big lead generator is the overlaying of heroin arrests and heroine parolees. And to further take that one step further, who's got priors for thefts. It's not like you just go look around for the person. These other things assist us in attacking problems such as burglary, robbery and larcenies.

LEG. HAHN:

So there are a whole slew of questions. Did you have more of a presentation, or was someone else going to present on the other questions that I had?

CHIEF BURKE:

The other questions that you put forth, Chief White I think will talk about that in a little built.

LEG. HAHN:

Excellent. Okay. So I want to -- I also want to thank you. I know you've been instrumental in implementing, designing and implementing the Community Protection Act. And, you know, thank you for especially on the homeless offenders, making sure that, you know, they're a part of, you know, what you're addressing through that Community Protection Act, making sure that crime victims are supported. And you, of course, recognize that, you know, victims can be re-offended or more likely to be re-offended in those instances. So, you know, just keeping an eye on that as well and making sure that we're in a good place with the Community Protection Act and all of the things that you said were happening, that's very important to our communities that that is moving forward as we talked about.

CHIEF BURKE:

And I just had to describe -- I've been speaking with Ms. Ahearn about taking it County-wide beyond the Police District, I think that would be a very prudent thing to do. I don't have any specific numbers on it right now, but it has been an overwhelming success.

On the thank you side of things, I would like to thank you for your instituting or helping us institute the Narcan project. I mean, that has become a national model and, you know, it's -- I don't have the specific numbers, but literally it's probably approaching a thousand lives now that have been saved by that, and it's been embraced by police departments, fire rescue services, and I'm proud to say that together we kind of kicked it off. Thank you.

LEG. HAHN:

Thank you. And of course, that's a triage and another committee and in other discussions we need to work on treatment, getting folks into treatment. But thank you very much for your effort on that, for your willingness to, you know, implement that, and we need to continue to support Dr. Coyne and the training of our Police as EMTs, etcetera, and making sure that that happens in a timely manner. I'm sure I'll have more questions later, but thank you.

CHAIRPERSON BROWNING:

Sure, Kara. And real quick, to touch on the Narcan, have you been able to track how many Narcan saves have -- you said there's over a thousand of them. How many --

CHIEF BURKE:

I don't know that it is, but the last time I checked it was in the four hundreds.

CHAIRPERSON BROWNING:

Okay.

CHIEF BURKE:

But they -- we used to put a press release out every time we did a Narcan save; they've become, sad to say, they just occur so many times. But we have those numbers readily available.

LEG. HAHN:

And those numbers include EMS.

CHIEF BURKE:

Yes.

LEG. HAHN:

But it is a large number.

CHAIRPERSON BROWNING:

My curiosity is, is how many of those Narcan saves is an individual who's had a Narcan save more than once, and I'm curious.

CHIEF BURKE:

Sadly, there are people who have been -- and again, I don't have the exact things, I know that there's people with more than once. I know that there's people who have been Narcan-saved and subsequently died of an overdose after being saved initially. But there are, you know, enough of those anecdotal stories, I think we may even have one guy who has three saves on Narcan.

CHAIRPERSON BROWNING:

Wow. Well, I'm not going to hold it up, I just didn't want to get off the topic. Doc Spencer?

LEG. SPENCER:

Thank you, Chief.

CHIEF BURKE:

Good morning.

LEG. SPENCER:

I appreciate the presentation and everything that the Police Department's doing. When I look at the stats, the number, especially you indicated just an overwhelming effort in Huntington. And I, as one of the representatives of that district, I appreciate the Administration, and also with regards to the Police Department coming up with a plan to address that. And those numbers sound pretty overwhelming.

So when I look at this -- the last couple of years in the current administration and I look at those stats and everything seems to be in a positive trend, why -- is there any sense or any thoughts as to why the manslaughter and murder numbers jumped in '14? Was there any particular event? Because, you know, I understand trends, and you definitely know that there's going to be some wavering there, and I understand the response and I support and appreciate the response, but just to see that 50% positive number which stands out above everything else. Where there any internal thoughts there?

CHIEF BURKE:

Well, when you talk about homicide, you have to examine what motivates the homicide. There are homicides that are domestically motivated, there are gang motivated homicides, there are a good number of homicides that are generated as a result of a personal dispute. Two people get in a fight, a guy takes out -- they're drinking in a bar, a guy takes out a knife and stabs the other guy; very, very difficult to prevent those. You know, drugs motivated. But I would say the bulk of our murders this year -- and again, it's preliminary -- the bulk of our murders would have been gang-related murders.

LEG. SPENCER:

Okay.

CHIEF BURKE:

I mean, that's one of the things where enforcement and bringing cops into -- bringing cops into a 1st and 3rd Precinct where we've had a rise in shootings. Bringing cops into Huntington Station when we see a rise in shootings. Those are the types of things that I think that we can intervene in, because they're street related type of events.

So it has been a busy year, but last year was a really, really low year for homicides. And though I think the numbers on this chart have us going from 10 to 15 year-to-date, if you look back to '11 it was 16 year-to-date; if you look back to 12 'it was 12 year-to-date; and I realize that when you're talking murder, you know, that's a life that you're speaking about. But when examining why or what the numbers of murders are, it's very important to talk about why they occur.

The good news is, by and large in Suffolk County, you know, the people who wind up becoming the victim of murder in Suffolk County, most often it's because of the type of activity they're engaged in. Gang activity or drug activity is a dangerous activity to engage in and it increases your chance of getting murdered. Types of associations that you have. If you hang around those particular people, though innocent yourself, you may wind up becoming victimized as a result of that. And also, I mean, sadly, you know, domestic incidents. You know, we've trend -- you know, we've had four domestic murders this year, and that's another thing that is a -- that is a causal factor to a homicide.

LEG. SPENCER:

Is there anything -- I understand the massive investigative response. Is there things that we can do in terms of creating more awareness with regards to the domestic situations? And as far as the gangs, is there something about Suffolk that has made us more attractive? I'm seeing some new gang names out there, too, that I hadn't heard previously, names of different gangs. Is there still -- I know it kind of moves around depending on where the enforcement is. But what is making us attractive? Is it the wealth of Suffolk County and the potential heroine market?

CHIEF BURKE:

You know what drives gangs? Poverty. People who live in impoverished conditions, I think that is a big factor in gang membership. I mean, it's not the only factor, but it's a sense, I believe, of hopelessness on the part of these people who join the gangs. And I think, you know, some of the initiatives that the Police Department has put together under the Deputy Commissioner's purview, like she -- I had a discussion with her the other day. She got 35 at-risk youth jobs, I believe it was in Wyandanch, and for the whole summer, only one kid dropped out. So that was 34 kids who were at-risk, deemed to be at-risk who, hey, stuck to it the whole summer long, got a job, got some money in their pocket and maybe now they have some hope. And I know that it's the plan of the Police department to keep monitoring these particular individual kids, even up in your area. Like your area is generally a very, you know, geographically small area. Generally speaking, the kids that go to school up there go to great schools, and we have a lot of confidence that with our intervention with these at-risk youths, that we may make some real headway in preventing them from joining a gang; or if they join a gang, that we may be able to wrest them out of it. I mean, that's one option. The other option, though, is if you're going to stay in the gang, we have suppression techniques that we will use on you and we will put you in jail.

LEG. SPENCER:

I did want to congratulate the department. In my area in particular, with the uptick that we saw, I was really impressed, this past weekend in Huntington Station we had a four-on-four basketball tournament and there was just so much police investment in that event. But what was really impressive, we have Officer {Navado}, Ferrara and Fierro that knew almost all of these kids.

CHIEF BURKE:

Uh-huh.

LEG. SPENCER:

And, you know, the Police Athletic League provided the trophies and the score board. And it came at a time when we needed real healing. It increased a lot of confidence and so I know that, you know, wherever you are responsible in terms of supporting and having those officers be able to attend that, I really appreciate that and wanted to thank you.

CHIEF BURKE:

I mean, as it relates to gangs, I mean, as much as we in the Police Department can do, it's really like drugs; it's beyond the Police Department's means to deal with it. It's really we've got to ban together as society; the clergy, the schools, families. It's really truly a societal problem. And it's -- as you all know sitting at the horseshoe, you've been dealing with it for years. And to marshal the forces of society to effectively deal with it is very, very challenging indeed.

LEG. SPENCER:

I have one last question/comment and then I'll yield, and that is I've been really impressed with communication, especially on the Inspector/Legislative level, and I appreciate that Central has allowed the Inspectors to communicate with the Legislators. It's been really effective; my Inspector is incredible. There's one area, that even from communicating with Yaphank or just locally, that seems to be, for some reason, very, very quiet, that I can't get information, and that is ShotSpotter. So I'll call in about an incident and I'll get all the information, they'll fill me in and I can ask any question, but when it comes to ShotSpotter all I hear is crickets (*laughter*). And so I hear ShotSpotter went off but, you know, we don't have any further information. I know that that's been a -- you know, that's been something legislatively that we've invested, and I hear that there's a learning curve, that it's working. I don't know, is there a particular policy as far as ShotSpotter is concerned? Who has the ShotSpotter information and how can I get it?

CHIEF BURKE:

I think we -- don't we provide you, Ms. Browning, with --

CHAIRPERSON BROWNING:

Yeah. Well, actually --

LEG. CALARCO:

(Shook head no).

CHAIRPERSON BROWNING:

We do have access to listen in to the ShotSpotter.

CHIEF BURKE:

No, no, not to listen in. But we create a monthly report on it.

CHAIRPERSON BROWNING:

No, we have not.

LEG. SPENCER:

Not in several months.

CHAIRPERSON BROWNING:

We haven't had one in a long time.

CHIEF BURKE:

That's not -- because ShotSpotter is, you know, a constant evaluation of ShotSpotter and I think that you guys should be involved in that ongoing evaluation of efficacy of ShotSpotter. So we'll get you that.

CHAIRPERSON BROWNING:

I had a couple, I was having difficulty getting in and I called in to get -- I forgot my password. But you have a password, you can log on.

LEG. SPENCER:

You have a password? Is that only for you as Chair? *(Laughter)*.

CHAIRPERSON BROWNING:

No, all of us can. No, we can all get access.

LEG. SPENCER:

Okay.

CHAIRPERSON BROWNING:

And I can tell you that there was a couple of incidents. And when I spoke with the gentleman who was helping me get back on again, you know, he said to me, *No, that one probably was not gunshot*. You know, so he was able to tell me right away which ones he believed to be gunshot ones, ones that were not.

LEG. SPENCER:

I'm looking for an overview of, you know, our --

CHAIRPERSON BROWNING:

Well, we can work on trying to get those reports again. Like we said, it has been a couple of months.

CHIEF BURKE:

Yeah, that's easy.

CHAIRPERSON BROWNING:

Okay.

LEG. SPENCER:

Thank you, Chief. Appreciate it.

CHIEF BURKE:

You got it.

LEG. SPENCER:

Thank you very much.

CHAIRPERSON BROWNING:

Okay. Legislator Calarco.

LEG. CALARCO:

Thank you. Good morning, Chief. How are you?

CHIEF BURKE:

Fine, Legislator.

LEG. CALARCO:

First I guess I'll lead in off of Legislator Spencer's comments with regards to just how good some of your staff have been. In our district over in the 5th, I've had some great officers. The COPE Officers are always very responsive, on the ball whenever we call on an issue. Officer Al Acevedo

covers the North Bellport area. I know he decided one day during the summer that he was going to go pick up some basketballs from the PAL office and put them in the back of his squad car and bring them down to the park in North Bellport and he plays ball with the kids on Friday nights. So that's a good building positive rapport with the community what that we need to have in policing and I think that helps.

My question for you, getting back to these crime stats a little bit. The stats, I guess, are the numbers on how many crimes are being reported and investigated. Could you give me a little information about how we're doing on the actual closeouts, solving those crimes, making the arrests, those kinds of things?

CHIEF BURKE:

Sure. I have -- our Detective Division tracks its clearance rates, and that's the felonies. So we're doing pretty well. 2014 felonies under crimes that are there. In robberies, according to our Detective Division, we get a 45% clearance rate on our robberies currently, that's through July. National average, as per the FBI in 2012 is 28%, so we're doing pretty good on robberies. Our aggravated assault clearance rate -- and again, you've got to remember, an aggravated assault, most time people know who assaulted them; it's going to be a dispute or a conflict. They reported a 69% clearance rate on that with the national average being 56%. Our burglaries overall, both residential and commercial, are 26% with a national average of 12. Again, I have to think that it's this patterns and trends. You catch the serial burglar, guess what? You're clearing out a lot of burglaries that are focused on these apex criminals is doing a lot to help our clearance rate.

And also, that we allow the Detectives to have the time to thoroughly debrief these individuals. And then that's followed up by with the District Attorney, working in cooperation with the District Attorney where the defense attorney will get into negotiations with the prosecutors and, you know, they'll strike a deal to clear more burglaries. So that's -- our larceny rate is -- our felony larceny rate, anyway, is 21%, national average of 22, so we're right about there. Our motor vehicle theft is 17% with national average being 12. So we're doing pretty good. And I think that, again, that is in large part due to targeting those apex criminals. You get a guy who's -- I mean, these guys are going for -- as Legislator Browning said, this guy was a one-man crime wave down there in Bluepoint.

LEG. CALARCO:

Yeah, that certainly seems to be the case. And I think as Legislator Hahn had mentioned and yourself, that a lot of this is fueled by the drug problems that we're facing in the County, and we have to start really focusing on getting a handle on the drug rates that we have. And I know that's something that goes beyond just the Police Department in terms of educating parents and children alike in terms of the dangers of a lot of the opiate drugs that are getting them into the heroin addict problem, and getting our school districts to buy in as well and recognizing and accepting that there is a problem. No matter how great your school district may be, you're going to have a problem that we have to address.

CHIEF BURKE:

It's here. It's in every school district.

LEG. CALARCO:

Thank you.

CHAIRPERSON BROWNING:

Okay. Legislator Kennedy.

LEG. KENNEDY:

Thank you, Madam Chair. Chief, bear with me just one second. I want to ask Madam Chair procedurally; are we going to do an Executive Session this morning, Madam Chair?

CHAIRPERSON BROWNING:

Yes, we're doing an Executive Session.

LEG. KENNEDY:

Okay. So I'm going to hold my queries about DV to that, because there is one particular case I want to speak about at length but that's not appropriate in this forum. So let me go to a couple of other things, then. I'll start off with the at-a-boy, and the at-a-boy is for the work on the bars on Main Street. As a matter of fact, Inspector Murphy at the 4th Precinct community meeting just two nights ago updated us saying that three of the four locations, in fact, have been shut down based on your office's work with the SLA in particular which is outstanding. Because left to their own devices, these guys were just going to continue to solicit, continue to promote and continue to go ahead and push whatever they could in the name of business, but in fact it was having a deleterious and very negative effect on a community. So I'm hoping the fourth one goes south real soon and, you know, that work at the SLA is outstanding. Thank you. I appreciate that. It's good work.

CHIEF BURKE:

You know what it is, Legislator Kennedy? When we see problems, we jump on them right away, and we're not afraid to commit real resources to problems. And we realize the potential that the residents in Smithtown faced over there and we were sending resources from all over the County. And again, it's a concentrated effort. It was successful, so it didn't have to go on for a long prolonged period of time, and we appreciate your support on it, too.

LEG. KENNEDY:

Yeah. No, it went very well.

The other thing -- so there's two other things, I guess, that I'll just share with you, and they're general concepts, Chief. I mean, I am glad to see the focus on the patterns. Like Legislator Hahn, I like to go ahead and drill down to the numbers, because I think the numbers are how you can basically focus your resources, focus your attention and get the biggest bang for the buck. The homicide is a concern. You know, up by, you know, a number in this year as compared to last year. Perhaps last year was an aberration in how few there were, and like you said, it's the human condition. There are a number of different factors or, you know, precipitants to it, be it, you know, domestic or just, bar dispute, alcohol, other factors, drugs or the DV. And a DV is, again, like I said, what I'll come back to.

Lastly, what I do want to just -- it's a more broader comment and it's a comment directed to the County Executive's Office, but it's germane to you. That the numbers don't lie. Your numbers show the increased results with arrests and apprehensions, but your personnel numbers continue to dwindle despite the commitment of significant resources on the part of our constituents. And to Legislator Hahn's point, while drug convictions may be in that primary seven factor, I didn't hear, it's the type of work that takes a lot of resources. And you and I have had this conversation many, many, many times. I am a major proponent of NYSAT and NYSAT for us is not where it was. And I would like to see it better resourced, because the narcotics crimes are -- no matter how many times you cut the head off the snake, it just keeps regrowing; it emerges over and over and over again. And it gets batted down with committed, sustained personnel and resources.

So you can get one guy that's dynamic and dynamite, but he can't make the kind of effort that more can. So what I want to see from the County Executive's Office is a class. I want to see personnel. We continually commit to fund that and I believe you need that to continue to do the work.

CHIEF BURKE:

We've got the authorization to hire 65, the processing is under way right now. So we're very hopeful that we're going to be able to get the class in -- I added people to Applicant Investigations to speed the entrants of the class, so we've got help on the way here.

LEG. KENNEDY:

Good, excellent. I'm glad to hear that.

CHIEF BURKE:

Thank you for your support.

LEG. KENNEDY:

Thank you. Okay.

CHAIRPERSON BROWNING:

Okay. And I know Presiding Officer Gregory has a question, but I do want to touch back on the staff.

P.O. GREGORY:

Thank you, Madam Chair. And thank you, Chief, for coming here today. Thank you and all your personnel for all the hard work that you guys, the men and women do to protect the residents of Suffolk County. It's very much appreciated. I've worked very closely with the Deputy Commissioner on some of her efforts in Wyandanch and I'd say it's a tremendous success. We had -- in April we had an Easter egg hunt and we had approximately 50 ex-offenders. It's amazing to see these people with, you know, criminal backgrounds that are out there creating a day for children to enjoy. We probably had about 200 people out there. So she's really impacting lives really on a daily basis and it's very much appreciated.

I wanted to delve in just a little bit, get your opinion on the gangs and in your experience, you know, the department's experience with dealing with gangs. My understanding, and I wanted to, I guess, verify it with you, is that the face of the gangs have changed. They're younger, they're more violent. Is that true? And how is that impacting the crime stats?

CHIEF BURKE:

Well, first to get back, talking back to what you said about the Deputy Commissioner, before I answer your question. I just want to say, she brings another element to the table. Even in my discussions with her, and I've been a cop for 30 years, she sometimes lets me think a different way about things. And when she brings it to my attention I'm like, *Wow, that makes so much sense*. So what She's also doing, on top of having an impact on the people in the communities, she's having a great impact on the cops and changing the way that the Police think. I mean, we've -- you know, when I came on the Police Department, it is, Hey, your job is to lock people up and that's that. Well, no, I think he could be a much more effective Police Officer if you understand, particularly if you understand communities that you were not raised in. So she's done a real good job at that, too, and I just wanted to let the committee know that.

As far as the gangs, yeah, they are -- in fact, the trend we see is they're getting younger. In fact, they're getting more violent, the proliferation of firearms is absolutely staggering. And what we see is that when we knock out leadership, there are people that step right up. It used to be several years ago, you'd knock out leadership and there would be a void for a while and there would be a disruption in a group and we're not seeing that anymore. We're seeing people step right into the breach, and it's a serious, serious problem and it's a serious challenge, and it's something that we all have to put our heads together to keep working on. Because you're right on the money in your observation.

P.O. GREGORY:

Right, okay. And whatever we can do to assist in that. I mean, the gang issue -- you know, drugs and gangs have to be our top priorities, I think, within the PD as far as public safety, because they're so prevalent. And, you know, I understand these guys, there's gang leaders as young as 20.

CHIEF BURKE:

Younger than that.

CHAIRPERSON BROWNING:

Fifteen.

P.O. GREGORY:

Or even younger, yeah. You know, they're pimping girls out in hotels, getting them strung out on drugs. I mean, it's horrible. You know, I speak to {Jerry Deganti} who's a great Inspector and he informs me, and I'm actually thinking about establishing a human trafficking task force based on some of the conversations we had, and I haven't told him that but I'm looking at it.

CHIEF BURKE:

It's worth looking at. And it's not what you traditionally think; it's not people being sent it from Asia, it's people from Upstate and Queens. It's certainly a problem.

I mean, if I may just expand, you know, just thinking out loud here. The real area of focus has to be on these kids, these at-risk kids while they're still in school, because we have some modicum of control over a kid that's still attending school. Once they don't attend school anymore, we lack that control. So I think it is banding together, you know, the Police, whatever community resources we can bring to bear, and the schools. This year we're conducting outreach to school districts and we're meeting with the school superintendents and we said, look, who are your problem children? So this way we can work together with the school districts, this month that's all going to get done, to try to target these kids and interdict them before they make a critical mistake and join a gang.

P.O. GREGORY:

Great. All right, thank you.

CHAIRPERSON BROWNING:

Okay. Legislator Trotta.

LEG. TROTТА:

Yeah, the homicide figures. If there's a homicide and the FBI picks it up, are they counted in these figures?

CHIEF BURKE:

Yes. We TOT'd one case over to the FBI, that was the murder over in -- this year. That was the murder up in Miller Place.

LEG. TROTТА:

The MS murder, okay. So in '12 and '13, did you TOT any of those over?

CHIEF BURKE:

I'm not sure. I'm sure in '12 or '13 --

LEG. TROTТА:

So when you TOT it, it comes off your stats?

CHIEF BURKE:

No, it's still a murder for us.

LEG. TROTTA:

Still counts as a murder, okay. You mentioned identity theft before; it's not counted on any of these things?

CHIEF BURKE:

Not in these.

LEG. TROTTA:

Okay. Identify theft is also a larceny, as I'm sure you know.

CHIEF BURKE:

Yeah, but you can -- as you know by being a detective for all these years, you classify the crime, it gets classified -- if somebody is the victim of an identity theft, they may or may not have been a victim of a larceny. However, they'll classify it, we classify it in the PD as an identity theft. It doesn't get double classified as a larceny.

LEG. TROTTA:

Okay. I'm sure you're aware I was on the FBI Task Force, and when we were there, I think we solved 13 murders, arrested 26 people, about 40 robberies since they've been replaced. And all those were MS, by the way. What has been the production since then; we left about two years ago this week.

CHIEF BURKE:

The FBI Task Force?

LEG. TROTTA:

Yeah.

CHIEF BURKE:

You have to ask the head of the FBI now.

LEG. TROTTA:

You have two guys there, correct?

CHIEF BURKE:

I put two guys on the task force. And as you well know, when you're assigned to a Federal task force, we, the Suffolk County Police Department, lose command and control of those detectives. They take their orders and they get their daily work from the leader of the FBI Task Force.

LEG. TROTTA:

So you have no idea what they're doing?

CHIEF BURKE:

Presently -- oh, no, we're working many joint cases with the FBI right now.

LEG. TROTTA:

So you have no statistics on what they've produced since they've been there?

CHIEF BURKE:

I don't have any statistics on what the FBI has produced.

LEG. TROTТА:

When I was there we reported to our command patrol, every week we had to say what we were doing, who we arrested, what was going on.

CHIEF BURKE:

The detectives that are assigned there report to the FBI. If you want statistics that have been what the FBI has done over the last two years, you'll have to ask the FBI.

LEG. TROTТА:

Okay, thanks.

CHAIRPERSON BROWNING:

Okay? Okay, thank you. I have -- I know a lot of questions came at you, so I don't have a lot. I mean, one of my concerns, too, you know, representing the North Bellport community and the gang members and that issue. Obviously if they return into the community, you know, my personal opinion is, you know, we had an incident with some gang members living in a home for four years just terrorizing the neighborhood and I pushed to get an eviction. The Sheriff's Department worked with us very closely to make sure that that eviction got done. You know, and again, I say, granted, while we're trying to rehab some of these people, there should be a zero tolerance, and I want to make sure that that is continuing to happen, that there will be a zero tolerance to their activities. And if they return back to the community, you know, there's always something in the back of my mind that says, okay, they're coming back to the community and we're working with the CODA program, which I think is great that we're, you know, trying to rehabilitate some of these ex-offenders. But to make sure that, you know, well, maybe they're not committing the crime in the community that they live in, but making sure that they're not going somewhere else where they may not be as likely to be watched. I mean, are we really -- I just want to make sure we're not kind of saying, *Ah, they're being good.*

CHIEF BURKE:

I can assure you -- and you know me.

CHAIRPERSON BROWNING:

Yes.

CHIEF BURKE:

I can assure you that if any of these people that are in any stage of rehabilitation or recuperation, if they re-offend, it is the policy of this Police Department they get arrested, period, the end. You don't get a play on crime because you've decided that you wanted to join a rehabilitation program. Hopefully it works out for you.

CHAIRPERSON BROWNING:

Right.

CHIEF BURKE:

Hopefully you're rehabilitated; if not, you're getting locked up, period, the end.

CHAIRPERSON BROWNING:

Right. I just want to make sure that -- you know, I want to have that comfort level that even though you're home, you know, and you've decided to get into this program, but we are keeping an eye on you to make sure that you're not going in the wrong direction again.

CHIEF BURKE:

You know, how many times have we heard, *I promise I won't do it again?*

CHAIRPERSON BROWNING:

Right. Well, I think it was the other day, I can't remember who were talking to about people on drugs and, you know, that have crime problems are some of the best liars, you know. So I hate to say that.

I did want to ask about clearance rates, but I think you kind of covered that. Clearance rates, I think you kind of did cover that. We did get the numbers on, per precinct, staffing levels. And obviously you don't sign SCIN forms, but I am looking at the numbers and they have dramatically reduced. I don't know if you got a copy of this. Did you give a copy?

CHIEF BURKE:

I don't have that.

CHAIRPERSON BROWNING:

We can give you a copy of what we got from John Ortiz. But when I look at each precinct, and we know the precincts that are busy, extremely bus. And when I see that there's a drop in the numbers per precinct and I look at -- we have a drop from '09 to '14 of 187 Police Officers since '09 to the present, and I know that we budgeted for 65. So when I look at that number, we're still -- even if we have 65, we're going to have retirements. You know, our levels are dropping slowly but surely. And when we talk about crime, we need detectives. We need to make sure that our detectives are up to par, that the numbers are there. And I know you know I'll push and I know the members here on Public Safety will push, because we want to be sure that when crimes are being committed, we have the adequate staff to do the investigations. Arson Squad was one that we had talked about some time ago. I believe there's a -- I know we had recently a retirement in the Arson Squad. Are we going to fill that position? You know, are we automatically backfilling some of those positions? You know, I talk about Sergeants; you know, they're your first line of defense. They're the ones who oversee your Police Officers, you know, on the street making sure that we have adequate staff to oversee our police officers while they're on the job. But it is -- I am a little surprised when I see the difference in the numbers here per precinct. And so that leads to my next question, our overtime costs. Do you have those numbers right now?

CHIEF BURKE:

I don't have those numbers now. And as you know, the expert on the money in the Police Department is the Police Commissioner.

CHAIRPERSON BROWNING:

Right.

CHIEF BURKE:

And I will say this, Legislator Browning. Again, you've been a big proponent in filling police department positions and we appreciate it. That what I've been discussing with the County Executive's staff is instead of waiting -- you know, traditionally what we've done in the police department is you wait til there's a bunch of vacancies and they ask to get them filled, to try to fill them on a more incremental basis. You get two retirements in July, we make two and that's what we're working on doing now, instead of waiting for a while to get -- because you see the big promotion ceremonies come and, you know, we're, All right, we've lost a Sergeant, let's fill a Sergeant, and the likes.

CHAIRPERSON BROWNING:

Right.

CHIEF BURKE:

So we are working towards that instead of what we have traditionally done in the past. And I think it's more palatable that when you're getting -- signing SCINS, instead of coming over with a stack of

SCINS, you're coming over with a handful of SCINS.

CHAIRPERSON BROWNING:

Right. Because I believe with the new contract, with the new PBA contract, that I don't believe we have had a class graduated yet under that new contract; am I correct?

CHIEF BURKE:

I think we have. I think the last class is the new cops.

CHAIRPERSON BROWNING:

One? Okay, one, so obviously they made an agreement that they're coming in at a lower salary, taking a longer time to get to, you know, the higher steps. So clearly I want to be sure that our overtime costs are not out of control, that, you know, we could be saving money, bringing in new police officers. And we have said it often, the average number is 80 plus that retire. Say again? Oh, John, he might? I don't know if John has any of those numbers. But, you know, our retirement numbers never match up to the number of new classes, the number of new Police Officers per class. And it's always been traditionally between 60, 65. And you know, when you're talking about intelligence-led policing, you know, the guys who are in the neighborhood, I mean, my COPE officers, you know, the sector cars, they're the ones driving around, they're the ones who see everything, know what's going on, and they're collecting information to send it to whoever. And if we don't have enough of them patrolling on the street, that's my concern, is that things get -- you know, things happen. And the 911 calls come. You know, more than one 911 call, we need to make sure we have enough. Because I know we have had some issues with delays in response time with police officers; not their fault, it's staff levels.

So again, I just want to make sure that we are adequately staffing our precincts. And what do we need to do to get to that point? Obviously provide more funds. But I just think that the ground troops are the ones that you need, you really need them a lot.

What was the other thing? I think most of the questions have been asked. Now, when does this next class start?

CHIEF BURKE:

Well, right now we did -- the process is we have to go through the people who have previously declined on the list.

CHAIRPERSON BROWNING:

Okay.

CHIEF BURKE:

We had orientation last week, three days of it, and then the packets are due back, I believe it's Tuesday, so we'll get a good sense on Tuesday of how quickly this is going to progress. But, you know, I have put additional personnel in Applicant Investigations to speed along the process.

CHAIRPERSON BROWNING:

Okay, good. And, you know, obviously if a couple drop out within the first week or two, you're able to backfill those empty slots?

CHIEF BURKE:

That's what we want to do.

CHAIRPERSON BROWNING:

Okay. I don't know that there's -- oh, Monica?

LEG. MARTINEZ:

Thank you. Hi, Chief.

CHIEF BURKE:

Hi.

LEG. MARTINEZ:

I was going to say good morning, but it's almost afternoon. Now, just pretty much just summing up what everyone has stated here. My concern obviously is to gangs over in the 3rd district, the 3rd Precinct. And it's very sad and disheartening everything that's taking place, and I definitely agree that we need to get them from young and going through the schools is going to be necessary. And I guess my question really pertains to the detectives that are in there, okay, at the 3rd Precinct, or any precinct, especially the ones -- you know, 1, 2 and 3 that see most of the gang violence and drug violence. Are the detectives trained in gang relations, you know, in terms of what to look for, in terms of the specific gangs within that district?

CHIEF BURKE:

Yeah. You know, part of what we do now is -- I mean, years ago a guy would catch a robbery, he catches a robbery and he handled it sort of in a vacuum. Part of the way that we do business is we want to figure out the motivation, what caused that robbery; was it drugs, whatever? So the Detectives who catch cases in the 1st and 3rd Precinct -- and they're very, very busy, they're very, very good Detectives -- they understand. They're tasked with understanding how that particular event factors into the web of all of the other events. And that's done through their precinct Detective Squad Commanders who come out -- I mean, on a weekly basis we have these precinct Detective Squad Commanders coming out to discuss how these crimes are interrelated and whatnot. So they're very, very aware of what generates and motivates crime. They're responsible for that, and their bosses are, too.

LEG. MARTINEZ:

Okay. And I know that we are going to go into Executive Session, because there is a case that I would obviously like to speak to more in-depth about and we can't do it here in public. But just knowing that, yes, they are trained in that area just makes me feel a little better, so thank you.

CHIEF BURKE:

You know what it is, Legislator? It's part of everything we do in those precincts. You know, it's so much motivates police work in those precincts that the cops necessarily have to be emersed in knowledge of gangs.

LEG. MARTINEZ:

Thank you, and I appreciate everything that you do and your fellow officers. So thank you.

CHIEF BURKE:

Thank you.

CHAIRPERSON BROWNING:

Okay, sorry about that. And Legislator Trotta, you have another question?

LEG. TROTTA:

I just have one other question, two other questions. When I was in the 1st Precinct there were 50 shootings, 50 people got hit and not one pressed charges during -- I guess it was like a year time period I was there. What are you doing to get these people to start pressing charges?

CHIEF BURKE:

Well, as you're well aware, Mr. Trotta, that's a perennial problem with uncooperative victims and witnesses in many of these shootings. Now, I don't know that necessarily the 50 people not being hit and people, you know, not pressing charges, I don't have that number in front of me, but that is a tremendous issue that all of us in law enforcement face.

One of the -- well, there's investigative techniques that you're probably aware of that we can undertake, and to dance around it a little bit is when someone gets shot and they're not dead, they're able to communicate, they're going to communicate with certain people, so that's a lead. Who -- after someone gets shot, who do they communicate with? That's a lead to trying to piece things together.

The second thing is the judicious use of the Grand Jury. Now, you've got to be careful. As probably you're aware with a Grand Jury, if you put the wrong person into a Grand Jury, you could give them immunity. So when carefully figuring out who you're going to put in, that's a tactical decision that's made with the prosecutor, but it's a tremendous problem; uncooperative victims. Uncooperative shooters -- withdrawn, uncooperative witnesses. But we have had some success, albeit limited, in forcing people to testify.

LEG. TROTТА:

And the next one is there's no reckless endangerment on here. I mean, a reckless endangerment is an assault or a murder but just missed. So you don't keep any stats on that?

CHIEF BURKE:

No, we --

LEG. TROTТА:

You're not required to?

CHIEF BURKE:

Well, it's not reported in the index. That's not one of the index reported crimes. So of course, as you know, reckless endangerment is a big, big thing that drives our resources.

LEG. TROTТА:

Thanks.

CHAIRPERSON BROWNING:

Okay. I don't think there are any more questions. But I guess -- oh, overtime costs, and I think Mark White was going to respond to some questions that Kara had; am I correct?

CHIEF WHITE:

Now?

CHAIRPERSON BROWNING:

But just out of curiosity. Chief?

CHIEF BURKE:

Yes.

CHAIRPERSON BROWNING:

You know, I know that I mentioned overtime costs. If we could get -- I don't know if you have it, what's been budgeted versus what the actual costs are, I would appreciate it if we could get that. Do you have it?

CHIEF WHITE:

I can answer that.

CHAIRPERSON BROWNING:

Oh, you have it, Mark?

CHIEF WHITE:

Yeah.

CHAIRPERSON BROWNING:

Oh, okay. There you go. And there were some questions, I'm drawing a blank on what the questions were that you had, Kara, but I think the Chief knows.

CHIEF WHITE:

Good afternoon. I'm Mark White, Chief of Support Services, Suffolk County Police Department, and I'm here today to answer any questions you may have. I know you mentioned Legislator Hahn's request, which is still in the process, and if you wouldn't mind, I'll just give you an explanation of that.

The request is fairly expensive. It's not regularly captured or available information that was a push of a button type of a search, so it's a customized search with IT personnel, the main one of whom is out on family leave, so we've been plugging people in as we can to get your request. But we do have the detention statistics, but some of the other statistics, like you had asked for, for example, each precinct's average daily number of calls for the last five years. You know, I just ran six months of that and we do have that done; that's 500 pages and you're looking at like 5,000 pages for the entire -- we're not printing it, but it's 500 pages if printed and about 5,000 pages if run. So it's taking us some time.

LEG. HAHN:

And it also differentiates calls versus dispatched calls, because obviously you could get multiple calls.

CHIEF WHITE:

What you asked for is calls for service, so we would just give you calls for service.

LEG. HAHN:

What I asked for was average number of daily dispatched calls over the last five years.

CHIEF WHITE:

Right, that's calls for service that are dispatched.

LEG. HAHN:

Right, because 20 calls could come in on on one car accident.

CHIEF WHITE:

Yeah. No, we're not going to give you the 20 calls.

LEG. HAHN:

No.

CHIEF WHITE:

We're going to give you the single call that they actually went to.

LEG. HAHN:

Whatever you have would be helpful.

CHIEF WHITE:

The detention statistics I do have.

CHAIRPERSON BROWNING:

Do you have a question?

CHIEF WHITE:

So, you want us to get you that separately?

LEG. HAHN:

I'm sorry?

CHIEF WHITE:

We'll get you that separately?

LEG. HAHN:

Well, whatever you have today, if you want to tell us, I think everyone would -- there would be value for everyone to hear. If you have the detention.

CHIEF WHITE:

Well, what you were looking for was the precinct daily holding cell numbers over the past five years. We run about a 15,000 prisoners lodged per year. So I think it's probably much easier for me to just give you this page, so that's 2009 through '13, by precinct and the average number of people who were lodged in a precinct in each of those years. And you asked for the total number of cells which are also delineated here. You know, I don't -- if you want me to read that, I certainly can do it, but it's kind of repetitive.

CHAIRPERSON BROWNING:

I think maybe just share it? Do you want him to read it?

LEG. HAHN:

Okay, and then we'll -- we may need to ask about it next time after we've had a chance to review.

CHIEF WHITE:

That's fine.

LEG. HAHN:

I'm sure everyone will want to see the numbers.

CHIEF WHITE:

We'll continue working on the rest of the request. I mean, what I was going to propose, if possible, is I could get you like a January/June, that's what I tried to have them run for these calls for service, Police dispatch calls for each precinct and with a monthly total, which I could put like on a page for '12, '13 and '14, if that's good, to start, rather than having --

LEG. HAHN:

That's good to start. Thank you.

CHAIRPERSON BROWNING:

Okay. Overtime costs, and I guess, John, you had another question?

LEG. KENNEDY:

Well, it's a question and just a general comment. And Chief, it's something that I've heard about, Chief Burke and I talked about the fact that we have the 65 cadets coming in, I guess, that we're going to see. And so I guess what I'm wanting to hear from you, I hope, is that we'll see less of what I had heard about as a phenomena and then on Sunday I saw firsthand. At the Ronkonkoma Street Fair, we had two officers from the 3rd Precinct who were there for, you know, just general coverage. I had been hearing through the grapevine that in an effort to deploy the number of officers that would be normally put out for a particular shift, that there are officers moving from one precinct to another.

Now, look, I know our officers are all trained. I'm not saying that they only get trained in, you know, the 4th or the 6th or what have you. But that's somewhat atypical from what we would optimally want to see, I believe. We want to see officers from a precinct in a precinct.

CHIEF WHITE:

Well, not necessarily for an event, a special event. You know, we staff really for average need. So when you have a special event and you have a need for additional police officers, you're going to want to get them as most efficiently as possible and in the most economical manner as possible. That's not phenomena by any means, that's been going on for at least 15 to 20 years where when we have a special event, the Patrol Division takes all the police officers as theirs, regardless of where they're assigned, and instead of calling in officers on overtime from one command, we utilize the officers from various commands who may be a COPE officer, may be a Crime Section officer that wouldn't be coming out of a sector car.

LEG. KENNEDY:

We had a number of others there that were our COPE folks from the 4th and, you know -- again, I'm not trying as a layman to try to micromanage. To me, it just seemed to be a little bit of an aberration but if that's something that easy been practice and it work from an ultimate you know protection purpose that's fine.

CHIEF WHITE:

It is standard practice.

LEG. KENNEDY:

Okay, good enough. Thank you.

CHAIRPERSON BROWNING:

And John, you know, just to tap on that. I mean, you know, my husband is a City cop and I know that they do the same thing in the city; 35,000 cops, but when an event occurs they come in from everywhere.

LEG. KENNEDY:

Madam Chair, listen, I -- the discussion in some respects is almost something germane to what we would do in Executive Session, because there's another factor to this. I know in the 4th three, of our precincts get collapsed. Now, we get them collapsed based on the fact that we've got less activity, like in the Smithhaven Mall, you know, and a couple of other places, we go from 17 down to 14. I just want to make sure that in each time we get those types of actions, it's being done based on degree of activity and not lack of personnel. That's the horse that I'm beating here at this point.

CHIEF WHITE:

That's absolutely the case. And it's not -- I don't know what word to use, but it's not closed down per se. Legislator Hahn, that's one of your requests that's in the process also. It's not closed down per se, it's --

LEG. KENNEDY:

Expand, I'm sorry. Perhaps maybe -- I don't want to misrepresent. What happens is a sector that during a particular period of time on the clock, like a mall or something like that, that's exclusively commercial activity, wouldn't ordinarily see the same types of things, doesn't get the exclusivity that it has during normal day hours. Let me be very clear; I'm not saying that we go ahead and we just whole-scale abandon a particular piece of geography, that's not my statement. But what I --

CHAIRPERSON BROWNING:

John, take a ride into the City for the West Indies day Parade, take a ride into the City for New Year's Eve and you will see cops from Queens, from everywhere covering Manhattan and covering those events. That's typical, that's nothing unusual for a police department to do that.

LEG. KENNEDY:

Okay.

CHIEF WHITE:

But your question --

CHAIRPERSON BROWNING:

I'm sure Tom will say the same thing. However, you know, I'm not going to say we don't need more per precinct, we absolutely do. But, you know, again, these guys don't sign the SCIN forms --

CHIEF WHITE:

But your question is different, Legislator.

CHAIRPERSON BROWNING:

-- and that's up to push SCIN forms signing.

CHIEF WHITE:

I'd be glad to answer your question, Legislator Kennedy. Your question is different than the special event question. This is a regular routine overlay and it's based on exactly what you said. It's not necessarily a sector that has a mall in it, but it's based on sectors that have a lower calls for service volume between 11 PM and 7 AM. So rather than have police officers staffed full-time that squad four and five midnight tour, we need less on that tour and we need more on the tours where the activity is greater, so they do this overlay. And the overlay is exactly what you say, it's where surrounding sectors now take a bigger piece of the pie and cover that sector where that car is out of service for that eight hour period. But that's well established because that was in place 33 years ago when I came on the -- in the police department. I was a 201 operator in Huntington Village as a new cop and 217, my adjoining sector, was closed down on that night tour, so I used to pick up about a third of that sector in addition. So that's really well established, that's nothing new.

LEG. KENNEDY:

Okay.

CHAIRPERSON BROWNING:

Okay. Mark? We were asking you, you said you had the overtime numbers.

CHIEF WHITE:

Yes.

CHAIRPERSON BROWNING:

(Laughter) So I'm trying to keep us there. If you could do that, please.

CHIEF WHITE:

This year's adopted budget for overtime is \$30 million. This is ballpark; I'm speaking off the top of my head, obviously. Our estimate for expenditures is going to be a little over \$36 million. We had anticipated we were going to go over, because our request was a little more and we were hoping to put restrictions in place and Chief Burke works with the Chief of Patrol, Chief Meehan, and Chief of Detectives, Chief Madigan, the two divisions that really generate the patrolmen by far, the most overtime, and the Detective Division, next up on that, to put restrictions in place wherever possible.

As you heard, in our fight in crime, we've had times where we've had to put out, in order to protect the public, numerous Detectives and Police Officers. Unfortunately, most of those go out on overtime, along with once in a while and other special events that come up that may take more officers that we can't deploy from other precincts as to there, and of course there is. The biggest piece of our overtime is from personnel shortage and that's trying to be addressed through our request for, and now granting of, additional police officers. And we're also hopeful to get the 36 Park Police Officers as soon as we possibly can, because that will also help us reduce that overtime. And that's where our numbers are anticipating that both of those things will occur prior to the end of this year.

CHAIRPERSON BROWNING:

Okay. Because with this new contract and new officers coming in, it would be much less expensive. You know, curiosity is -- and I know I went through this with Corrections on their overtime costs, how they had gone up substantially because their staffing levels were not adequate. So, you know, I'd like to see, could we reduce our budgeted overtime with new police officers who are going to cost us less money? And have you done the numbers on that?

CHIEF WHITE:

You know, that's always a balance and, you know, there's pros and cons to everything you do. You have to remember when you're hiring new police officers, since their salary is so low, you're paying a tremendous percentage in benefits in relation to salary. You know, where it might be 20% of salary or 25% of salary, even 30% of salary, it's probably for the first year over -- it is over 50% of their salary. So that brings up the first year cost of the officer. And remember, you don't have them to come out and reduce overtime for the first nine months because they're in the academy and field training.

CHAIRPERSON BROWNING:

Right.

CHIEF WHITE:

So during that time you're paying those officers, you're paying their benefits and you are still bringing people in on overtime.

CHAIRPERSON BROWNING:

Right.

CHIEF WHITE:

Later on, especially in year two and especially if we don't enough police officers to keep the personnel shortage where it is now, percentage of overtime, then we will certainly be saving money in each post -- each year post first year for over salary versus overtime.

CHAIRPERSON BROWNING:

Right. And I know that the Operating Budget group will be meeting shortly, so I think that is something that we should be looking at. Realistically, if we were to start a class next year, how many could we budget for, should we budget for. And taking a look at, you know, the budgeted overtime and saying, Okay, instead of having this much money for budgeted overtime, how many

more cops could we get that would create a better balance. And obviously more police officers on the street is better than what we currently have.

CHIEF WHITE:

Just one thing. Remember, there was a temporary increase before you get that savings.

CHAIRPERSON BROWNING:

Right.

CHIEF WHITE:

With a lot of expenditures. But on your point, the Commissioner discusses this really weekly with the County Executive's Office regarding the overtime versus hiring. So everybody is trying to get on the same page as to what's the best way to go. And more importantly, what's fiscally viable, you know.

CHAIRPERSON BROWNING:

Right.

CHIEF WHITE:

It has to viable to spend money to save money.

CHAIRPERSON BROWNING:

Well, hopefully he's listening, because I see the numbers are not -- you know, they're not any better than what they've been since '09, so we certainly want to see an improvement in the process. Any other questions? Kara, you had one, or no?

LEG. HAHN:

Well, on the related note to the discussion before we got to overtime, although it is slightly related to increased numbers. I would imagine you should be able to answer the new sector car questions; like when was the last time new sector cars were created in each precinct and why, etcetera.

CHIEF WHITE:

Well, in generic terms I'll give you why. I don't know how the three that were created, which one weighed more in the decision making. But three were created since 2004, one in the 5th Precinct, one in the 6th Precinct and one in the 7th Precinct.

LEG. HAHN:

Five, six and seven.

CHIEF WHITE:

And some of the factors that go into that are pretty much the factors that you actually --

LEG. HAHN:

Right.

CHIEF WHITE:

Identified in your --

LEG. HAHN:

Population increase.

CHIEF WHITE:

Yes, population increase, resident increase, call volume increase, you know, trying to keep response time to some kind of reasonable figure.

LEG. HAHN:

And since 200 and -- it was 2004 that all those three were created?

CHIEF WHITE:

The 7th Precinct was 2004 and 2006 were the 5th and 6th Precincts. But that's another one that -- with Chief Burke, the Chief and Chief of Patrol, you know, do regular analysis to try to make a determination as to whether or not you might need to either realign, which has also happened, in addition to sector additions, or try to add, if possible.

LEG. HAHN:

No, I think we're feeling the population growth in these precincts that continue to need additional sectors, so we'll have to talk about that in more detail. Thank you.

CHIEF WHITE:

You're welcome.

CHAIRPERSON BROWNING:

Okay. And so I don't think there are any more questions. And again, you know, I heard a lot of kudos for each of our precincts, and I can give you an example. I sent an e-mail to the Inspector, Deputy Inspector, the Captain in the precinct and I can tell you, it doesn't matter whether its ten o'clock, eleven o'clock Saturday or Sunday night. You know, it amazes me sometimes. I'm just sending it. You know, I might get a complaint, an issue on my phone and I'll go ahead and forward it to this precinct and think, *well, I'll hear from them on Monday*, and sometimes within 30 minutes or less I'm getting a response back. So I have to say, we definitely have some good bosses in our precincts and we always appreciate their response, their quick responses to everything that we send to them.

So anyway, with that, there are no more. We appreciate you coming in. I guess you'll have to hang out for the Executive Session. We'll try and get through the agenda as quickly as possible.

I know that we have -- is Mr. Sini still here, Timothy Sini? Hey, he is. If you want to just come up real quick. I'm not going to take much of your time, but I don't know if everyone knows who you are. I was introduced to you. Mr. Sini is the new Assistant Deputy County Executive for Public Safety. So, you know, if you want to just kind of give us a little bit of information about yourself, who you are, where you came from, so that everyone knows who you are.

MR. SINI:

Great. Thank you very much. My name is Tim Sini. I recently came from the United States Attorney's Office in the Southern District of New York. I was an Assistant United States Attorney under Preet Bharara, I worked out of Manhattan. I was responsible for investigating, prosecuting a variety of crimes, but towards the end of my career in the U.S. Attorney's Office, I specialized in gangs, doing mostly gang murder investigations and prosecutions. Many of the same gangs that I prosecuted unfortunately are here in Suffolk County and I'm looking forward to working with you on a lot of these issues, particularly the gang issue, the heroin issue and all issues affecting public safety.

CHAIRPERSON BROWNING:

Okay, thank you. I don't know that anyone has any questions for you. I'm not going to put you under any pressure to answer anything right now, but certainly I'd appreciate it if you could reach out to each of us and, you know, set up a time to talk and we can share the issues that matter most to each of us in our districts.

MR. SINI:

Thank you very much.

CHAIRPERSON BROWNING:

Thank you.

I know we have a few Commissioners. I'm not sure if he's still here; Commissioner Williams, is he still here?

UNKNOWN AUDIENCE MEMBER:

He left.

CHAIRPERSON BROWNING:

No, he left. Mike, you're here for the Sheriff's Department. Do you have any issues or any --

CHIEF SHARKEY:

No.

CHAIRPERSON BROWNING:

Okay. No one is here from Probation, right?

MS. DLHOPOLSKY:

Right here.

CHAIRPERSON BROWNING:

There you are, Patrice. Anything you'd like to bring to our attention?

MS. DLHOPOLSKY:

(Shook head no).

CHAIRPERSON BROWNING:

No? Okay, at this time. Who else am I missing? I know the Medical Examiner was here.

LEG. HAHN:

And Fire Rescue.

CHAIRPERSON BROWNING:

And Fire, okay. VEEB. Bob Holly, do you have anything you need to speak with us?

MR. HOLLEY:

No more. Not unless you have any questions.

CHAIRPERSON BROWNING:

Okay, we'll hold off. And I know the Medical Examiner was here. We are going to schedule a time for him to come in. I think he's finally gotten his feet wet and I wanted to give him some time, but he will come in and do a presentation and speak with the committee in about a month or two.

So with that, I don't think we have anything more. Did I miss anybody? I hope I didn't miss anybody. No? Okay.

So what I would like to do, we still have some people here for 1620, so I'd like to make a make to take 1620 out of order.

LEG. CALARCO:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Calarco. All in favor? Opposed? Abstentions? It is taken out of order.

So now **1620(-2014)** is in front of us, ***Adopting Local Law No. -2014, A Local Law to amend, update and reorganize Chapter 528 of the Suffolk County Code to incorporate changes adopted by the State and to facilitate continuing advancements and modifications of the law in the future (County Executive)***. I make a motion to approve.

LEG. CALARCO:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Calarco.

LEG. KENNEDY:

On the motion, Madam Chair?

CHAIRPERSON BROWNING:

On the motion.

LEG. KENNEDY:

Can I just ask Ms. Blaske to come up to the microphone so I can hear from her about her perspective with the legislation and how she views it for operations of the Human Rights Commission?

MS. BLASKE:

Good afternoon. I'm sorry, I missed the question on the way up.

LEG. KENNEDY:

I just wanted to kind of get some sense from you about how you view this legislation and what your impression was going to be regarding the operations of the Human Rights Commission.

MS. BLASKE:

Sure. The legislation is being proposed to amend the existing law to make it consistent with work that we're doing when someone files State complaints at the current time, and also to make it consistent with other sections of our own law, specifically the housing part.

So the housing part of our law right now has a hearing process that we're asking to include, or we're wanting to include in the rest of the sections of our law. So the handout that you have that shows the investigative process, sums up the investigative process from start to finish. You'll see on the left hand side, after the probable cause under *current County law*, when we're dealing with employment cases and cases of public accomodation, the process pretty much comes to an end.

On the housing side of our current County law, however, once we hit probable cause, we then can send that case to a hearing if it hasn't settled already. And so what we're seeking to do is to make all sections of our own law consistent with one another and provide for that resolution and that hearing process, to also make it consistent with current State law, and to provide certain updates in terms of the hearing process. And also, as you know, in making it consistent with State law, we're also expanding some of it by adding military status, for example, protection for domestic violence victims and other categories.

LEG. KENNEDY:

Are there any causes of action or areas that we have in here that -- would be brand new to the agency?

MS. BLASKE:

Yes. So there are many that -- there are quite a few that are new to the agency under County law, but not necessarily new in terms of what we're enforcing. Because we do have an agreement with the State, we are taking cases under State law as well as Federal Law, so we're already working on those. It will incorporate them into the County law. But the brand new ones for our specific agency would be the added or the protections for pregnant females, the reasonable accomodation for pregnant females and nursing moms, and also familial status and employment being a protected category, essentially.

LEG. KENNEDY:

I see a section in here about fire departments and actions on the part of recruitment of --

MS. BLASKE:

Right.

LEG. KENNEDY:

I tried to read the whole thing as we were sitting here. Just tell me a little bit about what's in there with the fire departments. I was a little surprised to see that.

MS. BLASKE:

That section matches State law, so it's already part of the New York State Human Rights Law that volunteer fire departments are not permitted to discriminate in terms of membership for the categories listed; race, color, sex, religion, those type of categories. There is no age category or disability category with regard to volunteer fire departments, but this particular part matches State law exactly.

LEG. KENNEDY:

Okay. How do you -- you know, we've had this conversation before, I've had it with Rabbi Moss, and you're the person who's basically in charge of the day-to-day. How is the volume of work in the agency going for you now and how do you anticipate it's going to go, assuming that this passes?

MS. BLASKE:

Assuming that it passes, I imagine that we will get some additional cases based on the addition of some of the protected categories, and also maybe some publicity just from the fact of the law passing. It won't dramatically impact the nature of the work that we're doing, because that's the kind of work that we're doing now, only without the necessary hearing process at the end for us.

We're managing the resources so that we can effectively handle the cases that are coming in. We'll have to do that, as Rabbi Moss said, even more so, manage our resources in a way that we're able to meet the needs of the residents and what we're trying to accomplish here for them.

LEG. KENNEDY:

Help me out, because one thing people have never said about me is that I'm politically correct.

MS. BLASKE:

Uh-huh.

LEG. KENNEDY:

What is the resources? How many people do you have working in the agency?

MS. BLASKE:

Okay. We currently have four paid staff members and one intern who is an attorney working with us.

LEG. KENNEDY:

Okay. And so each of them -- what's the typical caseload for an investigator?

MS. BLASKE:

The current caseload is roughly around 40 cases per investigator, which is a very active caseload dealing with the kind of time constraints that we have and statutes of limitations for filing.

LEG. KENNEDY:

I see there are very specific timeframes to hit here, times in which you've got to undertake the investigation, times to notice the parties, times to do all those things. So you have approximately 160 open cases right now?

MS. BLASKE:

No, because we only have two Investigators.

LEG. KENNEDY:

Oh, I'm sorry, two. When you said four, I thought they were all in those SCINS. We have two Investigators? Okay. Do you turn cases away because of a lack of ability to be able to process them?

MS. BLASKE:

We haven't been turning cases away. What we do is we're sort of giving priority to cases that we feel need the most immediate attention. So for example, if someone were to come to our office or call our office and say that they were terminated from their employment yesterday or this morning, we would try to make them an immediate priority to get them back to work, to figure out what happened. The longer they're out of work, the more difficult it is for us to then get them back; someone else gets hired or whatever happens in the meantime. Where someone who contacts our office who lost their employment maybe two months ago may be -- or has already found something else, they might be able to wait a few more weeks for an appointment or two weeks for an appointment where this other person couldn't.

LEG. KENNEDY:

If that party -- if that person disagrees, I guess, with the prioritization, they still always have the opportunity to either go to the State Human Rights Commission or to EEOC as well?

MS. BLASKE:

Yes.

LEG. KENNEDY:

And you make them aware of that when you have this discussion about the priority.

MS. BLASKE:

Definitely.

LEG. KENNEDY:

Okay. I also was somewhat surprised, but I guess it's good that I know, that our County employees are specifically excluded from being able to seek assistance through you because of, I guess, what we would have as far as a conflict. So if a County employee feels that they've been discriminated against -- for whatever reason, whether it's race, medical condition, ethnicity or whatever -- and they call you, what do you tell them?

MS. BLASKE:

We tell them to -- we tell them that there is an internal process, there's a designee process that they could go through. They could contact their designee for --

LEG. KENNEDY:

So every department is supposed to have somebody named that's supposed to resolve these types of discrimination cases.

MS. BLASKE:

They do, yes.

LEG. KENNEDY:

Yeah, I've got to get a copy of that. Okay. All right. Well, thank you very much. Good luck with it. I mean, you know, you're expanding scope, it's all good stuff that should actually be done. I don't subscribe to the do more with less because that usually means much less gets done. So I expect we'll hear from you soon that you need more people, because there's a lot of stuff that goes on here. Thank you.

LEG. CALARCO:

Thank you, Legislator Kennedy. Ms. Blaske, I have a quick question for you. And getting back to the question for from two-and-a-half hours ago with Rabbi Moss, and that's can you maybe walk us through the adjudication process, how a case comes in, what you do? I know you touched on some of that with Legislator Kennedy and then that due process that individual receives to make sure that there's, you know, a proper procedure in place.

MS. BLASKE:

Sure. So when a complainant comes into our office to file a complaint -- and again, going back to the graphic, you can see, assuming that the case is jurisdictional for us, meaning it happened in Suffolk County, it happened within the last year which is the statute of limitations, and meets some other criteria, we'll take on the case. And there's basis; there's a basis and fact for the complaint. We'll take on the matter, either by an inquiry which could be a letter or a telephone call, something to quickly resolve and see if we can, like I said, get someone back to work or just figure out how we can help out, or we can go directly to a formal complaint. Sometimes the inquiries wind up being a formal complaint, but sometimes the cases start immediately as a formal complaint.

I want to just say, respondents across the board are very cooperative either process with us. We have very little difficulty working with respondents throughout the County in trying to see these cases resolved. So respondents are notified immediately when someone files a charge that there is one pending so they have notice. They also have the opportunity to respond to the allegations. We suggest that they put everything in writing so that it becomes part of the record in their own words. We have also respondents call us for help, assisting them, walking them through the process. They've never had a complaint against them before and they're not really sure how the process works. We're an impartial agency, we're more than happy to provide either party with information about the steps of the process, and we do.

Once a respondent answers the complaint, that complaint -- that answer goes to the complainant for a rebuttal. So the complainant then will answer the respondent's answer and provide maybe even additional information, which we will then share with the respondent again, that answer and that additional information and give them an opportunity to respond once more.

The investigator throughout this process is developing an investigative plan, honing in on what the important facts are, what the key issues are to be resolved and how we can get that information; these are through witness interviews which we arrange with the respondent and that attorney, usually; it's on-site visits, should we bring everyone in for a conference, a fact-finding conference. So there are many opportunities along the process for both parties to have input, provide their answer, their response, evidence in their favor, witnesses, and we encourage it. And then at the conclusion of the investigation, if it has not already been conciliated, which we have been very successful in doing and we try to encourage it throughout the process, then the case will either be

recommended for a probable cause finding or a no probable cause finding. If there's a no probable cause finding, then the case ends there and the complainant has the opportunity to appeal that within 60 days to the court. If there is a probable cause finding, it's put on the calendar for hearing, the parties are noticed for the hearing, an Administrative Law Judge is selected to preside over the hearing. And again, both parties are present and they, from the beginning, tell their story again, they both -- for both perspectives. The complaints tell the Administrative Law Judge what happened to them, the respondents tell the Administrative Law Judge what their perspective is. The Administrative Law Judge would then issue a recommended order and it either is adopted or not by the agency and then that becomes the final order if it is; if it's not adopted, it gets amended and then that becomes the final order.

LEG. CALARCO:

Okay, great. Thank you very much. Just out of curiosity, how many case -- and excuse me if I missed this earlier and you answered the question. But how many cases did you have, say through the course of last year, how many were resolved before having to go to an Administrative Hearing Officer and how many actually had to go that far and if and how many fines were levied?

MS. BLASKE:

With the caseload we had last year, which was close to -- I think it was about 160 or 170 cases that we had last year, and they -- just a fraction of them actually wind up as probable causes that wind up at a hearing, and that number is somewhere, it usually fluctuates somewhere between like 10 and 15 a year of that initial number wind up. Because all along the process we are trying to resolve, and that's our hope that we can resolve it.

LEG. CALARCO:

And did any of those end in a fine or some sort of penalty imposed upon somebody?

MS. BLASKE:

If any of them had, then they would have been -- the State would have held that hearing and would have collected that final penalty.

LEG. CALARCO:

We don't -- I thought we had the ability to impose penalties at this point in time.

MS. BLASKE:

The law provides for the penalties, but there's no mechanism for collecting it or holding the hearing to enforce it.

LEG. CALARCO:

Okay. Thank you.

MS. BLASKE:

You're welcome. Only in housing; the only place that there is a mechanism is in housing. But roughly 60 to 70% of our cases are employment and public accommodations combined, and that's where we're lacking.

LEG. CALARCO:

So then we hold the hearing, we may make a determination, but then we have to refer that to the State for ultimate action, enforcement of that action.

MS. BLASKE:

Correct, yes.

CHAIRPERSON BROWNING:

Legislator Spencer, you have a question?

LEG. SPENCER:

I'll be brief. I wanted to quickly follow-up with the question that I think Legislator Kennedy had asked with regards to if a County employee has an issue, then there's an internal process --

MS. BLASKE:

Uh-huh.

LEG. SPENCER:

But they're conflicted. It's -- I guess my concern is you're the expert in terms of doing this and the whole point of having a commission or a complaint process is that you need to get out of the organization that you're making the complaint of.

MS. BLASKE:

Right.

LEG. SPENCER:

So our County employees -- can you speak to where there would be some separation, if there was a complaint with a County employee, that would make this internal process adequate? Because that's the whole reason you exist is when the internal process fails an outside organization, so why should we be any differently? And why should you be conflicted, if you're the expert, because you're part of the internal process.

MS. BLASKE:

(Laughter), okay. So the internal process -- so if a County employee contacts us, we do tell them about the internal process. If they were to say to us, *I'm not comfortable going through that internal process, or Is there somewhere else I can go, or The problem is my designee. The person I'm supposed to report to is the person giving me the problem.* We advise them that they could, of course, go to someone else, a higher up in their department. And if they're not comfortable, they could file a complaint with the New York State Division of Human Rights which is the other administrative agency that handles complaints within Suffolk County on the administrative level. But we are part of the County, we are a County agency, we're also a County agency within the County Attorney's Office currently. So taking the complaint and serving it on the County would be taking it, in essence, against ourselves, in a way, being in the same department.

LEG. SPENCER:

The internal process, could there be a complaint served through the internal process?

MS. BLASKE:

There is an inform -- there is an internal process for the designee to investigate complaints which occur within the County by, you know, employees that have filed, there's a whole process outlined. I'm not an expert on that particular process, it's not what we enforce, we're enforcing this Human Rights Law, but there is a process. And I have assisted other County departments in their own investigations of things within their departments when called upon to do that. Okay?

LEG. SPENCER:

Okay. But that's not necessarily relevant to us passing this legislation here.

MS. BLASKE:

No. Okay.

LEG. SPENCER:

So I won't take up any more time. My question has been throughout this process, and I have been just extremely pleased with the Administration providing me with information, but I will take it one more time because I think we've resolved it, and that was removing age as a protected class. And then, again, my concern has always just been agism is something that is a problem. And so we're just really talking about I understand removing it with regards to understanding we need housing situations at maybe age specific, that we need to remove it.

I'm still -- I support this legislation. I wish we could -- because by removing it as a class overall, even with housing issues, because I can understand how you may need to have senior housing, but there could be also some age discrimination in housing issues. So I just am concerned about an unintended consequence, and I don't know if you have any information that would just give me a little more comfort? Because I think -- you know, I am a physician initially at the VA Hospital, and so just working and understanding age discrimination issues is something that I just have some familiarity with as a physician. So I just don't want to have where we have a great law that's advancing human rights in Suffolk County and we have the consequence of removing this particular protected category. You know, I just wish we maybe could do that differently and maybe there would be room for that later. What are your thoughts on that.

MS. BLASKE:

I definitely appreciate your thought about it in the unintended consequences. And even in working on the draft of this law, we paid very close attention to and really tried to consider what unintended consequences might arise from every part of the legislation that we are working on. And having worked in enforcing this law for 15 years now, trying to think of things from a practical perspective, a day-to-day enforcement perspective, I see that leaving age in, like I had previously mentioned, you know, the exceptions begin to swallow the rule, because there are so many places in which we have age restrictions when we're talking about public accommodations. And I want to just be clear also that it's only within the public accommodation section where we are removing it. But when you're thinking about different types of things, I had mentioned the last time establishments that serve alcohol limiting entrants to people under 21. But to expand on that, we have it in many other places; rock concerts not allowing children in under 16, movie theatres not selling tickets to patrons who are under 17 for an R-rated film; an arcade not letting children under 15 or 14 without a parent, and it just -- there are so many different ways -- a health club not letting a minor use the machines without a parent present. I mean, it just comes up in every facet, that to make exceptions for each one of those places of public accommodation when we're specifically talking about age, we would have to make so many exemptions and then what are the cutoffs, what are the ages? Is the arcade okay at 14; should it be 16? So we get into those.

And like I had also mentioned age being unlike other protected categories in that everyone, hopefully, will be young and old and middle-aged, but it's a different story when we're talking about race and when we're talking about national origin, you're one race, you're one national origin. And so the law treats age in a different way, and there's more -- there's more, I guess, a relaxed look at age when we're talking about discrimination.

LEG. SPENCER:

You answered my question beautifully.

MS. BLASKE:

Okay. Thank you.

LEG. SPENCER:

And you've given me a much better comfort level. I appreciate that.

MS. BLASKE:

Okay. Thank you. Could I just --

CHAIRPERSON BROWNING:

Okay. So I don't think -- yes, sorry.

MS. BLASKE:

In case I wasn't clear, I just wanted to just make sure that the understanding about us holding the hearings or the State holding the hearings. Currently, under our current County law, only under our housing section do we have the Administrative hearing process. The other two sections that exist currently don't have the hearing process which is why we send them to the State for the hearings. If we have the hearings -- in the County law, we would hold them here. I just wanted to make sure I was clear about that.

CHAIRPERSON BROWNING:

Sure. Go ahead, Rob.

LEG. CALARCO:

Is there a specific reason we don't have the authority, you don't have the authority to do the hearings? Is it simply that we haven't passed or given you that permission? Is it something that the State preempts us, doesn't allow us to do it?

MS. BLASKE:

No, that's not it. We have the authority as long as it's in the law. And so when the law was amended in 2006, the housing section only was amended and it provided for the hearings.

LEG. CALARCO:

So we simply haven't given that authority to do it.

MS. BLASKE:

Correct.

CHAIRPERSON BROWNING:

Okay, good?

LEG. CALARCO:

We're ready to go.

CHAIRPERSON BROWNING:

Okay, so we had a motion and a second. All in favor? Opposed? Abstentions? Okay, **1620 is approved (VOTE: 6-0-0-0).**

MS. BLASKE:

Thank you.

CHAIRPERSON BROWNING:

Thank you.

1324-14 -- this is **Tabled Resolutions**, we're back to the tabled resolutions, **Directing all County departments and agencies to update multi-line telephone systems to directly dial 911 (Trotta).**

LEG. HAHN:

Motion.

LEG. KENNEDY:

Second.

CHAIRPERSON BROWNING:

There was a motion and a second. Motion, Legislator Hahn, and a second --

LEG. KENNEDY:

Motion to approve.

CHAIRPERSON BROWNING:

-- by Legislator Kennedy. How are we doing?

MR. VAUGHN:

We are -- we're doing well, we're making progress. We have gotten information back from Verizon. Verizon is telling us that they believe it will cost us \$165,000 to make the correction, or to make the change that is being requested. Our IT department has a meeting scheduled for September 15th to discuss this further, and in addition we have been forwarding information to Dennis Brown in our County Attorney's Office to ask that he review as to whether or not he thinks -- I'm sorry. We have been sending information down to Dennis Brown to see if we think that this is something that we should be paying for or if it is something that we can negotiate with Verizon to get them to cover.

The other concern, and I've checked on this now that we have an idea of what the cost would be, is the implementation of the bill. In the legislation itself, it's telling us that we have 120 days to implement. And while we are committed to doing this, one, we need to pay. If we're going to pay for it, we need to determine that; B, we would need to find an offset; and C, we would need to make -- we would like to see changes made to the 120-day implementation because we don't think it's a -- we don't think it's possible to implement that quickly, and Verizon doesn't think that it's possible for us to implement that quickly. So those are some of our concerns. And again, and I've said this I think now for consistently we support this and we want to see this happen, we just want to make sure that we're not being set up for failure here.

LEG. KENNEDY:

Can I -- one comment on the second. And thank you, Mr. Vaughn. I will bring to your attention, you know this already, that there is an ongoing dispute with Verizon regarding the failure to properly remit on the cell phone surcharge. And that, in fact, the Comptroller has begun to withhold about 300,000 in surcharge that Verizon failed to properly remit, and so, as a matter of fact, I believe what they're doing is they're offsetting our monthly average Verizon bill. That would be a great place to go ahead and just grab 165 grand if they say that, in fact, that's what the cost would be. I tend to think it should be a lot less, but we'd bang them right there.

MR. VAUGHN:

And Legislator Kennedy, I don't necessarily disagree with you on that. I mean, it certainly seems like a practical thing, but I think that that is -- that would also be why we should maybe entertain a tabling for at least one more cycle to at least have Verizon and our people meet, which is supposed to take place on September 15th.

CHAIRPERSON BROWNING:

Okay. Well, my question, George, I know that we had a bill that was passed quite some time ago by Legislator Stern, and if we know there's a \$165,000 attachment to this, wouldn't we have to find an offset, or are we going to have to look at the operating budget? I mean, is the bill now going to have to have an offset?

MR. NOLAN:

Well, I think Mr. Vaughn mentioned that the effective date is based on 120 days after this, so that would put you into next year. If it was going to happen this year, you would have to find an offset of \$165,000. If you pass this resolution, then I think it's incumbent upon the Legislature to put \$165,000 in next year's budget to accommodate this.

CHAIRPERSON BROWNING:

Okay. The sponsor, you want to --

LEG. TROTTA:

I have no problem with tabling it. I mean, I don't want to spend \$165,000. I mean, it's been my argument all along and it should be the County's argument that they sold us a system that doesn't work. I mean, who has a system that you have to dial another number before we dial 911. And I think if the County Attorney speaks to Verizon and I think that if we pushed this correctly, they should be able to pay for it.

CHAIRPERSON BROWNING:

Okay. I mean, I can make a motion to table based on the sponsor's comments. Granted, I agree that I think we should -- I would like to see it move forward, too, being that we just passed it to force hotels and motels to do it. But clearly, if the County's going to try and negotiate that 165, maybe we should try and table it. I've got two hands up. Kara? Ladies first. (*Laughter*).

LEG. HAHN:

My hand was up first.

LEG. KENNEDY:

Yes, it was.

LEG. HAHN:

So two things. I think we may need, maybe through Government Ops or something, I think some of the numbers that have been bandied around about the number of phone lines we have seem quite outrageous in my mind, given the number of employees we have. So granted there are fax numbers, etcetera, but somebody has to do just a review or an audit of our phone, you know, of how many phone lines we have in this County. But B, we passed a bill that made businesses do this, regardless.

MR. VAUGHN:

Yes, Legislator, but we also provided them with exemptions as well; there's no exemption for the County. And you're asking us to implement something that the department, now that they know what the scope of this is, is saying *We can't implement it in 120 days*.

LEG. HAHN:

Yeah. I mean, I'm okay with, you know, an extension on how long it takes to implement, but, you know, every month that we table and postpone is a month longer that this isn't happening. And I just -- from the beginning, you know, I agree that this County's -- we should be first in turning this over and I just don't think we should wait any longer. That's all I'm going to say.

CHAIRPERSON BROWNING:

John?

LEG. KENNEDY:

Madam Chair, since we have him here, can I invite the County Attorney to go ahead and at least talk to us a little bit about some of what the sponsor's contention is, which I tend to agree. We should have a system that's a functioning system.

MR. BROWN:

You know, in terms of the resolution -- thank you, Legislator Kennedy and Madam Chair. In terms of the resolution, last week we did look at the contract to see if there was anything in the contract that would authorize us to work this out with Verizon without cost to the County. We were not able to find any language that would really grant us the authority to ask -- to command Verizon to do that. We did -- in fact, we thought that if this was part of a tariff, which is a question that I want to discuss with our Telecommunications people as well as Verizon, we felt that the cost that they were proposing -- not commenting on the reasonableness of the cost, but the fact that they were asking for the cost if it's part of the tariff -- that that was a reasonable request on their part. You know, if we can negotiate a lesser price, we invite that with Telecommunications and with our office and Verizon and their counsel.

LEG. KENNEDY:

Dennis, so even if the contract is silent on this, in some respects, you know, I would think that we would be able to look at the broader obligations and responsibilities for a telecommunications provider to be able to furnish that important function. You know, we're not acme widgets, we're a municipality that in some respects we have the public in and out of our buildings all the time. It's almost as if that same type of functionality that I've got to have, you know, in my residence. Since we're a public entity in many places, you would think that same responsibility would migrate down and be able to have that same capability within the public assembly areas, at the very least.

MR. BROWN:

I don't disagree with you. And I can't, you know, speak to the technology as to how the -- to dial nine to get an access, an outside line works, to access an outside line works, but like I said, we're happy to participate with Telecommunications and Verizon and try and negotiate that feature into the County --

LEG. KENNEDY:

Yeah. On behalf of the sponsor, I would ask you to continue to explore to what extent that they must furnish that capability as far as they may or that they may add that as an enhancement. It's somewhat mind numbing. We're not talking about, you know, teleconference or things like that. It's a critical, essential element. Okay, thank you. Thank you, Madam Chair.

LEG. CALARCO:

I was going to second the motion to table at the sponsor's request. And I just ask that the Administration work to figure this out, because I won't support a tabling motion next cycle when this would time out. This is an important thing to get done, and whether a month's time would give you time to negotiate with Verizon to figure out who's going to pay for it, I'm willing to give that time up. But at the end of the day, we need to get this done.

MR. VAUGHN:

I would just say, we have no desire to see this legislation time out and I'm glad that you bring it to our attention that there's the possibility of it timing out in the next cycle. Quite frankly, I was unaware of that, but that's not our intention. I think that we have been diligent in trying to provide this committee with updates every step of the way, along with this process, that's what we are endeavoring to do right now. I'm happy that we have a figure because I think that one of the arguments that we've made all along is that it's awfully difficult to really have a debate on this without having that figure, and I think the fact that we have the figure is an excellent next step. I certainly a lot of faith in our Telecommunications people and our County Attorney and hopefully we can come to a resolution on this that we all want.

CHAIRPERSON BROWNING:

Thank you, Tom. And just out curiosity, have you been able to find out if there's actually been any issues or incidents where County employees have made 911 calls and not dialed that additional

nine? You know, because thank God nothing's happened in my office. I'm likely to pick up this phone and dial 911 before I'm going to use the County phone. But, you know, I'm just curious if there's been any incidents that you've been able to say it's happened.

MR. VAUGHN:

Legislator Browning, quite frankly, I hadn't even contemplated looking into that, and the reason not is because I've been thinking of this as a prospective thing going forward and that God forbid something did happen and I think that that's one of the reasons why we find --

CHAIRPERSON BROWNING:

Right.

MR. VAUGHN:

Why we think that this is an important piece of legislation. But no, I have not looked to see if we had an awful incident happen already. I've been more concerned with the potential future, God awful incident rather than the past one.

CHAIRPERSON BROWNING:

I understand, but it would be nice to find out if there was any that had occurred.

MR. VAUGHN:

I will ask Telecommunications if they have any statistics on it.

CHAIRPERSON BROWNING:

That would be great, okay. So there was a motion to table and a second and there was a motion to approve and a second. So the motion to table takes precedence. So I made the motion to table. The second was by Legislator Calarco. All in favor? Opposed? Abstentions?

LEG. HAHN:

I'm opposed.

CHAIRPERSON BROWNING:

One opposition, so I guess the tabling motion carries. ***Tabled (VOTE: 5-1-0-0 - Opposed: Legislator Hahn).***

Okay. Next is ***1387-14 - Appointing Peter Gunther as a member of the Suffolk County Vocational, Education and Extension Board (Spencer).***

Legislator Spencer.

LEG. SPENCER:

I am going to make a motion to withdraw, and I wanted to it on the record. This is at the request of the candidate. I am disappointed because Mr. Gunther has a long history of service and qualifications that are suitable for this board, he was selected by the board as a suitable candidate. Mr. Gunther's reasons for withdrawal is not related to the current situation. He's willing to go through the process, but he had indicated that with some of his commitments and also to be able to step aside to allow for us to be able to move forward and keep the VEEB Board strong, he has withdrawn, despite my protest. So I did want to state that for the record, that I fully support Pete Gunther and his very impressive history of service, but honoring his request, I withdraw the resolution. Thank you.

CHAIRPERSON BROWNING:

Okay, withdrawn.

1390-14 - Adopting Local Law No. -2014, A Local Law to amend the Administrative Code to expand the requirements for appointed officers of the Suffolk County Police Department (Trotta).

LEG. CALARCO:

Motion to table subject to call.

CHAIRPERSON BROWNING:

There's a motion to table subject to call.

LEG. MARTINEZ:

Second.

CHAIRPERSON BROWNING:

And a second, Legislator Martinez. So that was a motion and a second. All in favor? Opposed? Abstentions? ***It is tabled subject to call (VOTE: 6-0-0-0).***

Introductory Resolutions

1655-14 - Re-establishing the "Safe Pets and Families Program" to provide temporary shelter for pets of domestic violence victims in Suffolk County (Schneiderman). So, I guess I'll make a motion to approve?

LEG. KENNEDY:

What does this do, George?

CHAIRPERSON BROWNING:

1655, you have a question?

LEG. CALARCO:

I'll second the motion.

MR. NOLAN:

Right. This seeks to reestablish a program the County had back in I think the early 2000s where the contracted with the SPCA to provide temporary shelter for pets of domestic violence victims. So this would authorize the County to enter into an agreement with the SPCA. The resolution states that the SPCA has indicated a willingness to administer this with no cost to the County. That's what it does.

LEG. KENNEDY:

So through BRO, there's no cost associated with this, John?
The financial impact statement is a big --

MR. ORTIZ:

There is no fiscal impact. The part of the code is revealed, there is no fiscal impact --

LEG. KENNEDY:

I can't hear you, John.

MR. ORTIZ:

Sorry, I thought I had the other one. There is no fiscal impact. The part of the County Charter or the Suffolk County Code is a repeal that provided payment for the SPCA.

CHAIRPERSON BROWNING:

Okay, then hold on a sec. There might be a cost that we have to -- did I hear you say that there might be a cost?

MR. ORTIZ:

There is no fiscal impact.

CHAIRPERSON BROWNING:

Oh, there is no fiscal impact. Okay.

LEG. KENNEDY:

Okay, thanks.

CHAIRPERSON BROWNING:

Okay. So we had a motion to approve, I believe I made the motion. Do we have a second.

LEG. MARTINEZ:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Martinez. All in favor? Opposed? Abstentions? It's approved (**VOTE: 6-0-0-0**).

1659-14 - Adopting Local Law No. -2014, A Local Law to strengthen Public Nuisance Law. Motion (Cilmi).

LEG. HAHN:

Explanation.

CHAIRPERSON BROWNING:

Well, we still have to table for public hearing.

LEG. HAHN:

Okay.

CHAIRPERSON BROWNING:

Motion to table for public hearing. That's the Crack House Law, if I'm not mistaken, that he made amendments to.

LEG. HAHN:

I'll get an explanation next time.

CHAIRPERSON BROWNING:

Okay. So we had a motion. And did we have a second? I'll second. I think you were the motion.

LEG. CALARCO:

I was the motion.

CHAIRPERSON BROWNING:

Yeah, Rob was the motion, I'm the second. All in favor? Opposed? Abstentions? It's tabled for public hearing (**VOTE: 6-0-0-0**).

1677-14 - Accepting and appropriating a grant as pass-thru funding from the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation for the S.T.O.P. Violence Against Women Act Program with 100% support (County

Executive).

LEG. HAHN:
Motion.

CHAIRPERSON BROWNING:
Motion to approve, Legislator Hahn, and place on the Consent Calendar.

LEG. SPENCER:
Second.

CHAIRPERSON BROWNING:
Second, Legislator Spencer.

LEG. HAHN:
Cosponsor.

CHAIRPERSON BROWNING:
Cosponsor, Legislator Hahn. Okay, are we good? All in favor? Opposed? Abstentions?

LEG. SPENCER:
Cosponsor.

CHAIRPERSON BROWNING:
It's approved (& placed on the Consent Calendar). Cosponsor, Legislator Spencer.
(VOTE: 6-0-0-0).

1678-14 - Accepting and appropriating a grant from the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation for the Parole Re-Entry Task Force Grant Program with 100% support (County Executive).

LEG. HAHN:
Motion. Cosponsor.

CHAIRPERSON BROWNING:
Motion to approve, Legislator Hahn, and place on the Consent Calendar. I'll second that.
All in favor? Opposed? Abstentions?

LEG. SPENCER:
Cosponsor.

CHAIRPERSON BROWNING:
It's approved (& placed on the Consent Calendar) (VOTE: 6-0-0-0). Cosponsor Legislator Spencer also.

1695-14 - Accepting and appropriating a grant in the amount of \$72,400 from the New York State Division of Criminal Justice Services (DCJS) for the Sheriff's Office participation in the Gun Involved Violence Elimination (GIVE) Program with 100% support (County Executive). I make a motion to approve and place on the Consent Calendar.

LEG. CALARCO:
Second.

CHAIRPERSON BROWNING:

Second, Legislator Calarco. All in favor? Opposed? Abstentions? *It's approved (& placed on the Consent Calendar) (VOTE: 6-0-0-0).*

1699-14 - Appropriating funds in connection with improvements to the County Correctional Facility C - 141 - Riverhead (CP 3014) (County Executive).

LEG. KENNEDY:

How much is this?

CHAIRPERSON BROWNING:

Mike, do you have a minute so you can give us a little bit of background on this? It's 1.7 million? What the improvements are. Not that we don't know you don't need them (*laughter*).

CHIEF SHARKEY:

Well, I actually could bring an entire book up here to show you. We had a master plan done under the Capital Project probably two and a half years ago which identifies in the neighborhood of \$44 million worth of projects that need to be done, you know, over the next --

CHAIRPERSON BROWNING:

Right.

CHIEF SHARKEY:

-- 12 to 15 years in the Riverhead facility. The approach that we've taken with the Riverhead facility is to allow for funding each year to protect its asset, because the annual funding is dwarfed by the replacement value of the facility. Were we to replace Riverhead, the cost to replace it would approach 4400 million. So when you draw down the comparison to the annual cost, you're talking about less than one-half of 1% of the replacement cost that we're investing annually.

CHAIRPERSON BROWNING:

Okay. Any questions, anyone? No? Okay. So, again, I think I made a motion to approve; did I? And there was a second, Legislator Calarco. All in favor? Opposed? Abstentions? It's approved (*VOTE: 6-0-0-0*).

1701-14 - Authorizing the Suffolk County Police Department to convert to its own use an abandoned 2011 Jeep Grand Cherokee pursuant to Suffolk County Code Section A13-11(D)(8) (County Executive). Motion to approve.

LEG. CALARCO:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Calarco. All in favor? Opposed? Abstentions? *It's approved (VOTE: 6-0-0-0).*

1702-14 - Accepting 50% Federal pass-through grant funds from the NYS Division of Homeland Security and Emergency Services in the amount of \$568,571 for the 2014 Local Emergency Management Performance Grant (LEMPG) Program administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements (County Executive). I make a motion to approve. Second, Legislator Hahn. All in favor? Opposed? Abstentions? *It's approved (VOTE: 6-0-0-0).*

1741-14 - Adopting Local Law No. -2014, A Local Law to extend the Red Light Camera Program (County Executive).

LEG. SPENCER:

Motion to table.

MR. NOLAN:

It needs a public hearing.

CHAIRPERSON BROWNING:

Okay. So there's a motion to table for public hearing, Legislator Spencer. Second, Legislator Calarco. All in favor? Opposed? Abstentions? It's approved -- no, ***tabled for public hearing (VOTE: 6-0-0-0)***.

1742-14 - Repealing Suffolk County Resolution Nos. 1055-1984 and 1262-1985, establishing a Uniform Motor Vehicle Traffic Accident Report within the County of Suffolk (County Executive). I guess I'll make a motion to approve, and maybe a second, Legislator Calarco. But there was some question what exactly this means. So I know we have -- the Chief is here. We do have the Police Department here who could probably respond to that. Come on, Tom, give them an opportunity (*laughter*).

MR. VAUGHN:

Legislator Browning, I need to earn my keep.

CHAIRPERSON BROWNING:

You earn your keep very well.

MR. VAUGHN:

But I think that we can assist. And if I can't answer the questions, then I think that obviously we do have the Police Department here to handle it.

What we have here is currently there are three forms that are used. One is a County form that is filled out by our Police Officers, one is a State form that is mandatorily filled out by the person who was involved in the accident, and then we have a third form which is the optional form; as a matter of fact, I have copies, if you don't mind.

LEG. HAHN:

You have copies of all three?

MR. VAUGHN:

No, I have copies of the State form and the optional form that we are looking --

LEG. HAHN:

Okay.

MR. VAUGHN:

That we are looking to do away with. The reason that we're looking to do away with this optional form is that we can't do it electrically. We're trying to move over into doing everything electronically. It's a voluntary form that's voluntary on the part of the person involved in the accident. The voluntary form is the top form, the form that is mandatory and required by New York State is the bottom form. As you can also see, there is --

CHAIRPERSON BROWNING:

Actually, if we could get the Chief to come up, because there is a question.

MR. VAUGHN:

Okay.

LEG. KENNEDY:

Yeah. But wait, I need to -- Madam Chair, just before that, the one statement that Tom made, I want to talk about the form, but you said it can't be done electronically? Why couldn't this be done electronically?

MR. VAUGHN:

This form needs to be filled out at the scene of the accident, the optional form that we're talking about.

CHAIRPERSON BROWNING:

By the witness.

MR. VAUGHN:

By the witness. So if the witness doesn't have a computer on them, they can't do it electronically.

CHIEF BURKE:

Lieutenant Webber has --

LEG. KENNEDY:

He's familiar with it?

CHIEF BURKE:

Yeah.

CHAIRPERSON BROWNING:

Well, I'm assuming that this came from the Police Department, the request to do this, I would assume.

MR. VAUGHN:

Yes.

LEG. KENNEDY:

Okay.

CHAIRPERSON BROWNING:

But my question is is when this is being filled out -- because you have a witness, which -- so a third party, like two people get into an accident and somebody shows up and says, *I saw what happened*, and they're willing to give a testimony as to what happened.

LIEUTENANT WEBBER:

Correct.

CHAIRPERSON BROWNING:

So now we're not going to have this form.

LEG. KENNEDY:

Yeah. But Madam Chair, here's the other piece that I want to hear about, too. I mean, a hand-filled form can be scanned. We have over 23 million of them that we've scanned out in the County Clerk's Office. So I want to get past the statement that we can't do it electronically.

CHIEF WHITE:

Can I just speak as to the rationale for this even coming up in the first place?

LEG. KENNEDY:

Sure.

CHIEF WHITE:

Because we are trying to expand access to the public for accident reports --

LEG. KENNEDY:

Yes.

CHIEF WHITE:

So we put out an RFP and selected a vendor, which is now in the process of automating the public's access to accident reports, because as you know as Legislators, you get complaints all the time about how long it takes to get. They will be able to go on-line now and get all the accident reports, because we have a track system now that's going into the vehicles that's going to automate all the data the police officer is putting in. You couldn't have a civilian come sit in the car and type a statement into the system and have it put in. So everything would be ready to go once it's electronically sent to Central Records, and hopefully, if it's not on-line yet, in a day or a couple of days they'll be able to go on and get the accident report on-line. It's also going to bring in, we estimate, next year about \$250,000 in revenue to the Police District by doing that.

So this form is actually filled out by a citizen in pen and handed back to the police officer and put on file. I'll let Lieutenant Webber talk to you about the compliance rates and things, it's very rarely used. They can certainly -- if someone wants to give a statement at a scene, and we require this in certain -- or we -- somebody can always refuse, but we try to get a statement in scenes where there's serious physical injury or deaths, they could still fill out an actual sworn statement or a statement with a stamp saying that false statements are punishable here. So they would still have an option, it just wouldn't be this regular type of thing where somebody goes into somebody in a parking lot, they fill out this form no matter what, and it even indicates no if they didn't want to give a statement, so we would have to bring those, we would have to send those to Central Records. We could scan them -- and we looked at that, Legislator Kennedy -- but it's going to cost -- it's going to cut into that revenue that we're going to get because we would have to have more Central Records personnel to be able to do the manual part of this automated process, so it would be like a hybrid. So we thought because of -- and I'll let Lieutenant Webber speak from here. We rarely ever get a request for these forms, and most of them are filled out in a manner that really doesn't provide any other information, any additional information that's already in the report.

Secondarily, they can always fill out a State form, MV-104, that's a citizen's form of the accident report, the Motor Vehicle accident report and they could put a statement in there. So I'll let Chief Burke, it looks like he wants to speak first.

CHIEF BURKE:

I just want to explain generally what happens in a car accident. Somebody gets in a car accident, the cops are called, a police officer shows up, gets the required paperwork and then that police officer, in most instances, fills out a State accident report, all right? And that's a State form that we now are hoping to have done electronically, the rest of the State is going to that. The police officer also fills out a County form that's basically the exchange of information type stuff?

LIEUTENANT WEBBER:

Correct.

CHIEF BURKE:

And then the third form is this where they just -- and it's been going on since I was a young -- before I came on the police department. They just hand these out to the people that have been involved in these things and sometimes they're filled out, sometimes they're not filled out,

sometimes it's *The guy hit me from the back*; all of that information is pretty much contained in the MV-104A Investigative Report. The thing is this is in practice, and if you talk to any of the police officers, it's become obsolete, it's just like an extra piece of paper. And I don't know if, Legislator Muratore, when you were on this was around.

LEG. MURATORE:

(Nodded head yes).

CHIEF BURKE:

So that's essentially what happens in practice. Now, this civilian form that they talk about, there's a form MV-104 that if you're involved -- MV-104A is the Police Accident Report, the MV-104 is the form, a State form that a citizen is required in most instances to fill. Generally when he gets to his insurance company he fills it out, where then he gives his version of events to the accident. So there's a lot of redundancy built in here. And I think once Lieutenant Webber explains the inefficiencies posed by this, you'll have a better picture.

LIEUTENANT WEBBER:

It just has to be done on paper because it's done at the scene, so they can't do it at home, they can't do it electronically, so it has to be done at the scene. And the TRACS program is done electronically with the MV-104A, so we have half electronic and half on paper, so that's the problem with it, that's why it's problematic. And since they're doing this again anyway for the MV-104 which they have to do, it's kind of redundant. So we're looking to eliminate this form just for efficiency.

LEG. KENNEDY:

The one question that I have to that then, Lieutenant, is, you know -- okay, so give me -- what do we have, maybe 50,000 automobile accidents in a year.

LIEUTENANT WEBBER:

Yeah.

LEG. KENNEDY:

How many statements do you get filed now out of that in a year's period of time?

LIEUTENANT WEBBER:

Yeah, the number is 41,000 MV accidents we have and -- *(brief pause)*. I really don't have the numbers right here for that. But the bottom line is that they are doing it. It's the driver's chance to put their side of the story of what happened in the accident, and they are doing that with the MV-104 which is a State mandate. So for us now it's problematic because, like I said, we're going electronically. And now with this paper thing, we actually have to print it out, the electronic version, marry it up with the paper version just to keep them together. So instead of decreasing paper, we're increasing paper work.

LEG. KENNEDY:

I understand with the paper stuff, that I'm getting. But what I'm a little concerned about or I have some reservation is that we're eliminating a category or a class of parties that may, if they elect to, go ahead and furnish something that they wanted to put in. Because what I'm looking at is it says right on the top, we have driver, we have passenger or we have other witness. Theoretically, you could have a pedestrian or a third party who wasn't even involved in the accident but says *I saw A hit B and, you know, A was swerving all over down the road.*

LIEUTENANT WEBBER:

Right.

LEG. KENNEDY:

And, you know, the officer may or may not elect to want to go ahead and capture that. This is a method to get that in somehow for part of the history of that incident. So my concern is we're eliminating what, at this point, if a citizen wants to participate, may be critical information.

CHIEF WHITE:

The officer would be required through our rules to identify the witness when a witness comes forward and document his statement. Usually it's done by the officer on the description portion of the MV-104; he's required to do that anyway.

Chief, with the statements, if a witness wants to give a statement, we would stake a statement on a statement form.

CHIEF BURKE:

Yeah.

CHIEF WHITE:

Or we could require a clarity in the rules and procedures to say that's a must, that you must take a statement on a statement form of a witness which is to give a statement at the scene. Usually they want to identify themselves.

LEG. KENNEDY:

So I don't want to beat a dead horse, but then I guess I'm really not following it. I mean, you know, the accidents that I've seen, I'm familiar with the MV-104A; as a matter of fact, I ask you guys for it all the time when we're looking at, you know, dangerous intersections, this, that and the other thing, that's what I get my concrete data off of. I know the field report, I've seen a field report many times, as a matter of fact, that has the critical information for the vehicles. And, you know, God forbid if we had a pedestrian struck or a motorcyclist or whatever. But I don't ever recall seeing some other place where some third person or third entity that's not a party to the actual collision or something gets a chance to weigh in other than this piece.

LIEUTENANT WEBBER:

They would have to --

LEG. KENNEDY:

What am I missing? Tell me what I'm missing.

LIEUTENANT WEBBER:

You are right, they would have to tell the officer at the scene and he would have to fill it out when he does the MV-104A. But we are the only one in New York State that does require this, as far as I know.

LEG. KENNEDY:

Well, there's a lot of things we're the only one in New York State about, actually (*laughter*).

LIEUTENANT WEBBER:

It's just tough, because we are trying to go paperless and --

LEG. KENNEDY:

Which I admire, I like that.

LIEUTENANT WEBBER:

-- this is just creating more work.

LEG. KENNEDY:

What does the vendor tell you? What does the vendor say about the ability to accommodate this in the system?

LIEUTENANT WEBBER:

This isn't something you take home and you fill out at home, that's the MV-104.

LEG. KENNEDY:

Yes.

CHIEF BURKE:

You can't do that. They have to do it at the scene. This is done at the scene.

LEG. KENNEDY:

Yes.

LIEUTENANT WEBBER:

We would have to have them jump in the police car and type it out.

CHIEF WHITE:

(Inaudible).

LEG. KENNEDY:

You know what? Listen, I don't want to monopolize this. I'll yield. I've got some reservations.

CHAIRPERSON BROWNING:

I think we're all on --

LEG. CALARCO:

I'm going to withdraw my motion to second and I'm going to make a motion to table.

CHAIRPERSON BROWNING:

Again, I think the question is is that an accident occurs, two people are involved in an accident, it could be three people involved in an accident. I'm an independent witness; I'm not involved in the accident but I saw everything that happened, okay?

LIEUTENANT WEBBER:

Right.

CHAIRPERSON BROWNING:

So when the police officer shows up, he's going to now do an electronic report on what happened, which is the MV-104.

LIEUTENANT WEBBER:

Correct.

CHAIRPERSON BROWNING:

It's going to be electronic. So what happens if you have two or three witnesses -- independent, not involved in the accident -- and come up and say, *I saw what happened, he caused the accident.* Say all three of them say, *He caused the accident,* how do you take that report; what do you do?

LIEUTENANT WEBBER:

Just like anywhere else in New York State, they go to the officer and the officer includes that into his report. They don't actually write it down but they verbally tell the officer.

CHAIRPERSON BROWNING:

So they verbally tell the officer, the officer takes the report, and obviously you'll have the contact information if you need to reach out to those individuals again.

LIEUTENANT WEBBER:

Correct.

CHAIRPERSON BROWNING:

I don't know, did everybody get that? Did you hear what he said?

LEG. CALARCO:

My question is --

CHAIRPERSON BROWNING:

What he said is is that --

LEG. CALARCO:

That they include -- the officer includes it into his report.

CHAIRPERSON BROWNING:

The officer's report now has their statement to him.

LEG. CALARCO:

My question to this is what value does this independent form filled out by the witnesses have to those individuals in case of civil litigation actions? And I've got to imagine having a written testimony from witnesses going to have some value in that. And I don't know if we -- while I understand it takes some more time on our part to have to go about having those witnesses fill these things out, I think that they're, you know, important instruments in that civil proceeding that's outside anything that we're necessarily concerned with.

LIEUTENANT WEBBER:

It's just another layer. Also, the insurance companies take a statement from you, you're doing this statement, then you do the MV-104 which is another statement.

LEG. CALARCO:

The one that -- the State form that you're referencing that the witnesses fills out, where do they fill that out?

LIEUTENANT WEBBER:

The MV-104 I'm talking about?

LEG. CALARCO:

Uh-huh.

LIEUTENANT WEBBER:

They do it at home. They get that on-line.

LEG. CALARCO:

Yeah. See, no, I think you need this, on the scene of the incident. I think it's going to have a greater value to the insurance companies and the litigants in a civil proceeding.

CHIEF BURKE:

Legislator Calarco, if I just may add. It's been my experience in the police department and most civil attorneys would advise their clients not to fill that thing out. Because what happened is you've

just been in an accident --

LEG. CALARCO:

That may be very true, but yet people do it and that becomes a very important instrument in that civil proceeding.

CHIEF BURKE:

Well --

LEG. CALARCO:

Because any time you allow time to elapse in between the event and you filling out the form, there's an opportunity for you to miss/recall the event. And something being done immediately afterwards -- as you were saying, why the civil attorney may tell their client not to fill it out is exactly the reason why you would want to have that instrument. And so if people are willing to fill it out, that's when the incident happened, the most recent, that's when they're going to have it most fresh in their memory, and that's the information that the attorneys are going to want in a civil litigation suite, even if it's to the detriment of the person who filled out the form.

CHIEF BURKE:

Well, the ones that I see -- you should take a sampling of what these things look like.

CHAIRPERSON BROWNING:

They're probably not legible all the time either.

(*Laughter*)

LEG. CALARCO:

I've unfortunately had to fill one of these out once or twice, so I understand.

CHIEF BURKE:

In your travels in police world, which you'll be, talk to some of the cops about how -- what the utility of it is; I think you'd benefit from that.

LEG. CALARCO:

Right.

CHAIRPERSON BROWNING:

Now, the question is, because there is in the bold, black letters at the bottom -- I have to put my glasses on to read it, because it does say *false statements made herein are punishable as a Class A Misdemeanor*. So now I'm a third party, I witnessed an accident, I filled this out, now what's the difference between now you having the Police Officer taking a statement from a witness and this? They're no longer -- it's no longer a Class A Misdemeanor?

CHIEF BURKE:

No. It has a jurat and it's punishable by law, but in the 30 years that this has been in play, I doubt anyone's ever been charged with lying on those forms. The difference between a police officer taking a statement and a person just being handed a blank form is the police officer is able to take the elements that are important to that event and material to that event and include them. And after doing an interview with someone who's just been involved in an accident as opposed to handing someone a blank form who's clearly going to be possibly disoriented. So if, in fact, the need were to take a statement, and we could certainly, you know, change our rules and say, *Look, if a third party shows up and insists on giving a statement, okay, we can take a statement*. It doesn't happen all that frequently in practice, though. But the difference is the cops taking a statement, you're going to get a statement that's much more on point, material and relevant to the incident at

hand.

CHAIRPERSON BROWNING:

Okay. I know we have at least two attorneys in the room (*laughter*). You want to get a third one in the room just to be on the safe side? But George, maybe you could --

MR. NOLAN:

I don't know. I mean, I don't like to disagree with the police, but I used to do negligence cases for insurance companies, and if you got one of these statements from an independent witness, it helped resolve cases.

CHAIRPERSON BROWNING:

Does Dennis want to say anything? You might as well.

MR. BROWN:

I would say it's only of moderate importance, to tell you the truth, not determinative. And if you balance the efficiencies that the police department is seeking -- and I'm not advocating for the police department, but if you balance the efficiencies that the police department is trying to seek, especially with getting accident reports to motorists which are way behind and insurance companies use independent contractors to try and get them on an expedited basis, paying way in excess of what the statutory fee is, is probably -- the balance probably weighs more in favor of doing away with it than keeping it. It's not determinative, it's only moderate, like I said.

I would agree with the Police Officers, with what they say, the officer should state when he investigates an accident, *Operator 1 states, Operator 2 states*. If there's an independent witness, the officer might give a synopsis of how the accident happened and identify the witness on the accident description part of the form with an address and a telephone number. So it's only moderately useful, in my opinion.

MR. NOLAN:

I agree with the drivers, you know, because they've got to complete a form and give their version of the accident. But I would be concerned about the independent witnesses and getting the statements from them. It doesn't happen that often, you're correct, but they're invaluable when you get one.

LIEUTENANT WEBBER:

But that is our job, to investigate the scene, and we do take that into consideration. It's just that you don't have it in writing from them. Some of them don't like it, though. You ask them to -- we talk to them, we get, you know, their side of the story and then you give this to them to sign and they don't want to sign anything, *Hey, I was just passing by*.

CHAIRPERSON BROWNING:

Right.

LIEUTENANT WEBBER:

So most of the time we are getting what they're saying and we are putting it down on paper, but we're not having the backup, you know, for this, because they don't want to get involved. You're really not going to get that bystander or a passerby's information, because they're on their way, they don't want to waste any more of their time.

CHAIRPERSON BROWNING:

Kara?

LEG. HAHN:

So I was a witness to an accident, maybe ten years ago on the way back from beach volleyball. I filled this out, I think I used -- I'm trying to point and let go of the -- (laughter) and at least filled up the number of lines that were here on this page, right? I was very detailed because I know how important it is to write it down immediately. And I get a call from an attorney at work maybe a month later, you know, asking me for my statement and I said, *Oh, I filled out the form.* Well, I gave my statement again, and then he said, *Well, will you sign it when I send it to you,* and I said, *Only if it's verbatim.* And guess what? They sent me a non-verbatim statement for me to sign which paraphrased what I said and left out key points, but this was three or four months later. And, you know, I said, *I'm not signing it because, A, it wasn't verbatim. Oh, we lost the tape.* You know, B, it was now months later, you know, facts start to get blurry. Having been a witness who was willing to fill this out and really wanted to help, I really feel that this is valuable.

Now, you know, why you can't scan it and make it part of what you're able to provide digitally, you know, I don't know the answer to that. But I just don't -- I just think if someone is willing to give -- well, two things. I also did a ride-along with a Police Officer when I was Civic President, and one of the complaints from that officer was like, *Wow, we have so much paperwork,* so I totally appreciate your wanting to streamline and make more efficient because it was like, *When there's an accident, I've got to fill out this paper, then I've got to type it in.* Maybe at the time, because this was a couple of years ago, maybe at the time they had to fill it out in handwriting and then they have to type it into the computer and then they have to write it in their little log book that they keep and then they have to, you know, take the blue copy and the pink copy and write in black ink on one and -- you know, whatever all these things they have to do after an accident on the street, it sounded absolutely ridiculous to me. So I hope that there's ways to streamline. But getting rid of a third party witness statement? I don't know. Having filled one out, it feels valuable to me in some of those circumstances.

LIEUTENANT WEBBER:

Just to clarify, we can scan it. That's what we're going to do, we're going to have Central Records now. I mean, part of it is electronic which goes through the system into our servers, the other one goes through the precincts, goes through Central Records, and now the Central Records personnel has to get all these things, put it in numerical order, they scan it in and then we have to marry the two up. So it is doable, it just takes a long time to do, and people want their reports.

LEG. HAHN:

Well, do you have a unique number -- when the one is being filled out digitally by the cop -- excuse me, by the officer at the scene, you're filling it out digitally. Do you give them their unique number so that they --

LIEUTENANT WEBBER:

Yes.

LEG. HAHN:

So that on the witness form they can marry it, at least at the time.

LIEUTENANT WEBBER:

Yes, they have them all. The case number is what we use, the CC number, the Central Complaint No, and that's on the forms to marry it up. So what they do is Central Records will get these and then they won't get the MV-104A, so they'll put it aside and then when they get the MV-104As in, they have to match it up.

LEG. HAHN:

So it will delay the whole --

LIEUTENANT WEBBER:

I think on the back of these things, they've got to put them in numerical order.

LEG. HAHN:

And there's no -- okay, don't laugh at me. There's no way to take a picture of it and attach it digitally at the time that they're filling out the --

CHIEF WHITE:

No, there's really not. The biggest problem is we will delay the process. It's been our experience, as you heard, that generally these forms are not utilized for anything -- other than maybe, as you point out, the witness statements, which we could certainly do a rule where we'll continue to take uninvolved witness statements on this and scan it, because that will be infrequently, it really wouldn't be a problem. The problem with scanning all of these in every accident is there are thousands, hundreds of thousands of them and we don't have people doing that now, our people are already fully tasked in Central Records. So we have \$250,000 of potential revenue coming in, which we'll spend up a lot of that on hiring civilian personnel in Central Records to do the scanning that's required for forms that are rarely used. So if it would be amenable to the Legislature for us to require our officers, when there is a third party witness, to continue using this form, we would have no problem with that whatsoever.

LEG. HAHN:

Okay, that would make it palatable to me. Can we amend this resolution?

CHAIRPERSON BROWNING:

Okay. So the question is based on what you just said, would we be able to have this amended to reflect those? That would be up to the County Executive because it's his bill. Is there anybody from the County Executive's Office who can resolve to that? Tom.

MR. VAUGHN:

I'm sorry, one more time?

CHAIRPERSON BROWNING:

Okay. The concern is is about the third party witnesses.

MR. VAUGHN:

Uh-huh.

CHAIRPERSON BROWNING:

And Chief White, I don't want to say what you said and maybe say it not quite right, but I guess the understanding is is that the possibility that this could still be filled out if needed; correct?

CHIEF WHITE:

Well, what I propose is -- and, you know, this really didn't appear to be a problem when it was evaluated at the police department's end because, again, of our experience with a number of these statements, but obviously there's a concern pretty much universally here about the third party witness. We could require that this form continue to be filled out whenever there is a third party witness to an auto accident, give them the opportunity to fill out this form. That would be so infrequent on our end, it would not cause us to need additional personnel, it would only slow up the process in a very, very small number of accidents and the rest of the public can get much faster, much easier access to their accident report.

MR. VAUGHN:

So we should table this bill right now?

CHAIRPERSON BROWNING:

I guess.

MR. VAUGHN:

That sounds great.

CHAIRPERSON BROWNING:

I guess.

LEG. KENNEDY:

Madam Chair?

CHAIRPERSON BROWNING:

I understand --

LEG. KENNEDY:

The accomodation.

LEG. HAHN:

Motion to table.

CHAIRPERSON BROWNING:

I mean, Fred did say that --

LEG. KENNEDY:

You made the motion to table, I'll second it. Yeah, okay.

CHAIRPERSON BROWNING:

Okay.

LEG. KENNEDY:

We'll talk about it. All right, all right.

CHAIRPERSON BROWNING:

Okay. So who made the motion to table?

LEG. CALARCO:

I made the motion.

CHAIRPERSON BROWNING:

You made the motion, second by Legislator Hahn. All in favor? Opposed? I'm opposed. Tabling wins. Okay, so ***it is tabled (VOTE: 5-1-0-0 - Opposed: Chairperson Browning)***.

MR. VAUGHN:

Legislator Browning?

CHAIRPERSON BROWNING:

Yes?

MR. VAUGHN:

Just real quickly, while Chief White is still there. On Tuesday night we'll be bringing forward a Certificate of Necessity. The Police Department has found a way to purchase bulletproof vests through a grant which will save us some money, so we will be bringing a CN on those. So, just a head's up.

CHAIRPERSON BROWNING:

Good; that's easy money. Yes, now what we have to do, we cannot adjourn yet. We will be going in to Executive Session with our Chief; Chief Burke and the County Attorney. I don't know who else he's bringing with regards to the domestic violence procedures and policies and the pending litigation. So I make a motion; second, Legislator Calarco. All in favor? Opposed? Abstentions? We are going into an Executive Session. And since we're getting real close to the third meeting of the day, let's try and get this done.

(*Executive Session Held: 1:33 PM - 2:56 PM*)

Okay. So we are back from Executive Session. I'll make a motion to adjourn. Second, Legislator Calarco. We are adjourned. Thank you.

(*The meeting was adjourned at 2:56 P.M. *)