

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, February 27th, 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 Robert Trotta - District #13
George Nolan - Counsel to the Legislature
Sarah Simpson - Office of Counsel to the Legislature
Renee Ortiz - Chief Deputy Clerk/Suffolk County Legislature
John Ortiz - Budget Analyst/Legislative Budget Review Office
Josh Slaughter - Aide to Legislator Browning
Bill Schilling - Aide to Legislator Calarco
Bobby Knight - Aide to Presiding Officer Gregory
Lora Gellerstein - Aide to Legislator Spencer
Ali Nazir - Aide to Legislator Kennedy
Lisa Pinkard - Aide to Legislator Martinez
Debbie Tinnirello - Aide to Legislator Hahn
Tom Vaughn - County Executive's Office
Amy Keyes - County Executive's Office
Robert Waring - Captain/Chief of Department's Office/SCPD
Tracy Pollak - Research & Development/Commissioner's Office-SCPD
Michael Sharkey - Chief of Staff/Suffolk County Sheriff's Office
Kerry Kneitel - Suffolk County Sheriff's Office
Mike Franchi - Deputy Warden/Suffolk County Sheriff's Office
Lynne Bizzarro - Chief Deputy County Attorney
Patrice Dlhopsky, Director, Suffolk County Probation Department
Christine Larkin - Vice-President/Probation Officers Association
Lou Tutone - 1st Vice-President/Suffolk County Police Benevolent Association
Russ McCormick - Sgt-at-Arms/Suffolk County Detective's Association
Jim Bruenfelder - Superior Officers Association
Jimmy Roddin - Superior Officers Association
Jose Nunez - Secretary/Deputy Sheriffs Police Benevolent Association
Arthur Sanchez - Treasurer/Deputy Sheriffs Police Benevolent Association
Jay Egan - Suffolk County FRES Commission
Anthony LaFerrera - Suffolk County FRES Commission

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Suzanne McBride - AME/President/Police Emergency Unit
Martin Danenberg - GED Hotline
All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Reporter

CHAIRPERSON BROWNING:

Good morning. We'll start the Public Safety meeting. If everyone could please rise for the Pledge of Allegiance led by Legislator Hahn.

Salutation

Please Remain standing for a brief moment of silence for those who defend our country at home and abroad.

Moment of Silence Observed

Thank you. Okay. We have two cards. Okay, now I can see it.
Our first speaker is Jay Egan.

MR. EGAN:

Good morning. I'm Jay Egan, I'm the Chairman of the Suffolk County Fire Rescue Emergency Services Commission, which is a volunteer entity of FRES, for the individuals who don't know that.

What I'm talking about today is an item that came up last night at our meeting, I know it was also discussed in December. It's not on our line-item budget or in FRES' line-item budget, but it does affect the fire service and that's the Arson Squad. We're under the impression, we're hearing through a rumor mill that there's two more retirees coming as of July. We also understand that the request went out for individuals who want to refill that position and move up and there was only one that stepped up; there may be others that are still in the making. I just want to bring it to everybody's attention that once we get to July or August when we start getting into some of our busier months, if the Arson Squad is depleted and they're down, it's either going to be -- like I say, I'm worried about the overtime part of it, but we're not going to have people be able to respond to do the arson investigations throughout this County. There's many East End towns as well as -- that also rely on the Arson Squad to do those investigations.

So I just wanted to bring that -- I'm trying to be a little reaction -- proactive instead of reactionary; I know a lot of times we get that way and we're trying to stay ahead of the curve here. So I don't know what this committee can do to push that along, but we would appreciate any help we can get.

CHAIRPERSON BROWNING:

Right, Jay. When I was at the last FRES meeting with you guys, that was an issue that came up. And I did make a request on the staff with regards to the Arson Squad and they -- I know that they have lost a couple of retirees and to date, I don't know. Captain Waring is here, he can take that back. We will have -- at our next Public Safety meeting we're going to have a number of issues with the Police Department.

MR. EGAN:

You know, I think the big issue here is it's not an easy position to fill. It's a lot of knowledge that goes into it. Those guys are very, very dedicated. They're an asset to the fire service, we work hand-in-hand with them and we just don't want to lose that momentum.

CHAIRPERSON BROWNING:

Right. And so Captain Waring will take it back and, you know, if we can get an answer for you beforehand to certainly see if there is any -- going to be any movement into the Arson Squad. I don't disagree, because I know I've seen a few incidents in my own district and the work that they've done, so we can't shortchange the Arson Squad. Those investigations are very important.

MR. EGAN:

And with the economy the way it is, sometimes that tends to be the route some people take and it's not a good thing and we have to keep it on the legit. Thank you very much.

CHAIRPERSON BROWNING:

And I think that's generally the Detectives Unit; am I correct, Captain Waring?

CAPTAIN WARING:

Yes.

CHAIRPERSON BROWNING:

That's Detectives, right? Okay. Thanks, Jay.

And the next one is Martin Danenberg.

MR. DANENBERG:

Good morning, everybody. Can you hear me?

CHAIRPERSON BROWNING:

Is the mic on?

MR. DANENBERG:

Okay, it's on. Thank you. Over a month ago I was having coffee, I started to speak with the Police and I said, *"Do you lose people, the firemen and the police, because you don't speak Spanish, you don't understand Spanish,"* and they said, *"Yes, we do."* So the idea to come here today came about because the Police don't speak Spanish. So I'm not saying that you should suddenly hire everybody in the Spanish-speaking community, but I'm talking about professional development of Police and firemen. And they can study on their own, they don't have to be forced to study, you just have to advocate in your communities for people to start studying so we can improve the delivery of Public Safety.

As I started thinking about it a little bit more, I got involved with heavyweight boxing champion Bone Crusher Smith and started a campaign with him. So we're in touch with over 20 Governors in relation to getting the youth who dropped out of school back into school. Now, this is very important. One point two million youth drop out of school in some of the communities on Long Island, today the drop-out rate is still very high. So what I urged in a letter to {Cami Anderson}, the Superintendent of Schools of New Jersey, is that the Principal should be speaking with the students in the assemblies to get their friends to come back into school to make the streets safe. I hope that you agree with me and I hope that you start to advocate for this in your communities.

Here's a list of some of the states that I've contacted; Alabama, Alaska, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Maryland, Massachusetts, Missouri, Montana, Nevada, New Jersey, New Mexico, New York, Puerto Rico -- which isn't a state, but it's considered a state in a lot of data -- Utah, West Virginia and Wisconsin. So I believe that we have to hold everyone accountable. The professional development that you -- that you would expect, for example, of teachers should apply to everybody. It should apply in public safety. So I'm here to advocate for change. I know some of you, I've met a couple of you in the past, I really don't know most of you, but we want to see a big change in this County and I thank you for this opportunity to talk to you

today.

CHAIRPERSON BROWNING:

Thank you. Okay. We have no more cards. Is there anyone else in the room who would like to speak? No? Okay.

As I said earlier, we will have -- I believe the Commissioner will be here at the next Public Safety meeting. There were a number of issues with regards to cars. I actually brought up an issue with him on the 911 system, you know, how calls are taken, which I believe he said would wind up have to be in an executive session, so we'll be talking about that. I'm trying to think what else.

LEG. HAHN:

The police vehicles.

CHAIRPERSON BROWNING:

The Police vehicles, we said that.

LEG. HAHN:

Narcan training.

CHAIRPERSON BROWNING:

Narcan training and --

LEG. KENNEDY:

ShotSpotter.

CHAIRPERSON BROWNING:

Oh, Community Protection Act, we are having a presentation on the Community Protection Act, that was where it started. So anyway, it's going to be a long meeting. But anyway, so we will have that at the next meeting.

I do have Mike Sharkey from the Sheriff's Department. Mike, is there anything you need to speak on, report on?

CHIEF SHARKEY:

Hi. Good morning.

CHAIRPERSON BROWNING:

Mike, there were a couple of questions I had for you. You know, I've been reached out to about some concerns with your Sergeants and promotions to Sergeant. You know, and I believe that the test is expiring maybe in March?

CHIEF SHARKEY:

Yes. I'll give you just a brief overview of our attempts to make promotions and appointments. It's not limited to Sergeant, it includes the titles of Captain, Lieutenant, Sergeant and Investigator. We have -- you know, we have made attempts over roughly the last 18 months to fill vacancies in those titles. Of course that number is not a static number because as months go by more people retire, and so that number has risen over this time. But in the last roughly 18 months, we have submitted SCIN forms to fill these vacancies at least eleven times, and the last three were actually in this calendar year and each time the request to fill those positions was declined.

We have -- as I said, of the eleven times they were submitted, three of them were this year, and that's both for -- it's kind of ratcheted up for both operational concerns on our part -- we have a job to do and we need to fill these positions to get the job done -- and also a practical reason. As you

had mentioned, there are promotional lists; those lists are due to expire approximately the third week in March, and that would be an entire promotional cycle of two years that we have not made a single promotion. I checked that this morning, the last promotion that we had made was to Sergeant which was in the Fall of 2011, so we have not made any promotions since then.

We have sharpened our pencils this last two months. We have compared our budget numbers that we have worked out, we compared it with the Budget Review Office, we compared our numbers with the County Executive's Budget Office and everyone concurs that there's more than adequate funding to cover these promotions and appointments. I've met with the Deputy County Executive on this issue to answer any questions. I am not really sure where the disconnect is at the point. The -- I know that the County Executive supports promotions and appointments, I have seen him, both in person and in the media, supporting both, he has made numerous promotions himself. And I'm coming to you now because, as you know, you as a body passed the Elected Officials Law in regard to hiring. We have attempted to utilize that and have been denied, and I believe that there is a provision in that law that allows you now to take action.

CHAIRPERSON BROWNING:

I'm actually going to ask George if we can speak to that, because I know that there was some language that if there's a fiscal emergency declared that, you know, the County Executive can override that. But is there something else that we can do?

MR. NOLAN:

Yeah, I think it was back in 2011 we passed a law for the County-wide electeds that would basically create a mechanism to fill vacancies if the County Executive failed to do so when they became open. There's a number of reasons the County Executive can cite for not filling vacancies in these departments, but the Legislature can override the determination of the County Executive; we have to pass not one but two resolutions to do that. But there does not create -- there is a mechanism for the Legislature to fill vacancies or have vacancies filled in these departments. The one problem, I would think, in this scenario is you have promotional lists that are going to expire and we have to pass two resolutions in order to fill vacancies. So we might be able to pass one resolution timely, but two I don't think we can make it.

CHAIRPERSON BROWNING:

So, Mike, you're saying that eleven times you've made the request and eleven times you've been turned down. So basically it's the issue they're using is fiscal?

CHIEF SHARKEY:

The reason is they have a declaration under the Elected Hiring Law saying that there's a fiscal emergency. And we have, during that span of time and submitting at different times, we've submitted different numbers of SCINS at different times trying to, you know, say, "*Okay, we'll submit less now or submit more,*" and it's gotten to the point now that each of those has been met with, you know, a declaration and we need the vacancies filled that we have now, we don't need part of them, we need all of them. You know, we have to get our job done.

We're not talking about massive numbers here. Even though we haven't made a promotion in two years, we have six promotional vacancies as a result of retirements. We have seven backfilled vacancies. For those of you not familiar with the term *backfill*, if I am to promote somebody to Captain, that means the person that was sitting in the Lieutenant's seat has to be filled, etcetera down the line. So there's backfilled vacancies, which are seven, and we have five Investigative vacancies, for a total of 18.

CHAIRPERSON BROWNING:

Okay. And what departments within the Sheriff's Department is this need? Because I know if all was pushed with the PD for making sure that we get Sergeants promoted because Sergeants are the

bosses.

The ones who oversee your rank and file. And I know that DuWayne can agree, even in the military, the Sergeants were probably one of the most important ranks within any department. So, you know, again, what department is it within the Sheriff's Department where you need those? Now, this is with the Deputy Sheriffs or is this with Corrections, or both.

CHIEF SHARKEY:

What we're speaking about today is in the Police Division which is the Deputy Sheriffs ranks, yes. Just to give you, you know, a broad overview of what I mean, it's not that many positions but I'll give you, you know, a basic view of what's going on.

In order to make those Sergeants and bring in the fresh, first-line supervisors, you need to make the Lieutenants and Captains and let the people move up and make room for the new Sergeants to come in. That being said, we are not a top-heavy agency. We have a very small amount of administrative level supervision and Captains. We have only five Captain positions, two of which are vacant, it's a 40% vacancy rate. That's not -- it doesn't work for our organization and we have more retirements pending. I have another Captain and another Chief that's due to retire within the next six to 12 months. Our Lieutenant happened to be the Lieutenant that runs all of the legal affairs in our Civil Bureau, a revenue producing section of the Sheriff's Office, and that is having to be covered by a Sergeant now who, of course, has to do that on overtime. Sergeants, as a group, are the most in demand rank and they are, as a group, our highest overtime earners per capita. We need to fill the vacancies to run the job efficiently; that's what we're looking to do.

CHAIRPERSON BROWNING:

Okay. Does anybody have any questions before -- I was going to ask -- do you have a question?

P.O. GREGORY:

Yes, thank you, Madam Chair. I guess my question is really for Counsel. George, what -- you said there are two resolutions that have to be passed and they have to be passed concurrently?

MR. NOLAN:

No, what happens is the Legislature can enact a resolution by simple majority directing that the vacancies be filled. And basically, if the County Executive or the hiring entity doesn't fill the vacancy, at that point then the Legislature has to pass a second resolution by a three-quarters vote directing that the vacancy be filled. That's the law.

P.O. GREGORY:

It has to be done by resolution, not Procedural Motion.

MR. NOLAN:

No, I believe it is -- yeah, definitely resolution. It can't be done procedurally.

P.O. GREGORY:

Okay.

CHAIRPERSON BROWNING:

John?

LEG. KENNEDY:

Yeah, thank you. BRO, I have a question for you. Notwithstanding the County Executive's declaration regarding fiscal emergency, in the 2014 authorized budget for the Sheriff, where would these promotions -- do you have some familiarity, John, with what Chief Sharkey is talking about?

MR. ORTIZ:

All the promotions were actually budgeted for. I mean, when we do the budget every year, we sit down with the Sheriff and we say, "*How many vacancies do you need filled? How many promotions?*", and it's all accounted for. And in our analysis, we had indicated that there was actually surplus funding. We actually moved out some money from the Sheriff's Department to cover other things, like the food that wasn't budgeted for, that was coming -- it was taken out of Cornell's budget. We actually took money out of personnel to pay for the food and left enough money behind to hire 45 new CO's and to provide for these promotions.

LEG. KENNEDY:

So since we started the budget process on January 1st, money, for all intent and purposes, hasn't been the issue with going ahead and fulfilling the need the Sheriff has in order to be able to operate with the proper hierarchy.

MR. ORTIZ:

Within the Sheriff's Department there are sufficient funds.

LEG. KENNEDY:

Okay. So then the next question I'd have, Madam Chair, is I'm going to go back to Counsel. George, so then what are the mechanics for actually filing a resolution? The promotional lists are a separate issue that we may or may not be able to address, and it's a real hardship on particular individuals who studied, who worked hard, who got the grade and are on the list, and I've heard from them personally. But the broader issue here is addressing what's clearly a gap in the hierarchy, the administrative hierarchy within the Sheriff's Department, and they are making due but, you know, the chief law enforcement official on the Sheriff's side is telling us he's got this need. What do you need in order to draft a resolution that effectuates the override process?

MR. NOLAN:

I guess I would need to have -- identify the positions where the vacancies are and that the Sheriff is trying to fill.

LEG. KENNEDY:

Okay. So then let me ask the Chief, if I can. Chief, do you have copies of those letters? We've had some conversation about this. Do you have copies of whatever the process is that the County Executive rejected Chief DeMarco's request?

CHIEF SHARKEY:

Each time we make a submission we submit SCIN forms, and then each time there's a denial we receive the SCIN form back with a letter which is a declaration under the Elected Officials Law that there is a financial emergency. You know, interestingly, we made our first submissions the first business day of 2014, on January 2nd, and they were denied within the ten days after that. I'm not really sure how you have a financial emergency ten days into a brand new budget that was balanced when it was submitted.

LEG. KENNEDY:

You mentioned the Civil Bureau in particular, when you say that's a revenue producer. Basically I'm familiar with evictions, poundage, things like that. For all intent and purposes, the work that your personnel do probably has fees from parties that are looking to utilize the system that exceed what the salaries are?

CHIEF SHARKEY:

The Civil Bureau fees, I don't have the exact figures but, you know, are somewhere in the \$2 million range annually that we --

LEG. KENNEDY:

Two million?

CHIEF SHARKEY:

Yeah.

LEG. KENNEDY:

Okay. All right, I'm going to ask you for copies of those letters and then I'll speak with Counsel and, you know, maybe we'll look for a Late Starter. Thank you.

CHAIRPERSON BROWNING:

John, if you could repeat again. I mean, the money that's available in the budget right now to cover for those promotions; how many -- can you give me those numbers again on the promotions, what we have in the budget for?

MR. ORTIZ:

Well, we budgeted for promotions not only for Deputy Sheriffs, but all Correction Officers, and I believe we put in over a half million dollars for that.

CHAIRPERSON BROWNING:

And that covers -- could you give me a breakdown on, you know, the promotions, exactly what you're looking for, how many Sergeants, Lieutenants, whatever it is.

CHIEF SHARKEY:

Yes, give me just one second. It amounted to the six promotional vacancies, which were two Captains, a Lieutenant and three Sergeants. And then the result in backfills, I don't have the exact number of those and how that floats out, but there would be seven backfills. In other words, if I made a Captain I'd promote a Lieutenant, so I'd have to backfill the Lieutenant and down the line. I can certainly get you a list of the SCIN forms that were submitted, which would total 18 total positions including five Investigators.

When you were discussing the number that I had mentioned earlier, you know, we looked at our numbers ourselves, we conferred with BRO, and then we also spoke to the County Executive's Budget Office. In looking at the numbers, as it stands right now our figures show that if we made -- if we filled all of our vacancies in the Police Division, and that's including Deputy Sheriff I vacancies which we're not asking you for today, we'd still have a surplus of roughly \$160,000 in the salary line. If you take away the entry-level Deputy I vacancies, you're approaching a half-million dollars in surplus funds in the permanent salaries line.

CHAIRPERSON BROWNING:

Okay. If you can provide us with the SCIN forms, that would be helpful.

CHIEF SHARKEY:

I will supply you --

CHAIRPERSON BROWNING:

Also --

CHIEF SHARKEY:

-- the SCIN forms and the declarations from the latest round.

CHAIRPERSON BROWNING:

And also your overtime costs based on, you know -- you don't have those positions filled, so there's people that are going to have -- that have to do overtime to fill those positions, so if you can give us

those overtime costs, that would be appreciated. Unless John --

CHIEF SHARKEY:

We can -- you know, it's early in the year. So we can make a projection, but it's early in the year, so we could do that.

CHAIRPERSON BROWNING:

John, do you have any information right now, or you need some time?

MR. ORTIZ:

I would have to get the information from the Sheriff's Office.

CHAIRPERSON BROWNING:

Okay, thank you. Is there any other questions for the Sheriff about anything else? No?

LEG. KENNEDY:

Madam Chair, the only thing I would say is is, Chief, I would ask you to get those over as soon as possible so we can take a look at, as I said, possibly putting together a Late Starter.

CHIEF SHARKEY:

Thank you.

LEG. KENNEDY:

Thank you.

CHAIRPERSON BROWNING:

When's our next committee meeting; March 13th, is that the next --

MR. NOLAN:

Two weeks.

CHAIRPERSON BROWNING:

It's two weeks? Okay.

LEG. KENNEDY:

We have to get it on for that first March meeting.

CHAIRPERSON BROWNING:

Right. And, Mike, another real quick, I know that because of the weather, the tour of the John J. Foley with Father Frank was canceled. Can we work on trying to reschedule that?

CHIEF SHARKEY:

Yeah, absolutely. If you want to just call my office directly, we'll make that happen.

CHAIRPERSON BROWNING:

Okay. And I know that there was a report. I believe the Sheriff did submit the report. There was a report on the feasibility of converting the building?

CHIEF SHARKEY:

That was something that was done in partnership with DPW and, you know, the vast majority of that report is a DPW-driven report based on the construction, etcetera. I know at some point it's supposed to -- I don't know if it's supposed to be just submitted to your office or presented here, but that was something that would not be solely at our disposal. The majority of that report is DPW-driven.

CHAIRPERSON BROWNING:

But your end of it is done.

CHIEF SHARKEY:

Yes.

CHAIRPERSON BROWNING:

Okay, that's all I need.

LEG. KENNEDY:

Madam Chair, one other question for the Chief. Chief, just out of curiosity, where are we with the new facility? Are we fully operational in there? Do we have all the space occupied with inmates, or are still amping up?

CHIEF SHARKEY:

The Yaphank facility, if you look at it in its totality, being the original portion and the expansion, the Phase I expansion, the six housing areas, the six pod areas are open and running.

LEG. KENNEDY:

Okay.

CHIEF SHARKEY:

The new dormitory is open and running.

LEG. KENNEDY:

Okay.

CHIEF SHARKEY:

The only section that is not occupied right now is the medical housing which is impacted by the Health Department's staffing.

LEG. KENNEDY:

Yeah, I'm glad you brought that up. And as a matter of fact, I know that you can't speak to it directly, but I guess obviously you're going to know. You are still having to utilize, transport for inmates over to Peconic or some of those other things. In other words, what we had envisioned with that stepped up capability for Jail Medical in-house we haven't hit yet; have we?

CHIEF SHARKEY:

That's something that really is more a Health Department --

LEG. KENNEDY:

Okay.

CHIEF SHARKEY:

-- and Commission of Corrections driven topic.

LEG. KENNEDY:

All right, I'll pose them to Dr. Tomarken.

CHIEF SHARKEY:

As far as the rest of the facility --

LEG. KENNEDY:

But as far as inmates and space, the newly built space and everything like that we have, that's pretty much there.

Now, we have started renovations of that older area that was kind of the next thing in place; oh, is it the gymnasium or forums or something?

CHIEF SHARKEY:

There are eight dormitories in the older section of Yaphank.

LEG. KENNEDY:

Yes.

CHIEF SHARKEY:

Four of which are closed at this point pending renovation. When those four are renovated, then they will be open and occupied and we'll close two more of the larger dorms and then again --

LEG. KENNEDY:

Let me stop you there for a second, because I guess I'm a little -- I'm a confused, which is not surprising. The four dorms aren't occupied with prisoners, but there's nobody in there retrofitting them or building them out or upgrading the standards or anything; they're closed and they're empty?

CHIEF SHARKEY:

They're closed currently because the process hasn't moved far enough along with the contract to do the construction in there. They were closed ahead of time based on an agreement with the Commission of Corrections, because we have -- based on our staffing levels, we couldn't keep everything open. They allowed us to open the new facility with our current staffing levels because we were using staff that would have been in these older dorms to meet the staffing requirements to open.

LEG. KENNEDY:

Okay. So then let me just so that I understand a few more of the metrics. How many are you housing out right now? How many inmates are you housing?

CHIEF SHARKEY:

I don't believe we're housing any out, but hang on one second. No, we're not.

LEG. KENNEDY:

No housing out.

CHIEF SHARKEY:

Not right now, no.

LEG. KENNEDY:

So in other words, we're not incurring cost and that space, I guess, as we get to it, we'll be able to rehab it. Ultimately, when it's rehabbed out, how many additional inmates will we be able to go ahead and put in there?

CHIEF SHARKEY:

If you'll give me a second, I believe we have in the neighborhood of 300 odd beds closed now.

DEPUTY WARDEN FRANCHI :

Yes.

CHIEF SHARKEY:

Approximately 300 beds are in those four dorms.

LEG. KENNEDY:

And are we just talking about simple internal rehab or are we talking about major structural stuff; what's the time?

CHIEF SHARKEY:

Well, it's not structural but it's major -- it's major renovations, complete replacement of the bathroom facilities.

LEG. KENNEDY:

Eighteen and 24 months to build it out?

CHIEF SHARKEY:

Again, we do that in conjunction with DPW.

LEG. KENNEDY:

DPW. And DPW, as a matter of fact, has -- you don't know yet. Obviously I don't want you to speak for them, but your understanding is they've let a bid to do this space, or are we not even there yet?

CHIEF SHARKEY:

Just give me one second.

LEG. KENNEDY:

Sure.

CHIEF SHARKEY:

This is Deputy Warden Franchi and he's familiar with the timeline.

LEG. KENNEDY:

Okay.

CHIEF SHARKEY:

Construction could begin as early as late this year based on the current time frame.

LEG. KENNEDY:

Meaning that we --

CHIEF SHARKEY:

They're working on design and development right now and preparing construction documents so it can go out to bid, which should be happening shortly. Once the bids are completed, then getting a construction crew on premise will be later this year.

LEG. KENNEDY:

What is that going to do with our cycle regarding personnel? The other piece of what we spoke about was that Commission on Corrections basically said we didn't have enough CO's to basically accommodate people in this existing space and our new space. So we've got space we're going to rehab, we will have a better idea, I guess probably in a couple of months, what the price tag is going to be there. And then what is that going to do with our complement of Correction Officers.

CHIEF SHARKEY:

We build our staffing into our annual budget. The renovation process is going to continue on for a number of years, because we're going to have to finish these four dorms and then close another two and then another two, so all eight are completely renovated.

LEG. KENNEDY:

Okay.

CHIEF SHARKEY:

We budgeted for, this year, two classes of Correction Officers, one earlier in the year which would be the additional 40 to 45 that BRO mentioned, and then a second-class later in the year which would cover any separations of service that we have during the year. And then when we submit our 2015 budget, we'll start addressing, based on the timetable we're looking at, achieving the Commission of Corrections minimum staffing level to have a fully-opened facility.

LEG. KENNEDY:

Okay. We're at -- today is February 27th. Typically early in the year is in the first quarter. Are we going to see the new class? Do you have 45 candidates to go ahead and put in a class.

CHIEF SHARKEY:

Our Personnel Investigation Section is working on that and as we speak there are nearly 40 candidates done; I anticipate that we'll have between 40 and 50 candidates ready to go by the end of March which would be generally when we would submit to hire.

LEG. KENNEDY:

Okay. So but we don't have SCINS signed for them yet.

CHIEF SHARKEY:

I would generally submit those SCINS about three weeks ahead of an anticipated class, so probably next week.

LEG. KENNEDY:

Okay. So -- and you've been speaking with the Exec's Office. Is the Exec in line to go ahead and sign those SCINS so we can seat the class?

CHIEF SHARKEY:

I will find out when I submit the SCINS.

LEG. KENNEDY:

(Laughter) Hopefully they don't go the way of the promotions. Okay, thank you.

CHAIRPERSON BROWNING:

Any other questions? No? Okay. Thank you, Mike. We'll be looking forward to hearing from you on the promotions.

Patrice, if you would like to come up, we've got a couple of questions for you with regard to NarCan, and also a news article that came that I saw last night about the sex trafficking in Lindenhurst. I know you are probably limited to what you can say, but I believe that Probation was a very important role in what occurred yesterday.

MS. DLHOPOLSKY:

Yes. Good morning. Yes, our Probation Officers, I'd really like to praise their hard work and their investigative acuity in this case. Our officers developed information based on visits to the home and from other sources that allowed the officers to obtain a search order to enter that home in Lindenhurst. And our officers developed the search plan, put that together and went in with the

Police, the FBI and our officers and the arrests that you read about in the newspaper were a result, obviously. You know, a sad situation, but I couldn't be prouder of the work of our officers.

CHAIRPERSON BROWNING:

Well, extend our gratitude to them because that's when it shows cooperation between the departments and how --

MS. DLHOPOLSKY:

Yes, it does.

CHAIRPERSON BROWNING:

-- it works when it's used properly and the successess. And I have to say, it's very sad to hear about a 15 year-old.

MS. DLHOPOLSKY:

Yes, it is.

CHAIRPERSON BROWNING:

You know, that's just horrendous what that child has to go through.

MS. DLHOPOLSKY:

Yes.

LEG. KENNEDY:

Madam Chair, let me just make sure that I understand. So it was the gentleman that was keep -- I shouldn't even call him a gentleman, whatever -- who had these women, was on probation and so it was your PO who discovered the situation?

MS. DLHOPOLSKY:

No, there were several -- there were several men living in that house, one of them was on probation, not the main person you read about in the paper. One of them was on probation.

LEG. KENNEDY:

Okay. So incident to a visit, the PO became aware.

MS. DLHOPOLSKY:

Developed information -- yes. When we went to the home to visit that probation office -- probationer.

LEG. KENNEDY:

Who was the Probation Officer; can you share the name?

MS. DLHOPOLSKY:

The Probation Officer is Officer Martorell.

LEG. KENNEDY:

Martorell?

MS. DLHOPOLSKY:

Uh-huh.

LEG. KENNEDY:

Okay.

LEG. TROTTA:

Great guy.

LEG. KENNEDY:

Excellent. Yeah, very, very good work. Thank him.

MS. DLHOPOLSKY:

It was excellent work.

LEG. KENNEDY:

Okay, very good. Thank you.

CHAIRPERSON BROWNING:

Okay? Say again?

LEG. HAHN:

Narcan.

CHAIRPERSON BROWNING:

Yes, Narcan. How are we doing with the Narcan training?

MS. DLHOPOLSKY:

The Narcan training has been scheduled for Probation Officers. It's a beginning; obviously it's a cycle, it's going to take a while. A few officers attended a session that was open to people other than Probation Officers but within in the department. We have started sessions that will be running, the first one is I believe next week and they will run on a continuous basis until we have trained all of our officers in the use of Narcan. Obviously we're starting with those -- in the first class we will have the people who are assigned to our Intensive Narcotics Unit in that class, and then thereafter everybody else will be trained. But we're -- you know, it will be an ongoing process for some time, but we've begun.

CHAIRPERSON BROWNING:

Okay. Was there any other questions? I know we still have some issues for you on cars. Any change since last meeting, or are we --

MS. DLHOPOLSKY:

Well, we have 70 in our fleet and at this moment nine are in the shop.

CHAIRPERSON BROWNING:

How long have they been in the shop?

MS. DLHOPOLSKY:

The first one to go in that we're still waiting for was November 15th. More of them are in January and February. We've had a lot of dead batteries this winter (*laughter*).

CHAIRPERSON BROWNING:

The November one, do you know what that's in for? I mean --

MS. DLHOPOLSKY:

No heat.

CHAIRPERSON BROWNING:

-- I hope it's not an oil change.

MS. DLHOPOLSKY:

No; no heat.

CHAIRPERSON BROWNING:

Say again?

MS. DLHOPOLSKY:

No heat.

LEG. KENNEDY:

(Laughter)

MS. DLHOPOLSKY:

We did not have people going out in cars without heat this winter, no. The car had no heat.

CHAIRPERSON BROWNING:

Okay. And it's since November it's been in for that? I mean --

MS. DLHOPOLSKY:

I know we have --

CHAIRPERSON BROWNING:

-- I'm not a mechanic, but I know it shouldn't take that long to fix something like that.

MS. DLHOPOLSKY:

Well, we have gotten other cars back in that time period. So that was the initial complaint, I can't say whether perhaps they found that there was more extensive difficulty. But, you know, the garage does let our people know that their precedence is to get the Police vehicles serviced and back out on the road, and so Probation vehicles take kind of a second seat to that.

CHAIRPERSON BROWNING:

No, that's not acceptable. Cause, again, we talk about our Probation Officers going out and, you know -- yeah, they carry guns, but I don't want to see a Probation Officer going out in their own vehicle. You know, somebody can take their licence plate number, I think that puts them in serious jeopardy. They should not be using their own vehicles. They should be in a County vehicle at all times. So are you aware of any of them? I know I've heard of the occasions in the past.

MS. DLHOPOLSKY:

In the past it was routine; over the recent years that has not been routine at all. It's is very unusual for our Probation Officers to go out in their own vehicle. They do -- I think there are some that on occasion do, but for the most part that does not happen. We have been managing. Obviously it's easier when you don't have cars in the shop. We have managed. And of course it's been such a bad winter weather-wise that there were days that no one was really making too many home visits because of the weather, but it has taken a toll on our vehicles. I would say we're in a better situation than we were in the past. We have been getting cars back in general a bit quicker than we had been, yes.

CHAIRPERSON BROWNING:

Okay, thank you. Does anybody have any questions for Probation? No? Okay. Thank you, Patrice. And, you know, you know my number if there's anything new comes up that maybe we forgot to ask you.

MS. DLHOPOLSKY:

Thank you.

CHAIRPERSON BROWNING:

And Mr. Vaughn, I think you heard a lot of comments. I mean, if we can get a response on the vehicles for Probation, see if we can get them back to them a little quicker.

And also the issue with promotions; eleven submissions to have SCIN forms signed. And I'm not asking you to respond right away, but if you can get back to us, I'd appreciate it. And let us know what the status is of the Corrections class and the promotions.

And like I said, you know, we see that our officers take these tests and a lot of them study very hard and work hard to get that promotion, and to see a test list expire all for nothing is a little unfair. So if you can get back to us on that, I'd appreciate it. Thank you. Okay. With that, if there's no more questions? No? Okay.

So we'll go to **Tabled Resolution 1027-14. Adopting Local Law No. -2014, A Local Law to amend Section A13-10 of the Suffolk County Administrative Code to authorize donation of property held by the Police Property Bureau (County Executive)**. I'll make a motion to table for public hearing.

LEG. CALARCO:

Second.

CHAIRPERSON BROWNING:

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

Introductory Resolutions

1048-14 - Authorizing the Suffolk County's Law Enforcement Agencies to donate decommissioned body armored vests to local emergency service providers (Browning).

I'm going to make a motion to table. I've been talking with the Police Department. I actually reached out to the National Institute of Justice with regards to this, so I'm not ready to move it yet.

LEG. CALARCO:

Second.

CHAIRPERSON BROWNING:

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

1064-14 - Accepting and appropriating 100% Federal funds awarded as pass-thru funding by the New York State Division of Criminal Justice Services to the Suffolk County Department of Probation and authorizing the County Executive to execute related agreements (County Executive). Motion to approve and place on the Consent Calendar.

LEG. HAHN:

Second.

CHAIRPERSON BROWNING:

Second, Legislator Hahn. All in favor? Opposed? Abstentions? ***It's approved (and placed on the consent calendar (VOTE: 7-0-0-0))***.

1065-14 - Accepting and appropriating 100% Federal funds awarded by the U.S. Marshals Service to the Suffolk County Department of Probation and authorizing the County Executive to execute related agreements (County Executive). Motion, Legislator Hahn and put on the Consent Calendar. Second?

LEG. SPENCER:

Second.

CHAIRPERSON BROWNING:

Legislator Spencer. All in favor? Opposed? Abstentions? *It is approved (and placed on the Consent Calendar (VOTE: 7-0-0-0)).*

1087-14 - Accepting and appropriating a grant in the amount of \$23,670 from the New York State Governor's Traffic Safety Committee (GTSC FFY2014) Police Traffic Safety (PTS) Program with 100% support for the Sheriff's Traffic Safety Initiative (County Executive). Did I hear Legislator Spencer?

LEG. SPENCER:

Motion.

CHAIRPERSON BROWNING:

Made a motion to approve and place on the Consent Calendar. Second, Legislator Calarco. All in favor? Opposed? Abstentions? *It's approved (and placed on the consent Calendar (VOTE: 7-0-0-0)).*

1102-14 - Accepting and appropriating a grant in the amount of \$143,200 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's Operation Hot Wheels X Program with 77.47% support (County Executive). I guess we'll do motion, Legislator Spencer; second, Legislator Martinez. All in favor? Opposed? Abstentions? *It's approved (VOTE: 7-0-0-0).*

1104-14 - Accepting and appropriating Federal funding in the amount of \$16,000 from the United States Department of Justice, U.S. Marshals Service, for the Suffolk County Police Department's participation in the Regional Fugitive Task Force with 77.01% support (County Executive). I guess same motion, same second, same vote. *Approved (VOTE: 7-0-0-0).*

1105-14 - Accepting and appropriating a grant in the amount of \$16,148 in Federal pass-through funds from the New York State Division of Homeland Security and Emergency Services for the Explosive Detection Canine Team FY2013 Grant Program with 100% support (County Executive). I'll make a motion to approve and place on the Consent Calendar. Second, Legislator Calarco. All in favor? Opposed? Abstentions? *It is approved (and placed on the Consent Calendar (VOTE: 7-0-0-0)).*

And actually, Mr. Egan, I forgot, I was going to ask you a question. I don't know if it's something that you can respond to, but being that you're on FRES, and I think this might be more for the REMSCo, when I spoke to the National Institute of Justice, they actually mentioned that there might be some grants through the Burn Justice? I'm not sure, I can't remember, but talking about -- if you remember the incident that occurred in Bellport with the ambulance company that was shot at.

MR. EGAN:

Correct.

CHAIRPERSON BROWNING:

And they did mention there could be some possible grants for Emergency Service workers through FRES?

MR. EGAN:

I'm not sure if it's through FRES, but I guess FRES can apply.

CHAIRPERSON BROWNING:

Right.

MR. EGAN:

And I'll also talk to the Suffolk County Ambulance Chiefs, because they were working on that as well.

CHAIRPERSON BROWNING:

Right. I'd like to see if it's a possibility, because I know there's some concerns with the vests and the fact that, you know, the warranty on them has expired. It doesn't necessarily say that they're no good anymore, but I'd -- you know, I think we should look into possible grants.

MR. EGAN:

I think it becomes an issue of liability for the districts themselves, in putting personnel in expired --

CHAIRPERSON BROWNING:

Right.

MR. EGAN:

It falls in the same category as NFPA would for firefighting gear. Ten-year limit on it, once it comes off you can't enter a fire; you can be exterior, but you can't enter a fire with that gear. I think the same thing falls with the vests.

CHAIRPERSON BROWNING:

And I know, you know, a lot of people say bulletproof vests are not bulletproof. So -- and again, we were putting a hold-harmless clause in the legislation, but I'd like to explore possible grants.

Mr. Vaughn, did you have something you wanted to add? Thanks, Jay.

MR. VAUGHN:

Yes, Legislator Browning. Actually, in response to your legislation, we have spoken to Deputy Commissioner John Jordan regarding the possibility of grants. And while bulletproof vests currently don't fall into any current grant program that we are applying for, it doesn't mean that there may not be money available and that is something that FRES has expressed that they would look into.

CHAIRPERSON BROWNING:

Okay, I appreciate it. Thank you. We'll follow-up with Mr. Williams.

So with that, with nothing more on the agenda, so I'll make a motion to adjourn. Second, Legislator Calarco. We're adjourned.

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

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