

KATE BROWNING NEWS

COUNTY OF SUFFOLK



COUNTY LEGISLATURE

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TARGET: DRUG AND NUISANCE HOMES

BROWNING STRENGTHENS COUNTY CRACK HOUSE LAW

Mastic, NY – Changes to the Suffolk County Crack House Law passed the Suffolk County Legislature on Tuesday, May 11. Legislator Kate Browning (WF-Shirley) sponsored the legislation aimed at strengthening the law. The changes make the law more effective and efficient in dealing with serial offenders who are using their homes to conduct criminal activity.

With crime on the rise, especially cases involving heroin and other addictive drugs, the crack house law can be a key tool in the arsenal for law enforcement agencies cracking down on homes that foster criminal activity. To date the law has been used sporadically, but at times has been crucial in putting an end to drug activity and other crimes that are negatively impacting residential neighborhoods. Unfortunately, the crack house law has not been used as often and effectively as Legislator Browning feels it could and should be.

Introductory Resolution 1334-10 passed unanimously and empowers police officers to utilize the crack house law more effectively and more often, while ensuring that the County Attorney's office is following through on enforcing it. The new changes extend the time frame in which action can be taken if multiple arrests occur at a home. The original law required two offenses to take place within a two-year time frame in order for the county attorney to take action and impose large fines on the property owner. Legislator Browning's changes set a three-year period for two criminal arrests that trigger punishment for the homeowner.

"This is a great law, but Suffolk County is not utilizing it to the extent it should be," stated Browning. "These changes to the statute have strengthened the county's ability to crack down on homes that harbor criminals and become havens for criminal activity."

Another major deficiency in the law was that no clear procedures were codified to ensure information is being shared between the police department, county attorney, and the legislature. How homes were red-flagged for prosecution under the crack house law, and how quickly that information was being shared between the necessary departments, was unclear. The county had also been too slow in processing the information received from the police department and notifying the homeowner that there were violations at their property. Property owners can't take action to rectify a situation if they don't know about it; and they won't if the county isn't threatening to punish them.

"There have been instances in which an arrest has been made, but the county took over a year to notify the homeowner that a violation at their property triggered action under the crack house law," stated Browning. "In addition, local legislators weren't being notified in a timely fashion that notices had been issued in their respective districts. My office has received notices a year and a half after an arrest has been made. By extending the time frame from two years to three years, and setting deadlines for notices to be issued after an arrest is made, my amendments have greatly expanded the number of trouble spots that can be addressed while improving communication and execution."

Legislator Browning's amendments now require that no more than 90 days can pass from the time an arrest is made to when notice is sent to the homeowner and the local legislator is notified of the actions taken. Coupled

with the extension from two years to three years, Browning believes the county will be able to make a major impact on homes where drug dealing and other criminal activity is rampant.

“The path drugs take to get to our children starts in these homes,” concluded Browning. “My amendments have empowered the county to crack down on drug dealing and improve the effectiveness of the law. This law was intended to shut down these hot spots of drug trafficking and we will now be able to eliminate far more criminal elements from our neighborhoods.”

If residents know of homes that have had police activity and want to report them, you can call Legislator Browning’s office at 631-852-1300. If these are found to have violated the crack house law, Legislator Browning will make sure the necessary action is taken, and with these new tools it will be much easier. The following offenses can trigger the crack house law:

- (1) Article 220 (controlled substances).
- (2) Article 230 (prostitution).
- (3) Article 225 (gambling).
- (4) Sections 221.40, 221.45, 221.50 and 221.55 (criminal sale of marijuana in the fourth degree through first degree).
- (5) Sections 165.45, 165.50, 165.52 and 165.54 (criminal possession of stolen property in the fourth degree through first degree).
- (6) Sections 165.09 and 165.10 (auto stripping in the second and first degrees).
- (7) Section 170.65 (forgery of a vehicle identification number).
- (8) Section 110.70 (illegal possession of a vehicle identification number plate).
- (9) Section 265.08 (criminal use of a firearm in the second degree).
- (10) Section 265.09 (criminal use of a firearm in the first degree).
- (11) Section 265.11 (criminal sale of a firearm in the third degree).
- (12) Section 265.12 (criminal sale of a firearm in the second degree).
- (13) Section 265.13 (criminal sale of a firearm in the first degree).
- (14) Section 120.08 (assault on a peace officer, police officer, fireman or emergency medical services professional).
- (15) Section 120.10 (assault in the first degree).
- (16) Section 265.02 (criminal possession of a weapon in the third degree).
- (17) Section 265.03 (criminal possession of a weapon in the second degree).
- (18) Section 265.04 (criminal possession of a dangerous weapon in the first degree).

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