

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

PUBLIC SAFETY COMMITTEE

DENNIS DUNNE,
CHAIRMAN

1550 Franklin Avenue
Mineola, New York

March 7, 2016
2:44 p.m.

REGAL REPORTING SERVICES
516-747-7353

A P P E A R A N C E S:

DENNIS DUNNE
Chair

DONALD MACKENZIE
Vice-Chair

VINCENT MUSCARELLA

DENISE FORD (Not Present)

ROSE WALKER (Sitting in for Denise Ford)

LAURA CURRAN
Ranking

KEVAN ABRAHAMS

SIELA A. BYNOE

FRANK MORONEY, Clerk Pro Tempore

LIST OF SPEAKERS

CHRIS MISTRON	5
TOM DELANEY	8
BOB MCMANUS	10
GREG STEPHANOFF	13
KAREN DOOLING	15

2 CHAIRMAN DUNNE: Will the members of the
3 Public Safety Committee please take their seats?
4 I'm going to ask our Clerk Pro Tempore to make
5 the roll call, please.

6 MR. MORONEY: Chairman, Legislator
7 Dennis Dunne?

8 CHAIRMAN DUNNE: Here.

9 MR. MORONEY: Vice Chairman Donald
10 MacKenzie?

11 LEGISLATOR MACKENZIE: Here.

12 MR. MORONEY: Legislator Muscarella?

13 LEGISLATOR MUSCARELLA: Here.

14 MR. MORONEY: Legislator Rose Walker?

15 LEGISLATOR WALKER: Here.

16 MR. MORONEY: Legislator Laura Curran?

17 LEGISLATOR CURRAN: Here.

18 MR. MORONEY: Legislator Kevan Abrahams?

19 LEGISLATOR ABRAHAMS: Here.

20 MR. MORONEY: Legislator Siela Bynoe?

21 LEGISLATOR BYNOE: Here.

22 MR. MORONEY: You have a quorum, Mr.

23 Chairman.

CHAIRMAN DUNNE: And we have Rose Walker, who is subbing for Denise Ford. Let's make sure that's on our record.

The first item to come before us, we're going to call together, Item 60-16, together with 68-16 and 69-16. They are all ordinances supplemental to the annual appropriation ordinance in connection with the Traffic Safety Board.

Who do we have for traffic safety? We have Chris.

Motion by Rose Walker, seconded by Donald Mackenzie on all three of those items.

MR. MISTRON: Christopher Mistron, Director of Traffic Safety.

The first item which was called, the 60-16, was a grant for \$3,000 dedicated for the Child Passenger Safety Program provided by Traffic Safety. The grant allows for Traffic Safety to purchase car seats and equipment for doing specifically our mobile traffic child safety seat checks, which actually we do in the legislative districts.

CHAIRMAN DUNNE: Which is a great

program. We might as well as well vote on them individually. We called them all together but we're going to vote on them individually.

The motion is made and passed.

Does anybody have any questions on this item?

(No verbal response.)

There being none; all those in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

It passes on to Finance.

The next one was 68-16.

MR. MISTRON: 68-16, again is a grant that we received. There is surcharge money charged for people that park in handicapped parking spaces. The legislation in the State calls for that surcharge to be able to be used for educational programs involved for physically challenged people. We utilize that money through another organization to do everything from child specialized traffic safety programs to mobility programs.

CHAIRMAN DUNNE: Okay. Any questions on this from any of the legislators?

(No verbal response.)

All in favor indicate by saying aye.

(Aye.)

Against?

(No verbal response.)

It passes on to Finance also.

Now 69-16.

MR. MISTRON: The final one is the police traffic services grant, that again, Traffic Safety applied for on behalf of all the police departments in Nassau County, the Nassau County PD and the village and city police.

This particular enforcement is split between the annual Buckle-Up enforcement wave that takes place the end of May, as well as specialized enforcement for everything from pedestrian safety to speed enforcement and aggressive driving enforcement, as well as the new component for cell phone use.

CHAIRMAN DUNNE: Any questions on this?

(No verbal response.)

There being none; all in favor indicate

by saying aye.

(Aye.)

Any against?

(No verbal response.)

It passes unanimously on to Finance.

Thank you, Mr. Mistrion.

The next item coming up before us will be Item 61-16, an annual appropriation ordinance in connection with the Office of Emergency Management.

Who do we have?

LEGISLATOR WALKER: So moved.

CHAIRMAN DUNNE: Moved by Rose Walker, seconded by Vincent Muscarella, Legislator Muscarella.

MR. DELANEY: Hi, everyone. Tom Delaney, Nassau County OEM. This is a New York State grant funded by cellular surcharge revenue. When you look on your cell phone bills, now you know where some of this money is going to.

This is called the public safety answering point grant. We applied for \$163,406 last year to upgrade the Firecom dispatch system, which, as many people are aware, suffered two

outages last year, not just affecting the county dispatch system but potentially, even though they're a fire department that do self dispatch because Firecom is a backup. What the system is going to do is allow them to start transitioning into newer technology. This system is very expandable. We're going to start off with something small, still utilizing the current system and then build onto that.

The award amount that we received was for \$137,000. Like I said, the system was 163. We're going to be able to backfill this with money from our other homeland security grants because this involves interoperable communications. So we will be able to meet the goal that was originally asked for.

CHAIRMAN DUNNE: Welcome to the future.

Any questions from any of the legislators?

(No verbal response.)

There being none; all in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

Okay. Thank you kindly. This goes on to Finance.

The next item is Item 62-16, and we're going to call also 67-16 and 74-16 because they are all dealing with the district attorney's office. They are all ordinances supplemental to the annual appropriations ordinance in connection with the district attorney's office.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

CHAIRMAN DUNNE: Moved by Legislator Walker, seconded by Legislator Muscarella.

MR. MCMANUS: Bob McManus, District Attorney's Office.

Item 62 is for the Nassau County District Attorney's Office rapid intervention and services model. Funds will be used by the district attorney's office to reduce DWI repeat offenses by addressing two specific issues within the criminal justice system: predicting which offenders are likely to reoffend by utilizing non-traditional assessment tools and reducing the amount of time between arrest and disposition of

the case.

Research conducted by the state has shown that offenders respond to intervention, but only if there are swift and clear consequences for recidivistic behavior. Offenders will be tracked throughout the process in order to evaluate compliance with the program and sanctions will be imposed accordingly. This is funded entirely by grant money.

CHAIRMAN DUNNE: You might as well do all three while you're there. Do the other two.

MR. MCMANUS: Excuse me, sir?

CHAIRMAN DUNNE: 67 also.

MR. MCMANUS: Yes. This item is the motor vehicle theft and insurance fraud prevention grant program. The Nassau County District Attorney's Office motor vehicle theft and insurance fraud prevention program investigate and prosecute motor vehicle theft and motor vehicle insurance fraud cases.

Investigative efforts target medical mills and auto body shops suspected of no-fault fraud, with an emphasis of undercover investigations. The program also facilitate cooperation between law

2 enforcement agencies and the insurance industry
3 in combating the program of auto-related
4 insurance fraud.

5 CHAIRMAN DUNNE: And that's funded
6 through?

7 MR. MCMANUS: It's a grand funded
8 through New York State Division of Criminal
9 Justice Services.

10 CHAIRMAN DUNNE: Excellent. And then
11 74-16.

12 MR. MCMANUS: Item Number 74 is the
13 crimes against revenue program. Funds will be
14 used by the Nassau County District Attorney's
15 Office for continuation of the crimes against
16 revenue program. This program will provide
17 effective investigation and prosecution of cases
18 that have adverse affects on all government
19 revenues, including, but not limited to, sales
20 and personal income tax evasion, Medicaid fraud,
21 and enforcement of prevailing wage laws. And
22 this is also 100 percent funded.

23 CHAIRMAN DUNNE: Excellent.

24 Any questions for Mr. McManus from any of
25 the legislators?

(No verbal response.)

There being none; all those in favor of
all three of these items indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

Thank you, Mr. McManus. All three will
go on to Finance.

MR. MCMANUS: Thank you.

CHAIRMAN DUNNE: The next item to come
before us is Item 71-16, which is an ordinance
supplemental to the annual appropriation
ordinance in connection with the police
department.

LEGISLATOR WALKER: So moved.

LEGISLATOR MACKENZIE: Second.

CHAIRMAN DUNNE: Rose Walker makes the
motion, and Don Mackenzie seconds.

Lieutenant. Lieutenant, can I just ask
you when did you get the promotion?

LIEUTENANT STEPHANOFF: December.

CHAIRMAN DUNNE: Excellent.
Congratulations.

LIEUTENANT STEPHANOFF: Thank you.

2 CHAIRMAN DUNNE: Great job. We used to
3 call you Serg. Now it's Lieutenant.

4 LIEUTENANT STEPHANOFF: Thank you.

5 CHAIRMAN DUNNE: Okay. Item 71, can you
6 tell us about this?

7 LIEUTENANT STEPHANOFF: This item
8 appropriates \$145,783 in funds from the New York
9 State Division of Criminal Justice Services.
10 This is our surveillance apprehension and
11 enforcement program. We use this for extra
12 patrols for stolen autos in high theft areas, and
13 we also send detectives for extra work for
14 insurance fraud.

15 CHAIRMAN DUNNE: Excellent. Any
16 questions from any legislator on this?

17 (No verbal response.)

18 All in favor indicate by saying aye.

19 (Aye.)

20 Any against?

21 (No verbal response.)

22 It passes on to Finance.

23 Thank you, Lieutenant.

24 LIEUTENANT STEPHANOFF: Thank you.

25 CHAIRMAN DUNNE: The next item to come

2 before us is Item 72-16, an ordinance
3 supplemental to the annual appropriation
4 ordinance in connection with the
5 Toxicology/Medical Examiner.

6 LEGISLATOR WALKER: So moved.

7 LEGISLATOR MUSCARELLA: Second.

8 CHAIRMAN DUNNE: Legislator Walker made
9 the motion, seconded by Vincent Muscarella.

10 Now, on the item. Yes, ma'am

11 MS. DOOLING: Hi. Karen Dooling, Crime
12 Laboratory, Medical Examiner's Office on behalf
13 of toxicology.

14 This award is \$21,542 from the federal
15 government. It's a pass-through no match through
16 the state. It will be used for conferences, the
17 temperature monitoring system for the lab, and
18 for overtime to perform casework.

19 CHAIRMAN DUNNE: What discipline is
20 that?

21 MS. DOOLING: This is toxicology, which
22 is separate from crime laboratory, but a
23 toxicology person wasn't available today.

24 CHAIRMAN DUNNE: We do all that in-house
25 here?

MS. DOOLING: Yeah. Toxicology deals with the death investigations in the medical examiner's office.

CHAIRMAN DUNNE: Excellent.

Any questions from any legislator?

(No verbal response.)

There being none; all in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

It passes on to Finance.

Thank you, Karen.

Now we entertain a motion to suspend the rules.

LEGISLATOR BYNOE: One second.

Legislator Dunne?

CHAIRMAN DUNNE: Yes.

LEGISLATOR BYNOE: I have something I want to discuss before we adjourn for the day.

CHAIRMAN DUNNE: We have another item.

LEGISLATOR BYNOE: We do?

CHAIRMAN DUNNE: We have an addendum item.

2 LEGISLATOR BYNOE: I'm sorry.

3 CHAIRMAN DUNNE: I will entertain after
4 we complete.

5 I entertain a motion to suspend the rules
6 for the addendum item.

7 LEGISLATOR WALKER: So moved.

8 LEGISLATOR MACKENZIE: Second.

9 CHAIRMAN DUNNE: So moved by Legislator
10 Rose Walker, seconded by Don Mackenzie.

11 All in favor?

12 (Aye.)

13 The item is Item 70-16, an ordinance
14 supplemental to the annual appropriations
15 ordinance in connection with the medical
16 examiner's division of forensic services.

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR MACKENZIE: Second.

19 CHAIRMAN DUNNE: It is moved by
20 Legislator Walker, seconded by Legislator
21 Mackenzie.

22 Now, on this item.

23 MS. DOOLING: Hi. Karen Dooling, Crime
24 Lab.

25 This is actually the same grant I was

discussing before; one gets awarded to the toxicology laboratory from the state and another for the same amount, \$21,542 gets awarded to the crime laboratory.

For the crime laboratory, this money will be used to support our laboratory information management system, which is what we use to process all casework and keep track of our QC records.

CHAIRMAN DUNNE: Okay. Any questions?

(No verbal response.)

There being none; all in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

This also passes and goes on to Finance.

Before we adjourn, Legislator Bynoe had a remark she wanted to make.

LEGISLATOR BYNOE: Thank you.

I just wanted to address the on-going issue with Armor Services. I'm sure you are all aware that yet again today there was another death at the jail today. While we don't know the

cause of death, it still, to me, kind of triggers the on-going concern that I have regarding the services of Armor. To this point, I know that we've been asked to investigate and have a hearing and deal with the services, the poor services that the inmates are receiving there. To this point, I feel like we haven't done anything to move this issue forward. So my concern is that there has been some discussion that there is a financial repercussion for us to terminate the contract. But to this point, from what I understand, we can terminate with a 30 day notice to Armor and then we would need to, at that point, consider what other services could supplemental or - what other individual or agency could provide services.

CHAIRMAN DUNNE: Just so you know, there is an investigation going on, then we will do our investigation, and we have to have something in place to --

LEGISLATOR BYNOE: If we continue -

CHAIRMAN DUNNE: if we do terminate it. There is a little bit more than just demanding. I felt the same way when I heard about it; we

should stop them right away. But we have to have everything in place and we have to have the investigation done because we don't want to unfairly hurt anybody either. Once their investigation is done, then we will do our hearing, if necessary. But that's up to the presiding officer if we do a hearing on that.

I appreciate your concern --

LEGISLATOR BYNOE: To this point -- allow me to finish.

CHAIRMAN DUNNE: and we all have the same concerns.

LEGISLATOR BYNOE: Allow me to finish, please. Give me the courtesy of finishing.

As I was trying to state, the article that came out yesterday in *Newsday* that was, I guess, identified some of the findings that were -- I'm sorry -- the findings that were included in the Maurice Chalmers report, it indicates that there is even an enforcement mechanism in the contract that the county has failed to even penalize them financially to this point. It seems like the only individuals that are suffering any consequences are the inmates. I

2 think that as the Public Safety Committee that we
3 are charged with the responsibility to expedite
4 this investigation.

5 I'd like to understand where we are --
6 I'm not even, as a member of public safety or a
7 member of this legislative body, I haven't even
8 been privileged to understand where we are in the
9 investigative process. I think we should know
10 that.

11 CHAIRMAN DUNNE: You know what? This is
12 the first that I'm hearing of you wanting to
13 participate in this.

14 LEGISLATOR BYNOE: That's not true.

15 CHAIRMAN DUNNE: We are doing an
16 investigation --

17 LEGISLATOR BYNOE: That's not true. We
18 sent a letter --

19 CHAIRMAN DUNNE: We're waiting for the
20 investigation --

21 LEGISLATOR BYNOE: some time ago asking
22 for the investigation to be undertaken.

23 CHAIRMAN DUNNE: Let me stop you there.
24 Right now, everything we discuss is moot. We're
25 just as responsible to find out what's going on

and do it responsibly. Find out first what the investigation shows, from law and order, then we have to do our investigation, and then we will have hearing. If it gets cleared up before then that's fine. You know what? It has to be done responsibly. They have to first do -- the police have to do their work first and the district attorney's office. Once the district attorney's office is finished with it then we can do anything we can to rectify it. But right now, spouting off and saying I feel this way and that way, everybody here can put a speech on.

The meeting is now closed.

LEGISLATOR BYNOE: Legislator Dunne --

CHAIRMAN DUNNE: There is no more to be said.

LEGISLATOR BYNOE: I agree that everything has to be done in decency and order --

CHAIRMAN DUNNE: You can come to us and we'll be happy to listen to you.

LEGISLATOR BYNOE: I believe that everything should be done in decency and order. But I believe a hearing would be a tool or a resource for investigating. I feel that we're

failing even in having a hearing.

CHAIRMAN DUNNE: We can't have a hearing until it's done. Have your counsel reach out to our counsel and we will make arrangements. Your counsel reach out to our counsel and we will make arrangements.

Thank you so much. I appreciate your concern because we are just as concerned.

This committee stands adjourned.

Motion by Rose Walker, seconded by Don Mackenize.

All in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

Okay.

(Whereupon, the Public Safety Committee adjourned at 3:02 p.m.)

C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New York,
do hereby state:

THAT I attended at the time and place above
mentioned and took stenographic record of the
proceedings in the above-entitled matter;

THAT the foregoing transcript is a true and
accurate transcript of the same and the whole
thereof, according to the best of my ability and
belief.

IN WITNESS WHEREOF, I have hereunto set my
hand this 21st day of March, 2016.

FRANK GRAY