

1. Public Notice 3/15/21

Documents:

[PUBLIC NOTICE RECONVENING 3-8-21 PUBLIC SAFETY FOR 3-15-21 WITH FINANCE AND RULES.PDF](#)

2. Special Meeting Items 3-15-21

Documents:

[F-3-15-21.PDF](#)  
[PS- 3-8-21 RECONVENED 3-15-21.PDF](#)  
[R-3-15-21.PDF](#)

3. PUBLIC SAFETY COMMITTEE FINANCE COMMITTEE RULES COMMITTEE 3-15

Documents:

[PUBLIC SAFETY, FINANCE, RULES COMMITTEE, 03-15-21.PDF](#)



## **PUBLIC NOTICE**

PLEASE TAKE NOTICE THAT

**THE NASSAU COUNTY LEGISLATURE WILL**

**RECONVENE THE MONDAY, MARCH 8, 2021**

**MEETING OF THE PUBLIC SAFETY COMMITTEE**

**AND WILL HOLD MEETINGS OF THE**

**FINANCE AND RULES COMMITTEES**

**ON**

**MONDAY, MARCH 15, 2021 AT 2:00 PM**

**IN**

**THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER  
THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING  
1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501**

Please be advised that due to health and safety concerns associated with the COVID-19 virus and in accordance with New York State Executive Order No. 202.1, which, in part, suspends Article 7 of the Public Officers Law to the extent necessary to permit any public body to meet and take such actions authorized by law without permitting in public in-person access to meetings, this hearing will be closed to the public and will be available for viewing online at <http://www.nassaucountyny.gov/agencies/Legis/index.html>

Public comment on any item may be emailed to the Clerk of the Legislature at [LegPublicComment@nassaucountyny.gov](mailto:LegPublicComment@nassaucountyny.gov) and will be made part of the formal record of this Legislative meeting.

While this hearing is closed to the public, the Nassau County Legislature is committed to making its public hearings accessible to individuals with disabilities. If, due to a disability, you need an accommodation or assistance to participate in the public hearing or to obtain a copy of the transcript of the public hearing in an alternative format in accordance with the provisions of the Americans with Disabilities Act, please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office of the Physically Challenged at 227-7101 or TDD telephone No. 227-8989.

**MICHAEL C. PULITZER**  
**Clerk of the Legislature**  
**Nassau County, New York**

**DATED: March 8, 2021**  
**Mineola, NY**

# **NASSAU COUNTY LEGISLATURE**

## **13th TERM MEETING AGENDA**

# **FINANCE COMMITTEE**

**MARCH 15, 2021 2:00 PM**

**Howard Kopel - Chairman**

**Vincent Muscarella – Vice Chairman**

**Tom McKevitt**

**Rose Marie Walker**

**Ellen Birnbaum – Ranking**

**Arnold Drucker**

**Joshua Lafazan**

**Michael C. Pulitzer, Clerk of the Legislature**

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
			<b><u>THE FOLLOWING ITEMS MAY BE UNTABLED</u></b>
64-21	CE	PS, F, R	<b><u>RESOLUTION NO. -2021</u></b> A RESOLUTION TO ADOPT THE NASSAU COUNTY POLICE REFORM AND REINVENTION PLAN. 64-21(CE)

# **NASSAU COUNTY LEGISLATURE**

## **13th TERM MEETING AGENDA**

# **PUBLIC SAFETY COMMITTEE**

**MARCH 8, 2021 1:00 PM**

**RECONVENED ON MARCH 15, 2021 2:00 PM**

**Denise Ford - Chairwoman**

**Steve Rhoads - Vice Chairman**

**Vincent Muscarella**

**John Ferretti**

**Delia DeRiggi-Whitton - Ranking**

**Siela Bynoe**

**Debra Mulé**

**Michael C. Pulitzer, Clerk of the Legislature**

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
			<b><u>THE FOLLOWING ITEM MAY BE UNTABLED</u></b>
64-21	CE	PS, F, R	<b><u>RESOLUTION NO. -2021</u></b> A RESOLUTION TO ADOPT THE NASSAU COUNTY POLICE REFORM AND REINVENTION PLAN. 64-21(CE)

# **NASSAU COUNTY LEGISLATURE**

## **13<sup>th</sup> TERM MEETING AGENDA**

# **RULES COMMITTEE**

**MARCH 15, 2021 2:00 PM**

**Richard Nicoletto – Chairman**

**Howard Kopel – Vice Chairman**

**Steve Rhoads**

**Laura Schaefer**

**Kevan Abrahams – Ranking**

**Delia DeRiggi-Whitton**

**Siela Bynoe**

**Michael C. Pulitzer, Clerk of the Legislature**

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
64-21	CE	PS, F, R	<b><u>RESOLUTION NO. -2021</u></b> A RESOLUTION TO ADOPT THE NASSAU COUNTY POLICE REFORM AND REINVENTION PLAN. 64-21(CE)



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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO,  
Presiding Officer

PUBLIC SAFETY COMMITTEE

FINANCE COMMITTEE

RULES COMMITTEE

1550 Franklin Avenue  
Mineola, New York

Monday, March 15, 2021  
2:25 P.M

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2     A P P E A R A N C E S:3     Public Safety:4     DENISE FORD,  
          Chairwoman

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6     STEVE RHOADS,  
          Vice Chairman

7     VINCENT MUSCARELLA (By Howard Kopel)

8     JOHN R. FERRETTI

9     DELIA DERIGGI-WHITTON,  
          Ranking

10

11     SIELA BYNOE

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13     DEBRA MULE

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15     MICHAEL PULITZER  
16     Clerk of the Legislature

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

Finance Committee:

- HOWARD KOPEL,  
Chairman
- VINCENT MUSCARELLA,  
Vice Chairman
- TOM MCKEVITT
- ROSEMARIE WALKER
- ELLEN BIRNBAUM,  
Ranking
- ARNOLD DRUCKER
- JOSHUA LAFAZAN
- MICHAEL C. PULITZER,  
Clerk of the Legislature

1

2 A P P E A R A N C E S:3 Rules Committee:4 RICHARD NICOLELLO,  
Chairman

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6 HOWARD KOPEL,  
Vice Chairman

7 STEVE RHOADS

8 LAURA SCHAEFER (by Rose Walker)

9 KEVAN ABRAHAMS,  
Ranking

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DELIA DERIGGI-WHITTON

11

SIELA BYNOE

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13 MICHAEL C. PULITZER,  
Clerk of the Legislature

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1 P-Safety/Finance/Rules 3-15-21

2 LEGISLATOR FORD: Good afternoon.  
3 We are we are going to reopen the Public  
4 Safety Committee hearing and before we do I  
5 will ask Legislator Rose Walker to lead us  
6 in the Pledge of Allegiance.

7 (The Pledge of Allegiance was  
8 recited.)

9 LEGISLATOR FORD: Good afternoon.  
10 Today we're going to reconvene the March 8th  
11 meeting of the Public Safety Committee. Can  
12 I have a motion to untable clerk item 64-21,  
13 a resolution to adopt the Nassau County  
14 Police Reform and Reinvention Plan.

15 May I have a motion?

16 LEGISLATOR RHOADS: So moved.

17 LEGISLATOR MULE: Second.

18 LEGISLATOR FORD: So moved by  
19 Legislator Rhoads, seconded by Legislator  
20 Mule. Can I have a vote? All those in  
21 favor?

22 (Aye.)

23 The motion is untabled.

24 At this time I'm going to ask  
25 Deputy Presiding Officer Kopel as we are

1 P-Safety/Finance/Rules 3-15-21  
2 going to do all three committees at the same  
3 time.

4 LEGISLATOR KOPEL: Thank you,  
5 Legislator Ford. We're going to have the  
6 roll call of the Finance Committee.

7 Mr. Muscarella?

8 LEGISLATOR MUSCARELLA: Here.

9 LEGISLATOR KOPEL: Legislator  
10 McKeivitt?

11 LEGISLATOR MCKEVITT: Here.

12 LEGISLATOR KOPEL: Thank you.  
13 Ms. Walker is here. Ms. Birnbaum is here?

14 LEGISLATOR BIRNBAUM: Here.

15 LEGISLATOR KOPEL: Mr. Drucker?

16 LEGISLATOR DRUCKER: Here.

17 LEGISLATOR KOPEL: Mr. Lafazan?

18 (No verba response.)

19 LEGISLATOR KOPEL: We have a  
20 quorum in any event. We are going to have a  
21 motion to untable clerk item 64-21 to adopt  
22 the Nassau County Police Reform.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR BIRNBAUM: Second.

25 LEGISLATOR KOPEL: That motion is

1 P-Safety/Finance/Rules 3-15-21  
2 made by Ms. Walker, seconded by Ms.  
3 Birnbaum. All those in favor of the  
4 untabling please say aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 The motion is untabled. Now  
9 Presiding Officer Nicoletto will open the  
10 Rules Committee.

11 LEGISLATOR NICOLELLO: I'm going  
12 to call the Rules Committee into session and  
13 ask Mike Pulitzer to call the roll, please.

14 MR. PULITZER: Thank you,  
15 Presiding Officer. The Rules Committee roll  
16 call. Legislator Siela Bynoe?

17 LEGISLATOR BYNOE: Here.

18 MR. PULITZER: Legislator Delia  
19 DeRiggi-Whitton?

20 LEGISLATOR DERIGGI-WHITTON:  
21 Here.

22 MR. PULITZER: Legislator Ranking  
23 Member Kevan Abrahams?

24 LEGISLATOR ABRAHAMS: Here.

25 MR. PULITZER: Thank you.

1 P-Safety/Finance/Rules 3-15-21

2 Legislator Steven Rhoads?

3 LEGISLATOR RHOADS: Present.

4 MR. PULITZER: Vice Chairman  
5 Howard Kopel?

6 LEGISLATOR KOPEL: Here.

7 MR. PULITZER: Chairman Richard  
8 Nicoletto?

9 CHAIRMAN NICOLELLO: Here.

10 MR. PULITZER: Have a quorum,  
11 sir.

12 CHAIRMAN NICOLELLO: Legislator  
13 Rose Walker will be substituting for Laura  
14 Schaefer. She's here.

15 Before we start, there was some  
16 public comment. Mike, who was the public  
17 comment from?

18 MR. PULITZER: The public comment  
19 was submitted by Susan Gottehrer, director  
20 of the Nassau County New York Civil  
21 Liberties Union. That's for the Public  
22 Safety Committee and we have so noted it,  
23 sir.

24 CHAIRMAN NICOLELLO: I think  
25 there were three others.



1 P-Safety/Finance/Rules 3-15-21

2 MR. PULITZER: I'm sorry. There  
3 was public comment from the Honorable John  
4 Joseph Budnick and from Skyler Bater. That  
5 was the other public comment. Thank you  
6 very much.

7 LEGISLATOR FORD: I also received  
8 an email from a Kerry Johnson in Woodmere,  
9 New York and her comments will be made part  
10 of the record as well.

11 MR. PULITZER: And I would like  
12 to state that Legislator Lafazan is here as  
13 well.

14 LEGISLATOR FORD: Good afternoon,  
15 commissioner. Thank you very much for  
16 coming back and I guess -- I don't think  
17 anybody has any opening comments but we will  
18 go right to you and if you can give us an  
19 update as to the changes that you made with  
20 the plan that you submitted.

21 CHAIRMAN NICOLELLO:  
22 Commissioner, can you hold on a moment?

23 I neglected to call the item for  
24 the Rules Committee. Let me do that now.  
25 We need a motion to adopt the resolution to

1 P-Safety/Finance/Rules 3-15-21  
2 adopt the Nassau County Police Reform and  
3 Reinvention Plan.

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR RHOADS: Second.

6 CHAIRMAN NICOLELLO: Moved by  
7 Legislator Walker, seconded by Legislator  
8 Rhoads. That's before the Rules Committee  
9 as well. Thank you. I apologize.

10 COMMISSIONER RYDER: Good  
11 afternoon. I want to start by introducing  
12 my staff that is present with me today and  
13 will present different parts of our plan.

14 First, to my right, is  
15 intelligence analyst Amanda Lamberti. I  
16 want to give her a lot of credit. She's  
17 been with us step by step regarding the plan  
18 and dealing with the multiple changes that  
19 we've had to deal with and she's done an  
20 outstanding job. We thank her for that.

21 Commissioner Smith to my left.  
22 To the left of Commissioner Smith is our  
23 Chief of Department Stephen Palmer. To the  
24 left of Chief Palmer is our Chief of  
25 Detectives, Keechant Sewell and to the left

1 P-Safety/Finance/Rules 3-15-21  
2 of her is Chief of Support Lorna Atmore.

3 Also with us in the audience  
4 today is chief counsel, Deputy Chief John  
5 Berry. Our deputy chief of parol, Joe  
6 Barbieri, our deputy chief Bill Leahy,  
7 Deputy Chief Chris Ferro, Assistant Chief  
8 Jimmy Barchella, and Inspector Stillman.  
9 All the rest of the members will introduce  
10 themselves as they are called here today.

11 We are here to present the reform  
12 recommendations to you all for your  
13 consideration and answer any questions for  
14 clarity. This is a draft. Until final  
15 approval by this body it will remain a  
16 draft.

17 The NCPD has been committed and  
18 has been since 1925 to serve the people of  
19 this county and we embrace reform as you  
20 will hear today in this document.

21 The information in this document  
22 comes from over 150 meetings. That includes  
23 working groups with the PACT, the CCT, the  
24 CCC, town and community meetings, listening  
25 sessions, online recommendation, and a

1 P-Safety/Finance/Rules 3-15-21

2 review of the People's Plan.

3 The document you all received  
4 several months ago, a lot of work was put  
5 into it, and there's an issuance by the  
6 executive order 203. Every recommendation  
7 was reviewed and given great consideration.

8 The Nassau County Police  
9 Department is a great department and should  
10 not be compared to any other agency or any  
11 other incident around the country.

12 We are a service-oriented police  
13 department treating all people with respect,  
14 dignity and fairness. But we have always  
15 said we can do better and with this reform  
16 we will do better.

17 We thank all that have been  
18 involved in the process and a special thanks  
19 to the PACT team as we are committed to  
20 continue after the April 1st deadline to  
21 hold us accountable to the promises made in  
22 the plan, transparent to the community and  
23 this board as well as giving updates to the  
24 reforms and commitment to continue looking  
25 at all new ways to reform going forward.

1 P-Safety/Finance/Rules 3-15-21

2 So the work is only beginning and  
3 we ask you all to continue to have faith in  
4 your department that has been serving you  
5 since 1925.

6 The police department's mission  
7 statement is to serve the people of Nassau  
8 County and to provide safety, equality, and  
9 improved quality of life in our communities  
10 through our excellence in policing.

11 Topic one. Community-oriented  
12 policing and public trust. The first thing  
13 we did, the very first thing that we did is  
14 moved 20 COPE officers from plains clothes  
15 duties and assigned them under our community  
16 affairs office. So they approach to the  
17 quality of life issues in this county would  
18 be with a community involvement.

19 We have added bike patrols.  
20 Identified today as the best method of  
21 community engagement as requested by the  
22 public, the officers reflect the community.  
23 30 officers have been trained. Six new  
24 bikes have been donated by the foundation.

25 We have expanded our community

1 P-Safety/Finance/Rules 3-15-21  
2 affairs. We still did a holiday toy parade  
3 during the COVID. We were committed to  
4 continue to do our backpack giveaways,  
5 thanks to our unions and the foundation  
6 contributing to this mission.

7 We recently added quads to our  
8 beaches and parks, a more hands on and more  
9 flexibility to get to the areas of concern.  
10 We have mandated park, walk and talk by our  
11 post cars as requested by the communities.

12 We have added three brand new  
13 PALs, Elmont, Roosevelt and Lawrence.

14 Our new academy opens up in June  
15 and our first community event on the  
16 calendar is June 19th. It is the three on  
17 three Jo-Jo Wright Invitational named after  
18 the young man in Uniondale that tragically  
19 died in that accident.

20 Our unions and our foundation  
21 have all donated the scholarship money that  
22 will go to the Uniondale High School at the  
23 end of the year in Jo-Jo's name. \$5,000 for  
24 the superintendent Rhonda Taylor to make  
25 sure, again, we are giving it to the kids of

1 P-Safety/Finance/Rules 3-15-21

2 concern and not just those that play  
3 basketball.

4 We have partnered with Dr.  
5 Williams at the Nassau Community College to  
6 cross train with students and our recruits  
7 having college lectures on gender, black  
8 history, implicit bias, and the students  
9 being part of our role play in the new  
10 academy as a training day for the school and  
11 in the new tactical village.

12 We will be able to have our cops  
13 respond in the new training village to a  
14 school, house of worship, a residence, a  
15 restaurant, a train platform or a gas  
16 station and handle the calls for service we  
17 receive on a daily basis in a very diverse  
18 community that we serve.

19 And the students from our diverse  
20 college will be part of those role plays.  
21 We will get to understand how both sides see  
22 each other.

23 At the conclusion of each  
24 training session, there will be a briefing  
25 on that day and we will hear from the

1                   P-Safety/Finance/Rules 3-15-21  
2       students on how they feel. Similar to the  
3       video that you have all seen that we now use  
4       in our training from the Men of Elmont.

5                   We need to understand the  
6       environment we police in order to police it  
7       correctly, fair and without bias.

8                   It has been said that a  
9       basketball game does not fix the issues that  
10      we face today. I agree. It's not the  
11      answer but it's part of the solution.

12                  We build trust from the  
13      foundation up. I will never correct  
14      diversity in this department if we don't fix  
15      the trust issues with our young children.  
16      What better way to do that but bonding in a  
17      community training environment, programs,  
18      and, yes, basketball games and other  
19      positive interaction.

20                  The governor has asked us to look  
21      at the 13 mandates. As you can imagine,  
22      when you get people behind a cause they are  
23      passionate about it it expands and this  
24      document will address all of them.

25                  The department made up of sworn



1 P-Safety/Finance/Rules 3-15-21  
2 and civilian members and our current head  
3 count is 3,626. That's 24 sworn members,  
4 100 short with the head count of 2,500. And  
5 1,226 civilian members. Again, short about  
6 30 from the head count.

7 Our racial makeup across the  
8 board is 3,142 whites, 17 other, 235  
9 Hispanic, 186 black, and 46 Asian.

10 There are many parts of the  
11 hiring process that we do not control, it is  
12 the Nassau County Civil Service and the New  
13 York State Civil Service. DCA Fox is  
14 working with the department and the Civil  
15 Service Commission to see what we can do  
16 better to increase our diversity.

17 The police department is  
18 committed to improving what we control to  
19 increase our diversity. We have added the  
20 following and have come up with the  
21 recommendations from our community.

22 A QR code, this will allow for  
23 early recruitment process which allows us  
24 after we have been in our schools recruiting  
25 young men and women to join our police

1 P-Safety/Finance/Rules 3-15-21  
2 department, they can sign up through the QR  
3 code and have early registration.

4 When the test becomes about a  
5 year, two years or three years after, we  
6 will notify them to make sure that we don't  
7 lose them after we have recruited them.

8 The mentoring program. This is a  
9 recommendation and a commitment to do the  
10 work by our fraternal organizations. With  
11 the QR code notification, there will be a  
12 contact sheet sent when a test is announced  
13 and offer assistance of our mentoring  
14 program.

15 How do I register? I don't have  
16 the money to register, what the test look  
17 like, and any review possible. This also  
18 will allow us to continue through the  
19 process and throughout their careers.

20 Our intent is not to lose any  
21 good young kid from any community here in  
22 Nassau County because he may not have that  
23 leadership at his home to help him guide  
24 through the process. We are going to be  
25 there to help him or her guide through that

1 P-Safety/Finance/Rules 3-15-21

2 process.

3 An enhancement of a community  
4 affairs to enhance our recruitment. As you  
5 saw, we have added the 20 COPE officers.  
6 We've tripled the size of community affairs  
7 in last two years and made our POP officers,  
8 which work under that umbrella, three that  
9 used to be one when we first got here.

10 A waiver application fee for  
11 those who cannot afford it. So, again,  
12 finding the way, we will help them get that  
13 waiver of when they apply for that  
14 application.

15 The creation of a new diversity  
16 team. I have asked Chief Palmer to head up  
17 that program and I'm now going to have him  
18 address that with you.

19 CHIEF PALMER: Good afternoon.  
20 I'm Chief Steve Palmer, chief of department.  
21 The commissioner of police has asked for the  
22 formation of diversity recruitment team in  
23 furtherance of our mission to serve and  
24 protect the people of Nassau County and  
25 provide safety and an improved quality of

1 P-Safety/Finance/Rules 3-15-21

2 life in our communities.

3 Our goal is to create a  
4 department that contains a broad range of  
5 diversity including race, gender, religion,  
6 language, sexual orientation, life  
7 experience and social background.

8 The team consists of the chief of  
9 department and 15 members who represent each  
10 precinct, specialty units, civilians and the  
11 detective division.

12 The Nassau County Police  
13 Department is comitted to improving  
14 effectiveness and understanding in our  
15 interaction with all communities and  
16 providing police service that is fair,  
17 respectful, compassionate, and promotes  
18 equity and equality.

19 In order to have dialogue that is  
20 meaningful and move beyond just a discussion  
21 of personal beliefs and experiences, we will  
22 build upon the dedicated recruitment work of  
23 our community affairs unit, begin to explore  
24 best practices and recruitment, selection  
25 and retention, and review studies conducted

1                   P-Safety/Finance/Rules 3-15-21  
2       by the US Department of Justice  
3       community-oriented policing services on this  
4       topic.

5                   For example, the publications on  
6       law enforcement recruitment in the 21st  
7       Century and mobilizing the community for  
8       minority recruitment and selection with a  
9       focus on getting the community's help in  
10      increasing the number of diverse people who  
11      apply for the job successfully complete the  
12      applicant process and to identify barriers  
13      to recruitment.

14                  Now is a good time to acknowledge  
15      the exceptional effort and dedication of our  
16      community affairs who have never stopped the  
17      important job of recruitment. They  
18      continuously engage a diverse variety of  
19      groups even with the challenges brought upon  
20      by the pandemic, they have been holding zoom  
21      meetings, reaching out, and promoting all of  
22      the best of joining this department and  
23      profession.

24                  The next topic will be about  
25      recruit training and the new in-service

1 P-Safety/Finance/Rules 3-15-21

2 training for our members.

3 I should note that New York State  
4 dictates that our training standards with  
5 699 hours of instruction required by the  
6 state, and we meet that well beyond. We  
7 train our recruits for over 1,000 hours with  
8 the finest police academy staff that I have  
9 ever worked with.

10 I want to thank you for your time  
11 and attention and I will now turn it over to  
12 police officer Christopher Baccio, the  
13 police academy's academic coordinator, also  
14 present here today is Inspector Robert  
15 Kaufman, the commanding officer of the  
16 police academy.

17 OFFICER BACCIO: Good afternoon  
18 everybody. I'm police officer Christopher  
19 Baccio from the Nassau County Police  
20 Academy. I thank you for allowing me to  
21 speak here today in front all of you on  
22 behalf of the Nassau County Police Academy.

23 Just to touch on some of the  
24 things that the Police Commissioner had  
25 mentioned earlier, he defined us as a

1                   P-Safety/Finance/Rules 3-15-21  
2    service-oriented police department here in  
3    Nassau County. That fact is woven through  
4    every single thing that we train in the  
5    police academy.

6                   We define ourselves by service  
7    oriented and further define the recruits  
8    during the first week as a philosophy of  
9    full service policing where the same officer  
10   patrols and works in the same area from a  
11   decentralized location working in a  
12   proactive partnership with the community  
13   that we serve.

14                  Those words are woven through  
15   every single aspect and stressed to every  
16   single one of these recruits as they go  
17   throughout the entire academy process which,  
18   again, as the chief depicted, 699 state  
19   hours, roughly, a thousand plus hours that  
20   we give to the recruits as a subsequent to  
21   that.

22                  In addition to that, professional  
23   and empathetic manner, all of this service  
24   oriented beliefs and service oriented system  
25   is to be applied through a professional and

1 P-Safety/Finance/Rules 3-15-21  
2 empathetic manner and, as a result,  
3 hopefully we can see that through with their  
4 training.

5 In addition to that, we have some  
6 recruit training that was specifically  
7 highlighted with regard to the plan that we  
8 have here. We give use of force training on  
9 use of force. DCJS, Division of Criminal  
10 Justice Services, requests that we train our  
11 officers for 11 hours in police use of  
12 force. We train our officers for about 19  
13 hours. That includes about eight hours of  
14 reality-based training, otherwise known as  
15 role play hours. With regard to use of  
16 force, because that's a topic on which I  
17 will be speaking on later on.

18 We go over a lot of different  
19 things and not just merely the use of force.  
20 We impress upon these recruits and our  
21 in-service training that the sanctity of  
22 life is above all else in regard to what we  
23 do out there on patrol.

24 Often times we need to address  
25 basic certain dignities of personhood even



1 P-Safety/Finance/Rules 3-15-21  
2 though these individuals that we are dealing  
3 with aren't affording it to themselves.

4 We need to be well versed in  
5 applied psychology, emotions, and our words  
6 and actions need to hit their mark every  
7 time in a more definite fearless display of  
8 peace keeping, piecing a temporarily lost  
9 soul back together again.

10 Social order requires a complex  
11 understanding of the human condition, far  
12 more than requires a tough guy swagger,  
13 handcuffs and a gun. We are the ones that  
14 are going to go out there and rebuild our  
15 society and regain that trust and fairness  
16 and transparency with the community by  
17 maintaining and ensuring that we exercise  
18 this through every aspect of our use of  
19 force and our training with our recruits.

20 Vehicle stops and addition is  
21 listed on this topic with regard. Vehicles  
22 stops has an extensive amount of training  
23 behind it and that's just through tactics,  
24 techniques, but above all else with regard  
25 to our vehicle stops, it is never done to

1 P-Safety/Finance/Rules 3-15-21

2 initiate these vehicle stops based on race  
3 gender, ethnic origin, age, sexual  
4 orientation, religion or financial status.

5 We do these, the primary reasons  
6 as to why we conduct vehicle stops, it's to  
7 prevent traffic accidents, allow for an  
8 orderly and expeditious flow of traffic and  
9 for regulatory or administrative purposes as  
10 defined in the vehicle and traffic law.

11 Procedural justice is a topic  
12 that I'm going to speak on in just a few  
13 moments so I'm going to go beyond that one  
14 for now. Implicit bias, awareness training  
15 as well.

16 Hate crimes are specifically  
17 woven through every aspect of the training  
18 that we do with recruits, it's not merely in  
19 one location. We start with penal law where  
20 we first introduce the recruits as to what  
21 exactly the law defines as a hate crime.  
22 But, primarily among all of that, we teach  
23 our officers we have a zero tolerance policy  
24 regarding hate crimes and bias incidents and  
25 we are instructed to identify these

1 P-Safety/Finance/Rules 3-15-21  
2 incidents, initiate proper reporting  
3 procedures, make the necessary notifications  
4 to appropriate specialty units, and if  
5 necessary members of the community that have  
6 a vested interest in these situations.  
7 Those facts are woven through again in all  
8 aspects of our program.

9 Finally de-escalation which I'm  
10 going to have an opportunity hopefully in  
11 just a few minutes again to explain to you  
12 exactly what we do with this.

13 All of these trainings are not  
14 merely for recruits. These trainings are  
15 also going to be a part of the new  
16 in-service training that we came up with  
17 regard to the police academy, with regard to  
18 this police reform, and we are going to make  
19 sure these are driven home and repeated  
20 throughout the entire time that we  
21 administer this training. Thank you

22 COMMISSIONER RYDER: One of the  
23 items below under the training is  
24 problem-oriented policing and hot spot  
25 policing.

1 P-Safety/Finance/Rules 3-15-21

2 Specifically addressed in the  
3 governor's E0203 that we do evidence-based  
4 approach to policing. I think you all know  
5 my history in this department. Besides the  
6 asset forfeiture, we created the first  
7 intelligent sector here after 911.

8 Part of everything that we do in  
9 that intelligence center is evidence based.  
10 Every approach to every crime issue, every  
11 community issue, is evidenced based.

12 We address hot spot policing by  
13 concerns that come from your constituents  
14 that call you up and complain about issues  
15 that you then direct towards our office. We  
16 then take that approach to what's the  
17 problem, let's look at it from an  
18 intelligence-led policing standpoint. Let's  
19 have our POP cops go out and do assessments  
20 and then come back and see how we're going  
21 to resolve the problem.

22 You don't throw cops at a problem  
23 and expect the problem to go away. All that  
24 does is displace the issue. We know that.  
25 That's why we are the safest county in

1 P-Safety/Finance/Rules 3-15-21  
2 America. That's why our crime numbers still  
3 after having historic lows can go down today  
4 down another 23 percent so far this year.  
5 That is because the way we approach our  
6 policing from the community standpoint and  
7 also from the evidence-based approach  
8 standpoint.

9 The second one is mental health.  
10 I'm going to leave that towards a category  
11 later on because I know it is a big concern  
12 and a big issue here which we hope to  
13 address with that.

14 You heard about the new  
15 in-service training and the exam.

16 Next I'm going to turn over again  
17 to our chief of department, Steve Palmer.  
18 He's going to speak to you about use of  
19 force.

20 CHIEF PALMER: Good afternoon  
21 again and, once again, thank you for your  
22 time and attention.

23 Today I would like to talk about  
24 our policy regarding the use of force by  
25 members of this department, the procedure

1           P-Safety/Finance/Rules 3-15-21  
2       that must be followed when force is used and  
3       the people who are assigned to investigate  
4       it.

5           Next I will outline the types of  
6       incidents that are required to be reported  
7       to New York State and how we track  
8       internally for areas of concern.

9           Finally, I will discuss the  
10      changes that have been made and how we plan  
11      to move forward.

12           Regarding our policy, the primary  
13      duty of all members of the department is to  
14      protect human life and provide for the  
15      safety of the community.

16           The use of force is authorized  
17      when it is reasonably believed to be  
18      necessary in defense of one's own self or  
19      another to affect a lawful arrest or  
20      detention or prevent the escape of a person  
21      from custody.

22           Within our policies and  
23      procedures, force means the following  
24      actions by a member:

25           One, any physical strike or

1                   P-Safety/Finance/Rules 3-15-21  
2   instrumental contact with a person or any  
3   significant physical contact that restricts  
4   movement of a person. The term includes but  
5   is not limited to the use of empty hands, a  
6   compliance and control hold such as twist  
7   locks, wrist locks, pressure points or  
8   deployment of a canine; the taking of a  
9   person to the ground. The use of physical  
10   force such as kicks, punches or martial arts  
11   techniques. The use of a chemical spray and  
12   electronic control device and use of a  
13   firearm. The term does not include  
14   escorting or handcuffing a person with no or  
15   minimal resistance.

16                   The reasonableness for a  
17   particular use of force must be judged from  
18   the perspective of a reasonable officer on  
19   the scene and to determine the objective  
20   reasonableness of force our members must  
21   consider the following factors:

22                   The severity of the circumstances  
23   they face, the level and immediacy of the  
24   threat or resistance posed by the  
25   individual, the potential for injury to all

1           P-Safety/Finance/Rules 3-15-21  
2       concerned, the risk or attempt of the  
3       individual to escape, the knowledge,  
4       training and experience of the officer.

5           Additional considerations such as  
6       age, size, relative strength, skill level,  
7       injury or exhaustion, and the number of the  
8       participants involved and other  
9       environmental conditions or exigent  
10      circumstances.

11           All of this is found within our  
12      department policy and procedures and I  
13      believe are added to the reform document.

14           Our policy dictates that the  
15      decision making framework utilized by  
16      officers in circumstances involving the use  
17      of force should incorporate the following:

18           Gathering of all available  
19      information, an assessment of the overall  
20      situation, consideration of police powers  
21      and department policy, identification of an  
22      available option, determination of a  
23      suitable course of action, and continuous  
24      reassessment whenever feasible and  
25      consistent with personal and public safety,



1 P-Safety/Finance/Rules 3-15-21

2 our members should de-escalate the use of  
3 force whenever they can, again, within our  
4 policy and procedures.

5 Any member of the department who  
6 witnesses another member using force that  
7 they believe to be clearly beyond what is  
8 objectively reasonable are duty bound to  
9 intervene to prevent the use of unreasonable  
10 force and will promptly report their  
11 observations to a supervisor.

12 Our policy reminds members that  
13 the use of unreasonable force violates the  
14 rights of individuals upon whom unreasonable  
15 force is used, diminishes the confidence of  
16 the community they serve, and it exposes the  
17 department and fellow officers to legal and  
18 physical hazards.

19 The Nassau County Police  
20 Department prohibits the use of force except  
21 when legally authorized and will only use  
22 force in accordance with existing law,  
23 department policies, rules and procedures.

24 Therefore, use of force for  
25 punitive or retaliatory reasons, is strictly

1 P-Safety/Finance/Rules 3-15-21

2 prohibited.

3 In any instance, when an officer  
4 uses force, they must adhere to the  
5 procedures set forth by the department.

6 Members are required to render  
7 aid to sick or injured persons in accordance  
8 with their level of training and summon an  
9 ambulance if necessary.

10 They are required to notify their  
11 immediate supervisors as soon as possible  
12 for instances involving the use of force and  
13 to complete a use of force report.

14 The incident is first reviewed by  
15 a supervisor to determine if the use of  
16 force was in accordance with department  
17 rules and procedures.

18 The incident is then reviewed by  
19 the members's commanding officer. The next  
20 review is by the chief of the division, and  
21 ultimately by the chief of department.

22 An incident involving the use of  
23 deadly force is reviewed by the Deadly Force  
24 Response Team, the Deadly Force Review Board  
25 and the police academy.

1 P-Safety/Finance/Rules 3-15-21

2 Deadly force is defined as force  
3 under which the circumstances it is used is  
4 readily capable or causing death or other  
5 serious physical injury to another human  
6 being.

7 The deadly force response team is  
8 a team that is established that responds to  
9 incidents involving the use of deadly force  
10 by a member of the department including an  
11 intentional firearm discharged at a human  
12 being. An unintentional firearm discharge  
13 causing injury to another, the use of force  
14 intentional or otherwise, causing serious  
15 physical injury or death to another or any  
16 other incident involving the use of force  
17 for which the chief of department directs a  
18 review.

19 The team is comprised of a duty  
20 chief, a duty inspector, the administrative  
21 officer of the members command, the  
22 commanding officer with the police academy  
23 or a designee, a supervisor from the  
24 homicide squad to develop the criminal part  
25 of the investigation, internal affairs where

1                   P-Safety/Finance/Rules 3-15-21  
2       there appears to be significant deviation  
3       from the department policies and procedures  
4       and the medical administration office in  
5       cases where involved officers appear unfit  
6       for duty.

7                   Their purpose is to investigate  
8       these incidents and prepare an  
9       administrative report for the commissioner  
10      of police and the Deadly Force Review Board.

11                  The Deadly Force Review Board is  
12      comprised of the chief of department, chief  
13      of detectives, chief of patrol, and the  
14      counsel to the commissioner and the deputy  
15      chief.

16                  The board is responsible for  
17      reviewing, investigating, evaluating and  
18      making recommendations to the police  
19      commissioner for all incidents involving the  
20      use of deadly force by a member of the  
21      department.

22                  I will now review the New York  
23      State reporting requirements for the use of  
24      force data.

25                  The following use of force

1                   P-Safety/Finance/Rules 3-15-21  
2 incidents must be reported to New York  
3 State: The display a chemical agent or use  
4 or deployment of a chemical agent;  
5 brandishing a firearm, using it, or  
6 discharging a firearm, brandishing an  
7 electronic controlled weapon, again, using  
8 it or deploying it; brandishing an impact  
9 weapon, its use or deployment; using a choke  
10 hold or other similar restraint. It should  
11 be noted that carotid restraint is not an  
12 authorized use of force technique; conduct  
13 which results in the death or serious bodily  
14 injury of another person.

15                   Tracking use of force incidents.  
16 The use of force reports will be examined to  
17 determine trends and weapon use, outcomes,  
18 reasons for usage and where and when force  
19 is used.

20                   The department requires the  
21 monitoring of any officer who has received  
22 three or more civilian complaints within a  
23 12 month period.

24                   Nassau County Police Department's  
25 use of force reporting requirement is more

1                   P-Safety/Finance/Rules 3-15-21  
2 rigorous than that required by New York  
3 State.

4                   We document all of the categories  
5 of force that were mentioned earlier not  
6 just what the state requires.

7                   If an officer has a high number  
8 of excessive force complaints, an internal  
9 review is conducted with possible  
10 disciplinary action. If the review of an  
11 incident reveals it to be possibly criminal  
12 in nature, it is handled by internal affairs  
13 and an external review can be conducted by  
14 the District Attorney's Office.

15                   As of April 1st, 2021, the New  
16 York State attorney general has the right to  
17 review and investigate all matters of  
18 excessive force.

19                   Now I will highlight the changes  
20 that we've made. In 2016 we conducted a  
21 comprehensive review of our use of force  
22 policies and procedures and created the  
23 Nassau County Police Department use of  
24 reference guide. The guide compiled the use  
25 of force policies, procedures and forms into

1 P-Safety/Finance/Rules 3-15-21

2 one source.

3 Pursuant to executive order 203,  
4 the department has revised the guide and  
5 made any necessary updates.

6 On June 16, 2020, the  
7 department's legal bureau issued bulletin  
8 number 20-004 notifying our members of the  
9 new law, aggravated strangulation.

10 The department administrative  
11 order 20-015 was issued on June 25th which  
12 serves to remind members that the carotid  
13 restraint or choke hold is not an authorized  
14 use of force technique.

15 The department will issue a  
16 biannual use of force report and will  
17 include statistics on event circumstances,  
18 demographics, type of force used, and a  
19 breakdown by community.

20 The use of force report is posted  
21 on Nassau County's web page available for  
22 public review.

23 The department will be  
24 implementing a body worn camera program this  
25 year. This will be an additional tool used

1                   P-Safety/Finance/Rules 3-15-21  
2       to evaluate incidents involving the use of  
3       force and will offer an additional layer of  
4       transparency relating to interaction between  
5       the community and our members.

6                   Members of the commission as  
7       executive staff will be holding quarterly  
8       meetings with the office of the county  
9       attorney to discussion pending litigation  
10      settlements and verdicts. Cases involving  
11      allegations of use of force will be included  
12      in these meetings. This will allow the  
13      department to monitor these cases for any  
14      trends within a particular unit, bureau, or  
15      by a specific officer.

16                  The new police academy will help  
17      to improve use of force training as the  
18      facility will allow more hands-on training  
19      and role playing.

20                  The new academy is located in the  
21      center of the county on the campus of Nassau  
22      Community College. The college and the  
23      police department will explore ways to  
24      partner in regards to implicit bias  
25      awareness training, and community



1 P-Safety/Finance/Rules 3-15-21

2 engagement.

3 Again, as of April 1st, 2021, the  
4 New York State Attorney General's Law  
5 Enforcement Misconduct Office has the  
6 authority to investigate police department  
7 complaints concerning matters such as  
8 corruption, excessive force, criminal  
9 activity and other unlawful actions. All  
10 data will be reported on a biannual basis  
11 and made available to the public and the  
12 Legislature.

13 The next topic will be about body  
14 cameras and I will now turn it over to  
15 Commissioner Smith.

16 COMMISSIONER SMITH: Thank you.  
17 Good day everyone. I'm Kevin Smith, first  
18 deputy Commissioner of Police.

19 So, as the chief just stated, the  
20 Nassau County Police Department is seeking  
21 to acquire, implement, and operate a body  
22 worn camera system commonly referred to as  
23 BWC to capture a record of police involved  
24 incidents, provide increased transparency  
25 and accountability with respect to officers

1 P-Safety/Finance/Rules 3-15-21

2 and members of the public.

3 The information to be gathered  
4 using BWC is intended to provide several  
5 benefits including, but not limited to,  
6 improved interactions between the police and  
7 public, expedited resolution of complaints  
8 and lawsuits, improved evidence for arrest  
9 and prosecution, opportunities for police  
10 training.

11 The BWC must include all required  
12 components and services required to be fully  
13 functional including high quality durable  
14 cameras, charging stations, secure cloud  
15 storage, upgrades and maintenance, meeting  
16 the best industry standards.

17 The BWC must be cost effective,  
18 user friendly, and must not needlessly  
19 encumbering to our officers.

20 The department anticipates  
21 deploying the BWC to the patrol division  
22 which has the largest number of contacts  
23 with the public.

24 The division consists of a  
25 precinct, highway patrol bureau, emergency

1                   P-Safety/Finance/Rules 3-15-21  
2    service unit, and marine bureau which work  
3    24 hours a day, seven days a week, and, in  
4    addition, several patrol ancillary commands  
5    which perform specialized tasks shall also  
6    be included in this program.

7                   Police officers assigned to  
8    patrol duties will be issued personal BWC  
9    devices. This method would fix  
10   responsibility and accountability to an  
11   individual officer. It would enable  
12   additional officers called into service  
13   during times of crisis, hurricanes, civil  
14   unrest, protests, threat to law enforcement  
15   or to government officials, to be fully  
16   equipped when they arrive on duty.

17                  BWC, we are talking about 2500  
18   units would be necessary to achieve this  
19   plan. Units will come along with various  
20   charging devices, mounting brackets to  
21   attach to clothing, and/or other equipment  
22   that officers wear.

23                  This is not just a body camera  
24   system. This is also a digital evidence  
25   management system to support members of the

1 P-Safety/Finance/Rules 3-15-21

2 department.

3 The Nassau County Police  
4 Department possesses a unique working style  
5 which facilitates changing tours at numerous  
6 locations throughout the county's vast  
7 jurisdiction. There are circumstances  
8 wherein a patrol officer may not report to  
9 his resident precinct during their tour of  
10 duty. It could be up to 12 hours plus.

11 For those patrol assignments in  
12 order to meet our operational needs, camera  
13 charging and uploading may have to take  
14 place from designated areas from the county  
15 including most department buildings and  
16 other designations located throughout the  
17 county.

18 The process of uploading and  
19 downloading et cetera, does not come without  
20 having to modify existing buildings. With  
21 improvements to accommodate this new  
22 technology, new fiber, new cables and new  
23 outlets will be installed in our buildings  
24 and other locations to accommodate the  
25 needed docking stations.

1 P-Safety/Finance/Rules 3-15-21

2 The current infrastructure cannot  
3 accommodate the off site downloads without  
4 these necessary upgrades.

5 The county intends to have the  
6 initial or pilot implementation operable in  
7 the field no later than September 2021.  
8 With full implementation to be cleared by  
9 December of the same year.

10 Vendors have been informed of our  
11 time line. A mini bid was issued on  
12 Thursday March 4th and we expect bids due in  
13 by March 18.

14 A recent SOA contract provides  
15 for four sergeants to be assigned to the  
16 unit and will administer to the body camera  
17 program.

18 While it has yet to be  
19 determined, we anticipate needing  
20 approximately 12 civilians, civilian  
21 analysts, to implement the program behind  
22 the scenes, behind the scenes maintenance  
23 and retrieval of video evidence necessary  
24 for investigative and court purposes.

25 With the sergeants, the analysts,

1                   P-Safety/Finance/Rules 3-15-21  
2           and perhaps the PSA, a police service aid,  
3           we're probably estimating the cost of the  
4           staff this year will be probably \$1,900,000,  
5           that's approximate. It is a capital  
6           project. DPW and the police department will  
7           be viewing specs once we have a vendor to  
8           assess how much funding will be needed to be  
9           added to the project including those initial  
10          warrantees and upgrades to police booths  
11          such as extra outlets, fiber cable, et  
12          cetera. That's all I have.

13                   COMMISSIONER RYDER: A couple of  
14          items just before we move on, first of all,  
15          Officer Baccio is a master trainer for the  
16          state of New York. He's not just a  
17          certified New York State trainer, he is a  
18          master trainer. That means he trains the  
19          trainers around the state of New York on our  
20          training.

21                   DCJS that dictates our training  
22          that minimal number of hours that you heard  
23          the chief mention, that is done by a civil  
24          group, that is the civilian oversight on  
25          training for the police departments around

1                   P-Safety/Finance/Rules 3-15-21  
2     the state of New York. Then also we add  
3     additional training from our own reviews  
4     that we see for improvement.

5                   What you heard about the use of  
6     force from Chief Palmer and, again, body  
7     cameras from Commissioner Smith, to be  
8     totally transparent, we will give biannual  
9     reporting, we will write reports, we will do  
10    anything that the body requires us to do to  
11    show transparency and explain the process in  
12    whether there was a complaint for a use of  
13    force by a member, training that needs to be  
14    changed, or body cameras again, some of the  
15    items from the body camera program.  
16    Biannual reporting publicly reported and to  
17    this body for review.

18                  Vehicle stops, topic number 5, as  
19    you are aware, we did not collect sufficient  
20    data as referred to traffic stops. You  
21    heard that from ourselves here in the police  
22    department and you heard it from the  
23    People's Plan.

24                  Just so we are all on the same  
25    page and understand it. Excuse me one

1 P-Safety/Finance/Rules 3-15-21  
2 second. Your race or your ethnicity is not  
3 on your New York State driver's license. It  
4 is not a field collected by the New York  
5 State traffic system and we have been asked  
6 by the Hispanic community to not inquire  
7 somebody's status because it makes the  
8 operator nervous of immigration.

9 Gender on your license is male or  
10 female. It does not yet address the  
11 transgender community and their concern of  
12 bias by us asking their gender.

13 We have listened to the concerns  
14 of the community and their recommendations  
15 and we agree that we need to collect the  
16 demographics and address the concerns of the  
17 community as asked in the People's Plan.

18 Many issues come with that is we  
19 will put down as you appear. It will not be  
20 male female. It will not be -- it may be  
21 male or female, it may not black, white,  
22 brown, it will be as you appear to us. We  
23 will not ask that. That is asked by the  
24 community. We will not ask your ethnicity  
25 or race.



1 P-Safety/Finance/Rules 3-15-21

2 Moving forward, we have worked  
3 with the Suffolk County Police Department  
4 who are under their consent decree, working  
5 with the Department of Justice, created  
6 their dashboard called T stop.

7 The following traffic stop data  
8 will be recorded in our system; first of all  
9 the officer's name and his command; whether  
10 there was a ticket issued or not this data  
11 will be filled out; the address of the stop,  
12 the city of the stop, patrol type, reason  
13 for the stop, date and time, duration of the  
14 stop, was the vehicle searched, yes or no,  
15 forced used during the stop, was canine  
16 called to the scene.

17 For personal information, we will  
18 take their name, apparent race or ethnicity,  
19 date of birth if known, driver and  
20 passenger, age, gender, number of equipment  
21 violations issued, total number of summons  
22 issued, disposition, asked if he was asked  
23 to exit the vehicle, was an arrest made, was  
24 a person searched, or was a field interview  
25 completed. All of this data will be posted

1                   P-Safety/Finance/Rules 3-15-21  
2       biannual, and we will make it available for  
3       body for review.

4                   So we are taking what was asked  
5       and have already implemented this since  
6       January 18th. So when we look at this, we  
7       started to make corrections to wrongs back  
8       in January as soon as we recognized what the  
9       concern was.

10                  But much of that data as I showed  
11       you was not in our state system, was not a  
12       requirement. So I can't blame the men and  
13       women of Nassau County in the Police  
14       Department for not collecting it. Now it is  
15       a requirement.

16                  As of yesterday we have 100  
17       percent compliance so far by our officers.  
18       Again, we will report all of that data,  
19       write any reports or statistical analysis  
20       that is asked.

21                  Civilian traffic stops. The data  
22       that was used is one. In every 6.5 million  
23       stops does a cop get shot and killed. This  
24       statistic comes from a review of the Florida  
25       traffic stop data from 2005 to 2014.

1 P-Safety/Finance/Rules 3-15-21

2 Based on a sampling of case  
3 reports 4,255 out of those case reports of  
4 6,903 just in Florida where these cases were  
5 reviewed. Statistics drawn from this report  
6 are based on approximations.

7 However, I'm not challenging the  
8 fact of the report. This same report states  
9 that approximately one in every 7,000 car  
10 stops an officer is assaulted. There is  
11 nothing more routine and more dangerous than  
12 a car stop. Ask a cop, not a statistician.

13 In 2011, Police Officer Michael  
14 Califano was conducting a routine car stop  
15 and was crushed to death and never got to  
16 see his three boys grow up.

17 In 2012, only one year after  
18 Mike, Police Officer Joe Aliveria was  
19 helping a routine disabled motorist, was hit  
20 by a drunk driver, crushed and dragged on  
21 the LIE to his death.

22 Two weeks later Police Officer  
23 Arty Lopez stopped to assist a routine  
24 disabled motorist with a flat tire on the  
25 Cross Island ramp, as he exited, he was shot

1 P-Safety/Finance/Rules 3-15-21  
2 through the heart and bled to death in that  
3 location. Next year is his ten year  
4 anniversary.

5 In 2019, Police Officer George  
6 Day on routine traffic patrol was hit by a  
7 person who ran a stop sign and left for dead  
8 on the side of the street. George is still  
9 recovering.

10 2008, Police Officer Kenny  
11 Barribell, first grade detective, on a  
12 routine car stop was struck from behind and  
13 since has had numerous operations and spends  
14 most of his time in therapy and confined to  
15 a wheel chair. He never got to play catch  
16 with his son who was six years old at that  
17 time. He is still employed by this  
18 department as a first grade detective and I  
19 thank this committee for voting for that DAI  
20 contract which gets to recognize those who  
21 paid those sacrifices.

22 There are 41 members on the  
23 memorial wall over at headquarters. 18 of  
24 them died from routine car stops.

25 I can go on but I think you can

1 P-Safety/Finance/Rules 3-15-21  
2 understand my position on routine car stops.  
3 There is no such thing.

4 I do understand the concern of  
5 the public regarding bias car stops. The T  
6 stop data and the body worn cameras will  
7 give you that transparency and  
8 accountability, but we will never get back  
9 the life of Arty Lopez.

10 The New York STAT Act. The STAT  
11 Act requires that the court collect the data  
12 regarding demographics and encounters, not  
13 the police department. But we also  
14 understand in the People's Plan and from our  
15 communities that we will record all the  
16 demographic data, we will publish that data,  
17 analyze that data and we will write reports  
18 on that data.

19 We will work with the PACT team  
20 to come up with a dashboard on how we want  
21 to present that data to all of you and  
22 publicly.

23 We are not going to hide anything  
24 in our data collection or our analysis.

25 Pretextual car stops. I have

1 P-Safety/Finance/Rules 3-15-21  
2 been in law enforcement for over 38 years  
3 and I have never seen a report that cop  
4 wrote, I did a pretextual car stop.

5 They're not done by patrol  
6 officers, they're done by larger cases that  
7 are involved; gang, drugs, homicide  
8 investigations. We need to identify the  
9 dealer. We need to identify the buyer,  
10 identify the gang member.

11 We set up on that individual. We  
12 allowed them to operate their vehicle, and  
13 when probable cause appears to us that that  
14 individual broke the VTL, we do a stop on  
15 that individual.

16 We do not search the car. We do  
17 not take him out the vehicle. We stop them  
18 like any other routine car stop and then we  
19 ask them for their identification. Then we  
20 ID them for the bigger larger case.

21 It's been mentioned here that we  
22 use that to stop individuals and search  
23 vehicles. Again, 38 years I have never seen  
24 that on paperwork. We do pretextual car  
25 stops to make sure that the identification

1 P-Safety/Finance/Rules 3-15-21  
2 of the person that we will eventually arrest  
3 will be done correctly. We do not want to  
4 arrest the wrong person and we want to make  
5 sure that the integrity of the larger case,  
6 whether it be a wire tap investigation or  
7 gang case it's done correctly, and we don't  
8 give up the larger case and issue that  
9 summons.

10 Informal quotas, they do not  
11 exist. Activity is monitored to insure that  
12 officers understand the importance of safe  
13 roads, but there is no quotas.

14 I get calls from all of you about  
15 traffic signs, parking conditions, speeding  
16 cars, loud vehicles that come from your  
17 constituents. We send our officers to  
18 address the problem. If the problem exists,  
19 and there is problem cause to issue a  
20 summons, we issue a summons. We don't hold  
21 them to a standard to see if you were  
22 promoted in this police department by your  
23 traffic activity.

24 But we do make sure that you  
25 understand the laws that were given to you

1 P-Safety/Finance/Rules 3-15-21

2 to enforce them correctly and fairly to make  
3 sure that we keep our roads safe.

4 Failure to pay fines or fees. We  
5 do not set the fees or the fines. A warrant  
6 is handed down by the failure to pay a fine.  
7 We have no option. We must enforce it.

8 The question became, do we have  
9 discretion, the answer is no. If I give  
10 discretion to officers about arresting  
11 somebody from a warrant, I will be back here  
12 in a year from now having the same questions  
13 why there are certain people arrested over  
14 others. The answer is no. There is no  
15 discretion. A warrant is issued and handed  
16 down by the court and we use our authority  
17 to act on that.

18 Consent search of a vehicle or a  
19 person:

20 The law permits law enforcement  
21 to search a vehicle under certain  
22 exceptions; probable cause, the plain view  
23 exception, inventory exceptions, and you  
24 must have a policy to back that up,  
25 emergency exception, automobile exceptions,



1 P-Safety/Finance/Rules 3-15-21

2 and search incidental to a lawful arrest.

3 Officers obtain a signature for  
4 consent to search in circumstances that  
5 allow us and, once the scene is secured, we  
6 are not required before consent is given to  
7 make -- excuse me, we are required before  
8 consent is given to make sure it is done  
9 voluntarily, intelligently, and knowingly.

10 The body cameras answer any  
11 challenge that is made. Every single stop  
12 is to be recorded. If the officer did not  
13 record that stop, the officer will face  
14 discipline actions.

15 So if that consent is asked by  
16 that officer, it will be on that video. If  
17 that officer is using one of the exceptions,  
18 it will be on that video. It holds us  
19 accountability, it's transparent and now it  
20 will be used as evidence in the court of law  
21 in our criminal cases. You will see a huge  
22 difference in complaints against our  
23 officers once body cameras have been  
24 installed. You will see a larger conviction  
25 rate once these body cameras are installed

1 P-Safety/Finance/Rules 3-15-21

2 or pleas to be taken.

3 Now I'm going to talk about high  
4 speed pursuits. I have Deputy Chief Joe  
5 Barbieri to speak about that from patrol.

6 ASSISTANT CHIEF BARBIERI: Good  
7 afternoon, I'm Assistant Chief Joseph  
8 Barbieri from the patrol division and I will  
9 go into high speed pursuits.

10 As the department does recognize  
11 that vehicle pursuits and fleeing suspects  
12 pose a great risk to the lives of the public  
13 and the police officer and the suspects  
14 involved in the pursuit, it's also  
15 recognized that in certain circumstances  
16 that the problem enforcement response  
17 requires a pursuit.

18 As per the guidelines on the  
19 reform, the community is concerned with the  
20 risks involved with the high speed vehicle  
21 pursuits.

22 The department policy that you  
23 all have in Exhibit-1, operation 6460, in  
24 regards to the pursuits, I believe balances  
25 the need of the safety of the public, the

1 P-Safety/Finance/Rules 3-15-21

2 officer and the motorist versus the  
3 apprehension of the suspect.

4 As the department policy is to  
5 minimize the risk of the pursuit in limiting  
6 vehicle pursuits to only those situations  
7 where the escape of a suspect poses a  
8 greater risk of harm to the general public  
9 than does the pursuit itself.

10 I believe the policy achieves  
11 several ends. It gives the officer a clear  
12 understanding of when and how to conduct a  
13 pursuit, it reduces the potential to injury  
14 and death to the community, to the police  
15 officer, and the suspect. It maintains the  
16 basic police mission to enforce the law and  
17 protect life and property, and in minimizing  
18 the municipality's liability to accidents  
19 that may occur during the pursuit.

20 To provide context and  
21 understanding in evaluating the pursuit  
22 policy, I will define the pursuit and then  
23 analyze the policy with you.

24 The pursuit requirements for a  
25 police officer must have one of the

1                   P-Safety/Finance/Rules 3-15-21  
2   following requirements to pursue and justify  
3   a pursuit.  These are reasonable suspicions  
4   that the subject has committed a violent  
5   felony which caused or threatened death of  
6   serious bodily harm, the subject's driving  
7   is reckless and is an immediate danger to  
8   human life, or the subject's actions are  
9   endangering human life and are likely to  
10  continue whether or not a pursuit is  
11  initiated.

12                   Vehicle pursuits should be  
13  limited to only those situations where the  
14  escaped suspect poses a greater risk of harm  
15  to the general public than the pursuit  
16  itself.

17                   We ask our officers first to  
18  consider alternatives to the pursuit and  
19  pursuit conditions.  Using the police radio  
20  is one alternative to identify the suspect  
21  that's in there.  He might be known to other  
22  officers, and we also may be able to refer  
23  this to the detective division to come up  
24  with a conclusion on an arrest other than  
25  pursuing.

1 P-Safety/Finance/Rules 3-15-21

2 Pursuit conditions involve the  
3 conditions of the road, is the subject way  
4 too far ahead to start a pursuit, is there  
5 snow, is there traffic, is there pedestrian  
6 traffic, these things all to be considered.

7 The basis for the pursuit, the PO  
8 must have and see the requirements in order  
9 to continue with a pursuit.

10 Some of the minimum requirements  
11 in a pursuit, the police vehicle must be  
12 equipped with emergency warning devices. It  
13 must have a flashing or rotating lights,  
14 either portable or fixed and it must have a  
15 siren are the minimum requirements.

16 They must use these emergency  
17 lights and sirens when engaged in these  
18 pursuits.

19 How we maintain safety for the  
20 public is we require minimum requirements  
21 and limit the amount of police cars to  
22 engage in the pursuit, we don't want these  
23 long drawn out caravans of cars.

24 So we limit the type of vehicles  
25 that can engage in the pursuit. They are --

1 P-Safety/Finance/Rules 3-15-21  
2 we will have the primary car, which is the  
3 first vehicle, which will follow the vehicle  
4 if we're engaged in a pursuit and a  
5 secondary car which will be responsible for  
6 radio control.

7 There will be no pursuits when  
8 there are civilians in the car and only  
9 sworn police officers in the cars or sworn  
10 members of the department can initiate and  
11 prohibit certain types of vehicles from  
12 pursuit. We don't allow vans, we don't  
13 allow ambulances, we don't allow utility  
14 vehicles.

15 The policy of ramming or making  
16 road blocks are extremely dangerous to the  
17 public and these are, again, encouraged and  
18 not in our policy to be used as we go  
19 ramming interlocking cars and they will spin  
20 out of control. We don't want that and we  
21 prohibit that.

22 A pursuit must be terminated when  
23 the suspect's vehicle drives against  
24 traffic. So if we're on the Long Island  
25 Expressway and they go against the oncoming

1 P-Safety/Finance/Rules 3-15-21

2 traffic that pursuit must be terminated.

3 Road blocks are prohibited. We  
4 do not want a civilian car coming up to a  
5 road block and crashing it so we have banned  
6 road blocks. Back in the 1990s, Nassau  
7 County was one of the premier agencies where  
8 they used our policy to train other people  
9 in the United States of America under the  
10 justice department. Our policy has been  
11 used in the 1990s and updated again in 2009  
12 and updated again in 2013. We are very  
13 proud of that.

14 Reasonable suspicion that these  
15 subjects have committed these serious  
16 serious crimes is what we are looking for.  
17 So if you talk to a group of police officers  
18 and you hear what they're saying, pretty  
19 much they'll always say, terminate the  
20 pursuit is what will happen.

21 Who can terminate the pursuit?  
22 The first person that can terminate is the  
23 police officer who started it. He can  
24 recognize that this is not going well, this  
25 is not the proper area, this is not proper.

1 P-Safety/Finance/Rules 3-15-21

2 He's supposed to go over the radio, we  
3 require him to go over the radio.

4 The first supervision now that  
5 comes into play. You will see it 15 times  
6 the supervisors in this policy. The first  
7 supervisor to it is the communications  
8 bureau operator will notify the  
9 communications bureau supervisor. They will  
10 take over and make sure that these pursuits  
11 are justified. They will notify the  
12 lieutenant or the desk officer of the  
13 precinct.

14 And in conjunction with them, if  
15 they feel this is out of control, they can  
16 terminate that pursuit.

17 A patrol sergeant will be  
18 notified after that to take over and control  
19 his pursuit. He has the authority to  
20 terminate that pursuit if it fails to meet  
21 the criteria that I just laid out to you a  
22 few seconds before.

23 One of the things we see now is  
24 in technology. Technology came out and that  
25 was some of the updates. We now have the CB



1                   P-Safety/Finance/Rules 3-15-21  
2     operator notify the helicopter. The  
3     helicopter can get up in the air. He can  
4     monitor and give us the eyes and the  
5     information on whether this pursuit is in  
6     control or out of control and needs to be  
7     immediately terminated. It can also be able  
8     to direct people without pursuing to be able  
9     to successfully conclude an incident.

10                   The next supervisor that we will  
11     require our patrol supervisor to continue to  
12     respond to the end and the conclusion. The  
13     end of the conclusion of this event would be  
14     when the subject is either arrested or  
15     decided that it has been terminated. It  
16     doesn't end there with our supervision.

17                   Our supervision continues, that  
18     patrol sergeant will prepare a written  
19     report. That written report he will turn  
20     over to that lieutenant on the desk.

21                   That desk officer will review  
22     that report, make recommendations. Those  
23     recommendations will go to the commanding  
24     officer of the precinct. The commanding  
25     officer of the precinct will review that and

1                   P-Safety/Finance/Rules 3-15-21  
2     determine whether any exceptional things  
3     were used or there were any problems in the  
4     pursuit and that information will then be  
5     turned over eventually to the Chief of  
6     Patrol's office where the Chief of Patrol  
7     will review those procedures to see that our  
8     policies and procedures were followed and  
9     see if there is any training needs.

10                   Then that report will go to the  
11     chief of department's office, and we also  
12     give that report to the sergeant that's in  
13     charge of emergency vehicle operation course  
14     so they can go back and retrain and see  
15     where we're doing well and where we may need  
16     to make improvements.

17                   That is basically how our pursuit  
18     procedure works and one thing I would ask  
19     all of you, the best way to do this is not  
20     get involved and if we can get the people to  
21     lock their car doors, they leave them open  
22     and there is no way we can chase a Mercedes  
23     Benz GLS and I know you guys all do it, but  
24     I promise, a few people, I'd pitch that  
25     again. Thank you very much.

1 P-Safety/Finance/Rules 3-15-21

2 COMMISSIONER RYDER: That was a  
3 public service announcement done by Chief  
4 Barbieri. Now on no-knock warrants, Deputy  
5 Assistant Chief Chris Ferro.

6 DEPUTY FERRO: Hello. Good  
7 afternoon, thank you for allowing me to  
8 speak and for your time.

9 I am Assistant Chief Christopher  
10 Ferro. I'm the deputy chief of detectives.

11 I'm here to speak about no-knock  
12 search warrants and specifically search  
13 warrants in dwellings and buildings.

14 The department applies for all  
15 sorts of search warrants, phones, vehicles,  
16 but the more serious search warrants,  
17 specifically no knock search warrants apply  
18 to buildings and dwellings.

19 The overwhelming majority of all  
20 dwelling and building search warrants are  
21 implemented in a non-dynamic soft entry  
22 which does not involve a no-knock method.  
23 Overwhelming.

24 This non-dynamic soft entry  
25 method is the safest method to implement a

1                   P-Safety/Finance/Rules 3-15-21  
2       search warrant. That's our default. We  
3       always look to implement search warrants in  
4       the safest method.

5                   In the past four years, the  
6       department implemented only 12 dynamic  
7       entries out of the 100s of search warrants  
8       we applied for. That's way below the  
9       national average for any department our size  
10      or region our size. Again, I will explain  
11      the phases that the department has  
12      implemented because we take this  
13      responsibility extremely seriously.

14                  The NCPD has a comprehensive  
15      approval process for obtaining and  
16      implementing search warrants. To reach the  
17      application phase, a chief must provide  
18      authorization.

19                  On average, the process contains  
20      19 phases, yes, 19 phases, we take this very  
21      serious.

22                  There are several circumstances  
23      or reasons as to why a search warrant comes  
24      to fruition, why a detective requests a  
25      search warrant. Some of the main reasons

1                   P-Safety/Finance/Rules 3-15-21  
2     are local complaints, the community calls up  
3     the police and says there is nefarious  
4     activities, drug dealing, prostitution, and  
5     we look in that complaint. It could be an  
6     investigation generated by a detective or  
7     police officer or other law enforcement  
8     member of the department or village.

9                   Another reason would be a  
10    circumstance involving the New York State  
11    red flag laws which we can get to that house  
12    but we have to address the red flag laws an  
13    issue that some could be a threat to  
14    themselves or others.

15                  The following are the phases  
16    involved in the approval process:

17                  First phase, number one, during  
18    the previous mentioned circumstances, if a  
19    fact pattern establishes sufficient probable  
20    cause for a search warrant and there is no  
21    other investigative means available to bring  
22    that case to fruition, an assigned detective  
23    will request the authorization from a  
24    supervisor to apply for a search warrant.

25                  The assigned detective will

1                   P-Safety/Finance/Rules 3-15-21  
2       create an extensive case file and provide it  
3       to a supervisor for review and approval.  
4       The case file contains some of the following  
5       information. All case details supporting  
6       the probable cause, such as case reports,  
7       statements, photo rays, Mirada rights cards,  
8       the briefing reports, the precinct level  
9       reports, detective notes, confidential  
10      formant reports, other agency reports,  
11      reports on all available record matching  
12      systems, whether village or county.

13                   Intel work up on all cases, the  
14      subject or other occupants. This is done to  
15      obtain a full understanding of who lives in  
16      that location and individuals age and if  
17      there is any special leads in that  
18      locations, that could affect the way we go  
19      about the search warrant.

20                   A safe net check is done on  
21      location. The safe net is secure  
22      interagency database utilized to ensure no  
23      conflicts exist with another command or  
24      another agency on that location or on that  
25      subject.

1 P-Safety/Finance/Rules 3-15-21

2 A detailed description on  
3 location including address, cross street,  
4 style of the house or building, number of  
5 floors, the color of the house or building,  
6 the location, color of the entry doors,  
7 location and color of the numerical number  
8 on the dwelling or building, description of  
9 additional structures on the property, and  
10 any other pertinent details.

11 Photos on the front and side of  
12 the location, photos and information of  
13 vehicles involved, a map of the area, an  
14 aerial satellite map of the area, photos and  
15 criminal history of the subject involved,  
16 building sketch if available on the Nassau  
17 County property site.

18 All reasons for these previous  
19 mentioned steps to take and insure the  
20 correct locations chosen and all available  
21 information is obtained.

22 After the supervisor reviews the  
23 fact patten and the information in the case  
24 file, to then either deny the detective's  
25 request or recommend seeking the approval of

1 P-Safety/Finance/Rules 3-15-21

2 a squad commanding officer.

3 After the squad commanding  
4 officer, and this is number four, after the  
5 squad commanding officer reviews the fact  
6 pattern, any information in the case file,  
7 they will either deny request or recommend  
8 seeking approval of the detective division  
9 inspector.

10 Number five, after the detective  
11 division inspector reviews the fact pattern  
12 and the information in the case file, they  
13 will either deny request or recommend  
14 seeking the approval of the detective  
15 division chief.

16 The detective division chief  
17 will then review all previous  
18 recommendations, fact pattern and case file,  
19 either deny request or authorize to proceed  
20 for a search warrant application.

21 At this time, number 7, if  
22 authorization is granted by a chief at the  
23 chief level, assigned detective will then  
24 contact the District Attorney's Office and  
25 provide the fact pattern and the information



1 P-Safety/Finance/Rules 3-15-21

2 in the case file.

3 Number eight assigned Assistant  
4 District Attorney will conference with an  
5 ADA supervisor.

6 If an ADA supervisor agrees with  
7 the fact pattern in the existence of  
8 probable cause, they will authorize an ADA  
9 proceed, and the assigned ADA will then  
10 contact the assigned detective and begin  
11 preparing an affidavit to support for a  
12 search warrant.

13 The DA's office will conference  
14 the details in the affidavit and the search  
15 warrant with the law secretary or the on  
16 call judge and then the judge.

17 At this time the judge will  
18 either deny request, direct revisions to the  
19 affidavit or grant approval to proceed.

20 The judge will also decide and  
21 has sole discretion whether or not to  
22 authorize a no knock endorsement or night  
23 time endorsement.

24 Once the affidavit and the search  
25 warrant are prepared to the judge's

1 P-Safety/Finance/Rules 3-15-21  
2 approval, the assigned detective will swear  
3 to the facts in the affidavit and sign in  
4 front of the judge.

5 Number 13, the supervisory chain  
6 of command is then notified that the search  
7 warrant was signed.

8 Based on the totality of the case  
9 details, overall intelligence and the  
10 interest of law enforcement of public  
11 safety, the squad commanding officer will  
12 form a recommendation to the inspector as to  
13 what type of warrant implementation should  
14 be utilized. The inspector will then make a  
15 recommendation to the chief.

16 The assigned detective will then  
17 prepare the detective division operational  
18 plan which is an official department form  
19 P457. The case file endorsed search warrant  
20 previously mentioned documents will be  
21 attached on average in operational plan for  
22 a search warrant contains 20 to 30 pages.

23 Number 15, the operational plan  
24 is then forwarded for review and approval by  
25 the squad supervisor, squad commanding

1                   P-Safety/Finance/Rules 3-15-21  
2     officer, the inspector, and then the chief  
3     at the executive level.

4                   Number 16, detective division  
5     chief will review the operational plan and  
6     either direct revisions to the plan or deny  
7     moving forward or approve the plan.

8                   If the fact pattern, the case  
9     details afford a non-dynamic entry, which is  
10    the overwhelming majority of the cases that  
11    Nassau County Police addresses, non dynamic  
12    entry to dwelling or the building, this  
13    method will be preferred.

14                  The chief of departments provided  
15    case details and recommended entry. If the  
16    approval is granted, the chief of the  
17    department will then notify the Commissioner  
18    of Police.

19                  If the fact pattern, the case  
20    details reveal a safety concern for law  
21    enforcement or anyone involved, a dynamic  
22    entry into the building or dwelling will be  
23    recommended.

24                  The Chief of the department must  
25    authorize this method and then make

1 P-Safety/Finance/Rules 3-15-21  
2 recommendations to the Commissioner of  
3 Police. If the Commissioner of Police who  
4 authorizes a dynamic entry, assigned  
5 detective supervisor squad commanding  
6 officer will coordinate with supervisor and  
7 commanding for the bureau of special  
8 operations for plan and entry.

9 Every one of these steps are  
10 taken on every single one of our search  
11 warrants, whether it's a non-dynamic or a  
12 dynamic entry. I gave you the numbers of  
13 the dynamic entries, they're very rare in  
14 our departments.

15 We do hundreds of search warrants  
16 throughout the years. Our bureau of special  
17 operations is highly trained. They train  
18 weekly on ready to do dynamic entries for  
19 the detective division or for any divisions  
20 and outside agencies.

21 We have a very, very good record  
22 on safety and our default is not use  
23 no-knock dynamic entries but sometimes we  
24 have to because of the safety of our  
25 officers, safety of the residents, and

1 P-Safety/Finance/Rules 3-15-21

2 safety of the occupants in the house.

3 Again, hundreds of search  
4 warrants, very rare. Thank you for your  
5 time.

6 COMMISSIONER RYDER: Make no  
7 doubt about it that we have one of the best  
8 trained emergency service and BSL units in  
9 the country. They tactically train all the  
10 time. They don't want to use their tools  
11 but sometimes it comes to that matter that  
12 we have to and that dynamic entry is  
13 important like a school shooting type  
14 situation where we respond to.

15 We went back to the history of  
16 this department and I was a BSO guy back a  
17 long time ago. We used to do three search  
18 warrants a night and they were all no knock  
19 warrants, a night, and I was a ram guy.

20 I remember we went through  
21 hundreds and hundreds of warrants, we fired  
22 our weapon once in the history of this  
23 police department during a search warrant,  
24 once, and that's well trained, well  
25 disciplined police officers.

1 P-Safety/Finance/Rules 3-15-21

2 Topic six is procedural justice,  
3 systemic racial bias and racial justice in  
4 policing. I will bring up our master  
5 trainer, PO Baccio again, please.

6 OFFICER BACCIO: Christopher  
7 Baccio again here to make some more  
8 comments.

9 Before I start on procedural  
10 justice I just wanted to make some addendum  
11 to the earlier things that I was remiss in  
12 not mentioning, the actual topics, for the  
13 in service that we are going to be providing  
14 to our every officer and civilian on our job  
15 in the near future.

16 There are ten total topics which  
17 consist of legal updates, use of force,  
18 de-escalation, procedural justice which I'm  
19 about to speak about, historical and  
20 generational effects of policing which I'm  
21 about to speak about as well, ethical and  
22 moral courage otherwise known as the duty to  
23 intervene or active bystandership in law  
24 enforcement; fundamental crisis  
25 intervention, also commonly referred to as

1 P-Safety/Finance/Rules 3-15-21  
2 mental health; unconscious bias leadership  
3 and our wellness component for officers as  
4 well.

5 Before I start on procedural  
6 justice, one of the main fact points of  
7 procedural justice is just that, the  
8 wellness component of it. Officers need to  
9 be able to take care of themselves before  
10 they can ever hope to take care of the  
11 public and the communities that we serve and  
12 everyone else. That is a major fact  
13 pattern. It is not only woven through the  
14 procedural justice program, it's actually  
15 going to have it's own individual component  
16 of that in service as well.

17 We are all familiar with the  
18 George Floyd incident that happened back in  
19 May 25th in 2020. This training, these ten  
20 topics, we immediately started to look into  
21 what we can do to make sure that that never  
22 happens here in Nassau County with any of  
23 our officers or any of our community members  
24 or citizens that we may serve here in the  
25 County of Nassau.

1 P-Safety/Finance/Rules 3-15-21

2 So I know myself and a few other  
3 instructors had immediately come up with a  
4 plan and started delivering the material to  
5 recruits, some of this material, including  
6 procedural justice, to the recruits  
7 immediately after the Floyd incident, within  
8 two weeks and prior to their graduation  
9 which was a couple of weeks after that.

10 So procedural justice, I'm a big  
11 believer in procedural justice. Governor  
12 Cuomo mentions procedural justice in this  
13 executive order 203. I do not believe, if I  
14 recall correctly it is mandated, however, it  
15 is something that is very important to us as  
16 police officers, and very important to our  
17 communities as well.

18 Procedural justice, by  
19 definition, is the procedures used by police  
20 officers where the community is treated  
21 fairly and with proper respect as human  
22 beings.

23 The most important terminology  
24 there being human beings. We obviously need  
25 to treat everybody as people. Obviously we



1 P-Safety/Finance/Rules 3-15-21

2 need to treat everybody the same as we  
3 expect to be treated as human beings.

4 Another common term that arises  
5 during procedural justice is legitimacy.  
6 Legitimacy is defined as the public use  
7 police as entitled to exercise authority in  
8 order to maintain social order, manage  
9 conflicts and solve problems in the  
10 community.

11 If I had to hone in on two key  
12 words there is that the public views us as  
13 entitled as such we are members of the  
14 public and members of our own communities  
15 and therefore they view us as entitled to do  
16 our job effectively and efficiently.

17 Furthering that, the goal there  
18 would be legitimacy in our communities. We  
19 should be legitimate inside our communities  
20 and the tactics here to would be employed  
21 would be procedural justice. A major  
22 component of that recognition and  
23 understanding the communities perception and  
24 this entire training is grounded in the fact  
25 and created in the fact that with a lot of

1                   P-Safety/Finance/Rules 3-15-21  
2       community input through many of the meetings  
3       that we had and an example of that, the men  
4       of Elmont video that we have taken into  
5       account and all these other things actually  
6       factored into the decision here using this  
7       procedural justice model.

8                   Ultimately there are four  
9       principles of procedurally justice which are  
10      not only woven into this program here for  
11      recruits and in service training, but are  
12      woven through everything we do.

13                  The four principles there, how do  
14      we gain police legitimacy is through a  
15      voice, we listen to those that are employed  
16      to protect and serve.

17                  A neutrality, we need to be fair  
18      with everybody that we come into contact  
19      with at all times.

20                  Respectful treatment, we need to  
21      respect everyone at any given point in time  
22      to administer that respect.

23                  And trustworthiness, a fair and  
24      transparent process, which, as the  
25      commissioner has mentioned many times today,

1 P-Safety/Finance/Rules 3-15-21

2 I lost count how many times he mentioned it,  
3 but transparency is one of the most  
4 important things that we are going to do  
5 here as police officers.

6 Everything is going to be founded  
7 and grounded in that trustworthiness and,  
8 again, that's going to be rooted in the fact  
9 that we are going to be transparent and fair  
10 with our constituents going forward with  
11 this plan.

12 Also mentioned systemic racial  
13 bias and racial justice in policing. That  
14 is also a component in which I added fairly  
15 recently to the training. This is again  
16 like he mentioned our police reform document  
17 is a living document, as is my training.  
18 Every time and every chance I get to find  
19 something new and innovative and something  
20 that might matter to our police officers and  
21 to our constituents and to civilians alike,  
22 I put it in there.

23 One of the things that was  
24 recently added is the historical and  
25 generational effects of policing. We're

1                   P-Safety/Finance/Rules 3-15-21  
2     going to talk thoroughly throughout that  
3     about the quality of treatment, respect and  
4     dignity to our communities, role, the  
5     history of policing plays and how the  
6     community views police legitimacy today.

7                   We are going to address exactly  
8     certain questions that I have here. Does  
9     the history of police with communities of  
10    low trust affect relations and the answer is  
11    obviously yes, and how can we go about  
12    restoring that trust with the communities  
13    that we serve and fixing that as a matter of  
14    policing, and how do we share experiences.

15                  What events will be spoken of  
16    today in 30 years? Obviously we don't want  
17    to ever have another event like a Floyd type  
18    incident here in America and definitely not  
19    here in Nassau County.

20                  So this is going to be a little  
21    bit of taking the officers through this in  
22    service training through a history lesson,  
23    if you will, into how police historically  
24    have treated communities particularly  
25    communities of low trust and how we can

1 P-Safety/Finance/Rules 3-15-21  
2 continue pushing forward into 2021 and  
3 beyond to restore that trust and restore  
4 that faith in their police departments both  
5 here in Nassau County and around America.

6 So that's what my plan is going  
7 forward for procedural justice, systemic  
8 racial bias, and racial justice in policing.

9 All of these components are going  
10 to be major components of the in service. I  
11 don't have time frames just yet on how long  
12 this is going to be, however, it is going to  
13 be a major component and going to be woven  
14 through every aspect of this training. I've  
15 got plenty of material on that.

16 Thank you for, again, hearing me  
17 out on those particular topics.

18 COMMISSIONER RYDER: Thank you.  
19 I'd like to call Detective Sergeant Sabrina  
20 Gregg. She is our language line access  
21 coordinator. She is also the department's  
22 domestic incident liaison and she works with  
23 our mentoring program and our special  
24 victims squads at the safe center.

25 DETECTIVE GREGG: Good evening

1           P-Safety/Finance/Rules 3-15-21  
2   all. I'm Detective Sergeant Sabrina Gregg,  
3   I'm the department's language access  
4   coordinator. I'm here to speak with you all  
5   about the language access plan.

6           The Nassau County Police  
7   Department recognizes the importance of  
8   maintaining a standard for effortless and  
9   accurate communication that can be achieved  
10   between members of the department and  
11   limited English proficiency individuals.

12           A person with limited English  
13   proficiency or LEP, is defined as someone's  
14   primary language, the language they  
15   communicate most effectively in, is not  
16   English.

17           Such a person is unable to read,  
18   write, speak or understand the English  
19   language at a sufficient level that will  
20   permit them to interact effectively.

21   Limited English proficient individuals may  
22   be competent to communicate in English in  
23   certain modes but still considered LEP.

24           In all instances, persons may  
25   deem the right to self identify as being an

1 P-Safety/Finance/Rules 3-15-21

2 individual LEP.

3 Based on the data from the US  
4 census, the top six most common languages  
5 other than English open in Nassau County are  
6 in alphabetical order, Chinese, Farsi,  
7 Haitian Creole, Italian, Korean and Spanish.

8 In 2019, the department updated  
9 the language access plan to ensure that  
10 members of our community with limited  
11 English proficiency have equal access to all  
12 the services provided by the department.

13 This policy specifically calls  
14 for the provision of free oral  
15 interpretation in any language and two at a  
16 minimum of the written translation of the  
17 vital documents into at least six languages  
18 other than English.

19 The plan also dictates that  
20 interpretation and translation services will  
21 be provided to individuals LEP who are  
22 fluent in languages other than the six  
23 baseline languages at no cost to the LEP  
24 person.

25 The term interpretation concerns

1                   P-Safety/Finance/Rules 3-15-21  
2   all multi-lingual communication specifically  
3   the simultaneous conveyance of information  
4   from one language into another.

5                   The county uses language line  
6   solutions for department interpretation  
7   services.

8                   The term translation applies to  
9   written communications specifically the  
10   written expression of words or text in  
11   another language being transcribed into the  
12   language of the party necessitated using the  
13   words or text.

14                  Our department uses  
15   Inter-translation Services for these  
16   purposes. When using language line  
17   solutions, an interpreter over the phone  
18   relays to the listener the words spoken from  
19   one language into another enabling each one  
20   to understand what the other is saying.

21                  This interpretation takes place  
22   on what is known as the consecutive mode.  
23   The consecutive mode refers to the process  
24   by which the interpreter waits until the  
25   speaker finishes talking before rendering



1 P-Safety/Finance/Rules 3-15-21

2 the interpretation in the language of the  
3 listener.

4 Language Line Solutions offers  
5 standard over the phone interpretation which  
6 can be performed on any receiver as well as  
7 a dual hand set phone used when individuals  
8 with LEP are physically available.

9 Language Line Solutions also  
10 offers language line insight video  
11 interpreting which is available for all  
12 spoken languages and American sign language.  
13 These services are 24 hours, seven days and  
14 they're free of charge.

15 In a continued effort to enhance  
16 communication with our community, all NCPD  
17 patrol cars were issued iphones with the  
18 language line solutions app downloaded on  
19 it.

20 In all these facilities where  
21 public access appoints to your language  
22 signage is prominently displayed.

23 The point of your language signs  
24 are written in the baseline languages and  
25 other non English languages which enable LEP

1 P-Safety/Finance/Rules 3-15-21  
2 individuals to identify their primary  
3 language.

4 Officers utilize laminated  
5 language identification cards distributed to  
6 all patrol vehicles in precincts that have a  
7 point to your language card displayed on the  
8 front.

9 The reverse side of the card has  
10 instructions on how to access the language  
11 line seen or at the command.

12 January 2020 to December 2020,  
13 the Nassau County Police Department  
14 including patrol, the detectives, and  
15 communication bureau used line solutions  
16 7,659 times in order to assist LEP  
17 individuals whose primary language was one  
18 of six base lines.

19 94.95 of that, Spanish; 3.67  
20 percent Mandarin; and .78 percent Haitian  
21 Creole; Korean .31 percent; Italian .16  
22 percent; Cantonese .09 percent; Farsi .4  
23 percent.

24 This totals about 50,466 minutes.  
25 All police recruits are trained

1 P-Safety/Finance/Rules 3-15-21  
2 in language access services as well as best  
3 practices when dealing with LEP individuals.

4 It is the NCPD's policy not to  
5 inquire about the immigration status of  
6 crime victims, prior witnesses and anyone  
7 who calls or poses as officers to receive  
8 assistance.

9 Also family and friends at a  
10 location should not be used to interpret on  
11 behalf of an LEP person beyond routine  
12 reasons such as pedigree or location.

13 Our department will continue to  
14 seek ways to provide the best possible  
15 services for LEP persons. Thank you all for  
16 your time.

17 COMMISSIONER RYDER: I'm going to  
18 ask Deputy Inspector Joe Guerra of the First  
19 Precinct to talk about the Young Adult  
20 Council, the YAC.

21 DEPUTY JOE GUERRA: Good  
22 afternoon. My name is Deputy Inspector Joe  
23 Guerra. I'm the deputy commanding officer  
24 of the First Precinct Nassau County.

25 I'm here to basically talk about

1                   P-Safety/Finance/Rules 3-15-21  
2     the youth council, the young adult council  
3     that we formed in the First Precinct and we  
4     formed through each precinct; each precinct  
5     has one, but I'm here to talk about ours and  
6     what we do.

7                   I have many functions as a Deputy  
8     Commanding Officer in the precinct. A lot  
9     of them are meetings. I meet regularly with  
10    the community clergy, and actually friendly  
11    with a number of them. We meet the most  
12    regularly with Bishop Makkay, so I'm quite  
13    engaged in the community through these  
14    meetings and through these relationships.

15                  Let's talk about the youth  
16    council which I think is probably one of the  
17    most important reforms.

18                  What we do is we get kids in the  
19    community. We select them through police  
20    officers, through teachers, through the  
21    explorers, through any number of ways that  
22    young adults would be involved.

23                  We put them -- we have regular  
24    meetings with them at precincts. We talk to  
25    them about the reforms. We bring up hard

1 P-Safety/Finance/Rules 3-15-21  
2 questions. We like the hard questions  
3 because there are no results without those  
4 hard questions. We want to know what they  
5 think.

6 These meetings are not lecture  
7 type meetings. These meetings are basically  
8 the kids giving us their opinion of how they  
9 feel we're policing. What we can do better.  
10 What positive interactions they have with  
11 the police department and negative  
12 interactions.

13 So, we have to start with the  
14 make up. It's important to know that we  
15 pick the people that are there for a reason.  
16 We have our Special Patrol Sergeant  
17 Calipopy is the youth counsel leader and  
18 he's also the head of the POP officers in  
19 the precinct. Those are the people that are  
20 going to have the most encounters with these  
21 kids along with our regular every day police  
22 officers.

23 We have Police Officer Danny  
24 Johannson who heads up the explorers and has  
25 over 20 years of experience with youth in

1 P-Safety/Finance/Rules 3-15-21

2 Nassau County and has probably the finest  
3 mentoring program that I have ever seen in  
4 the country.

5 We have also included Freeport.  
6 We have PO Supulveda, PO Donnetta  
7 Cumberbatch from Freeport which is an  
8 integral part of my community on the border  
9 of Roosevelt. We find that the kids from  
10 Roosevelt and Freeport engage with each  
11 other a lot and so we've now brought them on  
12 board and I think they are another integral  
13 part of these meetings.

14 Let's talk about the meetings.  
15 Kids are mostly high school kids. They're  
16 from a very diverse cross section of the  
17 community. There are from Freeport,  
18 Uniondale, Roosevelt and Baldwin. We are  
19 very ethnically diverse. We asked, like I  
20 said, we ask questions about the reforms.  
21 We encourage them. We engage them in  
22 conversation. We encourage them to do the  
23 talk. What kind of questions?

24 Well, we talk about things like  
25 police encounters which I find extremely

1 P-Safety/Finance/Rules 3-15-21  
2 important. Everything starts with an  
3 encounter with the police. So we find out  
4 what kind of encounters that they've had,  
5 have they been good encounters, bad  
6 encounters, what happens on car stops, why  
7 do we act the way we act, why we stop them  
8 and do certain things.

9 They will tell us how they felt  
10 on those car stops and those interactions.  
11 A lot of it is, they'll start to educate  
12 them to our training and why we do things a  
13 certain way and then we will learn from them  
14 how they feel on car stops and the  
15 interactions and we'll bring that back to  
16 our officers.

17 Through that I feel like we can  
18 solve problems. We can stop a lot of these  
19 problems before they even begin with  
20 communication and positive communication  
21 which I believe we have in the First  
22 Precinct and throughout Nassau County.

23 The commissioner said a mouth  
24 when he said build trust, form it from the  
25 foundation up. I believe this youth council

1 P-Safety/Finance/Rules 3-15-21

2 does that. It's one of the many things we  
3 offer Nassau County.

4 Other things that come up, other  
5 questions: Accountability of police  
6 officers, complaints, how we're held to a  
7 higher standard, how we should be held to a  
8 higher standard. Mental health training for  
9 police.

10 We have some really really good  
11 input from these kids on training. I had  
12 one girl, I can't really mention the names  
13 because a lot of them are juveniles. Very  
14 bright and looks up studies from other  
15 countries and have discourse on why that  
16 works in other countries and why it may or  
17 may not work here.

18 But all this information we glean  
19 is the information from the people is what  
20 is going to affect the reforms the most and  
21 make this a success.

22 The SRO program I will get to  
23 that in a minute. I first want to talk  
24 about other things we talk about; alcohol,  
25 drugs, vaping, things that are central



1                   P-Safety/Finance/Rules 3-15-21  
2       issues in the lives of these kids that they  
3       need to find ways of combating and avoiding  
4       and strategies on how to handle these things  
5       that come up in their every day life.

6                   We give them assignments prior to  
7       the youth council and they have to come with  
8       challenging and educational solutions and  
9       questions for us. And, so far, it's been I  
10      feel it's been astounding the amount of good  
11      information we have gotten from these  
12      council meetings.

13                  Getting back to the SRO program  
14      is what we will do many times with our youth  
15      council is bring some of these questions to  
16      them because, after all, who do the SROs  
17      affect? They effect the kids, they affect  
18      the schools, they affect the principals.

19                  I want to draw your attention to  
20      an email from my youth council ahead,  
21      Sergeant Poppy, and it's quite interesting.

22                  On Wednesday, February 24, 2021,  
23      the First Precinct youth council held a  
24      meeting at Freeport Recreational Center.

25                  The meeting was attended by

1                   P-Safety/Finance/Rules 3-15-21  
2       myself, PO Johannes, PO Supulveda, and PO  
3       Cumberbatch. There were seven members of  
4       the youth council in attendance. The  
5       meeting went well and it was by all accounts  
6       a success.

7                   However, one part of the meeting  
8       I would like to make you aware of. The  
9       attendees of the meeting were from Freeport,  
10      Uniondale, Roosevelt, Baldwin.

11                  I posed the question to the  
12      attendees regarding school resource officer  
13      program. I asked them if they believe the  
14      SROs were necessary and if they believe they  
15      still should be in the schools.

16                  Every one of their responses was  
17      in favor of the SRO program and a majority  
18      felt that there should in fact be an  
19      increase of police in the schools.

20                  I thought that this information  
21      coming from former and current students from  
22      the schools with SROs was rather important.  
23      I think it's very important as well.

24                  Some of the feelings that we got  
25      from these kids -- because we can talk about

1 P-Safety/Finance/Rules 3-15-21  
2 statistics. Statistics are very important  
3 but I believe you got to feel a community.  
4 I've talked to the commissioner about this,  
5 he believes it too. You have to feel their  
6 need.

7 These kids to a man talked about  
8 the bonds they form with the SROs, how they  
9 rely on the SROs. It's how they know where  
10 to find them in case they're needed, how  
11 they make them feel a sense of safety and  
12 security.

13 So I use this as an example, some  
14 of the topics that we talk about. I would  
15 just say that once again we talk about a  
16 plan coming from the people, these are  
17 people. I think their voices need to be  
18 heard.

19 We also take some of the  
20 information and we talk to the schools.  
21 I've talked at length to Mr. Debono from  
22 Uniondale schools and the Roosevelt  
23 principal, and they're all in favor of the  
24 SROs.

25 So I just wanted to bring that to

1 P-Safety/Finance/Rules 3-15-21

2 your attention for two reasons.

3 Number one, it's a very good  
4 topic that we talk about at these meetings.  
5 And, number two, I believe this is what  
6 these kids and these principals want and  
7 expect.

8 So, with that being said, I will  
9 just end with I think this youth council is  
10 an excellent idea. I think it's been a  
11 success, to this point, and I'm looking to  
12 expand it going forward so we can add more  
13 people and we've already met five times.

14 As I said, I look forward to  
15 taking that information and just making us a  
16 better police department. Thank you

17 COMMISSIONER RYDER: Thank you,  
18 Inspector. Next is appearance tickets in  
19 lieu of arrests.

20 Back in 2018, before the murder  
21 of George Floyd, we recognized there's no  
22 value of arresting an 18 year old kid on a  
23 street corner for smoking a joint, putting  
24 them into cell, next to a gang banger tat's  
25 in there for a robbery or rape or a murder.

1 P-Safety/Finance/Rules 3-15-21

2 No value.

3 So we started back then our field  
4 arrest policy back in 2018. We issue a  
5 summons on the street for that. We don't  
6 put that kid into a place where its  
7 environment is not conducive to what he did  
8 compared to what's inside that cell.

9 In 2019 we saw the value of that.  
10 We also turned around and we started with  
11 our shoplifters. Those who steal from a  
12 local store and get arrested, dragging and  
13 putting them in handcuffs in a cell next to  
14 a gang banger, there is no value to it and  
15 it doesn't help us.

16 Our field arrest program has been  
17 in place since 2018, enhanced in 2019, and  
18 we continue to use it today and we do get a  
19 lot of benefits from it by not putting those  
20 kids in those situations.

21 Topic seven, implicit bias, bias  
22 awareness training. Police Officer Baccio  
23 once again.

24 OFFICER BACCIO: Implicit bias,  
25 that's obviously a major topic, one of the

1                   P-Safety/Finance/Rules 3-15-21  
2       ones which was addressed in Governor Cuomo's  
3       Executive Order 203. We would be remiss not  
4       to mention this. This is a large block of  
5       instruction, one in which I plan on -- we  
6       have to start at a basis. We have to  
7       understand the nature of bias, whether it's  
8       explicit or implicit. Implicit is the focus  
9       here. Obviously we want to pay attention to  
10      what is going on in our minds.

11                   So categorization that gives rise  
12      to unconscious bias is a normal aspect of  
13      human cognition, the silliest of little  
14      things, who do you believe works at  
15      McDonald's, who works at these types of  
16      places. These are the smallest forms of  
17      implicit bias.

18                   Having an understanding of when  
19      and where that ends up being appropriate is  
20      a large goal of this block of instruction.  
21      The training is not going to be an immediate  
22      fix. It's something that this is a life  
23      long goal. Something that's going to be  
24      repetitive. Something that we're going to  
25      continue to administer and continue to give

1 P-Safety/Finance/Rules 3-15-21

2 on a yearly basis at the very least, and  
3 it's something that has always been woven  
4 through our instruction with recruits.

5 With recruits, the DCJS portion  
6 of the cultural diversity program was a five  
7 hour block of instruction.

8 We have always given a full day,  
9 eight hour day of instruction to our  
10 recruits. And inside of that training the  
11 recruits the recruits are exposed to members  
12 of communities, various different  
13 communities, members of the black community,  
14 Hispanic community, Jewish community,  
15 transgender communities, and so on, and they  
16 come in and talk to the recruits and explain  
17 to them what exactly they have been exposed  
18 to in life, things that we can do better as  
19 police officers to assist them in this  
20 world, and that is a major focus of the  
21 implicit bias and implicit awareness type of  
22 instruction that we're going to be giving.

23 Addressing that unconscious bias  
24 is a process that requires self awareness.  
25 Examining unexamined behavior that we may

1 P-Safety/Finance/Rules 3-15-21  
2 not have ever examined before. That's a  
3 component of leadership as well. To be  
4 strong leaders, we need to stop pause and  
5 internally reflect on what we are as police  
6 officers and see that this does exist. This  
7 is something that may not necessarily take  
8 form in overt racism or anything like that  
9 but implicit bias is a topic that needs to  
10 be talked about.

11 So it's the first in recognizing  
12 one's biases. Utilizing tools such as the  
13 implicit awareness tests, a gallery walk  
14 utilizing the trainees on thoughts,  
15 attitudes, behaviors, to begin down the road  
16 of understanding and elicit a response that  
17 will initiate a desire for change.

18 That's my goal and my plan for  
19 the implicit bias unconscious portion of  
20 this lecture that we're going to be given to  
21 in this service.

22 Ideally, further trainings after  
23 that, once we address the situation and make  
24 people aware that this is a situation and is  
25 something that we need to constantly work on



1                   P-Safety/Finance/Rules 3-15-21  
2       as individuals and not just police officers,  
3       everybody in America, and everybody in the  
4       world for that matter has that's biases, we  
5       will be able to break this down into smaller  
6       groups later on and into training where we  
7       can break them off into smaller groups and  
8       work on work shops and elicit real and safe  
9       discussions outside of this initial large  
10      block of instruction that we are going to be  
11      giving with the police reform.

12                   So that's going to be down the  
13      road plan once I get to break these guys  
14      down into smaller groups and girls into  
15      smaller groups where we can actually have  
16      real conversations about this.

17                   It starts in the academy. Every  
18      single member of the Nassau County Police  
19      department has gotten that training in the  
20      academy where they broke down into small  
21      groups and we spoke to members in the  
22      community, and we're not talking about  
23      police members of the community here. These  
24      are all individuals from their  
25      representative groups that voluntary their

1                   P-Safety/Finance/Rules 3-15-21  
2     time to come in and talk to our recruits and  
3     make sure they have an understanding of  
4     everything that goes on in their world so we  
5     can understand it better as well.

6                   All of these facets are at the  
7     end of the day with regard to procedural  
8     justice, implicit bias, and in a couple of  
9     minutes when I talk about de-escalation, or  
10    evaluating our recruits and in our officers  
11    throughout a reality based training  
12    components.

13                  Again, this doesn't end in just  
14    block instruction where we sit people down  
15    and talk to them and have exercises and  
16    group exercises where we talk about this  
17    stuff. It continues in furthering through  
18    evaluations that we do with reality based  
19    training components which obviously is going  
20    to be much easier for us to do with the new  
21    police academy and tactical village and so  
22    on and so forth that we can actually bring  
23    people from the community in and run them  
24    through role plays with our recruits and  
25    added service and so on and so forth so we

1                   P-Safety/Finance/Rules 3-15-21  
2       can actually see what's going on in  
3       everybody's world from different  
4       perspectives.

5                   So that's what this is all about,  
6       perceptions and perspectives from both sides  
7       of the table in this regard. That's what  
8       we're talking about with implicit bias.

9                   COMMISSIONER RYDER: I'm now  
10       asking one of the hardest working detective  
11       lieutenants in the police department, Kat  
12       Rhatigan to come up and speak about the  
13       LBGTQ society here in the department.

14                   LIEUTENANT RHATIGAN: Good  
15       afternoon. Thank you for that enthusiastic  
16       introduction, Commissioner, and thank you  
17       for allowing me to speak with you today.

18                   My name as it has been noted is  
19       Detective Lieutenant Katrina Rhatigan. I am  
20       the commanding officer of the Sixth Precinct  
21       Detective Squad. I am a founding member  
22       also and current president of the LBGTQ  
23       Society which is a fraternal organization  
24       founded to support our department's LBGTQ  
25       members and our department's relationship

1                   P-Safety/Finance/Rules 3-15-21  
2     with the Nassau County LGBTQ community and  
3     allies.

4                   Most of our outreach is  
5     facilitated by our contacts with two  
6     nonprofit organizations, Pride For Youth in  
7     Bellmore and the LGBT Network in Woodbury.

8                   Our fraternal organization is  
9     voluntarily and our members donate a lot of  
10    personal time to work with these nonprofit  
11    organizations and make sure the LGBTQ  
12    community is heard.

13                  One of our most successful  
14    programs as an organization is the Night Out  
15    Program hosted by Pride For Youth in which  
16    our officers meet with teenage LGBTQ members  
17    and discuss health and safety issues which  
18    can come along with living in an alternative  
19    life-style. Officers discuss their life and  
20    experiences to help these teams feel more  
21    comfortable in their own skin which we know  
22    in the LGBT community can be difficult.

23                  The suicide prevention resource  
24    center estimates that between five to ten  
25    percent of LGBT youth have attempted

1 P-Safety/Finance/Rules 3-15-21  
2 suicide, a rate 1.5 to three times higher  
3 than heterosexual youth. You can see our  
4 outreach is mostly needed with that age  
5 category.

6 These interactions with the  
7 community help bridge the gap between the  
8 Nassau County Police Department and the  
9 LGBTQ community.

10 In addition, our society meets  
11 with every police recruit class at the  
12 academy to encourage others to join whether  
13 they're allies or identify LGBTQ.

14 When I first started with the  
15 Nassau County Police Department, I was very  
16 surprised to learn that there was no  
17 fraternal organization for the LGBT  
18 community.

19 I'm proud of the foundation that  
20 we have built and how we have continued to  
21 work hard but, more importantly, our  
22 outreach and society would not be possible  
23 without the support of our police department  
24 and it all stems from the top mainly with  
25 Police Commissioner Ryder who consistently

1 P-Safety/Finance/Rules 3-15-21  
2 shows unwavering support and marches  
3 alongside us at every Pride parade. Between  
4 you and I he even enjoys the after parties.

5 I consider myself very lucky to  
6 work for the Nassau County Police  
7 Department. We truly care about diversity  
8 and inclusion for all and I thank you for  
9 your time today.

10 COMMISSIONER RYDER: Next topic  
11 is the one that hurt me probably the most  
12 when I heard the plan being presented two  
13 weeks ago and that was on the transgender  
14 issues.

15 Julie, who I think is a wonderful  
16 person held up this document and said that  
17 we were not part of it and we failed it  
18 miserably.

19 We failed it miserably because on  
20 September 13, 2017, a FOIL was sent for this  
21 document for these items requested.

22 We responded on the 21st for some  
23 clarity and we never heard back from there  
24 so they zeroed us out saying we were not  
25 complicit or compliant with any items

1 P-Safety/Finance/Rules 3-15-21

2 relating to transgender.

3 I met Julie here three and a half  
4 years ago, four years ago on this floor  
5 talking about those issues. I brought her  
6 into the police department that week and  
7 she's been teaching at our police academy  
8 for the last four years on transgender. I  
9 have a lot of respect for Julie, and I'm  
10 sorry if she got a little confused in the  
11 message but we have always been behind our  
12 communities here in Nassau County especially  
13 the transgender.

14 That being said, there are nine  
15 documents. We are a paramilitary  
16 organization. It doesn't flow from one  
17 document. Yes, there is a three-page  
18 document on encounters with transgender  
19 people. Yes, Julie was part and has a  
20 meeting next week, two weeks from now, and  
21 there was a slow down because of a thing  
22 called COVID, so we were a little behind  
23 times getting things done, but that policy  
24 went out not because of this meeting and not  
25 because of that, but we were moving forward

1 P-Safety/Finance/Rules 3-15-21  
2 in getting it done, but as COVID and  
3 protests and arrests kind of slowed us down,  
4 but we treat all of our prisoners and all of  
5 those we come in contact with respect and  
6 dignity. You just heard Lieutenant Rhatigan  
7 talk about it. We have an order of  
8 detention on prisoners, arrest processing,  
9 prisoners sick or injured, bias incidents  
10 and hate crimes, police operations, prisoner  
11 transporting, discrimination in the work  
12 place, standards of conduct by our officers,  
13 arrest and how to act, and our mission's  
14 values and vision for this police  
15 department.

16 It's for all prisoners, for all  
17 people we come in contact with, not one  
18 specific group. Yes, we do have to amend  
19 things when it comes to the transgender  
20 community and we did that in our policies.  
21 When a person identifies as a male but  
22 identifies as a woman, they have the choice  
23 on who searches them. They can ask a female  
24 officer to search them and we have to  
25 comply. Is that fair to the officer? But



1 P-Safety/Finance/Rules 3-15-21  
2 we do it because that's what the law says we  
3 got to do. We are very fair and open.  
4 Again, I think Julie is a wonderful person.  
5 I've had numerous conversations with her.  
6 The chief of department has had a  
7 conversation on community affairs, but it  
8 hurt when they said we did not address this.  
9 It's not true. We did as I just explained.

10 Next item, hate crimes, Chief  
11 Bartscherer.

12 CHIEF BARTSCHERER: Good  
13 afternoon. My name is a Deputy Chief James  
14 Bartscherer, and I appreciate you giving us  
15 the time to present our plan because a lot  
16 of effort and time from all of us has gone  
17 into this plan.

18 I'm going to be speaking to you  
19 about the bias crimes and hate crimes.

20 When you look at our department  
21 policies and our procedures regarding hate  
22 bias crimes and you look at the people's  
23 plan regarding hate bias crimes, you're  
24 going to see a lot of the same terminology.  
25 Both the plans are framed on information

1                   P-Safety/Finance/Rules 3-15-21  
2       provided by the FBI and the current New York  
3       State law.

4                   Our policies and procedures  
5       responding to hate crimes recognize the  
6       seriousness of the crime not only for the  
7       immediate victim, but also for the community  
8       at large.

9                   While our procedures were  
10       consistent with state law, and it was  
11       effective in our investigations in the  
12       prosecution of these crimes, there are some  
13       enhancement that we incorporated into our  
14       plan after listening to the suggestions from  
15       the public at all the civic meetings that  
16       we've been going to and presenting our plan.

17                   Our officers are trained not only  
18       to investigate obvious hate crimes, but to  
19       look for any indication of hate or bias that  
20       may have provoked a criminal act.

21                   In addition to the training they  
22       receive in the academy, including a day at  
23       the Holocaust Memorial and Tolerance Center,  
24       our members are periodically given legal  
25       bulletin updates on any changes in the law.

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2 The anti defamation league has webinars  
3 throughout the year almost monthly and they  
4 are available to our members as well.

5 Two recent anti defamation league  
6 webinars covered hate symbols and another  
7 the rise of domestic terrorism and white  
8 supremacy.

9 When designated to detective or  
10 promoted to a supervisory rank, bias crime  
11 training is also incorporated into that  
12 training.

13 Let me provide you with a brief  
14 synopsis of the steps that we take in  
15 investigating an incident to determine if a  
16 hate crime has taken place establishing  
17 probable cause and appropriately charging  
18 the person responsible as well as notifying  
19 the public.

20 When an officer on patrol  
21 observes symbols of hate or is called to an  
22 assignment where a crime has occurred, the  
23 officer conducts a preliminary investigation  
24 to determine if the crime involved appeared  
25 to be motivated in whole or in substantial

1           P-Safety/Finance/Rules 3-15-21  
2 part because of a belief or perception  
3 regarding the race, color, national origin,  
4 ethnicity, gender, gender expression or  
5 identity, religion, religious practice, age,  
6 disability, or sexual orientation of a  
7 person regardless of whether the belief or  
8 perception is correct.

9           I would like to note that we  
10 added in ethnicity and gender expression.

11           If the officer determines that  
12 bias may have been a factor, he then is  
13 directed to call the supervisor to the  
14 scene.

15           Some of the factors that the  
16 officer is going to take into consideration  
17 is to determine whether or not bias is  
18 implicit or not, obvious, is if any of the  
19 following was found in possession of the  
20 suspect or near the scene of the incident,  
21 which are indicative of, or represent a hate  
22 group or other evidence of bias against the  
23 victim's group. It would include any  
24 offensive symbols or words, tattoos,  
25 clothing, paraphernalia or jewelry

1 P-Safety/Finance/Rules 3-15-21  
2 suggesting identification by suspects with  
3 an organized hate group.

4 Hate literature, spray cans, bias  
5 symbolic objects such as swastikas and  
6 crosses, the presence of social media  
7 activity for evidence of bias motivation.

8 Evidence that the victim is the  
9 only person of a particular group among  
10 others present or the victim is from a  
11 different racial national origin or  
12 religious group than the suspect.

13 If certain areas of the victim's  
14 body were targeted by the suspect, the  
15 existence of dual motivation by a suspect  
16 such as the suspect looking to commit  
17 robberies but specifically targeting elderly  
18 victims.

19 Multiple incidents occurring in a  
20 short period of time targeting a specific  
21 group.

22 The proximity of the incident to  
23 an establishment that could be associated  
24 with one of the protective categories  
25 included in the hate crime law.

1 P-Safety/Finance/Rules 3-15-21

2 If evidence of an inflammatory  
3 nature cannot be physically removed after it  
4 has been properly documented for  
5 investigatory purposes, the owner of the  
6 property will be contacted to insure that  
7 the graffiti is removed as soon as possible.

8 Hate crime offenses that have  
9 been updated into our procedure includes  
10 strangulation, criminal sexual act, and  
11 coercion. The supervisor who has been  
12 called to that scene, will be insure that a  
13 thorough preliminary investigation is done.  
14 The patrol supervisor is going to notify the  
15 desk officer and make sure that the  
16 detective squad is also responding to  
17 investigate these crimes.

18 If there is a crime scene, all  
19 evidence will be documented, photographed  
20 and secured.

21 One of the suggestions that were  
22 made at several of the different community  
23 groups was that we have a precinct level  
24 bias coordinator so the desk officer besides  
25 detective squad is notified we'll also be

1                   P-Safety/Finance/Rules 3-15-21  
2     notifying the deputy commanding officer of  
3     each precinct who is the precinct level bias  
4     crime coordinator.

5                   The precinct bias crime  
6     coordinator will review at the case,  
7     evaluate the deployment of patrol resources,  
8     engage POP officers to reach out to the  
9     community and during the many community  
10    meetings and civic meetings that our  
11    commanding officers and deputy commanding  
12    officers attend, they will be addressing any  
13    other concerns that the public may have  
14    regarding any sort of bias crime.

15                  Besides having a precinct level  
16    bias crime coordinator, there's department  
17    bias crime coordinator, which is part of my  
18    responsibilities. I'm in the chief of  
19    detectives office.

20                  As the department's bias crime  
21    coordinator, my staff and I review case  
22    reports daily to insure that all reported  
23    incidents with any indication of bias have  
24    been accurately classified and are being  
25    investigated by the respective detective

1 P-Safety/Finance/Rules 3-15-21

2 squad.

3 A bias incident number is  
4 assigned daily, weekly, monthly and annual  
5 stats are maintained. The stats we maintain  
6 are categorized by incidents involving race,  
7 color, national origin, ancestry, gender,  
8 religion, religious practices, age,  
9 disability, or sexual orientation of the  
10 person.

11 The stats are shared monthly with  
12 the chief of the department, with the  
13 District Attorney's Office, with the  
14 New York Division of Criminal Justice  
15 services, and with the anti defamation  
16 league.

17 In response to several community  
18 group suggestions from our public meetings,  
19 the department will prepare as the  
20 commissioner indicated earlier, biannual  
21 reports on hate crimes, and they'll be  
22 available to the public on our website and  
23 these reports will also be made to the  
24 Nassau County Legislature.

25 Thank you very much.



1 P-Safety/Finance/Rules 3-15-21

2 COMMISSIONER RYDER: Thank you.  
3 We're going to jump ahead. Somebody has got  
4 to head to another meeting.

5 Topic 12, community based  
6 outreach and conflict resolutions. Our new  
7 two star chief, Bill Leahy, please come up.

8 ASSISTANT CHIEF LEAHY: Good  
9 afternoon. My name is William Leahy,  
10 assistant chief assigned to the support  
11 division. I'm going to address the school  
12 resource officers, POP officers, and  
13 Homeland Security officers working with the  
14 school districts in the schools.

15 Many of the schools act as a part  
16 of the community and schools are open early  
17 during the day, after school, and evenings,  
18 and are often a central part of the  
19 community with many different facets and  
20 people attending the school. Part of that  
21 is they are gathering soft targets.

22 During the school day many of the  
23 students are there. You often, the  
24 complaint is, we only see the police during  
25 times of action, or during a stressful

1                   P-Safety/Finance/Rules 3-15-21  
2           situation. School resource officers provide  
3           an opportunity to work with a school  
4           district not a particular school, go from  
5           school to school to be seen in a different  
6           light, in a non stressful environment. To  
7           be seen coming in, to be seen at entry time,  
8           to be seen at dismissal time. To work with  
9           the school district to be a liaison. To  
10          dispel rumors, to dispel before a football  
11          game the famous rivalries, are they coming  
12          to our school, are they going to come by.  
13          All those things, the information to be  
14          gathered, that information could be worked  
15          together where as a school from peer to  
16          peer, school to school, that information can  
17          be shared so that conflict does not happen,  
18          stops before it even begins.

19                   So schools and the resource  
20          officers work together to be seen. The kids  
21          enjoy it. They get to learn. They get to  
22          ask questions. The officer becomes an  
23          opportunity about a life-style they may not  
24          know about.

25                   It also becomes an opportunity to

1 P-Safety/Finance/Rules 3-15-21

2 see somebody that they may not know. So it  
3 affords an opportunity for the officers and  
4 the community to work together.

5 Along with that, our POP officers  
6 are responsible for the school districts  
7 within their command, not only with the  
8 regular school districts, but with houses of  
9 worship that has schools, after care  
10 programs, day cares, and often there's quite  
11 a few concerns regarding suspicious persons.

12 Attacks; we all remember the  
13 Columbine issue. Target hardening. School  
14 security surveys. There are opportunities  
15 for training. Stranger danger and such.

16 Our Homeland Security officers  
17 work with all 56 school districts and an  
18 opportunity to participate in the RAVE  
19 program which I will have the officers come  
20 up and speak about that.

21 Before I do that, I would ask  
22 that the officers stand up and take a look  
23 at their uniforms. I know some people are  
24 concerned often. That's how they dress  
25 during the regular day. Sometimes they're

1 P-Safety/Finance/Rules 3-15-21  
2 in uniforms depending upon the event or what  
3 they're wearing, but that's a regular day  
4 for them. Not very imposing, not very  
5 intimidating, but that's the uniform they  
6 wear. Thank you. That's what they'll have  
7 for a regular day.

8 So, we treat as a service  
9 oriented organization, community based  
10 organization, problem oriented POP  
11 organization. We're really looking to  
12 utilize the Sara model. We look at that as  
13 part of our community and one that's open  
14 with a lot of people in it and one that we  
15 can work with and have a lot of opportunity  
16 to educate and solve problems with.

17 So, I'd like to bring up Officer  
18 O'Shea who is one of our six school resource  
19 officers who works within the First Precinct  
20 and he will give you a quick walk through  
21 his day.

22 OFFICER O'SHEA: Thank you for  
23 having me. My name is Officer Michael  
24 O'Shea, First Precinct School Resource  
25 Officer.

1 P-Safety/Finance/Rules 3-15-21

2 As the chief said, my main goal  
3 is communication and relationship with the  
4 school district. Me, personally, I work  
5 with Roosevelt School District. I have a  
6 tremendous working relationship with the  
7 superintendent to the high school principal  
8 all the way down to the middle school, the  
9 elementary school, the security staff,  
10 school counselors, school psychologists.  
11 I'm there when they need me.

12 It's a comfort level between  
13 themselves and me and we have this wonderful  
14 relationship.

15 A typical day for me is I'm  
16 around at arrival time in the parking lot,  
17 could be something as simple as helping  
18 security staff direct traffic because of the  
19 parents dropping the kids off. Could be we  
20 greet the kids in the parking lot. Maybe  
21 there's an unhappy parent, and everything is  
22 talked about and we move on.

23 During my day I visit the school,  
24 go into the office, speak with the  
25 principals. Any questions, any concerns, we

1 P-Safety/Finance/Rules 3-15-21  
2 address it there. In a few minutes, it  
3 could be something as hey, Mike, we have a  
4 football game on Saturday, can you be  
5 around? Hey, Mike, we have a mediation with  
6 a few parents and their kids, can you be  
7 enter and sit with us? Absolutely, no  
8 problem.

9 We move on and we're in the  
10 parking lot, school to school, there could  
11 be an incident that happened a few blocks  
12 away from the school in the community and  
13 we're at the school just in case things move  
14 we are there, we're outside, we're there.

15 At the end of the day we move on  
16 to dismissal, mostly at the high school and  
17 middle school, just in case we're there,  
18 we're a presence out in the parking lot,  
19 talk to the kids as they're leaving going  
20 home for the day and that's basically what I  
21 do during the day and it's a continuous  
22 relationship and it's an open phone with me  
23 they call me all day, any time they want.  
24 Thank you.

25 CHIEF LEAHY: Officer O'Shea is a

1                   P-Safety/Finance/Rules 3-15-21  
2       humble guy and most of those SROs are.  
3       Their phone numbers are within throughout  
4       every school principal and every vice  
5       principal and they get the calls directly.  
6       They're able to quell rumors and innuendos  
7       that run amuck. Everybody knows about the  
8       Facebook groups and how fast, and Twitter,  
9       and social accounts, how fast rumors can run  
10      amuck. These are the guys that are able to  
11      quell those things rather quickly and get  
12      order back and get the ground truth back  
13      into a school.

14                   That is the value that a school  
15      officer brings. When we have those lockouts  
16      and lock downs, these are the guys that help  
17      make those notifications. These are the  
18      guys that go to the school and work with the  
19      schools that are in lock out and lockdown.  
20      That's one of the first stops for those  
21      schools that have those districts. Thank  
22      you.

23                   I would like to bring up Sergeant  
24      Connolly. He's our Homeland Security  
25      Officer. I work with Sergeant Connolly in

1 P-Safety/Finance/Rules 3-15-21  
2 Homeland Security. He works with all 56  
3 school districts and he works with not only  
4 them but all of the schools including  
5 charter schools, houses of worship,  
6 religious schools, religious ed, and  
7 colleges and universities, and it's all  
8 about maintaining an air of security and  
9 safety.

10 SERGEANT CONNOLLY: Good  
11 afternoon. My name is Rob Connolly and I'm  
12 a sergeant assigned to the Homeland Security  
13 Unit and I have the privilege of following  
14 Chief Leahy who was actually my mentor going  
15 several years back.

16 Just to give you a little  
17 background on homeland security. People  
18 hear that and sometimes they don't  
19 understand what the moniker is and why we're  
20 designated as a Homeland Security unit.

21 Our unit was borne out a concern  
22 back in the early 2000s about homeland  
23 security. As the commissioner knows, I'm  
24 passionate what I do, so I will try to  
25 temper it so you can catch it all, but to



1                   P-Safety/Finance/Rules 3-15-21  
2     give you a little background about how we  
3     got where we are today and where we're going  
4     with this unit.

5                   We were borne in the early 2000s  
6     out of the idea about international  
7     terrorism and what we can do to better  
8     secure our communities. There was a great  
9     concern after the 911 attacks about our  
10    houses of worships, mass gathering  
11    locations, our churches and our schools.

12                  As time went on, we refocused our  
13    efforts because unfortunately there were  
14    many incidents where schools became targets  
15    of violence and the commissioner and the  
16    administrative staff recognized that  
17    Homeland Security for many years in the  
18    Nassau County Police Department had been  
19    focusing on how we can better harden those  
20    targets, make our malls safer, make our  
21    schools safer, make our houses of worship  
22    safer.

23                  They asked us to refocus our  
24    efforts at the schools once again to figure  
25    out a way we can make schools even safer.

1 P-Safety/Finance/Rules 3-15-21

2 We developed a team of Homeland  
3 Security school resource coordinators and we  
4 pushed into the schools to meet with the  
5 existing security staff. As we know,  
6 schools are very good at education but  
7 security might not be their first effort.  
8 So we looked at what they were doing and  
9 came up with ways that we can make it safer.

10 It started with a simple patrol  
11 aspect. We work with our POP partners and  
12 work with our patrol partners and made sure  
13 we made our daily visits to the schools  
14 doing our park walk and talks and engaging  
15 with school bus drivers, the administrative  
16 staff, the lunch room workers, regular rank  
17 and file people to find out things that were  
18 going on in the community and what we can do  
19 to make things safer.

20 We developed some ideas about how  
21 they can better enhance their plans and we  
22 expanded their district wide safety plans to  
23 incorporate the police department and some  
24 of the best practices that we have seen in  
25 the 56 different school districts we

1 P-Safety/Finance/Rules 3-15-21

2 interact with.

3 That made going out to 450 school  
4 buildings and looking at different security  
5 procedures, some better than others, and  
6 coming up with ways to get everyone in line  
7 with making our building safer so our  
8 children could be safer.

9 We looked at reunification  
10 points, evacuation routes and we changed  
11 some of those to better comply with the new  
12 style of policing.

13 We developed security surveys for  
14 the schools so that they can come up with  
15 capital plans to make their building safe  
16 and things like changing doors, adding  
17 cameras, looking at some of the existing  
18 security systems, and one of the pilot  
19 programs of this county was incorporating  
20 the RAVE panic alert system.

21 This was a single button on a  
22 cell phone that allows direct contact to a  
23 communications bureau when a critical  
24 incident occurs in a school, all 56 school  
25 districts now have the ability to push a

1           P-Safety/Finance/Rules 3-15-21  
2       button on the cell phone and make direct  
3       contact with the Nassau County Police  
4       Department.

5           Our Homeland Security school  
6       resource coordinators regularly visit the  
7       schools to test this system and make sure  
8       its working appropriately so when that  
9       critical incident occurs, we're ready to  
10      respond rapidly.

11          We've also developed different  
12      training programs for the school districts  
13      and this was out of a need they expressed to  
14      us. They wanted to learn more about what we  
15      would do in a critical incident and what  
16      they can do to better prepare and secure  
17      their student and staff.

18          To develop a program called  
19      situational awareness and the focus of this  
20      became a lot of suspicious activity  
21      reporting called see something say something  
22      and converting that to know something and  
23      doing something.

24          We teach them what they can do in  
25      the early stages of an incident to prepare

1                   P-Safety/Finance/Rules 3-15-21  
2       themselves and to prepare their staff to  
3       survive a critical incident and what key  
4       information they can feed back to us so we  
5       can help potentially prevent them.

6                   From that we learned that some of  
7       the incidents that occur in schools come  
8       from the students themselves and what can we  
9       do to better educate them on the hazards of  
10      getting involved with social media may be  
11      making false threats on social media or a  
12      chat.

13                  We have a program called Actions  
14      and Consequences where we meet with the  
15      school staff and the students and we talk  
16      about past incidents where people might have  
17      put something online and maybe caused a  
18      disturbance in the school, created fear, and  
19      we talk about the consequences of those  
20      actions and how they can impact their future  
21      life, college applications or going out  
22      there to seek a job.

23                  Most recently, just before COVID,  
24      we developed a third program called the  
25      Second Shift and the idea here was that we

1                   P-Safety/Finance/Rules 3-15-21  
2       have done a lot of great work to make our  
3       school safer during the day but when the  
4       school bell rings and the students leave how  
5       do we keep those buildings safe after hours.

6                   Often times there are after  
7       school or extra curricular programs that are  
8       going on inside the schools and we want to  
9       make sure that those schools stay safe even  
10      after hours. So we meet with the CYOs, the  
11      Little Leagues, the Boy Scouts and the Girl  
12      Scouts and we talk about why it's so  
13      important to keep that envelope of security  
14      going inside the schools.

15                  During the regular school day, my  
16      team also staff what's called the school  
17      desk. It's a direct contact between the  
18      Nassau County Police Department and our  
19      school administrators.

20                  We have a great relationship with  
21      all 56 superintendents and often times there  
22      are things going on in the community they  
23      are concerned about. They don't want to  
24      call 911, but they want a little insight,  
25      they've seen the helicopter that's flying in

1                   P-Safety/Finance/Rules 3-15-21  
2     the vicinity of the school. Rather than  
3     calling 911 they ask why the helicopter is  
4     there, they reach out to us. They're our  
5     trusted partners. We can vet them when they  
6     make that call and we can pass on  
7     information like there's a serious auto  
8     accident.

9                   Just this past week, we had  
10    unfortunately a very serious auto accident  
11    in the Herrick School District. It caused  
12    the closure of roads, helicopters, mobile  
13    emergency vehicles and it directly impacted  
14    their transportation program. Because of  
15    our school notification system we were able  
16    to directly interact with the school and  
17    come up with ways to reroute buses so they  
18    wouldn't be impacted by it.

19                   We've also created opportunities  
20    for the schools to get additional training.  
21    We do the Stop the Bleed program which many  
22    of you have seen in the public. It's a way  
23    to control bleeding if you're involved in a  
24    critical incident like a car accident or  
25    something like that where somebody is

1 P-Safety/Finance/Rules 3-15-21  
2 bleeding, very simple layman's terms of how  
3 you can control bleeding. We bring that  
4 into the school, we teach staff, students if  
5 they are interested in how they can control  
6 the bleeding.

7 Preparedness is a big part of  
8 what we do in Homeland Security. We talk to  
9 the schools about things they can do as far  
10 as planning, drills they can conduct, and  
11 we've even engaged with our local partners  
12 in public safety like the East Meadow Fire  
13 Department most recently and the active  
14 assailant drill where we work with them, how  
15 we were triaging injuries, and bring them  
16 over to the medical center.

17 Another big part of what we do in  
18 Homeland Security is incident response.  
19 Every day my school resources are, and two  
20 of them in the room right now, Police  
21 Officer Kevin Glenn and Police Officer Greg  
22 O'Neill who cover some of the schools in  
23 Nassau County and they're part of my team of  
24 eight. All throughout the county throughout  
25 the day and we monitor the radio making sure



1                   P-Safety/Finance/Rules 3-15-21  
2       that we hear incidents that may pertain to a  
3       school. We respond to those incidents and,  
4       when necessary, we help the school deal with  
5       the critical incident or a social media  
6       threat or a serious aided case, maybe it's a  
7       bomb threat or something like that. We help  
8       the, as a liaison to the police department,  
9       to make sure things are handled  
10      appropriately and we offer follow up.

11                   We actually review the school  
12      related incidents on a weekly basis and we  
13      look to see if there is more that we can do  
14      to help that school district and then  
15      through our contacts in the superintendent's  
16      group we reach out and offer other services  
17      that the police department could potentially  
18      provide, that could be training, could be  
19      enhanced patrols, or it may just be an  
20      opportunity to meet and review of security  
21      procedures.

22                   I can tell you from a personal  
23      level that we get calls almost every day  
24      from the superintendents. And sometimes  
25      they are not those little things, like, hey,

1 P-Safety/Finance/Rules 3-15-21  
2 we notice a police car parked in our parking  
3 lot, did something happen over the weekend?  
4 Or it could be something as serious as we  
5 got a threat on line that something bad is  
6 going to happen to the school, what should  
7 we do next? And we offer guidance and  
8 direction and we work together to come to a  
9 resolution.

10 The evolution of the Homeland  
11 Security Program has lead to a great  
12 relationship and I that building and  
13 maintaining these relationships will  
14 continue to keep our county safe. Thank  
15 you.

16 CHIEF LEAHY: As part of our  
17 wholistic approach, we bring in our POP  
18 officers and the POP officers are the can do  
19 guys. They're the guys that take everything  
20 that traditional policing cannot solve.

21 So they work and it's a building  
22 blocks approach for us. One feeds off the  
23 other. So anything that's not solved  
24 through traditional policing means goes to  
25 the POP officers. They use the Sara model

1 P-Safety/Finance/Rules 3-15-21  
2 and they custom design their responses. I  
3 was one of the original POP cops way back,  
4 right around when you were a BSO, but I had  
5 the opportunity to become the POP  
6 coordinator for a while and one of our  
7 better student is PO Ojeda from the Fifth  
8 Precinct. She will come up and tell you  
9 what her outreach to the Fifth Precinct is  
10 with the schools are and they do a fantastic  
11 job with the outreach.

12 It's real important. It's always  
13 in the best interest. We're looking out for  
14 the students and community in general.

15 That is one of the largest groups  
16 that we have on a day in and day out basis  
17 as one of the softest targets. So we can  
18 address that.

19 COMMISSIONER RYDER: So we're  
20 going to talk a lot about the hot spot  
21 policing. They're not only in the schools,  
22 but they also handle all of the complaints  
23 you get that goes through our POP cops.  
24 They are our first line of defense handling  
25 community issues and Officer Ojeda has done

1 P-Safety/Finance/Rules 3-15-21

2 a phenomenal job with it.

3 OFFICER OJEDA: I want to say  
4 it's an honor to speak here in front of you  
5 all. My name is Victoria Ojeda. I have  
6 been a member of the police department since  
7 2007. I been assigned to the POP unit since  
8 September of 2018.

9 Just a little about myself. I am  
10 the president of the Nassau County police  
11 Hispanic society and I have been immensely  
12 involved in the mentoring program for the  
13 applicants and the recruits in order to  
14 increase the diversity of qualified  
15 applicants and recruits in order to retain  
16 them.

17 A lot of our recruits are first  
18 generation and don't have anyone at home to  
19 lean on to ask questions to get that pat on  
20 the back and remind them that it is going to  
21 be okay and you will make it. With the  
22 other fraternal groups, it's imperative to  
23 be involved in that way.

24 I also actually instruct the  
25 recruits in implicit bias with one of the

1 P-Safety/Finance/Rules 3-15-21  
2 Hispanic community members. I think I'm the  
3 only police officer who does actually. I  
4 have been doing that for about five years  
5 now. Being in a command that is very  
6 diverse as the Fifth Precinct, gives me a  
7 great connection to my precinct and my  
8 community and I consider it my second home.

9 Problem oriented policing is a  
10 multi-faceted unit and our roles and  
11 responsibilities change as the needs and the  
12 hot spot locations change.

13 Our unit allows us a more  
14 intimate relationship with the community  
15 with the schools and with the civic  
16 association. Even with members of the  
17 community.

18 School safety is our number one  
19 concern as Homeland Security and our school  
20 resource officers will say as well.

21 We are part of safety committees.  
22 We attend lockdown drills. We take part in  
23 procedures for dismissals and arrivals and  
24 also focus on concerns before school, during  
25 school, and after school.

1 P-Safety/Finance/Rules 3-15-21

2 We also do presentations to the  
3 PTA, to the staff, and also to the students  
4 that include read aloud, career days and  
5 having discussions with at risk youth as  
6 well.

7 We also are involved with the  
8 youth adult council which in the Fifth  
9 Precinct we chose one student from each high  
10 school in our command in order to cover the  
11 diversity of our command. This allows us to  
12 discuss real issues that are of concern to  
13 them in order to offer guidance and get  
14 their feedback to the future of Nassau  
15 County.

16 Our civic associations and our  
17 houses of worship involve us which allows us  
18 to help the residents and congregant to be  
19 proactive in their safety and the security  
20 of their homes and their buildings.

21 It is here we can assist with our  
22 long term issues such as neighbor disputes  
23 or parking issues, but always utilizing  
24 unique methods and techniques.

25 But it's also here that we are

1 P-Safety/Finance/Rules 3-15-21  
2 able to solve smaller quality of life issues  
3 that are presented to us at these meetings.

4 So, again, although POP has  
5 numerous roles and responsibilities, we  
6 often request the assistance of patrol,  
7 specialized units and outside agencies such  
8 as sanitation, Department of Health,  
9 schools, but POP is still the main liaison  
10 between the department and the community and  
11 more so between the community and our  
12 precinct. That makes us a family within  
13 ourselves. Thank you.

14 CHIEF LEAHY: Just, in closing,  
15 the one thing you probably didn't hear is  
16 all of our officers, the one thing that we  
17 do not get involved in is school discipline.  
18 We are there to work with the schools in  
19 their safety and the school discipline is  
20 school discipline, that's not our purview.

21 So I hope that will alleviate  
22 some of the angst. We are there for the  
23 community and for the safety of the school.  
24 But school disciplinary matters stay within  
25 the school not with the police department.

1 P-Safety/Finance/Rules 3-15-21

2 Thank you.

3 COMMISSIONER RYDER: Thank you.

4 So, for clarity, there are 56 school  
5 districts in this county, and there are only  
6 three that we have SRO officers in;  
7 Uniondale, Baldwin, and Roosevelt. Six  
8 officers in total are our SROs. I have  
9 emails from all three of those  
10 superintendents. The outgoing at Uniondale  
11 Dr. Lloyd, and now the incoming are the  
12 acting Dr. Taylor, Dr. Rodatiller [sic],  
13 Roosevelt doctor, Dr. Werthem and Baldwin  
14 Dr. Camry. All three of them have requested  
15 to keep their SROs. We do not go there on  
16 our own. We go there at the request. Of the  
17 school.

18 You just saw the SRO, the  
19 Homeland and the POP. They all dress the  
20 same. A nine year old kid does not know  
21 it's an SRO officer or a Homeland Security  
22 officer. They don't go in there with rifles  
23 and walk around with vests on. They go just  
24 like that. It is all about the soft touch.  
25 They bring frisbees, they bring footballs,



1 P-Safety/Finance/Rules 3-15-21  
2 they give giveaways. They teach the Too  
3 Good For Drugs Program, the Great Program,  
4 gang resistance, education, and training.  
5 We do backpack giveaways and we're there at  
6 the opening of the schools in the beginning  
7 of the season to let them know the security  
8 of the season so they feel that, so the  
9 parents thank us for being there, the  
10 teachers thank us for being there.

11 If you remove one you remove all.  
12 My suggestion is that we not remove any of  
13 them. I will if the superintendent ask me.

14 I also have a letter from Tony  
15 McDonald who is head of the superintendents  
16 for all the schools and it's also their  
17 letter in support of the SROs, the POP cops  
18 and of course our community affairs and  
19 Homeland Security Officers.

20 LEGISLATOR FORD: Would you be  
21 able to hand that into the clerk so it could  
22 remain part of the record?

23 COMMISSIONER RYDER: I will get  
24 you the copy. I kind of wrote on it.

25 Next I'm going to turn it back to

1 P-Safety/Finance/Rules 3-15-21  
2 de-escalation training and practice, PO  
3 Baccio. I'm going to ask to go a little bit  
4 quicker, maybe merge those next couple of  
5 trainings together if he doesn't mind.

6 OFFICER BACCIO: So I'm back.  
7 De-escalation training. This is something  
8 that we kind of created on our own. We saw  
9 a perceived need back in 2015 to create a  
10 de-escalation training. We saw that in the  
11 fact that we were getting a lot of young  
12 officers on the job that didn't necessarily  
13 know, not necessarily know, but didn't have  
14 the interpersonal skills that someone who  
15 was a little bit older did. Like growing up  
16 with the generation of the texting and the  
17 emailing and all that other stuff, didn't  
18 really understand interpersonal  
19 communications.

20 So it kind of involved into just  
21 communication skills to more of a  
22 de-escalation inside of any type of an  
23 encounter. It started at its base  
24 conversing with just your average every day  
25 citizen and turned into more of a conversing

1           P-Safety/Finance/Rules 3-15-21  
2     not only with them but conversing with  
3     individuals who might be in a situation  
4     exhibiting mental health crisis, or  
5     exhibiting -- or somebody that might be  
6     trying to use force or potentially resist  
7     arrest so on and so forth.

8           Some of the key components there  
9     as the commissioner said, the main goal of  
10    professional intervention here is to achieve  
11    voluntary compliance at all times. We never  
12    want to have to ever use force or go hands  
13    on with anybody in -- excuse me, as our  
14    civilians are growing fast now.

15           So the key components here or is  
16    learn to speak effectively and maintaining  
17    presence under pressure, realizing that  
18    there is more to communication than  
19    assertiveness and being confrontational,  
20    offering empathy or understanding in the  
21    face of antagonism. We have to remain in  
22    control over every situation and with that  
23    said one of our main principals in  
24    de-escalation is maintaining control over  
25    ourselves before we can ever hope to achieve

1                   P-Safety/Finance/Rules 3-15-21  
2 professional or positive compliance with the  
3 citizen.

4                   Manage ourselves before we can  
5 manage others. There is a whole aspect of  
6 the training of that in checking our egos at  
7 the door and maintaining control over  
8 yourselves before you ever have a  
9 conversation with someone.

10                  We cannot embark on a course that  
11 would compromise and undermine our  
12 professional goals as police officers. We  
13 treat professionally because we're  
14 professionals. What separates that  
15 professional behavior from amateur is that  
16 we give our opponents no opportunity or the  
17 people that were involved in no opportunity  
18 to stand against us using our own actions.  
19 That's a key component to everything that we  
20 do with policing.

21                  Other aspects of this training  
22 are, we took some things from Dr. George  
23 Thompson's verbal judo. Most importantly  
24 his five universals truths of human  
25 interaction. The five being that people

1                   P-Safety/Finance/Rules 3-15-21  
2     feel the need to be respected. People would  
3     rather be asked than told. People have a  
4     desire to know why people prefer to have  
5     options over threats and people want to have  
6     a second chance. Those are all very  
7     important aspects of not only human  
8     interaction but police and civilian  
9     interaction as well.

10                   I also go over active listening,  
11     rhetoric, believe it or not, used to be  
12     taught in schools, the art of persuasively  
13     speaking to individuals to try and achieve  
14     that compliance and the principals of  
15     impartiality where I go over to insure that  
16     we treat everybody as a human being with  
17     dignity and respect that they deserve among  
18     other things, controlling ourselves before  
19     we hope to achieve a positive situation with  
20     anybody else.

21                   So that's an eight hour training  
22     that I created a few years ago back in the  
23     police academy, every recruit has been given  
24     that since. This is going to be another  
25     core component of the police reform

1                   P-Safety/Finance/Rules 3-15-21  
2   in-service training once we start to deliver  
3   that obviously to the patrol cops once they  
4   get it. Thank you.

5                   COMMISSIONER RYDER: Thank you.

6                   CHAIRMAN NICOLELLO: Commissioner,  
7   hold on one second.

8                   COMMISSIONER RYDER: Now we have  
9   law enforcement assistant diversion program,  
10   Operation Natalie, Chief Ferro, very quick,  
11   please.

12                  DEPUTY FERRO: Thank you. Good  
13   afternoon again. Thank you for allowing me  
14   to speak again. Hello. Assistant Chief  
15   Chris Ferro, Deputy Chief of Detectives.  
16   I'm here to speak about Operation Natalie,  
17   and the multi-prong strategy to address the  
18   overdose epidemic.

19                  Commissioner Ryder named  
20   Operation Natalie after Natalie Chiappa.  
21   She was a young teenage honor student  
22   cheerleader at the Plainedge High School.  
23   She died in 2008 from an overdose in the  
24   garage at a Seaford house.

25                  Operation Natalie is about

1 P-Safety/Finance/Rules 3-15-21  
2 partnering with the community to combat the  
3 overdose epidemic. The multi prong approach  
4 includes education, awareness, diversion,  
5 treatment, enforcement, and something we  
6 added later on, after care visits, the  
7 ODAC.[sic].

8 From 2018 through 2019, the  
9 department conducted over 150 community  
10 meetings, conducted events such as Too Good  
11 For Drugs, Wrestlers Take Down Drugs,  
12 Baseball Strikes Out Drugs, Lacrosse Faces  
13 Off Drugs, and NCPD's school safety forum  
14 which is held at Hofstra University, it was  
15 a great success.

16 Community meetings centered  
17 around opioid overdose hot spots. Use  
18 intelligence lead policing to find where  
19 these overdoses come from and we address it.

20 The meetings focused on providing  
21 communities with as much education,  
22 awareness, information on treatment and  
23 enforcement as possible.

24 The department also partnered  
25 with substance abuse expert, Dr. Jeffrey

1                   P-Safety/Finance/Rules 3-15-21  
2       Reynolds, from the Family and Children's  
3       Association, and recovering addicts who  
4       shared their experience amongst other  
5       students.

6                   On the enforcement prong, the  
7       enforcement issues would also commence in  
8       the hot spot areas targeting drug supplies,  
9       drug dealers, drug users. The drug users  
10      would be offered diversion through the DA's  
11      office.

12                  In regard to diversion, if a drug  
13      user successfully progressed through a  
14      diversion treatment, vocational training,  
15      behavioral modification, he or she would  
16      reduce their punitive measures if they  
17      successfully graduated the program.

18                  After 60 days of going into a  
19      community, hot spot community, a followup  
20      community meeting was held and the results  
21      were revealed -- the aggressive campaign was  
22      revealed to the community to tell what's  
23      going on in that community. We found great  
24      success in all these communities we entered.

25                  Part of the education and



1 P-Safety/Finance/Rules 3-15-21

2 awareness included presentation by subject  
3 matter experts on the following:

4 Fatal overdose stats, increased  
5 potency of heroin compared to 20 years ago,  
6 the cost of heroin is the same price as it  
7 was 20 years ago, impact of drugs on the  
8 body and mind; identification of drugs and  
9 paraphernalia. Some of the parents didn't  
10 know what the looked like.

11 Illustration of recent recovered  
12 drugs in Nassau County; illustration of  
13 stamps on heroin. Illustration of current  
14 pills out there. We educated the families.

15 I'm going to condense this quick.  
16 Every overdose is addressed by a police  
17 officer and a medic. Then a detective, and  
18 if it's a fatality, homicide will get  
19 involved and review the facts and the matter  
20 of the case. The majority of these  
21 overdoses are investigated by excellent  
22 detectives, narcotics vice squad.

23 We found great success on  
24 handling these overdose cases through all  
25 these meetings, community meetings, the

1 P-Safety/Finance/Rules 3-15-21  
2 aggressive overdose approach by narcotics  
3 vice squad, we were able to reduce for the  
4 first time in many many years overdoses in  
5 Nassau County. The first region, big  
6 department to do it in years.

7 However, due to the pandemic, we  
8 had a little setback. We're hoping to  
9 continue that. We introduced the after care  
10 visits which no other department is doing.  
11 Detectives would literally go back and meet  
12 with these overdose victims and try to offer  
13 them help, treatment. We've driven over  
14 those victims to treatment, detectives in  
15 our narcotics vice squad, literally put them  
16 in their car and took willing participants  
17 to treatment facilities.

18 We also get intelligence on these  
19 dealers to take the dealers off the street.  
20 We feel every dealer we take off the street  
21 reduces the overdose. So hopefully in the  
22 coming months when the pandemic recedes, we  
23 will get back at and reduce the overdoses.  
24 Thank you.

25 COMMISSIONER RYDER: Detective

1                   P-Safety/Finance/Rules 3-15-21  
2       Lieutenant James Patanado, the youth police  
3       initiative, he's the deputy commanding  
4       officer of community affairs.

5                   DETECTIVE PATANADO: Thank you.  
6       I'm Detective Jim Patanado. I'm here to  
7       talk about the youth and police initiative.  
8       We like to refer to it as the youth and  
9       positive interactions.

10                  Basically this started before the  
11       governor mentioned anything about police  
12       reform. Started 2019, June, working with  
13       school districts, Baldwin and Elmont.

14                  Basically those school districts  
15       gave us ten to 12 young adults that they  
16       consider low trust as far as low trust of  
17       the police; either been arrested or  
18       vocalized anti police sentiment.

19                  It's five sessions we were doing  
20       it in person for Baldwin, but we did have to  
21       move to an online model due to COVID for  
22       Elmont.

23                  The goals are basically changed  
24       perception young people have about the  
25       police. It's explaining police procedures,

1 P-Safety/Finance/Rules 3-15-21  
2 and show that everyone has good intentions  
3 and basically genuine honest conversations.

4 With the police and the kids do,  
5 they watch viral police videos, whether it  
6 comes from body cameras, cell phone camera,  
7 or dashboard camera, and the police  
8 basically give their feelings on what they  
9 watch, and the young people also give their  
10 feelings on what they watch.

11 Everyone talks about their  
12 family, friends, school, community. They  
13 discuss TV shows, movies, books, they eat  
14 meals together, and they role play. The  
15 young adults actually wear police gun belts,  
16 do car stops and field interviews, and the  
17 police officers act as the subjects. It  
18 gives the young kids a different perspective  
19 and it also gives the police a different  
20 perspective.

21 Because of COVID we have to have  
22 a virtual model and we're working with  
23 probation. We're working with Inwood and  
24 we're working with Uniondale Roosevelt right  
25 now and we're going to basically have three

1 P-Safety/Finance/Rules 3-15-21

2 more sessions done by June.

3 There is also an ongoing  
4 relationship aspect. For Baldwin, the cops  
5 went back and played basketball. Obviously  
6 due to COVID, that's not possible, so we're  
7 trying to set up where we can play video  
8 games with the young adults. We're doing  
9 that with Elmont and at the end we are going  
10 to have two master trainers for the  
11 department and those master trainers will be  
12 able to train other members of the  
13 department which will be over the course of  
14 going forward. Thank you.

15 COMMISSIONER RYDER: Two things  
16 we are going to jump on next. First is  
17 broken windows. The broken windows theory  
18 is a concept, a proven concept, but it did  
19 not change with time. It's a quality of  
20 life issue that sometimes we all want but  
21 not at the risk of violating someone's  
22 rights or dignity.

23 We use the broken window theory  
24 and I teach it to my class at the college  
25 and I use it's a Wonderful Life. They look

1 P-Safety/Finance/Rules 3-15-21  
2 at me like what's a Wonderful Life? But you  
3 have all watched the show at Christmastime.  
4 And when George Bailey and Mary are walking  
5 along and they pick the rock up and they  
6 throw it through the glass at the old house,  
7 that's broken windows in a nutshell.

8 If those windows were fixed and  
9 that yard was proper and that property was  
10 taken care, they would not have picked up  
11 that rock and threw it through the window.

12 The same with smaller crimes. We  
13 look at homelessness. We get a lot of our  
14 complaints today regarding homelessness and,  
15 again, quality of life issues. So what  
16 we've done we've started a database that  
17 tracks all of our complaints that come  
18 through the quality of life window. We  
19 address them, again, with dignity and  
20 respect. We try to get those people  
21 assistance using the resources here in  
22 Nassau County.

23 Again, it's a theory, it was  
24 proven back in the '80s, but obviously it  
25 never changed and slightly abused after a

1 P-Safety/Finance/Rules 3-15-21

2 while, so it's something that we still use  
3 on our quality of life issues.

4 Again, we track all of it to make  
5 sure we are respectful to the people  
6 involved, stop question, and possibly frisk.  
7 The Terry stop, our Fourth Amendment right,  
8 is one that law enforcement deals with on a  
9 daily basis.

10 The Terry Stop has us climb the  
11 ladder. Request for information, the lowest  
12 level of intrusion. Mere suspicion, the  
13 common law right of inquiry.

14 Reasonable suspicion, that's  
15 where stop question and possibly frisk.

16 And then, of course, probable  
17 cause and arrest. Something that starts the  
18 common law right of inquiry may jump right  
19 to probable cause.

20 But we train our officers on the  
21 permissible use of standards of proof under  
22 the Fourth Amendment.

23 We do not compare crime numbers  
24 to how many pat downs are done in a  
25 community or how many field stop tickets are

1 P-Safety/Finance/Rules 3-15-21

2 issued.

3 We don't do comp stat. Even  
4 though Jack Mapel was ahead of his time when  
5 computers were not on every desk top, but we  
6 moved our comp stat model to what's called  
7 strat com and we did that several years ago.  
8 It stands for strategic communications.

9 Sharing of information and  
10 intelligence and intelligence lead policing  
11 way to go after the problem. We come up  
12 with evidence based approaches to a problem  
13 and, again, as I said earlier, more cops on  
14 the corner don't fix the problem, only  
15 displaces it.

16 When we are gone that problem  
17 comes back. We use things like septic,  
18 crime prevention through environmental  
19 design. New York State Give Grant Program.

20 We use Top Offenders. All based  
21 on intelligence.

22 We use cameras in LBRs, yes,  
23 technology. But no one gets to access the  
24 unless they're entered into the intel  
25 tracker what a case report and the member



1 P-Safety/Finance/Rules 3-15-21  
2 assigned. There were questions asked about  
3 providing the locations of our cameras.  
4 Giving up the money that was spent on those  
5 cameras.

6 Every item goes through the  
7 procurement process here in Nassau County.  
8 It's all public information there is nothing  
9 hidden.

10 As far as the locations of our  
11 cameras, I don't think that's a good idea.  
12 If we give out the location of our cameras  
13 we tell the bad guys where we are. Then the  
14 bad guys then know and my officers get hurt  
15 and the community's problem doesn't get  
16 addressed.

17 We are respectful of our  
18 intelligence. I, as you know, started the  
19 intelligence program here in Nassau County.

20 Every piece of investigation gets  
21 vetted. Every confidential informant goes  
22 through a registration process.

23 Every time you use that informant  
24 he gets revetted again to make sure we are  
25 staying above the prey and not getting into

1 P-Safety/Finance/Rules 3-15-21

2 bad habits.

3 We put our technology on public  
4 corners. We put license plate readers on  
5 public streets. Again, the data is not just  
6 query to someone who wants to query the  
7 data. The data is queried because we have a  
8 robbery that occurred, pull the plate reader  
9 data, pull the camera data. Now we are  
10 going to have body cameras, door bell rings,  
11 we have street cameras. There's cameras  
12 everywhere.

13 So the idea of letting the people  
14 know where our cameras are is something that  
15 I will never agree with and fight vigorously  
16 to make sure that doesn't happen because my  
17 officers need their protections too.

18 I'm going to go to focused  
19 deterrents, I'll jump in pretty quick.

20 I already said before, 90 percent  
21 of the crime is done by ten percent of the  
22 population. Understanding the environment  
23 you police, you police it better. Knowing  
24 the bad guys against the good people in that  
25 community. All communities have bad people.

1 P-Safety/Finance/Rules 3-15-21

2 That's why our focus deterrence is. Focus  
3 on that street corner where there is drug  
4 dealing going on. Add a light to the  
5 corner. I heard someone mention that two  
6 weeks ago also that adding lights to corners  
7 don't fix problems. Yes, they do.

8 There was a corner called the  
9 Amityville corner. You might have all read  
10 it. It was the famous corner in Amityville.  
11 They ripped down the building. They put up  
12 a park, they put street lighting and they  
13 put a lot of things. Yes, you might have  
14 dispersed some of the problem but the clean  
15 up of the corner was no longer a location.

16 Again, we focus, when it comes to  
17 focus deterrence, we are always making sure  
18 we are doing it with respect to our  
19 community. Crime prevention through  
20 environmental design, it's as simple as I  
21 said a second ago; cameras, lighting,  
22 cleaning up an area.

23 We advise our store fronts to  
24 remover signage from the windows so we can  
25 see clearly into the counter when our cop

1 P-Safety/Finance/Rules 3-15-21  
2 drives by and does his intensified patrols.  
3 We tell them to enhance lighting.  
4 Environmental design, the doors that we put  
5 down the hall here, finally, by the way.

6 But, again, by environmental  
7 design, the stuff that our Homeland Security  
8 does, at all our schools, how our buses come  
9 into the parking lot, how they should block  
10 traffic if somebody wanted to mount the  
11 sidewalk and run over our children. We do  
12 all of that with our schools.

13 Crime prevention, violence  
14 prevention, and reduction interventions.  
15 That's use of social media, the media POP in  
16 the community, SROs, community affairs, in  
17 the schools, community meetings.

18 We meet with our religious  
19 leaders constantly. I meet with the black  
20 clergy, with the rabbis in the Five Towns,  
21 up to the Persian Jewish community and out  
22 to Syosset.

23 I met with many of our Catholic  
24 leaders also, Christian leaders, protestant  
25 leaders. We meet all the time. My days are

1                   P-Safety/Finance/Rules 3-15-21  
2           constantly tied up with meetings to make  
3           sure they are getting what they need and  
4           address their concerns as does our  
5           commanding officers.

6                   I'm going to bring up Nick  
7           Stillman, inspector Nick Stillman, he is  
8           going to talk about model policies and  
9           standards. He will give the short version.

10                   I just went through five things  
11           in five seconds, Nick, let's go.

12                   INSPECTOR STILLMAN: Good evening  
13           or good afternoon, daylight savings time. I  
14           think it's evening now.

15                   My name is Nicholas Stillman. 'M  
16           the commanding officer for the professional  
17           standards bureau.

18                   The bureau. The bureau includes  
19           several units. The ones that are going to  
20           be most relevant here is procedural  
21           development.

22                   I will be discussing the model  
23           policies and strategies through our  
24           procedures and policies mainly found in the  
25           department manual.

1 P-Safety/Finance/Rules 3-15-21

2 I heard the commissioner speak  
3 about what's proposed before you as a  
4 document that's living and breathing and  
5 changes will be made.

6 Our policies and procedures are  
7 along the same lines. They are constantly  
8 changed, revamped and new procedures are  
9 developed.

10 As I stood here before I heard  
11 Chief Palmer refer to the use of force.  
12 Chief Ferro referred to no knock warrants,  
13 and Chief Barbieri referred to pursuits.

14 All of those are developed  
15 through policy and procedure. All those  
16 policies had numerous changes.

17 The Nassau County Police  
18 Department manual is prepared so that the  
19 Nassau County Police Department may continue  
20 its longstanding tradition of service to the  
21 community and excellence in law enforcement.

22 It contains policies, rules and  
23 procedures of the department that were  
24 designed so that the additions and revisions  
25 may be readily made in response to

1                   P-Safety/Finance/Rules 3-15-21

2       constantly changing demands of contemporary

3       policing. Once again, constant change.

4                   The purpose of this manual is

5       provide a source of reference to all members

6       of the department.

7                   The policies communicate our

8       objectives, goals and philosophies, while

9       the rules direct our conduct, behavior, and

10       actions.

11                  Additionally, the procedures

12       provide guidelines or standardized methods

13       of responses to common situations.

14                  Since it is important to remember

15       that no set of guidelines can possibly cover

16       every situation or problem that can arise in

17       police work, these procedures contained

18       within this manual are based upon a

19       realization that in any given situation

20       there may be unknown or unforeseen

21       variables.

22                  Indeed, all members must exercise

23       reasonable discretion, sound judgment based

24       upon training, experience, supervision and

25       the application of common sense in order to

1 P-Safety/Finance/Rules 3-15-21

2 effectively serve the community.

3 In cases where policies or  
4 procedures are determined to be outdated or  
5 deficient, professional standards bureau  
6 will recommend a review the procedural  
7 development unit.

8 Once that happens, there is a  
9 review committee consisting of the  
10 department chiefs along with PDU, legal  
11 bureau, and they will convene to determine  
12 what changes and updates should be made.

13 Sources used when considering new  
14 procedures or changing existing ones include  
15 but are not limited to federal and state  
16 court decisions, the New York State penal  
17 and criminal procedural law, and the  
18 international association of chiefs of  
19 police model policies.

20 A recent example the commissioner  
21 brought up before was the field issuance  
22 tickets for marijuana and later on with bail  
23 reform. We had to change items that dealt  
24 with criminal procedural law.

25 We had to go and revamp all of



1                   P-Safety/Finance/Rules 3-15-21  
2       our arrest procedures affected by the  
3       collection of stationhouse bail and the  
4       issuance of appearance tickets.

5                   Those procedures polices and  
6       procedures were changed to be compliant with  
7       the new laws. Because of the changes to  
8       that one procedure, PDU then researched the  
9       entire NCPD manual to make sure that any and  
10      all related procedures were also changed.  
11      None of these manuals -- procedures exist in  
12      a vacuum. They're all related to different  
13      procedures and policies.

14                  These changes and updates are  
15      currently occurring and PDU does a  
16      tremendous job keeping the department manual  
17      updated and current.

18                  I can stop now. Once again, I  
19      would like to thank you for giving me the  
20      opportunity.

21                  Just one more thing, the Nassau  
22      County Police Department has entered into a  
23      participation agreement with the New York  
24      State Division of Criminal Justice Services  
25      for the New York State Law Enforcement

1                   P-Safety/Finance/Rules 3-15-21  
2   Agency Accreditation Program. The Nassau  
3   County Police Department is part of this  
4   accreditation process, will have their  
5   policies, procedures and standards reviewed  
6   by this independent agency to insure that  
7   their policies, procedures and standards are  
8   up to date with the latest policing models  
9   insuring the best possible police department  
10  for the resident of Nassau County. Thank  
11  you.

12                   COMMISSIONER RYDER: I'm going to  
13  turn it over to Chief Sewell, the chief of  
14  detectives on the complaint tracking.

15                   CHIEF SEWELL: Good afternoon.  
16  My name is Keechant Sewell and I'm the chief  
17  of detectives. Thank you for your  
18  attention.

19                   Complaint tracking is topic  
20  number 18 and begins on page 50 of the  
21  reform document.

22                   Complaint tracking review and  
23  reconciliation rests ultimately with the  
24  internal affairs unit of the professional  
25  standards bureau.

1 P-Safety/Finance/Rules 3-15-21

2 The professional standards bureau  
3 was established to add an additional layer  
4 of executive level oversight and  
5 accountability to maintain the high  
6 standards of integrity, well being, and  
7 effectiveness within the department and in  
8 the encounters we have with the communities  
9 we serve live and work with.

10 It ensures the complete and fair  
11 investigations in compliance where the  
12 Department of Rules, Procedures and Policy  
13 are conducted.

14 Additionally, it makes  
15 recommendations for policy or procedure  
16 reviews or amendments based on completed  
17 investigations and audits.

18 For your reference, the  
19 department's procedure for civil complaint  
20 investigations is outlined in admin 1211  
21 which is annexed to the reform document as  
22 Exhibit X.

23 Civilian complaints may be filed  
24 several ways, 24 hours a day, 7 days a week  
25 in multiple languages.

1 P-Safety/Finance/Rules 3-15-21

2 Using recently revised complaint  
3 forms, translated into several languages,  
4 and through the use of earlier described  
5 language line.

6 They may be filed in person at  
7 any police precinct, remotely, through the  
8 Nassau County police website with new  
9 amplified highly visible user friendly  
10 access as a result of community input during  
11 reform meetings.

12 We also added the ability to  
13 upload photos and videos to attach to your  
14 complaint. They can be filed by directly  
15 calling the internal affairs unit.

16 In furtherance of reform, this is  
17 now been extended to be available 24 hours a  
18 day. A complaint report may be generated  
19 through e-mail or requesting a supervisor to  
20 respond to the scene to a police encounter.  
21 Complaints are only taken by supervisors.

22 As I understand, the Nassau  
23 County Office of Crime Victim Advocates is  
24 developing a 24 hour 7 day a week hotline as  
25 well.

1 P-Safety/Finance/Rules 3-15-21

2 These complaints may be  
3 anonymous, third party, or simply reports  
4 from citizens responding to social media  
5 posts. Complaints are taken from anyone  
6 with or without a direct connection or  
7 relationship to the incident at issue. We  
8 also take complaints for other law  
9 enforcement agencies.

10 After documentation, the internal  
11 affairs unit will contact and forward that  
12 complaint to the involved agency. We refer  
13 the complaint not the complainant.

14 Based on the allegation outlined,  
15 complaints are classified using the  
16 following categories, I'll go  
17 alphabetically, except of course false  
18 arrests, improper tactics and procedure,  
19 neglective duty, racial or ethnic bias,  
20 unlawful conduct, unprofessional conduct or  
21 attitude, violation of department rules.

22 Police impersonation cases are a  
23 separate category but they are also taken by  
24 supervisors.

25 In recognition of the need for

1                   P-Safety/Finance/Rules 3-15-21  
2       greater transparency and in accordance with  
3       the repeal of civil rights law 50A, the  
4       department will now issue a biannual report  
5       which will include the number civilian  
6       complaints and allegations broken down by  
7       the nature of the complaint and the gender  
8       and race of the complainant when it is  
9       provided.

10                   Founded allegations for unlawful  
11       conduct will also be posted on the Nassau  
12       County website. We address the need for  
13       prompt followup and we responded to  
14       community concerns that there are delays in  
15       the department's contact after the initial  
16       reporting.

17                   It is important and confidence  
18       building for complainants to know that their  
19       cases are taken seriously and given the  
20       proper attention swiftly.

21                   To that end, the department  
22       revised and enhanced the civilian complaint  
23       investigations procedure.

24                   As reform, a command level  
25       internal affairs liaison was designated in

1                   P-Safety/Finance/Rules 3-15-21  
2    each command to now be the primary conduct  
3    and coordinator with the internal affairs  
4    unit for civilian complaint investigations.

5                   This liaison will also act as a  
6    specific point of contact for command level  
7    investigations.

8                   We recognize that it is  
9    absolutely essential that citizens trust  
10   that a timely, thorough and professional  
11   investigation is being conducted into their  
12   concerns and we share those concerns as an  
13   agency.

14                  We wholeheartedly believe that we  
15   can only be effective if we have the  
16   confidence and support of our communities.  
17   Complainants with their tracking number may  
18   contact the supervisor in their  
19   investigatory command or the internal  
20   affairs unit to discuss the status of their  
21   investigation.

22                  So now, within three business  
23   days of filing a complaint, complainants  
24   will have a name and phone number for the  
25   assigned investigator.

1 P-Safety/Finance/Rules 3-15-21

2 This provides for better  
3 communication and interaction with the  
4 complainant during the entire investigation  
5 process.

6 At the time of reporting, the  
7 supervisor will explain to the complainant  
8 the process for filing the complaint,  
9 interview the reporting person, and all  
10 available witnesses.

11 Whatever supporting evidence or  
12 documentation exists for follow-up is  
13 collected.

14 The supervisor will then document  
15 the complaint by generating a civilian  
16 complaint report in the blue team software  
17 database system.

18 If the complaint is made in  
19 person, the complainant is provided with a  
20 compliment or complaint advisory pamphlet  
21 which outlines the process for, as the name  
22 gives away, filing complaints or giving  
23 compliments.

24 Blue team is the name of the  
25 platform within the department's



1           P-Safety/Finance/Rules 3-15-21  
2   Professional Standards Bureau, IA Pro,  
3   internal affairs pro, software that supports  
4   investigatory documentation, organizational  
5   accountability, and supervisory oversight  
6   for the police department.

7           I would like to point out one of  
8   the very effective tools of IA Pro used by  
9   the Professional Standards Bureau, is titled  
10  early interventions.

11           This model flags and issues an  
12  alert for any member who has received any  
13  early intervention complaints or any type of  
14  complaint within a 12 month period  
15  regardless of the nature of that complaint.

16           A report is then generated and  
17  investigated to determine whether a member  
18  requires retraining, additional review, or  
19  should be referred to take advantages of the  
20  many wellness services this department  
21  provides.

22           Notably any member who is  
23  considered for transfer, special assignment,  
24  or promotion is vetted by the internal  
25  affairs unit, and the professional standards

1 P-Safety/Finance/Rules 3-15-21

2 bureau prior to that assignment.

3 Going back to the complaint  
4 process. The supervisor taking a complaint  
5 will obtain and provide the complainant with  
6 a civilian complaint tracking number.

7 In person, the complainant will  
8 be given a civilian complaint information  
9 card which records all of the relevant  
10 information entered for their reference and  
11 for their use in tracking their complaint.

12 Complaint tracking numbers are  
13 generated and logged 24 hours a day, seven  
14 days a week, and are audited for accuracy in  
15 the blue team system by the internal affairs  
16 unit.

17 The blue team reports are time  
18 and date stamped. Blue team access is also  
19 password protected by user.

20 Again, it is now required that  
21 the complainant unless anonymous be  
22 contacted by a supervisor within three  
23 business days of filing the report to  
24 acknowledge the receipt and processing of  
25 the complaint and to answer any additional

1 P-Safety/Finance/Rules 3-15-21

2 questions.

3 For clarity, complaints that are  
4 taken by supervisors outside of the internal  
5 affairs unit at the command level are still  
6 routed through the command liaison, through  
7 the precinct's commander, through division  
8 chiefs, and the chief of department to the  
9 internal affairs unit.

10 The commander of the professional  
11 standards bureau with the necessary  
12 consultations with the commissioner of  
13 police, will assign the investigation to the  
14 affected command where an uninvolved  
15 supervisor is tasked with the investigation  
16 or determine that the case will remain in  
17 the internal affairs unit.

18 I would like to mention that  
19 there is no time limit to file a complaint  
20 with this department. Of course for  
21 witnesses and evidence collection, prompt  
22 notification is ideal but no complaint is  
23 denied due to the time passage of time.  
24 Whether or not the complaint is investigated  
25 by the command or internal affairs, all

1 P-Safety/Finance/Rules 3-15-21  
2 available evidence must be gathered,  
3 witnesses including assistant department  
4 members must be interviewed and applicable  
5 department records are to be reviewed and  
6 referenced. The accused member or members  
7 are ultimately interviewed in furtherance of  
8 the investigation.

9 The internal affairs unit works  
10 closely with the district attorney's elite  
11 public corruption bureau. Cases in which  
12 investigation has revealed that there is  
13 likely or probable criminality are  
14 conferenced and reviewed with the public  
15 corruption bureau where a determination is  
16 made whether a prosecution is warranted or  
17 if the matter will be referred back to the  
18 police department for administrative charges  
19 if appropriate.

20 Prior to the official  
21 determination of the findings of a case at  
22 the command level, the internal affairs  
23 liaison and commanding officer review the  
24 investigation for completeness and accuracy.  
25 The complainant is contacted when possible

1                   P-Safety/Finance/Rules 3-15-21  
2     with the findings of their investigation by  
3     the internal affairs liaison.

4                   Barring extraordinary  
5     circumstances, the command investigation  
6     must now be completed in 30 days.

7                   Extensions are granted due to the  
8     availability of witnesses, evidence, or  
9     other specifically articulated delays.  
10    However, if the original complainant or  
11    witnesses cannot be contacted, the  
12    investigation will continue.

13                  The investigation and its  
14    findings are reviewed by additional levels  
15    beyond the investigating command. The  
16    findings are scrutinized and endorsed by the  
17    division chiefs and the chief of department  
18    before final review, reconciliation, and  
19    documentation in the blue team system by the  
20    internal affairs unit.

21                  Investigations conducted by  
22    internal affairs may exceed 30 days due to  
23    the nature and the complexity of the  
24    investigation.

25                  Prior to the official

1                   P-Safety/Finance/Rules 3-15-21  
2           determination of the findings in the case  
3           investigated by internal affairs, it too  
4           undergoes multiple layers of review and  
5           discussion with the department's legal  
6           bureau when appropriate.

7                   Internal affairs investigations  
8           are reviewed and endorsed by the commander  
9           of the professional standards bureau before  
10          final approval by the commissioner of the  
11          police.

12                   In all cases where a complainant  
13          has provided their contact information, the  
14          findings of the case will be provided.

15                   Complaint disposition or  
16          investigative findings can fall into one or  
17          more of the following categories:

18                   Founded, unfounded, undetermined,  
19          exonerated.

20                   In cases involving felony  
21          complaints, the commissioner of police has  
22          the authority to prescribe disciplines as  
23          follows, a reprimand and/or retraining, a  
24          fine, suspension from duty with or without  
25          pay, dismissal or removal or a reduction in

1 P-Safety/Finance/Rules 3-15-21

2 rank where applicable.

3 If it is determined that charges  
4 will be filed against a sworn member, the  
5 member is served with an official report of  
6 violation of department rules.

7 A hearing is then schedule with  
8 the department's disciplinary review board  
9 which is lead by the highest ranking  
10 uniformed member, the chief of department,  
11 assisted by division chiefs designated by  
12 the Commissioner of Police.

13 The charged member has the option  
14 to appear before the disciplinary review  
15 board in person while the case is being  
16 reviewed. The member has two days from  
17 service of the charges to notify the  
18 department that that option will be  
19 exercised.

20 After the case has been reviewed,  
21 the disciplinary review board will make  
22 recommendations for the disposition of the  
23 case to the commissioner of police.  
24 Understandable concerns have been raised  
25 about the fairness and impartiality of

1 P-Safety/Finance/Rules 3-15-21  
2 investigations that are being handled at the  
3 command level.

4 Only uninvolved supervisors,  
5 again, with several layers of oversight are  
6 assigned to conduct investigations.

7 All police department supervisors  
8 are trained by investigators in the internal  
9 affairs unit in conducting civilian  
10 complaint investigations.

11 Internal affairs investigators  
12 are highly and specifically trained and  
13 travel across the country to share and learn  
14 investigative techniques, solutions, and  
15 innovations that they then share with  
16 supervisors during training.

17 Internal affairs investigators  
18 have unimpeachable integrity and they're  
19 ready for questions, guidance and assistance  
20 with any command investigation since IAU has  
21 complete and total access to department of  
22 records and request subpoenas through the  
23 commissioner of police and the public  
24 corruption bureau.

25 As stated in the opening,



1 P-Safety/Finance/Rules 3-15-21  
2 complaint tracking review and reconciliation  
3 rests ultimately with the internal affairs  
4 unit who report through professional  
5 standards report directly to the  
6 commissioner of police.

7 Each and every civilian complaint  
8 investigation goes through multiple layers  
9 of review, correction and scrutiny.

10 We know that it is imperative  
11 that we instill confidence that this  
12 department requires and demands that these  
13 investigations be thorough, timely, and at  
14 all times professional.

15 Neither the communities we serve  
16 nor "we," as a professional agency, are  
17 served well unless we undertake these  
18 investigations and the associated discipline  
19 with the utmost fairness and integrity.

20 I think our process continues to  
21 ensure that we do.

22 I will turn if over now back to  
23 the commissioner to discuss the attorney  
24 general's role.

25 COMMISSIONER RYDER: I'm going to

1 P-Safety/Finance/Rules 3-15-21

2 ask our legal counsel from the  
3 commissioner's officer, Chief John Berry,  
4 and he's to speak about the attorney  
5 general's office.

6 LEGISLATOR FORD: Frank, do you  
7 need a break?

8 COMMISSIONER RYDER: After that  
9 I'm good. I'll take a break.

10 CHIEF BERRY: My name is John  
11 Berry. I'm an assistant chief in the  
12 Commissioner's Officer. I'm Chief of Legal  
13 Affairs and Labor Relations.

14 I will be speaking on two New  
15 York State laws relating to police  
16 misconduct going into effect on April 1,  
17 2021 making it unnecessary for a CCRB or a  
18 police inspector's general office in Nassau  
19 County. As proposed by the People's Plan  
20 because the New York State attorney  
21 general's office addresses both the roles of  
22 both the CCRB and a police inspector  
23 general.

24 The first law is Section 70-B of  
25 the New York State Executive Law. New York

1           P-Safety/Finance/Rules 3-15-21  
2     State Executive Law was amended last year  
3     adding section 70-B to establish the office  
4     of the special investigation with the office  
5     of the attorney general. Replacing and  
6     expanding on the governor's executive order  
7     147 with regard to investigation and  
8     prosecution involving the death of an  
9     unarmed civilian caused by a law enforcement  
10    officer.

11           Section 70-B requires the office  
12    of special investigation to investigate and  
13    prosecute if warranted any alleged criminal  
14    offense committed by a police officer  
15    whether or not falling on duty, concerning  
16    any incident in which the death of a person,  
17    whether in custody or not is caused or may  
18    have been caused by an act or omission of a  
19    police officer or peace officer.

20           The office of special  
21    investigation has the power too to subpoena  
22    witnesses, compel their attendance, examine  
23    the witnesses under oath, require any book  
24    record, document, or papers relevant or  
25    material to the inquiry to be turned over to

1                   P-Safety/Finance/Rules 3-15-21  
2     the office for inspection, examination, or  
3     audit.

4                   The office of special  
5     investigation has criminal jurisdiction over  
6     the matter, the same powers as a DA would  
7     have. They actually displace and supersede  
8     the DA in the investigation, the  
9     prosecution.

10                  They may appear in any court,  
11     proceeding before any court or grand jury.  
12     The office of special investigation must  
13     post a report on their website annually with  
14     regard to the matters investigated by the  
15     office during the reporting period.

16                  The report must include the  
17     county and geographic location of where the  
18     matter took place, a description of the  
19     circumstance of each case, demographic  
20     information such as racial, ethnic, age and  
21     gender with regard to the persons involved,  
22     whether criminal charges were filed and the  
23     nature of the charges, the status of the  
24     criminal case; outcome of the criminal  
25     charges, recommendations for any systemic

1                   P-Safety/Finance/Rules 3-15-21  
2           and other reforms recommended as a result of  
3           the investigations.

4                   In addition, the office must post  
5           a report on their website whenever they  
6           initiate an investigation and the office  
7           declines to present evidence to a grand jury  
8           or presents evidence to a grand jury and the  
9           grand jury fails to indict on any charges.

10                   The report must also include the  
11           results of the investigation. The report  
12           must also include an explanation as to why  
13           the office declined to present evidence to a  
14           grand jury and any recommendation for  
15           systemic or other reforms arising from the  
16           investigation.

17                   Senator Bailey, in the New York  
18           State Senate, sponsored this law and his  
19           justification for the law is as follows:

20                   The criminal justice system to  
21           function everyone involved in it from the  
22           police and prosecutors to defendants and  
23           average citizens must trust that it is fair  
24           and partial and free of bias.

25                   Importantly, it must not only be

1           P-Safety/Finance/Rules 3-15-21  
2 free of bias, it must be perceived to be  
3 free of bias.

4           The law promotes public  
5 confidence by removing a potential conflict  
6 of interest in an investigation where a  
7 person has died following an encounter with  
8 law enforcement.

9           Importantly, this legislation  
10 requires the new office of special  
11 investigation to produce a report explaining  
12 the reasons for its decision regardless of  
13 whether it chooses to prosecute.

14           This allows the public to see a  
15 clear statement of necessary reforms hoping  
16 to hold the police and policymakers  
17 responsible.

18           The second law is New York State  
19 Executive Law Section 75. The New York  
20 State Executive Law was amended last year  
21 adding Section 75 to establish the Law  
22 Enforcement Misconduct Investigation Office  
23 within the office of the attorney general.  
24 This law goes into affect on April 1st,  
25 2021.

1 P-Safety/Finance/Rules 3-15-21

2 The mission of the Law  
3 Enforcement Misconduct Investigation Office  
4 is to review, study, audit, and make  
5 recommendations relating to the operations,  
6 policies, programs, and practices including  
7 ongoing partnerships with other law  
8 enforcement agencies of state and local law  
9 enforcement agencies with the goal of  
10 enhancing the effectiveness of law  
11 enforcement, increasing public safety,  
12 protecting civil liberties and civil rights,  
13 insuring compliance with constitutional  
14 protections, and local state and federal  
15 laws and increasing the public's confidence  
16 in law enforcement.

17 Law Enforcement Misconduct  
18 Investigative Office duties and  
19 responsibilities include: Receive and  
20 investigate complaints from any source or  
21 upon their own initiative concerning  
22 allegations of corruption, fraud use of  
23 excessive force, criminal activity,  
24 conflicts of interest and the catch all  
25 abuse in the police agency.

1 P-Safety/Finance/Rules 3-15-21

2 The office is to inform the head  
3 of the police agency of such allegations and  
4 the progress of the investigation unless the  
5 matter requires confidentiality.

6 The office determines whether  
7 disciplinary actions, civil or criminal  
8 prosecution, or further investigation by an  
9 appropriate federal, state or local agency  
10 is warranted and to assist with such  
11 investigations.

12 They are also to prepare and  
13 release to the public reports of their  
14 investigations. They are to review and  
15 examine the policies and procedures of  
16 police agencies with regard to prevention  
17 and detection of corruption, fraud, use of  
18 excessive force, criminal activity,  
19 conflicts of interest, and abuse in the  
20 police agency.

21 They are to recommend remedial  
22 action to prevent or eliminate the above  
23 misconduct.

24 They are to investigate patterns,  
25 practices, systemic issues, or trends



1 P-Safety/Finance/Rules 3-15-21  
2 identified by analyzing actions, claims,  
3 complaints and investigations, including  
4 patterns or trends regarding departments,  
5 precincts, and commands.

6 They are report to the governor  
7 and state Legislature annually summarizing  
8 the activities of the office and  
9 recommending specific changes to further the  
10 mission of the office.

11 The Law Enforcement Misconduct  
12 Investigative Office powers include:

13 Subpoena witness, compelling  
14 their attendance, examining witnesses under  
15 oath, requiring the production of any  
16 documents deemed relevant or material to an  
17 investigation, examine and copy or remove  
18 documents or records of any kind prepared,  
19 maintained, or held by the police agency.  
20 Require any officer or employee in a covered  
21 agency to answer questions concerning any  
22 matter related to the performance of his or  
23 her official duties. The refusal to answer  
24 questions shall be cause for removal from  
25 employment.

1 P-Safety/Finance/Rules 3-15-21

2 They are to monitor the  
3 implementations of any recommendations made  
4 by the office and they are to perform any  
5 other functions that are necessary or  
6 appropriate to fulfill the duties and  
7 responsibilities of the office.

8 Responsibilities of the police  
9 agencies, officers, and employees:

10 Every officer or employee shall  
11 report promptly to the office with any  
12 information concerning corruption, fraud,  
13 use of excessive force, criminal activity,  
14 conflicts of interest, abuse by another  
15 officer or employee related to his or her  
16 office or employment.

17 The knowing failure of any  
18 officer or employee to so report shall be  
19 cause for removal from employment.

20 The head of a police agency shall  
21 refer complaints to the office when there  
22 are at least five complaints from five or  
23 more individuals related to at least five  
24 separate incidents involving a certain  
25 officer or employee within a two-year

1 P-Safety/Finance/Rules 3-15-21

2 period.

3 The office shall investigate such  
4 complaints to determine whether the officer  
5 or the employee has engaged in a pattern or  
6 practice of misconduct, use of excessive  
7 force or acts of dishonesty.

8 The head of the police agency  
9 shall advise the governor and state  
10 Legislature within 90 days of the issuance  
11 of a report by the always as to the remedial  
12 action that the police agency has taken in  
13 response to any recommendations for such  
14 action contained in the report.

15 Senator Parker sponsored this law  
16 and his justification is as follow:

17 The recent history of police  
18 disciplinary secrecy, discriminatory  
19 practices in policing and the current  
20 widespread pattern of police violence has  
21 justifiably convinced a large section of the  
22 public that significant improvements to  
23 police disciplinary transparency and police  
24 oversight are needed.

25 A strong independent office with

1           P-Safety/Finance/Rules 3-15-21  
2     the power to monitor and investigate  
3     misconduct within law enforcement agencies  
4     is an important element to restore  
5     confidence in law enforcement and verify  
6     that the confidence is warranted.

7           The Law Enforcement Misconduct  
8     Investigative Office improves the existing  
9     systems by providing broad jurisdiction,  
10    independence, and extra scrutiny where  
11    existing systems may be failing.

12           Police agencies in New York State  
13    each have different internal affairs and  
14    civilian oversight bodies.

15           These body's authority to act on  
16    different types of complaints vary as well.  
17    This could make it hard for civilians to  
18    know who to complain to whether their  
19    complaint will be heard or whether the  
20    agency they are complaining to is  
21    independent and can be trusted.

22           The office created in this law  
23    can handle complaints state wide about any  
24    agency because it exists independent of  
25    these agencies and the government units they

1 P-Safety/Finance/Rules 3-15-21

2 answer to.

3 So, as you've heard, the New York  
4 State Legislature created two very robust  
5 laws to address police misconduct giving  
6 these two offices within the Attorney  
7 General's Office the authority, power, and  
8 means to insure that appropriate action is  
9 taken against police officers engaging in  
10 misconduct and to monitor the implementation  
11 of their recommendations to that police  
12 agency.

13 While the proposed CCRB in the  
14 People's Plan reports to conduct fair and  
15 independent investigations which the public  
16 and the police department will have  
17 confidence in, and states that it will not  
18 limit or impair the authority of the police  
19 department, this proposed CCRB will do the  
20 opposite.

21 The proposed CCRB qualifications  
22 for the board positions are two things;  
23 being a resident of Nassau County and  
24 reflecting the diversity of the county's  
25 population, which is not a very high

1                   P-Safety/Finance/Rules 3-15-21  
2           qualification bar to meet the significant  
3           responsibilities to have complete  
4           disciplinary investigation and control over  
5           the conduct of police officers.

6                   Furthermore, no board member have  
7           any law enforcement background eliminating  
8           any understanding by the board as a whole  
9           about the police department policies,  
10          procedures, training, paramilitary culture,  
11          police work and applicable laws.

12                   As a simple example, with regard  
13          to paramilitary culture, the police  
14          department members are well disciplined to  
15          follow orders, held responsible for their  
16          actions and held to a higher standard than  
17          the general public.

18                   For instance, when an employee  
19          who works for a corporation or a non-law  
20          enforcement governmental entity loses their  
21          identification card, the likely  
22          repercussions would be a verbal warning and  
23          a new identification card. While, in the  
24          police department it would be a loss of a  
25          day's pay.

1 P-Safety/Finance/Rules 3-15-21

2 As another example of the CCRBs  
3 and police departments, police chiefs  
4 beholding to CCRBs have been unable to  
5 terminate employment of the police officers  
6 when a lesser penalty is instituted by a  
7 CCRB.

8 Without some understanding of how  
9 police departments work, the CCRBs will not  
10 address discipline appropriately, either  
11 overreacting in some cases or under reacting  
12 in others.

13 Neither the public nor the police  
14 department will have confidence in a CCRB  
15 that has no professional qualifications for  
16 the position.

17 Further, the CCRB interferes with  
18 the current investigative process and  
19 discipline. There will apparently be two  
20 investigations ongoing at the same time with  
21 the potential of two different outcomes  
22 creating confusion, delays, and  
23 inefficiencies in the process.

24 CCRBs have been found to be  
25 infective as exemplified by the many CCRBs

1                   P-Safety/Finance/Rules 3-15-21  
2       that already exist in numerous police  
3       departments throughout the country with  
4       those same communities still protesting for  
5       police reform.

6                   There will be a significant  
7       cost to fund a CCRB creating an additional  
8       and unnecessary and inefficient layer of  
9       disciplinary investigations.

10                  New York State has indicated in  
11       the sponsor's memo recognized the  
12       ineffectiveness of some internal affairs  
13       units and CCRBs, and therefore established  
14       the Law Enforcement Misconduct Investigative  
15       Office with broad jurisdiction,  
16       independence, the means and professional  
17       staff to appropriately address police  
18       misconduct.

19                  The Office of Police Inspector  
20       General's proposal is yet another  
21       overlapping office with many of the same  
22       duties as our internal affairs unit and the  
23       CCRB creating additional layers of  
24       confusion, delays and inefficiencies in the  
25       process.



1 P-Safety/Finance/Rules 3-15-21

2 The Office of the Police  
3 Inspector General will also be costly as it  
4 needs to be well funded just like the CCRB.

5 The authority, powers, and duties  
6 of the CCRB and the Police Inspector  
7 General's Office are duplicative as they are  
8 aligned with the duties of the New York  
9 State Enforcement Misconduct Investigation  
10 Office.

11 For all of the above reasons, the  
12 police department does not recommend a CCRB  
13 or a Police Inspector General as the New  
14 York State Law Enforcement Misconduct  
15 Investigative Office and the Office of  
16 Special Investigation under the New York  
17 State Attorney General's Office are the  
18 appropriate agencies for oversight of Law  
19 Enforcement Misconduct and more than address  
20 the roles of both a CCRB and a Police  
21 Inspector General.

22 Thank you for your time in  
23 allowing me to present this information to  
24 you.

25 LEGISLATOR FORD: We will take a

1 P-Safety/Finance/Rules 3-15-21

2 ten minute recess. Thank you.

3 (Whereupon, the committees  
4 recessed at 5:45 p.m. and reconvened at 6:00  
5 p.m.)

6 LEGISLATOR FORD: We are back  
7 From recess. Continue please.

8 COMMISSIONER RYDER: First, we  
9 Missed one item and we're going to come  
10 back. We're now ready to start the second  
11 half of our presentation. Just teasing.  
12 But we did miss one item restorative  
13 justice. Sergeant Carlo Maltempi works with  
14 the Safe Center.

15 MR. MALTEMPI: Good evening. I  
16 am Detective Sergeant Carlo Maltempi, the  
17 Commanding officer of special victims squad.  
18 Restorative justice seeks to change an  
19 offender's behavior by educating him or her  
20 on the deleterious consequences that his or  
21 her actions have on the community and the  
22 victim. The purpose of justice is to  
23 restore the victim, the community and the  
24 offender so that they all may be integrated  
25 back into and enhance the community.

1                   P-Safety/Finance/Rules 3-15-21  
2       Restorative justice can be achieved  
3       By utilizing diversion courts such as  
4       alcohol and drug diversion, as well as after  
5       care visits and safe program and centers for  
6       victims of abuse.

7                   The Nassau County Police  
8       Department Special Victims Squad is  
9       collocated and works in tandem with the Safe  
10      Center, an advocacy agency which serves  
11      children and adult victims of family  
12      violence and sexual abuse. They also have a  
13      safe house which is available to victims and  
14      their family.

15                  This unique partnership, one of  
16      Very select few in the nation, actually in  
17      the world, combines expertise of victim  
18      service trauma experts, special victims  
19      detectives, the district attorney special  
20      victims bureau and child abuse unit,  
21      assistant district attorneys, child  
22      protective services, specialized child sex  
23      abuse and serious physical injury units,  
24      Nassau County Probation, the Nassau County  
25      Family Court, county attorneys and child

1 P-Safety/Finance/Rules 3-15-21

2 abuse medical specialists from the  
3 Westchester Children's Hospital.

4 This model has been proven to be  
5 One of the most efficient and effective  
6 Methods to assisting victims for over a  
7 Decade. NCPD also works with the Nassau  
8 County Office of Crime Advocate, which is a  
9 resource victim's use in the restorative  
10 justice model to acquire compensation as  
11 well as receive assistance with submitting  
12 comments to courts and parole boards about  
13 how they were impacted by the actions of the  
14 offender.

15 Special victims detectives attend  
16 trauma informed investigative training which  
17 teaches detectives how to not revictimize  
18 survivors, victims of sexual assault during  
19 the course their investigation.

20 The victim's centered service  
21 model allows anyone who is a victim survivor  
22 of a sex crime in Nassau County to receive  
23 specialized trauma-informed care from every  
24 angle possible. The partnership reduces  
25 communication barriers, enhances victim

1 P-Safety/Finance/Rules 3-15-21  
2 safety, ensures a trauma-informed approach  
3 and allows the victim to have a sense of  
4 control and self-determination.

5 Additionally, this partnership  
6 enhances the rigorous trauma-informed  
7 training the special victim detectives  
8 receive since they are interacting with  
9 trauma experts everyday. If feasible, when  
10 arrested, offenders of domestic violence  
11 victims are informed by officers of their  
12 ability to have the case seen concurrently  
13 in criminal and family court. Family court  
14 may allow mediation between the parties and  
15 as part of a resolution to the case.

16 All case reports are reviewed by  
17 precinct domestic liaison officers. Cases  
18 that might require resources beyond law  
19 enforcement capabilities are referred to the  
20 Safe Center. A Safe Center advocate may  
21 reach out to the victim and offer further  
22 assistance discreetly.

23 In recognition of offender rights  
24 and avoiding the tendency towards  
25 incarceration-minded policing, in 2016 the

1                   P-Safety/Finance/Rules 3-15-21  
2       NCPD instituted a new appearance ticket  
3       protocol as previously mentioned in the  
4       procedural justice systematic racial bias  
5       and racial justice in police in section  
6       topic 6. In lieu of jail, offenders for  
7       offenses involving marijuana and larceny  
8       offenders are issued appearance tickets.

9                   NCPD members have been  
10       extensively trained on alternative dispute  
11       resolutions. It is respectfully submitted  
12       that restorative justice is somewhat similar  
13       to arbitration. However, the focus in  
14       restorative justice is on the harm inflicted  
15       and holding the offender accountable for  
16       their actions. Although never formally  
17       labeled as restorative justice in training  
18       segments or discussed as such, the NCPD  
19       engages in restorative justice on a daily  
20       basis by acting as an arbitrator between  
21       parties.

22                   For example, the NCPD may receive  
23       a 911 call for a dispute involving  
24       neighbors. When arriving at the scene of  
25       the dispute our officers are trained to

1                   P-Safety/Finance/Rules 3-15-21  
2       diffuse the situation and interview both  
3       neighbors separately, to investigate what  
4       transpired and determine if any crime was  
5       committed. During the investigation the  
6       NCPD makes sure to inform both parties of  
7       the allegations each have made against each  
8       other and the harm each of the corresponding  
9       actions are having on one another. A  
10      solution is then devised to avoid further  
11      disputes. Although not always successful,  
12      this type of mediation is generally  
13      beneficial in avoiding future conflict  
14      between neighbors.

15                   In conclusion, it is beneficial  
16      for NCPD to be collaborating with the  
17      agencies mentioned which helps open the  
18      doors for restorative justice process. In  
19      turn, helping the victims, survivors to  
20      properly heal while potentially reducing the  
21      likelihood of an offender to reharmed which  
22      enhances the safety of the residents of  
23      Nassau County.

24                   Thank you for your time. Stay  
25      healthy and safe.

1 P-Safety/Finance/Rules 3-15-21

2 COMMISSIONER RYDER: Now we are  
3 going to call up Chief Lorna Atmore, our  
4 chief of support and our director, Debbie  
5 Chaffee, from the 911 call center.

6 MS. ATMORE: Good evening. I  
7 am Chief Lorna Atmore. I am the chief of  
8 Support. I want to thank you for your time  
9 and attention today, and in the interest of  
10 time I'm going to forego my comments and  
11 invite bureau director Chaffee-Davis up to  
12 the podium. She's in charge of our  
13 communications bureau and she's going to  
14 discuss the extensive training, the  
15 communication operators receive. The  
16 training exceeds the New York State required  
17 hours and the trainee equips our 911 call  
18 taker to elicit specific information to  
19 assess the needs of callers in crisis and  
20 provide the appropriate level of assistance  
21 to ensure the safety and health of the  
22 public and the responding officer.

23 MS. CHAFFEE-DAVIS: Good  
24 Evening. My name is Debbie Chaffee-Davis.  
25 I'm the bureau director of the



1                   P-Safety/Finance/Rules 3-15-21  
2       communications bureau for Nassau County  
3       Police. Thank you for the opportunity to  
4       speak on the communications bureau and 911  
5       training.

6                   The Nassau County Police  
7       Communications Bureau provides training for  
8       New hires, police communication operators  
9       and continuous in-service training for all  
10      police communication operators and police  
11      communications operator supervisors. The  
12      training criteria is met adhering to New  
13      York State guidelines. The minimum  
14      standards for a new employee police  
15      communication operator is a minimum of 200  
16      hours of training. Our call takers and  
17      dispatchers go through more than double the  
18      amount of training required by the state.

19                  Additionally, we are required  
20      annually to complete a minimum of 21 hours  
21      of in-service training that is completed  
22      each year by our training staff.

23                  The first week of training for  
24      all new employees police communication  
25      operators is conducted by the police academy

1                   P-Safety/Finance/Rules 3-15-21  
2       staff. Training is included but not limited  
3       to introduction to the police department,  
4       departmental organization, report writing,  
5       harassment in the workplace, introduction to  
6       hostage barricade, stress management, blood  
7       borne pathogens, emergency care, NIMS,  
8       ICS100 and ICS700. The remainder of the  
9       training is held at the communications  
10      bureau by the training supervisors.

11                   There are two parts to the  
12      training. The first part is to learn how to  
13      become a 911 emergency call taker, a  
14      switchboard operator and an alarm call entry  
15      operator. And the second part is to learn  
16      how to become a radio dispatcher.

17                   Training for each part consists  
18      of both classroom instruction and on-the-job  
19      practicable experience for approximately six  
20      to eight weeks for each part of the  
21      training. Fulfilling these requirements, as  
22      I stated before, exceeds the minimum  
23      requirements by the state of New York. All  
24      training must be successfully completed  
25      within the 12-month probationary period.

1 P-Safety/Finance/Rules 3-15-21

2 Classroom and related  
3 instruction. Call takers and dispatchers  
4 must complete the following topics.  
5 Structure and organization of the police  
6 department, including chain of command and  
7 specialized units within the  
8 Police department.

9 Roles and responsibilities.  
10 Explain accordingly to each role and  
11 demonstrate it through in depth lesson  
12 plans. Legal aspects, penal law, including  
13 updates from the legal bureau.  
14 Interpersonal communications. Active  
15 listening skills and verbal judo. Phone  
16 skills. Police terminology. Technology.  
17 The computer-aided dispatch system that we  
18 use to dispatch all 911 calls to the  
19 officers in the field. The Vesta system  
20 that we use to take 911 calls. The Rave  
21 Smart 911 software and active shooter panic  
22 button software. Shot Spotter. Pharmacy  
23 and bank tracker. Ignition interlock  
24 Tracking. The alarm permit program and  
25 Project life saver.

1 P-Safety/Finance/Rules 3-15-21

2 Telephone techniques including  
3 call transfer to other jurisdictions.  
4 Language line and notification to other  
5 agencies. Call classification. Specific  
6 questioning necessary to select the correct  
7 event type and sub type. Prioritizing calls  
8 using standard operating procedures, SOPs,  
9 and recognizing special situations to ensure  
10 the safety of law enforcement and the  
11 public. SOPs are also utilized in the CAD  
12 system by event type, sub type. The SOPs  
13 provide instructions for the 911 call taker  
14 and additional information for response for  
15 the radio dispatcher.

16 Classifying EMS calls. Transfer  
17 to medical control for medical advice if  
18 applicable. Procedure for notifying firecom  
19 for an ambulance. Mental and violent  
20 mental-aided persons. Suicidal callers.  
21 Barricaded persons and hostage incidents.  
22 Many violent mentals or violent domestics  
23 can become a hostage or barricade situation  
24 and the response plan changes accordingly.  
25 If there are weapons involved the response

1 P-Safety/Finance/Rules 3-15-21

2 plan changes.

3 On a regular mental-aided, your  
4 standard mental-aided, we would dispatch two  
5 units, an ambulance and a supervisor. If  
6 the person is violent, emergency services  
7 units would also be dispatched. If there is  
8 a gun involved our Bureau of Special  
9 Operations would then also be dispatched.  
10 Depending on how the situation evolves is  
11 the units that are being dispatched to the  
12 location. Supervisors at scene may also  
13 request hostage negotiations through the CB  
14 supervisor if needed and tactical medics may  
15 be notified to respond.

16 Radio dispatch communications.  
17 When they get to that portion of the  
18 training they learn dispatch procedures.  
19 Use of correct radio terminology. The  
20 advanced use of the computer-aided dispatch  
21 system. Utilizing ten codes. Geography of  
22 eight precincts in the police department  
23 including highway patrol. The three village  
24 police departments that Nassau County Police  
25 dispatches for. As well as 18 other village

1 P-Safety/Finance/Rules 3-15-21  
2 PD jurisdictions within Nassau County and  
3 surrounding borders, New York City and  
4 Suffolk County.

5 We are the primary piece app for  
6 all wireless cell calls. They're also  
7 trained to identify coast units that cover a  
8 specific geographical area. Specialized  
9 units, as with ESU, BSO detectives, and  
10 communicating with other agencies via the  
11 500 megahertz radio system.

12 Each new employee is trained in  
13 handling pursuits. Domestics and active  
14 shooter calls. They are also given  
15 information on stress management. There are  
16 three different tools that we utilize for  
17 that. One is the employee assistance office  
18 to recommend to an employee in the event  
19 they need to speak with somebody, a  
20 counselor.

21 There is also the wellness  
22 committee. A program developed to emphasize  
23 the important of department member's own  
24 state of mental health. The wellness  
25 committee conducts seminars for all to

1 P-Safety/Finance/Rules 3-15-21  
2 attend and they offer tools to deal with  
3 multiple stressers for both on and off the  
4 job.

5 There is also peer support team  
6 that is pulled out on an as-needed basis in  
7 the event that a call comes through that a  
8 911 operator and radio dispatcher it affects  
9 them mentally and they want to speak to  
10 somebody the peer support team will be  
11 called out.

12 They're also trained on  
13 department and command directives and  
14 training notices which are distributed on an  
15 as-needed basis. Each police communication  
16 operator and police communication operator  
17 supervisor has been given a binder and every  
18 time an update comes in they are to put it  
19 in their binder. When in-service training  
20 is scheduled they are required to show that  
21 their binders are updated so that they have  
22 the most up-to-date information available to  
23 them.

24 During the 12-month probationary  
25 period all police communication operator's

1                   P-Safety/Finance/Rules 3-15-21  
2     performance is evaluated by trainees.  
3     Police communication operators must be  
4     proficient in all aspects to pass probation.  
5                   In-service training. In-service  
6     training is held on a biannual basis. There  
7     are two sessions equaling a total of 21  
8     hours. Police communication operators and  
9     police communication operator supervisors  
10    who have already completed probation will  
11    attend in-service training. Required topics  
12    to be discussed annually are community  
13    affairs, department directives, command  
14    notifications and training notice, EEOC,  
15    evacuation drill, legal updates, OSHA,  
16    stress management, TDD and TTY, telephone  
17    depth device.

18                  Some of the prior in-service  
19    training sessions have included 3 SI bank  
20    and pharmacy GPS tracker program, Nassau  
21    County suicide hotline, suicide prevention,  
22    Rave Smart 911, Narcan instruction,  
23    terrorism, crisis and hostage negotiations,  
24    active shooter, crisis negotiations for  
25    telecommunicators, ignition interlock



1 P-Safety/Finance/Rules 3-15-21

2 systems.

3 LEGISLATOR NICOLELLO: Can I  
4 interrupt you for a moment? I mean, it's  
5 obvious to me that your staff here, your  
6 officers, your chiefs, your inspectors, all  
7 have a tremendous amount of pride in this  
8 department and passion for what they do.  
9 But it seems like we're getting -- we're  
10 four hours into this -- seems like we're  
11 getting an overview of all operations of the  
12 Nassau County Police Department. And I  
13 thought we were here to focus on the police  
14 reform plan, and more specifically, to the  
15 changes that have been made since the draft  
16 was initially produced in early January.

17 I'm speaking for myself right now  
18 but I think to the extent that there are  
19 more presenters I would just ask you instead  
20 of reading a summary of all the things that  
21 your agency and all the great public  
22 servants do during the course of their jobs  
23 I would just for maybe just a summary as  
24 opposed to several pages of written and read  
25 notes.

1 P-Safety/Finance/Rules 3-15-21

2 COMMISSIONER RYDER: Yes, sir.  
3 Part of the plan was the communications  
4 bureau and their training that they receive.  
5 That's what the director was going to. But  
6 we'll cut that short. I think you get the  
7 point. But very modest, our CB operators  
8 are our unsung heroes. They're the ones  
9 that are the first communications with our  
10 public. As you just heard Debbie speak,  
11 that's the same tone our CB operators are  
12 trained to keep and was purposefully done  
13 that way. They don't ever raise up, they  
14 don't raise down. They stay even. So they  
15 keep the person on the other side of that  
16 call calm. Maybe too calm. But Debbie is  
17 very good at what she does and director I  
18 think the point is made and I appreciate it.

19 LEGISLATOR NICOLELLO: Not  
20 specific to you Debbie. Obviously, we have  
21 tremendous amount of respect for what you do  
22 and what your staff does. Believe me, none  
23 of us if we ever had to step into that role  
24 I don't think any of us would know what  
25 we're doing. Don't take this as a -- it was

1 P-Safety/Finance/Rules 3-15-21

2 a comment about the hearing in general.

3 We're four hours into it and I thought we  
4 would be a little more focused.

5 COMMISSIONER RYDER: We're on  
6 the last two items sir.

7 LEGISLATOR NICOLELLO: I'm  
8 sorry to interrupt.

9 MS. CHAFFEE-DAVIS: That's  
10 quite alright. I was just going to go  
11 through a few other things but I mean --  
12 thank you very much for your time. I  
13 appreciate it.

14 COMMISSIONER RYDER: The next  
15 thing that we're going to speak about is  
16 mental health. I know this is one of the  
17 bigger topics and has been from all of our  
18 community and the original bill that came  
19 from this floor here unanimously was to  
20 create a mental health committee to overlook  
21 and see what we can do.

22 That being said, at the same time  
23 came our EO 203 and People Plan version. So  
24 we have a couple of things on the table.  
25 But I think we're all about where we should

1 P-Safety/Finance/Rules 3-15-21  
2 be. Maybe some modifications. What I will  
3 say is this. Whatever we put forward in the  
4 plan does not close the door because your  
5 proposal is still on the floor. That  
6 proposal addresses a larger scale of mental  
7 health treatment than EO 203 does. So  
8 again, like I said, I think we're close. We  
9 followed pretty much looking also at what  
10 the People's Plan presentation was. I'll go  
11 through it real quick.

12 Then again, it's not closed  
13 because the plan has been presented to the  
14 board. The board can come back and ask for  
15 changes on that plan. Again, that's  
16 separate and apart from this if that makes  
17 sense to all of you.

18 As far as 911 goes, you just  
19 heard the training that Debbie was going  
20 through. Our main point of this whole  
21 project is to one, take care of our  
22 patients, victims and get them to where they  
23 need the best service. That starts with  
24 training of our civilian population knowing  
25 to not call 911 and call a separate number.

1 P-Safety/Finance/Rules 3-15-21

2 Maybe calling directly to mobile crisis.

3 And that is in also that process.

4 Our 911 operators are trained.

5 Obviously receive that training. We asked

6 our mobile crisis team, the experts, to come

7 up with a questionnaire that they think

8 would suffice when you call 911 and that the

9 -- we ask the questions. We being the CB

10 operators. And if they think the answers

11 are to let's say the yes of it, it will go

12 to mobile crisis directly. We will stay on

13 the line. We will forward that call. Mobile

14 crisis will answer. When mobile crisis

15 knows, and most of the time they do know the

16 people, they will say I got this. We're

17 good to go. Thank you. And the

18 communications girl says thank you very

19 much. Disconnecting. Mobile crisis is

20 going to run with it.

21 On the other side, if there's a

22 weapon, there's dangers and that Q and A

23 goes a different direction we send police.

24 We send our police officers, we send a

25 supervisor and we always send an ambulance.

1 P-Safety/Finance/Rules 3-15-21

2 The ambulance starts to roll as we call  
3 10-87, there's no rush, but if an ambulance  
4 is needed by the time we get there.

5 When we get to that scene at the  
6 same time dual response to mobile crisis.  
7 The mobile crisis. And this is only going  
8 to become with an enhancement of mobile  
9 crisis. Again, we agree and concur that it  
10 should be enhanced. There's not enough of  
11 the experts in that field.

12 So police, mobile crisis respond  
13 to call. We'll always beat mobile crisis to  
14 the call unless they're there. Because  
15 unless you put out 177 mobile crisis teams,  
16 which I don't think we can physically afford  
17 it, the police department has 177 cars out  
18 there. So they're there. They respond.  
19 But they're also going to be trained if the  
20 call is weapon, if the call is emergency  
21 engagement, when we get there we teach the  
22 art of de-escalation. 2700 calls in 2019  
23 four times we used force and nobody was hurt  
24 in the times we used it. 450 times they had  
25 to call our emergency service unit to

1 P-Safety/Finance/Rules 3-15-21

2 respond.

3 If there is a weapon, we start  
4 responding emergency services. But the cops  
5 on the scene are taught to go in. If that  
6 individual is calm and sitting on the couch  
7 we're going to wait for mobile crisis to get  
8 there. We are not the experts in this field  
9 And we recognize that and understand that.  
10 But we will stay.

11 And when mobile crisis gets  
12 there, once they're comfortable and there's  
13 no threat, we will then remove. We will  
14 step outside. We will wait until they're  
15 finished with the call. If it's a  
16 medication thing, it's a treatment thing,  
17 whatever the experts say.

18 At the same time though, if we  
19 get there and there is a weapon involved  
20 we're going to take control of the  
21 individual. 96percent of the time we take  
22 them to the hospital. We do not want to  
23 take them to jail. We do not criminalize  
24 mental health cases. Not in this county.

25 What we will do is, in that case,

1                   P-Safety/Finance/Rules 3-15-21  
2       we'll then take control of the individual,  
3       the weapon. And then once the weapon is  
4       taken out, the mobile crisis's team is there  
5       then we'll wait for them to get there and  
6       speak to them again. We're not in no rush  
7       to take them once the situation is in  
8       control. We're there to take care of them  
9       as a victim. We're there to recognize that  
10      they need treatment and once the mobile  
11      crisis team gets there then we'll take the  
12      advice from the experts.

13                   Later on part of this, and again,  
14      not so much in the EO 203 but more in the  
15      proposal is that we look at stabilization.  
16      How we can stabilize these people going  
17      forward. We're going to work hand in hand  
18      with mobile crisis. And by the way, a great  
19      group of people. That we recognize repeat  
20      offenders as we call them. We get numerous  
21      calls to Johnny's house. Who is Johnny? We  
22      should know Johnny. We should have that in  
23      our CAD system.

24                   When we're responding to Johnny's  
25      call we're going to let the police officers



1                   P-Safety/Finance/Rules 3-15-21  
2     know Johnny has been here. We've been there  
3     before. Most of the time whatever mobile  
4     crisis has responded, police not necessary.  
5     We'll wait out there. If there is no  
6     weapon, if there is no threat, he's not  
7     trying to kill himself, we will wait until  
8     mobile crisis gets there on the scene and  
9     then they'll step in and be advised.

10                   Then that treatment later at the  
11     hospital creating separate areas in the  
12     hospital to treat mental health just like we  
13     do at our court system is a way again above  
14     and beyond the EO 203. I hope that answers  
15     what we're looking to do with mobile crisis.

16                   It will take an enhancement of  
17     staffing to them. The county exec has  
18     originally agreed to add to the budget  
19     before you and is sitting down now and  
20     looking at adding additional people to that  
21     and trying to come up with the funding for  
22     it. Again, it all depends on what's  
23     happening here. And when we actually sit --  
24     it's almost like it can't be discussed in a  
25     broad package like this. It needs to have

1 P-Safety/Finance/Rules 3-15-21  
2 that one-on-one conversation regarding how  
3 we're treating our mental health situations.  
4 And it has increased in Nassau County.  
5 Especially when you talk about a lot of  
6 times the homelessness population also has a  
7 mental health crisis that we try to deal  
8 with.

9 I hope that answered that and  
10 when we get at the end we'll come back with  
11 that Q and A.

12 The last thing, and he's going to  
13 be very quick, I'm going to jump over crowd  
14 control. Frank, sorry. But as you know, we  
15 had over 340 protests last summer. No  
16 damage, no fires, no looting, nobody hurt.  
17 We did an excellent job. We inconvenienced  
18 traffic. The right of the people to  
19 exercise their First Amendment  
20 inconvenienced traffic.

21 We got to a point where we worked  
22 with them and said look, okay, now it's got  
23 to a point ten people are not shutting down  
24 Sunrise Highway and it worked. It worked  
25 out fine. We pretty much worked our way

1 P-Safety/Finance/Rules 3-15-21  
2 through that process. People got to  
3 exercise their First Amendment right and it  
4 is a credit to Lieutenant Jimmy Brown,  
5 Lieutenant John Holmes, Sergeant Soto and of  
6 course Lieutenant Frank DeScala.

7 They always met with the  
8 protesters when they got there. They spoke  
9 to them about what their plan was. They  
10 never followed the plan. They went the  
11 opposite direction. But that's okay. And  
12 we walked in our traffic vests, in our hats  
13 along side them. We were always prepared if  
14 things got bad. But that was on the  
15 outskirts. That was on the side streets.  
16 That was not there. We were not there in  
17 the riot gear. We were there to de-escalate  
18 it and I think we did a great job this  
19 summer. And that is a credit to those four  
20 gentlemen that I just mentioned.

21 The last thing is, and  
22 Commissioner Smith promises he'll be even  
23 quicker, is supporting officers well being  
24 and that is last thing on the ticket here.

25 MR. SMITH: Good evening.

1 P-Safety/Finance/Rules 3-15-21

2 Deputy Police Commissioner Kevin Smith.

3 In 2019 228 active or retired  
4 officers died by suicide. That's  
5 nationwide. 2018 was only 172. I say only  
6 facetiously. 228 active or retired is a  
7 staggering number and I believe that number  
8 is probably even higher. Some police deaths  
9 can't really be or weren't verified. They  
10 couldn't be conclusively proven as suicides.

11 Active officers not able to cope  
12 with the rigors of police work that often  
13 come with everlasting memories of traumatic  
14 events. A right that they have seen unfold  
15 firsthand. Eventually the officer had to  
16 deal with the aftermath, picking up the  
17 pieces, delivering the unimaginable bad news  
18 to families. The unimaginable grief seeing  
19 these people in that condition. That places  
20 a toll on you no doubt about it.

21 Retirees also probably couldn't  
22 let go of the stress it caused and chose to  
23 end their pain and suffering by taking their  
24 own lives. It's heartbreaking. Officers  
25 retired they're right up there among the

1 P-Safety/Finance/Rules 3-15-21  
2 groups of people that commit suicides when  
3 they retire are police officers. Disabled  
4 police officers who leave the job is even  
5 more. Their percentage is even higher.  
6 Again, another heartbreaking aspect that  
7 this kind of work can cause.

8 We've had our share of officers  
9 take their own lives. One life is too many.  
10 It seemed like 2019 was like no other year  
11 that we've seen. Police suicides appeared  
12 like they were happening every week in the  
13 Tri-state area.

14 I applaud you for recognizing  
15 that police work can be stressful and for  
16 producing a local law back in 2019 that  
17 supports the continuance of some of our  
18 practices that we've doing for years and  
19 caused us to implement a few more practices  
20 that lend itself to keeping our members  
21 informed. Letting our members know that  
22 there's a place to go. That there's people  
23 that they can speak to. A direction to  
24 follow that will perhaps be the beginning of  
25 an understanding of coping mechanisms to use

1 P-Safety/Finance/Rules 3-15-21

2 and perhaps recovery.

3 Police work, from what I've seen,  
4 always ranks in the type four when it comes  
5 to stress-producing jobs. A dubious honor  
6 to be in the top four ranking of a career  
7 that can cause conditions such as chronic  
8 stress. Which, of course, can lead to  
9 emotional, physical and behavioral problems.

10 The stress can be caused by all  
11 kinds of stressers. External,  
12 organizational, personnel, operational. I  
13 won't go into everyone. I'll move it along.  
14 But I would like to share that every officer  
15 probably here at one moment or another after  
16 a particularly ugly call has probably said  
17 to themselves I got really lucky this time,  
18 I didn't get hurt. Without a doubt.

19 And like I said, it doesn't stop  
20 at the end of the shift. How many people  
21 routinely look in their rearview mirror on  
22 the way home to make sure they're not being  
23 followed home. There's a guy in this room  
24 who had a close call like that. A young  
25 police officer Ryder that was run off the

1 P-Safety/Finance/Rules 3-15-21  
2 road on the Southern State Parkway by a  
3 family member of a drug dealer that he had  
4 arrested for selling drugs in one of our  
5 communities.

6 How many have to play it safe on  
7 not turning down their block just to be  
8 absolutely sure nobody's tailing and trying  
9 to discover where you live. Or how about  
10 running into people that you may have  
11 arrested. It's happened to me a few times  
12 where I've run into a couple of people that  
13 I arrested for similarly drug-related  
14 arrests. You never know what's going to  
15 happen. You don't know how they're going to  
16 take you. You don't know what they're going  
17 to say to you. Maybe they want to get  
18 revenge. So it's certainly a stress  
19 builder.

20 These are some of the things that  
21 we deal with. While many believe that know  
22 about police work, I remain skeptical when I  
23 hear them start to talk. Counseling for  
24 police by police is what we do. We have  
25 officers that have devoted their careers and

1                   P-Safety/Finance/Rules 3-15-21  
2       amassed the credentials to help us. Our  
3       police counselors have helped countless  
4       police personnel and their families and  
5       retired members. That's our employee  
6       assistance office.

7                   Again, our employee assistance  
8       office for over 30 years has been available  
9       to officers, civilians and retired members  
10      and their families 24-7. If they're in  
11      crisis, they're available by appointment, by  
12      phone, by Zoom. Whatever it takes.  
13      Face-to-face if necessary. Sometimes it's  
14      necessary.

15                  They're professional counselors  
16      as I said. They can make referrals. Help  
17      place people who need long term help as  
18      well. We send this service to all law  
19      enforcement agencies throughout Nassau, the  
20      adjourning counties and quite frankly anyone  
21      in law enforcement that's struggling  
22      regardless of agency. That's one of the  
23      things that you wanted us to do and we  
24      followed that line.

25                  Secondly, we have a peer support



1                   P-Safety/Finance/Rules 3-15-21  
2       team that can be called out to offer support  
3       and guidance to officers that have been  
4       through a traumatic incident the likes of  
5       which the average person hopefully never has  
6       to witness.

7                   The use of the peer support in  
8       group settings let's the officers that have  
9       experienced a traumatic incident know what  
10      to do, what to expect emotionally. Provide  
11      that support, guide them to available help  
12      if it's needed. Any supervisor and  
13      coordinator of the team can mobilize peer  
14      support to respond to a location and make it  
15      mandatory that all the officers there get  
16      that help, get recognized, get seen and  
17      evaluated whether they need more help.

18                  Your office made us -- your law  
19      made us put together the Office of Health  
20      and Welfare. It's responsible for fostering  
21      the physical, mental and spiritual health of  
22      department members past and present and  
23      their families.

24                  It facilitates the use of a  
25      smartphone application, a wellness website

1 P-Safety/Finance/Rules 3-15-21  
2 for reference material and links to the  
3 appropriate sources of assistance. That  
4 office has three components.

5 The employee assistance office as  
6 I just mentioned. Peer support as I  
7 mentioned. By the way, the peer support  
8 team has doubled within the last few years.  
9 We've been dispatching those peer support  
10 officers to more and more critical incidents  
11 to ensure that our members are evaluated to  
12 see if they need anything further, any  
13 additional help.

14 The wellness committee, which we  
15 resurrected, discusses and evaluates all  
16 matters as they relate to the mental and  
17 physical well being of all members of the  
18 department and reports its findings and  
19 makes recommendations to the commissioner  
20 and myself.

21 The committee is composed across  
22 the board of people who work for the  
23 department. Has a chairman. Members of the  
24 department selected from various units both  
25 sworn and unsworn members, ranks,

1 P-Safety/Finance/Rules 3-15-21  
2 designations bargaining units, the  
3 chaplain's office. Anyone the commissioner  
4 sees fit can be on that committee.

5 Committee meets monthly,  
6 discusses wellness and training, helps plan  
7 and structure training initiatives for the  
8 future. To that end, the committee has had  
9 sessions on members' well being as it  
10 relates to 911 illnesses, develop  
11 relationships with other health  
12 professionals to reduce the effects of  
13 stress through breathing exercises,  
14 meditation, yoga, etcetera. Anything we  
15 think might help an officer.

16 I've always said that we should  
17 strive to put an officer on the street who's  
18 physically, intellectually, emotionally and  
19 spiritual armed to do the job. The wellness  
20 committee is kind of designed to do that  
21 thing.

22 One of the more important  
23 functions has been reducing any stigma that  
24 an officer perceives could be harmful to  
25 their career. We don't want them to remain

1                   P-Safety/Finance/Rules 3-15-21  
2       silent and live with pain. We encourage all  
3       officers and civilians, regardless of rank,  
4       to speak up if they see any person who  
5       appears to be struggling.

6                   To that end, recently we averted  
7       the potential for tragedy by having a few  
8       officers recognize that a peer was  
9       struggling. Which put in motion giving that  
10      member the help that they needed before  
11      something could happen that wouldn't have  
12      been good.

13                  NCPD wellness website can be  
14      found online on the Nassau County government  
15      website that can link you to referrals to  
16      get the help that you might need or the help  
17      that you might be seeking.

18                  We've instructed all of our  
19      members that the Nassau County CARES app  
20      should be installed on all department cell  
21      phones. We talked about each car having a  
22      cell phone before. That app is on each cell  
23      phone. We recommend that they put in on  
24      their personal cell phones as well. We  
25      encourage them to do it.

1 P-Safety/Finance/Rules 3-15-21

2 Wellness training's a component.  
3 It's seen yearly. Every year we have a  
4 component in our training that deals with  
5 wellness. The commissioner and his  
6 executive staff continues to stress to all  
7 members of the department to please seek  
8 assistance if they need help with any mental  
9 health issues. All supervisors and members  
10 of the department have been requested to get  
11 involved with their fellow employees to  
12 promote wellness and identify any individual  
13 that might need assistance.

14 The commissioner sends out  
15 periodic emails to people. The commissioner  
16 has made a video conveying the department's  
17 commitment to wellbeing. To wellness.

18 We all react differently to  
19 stress. There's no one cure all. We aim to  
20 keep our members informed. If we can  
21 identify and measure and remediate the  
22 effects of stress on our employees I'm  
23 certain we can make future progress. I'm  
24 hopeful we have set the climate of  
25 understanding for all to speak out if you

1 P-Safety/Finance/Rules 3-15-21  
2 are suffering. To speak out if you see  
3 others suffering. Let our qualified team of  
4 professionals set a course to help and move  
5 you forward. I want to thank you very much  
6 for your attention.

7 COMMISSIONER RYDER: So, I just  
8 want to mention that I'm going to tell you  
9 that that bill that you pushed saved two of  
10 our officers in the last seven months. Two  
11 of our officers were struggling. Other  
12 officers, because of the training they  
13 received in this process, were approached by  
14 and then came to a supervisor and said I  
15 think you need to speak to officer so and  
16 so. And we did and we got them the help  
17 they needed and they were struggling.  
18 They're back full-duty officers doing the  
19 job they signed up to do.

20 But if it wasn't for that bill  
21 there's no doubt in my mind we'd be at least  
22 talking about one of our officer taking his  
23 own life. I thank you for that. I thank  
24 you for the time you've given us here today  
25 and we're open up for questions.

1 P-Safety/Finance/Rules 3-15-21

2 LEGISLATOR FORD: Thank you  
3 very much for your presentation all of you.  
4 It was very interesting and enlightening. I  
5 am now going to have Presiding Officer lead  
6 off with the questions.

7 LEGISLATOR NICOLELLO: I just  
8 have a few questions but I first want to  
9 thank you for those last comments about the  
10 law that we passed and if it helped avoid a  
11 tragedy like that. You often wonder, you  
12 put something into law you often wonder what  
13 impact it will have, if it will have an  
14 impact. So I think all of us are very  
15 gratified that you said that.

16 COMMISSIONER RYDER: We are  
17 gratified for it.

18 LEGISLATOR NICOLELLO: I  
19 reviewed the Executive Order 203 plan  
20 update. I thought it was very good. I  
21 liked the way that you incorporated the  
22 different recommendations that had been made  
23 out there in the community. That you  
24 responded to all of them. You didn't accept  
25 some of them but you explained how you

1           P-Safety/Finance/Rules 3-15-21  
2 weren't accepting them. You also  
3 incorporated some of those recommendations  
4 into the plan. You also anticipated some of  
5 the things that we thought about maybe  
6 amending the original plan with. Again, I  
7 thought it was very good.

8           Could you just explain again with  
9 respect to the mobile crisis team and the  
10 response to behavioral crisis. Is there a  
11 scenario in which 911 when called will  
12 result in only the team going out or only  
13 behavioral specialists going out and not  
14 uniformed law enforcement or non-uniformed  
15 law enforcement?

16           COMMISSIONER RYDER:       Yes. But  
17 that would only be mobile -- the 911  
18 operator would not make that decision.  
19 Mobile crisis would. When they get on the  
20 phone, if they say we got this, we'll take  
21 it from here, they then may respond to that  
22 person's residence for further evaluation or  
23 have them taken in. Most of our calls come  
24 from not the victim but from a family  
25 member. Again, they're able to do what



1 P-Safety/Finance/Rules 3-15-21  
2 their magic is that their training does and  
3 then they will visit the person either that  
4 day or the following day.

5 LEGISLATOR NICOLELLO: Is that  
6 the protocol now? Is that what's happening  
7 now or is that proposed going forward?

8 COMMISSIONER RYDER: That's  
9 proposed. Right now if there was a call to  
10 a mental health situation we respond with  
11 two cops and a sergeant. We enhance the  
12 sergeant. They make an evaluation. And  
13 most of the time we take them to the  
14 hospital. You say I want to kill myself we  
15 take you to the hospital. That's the extent  
16 of our training.

17 LEGISLATOR NICOLELLO: The  
18 mobile crisis unit is available 24 hours a  
19 day?

20 COMMISSIONER RYDER: No. We  
21 did a statistical analysis. Most calls come  
22 between eight a.m. and midnight. That would  
23 be their involvement. After midnight would  
24 be our involvement handling. We get very  
25 few calls for some reason after midnight

1 P-Safety/Finance/Rules 3-15-21

2 regarding mental health.

3 LEGISLATOR NICOLELLO: The 911  
4 operator would screen the call. Obviously  
5 take the call. Obtain the information and  
6 make a judgement call as to whether to  
7 involve the mobile crisis unit at that  
8 stage, correct?

9 COMMISSIONER RYDER: Yes. They  
10 would make the judgement to link them into  
11 the conversation. Let them take over. If  
12 they say they're comfortable then it's on  
13 mobile crisis saying they're comfortable.

14 LEGISLATOR NICOLELLO: It takes  
15 the pressure and stress off that 911 call  
16 operator for making that judgement. She  
17 brings mobile crisis unit into the call and  
18 then they make the judgement at that point?

19 COMMISSIONER RYDER: That is  
20 Correct.

21 LEGISLATOR NICOLELLO: Just a  
22 couple of other items and then I know other  
23 legislators have questions. With respect to  
24 data collection. I know how important it is  
25 and I know why we're gathering even more

1 P-Safety/Finance/Rules 3-15-21  
2 data. It's all good. The concern I have is  
3 with respect to the time of the officers and  
4 their time on the streets. I'm concerned  
5 that if we have them documenting in numerous  
6 different ways every interaction how much  
7 time are they going to spend in data entry  
8 as opposed to actually patrolling the  
9 streets? Is that a concern that you have?  
10 Is there a way that you are going to address  
11 that?

12 COMMISSIONER RYDER: It's  
13 concern two ways. The first way is  
14 obviously the time that they spend in not  
15 doing other things. The other concern is  
16 they're looking down not looking out. But  
17 that is the job we've created now. Computers  
18 make us look down. Our cops look down all  
19 the time. Unfortunately, and I go back to  
20 the days of Scott Cadell, that was a Wantagh  
21 resident, that was killed in the Rockaways  
22 looking down to reload his weapon when the  
23 gentleman came out and shot him in the head.  
24 So, yeah, it is a concern. It's  
25 a training concern. But it's about

1 P-Safety/Finance/Rules 3-15-21  
2 positioning themselves strategically where  
3 they are and how they position their vehicle  
4 and then calling for secondary car to assist  
5 them to watch the vehicle while they're  
6 there doing the ticket.

7 It doesn't take much more time  
8 but it does take time to check collect that  
9 demographic data.

10 LEGISLATOR NICOLELLO: Is there  
11 a way to monitor that? In terms of how much  
12 time the average officer is now spending  
13 entering data into their computer in their  
14 car? Interaction with someone could be  
15 relatively innocuous. Go back to the car  
16 and spend 20 minutes putting information  
17 into the computer. Is there a way that we  
18 can monitor that?

19 COMMISSIONER RYDER: We can  
20 work that out where we survey the officers  
21 and speak to them. Highway issues 50  
22 percent of our summonses and they're issued  
23 on, of course, the LIE and the  
24 Seaford-Oyster Bay. But they would be the  
25 best test ground for us. We haven't heard

1                   P-Safety/Finance/Rules 3-15-21  
2       complaints yet from our members. We have  
3       rolled this out since January 18th. But  
4       again, these young officers they're very  
5       quick with their fingers on the key pads to  
6       enter the data. A lot quicker than me.

7                   LEGISLATOR NICOLELLO:       Or me.

8                   COMMISSIONER RYDER:       But we  
9       will survey them to make sure that their  
10      safety is a priority.

11                  LEGISLATOR NICOLELLO:       Lastly,  
12      I needed a little bit more of a definition  
13      with respect to dynamic entry to understand  
14      the difference between dynamic entry and a  
15      no-knock or similar thing.

16                  COMMISSIONER RYDER:       It is the  
17      same thing. A dynamic entry is a no-knock.  
18      When that judge gives us that authority to  
19      no-knock it's up to the door, the door comes  
20      down and we're in through the building.

21                  A nondynamic is when we'll let  
22      the subject come out of the house. We'll do  
23      a deal on the corner, drag him out, grab him  
24      there, then go back and execute the warrant.

25                  LEGISLATOR NICOLELLO:       I would

1                   P-Safety/Finance/Rules 3-15-21  
2       assume that the level of evidence needed to  
3       do a dynamic entry would be much, much  
4       higher, correct?

5                   COMMISSIONER RYDER:        You have  
6       to show that level of threat.   Of course,  
7       that's a sworn affidavit towards the court  
8       and if the court does not recognize it they  
9       will not issue it to us.

10                  Again, the difference between a  
11       no-knock and a regular search warrant, we  
12       give notice, we go up, we bang on the door.  
13       You see it on TV.   Police department.   We  
14       have a search warrant.   Police department.  
15       We have a search warrant.   Boom, the door  
16       comes down at that point.   That's not a  
17       no-knock.   That's a knock and giving notice.  
18       A no-knock is just come up quietly at six  
19       a.m. and knock the door down.

20                  LEGISLATOR NICOLELLO:       Are  
21       technological means that can be employed to  
22       know who's in a particular dwelling?  
23       Whether infrared cameras or other things.

24                  COMMISSIONER RYDER:        One  
25       hundred percent.   You heard him say earlier

1 P-Safety/Finance/Rules 3-15-21  
2 how thick, Chief Farrell said, how thick the  
3 investigate -- our intelligence side about  
4 the building is key and what we try to do is  
5 deploy cameras, covert cameras, in those  
6 areas. We watch the door for a couple of  
7 days. We want to make sure there is no  
8 child in that building when we're going in.

9 LEGISLATOR NICOLELLO: Thank  
10 you again. That's all I have for now. I  
11 want to also thank everyone who presented  
12 today. Really appreciate your service.

13 LEGISLATOR FORD: Before we go  
14 to the next legislator I have questions for  
15 later. But you said when the Presiding  
16 Officer was asking you about the mobile  
17 crisis unit you made a reference that if  
18 they take the call they may go that day or  
19 the next day. So if somebody calls and  
20 needed help they wouldn't go until the next  
21 day?

22 COMMISSIONER RYDER: No. They  
23 know their patients. Again, I've had  
24 numerous conversations with them. They'll  
25 know that Johnny is -- okay, John's mom.

1 P-Safety/Finance/Rules 3-15-21

2 Let me get Johnny on the phone. John, you  
3 got to take your medicine and Johnny takes  
4 his medicine and he's okay now. Then  
5 they'll come visit, follow-up tomorrow.  
6 They're very thorough in what they do.

7 LEGISLATOR FORD: My other  
8 question then is, have you reviewed the  
9 scripts I guess from the Peoples' Plan put  
10 together by Emily Caufman? I guess is the  
11 social worker. I don't know if she sent  
12 them over to you yet or not.

13 COMMISSIONER RYDER: I have not  
14 reviewed the actual script. I took my  
15 script from my experts, the mobile crisis  
16 team in Nassau County.

17 LEGISLATOR FORD: Legislator  
18 Bynoe.

19 LEGISLATOR BYNOE: Thank you  
20 Madam Chairwoman. Good evening. Thank you  
21 for a very thorough presentation.

22 I want to start out by asking  
23 some questions regarding traffic stops. So,  
24 I understand that you talked about  
25 pretextual stops and how you use them. Do



1 P-Safety/Finance/Rules 3-15-21  
2 you think it would be going too far to not  
3 have cars searched without any probable  
4 cause of a crime? Because I know that  
5 that's an approach. It's different than the  
6 approach that you stated.

7 COMMISSIONER RYDER: An officer  
8 does not have the authority to search  
9 anybody's vehicle until he's in that  
10 reasonable suspicion area. He's got the car  
11 stopped. He smells marijuana from the car.  
12 He sees a gun on the floor. He sees drugs  
13 on the dashboard or something of that  
14 nature. That permits him to search that  
15 vehicle.

16 If an officer stops you for a  
17 traffic infraction, if they are not  
18 arresting you, if they arrest you they're  
19 allowed and permissible to search what's  
20 called the grabable area. That's the front  
21 area of that car. If they're not arresting  
22 you, just issuing you a summons, they do not  
23 have the authority to search that vehicle  
24 unless they can articulate later in court  
25 why they did it. And that, with the new T

1 P-Safety/Finance/Rules 3-15-21  
2 Stop data, will allow us to find out if  
3 we're searching vehicles, why we're  
4 searching vehicles. They have to explain  
5 all of that.

6 LEGISLATOR BYNOE: So, you  
7 wouldn't go as far as to say that they  
8 cannot search a vehicle unless there's  
9 probable cause of a crime, is that what  
10 you're saying?

11 COMMISSIONER RYDER: I wouldn't  
12 go as far as saying that because there are  
13 exceptions to that. There's always  
14 exceptions to the rule.

15 LEGISLATOR BYNOE: Can you  
16 explain what one of those exceptions would  
17 be?

18 COMMISSIONER RYDER: Plain view  
19 exception. I see what appears to be cocaine  
20 on the floor of the car. I ask him to step  
21 out of the vehicle. I have a white powdery  
22 substance. I believe it to be cocaine. I  
23 then search that vehicle, find nothing else  
24 in the car. I ask him again. He says look,  
25 That's baking soda. That's usually the

1                   P-Safety/Finance/Rules 3-15-21  
2       response we get. We'll make that arrest and  
3       we'll end up having to test it for the  
4       substance.

5                   LEGISLATOR BYNOE:        Are there  
6       other instances that would stop you from  
7       going as far as saying that you would not  
8       support any searches without probable cause  
9       for a crime?

10                  COMMISSIONER RYDER:       I kind of  
11       don't understand the question.

12                  LEGISLATOR BYNOE:        Seeing drugs  
13       isn't that probable cause for -- seeing the  
14       drugs is a probable cause.

15                  COMMISSIONER RYDER:       If it's  
16       drugs or what -- correct.

17                  LEGISLATOR BYNOE:        That to me  
18       is in line with probable cause for a crime.  
19       I'm trying to get to the point where there  
20       may not be probable cause of a crime. I'm  
21       trying to see what kind of stops would  
22       typically occur that would stop you from  
23       going as far as saying that you will require  
24       that probable cause of a crime is required.

25                  COMMISSIONER RYDER:       There are

1                   P-Safety/Finance/Rules 3-15-21  
2       exceptions like the exceptions that I gave  
3       you within the document. The mobile vehicle  
4       exception. The emergency exception. That  
5       we have a child that's just been abducted.  
6       You're in the car. You're driving it. We  
7       don't know if you're the person but we  
8       believe you are. We're going to take you  
9       out. We're going to search for the evidence  
10      in that car. If that gets thrown out later  
11      on, it does, but we if recover the child  
12      that's more important than the actual act.  
13      You're getting into technical, legal  
14      questions that again --

15                   LEGISLATOR BYNOE:        Because I'm  
16      hearing that that's an approach and an  
17      approach to be considered. So that's why I  
18      have to ask the question.

19                   COMMISSIONER RYDER:       No officer  
20      should be searching a vehicle in violation  
21      of anybody's Fourth Amendment rights unless  
22      they have that reasonable suspicion or  
23      probable cause to search that vehicle.

24                   LEGISLATOR BYNOE:        If I get  
25      pulled over and I just seem nervous or

1                   P-Safety/Finance/Rules 3-15-21  
2 jittery that's not probable cause of a  
3 crime?

4                   COMMISSIONER RYDER:        If you  
5 have a movement and we say to you please  
6 keep your hands where they are. Can I just  
7 see your license and registration? And you  
8 start moving your hands, keep reaching down  
9 by the glove box. What are you reaching  
10 for? Stop. Keep your hands where I can see  
11 them. Please. I asking you to keep your  
12 hands where I can see them. Then he makes  
13 that movement and then we say step out of  
14 the car. We go into that side of the seat  
15 and on that side of the seat is the drugs  
16 that he's trying to push down. I didn't see  
17 the drugs but I got there because of his  
18 further movement or when I pulled up I saw  
19 him stuff something down the side of the  
20 seat.

21                   LEGISLATOR BYNOE:        I see it as,  
22 like I said, as an approach that some  
23 departments are taking so I have to ask that  
24 question.

25                   COMMISSIONER RYDER:        I truly

1 P-Safety/Finance/Rules 3-15-21

2 understand what you're trying to get at.

3 LEGISLATOR BYNOE: I'm going to  
4 move on from that particular item and go to  
5 the data consultant, the data, and why we  
6 did not consider including a consultant that  
7 would assist in analyzing, collecting,  
8 analyzing and then helping the department  
9 present that data. I know that you have  
10 staff that currently is employed in doing  
11 that. But are they statisticians? Are they  
12 experts?

13 COMMISSIONER RYDER: We hire  
14 the best analysts in the country. They have  
15 to have a bachelor's degree with experience  
16 or a master's degree with a language. They  
17 come in with expertise. You're looking at  
18 my statistician right here. Amanda not only  
19 has an accounting background, does all our  
20 financial work and does our money laundering  
21 cases. Some of the biggest that we've ever  
22 done. She also does and writes the paper as  
23 you see here. There are 23 analysts that do  
24 that work. They all do discovery work.  
25 They all do, now with the courts, they'll do

1 P-Safety/Finance/Rules 3-15-21  
2 the new body worn camera program as going  
3 forward.

4 So, our analysis was no different  
5 than the analysis that was presented to you  
6 here later by Mr. Brewington's team. It was  
7 exactly the same. Mr. Brewington is 100  
8 percent correct. We did not collect the  
9 data to analyze it the way they want it. We  
10 admitted that fault in the beginning but I  
11 also had reasons for it.

12 Our analysts are phenomenal at  
13 what they've done. This young man Josh is  
14 writing programs for us now. He's the one  
15 who created the new T Stop data and put in  
16 the extra categories that are going to be  
17 asked above what Suffolk is required to do.

18 We've created the new complaint  
19 tracking database quality of life. So now I  
20 can see and find out how many times I've  
21 been back to this place and maybe we're not  
22 doing the right thing.

23 So again, it's some of the best  
24 analysts in the country are hired and do our  
25 work. And we have never hid a piece of data

1                   P-Safety/Finance/Rules 3-15-21  
2     from this body or anybody else out there.  
3     Data is what data is. You can't hide it.  
4     If I was going to hide it I would have hid  
5     the new arrest data. But there it is. That  
6     was the one category that we do collect  
7     everything. So that's why it was as open as  
8     it was. Truck traffic stop data we did not  
9     because it wasn't required to do such.

10                   LEGISLATOR BYNOE:         Again, I  
11     know that that's an approach that some are  
12     taking and it's in an effort to, you know,  
13     restore trust. And I know that data was an  
14     issue that created some level of mistrust  
15     from the greater community.

16                   Now, I fully understood from the  
17     very beginning that it was not the charge of  
18     this police department to put that data  
19     together because we were not under a consent  
20     decree. But I do think that there is some  
21     level of concern from the community  
22     regarding the data and whether data is  
23     valid. And it's not, you know, unheard of  
24     to have someone else have, with an  
25     independent eye, to look at data. Not even



1                   P-Safety/Finance/Rules 3-15-21  
2       just for the police industry of policing,  
3       the service of policing, it's something  
4       that's used in finance, it's used in many  
5       different areas.

6                   So, I think the idea of just  
7       having this independent second set of eyes  
8       that said yes, we can confirm that Nassau  
9       County is giving you the full data and help  
10      with the analysis. It's a complex process  
11      to deal with data. We had submitted that as  
12      a suggestion. I really thought it was  
13      something that should have easily been  
14      incorporated into the plan. It's not that  
15      we don't trust you. It's a process that's  
16      really, like I said, used widely. And if it  
17      was going to give the community some level  
18      of greater trust on the issue I don't see  
19      why we wouldn't consider it.

20                  COMMISSIONER RYDER:        When we  
21      collect data and obviously when we analyze  
22      that data, our analysts check each other's  
23      data to make sure it's correct. By adding  
24      an independent eye to audit my data, and  
25      that's what it is, it's an audit, says that

1                   P-Safety/Finance/Rules 3-15-21  
2    you don't trust the police to do their data.  
3                   LEGISLATOR BYNOE:        I come from  
4    a field that right now where everything is  
5    audited.  I can't even explain to you how  
6    many different audits I go through.  I don't  
7    think it's born out of them not trusting me.  
8    I think it's born out of HUD needing to  
9    verify that certain work is being done  
10   accurately and there is some self-reporting  
11   that happens.  So they send them in and they  
12   randomly select indicators and they verify  
13   with this self-reporting that I'm giving the  
14   accurate information.

15                   So, it's not that you personally,  
16   it's not you.  It's just I think where we  
17   are in this time, right?  This is a historic  
18   time where we're going -- we get the charge  
19   to reinvent policing and to build a higher  
20   level of trust between law enforcement and  
21   the community.  I think that in an effort to  
22   make sure that the community has a higher  
23   level of trust around this data, you know,  
24   having someone else be a part of the process  
25   it shouldn't be -- you shouldn't take it as

1 P-Safety/Finance/Rules 3-15-21  
2 a reflection of you not being trusted. In  
3 my industry I don't take it that they don't  
4 trust me. Just like we could be audited in  
5 our personal finances. If I get selected  
6 randomly it's not that they don't trust me,  
7 it's a process that needs to be employed.

8 I think this is something that  
9 would give people a greater level of trust.

10 COMMISSIONER RYDER: I  
11 understand what you're saying but this whole  
12 reform is about trust. This whole reform is  
13 that the fact that we don't trust the  
14 police. We're not Minneapolis. We're not  
15 Chicago. This is Nassau County.

16 LEGISLATOR BYNOE: This is  
17 about best practice. It's not personal.

18 COMMISSIONER RYDER: I know  
19 that. You have the right to ask for that  
20 data any time you want and we will present  
21 it to you.

22 LEGISLATOR BYNOE: We got to  
23 not take these things personally. It's  
24 about best practice. I don't take it  
25 personal that every year I have to submit a

1 P-Safety/Finance/Rules 3-15-21  
2 disclosure to this county. And the reason  
3 that that happened is because some other  
4 folks that held this position or held these  
5 positions across the country there was some  
6 level of mis -- there was a disconnect and  
7 it was a mistrust with community and elected  
8 officials. There's a reason why elected  
9 officials in some capacities have to give  
10 out their whole tax return. It's not  
11 personal to the person, it's to the  
12 industry. It's not personal.

13 So, I think we have to have these  
14 difficult conversations and we have to  
15 remove that piece of it from the experience.

16 COMMISSIONER RYDER: I  
17 understand. There's many legislative  
18 oversights already in place. There is the  
19 comptroller's office that has the right to  
20 audit us. You have to the right to audit  
21 us. We get audited by Deloitte every year  
22 at the end of the year. We get audited by  
23 the federal government when it comes --

24 LEGISLATOR BYNOE: When  
25 Deloitte comes it do they look at your data?

1 P-Safety/Finance/Rules 3-15-21

2 COMMISSIONER RYDER: They do.  
3 Yes, they do.

4 LEGISLATOR BYNOE: They verify  
5 your data? Because there was no data before  
6 so what were they looking at?

7 COMMISSIONER RYDER: They look  
8 at the data. Well, data wasn't required to  
9 be captured. They look at the data that we  
10 did capture. Again, it comes down to when  
11 we're being asked and it's on this side of  
12 the table. There's 310 pages, 330 pages,  
13 400 pages now. It's up to the fact that  
14 there is -- we've been included in the  
15 national message. The Nassau County Police  
16 Department has oversight now. The Nassau  
17 County Police Department is posting all  
18 their data. The Nassau County Police  
19 Department is putting out all their policies  
20 and procedures. We here testifying. We can  
21 continue to testify. You can ask any time  
22 for the data and we will present it to you.  
23 We've never turned our data away from  
24 anybody.

25 LEGISLATOR BYNOE: So it's

1 P-Safety/Finance/Rules 3-15-21  
2 interesting that Deloitte provides that  
3 service. Maybe it's something that we can  
4 expand their scope or work to have them in  
5 some way formalize a process so that we can  
6 look at the data through their eyes. I will  
7 move on to my next topic.

8 Diversity and inclusion  
9 consulting. We also suggested that that be  
10 another component of this plan. I  
11 understand a lot of what you're doing. I  
12 think it's great. Pushing into schools and  
13 the like and trying to achieve a larger pool  
14 of minorities to be a part of the process.  
15 But I do think that a diversity inclusion  
16 consultant could assist. Because it's not  
17 just about recruiting, it goes beyond  
18 recruiting. It's about the culture of the  
19 department. There's a whole host of  
20 different factors that need to be taken into  
21 consideration when we talk about diversity  
22 and inclusion. It doesn't solely rest on  
23 recruitment. I'm just wondering why that  
24 was also not included.

25 COMMISSIONER RYDER: The hiring

1 P-Safety/Finance/Rules 3-15-21  
2 practice in Nassau County has nothing to do  
3 with us. It has to do with the civil  
4 service department.

5 LEGISLATOR BYNOE: I get that.  
6 But I just went further to say that it's not  
7 limited to recruitment. Diversity inclusion  
8 is not limited to recruiting. It's about  
9 diversifying within all your ranks. It's  
10 about the culture within the department.  
11 It's way beyond just recruiting. It just  
12 is.

13 COMMISSIONER RYDER: I think  
14 our diversity in our ranks --

15 LEGISLATOR BYNOE: It's about  
16 pay equity. It's about a lot of different  
17 things.

18 COMMISSIONER RYDER: These are  
19 things not in the scope of the EO 203.  
20 They're not in the scope of me as the police  
21 commissioner. My pay equity, everybody has  
22 a contract, union contract. My pay equity  
23 is when you talk about diversity three of my  
24 highest ranking chiefs are African-American.  
25 And through the rank and file of my

1 P-Safety/Finance/Rules 3-15-21

2 department --

3 LEGISLATOR BYNOE: I think it's  
4 great what you've done here. I don't think  
5 that any other commissioner has paid  
6 attention to that part of the process to  
7 make sure that you're upper level, higher  
8 ranking chiefs have this level of diversity.  
9 I think it's great. I know that they're  
10 doing a great job. They're not names that  
11 are new to me only when they got to the  
12 ranks of where they are today. I've known  
13 about their work. I know they're there for  
14 the good work that they do.

15 But I also know that we don't  
16 have that level of diversity further down  
17 your ranks. There is a real science behind  
18 diversity and inclusion. Again, it doesn't  
19 start and end with recruitment. I think  
20 that there's a lot of value to making sure,  
21 given the fact that we have a growing  
22 diversity within the police force, that  
23 there is a higher level of cultural  
24 competency and that happens by having a  
25 diversity and inclusion consultant.



1 P-Safety/Finance/Rules 3-15-21

2 COMMISSIONER RYDER: I think  
3 what we've done is we've created the  
4 diversity committee headed up by the chief  
5 of department and 16 members throughout the  
6 department. Part of their job is to make  
7 sure that one, we're recruiting properly.  
8 And two, that we're going to, within the  
9 job, if we are being diverse enough. I  
10 don't think you're going to get complaints  
11 from my department regarding diversity.

12 LEGISLATOR BYNOE: I think it's  
13 not only about you and your leadership.  
14 This plan is supposed to have a shelf life  
15 that exists beyond you. Because this is not  
16 specifically about who's the commissioner in  
17 the moment in time. It's about what we're  
18 going to do moving forward and how we're  
19 going to support our officers and train our  
20 officers and reinvent the process.

21 So, I'll be honest with you, I  
22 wouldn't be able to put together a diversity  
23 and inclusion plan because I don't have that  
24 level -- I don't have a degree in it. I  
25 haven't spent time being certified in human

1                   P-Safety/Finance/Rules 3-15-21  
2       resources to the degree that I could do a  
3       diversity and inclusion plan. So, unless we  
4       have that level of expertise on the staff I  
5       think we could benefit from a consultant.  
6       I'm not criticizing. I'm just saying I  
7       think that it's an opportunity to support  
8       the folks that are in those roles. So, I'm  
9       going to move on to the mental health.

10                   Very happy that the work that you  
11       did with Commissioner McCummings and was  
12       actually touted by the folks who even put  
13       together the People's Plan, they touted your  
14       report and they used it as a framework to  
15       build their plan and to enhance some of the  
16       things that they thought would be important.

17                   So, the training of 911 operators  
18       and embedding someone who has the expertise  
19       as it relates to mental health and making  
20       those assessments over the phone to  
21       determine what tier these calls belong in  
22       and whether they should be transferred  
23       directly to the crisis mobile team and the  
24       like should be trained and should be  
25       provided to the 911 operators.

1 P-Safety/Finance/Rules 3-15-21

2 I think it's a huge change, shift  
3 in how they're dealing with calls. And  
4 think the success of this initiative is  
5 going to be dependent upon how we train  
6 those operators and how we support them.  
7 So again, this wasn't our suggestion. It  
8 was not birthed out of the letter that Kevan  
9 sent as our initiative but it was something  
10 that we were supporting in the People's  
11 Plan. I think that for us not to provide  
12 that level of professional mentorship and  
13 support for the folks that will be taking on  
14 this new challenge and this new requirement  
15 to use this tiered system is concerning to  
16 me.

17 COMMISSIONER RYDER: I'm  
18 concerned that you're saying that we're not  
19 giving them the support.

20 LEGISLATOR BYNOE: No. I'm  
21 hearing that our -- the suggestion that we  
22 hire a consultant to do that was not  
23 included in this plan. Or that we embed  
24 folks into that department that have that  
25 level of skill.

1 P-Safety/Finance/Rules 3-15-21

2 COMMISSIONER RYDER: We do have  
3 that level of skill. We bring people in all  
4 the time. We train all the time. The men  
5 and women that work on the communications  
6 bureau are the best in the business. They  
7 talk at that same monotone voice that drives  
8 you crazy but they do. That's the way they  
9 handle their situations. They will get the  
10 training that is needed regarding this  
11 change and adjustment.

12 But for the record, we already  
13 had a script. We used to ask the same type  
14 questions. The only difference was we  
15 didn't direct them somewhere else. We sent  
16 police. Now, we're adding the direction  
17 part. We're going to ask the questions that  
18 Commissioner McCummings and her team brought  
19 together which I think were great questions.  
20 They narrowed ours down and then their  
21 response in from that point.

22 The whole idea of it is bringing  
23 them in. They're the experts that are going  
24 to handle it and they're going to handle the  
25 call. My dispatchers are going to be able

1 P-Safety/Finance/Rules 3-15-21  
2 to forward that call and stay on the line.  
3 Like they do now with any substance abuse  
4 program they never disconnect until we get  
5 somebody help.

6 LEGISLATOR BYNOE: So, maybe  
7 then explain to me exactly what type of  
8 training you're planning to give the folks  
9 that will be answering that call. That will  
10 provide them with some assurances that  
11 they're making the right calls in terms of  
12 how their dispatching it.

13 COMMISSIONER RYDER: I'll bring  
14 Debra up again if you like and have her  
15 start over.

16 LEGISLATOR BYNOE: No. No  
17 thanks Debra. No offense Debra.

18 COMMISSIONER RYDER: The  
19 training, we'll go back to Commissioner  
20 McCummings' group and we'll say hey, is  
21 there something that we should do and add to  
22 the training? We go to the best practices  
23 around the country. We don't just shoot  
24 from the hip. We go to major cities,  
25 International Chiefs Association and we ask

1 P-Safety/Finance/Rules 3-15-21  
2 these same questions. They're being asked  
3 all over the country these same type  
4 questions and conversations we're hearing  
5 today. Whatever the best training is for  
6 them to have we will get them that training.  
7 We always have.

8 LEGISLATOR BYNOE: The  
9 suggestion about embedding someone in that  
10 department to assist them as the initial  
11 rollout of this change I think is important  
12 and I hope you don't lose sight of that  
13 being part of the plan.

14 COMMISSIONER RYDER: Just for  
15 the record, as we said earlier, this is not  
16 done mobile crisis. Nothing is done really.  
17 But the mobile crisis, I still have to  
18 answer to the floor on the bill that was  
19 proposed. The proposal that we gave to you.  
20 If there are changes to be made separate  
21 conversation can be had because that  
22 legislation still sits here.

23 LEGISLATOR BYNOE: I think  
24 embedding someone is something that I'm not  
25 going to give up. And you know me, if I'm

1                   P-Safety/Finance/Rules 3-15-21  
2       nothing else I'm persistent. I think I will  
3       move on to early intervention for officers.  
4                   I want to talk a little bit about  
5       -- I forgot who spoke to that issue but they  
6       hit on some of the topics and what I would  
7       like to I guess maybe build on is whether  
8       there will be any performance reviews.  
9       Because we talk about, you know, the  
10      behaviors that bubble up that then sends the  
11      person into this level of intervention. But  
12      I'm wondering -- and that's if things bubble  
13      up, that's if they start in some way  
14      performing in a way that really presents  
15      them of being at risk. Sometimes even a  
16      regular review of their work or body of work  
17      over a period of time I think could maybe  
18      alleviate someone being in a high risk  
19      category where they either become a risk to  
20      the general public or even themselves or  
21      their fellow officers. So, is there a  
22      review process as a part of --

23                   COMMISSIONER RYDER:        You mean  
24      wellness for our officers?

25                   LEGISLATOR BYNOE:        In the

1 P-Safety/Finance/Rules 3-15-21  
2 spirit of wellness for your officers,  
3 absolutely.

4 COMMISSIONER RYDER: There is  
5 intervention. There's intervention of  
6 training. There's intervention of  
7 supervisory oversight. There's  
8 conversations that we have. We have our  
9 peer support men and women that reach out to  
10 speak to our officers. We just did a  
11 wellness training a couple of weeks back I  
12 had to shut it down because it was sold out  
13 and I had three straight nights of it. Not  
14 sold out, bad word, but it was packed for  
15 three straight nights and we have to bring  
16 it back again. The men and women have  
17 embraced wellness. Again, like I said, it's  
18 a credit to that piece of legislation. It  
19 probably saved a life of two of our  
20 officers.

21 LEGISLATOR BYNOE: But I'm  
22 specifically asking whether there's  
23 performance reviews of officers?

24 COMMISSIONER RYDER: Officers  
25 are reviewed all the time by their



1 P-Safety/Finance/Rules 3-15-21

2 supervisor.

3 LEGISLATOR BYNOE: And it's in  
4 a written form?

5 COMMISSIONER RYDER: That is  
6 something that has to be negotiated with the  
7 unions if we do it.

8 LEGISLATOR BYNOE: Because I  
9 think that's really one of the key factors  
10 for having an early intervention system are  
11 those reviews. Because I think we can stave  
12 off some of the more problematic behaviors  
13 that might spill out into the street or into  
14 interactions with community if there were  
15 the reviews.

16 So, again, that's something I  
17 think really needs to be a part of a plan  
18 and I think since we're at the table  
19 renegotiating with our officers that that's  
20 something that really should be considered.  
21 It's for their benefit, it's to their  
22 benefit, to the benefit of their colleagues  
23 and the greater community. It's a  
24 win-win-win situation.

25 So, I'm going to end on the idea

1                   P-Safety/Finance/Rules 3-15-21  
2   of an independent review for discipline of  
3   officers. I've heard from, I forget the  
4   title, I'm sorry --

5                   COMMISSIONER RYDER:        Chief  
6   Barry.

7                   LEGISLATOR BYNOE:        I've heard  
8   from him about the AG's office and this bill  
9   that's going to I think take effect on April  
10  1st. I understand that some of those issues  
11  that will be investigated by that particular  
12  office, that would be state-wide, would  
13  include death of a person in custody,  
14  criminal offenses, fraud, things of that  
15  nature.

16                   I think there's two components of  
17  this. I might be mixing and matching.  
18  Overall that there's two bills out there  
19  that cover that type of work. That's why we  
20  believe that we don't need a local third  
21  party that would look at particular  
22  activities that are of concern for community  
23  members.

24                   So, you know, I guess what  
25  concerns me is that those are really high

1                   P-Safety/Finance/Rules 3-15-21  
2    level types of problems.  Fraud and all  
3    those other things.  And some of the stuff  
4    that I hear more from community is not that  
5    type of behavior.  We know for a fact that  
6    our data shows that we haven't had that type  
7    of activity happen here frequently in Nassau  
8    County.  But what we do have more often than  
9    not is that people feel that there was some  
10   racial, ethnic bias that took place.  That  
11   there was unprofessional conduct.  That  
12   there was some way or another a violation of  
13   department rules.  And in some cases folks  
14   believed that they were falsely arrested.

15                   Those types of issues wouldn't  
16   have an independent third party look at the  
17   issue because the state policies, as I  
18   understand it, have a higher level of  
19   incidents that would need to actually occur  
20   before they would get involved.

21                   So, I'm disagreeing that there  
22   shouldn't be some kind of localized review  
23   of those types of complaints.  Whether it's  
24   an IG's office or CCRB.  I too have some  
25   reservations about what a CCRB would look

1 P-Safety/Finance/Rules 3-15-21  
2 like. But an IG's office or some other  
3 department or entity that can review some of  
4 those complaints is really, it's been  
5 something that people have been asking for,  
6 marching and rallying in the streets and I  
7 think this plan false short of giving that  
8 level of accountability to the community.

9 So, that is really concerning to  
10 me that they would just wait for the state  
11 to take on this initiative come April 1 and  
12 that we wouldn't empower some local  
13 independent review.

14 COMMISSIONER RYDER: What we've  
15 done is done a complete revamp of our  
16 complaint tracking system. We've taken now  
17 anonymous complaints. We take complaints  
18 from anybody 24-7. We'll take them  
19 anywhere. We'll take them online. We'll  
20 take them over a phone call. We'll take  
21 them from another person. I've gotten  
22 complaints from some of you that have  
23 received them and sent them to me.

24 Then they are put into that  
25 system, a tracking system, the blue team as

1 P-Safety/Finance/Rules 3-15-21  
2 you heard that Chief Sewell talk about.  
3 That blue team we do it if you have three,  
4 it's three incidents in a year, not five  
5 like the state. So, we're overmonitoring  
6 compared to what the state was doing. State  
7 does it five times. We're doing it three.  
8 We then take a dive into it.

9 If there's anything that's  
10 criminal the DA takes a look at it. And the  
11 AG's office does take a look at any of the  
12 abuse of another person or employee relating  
13 to his or her employment, conflicts of  
14 interest, criminal activity, use of force,  
15 fraud, corruption. Again, the AG refers to  
16 complaints of the office when those of  
17 misconduct or abuse of authority.

18 Then we have body cams. And body  
19 cams everything's on video. If there's a  
20 complaint we can track it. Our cops' cars  
21 are GPS'd. Their body cams are GPS'd cams.  
22 They got to wear a body cam any time they  
23 interact with the community. They're being  
24 looked at by the supervisor, internal  
25 affairs, the DA and the AG.

1 P-Safety/Finance/Rules 3-15-21

2 So, I mean, all of these  
3 oversights that are being put on to a police  
4 department that is a good police department  
5 and is a well disciplined, well trained  
6 police department, all of these things that  
7 are in there we're answering. We're giving  
8 back. We get it. With better data  
9 collection. We're going to body cameras.  
10 We're putting our information on the  
11 website. We're coming in going forward.  
12 And you have the right in oversight to ask  
13 us any time you like to know about cases.  
14 If they are a founded case it's under 50-A.  
15 It's got to be released. If they're not  
16 founded and you wish to ask we can still  
17 advise this public safety committee any time  
18 they want on any data on any problems.

19 LEGISLATOR BYNOE: I  
20 acknowledge that your complaint process is  
21 based on what Chief Sewell presented today  
22 is good. Some of those items were things  
23 that we had requested or even suggested by  
24 way the law, the reso that the minority  
25 leader and I presented. So, I think that's

1 P-Safety/Finance/Rules 3-15-21

2 great.

3 The part that I'm getting to is  
4 the accountability and that's the piece that  
5 folks have been asking for. It's different  
6 and it's separate and apart from that  
7 complaint process. It's about the  
8 accountability and about having -- everyone  
9 keeps saying there should be an independent  
10 third eye on this. Even the authors of the  
11 state legislation they agreed to that. They  
12 agree that it should be. So, they've  
13 written these laws for the purpose. And I'm  
14 going to call him John, I was going to give  
15 you a promotion, and he clearly stated what  
16 the intentions were and why they did what  
17 they did.

18 I agree with everything you  
19 stated, what the law covers. But there are  
20 issues that the laws do not cover and I  
21 think those are the more common issues that  
22 I hear about here. They're not those larger  
23 issues.

24 COMMISSIONER RYDER: Give me an  
25 example of an issue.

1 P-Safety/Finance/Rules 3-15-21

2 LEGISLATOR BYNOE: I just went  
3 through it. Racial, ethnic bias.

4 COMMISSIONER RYDER: That would  
5 be taken by the AG's office.

6 LEGISLATOR BYNOE: How?

7 COMMISSIONER RYDER: It's a  
8 misconduct. And the AG has the power to  
9 look at all my policies and procedures. If  
10 I don't turn over any of these complaints to  
11 the AG I can be terminated by the AG.

12 LEGISLATOR BYNOE: On the first  
13 instance of racial, ethnic bias it gets  
14 referred?

15 COMMISSIONER RYDER: No. The  
16 first one -- they have the five number. We  
17 have the three number.

18 LEGISLATOR BYNOE: Five  
19 separate instances?

20 COMMISSIONER RYDER: Yes.

21 LEGISLATOR BYNOE: So, you come  
22 down to three. So, let me ask you this.  
23 It's after they're actually found guilty of  
24 these charges or just under the assumption  
25 that there were five separate incidents?



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2 COMMISSIONER RYDER: Just the  
3 assumption. Same as us. The assumption,  
4 the complaints are made. That's the idea of  
5 the tracking to identify -- look, you might  
6 come in three times and maybe all three  
7 times he really didn't do it. But we're  
8 starting to see a pattern here. Why? Why  
9 the same person with three separate people  
10 having the same type of complaints?

11 LEGISLATOR BYNOE: So violation  
12 of departments rules where does that fall  
13 under?

14 COMMISSIONER RYDER: That falls  
15 under us. I have the sole discretion on  
16 discipline when it comes to my officers  
17 violating policies and procedures.

18 LEGISLATOR BYNOE: The point  
19 I'm making is it doesn't capture everything.  
20 So, for the purpose of determining whether  
21 there's a violation of department rules, you  
22 know, listen, I hear you about the lay  
23 people and the criteria for people to sit on  
24 the CCRB. There has to be a higher level of  
25 concern in terms of does the person have the

1 P-Safety/Finance/Rules 3-15-21  
2 ability to determine whether there's a  
3 violation.

4 So, I think there can be a third  
5 party trained to identify those things, and  
6 I think that it's important that we not shut  
7 the door on the folks that have been asking  
8 for this. That's been the rally call,  
9 right? In some way to achieve it. I mean,  
10 even Suffolk County acknowledged that it  
11 should potentially have a third party, an  
12 independent party. They didn't go as far as  
13 a CCRB. Didn't go as far as an AG. They  
14 said they'll use the Human Rights Commission  
15 to review those types of allegations. There  
16 has to be some acknowledgment by this county  
17 that there needs to be some level of a third  
18 party.

19 COMMISSIONER RYDER: I put this  
20 back on the floor here. You have the right  
21 to ask me any question about any ongoing  
22 investigation in this department.

23 LEGISLATOR BYNOE: So, I'm the  
24 third party? Okay. Then it should have  
25 been written in the plan that we were the

1 P-Safety/Finance/Rules 3-15-21

2 third party.

3 COMMISSIONER RYDER: You've  
4 always had the right.

5 LEGISLATOR BYNOE: But we're  
6 not the right body either. I hear you loud  
7 and clear. But this needs to be an entity  
8 or body that's steeped, that has the ability  
9 to be steeped in the understanding of what a  
10 violation of police policy looks like. And  
11 I don't think that this body, no disrespect  
12 to any of my colleagues on this dais, and I  
13 think this plan falls short of providing  
14 that critical, critical piece of this whole  
15 EO 203 which is to provide that level of  
16 accountability. I'll close now. Thank you  
17 Commissioner.

18 LEGISLATOR FORD: I also want  
19 to thank you for all the testimony that  
20 we've heard today and I know we have a long  
21 night ahead of us so I'm going to be brief  
22 myself.

23 I do appreciate it because I had  
24 spent my weekends, I want you to know, going  
25 through your plan, printing things out,

1                   P-Safety/Finance/Rules 3-15-21  
2 highlighting everything. Thankfully you  
3 answered a lot of my concerns. And Chief  
4 Sewell I really appreciate, you really  
5 expounded on your testimony. So, I'm going  
6 to ask to have a copy of it, the written  
7 documentation of what you spoke about  
8 because I was trying to follow you and I  
9 realized you were like giving us more  
10 information than what was printed here. I  
11 really do appreciate that.

12                   I guess Legislator Bynoe does  
13 bring up some good points, and I know that  
14 we talk about whether or not it's perception  
15 or reality. The reality is yes, you're an  
16 excellent police department. You have great  
17 vision. All of you serve us well and serve  
18 the members of the department well. But I  
19 think sometimes the perception of some  
20 people are you know what? How come this  
21 isn't happening? Look what happened over  
22 here. It's not necessarily a judgement  
23 against you but it's because of what they  
24 see or what they feel and it could cloud  
25 their judgement or skew the judgement or

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2 whatever.

3 I think when we look at with  
4 police misconduct or any type of  
5 disciplinary action, I'm hoping that when we  
6 get the body cameras that this may be a tool  
7 that can be used so that you would be able  
8 to monitor the police in their interactions  
9 with the public.

10 As you stated, that this will be  
11 an ongoing process. You're not going to  
12 shut the door. Once we send this plan up  
13 and that's it. We're finished with it.  
14 We're going to abide by whatever we sent.  
15 But I hope that you'll keep your mind, an  
16 open mind in regard to see. And whether or  
17 not if there was a third party that would be  
18 able to look at this or if you find  
19 yourselves looking more closely in the cases  
20 of some situations especially regarding the  
21 police interaction with the public.

22 But in regard to the body  
23 cameras, I know we don't have it yet and I  
24 know I think even one of the -- I don't  
25 which legislator it is -- that was looking

1 P-Safety/Finance/Rules 3-15-21  
2 for the cameras on the police cars, dash  
3 cams, that those will be tools that you can  
4 use.

5 When we look at the body cameras  
6 are we going to look for the data. If  
7 somebody wants to say at a certain point  
8 this officer insulted me. It happened on  
9 March 15th at six p.m. How hard would it be  
10 if I needed to see that to say let me go to  
11 Commissioner Ryder March 15th at six p.m. I  
12 want to see what was on his camera?

13 COMMISSIONER RYDER: You don't  
14 even need the officer's name. All you need  
15 to do is tell me the date and the time.  
16 Every single one of our vehicles is GPS'd.  
17 You don't move around the county unless we  
18 know. Every one of our body cameras is  
19 supposed to be stamped. As soon as  
20 something happens it's got a time stamp to  
21 it. It's going to be very easily. Like I  
22 said, it's done all over the country right  
23 now. New York City being the largest and we  
24 looked at their model and it's stamp. You  
25 go to the time, we bring it up and this is

1 P-Safety/Finance/Rules 3-15-21  
2 the interaction. We see that person's face  
3 so we know we're dealing with the right  
4 person. We know who's wearing the body  
5 camera. I don't need to see my face. And  
6 anything that was said or done at that time  
7 would be appropriate and used against the  
8 officer.

9 LEGISLATOR FORD: Because I  
10 know that might be an added tool and then  
11 like months from now we can take another  
12 look at this to see how effective it is.  
13 And I'm hoping that it will be. I'm hoping  
14 that it will allay a lot of fears and maybe  
15 change perception of a lot of people. A lot  
16 of people in our public.

17 I just want to now go to the 911  
18 bureau. For me, the 911 operators I think  
19 that are like the unsung heroes. Sometimes  
20 in the police department. What they go  
21 through on a day-to-day basis and day and  
22 night. The various calls that they get.  
23 They have to make these split-second  
24 determinations as to where calls are going  
25 to go. How they're going to handle it.

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2 We're now going to add something  
3 a little bit more complicated to them in  
4 regard to with this tier system where they  
5 will make the determination whether or not  
6 to send an officer out to a call or they're  
7 going to then going to transfer the call  
8 over to the teams, the crisis unit teams.

9 I sort of agree with Legislator  
10 Bynoe. I would like to have somebody else  
11 up there to help along with that, especially  
12 in those types of circumstances. And I know  
13 perhaps if you don't want to look at hiring  
14 an outside person to come in and evaluate  
15 it, would be possible to take maybe take a  
16 look at the teams, the crisis teams, mobile  
17 crisis teams, and maybe have one or two of  
18 them to sit up there with the 911 bureau?

19 COMMISSIONER RYDER: The only  
20 difference between that, what we're talking  
21 about is where they're sitting. They are  
22 available to make contact anytime. So as  
23 soon as the call comes in just link them  
24 right to mobile crisis. That's not a  
25 problem. We would make that available.



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2 We ask the Q and A. If they say  
3 gun well, I'm not going that route. If they  
4 say I'm going to commit suicide I'm not  
5 going that route. I'm going dual response,  
6 both are going. But if they get on the  
7 phone and say my son's here and he's not  
8 taking his medication. Hold on one second.  
9 Let me connect you.

10 So, they don't have to physically  
11 sit in the CB world. They can sit at mobile  
12 crisis and refer the call over.

13 LEGISLATOR FORD: Say you have  
14 a new operator and it's a crazy day and they  
15 get a call and they think it should go to  
16 the team right away, the mobile crisis team,  
17 and they should have actually dispatched an  
18 officer, what does the -- I'm sorry, it's  
19 been a long day and you know it -- the  
20 mobile crisis team, do they then, if they  
21 get a call in error, okay, are they then  
22 trained to say wait a minute, like this is  
23 not what we thought it was going to be.  
24 That they would then call the police. Then  
25 you call and have a car dispatched with

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2 them?

3 COMMISSIONER RYDER: Yes. But  
4 that shouldn't go that way. My people are  
5 trained this way. Gun, drugs, threats,  
6 boom, we're going. On the other side of the  
7 coin is when we decide there is no threat.  
8 So we wouldn't make the mistake to send  
9 somebody that's going to hurt themselves or  
10 fire a weapon at somebody this way. We're  
11 going. We're trained to do that. We know  
12 that.

13 The only time we'd made the  
14 mistake is if we sent somebody this way and  
15 then mobile crisis looks and says you know  
16 what? Send an ambulance to the house. He  
17 may need for services than we can provide  
18 right now. I don't even know when those  
19 scenarios would because they will be a dual  
20 response if everything goes the way it is.

21 LEGISLATOR FORD: How many  
22 teams do we have right now?

23 COMMISSIONER RYDER: I think  
24 they put maybe I think two on the road. I  
25 think they were looking for minimum of four.

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2 Two shifts a day. I don't want to speak for  
3 Commissioner McCummings.

4 LEGISLATOR FORD: How many are  
5 on a team?

6 COMMISSIONER RYDER: Two.

7 LEGISLATOR FORD: That's  
8 something that we probably would have look  
9 at by expanding the number of teams.  
10 Because last week when I -- I know that some  
11 of the smaller police departments are going  
12 to be relying upon our teams.

13 COMMISSIONER RYDER: But they  
14 already are. The smaller police don't have  
15 their own mobile crisis. They use us.

16 LEGISLATOR FORD: I know that  
17 you recommended it in your -- to sort of  
18 offset people not calling 911 for  
19 everything. That you're going to have a  
20 special number for them to call if they have  
21 issues.

22 COMMISSIONER RYDER: No. What  
23 I recommended is training that there are  
24 other places to call. Like you could pick a  
25 -- you need warming center. You don't need

1                   P-Safety/Finance/Rules 3-15-21  
2       to call 911. You can call the warming  
3       center number. Seniors that have questions  
4       about a storm or food or something there's  
5       places that they can go.

6                   LEGISLATOR FORD:        I'm hoping  
7       that we'll eventually come up with another  
8       three digit number for non-911 calls so that  
9       people will know that, you know, instead of  
10      calling 911 they don't know where --

11                  COMMISSIONER RYDER:       One stop  
12      shop for you services, right?

13                  LEGISLATOR FORD:        I'm sorry, I  
14      don't have too many questions. I'll just  
15      jump around. I know that we had testimony  
16      in regard to Homeland Security. The  
17      People's Plan would prefer not so much  
18      police involvement in our schools and  
19      whatever but that's up to the school  
20      districts to make that determination. But  
21      with Homeland Security, when the officers  
22      are in that school and they're interacting  
23      with the children, the students I should  
24      say, is there any info sharing between the  
25      schools on immigration status and/or any

1 P-Safety/Finance/Rules 3-15-21  
2 relations to gangs? Any related gang IDs or  
3 anything like that?

4 COMMISSIONER RYDER:  
5 Absolutely, positively not.

6 LEGISLATOR FORD: What they do  
7 is just interact with students?

8 COMMISSIONER RYDER: When they  
9 say interact with the students they're not  
10 having private conversations with students.  
11 They're walking the hall and they'll waive  
12 or give a high five or hand something out  
13 that they're giving away that day.

14 LEGISLATOR FORD: I'm very  
15 happy that I know that Julie when she made  
16 the testimony and I know that she's been in  
17 the academy --

18 COMMISSIONER RYDER: She's  
19 passionate.

20 LEGISLATOR FORD: Very  
21 passionate. I'm very happy that you will  
22 continue working with her only because I  
23 think that it's a great service. With our  
24 changing population that I think it's more  
25 important than ever that we recognize our

1 P-Safety/Finance/Rules 3-15-21  
2 transgender, lesbian, gay. I hope that you  
3 may even find time to like maybe talk to her  
4 and other representatives to see if there's  
5 something that we can do more. All right?

6 COMMISSIONER RYDER: They have  
7 a meeting in two weeks with community  
8 affairs.

9 LEGISLATOR FORD: With the  
10 youth counsel, how many other precincts is  
11 the youth counsel?

12 COMMISSIONER RYDER: Every one.  
13 All eight precincts have the young adult  
14 counsel. They all started when we started  
15 looking at reform.

16 LEGISLATOR FORD: So there's  
17 one youth counsel in each precinct. Do you  
18 select the teenagers that will be on the  
19 counsel? Let's say you made it but what if  
20 there is a student that really would like  
21 to be on this counsel?

22 COMMISSIONER RYDER: No  
23 problem. We put them on. We don't stop the  
24 growth of it. The school makes suggestion  
25 to us. Some people from the community make

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2 suggestions. Great. We bring them in.

3 LEGISLATOR FORD: Because I  
4 think this may be a vehicle also by  
5 interacting with the students like this from  
6 any type of background so that maybe they'll  
7 have an interest in the police department.  
8 And I know that we had one of the officers  
9 speak about being first generation. When  
10 some many people come over they don't have  
11 somebody who was in the police department  
12 from their family so they have no idea what  
13 it's like. But maybe by having this, these  
14 young people who all of a sudden have this  
15 interaction will have somebody that they can  
16 rely upon and to talk to and it may end up  
17 helping you in diversifying our police  
18 department.

19 COMMISSIONER RYDER: That is  
20 actually the intent of what we're trying to  
21 do.

22 LEGISLATOR FORD: I'm going to  
23 Let Legislator Mule. Sorry.

24 LEGISLATOR MULE: Thank you  
25 very much. I have just two questions.

1                   P-Safety/Finance/Rules 3-15-21  
2       Should be I think pretty easy to answer. I  
3       just want to say thank you for everybody for  
4       your presentations. It was really very  
5       informative and certainly helped me to  
6       understand better the plan that's been  
7       presented. Two questions. Here we go.

8                   There was some talk of all of the  
9       data that you're collecting on use of force,  
10      traffic stops, body cameras, that would be  
11      made to the public and that there would be  
12      biannual presentations. But I didn't  
13      understand how that was happening. Is it  
14      going to be put on a website? Is it going  
15      to be presented to the legislature? If you  
16      can help me out.

17                  COMMISSIONER RYDER:        A little  
18      bit of both. We're going to publicly post  
19      it. We're going to present it to the  
20      legislators. We can have in the Public  
21      Safety Committee have conversations about  
22      it. Asking us questions about it. Because  
23      obviously what we put out to the public we  
24      may not get the Q and A back. So, we are  
25      going to present it both ways.



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2 Just to be clear, we're not  
3 publicly putting out body worn camera stuff.  
4 There's a lot of protections that go into  
5 it. Not from our side of it. The  
6 protection of the people in the video that  
7 are innocent. There's whitening out of faces  
8 that has to be done. But from a criminal  
9 standpoint, an arrest or anything or even an  
10 interaction, within I think it's 15 to 30  
11 days I have to turn that video over to  
12 defense counsel. It will go public. But we  
13 have to give it over as part of discovery.

14 LEGISLATOR MULE: Thank you.  
15 My second question is, there was a large  
16 conversation about implicit bias training  
17 from I believe police officer Bochio and  
18 that that would be happening at the academy.  
19 Does that continue even after you graduate  
20 from the academy or is that a one-time deal?

21 COMMISSIONER RYDER: One of the  
22 failures of what we've done in law  
23 enforcement over the years is we've lost our  
24 way when it comes to continued training.  
25 That is all back

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2 Now. Part of the new contracts allows us to  
3 do that because of cost. It will allow us  
4 to bring them in for a training day or two  
5 or three. We have evac. We have the  
6 firearms. We have de-escalation training.  
7 Implicit bias training. That will all be  
8 done every single year going forward.

9 As Chris said earlier, that is a  
10 breathing document also. We're going to  
11 change it and adjust it as we see a need to.  
12 That was not being done. I can honestly  
13 tell you, I check every training box that's  
14 on the list for my members. But that's only  
15 when they're in the academy. When they  
16 leave they don't get it. Now they do.

17 LEGISLATOR MULE: Thank you.  
18 I'm done.

19 LEGISLATOR FORD: You're  
20 putting the rest of us to shame. Legislator  
21 McKeivitt.

22 LEGISLATOR MCKEVITT: Thank you  
23 Commissioner. I just had a couple of  
24 questions regarding language access. When a  
25 person of the public calls a precinct and

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2 they do not speak English at that point what  
3 procedure is the officer who picks up the  
4 phone supposed to follow at that point?

5 COMMISSIONER RYDER: Sometimes  
6 we'll ask right off the table is anybody  
7 bilingual that can speak, right? If not, we  
8 will then use the connection to language  
9 line right there. So it's done at  
10 communications bureau. It's done at every  
11 precinct. And every single officer has  
12 language line on their phones now that are  
13 issued. Including now all the ambulances  
14 have it. So again, so they can treat their  
15 victims right.

16 LEGISLATOR MCKEVITT: If an  
17 officer is called to a scene let's say  
18 domestic situation, and again neither party  
19 speaks English, would the officer then use  
20 the iPhone with the language line in order  
21 to have that communication?

22 COMMISSIONER RYDER: That is  
23 correct. And it's a face-to-face like  
24 Facetime. It's not like I'm just making a  
25 call. They're seeing and speaking to the

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2 victim.

3 LEGISLATOR MCKEVITT: As far as  
4 using minor child, as far as using  
5 interpretation device, I notice in the  
6 department's language access plan it says  
7 that minor children are not to be used in a  
8 high stress situation. Can you just give me  
9 examples of what would be a high stress as  
10 compared to not a high stress situation at  
11 that point?

12 COMMISSIONER RYDER: We're  
13 looking at a violent domestic at home.  
14 We're not going to put that young child  
15 between mom and dad. But we will, and we  
16 never give an absolute, we will use a young  
17 kid if there's an emergency that mom is on  
18 the floor and just injured that needs an  
19 ambulance right away and dad's gone. I need  
20 to find out as much as I can if that child  
21 can translate until I can get somebody. But  
22 almost automatically I'm going to use the  
23 phone and go right to language line.

24 LEGISLATOR MCKEVITT: Thank you  
25 very much.

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2 LEGISLATOR FORD: Legislator  
3 Walker.

4 LEGISLATOR WALKER: If I can  
5 just back up just a little bit to the mobile  
6 crisis units again. So, we have two units,  
7 hopefully two, during the day, two in the  
8 evening. What would happen if, I don't know  
9 where those mobile units are located, and if  
10 someone is needed in like say Lawrence and  
11 that mobile crisis is in Hicksville, they're  
12 not going to get to Lawrence very, very  
13 quickly. I was very happy to hear you  
14 explain, like when you said you can get on  
15 the phone and someone who they reach out to  
16 frequently and they know that person just  
17 needs to take their medication. Get them on  
18 the phone, speak to them, take the  
19 medication. The parents are there and the  
20 situation does calm down and hopefully maybe  
21 someone will reach out to them the next day.  
22 So I understand there are times you would  
23 not have to send a police car.

24 I'm just worry I would never want  
25 us to be on wrong end of that. I know you

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2 Don't want to be wrong end of that. But  
3 what happens if our mobile crisis units are  
4 not in the vicinity to even get to someone?

5 COMMISSIONER RYDER: That is  
6 our biggest concern in this whole process.  
7 And mobile crisis, again, Commissioner  
8 McCummings or Myra Perez have been great  
9 about this, how do we handle that type of  
10 situation? They want to expand to two to  
11 four. I'm just assuming. They set up four  
12 quadrants in the county. They're never  
13 going to get there as fast as my cops get  
14 there because my cops are closer. There's  
15 more of them out there. But my cops have  
16 handled it well this far.

17 The difference is we got to stop  
18 bringing them to the hospital that don't  
19 need to be going to the hospital. That's  
20 our biggest complaint. When they looked at  
21 the volume of what we sent, 2700 cases, 96  
22 percent went to the hospital. They're like  
23 -- and again, after their conversations they  
24 said maybe they don't need to go to the  
25 hospital.

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2 I agree. But our training has always been,  
3 you want to hurt yourself you're coming to  
4 the hospital. They know Johnny and they  
5 know that Johnny's not going to hurt  
6 himself. Johnny's made these complaints.  
7 He's not on his medicine. Whatever the  
8 experts tell me.

9 So, when we respond to that other  
10 side of the county we will wait for mobile  
11 crisis. We'll keep a calm situation like we  
12 always do. In those 2700 cases only four  
13 times we had to use force.

14 So we'll keep it calm. It will  
15 go back to the way we always do it except  
16 for removing him. Wait until mobile crisis  
17 comes. Let mobile crisis speak to them.

18 We had a case couple of weeks ago  
19 right here in Mineola and mobile crisis came  
20 to the scene. After speaking to him 50  
21 minutes mobile crisis says he needs to go to  
22 the hospital. Got to go. No problem. We  
23 take him to the hospital.

24 Again, our police medics, that's  
25 the difference, our police medics do get

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2 trained on this. When you go around to  
3 other agencies around the country they use a  
4 volunteer ambulance service. They're not  
5 trained in this. They're trained on first  
6 aid and medic. We send a police ambulance  
7 to all these calls. We don't send a  
8 volunteer fire department ambulance to these  
9 calls. Because they do also have that  
10 additional training.

11 LEGISLATOR WALKER: But you  
12 would always send a police officer? If you  
13 knew that mobile crisis couldn't get there  
14 in a reasonable amount of time --

15 COMMISSIONER RYDER: Absolutely.

16 LEGISLATOR WALKER: And they're  
17 not waiting like out on the block, they're  
18 inside dealing with the situation and then  
19 they hand it over to mobile crisis.

20 COMMISSIONER RYDER: We are  
21 working together as a team on it.

22 LEGISLATOR WALKER: Just my  
23 other comment too, I know you said how the  
24 law we passed helping our officers and  
25 making sure if they're in any kind of stress



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2 or crisis that we can help deal with that, I  
3 know I used to ask every time we were on the  
4 phone in our weekly or every other day  
5 conversations --

6 COMMISSIONER RYDER: It's daily  
7 now.

8 LEGISLATOR WALKER: During the  
9 protests and COVID and everything and I did  
10 worry about our officers. I worried that  
11 they're out there. Like you said, none of  
12 them are saying no. They're working.  
13 They're working. But they get tired. We  
14 all get tired. Sometimes when we get tired  
15 that's when a mistake can happen. You  
16 assured me and everyone else on the call  
17 that you were constantly talking to your  
18 officers or whatever. But I just want to  
19 make sure that that too continues. It's not  
20 necessarily an officer that you see  
21 struggling along the way but just even in  
22 certain instances when things could go wrong  
23 and we don't want to see that happen to any  
24 of our officers.

25 Again, thank you for the

1 P-Safety/Finance/Rules 3-15-21  
2 dedication and the work you put into this  
3 over the months and months and months and  
4 certainly today the presentation. I thank  
5 you all for being here. I know it's a late  
6 night and you spent a long time with us.  
7 Thank you very much all of you.

8 LEGISLATOR FORD: Legislator  
9 Drucker.

10 LEGISLATOR DRUCKER: Thank you  
11 Madam Chair. Commissioner, it's been a long  
12 Day. Thank you. Your staff and you are  
13 demonstrating exceedingly competent. I know  
14 one thing that they've learned from you is  
15 the ability to talk. Which is a good thing.

16 My concern or question concerns  
17 your definition and interaction regarding  
18 hate crimes, because that's something that's  
19 reared its ugly head in my district a lot.  
20 A lot of times now, for example, if someone  
21 has spray painted a swastika on the sidewalk  
22 or in a park right now it's considered to be  
23 like graffiti or defacing property or  
24 criminal mischief. It concerns me because  
25 we're seeing such an uptick in our country

1 P-Safety/Finance/Rules 3-15-21  
2 in terms of  
3 These types of symbolic hate. I think they  
4 Need to be classified as a crime.

5  
6 And when you prosecuted them,  
7 when  
8 You do the investigation, you make an  
9 arrest, I think they need to be arrested as  
10 a hate crime not as graffiti. Or, for  
11 example, situation we had a noose was  
12 somewhere. That just in and of itself you  
13 may think of that as criminal mischief but  
14 it's hate. It's a crime. I just want to  
15 know your take on that. Is that something  
16 that you feel you can adjust or modify in  
17 your plan and going down the road in the  
18 future to address that? So we call it  
19 exactly what it is, it's a crime, it's  
20 A hate crime and I would like it to be  
21 Prosecuted that way.

22 COMMISSIONER RYDER: I agree  
23 100 percent. Any swastika that is painted  
24 anywhere is not treated as graffiti. That  
25 is a hate crime and that will be treated and

1 P-Safety/Finance/Rules 3-15-21  
2 charged as a hate crime. Things like nooses  
3 and stuff like that obviously are hate  
4 crimes. We need to speak to our  
5 legislators,  
6 Make local laws here that you can address  
7 Those and charge them with more as a hate  
8 Crime. Obviously we have to deal with the  
9 laws that's handed down to us. But we will  
10 agree 100 percent that when there are hate  
11 crimes we're charging them as a hate crime.  
12 We're all good with that but we have to have  
13 the law to do it.

14 LEGISLATOR DRUCKER: I think  
15 the district attorney though is pretty quick  
16 to classify it that way, is that not  
17 correct? The DA, for example, when someone  
18 gets arrested for spray painting something  
19 vulgar or some racial epithet that they  
20 don't get prosecuted as hate crime, it's  
21 just prosecuted as criminal mischief or  
22 public desecration of property?

23 COMMISSIONER RYDER: Our DA  
24 works very close with us to make sure that  
25 the charges are appropriate. But the DA

1 P-Safety/Finance/Rules 3-15-21  
2 also has no problem calling out what she  
3 believes is a hate crime. She'll call it  
4 like it is. The only problems you can't  
5 charge it if the tools are not there to  
6 charge it.

7 LEGISLATOR DRUCKER: At this  
8 point in time if you get a report that some  
9 kids were spray painting something will you  
10 investigate it and arrest them as considered  
11 to be a hate crime?

12 COMMISSIONER RYDER: I'll give  
13 you an example. Last year or maybe a year  
14 and a half now, kind of years have all been  
15 blended together, there was the situation of  
16 the one school up in the Third Precinct they  
17 painted a swastika. They painted a thing  
18 that said F Trump. They painted an MS-13  
19 and they added one other thing in there.  
20 Maybe a KKK. Unfortunately, the only -- all  
21 four of them were criminal charges. All  
22 four of them were hate crimes. The only one  
23 that you can charge as a hate crime is the  
24 swastika. The rest of the charges are  
25 criminal mischief.

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2 LEGISLATOR DRUCKER: You're  
3 saying that we need to amend our local laws  
4 to classify them a certain way?

5 MR. BARCHARA: Deputy Chief  
6 James Barchara. As you're stating, if there  
7 is a bias that is inherent, so if you have a  
8 criminal mischief, if you have graffiti, if  
9 you have an assault, there's a whole list of  
10 crimes in New York State penal law, if we  
11 can establish that the motivating factor was  
12 bias or hate then the crime gets elevated  
13 and gets prosecuted as such.

14 The exceptions, two of the  
15 exceptions that you mentioned, would be a  
16 swastika or noose, that would elevate  
17 automatically. But if it's language, as the  
18 commissioner was saying, that's offensive,  
19 if we could establish based on checking  
20 social media, checking on the history,  
21 looking at some of the groups that the  
22 person who committed this might have  
23 affiliated with, statements that he might  
24 give us as we're interviewing him, the  
25 totality of the evidence shows that the

1 P-Safety/Finance/Rules 3-15-21  
2 motivation for the assault or whatever was  
3 because of hate it would be elevated and he  
4 would be charged with a hate crime. And  
5 then the district attorney's office, which  
6 has been very supportive of it, would  
7 prosecute it to that point.

8 LEGISLATOR DRUCKER: Would that  
9 apply to some of the horrific, horrible  
10 incidents we're seeing now with violence  
11 perpetrated against Asian-Americans?

12 MR. BARRY: Absolutely. If the  
13 reason they're either the victim of a crime,  
14 whether it be assault -- one of the examples  
15 I gave if somebody, if seniors were being  
16 targeted because of their age, scams were  
17 all targeted towards people over 60 years  
18 old, that's a reason why we could elevate  
19 the crime.

20 So part of the investigation that  
21 we do is to determine what's the motivation.  
22 If the motivation is based on a hate or on a  
23 bias for that crime, that's why that person  
24 was targeted or that group was targeted or  
25 that building was targeted, then we would

1                   P-Safety/Finance/Rules 3-15-21  
2   charge not criminal mischief but we charge  
3   an elevation. Not assault but an elevation  
4   of that crime.

5                   COMMISSIONER RYDER:        But I  
6   think legislator to your point, you want it  
7   like a swastika's painted that's it, that's  
8   a hate crime without those other factors  
9   involved?

10                  LEGISLATOR DRUCKER:        Yes.

11                  MR. BARRY:            A swastika is an  
12   example of one that the New York State  
13   Legislature has included as basically a hate  
14   Crime. If I spray paint a swastika  
15   someplace and I get charged I'm not getting  
16   charged with criminal mischief. I'm getting  
17   charged with criminal mischief as a hate  
18   crime and it's would apply if someone is  
19   just yelling out racial epithets at some  
20   church or synagogue?

21                  MR. BARRY:            Not necessarily.  
22   There is a freedom of speech. You have to  
23   dig a little bit further and build up what  
24   was his motivation for doing that.

25                  LEGISLATOR DRUCKER:        Thank you.



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2 COMMISSIONER RYDER: Thank you.

3 LEGISLATOR FORD: Legislator

4 Rhoads.

5 LEGISLATOR RHOADS: Thank you

6 Madam Chairwoman. I just want to say that  
7 the wisdom of the chairwoman calling me near  
8 last is that usually I have a lot of  
9 questions. A lot of my questions have  
10 already been answered. So I just want to  
11 congratulate you on that. Good job.

12 Commissioner, I want to thank you  
13 and your team for your outstanding  
14 presentation today. I do just have really  
15 only one topic to follow-up on. It's one  
16 that's been covered by a couple of my  
17 colleagues here on the legislature and  
18 that's again the mobile crisis team. I just  
19 want to understand the evaluation process.

20 I get the fact on one hand that  
21 you're trying to avoid the need of  
22 transporting people to the hospital. As the  
23 system exists now, your police officers are  
24 responding and I think you said 96 percent  
25 of the time those police officers are taking

1 P-Safety/Finance/Rules 3-15-21  
2 individuals to the hospital essentially to  
3 get them to a mobile crisis person who can  
4 evaluate them. Instead, we're now bringing  
5 a mobile crisis person, theoretically, into  
6 the process earlier so that transport  
7 doesn't necessarily have to be made.

8 COMMISSIONER RYDER: Right.  
9 The hospital does not speak to mobile crisis  
10 They do not. They don't know when this  
11 person is going to be released. And 50 or  
12 60 percent, and again, I could be wrong on  
13 the number, but I think the number is 50 to  
14 60 percent of the time they're walking right  
15 out of the hospital. So, we didn't help  
16 them. I don't know the number off the top  
17 of my head. But mobile crisis has it that  
18 yeah, we bought them there, that was great,  
19 thank you, and then when we drive away  
20 they're walking out the door five minutes  
21 later because they're not being held. So,  
22 just for some clarity in that.

23 LEGISLATOR RHOADS: My concern  
24 is that we're sending -- there are  
25 circumstances where we're going to be

1 P-Safety/Finance/Rules 3-15-21  
2 sending civilian mental health professionals  
3 to a 911 call without there being police  
4 present at all and that's my concern.  
5 Because on one end we're not involving the  
6 mobile crisis team at the initial 911 call.  
7 Our operators are going to be making an  
8 evaluation based on questions and based on  
9 their own training as to whether someone  
10 presents a risk to themselves or a risk to  
11 others or whether there may be the  
12 possibility of a weapon. At that point in  
13 time does it then get referred to the mobile  
14 crisis team to speak to those individuals on  
15 the phone or are they dispatched?

16 COMMISSIONER RYDER: No. So,  
17 police, if there's any threat of any weapon  
18 or any threat of suicide or any threat of  
19 danger we refer. I think where we're  
20 missing the issue is that many times these  
21 911 calls didn't have to happen. They  
22 should have been calling their doctor.  
23 Let's say the treating person. The mobile  
24 crisis team. And it's usually mom calling,  
25 John's here. Little upset. He's not taking

1 P-Safety/Finance/Rules 3-15-21  
2 his medicine. Can you speak to him? They  
3 speak to him. They know their patients.  
4 They're very good at knowing who they deal  
5 with.

6 But if there's ever a threat of  
7 any kind we're going. We do not dispatch  
8 mobile crisis unless they're going with a  
9 cop if that's the question. We will never  
10 send mobile crisis to a call or dispatch  
11 them. That was discussed and we won't do it.  
12 Because if I'm sending mobile crisis I'm  
13 sending a cop.

14  
15 LEGISLATOR RHOADS: Okay.  
16 Because the only reason I'm concerned is  
17 that on the plan we talk about the tiered  
18 response. The tier one is public education  
19 and awareness. That's your public  
20 information campaign. Getting people not to  
21 call 911 in the first place if it's  
22 something that can be handled through one of  
23 the mental health agencies directly. Right?  
24 Call the crisis center as opposed to calling  
25 911 in that circumstance.

1 P-Safety/Finance/Rules 3-15-21

2 If tier one is surpassed and an  
3 individual decides to call 911, then the  
4 communication bureau operators make the  
5 determination as to whether or not it should  
6 go to tier two, which is a referral to the  
7 mobile crisis team, at least according to  
8 the plan, which says that there would be no  
9 police response. That's kind of where my  
10 disconnect is. Is there another component  
11 to that that says hey, if the mobile crisis  
12 team is just talking to somebody on the  
13 phone without sending a police officer, but  
14 if the mobile crisis team is going to  
15 physically show up at somebody's location  
16 they're going with a police officer.

17 COMMISSIONER RYDER: Poor  
18 wording on the document and we'll change  
19 that. It's meant that the referral of the  
20 call. The call is not that hey, you guys  
21 go, we're not going. The call is to get  
22 them on the phone And then sometimes they'll  
23 say look, we'll come out, we'll do checkup  
24 on you tomorrow. We'll stop by and see if  
25 everything is alright. They know, again,

1 P-Safety/Finance/Rules 3-15-21  
2 it's a medicine thing. It's a conversation  
3 thing. Whatever the experts say.

4 We've gotten into the habit that  
5 we just call 911 and we go for everything.  
6 That's got to be cleared up.

7 In that second phase it's not a  
8 dispatch to mobile crisis. We're not  
9 sending mobile crisis. We're not asking  
10 mobile crisis to go out there. We're asking  
11 mobile crisis to get on the phone with John  
12 because his mom wants to speak to you and  
13 mom speaks and mobile says nah, we know  
14 John. We'll talk to John. Okay.

15 There was never a threat to begin  
16 with. If that person when they call says he  
17 might hurt himself. We're going. There's  
18 no option. We're going. But he might hurt  
19 himself but if he gets his medication he's  
20 going to be better, we'll notify mobile  
21 crisis as a dual response and then we will  
22 also dispatch a police officer and an  
23 ambulance.

24 LEGISLATOR RHOADS: I just  
25 wanted to make sure there wasn't a

1                   P-Safety/Finance/Rules 3-15-21  
2       circumstance where you're going to have  
3       mobile crisis team at a physical location  
4       for whatever reason, everybody's evaluation  
5       was incorrect and then all of a sudden you  
6       have a situation and we have no police  
7       officer there to be able to intervene.

8                   COMMISSIONER RYDER:       In that  
9       year that I talked about the 2700 cases,  
10      they did 1700 additional cases on their own.  
11      They do go to residents all day long and  
12      visit mental health people. So they are out  
13      there. But not by 911.

14                  LEGISLATOR RHOADS:       But if it's  
15      a 911 call because we have a liability  
16      concern as well. We're taking something  
17      that came in to us via 911, we're giving it  
18      to an outside vendor or agency and if  
19      somebody gets hurt it's really on us.

20                  COMMISSIONER RYDER:       We had  
21      these conversations. That was our biggest  
22      thing about the liability. What are we are  
23      doing here? But on the other side, the  
24      experts have to have a voice here and we  
25      have listened to them.

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2 But I say this to you, this plan  
3 is not instituted yet. We're still going as  
4 cops right now. But the plan that's before  
5 you, that piece of legislation, we're going  
6 to flush this thing out even more once we  
7 know what kind of direction that we're  
8 going.

9 LEGISLATOR RHOADS: I just want  
10 to make sure if you could, and only because,  
11 again, the plan doesn't really make that  
12 clear, if you could address that I'd  
13 appreciate it.

14 COMMISSIONER RYDER: 100  
15 Percent.

16 LEGISLATOR RHOADS: Thanks  
17 Commissioner.

18 LEGISLATOR FORD: Legislator  
19 Birnbaum.

20 LEGISLATOR BIRNBAUM: First, I  
21 want to thank you all for your great  
22 presentation. It was so thorough and the  
23 questions also. Everything was answered to  
24 my satisfaction anyway. I'm sitting here as  
25 a member of the Finance Committee, so I feel



1 P-Safety/Finance/Rules 3-15-21  
2 it's incumbent upon me to just ask basic  
3 questions such as, are there any new hirees  
4 involved in this plan? Because I know when  
5 my colleagues were asking about bringing in  
6 outside monitors for different things it  
7 sounds like most of this plan will be done  
8 internally?

9 COMMISSIONER RYDER: When you  
10 look at the body worn cameras alone there's  
11 going to be a hiring of analysts and  
12 obviously supervisors assigned. We estimate  
13 that cost to be about -- we're not out to  
14 bid, that's for us -- it's \$1.9 million.

15 LEGISLATOR BIRNBAUM: I heard  
16 you say that. Is that just for employees?  
17 New people?

18 COMMISSIONER RYDER: That is  
19 Correct. That is our employees. Then when  
20 you look at the mental health side of things  
21 you're going to have these extra experts  
22 hired in the field. I don't have the number  
23 of that yet what it's going to cost because  
24 I don't really know the number. That's  
25 going back to the same issue I have is we

1 P-Safety/Finance/Rules 3-15-21  
2 got to vet out the legislation. It's not  
3 just here. This is a process. Now the  
4 legislation is the actual how we're going to  
5 make it work because it's a local law.

6 LEGISLATOR BIRNBAUM: The  
7 mental crisis team that will be responding  
8 they will be employed by the county or would  
9 they be consultants or partner agencies that  
10 we work with?

11 COMMISSIONER RYDER: They're  
12 partner agencies that we work with. I don't  
13 know if they're reimbursed by the county but  
14 it's by the state. They work for the state.

15 That make sense? I hope I'm  
16 saying that right. Nobody else is shaking  
17 their head behind me.

18 LEGISLATOR BIRNBAUM: Will  
19 there be grants to cover this?

20 COMMISSIONER RYDER: Yeah. I  
21 believe this is an expense that is covered  
22 by the state. They're not Nassau County  
23 employees. I do know that.

24 LEGISLATOR BIRNBAUM: And the  
25 body cam component itself that's already

1 P-Safety/Finance/Rules 3-15-21  
2 been factored in, correct? That was already  
3 before this plan? We had approved the  
4 consultant --

5 COMMISSIONER RYDER: The county  
6 executive has made a commitment that she is  
7 going forward with body cameras no matter  
8 which way we go. Come early September,  
9 October we start rolling them out.

10 LEGISLATOR BIRNBAUM: Talking  
11 about the mental health. I wasn't sure what  
12 the answer was before. Will there be a  
13 creation of another hotline perhaps, another  
14 number, rather than everybody calling 911 or  
15 is there going to be another?

16 COMMISSIONER RYDER: No. For  
17 the mental health purposes that will be for  
18 the mobile crisis team. You will call  
19 mobile crisis whatever that number is. We  
20 have not gone down to the discussions of  
21 having a separate 911 call for anything else  
22 except for this mobile crisis.

23 LEGISLATOR BIRNBAUM: My last  
24 part is, how do you think this will factor  
25 in overtime? Do you foresee it creating

1 P-Safety/Finance/Rules 3-15-21

2 more work on your members?

3 COMMISSIONER RYDER: I hope in  
4 the long run the educational process  
5 actually cuts down our response on mental  
6 health crisis calls. 2700 calls is a lot of  
7 calls. And every single time we move  
8 somebody to the hospital it's two cops and a  
9 police medic. If that person does not have  
10 to go, and again, it's very cautious on that  
11 that's not going and are going. We're still  
12 working it out. But if they don't have to  
13 go that's going to save us on the fact that,  
14 again, that medic and those two cops out  
15 there doing additional calls.

16 LEGISLATOR BIRNBAUM: That  
17 would be cost savings?

18 COMMISSIONER RYDER: That is a  
19 cost savings, yes.

20 LEGISLATOR BIRNBAUM: Then when  
21 you were talking about training and  
22 retraining, because I heard about the new  
23 hirees at the police academy will be getting  
24 these kind of training. Do you foresee  
25 bringing in the existing force to be trained

1 P-Safety/Finance/Rules 3-15-21  
2 every year there? Because you mentioned  
3 before that you were oversubscribed to some  
4 program that you offered. It was filled up  
5 very fast. But shouldn't everybody be able  
6 to do all these trainings and programs?

7 COMMISSIONER RYDER: We just  
8 started that, the wellness side of things.  
9 Everybody will get the same implicit bias,  
10 bias awareness training. Everybody will get  
11 de-escalation training. It's all in, again,  
12 I can't talk about the PBA contract but the  
13 SOA and the DAI contracts have additional  
14 training days in it. So they come in now as  
15 part of their training. It's part of our  
16 program. So, we will continue to train  
17 yearly at no cost because they're going to  
18 have these extra days of training.

19 LEGISLATOR BIRNBAUM: So it  
20 will be a requirement?

21 COMMISSIONER RYDER: That is  
22 correct. It's mandated.

23 LEGISLATOR BIRNBAUM: Thank you  
24 so much.

25 LEGISLATOR FORD: Legislator

1 P-Safety/Finance/Rules 3-15-21

2 Rhoads.

3 LEGISLATOR RHOADS: You're so  
4 close Pat. When there's a tier two  
5 response, right, which is the referral to  
6 the MCT but no response to the physical  
7 addressee by the MCT or by the police  
8 department, right, I'm assuming that there  
9 is follow-up at the end of, whatever MCT  
10 does, I assume that they're reporting back  
11 to 911 to let them know what the disposition  
12 of the call was, right? Because we still  
13 have to track that.

14 COMMISSIONER RYDER: No. The  
15 disposition of call will be ours. Once we  
16 refer it, like we do with other agencies  
17 right now, it's a referral to where ever,  
18 another agency.

19 LEGISLATOR RHOADS: They'll get  
20 back in contact with us and then we'll know  
21 --

22 COMMISSIONER RYDER: But on the  
23 back end what we've agreed to do is have a  
24 database that we're tracking this, right?  
25 So ones that have multiple calls to it, the

1                   P-Safety/Finance/Rules 3-15-21  
2    responses and types that we handle, how  
3    maybe in the database we can enter  
4    additional data to assist us with it. Why  
5    do we keep going back to visit Steve Rhoads?  
6    Those types of things. Though there is a  
7    back end to the reporting that we're going  
8    to track and work together on.

9                   LEGISLATOR RHOADS:        But, I  
10   mean, either it's going to be MCT is going  
11   to make a determination as to whether or not  
12   there has to be additional follow-up and it  
13   gets kicked to tier three, which means  
14   they're going and we're going, or if they've  
15   handled it over the phone and they think  
16   it's fine and there's no further follow-up  
17   necessary or whatever the situation is,  
18   they'll report back to 911 and say that  
19   that's what going to happen, right? We're  
20   kept in the loop?

21                  COMMISSIONER RYDER:       That's  
22   Correct.

23                  LEGISLATOR FORD:        Minority  
24   Leader Abrahams calling on you now.

25                  LEGISLATOR ABRAHAMS:     Thank you

1 P-Safety/Finance/Rules 3-15-21  
2 Chairwoman Ford. I appreciate it and I want  
3 to thank everyone that's a participant  
4 today.

5 Commissioner, I want to thank you  
6 as well as your commitment and your time, as  
7 well as the entire department that's there  
8 with you today. I truly appreciate them  
9 being here. It wasn't easy coming to this  
10 point where we are today, but again, I want  
11 to express my appreciation to you as well.

12 I do have a quick request  
13 actually. I can't really tell from the  
14 video, it's so small, whether the Presiding  
15 Officer is still there, but we do have many  
16 residents that would have liked to have  
17 participated in the hearing today. And I  
18 know the decision was made, Denise, we were  
19 on a call last week with some community  
20 residents that would have liked to have had  
21 the opportunity to participate in person.  
22 And obviously, I mean, I haven't been to a  
23 public meeting, so I know it's very hard to  
24 ask for people in the day of COVID to  
25 sacrifice their help.



1 P-Safety/Finance/Rules 3-15-21

2 If folks want to come in and they  
3 want to be a part of the legislative  
4 process, I just ask the presiding officer as  
5 well as the chairwoman if we can devise a  
6 way so people can come and potentially be in  
7 the anteroom, maybe even the chamber  
8 upstairs, the procedural chambers upstairs  
9 that the county executive uses. I would  
10 even give up my area of my office on my  
11 side, my press area, just so we can use it  
12 as an anteroom where people can come in and  
13 get an opportunity to ask questions and then  
14 they can quickly leave. And maybe we can  
15 even televise and stream the event to those  
16 rooms as well.

17 I just feel on an issue that is  
18 of the magnitude of what we're talking about  
19 today if people want to voice their concerns  
20 in person similar to them using and  
21 exercising their amendment right to go and  
22 protest throughout this county, I think they  
23 should also have the right also to be able  
24 to come here in person.

25 LEGISLATOR NICOLELLO: I'm

1 P-Safety/Finance/Rules 3-15-21  
2 still here. We are intending to and there  
3 are limitations to how many people you can  
4 have in the room and there are issues and  
5 still safety issues for everybody involved.  
6 But we are intending to reach out to Fred  
7 Brewington and indicate that a certain  
8 number of people will be able to come in and  
9 that they will be given an allotted time  
10 period to have their say on this.

11 Of course, I mean, in the past  
12 you might have had several hundred people  
13 who wanted to be here. We obviously can't  
14 do that in this era. But we are definitely  
15 going to be opening up to, reaching out to  
16 Fred and indicating that with the other  
17 individuals, the room, there will be space  
18 enough for at least some of the people and  
19 some of the representatives of the  
20 community.

21 LEGISLATOR ABRAHAMS: Okay.  
22 Fair enough.

23 Commissioner, what brings us here  
24 today obviously is EO 203 and that's a very  
25 legal way to look at it. But obviously

1                   P-Safety/Finance/Rules 3-15-21  
2     there are underlying issues on why EO 203  
3     was even necessary. I want to talk a little  
4     bit about independent accountability and  
5     trust. And first let me foremost say, and I  
6     know you were talking earlier with  
7     Legislator Bynoe, that there is no one that  
8     I believe at this legislature that doesn't  
9     trust you personally. That has not been an  
10    issue.

11                   However, we are at this juncture  
12    today, we are here having this hearing  
13    because there are many of our residents,  
14    quite frankly many of my constituents, that  
15    believe that there is a level of trust that  
16    is not there. They should have it but they  
17    don't have it for our police department.  
18    Today is how do we rebuild that?

19                   We want to make sure every single  
20    person in this county knows that the Nassau  
21    County Police Department is there for them  
22    in their time of crisis, in their time of  
23    need and they got to believe and want to be  
24    a part of it. I believe by them believing  
25    and being a part of that it makes police

1 P-Safety/Finance/Rules 3-15-21  
2 officers' jobs much easier, it makes your  
3 job much easier. It makes our job much  
4 easier.

5 I want to ask a question as  
6 pertains to excessive force. I was  
7 listening a little bit earlier, I didn't  
8 know exactly who was speaking, I think it  
9 was Chief Sewell that might have mentioned  
10 about excessive force. But I had a question  
11 in regards to the amount of cases the Nassau  
12 County department found an officer using  
13 excessive force in a particular incident.  
14 In the last year roughly.

15 MS. SEWELL: I believe you have  
16 the numbers Legislator. I just wanted to  
17 talk to you a little bit about Legislator  
18 Bynoe made a very astute observation during  
19 a prior meeting about what the data reflects  
20 without much context and it really didn't  
21 serve well. So I just wanted to say that, as  
22 you know, we are permitted and only  
23 permitted by law to use force that is  
24 reasonable, justified and proper. Excessive  
25 force by definition would not fit that

1                   P-Safety/Finance/Rules 3-15-21  
2       category.   Thus it wouldn't necessary be  
3       criminal.   And those cases, as we discussed,  
4       are reviewed by the district attorney's  
5       office.

6                   But understand that even though  
7       the force may not be deemed excessive, it  
8       may still be improper.   So, when we get that  
9       information back from the DA's office that  
10      it is not excessive, you may now file  
11      administrative charges.   That case, after  
12      the investigative findings are entered into  
13      the IA Pro system.   They generate the  
14      allegation of the excessive force as  
15      exonerated because it wasn't criminal and  
16      was deemed to be justified.   Because the  
17      incident actually happened but the force was  
18      deemed justified.

19                  But perhaps the officer used an  
20      improper technique to apply that force.   Or  
21      there was some other auxiliary conduct that  
22      was deemed improper or unprofessional.   So a  
23      finding of founded or sustained for the  
24      improper tactics is attached to the case.

25                  But if you're looking in the

1 P-Safety/Finance/Rules 3-15-21  
2 founded category for excessive force  
3 complaints it will not show there. The  
4 accountability now for that behavior will be  
5 captured in the founded category for  
6 improper tactics and procedures.

7 So, you were correct in terms of  
8 the context doesn't really show that but  
9 that accountability is captured but it is  
10 now captured in a different category under  
11 improper tactics. I hope that helps.

12 LEGISLATOR ABRAHAMS: It does.  
13 I don't have all the documents in front of  
14 me. I was just looking for the number.

15 MS. SEWELL: So I wasted your  
16 Time then.

17 LEGISLATOR NICOLELLO: It was a  
18 good explanation actually.

19 MS. SEWELL: I have a couple of  
20 different statistics in front of me. I can  
21 actually get the actual numbers for you. I  
22 can pull them out and make sure you get  
23 those. You want for a particular year? I'm  
24 not exactly sure what you're looking for.

25 LEGISLATOR ABRAHAMS: I would

1 P-Safety/Finance/Rules 3-15-21  
2 say a three-year snapshot would be fine. We  
3 have the three-year snapshot. It's in the  
4 actual plan.

5 You want to take that?

6 COMMISSIONER RYDER: That data  
7 was posted on the public website. It's up  
8 there on the public website.

9 LEGISLATOR ABRAHAMS: Okay.  
10 Can you say it, I'm sorry, for the record?

11 COMMISSIONER RYDER: I honestly  
12 don't have it in front of me, sir. I  
13 apologize.

14 LEGISLATOR ABRAHAMS: I guess a  
15 lot of my questions, Commissioner, are also  
16 for the record, to establish a printed  
17 record, thanks to Frank, to incorporate this  
18 that we  
19 Asked the question and it was part of the  
20 discussion. That's all. But if you could  
21 come up with those numbers by the time we do  
22 this at the full legislature next Monday I'd  
23 appreciate it.

24 The next area I wanted to jump  
25 into is the inspector general. I was

1 P-Safety/Finance/Rules 3-15-21  
2 listening to the questioning by Legislator  
3 Bynoe and I just wanted to make sure I heard  
4 you correctly Commissioner. You had  
5 mentioned that the legislature was the third  
6 party in regards to any information  
7 regarding investigations we can have and the  
8 legislature should be doing the third party  
9 due diligence and there's no need for an  
10 independent inspector general because the  
11 third party is the legislature. Did I hear  
12 you correctly when you said the legislature?

13 COMMISSIONER RYDER: No. Sir,  
14 the first party is internal affairs  
15 supervisory level with our Professional  
16 Standards Unit. The second party is the  
17 district attorney's office. The third party  
18 is the attorney general. What I said is  
19 this body always has the right to call and  
20 ask us questions about it and I think it was  
21 the legislator said that would make me the  
22 third party.

23 LEGISLATOR ABRAHAMS: Got you.  
24 Let's dissect what you just said. One of  
25 the parts you just mentioned was the



1 P-Safety/Finance/Rules 3-15-21  
2 attorney general. If I understand the law  
3 correctly, the attorney general, and I did a  
4 rough estimate that my staff provided to me  
5 on Wikipedia, there's about 56,000, roughly,  
6 sworn officers in New York State, would you  
7 agree or disagree with that number?

8 COMMISSIONER RYDER: I have no  
9 idea. I know there's 500 agencies. I don't  
10 know how many officers.

11 LEGISLATOR ABRAHAMS: We'll  
12 trust in Wikipedia. Roughly there's about  
13 56,000 sworn officers. I understood the  
14 criteria that you said that things would  
15 escalate to Nassau County Police Department  
16 versus things that would escalate to New  
17 York State. But that just seems like the  
18 potential, and I think the attorney general  
19 would do a phenomenal job with this, but I  
20 just think for that amount of volume I'm  
21 extremely concerned that the only  
22 independent body that in looking to  
23 potential investigations that the Nassau  
24 County PD handles would be the attorney  
25 general and that just seems like a lot of

1           P-Safety/Finance/Rules 3-15-21  
2 volume. I feel like a lot of things are  
3 going to get lost in the gap.

4           My ultimate concern is to revisit  
5 again the independent inspector general.  
6 From our standpoint, again, I circle back to  
7 what I talked about before. It's not  
8 individual trust. I'm sure the officers  
9 that are there with you today, the brass  
10 that's with you, the officers that are in  
11 the room, individually this is not an issue.  
12 It's an institutional issue that has come --  
13 which I have presented to you many times  
14 from my constituents in terms of regaining  
15 that trust.

16           The independence is what would be  
17 able to establish that. Because people  
18 would feel there's another avenue looking at  
19 this. I know you were talking back and  
20 forth when Legislator Bynoe brought up  
21 independent consultant.

22           That being said, I use this  
23 analogy. Maybe I might get myself in some  
24 political trouble with this but I'm going to  
25 say it anyway. The governor of New York,

1                   P-Safety/Finance/Rules 3-15-21  
2     who is going through a situation right now  
3     as we all know, called on for the chief  
4     justice to investigate his situation into  
5     potential allegations. However, everyone  
6     that was a part of any level of government  
7     felt that that was inappropriate because he  
8     appointed the chief justice. You cannot set  
9     up an operation where the governor is going  
10    to have someone that is appointed by him  
11    investigating him.

12                   I ask the same question because  
13    that is the issue that's at hand with the  
14    police department. You are asking Nassau  
15    County residents that have a very low level  
16    of  
17    Trust, right or wrong or indifferent, I will  
18    Quote Legislator Ford, there's perception  
19    and  
20    There's the reality, however, they have a  
21    very low threshold of trust with the police  
22    department. And you're asking them, by not  
23    having an inspector general, by punting this  
24    in some cases which will happen with an  
25    attorney general, you're asking them to

1 P-Safety/Finance/Rules 3-15-21

2 trust us anyway. We'll police ourselves.

3 Now, I know from the police  
4 department's standpoint everyone will say  
5 we're not Minneapolis or we're not this  
6 place. We're not that place. This doesn't  
7 happen to us. But I'm sure Minneapolis or  
8 any other area, no one wishes those types of  
9 incidents to happen in your city. And  
10 making sure you have the proper protocols in  
11 place ensures that you can at least  
12 safeguard yourself to protecting your  
13 department and your officers and our  
14 community residents from this ever  
15 happening.

16 I ask you again, and it comes up  
17 time and time again about independence. I  
18 ask you again, I really don't understand the  
19 reluctance towards an independent inspector  
20 general. Not from the standpoint -- and I  
21 heard your department talk about the fact  
22 that how much it would cost and the  
23 ineffectiveness. I get that. But I'm  
24 looking at it from a trust standpoint. If  
25 it was going to be able to demonstrate a

1                   P-Safety/Finance/Rules 3-15-21  
2   greater amount of trust, to make the  
3   community trust our department more, I can't  
4   believe we can't come up with a compromise  
5   that would allow this to move forward? I  
6   just want to hear your comments on that.

7                   COMMISSIONER RYDER:        On which  
8   part sir?

9                   LEGISLATOR ABRAHAMS:        On the  
10   part of developing trust through a vehicle  
11   that will allow independence to occur in the  
12   Nassau County Police Department.

13                  COMMISSIONER RYDER:        I believe  
14   trust has been established between the  
15   Nassau County Police Department and this  
16   community for many, many years.

17                  LEGISLATOR ABRAHAMS:  
18   Commissioner, if I may. Maybe this might  
19   summarize a lot of what I'm going to say  
20   tonight. How do you believe you will be  
21   able to generate independence and trust from  
22   people that don't trust the police  
23   department because they are concerned that  
24   the department will only police themselves?  
25   And by policing themselves they feel that

1 P-Safety/Finance/Rules 3-15-21  
2 the outcome will always favor officers,  
3 right, wrong or indifferent?

4 COMMISSIONER RYDER: I believe  
5 that trust in the Nassau County Police  
6 Department and community has been  
7 established for years. I believe that what  
8 we do in our communities every day  
9 establishes trust. I also believe that when  
10 we talk about transparency and  
11 accountability by showing the data, by  
12 wearing body cameras, by collecting the  
13 demographic data that will give us better  
14 look as we going forward to see if there are  
15 issues that need oversight.

16 But at this point in time I  
17 believe that the Nassau County Police  
18 Department, along with the district  
19 attorney's office, along with the attorney  
20 general's office, does a good job in  
21 policing itself.

22 When you ask these questions  
23 about trust in a community, if tomorrow  
24 there was a CCRB like there's been in New  
25 York City since 1982 and they still have

1 P-Safety/Finance/Rules 3-15-21  
2 problems. And if you wanted to put an  
3 oversight of an inspector general, if an  
4 incident happened tomorrow and we'd still  
5 have the same problems on the street today.  
6 It wouldn't change because there was an  
7 inspector general.

8 We need to change the mindset,  
9 the training of our police officers. When I  
10 say that we mean in the country. We as a  
11 Nassau County Police Department train  
12 professionally. That's why we don't have  
13 these complaints. That's why we don't have  
14 these problems. That's why we go out day in  
15 day out servicing the people of Nassau  
16 County.

17 So, we're now going into an age  
18 of body cameras, GPS tracking, data  
19 collection, mental health training and stuff  
20 and additional training and so forth.

21 At the end of the day, the Nassau  
22 County Police Department has put so much  
23 oversight on top of its officers I'm  
24 concerned about their well being that  
25 they're being focused on the job at hand.

1 P-Safety/Finance/Rules 3-15-21

2 And that they're going to still do it with  
3 the same passion that they've always done  
4 it. Because they're going to be concerned  
5 about everything that's being looked at  
6 them.

7 LEGISLATOR ABRAHAMS: I will  
8 say this Commissioner, in regard to the  
9 independent inspector general, I don't  
10 believe that there is any one issue that  
11 will enhance or make our department even  
12 greater. I say that because the body cam  
13 program, though I truly believe it would add  
14 a level of transparency, that by itself is a  
15 great initiative but by itself is not going  
16 to develop the trust. It's not going to be  
17 like flipping a switch and then suddenly the  
18 same concerns that people had before that I  
19 brought to you and you have heard some of my  
20 community meetings, sometimes it doesn't  
21 always escalate to excessive force. It  
22 might be they felt an officer cursed at  
23 them. Or maybe used foul language. Talked  
24 down to them. It can be something as minor  
25 as that as well. Which people feel that



1 P-Safety/Finance/Rules 3-15-21  
2 they were disrespected. Especially by  
3 someone, you know, by a police officer that  
4 is there to protect and serve.

5 So, I think from that standpoint  
6 more importantly -- and it's not going to  
7 happen today -- but I truly believe there  
8 has to be a greater dialogue to really have  
9 a really tough discussion on how we will  
10 generate trust. And granted, I heard you  
11 loud and clear. You feel that is being  
12 demonstrated every day. And I believe that  
13 every officer that goes out has the best  
14 intentions to try to develop trust every  
15 single day. And that's not the issue.

16 But we are facing years and years  
17 and years of many throughout our county that  
18 believe that they have a very low level of  
19 trust. And if they had a high level of  
20 trust we wouldn't be here today.

21 So, I think from that standpoint  
22 we want to make sure everyone understands  
23 that our department is working on their best  
24 interests and there's no trepidation or fear  
25 when African-American or Latino American or

1 P-Safety/Finance/Rules 3-15-21  
2 a young person is walking down the street  
3 and they see a police car and they get  
4 fearful. That really disheartens me when I  
5 hear that. That's a reality for many of my  
6 residents that live in Roosevelt or  
7 Uniondale or Hempstead or anywhere not in my  
8 district. That's a reality. It's  
9 unfortunate and we try to combat it to  
10 insure that that's not the case but I can't  
11 remove it overnight.

12 I really, truly believe you  
13 should revisit the issue of rebuilding trust  
14 and I think an independent inspector general  
15 would do that.

16 I do want to move on to one more  
17 topic and talk a little bit more. I wanted  
18 to ask the question, I heard one of the  
19 folks in your department bring up the issue  
20 of the right to know. I thought someone had  
21 said that they didn't support legislation  
22 for the Right To Know Act. But, however,  
23 officers display their shield on their most  
24 outer garment. Officers obviously have to  
25 inform you of the infraction that he pulled

1 P-Safety/Finance/Rules 3-15-21

2 you over or she pulled you over.

3 I'm just curious on why -- is  
4 that required in department policy that they  
5 have to do that? And if they don't do that,  
6 I would assume they could file a potential  
7 complaint process. But I just wanted to  
8 clarify that that is required within  
9 department policy that they have to let  
10 someone know why they're pulling them over  
11 and if someone asks them for their badge or  
12 shield number they have to provide that.

13 COMMISSIONER RYDER: That is in  
14 our policy. That is 100 percent correct.  
15 Now with the new use of body worn cameras  
16 when someone says they did not they will  
17 have to. Our cops wear, unlike many  
18 agencies around the state, we wear our  
19 shield and name on our shirt. Many do not.  
20 They wear numbers. We do wear our name and  
21 shield. We do have to give it when asked.  
22 And then when we issue the summons it's on  
23 there. And now the fact that we issue that  
24 the summons it is only GPS data, it's got  
25 video camera data. It will also have to be

1                   P-Safety/Finance/Rules 3-15-21  
2     in the demographics of the report that is  
3     taken.

4                   LEGISLATOR ABRAHAMS:        Okay.    My  
5     last thing, Commissioner, just more of a  
6     comment.    Despite my disagreement with  
7     components of the plan, I think overall you  
8     and I have shared a relationship where I  
9     know my office, I know I have been able to  
10    text you or ask you for anything at any  
11    given night and you've responded very  
12    quickly and promptly.    I want to thank you  
13    for that.    And I don't want you to take my  
14    comments or my questions as any level of  
15    dissatisfaction with you personally.

16                  I truly believe we have to have  
17    very tough conversations to ensure that  
18    everyone throughout our county has the  
19    belief that their department is -- the trust  
20    level is high for them and their department.  
21    And this is not a knock on anyone in  
22    particular or anything in particular because  
23    obviously there are bad politicians, bad  
24    lawyers.    I have people in my district that  
25    don't even want to get a COVID shot because

1 P-Safety/Finance/Rules 3-15-21  
2 they're worried about not getting all the  
3 proper disclosures in terms of what the shot  
4 will do and they want to wait. So, there's  
5 bad people in every level of government.

6 That being said, the last place  
7 we would ever think about when someone is in  
8 aid that they want to call a police officer  
9 from the police department because they feel  
10 there is some level of concern when they  
11 call police. I'm trying to remove that  
12 stigma from many of the minds of my  
13 constituents but it's hard and it's a  
14 challenge.

15 But I do want to thank you again  
16 for obviously being here today. But also  
17 for your promptness in helping and handling  
18 many situations that I always text you about  
19 from my office.

20 COMMISSIONER RYDER: Sir, if I  
21 may? First of all, thank you. And I want  
22 you all to know something that we, the  
23 Nassau County Police Department, respect all  
24 19 of our legislators. We know that you're  
25 all battling different areas, different

1 P-Safety/Finance/Rules 3-15-21  
2 concerns in your legislative districts.  
3 That's why we try to do it as very neutral  
4 as we can. We understand and we respect all  
5 of you for that.

6 I will promise you this, the hard  
7 conversations are not over and we have  
8 agreed with the PACK to continue going  
9 forward to have further discussions to how  
10 can we change. We are committed to building  
11 trust in our communities. I think we do a  
12 hell of a job but we can always do better.  
13 I've said that over and over.

14 After 38 years of being here,  
15 after the day and the week that I have been  
16 through with my family this has been tough  
17 and sitting here today has even been harder.  
18 But I do know this, I respect every single  
19 one of you for the job that you do, and I  
20 hope that our public can have the same  
21 respect for their police officers who put  
22 their life on the line every day to do the  
23 job that they do. So I thank you for your  
24 comments.

25 LEGISLATOR ABRAHAMS: Thank

1 P-Safety/Finance/Rules 3-15-21

2 you.

3 LEGISLATOR FORD: Is that it?

4 LEGISLATOR ABRAHAMS: That's

5 it.

6 LEGISLATOR FORD: No one else?

7 There's no public. Let's move on. This is  
8 it. Don't delay. All those in favor of  
9 passing item 64-21 please signify by saying  
10 aye. Those opposed? The item passes  
11 unanimously. No. I asked for nays.

12 LEGISLATOR NICOLELLO: This is  
13 just the Public Safety Committee.

14 LEGISLATOR FORD: This is just  
15 Public Safety Committee. I'm sorry. I  
16 should have clarified.

17 The Public Safety Committee, item  
18 64-21 is in front of us, which we discussed.  
19 It was presented. The Nassau County Police  
20 Reform and Reinvention Plan. Discussions  
21 are over. All those in favor of passing, on  
22 the Public Safety Committee, all those in  
23 favor of passing item 64-21 please signify  
24 by saying aye. All those opposed? The item  
25 passes six to one with the nay by Legislator

1 P-Safety/Finance/Rules 3-15-21

2 Bynoe.

3 All those in favor of adjourning  
4 this meeting please signify by saying aye.  
5 Any opposed? This meeting is adjourned. On  
6 to Finance.

7 (Committee was adjourned at 8:32  
8 P.m.)

9 LEGISLATOR KOPEL: Real  
10 quickly, same question. Members of Finance,  
11 all those in favor of passing the sole item  
12 on our agenda please signify by saying aye.  
13 Are there any nays? Anyone? The item  
14 passes unanimously. Motion to adjourn. I  
15 will make that motion to adjourn.  
16 Legislator Drucker seconds the motion. All  
17 those in favor of adjourning Finance say  
18 aye. Any opposed? We are adjourned.

19 (Committee adjourned at 8:33  
20 p.m.)

21 LEGISLATOR NICOLELLO: Finally,  
22 the Rules Committee. Again, same item, 64  
23 of 2021. All those in favor of passing this  
24 on to the full legislature next week signify  
25 by saying aye. Those opposed? It passes by



1                   P-Safety/Finance/Rules 3-15-21  
2       a vote of five to two with the minority  
3       leader and Legislator Bynoe voting no.

4                   Motion to adjourn by Legislator  
5       Rhoads.    Seconded by Legislator Walker.    All  
6       those in favor of adjourning signify by  
7       saying aye?   Those opposed? We're adjourned.  
8       Thank you all again.   Appreciate all the  
9       time you put into this.

10                   (Committee adjourned at 8:34  
11       p.m.)

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CERTIFICATION

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

THAT the foregoing is a true and  
Accurate transcript of my stenographic  
Notes.

IN WITNESS WHEREOF, I have  
Hereunto set my hand this 24th day of  
March 2021.

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FRANK GRAY