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6-4-19 PUBLIC SAFETY COMMITTEE

Documents:

6-4-19 PUBLIC SAFETY COMMITTEE.pdf

2.

PUBLIC SAFETY COMMITTEE, 06-04-19

Documents:

PUBLIC SAFETY COMMITTEE, 06-04-19.pdf



PUBLIC NOTICE

PLEASE TAKE NOTICE THAT

THE NASSAU COUNTY LEGISLATURE

WILL HOLD A HEARING OF THE

PUBLIC SAFETY COMMITTEE

ON

TUESDAY, JUNE 4, 2019 FROM 2:00 PM TO 4:00 PM

**REGARDING NASSAU COUNTY POLICE
DEPARTMENT DETECTIVES**

IN

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

MICHAEL C. PULITZER

Clerk of the Legislature

Nassau County, New York

DATED: May 28, 2019

Mineola, NY

As per the Nassau County Fire Marshall's Office, the Peter J. Schmitt Memorial Legislative Chamber has a maximum occupancy of 251 people and the outer chamber which will stream has a maximum occupancy of 72 people. Passes will be distributed on a first come first served basis beginning one half hour prior to meeting and attendees will be given an opportunity to sign in to address the Legislature for a maximum of three minutes. The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities and every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed. Every Legislative meeting is streamed live on <http://www.nassaucountyny.gov/agencies/Legis/index.html>.

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6 NASSAU COUNTY LEGISLATURE

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8 RICHARD NICOLELLO

9 PRESIDING OFFICER

10

11 PUBLIC SAFETY COMMITTEE

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13 LEGISLATOR DENISE FORD

14 CHAIR

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16

17 Theodore Roosevelt Building

18 1550 Franklin Avenue

19 Mineola, New York

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21

22 June 4, 2019

23 2:12 P.M.

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

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4 LEGISLATOR DENISE FORD

5 Chair

6

7 LEGISLATOR STEVEN RHOADS

8 Vice Chair

9

10 LEGISLATOR VINCENT MUSCARELLA

11

12 LEGISLATOR JOHN FERRETTI

13

14 LEGISLATOR DELIA DERIGGI-WHITTON

15 Ranking member

16

17 LEGISLATOR SIELA BYNOE

18

19 LEGISLATOR DEBRA MULE

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2 LEGISLATOR FORD: Good
3 afternoon. I'm calling the Public Safety
4 hearing to order. Can you please rise and I
5 will ask Legislator Walker to lead us in the
6 Pledge of Allegiance.

7 The topic of today's meeting will
8 be about the detectives and the issue of the
9 detectives throughout the Nassau County Police
10 Department, as this is something that the
11 union had asked for us to call. Without
12 having our comments, by any of the legislators
13 at this time, we are going to ask -- we're
14 going to go out of order. We are not going to
15 follow the normal procedure. We are going to
16 start first with our comments from our police
17 unions and I'd like to ask John Wighaus,
18 president of the DAI, to come up for his
19 comments.

20 MR. WIGHAUS: Good afternoon. I
21 am John Wighaus, president of the Nassau
22 County Detectives Association. I would like
23 to thank the members of the Public Safety
24 Committee for allowing me to talk today about
25 the detective shortage in Nassau County. I

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2 would also like to thank the members of the
3 Nassau County Legislature for meeting with me
4 and Chris Muchow individually over the course
5 of the past year to discuss this same
6 detective shortage within the Nassau County
7 Police Department.

8 Before getting started, I would
9 like to mention that the Detective Association
10 and the county have begun negotiations for a
11 new contract. In fairness to my membership
12 and the county, I will not discuss or answer
13 any questions during this hearing pertaining
14 to those negotiations. My board and I agree
15 that there are two places for those
16 discussions. One being my office and the
17 other the negotiating table. That's where I
18 will leave it.

19 Over the past few years there has
20 been a growing trend in the Nassau County
21 Police Department wherein there is a lack of
22 interest among police officers to become
23 detective. Yes, you heard that correctly. As
24 sad as that is, a designation one thought of
25 as a pinnacle of a police officer's career is

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2 now a pariah to most officers in Nassau
3 County.

4 Historically there was a robust
5 desire by police officers to become
6 detective. And there was a strong desire by
7 the department to vet the best of the best to
8 pick those worthy of the great responsibility
9 of becoming a detective. Currently on average
10 four to five police officers in a department
11 of more than 2300 sworn members exhibit a
12 desire to be a detective. There was a time
13 when well over 250 of the most active and
14 senior officers submitted an official request
15 seeking to become a detective.

16 To illustrate the point, 20 years
17 ago there were 460 detectives. Ten years ago
18 there were 425 detectives. Currently the
19 county only has 309 detectives while we are
20 allotted for 360. With more planned
21 retirements coming in June and July, the
22 number of detectives may fall below 300 to
23 serve the county's 1.4 million residents.

24 The Nassau County detective
25 division is in dire need of repair. It is

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2 often and correctly said that uniform patrol
3 is the backbone of the police department. In
4 our opinion the detective division is the
5 heart. This heart has atrophied and it is
6 high time the government of Nassau County
7 assist in the rehabilitation.

8 When the county executive or the
9 police commissioner speak to the media or
10 county residents on law enforcement issues
11 their main topics are the opioid crisis and
12 the gang crisis. Both investigated by
13 detectives. The depleted ranks of detectives
14 are tasked to investigate, gather evidence,
15 keep statistics and arrest the perpetrators
16 that commit these crimes. Most, if not all,
17 of our detective squads are below the proper
18 staffing levels. This is true of precinct
19 squads and special squads alike.

20 The public should know we only have
21 28 detectives assigned to the narcotics vice
22 squad during an opioid epidemic. There was a
23 time when there was both a narcotics squad and
24 a vice quad with over 70 detectives just in
25 the narcotics squad. The self-initiated

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2 enforcement conducted by detectives in
3 narcotics cannot be measured in a crime
4 statistic. Rather the detectives in narcotics
5 are uncovering crimes already taken place out
6 of sight of the public in many cases.

7 Without an adequate number of
8 covert investigators, drug activities in
9 Nassau County will continue to lead to more
10 and more of our residents suffering addiction,
11 or worse, fatal drug overdoses. If the
12 department was able to staff narcotics and
13 other special units with more detectives the
14 effectiveness of those units would
15 dramatically increase which would have a
16 direct correlation on the amount of crimes and
17 drug overdoses thwarted by those detectives.

18 Processing of a crime scene is a
19 vital component to a detective's
20 investigation. In the criminal justice system
21 prosecutors and jurists emphasize how
22 important forensic evidence is and the
23 professional way in which it is collected and
24 categorized to a criminal prosecution.

25 At any time we could have just one

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2 or two crime scene detectives covering the
3 vast geographical area with 1.4 million
4 residents in Nassau County.

5 Elected officials and the executive
6 staff of the police department can certainly
7 speak on the low crime rates that are a
8 product of the hard working men and women of
9 our entire department. I just wonder if there
10 is a statistic that can illustrate the
11 wreckage the opioid epidemic has on families
12 in the county. How exactly is that
13 quantified? The ruination of the quality of
14 life are families that are living with addicts
15 under their roof, or even worse, having lost a
16 family member or members to this terrible
17 epidemic. These realities should not be
18 omitted when discussing crime trends and
19 statistics.

20 Last year, as bodies were being
21 unearthed, there were only nine detectives
22 assigned to the gang investigation squad.
23 This was not occurring in some other city or
24 county. It was and still is occurring in
25 Nassau County.

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2 All of us should be concerned about
3 school children being exposed to the
4 relentless recruitment tactics by not just by
5 MS-13 but other gangs as well. Imagine the
6 psychological effects of the pressure of a
7 violent gang forcing you align with them or
8 suffer the consequences. Gangs bully, assault
9 and at times murder innocent children who
10 refuse to join their ranks. There's no
11 statistic that correlates to the negative
12 impact gangs have on our children when they
13 are in school.

14 In the last year there have been
15 over 305 gang cases. Most involving assault
16 and attempted murder cases in Nassau County.
17 Gang enrollment is on the rise here in Nassau
18 County. The gangs are not having the same
19 difficulty recruiting and retaining new
20 members as we are recruiting detectives.
21 Currently there are over 2400 gang members
22 identified in Nassau County. Not to mention
23 the gang members that cross into Nassau County
24 and commit crimes here.

25 We have police officers designated

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2 detective who after a short while give back
3 their detective shield and return to the rank
4 of the police officer. There have been seven
5 police officers in the past year give their
6 detective shield back, with the most recent
7 occurring just yesterday. Currently another
8 detective has a formal request in with the
9 department to go back to being a police
10 officer. I highly doubt you could find this
11 trend anywhere else in the United States.

12 When asked why they are giving back
13 their gold shield the most common refrain is
14 it's just not worth it. Being a detective is
15 so much responsibility. It's a 24 hour a day
16 job and there is really no financial incentive
17 to take on all this additional work and
18 stress.

19 We currently have detectives
20 without much police experience and we are very
21 happy to have them as they are taking
22 advantage of the opportunity to become a
23 detective. Unfortunately, many of our most
24 senior detectives are retiring and are no
25 longer present to train these new members.

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2 Detective work is very complex.

3 From the inception of a case we develop a
4 rapport with our victims, preserve, collect
5 and categorize evidence. We have to know the
6 difference between an interview and a an
7 interrogation. And we speak to victims at
8 their most vulnerable time to elicit important
9 information while having a sense of humanity.

10 Detectives gather intelligence,
11 execute warrants, debrief prisoners and go
12 where ever an investigation takes them. A
13 detective's job does not end when we sign off
14 duty. We are constantly thinking about our
15 cases whether on duty or off. Thinking of how
16 we can solve them and how we can bring closure
17 to our victims. Our phones never stop
18 ringing, whether it's a supervisor or a
19 colleague inquiring on the details of a case.
20 Or whether it's an assistant district attorney
21 or assistant United States attorney asks us to
22 provide details of a case.

23 We understand our job is not simply
24 making an arrest. It's to be in lockstep with
25 the district attorney's office to ensure a

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2 successful prosecution. Even after all this
3 our job is not done. We must go to court and
4 testify while seasoned defense attorneys are
5 looking to find contradictions and poke holes
6 in our entire case in an effort to create
7 doubt.

8 Successfully managing all of this
9 and avoiding the pitfalls that can be a
10 detriment to any case come with experience.
11 It's a shame that working with experienced
12 detectives who may import their knowledge to
13 new detectives is quickly evaporating in the
14 Nassau County Police Department.

15 Does anyone know of any other
16 police department in the United States where
17 the first vice president of the union is the
18 sole provider of contract and salary
19 information for the department's personnel and
20 accounting bureau? Such is the rate of pay
21 for each detective and the time line for when
22 each detective is entitled to their pay step
23 increase. Recently there were 117 detectives
24 in pay steps being paid incorrectly and this
25 had to be fixed by Chris Muchow of the

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2 Detective Association. This further
3 illustrates the problems within the detective
4 division. Something should be done to fix
5 this problem. Is there really any wonder why
6 there is a lack of interest in the detective
7 division?

8 The Nassau County Detective
9 Association is very proud of the low crime
10 stats in Nassau County. Remember, every
11 statistic that is combed through and
12 disseminated is a direct result of what Nassau
13 County detectives do every single day. Even
14 with the dwindling number of detectives
15 assigned to the detective division, our
16 membership remains professional and we
17 continue to overcome and get the job done.

18 However, a municipality typically
19 sees a reduction in crime when it allocates
20 the appropriate police resources not only to
21 reactive policing but more importantly
22 proactive policing.

23 Through no fault of our own we
24 cannot maintain our presence in the county as
25 we once could. My fear is that this will have

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2 a symbiotic affect on those low crime
3 statistics. Where our personal numbers go
4 down crime statistics may go up and all we can
5 do is react. The DAI has been sounding the
6 alarm on this public safety crisis for almost
7 two years.

8 I would like to focus on the Nassau
9 County Legislature's budgetary number of 360
10 Nassau detectives. First and foremost that
11 number is way too low and the numbers should
12 be in the area of 450 detectives. This
13 legislative body provided the funding for 360
14 detectives for the residents of Nassau
15 County. That number of detectives was paid
16 for in the Nassau County budget. As the
17 detective union president and a Nassau County
18 taxpayer, I have to ask, where is the rest of
19 the allotted monies that were earmarked for
20 the detectives? Through this shortfall of
21 detectives there was a cost savings of
22 approximately \$5.5 million in 2018 and
23 approximately \$2.7 million in the first
24 quarter of 2019. To best serve and protect
25 our 1.4 million Nassau County residents I

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2 believe those monies should be earmarked back
3 to the detective division.

4 This legislative body also fully
5 supported the reopening of the Sixth and
6 Eighth Precincts, as did the Detective
7 Association. Unfortunately, this was a
8 partial opening as the county does not have
9 the requisite number of detectives to staff
10 both of these squads. A minimum of 16
11 detectives would be required to fill each work
12 chart in each squad, equaling 32 detectives.

13 As a community-oriented police
14 department under this plan we will have to
15 continue referring crime victims from their
16 local precincts. Victims will be told sorry,
17 we don't have detectives here in this
18 precinct. You're going to have to drive to
19 another community's precinct to be interviewed
20 by a detective. This is the antithesis of
21 community policing. We should demerge the
22 Third and Sixth squad and demerge the Second
23 and Eighth squads. Whatever manpower
24 shortfalls should occur can be filled by
25 calling in a detective.

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2 The minimum manning in the Sixth
3 and Eighth squads is only two detectives and
4 should not have a financial impact because
5 these positions are already funded by the
6 Nassau County budget. We should also fill the
7 shortfalls and staffing in narcotics vice
8 squad, missing persons squad, the fraud and
9 forgery squad and other special squads that
10 are depleted as they too have been previously
11 funded by the county budget. Our residents
12 expect and deserve what they pay for.

13 Each time a victim of a gang murder
14 is unearthed the public is told that these
15 crimes were committed in past years, 2016 and
16 2017. I would like to point out that that is
17 during this time frame when the detective
18 division continued to see a decline in our
19 membership.

20 The violent gang MS-13 was
21 responsible for six murders that for a time
22 period were classified as Nassau County
23 missing persons cases. During this time and
24 presently our missing persons squad is short
25 staffed and overwhelmed with cases. In fact,

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2 on average, our missing persons squad is
3 assigned 1700 cases a year and their staffing
4 is currently at six detectives. That is on
5 average of 283 missing person cases per year
6 per detective. Which is an unmanageable
7 number.

8 In 2017 Nassau County suffered from
9 a 62 percent increase of fraudulent scams
10 against the elderly from the previous year.
11 In the first quarter of 2019 there has been a
12 47 percent increase during the same time
13 period of 2018. We have just two detectives
14 assigned to investigate major identity theft,
15 fraud and forgery cases for the 1.4 million
16 residents. This includes the investigation of
17 crimes associated with frauds on the elderly.
18 This case load is clearly just too large for
19 two detectives.

20 To further add to a detective's
21 case load, new legislation went into effect in
22 New York State in October Raise the Age Laws.
23 These laws significantly change the way our
24 criminal justice system deals with offenders
25 16 years of age. These changes created an

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2 entirely new category of offender, the
3 adolescent offender. Our department must make
4 changes to accommodate how these offenders are
5 held once in custody, how they are
6 transported, how long it takes to get them
7 arraigned as they must wait for a designated
8 judge and the number of notifications to
9 parents et cetera. This is just more
10 responsibility that will be done by the
11 depleted rank of detective.

12 Coming in October 2019 these
13 changes will expand to 17 year olds. There
14 was a time when the department had a Juvenile
15 Aid Bureau staffed by detectives, which we no
16 longer have. These detectives were specially
17 trained to investigate, interview and
18 interrogate juvenile offenders.

19 Furthermore, there is new
20 legislation that requires us to make changes
21 to how we conduct interrogations on video and
22 identification procedures. Requiring at least
23 two detectives to show a crime victim photo
24 arrays of potential perpetrators. These
25 changes require manpower. These changes

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2 require training. Another issue that is
3 inadequate within our division. These changes
4 require more from a division already working
5 with less.

6 So how did we get here? Well, we
7 have to live with the parameters of a contract
8 that penalizes a police officer who wants to
9 become a detective by requiring him or her to
10 suffer through a myriad of maze-like pay
11 steps. The arbitration award that governs
12 from January 1, 2007 through December 31,
13 2012 -- and I must add that this contract was
14 interrupted by a three year pay freeze --
15 dictates that a detective receives \$2,410
16 about what they would have earned if they had
17 remained a police officer. This gets a little
18 confusing. Just bear with me and try to
19 follow along.

20 Newly designated detectives remain
21 in PBA contractual steps, which are 12 month
22 steps, until they complete them at the same
23 rate plus the \$2,410. They then continue on
24 to six detective steps, which are 15 month
25 steps. Totaling 75 months of detective

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2 steps. These next five detective steps
3 reflect increases of one percent above the
4 first step. We are the only collective
5 bargaining unit to be commingled with another
6 bargaining unit's step raises. We have 15
7 month steps instead of 12 month steps. When a
8 detective switches from his or her police
9 officer steps it goes from 12 months to 15
10 months. These steps cause great confusion to
11 the department's personnel in the accounting
12 bureau. These steps are so confusing that if
13 the county made ten detectives today there
14 would most likely be eight different salary
15 structures. In no other place in civil
16 service would this happen.

17 Again, there was a time that 170
18 detectives, everyone in steps, was being paid
19 incorrectly. That is more than a third of the
20 detective division. As I mentioned earlier,
21 Chris Muchow continues, and it's been five
22 years, he continues to keep an accounting of
23 every member in steps and notifies personnel
24 in accounting when any member is due a raise.
25 This is not his job, but this is a necessity

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2 to ensure our members get paid correctly. If
3 we don't do it the steps won't get paid. This
4 is no fault of the members of the personnel
5 and accounting as they are completely short
6 staffed and overworked.

7 To illustrate how crazy and
8 convoluted this commingled step structure is,
9 I will tell you that we have 44 detectives
10 that are in police officers steps. So if the
11 PBA were to negotiate a new contract with the
12 county, those 44 members of the detective
13 division would get raises and the other 265
14 detectives in the division would not as those
15 44 detectives are still governed by the PBA.

16 There is a memorandum of agreement
17 signed in 2016 that applies to any police
18 officer with a PBA stipend for a minimum of
19 two years who is designated to the permanent
20 assignment of detective shall go to step five
21 of the salary chart. No step movement shall
22 occur for that detective until he or she
23 completes the 75 month prerequisite time
24 period for annual step increases as applied to
25 all other detectives without the police

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2 officer stipend.

3 So, in layman terms, these
4 detectives are trapped in a step for over six
5 years. This agreement made between the county
6 and the DAI was a sole cost savings to the
7 county.

8 The two pillars of law enforcement
9 is to protect and serve and we can't do that
10 at the detective division level the way the
11 department and the public expect due to this
12 continued shortage of detectives. We can no
13 longer lay blame on the ghosts of the past.
14 The reality is we have a depleted detective
15 division and a county on the precipice of a
16 public safety crisis. It is incumbent on the
17 county to fix it once and for all.

18 I thank you for your time and the
19 opportunity to speak today before you in this
20 critical matter.

21 LEGISLATOR FORD: Thank you very
22 much and it really is a lot to absorb. You
23 actually paint a very grim picture to be quite
24 honest with you. I think what we decided that
25 we will do is we will allow everybody to speak

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2 and then we will ask questions. I'm sure
3 you're going to stay because there is some
4 clarification we would like to have from you
5 in regard to the detectives. But thank you
6 very much. This was worse than I thought.
7 Thank you very much sir. James McDermott,
8 PBA.

9 MR. MCDERMOTT: Thank you. Good
10 afternoon. I'm James McDermott. I'm the PBA
11 president of Nassau County. I just want to
12 inform you for those that don't know, I also
13 represent the detectives and the superior
14 officers in Nassau County. They are my
15 associate members. I do not do collective
16 bargaining for those units as John was up
17 here. He does collective bargaining for the
18 DAI.

19 First of all, I want to thank you
20 for having this hearing. I think it's vital
21 at this point and let me start.

22 The United States Attorney General
23 stated that Long Island is the epicenter of
24 MS-13 activity nationwide. Less we forget,
25 the Department of Justice has classified MS-13

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2 as an international terrorist organization.
3 Beyond that, we face an opioid epidemic that
4 has shattered families and taken far too many
5 lives. These are crises that are not going
6 away. Serious problems that threaten our
7 quality of life and our very safety require
8 solutions.

9 One such solution is the allocation
10 of resources to enable law enforcement in our
11 county to confront these threats. Remember
12 that just a few weeks ago, on May 9th, the FBI
13 at an event at the Jericho Chamber of Commerce
14 attended by commissioner announced that it was
15 creating an MS-13 gang squad. The county must
16 do all it can do to work together with our
17 federal partners to eradicate this violent
18 organization.

19 Unfortunately, the police
20 department has chosen not to use the resources
21 already allocated and budgeted to do it. The
22 department has 50 less detectives than are
23 budgeted to use their skills to investigate
24 and defeat these threats.

25 Without question and without delay

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2 detectives need to be called in now and for
3 the additional staffing that is already
4 budgeted and allocated for in our county.
5 Detectives need to be called in to work the
6 gang unit. Which the commissioner said on
7 national television the other day it needs
8 eight more detectives.

9 Detectives need to be called in to
10 work the narcotics unit to help stem the
11 opioid crisis that is devastating our youth.
12 Detectives need to be called in to staff the
13 Sixth and Eighth Precinct detective squads,
14 which are unmanned and have no detectives
15 working in them right now as we speak.
16 Detectives need to be called in now, starting
17 today, to do this essential work to keep our
18 residents safe. Every day that passes without
19 detectives being called in is a dereliction of
20 duty that the county has to the public.

21 This is not a contractual issue.
22 The solution exists now. The ability to have
23 more detectives work this very day exists
24 now. Both our residents and our officers face
25 unprecedented dangers. It is the height of

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2 irresponsibility and outright negligence to
3 not supplement the work of our detectives
4 starting immediately with other current
5 detectives on our police force who are ready
6 and very capable of doing this essential
7 work.

8 Remember too that statistics that
9 someone may give you do not tell the full
10 story. Detective's work is proactive and
11 preventive. Our detectives gather
12 intelligence, create leads to permit them, in
13 conjunction with our patrol officers, to stop
14 crime from occurring and eliminate acts of
15 violence before they can appear on a crime
16 bulletin.

17 The time to act on this issue is
18 now. Detectives must be called in to work as
19 they have been budgeted to do. We cannot
20 allow a spokesperson to try and fool us and
21 tell us that we can wait until some future
22 event and an agreement.

23 Please allow me to thank you for
24 your great concern. It has become a pattern
25 with the department problems are not solved

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2 unless a light is shined upon them. You are
3 helping to shine a light and keep our
4 families, friends and neighbors safe and
5 secure. Thank you again for insisting on
6 immediate action to be taken. Thank you.

7 LEGISLATOR FORD: Thank you very
8 much for your testimony and I know you will
9 stay. We will just continue with speakers and
10 then we will have questions. Kevin Black,
11 president of the SOA. Good afternoon sir.

12 MR. BLACK: Took me a while to
13 get here. I hope it's still afternoon.

14 Listen, there's no question we're
15 short detectives and there are things we can
16 do right now to affect that shortage. We can
17 call people in. We can pay overtime. The
18 biggest thing, and I've spoken before up here
19 about the budget, is unfilled spots in the
20 budget. Not just in our department but all
21 over the county. This is a way that's being
22 used to save money.

23 My members, supervisors work with
24 the detectives. There is no doubt that we
25 have some of the finest if not the finest

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2 detectives in America working in this county
3 right now. But they drastically need help.
4 They need more people. They need more time
5 given to them to solve cases. Otherwise this
6 is going to continue to spiral downward. I'm
7 here to support my brothers in the unions and
8 I just wanted to let you know how the SOA
9 felt.

10 LEGISLATOR FORD: Thank you very
11 much sir. I would like to ask Commissioner
12 Ryder if he would liked to come up and speak.
13 You can sit at the table or at the podium. Do
14 you have any comments?

15 COMMISSIONER RYDER: I'm here to
16 answers any questions that's being asked.

17 LEGISLATOR FORD: Where ever you
18 feel more comfortable. Thank you very much.

19 COMMISSIONER RYDER: Patrick
20 Ryder, Commissioner of Police.

21 LEGISLATOR FORD: Good afternoon
22 Commissioner. You heard, like all of us did,
23 the testimony of the union presidents,
24 especially John Wighaus, and in my mind he
25 paints a very dismal picture in regard to the

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2 detectives. We know that for years we have
3 had problems with the manning in the detective
4 bureau. So I guess the purpose of today's
5 hearing is first to hear where we are with
6 this and to find out why we are and what we
7 are going to do as a county to remediate this
8 problem.

9 So, I guess beginning with me. We
10 are down so many detectives. I can't
11 understand -- like we know one of the
12 roadblocks that we have in getting good
13 detectives because of the pay scale, the
14 different steps. So forth and so forth. So
15 even when you finally do promote an officer to
16 detective they turn the shields back and go
17 back to being a patrol officer. We've asked
18 to have this corrected. So I would like to
19 know where are we with this process?

20 COMMISSIONER RYDER: Thank you.
21 We are short detectives. 360 is the budget.
22 That's a budget that was made years ago. We
23 absorbed that number of 360. Should that
24 number increase? Sure it should. I'd love to
25 have more cops, more detectives. Anytime I

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2 can get more to help me in fighting crime I
3 want it. The 360 detectives, as you just
4 heard from president Wighaus, they are at
5 309. I thought it was 310. Before I got here
6 another man gave back his shield yesterday and
7 another one is in the works.

8 Since I have been the acting and
9 commissioner I have put in over 39 people into
10 it. Five have given back their shields. We
11 recruit constantly to get the number to 360.
12 The important part is what president Wighaus
13 said. How did we get here? We got here
14 because of the contract and that memorandum of
15 understanding that was signed in 2016. We own
16 that. Now we got to try to fix it. That's
17 what's being negotiated now. That's why the
18 DAI is at the table and that's why the DAI is
19 working and they will get their contract.

20 What's going on behind the scenes?
21 I don't sit at the negotiating table and nor
22 should I be. I'd be negotiating against
23 myself then. The negotiations is being
24 handled by the county and OLR and people from
25 our administration to try to get to the

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2 result.

3 Are we short gang detectives?

4 Yes. We were down to one time nine. We are
5 back up to 13 with three supervisors that are
6 in there. Has our gang crime gone down?

7 Yes. Those murders from MS-13 were in the
8 first 12 months of '16 and the first five
9 months of '17. Since I have been the acting
10 commissioner and the commissioner there has
11 been one murder. It was on the borderline in
12 Inwood. That murder all six people have been
13 arrested and thanks to the good work of our
14 homicide guys and working with our gang guys.
15 Are they understaffed? Yes. Is narcotics
16 understaffed? Yes.

17 I'm handled with two
18 responsibilities. First and foremost is
19 public safety. When you have a reduction in
20 crime at 30 percent, you got violent crime
21 that's down, shootings at one time used to be
22 377, we are down to 15 last year. Record low
23 homicides in '17 15. We came back last year
24 with 16. And two of those bodies that get
25 charged into '16 were recovered from the

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2 homicides from '16. And again, we constantly
3 are watching what we call strat com com stat
4 on how we gauge and use our resources.

5 But the other part, I'm also
6 responsible for the fiscal part of it. I
7 don't every put the fiscal in front of
8 fighting crime. If a detective is needed to
9 go in, the chief of detectives gives him the
10 okay to go in. Do we always monitor
11 overtime? Yes. That's our job. Would we
12 like to say just go and do what you like and
13 when you please, which I know they would only
14 do the right thing, but still you can't do
15 that with responsibility to manage. So we
16 manage the budget.

17 But first and foremost is public
18 safety. That's why you live in the safest
19 county for it's size in the country. That's
20 why we started our school resource program.
21 That's why we brought back the great program
22 Gang Resistance, Education and Training to
23 educate our young. That's why we brought back
24 the Too Good for Drugs Program. My vision for
25 that is to attack those younger children. Get

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2 to them before they get taken over by a gang
3 guy. Get to them before they get pushed into
4 the drug world.

5 That's why we are in our schools.
6 That's why we added 20 people to the COPE
7 program. That's why we added another seven
8 people to our community affairs. That's why
9 we're adding additional POP officers. Because
10 education is where it starts. Enforcement is
11 how it makes it happen. That is reactive.
12 Yes, they are 100 percent correct. But our
13 intel division, working with our detectives,
14 make sure we get out in front. That's why we
15 do com stat. We look for problems through
16 predictive analysis and try to prevent.
17 That's why we have such a low crime number.

18 This year alone we are down another
19 42 percent in our residential burglaries. We
20 got 101 residential burglaries for the entire
21 county. That number used to be at this time
22 several years ago we would almost be at
23 1,000. We finished the year with 2,000. We
24 are at 100 because we put people into the
25 burglary pattern team. Good detectives.

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2 Could they use more people? Yes.

3 But I'm stuck with what was handed to us when
4 we walked in. Negotiating, getting down to it
5 and letting the county executive and their
6 people do what they got to do to negotiate
7 their contract I hope it comes sooner. I hope
8 it comes yesterday. But nobody is stopped
9 from coming in to perform their duty when it
10 comes to arresting or going after an
11 individual.

12 Could I give them more overtime?

13 Could I ask them to do more? Yes.

14 Absolutely. But as my commanding officer of
15 the gang unit said to me just last night, this
16 is the lowest enrollment of MS-13 they've
17 seen. That doesn't happen on accident.
18 That's because of the great job our detectives
19 have done with the minimal amount of people
20 they've had to do it.

21 LEGISLATOR FORD: Thank you and
22 you're right, we do have great detectives. In
23 my mind, even though we have the lowest number
24 of MS-13 members right now, just think if we
25 had those 50 more detectives that we would

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2 even have less MS-13 members. I know that we
3 talk about the number of detectives and where
4 they are and numbers going down, whether or
5 not with gangs and the opioid crisis and
6 everything, but still these crimes are
7 happening. When we look at this we always say
8 that there are has also to be a quality of
9 life component in regard to this.

10 Last night I went to a wake of a
11 young man that we honored. He was part of the
12 top cop in the beginning of this year. He
13 died of a drug overdose. So it's little
14 comfort to the family to say that well, the
15 numbers are down. There's not as many deaths
16 because they have to live for the rest of
17 their life without young Michael. For me, I
18 think that's why when the president of the
19 union, John Wighaus, says to us we're down
20 these detectives, we truly need them, I firmly
21 believe him.

22 I understand the constraints that
23 you have. That you would like to see more
24 detectives. You're in negotiations. I'm
25 wondering how far along we are with these

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2 negotiations. But that's not the subject of
3 today's discussion. But I hope that when you
4 say that you're in midst of it or the county
5 is in the midst of it that we truly are. That
6 we are in the middle of negotiations and maybe
7 near the end so that maybe if this is on the
8 table. But my gut feeling tells me that we're
9 not.

10 But I have a question then. Let's
11 go back to when you said about the memorandum
12 of agreement. And I'm going to be honest. I
13 try to follow through with the detective steps
14 and being with the PBA and how much they get
15 and whatever and this memorandum of
16 understanding. Is that what we are tied to at
17 this point why these police officers are
18 reluctant to move up into the detective
19 bureau?

20 COMMISSIONER RYDER: That's only
21 from those coming from the special unit. If
22 you were in a unit that already gets a stipend
23 and well deserved, well negotiated stipend,
24 now they leave that unit. They jump to that
25 top scale of five I think the president said.

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2 And they'll jump to that salary base. But
3 what happens to a young cop that wants to go
4 and he's not in that stipend? He then
5 actually goes back and starts it.

6 As you heard from president
7 Wighaus, Chris Muchow does a phenomenal job on
8 educating us about the contract. A contract
9 that was negotiated years ago that added all
10 these steps. Nobody had any ill intent to
11 turn around and play a game. It's just that
12 the projection on the number when it was done
13 never saw the end game. The end game puts
14 them in a bad spot. It puts a guy that wants
15 to be a detective going, I got more
16 responsibility. I got more work. My phone
17 rings at home all the time. They care about
18 their victims. They do the right thing by
19 their families. And I'm going to get less pay
20 for this and I'm going to work four days a
21 week, less days, same hours but the schedules
22 are tougher schedules. Days and nights.
23 There's no set schedule. It's more of a
24 commitment. You get that gold shield it's an
25 honor to wear that gold shield. It truly is.

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2 Somewhere along the way though we've lost
3 that, tarnished it a little bit. We got to
4 bring it back up.

5 LEGISLATOR FORD: As a result of
6 then the contract of 2012 is when this
7 situation occurred where we are having
8 problems with the detectives?

9 COMMISSIONER RYDER: I believe
10 that was the last contract. That was where we
11 started having the issues.

12 LEGISLATOR FORD: Then we all
13 know this is a problem and we all want to
14 achieve to bring more detectives. We want to
15 make it so that we elevate detectives back to
16 where they were. That it is an honor, that
17 people are proud to wear the shield. Trying
18 to get these young police officers or even the
19 seasoned ones to say you know what? I'm going
20 to make that step get out of my uniform. I
21 want to go in plainclothes. I want to do
22 investigating. I want to do something
23 different in policing. Correct?

24 So, why then do we have to wait
25 until we negotiate the contract if we know

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2 that that is the problem? If we can actually
3 put our finger on that particular problem, why
4 do we to wait for the contract to be settled
5 in order to be able to clear this up? Why
6 can't we come to an agreement at this point
7 that this is something that we are going to
8 reverse?

9 COMMISSIONER RYDER: I believe
10 that's what's going on in negotiations now.

11 LEGISLATOR FORD: But we are
12 having problems waiting for. Unless you can
13 tell me we have five more days and
14 negotiations are going to be over. I don't
15 understand this. This has been something that
16 we have been talking about for years. And
17 even now, in this case for like 18 months or
18 24 months or whatever, we know that we have
19 this problem. I know that you say well, it's
20 in negotiations. But I for one am saying
21 that -- and I understand contracts. I do.
22 Like, I'm not looking for you to give away the
23 store or whatever. But we are asking for
24 something to help our residents.

25 When we talk about, I mean, there

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2 are so many specialized departments within the
3 detectives, whether or not it's missing
4 persons. That's very important. If somebody
5 who's missing they want somebody to help them
6 as soon as possible to find their loved one.
7 I don't even know about whether or not
8 domestic abuse, if we have adequate police
9 officers or detectives working with those
10 cases or anything to do with children. These
11 are things of crisis.

12 I understand they are doing a good
13 job. But it's like we are really stretching
14 them to the limit. I think it's unfair and I
15 think it's unfair to residents as well. We
16 expect a certain level, and I'm afraid that if
17 we wait for contract negotiations to be over
18 to remediate this problem like it will snap.
19 Something will snap. They won't be able to do
20 it as well as they have been. I think a lot
21 of these detectives are getting very tired and
22 it's really unfair to them.

23 LEGISLATOR DERIGGI-WHITTON: We
24 all feel the same frustration. But I'm
25 looking at the numbers and it says for the

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2 2019 adopted budget you are budgeted for 360
3 detectives, correct?

4 COMMISSIONER RYDER: That's
5 correct.

6 LEGISLATOR DERIGGI-WHITTON: You
7 have 309, correct?

8 COMMISSIONER RYDER: Yes.

9 LEGISLATOR DERIGGI-WHITTON: If
10 you came up with 55 detectives tomorrow you
11 could make them detectives?

12 COMMISSIONER RYDER: Absolutely.

13 LEGISLATOR DERIGGI-WHITTON: So
14 we have the money.

15 COMMISSIONER RYDER: We have the
16 money. It's in the budget.

17 LEGISLATOR DERIGGI-WHITTON: It's
18 all set to go with the money.

19 COMMISSIONER RYDER: You can't
20 change the human behavior.

21 LEGISLATOR DERIGGI-WHITTON: I'm
22 just talking about money first. We have money
23 to hire about 55 detectives today.

24 COMMISSIONER RYDER: That's
25 correct.

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2 LEGISLATOR DERIGGI-WHITTON: So
3 that's in place no matter what the
4 negotiations are. Two problems that it sounds
5 like we're having is number one, with the
6 steps. Is it possible to even renegotiate
7 steps at this point or does that come from the
8 state?

9 COMMISSIONER RYDER: Everything
10 is negotiable.

11 LEGISLATOR DERIGGI-WHITTON:
12 We're going to have to look into the steps.
13 The other thing is, I have been doing my own
14 survey, which is really completely
15 unscientific. You're right. A lot of the
16 police officers it's their quality of life.
17 They don't want to take on the extra stress.
18 They want to go home. One of them told me I
19 go home and it's like an eraser board. My
20 laptop and I don't have to think about
21 anything that happened today. Tomorrow I go
22 in, I open it and it's a new day. That's a
23 relief of stress for me and that's what I want
24 for my life.

25 It's hard. Like the money and

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2 steps I can see we can work with. But this
3 other part it's a real shift in society. It's
4 a real change it sounds like. That's going to
5 take a lot to -- do you have any suggestions?

6 COMMISSIONER RYDER: We go out.
7 I speak with the DAI quite often. We go out
8 and we promote the detective division. We try
9 to get more membership police into it. But
10 look, you take on more responsibilities, more
11 work and I'm going to give you less money. It
12 doesn't make any sense. It doesn't. Anybody
13 with any common sense looks at it. There are
14 good young cops that say I'll still do the job
15 and they take on that work. They know
16 eventually they work themselves out of that
17 steps but you got to be able to look back at
18 your family and say we got to cut back here
19 and cut back there while I go through these
20 steps for the next five years to get back to
21 where I was. It's a challenge.

22 And nobody understands it more than
23 I do. I 100 percent want that budgeted head
24 count. You heard president Black say. We get
25 a budget. We get a head count. We're always

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2 pushing towards the head count. That's where
3 we try to get to. Again, the savings of it,
4 what's been saved by not reaching the 360
5 detectives, those extra 40 detectives are
6 sitting as 40 cops. So they're sitting in the
7 world of police officer when they get made
8 detective. So it's the difference between cop
9 and salary. As you go backwards it's actually
10 additional savings.

11 LEGISLATOR DERIGGI-WHITTON: I'm
12 sure the overtime has taken some of the \$5
13 million also to make up the difference. So
14 again, I'm just trying to clarify what -- we
15 all want to fix it but we're stuck. Because
16 again, we are ready to hire 50, go get 50 and
17 we would be thrilled. We would love it. But
18 I think there's a real issue. We talked about
19 this, I don't know if it's at all possible, in
20 the interview process to see who wants to be a
21 detective. I know you can get different
22 points for being hired if you have experience
23 with different things.

24 COMMISSIONER RYDER: We literally
25 promote within a day of someone asking.

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2 LEGISLATOR DERIGGI-WHITTON: What
3 about hiring? Can you ask them if they want
4 to be detectives?

5 COMMISSIONER RYDER: It's a
6 promotion from cop to detective. It's not a
7 hire.

8 LEGISLATOR DERIGGI-WHITTON: Even
9 when you hire police officers --

10 COMMISSIONER RYDER: The hiring
11 process to get a member on this department we
12 can't sit there and start offering hey, you
13 want to be a detective? That's civil service
14 rules. But we go out and we promote it on a
15 daily basis. I just asked the chief of the
16 detectives is there any more on the desk. We
17 got two within the last two days that came
18 in. They will be made detective by next
19 week.

20 But that's not the way you ought to
21 do business. You can't. You can't take some
22 young energetic kid who says I'll be a
23 detective. Thank you. Great. But is he
24 experienced enough to be there? Is he
25 experienced enough to care for those victims

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2 and gather that evidence? It's not a way to
3 do business. We realize that.

4 Again, we walked in, handed this
5 and this is what we're dealing with for the
6 last several years trying to get past these
7 MOUs and contractual issues. Is the county
8 negotiating? Yes. I know there's four dates
9 set in the DAI calendar. They are moving
10 forward. Should they move and could they move
11 faster? I hope so. I want to be on the other
12 side of this and say we got the 360 and start
13 pushing for more.

14 LEGISLATOR DERIGGI-WHITTON: I
15 can tell you firsthand I know. I lived with a
16 police officer for 20 years. I know the
17 stress. If you look at the rates of divorce
18 and everything else and alcohol. It's a major
19 impact on your lives. I have kids that are
20 getting to that age now and I think sometimes
21 you do want them to do well and strive and
22 have the honor. But you also want them to
23 have a life that is peaceful in a sense and
24 nonstressful.

25 So, it's a real interesting time in

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2 our lives because I think this next
3 generation's values are a little different.
4 I'm not saying they'll all bad. Some of them
5 they might be happier with less if they have
6 less stress. That's not just the police.
7 It's everything. It's a real shift. We are
8 trying and I hope you guys know that.

9 Again, I would be thrilled to see
10 us go up to the 360 tomorrow and then maybe we
11 could get more than that. But until we get up
12 to the 360 and figure out -- I can see that
13 the little bit of more money would help but I
14 don't know. It's probably going to take a lot
15 of money to change a lot of their minds to get
16 them to take on --

17 COMMISSIONER RYDER: The DAI
18 would welcome you at the negotiating table I'm
19 sure.

20 LEGISLATOR DERIGGI-WHITTON:
21 Talking about your salary and your stress I
22 started to thinking about us a little.
23 Anyway. Now we are doing a little better.
24 But all right. Thank you.

25 LEGISLATOR FORD: Legislator

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2 Ferretti.

3 LEGISLATOR FERRETTI: Thank you
4 Legislator Ford. Good afternoon
5 Commissioner. I just have a few preliminary
6 questions before I get to more substantive
7 questions. You may have answered these
8 already but I didn't write them down. I want
9 to get the numbers down. How many detectives
10 are currently in the gang unit?

11 COMMISSIONER RYDER: In the gang
12 unit is 13. Just to clarify, one of them is
13 about to retire within the next three weeks.
14 That will get us back to 12.

15 LEGISLATOR FERRETTI: How about
16 the narcotics unit?

17 COMMISSIONER RYDER: Narcotics
18 unit has currently right now there are 29
19 detectives, six supervisors and one detective
20 lieutenant.

21 LEGISLATOR FERRETTI: How many
22 detectives are stationed at the Sixth and the
23 Eighth Precinct?

24 COMMISSIONER RYDER: Zero.

25 LEGISLATOR FERRETTI: At any

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2 given time out of the 309 detectives we
3 currently have how many are on duty? I know
4 there are 24 hour operations but --

5 COMMISSIONER RYDER: If you look
6 at each squad, as you heard, sometimes they
7 have a minimum of two in a squad. A double
8 squad is a minimum of three to four.
9 Sometimes we're carrying six per tour. It
10 depends. It's all different. You have double
11 squads, which are the Third and the Sixth and
12 the Two and Eighth. Then the other ones are
13 single squads. The Fourth Squad being one of
14 the smaller squads on paper. The others, like
15 the First Squad has 20 detectives. Second
16 Squad 24. Third Squad 31 because it's a
17 double. Fourth Squad 13. Fifth Squad 17.
18 Seventh Squad 13. And then you break down to
19 your major case squads.

20 LEGISLATOR FERRETTI: Out of
21 those, the ones you just ticked off there,
22 they're not all on duty at the same time,
23 right?

24 COMMISSIONER RYDER: No. Let's
25 take a single squad. The Fourth Squad.

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2 There's always two detectives working. That's
3 a minimum. Sometimes it will be three to four
4 depending on what squad, depending on
5 vacations who took off. But at a minimum
6 there's two.

7 LEGISLATOR FERRETTI: So being
8 that there are no detectives in the Sixth and
9 Eighth Precinct, if a resident was to come in
10 with an issue that requires a detective's
11 attention what would happen?

12 COMMISSIONER RYDER: The Second
13 Squad carries the work load of the Eighth
14 Squad. That's why they have a larger squad.
15 At the Second Squad there is 24 detectives.
16 When I say a larger squad that's not near
17 enough as it should be but that's the number
18 in the Second Squad. They carry a minimum
19 staffing I think it's four per squad. Second
20 squad. Double squad. Four.

21 LEGISLATOR FERRETTI: I saw you
22 on TV the other day. I saw you on Fox News.
23 You look great.

24 COMMISSIONER RYDER: Here it
25 comes.

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2 LEGISLATOR FERRETTI: Brian
3 Kilometer interviewed you. The first question
4 he asked you was why it took so long to
5 discover the body at the Massapequa Preserve
6 last week. You didn't really answer his
7 question. You answered it but you didn't
8 directly answer the question. I'm asking it.
9 Why did it take two years to find that body?

10 COMMISSIONER RYDER: There's
11 reasons besides on the investigative side that
12 I cannot tell you about to protect those
13 people involved. When somebody gives us
14 information we go and we follow up on a lead.
15 We went in there. We went in with ESU, our
16 police officer ESU guys. We went in with
17 detectives, gang unit, our federal partners
18 and we walked it. Then we went back another
19 with dogs.

20 LEGISLATOR FERRETTI: Sorry.
21 When did you go in and walk it?

22 COMMISSIONER RYDER: I don't know
23 have dates in front of me. But we went
24 back -- we're going back almost several months
25 ago. We went through it. We walked the first

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2 time. We walked t with dogs. We had
3 information that a body was at this location.
4 Our homicide guys did a little preliminary
5 work. Came up negative. They went back a
6 second time. They did more work. They dug
7 out another spot where they dug even deeper.
8 You know the water table over there it comes
9 up very quickly.

10 We went back a third time with
11 backhoes and again with dogs, our federal
12 partners. We dug. We dug. We cut down I
13 would say a quarter acre of shrubbery and
14 branches and trees, dragged them out, cleared
15 the area out backhoed and dug. And dug
16 again. I was there. It was all during this
17 Saturday and Sunday that they did this.

18 Then negative again. Body wasn't
19 there. We went back again last week on a
20 Friday. They raked over an acre of leaves.
21 And after speaking to somebody in the science
22 world to try to get an understanding of what
23 maybe something we could look for, it was
24 discussed how we should look for a certain
25 spot, a depression on how the rock gets worn

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2 and everything else, our homicide guys went
3 back in again and they raked these leaves.
4 That's when they found the spot. They went
5 back in. They dug it up and found a rope and
6 that's where the investigation stands.

7 LEGISLATOR FERRETTI: Thank you
8 for that answer. So, am I to understand the
9 reason that it took two years to uncover this
10 body was because it was only a few months ago,
11 without releasing any information that you
12 can't release, it was only a few months ago
13 that you were given information by an
14 informant that would lead you to the
15 preserve?

16 COMMISSIONER RYDER: The first
17 tip was probably a year ago.

18 LEGISLATOR FERRETTI: So why did
19 it take from that point --

20 COMMISSIONER RYDER: The first
21 tip put us in the wrong place. The second
22 place put us in the wrong place. The third
23 place put us in the wrong place. Because of
24 the persistence of our good detectives they
25 went back and pursued it again and they got

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2 information of another place and that's how
3 they got to where they were.

4 LEGISLATOR FERRETTI: Once you
5 were tipped off that this was the location of
6 this body you were able to dedicate the
7 resources immediately to uncover the body; is
8 that correct?

9 COMMISSIONER RYDER: That is
10 correct.

11 LEGISLATOR FERRETTI: You
12 mentioned dogs I heard in your response. Do
13 we currently have a cadaver dog in Nassau
14 County?

15 COMMISSIONER RYDER: We do not.
16 We have ten dogs. None of them are cadaver
17 dogs. We use the state police when we do
18 that.

19 LEGISLATOR FERRETTI: Does
20 Suffolk County have a cadaver dog?

21 COMMISSIONER RYDER: I don't know
22 the answer to that.

23 LEGISLATOR FERRETTI: Do you
24 think if we had a cadaver dog that would have
25 helped in the multiple days we had to go back

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2 and pull up weeds and do everything you just
3 explained we had to do?

4 COMMISSIONER RYDER: I think all
5 of you in government know shared services. We
6 have shared services too. We work with our
7 federal partners. The state dog is always
8 available to us. Just like --

9 LEGISLATOR FERRETTI: Did you use
10 it in this instance?

11 COMMISSIONER RYDER: Yes, we
12 did. And just like arson and bomb gets used
13 by the state for the Open that we just had.
14 And just like during the air bureau, we add
15 other resources to the park police and state
16 police. We all share services to do it.
17 There was not one resource cut looking for
18 Mr. Limus' body. Not one. Information and
19 intelligence put us there. Protection of the
20 people involved and the witnesses was also a
21 hinderance. But again, all the resources were
22 put there to find him and that's because of
23 their continued pursuit to get us to where we
24 were, which was an independent spot of where
25 we had been looking.

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2 LEGISLATOR FERRETTI: How many
3 drug sniffing dogs do we have in Nassau
4 County?

5 COMMISSIONER RYDER: Five out of
6 the ten. Each dog has a specific discipline.
7 So whatever their discipline is and they also
8 do -- all of them do patrol work. We go
9 through that process. Some age out. We have
10 one that is in the aged out process now and we
11 replace that. We just put two new dogs into
12 canine. We have ten dogs that are in the
13 canine unit.

14 LEGISLATOR FERRETTI: Just back
15 to the interview on Fox. You gave an
16 explanation similar to the explanation you've
17 given today. Essentially saying that police
18 officers don't want to take the position and
19 that this is a contractual issue. But the
20 reality is solving that contractual issue
21 could take months, more likely years, and this
22 is a crisis that we are dealing with right
23 now.

24 Now, I heard in your response that
25 there is a way to deal with this crisis now in

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2 terms of bringing people in on overtime. What
3 is the reason if we're not doing that? Why
4 are we not doing that?

5 COMMISSIONER RYDER: We are doing
6 that. There's no cut back of gang guys.

7 LEGISLATOR FERRETTI: Hold on.
8 Respectfully Commissioner, you just told me we
9 have no detectives as we sit here right now
10 manning the Sixth and Eighth Precinct.

11 COMMISSIONER RYDER: Sixth and
12 Eighth Precinct Squad has not been opened. It
13 was agreed to not open when we discussed
14 opening the precincts. That was agreed to. I
15 understand the concern of the unit. But that
16 was agreed to. They understood that was going
17 to happen.

18 LEGISLATOR FERRETTI: You're
19 talking about an agreement with the union?

20 COMMISSIONER RYDER: We had an
21 agreement and we understood --

22 LEGISLATOR FERRETTI: I'm not
23 concerned about your agreement with the
24 union. I'm concerned about solving this
25 crisis for the residents of Nassau County

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2 right now. I represent, as you know, a
3 district that goes to the Eighth Precinct.
4 There are no detectives there. Now we are
5 hearing that we can man the Eighth Precinct
6 with detectives by bringing in detectives on
7 overtime to do so.

8 So, irregardless of whether the
9 administration may have had an agreement with
10 the unions, my question is, when my residents
11 go to the Eighth Precinct don't have a
12 detective to address their concerns when I'm
13 also hearing that we could bring them in on
14 overtime.

15 COMMISSIONER RYDER: I can also
16 bring them from the Second Precinct and put
17 them into the Eighth Squad. The four that are
18 working we knock it down to two and we split
19 the squads.

20 LEGISLATOR FERRETTI: Why aren't
21 we doing that?

22 COMMISSIONER RYDER: Again, it
23 was agreed to before we opened up the
24 precincts.

25 LEGISLATOR FERRETTI: You're

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2 talking about with the union?

3 COMMISSIONER RYDER: Look, when
4 you don't have a staffing head count you
5 jeopardize safety by not getting that. We
6 need to hire detectives. That's the problem.
7 I can put two detectives sitting in the Eighth
8 Precinct Squad tomorrow. But the problem is,
9 again, I don't have the numbers in volume to
10 split the squads. I can take the four that
11 are minimum man, take two and send them up to
12 the Second Squad. It doesn't cost me
13 anything. It's the same number. But the idea
14 of it is supervision and coordination all
15 staying in the one squad which is better
16 served.

17 LEGISLATOR FERRETTI: But the
18 reality is we are budgeted for 360
19 detectives. At any given point, although we
20 can't identify an exact number, there is a
21 number of detectives that are on duty. That
22 number in my opinion should not deviate. If
23 out of those 309 that we have there are always
24 at least 180 that are on duty that shouldn't
25 deviate. If it does, then we should bring in

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2 which ever detectives are not on duty on
3 overtime to maintain that level of detectives
4 on duty. Is there a reason we can't do that?

5 COMMISSIONER RYDER: No. But we
6 have --

7 LEGISLATOR FERRETTI: Are we
8 doing that?

9 COMMISSIONER RYDER: We have the
10 minimum manning numbers that are required,
11 contractually agreed to.

12 LEGISLATOR FERRETTI: We either
13 have a detective crisis or we don't. Do we in
14 your opinion?

15 COMMISSIONER RYDER: We have a
16 lack of hiring that needs to be addressed in
17 the negotiations to get to the number of 360.

18 LEGISLATOR FERRETTI: Let me ask
19 you, under the contract is there a mechanism
20 to, for lack of a better term, force a police
21 officer to become a detective?

22 COMMISSIONER RYDER: I don't
23 think so. I honestly don't know that. I
24 never had to force anybody to take a
25 detective's shield before. Or I would not

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2 honor the four that asked to go back.

3 LEGISLATOR FERRETTI: If there
4 was, would that be something that you would
5 consider?

6 COMMISSIONER RYDER: I'm sure the
7 unions would have a problem with me forcing
8 anybody to do a job. I don't even think
9 that's a discussion we could have.

10 LEGISLATOR FERRETTI: I think
11 it's something we need to look into. Because
12 my understanding is that you can make an
13 officer, as long as they are not on probation,
14 a detective. And from what I'm hearing, the
15 only officers that are becoming detectives
16 anyway have very little experience. If we can
17 possibly look into solving this crisis in that
18 way I think it's something that we need to at
19 least explore.

20 COMMISSIONER RYDER: I will start
21 exploring that as soon as we walk out of here.

22 LEGISLATOR FERRETTI: Do you have
23 any information in terms of the negotiations,
24 what the status of them are? How they're
25 going?

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2 COMMISSIONER RYDER: I just know
3 there was a meeting. There are four dates
4 set. That's all I can discuss about it. I'm
5 not in the negotiation room.

6 LEGISLATOR FERRETTI: During the
7 interview you also indicated that the county
8 executive has turned it on in terms of
9 unleashing you into being able to do your
10 job. In what way has she turned it on?

11 COMMISSIONER RYDER: No. I think
12 the question was has the county exec allow
13 you -- unleashed you to do your job. The
14 county exec has always unleashed me to do my
15 job. She has not restricted me to do anything
16 when it comes to public safety. Nothing.
17 Zero. That's why you have such low rates.
18 That's why you have a 24 percent reduction in
19 overdoses. Yes, it's shameful for those poor
20 families that lost those children. We know in
21 our business we want victories every day but
22 we got to work to get there. And we deal with
23 what I have in my hand. If this is what I got
24 I'll turn it into something. That's what I
25 do. So when I'm given what I got with 309

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2 detectives I'll deal with it. I'll make it
3 work. I'll use other resources. I'll put
4 everything I got at it.

5 I've never been restricted one step
6 by the county exec or anybody in her
7 administration or anybody from this board to
8 not do my job. And I think the results speak
9 for themselves regarding crime, regarding
10 overdoses, regarding gangs.

11 LEGISLATOR FERRETTI: Fair
12 enough. I would from my perspective beg to
13 differ considering this body was sued to keep
14 the precincts closed. But that aside.

15 COMMISSIONER RYDER: You're not
16 the only one being sued these days.

17 LEGISLATOR FERRETTI: That's
18 true. But putting that aside --

19 COMMISSIONER RYDER: By the way,
20 that's not funny. I'm being sued personally.
21 My wife and three children are being sued.
22 That's personal. You cross a line when you do
23 that. This is business. This is business. I
24 deal with the crap that's been handed me. I
25 turn out the product and it's a damn good

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2 product. Our cops, our detectives and our
3 supervisors do a hell of a job to get us where
4 we are. But when you cross a line and serve a
5 man and his family personally and serve my
6 Jewish sergeant on the Sabbath and then me,
7 try to serve me on Easter and my lieutenant on
8 a Saturday, that's not business no more.
9 That's personal.

10 LEGISLATOR FERRETTI:
11 Commissioner, I understand. I sympathize.
12 Honestly, I never heard of this before. But
13 you're right. My point is just when we talk
14 about the administration turning it on and
15 unleashing it's an ironic comment when we had
16 to fight as hard as we had to convince the
17 administration to reopen the precincts. That
18 was my only point.

19 COMMISSIONER RYDER: I'm on the
20 same fight as you.

21 LEGISLATOR FERRETTI: Understood
22 and I appreciate that. Just to end my
23 comments. To me, we have a crisis here.
24 There may be a long-term fix which is
25 contractual. But my point is we can fix that

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2 crisis right now. We have the resources to do
3 that. Whether it be through overtime, whether
4 it be through possibly looking into whether we
5 can make police officers detectives. But we
6 can't just say it's contractual so we'll put
7 it off. If there is a mechanism and the
8 resources in place to fix it right now we have
9 to do it by hook or by crook. We just can't
10 use contractual, hopeful contractual
11 negotiations as a crutch.

12 So I would hope, I would ask that
13 you look into that other mechanism to possibly
14 get this done and that we continue to work
15 together to get it done not just talk about
16 contracts. Thank you.

17 COMMISSIONER RYDER: Got it.

18 LEGISLATOR FORD: Commissioner, I
19 want to be quite clear with you. We're not
20 necessarily calling into question the job that
21 you're doing as police commissioner. We know
22 that this is a tough job and you have
23 delivered on many issues. But I think that
24 just as we represent the fact that you are in
25 charge and the head of our Nassau County

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2 Police Department, we are also asking you, as
3 we are listening to our police unions and the
4 members, their members, who are saying that
5 they are having problems continuing to do
6 their jobs, they're busting their butts each
7 and every single day and you see it. Like you
8 have testified about the numbers going down,
9 crime going down, lower MS-13 members. But
10 our fear is that it's getting to the point
11 where something is going to break. I don't
12 want it to be our detectives or our police
13 officers.

14 We are asking you, we are asking
15 this administration to please stand up and
16 listen to what's being said. That this has
17 been said time and time again. I feel that
18 somebody just is not opening up their ears,
19 not opening up their heart to say there's
20 something wrong here. This is what we are
21 trying to point out to you. This is a human
22 issue. This is to deal with the men and women
23 who serve us each and every single day and
24 they put their lives on the line.

25 That's what we are saying that when

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2 we talk about contract negotiations that's one
3 thing. And we don't know how long. A lot of
4 times, I don't even know, traditionally how
5 long contract negotiations would take in
6 Nassau County. If there is an average time
7 frame. But I know having been in a union how
8 many months and possibly years like you could
9 go without a contract. Our fear is that this
10 is not going to be resolved until the contract
11 is settled and they could delay. This
12 administration can, like it or not, you're not
13 part of negotiations so what do they care?
14 You're the one trying to keep everything
15 together. Keep everybody going. Keep moral
16 up. Listening to us. Coming to our
17 hearings. I'm sure the stress is getting to
18 you as well.

19 But we are asking let's correct
20 this now. We need these detectives. When we
21 have the money for 50 additional detectives
22 and we can't get the bodies to take these jobs
23 that is a problem and it's causing a crisis.
24 This is what the whole essence of this hearing
25 is to say let's forgo on this issue then if we

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2 have to. Let's negotiate this now. Let's
3 take this outside the contract negotiations.
4 Let's sit down with our unions.

5 What if the vice president in mean
6 time decided not to do this payroll anymore?
7 Where do we stand with all of these people?
8 They won't be getting the right pay. What we
9 are saying is we have to right this wrong and
10 it has to be done as soon as possible. We
11 cannot wait two months, three months, six
12 months because we're coming to a summer. Who
13 knows what's going to happen? We need to have
14 some relief and that's what we are asking of
15 you.

16 Steve Rhoads.

17 LEGISLATOR RHOADS: Just a couple
18 of follow-up questions. Thank you Madam
19 Chairwoman.

20 According to the testimony of John
21 Wighaus he had indicated that there was a
22 savings of approximately \$5 million. I think
23 \$5.1 million in 2018 with us being under count
24 in terms of the number of detectives versus
25 how many were budgeted for and how many were

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2 funded. This year so far I believe he said in
3 the first quarter it was \$2.7 million in
4 savings. Are we using that money for
5 anything? What do we use that money for
6 2018?

7 COMMISSIONER RYDER: I'm not the
8 budget director. I don't know where that
9 money goes. I assume it shows a savings at
10 the end of the year. As far as the police
11 department goes, we live with our budget.
12 That part of it is in the head count numbers.
13 It's not like the money comes back into us.

14 LEGISLATOR RHOADS: I guess my
15 question is, why shouldn't it come back to
16 you? For example the \$5 million last year or
17 even 2.7 this year to Legislator Ferretti's
18 point, for example, if you wanted to split the
19 detectives in the Sixth and Eighth Precincts
20 to make sure that the Eighth Precinct was
21 staffed, you don't have to take the four
22 detectives and make it two and two. If the
23 workload demands that you need to have three
24 in each precinct or four in each precinct why
25 shouldn't you be able to use the money that's

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2 not being used on full-time detective salaries
3 and use that money for overtime to staff both
4 and to add a full complement? You understand
5 my point?

6 COMMISSIONER RYDER: I totally
7 agree. Again, I'm not the budget guy. It
8 doesn't come back to me. I live with what
9 they give me to live with. It's not like I
10 can say give me that money back. I want to
11 use it this way. That being said --

12 LEGISLATOR RHOADS: Is there
13 something we can do to give you that
14 flexibility or you have no idea?

15 COMMISSIONER RYDER: I have no
16 idea. I think it's a budget question that
17 would have to be asked.

18 LEGISLATOR RHOADS: Fair enough.
19 But there is nothing preventing you
20 theoretically from bringing in additional
21 detectives on overtime if there's a particular
22 division that needs support?

23 COMMISSIONER RYDER: All of our
24 DD are minimum staffed. If we are down two,
25 under two, we have to put one in and make it

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2 two. If it's a double squad I think it's four
3 and you have to bring two in on overtime. I
4 can theoretically take the two and say you two
5 sit in the Eighth and you two sit in the
6 Second. But it doesn't work. There's more
7 involved to help out with each other. Because
8 if there's photo arrays, if there's lineups to
9 be done, if somebody's out processing an
10 arrest, if somebody goes out these all play
11 into it.

12 LEGISLATOR RHOADS: For example,
13 how many detectives right now are assigned to
14 the Sixth?

15 COMMISSIONER RYDER: Sixth
16 Squad? That was a trick question. There is
17 no Sixth Squad.

18 LEGISLATOR RHOADS: That's true.
19 That's a fair point.

20 COMMISSIONER RYDER: Third Squad
21 has 31 detectives.

22 LEGISLATOR RHOADS: Is there a
23 reason that if you wanted to split the squads
24 so that you could have detectives in the
25 Eighth Precinct let's say and recreate an

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2 Eighth Squad, is there a reason why you
3 couldn't simply split the squads and then
4 backfill on overtime with additional
5 detectives that are already assigned to that
6 particular squad so that you're not losing
7 people? In other words, two and two --

8 COMMISSIONER RYDER: There's 32.
9 You could put 16 in each precinct. The
10 problem is there's no Sixth Squad to have.
11 The building is under construction. The
12 trailers are what's running the precinct side
13 of it. The Eighth Precinct has the facility
14 to do it. We are waiting for some
15 construction to be done in there regarding a
16 wall and some doors to be put up for the
17 security and privacy of the detective
18 division.

19 LEGISLATOR RHOADS: I guess my
20 philosophical question is, if the contract
21 requires that you have two detectives that's
22 minimum staffing, right? But in order to be
23 able to do the job you need to have three or
24 four on duty at the same time to reduce the
25 case load that they are working on or at least

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2 to be able to get them to move through their
3 case load a little faster. Is there anything
4 preventing us from backfilling on overtime to
5 do that?

6 COMMISSIONER RYDER: No. Just
7 the fact that the budget constraints and
8 trying to live within the budget.

9 LEGISLATOR RHOADS: Using the
10 savings that -- if it were even possible to
11 use the savings that you're achieving by not
12 having additional detectives until that
13 problem is solved if it were possible for you
14 to be able to use that money you certainly
15 would, correct?

16 COMMISSIONER RYDER: Correct.

17 LEGISLATOR RHOADS: Is the reason
18 that we don't have -- we're not backfilling
19 detectives on overtime a budgetary issue at
20 this point?

21 COMMISSIONER RYDER: No. I
22 believe, my understanding, this was the
23 agreement when we opened them up that until we
24 fix this issue of hiring we would remain
25 double.

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2 LEGISLATOR RHOADS: I understand
3 that. I guess I'm having the same sticking
4 point that Legislator Ferretti is having. I
5 know what was agreed to in the contract, but
6 there's also -- and I understand your
7 constraints Pat but there's also a situation
8 of what do you need to be able to do the job?

9 COMMISSIONER RYDER: I need my
10 360 detectives. That's what I need. But this
11 doesn't help me get my detectives.

12 LEGISLATOR RHOADS: I understand
13 that. But you need 360 detectives presumably
14 so as to not overwork the detectives that you
15 already have and provide your minimum staffing
16 and let everybody get their job done. But in
17 the absence of 360 detectives, if you were
18 backfilling an additional 50 that you're
19 missing each tour --

20 COMMISSIONER RYDER: Yes. I
21 understand what you're saying.

22 LEGISLATOR RHOADS: We're paying
23 them on overtime.

24 COMMISSIONER RYDER: We're going
25 to be paying overtime that also overworks them

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2 and overstresses them. Because now they're
3 carrying more cases.

4 LEGISLATOR RHOADS: I want to
5 make sure that the job is getting done until
6 the contractual issue is solved. We have no
7 idea when it's going to be solved. To be
8 perfectly honest, and it's not really fair to
9 ask you these questions because you're not
10 sitting at the negotiating table, but this is
11 a problem that we've known about for two
12 years. It's a problem that the administration
13 has known about for the 18 months the
14 administration has been in office. And I
15 don't know what the number of negotiating
16 sessions were up to that the DAI has had with
17 the administration. But on my last
18 conversation I think the number was sitting at
19 three over the course of 18 months. And that
20 only occurred in the last several months
21 because we were having a temper tantrum from
22 the administration because we wouldn't approve
23 Gary Dellaverson sitting at the table. It
24 wasn't until the county executive went around
25 us and went to NIFA to get them to hire the

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2 person that we specifically said we weren't
3 going to hire until she actually finally came
4 to the negotiating table.

5 This in my sense is a
6 self-inflicted wound. I'm besides myself as
7 to how it is that we allowed ourselves to get
8 into this situation. I understand that you're
9 being handed a bag of, don't say it, a bag of
10 coal -- thank you John -- to try and fix. But
11 in the mean time we really should be looking
12 at if our detectives are in fact, and it
13 sounds as though they are, overworked to the
14 point where we are only sticking to minimum
15 staffing because that's all we can get and not
16 based upon their workload. Seeing if we can
17 make it possible for you to be able to use
18 some of the money that you're saving to be
19 able to backfill on overtime so we can make
20 sure units are fully staffed.

21 For example, the missing persons
22 unit number that was given to us of 1700 open
23 cases works out to 280 missing persons cases
24 per detective that you have to. That seems
25 like it's an impossible burden, and I don't

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2 know how anything really gets solved when
3 you're dealing with that volume of work. It
4 sounds as though they're desperate for more
5 people. But until we can get more physical
6 bodies, I don't want, and it sounds strange to
7 say, I don't want money to be the obstacle for
8 us making sure that we have the personnel
9 available to make sure the job is getting
10 done.

11 I don't want speak for the entire
12 legislature but I know most of us, if not all
13 of us, up here probably agree that we want to
14 make that commitment to make sure that you
15 have the resources to be able to get the job
16 done. That's our primary responsibility.

17 Do we have, I mean, if you had the
18 funds available you would be bringing in
19 additional detectives in on overtime?

20 COMMISSIONER RYDER: Let me give
21 you an example in missing persons. Most of
22 those missing persons happen at Mercy First.
23 Most of them happen at 3 o'clock in the
24 morning. Every time that happens we call a
25 detective in on overtime because the

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2 detectives don't work those hours. So they
3 get called in to handle that missing person.
4 But now on the other side you're saying if we
5 pay more overtime, we're overworking them
6 now. This is the problem.

7 LEGISLATOR RHOADS: You need more
8 bodies. I understand that.

9 COMMISSIONER RYDER: Yeah. It's
10 not just about the money. It's about getting
11 the people in the seats. The bodies back.
12 And to get that it's got to be done through an
13 agreement with the county. Let's not call it
14 the contractual agreement. Let's call it a
15 separate MOU. I don't know the number. I
16 don't know how to do that. I'm not the guy
17 negotiating it. But I will say this. We're
18 paying the money. We're bringing them in on
19 overtime. We're saying they're overworked but
20 then we're going to pay them more overtime and
21 work them more.

22 LEGISLATOR RHOADS: Pat, are you
23 saying that you have detectives now that don't
24 want the overtime?

25 COMMISSIONER RYDER: There's

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2 always people that want it and there's always
3 people that don't. There are people that want
4 to go home and there's people that want to
5 work.

6 LEGISLATOR RHOADS: I
7 understand. Do you have enough people that
8 want the overtime to be able to backfill some
9 of these positions?

10 COMMISSIONER RYDER: You're
11 paying overtime you will always find people,
12 yes.

13 LEGISLATOR RHOADS: So why can't
14 we do it?

15 COMMISSIONER RYDER: Because
16 again, the agreement, when it originally
17 started, when we broke these precincts up,
18 they merged, they doubled them. That's what
19 they did. Now we're unmerging them. When we
20 talked about it we just don't have the bodies
21 to put into a squad. That was the
22 conversation that was had. So we're trying to
23 get there. We are paying the overtime. We
24 are bringing them in. They are staffed two
25 and two. If I took two out of the Eighth, the

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2 Second and put them in the Eighth I got two
3 detectives in the Eighth Precinct. But then
4 it doesn't work that well. Then one guy goes
5 out with an arrest and one guy's by himself.

6 LEGISLATOR RHOADS: But the
7 question that I have Pat, and we're kind of
8 circling back to the same thing is that if
9 your agreement says that you have to have two
10 in each precinct and that's minimum staffing,
11 but you guys can do a better and more
12 effective job with four.

13 COMMISSIONER RYDER: But I'm
14 pooling from the same pool. I don't have big
15 enough pool to pull.

16 LEGISLATOR RHOADS: But if you
17 have people that are willing to work on
18 overtime can't you get the four?

19 COMMISSIONER RYDER: We can
20 always get someone to take it and move the
21 numbers. Again, these are things that get
22 negotiated. These are things that are on the
23 table. Not something that the commissioner
24 waves a wand and says you guys come in, I'm
25 paying everybody overtime. I have a budget to

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2 live with. You know that. You give me the
3 budget. I have that budget to live with and I
4 try to live within the budget.

5 Yes, I go over it. I can tell you
6 right now I'm not going to make it this year.
7 No way no how. Because of many other issues.
8 Because of these shortages. Because of
9 incentives. Because of retirements. Because
10 of many of the above. We're trying to play
11 catch-up of years of mismanagement. Years.
12 And that's what we're dealing. We're dealing
13 with a crumbling infrastructure. We're trying
14 to catch up. And yeah, we should hire more
15 people. Yeah, we should put more people in
16 these positions. But that's what's being
17 discussed now. That's what's being done now.

18 LEGISLATOR RHOADS: Understood.
19 But what I want to focus on is the reason that
20 we're not doing this is budgetary?

21 COMMISSIONER RYDER: Yeah. The
22 reason that we're not hiring is because of
23 budgetary because of the --

24 LEGISLATOR RHOADS: No. The
25 reason that we're not backfilling on

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2 overtime --

3 COMMISSIONER RYDER: No, that's
4 not the reason. Absolutely not. Again, I'm
5 pulling from the same pool. I can't make a
6 guy work 70 hours of overtime. It just can't
7 work.

8 LEGISLATOR RHOADS: You just said
9 you had detectives that were -- there's always
10 detectives that are willing to work the hours.

11 COMMISSIONER RYDER: But they
12 already worked 40 hours that week and another
13 20 hours of overtime. So I'm going to add
14 another 20 hours on top of that?

15 LEGISLATOR RHOADS: For the
16 short-term problem that you have, you just
17 told me that you have guys that are always
18 willing to work the hours. But that the
19 reason that you're not bringing them in to
20 work the hours is because you have a budget to
21 live with.

22 COMMISSIONER RYDER: I did not
23 say that. I said I have to live within my
24 budget. I told you also I'm not making my
25 budget this year. I'm not. I know I'm not

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2 because of the many different reasons. Paying
3 the overtime and stuff like that. That's
4 fine. That's the price of doing business of.
5 And I'll do the best I can to handle it.

6 But they're not not being called in
7 because we don't want to pay them overtime.
8 We're not being called in because we spoke
9 about the fact -- and we go back around and
10 around. This comes down to I got 309 and not
11 360. I have holes and you just heard the
12 president say, you probably could use 400.
13 And if I'm going to put narcotics back on the
14 board and you're going to put gang with more
15 members and you're going to put missing
16 persons with more members you need more
17 bodies.

18 If I'm paying overtime, sooner or
19 later they burn out. And when you burn them
20 out they make mistakes and they get hurt.

21 Again, I have the same pool to pull
22 from. I pay the overtime. We pay short roll
23 call already when it comes to detectives that
24 are short in the squad. We pay the court
25 overtime. We pay investigations on a Friday

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2 when they find an impression in the preserve.
3 That's all holiday overtime. That's the price
4 of doing business.

5 So it's not being restricted
6 because of that. It's being managed. There's
7 a big difference. And I'm not managing and
8 cutting back on public safety. I'm also
9 concerned about the time my detectives will
10 spend working round the clock. That's when
11 things get hurt and people make mistakes.

12 LEGISLATOR DERIGGI-WHITTON: I
13 have one really simple question. Have you
14 ever done like a poll of all the police
15 officers that can be completely anonymous, a
16 survey --

17 COMMISSIONER RYDER: So we don't
18 do a poll --

19 LEGISLATOR DERIGGI-WHITTON: A
20 survey. But who would take the detective
21 position if we could bounce up the step a
22 little bit? Because I don't even know if
23 that's going to be enough honestly.

24 COMMISSIONER RYDER: I can
25 promise you if the steps are -- listen, you

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2 sit and talk to Chris Muchow he knows it
3 better than anybody. If you eliminate the
4 first five or six steps and make them start it
5 there so they start higher than the cop, I
6 think that's exactly where --

7 LEGISLATOR DERIGGI-WHITTON: You
8 think you could you get a survey showing
9 that?

10 COMMISSIONER RYDER: Absolutely.
11 I hate even having these conversations because
12 I don't want to put a mark on a cop that
13 doesn't want to be a detective.

14 LEGISLATOR DERIGGI-WHITTON: We
15 can't make anybody become a -- it's like
16 making somebody a legislator. Like no one is
17 going to do that. But what you can do is see
18 if -- we don't know exactly what the problem
19 is and we want to help but we don't know --

20 COMMISSIONER RYDER: I think we
21 know what the problem is.

22 LEGISLATOR DERIGGI-WHITTON: Is
23 it only the steps? Not my little survey that
24 I did. They said no.

25 COMMISSIONER RYDER: I promise

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2 you I can get my 360 number the steps are step
3 are --

4 LEGISLATOR DERIGGI-WHITTON: Why
5 don't we do -- there's nothing better than
6 numbers. If we see that you know, I don't
7 know, 60 cops or 75 cops would be willing to
8 think about it if we fixed these steps that I
9 think would be an incredible negotiating tool
10 for whoever wants to negotiate this deal to
11 have. Because without knowing for sure we can
12 sit here and say that but -- we have the money
13 to hire them. We're ready to hire them. And
14 if it's only the steps let's prove it. I
15 apologize Ellen.

16 LEGISLATOR FORD: Legislator
17 Birnbaum.

18 MS. BIRNBAUM: First of all, I
19 want to thank you and the administration for
20 reopening the Sixth after years of pleading,
21 holding rallies, community outcry, it was
22 about time. We are all grateful for that. We
23 understood that you did announce when the
24 Sixth was reopened that for time being there
25 would be no detectives. That was agreed

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2 upon. But I believe the main building will be
3 refurbished by around October and there should
4 be additional room and space created for
5 detectives.

6 COMMISSIONER RYDER: The squad
7 room exists and obviously now it's being used
8 for piecemeal for other things. And it also
9 needs work to be done before they move in.

10 MS. BIRNBAUM: With the 31 that
11 are the double squad at the Third right now,
12 will any be moved into the Sixth at that
13 point?

14 COMMISSIONER RYDER: That will be
15 where we are in the contract, negotiations,
16 discussions, things that we have to talk about
17 that we could have with the union and work
18 towards that.

19 MS. BIRNBAUM: Because I believe
20 what you were saying before was
21 administratively you thought it was better to
22 have everybody in one building rather than to
23 split.

24 COMMISSIONER RYDER: There's more
25 than just detectives that go with running a

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2 squad. You have supervisors as president
3 Black told you. There will be three sergeants
4 and a lieutenant per squad as we have in every
5 normal squad. Then you have your amount of
6 detectives. Then you have to have your
7 clerical staff, your PSAs and everything that
8 goes with that. Because there's time and lead
9 management. There's case analysis. A lot of
10 time they do the closed warrants and so
11 forth. There's a lot of different moving
12 pieces that go into it and it's not just
13 detectives.

14 MS. BIRNBAUM: Right. But do you
15 have those personnel in the Third that could
16 be moved over to the Sixth?

17 COMMISSIONER RYDER: We have some
18 that were merged. Some we would have to
19 rehire.

20 LEGISLATOR BIRNBAUM: That's not
21 really due to the shortage of detectives?

22 COMMISSIONER RYDER: No.

23 MS. BIRNBAUM: Are we moving that
24 process along?

25 COMMISSIONER RYDER: Yes.

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2 MS. BIRNBAUM: Then my next
3 question is about the kinds of crimes that are
4 taking place in Nassau County. I believe that
5 over the years there has been more of a shift
6 to maybe cyber crimes and different forms of
7 crimes now and we use a lot more technology.
8 Have we acquired new equipment? Does that
9 require less detectives possibly than in past
10 years? I'm wondering.

11 COMMISSIONER RYDER: Our computer
12 person, I say person, detective, there's one,
13 but he works in the electronics squad which
14 has 19 and they take on a lot of that
15 responsibility. Do we need more detectives in
16 that unit? Yes. Because there is a shift, if
17 you will, the paradigm of how crimes are being
18 committed. Not so much of the street level.
19 Now from behind the scenes with the computer.

20 Our scams taking advantage of the
21 elderly. Cracking into peoples' computers.
22 Going into their bank accounts and so forth.
23 That is something we need to enhance on.

24 But the technology side is not
25 lacking because we have the ability to

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2 purchase the technology. We just have the
3 ability to get the detectives to do that job.

4 MS. BIRNBAUM: Have we been doing
5 that? Have we been beefing up on the
6 technology end?

7 COMMISSIONER RYDER: Yes.

8 LEGISLATOR BIRNBAUM: Hearing
9 that, I'm just wondering for the Sixth
10 Precinct, which has reopened, and part of the
11 benefit of that is having a community-based
12 precinct where we want the community to be
13 able to go into a building and talk to a
14 detective. I would believe that if it's a
15 cyber crime and we have technology and we have
16 detectives and it's a matter of getting
17 administrative staff could that be done in the
18 fall?

19 COMMISSIONER RYDER: Again, you
20 go back to the same question about
21 detectives. If I have the detectives to do it
22 and that's where we're going that's what we're
23 going to do.

24 LEGISLATOR BIRNBAUM: But as the
25 Third Squad is a double squad of 31 doesn't

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2 that take into account that some are for the
3 Sixth?

4 COMMISSIONER RYDER: The Third
5 Squad is understaffed by six detectives alone
6 right now. And that's the double. When you
7 unmerge the number goes up.

8 MS. BIRNBAUM: But some of the
9 detectives of that 31 are supposed to be for
10 the Sixth?

11 COMMISSIONER RYDER: That's
12 correct.

13 MS. BIRNBAUM: Can't they be at
14 the Sixth?

15 COMMISSIONER RYDER: Again, we
16 can have those discussions. It's under
17 negotiations. But I can also speak with the
18 union if they want to split things up we can
19 work something out.

20 LEGISLATOR FORD: Legislator
21 Bynoe.

22 LEGISLATOR BYNOE: Thank you
23 Madam Chair. Hello Commissioner. So, I'm
24 going to start with the question regarding OT
25 and the backfilling that you're stating that

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2 you've been doing in different squads and
3 between narcotics and homicide and the like.

4 So, do you have any data that you
5 could share with this body regarding how
6 you've been utilizing the, I won't say a
7 surplus, but the funding that was allocated
8 for the additional 50 detectives to backfill?

9 COMMISSIONER RYDER: Just so
10 we're clear, I don't touch that money. I
11 don't get that money. That's not my money.
12 That money that is not in the budget does not
13 come to the commissioner and say reallocate
14 it. That's used in other places in the police
15 department possibly. Again, that would be for
16 the budget director to answer.

17 LEGISLATOR BYNOE: Let's be
18 clear. You're saying that the money that was
19 available for those 50 hires is not within the
20 police department's budget for your use and
21 reallocation?

22 COMMISSIONER RYDER: It's not
23 given to me to reallocate. It's given to the
24 budget director to feel fit where it fits
25 within the budget of the police department.

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2 LEGISLATOR BYNOE: When you say
3 that you won't make your number this year, you
4 won't hit your budget, is that including that
5 money?

6 COMMISSIONER RYDER: No.

7 LEGISLATOR BYNOE: That money is
8 on the outside?

9 COMMISSIONER RYDER: Right. In
10 my world that money doesn't exist.

11 LEGISLATOR BYNOE: Herein lies
12 maybe part of my problem or concern is that if
13 we can't utilize that money to hire new
14 detectives because we just don't have the
15 framework that would incentivize a police
16 officer to come from the ranks of a patrol
17 officer to a detective and you're saying that
18 we won't hit the number and you're trying to
19 manage the number, then I think that money has
20 to come in to play so that you can effectively
21 backfill appropriately and have proper levels
22 of staffing within the squads.

23 COMMISSIONER RYDER: So, we're
24 going back. I understand where you're coming
25 from. Look, if there's a \$7 million number,

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2 president Wighaus said there's a \$7 million
3 number. Can we use that \$7 million and pay
4 overtime to detectives to come and fill the
5 gaps and open up the squads and everything
6 else. First, we can't open up the Sixth and
7 the Eighth is still waiting for some
8 construction.

9 Second of all, it comes down to the
10 manpower. I literally don't have the
11 manpower. So yeah, I can pay more overtime
12 and again that will be fiscal part. But at
13 the end of the day it's not going to fix the
14 problem. Paying more overtime doesn't give
15 you a better service. What it does is it
16 gives you more detectives working. Paying the
17 overtime pulling from the same pool causes the
18 same problems. We can and we do pay a lot of
19 overtime. Well deserved overtime to our
20 detectives all the time. As we did when they
21 went looking for Mr. Limus' body. There's no
22 to cutbacks there. It was go, do what you got
23 to do. There's always management that goes on
24 when it comes to overtime because that's when
25 we come back and we answer why the overtime is

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2 so high.

3 But at the same point, when your
4 staffing level is down you have to deal with
5 what you got. I got that in my hand and
6 that's what I got to deal with. Paying more
7 overtime and starting to split the squads --
8 look, we'll have the conversations. I'll have
9 the conversations with the unions and with the
10 county exec. But it comes back to the same
11 thing. You're pulling from the same pool. We
12 only got 309. And out of those 309, just so
13 you all know, they're not working in the day
14 to day squads. A lot of them work in intel.
15 A lot work in central detective squad.
16 They're not in that hub of the precinct
17 squads.

18 That's why I think if you add the
19 precinct squads numbers up it becomes a lot
20 less than what you would think. There's not
21 that many in there. Again, a union discussion
22 would have to be had. Do I open that up and
23 say a homicide guy you can work the Third
24 Squad today? I don't think that would go over
25 very well.

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2 I'm pulling from a very small pool
3 for a big demand. And it's difficult to get
4 there. We try. I'll talk with both president
5 Wighaus and vice president Muchow and I'll get
6 them there. We'll do what we can. We will
7 pay a little extra overtime if we think that's
8 the answer here. But it's not. It's the
9 contract.

10 LEGISLATOR BYNOE: So, I'm in
11 total agreement with you. That this is not
12 the root cause, right? The overtime is not
13 the root cause. The contract is the root
14 cause. But in the mean time, in order to make
15 sure that you were resourced properly to be
16 able to make decisions, I think we have to
17 bring that money into play. I think the
18 administration, OMB is going to have to start
19 looking at the money that was set aside for
20 these hires and how you can use it to be able
21 to effectively staff the squads to do the
22 work. It has to happen.

23 You talked about it. We're doing
24 some on the cure side where they're trying to
25 solve homicides and crime that's happening.

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2 But we also talked about the preventive side.
3 I know that we need to spend some money
4 there. And if your hands are tied and
5 restricted by the current budget when there is
6 money that is available for use, I think
7 you're going to be pinholed to make decisions
8 to just start dealing with solving and not
9 being able to do as much as you can do on the
10 preventative end.

11 So, I think that -- like you said,
12 that money is not in your charge. I'm making
13 a call now to say to the administration we've
14 got to put that money in your hands, in your
15 charge, so you can make decisions around how
16 you're going to backfill and give the overtime
17 to the squads so that they can serve and
18 protect.

19 And so let's go to what we all
20 agree is the root cause, the contract. We
21 been having these hearings for some time now
22 regarding public safety and all of them
23 important on different issues. But we have
24 been here in this chambers talking about
25 public safety and each and every time we talk

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2 about public safety we talk about the
3 detectives and the short staffing of
4 detectives.

5 Earlier on in one of these sessions
6 I made a suggestion about a side letter
7 agreement that could potentially incentivize
8 police officers to come over and become
9 detectives. I think the administration,
10 again, this is not direct because you've
11 admitted you're not in the negotiating room,
12 the administration is going to have to
13 seriously consider that. Because I have a
14 question for you Commissioner. What are we
15 looking at terms of retirements in the coming
16 months?

17 COMMISSIONER RYDER: I know we
18 probably got five or six more detectives going
19 in the next month. Two months. You never
20 know what drops on you on the hat. Some guys
21 walk in one day and say I'm done. We don't
22 know that number. We never know that number.
23 We've never reached the number of 2500 as a
24 staffing. We're at 2450 right now. I think
25 somewhere around there. 2448. But the number

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2 is 2500. I'm short 50 starting off the bat
3 every year.

4 Then the other 30 that I make that
5 number up to almost 2450, the other 30 are in
6 the police academy. So they don't count.
7 They don't help us in our crime fighting
8 measures. So we're short anywhere from 80 to
9 100 cops a year.

10 LEGISLATOR BYNOE: Part of these
11 retirements, it's not lost on me, that it has
12 to be based on moral. These guys are
13 short-staffed. They become detectives because
14 they want to solve these crimes. They want to
15 be out on the front line getting the victory
16 as you said earlier and it's becoming
17 increasingly more challenging for them to do
18 that based on staffing levels. So folks yeah,
19 they're going to get tired. They're going to
20 retire.

21 So we have an ever changing number
22 for two reasons. You have guys that are
23 saying put me back on patrol. Then you have
24 guys saying -- ladies and gentlemen I should
25 say -- that then say I'm going to retire. So

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2 this number vacillates from day to day.

3 You just walked in today and said
4 you thought you were going to be at 310 but
5 you are at 309 because someone just asked to
6 go back to patrol. We need to do something to
7 stabilize this in the moment.

8 I really believe, and I'm not a
9 negotiator, but I can say that I think it has
10 to be contractually and I think it has to be
11 in a side letter form or some letter of MOA,
12 MOU with my officers that will come over and
13 become a detective and where we can defer part
14 of their pay until there's a contract that's
15 ratified or something. I think if the will is
16 there there is enough creativity, there's
17 enough minds to sit down and become creative
18 to find a way out of this. Because we can't
19 wait until the contract is negotiated and
20 finalized. It just can't happen.

21 COMMISSIONER RYDER: I can tell
22 you the will is there.

23 LEGISLATOR BYNOE: You said here
24 on the floor numerous times that you were
25 going to talk to the unions. I would like to

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2 hear more from you and the unions about the
3 discussions that will be had regarding the
4 backfilling, and I would like to hear from the
5 administration. I know Katy is here. I would
6 like to hear from the administration about
7 making that other pool of money available to
8 you. And I would like to hear from the
9 administration regarding how we can sit down
10 and create some level of an agreement that can
11 incentivize officers to come over. Thank you.

12 LEGISLATOR FORD: I hope you take
13 that into consideration what Legislator Bynoe
14 said. Because we are all presuming that the
15 contract will be negotiated and this will be
16 fixed in the contract. But we don't know.
17 None of us are sitting at that table at this
18 point. So it's rather frightening not knowing
19 what the future is.

20 You've just indicated we may be
21 losing five or six more detectives in the next
22 month or so and we still don't know the status
23 of the contract. So, I guess it might be
24 something worth looking into.

25 I know Legislator Rhoads has a

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2 question. But is there anybody from the
3 administration that can handle a budget
4 question?

5 LEGISLATOR RHOADS: I don't want
6 to get into details about obviously what
7 exactly is being negotiated. But can we get a
8 general discussion about what the status of
9 negotiations are and when we anticipate having
10 some sort of conclusion?

11 Pat, you're not in the
12 negotiations, right?

13 COMMISSIONER RYDER: No but I know
14 the status of it. Nobody knows, including
15 Katy, does not know what's being discussed
16 behind the doors. There's been one meeting.
17 There are four dates set. As the dates go on
18 they progress hopefully in each meeting.

19 LEGISLATOR RHOADS: These are
20 negotiations specifically with respect to
21 fixing our detectives issue? On the number of
22 detectives or this is the overall contract?

23 COMMISSIONER RYDER: There's no
24 way president Wighaus or vice president Muchow
25 is walking out the room without fixing that

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2 issue. No way.

3 LEGISLATOR RHOADS: But are there
4 separate negotiations going on to address the
5 issue -- look, the existing contract has
6 expired. But it's my understanding that you
7 can come to a separate agreement on that issue
8 separate and apart from --

9 COMMISSIONER RYDER: That would
10 be a question for the administration to
11 answer.

12 LEGISLATOR RHOADS: That's what I
13 was trying to do. Do we have someone from the
14 administration that can answer that question?

15 MS. HORST: Katy Horst from the
16 administration. I can't answer but I can try
17 and get you an answer.

18 LEGISLATOR RHOADS: If wouldn't
19 mind. I'm sure we would certainly appreciate
20 that.

21 Back to you Pat. Commissioner, I
22 apologize for the informality. We pass budget
23 transfers all the time. And my understanding
24 is that this probably wouldn't be any
25 different from a budget transfer. Taking it

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2 from the detective salary line to put it into
3 overtime if that's needed. So, if it is a
4 money issue, which is what -- you've given two
5 reasons. One being you don't want to burn out
6 detectives but the other one being you're
7 working within the constraints of a budget.
8 Until this issue is fixed with detectives, you
9 should definitely pursue the budget transfers
10 so we can get you the funds you need within
11 the existing budget so you can actually
12 backfill what you need to backfill to make
13 sure we are fully staffed. Because you can,
14 as you said, you can do that right now. I
15 know that, for example, narcotics, gang
16 investigations, if you had 51 more detectives
17 right now how many of those detectives would
18 you be assigning to those two units?

19 COMMISSIONER RYDER: First thing
20 we do is backfill the squads to open up our
21 squads and get them at full staff. That's the
22 core. And from there those detectives that
23 are senior, have been working in those squads,
24 would move on to the special squads. Which
25 are well deserved moves. Not promotions in

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2 salary most of the time but just a move in
3 moral.

4 So we'd move additional people --
5 probably narcotics and gangs would be our two
6 and then we'd look at missing persons.

7 LEGISLATOR RHOADS: Okay. The
8 bottom line is in the short term if you had
9 more people at your disposal you would know
10 how to use them?

11 COMMISSIONER RYDER: Sure.

12 LEGISLATOR RHOADS: To the extent
13 that money becomes an issue, we want to see if
14 there's a way we can fix that issue. So I'm
15 asking to go back to the administration and
16 ask if you can pursue the budget transfer.

17 COMMISSIONER RYDER: Just so
18 we're clear, the 40 detectives let's call it,
19 that money, that \$7 million, it's not like it
20 disappears. It's in the police department
21 budget. At the end of the year it may be get
22 moved to pay other items within the budget
23 that maybe we overextended on. Such as
24 overtime to pay detectives to cover the
25 shortfalls. So it's not like it goes away.

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2 This is a management issue not so
3 much a fiscal. Like how we manage it and how
4 we move the pieces and what is the right way
5 to do it. Responsible way to do it. And also
6 at the same time public safety number one.

7 Again, I will have the
8 conversations with president Wighaus and vice
9 president Muchow. The budget line of moving
10 that -- look, at the end of the day if I don't
11 make my budget at the end of the day it's got
12 to come from somewhere. If there's a savings
13 of 40 detectives that's probably where it's
14 going to come from to offset it when the
15 budget director gets it and moves all the
16 money at the end of the day.

17 LEGISLATOR RHOADS: One of the
18 first questions I asked was what happened to
19 the \$5 million from last year and you don't
20 know?

21 COMMISSIONER RYDER: A million
22 went here. Two million went there. I don't
23 know that. I'm not the budget guy. But I
24 know that it doesn't go out of the police
25 department budget. It may come back as a

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2 surplus at the end of year or in the
3 negative. So again, I don't know that, how it
4 goes but the issue again --

5 LEGISLATOR RHOADS: But I know
6 that this issue, based on how long
7 negotiations have taken already and based on
8 how long negotiations seem generally to take,
9 that the issue with hiring additional
10 detectives, if you're looking for the
11 contractual fix may not happen this year. So
12 if there is a way for you to be able to
13 backfill and need additional funds to be able
14 to do that pursuing the budget transfer now
15 might be the appropriate way to handle that.

16 COMMISSIONER RYDER: We will have
17 those conversations.

18 LEGISLATOR FORD: Legislator
19 Ferretti.

20 LEGISLATOR FERRETTI: Thank you.
21 Commissioner, I'm going to be very brief.
22 Just a real quick follow-up.

23 I think we can all agree that
24 negotiations could take a while. The response
25 that's there's only been one meeting so far is

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2 frightening. Especially in light of the fact
3 that we're paying this Dalverson, NIFA is
4 paying at taxpayer expense, \$25,000 a month.
5 And as Legislator Rhoads said, that's not
6 something we approved for sure.

7 But that being said, contract
8 negotiations could take years and detectives
9 are falling off. So we're at 309 right now
10 but when you came here you thought it was
11 310. That one handed in their shield. I'm
12 assuming we're going to have retirements
13 coming in the near future. So what is the
14 plan?

15 I think we've suggested moving the
16 money into the overtime line in your budget
17 and making sure that we use it and that we
18 have the right amount of detectives right
19 now. I don't think you've committed to that.
20 I think you've said you're open to possibly
21 entertaining that idea. But I think your
22 responses so far have been something short of
23 committing to doing that.

24 So what is your plan, not long term
25 but over the next year or so, if a contract is

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2 not negotiated and ironed out in the short
3 term? What if this takes two, three years and
4 we continue to have detectives retire or give
5 back their badge? What is your plan?

6 COMMISSIONER RYDER: First of
7 all, the short answer is you're going pay the
8 overtime to fill the backfill. So if they're
9 short in the squad we have to pay it.

10 LEGISLATOR FERRETTI: We are
11 right now though.

12 COMMISSIONER RYDER: Not on the
13 daily answer at the desk. And we do pay it
14 now. When there's one detective shows up and
15 the other one is off and there's two other
16 guys on vacation we pay a detective to come in
17 on overtime. It's not like it's not being
18 done. We do do that now. We do reach our
19 minimum staffing numbers with the detective.
20 But in the DD world it can't work like that.

21 It's not like you got to fill a car
22 and make sure the car --

23 LEGISLATOR FERRETTI: I'm sorry.
24 I do want to hear your answer but you've said
25 it couple of times. You said we've reached

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2 minimum staffing levels. But we really
3 haven't, right? Because there's no detectives
4 in the Eighth and no detectives in the Sixth.

5 COMMISSIONER RYDER: They are.
6 They're not sitting in the Eighth but they're
7 doubled up in the Second Squad. So four
8 detectives sit in the Second Squad every day.
9 If I broke it tomorrow, the two minimum staff
10 would go to the Eighth and two would sit in
11 the Second. So it is there but we need to
12 make supervisors and need to make civilian
13 staff and we need to make the space available
14 to put them in.

15 LEGISLATOR FERRETTI: Back to
16 your long-term plan.

17 COMMISSIONER RYDER: The goal is,
18 look, we have to make sure it happens. We
19 have to look towards promotions. We have to
20 look to sell the job to the young guys. As we
21 hire more young cops more young guys want to
22 become detectives. Several conversations
23 yesterday with guys were talking I want to put
24 in to DD. Sometimes they don't realize what
25 they're getting themselves into. That's

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2 what's happened in some of these cases. They
3 realize the workload and the more hours and
4 the more responsibility.

5 So the goal is to keep pushing the
6 message to hire. To promote I should say.
7 The goal is that we will have to pay the
8 overtime in the short -- but there's going to
9 come a point if we don't fix it, no matter how
10 much overtime you pay, you can't fill the
11 job. If there is a point in that contract
12 where I people to become detectives then
13 that's what we're going to have to do. I
14 don't know if that even exists and I don't
15 know how healthy that would be. You force
16 someone into a job. That would be another
17 discussion that we'd have to have when we get
18 to that point. We're not there yet.

19 We're able to exist. Our crime is
20 in a good place. Could it blow up? Yeah,
21 sure it could. But again, we're in the good
22 place. We'll sit down and continue to
23 negotiate. We'll a sit down and continue to
24 talk, and I'll have those conversations about
25 splitting the baby now like you will. But

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2 again, that's conversations we will have to
3 have.

4 Overtime is not just the answer.
5 Hiring is the answer and that's what we're
6 trying to get at.

7 LEGISLATOR FERRETTI: But just to
8 be clear, because you are on record on TV
9 saying you need eight more detectives in the
10 gang unit. You could do that right now.

11 COMMISSIONER RYDER: Absolutely.
12 And who does that put the stress on? The
13 precinct guy.

14 LEGISLATOR FERRETTI: We can talk
15 about stress but the reality is you have
16 detectives willing and able to do that right
17 now.

18 COMMISSIONER RYDER: I probably
19 can get eight detectives to go to squad. I
20 could probably get 20 to go to narcotics.
21 Who's going to do the case load? Who's going
22 to answer the call when your constituent's
23 house gets burglarized?

24 LEGISLATOR FERRETTI: Detectives
25 on overtime that are called in.

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2 COMMISSIONER RYDER: There won't
3 even be enough to cover it.

4 LEGISLATOR FERRETTI: Thank you.

5 LEGISLATOR FORD: Legislator
6 Walker.

7 LEGISLATOR WALKER: I will be
8 very brief. I have to say I certainly would
9 not be in favor of forcing anyone to be a
10 detective. I think if you force anyone to
11 take a job that they really don't want to have
12 they're not happy. It's not really where they
13 want to be. Will they turn around and want to
14 leave instantly? If you are even then going
15 to permit them to do that. I just don't think
16 that's good. I wouldn't want anyone to force
17 me to be in a job I didn't want to have.

18 But I was wondering, when people
19 finish the academy, and cadets finish the
20 academy, they become our officers and those
21 who have been in other police departments,
22 some of them come from the city, do they start
23 at the bottom of the pay here even though they
24 have come from --

25 COMMISSIONER RYDER: No matter

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2 where they come from they start at the same
3 scale.

4 LEGISLATOR WALKER: I know it's a
5 different municipality, they're in the city,
6 it's very different being a police officer in
7 the city I'm sure than being a police officer
8 out here in Nassau County. Perhaps if we kind
9 of worked on some of those younger officers
10 who do have some experience. Because I know,
11 I speak to a lot of our detectives. A lot of
12 them have been friends for a long time. Not
13 that many because you don't have too many.
14 But they do need that experience.

15 Now you're teaching them and giving
16 them experience and they're brand new on the
17 jobs. And some of those teachers for those
18 new detectives probably haven't had that time
19 either. But if that's something we can
20 possibly look at and hopefully, hope to God,
21 that the contract issue would change and they
22 would eventually be in a better place.
23 Because I would assume if they are a new
24 officer moving into a detective position it
25 isn't like they're get no place. Hopefully

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2 they would be getting a little bit more and
3 possibly adding detectives.

4 We have to fix -- obviously the
5 contractual issue is something we have to
6 fix. And I know that, I'm sure they would not
7 leave the negotiating table without fixing
8 that. But perhaps that's something else that
9 they could aim towards to try to bring on more
10 detectives and not having someone come in and
11 turn their shield in a week later.

12 LEGISLATOR FORD: Legislator
13 Muscarella.

14 LEGISLATOR MUSCARELLA: Very
15 briefly. I had all my questions answered and
16 I don't need to repeat those questions just to
17 hear myself speak. Thank you Commissioner.

18 LEGISLATOR FORD: Thank you very
19 much for your testimony and answering all our
20 questions. As you can see, we are all very
21 passionate about the subject and we will be
22 closely watching this. I don't envy you.
23 You're dealing with an administration with us
24 and trying to do the right thing for all the
25 people that work for you. Especially the

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2 detectives. Let's all try to partner together
3 in coming to a solution for this.

4 If the contracts go on for a long
5 time this situation is going to get worse and
6 worse and worse. We feel that we are putting
7 our residents and our neighborhoods in
8 jeopardy without having adequate staffing of
9 our detectives.

10 I just got a news report from News
11 12 that there was a shooting that has now put
12 the Amityville Massapequa schools in
13 lockdown. We don't know at any moment in time
14 what's going to happen. We need our officers
15 and we need to make sure they're not stressed
16 out because of the job and that they're tired
17 because of too much overtime.

18 But thank you very much and
19 whatever we can do to help you in this let's
20 try to work together and team up. Because we
21 need to make sure we listen to our union
22 presidents on behalf of their members and we
23 also need to work with you on this subject.
24 But thank you very much.

25 I'm going to ask president Wighaus

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2 to come up for some closing remarks.

3 MR. WIGHAUS: Thank you. The
4 bottom line is we have to incentivize and
5 retain police officers into becoming into the
6 rank of detectives. There's been talk about
7 side deals and side MOAs. When we entered
8 into a contract several years ago we attempted
9 that to fix the steps. That didn't work out.
10 Now we don't have a contract. That would help
11 about a third of my members if we fixed a
12 small portion of these steps. Which is not
13 fair to the other two-thirds of my members.

14 I come up here always discussing
15 the shortage of detectives. The public safety
16 crisis that may occur. And we may be on the
17 way too. I would be a fraud if I didn't sit
18 down with the county and try to negotiate for
19 my members. How long that is going to take I
20 don't know.

21 In the precinct squads, the First,
22 the Third and the Fifth there is a three
23 person minimum of detectives in those squads.
24 In the Second, Fourth, Sixth and Eighth
25 there's a two person minimum staffing. You

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2 cannot do much with just two detectives. A
3 lot of times if there is only two detectives
4 in the squad they're going out to maybe arrest
5 somebody in Queens, maybe someone in Suffolk
6 County and on their way there their boss calls
7 them. Come back to the squad. There was just
8 a burglary that you have to cover. Come back
9 to the squad because uniform made a felony
10 arrest which we process. You have to come
11 back and process those arrests.

12 So in that respect that's something
13 else for us to look at as far as minimum
14 staffing issues.

15 But again, I thank you for your
16 continued support. There does have to be
17 something that gets done. Our detectives in
18 the county they are working sometimes on
19 overtime. We will continue to work for the
20 residents of the county. And we will continue
21 to do what's right for my members. So I
22 appreciate it. Thank you.

23 LEGISLATOR FORD: Thank you
24 president Wighaus. I just want to be clear.
25 We as legislators we try to find solutions.

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2 We are not the experts. We value your
3 guidance and we understand and respect the
4 position that you have being at the
5 negotiating table on behalf of the members
6 that you represent.

7 So we were I guess perplexed as to
8 why this condition has gone on for so long. I
9 guess we would like to see the solution and
10 I'm sure that you are going to do right by all
11 of the people that you represent. And if
12 there's anything at least you know that all of
13 us basically support you in your attempt in
14 negotiations to get this remediated so that we
15 will find seasoned officers that will once
16 again wear a proud shield of detective and to
17 elevate the position of detective back where
18 it belongs.

19 We are going to be watching this.
20 We're going to look at this. So I think the
21 administration and everybody involved in
22 negotiations better understand that this is
23 something that I think each and everybody
24 single one of us is going to look at once this
25 contract is passed back to us.

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2 I wish you luck and speed I guess
3 in the hopes of getting this resolved sooner
4 rather than later. But we are on your side
5 and whatever we can do and whether or not even
6 with the minimum, trying to get the budget to
7 be reopened or whatever it is that we need to
8 do to provide more overtime. Maybe if there
9 was a lot of overtime it would incentivize the
10 administration to work more swiftly in regard
11 to resolving this issue. When they see this
12 money going they'll start worrying about what
13 they need to do.

14 The only solution that we have at
15 this point is to change the contract and make
16 it so the steps fall in line with what a
17 detective should have and not as if he or she
18 is a police officer. Understand we were just
19 coming up with some crazy ideas.

20 MR. WIGHAUS: Crazy ideas are
21 good. We hope something happens sooner rather
22 than later. But these hearings that you are
23 gracious enough to hold for us today goes a
24 long way. Again, I have met with all of you
25 over the past year, year and a half several

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2 times. All of you are behind us. I
3 appreciate that. You are always there for the
4 detectives in Nassau County and we will always
5 be there for you. Thank you.

6 LEGISLATOR FORD: Thank you very
7 much sir. Good luck with your negotiations.
8 President McDermott then.

9 MR. MCDERMOTT: Again, I would
10 like to thank you all. It's because of you
11 that things get done. Come to you with issues
12 and you bring it to the forefront. We didn't
13 have pilots. We don't have cadaver dogs. We
14 have precincts that are closed. We have beat
15 up cars. We don't have detectives in police
16 precincts. We don't have enough people in the
17 special units and we certainly don't have
18 enough detectives.

19 When you do a contract, PBA does a
20 contract with the county, the DAI does a
21 contract with the county. When they did the
22 contract they came up with a number of 360.
23 360 was a promise to the detective union, as
24 well as a promise to the taxpayers of Nassau
25 County, that you would maintain a level of

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2 360. And we are here talking about 309 and
3 possibly dipping under 300 by the end of the
4 year. That's not acceptable. And what we
5 learned today from the testimony from the
6 commissioner is that the money is there.

7 So we can't make 360 appear today.
8 We should go and bring these detectives, bring
9 them in on their days off to handle their case
10 load. Detectives they'll catch cases and they
11 will have to investigate the case. You give
12 them an extra day that's an extra day they can
13 work on cases. The more time they have to
14 work on a case the more they can get involved
15 in that case and bring it to a successful
16 conclusion. I think it's the only way that we
17 can handle the situation until it's fixed.

18 So thank you. Thank you everyone
19 for everything you've done and your questions
20 were outstanding today and I thank you again.

21 LEGISLATOR FORD: Thank you very
22 much for coming here. And I guess this will
23 be the end of the hearing and we all look
24 forward to seeing you all again tomorrow at
25 two p.m. on a different subject. Thank you.

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2 (TIME NOTED: 4:15 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 eighth day of
June 2019

FRANK GRAY