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6 NASSAU COUNTY LEGISLATURE

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8 RICHARD NICOLELLO

9 PRESIDING OFFICER

10

11 PUBLIC SAFETY COMMITTEE

12

13 LEGISLATOR DENISE FORD

14 CHAIR

15

16

17 Theodore Roosevelt Building

18 1550 Franklin Avenue

19 Mineola, New York

20

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

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14    LEGISLATOR DELIA DERIGGI-WHITTON

15                     Ranking member

16

17    LEGISLATOR SIELA BYNOE

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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 n 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

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FRANK GRAY