

1

2

3

4

NASSAU COUNTY LEGISLATURE

5

6

RICHARD NICOLELLO

7

PRESIDING OFFICER

8

9

10

LEGISLATIVE SESSION and

11

PUBLIC SAFETY COMMITTEE

12

13

14

County Executive and Legislative Building

15

1550 Franklin Avenue

16

Mineola, New York

17

18

19

Wednesday, February 24, 2021

20

3:10 P.M.

21

22

23

24

25

1

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

3

4 LEGISLATOR RICHARD J. NICOLELLO

5 Presiding Officer

6 9th Legislative District

7

8 LEGISLATOR HOWARD KOPEL

9 Deputy Presiding Officer

10 7th Legislative District

11

12 LEGISLATOR DENISE FORD

13 Alternate Presiding Officer

14 4th Legislative District

15

16 LEGISLATOR KEVAN ABRAHAMS

17 Minority Leader

18 1st Legislative District

19

20 LEGISLATOR SIELA BYNOE

21 2nd Legislative District

22

23 LEGISLATOR CARRIE SOLAGES

24 3rd Legislative District

25

1

2 LEGISLATOR DEBRA MULE

3 5th Legislative District

4

5 LEGISLATOR C. WILLIAM GAYLOR III

6 6th Legislative District

7

8 LEGISLATOR VINCENT T. MUSCARELLA

9 8th Legislative District

10

11 LEGISLATOR ELLEN BIRNBAUM

12 10th Legislative District

13

14 LEGISLATOR DELIA DERIGGI-WHITTON

15 11th Legislative District

16

17 LEGISLATOR JAMES KENNEDY

18 12th Legislative District

19

20 LEGISLATOR THOMAS MCKEVITT

21 13th Legislative District

22

23 LEGISLATOR LAURA SCHAEFER

24 14th Legislative District

25

1

2 LEGISLATOR JOHN FERRETTI, JR.

3 15th Legislative District

4

5 LEGISLATOR ANDREW DRUCKER

6 16th Legislative District

7

8 LEGISLATOR ROSE WALKER

9 17th Legislative District

10

11 LEGISLATOR JOSHUA LAFAZAN

12 18th Legislative District

13

14 LEGISLATOR STEVEN RHOADS

15 19th Legislative District

16

17 MICHAEL PULITZER

18 Clerk of the Legislature

19

20

21

22

23

24

25

1 Full - 2-24-21

2 LEGISLATOR FORD: Good afternoon
3 everyone. I would like to call to order the
4 Nassau County Legislature and the Public
5 Safety Committee. I will ask our Presiding
6 Officer, Rich Nicoletto, to lead us in the
7 pledge.

8 I will ask the clerk to take a roll
9 call and as this is, although it's a Public
10 Safety Committee hearing, it's also involving
11 the full legislature. So can you please call
12 all the names of all the legislators.

13 MR. PULITZER: Thank you ma'am.
14 Roll call. Deputy Presiding Officer Howard
15 Kopel.

16 LEGISLATOR KOPEL: Here.

17 MR. PULITZER: Alternate Deputy
18 Presiding Officer Denise Ford and chairwoman.

19 LEGISLATOR FORD: Here.

20 MR. PULITZER: Legislator Siela
21 Bynoe.

22 LEGISLATOR BYNOE: Here.

23 MR. PULITZER: Legislator Carrie
24 Solages.

25 LEGISLATOR DERIGGI-WHITTON: He

1 Full - 2-24-21

2 will be joining us momentarily.

3 MR. PULITZER: Legislator Debra
4 Mule.

5 LEGISLATOR MULE: Here.

6 MR. PULITZER: Legislator C.
7 William Gaylor the third.

8 LEGISLATOR GAYLOR: Present.

9 MR. PULITZER: Legislator Vincent
10 Muscarella.

11 LEGISLATOR MUSCARELLA: Here.

12 MR. PULITZER: Legislator Ellen
13 Birnbaum.

14 LEGISLATOR BIRNBAUM: Here.

15 MR. PULITZER: Legislator Delia
16 DeRiggi-Whitton.

17 LEGISLATOR DERIGGI-WHITTON:
18 Here.

19 MR. PULITZER: Legislator James
20 Kennedy.

21 LEGISLATOR KENNEDY: Here.

22 MR. PULITZER: Legislator Thomas
23 McKevitt.

24 LEGISLATOR MCKEVITT: Here.

25 MR. PULITZER: Legislator Laura

1 Full - 2-24-21

2 Schaefer.

3 LEGISLATOR SCHAEFER: Here.

4 MR. PULITZER: Legislator John

5 Ferretti.

6 LEGISLATOR FERRETTI: Here.

7 MR. PULITZER: Legislator Arnold

8 Drucker.

9 LEGISLATOR DRUCKER: Here.

10 MR. PULITZER: Legislator Rose

11 Marie Walker.

12 LEGISLATOR WALKER: Here.

13 MR. PULITZER: Legislator Joshua

14 Lafazan.

15 LEGISLATOR LAFAZAN: Here.

16 MR. PULITZER: Legislator Steven

17 Rhoads.

18 LEGISLATOR RHOADS: Present.

19 MR. PULITZER: Minority Leader

20 Kevan Abrahams.

21 LEGISLATOR ABRAHAMS: Here.

22 MR. PULITZER: Presiding Officer

23 Richard Nicolello.

24 LEGISLATOR NICOLELLO: Here.

25 MR. PULITZER: Madam, we have a

1 Full - 2-24-21

2 quorum.

3 LEGISLATOR FORD: Thank you very
4 much sir. Before we start, we do have a
5 number of emails that we received in regard to
6 public comment in regard to today's
7 presentation and hearing. They will be made
8 part of the record.

9 First of all, I would like to thank
10 everyone for being here for today's joint
11 hearing of the Public Safety Committee and
12 Nassau County Legislature to receive testimony
13 on the People's Plan reimagining policing and
14 public safety on Long Island. We have a great
15 deal to cover today and I would like to leave
16 as much time as possible for a presentation
17 and question purposes, so I'm going to keep my
18 opening remarks very short before turning the
19 microphone over to Legislator DeRiggi-Whitton
20 for a brief statement.

21 On June 12th of last year Governor
22 Cuomo issued Executive Order 203 entitled The
23 New York State Reform and Reinvention
24 Collaborative. This order requires local
25 governments throughout the state to work with

1 Full - 2-24-21
2 community stakeholders to develop plans to
3 improve existing policies and practices and to
4 address racial bias and disproportionate
5 policing in communities of color. This plan
6 must be adopted no later than April 1st of
7 this year.

8 Today we will be receiving a
9 presentation on a plan for police reform
10 authored by the Long Island Advocates for
11 Police Accountability, Long Island United to
12 Transform Policing and Community Safety and
13 United for Justice in Policing Long Island.

14 I should note that this plan for
15 the record is submitted separate and apart
16 from the police reform plan filed by the
17 county executive for the approval of the
18 legislature. We have asked that the county
19 executive reopen the policing community trust
20 to consider the People's Plan and provide her
21 comments as part of this process.

22 We are pleased to have with us
23 today the architects of the People's Plan,
24 Fred Brewington, Tracey Edwards, Tyrel Dozier,
25 Susan Gottehrer and Shaniqua Levin. Welcome

1 Full - 2-24-21

2 to all of you. We do have a lot to cover, so
3 I will turn over the microphone over to
4 legislator DeRiggi-Whitton if she would like
5 to make a brief statement.

6 LEGISLATOR DERIGGI-WHITTON:

7 Thank you Madam Chair. I want to thank
8 everyone for all the time and effort that has
9 been put into this. I know it's an extremely
10 important subject. We were all very upset
11 when we witnessed a homicide on television.
12 That's the first time I've ever seen it.
13 First time any other people I believe.

14 I want to just say starting out
15 that I know a few things might have gotten off
16 on the wrong foot. There was a question as to
17 whether or not a plan was already approved
18 before we heard from everyone. That was a
19 draft. I promise you that was a draft. We've
20 had many hearings. We've had many Zoom
21 meetings.

22 But I also just want to say a quote
23 that I've heard over and over again. That no
24 person hates a bad cop more than a good cop.
25 Living in Nassau County, a lot of the reforms,

1 Full - 2-24-21

2 and I've been through all of these, that are
3 recommended, I can honestly say, and I'm
4 talking about from the state, I can honestly
5 say that many of them are already in place.
6 The training that we do I'm proud of. But I
7 also believe that there's always room for
8 improvements and that's what we want to do and
9 that's what we want to hear and we want to put
10 in as many improvements as we possibly can.

11 But again, I also just want to make
12 it clear. I don't think it has to be -- I
13 feel that things have been very divisive over
14 the past year. I hope it doesn't have to be
15 that way. I really hope that we can all work
16 together to come up with some real solutions
17 because I think that's the way it really
18 happens. If I can ever do anything to bridge
19 the gap or help in that I'm here 100 percent.

20 There's no question that I believe
21 all 19 of us believe in our hearts that we
22 want every Nassau County resident to feel
23 safe, to feel respected and be treated with
24 dignity. There's no reason that we can't get
25 to that point in life. So, thank you again

1 Full - 2-24-21

2 for your time and we look forward to your
3 presentation.

4 LEGISLATOR FORD: Thank you very
5 much legislator. Mr. Brewington the floor is
6 yours but before you begin would you like to
7 introduce our panelists for today's
8 presentation.

9 MR. BREWINGTON: Madam Chair,
10 thank you so much. And first of all, thank
11 you to the legislators that are here in person
12 as well as those that are on the connection
13 through electronic means. Giving this
14 opportunity for presentation is much
15 appreciated.

16 I'd like to introduce, as you have
17 already laid out, here at the table we have
18 Tracy Edwards. We have Tyrel Dozier. To my
19 right is Sue Gottehrer. And to her right is
20 Shaniqua Levin. Also in the audience we have
21 Emily Caufman and we also have Julie Owens.
22 That is our team for presentation this
23 afternoon.

24 With your permission, I'll start
25 with a preamble and then go into the actual

1 Full - 2-24-21

2 presentation. Is that all right?

3 Let me just start by saying while
4 we gives thanks and we do appreciate the
5 statement that was made by legislator
6 DeRiggi-Whitton, thank you so much. We are
7 here to talk about not only those issues of
8 improvement but we're also talking about
9 reformation and reforming and rethinking and
10 reimagining policing as it could be and should
11 be in the 21st century. We are here to be
12 constructive. We are here to offer options
13 and available proposals that would then bring
14 Nassau County in line with a number of police
15 forces that are first world. I think that's
16 what we want to do. We want Nassau County
17 police to be the gold standard for policing in
18 America. There's no reason why that can't
19 happen.

20 But I do want to start out with a
21 bit of disappointment and I want to be clear
22 about this. That in this chamber right now,
23 and again, there has been a concern that this
24 hearing was, because of COVID, we understand
25 this, safety is paramount, this was advertised

1 Full - 2-24-21

2 as being closed to the public. When we
3 arrived, folks at home probably cannot see to
4 my right that those chairs are largely empty,
5 but to my left are chairs which are filled by
6 members of what I understand to be the Nassau
7 County Police Department and/or
8 representatives from their bargaining units.
9 That's a disappointment for one reason. Not
10 because they're here but because the community
11 is not here in equal numbers so that they have
12 the ability to sit in this hallow chamber and
13 hear this presentation as there are literally
14 hundreds of people that put their blood, sweat
15 and tears into this report and plan.

16 And also, there were many that we
17 told you cannot come because we are going to
18 abide by the rules. My understanding is that
19 some of these individuals have been to a lot
20 of the other hearings. That doesn't change
21 because we had members at the other hearings
22 too. We were told that we could not have
23 members of the public here.

24 I start with a level of
25 disappointment but that does not stop us nor

1 Full - 2-24-21

2 will we be in any way dissuaded by the
3 presence. But I would just suggest that we
4 start off, if we're going to start off with
5 equity, if we're going to start off with
6 respect, if we're going to start off with
7 understanding how important it is that
8 everybody, whether or not it's union and
9 police or civilians, are treated with a fair
10 hand by everybody in government that the rules
11 be equally applied. That's all.

12 With that, I just wanted to be
13 clear that that is a point of which I'm
14 starting, and I think that Presiding Officer
15 Nicoletto looks like he's queued up to address
16 this. I'm not trying to make it a debate.

17 LEGISLATOR NICOLELLO: I agree.
18 I'm not trying to make it a debate. We do
19 want to get as soon as possible into the
20 presentation. But the representatives of the
21 unions are here generally for meetings and we
22 have at our meetings we have members of the
23 administration, we have members of the union
24 representatives and others. It's the general
25 public that's not invited to participate right

1 Full - 2-24-21

2 now because of COVID. I'm certain that were
3 it not for the COVID restrictions, Fred, you
4 could have 200, 300, 400 people. We just
5 couldn't do that. It's the general public
6 that's not invited.

7 But the gentlemen and women who
8 represent the stakeholder unions come to all
9 our meetings and are invited, as well as the
10 administration. That's the policy. It's just
11 the general public that's not invited to
12 hearings and meetings or legislature at this
13 time. With the improvements we're hopeful
14 that that will change in the near future.

15 MR. BREWINGTON: We hope so to
16 Presiding Officer. Of course, we know that
17 there are many stakeholders in this entire
18 process not just the union folks. Had we
19 known that we could have 12 stakeholders to
20 fill those seats behind us that would have
21 been something we would have appreciated.
22 Getting into the People's Plan.

23 The People's Plan is an enormous
24 piece of work which is done by members of the
25 community because in Executive Order 203 it

1 Full - 2-24-21

2 requires that there be a collaboration of
3 community members and government for the
4 purposes of putting forward a plan that would
5 be then considered by the legislatures. And
6 that is not just Nassau County, that is
7 Suffolk and Westchester and every village and
8 every town that has a police department or
9 police agency. We come to you to present this
10 plan.

11 It was born out of the seed of the
12 death of George Floyd. It's important that we
13 start by stating his name that led to protests
14 in the streets that were dealt with in a lot
15 of different ways in Nassau County, Suffolk
16 County, across the country. But one of the
17 things that was clear in Executive Order 203
18 was that every municipality was required to
19 rethink, reimagine and reevaluate how it
20 considers doing policing. Not only with
21 regard to the everyday mundane things that may
22 happen, but how they interact with communities
23 that are most affected and in particular
24 communities of color.

25 Out of the number whereas's that

1 Full - 2-24-21

2 precede the final two paragraphs of the
3 executive order, of those approximately ten of
4 them deal with the issue of race. And I raise
5 that upfront so that we don't have to deal
6 with thinking that it's not important. It
7 is. The differential treatment, disparities
8 and things that may exist in Nassau County are
9 things that we were not afraid to address in
10 the People's Plan.

11 That document that was provided by
12 the county executive, which was not based on
13 collaboration, which was not based on review,
14 which was not based on input, is not one which
15 addresses that issue forthrightly. It makes
16 mention to it but it does not deal with it.

17 The People's Plan is presented to
18 you today. It's approximately, in it's
19 current form, 311 pages and then those 311
20 pages there are a number of areas that are
21 covered. They are broken down into 12
22 sections. Those 12 sections we will try to
23 cover today in thumbnail version. Rather than
24 getting in depth in them, we've given you the
25 People's Plan for some days now

1 Full - 2-24-21

2 electronically. We provided a hard copy. I
3 think Mr. Nicoletto you have a hard copy we
4 provided to you. I put that in the book
5 myself for you sir. And I just wanted to make
6 sure that this is important. I think you
7 realize that it's important because you called
8 this special session in light of that.

9 We also say that Governor Cuomo has
10 made this statement very clear. That it is
11 ludicrous to think that a police agency can
12 police and reinvent itself.

13 As a result of that, the voices of
14 the people came together with the three major
15 organizations that you did mention Legislator
16 Ford and we came together bringing the best
17 and the brightest that Nassau County can
18 offer. People that are doctors with
19 doctorates in all types of things. I can't
20 pronounce half of them. Lawyers, advocates,
21 individuals who are laborers. Individuals who
22 are police officers. Individuals who are
23 retired police officers. People that were as
24 high level as chiefs in some departments. We
25 brought together individuals that were

1 Full - 2-24-21

2 straight and gay. We brought together
3 individuals that were Black, White, Asian,
4 Latino and many other persuasions of life that
5 came together for the purpose of bringing you
6 a wholistic plan to change policing and bring
7 it into the 21st Century in Nassau County.

8 If someone can mute their
9 microphone at home that would be great.

10 Let me just start by saying there
11 is a place in all of this for our humanity.
12 There is a place in all of this for humor and
13 there is also a place in this situation for
14 very, very serious talk. So we start our
15 proceeding with serious talk.

16 At this point I will ask Emily
17 Caufman to come to the lectern and present to
18 you -- I'm sorry, Tracy Edwards would like to
19 make a presentation first concerning the
20 NAACP.

21 MS. EDWARDS: Thank you very
22 much. Good afternoon Presiding Officer
23 Nicoletto. Good to see you again. Minority
24 Leader Abrahams I know that you are there
25 somewhere, sir. Legislator Ford, thank you

1 Full - 2-24-21

2 very much for convening this and all of the
3 legislative leaders thank you very much for
4 coming this afternoon.

5 My name is Tracey Edwards. I am
6 the regional director of the NAACP serving
7 under president Dukes, who is our New York
8 State conference president. I'm going to
9 leave you copies of the letter from the NAACP
10 with the clerk and you can read that at the
11 conclusion of this presentation.

12 A little history. The NAACP was
13 founded in 1909 in response to ongoing
14 violence against black people around the
15 country and we are still at this today. All
16 of us. The NAACP has over 2200 units across
17 the country. Two million members. Our
18 mission is to secure the political,
19 educational, social and economic equality of
20 rights in order to eliminate race-based
21 discrimination and ensure the health and well
22 being of all citizens.

23 In New York there are 56 units.
24 The NAACP in New York State Conference is
25 working across the state, working to make

1 Full - 2-24-21

2 changes in the 500 agencies that have to
3 implement police reform initiatives by April
4 1st. On Long Island we have ten branches.
5 Five of which are in Nassau County. Those
6 five presidents, who are your constituents, I
7 did not bring today because we were abiding by
8 the rules.

9 On Long Island our branches are
10 focused, primarily last year and this year, on
11 police reform, economic recovery, voting
12 rights and health. To ensure that the vaccine
13 is available for all communities and
14 educational information for those who are
15 reluctant to take it. It's fitting that we
16 are in front of you today in Black History
17 Month. As a matter of fact, I'm going to be
18 leaving a little bit earlier to go to Suffolk
19 County to participate on a panel on racism.

20 This month many of you have signed
21 resolutions honoring Black Americans in your
22 district, in this county, for their
23 partnerships with you and their
24 accomplishments. But I can tell you with
25 absolute certainty that they would send those

1 Full - 2-24-21

2 resolutions back to you if they could live on
3 Long Island with their children, all of our
4 children, receiving the same treatment. We
5 cannot say this today.

6 There's a deep history in policing
7 across this country but normally we can look
8 away. But because of COVID-19 we could not
9 all look away with the murder of George
10 Floyd. Before today you did not own it. You
11 could deflect. You could point fingers. You
12 could minimize this effort to be antipolice or
13 call many of us radicals. That was before
14 today.

15 Today you own policing reform and,
16 quite frankly, I am glad you do. I could talk
17 all day about the process in Nassau County.
18 But we're here today and I am thankful that we
19 are here today. You are going to hear the
20 People's Plan from the three organizations and
21 the hundreds of people behind them working
22 hard for months on thoughtful recommendations
23 based on research. Our state president tells
24 us often the words of Carol Mosely Braun that
25 says, we have no permanent friends, we have no

1 Full - 2-24-21

2 permanent enemies, we only have permanent
3 interest.

4 This is not a Democratic issue or a
5 Republican issue. When my grandson gets old
6 enough to drive and if he gets pulled over
7 he's not going to be asked what his political
8 affiliation is. He's just black. And the
9 answer we will no longer accept is to tell him
10 to comply. The answer is we want everyone to
11 be treated the same. The NAACP is not looking
12 for props. We're not looking for
13 newsletters. We're not looking for more
14 sports games. Collecting data is fine, but
15 they should have been doing that anyway.

16 And we won't want you to blame the
17 racial disparities on the individual police
18 officers and think that body cameras and a
19 little antibias training will fix this. This
20 is not a bad apples theory. This is
21 structural and institutional policies that
22 have been there over time that the officers
23 are following the rules.

24 So, please don't take the bait that
25 we are the safest county and many of the

1 Full - 2-24-21

2 initiatives we were doing anyway, so all we
3 need to do is to make incremental changes to
4 our existing policies. That's not why we're
5 here. We want you to ask yourself does
6 everyone feel safe in Nassau County? Did all
7 of the initiatives work for everyone? I will
8 answer that for you and the answer is no.

9 LEGISLATOR FORD: I do apologize
10 for stopping you but those that are on the
11 call lost audio so they can't hear you.

12 MS. EDWARDS: Can you hear me?
13 You want me to wait?

14 LEGISLATOR FORD: If you can.

15 MS. EDWARDS: So, there is no
16 dispute that we have racial disparities. The
17 only question is how much in Nassau County.
18 And any racial disparities is too many.

19 This is your opportunity. And
20 politically you will have no more air cover
21 than what you have today because everyone is
22 working on all of these issues. So let's fix
23 it. Let's fix it together. Because the snow
24 is going to melt and we don't want to be back
25 in the streets of Nassau County protesting

1 Full - 2-24-21
2 because of the lack of police reform. This is
3 the opportunity. No more piecemeal
4 approaches. We want you to be bold. We want
5 you to be courageous. We thank you for doing
6 this work but you have to cross the finish
7 line.

8 And as Derrick Johnson, our
9 national president, says, if we want a just
10 society we must create a different type of
11 criminal justice system. Thank you very
12 much.

13 MR. BREWINGTON: Thank you
14 Tracey. For each of the legislators you have
15 a package that is in front of you that is
16 about 17 pages long. It is a package of one
17 pages. It is not the entire plan and I'm
18 holding the entire plan up for you, the 311
19 pages. But the one pages will be helpful to
20 be a guide for you and we will put one of them
21 up here just so you know what we're looking
22 at. Duane. Those one pages are helpful to
23 you as thumbnails to try and just get you into
24 each of the subject areas.

25 We're putting this first one up

1 Full - 2-24-21

2 which addresses transforming crisis response.
3 We won't put any others up but this is just an
4 example of the one pages that follow each of
5 the first nine chapters, the first nine
6 sections.

7 The reason why we set it up that
8 way is we want you to read through the whole
9 thing before you get to the one pages.
10 There's a method to our madness.

11 I will ask Emily Caufman if she
12 would come to the podium and present and we're
13 just going to run in succession going through
14 the People's Plan in short form. Emily.

15 MS. CAUFMAN: Thank you Fred.
16 Thank you to everyone here in the chamber for
17 allowing us the opportunity to address you
18 today. My name is Emily Caufman. I'm the
19 cochair of the Crisis Response Work Group,
20 which is a collaboration between Long Island
21 United to Transform Policing and Community
22 Safety and New York Social Action. My fellow
23 cochair is Alexandra Saint Laurent.

24 I stand here representing a work
25 group of approximately 20 people made up of

1 Full - 2-24-21

2 lawyers, former police officers, first
3 responders, families affected by mental
4 illness and criminalization of mental illness,
5 teachers and social workers and your average
6 community member.

7 A few months ago our workers came
8 together to examine crisis response systems
9 throughout the nation. What we found is that
10 there are a number of cities throughout the
11 nation that has transformed their crisis
12 response system.

13 Our working group had the great
14 pleasure on Monday to meet with the Minority
15 caucus. I see a number of you today.
16 Legislator Mule, Legislator Drucker,
17 legislator Bynoe and Legislator
18 DeRiggi-Whitton and I was really encouraged,
19 we were all really encouraged and heartened to
20 see how well received this proposal was. And
21 it is built on the introduction of legislation
22 by Legislator Bynoe and Legislator Lafazan
23 that was voted on unanimously by this
24 legislature to create a mental health task
25 force this summer.

1 Full - 2-24-21

2 Our work group was very excited to
3 see the work that was presented, the initial
4 work that was presented in that draft from the
5 task force. And our proposal compliments
6 that, builds on it, finds the gaps, adds in
7 details. So I encourage you to truly take a
8 look at our 36-page proposal. It is
9 science-backed. It is research-based. It is
10 well footnoted. It was made from
11 conversations with cities throughout the
12 country implementing these crisis responder
13 systems.

14 We have talked extensively with
15 folks in Austin, Texas and their MCOT
16 program. We've talked with folks in Denver.
17 We've talked with folks in Eugene, Oregon.
18 All of whom are ready and available and a
19 phone call away to help you here in Nassau
20 County how to transform our crisis response
21 system to ensure that it works as well as
22 possible for our police officers, our
23 community members in crisis and our
24 taxpayers.

25 I will end briefly. Our current

1 Full - 2-24-21

2 system is not working for those three groups.
3 Not working as well as it can. A few months
4 ago, I had a conversation with Police
5 Commissioner Ryder when we were starting this
6 research and said, is crisis response, these
7 mentally aided calls, is this where you
8 believe the police force needs to be? He
9 agreed as to officers throughout the country
10 this is not the job of police. Behavioral
11 health crises are a public health issue and
12 require a public health response.

13 This model that we are proposing
14 saves money. It makes sure community members
15 in crisis are safe and it leads to police
16 efficiencies so we can free up our police
17 officers to do the important police work that
18 they are trained to do and enables our crisis
19 responders, our trained peers, our behavioral
20 health specialists to do the work that we are
21 trained to do. I will leave it there.

22 Legislator Nicoletto, I do hope to
23 be in contact with you in order to get a
24 deeper meeting with the Majority caucus as
25 well so we can go through the details as we

1 Full - 2-24-21

2 were able to with the Minority caucus.

3 Because I truly believe you will be excited
4 about the proposals and what it can do for
5 Nassau County. Thanks so much.

6 LEGISLATOR NICOLELLO: We will
7 set that up.

8 MR. BREWINGTON: Thank you
9 Emily. In particular looking at the section
10 we asked you to look at the tiers that are
11 referenced here. That talk about how and in
12 what ways the tiers can serve, that would be
13 T-I-E-R, tiers can be utilized for response as
14 has been well documented not only through this
15 plan but through the research done.

16 Let me turn it over now to
17 Mr. Dozier to talk about transforming traffic
18 enforcement.

19 MR. DOZIER: Good afternoon. As
20 mentioned, my name is Tyrel Dozier. I am a
21 member of LIU United to Transform Policing and
22 Community Safety and one of the many community
23 members to help to construct the People's
24 Plan.

25 Recently, a few members had the

1 Full - 2-24-21

2 privilege to discuss the issue of traffic
3 enforcement with Legislator Drucker and I
4 thank you for your openness and enthusiasm
5 regarding that issue. I'm grateful for the
6 opportunity to discuss this issue with all of
7 you now here and through the screen and
8 hopeful to have more conversations with you
9 all individually to discuss this important
10 issue.

11 Just like how Emily mentioned, we
12 are advocating for public health responses to
13 public health issues. The plan lays out
14 traffic safety solutions to issues that solely
15 focus on traffic safety. And just to be
16 frank, unfortunately in its current form this
17 is not the case in Nassau County.

18 Unfortunately, this county sanctions the act
19 of pretextual stops, where under the guise of
20 traffic safety, community members are stopped
21 due to a minor traffic infraction so that the
22 officer may investigate an unrelated criminal
23 issue by fishing for evidence based solely on
24 suspicion.

25 We know that pretextual stops are a

1 Full - 2-24-21

2 bastion of racial bias. Based on NCPD's own
3 reported data we know that black community
4 members are twice as likely to be stopped as
5 white community members in Nassau County.

6 Recently the Massachusetts Supreme
7 Court ruled that the discriminatory
8 enforcement of traffic laws is particularly
9 toxic. It is time for the county to make a
10 much needed statement for justice.

11 Across Long Island we have come to
12 accept what is truly the unacceptable. The
13 fact that thousands of mothers and fathers
14 have to, in explicit detail, have the talk
15 with your driving age sons and daughters about
16 exactly what to do when being pulled over by a
17 police officer while driving in the hopes that
18 that conversation might potentially save their
19 lives.

20 I'm certain that some of you here
21 today and on the screen have been on one or
22 both sides of that conversation. I'm certain
23 that many of you have colleagues or neighbors
24 and definitely constituents who knows what it
25 feels like to have that conversation.

1 Full - 2-24-21

2 I remembered the first time being
3 on the receiving end of that conversation. I
4 remember my mother's solemn face. And then I
5 remember the first time that I was pulled over
6 for DWB, or driving while black, and the
7 thought going into my head what did she say
8 now? Do I put my hand in the glove
9 compartment and reach for my registration or
10 do I keep both hands just on the wheel.

11 It has become, in many ways, an
12 unwanted coming of age for the Black home. A
13 tragic right of passage for Black youth and
14 parents alike. We have sanctioned in Nassau
15 County stop and frisk as long as you're in
16 your vehicle and you appear suspicious.

17 But this plan, and hopefully this
18 legislature, unequivocally makes the statement
19 that driving while Black is not a crime. So,
20 the People's Plan proposal aims to have Nassau
21 County join other forward thinking districts
22 in Maryland, Philadelphia, Virginia, even
23 Texas by restricting police officers from
24 engaging in pretextual stops and warrantless
25 searches. It aims to explore innovative

1 Full - 2-24-21

2 options for routine traffic enforcement such
3 as creating unarmed traffic officers whose
4 sole duty is to maintain road safety so that
5 we can get back to traffic enforcement being
6 about traffic safety.

7 Finally, it aims to promote the
8 collection, regular publishing and analysis of
9 traffic stop data in alignment with the STAT
10 Act so that we have an accurate accounting of
11 what's truly happening in our streets. Thank
12 you.

13 MR. BREWINGTON: Thank you
14 Tyrel. Legislators, you will hear terms used
15 one versus in one section that comes up in
16 another section. That's because the People's
17 Plan is interrelated. It talks about a
18 wholistic approach. You're going to hear
19 about the STAT Act in a little bit.

20 Let me take you on to the other,
21 the next one which is the CCRB, Civilian
22 Complaint Review Board. The Civilian
23 Complaint Review Board proposal is one that
24 has been shown to a number of the legislators
25 that are on this call, and it is an attempt to

1 Full - 2-24-21

2 try and bring to bear the fact that right now
3 what we have is internal affairs that is
4 basically serving to do, and this is just
5 background, don't worry, we will give you a
6 copy of what's on the tripod if you like, but
7 if you look in your book or even on your small
8 version of the one pages, the Civilian
9 Complaint Review Board deals with how do we
10 help police police without having them police
11 themselves.

12 I will just tell you that right now
13 the proposal that is provided by the county in
14 its suggestion talks about trying to enhance
15 or trying to improve what internal affairs has
16 failed to do for over a decade and more.

17 What we propose is a separate
18 entity called a Civilian Complaint Review
19 Board which is well proven in a number of
20 jurisdictions. What we have done, because
21 we've learned that in some places it is not
22 effective. In some places it does not do the
23 job that it is intended because it becomes a
24 political football.

25 Rather, what we have done is taken

1 Full - 2-24-21

2 the best from many jurisdictions, written it
3 in the form of legislation for you and
4 Legislator Kennedy, we just want to keep you
5 in mind, we write something that can be taken
6 and looked at from a legislative perspective.
7 We dealt with the administration code and the
8 county's charter and gave that to you. Why?
9 Because this is an important document as is
10 all of the People's Plan.

11 It talks about handling and giving
12 victims or witnesses of police conduct an
13 opportunity to file a complaint other than
14 having to go to the police department, the
15 people that they are complaining against. The
16 people that are they are complaining about.
17 It gives an opportunity for there to be an
18 appointment.

19 An 11 member board. Five appointed
20 by the county legislature. Five appointed by
21 the county executive and one chair
22 co-appointed by the county legislature and the
23 county executive. It then gives them the
24 opportunity to evaluate, investigate, review
25 and makes determinations about whether or not

1 Full - 2-24-21

2 there has been a violation of a citizen's
3 rights at any level with regard to whether or
4 not it's unprofessionalism or even excessive
5 force.

6 It has the ability to refer. It
7 has the ability to have subpoena power. It
8 also has the ability to not only make
9 recommendations but we take that out. To make
10 decisions about what type of discipline should
11 take place and then allow, if indeed the
12 commissioner wants to change that, an appeal
13 process by the commissioner to the Civilian
14 Complaint Review Board for which there would
15 be a two-thirds vote if indeed the discipline
16 is to be changed either greater or lesser.

17 This plan is well thought out, it's
18 well prepared and it may very well be
19 controversial but it is very important that we
20 have it right now.

21 Because I will tell you, and I
22 change my hats just a little bit, I have seen
23 the inside and the underbelly of the internal
24 affairs investigations that take place in
25 Nassau County and they do not serve the

1 Full - 2-24-21

2 people. They are investigations that are
3 contrary to good policing activity. They are
4 investigations that do not follow-up with
5 regard to witnesses. They are investigations
6 that do not follow-up with regard to victims.
7 And they give very little opportunity for
8 restorative justice, which we talk about in
9 the Civilian Complaint Review Board proposal.
10 Including putting in place mediation instead
11 of making determinations against police
12 officers. If the victim wants to mediate it
13 and is willing to do that that gives the
14 opportunity for someone to look someone in the
15 eye human being to human being and say I made
16 a mistake, I did something wrong and I
17 apologize.

18 I will tell you that there are many
19 cases that come to my office that have indeed
20 had there been an apology, once it was clear
21 that something wrong had happened, it would
22 have avoided a whole lot of mess. That's the
23 Civilian Complaint Review Board that we
24 provide to you. It is detailed and we ask you
25 to take a look at it.

1 Full - 2-24-21

2 At this time I will turn it to over
3 to Susan Gottehrer who is going to present on
4 a number of issues that are found in the
5 People's Plan.

6 MS. GOTTEHRER: Good afternoon.
7 Can everybody hear me? My name is Susan
8 Gottehrer. I'm the director of the Nassau
9 County New York Civil Liberties Union. I'm
10 also a member of LIU, TCPS and LIAPFA and the
11 Nassau County Jail Advocates and the Long
12 Island Language Advocates Coalition.

13 I'm going to talk about an umbrella
14 of accountability and infrastructure that
15 we're trying to build in the People's Plan,
16 and I'll give you some highlights from each
17 piece of the accountability section.

18 But before I do that, I just want
19 to frame this and remind everybody that while
20 we're talking about police reform the People's
21 Plan is talking about public safety in a
22 broader way. Which will also then require
23 that we look at other institutions. We look
24 at all of government and we look at society as
25 a whole. That's the difference between the

1 Full - 2-24-21

2 county executive's plan and the People's
3 Plan.

4 The other thing I want to do is I
5 need to acquaint people with, if you're not
6 acquainted with it, the model of policing that
7 is used in Nassau County because it's going to
8 make a case for the real need for these
9 accountability measures.

10 So, I'm not quite sure how many
11 people are aware but the model that is used,
12 and it's referenced in the county executive's
13 plan very quickly and in a very short manner,
14 it's called problem-oriented policing. It is
15 really problem-oriented policing and hot spot
16 policing.

17 Problem-oriented policing is based
18 on what's called crime science. Crime science
19 looks at near term crime and opportunity and
20 it is distinguished very intentionally from
21 the idea of criminology, which is more prone
22 to looking at long term and sociological
23 causes of crime. Crime science can seem like
24 it makes sense if you're going to narrow the
25 focus just to merely crime prevention. Crime

1 Full - 2-24-21

2 science is based on preventing in the near
3 term.

4 An example of that is there is a
5 corner where people are gathering and there is
6 possible nefarious things going on. What's
7 the solution? Put a light on that corner if
8 there is not a light on that corner. So they
9 find that that kind of policing can be
10 effective which it sounds like it is, right?

11 The part of the issue is, and you
12 can look at the cops' DOJ report, they
13 actually have a lot different publications on
14 this. They also have a manual for the police
15 that is very interesting to read. If you see
16 the difference between crime science and
17 criminology that's a really important
18 distinction and it actually goes to the
19 distinction between the county executive's
20 plan and the People's Plan.

21 The other part of this crime
22 science and this model is that it's very, very
23 based heavily on data and evidence-based
24 policing, which also sounds good. But it's
25 also based on gathering human intelligence.

1 Full - 2-24-21

2 Which explains why the police need to be in
3 all spheres of our society. Part of it is to
4 create relations with the community. Get them
5 invested in solving the problem. Which also
6 sounds great and I don't dispute that it's a
7 good idea for the police to be establishing
8 relationships with community.

9 However, if that good intention is
10 coupled with the intention of gathering
11 intelligence, human intelligence, then that is
12 quite a paradox and the only way to mitigate
13 the feeling of becoming complicit in your own
14 surveillance is to have a county and police
15 force that has transparency measures and
16 accountability measures. I will remind
17 everybody that accountability and transparency
18 go hand in hand. If you don't have
19 transparency there is no accountability. And
20 at this rate the lack of answerability by this
21 police department is stunning at this point.

22 So, I'm going to propose to you the
23 measures that we would like to see put in
24 place to create an infrastructure of
25 accountability. Because if you really want to

1 Full - 2-24-21

2 build trust this is how you're going to do
3 it.

4 The starting point is the CCRB.
5 That would be about investigations. That
6 would be about complaints. That would be
7 about the fact that it's beyond believable
8 that anybody can actually utter the sentence
9 that any agency should police itself and take
10 that seriously. That is what is going on and
11 that's what the CCRB would address.

12 The second piece is a police office
13 of an inspector general. The idea behind this
14 is to create, and you'll see in the
15 accountability measures, we create a second
16 and third set of eyes. So, the inspector
17 general's office would be meant to receive the
18 things that the CCRB receives. Receive data
19 from the police department. They would be
20 empowered to be able to subpoena documents.
21 They would be able to track the complaint
22 process to make sure that the complaints are
23 going through the way they should be going
24 through and communication is happening the way
25 it should be happening.

1 Full - 2-24-21

2 So, if you think about the police
3 office of the inspector general's office as a
4 second set of eyes where they receive
5 everything, including the data which will be
6 collected in the STAT Act, which I'll present
7 in a minute, that's the idea behind the
8 inspector general's office.

9 Couple of things to know about an
10 inspector general's office real quick is that
11 in order for it to be successful it has to
12 be -- the appointed person needs to be
13 perceived as neutral. They have to have
14 expertise that is expected for that office.
15 Meaning there will a criminal justice expert
16 in that office. They have to have discretion
17 in selecting subjects to be reviewed.

18 The appointment process also has to
19 be transparent and well publicized. And the
20 committee on making that appointment has to be
21 a variety of different positions not only in
22 government but also in the community.

23 The appointment prior -- the
24 appointee's prior affiliation with board of
25 directors and associations needs to be vetted

1 Full - 2-24-21

2 to make sure there's no conflicts of
3 interest. The position should have a dual
4 reporting role to the executive branch and the
5 legislative branch. And it should be well
6 funded. The police inspector generals'
7 offices or just inspector general's offices in
8 general, when they are not successful it is
9 usually because they are not funded the way
10 they need to be funded. So, there has to be a
11 component in the legislation that also allows
12 the inspector general to submit statements on
13 their funding and their evaluation of their
14 funding. That's another measure of success in
15 those offices. So, that's a nutshell of the
16 inspector general's office.

17 In the People's Plan is a list of
18 what we're recommending this inspector
19 general's office oversee. But again, think of
20 it as a third set of eyes.

21 The second piece of the or the
22 third piece of the accountability is what we
23 call the Right to Know Act.

24 We heard that the -- we know that
25 the authority held by police and their ability

1 Full - 2-24-21

2 to render your body to stop moving really
3 feels like -- and the fact that they can apply
4 consequences if they ask you to stop and you
5 don't that feels like an immediate taking away
6 of civil liberties and an immediate feeling of
7 coercion. So, we need to take the idea of
8 stops, as Tyrel is describing, very, very
9 seriously and the Right to Know Act addresses
10 this.

11 The Right to Know Act has two
12 components. One is when a police officer
13 stops anybody they hand them a card that has
14 their name, their rank, the date, the time,
15 the reason for the stop, the duration of the
16 stop and the outcome of the stop and also
17 where they can issue a complaint if they need
18 to. That's the first component of the Right
19 to Know Act.

20 The second component is the consent
21 to search piece where the officer must obtain
22 written, or recorded in the case of people
23 with disabilities, voluntary consent to be
24 searched. The officer should also have a
25 checklist that they are required to submit to

1 Full - 2-24-21

2 make sure that it is known that they went
3 through this at every stop. Because what
4 we're finding in places where the Right to
5 Know Act does exist already is that officers
6 are trying every which way to get around
7 this. You have to build in accountability
8 measures to their actions out on the street.

9 And then of course, all of the
10 stops will be incorporated into the STAT Act,
11 which is the data collection bill that we're
12 proposing which brings me to the STAT Act.

13 The STAT Act is a local version of
14 a state-wide bill that was recently passed.
15 It was passed in June of 2020. It's got a
16 whole bunch of categories of data to be
17 collected. So the New York State Legislature
18 did a really good job of that. There are some
19 pieces missing that we would like to see in
20 the STAT Act. So I will just read you a
21 couple of them.

22 Vehicles and pedestrian stops and
23 searches have to be in there. Frisks and body
24 searches, detentions, arrests or issuance of
25 summons. Data, demographic data, and location

1 Full - 2-24-21

2 data has to be in there. Use of force less
3 than lethal use of force, threat of use of
4 force, including if there were any weapons
5 used associated with what level of use of
6 force are we talking about.

7 Accompanying medical data. Meaning
8 if there was any level of use of force was
9 there a medical situation and did it end up
10 with a doctor, hospital, what was the outcome
11 there. We're looking at vehicle, pedestrian
12 and bicycle stops. Police presence in
13 schools, which I will get to later but this is
14 going to be important and we are including it
15 in the police presence in the STAT Act.

16 Complaints. As you are
17 incorporating the CCRB and the office of the
18 inspector general's office and the complaint
19 process is still going on as you are facing it
20 out, we would like those complaints and all
21 the data related with complaints to be
22 incorporated also into the STAT Act.
23 Everything relating to the STAT Act should
24 also be very clearly having personal
25 identification information not included in any

1 Full - 2-24-21

2 reports because that's actually been abused in
3 other police departments.

4 Language access component. How
5 many times were interpreters requested and in
6 what languages. How were the services
7 delivered. We're looking for hate crimes
8 information in the STAT Act. We're looking
9 for surveillance technology in the STAT Act.
10 What surrounds technologies are being used.
11 Where are they being deployed. How are they
12 being deployed. How are they being acquired
13 and what are the vendor contracts and the RFPs
14 related to -- and especially also the storage
15 of any surveillance equipment.

16 I'm not quite sure if everybody is
17 aware of how technical this gets but the
18 surveillance contracts often times with this
19 equipment comes with an offer from the vendor
20 to store the data and the footage because it's
21 very expensive for municipalities to do that
22 themselves. You have to make sure when you're
23 checking those contracts who has proprietary
24 rights. Often times those vendors do and
25 people don't know that and that's really

1 Full - 2-24-21

2 important and that's why we want this also in
3 the STAT Act.

4 Then there's also an analysis of
5 reporting component to the STAT Act. And also
6 asset forfeiture information as well because
7 asset forfeiture is a source of income and we
8 want to make sure that we're not being
9 incentivized to do a certain kind of policing
10 based on asset forfeiture. That's the STAT
11 Act. I'm trying to go as fast as I can with
12 this.

13 Public Safety Committee oversight.
14 This one's easy. You're the legislative
15 branch. You have oversight over the executive
16 branch. And there should be biannual hearings
17 where the police commissioner has to come and
18 sit in front of you and you have a big list of
19 questions. Some of it based on the data
20 that's been collected by the STAT Act. You
21 are the third set of eyes. The inspector
22 general's office is the second, you are the
23 third.

24 You should be seeing all the
25 complaint process. You should be tracking

1 Full - 2-24-21

2 it. You should be seeing and making sure the
3 people are getting communicated with. You
4 should see the data on the stops. You guys
5 should be able to answer any question I ask of
6 you about this police department. That should
7 be the goal of the Public Safety Committee of
8 the legislature. And then issue biannual
9 reports as well. That's the Public Safety
10 Committee piece.

11 Internal affairs and complaints.
12 Again, as we said, we're recommending a CCRB
13 and a police inspector general's office. So,
14 while you are phasing those in and phasing out
15 the complaint process we also have some fixes
16 we would like to add to that as well.

17 We are asking that no
18 investigations be done at the precinct level.
19 Communication with complainant should be
20 scheduled at least every 30 days with all
21 communications forwarded to IG's office and to
22 the Public Safety Committee. All
23 communications should include status of
24 investigation, explanation of disposition and
25 steps taken during the investigation.

1 Full - 2-24-21

2 Quarterly reports should be
3 issued. Of course, all personal identifying
4 information for the complainant should be
5 removed in the case of reporting and public
6 disclosure or even possibly to the legislature
7 because we've seen abuses in that case as
8 well. So we would recommend case numbers or
9 other ways of labeling.

10 So, that's a snapshot of those
11 pieces. There are a couple more
12 accountability pieces. Tyrel is actually
13 going to talk about liability insurance and
14 then I will finish up the last couple of
15 pieces on accountability.

16 MR. DOZIER: Thank you. As Susan
17 mentioned, we are looking to develop an
18 infrastructure of accountability. In the
19 section regarding -- and part of that is
20 liability insurance. In the section regarding
21 liability insurance we provide a cost saving
22 solution to the county, which most importantly
23 will also help keep community members safe and
24 erode the perceived officer immunity that
25 causes distrust between communities and law

1 Full - 2-24-21

2 enforcement.

3 Each year, and we know this,
4 municipalities pay millions of taxpayer
5 dollars to settle misconduct cases perpetrated
6 by police officers. Therefore, burdening
7 taxpayers and condoning officers that abuse
8 their positions. As you can see by the chart
9 behind me, over the past five years Nassau
10 County has spent \$55 million settling
11 misconduct lawsuits.

12 The People's Plan proposes the
13 implementation of mandatory personal liability
14 insurance as a requirement for employment.
15 This would hold police officers accountable
16 and liable for their actions in the field.
17 Additionally, requiring officers to help pay
18 for their own insurance will force officers
19 with histories that indicate dangerous or
20 violent behavior to either adopt safer
21 practices and methods of policing or to leave
22 the profession altogether.

23 As was mentioned earlier, I believe
24 it was from Legislator DeRiggi-Whitton, that
25 nobody dislikes bad policing more than good

1 Full - 2-24-21

2 police.

3 In this model, the cost of the
4 average premium for coverage would be covered
5 by the municipality. Individual officers
6 premiums would be calculated considering their
7 policing history. So, officers with histories
8 in policing that create a higher premium would
9 be responsible for paying the difference
10 between their premium and the department
11 average. Officers with histories that create
12 lower premium than the department average can
13 receive the difference as additional take home
14 pay. We are literally incentivizing good
15 policing. Thank you.

16 MS. GOTTEHRER: I'm going to
17 continue with a community survey which is not
18 really too much of a heavy lift and we really
19 hope that you will consider doing this as part
20 of accountability as well. Literally hearing
21 from the community.

22 So, we are asking for community
23 surveys to be done that address separately
24 people who have had contact with the police in
25 the month prior to the survey and then also

1 Full - 2-24-21

2 separately residents. Especially in heavily
3 policed neighborhoods. So we are asking for
4 that.

5 So, the contact surveys should
6 include victims and complainants measuring how
7 satisfied people were and how they felt they
8 were treated by the police and how the police
9 handled their problem. The resident survey
10 should be random digital dialing residents age
11 18 or older and targeted oversampling of
12 Latino and Black residents 18 or older.

13 Surveys designed to measure
14 police -- they should be designed to measure
15 police legitimacy, perceptions of bias-based
16 policing and about thoroughness of which the
17 Nassau County Police Department investigated
18 their complaints as far as the officer that
19 they dealt with.

20 The survey should not be used to
21 gather data on hot spot or problem-oriented
22 policing. Again, remember I said that POP
23 policing and hot spot policing are about data
24 gathering. So there would be need to be close
25 oversight over the survey to make sure it's

1 Full - 2-24-21

2 not being used for those purposes.

3 Results analyzed separately and
4 sent to Public Safety Committee of the
5 legislature and the inspector general's office
6 and posted on the county website.

7 And finally, we also usually
8 include use of force policies in
9 accountability. I'm going to read you a list
10 of what's in a really good list of use of
11 force policy. It has actually been shown that
12 as soon as these components are put in the
13 numbers drastically come down on use of force
14 in a lot of municipalities that have done
15 this. We notice that in the Nassau County use
16 of force policy some of these components are
17 in there but there needs to be more as well.

18 They found that cities that
19 implemented policies requiring officers to
20 exhaust all other means before shooting have
21 seen a drop in killings by 25 percent. We
22 would also refer you to policies recommended
23 by Eight Can't Wait and Campaign Zero. This
24 is all in the People's Plan.

25 So, the components that make up a

1 Full - 2-24-21

2 really good use of force policy are requiring
3 officers to exhaust all alternatives before
4 resorting to use of firearms. Including
5 requiring use of nonlethal and less lethal
6 strategies. It limits officers to minimum
7 level of force necessary. It contains a duty
8 to intervene. It contains a duty to render
9 and secure aid to anybody who has been at the
10 receiving end of use of force. It contains
11 use of force continuum.

12 There's a lot of jargon and lingo
13 when it comes to policing. And if you really
14 dive into the literature you will be able to
15 see that use of force policy there's
16 continuums and language around all of this.
17 There's use of force, less than lethal use of
18 force and then's there's also a taser is
19 associated with one particular level of force
20 etcetera.

21 So, the use of force policies that
22 are recommended deal in this continuum with
23 the right language and the right associations
24 at each level as accompanied by the right
25 level of training. Specific scenarios related

1 Full - 2-24-21
2 to this level with this weapon and this
3 training and they're usually role-playing type
4 of trainings. And the best ones are not
5 necessarily just within the academy. They
6 also use civilians. Not experiments on the
7 street please. But they're role-playing
8 trainings and those are considered to be the
9 best kind of training.

10 Required warning prior to use of a
11 firearm. Requires a sanctity of life
12 statement. That's almost like the first one
13 that shows up in all of them. And how does
14 the department interact with the public.
15 After a deadly use of force incident it should
16 be outlined what are the operating procedures,
17 how long does it take for a municipality to
18 start to having a conversation with the public
19 about a use of force incident. And then
20 disclosure of body worn camera footage in the
21 case of if we do actually get the cameras.

22 By the way, about the cameras,
23 please look at model policies before you
24 implement anything on the cameras. That's a
25 whole another issue.

1 Full - 2-24-21

2 That's the use of force parameters
3 that are usually required for best practices
4 for use of force policies in a nutshell.
5 Please read the People's Plan.

6 MR. DOZIER: The People's Plan
7 also has a section regarding hate crimes and
8 in it it discusses how crimes motivated by
9 invidious hatred toward particular groups not
10 only of harmed individual victims but as we
11 know it also sends a powerful message of
12 intolerance and discrimination to all members
13 of the group to which the victim belongs.

14 The New York State hate crime law
15 states hate crimes can and do intimidate and
16 disrupt entire communities, invitiante the
17 civility that is essential to healthy
18 democratic processes.

19 As we know, hate crimes have been
20 on the increase this past year. Specifically
21 targeting Asian, Jewish, LGBTQ communities as
22 well as Black and Latinx communities.

23 The effective mitigation of hate
24 crimes requires broad public awareness,
25 understanding and participation. This public

1 Full - 2-24-21

2 awareness facilitates risk-based social
3 intervention and mitigation. In addition, the
4 public awareness serves as a force multiplier
5 for the deterrent efforts of resource
6 constrained enforcement agencies. It falls on
7 our law enforcement to facilitate public
8 awareness through accurate classification and
9 effective recording analysis and public
10 reporting of bias incidents.

11 The People's Plan proposes the NCPD
12 should designate a dedicated trained special
13 investigation unit specifically for these
14 incidents. This includes properly identifying
15 and reporting hate crimes and incidents to
16 bring justice and safety to community. Using
17 all relevant sections of the law. For
18 example, it would say a need to classify all
19 swastika as criminal mischief, which is a hate
20 incident, versus just merely saying it's
21 making graffiti.

22 Additionally, the unit will map and
23 track hate crimes, nondesignated hate offenses
24 and incidents to see trends, prevent future
25 events and provide an accurate picture of what

1 Full - 2-24-21

2 is occurring and where things are happening in
3 our county. The unit will communicate with
4 the public to protect and warn communities and
5 to garner cooperation in the prevention of
6 these crimes and incidents as well as of
7 course support the victims, their families and
8 the communities.

9 Finally, the People's Plan proposes
10 the development of rehabilitation and
11 prevention programs with government,
12 nonprofits and communities in order to prevent
13 these vial incidents and restore communal
14 trust.

15 MR. BREWINGTON: Thank you
16 Tyrel. The next section is improving the
17 treatment of safety for transgender, intersex
18 and non-binary people. Julie Owens.

19 MS. GREY-OWENS: Good afternoon.
20 My name is Julie Grey-Owens, and I am the
21 executive director of Gender Equality New
22 York, a nonprofit that advocates for
23 transgender, non-binary and intersex New
24 Yorkers. I'm also a member of the Nassau
25 County Jail Advocates. Further, I want you to

1 Full - 2-24-21

2 know that I have been training transgender
3 cultural competency to recruits at the Nassau
4 County police academy since 2017. There's a
5 number of important points that you need to
6 know.

7 In 2019 the National Center for
8 Transgender Equality published a report
9 entitled Failing to Protect and Serve Police
10 Department Policies Toward Transgender People
11 that reviewed the policies of 25 of the
12 largest US police departments and graded them
13 on 17 criteria reflecting areas of interaction
14 between law enforcement and the transgender
15 community. Nassau was one of the 25 top
16 departments and of that 25 departments was the
17 only department that received a failing grade
18 in each and every one of the 17 criteria
19 areas. I have submitted to you copies of the
20 executive summary and the specific report for
21 Nassau County Police Department.

22 The second point that I would like
23 to make is that in late 2019 a transgender
24 Nassau County resident was arrested and
25 incarcerated improperly. A notice of claim

1 Full - 2-24-21
2 against Nassau County was filed. There is
3 currently an agreement to withhold the filing
4 of any formal lawsuit against the county on
5 the condition that the county draft policy
6 documents that will effect meaningful change.
7 Without proper policy, the county is looking
8 at a significant lawsuit.

9 Up to now there has been no
10 transgender policy for Nassau County police
11 officers. During my training with recruits I
12 am constantly asked questions that I cannot
13 answer because there is no policy to refer
14 back to.

15 The portion of the police reform
16 policy that County Executive Curran filed last
17 Tuesday contains only a three-page procedure
18 entitled Encounters with Transgender Persons.
19 The document simply lists the steps to arrest
20 and incarcerate a member of the transgender or
21 gender non-binary community. Although it's a
22 good start, it is severely lacking in the
23 following areas.

24 First, the failure to explicitly
25 prohibit the use of gender identity or

1 Full - 2-24-21

2 expression as a basis to stop, question,
3 search or arrest an individual as the sole
4 basis for initiating contact.

5 Recognition of people with
6 non-binary gender identities and how to
7 interact with them.

8 Failure to require the use of
9 correct pronouns in interactions with members
10 of the public.

11 Failure to address transporting
12 transgender arrestees in accordance with their
13 gender identity.

14 Failure to clearly define and
15 prohibit sexual misconduct on behalf of the
16 members of the department. Establish
17 prevention or accountability mechanisms for
18 officer's sexual misconduct or fully
19 incorporate the PREA lockup standards.

20 In regard to medical care, failure
21 to make clear that transgender individuals
22 must be treated equally, including with
23 respect to hormone medications.

24 Failure to provide a policy that
25 allows transgender people to retain all

1 Full - 2-24-21

2 appearance-related items like prosthetics,
3 bras, undergarments, wigs or cosmetic items.

4 Failure to address bathroom use in
5 stations by transgender individuals.

6 Failure to require regular training
7 on interactions with transgender people for
8 all officers and staff.

9 The People's Plan lists 38 policy
10 requirements that will provide respectful and
11 equal treatment to those of us who are gender
12 expansive. Each of these requirements support
13 treating individuals in a manner that is
14 appropriate to their personal gender identity
15 as well as treating gender expansive
16 individuals in the same way that you would any
17 person that is not transgender or gender
18 non-binary.

19 There is an urgent need to create
20 safe and affirming relationships between
21 gender-expansive Long Islanders and law
22 enforcement officers. Professionalism and
23 sensitivity can create an environment of
24 respect and trust. Officers who are
25 supportive of gender-expansive citizens will

1 Full - 2-24-21

2 increase lines of communication which may be
3 helpful in solving or preventing crime.
4 Departments and staff that are willing to
5 create fair and thoughtful policies will
6 create a community where all citizens feel
7 safe and trust their law enforcement officers
8 regardless of their sexual orientation, gender
9 identity or gender expression. Thank you.

10 LEGISLATOR NICOLELLO: We didn't
11 catch your name.

12 MR. BREWINGTON: Julie
13 Grey-Owens. Susan.

14 MS. GOTTEHRER: SROs, school
15 resource officers. We know that Suffolk
16 County has a full blown school resource
17 officer program and Commissioner Ryder has
18 repeatedly said that Nassau County does not.
19 I'm assuming that's because -- and he refers
20 to his budget when he talks about that.
21 However, people need to know that school
22 resource officers, some in some school
23 districts are related to the police department
24 and in some school districts are retired
25 police. In some school districts are hired by

1 Full - 2-24-21

2 private security firms. However, that does
3 not give us any information about still their
4 communication with the police and their
5 interaction with the police in the schools.

6 So, I'm going to remind you of all
7 the sort of factors that have gone into our
8 society that has created sort of a perfect
9 storm on the front of schools for children.

10 One, let's remember we have that
11 problem-oriented policing model which means
12 that the police are having relationships.
13 It's part of the model. And also the police
14 are very, very proud of, and I don't blame
15 them, of all the programs that they have with
16 youth. There's a very long list of youth
17 programs that they have. I think that this
18 model is problematic again because of what I
19 said before. It pits these two, one really
20 good intention of creating trust with also
21 this data collection and getting human
22 intelligence. So, keep that in mind.

23 Also keep in mind that in Police
24 Commissioner Ryder's plan he said we'll have
25 the Homeland Security unit of the Nassau

1 Full - 2-24-21

2 County Police Department cooperating with all
3 of the superintendents in all 50 school
4 districts. First of all, what kind of a title
5 is that? Is that a federal and -- what's the
6 nature of that position? And why is that --
7 why do we have a federal level anything
8 dealing with our superintendents having to do
9 with our children?

10 And specifically it said will be
11 working with them on children's discipline.
12 This is quite stunning if you look at the
13 policing model that we're talking about. Then
14 add to that this county is cooperating with
15 ICE. Add to that the district attorney's
16 Operation Matador gang prevention programs and
17 I have to ask what is going on with
18 communication between schools and police?
19 That's number one.

20 Number two, we know that suspension
21 rates in schools are really not distributed
22 evenly. There's is such a disparate impact on
23 children of color. We know that. The
24 statistics are in the People's Plan. You can
25 also look up the New York State Education

1 Full - 2-24-21

2 Department. So, you put all those together --
3 I mean, you have police in school who might be
4 dealing with children discipline. What you're
5 doing is criminalizing normal childhood
6 behavior.

7 I don't know how many of you know
8 six through eighth graders. That is normal
9 childhood behavior. That is no place for the
10 police to be. Discipline is for educators and
11 psychologists and people who are child
12 oriented. So this piece is asking put all
13 those pictures together, put the model of
14 policing together, put ICE, put suspensions,
15 put it altogether and we would really like to
16 not have police involved in schools anymore.
17 It's not appropriate.

18 Number two, there has to be, if
19 there are going to be security officers in the
20 school, there has to be memorandums of
21 understanding. That is now actually mandated
22 by the state. A law was passed last year.
23 Schools have got to have memorandums of
24 understanding that outline what contact these
25 officers will have with children, under what

1 Full - 2-24-21

2 circumstances and NYCLU has a model policy
3 that recommends that there be no contact with
4 children. So this policy is also asking, the
5 People's Plan is asking for those MOUs as
6 well.

7 We are also asking for there to be
8 data collection which you saw in the STAT
9 Act. Meaning any time there is contact
10 between any form of officer whether it be
11 connected with the police department or not
12 that has to be a recorded and reported. So
13 the People's Plan has the details of that.

14 We are also asking Nassau County to
15 stop cooperating with ICE. It's time. There
16 are children that are frightened. There are
17 children that are sitting in schools and
18 watching these uniforms floating around their
19 hallways and they're the children that don't
20 know if they're going to get home and their
21 parents are going to be there or not. This is
22 not appropriate to have officers in the
23 schools. I don't care what the intention is.
24 It's not appropriate.

25 So, we're asking also for support

1 Full - 2-24-21

2 for the New York for All Act, which will
3 disentangle local involvement with ICE. And
4 we are also asking for support of the
5 Solutions Not Suspensions Act which also is a
6 state bill that requests that discipline be
7 done only by teachers and by psychologists and
8 that resources be allocated more toward
9 psychology. And that discipline is more
10 towards a restorative justice lens. That is
11 the SRO piece in the People's Plan. Thank
12 you.

13 So, language access. There have
14 been two executive orders for years now on
15 language access. And the language access
16 Coalition, LILAC, has been namely Sheriff
17 Keschner, who is our fearless leader, has been
18 really working hard on this as far as like
19 tests, going into police precincts and
20 testing. Nassau County has a language access
21 plan. The problem is they're not sticking to
22 it. We need the plan to be implemented
23 correctly. So, I just want to give you a
24 couple of examples.

25 As of January 2021 the Nassau

1 Full - 2-24-21

2 County Police Department has failed to comply
3 either with the New York State attorney
4 general's technical assistance letter which
5 was sent or with Nassau County's executive
6 orders 67 and 72 which were done under Ed
7 Mangano.

8 Perhaps even more importantly, the
9 police department has failed to meet its
10 responsibilities under federal law Title 6 of
11 the Civil Rights Act of 1964 and executive
12 order 13166.

13 The harm caused is irreparable.
14 When language access is not provided peoples'
15 lives are placed in danger because they cannot
16 get adequate police protection or response to
17 medical. They can't get their benefits. They
18 can't maneuver through their school settings.
19 Or because they face criminal consequences.
20 If you have a language barrier and you're
21 subjected to the criminal justice system or
22 God forbid the deportation system that's very
23 dangerous. Failure to provide language access
24 contributes to mistrust of law enforcement by
25 immigrants.

1 Full - 2-24-21

2 So, we have some testing members.
3 In 2020 advocates conducted a round of calls
4 in Spanish to the precincts. They connected
5 to a Spanish speaking officer. Were able to
6 receive some information. However, several
7 others were discontinued or hung up on or told
8 to call 911. Officers did not seem to know
9 how to access interpretation services. In the
10 county executive's plan, the only thing she
11 really talks about regarding language access
12 is language line, which you will also hear
13 Commissioner Ryder talk about. That's all we
14 hear. Language line, language line, language
15 line. And they'll give you data and
16 statistics and they plan on collecting all
17 that. That's great. But also know that it's
18 not always used. It's not the only thing that
19 needs to happen according to these executive
20 orders and these federal laws.

21 In July 2020 a Latino woman living
22 in Nassau County contacted the police due to
23 harassment by her landlord. When the police
24 officer responded the woman asked for a
25 translator since she only spoke Spanish. The

1 Full - 2-24-21

2 responding officer told her No, this is the
3 United States of America. We speak English
4 here. The woman filed a complaint with the
5 Nassau County PD and still has not received a
6 response. So, let's go back to the complaint
7 process, shall we?

8 The language access plan must be
9 rewritten. It is missing crucial information
10 and some of the proposals they need to provide
11 data on the website. You cannot use children
12 as interpreters. You need to check the vital
13 documents on the website. They are not being
14 translated. If it's a PDF it's not
15 translated. There's a Google interpretation
16 piece on the website but there are a lot of
17 documents in there that are not translated.
18 Namely, I think the last time somebody checked
19 the police complaint forms were not
20 translated.

21 So, language ID cards. The
22 department should be distributing language ID
23 cards. There should be signage up in every
24 single precinct. When we test that is not the
25 case for all the languages appropriate for

1 Full - 2-24-21

2 Nassau County. And I really just want to
3 emphasize that it has to be implemented. It
4 might be writing. It's not being
5 implemented. We test all the time. It's not
6 being implemented.

7 Also, it has to be made clear that
8 people do not self report their own ability to
9 speak Spanish or speak Haitian-Creole. The
10 department has to be on top of that. The
11 department has to certify that. Not
12 self-reporting. Not somebody that I know
13 standing next to me knows a little bit of
14 Spanish. That is not how we do this and that
15 is not legal. And children can't be used as
16 interpreters as well. That's a piece of it.
17 There's a lot in this section and I really
18 encourage you to read it. Thank you.

19 MR. BREWINGTON: As you can tell,
20 we have been giving you a breeze through of
21 the People's Plan. We are now at page 256.
22 How's that? That's not too bad for the time
23 we've been going. Thank you Legislator Rhoads
24 for the smile.

25 I just want to say what you heard

1 Full - 2-24-21

2 thus far is a comprehensive plan. It is one
3 that is detailed in how to, not we should.
4 It's a plan which talks about how we as a
5 community working together in collaboration,
6 as we should have been doing from day one, can
7 get to a finish line that will make us a
8 better Nassau County. Whether or not we're
9 Democrat, Republican, Independent or anything
10 else. The responsibility for us to get to the
11 finish line lies with us today. We are at
12 historical crossroads.

13 Let me take you to another one.
14 The one that talks about building authentic
15 trust and legitimacy within the community. If
16 we haven't been talking about anything yet
17 that's what we have been talking about all the
18 time. How do we through transparency and
19 accountability and responsibility and
20 responsiveness build that trust within the
21 community such so that the community is deeply
22 engaged in how its police department is
23 impacting it, impacting its youth and
24 impacting those things that help to lift the
25 quality of life for everybody?

1 Full - 2-24-21

2 Whether or not we're talking about
3 Uniondale and Roosevelt or whether or not
4 we're talking about East Meadow and
5 Massapequa. We should be talking about how do
6 we do that on a level that raises everybody's
7 boat. The legitimacy with communities is
8 extremely important.

9 I will tell you that PAL and other
10 youth resources are good ideas to the degree
11 that Susan just spoke about. Remember our
12 interrelateness. But it's also important to
13 understand that they are not the panacea nor
14 are they the end of the problem. Because what
15 we do continue to have in the community is a
16 sense, and Tyrel spoke about this earlier,
17 where there are disproportionate numbers of
18 stops of individuals who are persons of color
19 in Nassau County and nobody wants to talk
20 about that. If we don't talk about that we
21 can't then start to deal with accountability
22 because that is the transparency.

23 In order for us to start to
24 understand that there is a problem we need to
25 acknowledge that there's a problem. Then we

1 Full - 2-24-21

2 can talk about it.

3 It's important to look at this
4 section that deals with building authentic
5 trust and legitimacy within communities
6 because it does deals with five major points.

7 One, implement community centered
8 policies and practices.

9 Insure community control of
10 policing. That means that the community gets
11 to help make decisions about policing in its
12 own space.

13 Evaluate and implement crime
14 prevention programs that give control to
15 communities.

16 Fourth, address the root causes of
17 criminalized behavior by meeting community
18 members' needs. We often times criminalized
19 things that should not be. I will give you
20 one example. We talked about this earlier
21 with regard to mental health. I have a number
22 of cases where police should not be involved
23 in mental health calls. But because of the
24 person who is having the breakdown or having
25 the problem they then don't want to be dealt

1 Full - 2-24-21

2 with. They get scared by the police -- Emily
3 spoke about this -- and as a result of that
4 mental health situation is criminalized.

5 I have a young man that has a
6 mental capacity of a four year old. He was
7 tased twice. He was hog tied. Taken from his
8 place and then charged with resisting arrest,
9 assault in the second degree, a felony, where
10 he didn't even understand where he was when he
11 walked into a courtroom. Yet, in that
12 situation he was criminalized and scared to
13 death of walking into the county court
14 building right down the street from here.
15 That should never have happened. But had we
16 had the ability to implement any of these
17 things which are interrelated that would have
18 helped build community in the trust of that
19 family and that entire church community that
20 was impacted by that. Instead of being
21 friends the police department made itself
22 enemy. That's not the way it should happen.

23 Moving on to technology and social
24 media. We do not in Nassau, I'll just tell
25 you you're not alone, Suffolk County is way

1 Full - 2-24-21

2 behind the ball in terms of using technology
3 and social media and disclosure of information
4 that is collected in social media platforms to
5 tell the community what's going on. Issues
6 with regard to arrests. Issues with regard to
7 actions taken. Issues with regard to police
8 discipline. Issues that deal with what's
9 going on with regard activities that may
10 happen in the community that the police should
11 know about. There's no platform which exists
12 or use of social media that's appropriate.

13 Another way that Nassau County
14 fails to use social media and technology is
15 right behind me. This chart, I gave some of
16 you this chart before, which you will find
17 this in the social media section of our
18 report. You will find that at page 267. At
19 267 you will see that we took the arrest
20 records of Nassau County and looked at them
21 carefully.

22 If we were doing good both
23 technology and social media evaluation Nassau
24 would have realized that if they would have
25 just calculated their numbers looking at the

1 Full - 2-24-21

2 cohort ratio of arrest of black individuals to
3 white individuals that the proportionate
4 number or the disproportionate number of
5 arrests in Nassau County was 5.3 black persons
6 for every one white person. How can that be
7 when you have approximately nine to ten
8 percent of the community being
9 African-American in Nassau County yet they are
10 making up that large number of arrests by
11 ratio? It's not just talking about total
12 numbers because total numbers are a fallacy.
13 It's a statistical fallacy. You must look at
14 the total number proportionate to the entire
15 population and then do the evaluation.

16 What you have on page 267 and up on
17 the board shows that the cohort ratio in 2019
18 was 5.3 for African-American for every one
19 white person. And for the Latino community it
20 was 2.3 for every one white person. That is
21 something that we cannot run from. But if we
22 were doing statistical analysis, going to the
23 data selection that we spoke about before,
24 dealing with the STAT Act, we would have that
25 information available for us for the important

1 Full - 2-24-21

2 conversation that you and all the other
3 legislators should be engaging in saying if
4 this is true, how and in what way must we
5 address this from a compelling equity
6 standpoint if indeed in our hearts we care
7 about equity.

8 So, social media, transparency and
9 the statistical work that needs to be done and
10 made available for accountability and
11 transparency is key. Why? Because what is
12 inspected gets respected. Thank you Dr. Rob
13 Gonzalez who gave us that term. Who just
14 happens to be a former head of the New York
15 City training portion of the academy in the
16 New York City Police Department who helped
17 write this plan.

18 When we start to go into the others
19 we talk about hiring and training and we talk
20 about education. We give you hard, clear
21 examples that talk about how training is
22 inappropriate in Nassau County. How the
23 curriculum that was never turned over to us in
24 the PACK or the CCT, even though we asked for
25 it, is, in this situation, a failure for all

1 Full - 2-24-21

2 of us.

3 Why? Let me just tell you. If you
4 were to ask any police officer, I will ask any
5 of the 11 that are behind me now, what was the
6 three-fifths compromise they probably couldn't
7 answer you. If indeed police don't understand
8 the origins of policing and the origins of
9 disrespecting why Black Lives Matters slogan
10 is not a debate, it's not a comparison, it is
11 a discussion from an historical standpoint
12 that says that black people in America were
13 considered to be three-fifths a person.

14 As a result of that, even though it
15 was in the Constitution, Section 2, and moved
16 out at a later time, it was debated on the
17 floor of Congress and it was a compromise that
18 came about for purposes of economics and
19 political power at the expense of people.

20 If our police don't know that, if
21 our police are not aware of that, if they have
22 not been schooled appropriately in the academy
23 they go out being filled with what they were
24 taught younger or heard at a kitchen table or
25 what their friends talked while they were in

1 Full - 2-24-21

2 high school about how you deal with
3 communities of color. We got to tell the
4 story. If we are not educated amongst
5 ourselves shame on us.

6 The next section I'm going to talk
7 about is office of wellness. Yes, we in the
8 People's Plan talk about how important it is
9 for us to care for the police as they are to
10 be able to care for the community. What does
11 that mean? Well, let me just use an example.

12 If Legislator Solages was a police
13 officer, graduated brand spanking new out of
14 the academy, and I know he'd want to be out
15 there doing the great work that he'd do, after
16 a year or two or three guess what happens? He
17 sees the hard work that police are faced
18 with. He sees some of the underbelly of
19 society and that is part of the job of being a
20 police officer.

21 But that officer is changed. Right
22 now officers are required to have how many
23 psychological evaluations? Any of you know?
24 One. At the time that they enter the
25 academy. They're never required, unless

1 Full - 2-24-21

2 something else requires them to do it by some
3 form of discipline, to be evaluated
4 psychologically. I'll tell you, you see
5 somebody get shot. You see somebody get
6 beat. You beat somebody or watch one of your
7 coworkers beat somebody and you have
8 nightmares about it and you don't tell anybody
9 you are not the same person you are when you
10 went into the job.

11 Therefore, for their officer
12 wellness it is necessary that they have the
13 ability to be evaluated on a regular basis.
14 We talk about that. Why? Because officer
15 wellness prevents officers who are violent
16 prone, it prevents suicides, it prevents
17 problems and concerns that happen in the house
18 and then come on to the house. It prevents
19 hatred to our particular aspect of the
20 community.

21 We also are suggesting regular
22 check-ins. Every 45 days have a check-in.
23 How you doing? To a psychologist or a social
24 worker just to see if there's anything going
25 on. On top of that, having coworkers to be

1 Full - 2-24-21

2 able to say hey look, Johnny over there is
3 having a real problem and we should really try
4 to get him some help before it becomes
5 tragic.

6 Officer wellness is twofold.
7 Public safety as Susan spoke about but also
8 officer wellness.

9 Let's go to permanent equity and
10 safety task force and then we're going to sum
11 up.

12 MR. DOZIER: So Fred said it. He
13 said the People's Plan is about equity. If
14 indeed in our hearts we care about equity, and
15 I believe this legislature does and I know
16 that the communities that make up Nassau
17 County do, surrounding out our proposals is a
18 thought about equity and making a commitment.
19 I ask the legislature to implement a permanent
20 equity and safety task force under this Public
21 Safety Committee because we know that
22 innovation in the space of public safety goes
23 well beyond the deadline of April 1st, when
24 hopefully the People's Plan is submitted to
25 the state.

1 Full - 2-24-21

2 Therefore, we propose that Nassau
3 County commission and codify a task force
4 composed of effective community members,
5 nonprofit officials and government officials
6 which would wholistically look at equity and
7 public safety in Nassau County. We know that
8 this is needed. We like to tout that US News
9 ranked the county number one in safety while
10 neglecting to mention that it ranked, it was
11 also ranked number 467 out of 500 in equity by
12 that same publication.

13 A permanent commissioned task force
14 would research how to improve Nassau's public
15 safety apparatus utilizing an equity focused
16 continuous improvement framework. Its
17 responsibilities would include reviewing data
18 and key safety indicators, soliciting
19 community feedback and dialogue, identifying
20 best practices for investing in communities,
21 promoting equity and ensuring safety and
22 publicly proposing new initiatives to pilot
23 and implement while assessing the impact of
24 those initiatives.

25 It tells us to let us now, in this

1 Full - 2-24-21

2 moment, make a commitment to engaging in the
3 long term in this important work and ensuring
4 what we had all stood up and said earlier
5 today justice for all in Nassau County.

6 MR. BREWINGTON: For our last
7 three minutes I'm going to ask that my sister
8 Shaniqua Levin calls us out with an overview
9 from a personal standpoint.

10 MS. LEVIN: This summer an
11 enormous amount of Nassau residents joined in
12 the fight against police brutality by taking
13 to the streets to show their support for Black
14 and Brown lives and to demand that the current
15 state of policing change. The governor heard
16 us and created as Executive Order 203, which
17 requires local governments to work with the
18 public to address racial bias and
19 disproportionate policing of communities of
20 color.

21 In an unprecedented manner,
22 numerous organizations, community leaders and
23 individuals came together to collectively
24 address ways policing on Long Island can be
25 more equitable and community oriented. To

1 Full - 2-24-21

2 construct a People's Plan, we invited the
3 public to join work groups.

4 Now that the protests have died
5 down, the work of structural transformation
6 begins. It's time to change the system
7 because it was never meant to make all of us
8 safe. The current state of policing doesn't
9 prevent crime but merely provides a response
10 to crime. We do not need more officers in our
11 communities. We need programs that will
12 uplift our people, promote equity and help
13 break generational cycles because we've only
14 been out of segregation for 53 years.

15 When America colonizers needed a
16 workforce they used blacks as slaves. When
17 that became illegal the war on drugs became
18 their next tool and then mass incarceration.
19 When white people began to experience an
20 opioid crisis they weren't met with a war but
21 with programs designed to help them. Now is
22 the time to stand up for Black and Brown
23 people and the LGBT plus community and correct
24 the wrongs of America's history. It's time
25 that we change the system. Not just make

1 Full - 2-24-21

2 minor adjustments to your current way of
3 working.

4 Many systems in our country have
5 changed throughout the years and policing
6 shouldn't be exempt. Nationwide systemic
7 racism has built inequitable policies and
8 discriminatory practices to the very
9 foundation of our criminal justice
10 institution. Across the country we have
11 filled our prisons and even here in Nassau
12 with Black and Brown people and expanded
13 policing incarceration while defunding the
14 very systems and programs that would address
15 the root causes of crime.

16 Long Island has an infamous history
17 of racial segregation and hyper policing of
18 Black and Latinx communities. For too long
19 our communities of color have been the victim
20 of these practices while we failed to repair
21 the harm caused to those left behind. Much of
22 the work police do is merely engaging in the
23 daily harassment of black communities for
24 minor crimes of poverty that shouldn't be
25 criminalized in the first place.

1 Full - 2-24-21

2 Out of 10.3 million arrests made
3 per year nationally only five percent are for
4 serious offenses including murder, rape and
5 aggregated assault that threaten public
6 safety. The remaining 95 percent of arrests
7 are for incidents such as traffic violations,
8 marijuana possession, unlawful assembly and
9 even lesser indiscretions.

10 These statistics evidence that
11 police agencies are spending an overwhelmingly
12 majority of resources on minor incidents that
13 do not actually threaten everyday life but in
14 fact do lead to mass criminalization and
15 incarceration of Black and Brown Americans.

16 On a day-to-day basis Black people
17 have to worry about their Black sons, their
18 Black husbands, their Black brothers, their
19 Black nephews, their Black cousins, their
20 Black grandchildren. They worry about
21 everybody Black because every time they
22 encounter police officers they fear that their
23 black skin that they were born with will make
24 some police officers scared of them and beat
25 them or kill them. Black people are your

1 Full - 2-24-21

2 neighbors, your colleagues, your staff, your
3 employers, your friends and most importantly
4 they are people. We need you to value our
5 lives. Show up for us and take action because
6 we are under attack.

7 Racism is a pandemic that has been
8 plaguing black people for centuries. In order
9 to enact change we came together and proposed
10 ideas that are community centered and
11 transform the current state of policing into
12 one that is just for everyone. We can no
13 longer accept a model that was developed from
14 a slave patrol system as our present day
15 mechanism for ensuring public safety.

16 We cannot leave transformation in
17 the hands of police. They have shown that
18 they are incapable of positive structure
19 reform and they cannot police themselves. The
20 police are responsible for way too much. They
21 are not equipped to deal with this broad range
22 of issues. Police are also tasked with
23 finding criminals and to look for them in
24 neighborhoods they know nothing about.

25 We need people that are actually

1 Full - 2-24-21

2 trained in dealing with mental health,
3 substance abuse and houselessness. We need a
4 better system. Not more armed police officers
5 to deal with public safety. The policing
6 system should be designed to work for the
7 people and the people should have a say in
8 what tasks the police are responsible for.
9 Together let's promote transforming public
10 safety by using restorative justice and
11 alternatives that stop the cycle of violence.

12 If we don't change things our kids'
13 kids and their kids will still have to march
14 in the street, create even more hashtags and
15 call out even more names to remember because
16 someone is scared and doesn't value black
17 skin. Are you willing to be part of another
18 generation that remains complacent with the
19 way Black and Brown lives are treated when it
20 comes to law enforcement? Black and Brown
21 people should feel the same safety and
22 security that white people feel. But as it
23 stands right now we don't.

24 Let's be the generation that makes
25 an impact. Let's change the fact that Black

1 Full - 2-24-21

2 parents have to have the talk with their kids
3 and explain that they must do certain things
4 in order to remain alive during even simple
5 encounters with police.

6 Now that the plan is completed, we
7 need your support more than ever. We need you
8 to take that energy that was brought to the
9 streets and put the People's Plan in place.
10 We have so many people, organizations and
11 individuals that have endorsed the People's
12 Plan and it was just released last week. We
13 need you to stand up for the People's Plan
14 just as they did.

15 The plan was created by the people,
16 for the people. Not behind closed doors
17 without the voters from your communities
18 knowledge. The plan has provided you with
19 data, evidence, examples, resources to help
20 you advocate for real police transformation.
21 We have the opportunity to fix the system that
22 is rooted in bias and racism. We deserve a
23 system that will work for all Long Islanders
24 no matter the color of their skin, economic
25 status or where they live. Now is not the

1 Full - 2-24-21

2 time to sit back and be neutral and
3 complacent. We must use our voices to stand
4 up for change.

5 Together let's make the People's
6 Plan the standard of how Long Island police
7 departments deal with community safety.

8 On December 13th Newsday published
9 an article called For Their Eyes Only. For
10 those of you that say this doesn't happen in
11 Nassau County, we don't have to worry about
12 these things, more than 100 cops involved in
13 serious misconduct cases either remained on
14 the job or continued to work for years before
15 retiring. At least 33 officers have retired
16 with serious misconduct charges pending
17 according to Newsday and they were only able
18 to find six officers who were officially
19 terminated.

20 At least 49 Nassau and Suffolk cops
21 have been sued more than once. Most often for
22 excessive force. Nassau and Suffolk County
23 have had to pay more than \$55 million to
24 settle misconduct allegations against Nassau
25 and Suffolk County police departments. The

1 Full - 2-24-21

2 actual amount could be higher because
3 settlement agreements have been sealed.

4 Let's take a look at what happened
5 with Nassau highway patrol officer Joseph
6 Lynch. Nassau officer Anthony Raymond.
7 Nassau officer Trujillo. These cases show you
8 this does happen here in Nassau. These
9 stories of what they did are disturbing in
10 their own right but it's important to remember
11 they are only a fraction of the true extent of
12 violence, abuse and corruption that occurs
13 within the police departments.

14 It is critical that we take action
15 immediately for the sake of Christopher Wade,
16 Kevin Turner, Michael Vonte, Rondese
17 Hilton-Jones, Matthew Felix, Angel Rivera,
18 Akbar Rogers. All Long Island folks. And all
19 other unnamed victims of wrongful arrest and
20 police brutality and those that deserve a
21 future without living in fear.

22 It is your turn to do the right
23 thing. Pass legislation not just policy
24 because policies are not good enough. Use
25 your power to make the People's Plan a reality

1 Full - 2-24-21

2 for Nassau County. Thank you.

3 MR. BREWINGTON: Thank you
4 Shaniqua. I just want to make sure that we
5 footnote this. \$55 million according to the
6 Wall Street was Nassau County. Suffolk County
7 was close to \$17 million. So the total there
8 is almost \$70 million. The numbers are in
9 your book as well as on the chart as we stated
10 before.

11 We thank you for the time. We
12 thank you for your ear and we thank you for
13 your earnest listening. We stand prepared to
14 answer questions. And I will just let you
15 know that the questions that you have also we
16 will probably refer you to portions because
17 the People's Plan is not the fluff that you've
18 seen before. It is a detailed, well
19 researched intended plan to answer questions
20 not avoid them.

21 LEGISLATOR FORD: Thank you very
22 much. It actually was very interesting.
23 Sometimes I feel like I got the quick notes on
24 this after reading a good portion of the
25 People's Plan that you sent to us last week.

1 Full - 2-24-21

2 Yes, you do include a lot of information and a
3 lot of statistics, numbers and everything that
4 helps us as we read through this.

5 What we're going to do is, in order
6 to be fair to all the legislators, I know it's
7 going to be hard trying to keep my eye on the
8 screen here for those that are at home, but
9 I'm going to ask the legislators, so we can at
10 least cover everybody, not everybody had an
11 opportunity the last time, I will ask the
12 legislators to keep their questions to at
13 least three questions each until we go through
14 and come back. Just so in all fairness. I
15 will hold off for a minute because I keep
16 talking here. But I'm going to -- I think
17 it's Presiding Officer Rich Nicoletto and then
18 just let me know. I'll go to Delia and I'll
19 try to bounce back and forth back.

20 LEGISLATOR NICOLELLO: Just to
21 echo what Chairwoman Ford said, thank you for
22 the presentation and for the plan itself.
23 Obviously very professionally done. A lot of
24 work went into it. A lot of thought went into
25 it. We appreciate that. Obviously reasonable

1 Full - 2-24-21

2 minds may differ on this but it's more than
3 important that we have a discussion among
4 reasonable people about it.

5 I, obviously with the limitation of
6 three questions, you can only scratch the
7 surface of some of the things that have been
8 discussed, but I do want to probe into certain
9 things.

10 First, Susan, with respect to the
11 statement that we do not want the police
12 involved in the schools. In the presentation
13 get cops out of schools. Concern about police
14 floating around in the schools. That
15 apparently has gotten out into the community,
16 this aspect of your plan. I have a letter
17 from the Nassau County Counsel of School
18 Superintendents in support of police in the
19 schools. I have gotten calls from
20 superintendents on their own about this
21 issue. I think other legislators have.

22 It is my impression that, my firm
23 impression, that the schools, the
24 superintendents are close to unanimous in
25 their support of these programs. That

1 Full - 2-24-21
2 especially in an era of gun violence and
3 safety in schools, where schools are locked
4 down, there's officers and volunteers at the
5 front door this is of prime importance. They
6 have a great working relationship with the
7 schools.

8 My question to you is, in
9 presenting this as part of the People's Plan
10 who did you speak to among the school
11 superintendents or other school leaders in
12 Nassau County about this issue?

13 MS. GOTTEHRER: We've been in
14 conversation with a lot of experts relating to
15 student discipline. We know that the
16 suspension rates are not what they should be
17 amongst children of color. And there are
18 superintendents who -- we know the
19 superintendents are in favor of this and part
20 of the reason for this is because of the
21 school safety issue. We understand that.

22 But what we're trying to get at
23 here is that police should not be disciplining
24 children. If there is -- the school safety
25 plans that were mandated by the governor we

1 Full - 2-24-21

2 understand that has with due with the school
3 shootings. There has to be a way to separate
4 the presence of police and the feeling of the
5 need for resource officers and what exactly
6 they're capable of doing actually under those
7 circumstances is another question as well.

8 But we want to make sure that there
9 is a firewall between law enforcement and
10 children's discipline. That is the key right
11 there. So, that's what I can tell you about
12 that. We understand that superintendents are
13 in favor of this but we also -- there are many
14 more ways to go about this and schools need
15 more resources to be able to deal with the
16 many issues that the children and the families
17 are facing.

18 The other question is, what are the
19 school districts where there are actual police
20 officers and which of the school districts are
21 there not? And you will find a disparity
22 there as well. So, in trying to put together
23 an equitable solution and approaching children
24 the way they really need to be approached that
25 is what we are recommending.

1 Full - 2-24-21

2 LEGISLATOR NICOLELLO: I would
3 feel more confident if you had relied upon
4 what the school superintendents who are
5 involved with the school, actually leading the
6 schools, as opposed to experts.

7 Let me say with respect to
8 discipline, my understanding is discipline of
9 a student is the responsibility of a school
10 district. However, sometimes acts which lead
11 to discipline also are criminal acts. In
12 these school districts, under those
13 circumstances, are absolutely obligated to
14 bring the police in once they have knowledge
15 of a criminal act.

16 MR. BREWINGTON: I hear you and
17 they are when that happens. But having the
18 police criminalize a disciplinary situation
19 simply because they're present and they decide
20 that that's what they're going to do as
21 opposed to discipline is a different issue.

22 I have spoken to some
23 superintendents. In my discussions with
24 superintendents they are conflicted in a lot
25 of ways. First of all, when they get a phone

1 Full - 2-24-21

2 call from someone from the police department
3 saying we want you to support SROs. They are
4 very concerned that they won't get the support
5 that they need if they don't support it. We
6 should talk about that. I'm not speaking out
7 of school. People are concerned about that.

8 But the other thing is that when we
9 see the disproportionate number of arrests
10 that happen in certain schools versus other
11 schools, and I won't talk from community to
12 community, we must question that. Because the
13 presence of the school resource officers in
14 certain schools in certain levels to deal with
15 certain populations is also part of one of
16 those 'isms that we have a responsibility to
17 evaluate.

18 Superintendents may all be well
19 being but I'll just tell you that those
20 superintendents that are overwhelming because
21 we know that the percentage of superintendents
22 in Nassau County are not superintendents of
23 color. We know that the number of
24 superintendents in Nassau County that handle
25 students that are largely student populations

1 Full - 2-24-21

2 of color are small.

3 So we need to look at that and then
4 we need to have a real in-depth discussion
5 with those superintendents in certain
6 districts that want to make decisions for
7 other districts because we know school
8 districts don't like that. You know that.
9 They don't like that. But yet you can't speak
10 with one broad brush on that issue. We must
11 then evaluate how it impacts the school to
12 prison pipeline and feeds the Nassau County
13 jail that we all know if we walk in there or
14 when we're allowed to walk in there see a
15 disproportionate number of our Black and Brown
16 people in that jail.

17 MS. EDWARDS: I just want to add
18 one thing. The Brookins Institute, the study
19 is that Black students are disciplined 3.4
20 times more than white students for the same
21 offense. For the same offense. Latino
22 students a little bit more but more than white
23 students. You have to separate public safety
24 in terms of school shootings and how this is
25 involved with discipline of students. That's

1 Full - 2-24-21

2 what we are talking to you about.

3 So, there will be some
4 superintendents that want to care for this but
5 please not use the overall umbrella of public
6 safety. There is a difference in how the MOU
7 is written and what is actually going on in
8 the school districts.

9 LEGISLATOR NICOLELLO: Again,
10 when you hear from the superintendents -- I
11 was an attorney for a school district for many
12 years. I saw the interaction between the
13 local POP officer and the school district. It
14 is, from what I'm hearing and what I observed,
15 almost uniformly positive. They want the
16 resources. They want the police in the school
17 districts. They want the police to be able to
18 respond quickly to different events in the
19 community.

20 So again, you can argue different
21 points of view but I'm going to rely on the
22 people who are in the districts every day, who
23 are leading those districts, whatever their
24 color, whatever their background, whose only
25 concern is the children in their charge.

1 Full - 2-24-21

2 I, again, if you're going to
3 propose something I would like to see -- the
4 People's Plan it should be coming up from the
5 roots not from experts.

6 MS. GOTTEHRER: Are you also
7 talking to the parents and the children
8 speaking of the roots? When you say you're
9 only talking to the superintendents my
10 question would be are you talking to the
11 parents also?

12 LEGISLATOR NICOLELLO: The last
13 few days it was just the superintendents. I
14 will venture that if I go in front of a PTA
15 meeting I think the vast majority of those
16 parents are going to support the act of
17 connection.

18 MS. GOTTEHRER: I think it
19 depends on the school.

20 MS. LEVIN: I wanted just to add
21 to that I believe in the report it says even
22 with the shootings that have occurred our
23 schools are still one of the safest places to
24 be. So, we cannot use the fear of something
25 happening to determine the policies that we

1 Full - 2-24-21

2 have within the schools. If children are at a
3 disproportionate rate of being impacted by the
4 police officers that are there, regardless of
5 the superintendents that are saying this is
6 something I like, it makes me feel good, you
7 got to take a look at it from the children's
8 perspective.

9 The fear of does he see me at
10 school and see me doing something, so now I'm
11 out on the streets he sees me there he's going
12 to be overly watching every move I make to see
13 if he should incarcerate me then. So that's
14 something that you also have to remember. The
15 schools are still one of the safest places to
16 be and you can't govern from a place of fear.
17 And if it's a shooting problem that they're
18 worried about then we should be addressing
19 guns not having the police in the school to
20 deal with it.

21 LEGISLATOR NICOLELLO: I was
22 ready to move on but I mean underlying this,
23 in my opinion, is a nefarious concept which is
24 that it is a negative thing to have a police
25 officer among school children. I reject

1 Full - 2-24-21

2 that. I think it's a positive thing to have
3 police there. Again, we cannot as a society
4 start attributing or painting all police as
5 negative, as pernicious. I reject that.

6 MS. LEVIN: Who's doing that sir?

7 LEGISLATOR NICOLELLO: You're
8 saying to me it can't happen in the school.

9 MS. LEVIN: There's other places
10 they can be.

11 LEGISLATOR NICOLELLO: Why can't
12 a police officer be walking down the hallway?

13 MS. LEVIN: There's other places
14 for them to be. There's community centers.
15 Having the police come in and engaging with
16 them for a day.

17 LEGISLATOR NICOLELLO: Why can't
18 you have a police officer floating down the
19 hallway?

20 MS. GOTTEHRER: Why do you need a
21 police officer floating down the hallway? I
22 don't remember police getting involved in any
23 discipline in my school when I was growing
24 up. Do you? And the other question that I
25 have for you --

1 Full - 2-24-21

2 LEGISLATOR NICOLELLO: Obviously
3 they're not there every day. They don't have
4 the time to do that. But if a police officer
5 is coming in to visit with the superintendent
6 and is floating down the hallway.

7 MS. GOTTEHRER: That statement
8 that you made about if there's criminal
9 activity then it should be addressed through a
10 criminal lens. Let me ask if you think that's
11 happening in all the schools? Every single
12 school district, when there's criminal
13 activity do you think always the police are
14 going to be there? I have the feeling the
15 answer is no.

16 And the other thing I want to offer
17 you is, we have people who helped to write
18 this who do come from the community -- just
19 want to correct that little statement that you
20 made there -- who can meet with you and share
21 much more in depth their experiences and the
22 communities that they come from and can help
23 you walk through this section a little bit
24 more. We actually want to offer that to
25 everybody.

1 Full - 2-24-21

2 LEGISLATOR NICOLELLO: I just
3 have one other thing I wanted to touch on
4 that's this consent of liability insurance to
5 disincentivize the bad act. I thought about
6 that for a moment and this is part of my
7 concern at the moment, but what I think it
8 would do is disincentivize all acts. I think
9 that's the concern that many of us have which
10 is everyone wants to see reform and every
11 institution needs to be reformed on a regular
12 basis. Law enforcement especially because
13 it's a paramilitary organization. But what
14 you don't want is retreat. You're seeing
15 retreat in the City of New York. You've seen
16 retreat in the city of Chicago, in San
17 Francisco, in Minneapolis. What happens is
18 crime rate goes up and the people suffer.

19 Me personally, I would say I'm not
20 going to support anything which I think will
21 lead to a retreat as opposed to a reform. I
22 think concepts like liability insurance is
23 interesting as an insurance attorney and it
24 shows thinking out of the box. I think it
25 would lead to not inaction as opposed to not

1 Full - 2-24-21

2 just negative action, no action.

3 MR. BREWINGTON: Mr. Nicolello, I
4 hear you and I thank you for thinking because
5 up until today you hadn't thought about it,
6 right?

7 LEGISLATOR NICOLELLO: That's
8 true.

9 MR. BREWINGTON: Let's talk about
10 what the statistics show. If we're using
11 statistical, analytical basis information
12 that's been studied by the people that know
13 the best, that's one of the things that this
14 body should have a conversation about.
15 Because if you go on your gut reaction I will
16 tell you that when I call you up about a
17 school district and a student that's gone
18 through discipline I know what you're going to
19 tell me, we'll look into and then you're going
20 to circle the wagons as school districts often
21 do and I not going to talk about it.

22 We now are talking about
23 evidence-based information that you as a
24 legislator and the head of the whole shooting
25 match shouldn't be going on gut. You should

1 Full - 2-24-21

2 be going on evidence-based information that's
3 available and engaging each other in that
4 debate so that we have -- because I'll just
5 tell you, our plan is very different from the
6 county executive's cosmetic thing. Why?
7 Because we went back and found the information
8 that answers your question not based on what I
9 think or on what Susan thinks or what Tyrel
10 thinks but on what the evidence supports so
11 that we can start to make 21st century
12 decisions not gut decisions.

13 LEGISLATOR NICOLELLO: Thank
14 you.

15 MR. DOZIER: What we provided was
16 an infrastructure of accountability and the
17 infrastructure of accountability means that
18 the liability insurance is just one piece.
19 So, if you also have a CCRB which would look
20 at issues when they get complaints coming in
21 then they would be able to make the
22 understanding and the acknowledgment of
23 whether there was an actual discipline issue.
24 If it wasn't, then the police officer that
25 engages in the behavior would not have the

1 Full - 2-24-21

2 increased liability insurance.

3 I think what the legislature has to
4 ask itself is over the past five years it has
5 had to pay out at a minimum \$55 million
6 taxpayer dollars for misconduct. Misconduct
7 that was conducted by our police officers.
8 The police officers that might be behind me,
9 many of them might be very good police
10 officers. I'm not worried about them.
11 They'll get money back from the liability
12 insurance because they'll have lower
13 premiums. But those officers that engage in
14 misconduct why would we allow that or condone
15 that? We shouldn't.

16 You currently have the IAB process
17 which says that they shouldn't be condoning
18 it. This is saying as an infrastructure of
19 accountability, the liability insurance being
20 one piece, we are not going to condone it. If
21 you are accountable and you have a history of
22 this then you are going to have to be
23 accountable for that history. I think when
24 you take it in the encompassing of the entire
25 infrastructure it looks different.

1 Full - 2-24-21

2 LEGISLATOR NICOLELLO: Thank
3 you. Again, I will turn things over. I want
4 to thank you. It is great to have a
5 reasonable discussion on this. Especially in
6 our society all you see is one extreme and the
7 other extreme and nobody talking in the
8 middle. This is very valuable to us.

9 MS. LEVIN: Is there something
10 that you liked about the plan? I only heard
11 the things that you weren't comfortable with
12 the plan. Is there something in the plan that
13 you would gravitate to support?

14 LEGISLATOR NICOLELLO: There are
15 things that we are looking at. I would not
16 want to call any one out in particular. Look,
17 obviously language. There should be adequate
18 support so that people get responses in your
19 own languages, whether it's 911 or the police
20 that are responding to a call. The support
21 services for police that you're proposing
22 right away that seems like a positive idea.
23 There are other things. I would go through
24 this and tell you what I really like. There's
25 more but just two examples.

1 Full - 2-24-21

2 MR. BREWINGTON: We are open for
3 more conversations.

4 LEGISLATOR FORD: Thank you. He
5 got extra time because he is the presiding
6 officer and actually today is his birthday.
7 Give to you some consideration. Don't ever do
8 it again.

9 I just want to recognize that
10 Legislator Carrie Solages has been with us for
11 awhile but we didn't have an opportunity to
12 make sure that it was put it on the record.

13 I'm going to see if the Minority
14 Leader Legislator Abrahams has any questions.
15 If he comes back or says anything but
16 Legislator DeRiggi-Whitton do you have
17 anything?

18 LEGISLATOR DERIGGI-WHITTON: I
19 do. Thank you. And again, I want to thank
20 you for your presentation. I can see how well
21 thought out everything was including your
22 presentation and how quickly you went through
23 300 pages which is impressive. I think that
24 like so many other things in life it's hard to
25 just say what's good and what's bad.

1 Full - 2-24-21

2 Although it doesn't happen all the
3 time, I agree with Presiding Officer Rich
4 Nicolello with the fact that I think to say
5 that we don't want any police in the schools
6 is just a broad brush. Just to give you a
7 background. I was married to a police officer
8 for 20 years. 14 years. I'm no longer
9 married to him. I was with him 20 years. My
10 father, I think you know Fred, was a criminal
11 judge in Nassau County for many, many years.

12 The bottom line is, there's so much
13 good that happens with the relationship and
14 I'm from Glen Cove and I know the Glen Cove
15 school district and I know Glen Cove having a
16 police officer. In my opinion, just from the
17 reaction that the kids to this officer
18 McDougall was there for many years. He was
19 their mentor. They did confide in him
20 sometimes. But they built up a trust. Let me
21 tell you that trust would not have been there
22 had that information been turned around and
23 used against them quickly.

24 I'll tell you, sometimes there's
25 opportunities where something's going wrong

1 Full - 2-24-21

2 with the kid, with the young girl, and she
3 doesn't feel safe telling her parents. And
4 maybe it's in the home. I've seen that
5 happened where police were able to help kids
6 that couldn't go to their parents because of
7 some things that were going on.

8 So, to paint it with a broad brush
9 and say I want all police out of schools not
10 only for the safety reason, and my ex-husband
11 was brought into schools that weren't even in
12 our district for safety reasons.

13 But I think that maybe putting a
14 few protocols in place. For instance,
15 discipline, I don't recall that being part of
16 anything I ever heard of in 20 years. I
17 wasn't a legislator, I was just a wife. But I
18 heard what they did. Discipline wasn't part
19 of it. I was very, I don't know, open to a
20 lot of things that I heard. I'm a mother. I
21 would tell you if I was worried about that.
22 But that discipline wasn't it. A lot of times
23 it was giving an alternative, someone to speak
24 to, someone to ask advice of.

25 My ex-husband got involved with

1 Full - 2-24-21

2 many, many young kids. I remember them buying
3 things for them. I remember coaching. All
4 this stuff. There's a lot of good. So, to
5 just say to get rid of all of them I don't
6 think that would do justice to all our kids.
7 Are there bad decisions that maybe should be
8 looked into? Absolutely. But in Glen Cove I
9 would tell you I know that it's a very
10 positive influence.

11 Glen Cove is very diverse. I'm so
12 lucky that I grew up there because I grew up
13 knowing everybody and knowing every religion.
14 Once you get to know people you really get to
15 know we all want the same thing. We want
16 safety for our family. We want health for our
17 family. We want happiness. We want our kids
18 to do well and respect us, which doesn't
19 always -- but the bottom line is we're so much
20 more alike than we're different and I think
21 the way to get around that is to be around
22 each other. But that's off the subject.

23 MS. LEVIN: Can I respond? It's
24 funny that you mentioned Glen Cove because I
25 was born and raised in Glen Cove. I see a

1 Full - 2-24-21

2 different Glen Cove than you see. So, when I
3 walked through the hallways and saw those
4 police officers my body was filled with fear,
5 not love, not excitement. Fear for the things
6 that they'll possibly do to me, my brothers
7 and sisters. Fear from the things that I saw
8 in my community.

9 So, although Glen Cove is very
10 diverse, we also both know that, especially
11 when we grew up, it was very segregated. You
12 lived in your section and I lived in mine.
13 The police treated people in your section
14 differently than they treated the people in
15 mine.

16 The things that people may feel
17 comfortable or having gone to the police
18 officers for those are the jobs of social
19 workers. Police aren't trained and don't have
20 enough training to deal with that. Social
21 workers who have a master's degree should be
22 dealing with those kind of things. A lot of
23 our schools have one or two.

24 In our school he was named Mr.
25 Baldwin. Something like that. It was a B.

1 Full - 2-24-21

2 If you didn't feel comfortable going to him
3 you had no choice. There was no Black
4 therapist in that school that I would have
5 felt comfortable with. And I remember walking
6 past his office several times seeing the white
7 kids go in there talking to them wishing that
8 I could feel that same comfort level. If we
9 took those funds and put it into giving it to
10 the right people to be in those schools so we
11 have multiple options and choices to go and
12 speak to someone who is actually thoroughly
13 trained to deal with the emotional turmoil
14 that people may be going through in their home
15 or in school we would have better outcomes.
16 Let the police do the police work and not the
17 work of a social worker.

18 LEGISLATOR DERIGGI-WHITTON: It's
19 interesting because, again, Jack McDougall was
20 his name and I don't know if you were there
21 when he was there but I went through the Glen
22 Cove schools too. The bottom line is they
23 were there for the kids. I really always felt
24 that way. And I know a lot, believe me, I've
25 spent a lot of time up in the Hud giving out

1 Full - 2-24-21

2 food. I'm there regularly. I know that --
3 and actually there are reports that also show
4 that many minority communities don't want
5 defunding of the police.

6 MR. BREWINGTON: Nobody said
7 defunding. Please let's just strike that.
8 You can't strike that. I will allow you to
9 withdraw it.

10 LEGISLATOR DERIGGI-WHITTON: I'm
11 glad to hear you say that. Many of them like
12 the support that they receive from the
13 police. I get it. I understand the
14 statistics have to be out there more. I'm
15 sure there's improvements. We started that
16 off right from day one. I'm not saying that.
17 But I want to tell you something else.

18 Again, growing up as a daughter of
19 a criminal court judge, are you kidding me?
20 Do you know the things he would tell me?
21 Like, if someone hits you in you rear don't
22 stop, keep going. Because there are people
23 that do that. They'll find a young girl by
24 themselves and hit them in the rear. Nothing
25 to do with police at all. But there are

1 Full - 2-24-21

2 really bad thing that happen out there
3 sometimes. The police are our first line of
4 defense with that.

5 And I respect the fact that you
6 want to have social workers there and you're
7 going to have a 911 guy tell you if there's a
8 gun or not. Okay, that's great. But what if
9 there is a weapon? How are we going to
10 protect our social workers from a situation
11 that doesn't sound bad at first but we saw
12 just from watching the testimony about January
13 6th this week things go bad quick sometimes.

14 I got to tell you, I've heard so
15 many police calls that went bad and I saw my
16 husband run out of the house from eating
17 dinner to running out the front door. It
18 didn't sound that bad in the beginning but it
19 goes quick. For us to say, you know, it would
20 be great if they didn't to have a gun when you
21 pulled someone over. But what if something
22 escalates? I don't think that we can -- the
23 police are handling some really tough
24 situations.

25 MS. GOTTEHRER: They don't have

1 Full - 2-24-21

2 to be everywhere in society. Saying that they
3 should be in a school is -- they don't have
4 the expertise to be in a school.

5 LEGISLATOR DERIGGI-WHITTON: We
6 are going to agree to disagree.

7 MR. BREWINGTON: I think one of
8 the social workers with the mask wanted to
9 respond to that. I just want to take
10 exception to something you said before. You
11 weren't just a wife. You said just a wife.
12 You were not.

13 LEGISLATOR DERIGGI-WHITTON: I
14 wasn't an elected official at the time.

15 MR. BREWINGTON: The just didn't
16 need to be there. In my book anyhow.

17 MS. CAUFMAN: I wanted to come
18 and address the comment. I am a clinical
19 social worker. I've been for over a decade.
20 I've worked in schools in the South Bronx.
21 I've worked in places that are written about
22 as bad schools, as dangerous schools. I've
23 worked in the homes of juvenile delinquent
24 youth as alternatives in incarceration working
25 with their families. I've worked in the child

1 Full - 2-24-21

2 welfare system doing in home family therapy
3 for families who had indicated cases of abuse
4 and neglect. Where there were serious mental
5 health issues and substance use. And I will
6 tell you that is where I need to be.

7 I have a master's degree. I had to
8 get three additional years after that in
9 clinical work. I am trained for those
10 situations. I will show you research after
11 research after research. Including everybody
12 knows about CIT training. That's what we give
13 our police. CIT training to better engage
14 with mental health and substance use. Whether
15 that's occurring with youth under 18. We're
16 talking about youth or we're talking about
17 people on the street. The creators of CIT,
18 who are predominantly law enforcement, have
19 recently, in the most recent report, said the
20 presence of a police officer because of the
21 uniform, because of the badge, sometimes
22 because of the sirens and because they are
23 trained often as they need to be for violent
24 situations to say stern orders, that kind of
25 engagement can escalate situations. We don't

1 Full - 2-24-21

2 have to debate whether this is true. There is
3 true research out there. I would be happy to
4 meet with you. To get a team of other folks
5 to meet with you, so we can really, as Fred
6 says, make sure we're doing this from the
7 research and the data and not our guts.

8 MS. EDWARDS: Legislator
9 DeRiggi-Whitton, I just want to add one more
10 thing. I am concerned that you used the word
11 defund. I am concerned that Presiding Officer
12 Nicoletto used the word retreat. That's not
13 what this is about. You were in a police
14 officer family. I was raised by a police
15 officer. They don't retreat. This is not
16 what we're talking about. You can't let your
17 personal Glen Cove experiences override the
18 data that is in front of you.

19 We're asking you to read the
20 information. To ask the questions based on
21 the information that we have provided you,
22 which is based on research. Because your
23 experience in Glen Cove is not everybody's
24 experience in Nassau County. And we are
25 approaching this from a racial disparity

1 Full - 2-24-21

2 perspective. Please let me finish. What we
3 want to do is ensure that everyone has the
4 same experiences in Nassau County and they do
5 not currently today.

6 LEGISLATOR DERIGGI-WHITTON: I
7 understand that and we started that out. You
8 don't know me. You don't know who my friends
9 are. I was all-county in softball. I was
10 with every different group. I played with
11 incredible athletes that were some of my best
12 friends.

13 MS. EDWARDS: This is not about
14 my best friend is black story. This is about
15 racial disparity.

16 LEGISLATOR DERIGGI-WHITTON: The
17 bottom line is I've had friends from all
18 races, religion and I was raised by very kind,
19 good people that my mother would love
20 everybody. I was raised that way. I feel
21 that I have that in my heart. You can't tell
22 me that I'm -- I resent that.

23 The bottom line is, we can't just
24 say that it's a bad situation. Maybe in some
25 school districts it's not governed correctly

1 Full - 2-24-21

2 having police there. My point is from what
3 I've heard and what I've seen there's a lot of
4 positives and you're not taking any of those
5 into consideration.

6 MR. BREWINGTON: Sure we are.

7 LEGISLATOR DERIGGI-WHITTON: I
8 think to say like you said we want the police
9 all out of schools is not a fair assessment,
10 and I think that you really have to see how
11 many lives they've helped. I know how many
12 kids. I was there. I was dropping things off
13 with my husband at the time. I saw the way
14 they hugged him. I saw the love that they
15 have for them. A lot of them really looked up
16 to them and some of them were taking the
17 police test. I saw that side. Again, you
18 can't just say no police. Like, it has to be
19 controlled but it has to be, you know, case by
20 case.

21 MR. BREWINGTON: I would just
22 encourage you to read the section.

23 LEGISLATOR DERIGGI-WHITTON: I
24 did look at it a little bit.

25 MR. BREWINGTON: Don't look at it

1 Full - 2-24-21

2 little bit.

3 LEGISLATOR DERIGGI-WHITTON: I'm
4 going to ask my last question. Getting back
5 to the social worker. I agree. I have a
6 daughter also that has a medical condition.
7 She has type one diabetes. I agree that there
8 are situations where social work is really
9 important. Because when she is low you would
10 think she's intoxicated sometimes. I've also
11 seen it with other type ones that were pulled
12 over and there were syringes in the front and
13 they're out of it and the first thing
14 someone's going to think is they're OD'ing on
15 heroin where it could be diabetes.

16 I know that there are certain
17 situations that we need to be educated on and
18 social workers do incredible work. My other
19 daughter is actually starting graduate school
20 for clinical psychology.

21 The bottom line is, I respect that
22 field. I'm worried about the safety of some
23 of these social workers. I am worried about
24 it because, God help me, sometimes you don't
25 know what type of call you're going on. Yes,

1 Full - 2-24-21

2 the 911 is going to ensure that there's no
3 danger. But anything can be used as a weapon
4 sometimes.

5 I think going out -- I also did my
6 student teaching in Hempstead. My family is
7 from Hempstead. I know that there are -- but
8 the bottom line is things can go quick and
9 that's what the police training comes into
10 play. That if I had a social worker
11 responding to a call that we said there was no
12 weapon and then they get hit with a bat it's
13 not always so easy to determine what the risks
14 are. Does that mean that this person should
15 be incarcerated? No, not if they have a
16 mental illness. But going out on the call is
17 going to be a real -- you're putting these
18 people in danger a lot of times because again
19 you don't know how quickly that situation can
20 escalate.

21 MR. DOZIER: If I can respond?
22 To both what you were saying about the safety
23 officers and the social worker is that I
24 understand and I think all of us understand
25 that that fear is very real. But we also have

1 Full - 2-24-21

2 to look at the research. We can't rely on our
3 individual fears and anecdotes. We have to
4 look at the research. Now we have a work
5 group that Emily is going to talk to that did
6 the research and they actually found that that
7 fear is unwarranted. Now, we have the fears.
8 Doesn't mean that they're warranted.

9 As it relates to the SROs, to the
10 police in schools, you said well, these police
11 they're kind people. Most people would say
12 teachers are kind people. They get in front
13 of kids. I work in the Department of
14 Education. I understand. Principals are kind
15 people. They get into it for the kids. Yet
16 the statistics that Tracey just said was that
17 Black youth get 3.9 times disciplined for the
18 same issue than white youth. I don't think
19 that that -- that still means they're kind
20 people. There's a bias that's taking place.

21 The good things that you mentioned
22 about what police officers do in schools is
23 something that anybody can do. We can have a
24 football coach that comes in and engages
25 youth. Why does it have to have someone with

1 Full - 2-24-21

2 a badge? What makes the badge special about
3 talking to somebody? A social worker or a
4 counselor is actually trained to get those
5 feelings out. What makes the badge something
6 in particular?

7 So we're saying if we know within
8 our walls that research says that Black youth
9 are more disciplined. In Rochester, who saw
10 the video? A police officer maced a nine year
11 old in Rochester. Probably going to get fully
12 off. A police officer maced a nine year old.
13 When you saw the video there was another
14 police officer saying can you just mace her
15 already?

16 Now, maybe you're husband would
17 have never done that but someone with a badge
18 did do that and that's what we are trying to
19 eliminate.

20 The reality that kids walk through
21 the hallways and they're afraid that you know
22 what? they're going to do kids things.
23 They're going to do teenager things and get
24 into trouble. That's what youth do. We all
25 know it. Yet, that shouldn't mean that they

1 Full - 2-24-21

2 rely -- end up behind bars. When we know that
3 young, privileged, particularly white youth,
4 often don't end up behind bars. They often do
5 end up with a slap on the wrist.

6 LEGISLATOR DERIGGI-WHITTON: I'm
7 finished with my questions. I just want to
8 mention one quick thing. A lot of the police,
9 I did see the stress and I'm very happy that
10 you have that element in your suggestions.
11 There is a lot of stress involved with that
12 job. They do want to come back to their
13 families. The safety of themselves seeing so
14 much violence and like you called it the
15 underbelly it's real and it's cumulative. I
16 appreciate that aspect of it.

17 I don't want to see us discourage
18 the good police. I think even what you're
19 saying with school why is it the badge?
20 Because for some reason a lot of kids respect
21 police because they see them as the part of
22 the society that -- I know you're not going
23 like me saying that -- but there is a lot of
24 respect and there is a lot of good that comes
25 from law abiding and protecting. That's what

1 Full - 2-24-21

2 the kids want to dress up as. I remember the
3 police, the firemen. There is a lot of good
4 there. I don't want to see us just broad
5 brush it. Again, with the schools, it has to
6 be looked at case by case that's all I'm
7 asking you. I know in Glen Cove we would -- I
8 know.

9 MR. BREWINGTON: I encourage you
10 to read it.

11 MS. LEVIN: We all want to feel
12 that.

13 MS. CAUFMAN: Can I just respond
14 to the case about crisis response because
15 there's a part of that question in there. I
16 will make it very brief.

17 LEGISLATOR FORD: Please because
18 we're going to move on to the next one.

19 MS. CAUFMAN: I really want to
20 make sure and truly appreciate your comments.
21 This People's Plan is not disparaging police.
22 We have a very important role in society for
23 police. I want to make that really clear.
24 But they are not the only public safety
25 mechanism. And when we are worried about harm

1 Full - 2-24-21

2 happening we have to be worried about harm
3 happening to community members. So, we can go
4 to the lawsuits where brutalization happened.
5 I care about those people as representatives
6 of those community members. I'm certain you
7 care about those people too.

8 So when we look at the research and
9 Ms. DeRiggi-Whitton I would be more than happy
10 to have an individual meeting with you and we
11 will call up Austin, Texas and we will get on
12 the phone with Denver and we can talk to their
13 police chiefs who are overwhelming positive
14 about transforming crisis response.

15 I promise you as a social worker I
16 have one time in my last 15 years assessed a
17 situation where there was a weapon and I
18 called the police and thank God they were
19 there. That happens. And if we look at the
20 cohorts program that has happened less than
21 one percent of the time and how much money did
22 we save? How many community members in crisis
23 got the help they needed without being
24 traumatized? And how many law enforcement
25 officials were able to actually focus on the

1 Full - 2-24-21

2 true crime we want them to. That's what we're
3 saying.

4 These are models happening
5 throughout the country. We implore you,
6 please, police officers are happy with these
7 changes. I don't want you take my word for
8 it. But we have been in contact with these
9 cities. I will get them on the phone so we
10 can all have an intelligent, research-based
11 conversation together.

12 MS. GOTTEHRER: You can also talk
13 to specifically the people who did the
14 research and worked with community members on
15 this piece. So, let us know.

16 LEGISLATOR FORD: We are going to
17 move on to Legislator Steve Rhoads.

18 LEGISLATOR RHOADS: I didn't
19 realize I was coming up so fast. Thank you
20 Madam Chairwoman. I do since we were talking
21 about and our masters in social work and I
22 apologize. I wanted to address you by name
23 and I missed it.

24 MS. CAUFMAN: Emily.

25 LEGISLATOR RHOADS: Thank you

1 Full - 2-24-21

2 Emily, I appreciate it. I wanted to address
3 the transforming crisis response piece of the
4 plan. I'm a volunteer fireman. I've been an
5 engine captain for nine years. My incident
6 management training and my own personal
7 experience has been when you're responding to
8 an alarm that it's a lot easier to bring in
9 all the forces that you need and send some
10 home than being caught short. I need to brush
11 up a little bit more on the details of the
12 crisis response plan, but an overresponse I
13 understand can certainly be dangerous but so
14 can an underresponse.

15 So, when you're talking about a
16 tiered approach to our crisis response, what
17 exactly do you mean by that and how does that
18 work?

19 MS. CAUFMAN: I appreciate the
20 question Legislator Rhoads. I guess before I
21 answer it I would love if we can schedule a
22 meeting and really sit down and go through the
23 details because it's a really important
24 question. I want to be able to provide to you
25 the different assessment tools that we've

1 Full - 2-24-21

2 already obtained from how Denver this.
3 Denver, Colorado started a pilot program. I'm
4 not saying on April 1st switch it over and now
5 we have this new system that we've never tried
6 before.

7 Denver, Colorado started a pilot
8 program back in June. Six months. They
9 collected deep data. Made it all
10 transparent. I'll give you the website. I
11 can put you on the phone with Vinnie Cervantes
12 in Denver. Lovely man. Brought us in to do a
13 presentation with him because Cook County's
14 looking at this and here on Long Island we're
15 looking at this.

16 That data was so powerful they had
17 a \$200,000 grant to start this pilot in just a
18 small section. See if it would work. Because
19 public safety is paramount. If anything we
20 would never propose something or want
21 something and if we found it was not safe it
22 has to be scrapped. But what they found in
23 six months was that it was so successful. It
24 saved so many hours of police officers being
25 able to focus on real crime. The amount of

1 Full - 2-24-21

2 calls. The Elijah McClains. The suspicious
3 person walking down the street who ended up
4 being murdered or ended up being killed. The
5 Daniel Prudes. We have name after name.

6 Their model was so successful after
7 six months they were just granted from
8 Colorado \$1.4 million to expand it. That is
9 what I would really love to sit down and talk
10 about and bring in these other cities. How
11 did they start it? That's ultimately what we
12 are proposing. We have four components. We
13 would propose a model, a pilot and let's
14 research it together. We'll track it
15 together.

16 If the fears that you or others
17 have ended up being founded we scrap it. But
18 I think what we are going to find is what
19 Denver has found, what Oregon has found, what
20 Austin has found, what LA has found, what New
21 York City's pilot is doing, what Ithaca just
22 found and I'm forgetting all of the rest.
23 Albuquerque is doing something.

24 My point is, the things we are
25 afraid of they were afraid of too. The fears

1 Full - 2-24-21

2 are founded. I don't want to dismiss those
3 because I get it. But there is a lot of
4 stigma on this. And those fears were held by
5 those other cities also and they've turned out
6 to be unfounded.

7 And truly the switch, not only is
8 it safer, because I know at the end of the day
9 also you run a county, it is also about
10 business and money, it is cheaper. It's
11 better for everyone. And police prefer it. I
12 spoke with Ryder months ago because he was
13 part of the mental health plan, the task
14 force.

15 The beginning was I would love to
16 sit down. It's not a conversation we can just
17 have in a few minutes, and I appreciate your
18 openness and your thoughtfulness and I really
19 would love -- I'll bring a wealth of
20 documents. We can meet on Zoom. I'll bring
21 my coffee. I won't have to wear my suit
22 jacket. And I'd really love to go through it
23 because we are proud of this work but it's
24 happening all over and Nassau County should be
25 a part of it.

1 Full - 2-24-21

2 LEGISLATOR RHOADS: I will
3 certainly take you up on that opportunity. I
4 know since we have at least 19 of us either in
5 person or on online.

6 Just if you can walk me through,
7 like, for example, if a telephone call comes
8 into 911 and the report is a suspected EDP,
9 emotionally disturbed person, somebody acting
10 irrationally in some way. The person who is
11 obviously calling is not the EDP. So, how
12 would the 911 operator be able to assess based
13 on the person that's calling the level of
14 threat? Because let's say you send a
15 nonpolice officer response as the first person
16 that's interacting with this suspected
17 emotionally disturbed person. That EDP has a
18 weapon. Next thing you know that nonpolice
19 officer is dead. How does your plan address
20 that?

21 MS. CAUFMAN: Again, it's a
22 wonderful question. I will loop this back in
23 a little bit as far as liability insurance.
24 My level of clinical training also requires
25 that I have malpractice insurance. The reason

1 Full - 2-24-21

2 for that is because my ability to assess a
3 situation, and I'm not trying to brag, is that
4 high. If I were to get it wrong I can get
5 sued and be out of a job. I feel like there's
6 also a little stigma. Like oh, the cute
7 social workers who like to play with kids.
8 We're really trained clinicians and we're good
9 at what we do.

10 So, a model like Austin has
11 clinicians and we can go over the five reforms
12 in the component one of the 911 system. The
13 amount of training that goes in, like I
14 mentioned Denver, we have their call scripts,
15 we can get it from Austin also, exactly how
16 they do the call script assessment. So that
17 that 911 operator feels comfortable and
18 confident. And again, we're not switching it
19 over April 2nd. We need to have extensive
20 training to ensure that assessment can be
21 made. But the investment in that training is
22 to ensure -- while I continue to hear the fear
23 of what if the responder ends up dead, we need
24 to look at the other side. Because the
25 response right now leaves too many community

1 Full - 2-24-21

2 members, if not dead, I'll give you the dead
3 cases but move out of the dead cases, too many
4 people traumatized, too many people
5 unnecessarily brought to an ER room where
6 we're draining resources. We didn't get into
7 the details and I don't want to take too much
8 time, we're talking about stabilization hubs
9 like Suffolk has with their DASH program.
10 Again, it saves money all the way around.

11 When these assessments happen from
12 the 911 operator there is consistency all the
13 way up through dispatch. And if I am sent out
14 on a scene, and nobody goes individually, you
15 go also generally we're recommending with a
16 trained peer responder who is the number one
17 best person to communicate with the person in
18 crisis. I'll you all the research on that and
19 where it's happening. Sometimes there's a
20 medic and there's also a trained clinical
21 response.

22 When I get there I can do scene
23 safety real quick. I've worked in wealthy
24 neighborhoods. I've worked in the projects in
25 Brooklyn and the Bronx. I know how to assess

1 Full - 2-24-21

2 a scene. If I need to ensure my own safety
3 because I feel my safety is threatened and/or
4 need extra backup for the person's safety, I'm
5 already in the 911 system. We will walk you
6 through how this is happening.

7 Again, I really feel like I want to
8 get you on the phone. I can get Austin on the
9 phone tomorrow because I know that legislator
10 had the same fear and I want you to be able to
11 talk person-to-person with the head of
12 integral care, MCOT program, so that they can
13 really show you not how I'm imagining it's
14 going to happen here, they're doing it.

15 LEGISLATOR RHOADS: I appreciate
16 the response. Thank you very much and I will
17 certainly take you up on that opportunity. I
18 don't know if you want to have 19 individual
19 meetings.

20 MS. CAUFMAN: I will have as many
21 as it takes.

22 LEGISLATOR RHOADS: Second
23 question is outline obviously it's wonderful
24 that we have the opportunity today to be able
25 to hear the People's Plan and be able to ask

1 Full - 2-24-21

2 questions and get some feedback. I know that
3 the county executive had a process by which
4 they developed the plan that was generated
5 through PACK and through the CCBs. Did you
6 ever have the opportunity -- what
7 opportunities were provided for you to make
8 the presentation that you're making to us
9 today as part of that process?

10 MR. BREWINGTON: How much time
11 you got?

12 LEGISLATOR RHOADS: You don't
13 want me answering that.

14 LEGISLATOR FORD: Not a lot.

15 MR. BREWINGTON: Let me try to
16 give it to you in a thimble. We wrote to the
17 governor because Nassau had tried to turn the
18 PACK system into its task force. PACK was
19 created as a way of trying to quell the voices
20 of protesters to try and work with the
21 relationship having police talk to the
22 protesters. Then the governor's executive
23 order came out and then county executive said
24 okay, the PACK is going to handle that. The
25 PACK was not equipped, was not created and did

1 Full - 2-24-21

2 not have the resources to do that. Most
3 certainly did not have the community contacts
4 for that.

5 We wrote to the governor. After we
6 wrote to the governor the response was -- and
7 I will give it to you in short form -- okay
8 we're going to create the CCT, the Community
9 Collaborative Task Force. I was the cochair
10 of that as a result of us having written to
11 the governor. Yeah, we blew it up. Why did
12 we blow it up? Because it was wrong the way
13 it was being handled.

14 When we became a CCT we asked for
15 statistics. We asked for data. We asked for
16 copies of reports. We asked for copies of
17 policies. We asked for it all so that we
18 could do the evidence-based information work
19 that we did here in a real fashion using all
20 of Nassau's information. Half of it didn't
21 exist and half of it was never provided.

22 The report that you saw that was
23 handed by my brother Ryder when he sat right
24 here on the 7th I guess it was of January was
25 not a collaborative effort. When he tells you

1 Full - 2-24-21

2 that and tells you that it was the work of the
3 CCT and of the PACK that is not a truism. I'm
4 being nice. It was written by police without
5 any vetting, without any showing and without
6 any informal or formal input. There were no
7 notes taken at the PACK meeting. There were
8 no minutes taken at the PACK meeting. When
9 they say they got all these ideas but they're
10 just ideas. And if you look at them -- we
11 critiqued in the very front of our plan
12 everything that's in that first plan when
13 Mr. Ryder sat right here. So take a look at
14 that. But the answer to your question is, it
15 ain't what's it's purported to be.

16 LEGISLATOR RHOADS: If I can ask.

17 MR. BREWINGTON: The third
18 question always has to be can I have ten more
19 questions.

20 LEGISLATOR RHOADS: It's just a
21 follow-up to the original question which is,
22 obviously -- were these concerns ever brought
23 to the county executive?

24 MR. BREWINGTON: I don't want to
25 get overly political and I know there's going

1 Full - 2-24-21

2 to be an election in November at all that
3 stuff. For the record the answer is, yes,
4 letters were written. Even trying to
5 reorganize the mess of our process in Nassau
6 County a structure was given in a flow chart
7 and an executive summary saying how do you
8 connect the PACK to the CCT? How do the use
9 the CCCs as a good base of information? How
10 many community sessions do you have to hold?
11 I'll give it you. It's beautiful color and
12 had some great work from the social workers to
13 help us put that altogether, as well was
14 provided to the county.

15 We were told no, we're not doing
16 that. We're not going to waste time on trying
17 to evaluate how we should really do this to
18 make it make sense.

19 So, when we heard that and then we
20 saw you -- and I sat right back there where
21 Dwayne Lindsey is seated right now -- and I
22 saw and heard Mr. Ryder say this is a plan
23 that is a collaborative effort I had to stand
24 up and I told Legislator Ford on that day that
25 is not true. Don't put me in that. Don't say

1 Full - 2-24-21

2 that that's true when it's not true. You
3 can't sit on this hallowed hall that's
4 supposed to bring justice to all the people of
5 Nassau County and tell them something that's a
6 bold faced untruth. The answer to your
7 question is, was it told to them? More than
8 once.

9 When given the opportunity to turn
10 around and make a change and say look, we made
11 a mistake. We really didn't do it that way.
12 But how can we really now work this out? They
13 refused to admit that they did the wrong thing
14 that they did and then they refused to make a
15 change.

16 So, what we did was we said we will
17 show you how to do this. We will bring you a
18 People's Plan and show you that the best way
19 is for the community to rise up
20 collaboratively and bring it to the
21 legislators. Because right now county
22 executive and crew what you did from the
23 beginning was wrong and we asked you to change
24 and you did not.

25 LEGISLATOR RHOADS: I appreciate

1 Full - 2-24-21

2 that Mr. Brewington. Thank you. My last
3 question --

4 LEGISLATOR FORD: You already had
5 three.

6 LEGISLATOR RHOADS: Wait a
7 minute. There was a follow-up on one. It's a
8 small question.

9 LEGISLATOR FORD: I just want to
10 interject because I know Ms. Edwards has to
11 leave. But I just really want to put on
12 record I think that it's important that we
13 make sure that it is quite apparent to
14 everybody that your People's Plan does not in
15 any way reference any type of defunding of the
16 police. I think that's an important fact that
17 we should all recognize and I for one
18 appreciate that. I come from a police family,
19 so I know how important -- how near and dear
20 all of that is to me.

21 I think you're a daughter of a
22 police officer?

23 MS. EDWARDS: I am.

24 LEGISLATOR FORD: There you go.
25 Say it with me I think that that's an

1 Full - 2-24-21

2 important fact. I think also the fact that
3 sometimes when we use terminology, and I know
4 the presiding office mentioned about retreat,
5 your plan is not meant to be as a retreat but
6 just basically is moving forward. I just want
7 to make sure that we recognize that while you
8 are still here.

9 MS. EDWARDS: I appreciate that.
10 And Presiding Officer Nicoletto, you had
11 walked out when I talked about you just so
12 that you'll know. That there are certain
13 words that hit -- it hit hot buttons here.
14 Because what we're trying to do is be
15 collaborative. That's why we're here is to
16 present our plan. You may not agree with
17 every aspect of the plan. That's okay. But
18 we're coming in here in earnest to try to see
19 if we could make progress. So, we don't want
20 to have this dismissed out of hand. We don't
21 want this to be based on personal stories. We
22 all have personal stories. Some great, some
23 not so good.

24 We are doing this work. We did
25 this work over months and months of time. We

1 Full - 2-24-21

2 wanted to work with Nassau County. We did.
3 But it didn't work out, which is why we went
4 on our own and which is why we are here
5 today. So, we don't want to have in
6 tomorrow's headline that we're coming in here
7 to try to not work with you. We are here in a
8 collaborative approach to transform policing
9 and make it better for everyone not just
10 some.

11 Because at the end of the day we
12 still have to recognize that there are racial
13 disparities in Nassau County and the answer
14 is, how much? And what we don't want is what
15 I said before, we don't want anymore
16 basketball games. Don't want a newsletter.
17 We want structural reform that's going to make
18 it equitable for all children and all families
19 and all communities in Nassau County.

20 So, I thank you. I do have to
21 leave because I have to go talk about racism.
22 How about that? Thank you very much.

23 LEGISLATOR FORD: Safe travels.
24 One quick question and then we'll go to
25 Legislator Mule.

1 Full - 2-24-21

2 LEGISLATOR RHOADS: The question
3 really touches upon SROs which we've spoken
4 about already, had some questions on, and
5 really also our POP officers, not only in the
6 schools but our POP officers out in the
7 community. One of the, I hate to call it red
8 flags, one of the red flags that sort of
9 popped in my head was the difference between
10 the information and building trust. And the
11 note I wrote down was that information is a
12 by-product of trust it's not a goal.

13 It seems as though one of the
14 criticisms of the POP officers and one of the
15 criticisms of having either POP or SROs in the
16 school is that yes, they're building
17 relationships and building trust but then the
18 information that's garnered from that can then
19 be used against those individuals.

20 Isn't it the case that you're
21 advancing the position that there is no
22 benefit to building those relationships?
23 Isn't the fact that, you know, Bobby feels
24 comfortable going up to the police officer and
25 saying hey, you know what? Jimmy was -- I saw

1 Full - 2-24-21

2 his backpack and he brought a knife to
3 school. Don't you want that relationship?

4 Or if you have our POP officers
5 that are working with a problem in a
6 particular community don't you want those
7 community members making the police officer
8 aware if there's a situation that they should
9 be made aware of so that they can try and work
10 that out before it becomes a tragedy?
11 Shouldn't there be a benefit to that?

12 MS. GOTTEHRER: I think we can
13 hold two thoughts in our heads at the same
14 time, right?

15 LEGISLATOR RHOADS: Hold on a
16 second. This is government.

17 MS. GOTTEHRER: In the age of
18 Twitter and really dumbing things down I think
19 it's incumbent upon us and I think as
20 legislators you know this, the devil is in the
21 details. Which means you have to do a deep
22 dive, right? And you have to be able to hold
23 contradictions in your heads at the same
24 time. Which I think you all can. You've all
25 written legislation. You know these things.

1 Full - 2-24-21

2 The way I'm trying to talk to you
3 about the POP program is that yes, there's a
4 benefit, right, about establishing good
5 relationships. I also don't doubt that the
6 police officers and probably the families that
7 benefit from those relationships it's probably
8 a great source of joy as well.

9 So, I do not mean to detract. I
10 also -- please everybody, like Emily said,
11 this is not about talking about bad policing
12 or eradicating police or any of those things.
13 We have to hold complicated concepts together
14 in our heads.

15 If at the same time a police
16 officer is able to be in the schools on a
17 regular basis -- I don't want to get into all
18 this of again but you are asking the question
19 specifically about information gathering,
20 right -- the community needs to know -- this
21 is about transparency -- the community needs
22 to know if the model of policing is about
23 gathering intelligence and if a police officer
24 is in the schools and able to see the cliques
25 and the social groups and all of these things,

1 Full - 2-24-21

2 and if Nassau County is cooperating with ICE
3 and if the district attorney's office is doing
4 Operation Matador, and if there's a position
5 called the Homeland Security Unit of the
6 Nassau County Police Department that paints a
7 picture of a potential problem. It doesn't
8 eradicate the positive aspect of a
9 relationship that a police officer can have
10 with a family outside the school walls.
11 Obviously we disagree on this but outside the
12 school walls.

13 Again, if it's about gathering
14 information there's got to be transparency
15 around that. Because we don't want the
16 communities to become complicit in their own
17 surveillance. If part of the model of
18 policing is about gathering human intelligence
19 the communities need to know that when they're
20 asked to enter into these relationships that
21 are -- there are good side benefits to them.

22 But if I'm entering into a
23 relationship with somebody and you're going to
24 then listen to what I'm saying and bring me
25 into your confidence and all of that and we're

1 Full - 2-24-21

2 going to end up being close and you can even
3 help me with advice and be a mentor to me, but
4 it also means you're going to things about my
5 life. And if you're connected to an
6 institution -- this is about institutions not
7 about individuals -- if you're connected to an
8 institution that wants to know about my
9 neighborhood, then I need to know what you're
10 doing. Why are we having this relationship?
11 Are you going to be sharing my information
12 about my friends? I need to know if I'm part
13 of that equation. Otherwise, it's not a real
14 relationship.

15 So again, let's hold these two
16 things together at the same time. These
17 relationships can be very beneficial. I
18 worked with children my whole life. It's my
19 biggest source of joy. I would like to
20 actually go back to doing it because I think
21 that children are the ones that have it
22 straight on the planet to be honest with you.
23 But we can hold these two things in our head
24 at the same time.

25 But what does the institution

1 Full - 2-24-21

2 want? It doesn't mean that the police, this
3 police officer is a bad person. If doesn't
4 mean there's nefarious intent from that
5 individual at all. But does the community
6 understand that this model of policing is
7 about gathering human intelligence.

8 LEGISLATOR RHOADS: I'm not sure
9 that that's true. I think the model of
10 policing is about building relationships so
11 that walls can be taken instead of walls being
12 put up. The overriding benefit to having POP
13 officers there and the overriding benefit I
14 think to having school resource officers
15 inside the school is that it provides the
16 opportunity for students and it provides the
17 opportunity for members of the community to
18 know the police department as something more
19 than just the police department. But that the
20 police department is made up of people with
21 whom you can interact.

22 MS. GOTTEHRER: I think they can
23 take a field trip to police headquarters for
24 that. I don't think we're going to agree on
25 this.

1 Full - 2-24-21

2 LEGISLATOR RHOADS: We might
3 not. I appreciate your answer.

4 MS. GOTTEHRER: Like I said, I'm
5 offering this to everybody. There are a lots
6 of people that wrote this plan and they were
7 grass roots people. And especially the SRO
8 piece, they've been doing this for a long time
9 and they've been involved with families. So
10 this was grass roots. We invite you to reach
11 out to us and we can put you with the people
12 who did the deep dive on a lot of these
13 pieces.

14 LEGISLATOR RHOADS: I can provide
15 the names of parents that had contacted my
16 office, especially at the time of the school
17 shootings, that wanted us to put police
18 officers in every single school.

19 MS. GOTTEHRER: I understand. I'm
20 just offering you a deeper dive.

21 LEGISLATOR FORD: We're going to
22 move on.

23 MS. LEVIN: Before me move on
24 really quick can I just say we have a full
25 plan of lots of proposals. So, it would be

1 Full - 2-24-21

2 helpful if we didn't just focus on SROs and
3 focus on all of the other pieces of the
4 proposal as well. Thank you.

5 LEGISLATOR MULE: Thank you Madam
6 Chair. I just want to say thank you for the
7 presentation. This is kind of the third time
8 I'm getting a presentation on maybe bits and
9 pieces here and there, overviews and each time
10 I'm getting new understandings and I'm very
11 appreciative. I'm in the process of reading
12 it. I will tell you I haven't finished it.
13 As you point out there's a lot of
14 information.

15 But I'm very excited by the
16 opportunity that the executive order provides
17 to all of us to reimagine what policing looks
18 like. I don't think that has to be a bad
19 thing or a scary thing. I think it's a real
20 opportunity for us. We've been doing policing
21 in a certain way and it worked for certain
22 things in certain ways but that doesn't mean
23 we can't look at it and say okay, what else
24 can we do? Let's look outside.

25 And I loved the fact that you're

1 Full - 2-24-21

2 doing everything based on data. And Fred that
3 you -- I can't remember how you said it -- but
4 it was about we all have personal stories and
5 that informs how we see things of course.

6 I was on a school board. I am a
7 social worker. I'm an MSW. All of that
8 informs the way I see things. But you can't
9 allow personal stories to influence, well,
10 it's going to influence, but to control what
11 happens. You have to look at the data. You
12 have to see what works. You have to see what
13 other communities are doing.

14 So, I really appreciate that you
15 folks did all of that and I think we need to
16 take a further look.

17 I'm sorry but I have to talk about
18 SROs and I just want to say that I too receive
19 calls from superintendents and I asked what
20 are you talking about? What does your SRO
21 program look like? First, I just have to say
22 that the reason why we're all getting phone
23 calls from superintendents is because they
24 were asked by certain people to make those
25 calls. So, they did not call of their own

1 Full - 2-24-21

2 volition.

3 I said what does that mean? She
4 said well, the police officers actually are
5 not in our buildings. It means I have the
6 cell phone number of a POP officer and only in
7 the very most serious instances when I
8 absolutely need to have a police officer here
9 I know I can count on that. I said oh, okay.
10 That's not what an SRO is.

11 I know that because, again, I was
12 on a school board and there was talk about
13 bringing an SRO in and that's something very,
14 very different.

15 I think we need to be careful and
16 clear and concise about what we're talking
17 about and make sure that the words that we use
18 have the same definitions because we could be
19 talking at cross purposes and not even knowing
20 it.

21 MR. BREWINGTON: Just to answer
22 your question, if you would look at page 224
23 of our plan it starts out by saying, While
24 Nassau County Police Department does not have
25 a formalized SRO program, most schools have

1 Full - 2-24-21

2 some form of security officer. That goes to
3 your point. So, I just wanted to be clear.
4 That's why, as my sister Susan said, the devil
5 is in the details or the angels are in
6 annotations.

7 LEGISLATOR MULE: Then I have a
8 real quick question. The \$55 million in
9 payouts that you mentioned, I believe you said
10 it was from the Wall Street Journal that you
11 got that information, can you provide us -- is
12 that in the plan where that --

13 MR. BREWINGTON: Yes, the
14 citation is in the plan.

15 LEGISLATOR MULE: The citation is
16 in the plan and we can see --

17 MR. BREWINGTON: It's in the
18 liability section and you'll find that at
19 page -- go forward and I will give you the
20 page in a second.

21 LEGISLATOR MULE: Is it going to
22 tell us what years, what specific judgments
23 they were, how much? All that type of stuff?
24 Is it that detailed?

25 MR. BREWINGTON: That study I

1 Full - 2-24-21

2 believe dealt with compilations, but I can
3 probably go back to my office and calculate
4 these out.

5 LEGISLATOR MULE: That would be
6 very helpful. Susan, you talked about that
7 the Nassau County Police uses a POP model,
8 problem-oriented policing. What would you
9 call the model being put forward by the
10 People's Plan?

11 MS. GOTTEHRER: We're not making
12 recommendations about a specific policing
13 model. We're just dealing with what is. So,
14 we're responding to it in that way. If you're
15 going to continue using the POP model people
16 need to know what it is. There's also hot
17 spot policing that I have not addressed which
18 we don't have time for here but everybody
19 should look into it. In other words, let's
20 make it transparent what the model is.

21 Everybody here should take a look
22 at the cop's DOJ report and get familiar with
23 what this model is and Nassau County residents
24 should become familiar with what is their
25 policing model and what is it for and what

1 Full - 2-24-21

2 does it do and what's its mission.

3 I have a very simple question. I
4 don't know if any of you can answer it but the
5 word productivity shows up in county
6 executive's plan. My question is what does
7 productivity -- what is police productivity?
8 How is that measured? What is that? In other
9 words, the People's Plan is trying to say
10 let's educate. Let's take a look at what the
11 models are and what they're based on and the
12 reasons and what is the need for the police to
13 be in all of these different places and this
14 league and that league and this school. All
15 these different places.

16 When I learned about POP policing
17 it made sense why they have to be in all these
18 different places because it's evidence-based,
19 data driven, human intelligence collecting
20 through the positive part of making
21 relationships with communities, right? That's
22 good. But again, so, again, holding those two
23 pieces.

24 LEGISLATOR MULE: So the People's
25 Plan works with the POP?

1 Full - 2-24-21

2 MS. GOTTEHRER: We take that
3 there is problem-oriented policing existing in
4 Nassau County. Did we do a deep enough dive
5 to make a recommendation about an alternative
6 model of policing, no.

7 LEGISLATOR MULE: I just wanted
8 to understand that. But thank you. I'm done.

9 MR. BREWINGTON: Legislator,
10 that's on page 173 of the liability insurance
11 section of the People's Plan and it is
12 referencing the Wall Street Journal and the
13 footnote is to Calvert Scott and Frosch Dan,
14 police rethink policies as cities pay millions
15 to settle misconduct claims. Then cited in
16 the Wall Street Journal and we will then
17 research that and get you as much detail as we
18 can because I'm sure that us along with the
19 county treasurer can help you out.

20 MR. DOZIER: If I could speak
21 just simply to the problem-oriented policing
22 and the idea of intelligence gathering that
23 Legislator Rhoads had brought up even though I
24 he's not here anymore.

25 What we are saying is that if

1 Full - 2-24-21

2 intelligence gathering is a by-product, not
3 necessarily even if it's the focus or the end
4 goal, but if it's the by-product of this type
5 of policing strategy, then that should be made
6 known directly to the public and directly to
7 the people who are interacting with the police
8 so that they're not interacting on false
9 pretenses.

10 Emily mentioned she's a social
11 worker. As being a social worker, and
12 probably many of you guys in your various
13 positions, you know that you're a mandated
14 reporter. In being a mandated reporter if
15 somebody is going to go up to you and tell you
16 something you say hold up. I just want to let
17 you know that whatever you tell me might be
18 confidential but if it has something to do
19 with A, B, C I'm going to have to report it
20 because I'm a mandated reporter.

21 If you go ahead and then go forward
22 with telling that then that's fine. But
23 what's not okay is entering into a
24 relationship with people and them not actually
25 recognizing that that information is getting

1 Full - 2-24-21

2 filed in an institution. And because a youth
3 is a friend to somebody else that is being
4 taken and potentially developing a file.
5 That's all we're saying.

6 MS. LEVIN: If I could really
7 just add to that too. I will be really
8 brief. I also want to remind you that the
9 governor asked us to examine the bias. So, if
10 we're examining the bias we notice that police
11 shootings happen in white schools as well.
12 But they don't have an amount of policing that
13 students of color in their schools have.

14 Also look at Parkland. The police
15 officer actually ran out of the school when
16 the shooting happened.

17 So, I just want to be mindful of
18 that. That we are asking you to actually take
19 a look at the bias practices amongst these
20 policies that they have. To not use your gut
21 but to use your brain to determine how to
22 address bias. We can't ignore the fact that
23 there's bias in policing and that's what the
24 governor is asking you to also take a look
25 at. Thank you.

1 Full - 2-24-21

2 LEGISLATOR FORD: Thank you.

3 Legislator Drucker.

4 LEGISLATOR DRUCKER: Thank you
5 madam chair. I appreciate it. I had a couple
6 of questions but before I get there I just
7 want to make two comments because I don't want
8 to dwell on the SROs. We've been dealing with
9 that quite a bit. And the POP cops. I agree
10 with Susan. I think the school districts need
11 more resources to deal with this. We really
12 need to concentrate on ending that pipeline
13 from the schools to prison. I agree with you
14 on that.

15 But I do think there's a
16 distinction that needs to be made with the POP
17 cops as opposed to the SROs because I too have
18 gotten calls from the superintendents in my
19 district who were praising the POP cops.

20 I look at it as there's a
21 distinction between intimidation and promoting
22 trust. I think the POP cops promote trust. I
23 think they establish relationships with
24 individuals, with organizations, with leaders
25 in communities and it goes a long way. That's

1 Full - 2-24-21

2 the feedback I get.

3 But I can't comment on what was
4 referred Shaniqua I think you made reference
5 to it and Susan too and Emily did too about
6 some of the school districts that are
7 experiencing it in a different way. To them,
8 those students might be feeling intimidation,
9 not an opportunity to promote trust. I think
10 we need to separate that and look at that in a
11 different lens.

12 I know in my district I don't think
13 the students if they saw the cops in the
14 school district are going to be fearful that
15 they're going to jail. They may look at it as
16 an annoyance. But in other school districts
17 they might feel differently.

18 And again, both plans, to be fair
19 we do have to recognize there are positives
20 and there are benefits to each proposal. I'm
21 not going to get into the politics of how you
22 were included or not included or excluded.
23 All I'm saying is I've read the plans. There
24 are positives from the county's plan, the
25 police department's plan. I mean the

1 Full - 2-24-21

2 concentration and the recognition that
3 increased bias training is necessary and a lot
4 of attention has to be devoted to that, that's
5 very important.

6 The commissioner's recognition that
7 we need to do a much better job at recruitment
8 and the fact that we're not getting the
9 recruitment that we need to get and how they
10 can improve in that.

11 The county's recognition that they
12 got to improve gathering of data regarding
13 every stop and arrest and the questions that
14 the police officers have to ask and document
15 and fill out these reports each and every time
16 that's going to serve us well. However, there
17 are a lot of things about your plan that I
18 like to.

19 MR. BREWINGTON: Just, by the
20 way, that data collection, the one that
21 surprised me that police commissioner said
22 yeah, we spoke to Fred Brewington and we're
23 going to start doing that now. I said
24 really? But they should have been doing that
25 a long time ago. The ACLU and folks said to

1 Full - 2-24-21

2 them that you need to collect that data.

3 There was a resistance to do so. So, right
4 now we're going to see how much they collect.

5 But I agree that it is a positive
6 thing and it is not reform it's data
7 collection. That is not police reform.

8 LEGISLATOR DRUCKER: But it
9 recognizes a need to improve. The governor
10 want us to get better. The governor want us
11 to improve. This is an improvement.

12 MR. BREWINGTON: Not a question
13 at all.

14 LEGISLATOR DRUCKER: No, no I'm
15 saying but you said it's a modification.

16 MR. BREWINGTON: No. I said it's
17 not reform. It's not police reform.

18 LEGISLATOR DRUCKER: We never did
19 it before it's reform.

20 MR. BREWINGTON: No, sir, it is
21 not.

22 LEGISLATOR DRUCKER: We can
23 disagree on that. By the way I just want to
24 comment, each and every one of you are
25 brilliant in my opinion. The way you speak is

1 Full - 2-24-21

2 refreshing. I love your idea about the
3 inspector general. I think that's a great
4 idea. We on the legislature, the Minority
5 caucus fought for years to get an inspector
6 general and we realized how important and how
7 valuable that is, and I can certainly envision
8 it being valuable in terms of law
9 enforcement.

10 Question one. Commissioner Ryder
11 has gone on record as saying that pretextual
12 stops are an indispensable and very effective
13 tool to apprehend known or suspected criminals
14 before they commit serious crimes. Provided
15 there's a legitimate reason to stop the
16 vehicle. He indicated something like 70
17 percent of all police officer deaths or
18 serious injuries were sustained during a
19 vehicle stop.

20 They are of the opinion that this
21 is an indispensable, necessary tool. Assuming
22 hypothetically that much or most of your plan
23 will be incorporated in the final plans that
24 we as a legislature have to approve, is there
25 any scenario that you could work with that

1 Full - 2-24-21

2 plan without your proposal to eliminate
3 pretextual stops altogether?

4 MR. BREWINGTON: First, let me
5 speak from a legal standpoint since I think
6 I'm equipped to do that. Some folks say that
7 I am.

8 The fourth and 14th Amendment
9 require that the concept of pretextual stops
10 not be one that is based on the type of
11 treatment that we see going on. Let's assume
12 that Mr. Drucker that you and I both are
13 driving the top line Cadillac. I'm a Buick
14 man by the way. But you and I are driving a
15 Cadillac and both of our taillights are out.
16 You get pulled over. You get a warning that
17 says Mr. Drucker, your taillight is out.

18 But because the officer who happens
19 to pull me over on Babylon Turnpike in
20 Roosevelt says maybe this guy's got something
21 going on. Step out of the car, sir. Right
22 then not only is my heart pumping Kool-Aid
23 because I'm a Black man in American and I know
24 what could happen, but I also know that there
25 is no reason for that person to ask me to step

1 Full - 2-24-21

2 out of the car except for a hunch. That's
3 pretextual. Under the 14th Amendment and
4 under the Fourth Amendment that is improper.

5 So, when you say that it may be
6 okay or is there any way we can see that, the
7 answer to that question for me is absolutely
8 not because of the implicit bias and the hunch
9 that the officer is playing on with the
10 differential treatment that we see.

11 And how do we know these numbers
12 are accurate or that concept is accurate? We
13 don't have all the good numbers from Nassau
14 but our sister county to the east did collect
15 this data. And based on our extrapolation,
16 which my brother to left is going to speak
17 about, Nassau County is in worse shape.

18 So, that's why pretextual stops and
19 pretextual searches and pretextual taking
20 people out the car is a problem because they
21 often times lead to criminalizing something
22 that should be a ticket as opposed to
23 something else. Let me pass it on to Tyrel
24 and then I'm sure you'll want to comment.

25 LEGISLATOR DRUCKER: I just want

1 Full - 2-24-21

2 to say one thing. The acknowledgment of
3 Nassau County Police Department is not that
4 they're pulling over me in a Cadillac and you
5 in a Cadillac because of a broken taillight.
6 They're saying that they're following me or
7 they're following you because they have a
8 hunch that criminal activity is afoot.

9 MR. BREWINGTON: The Supreme
10 Court of the United States says that the hunch
11 is against the law and you as a legislator I'm
12 sure would want to know that.

13 MR. DOZIER: If I can quickly
14 respond. That hunch is exactly the issue.
15 How much bias is based in that hunch?

16 LEGISLATOR DRUCKER: But if it's
17 based on data. If it's based on police
18 investigative work.

19 MR. DOZIER: Data actually goes
20 against what that's saying. Unfortunately,
21 Nassau County doesn't really have the data
22 system yet and we discussed this. Doesn't
23 have the data system to really collect
24 accurate data. So, any data that they're
25 providing that says that this is actually not

1 Full - 2-24-21

2 racially biased is just not accurate. They
3 have didn't been able to analyze that data.

4 The thing that they do have says
5 that Black community members are stopped two
6 times as likely as White community members.
7 Now that's the data. That's the data that
8 they have shared with us. That's there's a
9 disparity. They basically came out and said
10 we have a disparity in traffic outcomes. Now
11 we have to ask ourselves is that acceptable?

12 Now across to our other sister
13 county, Suffolk County, they have been under a
14 DOJ settlement agreement. So they have that
15 data. And we can probably assume that maybe
16 there might be some minute differences but
17 really pretextual stops as we know are a major
18 issue across the country. That's the reason
19 why so many different areas are actually going
20 to restrict pretextual stops from police
21 officers.

22 So, what Suffolk has done is
23 they've collected that data. And what Suffolk
24 has shown is that even though they stop Black
25 drivers more frequently than they stop White

1 Full - 2-24-21

2 drivers they find contraband on Black drivers
3 29 percent less likely than they do on White
4 drivers.

5 So, if problem-oriented policing is
6 saying that you're finding less percentage of
7 contraband on Black drivers than you are White
8 drivers, why isn't it the other way around and
9 they're stopping two times -- why isn't Nassau
10 County stopping two times more likely White
11 drivers than Black drivers?

12 LEGISLATOR DRUCKER: But the
13 answer here is in my opinion it's not the
14 method of policing. Again, the common
15 denominator here or the common problem, the
16 root problem is the implicit bias. If you can
17 address the implicit bias aspect of it we may
18 avoid having pretextual stops altogether.

19 MR. BREWINGTON: Then you're
20 blaming the individual officer as to the
21 institution that has the ability to change the
22 activity. That's exactly why we're dealing
23 with reform because implicit bias, I'll just
24 tell you, in order to do implicit bias
25 training what we have in the Nassau County

1 Full - 2-24-21

2 Police Department, and all respect to the
3 people that remain back here, is not
4 sufficient. You can't train about implicit
5 bias and not ask somebody to do a deep dive
6 and examine themselves about their own biases
7 that are implicit in who they are. Implicit
8 bias is just not a term, it's a reality. We
9 all have them.

10 But unless you are forced to exam
11 and step back and say I as a White person have
12 these biases and I now recognize them. That's
13 a tough thing. I'm just going to say it's a
14 tough thing, right? But you got to do that if
15 we're going to talk about eradicating those
16 issues.

17 So, when you say we can just do
18 away with implicit bias that is a great
19 thought, but I'll just tell you, the police
20 officers I've had in the deposition this
21 morning didn't have a clue in that
22 deposition. Had no clue.

23 LEGISLATOR DRUCKER: That's the
24 reform we have to make.

25 MR. BREWINGTON: But

1 Full - 2-24-21

2 institutional is really what you need to look
3 at.

4 MR. DOZIER: The reason why these
5 counties have adopted the model of eliminating
6 and restricting pretextual stops is because
7 there's not an ounce of evidence that says
8 that implicit bias education works. There's
9 not an ounce of impact evidence that says that
10 by engaging in implicit bias trainings that
11 traffic stops or the likelihood of pulling
12 over Black community members will go down.
13 But there's a lot of evidence that says that
14 you restrict pretextual stops that that does
15 happen.

16 LEGISLATOR DRUCKER: But we have
17 to try to address it though.

18 MS. LEVIN: We can't cure
19 racism. So, one of the solutions is
20 addressing the policies that are there and if
21 pretextual stops is one of the policies that
22 is allowing bias and racism to occur we have
23 to address that system.

24 LEGISLATOR DRUCKER: Let me get
25 to my second question. Your examples in your

1 Full - 2-24-21

2 plan of the CCRBs that are not effective, I
3 believe you state that it's due to a lack of
4 funding, isn't that correct, for the most
5 part?

6 MR. BREWINGTON: No. It is not
7 completely correct. That is one aspect.

8 LEGISLATOR DRUCKER: Do you have
9 any estimates on how much money would be
10 needed to adequately fund a CCRB here in
11 Nassau County?

12 MR. BREWINGTON: If we had gotten
13 the budget data that we asked for when we were
14 on the CCT and the PACK I could tell you. The
15 answer to the question is we have looked at it
16 but we did not want to put guesstimates in
17 this plan. We have other portions of this
18 plan that are yet to be released because we
19 don't want to put make believe numbers in.

20 LEGISLATOR DRUCKER: I personally
21 am in favor of a CCRB because of I'm of the
22 school of thought that perception becomes
23 reality. If you perceive as a public that you
24 are engaged, that your opinion matters, that
25 your knowledge and information matters on

1 Full - 2-24-21

2 police misconduct, I think you should be
3 involved in the process. I believe in that
4 perception promotes public trust. It promotes
5 transparency and the perception of
6 transparency.

7 MR. BREWINGTON: And
8 accountability.

9 LEGISLATOR DRUCKER: So, I
10 believe in that. However, what is your
11 reaction to this new, the New York State
12 Attorney General office under the auspices of
13 a new department to investigate and issue
14 findings to be carried out by the
15 commissioner? This is by the attorney
16 general's office. That any alleged police
17 misconduct is automatically referred to the
18 New York State Attorney General. Wouldn't
19 that possibly be an effective way to deal with
20 police misconduct as an alternative?

21 MR. BREWINGTON: The answer to
22 that question I will ask Susan maybe she can
23 talk a little bit about what that suggestion
24 is. But that is not the end all to it.

25 MS. GOTTEHRER: I actually would

1 Full - 2-24-21

2 need to know more about what the mechanism are
3 as far as how are they receiving those
4 complaints. Do we know?

5 LEGISLATOR DRUCKER: This is
6 something that's relatively new.

7 MS. GOTTEHRER: So, I would need
8 to know more I think about the mechanism. I
9 mean, I think layers of accountability are
10 very, very important. But I wouldn't want to
11 make a judgement on that until I found out
12 more about it.

13 However, I also think there's
14 something to be said for local legitimacy and
15 accountability. Part of the problem is we're
16 dealing with so many different police
17 departments. Each police department has to be
18 perceived as legitimate. Legitimacy is so key
19 to having trust. If you don't believe that
20 somebody has a right to have authority over
21 you then that means you don't believe them to
22 be legitimate. And legitimacy is built at the
23 local level. So I would never discourage
24 layers of accountability coming from the
25 state. But I would also need to know more

1 Full - 2-24-21

2 about it to make a judgement on it. And I
3 would always encourage local accountability as
4 well.

5 LEGISLATOR DRUCKER: Thank you
6 Susan. I love your three tier approach to
7 handling the emergency crisis response. I
8 think that's great. I really love that idea.
9 In fact, I spoke to you, Emily, a few days
10 back or last week, I don't remember anymore,
11 we talked about this. But before you even
12 get -- and I mentioned this to you Emily when
13 we spoke -- before you even get to classifying
14 a particular 911 call into one of the three
15 tiers, the most important aspect is the
16 starting point and that is the 911 operator.
17 They go through substantial training now
18 already. Now you're asking someone to make
19 quite possibly a life or death decision based
20 on a ten second hysterical call. I can't even
21 imagine the amount of training that will be
22 necessary in order to train 911 operators
23 properly to even start engaging in and
24 dispensing or classifying which tier these
25 calls should go.

1 Full - 2-24-21

2 MS. CAUFMAN: I realized in that
3 question that there is a key piece that I've
4 missed. So I'm so glad that you brought that
5 up.

6 Georgia and Austin, well, Georgia
7 has its own, it's called the G Cal, Georgia
8 line. I don't know if you all are familiar
9 nationally in I believe it's July 2022 there's
10 going to be a new three-digit number that's
11 rolling out across the country, 988, where
12 people can call if they're having a mental
13 health crisis or behavioral health crisis.
14 What we are talking about right now also
15 hopefully every county and city around the
16 country is getting prepared for because that
17 is rolling out. There's a number of cities
18 that are already on board.

19 So, we would want that three-digit
20 number where people can call specifically for
21 behavioral health crisis. But we also want,
22 because in the middle of a crisis you might
23 not remember another number and 911 is the one
24 you go to. That's what I've been taught since
25 was little.

1 Full - 2-24-21

2 Austin is starting to have folks be
3 able -- right now you can say I need police.
4 Is it a fire emergency? Do you need an
5 ambulance? One piece is to ask a fourth
6 question, is this a behavioral health crisis?
7 Because many times it is a family member who
8 is calling saying, and this happens, I mean,
9 God, saw the guy who held a knife and a police
10 would be on the scene if there is a knife but
11 they would have a behavioral health responder
12 with them and we watched this -- and forgive
13 me for forgetting his name -- the mother was
14 running please behind saying please don't kill
15 him. Please don't kill him. He's mentally
16 ill. Many calls we're getting, and this is
17 from youth to adults, is from family members,
18 mothers, sisters, daughters, wives, husbands
19 calling and saying they were schizophrenic.
20 Please.

21 One issue is people aren't calling
22 the police and they're not getting their
23 community members the help they need because
24 they're afraid, because we know mentally ill
25 people are 16 times more likely to be killed

1 Full - 2-24-21

2 by the police than anyone else.

3 That is one piece, just to answer
4 your question, is many callers can say I know
5 this person. This isn't strangers on the
6 street saying I don't know what's going on.
7 Most calls are coming in from someone who
8 knows the person and is able to say they are
9 experiencing this. So this the response I
10 need.

11 LEGISLATOR DRUCKER: But I'm
12 referring to those incidents where a 911 call
13 will come in and someone is hysterical saying
14 my neighbor is standing on my front yard
15 screaming and yelling and waiving his arms and
16 acting irrationally. I don't know what to
17 do. The 911 operator has to classify it as
18 tier three or whatever that one was. And now
19 you're not sending an armed police officer
20 there. And if it turns bad, which I think
21 some of my other colleagues have pointed out,
22 that's a matter of life and death sometimes.
23 That's really what my concern is.

24 MS. CAUFMAN: I apologize for
25 cutting you off. I'm chomping at the bit.

1 Full - 2-24-21

2 I'm just so passionate about this and about
3 the way it's working around the country.

4 So, I want to be clear. There are
5 absolutely situations where the police will be
6 dispatched and we need the police. In our
7 tier three though they'll never arrive without
8 a behavioral health response.

9 One of the other things that we ask
10 for, and again, because of the lack of data
11 transparency, and we tried to get this data
12 and were not able to get it, step one, and
13 we'd love to partner with you in working to
14 figure out how this pilot model will work that
15 we can then scale up once you see the evidence
16 is there that it works. Number one is we have
17 to get a sense of which calls are coming in.
18 Is it in fact true that 90 percent of the
19 calls are someone calling because it's a
20 neighbor in their yard and they can't do a
21 proper assessment? Or is it in fact true that
22 that was only one call this year?

23 In fact, we will all agree that
24 when we don't know how to do that proper
25 assessment we're going to take safety first

1 Full - 2-24-21

2 and we're going to do a tier three response
3 and the police are going to show up at that
4 call with a behavioral health response.

5 And that 80 percent of the time in
6 fact it's a family member who knows very well
7 what's going on with the person.

8 That's the first step is we need a
9 full audit of these 911 calls. How they're
10 coded. What the response is. What the
11 outcome. Who called. That data is what will
12 help drive this conversation also. I don't
13 want to do anything that is unsafe. I think
14 you and I are very clear on that.

15 LEGISLATOR DRUCKER: Thank you
16 very much. That's it. I'm done.

17 LEGISLATOR FORD: You're a
18 sweetheart. Thank you. Am I allowed to say
19 that to you, that you're a sweetheart?

20 MR. BREWINGTON: You just did.

21 LEGISLATOR FORD: I didn't mean
22 too. I'm sorry.

23 MR. BREWINGTON: Didn't one of
24 those Beatles say all we need is love?

25 LEGISLATOR FORD: Legislator

1 Full - 2-24-21

2 Kennedy.

3 LEGISLATOR KENNEDY: Thank you.

4 I just wanted to say thank you to all of you
5 here today. Obviously very passionate about
6 what you believe, and I think we all know that
7 there are going to be changes. Just
8 obviously, like everyone has said and we've
9 talked about, I think we're going to have to
10 come together to figure out what we can agree
11 upon and where those changes can be made.

12 It was said before about the
13 police's role in society. Obviously police's
14 role in society is different for everybody
15 because of our experiences in life. Just a
16 quick background about me.

17 Both of my parents were Irish
18 immigrants. Came over to this country. My
19 dad was a strict disciplinarian. He was in
20 the army. Went to college on the GI bill. He
21 always told us be polite. Look people in the
22 eye. Show respect to your elders. Respect
23 the police he said because you know what? The
24 police have a tough job. I grew up that way
25 and it's a stressful job and I know that. I

1 Full - 2-24-21

2 support the POP cops. Just get that out there
3 of course.

4 Now, what I want to get to, one
5 question about the PAL. Because in my
6 community, I live in Massapequa, it's part of
7 my district, we have a PAL there and it is
8 great. Everyone comes out to the PAL. Times
9 you can see hundreds of people there. Our
10 relationship with the officer who runs it and
11 some of those gentlemen, retired police
12 officers, it's great. It's good for the
13 community.

14 I was just curious, what are some
15 of the things that -- for me I think it's
16 fantastic -- I'm curious, what are some of the
17 things that can make those PALs better?

18 MR. BREWINGTON: Let me take a
19 shot at that. It wasn't PAL when I came up it
20 was PBC, Police Boys Club. I came up through
21 Mr. Falcone, who was in the West Hempstead
22 community, Lakeview, West Hempstead. I sold a
23 lot of cookies for that man because he took me
24 to the swimming pool in Long Beach. It was a
25 good relationship that I had with the PBC. It

1 Full - 2-24-21

2 taught me that I was not a boxer because when
3 I put the gloves on and then fought the first
4 person from Franklin Square I said please take
5 these gloves off.

6 But what we currently have in the
7 PAL is not a replacement for police reform.
8 It is not the panacea. It is an important
9 component of trying to give, particularly
10 certain youth that have no place else to go,
11 no other resource and no other opportunity.

12 I said earlier at one point I was
13 raised by cops but they weren't my parents.
14 They were the men that worked in New York City
15 and braved the frontier to become detectives
16 as Black men living in Lakeview that taught me
17 everything I needed to learn about cops.
18 Those individuals taught me a very important
19 lesson. But part of what the PAL can do is
20 teach some important lessons.

21 But it is not the answer for police
22 reform. It is not the answer to turning
23 around the school to prison pipeline. It is
24 not the answer for what happens outside the
25 PAL when someone that's not involved with the

1 Full - 2-24-21

2 PAL pulls kids over on Champlain Avenue and
3 Orlando in the community of Lakeview -- I
4 don't know who's got Lakeview over here -- and
5 says empty your pockets boy. And says to them
6 I don't care who you F you say you are. Give
7 me that. Or pushes them off a bicycle and
8 puts the bicycle in the trunk that was just
9 bought by their parents and then the parents
10 are afraid to report that to the police
11 because they don't want an emergency. Because
12 when the police come usually whatever happens
13 turns into an emergency.

14 There's a difference between PAL
15 and a there's difference between reform that
16 don't necessarily need to be independent of
17 each other because reform does not mean
18 eradicate PAL. It's just don't try and
19 replace reform with PAL. I don't doubt
20 Massapequa has a good PAL. I bet that it's
21 funded real well. Have you ever compared the
22 funding of the Massapequa PAL to that one in
23 Roosevelt?

24 LEGISLATOR KENNEDY: No, I have
25 not.

1 Full - 2-24-21

2 MR. BREWINGTON: Please do.

3 LEGISLATOR KENNEDY: I will.

4 Thank you. I know it's not the answer to
5 everything. I just was curious because it is
6 something that in our community brings our
7 community together. There's a basketball
8 court. There is a hockey rink, which somebody
9 else came in. That was not part of the PAL.
10 It's a separate entity but they did that. And
11 there's also a baseball field. I have two
12 kids, little girl in kindergarten, little
13 boy's third grade. Play baseball, play
14 basketball, play hockey, lacrosse everything
15 and many, many people come into that area,
16 that complex. It's a tremendous boon to the
17 community. A tremendous way for all of us to
18 see each other and see the police. I just
19 wanted to say that.

20 MR. BREWINGTON: I think that's a
21 fair comment. But the other thing, as we
22 start to deal with this book, is that the
23 government started to talk about equity. We
24 know that the Echo Park pool compared to the
25 Lakeview pool are not the same thing. We know

1 Full - 2-24-21

2 that the difference between a PAL in a
3 community that is affluent is a different PAL
4 than in a community that is not affluent. I
5 wish I knew how to do hockey but never had a
6 chance. I'm glad that people in Massapequa
7 do. I don't of a hockey rink in Hempstead
8 Uniondale or -- you understand?

9 LEGISLATOR KENNEDY: It's
10 actually deck hockey.

11 MR. BREWINGTON: Is it ice
12 skating rink or is it just roller?

13 LEGISLATOR KENNEDY: Just a
14 roller rink.

15 MR. BREWINGTON: We got one of
16 those on Hempstead Avenue and Eagle Avenue.
17 That's the old PBC house. In that regard
18 that's good. But we need to compare apples to
19 apples. Because when we start to talk about
20 how great things are we also need to talk
21 about the impact in those communities in terms
22 of a long run impact.

23 I don't doubt, Mr. Kennedy, I'm not
24 suggesting what you are saying is
25 inappropriate. I volunteer. I've been

1 Full - 2-24-21
2 coaching for 38 years. High school football.
3 All my quarterbacks go to college, right? I
4 make sure that they go one way or the other.
5 But that's the work that some of the police
6 officers are doing right now at PAL. I give
7 them credit for that. That is not the answer
8 to police reform and is not the answer to
9 Executive Order 203.

10 MR. DOZIER: If I can say, I
11 don't want to by any means say, Legislator
12 Kennedy, that you're thinking that PAL is a
13 panacea to having disparate outcomes. I
14 understand that a good program might be a good
15 program. That's great. But we have to take
16 the full weight of what we're talking about
17 today.

18 Fred brought up that in Nassau
19 County, based on the data that we have, Black
20 community members are arrested 5.3 times more
21 likely than White community members. And if a
22 plan goes through and it's not actually
23 addressing that disparity, and I don't think
24 any of us are going to believe actually in our
25 hearts, for example, PAL is actually going to

1 Full - 2-24-21

2 address that disparity.

3 I'm going to give another number
4 because I did the same analysis that Fred did
5 by only putting in the drug arrests. In
6 Nassau County black community members are
7 arrested for drugs, use or the sale of drugs,
8 3.9 times more likely than White community
9 members.

10 Now, if you look up any research
11 across the country, any research about the use
12 of drugs in White communities versus Black
13 communities all of it will say that they use
14 it at similar rates. Yeah, maybe some drugs
15 are used differently slightly. You know, the
16 opioid crisis currently hit the White
17 community very hard.

18 But 3.9 times more likely to arrest
19 a Black community member, Nassau County Black
20 community member, than a White community
21 member. If we pass, if you all pass a plan
22 that doesn't in your heart thoroughly address
23 that disparity it is a tragedy. It is a
24 tragedy. Because then what we're saying is
25 it's acceptable. It's acceptable for Black

1 Full - 2-24-21

2 families to have the talk. It's acceptable
3 for a young Black youth to be afraid. Be
4 afraid to put their hand in the glove
5 compartment. Acceptable for them to go
6 through that right of passage. It's
7 acceptable for a young White youth to be in
8 the park smoking marijuana or doing something
9 that they probably shouldn't do and get a slap
10 on the hand while Black youth gets handcuffs.
11 That's what we're saying.

12 It's acceptable for a police
13 officers to be in Black communities and seeing
14 all of the dirt and arresting them for it and
15 never be in a White community and see any of
16 that dirt. If I go to one of your houses and
17 I say I'm going to police how clean your house
18 is and I only go to your house and I'm going
19 to do this neighbor and I never go to your
20 neighbors I'm always going to find what's
21 wrong in your house but I'm never going to
22 find what's wrong in your neighbor's house.
23 That's what's happening across the country.

24 You guys aren't unique. But that's
25 still what's happening in Nassau County. This

1 Full - 2-24-21

2 plan, the People's Plan, addresses that
3 through structural systemic reform and that is
4 the weight we are carrying right now.

5 LEGISLATOR KENNEDY: Thank you.
6 That was my first question. I had another
7 question about the police commissioner has
8 spoken to me about the new police academy and
9 how they're approaching bias training. And it
10 did seem that for specific -- the buildings
11 they're going to be making and the
12 neighborhood that they were going to be
13 setting up, that it would be a way in which
14 that you could approach teaching that training
15 or educating police officers. I'm curious as
16 to what you all think. I'm assuming that you
17 know about this.

18 MR. BREWINGTON: We do. And
19 particularly with regard to sharing with us
20 what the curriculum would be, because I think
21 when somebody said bricks and mortar do not
22 policy make. In this situation, part of what
23 we need to address is, what are going to be
24 the real concrete changes? Have you seen the
25 curriculum? I haven't. No, we haven't.

1 Full - 2-24-21

2 In order to answer that question
3 we've got to do an evaluation of what the
4 curricula are going to be across the board.
5 Saying that we're building a new building and
6 we're going to do all these things is a good
7 idea because we don't need to be in our old
8 building with old resources. And Nassau
9 County being what Nassau County is we should
10 try to do the best. But the best also
11 includes looking at the details that we
12 provide in terms of training. Starting at
13 page 270 of our plan that talks about
14 training, hiring and education. I just gave
15 you a very quick synopsis.

16 When we talk about how to do proper
17 training from the very beginning in terms of
18 field training. Make sure that it's a
19 curricula and it's not happenstance. Just so
20 you learn the old tricks from the old dogs.
21 That's not field training. What that is is
22 culture indoctrination.

23 We talk about in the work that's
24 done in the academy how that should be done.
25 How that education should take place. I gave

1 Full - 2-24-21

2 you one example.

3 Most police officers come out of
4 the academy if they would try to have an
5 intelligent discussion with a college young
6 man who just came from an African-American
7 studies class in his college there wouldn't be
8 a lot that that police officer, in most
9 situations based on their academy education,
10 would know. That's important. Why? Because
11 everybody knows 1492 and everybody knows
12 1776. But how many people know about the
13 Colfax massacre? How many people know about
14 Phoenix and what happened there? And why is
15 that important when we start talking about, as
16 my sister Shaniqua said, when slave patrols
17 that then turned into police forces. And how
18 KKK and police departments were, in a lot of
19 ways, in our country synonymous for a long
20 period of time. I'm talking bad about
21 police. I'm talking about history. Because
22 that history allows us to be better in what we
23 do.

24 When I don't deny that your parents
25 that came to this country were discriminated

1 Full - 2-24-21

2 against was because I know the discrimination
3 that Irish people had and we know what potato
4 famines did to an entire country, when I know
5 that and I sit at a table with you I'm not
6 looking at you as James Kennedy. I'm seeing
7 James Kennedy that has life experiences that I
8 can appreciate. So that when I talk to you I
9 don't look at you and talk to you out of
10 place.

11 I will tell you, I have a young man
12 from Harvard. Dreadlocks down to here.
13 Beautiful dreadlocks. Said to me, I don't
14 know why the police officer pulled me over and
15 said yo, my man, what's up? when he speaks the
16 Queen's English. That's not necessary.
17 That's the implicit bias the training must
18 deal with. Because when you think that you
19 have the liberty to do that and speak to
20 someone simply based on the hue of their skin
21 that's a problem. Or the color of their
22 eyes. That's a problem. Or the brogue of
23 their speech. That's a problem. That's what
24 our training must deal with. That's my answer
25 to you.

1 Full - 2-24-21

2 LEGISLATOR KENNEDY: Thank you.

3 One other question. The unarmed traffic
4 officers which I know was touched on.
5 Legislator Drucker had mentioned. The number
6 of police officers who died in the line of
7 duty about 70 percent of them were in the
8 middle of a traffic stop. And, of course, I
9 mean, I know, I have family in law
10 enforcement. I have several very good friends
11 who are police officers and if that is -- it's
12 a stressful situation. It can be scary.
13 You're just walking up to a car and you do not
14 know who the person can be. No matter who
15 they are. Just the idea of walking up to a
16 car without being armed, just having it there,
17 if you don't have it there I feel as though --
18 I just don't understand that. I'm just
19 curious.

20 MR. DOZIER: Again, we talk a lot
21 about the data here and we talk a lot about
22 the research. And first I want to say any
23 police officer being killed in the line of
24 duty is a tragedy. 100 percent. Nobody here
25 on this panel thinks anything else otherwise.

1 Full - 2-24-21

2 When we talk about traffic killings when it
3 comes to traffic stops research pans out that
4 one in every 65 million stops results in a
5 killing.

6 I turn around the question and ask
7 what about all of the traffic stops in which
8 an officer has pulled out that weapon too
9 early? What about all the traffic stops where
10 an officer has utilized force in a manner that
11 was not appropriate?

12 When you go and dig into it deeper,
13 into the data, you see that normally most of
14 the dangerous occurrences that have occurred
15 as it relates to traffic stops has to relate
16 with the use of police authority. It goes
17 beyond a routine traffic stop which we're
18 talking about. We're talking about can we get
19 your license, your registration. We go back
20 to the car. Maybe give you a citation. Maybe
21 give you a warning.

22 In some places, they're actually
23 modeling it out where officers just take the
24 license plate of the car and you get the
25 citation in the mail. Making it safe for

1 Full - 2-24-21

2 everybody in that situation.

3 Now, in a situation where a driver
4 is driving recklessly or there's actually
5 significant cause to think that there will be
6 danger, an unarmed traffic officer will always
7 be able, similar to a public health responder,
8 to call an officer that would have the
9 authority to use police authority.

10 But the idea that we need traffic,
11 we need armed traffic officers because of
12 safety does not pan out in the research. It
13 just simply doesn't pan out by the numbers.
14 In fact, the number of victims that it causes
15 is significantly greater than the number of
16 police fatalities. All of which are a
17 tragedy. The murders of the police officers
18 are a tragedy. But also Sandra Bland was a
19 tragedy. Also Philando Castile was a
20 tragedy. All of these are a tragedy. Most of
21 the time it has to do with police officers
22 using police authority and escalation in a
23 manner that was not appropriate.

24 I'll just quickly say, there's been
25 a lot about the warrior mentality. Right?

1 Full - 2-24-21

2 That police officers have been trained in.
3 About having this warrior mentality. Anything
4 can happen. Yet they're thinking in a blink
5 of a minute and then act.

6 But who among us haven't been
7 pulled over? Do we really need that type of
8 trigger happiness when we are engaging with
9 traffic safety? We have to ask ourselves is
10 that really necessary? In the vast majority
11 of cases it's not going to be.

12 LEGISLATOR FORD: Thank you.
13 We're going beyond what we originally had
14 planned but Frank do you need a break at all?
15 We're going to take a five minute recess.

16 (Meeting was recessed at 7:08 p.m.)

17 (Meeting reconvened at 7:21 p.m.)

18 LEGISLATOR FORD: Thank you
19 everyone and Legislator Bynoe.

20 LEGISLATOR BYNOE: Thank you
21 Madam Chairwoman. Good evening. I had the
22 opportunity on the break to tell you that I
23 thought you did an extraordinary job but I'd
24 like to take the opportunity on the record to
25 thank you and all of the member organizations

1 Full - 2-24-21

2 that worked together to put this People's Plan
3 together. It's very thorough. And I will
4 continue to -- I've run through it once. I
5 will continue to spend some more time on it.

6 I wanted to ask a couple of
7 questions. Brief. I'm told I have to hold
8 to. And I will start with officer wellness
9 because it's an area that I have been very
10 interested in and given the -- I won't even go
11 into it but given the stress and strain that
12 is put on our officers as they are out there
13 in the field I think we have a duty to make
14 sure they are at their best while they're out
15 there serving us, the community.

16 I wanted to ask about some of your
17 research that you would have done as you
18 compiled this part of your study. When you
19 were out there did you find that any of the
20 police organizations that you spoke with
21 regarding officer wellness had an EIS system,
22 an early intervention system? And if they
23 did, how was it factored into the intervals
24 for the officers to meet with mental health
25 professionals?

1 Full - 2-24-21

2 MR. BREWINGTON: That section,
3 Legislator Bynoe, is divided up into some
4 subsections and the subsections that address
5 that, do address that, at section one found on
6 page 288 of the plan. It talks about Long
7 Island police agencies must adequately
8 identify the extent of the problem to be able
9 to provide health and wellness program for
10 officers. And we do cite there the
11 appendices. There were only nine police
12 agencies in Long Island that are accredited by
13 the New York Office of Public Safety in
14 addressing some of those issues.

15 The answer to your question is that
16 in our research that I can see here and I can
17 tell you I did not write this section
18 completely, I had a hand in some of it, but we
19 did not evaluate those earlier assessments
20 programs to the nth degree. But we do believe
21 that in this situation that those early
22 warning signs that can be detected and that
23 there is such a program available is a very
24 good and smart idea for two reasons.

25 One, not only officer wellness but

1 Full - 2-24-21

2 then starting to deal with the fact that we
3 change the police culture. The police culture
4 itself says you can't show weakness. I don't
5 want to use the word retreat. But you can't
6 show weakness. And also, you are always
7 afraid, and I know this because I represent
8 police officers, if they start saying I'm
9 having a psychological problem they're going
10 to lose their gun. We know that. So how do
11 you balance that in the discussion so that we
12 can get officers the help that they need
13 before they take a six or nine millimeter and
14 click, click to the head. How do we deal with
15 that? That's part of the discussion that has
16 to happen. If you don't have that discussion
17 you're not serving the brothers that are back
18 there.

19 LEGISLATOR BYNOE: Absolutely.
20 So, in speaking with KERF, which is one of the
21 industry organizations regarding police
22 policies and compliance, some time ago we
23 talked about an early intervention system.
24 And I think it's critical. So I was just
25 trying to find out if you've come across any

1 Full - 2-24-21
2 of the agencies when discussing this matter if
3 they were in fact using an early intervention
4 system. And I would have loved to have
5 learned a little bit about their data and how
6 they developed their policies around that
7 data. If in fact --

8 MR. BREWINGTON: That is
9 discussed, by the way, in one of the articles
10 that we cite that would be helpful found on
11 page 290, footnote two. That also talks about
12 why police officers never seek mental health
13 and then does talk about -- it references
14 resources that are available.

15 LEGISLATOR BYNOE: Because
16 ultimately destigmatization is the way to go.
17 I 100 percent agree with you. I will look at
18 that and if there's any additional information
19 that's available at some point I would love to
20 discuss that with the appropriate person.

21 MS. GOTTEHRER: I just want to
22 say you can look at the People's Plan and
23 there's plenty of things in different areas of
24 interest that we may not have touched upon,
25 and the way we view this process this is

1 Full - 2-24-21

2 coming from the people and you represent the
3 people also. So, if there are components that
4 are not showing up in the People's Plan we
5 will take a look at that and you should as
6 well.

7 LEGISLATOR BYNOE: Absolutely.
8 Was working on it and wanted to see I believe
9 if I could get some information.

10 MS. GOTTEHRER: I'll take a
11 deeper dive on that.

12 MR. BREWINGTON: We're not shy
13 about writing.

14 LEGISLATOR BYNOE: So, once you
15 get that, and I know that you are equally not
16 shy about talking, I'd loved to hear from you
17 guys on that and I will share whatever I find
18 along the way.

19 MS. CAUFMAN: Legislator Bynoe,
20 just to let you know, myself and Alexandra
21 from New York Social Action I will shoot her a
22 text tonight and get right on that research.

23 LEGISLATOR BYNOE: Thank you.
24 Appreciate it very much. Then I wanted to
25 talk a little bit about the behavioral

1 Full - 2-24-21

2 stabilization centers. I know Suffolk has
3 centers. I believe they work with family
4 services to provide those services. So, in
5 reviewing their structure funding, are they
6 funded directly from the county for those
7 services and is the county in some way
8 receiving a grant for those services?

9 MS. CAUFMAN: Yeah, it's a great
10 question. We actually have a meeting with the
11 executive director Karen Gorstein and also the
12 head of DASH coming up where we're going to
13 get a little more details about the funding
14 streams. We do have a section on funding.
15 Taking a look at where money may come from
16 with regard to grants. We also are looking to
17 have a meeting coming up and we are working
18 through our channels to try and talk with
19 Michael Dowling from the Northwell system as
20 far as where they may be able to partner as
21 they came out this summer saying racism is a
22 public health crisis. I know they've
23 partnered with the county to help with vaccine
24 rollout.
25 So, we're really excited to talk

1 Full - 2-24-21

2 with them about how they might be able to be a
3 partner in Nassau County as we look to develop
4 those stabilization centers. Which, as I
5 mentioned before, the task force that your
6 legislation helped to initiate, that was one
7 of the recommendations in their plan as well.

8 We do know that Nassau County's
9 infrastructure is not quite at the level
10 regarding this. That Suffolk is. But we want
11 to start the process somewhere and build
12 towards that. Because those stabilization
13 centers are going to save time and resources
14 from overburdening our hospital system.

15 LEGISLATOR BYNOE: Thank you.
16 Then my last and final question would be
17 regarding unarmed traffic stops. I see here
18 that Berkley Cambridge in New Orleans are all
19 in the process of having civilian agencies
20 enact these stops. Could you tell me a little
21 bit more about what you learned from those
22 actions in regards to where they are in their
23 pilot and what you have been able to learn?

24 MR. DOZIER: Both of them are in
25 the development process and I say both because

1 Full - 2-24-21

2 it's Berkley and Cambridge are looking at
3 creating civilian agencies, on civilian
4 unarmed agencies which they can actually stop
5 moving vehicles.

6 New Orleans, if you look at that
7 proposal, we talked about both traffic stops
8 as well as actual accident reporting. So, New
9 Orleans has a group of contractors that go out
10 to minor accidents in order to document and
11 report those.

12 Our proposal says that we would
13 want to have unarmed traffic officers that
14 would basically be responsible for doing both
15 of those. In New Orleans they found that
16 that -- they're farther along in their
17 implementation and they expect that the cost
18 of it would actually be pretty even. That
19 there wouldn't actually be a cost to the
20 city. And that the model would allow to free
21 up police officers' time from doing what is
22 often an arduous task of going and
23 documentation.

24 But yes, both Berkley and Cambridge
25 are both in the implement -- in the beginning

1 Full - 2-24-21

2 phases of implementation.

3 Another model that we looked at was
4 the UK highways program which is a little bit
5 farther. But of course it's in UK it's not in
6 America. And they're a little bit farther
7 along. Which they do actually have vehicles
8 that can stop -- they have a group that can
9 stop moving vehicles. But they too do not yet
10 fully give out citations or give out
11 warnings.

12 So, to be fully honest, both of
13 those things are in the piloting phase in
14 those two arenas.

15 What we provide in the proposal is
16 actually thinking about not just making it
17 civilian but even exploring the option of
18 having an unarmed unit within the police
19 department that would engage in traffic
20 stops. So, really talking more about how do
21 we get back to focusing on traffic safety and
22 not trying to encompass too much or put too
23 much on police officers.

24 LEGISLATOR BYNOE: So at this
25 point there isn't any data that can be

1 Full - 2-24-21

2 shared? It's in the rollout phase?

3 MR. DOZIER: Not yet.

4 LEGISLATOR BYNOE: So, the data
5 that supports this is the data that you spoke
6 to earlier which is the one in 60 -- what was
7 it? one in 65,000?

8 MR. DOZIER: One in 65 million
9 stops resulted in the killing of a police
10 officers.

11 So, one of the big arguments
12 against, of course, as we heard, one of the
13 big arguments or perceived arguments against
14 having unarmed traffic officers is the idea
15 that this is extremely dangerous and that's
16 just -- I understand it on an emotional
17 level. But when you look at the actual
18 research of it it doesn't actually pan out.
19 So the report talks about how that's just not
20 the most accurate data. I mean that's not the
21 most accurate argument.

22 LEGISLATOR BYNOE: I was only
23 given three questions. I will back off and
24 ask these question at another time. I already
25 need some follow-up on an area that I thought

1 Full - 2-24-21

2 I would be able to speak to tonight which I
3 have questions around the CCRB. I will
4 follow-up with you off line.

5 MR. BREWINGTON: More than happy
6 to answer them here or there.

7 LEGISLATOR FORD: Mine should be
8 easy because I'm not dealing with all the
9 others. I just want to say I appreciate -- I
10 didn't fully read the full report yet. I've
11 been going through and taking notes and
12 everything. But I do appreciate the fact that
13 you did take some time to look at the 911
14 bureau. You also referenced I guess with the
15 mental health in answering the tier calls with
16 the -- you referenced New York City, with the
17 New York City Police Department in conjunction
18 with the FDNY EMS system. That sometimes they
19 can be utilized, I guess, to augment the
20 police or maybe go out and help with people
21 who are unstable or whatever.

22 I like that because I think that
23 that's something that we have -- the 911
24 bureau I think is very critical with
25 policing. I think it's a very important

1 Full - 2-24-21

2 component and the EMS also falls under the
3 police commissioner. Sometimes I think it's
4 the stepchild. I think that if we can maybe
5 get them trained and bring them up -- like
6 maybe augment their numbers that they can play
7 also another vital role in helping to deliver
8 services in helping with many of our residents
9 especially those that are sick and mentally
10 ill.

11 MR. BREWINGTON: Can I be
12 provocative?

13 LEGISLATOR FORD: Go ahead.

14 MR. BREWINGTON: That was kind of
15 a warning. My suggestion in that suggestion
16 and for legislators to think about this. We
17 will have new police officers as we start to
18 pilot things in the near future. Classes of
19 police officers. And we will pay police
20 officers a decent salary coming in and then it
21 escalates nicely thank goodness to the hard
22 work of the men in the back. They do a lot of
23 negotiations. I wish somebody would pay me to
24 put on my suit.

25 Here's a suggestion. As

1 Full - 2-24-21

2 legislators think about the cost savings in
3 human life and the sanctity of life as well as
4 dollars and sense. If you were in a
5 situation, and we're not talking about
6 defunding, we're just talking about how we
7 deal with economics. If you have a police
8 officer that's paid at a rate where you can
9 afford two or three social workers and the
10 transition in a certain time period was to cut
11 down on the actual number of officers to beef
12 up that section of the police department that
13 would then answer some of those other calls,
14 you not only save money because you can get a
15 two for one, but you also start to build up
16 the infrastructure where police don't need to
17 be handling -- and somebody referred to it as
18 an EDP, that's an old term, emotionally
19 disturbed person. That's one way of looking
20 at it.

21 I'm helping and being provocative
22 here because that's the forward thinking that
23 needs to take place. Of thinking how we do
24 transition from police being involved with a
25 person who wants to take his clothes off in

1 Full - 2-24-21

2 the middle of Ocean Avenue that goes right
3 into West Hempstead, that little bridge there
4 between Malverne and West Hempstead, and how
5 is that handled instead of criminalizing that
6 person, putting them in a situation where they
7 get the help that they need.

8 Because once the officers come and
9 force starts to get used instead of someone
10 speaking to them -- and Emily can speak to
11 this -- speaking to them to put their clothes
12 back on and let's figure this out.

13 We can economically make a better
14 decision in terms of hiring in the future 50
15 new police officers. Instead we hire 40 or 30
16 new police officers and they get 60 social
17 workers who are trained in that situation to
18 assist that person from being pulled into a
19 criminal justice system that once they get
20 back on their meds is still not going to get a
21 job because they were arrested.

22 LEGISLATOR FORD: I understand
23 what you're saying. My feeling is that we
24 don't have enough police officers. But that
25 being said, I think that we can try to find

1 Full - 2-24-21

2 that balance. I prefer not to give up the
3 officers on the street because there is the
4 perception of the public that they're there.
5 And I know that when we look at, we heard,
6 different neighborhoods and people's
7 perception of police. But the police do
8 provide so many services. And whether or not
9 they should in their police officer uniforms
10 sometimes it can be frightening for people.
11 For many cases it can be very comforting for
12 people.

13 I know that even officers they may
14 have somebody who could appear to be deranged,
15 pulling his clothes off, he's running naked
16 through something, whatever. I don't think a
17 lot of time I think officers are trained not
18 so much to maybe take this guy and arrest
19 him. A lot of times you find that officers
20 will call and perhaps they'll even bring --
21 they can even bring these people to the
22 hospital or, like I said, if we have our
23 own -- with our EMS, our paramedics, they can
24 directly call them and say listen, we have
25 someone that really needs some medical help.

1 Full - 2-24-21

2 He really needs to go to a hospital.

3 So, then you have that partnership
4 where it's not the police taking this person
5 to someplace but it's a more humane way of
6 addressing it.

7 I think it also boils down to when
8 the police are in training and if it has to be
9 then they have to bring them back in for
10 training afterwards, like maybe eight hours or
11 something, to go over some of these responses
12 when you have these people who may be -- and
13 I'm not saying because we have this crisis
14 mobile unit but I think I'd like to see that
15 expanded where they can work with social
16 workers, you know, to be able to -- you know,
17 my comfort level is I'm afraid that, I respect
18 social workers, but I'm afraid that if you
19 have somebody going to some place and you
20 don't know who's behind that door and you
21 think that it's just somebody who's just
22 having a bad day but it could be --.

23 So, we're sending somebody in who
24 may be unarmed without backup from an officer
25 who is also trained that what happens if

1 Full - 2-24-21

2 something happens to that social worker? We
3 should try to find that balance. And I think
4 that our officers have proven themselves to be
5 able to adjust to so many different settings
6 and so many different situations maybe they're
7 not always perfect. Maybe they will never
8 always be 100 percent perfect.

9 But I think that I have enough
10 confidence in knowing that if we can work with
11 them and take our academies and train them
12 maybe even better or differently I think then
13 that we can all start making this change for
14 more people understanding their biases and
15 working through them, recognizing them and
16 trying to adjust their attitudes when they
17 meet people. I think that's the important
18 thing.

19 Then to take a look at equity. If
20 they notice in Elmont the PAL league they got
21 like deflated basketballs but in Massapequa
22 they got state of the art basketball court.
23 To recognize that, to say there's an injustice
24 here and let's try to bring equity.

25 It's going to be -- I think we

1 Full - 2-24-21

2 should let people know. With the cops, when
3 you give them information they may have to act
4 upon it or they have to act upon it. But I
5 really think for me it's going to be a hard
6 sell in all the areas that I represent to tell
7 them that you know, we're going to change the
8 police. We're not going to have as many or
9 whatever. I think I'm going to get a lot of
10 push back on it.

11 MR. BREWINGTON: I'm not sure the
12 North Park community in Long Beach would think
13 that.

14 LEGISLATOR FORD: But you know
15 what? The North Park community, I'll just
16 tell you, they used to have two dedicated
17 detectives up there and those detectives knew
18 everybody in those communities. They knew who
19 the children are. Where they lived. Who
20 their parents were. Whatever. Who was part
21 of this family. Who was not.

22 And what the parents told them and
23 the people that lived up there what they liked
24 about it is that when all of a sudden some
25 stranger came in and they didn't know who it

1 Full - 2-24-21

2 was they made inquiries just to make sure that
3 this is not somebody trying to capitalize,
4 trying to sell drugs to these kids. They also
5 questioned even the white kids that went up
6 into that area too.

7 There was a sense of camaraderie
8 amongst everybody. Then when they were taken
9 away the people did not like it and they saw
10 like a little bit of crime creeping up.
11 That's where I'm saying that I think we have
12 to work with our communities with all of this
13 and, like, if we're going to make changes make
14 sure that they're included in these changes
15 and some of the changes shouldn't be so
16 dramatic.

17 MR. BREWINGTON: We're not
18 suggesting dramatic changes. We are
19 suggesting community-based involvement in any
20 changes that happen.

21 You covered so many different what
22 ifs and possibilities and maybes that I don't
23 want to address them all but there is one that
24 I think does bear addressing.

25 The communities that are not fully

1 Full - 2-24-21
2 engaged in making decisions on how policing
3 takes place in their communities either
4 because of just being happenstance or
5 otherwise is exactly why we start talking
6 about what should take place with regard to
7 building those relationships.

8 I know about Long Beach because
9 those officers I've had on the stand several
10 times. But those officers also need to say
11 that they were not in control of their
12 brethren. They were not in control of some of
13 the beatings that took place in North Park.
14 We cannot just wipe that from -- and it took a
15 long time for Long Beach to hire two black
16 officers. It did. It took a long time and
17 there was a fight about that. So we can't
18 just wipe that history away. We've got to
19 address that and then say why is it that there
20 is that level of insecurity in that community
21 when it comes to its own police force?

22 And Long Beach is not Nassau
23 County, I know that. But Long Beach should be
24 a sign on to almost everything that's in this
25 People's Plan, as should Rockville Centre and

1 Full - 2-24-21

2 Lynbrook and all the rest that have the
3 ability to change itself.

4 So your point is well taken and I
5 agree that there is benefit to community being
6 involved in how they will be policed.

7 MS. CAUFMAN: Can I add just one
8 point because I want to clarify with regard to
9 New York City's pilot model that's starting
10 out. They are not doing a co-responder model
11 for all responses. Co-responder models where
12 you have the police go out. I want to be very
13 clear. Our tier three we absolutely involve
14 police if there is the threat of violence to
15 self, other or the presence of a weapon. We
16 need police there but we're not going to have
17 them go out alone. We're going to have with a
18 behavioral response that is dispatched.
19 Trained crisis responders.

20 What we are talking about is
21 removing police from, so that they can focus
22 on police work and not public health work, is
23 noncriminal, nonviolent calls.

24 What I invite you to do, Legislator
25 Ford, and we'll do it on Zoom together, I

1 Full - 2-24-21

2 would love to have a conversation. Austin is
3 chomping at the bit to talk to us. Because
4 what I'm hearing over and over is this fear.
5 I get it. If I'm being very honest, I'm
6 hearing a fear of homeless people. What if
7 they just turn violent? I'm hearing a fear of
8 people with mental illness. What if the
9 switch flips.

10 As somebody who has worked deeply
11 with the houselessness population. There are
12 street outreach teams we don't go out with
13 guns. We don't need to -- first of all, we
14 engage human beings as human beings and not
15 everybody is ready to turn violent. That is a
16 misnomer.

17 But the second piece is, I don't
18 want you to take me on my word for this. I've
19 done this from talking to the people doing
20 this. I will help get us on the phone with
21 the police chief and their officers who say
22 it's working.

23 Again, we want to start it as a
24 pilot and we want to build it up.

25 The last point -- so, we are really

1 Full - 2-24-21

2 talking about a public health response in
3 these situations because the presence of the
4 uniform it can really triggering. I'll give
5 you a quick personal experience.

6 I had a roommate. Really good
7 friend who had bipolar disorder. Brilliant.
8 Perfect score on his LSATs. Graduated from
9 Columbia Law School and he had bipolar
10 disorder. I lived with him and he went
11 psychotic. Really psychotic. We had to call
12 911. I had known that he had a history where
13 the only response was a police response
14 before. In fact, when they came and police
15 came trained to do what police do and barking
16 some orders at them which are very effective
17 in certain circumstances but not when you're
18 dealing with someone in psychosis. He ended
19 up needing to be handcuffed to take him to the
20 hospital. It was one of the most traumatizing
21 incidents of his life.

22 So as his roommate, someone who
23 loved him and cared about him when he was
24 going through a psychotic episode and we
25 needed to call 911, it was very clear we need

1 Full - 2-24-21

2 an ambulance. We didn't have public health
3 response at the time. I knew police was going
4 to show up. I got my father there. Sixty
5 year old white man. I thought they would
6 respond to him a little better and they did.

7 When the police showed up we said
8 can you please wait until the ambulance gets
9 here? Please don't be the first one to
10 interface with him. You're going to
11 retraumatize him. He said what if he turns
12 dangerous? I said I've lived with him for
13 five years. I promise you he's not
14 dangerous. He's having a psychotic episode.
15 He needs help. I said police, I get you have
16 to be on the scene. Can you please hang
17 back?

18 The ambulance crew, those first
19 responders, went in. They were able to talk
20 to him. He was psychotic. He was out of his
21 mind. Talking about Hitler. He was talking
22 about everything and anything. I got to be
23 honest, the ambulance crew came with empathy
24 and a different level of training.

25 One of my most disheartening

1 Full - 2-24-21

2 moments was sitting in my living room while
3 they were helping to get my friend into an
4 ambulance without handcuffs and my father was
5 there to help and the two police officers
6 there were joking under their breath about how
7 silly this guy sounded. They are trained for
8 something different. We're not even talking
9 about deaths. We are talking about human
10 response.

11 I have had 15 years of training. I
12 work with officers who are traumatized. I
13 work with houselessness folks. I work with
14 people with mental illness. I work with
15 children. I work with mom. I work with dad.
16 We have a different skill set to bring and
17 we'd like to offer it into the public health
18 system. And we have models where it's
19 working. All we're asking right now is please
20 get on the phone with us with the models where
21 it's working and let's hear it from them so we
22 can ease some of the fears that I understand
23 where they come from and I would have them too
24 until I really started talking to folks where
25 it's happening.

1 Full - 2-24-21

2 LEGISLATOR FORD: We will but I
3 just also want to point out that despite the
4 officers comment, which they shouldn't have
5 made under their breath, they did listen to
6 you and they did show compassion towards your
7 friend where they waited for the EMS rather
8 than handcuff him. This is what I'm saying
9 that not all officers are brutes. So, I think
10 we have to find that balance with something
11 like this. This is a hard one.

12 There are aspects of the People's
13 Plan that I think are very interesting and
14 should be considered. I'll give you that.
15 It's been very interesting and I'm just going
16 to finish up with my last because I think my
17 last comment would be --

18 MS. LEVIN: Before you go to that
19 comment can I just address that really
20 quickly? I also just want to add that the
21 police officers need help in this area. They
22 need help from professionals. Imagine Emily,
23 who is a professional, wasn't there how that
24 situation would have turned around.

25 We have one of our steering

1 Full - 2-24-21

2 committee members who her sister suffers from
3 mental health issues. The police officers
4 came and they basically said they don't know
5 what to do. There's nothing that they can
6 really do. Then her husband arrived at the
7 scene and learned of what happened he was
8 feeling like some kind of way and the police
9 officers immediately turned their attention to
10 him and started treating him as if he done
11 something wrong. And she had to explain
12 that's my husband. He's just learning that my
13 mother was hit and he's able to react. You're
14 not going to criminalize him now because he's
15 a wreck. Let him have his emotions.

16 So, they can't be doing this
17 alone. They need help.

18 LEGISLATOR FORD: I agree. It
19 should be looked into, so we will go on the
20 call.

21 But I think my last thing is I
22 guess, it was my understanding that for the
23 LGBTQ community that Commissioner Ryder talked
24 about you go to the police academy and I think
25 work with the sheriff's department,

1 Full - 2-24-21

2 corrections, whatever. But you tell a
3 different story tonight. It sounded to me
4 that they were addressing this with the
5 residents and members of our community. Is
6 there not -- I mean, so there needs to be a
7 lot more training and outreach in regard to
8 the officers in dealing with the LGBTQ
9 community?

10 MR. BREWINGTON: Julie will
11 address that. I just want to be clear. When
12 we say LGBTQIA plus community we need to
13 understand that there are communities that
14 also are treated differently. Part of this
15 plan deals with what Julie is going to speak
16 to you about. BUT that does not mean that
17 every officer is sensitized as to the LGBTQ
18 community or any other community because of
19 their own biases. But Julie take it away.

20 MS. GREY-OWENS: Wonderful
21 question. I can tell you that my journey with
22 the Nassau County Police Department started
23 back in 2017 when Commissioner Ryder was the
24 acting commissioner. We spoke at that time
25 about the need for a transgender policy. It

1 Full - 2-24-21

2 was like yes, we're going to work on it.

3 At that time I was able to reach
4 and get into the Nassau County Police Academy
5 to begin doing trainings, cultural diversity
6 trainings, which was wonderful and it was a
7 great opportunity for the young people coming
8 in to get a taste of, to get a feeling for, to
9 get an understanding of the LGBTQ community
10 and more specifically those of us who are what
11 I call gender expansive. Which is little bit
12 harder for people to understand.

13 So, during that period of time we
14 continue to ask where are we at with the
15 transgender policy? I started eventually
16 getting to a point where I was being told it's
17 on someone's desk but it has to be approved.
18 Okay, fine. So we would continue that process
19 and continue the process and continue the
20 process.

21 In 2019 the National Center for
22 Transgender Equality wrote that report and I
23 was a part of it. I knew what was going on.
24 So I alerted the commissioner ahead of time
25 and said this report is coming out. It

1 Full - 2-24-21

2 doesn't look good. Do you want to do
3 anything? Do you want to have a heads up? I
4 don't know if you're going to get any kind of
5 media coming after you but we need to process
6 this.

7 We're now in '20-21 and the first
8 time ever I received a call, I believe it was
9 the day after County Executive Curran put out
10 her program, and they said we're calling you
11 to set up the meeting to go over the
12 transgender policy. I said is it the
13 three-pager that was attached to the Curran
14 proposal? Yes.

15 Now, we have not had that meeting
16 yet. It's coming up next week. But as I
17 suggested to you earlier, it is a nice
18 three-page document that tells police officers
19 how to arrest and incarcerate transgender
20 people. There is no discussion about little
21 things like -- and this is one of the
22 questions that I always get when I do the
23 training -- what happens when a police officer
24 stops the car and someone who looks like me is
25 sitting behind the wheel and they hand a

1 Full - 2-24-21

2 driver's license that looks someone like, a
3 white version of Fred, what do I do as a
4 police officer then? Because obviously
5 they're trying to hide who they are or they're
6 giving me a false license that doesn't belong
7 to that person.

8 In New York City there was a recent
9 case, I don't know Susan if you saw it through
10 the ACLU, where they actually arrested the
11 trans person for false identification. And
12 guess what happened to that? It turned into a
13 lawsuit and they lost.

14 But in the mean time, if someone
15 gets arrested we now put them into the process
16 of police, guns, handcuffs, incarceration.
17 When all I wanted to do was go out and get a
18 gallon of milk in my feminine self.

19 As far as talking about the jails,
20 we obviously have a new sheriff now, new
21 sheriff in town, we have had conversations
22 with that. The last call I received was in
23 November. We'd like to get together. Except
24 for the one problem, they called me the day
25 before they wanted the meeting and I was

1 Full - 2-24-21

2 already tied up with trainings. So I said
3 can't make it that day. Let's set up for
4 another one. Okay. I believe next week is
5 March. The last time I heard from them about
6 the policy was in November.

7 So, the reality is that I have to
8 assume they have a lot of important things
9 that they need to do. I get that. But in my
10 mind every day that goes by that we don't have
11 a policy where officers are being trained on
12 how to deal with my community puts my
13 community members at risk and puts the county
14 at risk from a standpoint of lawsuits and
15 unfavorable media, let's put it that way. I'm
16 hoping that things work in the right
17 direction.

18 Just to give you an idea, this past
19 week we had a meeting with the sheriff of
20 Suffolk County and we asked him a straight
21 question. How are you incarcerating? How are
22 you placing transgender people in the jails?
23 We're doing it by biological sex. I want to
24 let you know that most trans and non-binary
25 people are not going through for surgery.

1 Full - 2-24-21

2 They don't have the money. They don't have
3 any of the kind of assets to be able to do
4 that. Which means that a good portion of our
5 community is being placed, as a trans woman,
6 being placed in a male portion of the prison.
7 Can you only imagine the type of violence and
8 sexual abuse that those people are going to
9 endure in that place?

10 Perhaps they might even be
11 progressive and say well, that's not a good
12 idea. What we're going to do is we're going
13 to put them in solitary. I don't want to
14 bring in the idea of how much damage you do to
15 people when you put them in solitary
16 confinement. And you give them no social
17 interaction. No programs. Just in solitary.

18 So, the reality is that there are a
19 lot of hard questions that need to be
20 answered. But it's not going to be answered
21 with a three-page procedure on how to arrest
22 and lock up trans people.

23 I hope that sort of makes some
24 sense but this is what we're dealing with.

25 So, I guess I understand the

1 Full - 2-24-21

2 important things that are going on. And
3 certainly a lot of the discussion we've had
4 today I consider to be extremely important.
5 But as an advocate for my community, there is
6 nothing more important than trying to protect
7 my community from potential of violence and
8 there's nothing I want to see less than either
9 Nassau or Suffolk have anything negative to
10 have to report back to the world that
11 something bad happened that could have been
12 prevented if we just had proper training, if
13 we just had proper regulations to make
14 everybody understand.

15 And a bigger issue is this.

16 We talk about racial profiling but
17 there's also gender profiling. I can tell you
18 as a person who has stood up in front of this
19 organization many, many years ago when we were
20 fighting for our civil rights at that time
21 that some of the members of the legislature
22 literally laughed at us. Oh these clowns.
23 These guys in dresses.

24 The American Medical Association,
25 the American Psychiatric Association, the

1 Full - 2-24-21

2 American Psychological Association, all agree
3 that this is a disconnect between our brains
4 and the body that we're born in. This is not
5 a life-style. This is not a choice. This is
6 who we are on a biological level.

7 It's time for everyone to get on
8 with the program and figure out what is needed
9 so that we can all live in happiness and
10 peace. If we deserve to be incarcerated we
11 should be. But along with that we should not
12 have sexual violence against us. We should
13 not be belittled. We should not be
14 disrespected. We are human beings. We
15 deserve the same rights as any cis gender
16 person. And a cis gender person is someone
17 who matches perfectly with the designation
18 they were given at birth. Hope that helps.

19 LEGISLATOR FORD: Thank you very
20 much. I'm finished. Any other legislators
21 because we can probably wrap this up. We
22 didn't hear anything from anybody on the
23 phones. I think this is it. I really want to
24 appreciate everybody for staying here for so
25 long especially you Frank and I just want to

1 Full - 2-24-21

2 end with I guess a statement.

3 MS. GOTTEHRER: Legislator Ford,
4 I was just wondering if I could make one
5 comment or suggestion and it has to do with
6 training and also to answer Legislator
7 Kennedy's question before about training.

8 My question would be for police
9 training, the question would be, have you
10 consulted with communities of color on what
11 kind of training, right, that they're
12 recommending? That would be one of my
13 questions.

14 I'd also like to share the
15 following. First of all, Julie's training
16 everybody should take it. We all have to
17 acknowledge when we're not familiar with
18 something and that's very uncomfortable. It
19 means we are not sure. It means we're going
20 to make a mistake. It also absolutely means
21 we're going to do harm. I can guarantee you
22 I've probably done harm at least three times
23 today as probably everybody has at some point
24 somewhere along the line. That's because
25 there's a lack of familiarity. We're supposed

1 Full - 2-24-21

2 to be ascertaining experiences of people that
3 we have no way of ascertaining their
4 experience. Whether it be a male trying to
5 ascertain female experience. White people
6 trying to ascertain people of color
7 experience.

8 This is a very difficult journey.
9 I can tell you that I have been doing this
10 work intentionally for about three years now
11 and I still do harm and I still have
12 epiphanies and I'm still not there.

13 So, I'm going to just let everybody
14 know, please, be aware, be uncomfortable, but
15 start doing the work. Start doing the work of
16 trying to understand what it means for people
17 whose experiences you can't ascertain and you
18 probably never will. But what does that mean
19 as far as your own responsibilities in trying
20 to get there intentionally? It means you're
21 going to be uncomfortable. You're going to
22 make mistakes. You're going upset people.
23 But it's the best work you will ever do.

24 As legislators, you are responsible
25 for people's lives, and I'm begging you please

1 Full - 2-24-21

2 start doing the anti-racist training. We have
3 experts in this room who can point you in the
4 right direction. I've been doing this work
5 for three years. I make the worst mistakes
6 from time to time.

7 There's something called the
8 learning edge and one of the first steps to
9 this, and this is for everybody, is
10 understanding when you're resisting you're
11 having a defensive -- immediately, you can
12 feel it in your body, I'm getting defensive.
13 I don't like what I'm hearing. I'm going to
14 push back on it. That's your learning edge.
15 If you can learn to sit right there, in that
16 discomfort and push back and try to hear what
17 that person is saying, that's the beginning of
18 your journey. But please, try to start the
19 work. We have readings we can give you. Just
20 take trainings. I'm begging everybody,
21 please, just start the work.

22 MS. LEVIN: If I just may take
23 less than five seconds. I just want to remind
24 you that I know you had lots of calls about
25 things that people did support. I want to

1 Full - 2-24-21

2 remind you the stack that I pulled together
3 today is all the people that are in support of
4 the plan, including removing police from
5 schools. Thank you.

6 LEGISLATOR FORD: Thank you very
7 much. This really, I think we all agree, that
8 this was very interesting and eye opening. I
9 think that by having this hearing, not only
10 just reading your record but actually having a
11 hearing with you, so that we can hear, you can
12 present and then we can ask questions. We had
13 our dialogues. Okay? I think that is a step
14 in the right direction.

15 Maybe some of us were a little
16 uncomfortable tonight and that was the whole
17 point of this. I have to say that there are
18 parts of this that I do think that is
19 warranting more conversation and
20 consideration. I really actually do. I
21 commend the hard work and the dedication of
22 everybody who was involved in this because I
23 think it really was good and I think this is
24 going to keep on moving along and let's see
25 what happens.

1 Full - 2-24-21

2 MR. BREWINGTON: Thank you so
3 much and thank you to all of you for taking
4 the time and those who remain online and in
5 the chamber God bless you.

6 LEGISLATOR FORD: I do have to
7 thank our police officers. I can't help it.

8 MR. BREWINGTON: I went and told
9 them that my comments weren't against them it
10 was against the process.

11 LEGISLATOR FORD: Exactly. We
12 understand that completely. But thank you
13 very much. I really appreciate it. This is
14 now adjourned.

15 (Meeting was adjourned at 8:15
16 p.m.)

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 third day of
March 2021

FRANK GRAY