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6 NASSAU COUNTY LEGISLATURE

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8 RICHARD NICOLELLO

9 PRESIDING OFFICER

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11 PUBLIC SAFETY COMMITTEE

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13 LEGISLATOR DENISE FORD

14 CHAIR

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16

17 Theodore Roosevelt Building

18 1550 Franklin Avenue

19 Mineola, New York

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21

22 March 8, 2021

23 2:48 P.M.

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

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4 LEGISLATOR DENISE FORD

5 Chair

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7 LEGISLATOR STEVEN RHOADS

8 Vice Chair

9

10 LEGISLATOR HOWARD KOPEL

11

12 LEGISLATOR JOHN FERRETTI

13

14 LEGISLATOR DELIA DERIGGI-WHITTON

15 Ranking member

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17 LEGISLATOR SIELA BYNOE

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19 LEGISLATOR DEBRA MULE

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2 LEGISLATOR FORD: I'm going to
3 call the Public Safety Committee to order.
4 Good afternoon. I will ask the clerk to do
5 the roll call.

6 MR. PULITZER: Thank you madam.
7 Public Safety Committee roll call. Legislator
8 Debra Mule.

9 LEGISLATOR MULE: Here.

10 MR. PULITZER: Legislator Siela
11 Bynoe.

12 LEGISLATOR BYNOE: Here.

13 MR. PULITZER: Ranking Member
14 Delia DeRiggi-Whitton.

15 LEGISLATOR DERIGGI-WHITTON:
16 Here.

17 MR. PULITZER: Legislator John
18 Ferretti, Jr.

19 LEGISLATOR FERRETTI: Here.

20 MR. PULITZER: Legislator Howard
21 Kopel is subbing for Vincent Muscarella. Vice
22 Chairman Steven Rhoads.

23 LEGISLATOR RHOADS: Present.

24 MR. PULITZER: Chairwoman Denise
25 Ford.

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2 LEGISLATOR FORD: I'm here.

3 MR. PULITZER: We have a quorum
4 ma'am.

5 LEGISLATOR FORD: Thank you very
6 much sir. We have five items before us. We
7 have clerk item 64-21 which is a resolution to
8 adopt the Nassau County Police Reform and
9 Reinvention Plan.

10 Clerk item 67-21, which is an
11 ordinance supplemental to the annual
12 appropriation ordinance in connection with the
13 district attorney's office.

14 Item 68-21 is an ordinance
15 supplemental to the annual appropriation
16 ordinance in connection with the district
17 attorney's office.

18 Clerk item 70-21, an ordinance
19 supplemental to the annual appropriation
20 ordinance in connection with the police
21 department.

22 And item 83-21, an supplemental
23 ordinance to the annual appropriation
24 ordinance in connection with the medical
25 examiner's office.

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2 Since we the first item actually
3 deals with the hearing we're going to call
4 that last so we can go through the other four
5 items first. So, I'm going to call item 67-21
6 and 68-21 which has to deal with the district
7 attorney's office. Do I have a motion? From
8 Legislator Kopel and seconded by Legislator
9 DeRiggi-Whitton. The items are before us. Is
10 there anyone here from the administration?
11 The district attorney's office.

12 MS. HORST: Bob?

13 LEGISLATOR FORD: How about we
14 hold that and then just go to the other two.
15 He probably thought we were going to do the
16 first one first.

17 MS. HORST: I think he might be
18 having some technology difficulties. Would
19 you mind if I tried to? Katy Horst from the
20 administration. This is a \$633,399 grant.
21 This is from the New York State Crimes Against
22 Revenue. Program is designed to hold
23 accountable those who deliberately fail to pay
24 tax obligations, as well as though who commit
25 Medicare, welfare, unemployment and worker's

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2 compensation fraud.

3 LEGISLATOR FORD: Thank you. And
4 how about 68-21?

5 MS. HORST: This is a \$114,300
6 budget amendment. I'm sorry, supplemental.
7 The Nassau County District Attorney's Office
8 motor vehicle theft and insurance fraud
9 prevention program investigates and prosecutes
10 motor vehicle theft and motor vehicle
11 insurance fraud cases. Grants have been
12 awarded by the Nassau County Police Department
13 and the Nassau County District Attorney's
14 Office. Both the NCPD and NCDA have
15 specialized units that focus on motor vehicle
16 theft and insurance fraud cases.

17 LEGISLATOR FORD: Sorry. I
18 apologize for that. Any questions from the
19 legislators? I see none. Nothing from the
20 public. All those in favor of passing item
21 67-21 and 68-21 please signify by saying aye.
22 The items pass unanimously. Thank you Katy.

23 Now item 70-21. Do I have a motion
24 on this item? Legislator Kopel and seconded
25 by Legislator DeRiggi-Whitton. Good afternoon

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2 sir.

3 MR. FIELD: William Field, deputy
4 inspector from the police department. Item
5 70-21 is a supplemental appropriation of
6 \$500,000 received from the United States
7 Department of Treasury. These funds are to be
8 used to enhance law enforcement efforts and
9 investigations. These funds may be used and
10 could be used for something such as our armor
11 courses which are required to allow our PD
12 firearm training unit to properly repair and
13 maintain our members' firearms.

14 LEGISLATOR FORD: Any questions
15 from the legislators? I see none. Any from
16 the public? I see none. All those in favor
17 of passing item 70-21 please signify by saying
18 aye. Opposed? The item passes unanimously.

19 83-21, which is the medical
20 examiner's office. Do I have a motion?
21 Legislator Rhoads. Seconded by Legislator
22 Kopel. The item is before us. Who is here
23 from the medical examiner's office?

24 MR. BUFFOLINA: Hi. Pasquale
25 Buffolina. I think I've been asked about

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2 83-21? It's kind of hard to hear.

3 This is our annual Office of
4 Justice formula grant for the laboratory.
5 It's aimed towards capacity enhancement and
6 backlog reduction. This year the award is
7 \$302,826. Again, it's formula-based so it's
8 geared towards our crime numbers. It's a
9 no-match fund and the intent is to increase
10 the number of samples in the DNA section
11 entered in the database by increasing the
12 capacity of the laboratory and at the same
13 time preventing backlogs.

14 LEGISLATOR FORD: Thank you.
15 That's like for current cases with the
16 backlogs? I guess you can't hear me.

17 MR. BUFFOLINA: I can barely hear
18 you.

19 LEGISLATOR FORD: Then we'll make
20 the question at another time because I know it
21 will be miscommunication. Does anyone else
22 have any questions, comments? I see none.
23 All those in favor of passing 83-21 please
24 signify by saying aye. Any opposed? The item
25 passes unanimously. Thank you very much sir.

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2 MR. BUFFOLINA: Thank you.

3 LEGISLATOR FORD: We are going to
4 move on to item 64-21. Before we do so, we
5 are inviting the members of the Rules
6 Committee to join us on this so that it's one
7 set of questions. The presiding officer would
8 like the members of the Rules Committee to
9 please join us for this particular hearing.
10 We're not opening the Rules Committee but it's
11 just want to afford any member the opportunity
12 to ask any questions if they so desire.

13 So, we have item 64-21. Do I have
14 a motion for this item? Legislator Kopel.
15 Seconded by Legislator Rhoads. The item is
16 before us. Commissioner Ryder.

17 COMMISSIONER RYDER: I'm here.

18 LEGISLATOR FORD: Good afternoon.

19 COMMISSIONER RYDER: And I'm open
20 to any questions that you have.

21 LEGISLATOR FORD: I guess my
22 question would be are there any updates on the
23 plan?

24 COMMISSIONER RYDER: So, we
25 received Mr. Brewington's group's, his plan.

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2 We have reviewed that plan along with other
3 comments that have come from the public since
4 then. There will be several amendments to the
5 proposal that we originally gave you. We sent
6 out that second proposal. There were some
7 changes in that and there are more coming in
8 this future proposal.

9 LEGISLATOR FORD: I know that you
10 had indicated when you first came before us I
11 guess in January, the beginning of January, in
12 regard to this that this will still be like
13 basically a living plan even after it's been
14 sent up to the governor's office I guess for
15 approval to make sure that we meet the
16 criteria that the governor has set forth for
17 police reforms. Are we still open to that?

18 COMMISSIONER RYDER: Yes. That's
19 correct. What we are going to do we hope by
20 Thursday or Friday of this week the final or
21 at least a draft of our final proposal by
22 Friday. We have a PACK meeting Thursday
23 night. We want to review with the PACK
24 meeting Friday. That will be given to the leg
25 and then by the 22nd we hope that there's a

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2 vote that sends it up to Albany.

3 That document, that PACK meeting,
4 we will continue to meet monthly afterwards as
5 Mayor Prime is the cochair and we will
6 continue going forward to see first, that
7 we're held accountable to everything that we
8 said we're going to do. And two, to keep us
9 in check. And then too to make sure if
10 there's other changes that we'd like to make.

11 Reverend Salley from Long Beach has
12 made some great recommendations on how we look
13 at our data regarding complaints and how we
14 can assist with our civilian complainants.
15 But that's a part that, again, I couldn't
16 answer for him because it's got to be
17 developed. We got to develop the software for
18 it. But we do agree that we should have that
19 kind of compliance.

20 LEGISLATOR FORD: Because I know
21 that you moved him also toward about gathering
22 the data on all traffic stops.

23 COMMISSIONER RYDER: That's
24 already been done. So that was brought up
25 early on in one of the first PACK meetings.

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2 Mr. Brewington was here, presented our data
3 and called it coloring books but it really
4 wasn't. But he's right, it did not include
5 the demographic part of that data. And that
6 demographic, as soon as it was brought to our
7 attention, was changed with a little bit of
8 data that we have.

9 We went some time around January
10 18th or January 20th. We are fully
11 compliant. We'll have 100 percent compliance
12 in my office as we collect all of our
13 demographic the same way the data was
14 collected in Suffolk with their Department of
15 Justice consent decree. We now have that same
16 process here and we've added a few extra
17 fields in it to cover other questions that
18 came up along the way from it. So, all of
19 that data will be made public every six months
20 up on a public site that everybody can review
21 it.

22 LEGISLATOR FORD: I'm sure that
23 we probably will do a follow-up meeting as
24 well just to follow the benchmarks and see
25 where we are. Because I know that, for me,

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2 and I know a couple of the legislators because
3 I did receive a letter from two of them in
4 regard to the mental health aspect.

5 Especially for our police officers. We will
6 be following up with you on that because it is
7 an important issue as even with police reform
8 but even for the care and concern of our
9 police officers.

10 COMMISSIONER RYDER: If I can,
11 I'll quickly address the mental health for
12 you. We took what the People's Plan also had
13 plus what we had plus what the state was
14 looking at, some of the suggestions that came
15 from many of you. We have a multitiered
16 approach. First of all, our mobile crisis
17 team Commissioner McCummings, O'Mira, Perez
18 have done an outstanding job with what they
19 had to do. We're expanding that mobile
20 crisis. That is a must do if we're going to
21 continue to have stabilization out there.

22 We've added education and awareness
23 to the public. Stop calling 911 when it's not
24 a 911 type call. That's going to take time to
25 educate the public out of that habit. But

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2 once it does go, our CB operators are going to
3 take that call, be trained on a script that
4 was given to us by the clinicians that says
5 ask these questions. If they answer it this
6 way link them through the mobile crisis.
7 They're not looking for police response. If
8 they answer them this way send the police with
9 a dual responsive mobile crisis. We send a
10 supervisory and an ambulance to every call.

11 As you know, we have 177 cars out
12 there. If there are four teams of mobile
13 crisis throughout the county it's going to
14 take time to get around this county. They're
15 not emergency response vehicles.

16 We will calm the situation down
17 like we always have. Keep the person secure
18 and sitting on the couch. And if everything's
19 good we'll wait for mobile crisis. When they
20 get there they take over. If they're good and
21 they don't need us no longer we're on our
22 way. If they say please stay, we'll stay down
23 the block or in front of the house. That's
24 what we'll do. We'll wait until they're
25 comfortable with them.

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2 LEGISLATOR FORD: The mobile
3 crisis unit are there police officers also
4 within that unit or is it just strictly
5 civilians?

6 COMMISSIONER RYDER: No. They
7 are a civilian entity. No police officers in
8 there.

9 LEGISLATOR FORD: Are we going to
10 expand the number of people in that unit?
11 Only because I know that just reading like
12 with recommendations made by other smaller
13 police departments made within Nassau County
14 that it seems like they're going to look to
15 our mobile crisis unit to help them with their
16 calls. I don't know if it's going to be set
17 in stone. But I would think that it's like
18 when you say that for their response time if
19 an officer is waiting for them they may be
20 delayed if all of a sudden like say it's
21 Freeport or Long Beach decides that they need
22 our unit as well that what if they have to go
23 to Long Beach?

24 COMMISSIONER RYDER: Mobile
25 crisis won't recognize boundaries like that.

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2 The way it's intended to be we'll have them in
3 zones. Again, this is up for Commissioner
4 McCummings to design. But if they're in four
5 to six zones throughout the county during
6 those heightened times of when we do get those
7 calls they'll respond. Doesn't matter if it's
8 a village or a city they're responding the
9 same.

10 The training for our members, 2700
11 calls in 2019 we only used force four times.
12 Our members are well trained in both
13 de-escalation and in negotiation that they've
14 been able to get themselves out of.

15 Just this past weekend we had an
16 individual shot by an off-duty New York City
17 cop that was a victim of a robbery. He ran
18 with the knife. We encountered him and we
19 were able to get him to drop the knife and
20 brought him to the hospital where he should be
21 getting treated.

22 Again, that's the kind of work that
23 we do day in and day out. 96 percent of all
24 of our calls end up in the hospital. They're
25 not criminalized. We don't look to make them

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2 a criminal. We understand they are victims
3 and should go to the hospital for treatment.
4 It's that stabilization afterwards once we get
5 them there that, one, they're getting treated
6 and staying there. Or if we can prevent them
7 from going there, which is the intent of
8 mobile crisis.

9 LEGISLATOR FORD: Thank you.
10 Anyone else have anything? Legislator Bynoe.
11 I'm sorry, I didn't see you.

12 LEGISLATOR DERIGGI-WHITTON: I'm
13 going to start. If she wants to join in.

14 We're in a situation and we all
15 consider this, everyone involved considers
16 this a very important subject. Especially for
17 our time, not only for our society but also
18 the police officers and those that will be
19 impacted by these changes.

20 For that reason, because it's such
21 an important item, my caucus is really
22 hesitant to, as we normally say, to tee it up,
23 which is to have it go forward because we just
24 don't have the details of what's involved.
25 There might be some things we agree with and

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2 some things we don't agree with.

3 Unfortunately there's so many unknowns at this
4 point that we've discussed that there was a
5 real concern as to whether or not it would go
6 forward.

7 So, with the okay with the Minority
8 Leader and my caucus we wanted to make a
9 motion to table until we saw the final draft
10 of this item. So I make a motion to table.

11 LEGISLATOR BYNOE: Second.

12 LEGISLATOR DERIGGI-WHITTON: We
13 have a second. Siela is a second.

14 LEGISLATOR FORD: I recognize
15 your desire to have -- our concern would be
16 that we are required by the governor to submit
17 a plan by April 1st. I don't even know if
18 they're going to give us a grace period on
19 this at all. For us then, we would have --
20 because we end up I think the danger is if we
21 don't have this plan submitted it is my
22 understanding that we can possibly lose
23 funding?

24 COMMISSIONER RYDER: That's
25 correct.

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2 LEGISLATOR NICOLELLO:

3 Commissioner, when do you expect these
4 amendments to come in?

5 COMMISSIONER RYDER: So, the
6 amendments keep changing because we keep
7 accepting more changes. It's never a dead
8 document. The document, like as of Thursday,
9 I will have another amended version for you
10 from the People's Plan. Again, what we
11 decided to accept and not accept in there.

12 So, it's not -- and again, next
13 week I'm sure there will be more comments that
14 I listen to what you say here today and I put
15 in more amendments.

16 The document that we submit on
17 Thursday should be the final but I haven't
18 heard from everybody here about what they want
19 to put in. So that's why, again, the document
20 keeps changing. What I submitted last week
21 was the draft of the final. Then listen to
22 the People's Plan. Now it's another draft of
23 the final. But all that changes in the
24 document is what you give to me, what we're
25 hearing from the people.

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2 LEGISLATOR FORD: But do you have
3 written down what you have accepted so far?
4 Like the actual changes?

5 COMMISSIONER RYDER: I can
6 verbally give -- by Thursday that will all be
7 done. That just came in through here last
8 week. By Thursday I can have that final
9 submission. Excuse me, Friday. I have to
10 have the PACK Thursday night.

11 LEGISLATOR FORD: Okay. So, what
12 if we recess the Public Safety Committee
13 hearing so that we can reconvene next week.
14 Then what we can do, commissioner, is if we
15 recess then it will give us an opportunity and
16 for you an opportunity to provide us with some
17 of your changes and then take a look at them.

18 COMMISSIONER RYDER: The only way
19 you know what changes is if we explain what
20 the document is. I explained it once.
21 Mr. Brewington's explained his. I'm here to
22 answer more and now I'm being sent away after
23 two and a half hours.

24 LEGISLATOR FORD: Sorry. I don't
25 mean any disrespect. But we're trying to get

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2 it so we can move it along. Do you have some
3 of the changes already that we can see right
4 now?

5 COMMISSIONER RYDER: I'm prepared
6 to answer any questions that you ask about any
7 change that was proposed by Mr. Brewington's
8 plan.

9 LEGISLATOR FORD: Also, I mean,
10 there are aspects of your plan as well.

11 COMMISSIONER RYDER: Our plan has
12 been presented on January 7th, was redone and
13 presented back. So you all have the plan and
14 have for weeks.

15 LEGISLATOR FORD: Right here?

16 COMMISSIONER RYDER: Yeah. And
17 the recommendations for the short read is in
18 there.

19 LEGISLATOR FORD: Let me ask
20 then, on this one, one of the issues would be
21 the language access that was recommended by
22 the People's Plan. How are you going to make
23 that change so that it's -- I know that you
24 talk about language access but they were
25 saying that we fall short of reaching out to

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2 the various languages spoken here in Nassau
3 County.

4 COMMISSIONER RYDER: So, we have
5 from the beginning have -- I say the beginning
6 three years ago -- we instituted iPhones in
7 every car. Every car has a language access
8 app on every single phone. We now have it in
9 every ambulance, we now have it in every
10 emergency response, every detective division
11 and our communications bureau. We capture the
12 data. We put out our plan in multiple
13 languages. So, again, it could reach the
14 public.

15 When you go on our website you can
16 click on it and go to the multiple languages
17 again on how -- if you need it. Every single
18 cop car that goes out there. To give you an
19 example, January from December of last year
20 2020 7,272 calls for Spanish. 281 for
21 Mandarin. Haitian Creole 60. Korean 24.
22 Italian 12. Cantonese seven. Farci three.
23 7,659 times. Over 50,000 minutes of
24 percentage. I have it broken down by
25 percentage. We do have that data. We have

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2 the language line up and running and we have
3 all the open opportunities for anybody to use
4 our language line and collect the data to be
5 transparent and show it.

6 LEGISLATOR FORD: Thank you very
7 much. I'm sorry for taking your time but
8 there was a motion put on the floor to table
9 this item. So, at this time we will take up
10 the vote. All those in favor of tabling this
11 item please signify by saying aye. Who is
12 against? The item passes. The item will be
13 tabled. We will recess the Public Safety
14 Committee and probably will call it one day
15 next week and by then you should have your
16 updated version for us. Thank you very much.

17 LEGISLATOR NICOLELLO: I just
18 wanted to add one thing that obviously we were
19 not aware that there was going to be a change
20 to the document that was going to be presented
21 to the legislature. The fact that there's
22 going to be another version of this next
23 Thursday I think requires us to visit that,
24 see that and then have an additional meeting
25 to ask the questions on it to consider the

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2 amended document. Look, this is the
3 governor's mandate. One of the most important
4 things we're going to do this year, so let's
5 make sure we do this right.

6 COMMISSIONER RYDER: If I may?
7 If somebody would like to send recommendations
8 we're all welcome. We haven't received any
9 yet. Thank you.

10 LEGISLATOR FORD: Thank you. I'm
11 in the process but thank you.

12 (Committee was recessed at 3:15
13 p.m.)

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CERTIFICATION

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

THAT the foregoing is a true and
accurate transcript of my stenographic
notes.

IN WITNESS WHEREOF, I have
hereunto set my hand this 13th day of
March 2021

FRANK GRAY