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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO
PRESIDING OFFICER

LEGISLATIVE SESSION

County Executive and Legislative Building
1550 Franklin Avenue
Mineola, New York

Monday, August 2, 2021
1:25 P.M.

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

LEGISLATOR RICHARD J. NICOLELLO

Presiding Officer
9th Legislative District

LEGISLATOR HOWARD KOPEL

Deputy Presiding Officer
7th Legislative District

LEGISLATOR DENISE FORD

Alternate Presiding Officer
4th Legislative District

LEGISLATOR KEVAN ABRAHAMS

Minority Leader
1st Legislative District

LEGISLATOR SIELA BYNOE

2nd Legislative District

LEGISLATOR CARRIE SOLAGES

3rd Legislative District

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2 LEGISLATOR DEBRA MULE
3 5th Legislative District
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5 LEGISLATOR VINCENT T. MUSCARELLA
6 8th Legislative District
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8 LEGISLATOR ELLEN BIRNBAUM
9 10th Legislative District
10
11 LEGISLATOR DELIA DERIGGI-WHITTON
12 11th Legislative District
13
14 LEGISLATOR JAMES KENNEDY
15 12th Legislative District
16
17 LEGISLATOR THOMAS MCKEVITT
18 13th Legislative District
19
20 LEGISLATOR LAURA SCHAEFER
21 14th Legislative District
22
23 LEGISLATOR JOHN FERRETTI, JR.
24 15th Legislative District
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LEGISLATOR ANDREW DRUCKER
16th Legislative District

LEGISLATOR ROSE WALKER
17th Legislative District

LEGISLATOR JOSHUA LAFAZAN
18th Legislative District

LEGISLATOR STEVEN RHOADS
19th Legislative District

MICHAEL PULITZER
Clerk of the Legislature

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2 LEGISLATOR NICOLELLO: Now that I
3 have some of you seated please rise.

4 Legislator Muscarella will lead us in the
5 Pledge of Allegiance. Thank you.

6 Start off by welcoming everyone who
7 has joined us today for this meeting of the
8 Nassau County Legislature. I have to say
9 there has been a lack of communication about
10 the capacity for this room. We had intended
11 to set this room at a capacity of 100. It's
12 obviously well beyond 100 people here. So,
13 there is a concern that we are not out of the
14 pandemic yet. We are concerned about having
15 this many people in the room together at one
16 point. A number of things.

17 There may be space in -- Minority
18 Leader Abrahams has offered -- there may be
19 space in his wing of the building to
20 accommodate some people. Not all that many.

21 Secondly, if after you have spoken,
22 I have probably 50, 60 slips, if after you've
23 spoken you can go out and leave the chambers
24 it would actually free up some space as well.
25 We are going to accommodate everyone who wants

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2 to speak. Everyone who wants to speak on the
3 bill obviously we will do so. But at the same
4 time we're trying to manage the situation as
5 well as we can.

6 Having said that, the first order
7 of business today is for the top cops, which
8 we do each month to recognize police officers,
9 correction officers, medics and others for
10 their outstanding work. So, I would invite
11 James McDermott up to the podium with his
12 honorees.

13 Just so you know, we are doing this
14 part of the program which honors the top cops
15 as I mentioned. After that we will have a
16 time period for public comment which will be
17 more of a general nature and after that we
18 will go right into the bill with respect to
19 first responders and discrimination. That
20 will be the first thing on our agenda.

21 Minority Leader Abrahams.

22 LEGISLATOR ABRAHAMS: Thank you
23 Presiding Officer. As I look out into the
24 crowd I'm thankful to as many people as we
25 have to discuss the agenda or bill. If you

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2 have a mask please put on your mask. I just
3 want to express that level of caution that I
4 think as the presiding officer had said, that
5 I know we are heading into the direction where
6 we want things to be better in our county as
7 it pertains to COVID but we are not out of the
8 woods yet. And Nassau, according to the CDC
9 has been designated as an area COVID where
10 COVID is still contagious by a substantial
11 degree. We are still better than most of the
12 country but we are still not where we want to
13 be yet.

14 So, I'm asking anyone that has a
15 mask in their pocket to please place their
16 mask -- I'm sorry? I'm asking -- sir, first
17 of all, I very rarely address folks directly
18 that are not at the podium. I'm going to say
19 that first. But I'm going to ask for everyone
20 to place a mask on. That wasn't just folks, I
21 said everyone, to place a mask on if they have
22 a mask on their person. I'm wearing a mask.
23 Since I've been back at the legislature I've
24 always worn a mask.

25 Sir, you have to determine what

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2 your own responsibility level is. My
3 responsibility level is I see a room of over
4 200 some odd people. Thank you sir.

5 LEGISLATOR NICOLELLO: Thank you
6 very much. James and Mr. Mullack.

7 MR. MULLACK: Good afternoon
8 everyone. My name is police officer Kevin
9 Mullack. I'm with the Nassau County Police
10 Benevolent Association. I'm a chairman of the
11 board of trustees and I will be presenting the
12 top cops today.

13 For the legislative cops for August
14 2021 police officers Mike Larmini, Brian
15 Lemke, Sean Clark and Wyatt Russo.

16 On July 6, 2021 at approximately
17 three a.m. officer Larmini while working at
18 marine base received a distress call for a
19 female stating that herself and her husband
20 were on a sailboat and he went into diabetic
21 shock. She did not know exactly where the
22 sailboat was anchored. Possibly Oyster Bay.
23 She was able to explain some landmarks around
24 her to officer Larmini and he was able to
25 quickly pinpoint where the sailboat was in

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2 Cold Spring Harbor and dispatch Marine 11 to
3 search the area. Knowing that sub marine
4 bureau would have an extended response time
5 for that area.

6 Marine 11 officers Lemke, Clark and
7 Russo aboard began making their way towards
8 the aided's location using radar due to the
9 dark conditions and poor visibility on the
10 water.

11 Upon arrival at the location, even
12 with numerous boats moored in the area,
13 officers were able to quickly locate the
14 aided's sailboat, tying it off. Officers
15 boarded the sailboat where they found the
16 aided laying unresponsive in the cabin. The
17 aided's location in the sailboat as well as
18 the small layout and narrow ladder well made
19 the working area and extrication of the victim
20 extremely difficult.

21 With little room to maneuver, the
22 officers made modifications to the sailboat in
23 order to extricate the aided to the top deck.
24 Officers were able to lift the aided out of
25 the thin ladder while putting him on the deck

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2 of the sailboat.

3 Despite the unsteady seas, officers
4 safely transferred the aided and his wife on
5 to Marine 11. Marine 11 then began to
6 navigate back to the Teddy Roosevelt Marina
7 where we was transferred to a waiting Oyster
8 Bay Fire Department ambulance and transported
9 to Syosset Hospital.

10 Due to the officers quick response,
11 teamwork and nautical experience they were
12 able to save the aided.

13 The Nassau County PBA is proud to
14 name police officers Larmini, Lemke, Clark and
15 Russo legislative top cops for August 2021.

16 COMMISSIONER RYDER: First of
17 all, I would like to again congratulate them
18 for their great job. I want to recognize the
19 fact that I think we all agree that the
20 service that our men and woman do in serving
21 our public in Nassau County they did a great
22 job and it's because of the tools that you
23 have all given them. All of you. And I thank
24 you for that and continued support. Thank
25 you.

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2 LEGISLATOR NICOLELLO: Thank
3 you. None of the officers want to say
4 anything? Okay. Legislator Lafazan and
5 Legislator Walker.

6 LEGISLATOR LAFAZAN: Thank you
7 Presiding Officer. There's been an
8 unprecedented amount of boaters this year.
9 The Nassau County Marine Bureau continues to
10 save the lives of residents in distress and we
11 thank you for your heroism and service. But I
12 also wanted to take a moment to recognize our
13 other honorees who are here with us today. We
14 have Anthony DeCarolis, first assistant chief
15 paramedic. Nicole Pantina, EMT. And John
16 Hambrook, chief of the Oyster Bay volunteer
17 fire department. They were also crucial in
18 this save and the Oyster Bay fire department
19 continues to be one of the finest volunteer
20 fire departments in the county. We're so
21 grateful and I'm so grateful to be your
22 legislator.

23 LEGISLATOR NICOLELLO: Legislator
24 Walker.

25 LEGISLATOR WALKER: I too want to

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2 thank and congratulate our honorees this
3 morning. This is not the only time you've
4 been out on the water to save those who are in
5 need. And I thank you for always being on the
6 lookout in making those saves very often that
7 you are not recognized for. And to our fire
8 department too. I used to represent the
9 Oyster Bay Fire Department. It's nice to see
10 you back again. Although that's not part of
11 my district anymore. I thank you. I'm a
12 member of the Ladies Auxiliary Hicksville Fire
13 Department and I know how much you do and the
14 hard work you do and dedication you have to
15 all our residents. Thank you all and God
16 bless and stay safe. We do have citations for
17 each of you. If you'd like to all come up and
18 we have citations for you.

19 LEGISLATOR NICOLELLO: John
20 Wildig. Not John Wildig. John Wighaus,
21 Detectives Association, Inc.

22 MR. MULLACK: Legislator, we do
23 have an additional top cop to present today.
24 I'd like to call up the members of emergency
25 services and the fire marshals. Nassau County

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2 fire marshals. We have a very big group here
3 today so bear with me.

4 So for the legislative top cops for
5 July 2021 Lieutenant John Barrett, police
6 officers Mark Babich, Patrick McWorth, Brett
7 Roslo and Robert Schedowich will be the
8 honorees from the Nassau County Police
9 Department.

10 On July 7, 2021 at approximately
11 0408 hours Emergency Services Unit -- I'll
12 call them ESU -- was requested to the scene of
13 an overturned oil tanker. The initial report
14 was of an oil tanker on its side leaking fuel
15 with the driver pinned inside. ESU responded
16 accordingly. Upon arrival 246 ESU members
17 McWorth and Roslo checked on the local fire
18 chief who had established a fire command. He
19 informed ESU crew members that the driver of
20 the tanker had been removed prior to ESU's
21 arrival. However, they saw a very large gas
22 leak. The tanker had just been fully loaded
23 with a combination of gasoline and diesel
24 fuel -- that's what I'm reading here -- over
25 11,000 gallons of gas.

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2 ESU made their initial entry and
3 encountered members of both Inwood and
4 Lawrence Cedarhurst fire departments beginning
5 to mitigate several of the leaks. Diesel fuel
6 was free flowing out of the badly damaged cap
7 and gasoline was pouring out several damaged
8 smaller sections.

9 ESU crew went back to their truck
10 to retrieve mitigation equipment. The other
11 ESU truck, which was occupied by officers
12 Babich and Schedowich were redirected back to
13 the base to get ESU HazMat heavy rescue.
14 Lieutenant Barrett responded to the incident
15 command to oversee ESU's operation followed by
16 Sergeant Favor.

17 ESU crew McWorth and Roslo then
18 reentered the scene and began the process of
19 diking, plugging and capping the leaks. This
20 was now being done under the cover of the fire
21 department foam blanket that was actively
22 being applied by the fire department to help
23 prevent fire and explosion. ESU crew plugged
24 several of the small leaks reducing them to
25 completely stopping them to a small drip. ESU

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2 crew then assisted the members of the fire
3 department with the last remaining large
4 leak. The leak was slowed from free flowing
5 down to more of a more manageable leak. Fire
6 department also set up several HazMat booms
7 around the storm drains.

8 The fire departments, now bolstered
9 by enormous amount of mutual aid, continued to
10 apply foam. ESU crew then made another entry
11 with the fire marshals to cap the remaining
12 unsecured fuel caps as a precautionary
13 measure. The fire marshals assisted ESU by
14 drilling holes into the side of each of the
15 tank to safely unload the remaining fuel on to
16 another tanker. The US Coast Guard had also
17 been boarding with marine bureau and aviation
18 to address some of the runoff that had made
19 its way by a near creek. ESU members Proscow,
20 Fallo and White then performed decontamination
21 of any members requiring it.

22 Through these combined efforts --
23 with the combined efforts of the marshals, the
24 fire departments and our emergency services we
25 averted a disaster. The Nassau County PBA is

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2 proud to present Lieutenant Barrett, PO Babich
3 PO McWorth, PO Roslo, PO Schedowich as the
4 legislative top cops for July of 2021.

5 LEGISLATOR NICOLELLO: By the
6 way, chief congratulations. Sworn in as our
7 new fire marshal last Thursday night. I'm
8 sure all of you have been the go-to guy for
9 all of us, all 19 of us over the years. We
10 are all thrilled you are in that position and
11 will do a great job.

12 CHIEF CATARO: Thank you very
13 much. Looked forward to keep working with
14 you.

15 Thank you for this opportunity. As
16 the police officers just mentioned before, on
17 Wednesday, July 7, 2021 the Nassau County Fire
18 Marshal's office hazardous materials team was
19 requested by chief Curico of the Inwood Fire
20 Department to respond to the scene of
21 overturned gasoline tanker truck at the
22 intersection of Burnside Avenue and Route
23 878. HazMat two with supervisor Siebert and
24 fire marshal Martin Golden was assigned to at
25 0425 hours and arrived on scene at 0446

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2 hours.

3 Upon arrival at the scene, HazMat 2
4 was positioned southbound Route 878, the
5 Nassau Expressway, on the northwest corner of
6 Burnside Avenue along with NCPD ESU 2424.
7 HazMat crew made contact with the fire
8 department command post. HazMat donned
9 personal protective gear including SCBA and
10 proceeded to the overturned tanker to assist
11 at the scene and determine an action plan. It
12 was learned that the gasoline tanker had just
13 loaded with a little more than 11,300 gallons
14 of gasoline and diesel fuel.

15 The tanker was facing north on the
16 northeast corner of Route 878 and Burnside and
17 was lying on its passenger side. There were
18 multiple active leaks found on the tanker.
19 Fire marshal, NCPD ESU and fire department
20 personnel worked seamlessly together to manage
21 and mitigate the leaks until additional
22 resources could be amassed.

23 I have to say from the guys on
24 seen, I was not on seen that day, the police
25 department and fire department and the fire

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2 marshal's office worked well together and
3 really got a very dangerous condition under
4 control in good time frame with no injuries.

5 Fire department also began large
6 scale foam operations to control the vapors of
7 the flammable products that had been
8 released. While these actions were being
9 taken at the scene, additional HazMat units
10 were being recalled at 4:30 in the morning.
11 These personnel included assistant chief fire
12 marshal James Hickman, HazMat division
13 supervisor Michael Mennella, HazMat
14 supervising fire marshal Frank Dubins, HazMat
15 supervising fire marshal John Kelleher and
16 fire marshal Kyle O'Brien.

17 Once these personnel were on scene
18 an incident action plan was developed that
19 including assessing the six separate
20 compartments of the tanker by drilling or cold
21 tapping each compartment and then using a long
22 pipe or stinger to reach the fuel inside. The
23 trucking company was able to provide an empty
24 tanker to off-load all the flammable liquids
25 into it.

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2 Additional agencies were notified
3 to respond including New York State Department
4 of Environmental Conservation Spills Division,
5 the New York State Department of Environmental
6 Police Department, the Nassau County
7 Department of Public Works, the Town of
8 Hempstead Department of Public Works and the
9 United States Coast Guard.

10 After completing the safety
11 checklist, which includes the application of
12 dome cover clamps to each compartment
13 establishing a static electricity grounding
14 field and then applying grounding and bonding
15 cables to both damaged tanker as well as the
16 recovery vehicle the drilling team members
17 were briefed, checked their equipment and
18 began the work at the highest point of the
19 overturned tanker.

20 The drilling and off-loading
21 process was completed using two rotating crews
22 over the course of approximately two hours.
23 The weather was also a significant challenge
24 as the drilling crews had to be dressed out in
25 full turnout gear and SCBA with temperatures

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2 reaching 92 degrees with high humidity. This
3 weather pattern made it difficult for the
4 personnel on scene and also made the 11,000
5 gallons of gasoline and diesel even more
6 volatile.

7 Ultimately it was determined that
8 the tanker was fully loaded and over the
9 10,200 gallons of fuel that were recovered
10 which was a 90 percent recovery rate of all
11 the fuel on scene.

12 The trucking company was ordered to
13 hire an environmental cleanup contractor and
14 cleanup operations began under the direction
15 of the DEC. HazMat operations were conducted
16 under the direction of chief Hickman and
17 division supervisor Mennella. Fire marshal
18 personnel present included those
19 aforementioned. Industrial division
20 supervisor Andrew Schmitt. HazMat supervising
21 fire marshal Marc Siebert, who was on the
22 drilling team. HazMat supervising fire
23 marshal John Kelleher on the drilling team.
24 Industrial supervising fire marshal John
25 Madden. Fire marshal Martin Golden. Fire

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2 marshal Kyle O'Brien, Robert Schurr, Daniel
3 Giardino, Dominic Buffolino, Michael Marciano,
4 Brian O'Malley, James Hobelman and John
5 O'Brien. Assistant chief fire marshal for
6 fire rescue services Timmy Placilla.
7 Supervising dispatcher Brian Vogeley and
8 dispatcher James Allen manned field com and
9 that helped with operations with
10 communications between all agencies.

11 That was a mouthful but the guys
12 did an excellent job that day, and again the
13 work between all agencies was excellent and
14 that's what the public expects. So I thank
15 you for your honor.

16 COMMISSIONER RYDER: I request we
17 turn the air conditioner back on. First of
18 all, as the incident commander for the
19 pandemic, I got to work very closely with the
20 fire marshals and I saw the expertise that
21 Mike Cataro and before him chief Tusso. But
22 they did a great job and they really did come
23 together.

24 The best interest for the public
25 and that's what was out there. Your police

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2 medics, your volunteer fire services, they all
3 work together as one team and that's why we
4 are here where we are today. Again, they've
5 always done a great job and I know Chief
6 Cataro is going to do a phenomenal job going
7 forward. Thank you.

8 LEGISLATOR KOPEL: This response
9 was typical of what we expect from our first
10 responders. On behalf of the entire Five
11 Towns area, which I represent, together with
12 Legislator Ford --

13 LEGISLATOR SOLAGES: That
14 occurred in the third legislative district.
15 Thank you. Including me as well.

16 LEGISLATOR KOPEL: Including you
17 as well. In Inwood, that's right.

18 LEGISLATOR SOLAGES: And
19 Meadowmere Park.

20 LEGISLATOR KOPEL: And Meadowmere
21 Park. Did I get it all? Can I go on now?

22 LEGISLATOR SOLAGES: Third time
23 you're discussing matters in my district
24 without giving my office a courtesy.

25 LEGISLATOR NICOLELLO: You're

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2 welcome to say a few words. Every legislator
3 obviously is welcome to say a few words
4 afterwards.

5 LEGISLATOR KOPEL: I'm sorry for
6 the interruption.

7 It's typical of the way our first
8 responders work together. It was a
9 magnificent display. I know, living in the
10 area, I know how difficult this was because
11 not only was this an ultra hazardous
12 situation, you're exposed to fumes and you're
13 exposed to fire and perhaps explosion God
14 forbid, you also had this incident happening
15 on a main artery which resulted very quickly
16 in the entire area being gridlocked for, I
17 don't know, about 16 hours or something like
18 that, which made a lot of people unhappy which
19 made your job more difficult. You had to get
20 in and get out and deal with unhappy people.

21 So, on the whole, this was handled
22 in a wonderful fashion and a brave fashion, in
23 an expeditious fashion, and I just sit here
24 full of admiration for the work you all do and
25 I express no end of appreciation. Thank you.

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2 LEGISLATOR NICOLELLO: Legislator
3 Solages.

4 LEGISLATOR SOLAGES: Thank you.
5 Again, I would like to thank all of the
6 members of the fire department, all the first
7 responders, the police department for
8 operating on the same page that day.
9 Operating on the same frequency. I observed
10 what happened that day and what you guys did
11 was phenomenal. You protected the public and
12 I'd just like to thank you very much for what
13 you did that day. Thank you.

14 LEGISLATOR NICOLELLO: Thank
15 you. I guess you all want to come up here for
16 a photo. You're all invited up.

17 Moving right along we have John
18 Wighaus, president of the Detectives
19 Association, Inc.

20 MR. WIGHAUS: Good afternoon.
21 I'm John Wighaus, president of the Nassau
22 County Detective Association. I want to thank
23 Rich Nicolello. I didn't do that on purpose,
24 I swear. I'd like to thank Minority Leader
25 Abrahams and the full legislative body. It's

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2 great to be back in honoring our detectives.

3 Today we have detectives Joe
4 Philbin and Mike Speichler from the Fifth
5 Squad.

6 On May 16, 2021 detectives Philbin
7 and Speichler were traveling on Fletcher
8 Avenue in Valley Stream in an unmarked police
9 vehicle when they observed a male walking
10 northbound on Fletcher Avenue with what
11 appeared to be the brown handle of a gun
12 sticking out of his waistband over a tucked in
13 T-shirt. The detectives did a secondary pass
14 to confirm what they had observed.

15 Detectives Philbin and Speichler
16 exited their auto with their detective shields
17 displayed on their outermost garment and
18 verbally identified themselves as the police.
19 The subject then took a step to the rear to
20 create distance between himself and the
21 detectives. He then reached to his waistband
22 and pulled out what appeared to be a black
23 revolver with his left hand and pointed the
24 gun at the detectives.

25 The detectives, while utilizing

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2 their training and experience, took cover,
3 drew their weapons while giving multiple
4 commands for the subject to drop his gun.
5 After several verbal commands from the
6 detectives the subject eventually dropped his
7 weapon and was taken into custody without
8 further incident.

9 As a result of detective Philbin
10 and detective Speichler years of experience in
11 law enforcement and the comprehensive training
12 we receive in the Nassau County Police
13 Department these detectives displayed the
14 utmost restraint on the use of force while
15 encountering an emotionally disturbed person.
16 I would like to introduce to you detectives
17 Philbin and Speichler.

18 COMMISSIONER RYDER: Everything
19 that's gone on in the past two years with
20 reform and mental health and the way we should
21 treat and respectfully treat those that are
22 out there with the mental health illness. I
23 watched this video over and over and over
24 again as it was captured by somebody's
25 doorbell ring. The restraint that our

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2 officers showed, the respect that our officers
3 showed, that person needing exactly what it
4 ended being is help in a hospital not an
5 arrest. Getting him to where he should be.
6 Getting him the treatment he should be was
7 because of the training that we receive. It's
8 because of the reforms that we've put in
9 place. It's because of people like
10 Commissioner McCummings and her team who are
11 addressing exactly what this issue should be,
12 it's about mental health and treating our
13 victims.

14 But unfortunately that day could
15 have went the other direction and
16 unfortunately my cops would have been the
17 victims that would have had to live with that
18 the rest of their life for the action that
19 they took. That's also because of the bill
20 that was passed two years ago protecting the
21 mental health of our officers.

22 So I thank both of you, all of you
23 for what you do for our department. Sometimes
24 we get caught up in a lot up here, but the
25 fact that we're able to take care of the

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2 public the way we did that day, take care of
3 our cops the way they did that day is exactly
4 the way this should all work out.

5 So again, I want to thank them,
6 outstanding, both of them, what they did that
7 day and they deserve a nice round of
8 applause. Thank you.

9 MR. PHILBIN: I just want to say
10 thank you to not only the legislature for
11 calling us up here for this and recognizing
12 not only us but our squad that does a lot of
13 work in the Fifth Precinct, but the leadership
14 of the Fifth Precinct squad, the fellow Fifth
15 squad detectives that helped us out that day
16 and the whole chain of command all the way up
17 to chief of detectives and Commissioner Ryder
18 as well as the DAI. So thank you very much.

19 COMMISSIONER RYDER: If I may.
20 Officer Philbin also has served in our United
21 States Marine Corp. and still serves today and
22 is going back and forth serving our country.

23 LEGISLATOR NICOLELLO: Legislator
24 Solages then Legislator Ford.

25 LEGISLATOR SOLAGES: Again, I

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2 would like to thank you very much for what you
3 did that day and at the end of the day it's
4 one less gun that doesn't deserve to be on the
5 streets that was on the streets. I want to
6 thank you for that most importantly because
7 unfortunately we are going through an epidemic
8 of gun violence. I want to thank you for
9 that.

10 I also want to thank you for using
11 the tactics of de-escalation which you've
12 learned in the academy or relearned it. And I
13 want to thank my colleagues also for stressing
14 the importance of de-escalation and providing
15 more resources for the mental health issue.
16 Thank you very much.

17 LEGISLATOR FORD: I too want to
18 echo all the sentiments of everybody and our
19 gratitude for the restraint that you showed
20 and your professionalism and you really put on
21 display with the training that you get through
22 the academy and the constant training as a
23 police officer working day in and day out in
24 the Fifth Precinct. I think it is remarkable
25 what you did. How you were able to do

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2 de-escalate the situation and be able to have
3 a much better outcome than what could have
4 happened. Really, we owe you a debt of
5 gratitude and thank you very much for your
6 bravery.

7 LEGISLATOR NICOLELLO: Just join
8 us up here.

9 Our next presentation, one more
10 presentation along these lines and then a
11 point of personal privilege and we will get to
12 the business of today, but I would like to
13 invite up Kris Kalender for the police
14 medics.

15 MR. KALENDER: Good afternoon
16 everybody. Thank you again for inviting us
17 here. Beside me today I have police medic
18 coordinator Scott Dipino, police medics Billy
19 Batterson as well as Chris Rusillo and I also
20 have Mr. and Ms. Buchowski.

21 On March 13th at about 9:30 in the
22 morning the Nassau County Police Department
23 was dispatched to a construction area near the
24 Mineola railroad for a 29 year old female who
25 was unconscious and unresponsive. Within

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2 three minutes the medics arrived to start
3 providing care.

4 As they arrived the construction
5 crew was actually lowering the aided down on
6 to the ground. You may ask why I say that
7 that way. The aided is a construction worker
8 who was hoisted all the way up working with
9 the iron to set up the bridge that was being
10 set up up there.

11 Bystanders advised the medics that
12 while she was working the opposite end of her
13 beam accidentally touched a 9,000 volt high
14 voltage wire and electrocuted her.

15 The medics were able to see that
16 there was a path of electricity that reached
17 from her hand, which she was holding the rod
18 with, through her body down to her knee.

19 Immediately once they got there,
20 police medic coordinator Scott Dipino
21 intubated her. He put a tube into her lungs.
22 Started breathing for her. Chris Rusillo
23 drilled into her bone to get access to give
24 her advanced life saving medication. As well
25 as Billy Batterson attached a CPR machine that

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2 automatically does perfect CPR throughout its
3 entirety.

4 Everything seemed to be getting
5 better. They shocked her about three times.
6 When finally Kelly started developing her own
7 heart rate. She started breathing on her own
8 and at that point they started rolling to
9 Winthrop Hospital which is right down the
10 road.

11 So if it wasn't for these three
12 medics behind me we wouldn't be here today.
13 And I'd like to introduce you guys to Mr. and
14 Ms. Buchowski.

15 MR. BUCHOWSKI: Thank you. What
16 can I say? This is unbelievable. I'm so glad
17 you guys are recognizing these guys. They
18 turned our pain into joy. It's an incredible
19 story. She's doing better. She's
20 recuperating. She'd loved to be here but she
21 had something else to do. She just wants to
22 send her appreciation too. Thank you very
23 much everyone.

24 COMMISSIONER RYDER: We have the
25 greatest police medics in the world hands

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2 down. We have a great hospital system.
3 Winthrop did a great job that day. Our
4 doctors and nurses. But none of it would have
5 been done if they didn't have the equipment
6 that you gave them. That CPR machine, the
7 defibrillator, all that comes from you all
8 recognizing what is important and putting it
9 in the hands of the people that do their job.

10 So, today, on top of thanking our
11 police medics I want to thank all of you for
12 giving us those opportunities to save lives
13 and have stories like we have here today.
14 Thank you.

15 UNIDENTIFIED SPEAKER: I'd would
16 like to echo Commissioner Ryder. I've been up
17 here several times, and you guys, over the
18 past two and a half years, have spearheaded
19 putting on the ambulances some of the cutting
20 edge equipment that we use to save lives
21 daily. One of them is a CPR machine. And
22 with Commissioner Ryder's forethought and your
23 backing, every police ambulance has one of
24 them and I can only tell you it's used every
25 day to save lives.

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2 Kelly is an amazing testament. To
3 be 29, to be an ironworker. I just want to
4 give a shout-out to her coworkers who without
5 them and their quick action and guiding the
6 ambulance and myself in none of this would
7 have been possible. True teamwork. Amazing
8 lady and we wish her all the best. It's
9 amazing to be involved and actually see
10 someone so full of life come back to life and
11 the three of us had the opportunity to meet
12 her at Winthrop. What an amazing woman. It
13 was great stuff. Thank you.

14 LEGISLATOR NICOLELLO: Thank you
15 very much and thank you for the comments with
16 respect to the equipment and that really is a
17 small part of what you do. Obviously without
18 the human element, the human skill, the
19 training, the dedication, this type of thing
20 doesn't happen.

21 I think all of us are in awe of the
22 fact that you walk into a situation that is a
23 dire emergency and act in a cool, confident
24 professional fashion and save people under
25 these circumstances. That's the first thing I

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2 want to say.

3 Secondly, we haven't seen you since
4 the pandemic. We haven't had these
5 ceremonies. I want to say personally on
6 behalf of all of us thank you for all of our
7 police medics. It was like a war zone for
8 you. I know it was night after night after
9 night running to calls with people with
10 serious illness. Putting yourself in harm's
11 way. You really are doing God's work. Thank
12 you for all that you do. You want to just
13 come up for citations.

14 Legislator Laura Schaefer for a
15 point of personal privilege.

16 LEGISLATOR SCHAEFER: Good
17 afternoon. I would like to call
18 superintendent Finn up to the podium here with
19 her two teachers if you would. Thank you for
20 your patience and for coming today.

21 Today I have the privilege of doing
22 a point of personal privilege honoring two
23 teachers from the Carle Place school
24 district. I understand you had a harrowing
25 experience this summer with one of your

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2 students that potentially could have been
3 fatal. I'm wondering if you could just give
4 us a little bit of the information of what
5 happened that day.

6 MS. FINN: Christine Finn. I'm
7 the proud superintendent of the Carle Place
8 school district. One of the few districts
9 that was opened five days a week K to 12 since
10 September right through June and these two
11 teachers were a big part of that. More
12 importantly, they were responsible for saving
13 the life of a student at a track meet. And
14 the parents could not be here today, they are
15 out the country, but I want to read a letter
16 that they sent us.

17 Dear Mr. Como and Ms. Martino,
18 words cannot thank you enough for your quick
19 presence of mind and handling of our
20 daughter's medical emergency at the track meet
21 at North Shore yesterday. This was on June
22 10th.

23 Thanks to both of you, an epi pen
24 was administered quickly and Francesca felt
25 better. No further treatment was needed at

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2 the hospital and our daughter was discharged
3 after three hours. You also kept our other
4 child calm and supported her as well.

5 Although I may have seemed calm, I was
6 thankful Mr. Como and Ms. Martino that you had
7 taken charge of this situation with the
8 trainer and administered the epi pen because I
9 was shaken.

10 Both our daughters enjoyed track
11 this year and look forward to participating in
12 it again next year.

13 These two teachers' speedy
14 reaction, Marissa running to the bus and
15 grabbing the epi pen and Dan utilizing his
16 medical background in keeping the girl calm
17 and relaxed. Such an important thing to know,
18 Dan, great call in having the pulse sox ready
19 to go see that the oxygen levels were coming
20 back. We are proud of both of you. You're an
21 excellent team. You made the right call and
22 kept your cool under a tremendous amount of
23 pressure. What a way to end a great year.
24 Enjoy the rest of the school year. You made a
25 difference.

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2 Thank you so much Legislator
3 Schaefer.

4 LEGISLATOR SCHAEFER: Mr. Como,
5 Ms. Martino again I just want to say thank
6 you.

7 MS. FINN: They don't want to say
8 anything.

9 LEGISLATOR SCHAEFER: They don't
10 have to. That's okay. Just thank you so much
11 for being here and really thank you for
12 springing into action the way you did.
13 Everything has been so difficult especially
14 for our school teachers and our
15 superintendents over the last year and a half
16 and to have this on top of it it's just
17 wonderful to know there are people working in
18 school districts that have this kind of
19 emergency training and who can do something
20 like this and save a student. So thank you
21 again. If you don't mind coming up here.
22 Thank you.

23 MS. FINN: We're a small group.

24 LEGISLATOR NICOLELLO: We are
25 going to proceed to the public comment

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2 portion. What we have before each meeting is
3 a public comment section where you can speak
4 on issues of general interest. Anyone who's
5 going to speak on the discrimination against
6 first responders bill that will be called in a
7 couple of moments. Anyone who is here to
8 speak on a general item? Wait one moment
9 until they come back in. Come on up.

10 MR. HAMMOND: My name is Bruce.
11 Grew up in New Castle. Bruce Hammond. One
12 thing that I wanted to talk about is we have
13 heard stories about obviously officers serving
14 a community and rendering aid. I would like
15 to understand why there is not a single
16 officer in this room wearing a mask right
17 now. And I would like an answer from the
18 commissioner about why not one -- I saw one
19 officer, happened to be a black man, he was in
20 the back of the room, the only one wearing a
21 mask in this room.

22 So how are we supposed to expect
23 people to render aid for us when they're not
24 even protecting their own lives? I would like
25 to understand that. If the commissioner is

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2 still in the room. Or anyone from Nassau
3 County PD brass is in this room. I would like
4 to understand the decision behind that.
5 Because there were young people that went
6 around this entire room and offered each and
7 every one of you a mask and none of you took
8 them and I'd like to understand why.

9 Mr. Lafazan, me pointing that out
10 is that a hate crime? Am I bullying right
11 now? I'm right here. Josh, I'm right here.
12 Is that covered in your garbage legislation?

13 LEGISLATOR NICOLELLO: Hold on a
14 second.

15 MR. HAMMOND: I'm done.

16 LEGISLATOR NICOLELLO: Thank
17 you. Mike would you please call the roll
18 please.

19 MR. PULITZER: Madam, I have to
20 call the roll.

21 LEGISLATOR NICOLELLO: Go ahead
22 Mike, call the roll.

23 MR. PULITZER: Thank you
24 Presiding Officer. Deputy Presiding Officer
25 Howard Kopel.

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2 LEGISLATOR KOPEL: Here.

3 MR. PULITZER: Alternate Deputy
4 Presiding Officer Denise Ford.

5 LEGISLATOR FORD: Here.

6 MR. PULITZER: Legislator Siela
7 Bynoe.

8 LEGISLATOR BYNOE: Here.

9 MR. PULITZER: Legislator Carrie
10 Solages.

11 LEGISLATOR SOLAGES: Here.

12 MR. PULITZER: Legislator Debra
13 Mule.

14 LEGISLATOR MULE: Here.

15 MR. PULITZER: Legislator C.
16 William Gaylor the Third.

17 LEGISLATOR NICOLELLO: He's not
18 here.

19 MR. PULITZER: Legislator Vincent
20 Muscarella.

21 LEGISLATOR MUSCARELLA: Here.

22 MR. PULITZER: Legislator Ellen
23 Birnbaum.

24 LEGISLATOR BIRNBAUM: Here.

25 MR. PULITZER: Legislator Delia

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2 DeRiggi-Whitton.

3 LEGISLATOR DERIGGI-WHITTON:

4 Here.

5 MR. PULITZER: Legislator James

6 Kennedy.

7 LEGISLATOR KENNEDY: Here.

8 MR. PULITZER: Legislator Thomas

9 McKevitt.

10 LEGISLATOR MCKEVITT: Here.

11 MR. PULITZER: Legislator Laura

12 Schaefer.

13 LEGISLATOR SCHAEFER: Here.

14 MR. PULITZER: Legislator John

15 Ferretti.

16 LEGISLATOR FERRETTI: Here.

17 MR. PULITZER: Legislator Arnold

18 Drucker.

19 LEGISLATOR DRUCKER: Here.

20 MR. PULITZER: Legislator Rose

21 Marie Walker.

22 LEGISLATOR WALKER: Here.

23 MR. PULITZER: Legislator Joshua

24 Lafazan.

25 LEGISLATOR LAFAZAN: Here.

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2 MR. PULITZER: Legislator Steven
3 Rhoads.

4 LEGISLATOR RHOADS: Present.

5 MR. PULITZER: Minority Leader
6 Kevan Abrahams.

7 LEGISLATOR ABRAHAMS: Here.

8 MR. PULITZER: Presiding Officer
9 Richard Nicoletto.

10 LEGISLATOR NICOLELLO: Here.

11 MR. PULITZER: We have quorum
12 sir.

13 LEGISLATOR NICOLELLO: Thank
14 you. Ma'am did you submit a slip?

15 MS. EPPOLITO: Yes. My name is
16 Irene Eppolito. I reside in Valley Stream.
17 Last summer I participated in some of the
18 marches on Long Island. I notice, as today, a
19 lot of the police were not masked, but my main
20 concern was that there were police officers
21 with cameras videotaping the protesters and
22 taking our photographs. I didn't know this
23 was legal. I thought this was very chilling
24 to our First Amendment rights. I wrote a
25 letter to the police department and I wrote a

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2 letter to representative Curran but I never
3 received a reply. I would like to know what
4 is the purpose of photographing individual
5 protesters. I would like to know where those
6 photographs are.

7 Secondly, I was at another march in
8 my town in Valley Stream and we were walking
9 down Rockaway Boulevard. The police told us
10 that if we didn't get on to the sidewalk we
11 would be subject to arrest. Many of us got on
12 to the sidewalk. Then we were told that we
13 were liable for arrest for blocking pedestrian
14 traffic. This was on a sidewalk where there
15 was not a pedestrian to be seen.

16 So, I just want to know what kind
17 of democracy we live in. I want to know what
18 our First Amendment rights are because it
19 seems to me so far from what I have seen that
20 this has been a little bit of a charade. It's
21 been eye opening. Thank you.

22 LEGISLATOR NICOLELLO: All
23 right. We are going to go to the consent
24 calendar. This will take a few moments.
25 These are all items that went through

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2 committees a couple of weeks ago. It's been
3 agreed upon by the Majority and Minority that
4 no further debate or discussion is needed at
5 this time and that we can just move to a vote
6 on these items. So let me call them off.

7 Item ten, Ordinance 65. Item 11,
8 Ordinance 66. 12, Ordinance 67. 13,
9 Ordinance 68. 14, Ordinance 69. 15,
10 Ordinance 70. 16, Ordinance 71. 17,
11 Ordinance 72. 18, Ordinance 73. 19,
12 Ordinance 74. 20, Ordinance 75. 21,
13 Ordinance 76. 22, Ordinance 77. 23,
14 Resolution 110. 24, Resolution 111. 25,
15 Resolution 112. 26, Resolution 113. 27,
16 Resolution 114. 28, Resolution 115. 29,
17 Resolution 116. 30, Resolution 117. 31,
18 Resolution 118. 33, Resolution 120. 34,
19 Resolution 121. 35, Resolution 122. 36,
20 Resolution 123. 37, Resolution 124. 38,
21 Resolution 125. 39, Resolution 126. 40,
22 Resolution 127. 41, Resolution 128. 42,
23 Resolution 129. 43, Resolution 130. 44,
24 Resolution 131. 45, Resolution 132. 46,
25 Resolution 133. 47, Resolution 134. 48,

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2 Resolution 135. 49, Resolution 136. 50,
3 Resolution 137. 51, Resolution 138. 52,
4 Resolution 139. 53, Resolution 140. 54,
5 Resolution 141. 55, Resolution 142. 56,
6 Resolution 143. 57, Resolution 144. 58,
7 Resolution 145. 59, Resolution 146. 60,
8 Resolution 147.

9 There's one correction. We are
10 pulling out of the consent calendar item 31
11 Resolution 118. That is not part of the
12 consent calendar. That's not what's going to
13 be voted on in a moment. Moved by Deputy
14 Presiding Kopel. Seconded by Minority Leader
15 Abrahams. Any debate or discussion? Hearing
16 none, all in favor signify by saying aye.
17 Those opposed?. They all pass unanimously 18
18 to nothing.

19 Moving on to our calendar. Item
20 one is a hearing on a proposed local law
21 number -- it doesn't have a number yet -- a
22 proposed local law to amend the Nassau County
23 administrative code in relation to amending
24 the Nassau County Human Rights Law to preclude
25 discrimination against first responders.

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2 This is to open the hearing.
3 Motion by Legislator Lafazan to open the
4 hearing. Seconded by Legislator
5 DeRiggi-Whitton. All in favor of opening the
6 hearing signify by saying aye. Those
7 opposed? Carries unanimously.

8 What we will do is Legislator
9 Lafazan will say a few words about this bill
10 and open it up to the public for public
11 comments. Comments on this during the
12 hearing. I have a number of slips. If you
13 did not complete a slip already please do so
14 and give it to the clerk.

15 Speak after the hearing? Okay.

16 Here is what we're going to do. I
17 would now like to invite up at this time Mr.
18 Brian Sullivan, president of the Correction
19 Officers Benevolent Association.

20 MR. SULLIVAN: Good afternoon
21 everybody. I believe there is no mandate and
22 as an American citizen I have the right to use
23 a mask or not use a mask. Including my own
24 brother ma'am. And I'm vaccinated. My own
25 brother who died in a nursing home. One of

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2 Cuomo's nursing home but that's not why I'm
3 here today.

4 LEGISLATOR NICOLELLO: Wait a
5 second. Brian, wait a second. Brian, wait a
6 second. Look, before you start, I have 50
7 slips. If you're going to interrupt everyone
8 who speaks -- listen, when the people are up
9 there speaking they have a right to speak and
10 we have a right to hear them. Whatever your
11 comments about whether you like or dislike
12 them keep them to yourselves and let that
13 person speak and have his time before the
14 legislature.

15 MR. SULLIVAN: Thank you sir.
16 Why are we here today? It's the judgement of
17 this legislative body and the direct
18 experience of those us in law enforcement that
19 the recent widespread pattern of physical
20 attacks, lawlessness and intimidation directed
21 at law enforcement has undermined the civil
22 liberties of the communities at large. You
23 may recognize some of these things that I took
24 directly from the bill.

25 This legislature expressly in this

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2 bill disavows any intent to excuse or minimize
3 the gravity of incidents of law enforcement
4 misconduct that have occurred anywhere in this
5 country. Especially those that may have been
6 motivated by racial intolerance. Law
7 enforcement does in fact join in condemning
8 such misconduct. But those acts of misconduct
9 by law enforcement can never in any
10 circumstances justify the vilification of all
11 law enforcement or any other acts of violence
12 whatsoever directed at law enforcement
13 including the correction officers that I
14 represent.

15 Law enforcement -- I guess that's
16 funny. Law enforcement is essential to
17 protecting the constitutional rights of all
18 citizens to protest, to protect freedom of
19 speech or to protect our citizens from those
20 who would use threats and violence to silence
21 those with whom they disagree with or to
22 enforce conformity of thought.

23 The civil, human and constitutional
24 rights of everyone are jeopardized when law
25 enforcement is prevented from carrying out

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2 their duties and in particular while by
3 protecting the lives and livelihoods of all
4 people in this country.

5 So what are we talking about?
6 Human rights -- it's my turn to speak. I got
7 all day.

8 Human rights in protecting everyone
9 from lawless behavior. Doesn't law
10 enforcement deserve the same human rights,
11 respect and dignity that everyone they are
12 sworn to protect does? When that's violated
13 to make them whole in the instances where they
14 are injured at the hands of lawless
15 individuals.

16 I for one do not go to work
17 thinking this is the day I'm going to get
18 assaulted, bit, punched, stabbed and oh well,
19 that's just part of my job, that's how it
20 works.

21 Organized violence or individual
22 violence undermines the very foundation of our
23 society and prevents citizens from engaging in
24 peaceful civil protest.

25 As you all know, as everyone on

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2 this dais knows, I have personally led
3 protests here at this very building on
4 numerous occasions going back years. As a
5 union leader, I do indeed revere the rights of
6 all Americans to peacefully assemble as we
7 have done here today, for the most part, to
8 air our grievances and freely express our
9 views. These are the very basis of our
10 constitutional rights that are reserved for
11 all people. Violence directed at those who
12 are sworn to uphold the law will only cause
13 greater lawlessness, undermine our society and
14 harm everyone in the end.

15

Therefore, I firmly support this
16 legislation that will seek to protect the
17 basic human rights of any first responder
18 making it fundamental that anyone who commits
19 harassment, menacing, assault or causing
20 injury as defined in the law to that first
21 responder shall be deemed an unlawful
22 discriminatory practice and they should be
23 held accountable for those actions.

24

I commend Legislator Lafazan,
25 Legislator DeRiggi-Whitton and all legislators

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2 who sponsored this bill today. Thank you.

3 LEGISLATOR NICOLELLO: Thank you
4 Brian. James McDermott, president of the
5 Nassau County PBA.

6 MR. MCDERMOTT: Good afternoon
7 everyone. I know a few people in the back
8 thought that it wasn't me. It was Sully,
9 Brian Sullivan, who just spoke.

10 Nassau County police officers put
11 their own health, safety and well being on the
12 line every day. Yes, we did. We signed up
13 for that. While facing anti-police sentiment
14 under intense scrutiny our officers time and
15 time again conduct themselves with the utmost
16 professionalism and which has earned them the
17 respect of every community in Nassau County.
18 Particularly first responders during the COVID
19 crisis.

20 Nassau County law enforcement
21 deserves the support of our elected officials
22 and every possible protection to keep them
23 safe throughout the course of their duties.
24 Any attempt to say otherwise disrespects all
25 who wear the badge.

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2 We applaud the Nassau County
3 legislators who continue to stand up for law
4 and order and support our police during this
5 unprecedented time.

6 It's important to acknowledge that
7 our members, both in uniform, plainclothes,
8 our supervisors have made Nassau County the
9 safest place to live in America. This did not
10 happen by chance but by the continued support
11 of government and the public we serve. I want
12 to thank all of you for your time and your
13 consideration. Thank you very much.

14 LEGISLATOR NICOLELLO: Thank you
15 James. John Wighaus, president of the DAI.

16 MR. WIGHAUS: Good afternoon
17 again. Local law enforcement depends on
18 elected government officials to stand with
19 them now more than ever. The actions of the
20 dedicated members of the Nassau County Police
21 Department ensure Nassau County remains the
22 safest large county in the United States.
23 Local government has an obligation to protect
24 those who protect the residents of Nassau
25 County.

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2 Even during this time when it's
3 popular to align one's self with the
4 anti-police culture in this country, law
5 enforcement officers remain vigilant and
6 respond to anyone in need without hesitation.
7 DAI members are in service to the residents of
8 Nassau County and routinely place themselves
9 in harm's way to safeguard everyday citizens.
10 No law enforcement officer should be subjected
11 to verbal abuse, intimidation, threats or any
12 other unlawful conduct directed at him or her
13 simply for performing the job they took the
14 solemn oath to do.

15 Thank you to Legislator Lafazan,
16 Drucker and DeRiggi-Whitton for sponsoring
17 this bill. Thank you.

18 LEGISLATOR NICOLELLO: Rick
19 Frassetti, president of the Nassau County
20 Superior Officers.

21 MR. FRASSETTI: Good afternoon.
22 I'm Rick Frassetti, the president of the
23 Nassau County Police Department Superior
24 Officers Association. I want to thank all of
25 you for taking the time to listen to me and I

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2 would like to thank you for reinstating the
3 top cop awards. Next month I will be back
4 with president Wighaus and we have an
5 excellent top cop for you that will be one
6 that is one of the most important ones and
7 ones that we will never forget. Really
8 highlights the dangers that law enforcement
9 faces every day.

10 With this bill I'd like to thank
11 Legislators Lafazan, DeRiggi-Whitton, Drucker,
12 Birnbaum for cosponsoring bill 187-21. I
13 would like to thank the rest of you that
14 support this bill. Especially Legislator
15 Nicoletto for putting this bill forward. This
16 bill is truly bipartisan.

17 I would like to start by explaining
18 who we are. Who are your first responders?
19 We are your mothers, your fathers, your
20 brothers, your sisters. We are your
21 children. Some of us are even grandparents.
22 We are your neighbors. We are your coaches,
23 we are your religion teachers. We are black.
24 We are white. We are Hispanic. We are gay.
25 We are straight. We are Democrats. We are

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2 Republicans and we are independents. It is
3 truly a shame that I have to be up here
4 defending a bill that should be
5 noncontroversial but that's not the case.

6 Nassau County was recently named
7 the safest county in America. That was not an
8 accident. It was because of the hard work of
9 the leadership of this police department. It
10 was because of the supervisors, detectives,
11 police officers and civilian employees alike.
12 And it was because of you, the Nassau County
13 legislators and the county executive, that
14 gives us the tools to do our job. We thank
15 you for that and we thank you for your
16 support.

17 This past year was like no other.
18 COVID hit us hard. Nassau County was really
19 hit hard and so were the members of our police
20 department and members of my union. We had
21 members that were extremely sick and members
22 that almost died. We had members that were
23 forced to retire and some are still
24 suffering.

25 Sir, you are rude. You want to

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2 come up hear and speak I will not say a work.

3 You are very rude.

4 Like the rest of you and most of
5 the county, we didn't have this opportunity to
6 perfect Zoom or Microsoft Teams. We all had
7 to show up day after day wearing masks and
8 gloves like we always do. Unfortunately, some
9 of us got sick and brought it home to our
10 loved ones but we answered all the 911 calls.
11 We never asked what the race of the caller
12 was. We never asked what color the caller was
13 because this doesn't matter to us. It makes
14 no difference to any of us.

15 It was nice for a while that first
16 responders and law enforcement was spoken
17 about highly and we were even put on a
18 pedestal for a while just like after 9-11.
19 That didn't last long.

20 This past year we had countless
21 protests in this county. Many were against
22 law enforcement. But we do what we are
23 trained to do. We act professionally and we
24 preserve the peace and the right to protest
25 peacefully. Many times the protesters were

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2 screaming in our faces, inches away from us
3 and our officers and supervisors did what they
4 were trained to do, they stood there and let
5 the people protest. You try being screamed at
6 with the person an inch from your face
7 especially during COVID.

8 This bill really just highlights
9 the protections we already have that all of
10 you voted on a couple of years ago and it
11 passed 19 to zero and they all voted for it.
12 Every one of you.

13 Unlike those that suggest
14 otherwise, this law does not create a
15 different or an easier standard for
16 discrimination or harassment. Rather it uses
17 definitions already contained in the law. The
18 bill is important because we see day after day
19 law enforcement officers and first responders
20 being targeted not because they are white or
21 black or straight or gay, but only because
22 they wear a uniform.

23 One of the most important functions
24 of government is to protect its citizens and
25 we are your citizens. We shouldn't be

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2 discriminated upon or targeted because of our
3 profession or because of the uniform we wear.
4 But now it might not be politically correct
5 and some of you waiver. I hope you think
6 about your vote and you vote for what you
7 believe it not because you feel pressured by
8 the loudest voices in this room or the few
9 that are here that are noisy and that seek
10 publicity or notoriety. I personally seek
11 neither.

12 We need to protect those that
13 protect the community and we need to make this
14 the safest county in America. Thank you and
15 have a good summer.

16 LEGISLATOR NICOLELLO: Thank you
17 Rick. Assemblyman Chuck Levine.

18 MR. LEVINE: I want to thank
19 Presiding Officer Nicolello and Minority
20 Leader Abrahams and the members of this
21 legislature for allowing me the opportunity to
22 speak. Briefly. I'm going to leave copies of
23 my remarks for the record right here.

24 So, I'm not here just as the head
25 of the Nassau County delegation in the state

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2 assembly. I am here more significantly
3 because I am an American citizen and I am a
4 citizen of Nassau County. I am as well a
5 proud member of the NAACP.

6 I want to say something. This is
7 not part of my remarks. As Tom McKeivitt
8 knows, this is probably pretty tame compared
9 to what we're used to in the New York State
10 Assembly. But I'm going to ask people to
11 listen. Listen to what everyone has to say
12 whether you like it or you don't like it.
13 When we lose civility we will have lost
14 everything in this nation and we are all
15 battling.

16 So I urge -- I'm going back on
17 script -- I urge the legislature to lay bill
18 187-21, quote, upon the table, unquote, as is
19 provided for by Robert's Rules of Order and
20 Mason's Manual of Legislative Procedure and
21 all other parliamentary rules.

22 I think this bill requires further
23 analytic consideration and its debate demands
24 much more public involvement.

25 As far as constitutional concern,

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2 the bill may very well inhibit the free speech
3 provisions of not only our federal but our
4 state constitution as well.

5 Nassau residents, we Nassau
6 residents, are really fortunate to live in one
7 of our nation's safest communities.
8 Communication between our citizens and our law
9 enforcement professionals is just one factor
10 contributing to that enviable and that
11 remarkable environment. Each of us in this
12 room is dedicated and must be dedicated to
13 enhancing that communication. After all, we
14 are all in this together.

15 I am deeply troubled that this bill
16 is hurtful to friends and neighbors. So very
17 many of our friends and neighbors who have
18 paid a monumental price in suffering in our
19 uniquely American struggle for equality,
20 dignity, justice and human rights. Our goal
21 as legislators must be to build bridges.
22 Bridges to be crossed by all of our citizens
23 not to construct painful barriers.

24 I learned of this bill late on the
25 evening of July 27th. Multiple thousands of

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2 Nassau citizens who will be affected remain
3 unaware that the legislature may adopt its
4 provisions today. I respectfully urge this
5 legislature to delay the vote and host more
6 extensive public forums so that we may all
7 benefit from the voices and the views of all
8 our people.

9 I thank you for what you do. It's
10 never easy and I thank you for the opportunity
11 to speak today and for your consideration
12 respecting this matter. Thank you all.

13 LEGISLATOR NICOLELLO: Thank you
14 Assemblyman Levine. We have Mayor Hobbs from
15 the Village of Hempstead.

16 MR. EASLEY: Clearly, I am not
17 Mayor Hobbs from the Village of Hempstead. I
18 am the assistant to Mayor Hobbs in the
19 Incorporated Village of Hempstead. My name is
20 Dr. Sedgwick Easley, assistant to Mayor Hobbs
21 Incorporated Village of Hempstead. Also serve
22 as the proud pastor of the Union Baptist
23 Church in the Village of Hempstead as well.

24 Today I stand before you insulted
25 and in disbelief by this racist and

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2 insensitive and disrespectful bill. Clearly
3 many of you don't understand systemic racism
4 in America. It is funny to me how you see
5 harassment, assault, verbal abuse when it's
6 towards police but become conveniently blind
7 when it's directed at black and brown people
8 all across this county. This bill and this
9 day has profoundly confused me.

10 I'm from Virginia. The
11 Commonwealth of Virginia. Today I thought for
12 a moment I was in the deep south of Alabama or
13 Mississippi. This bill gives us a picture,
14 Josh, of the days of Bull Connor. You need to
15 read about him. Why would someone elected by
16 the people even think, Josh, this is all
17 right?

18 Yes, we need first responders.
19 Absolutely we need police officers.
20 Absolutely we want to live in a civil
21 society. But we also want laws that are
22 fair. Not just to those who look like many of
23 you but those who also look like me.

24 Do you know how many years black
25 and brown people have been assaulted and

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2 harassed and verbally abused even by police
3 officers in this county and in this nation?
4 And there hasn't been any legislation by you,
5 Josh, to protect us. How insensitive this is
6 on the backs of the Black Lives Matter
7 movement. And even though today when we are
8 in the midst of a pandemic where wearing a
9 mask even here today has become a black and
10 white issue.

11 Furthermore and lastly, Josh, you
12 don't seem to be paying attention today. The
13 last time we were together you shook my hand.
14 Wanted me to come for support and I came.
15 You, young man, I thought you had a bright
16 future. You might be politically dead after
17 today. I got to go because I got to pick up
18 my little black and brown children. Listen, I
19 want to share with you, I stood with you when
20 you championed naming a building after Shirley
21 Chisholm and now you champion a bill against
22 everything that Shirley Chisholm stood for.
23 Josh, it makes no sense. I've been pastor
24 over 20 some odd years. Josh, I can tell you
25 I know sheep in wolf's clothes.

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2 LEGISLATOR NICOLELLO: Deputy
3 Mayor Jeff Daniels. Listen guys, if it keeps
4 us I'm going to clear the room. We're going
5 to bring one speaker in at a time. If you
6 don't want that to happen then just settle
7 down, let's listen to the speakers and stop
8 the name calling.

9 Jeff Daniels is he still here?
10 Tracy Edwards, NAACP.

11 MS. EDWARDS: Sorry for taking a
12 moment. So, I am here today with our New York
13 State president Hazel Nell Dukes who is seated
14 in the back and also all of the Nassau County
15 presidents.

16 My name is Tracy Edwards and I am
17 the Long Island regional director of the
18 NAACP. But before I give you my remarks I
19 would like you to hear Legislator Joshua
20 Lafazan's remarks last year. Because you will
21 see that we need to know today which
22 legislator are you? Are you the legislator
23 who wrote that draft that contradicted both
24 County Executive Curran and Police
25 Commissioner Ryder who praised the protesters

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2 in Nassau County? Or are you this legislator
3 here who talked about the systemic racism in
4 Nassau County and how your ancestors Josh --
5 look at me Josh -- your ancestors, Josh, who
6 stood with African-Americans as they who
7 fought for voting rights? Which legislator
8 are you?

9 Absolutely. Let them know what
10 legislative district you represent. There's
11 19 legislators in Nassau County. It used to
12 be supervisors and then they went into the
13 form of legislators. What again district you
14 represent? What would you like to say about
15 the national theme and of course what happened
16 to George Floyd? What's his name? George
17 Floyd as the crowd calls out. What do you
18 want to say.

19 Sure. Again, my name is Josh
20 Lafazan. I have the privilege of representing
21 District 18 in the legislature. Syosset, west
22 to Roslyn, north to Bayville. So northeast
23 Nassau County.

24 What I want to say first and
25 foremost is, of course I condemn the horrific

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2 killing of George Floyd and those who came for
3 him. But as I said in the video I posted on
4 Facebook, it's not enough just to condemn. We
5 must take action to make sure that we put
6 safeguards into place so that what happened to
7 George Floyd and those before him never
8 happens again.

9 What I'm working on here in Nassau
10 County, one of the most segregated counties in
11 the nation, is that in order to fix a problem
12 we have to acknowledge that it exists in the
13 first place. So I'm looking to gather a
14 coalition, especially young people, we're the
15 largest, most diverse generation in the
16 history of this country. That's why young
17 people are so great to see them on the front
18 lines of this movement.

19 But we have to understand that
20 Nassau County has a dark past with systemic
21 racism and injustice. About how Robert Moses
22 built bridges so low so black residents
23 couldn't go to our beaches. About how many of
24 our grandparents came back from the war and
25 moved to suburbs like Levittown. Backed by

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2 low interest federal loans that weren't
3 available to black Americans. Many of whom
4 just fought in that very same war.

5 We have issues here in terms of
6 segregation. In terms of unequal school
7 funding. Where you have a school like
8 Hempstead, majority of Black and Latino, with
9 an average student spending per pupil of about
10 22,000. You move one block over to Garden
11 City, 77 percent white, and we spend \$7,500
12 more per pupil. These are facts.

13 What I'm working on is we have to
14 get these facts out to the people and we have
15 move to level the playing field. If we don't
16 have a level playing field we have what we
17 have now which is privilege.

18 So I'm working on bringing our
19 folks in white communities to recognize and
20 acknowledge that white privilege is real. It
21 is real. We have to get to an equal playing
22 field. That to me is egalitarianism at its
23 finest. When anybody born in any zip code in
24 this country can make it here. That is
25 America in a nutshell.

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2 As the grandson of a Holocaust
3 refuge, my grandfather always told me how the
4 Jewish community stood with the Black
5 community and Rabbi Abraham Joshua Heschel
6 marched with Dr. King. How Mickey Schwerner
7 and the freedom community they were killed in
8 the south for registering black voters to
9 vote. The heroism of these people. The
10 Jewish community stood with the Black
11 community time and time again and it will
12 continue.

13 And I know that my future children
14 are going to ask me what we did during this
15 moment. James always says what are you going
16 to tell your kids and what are you going to
17 tell folks in a few years about what you did
18 during this moment? I'm not going to tell
19 them I stood on the sidelines and I hope you
20 don't either. I'm proud to be a friend of
21 James. I'm proud to be a friend of James.
22 I'm proud to have a mentor and coach behind
23 this moment and proud to stand with him and
24 stand with all of you.

25 So I ask you today, Josh, when you

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2 called me to come stand with you because of
3 the Asian hate that was going through your
4 community, those individuals were targeted and
5 what you are doing with this bill is you are
6 taking a profession and you are putting that
7 chosen profession above all of those people
8 who fought during the civil rights movement in
9 1964. You are putting a profession above
10 those through the Edmund Pettus Bridge,
11 Stonewall, women rights. All us have to prove
12 discrimination. You are disrespecting all of
13 us. Do you understand me? You are
14 disrespecting all of us.

15 And I will say, he has, because of
16 a political campaign, he has lost his way, but
17 I am asking all of you not to do that.

18 As an example, today we went
19 through back and forth about the masks.
20 Okay? There are grocery workers in Nassau
21 County that are targeted and harassed and
22 menaced because they are asking people to wear
23 a mask. What about them? Are you going to
24 put them in the bill as well? What about all
25 the young people who we have encouraged to

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2 come and peacefully protest. And if someone
3 wants to target them we are to then wrap them
4 up with judgements and fines? Is that the new
5 way of Nassau County?

6 You should be ashamed of yourself
7 Legislator Drucker. Ashamed of yourself.
8 Ashamed of yourself. This cannot be the
9 Nassau County. This cannot be. You're happy
10 that CNN contacted me today. You wanted to
11 have the national attention. That is what you
12 want it to be? The NAACP will stand strong
13 against any of you. Any of you. We have died
14 for the civil rights movement. We say
15 enough. Our state president is here. She
16 came from vacation. She lived in Nassau
17 County. She knows all of you.

18 Enough of this Josh. Run a fair
19 campaign and lose or win on your merits. You
20 lose don't cry now. You stand up. You stand
21 up and you do what's right. Don't be a
22 hypocrite. That's what you are being, a
23 hypocrite, and you are dragging all of your
24 colleagues into this because of your political
25 cowardice. Shame on you. Shame on you.

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2 Shame on you.

3 LEGISLATOR NICOLELLO: Leslie
4 Davis, NAACP.

5 MS. DAVIS: I was going to yield
6 my time but I guess my time is up. Thank
7 you.

8 MS. EDWARDS: I'll take her time.
9 Police officers, if they are
10 harassed like one of the PBA presidents said,
11 they can arrest people. They can use the
12 law. That's why we have legislation. We have
13 wonderful police officers who can protect
14 themselves. They do not need to have a human
15 rights law to put them above all others and
16 that's what you are doing. You are taking
17 that chosen sacred profession and you are
18 trying to put it above all others.

19 Because he has a tough campaign.
20 That's what this is about. This is not about
21 anything else. Read what he wrote in his
22 bill. Then listen to his words and the words
23 of the county executive and the police
24 commissioner who praised the protesters. What
25 problem are you trying to solve in Nassau

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2 County? Because what I heard the PBA say is
3 what went on nationally. They did not bring
4 up an incident in Nassau County. Not one.
5 Not one.

6 So, Presiding Officer, don't have
7 this the legacy of Nassau County because Josh
8 has lost his way. He has lost the respect of
9 our communities forevermore. But all of you
10 have not. Please consider this seriously.
11 Whether you are Republican, whether you are
12 Democrat especially. There are women on this
13 stage, and if any of you feel that you are
14 discriminated against because of all the
15 wonderful women that stood before you have to
16 prove it. This bill says you don't have to.
17 So disregard Legislator Lafazan. I don't know
18 what he's thinking about. I'm talking to all
19 of you. Please don't lose your way. Thank
20 you.

21 LEGISLATOR NICOLELLO: David
22 Kilmnick.

23 MR. KILMNICK: Good afternoon.
24 My name is David Kilmnick. I'm president and
25 CEO of the LGBTQ and I'm proud to stand here

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2 today with all of my brothers and sisters from
3 every single group that is truly discriminated
4 against as we stand together here in the
5 majority to say no to this bill.

6 I didn't think I could be any more
7 infuriated before coming here today but that
8 just went out the door when the first few
9 speakers came on to talk about this bill. But
10 let's do a little bit of discrimination 101
11 here because this bill says that we are going
12 to -- you will amend the human rights law to
13 include police officers to be protected from
14 discrimination. So discrimination 101.

15 The New York State Human Rights Law
16 protects characteristics including race, age,
17 race, creed, color, national origin, sexual
18 orientation, gender identity or expression,
19 military status, sex, pregnancy, physical or
20 mental disability, predisposed and genetic
21 characteristics, familiar status, marital
22 status, status as a victim of domestic
23 violence and arrest record and criminal
24 conviction. There is no profession included
25 in there. This would a violation of the New

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2 York State Human Rights Law. I don't know
3 what attorney you have advising you but I
4 would suggest you fire them right away.

5 Now let me talk about what this is
6 and what this is not. The issue is simple
7 here. The issue in front of you today is
8 simply about human rights and discrimination
9 laws. Yes, it's a lot more, but you are
10 looking at a bill that is simply about human
11 rights and discrimination laws. It's not
12 whether you support the police or not. You
13 can actually be pro-police and against this
14 bill which makes a mockery of human rights and
15 the discrimination that tens of thousands of
16 Nassau County people and families face each
17 day.

18 Human rights and discrimination
19 laws exist to protect those who are
20 historically marginalized and oppressed in our
21 society. No profession in and of itself would
22 or should fit into these laws. And what this
23 amounts to is a slap in the face to all of us
24 who have to face discrimination day in, or
25 threats of discrimination, day in and day out

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2 our entire lives. It's a slap in the face to
3 all people of color. It's a slap in the face
4 to LGBTQ folks. It's a slap in the face to
5 women. It's a slap in the face to disabled
6 and other groups.

7 I want to go back to the first
8 detective that spoke here, detective
9 Sullivan. He said that when he doesn't have
10 to think -- every day he doesn't have to think
11 about being attacked. Let me tell you, I do.
12 I do. Just a week ago I had Suffolk County
13 detectives over my house because I received
14 anonymous letters that were threatening to
15 kill me. Put a gun in my back. Put a knife
16 in my back and eliminate me. You tell me that
17 police officers are receiving those letters at
18 home. They are not. It is not a protected
19 class.

20 Other folks are thinking am I going
21 to lose my job or even get an interview
22 because of the color of my skin. Am I going
23 to be beaten or murdered because I'm
24 transgender. Can I walk down the street
25 safely because I may be holding hands with

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2 someone of the same gender. That's the real
3 threat that exists in our society.

4 The threat of police officers being
5 attacked just because they're police officers
6 is a bunch of nonsense and you know that. You
7 know that. There is absolutely no data to
8 support this bill. Not one ounce, zilch, nada
9 of data that shows police officers as a
10 profession in and of itself is discriminated
11 against. However, there's plenty of data
12 which shows that there are police officers who
13 are discriminated against. That is if they
14 are Black, LGBTQ or women.

15 Which brings me to the original
16 point that this bill fails in its' merits,
17 substance and is not only morally wrong and
18 dangerous but also constitutionally wrong.

19 I just have one final note here and
20 this goes to every single person sitting on
21 this dais up here. This legislative body, you
22 as the Nassau County Legislature, have failed
23 for over a dozen years to add the transgender
24 community as a protected class under the
25 Nassau County Human Rights Law. Over a dozen

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2 years. You had a 90 year old woman who came
3 down here, transgender woman, who came down
4 here and pleaded with you to add transgender
5 community under the human rights law.

6 How dare you sit here today Josh,
7 Arnie and the other sponsors, who I know very
8 well, and all of you because, you all didn't
9 do this, how dare you sit here today and tell
10 all of Nassau's transgender community that a
11 profession is more worthy of protection than
12 their lives. .

13 How dare you tell the transgender
14 community, who are gunned down and murdered
15 because of their gender identity, that they
16 are not worthy of protection yet those that
17 carry a gun are. Think about that.
18 Transgender folks are gunned down each and
19 every day and you are here to protect a class
20 of folks that carry a gun. That is obscene.
21 It is disgusting and shameful. Do the right
22 thing. Vote no on this bogus bill that is
23 flawed in every way. And while you're in the
24 mood to look at human rights and
25 discrimination, add gender identity and

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2 expression into the Nassau County Human Rights
3 Law once and for all.

4 LEGISLATOR NICOLELLO: Daniel
5 Oppenheimer.

6 MR. OPPENHEIMER: My name is Dan
7 Oppenheimer. I'm a resident of the Village of
8 Hempstead. Local law 187 is unlikely to be
9 allowed under the United States Constitution
10 because it violates Fifth Amendment
11 protections regarding taking a property
12 without due process of law. And the Eighth
13 Amendment regarding excessive fines. And the
14 New York State Constitution if it has the
15 effect of preventing peaceful demonstrations
16 such as the one that took place in front of
17 this building on June 1, 2020. Which I was
18 at. That demonstration had upwards of 1,000
19 people and was a good example of peaceful and
20 necessary protest.

21 This law is a solution in search of
22 a problem that does not exist in Nassau
23 County. When police are targeted in any way
24 they have legal and physical protections that
25 are all too often not equally available to the

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2 public.

3 Being a first responder is a
4 hazardous job. I appreciate what the
5 detectives described in ending that situation
6 without a fatality, without themselves being
7 shot or without the emotionally disturbed
8 being shot. That is a real situation.

9 Partially because of this, officers
10 have a unique status granting qualified
11 immunity which prevents them from being held
12 accountable at trial for actions that injure
13 and violate the civil rights of citizens in
14 some cases.

15 According to a story published in
16 Forbes on April 29, 2021, NYPD officers were
17 granted qualified immunity in around 100 cases
18 in over the past three years. An individual
19 who attacks a police officer or injures them
20 when the officer is lawfully carrying out
21 their duty is rightfully subject to arrest and
22 criminal prosecution for felonies and
23 misdemeanors. When police do the same thing
24 they may evade prosecution. The only
25 qualified immunity for everyone is the equal

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2 application and protection of local, state and
3 federal laws.

4 When a citizen is subject to fines
5 and attorney's fees without having been
6 charged or convicted of a crime, which is what
7 this law states, let me the repeat that, when
8 a citizen is subject to fines and attorney's
9 fees without having been charged or convicted
10 of a crime and the police officer has
11 extraordinary protections that is not equal
12 protection under the law.

13 The legislative intent of the
14 proposed law quotes a report from the justice
15 department claiming that over 700 officers
16 have sustained injury in civil unrest since
17 May of last year. In fact, there is no
18 official justice department data which
19 supports this claim. The allegation was taken
20 from a New York Post story published on June
21 8, 2020. I repeat that. There is no justice
22 department data which supports this claim.
23 The law would ultimately not benefit first
24 responders and would suppress legal and vital
25 protests and demonstrations.

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2 What would benefit law enforcement
3 is more training for young cadets who may
4 receive as little as six month's of training
5 at the academy. Cops do need support for
6 depression, anxiety and addiction which
7 contribute to a high suicide rate among
8 veteran officers.

9 If the sponsors of this bill are
10 truly interested in the safety of first
11 responders and residents of Nassau County
12 provide more funding for mental health and
13 addiction treatment for everyone. And give
14 front line responsibility for mental health
15 calls to mental health professionals. That's
16 another thing that the detective referred to.
17 Cops do not need to sue citizens to feel safe
18 and supported. This is not about citizens
19 versus cops.

20 Josh, you have supported alcohol
21 and drug treatment and mental health
22 initiatives in the past. You would show far
23 more support for first responders by
24 continuing that work. In your efforts to
25 sensationalize this issue you risk bringing on

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2 the chaos that you are claiming to protect
3 against. This is not a political stunt. It
4 is a political stunt. It should not be a
5 political stunt for your reelection. Thank
6 you.

7 LEGISLATOR NICOLELLO: Shanequa
8 Levin.

9 MS. LEVIN: My name is Shanequa
10 Levin. I am the convener for Long Island
11 United to Transform Policing and Community
12 Safety, as well as the founder for the Women's
13 Diversity Network.

14 We applaud the police that you
15 honored here for doing the right thing. Doing
16 their job and doing it correctly. I feel that
17 we need the police but let's not forget that
18 there is also bias in policing. Not every
19 police officer does their job with equity.
20 When they don't we have to stand up for
21 ourselves. You're going to vote on a bill
22 that basically takes away our rights to stand
23 up for ourselves when those that do not do a
24 good job can be rewarded and can retaliate
25 against us and commit violence against us.

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2 Legislator Lafazan, last summer a
3 few of your former classmates asked you to
4 take some accountability and address racial
5 injustice and police brutality. You came to
6 the rally and you spoke saying that you would
7 use your privilege to make a difference. So
8 why are you here pushing a dangerous and
9 unconstitutional bill that would categorize
10 police officers and first responders as a
11 protected class and allow them to sue an
12 individual for up to \$50,000 for harassment?
13 That doesn't seem equitable. That doesn't
14 seem fair. That doesn't feel like support.
15 Without having to show proof also.

16 This is a complete opposite of what
17 community members advocated for when it came
18 to police accountability and racial justice.
19 A complete opposite of what you said you stood
20 for. We, the community, proposed police
21 reforms that would make our vulnerable
22 neighbors feel safer. Instead, all of you,
23 not all of you, refused to accept any
24 meaningful reform. What is happening here is
25 an example of systemic racism.

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2 After the world watched as George
3 Floyd, a Black man, was brutally murdered by
4 the police, instead of passing meaningful
5 reform, a plan that holds the Nassau police
6 accountable, you all are on the verge of
7 passing a law that holds community members who
8 are tired of being harassed and overpoliced
9 accountable.

10 Let's not act like it doesn't
11 happen in Nassau. You had to settle suits for
12 over \$50 million because it happens here in
13 Nassau. The very police force that refuses to
14 listen to our communities and commits violence
15 towards us will now be able to accuse us of a
16 hate crime for criticizing them. Police have
17 more than enough protections. We can't even
18 get justice or accountability when they use
19 unnecessary violence towards us.

20 This bill is rooted in bias and
21 rooted in hate. The data shows that we the
22 people need more protections not the damn
23 police. This is very much a retaliation
24 bill. Because we stood up for ourselves and
25 you can't shake your head and say that is not

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2 because that's what you wrote.

3 At the end of the day, Legislator
4 Lafazan, and those democratic cosponsors of
5 yours and the legislative response to the
6 racist policing is to punish Black and Brown
7 and allied community members who stood up to
8 say racism has no place in policing. You're
9 going to punish us for standing up for our
10 rights? How dare you.

11 For the rest of the legislature, I
12 want to remind you that this will not affect
13 just Black and Brown people but the religious
14 community, the LGBTQT community, the disabled
15 community. It affects every single one of
16 us. Women who don't get paid equally. What
17 if that's all of us?

18 Also, let's remember, women and
19 minors are the most often bystanders recording
20 and pleading for the health and safety and
21 lives and freedoms of their loved ones who
22 have fallen victim to police misconduct.

23 Legislators, you will be
24 responsible for the women and minors who are
25 sued because they came out to rescue -- to ask

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2 for rescue for their significant others and
3 their friends and families.

4 Legislator Lafazan, one day you're
5 giving a young man citations for organizing
6 rallies of justice and now you're threatening
7 to give the police the power to sue them.

8 Josh, I stood with you when you
9 wanted the county to rename a building after
10 Shirley Chisholm. I stood with you because
11 you seemed to care about Black lives. Josh,
12 you interviewed me for Northwell Health as
13 part of your job dealing with diversity and
14 equity. Is this what diversity and equity
15 looks like to you? Are you just pretending to
16 do the right thing for the public but behind
17 closed doors you're pandering to the PBA and
18 unconstitutionally silencing protesters and
19 community members as more important than the
20 lives of your constituents?

21 You all should be focusing on how
22 to make the county equitable for all. You
23 should be focusing on how to update our police
24 system so that we do not have armed officers
25 responsible for every safety issue. You

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2 should be focusing on holding the police more
3 accountable because the attorney general has
4 already called you out and told you that your
5 plan was not holding the police accountable.

6 Your county may have been rated the
7 top in safety but in that same report it was
8 ranked the least in diversity. You should be
9 focusing on that. Not retaliation against us
10 for standing up for our rights which we should
11 have been born with instead of protecting the
12 people because they close a job.

13 I'm almost done.

14 Legislators, every yes vote is a
15 disgrace to this county. Do not make police
16 above the law. If you do you will be sued.
17 You're going to have to spend taxpayer money
18 to defend your unconstitutional actions.
19 You're going to lose. But you will be
20 remembered as the legislators who do not care
21 about human rights. Is that the legacy you
22 want to leave behind? Don't be a coward.
23 Don't let the police be your vote. Don't let
24 the police be your boss. You be their boss.
25 You be accountable to the voters who put you

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2 in office. Vote no on this bill. Josh,
3 remove this bill. Thank you.

4 LEGISLATOR NICOLELLO: Melanie
5 D'Arrigo.

6 MS. D'ARRIGO: Hello and good
7 afternoon. My name is Melanie D'Arrigo. I'm
8 a Nassau County resident. I'm a community
9 organizer and I'm a constituent of Legislator
10 DeRiggi-Whitton.

11 I'm going to try not to be
12 duplicative with my comments just in the
13 spirit of time here. But I do have a few
14 things to say. See, I forgot. I'm also here
15 not just as myself but with a petition here of
16 several hundred Long Islanders who have also
17 signed a petition to ask you all to vote no on
18 this bill.

19 It is my hope that this bill was
20 introduced in earnest to support police.
21 However, it is my belief and the belief of
22 these hundreds of people that this bill would
23 do the exact opposite. It would further erode
24 trust when trust between police and our
25 community are at all time lows and would make

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2 our communities less safe for existing
3 protected classes who already fear the
4 police.

5 But what I really came here to talk
6 about today was First Amendment rights. Now,
7 for those of you up here who know me and I
8 know quite a few of you, know that I'm a
9 frequent user of my First Amendment rights.
10 This bill would infringe upon the right to
11 free speech and the right to assemble.

12 Now, from Martin Luther King,
13 Congressman John Lewis, someone mentioned
14 Shirley Chisholm earlier, Gloria Steinem and
15 Brenda Howard. These are no doubt civil
16 rights giants that I would imagine have
17 influenced your careers. They all shaped our
18 hardest fought civil rights battles with
19 protests, marching and using our First
20 Amendment rights. Do not shame them. Do not
21 do a disservice to our civil rights giants by
22 passing this dangerous bill and moving us
23 backwards in time.

24 I have a tremendous amount of
25 respect for public servants. So I'm here

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2 today to ask you all to think about what it
3 was that led you into public service. With
4 this vote that you are about to take you will
5 define your legacy. Now, you can choose to
6 vote no on an unconstitutional bill. That's
7 your choice. That's the one I would prefer.
8 Or you can choose to have a dereliction of
9 your duty to misrepresent your constituents
10 and pass an unconstitutional bill.

11 Now, I don't think any one of you
12 up here became public servants to repeal and
13 further roll back our constitutional rights.

14 Legislator DeRiggi-Whitton, I know
15 you personally. I know you care about our
16 community. Legislator Drucker, I have been in
17 the streets with you protesting for human
18 rights abuses. I'm going to ask every single
19 one of you to think really hard before you
20 make a vote here today. In a year where we
21 have seen just how fragile our democracy is, I
22 implore you, I implore you do not roll back
23 our democracy. Do your duty and vote no on
24 this bill. Thank you.

25 LEGISLATOR NICOLELLO: Emily

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2 Kaufman.

3 MS. KAUFMAN: Good afternoon.

4 This is not where I wanted to be today on
5 Monday afternoon as I expect most folks had
6 other things we wanted to do today but nothing
7 was more urgent than to be here. So here we
8 are.

9 My name is Emily Kaufman. I'm here
10 representing Long Island United to Transform
11 Policing and Community Safety. I had the
12 opportunity to stand in this legislative
13 chamber to speak to this legislative body
14 about police reform and we will get to that in
15 a minute.

16 I want to start by making sure we
17 are clear as others have before me. Myself,
18 LI United, our partner coalitions, we are not
19 anti-police officer. We are not anti-police
20 officer. But what we are is anti a police
21 state. That is not hyperbole. That is what
22 this bill that you, Josh, are submitting.
23 Bill 187-21 moves towards creating. As you've
24 heard, it increases the power that individual
25 police officers have over individual citizens

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2 and community.

3 So as we've heard in the recording
4 that Ms. Tracy Edwards played today, which we
5 can no longer find in your materials, Josh,
6 because you've removed it, that wasn't by
7 accident, but what we know is the speech that
8 you prepared helped by former friends and
9 colleagues of yours, I know Nikeal Goyal
10 helped, he's been trying to reach you but
11 you're not returning his calls.

12 What we understand is that you are
13 not ignorant. You actually do know the
14 history of racial disparities not only in this
15 country but right here in Nassau County. We
16 know that you understand systemic racism. We
17 know that you understand what marginalized
18 groups need in terms of hate crime
19 protections. As a fellow Jew, and I watched
20 you put your Jew card down, it's a disgrace
21 and it's offensive. And Legislator Drucker,
22 the same goes for you. I am deeply
23 disappointed.

24 So, we know that Commissioner Ryder
25 spent all of last year talking about how

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2 peaceful protests were. How no riots
3 occurred. How almost no arrests happened. So
4 as we've heard over and over there is no
5 evidence, no basis for this bill in reality.
6 And as we've heard time and again, we know
7 that this is because you're afraid of your
8 upcoming campaign Josh. You are afraid you
9 won't be reelected. You don't know where you
10 stand with your constituents.

11 Look around the room Josh. CNN is
12 covering this Josh. In the words of the
13 Notorious BIG, if you don't know now you
14 know.

15 So, since trying to do political
16 calculations seems to be the only thing you're
17 interested in these days, I suspect that after
18 the flurry of negative media continues to
19 flood you and calls continue to come into your
20 office you might try some damage control after
21 this. So I have a number of bills that would
22 actually create protections for community
23 members who need additional protections. Many
24 of them are contained in the People's Plan.
25 That 310 page researched-backed document that

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2 was presented for hours to this legislative
3 body.

4 For example, if we want to talk
5 about civil lawsuits we can talk about the
6 proposal for liability insurance for
7 individual officers so taxpayers here in
8 Nassau County no longer must foot the bill
9 when police officers commit crimes. As
10 Shanequa mentioned, we've been paying \$55
11 million, what we know, over the last five
12 years.

13 How about a bill to address hiring
14 officers who have past records of misconduct?
15 Because we learned yesterday in the Newsday
16 article that 17 former NYPD officers with
17 criminal conduct histories were hired by this
18 NCPD. I'd like a bill about that.

19 How about some transparency
20 measures? Because what we know from, and I
21 encourage anyone who hasn't seen it to look up
22 Newsday's watchdog article Policing on Long
23 Island, Cameras and Consequences, we know that
24 there are at least four on record individual
25 Nassau residents who received unwarranted

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2 actions and unjustified force by Long Island
3 police officers as well as the money paid
4 millions of dollars in compensation. This was
5 discovered on video recordings in the public
6 to disprove the lies levied against these four
7 individuals.

8 So, we know that based on
9 judgements of independent criminal justice
10 experts, including former chief prosecutor
11 hear in Nassau, that it's almost
12 unjustifiable, he says, that there wasn't
13 probable cause to bring charges here against
14 the police.

15 LEGISLATOR NICOLELLO: Ma'am
16 could you sum up? You're well beyond five
17 minutes.

18 MS. KAUFMAN: What we know is
19 we've had to sue to get the records from the
20 law that was passed on 50A because Nassau
21 won't release them. We need transparency here
22 in this county. We need a meaningful system
23 of accountability. We need a CCRB. There is
24 a ton of work to be done and it's about time
25 you start doing it. Thank you.

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2 LEGISLATOR NICOLELLO: Skyler

3 Bader.

4 MS. BADER: Thank you and I would
5 like to ask that everyone please hold any
6 comments while I'm going because as you'll
7 hear in my speech noise really kind of knocks
8 me off.

9 My name is Skylar Bader, and I'm
10 from West Hempstead and I'm a leader of
11 Indivisible Nassau County. I was born and
12 raised in the south and I moved to New York
13 because I believed in the convenient lie that
14 only white southern people are racist and I
15 didn't want to live in a racist society. Out
16 of the frying pan into the fire of Long
17 Island. These bills are racist, ableist and
18 anti-democratic and based on misinformation
19 and propaganda. These bills are clearly only
20 designed to apply to police and are a direct
21 reaction to the Black Lives Matter movement.

22 Do any of you really think that if
23 COVID deniers refused to serve local ER
24 doctors or a visiting bogeyman of Dr. Fauci
25 would these legislators still stand behind

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2 these bills? Perhaps some would celebrate
3 that behavior. As some of the pro-police
4 people celebrate the beatings of police in DC
5 on January 6th.

6 We are against police brutality and
7 discrimination. Not police as people. The
8 fact that you can't tell the difference and/or
9 choose not to because you assume it alienates
10 some white voters is the real problem.

11 My two preschoolers and I have
12 marched in dozens of BLM protests here on Long
13 Island. There were multiple protests a day on
14 Long Island for months. Over a thousand at
15 least. Why can't this bill name a single
16 relevant local incident in the legislative
17 history to justify the need for this bill?
18 And why can't the legislator name any in his
19 media coverage?

20 I am just a regular community
21 member in West Hempstead. Yet I can name at
22 least ten anti-Semitic hate crimes against the
23 orthodox community there in the last year.
24 But he can't name one provable actual threat
25 to local police. And they should get stronger

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2 evidentiary laws and settlement amounts than
3 real hate crime victims.

4 This is a political re-election
5 ploy and another step away from democracy. A
6 PR move by those legislators who fear the
7 PBA's argument and millions of dollars in
8 re-election ads that White voters will punish
9 them for standing up for democracy, justice
10 and for people like me and all the people
11 standing behind me.

12 In Utah, a criminal law with very
13 similar language is being used to prosecute a
14 teenager with one year in jail for stomping on
15 a Back the Blue sign with a, quote,
16 intimidating smirk.

17 The foundation of hate crimes and
18 discrimination is intent. It is by definition
19 completely about intent. Did you act because
20 of someone's protected class? Yet this law
21 makes an irrebuttable presumption that this
22 discriminatory intent against police exists
23 simply because of the presence of a uniform or
24 any kind of knowledge that the person is a
25 police officer. That makes this bill

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2 completely self-fulfilling.

3 Every time someone gets pulled over
4 and the officer feels that the person
5 disrespected them the driver will be at risk
6 of bankruptcy under this law. How often have
7 police officers complained, rightfully, of
8 disrespect during police stops. Rolled eyes,
9 arguing the ticket. Because of the
10 irrebuttable presumption these, quote unquote,
11 normal interactions will become hate crimes
12 because they were one, seriously annoying,
13 which is one definition of harassment under
14 penal law Section 240.26, to an officer in
15 uniform under this bill.

16 As an autistic person and
17 especially as one who doesn't supposedly look
18 autistic, people sometimes feel I'm not
19 respectful enough because I don't always
20 display the social cues that they think I
21 should or because I speak bluntly.

22 For example, I have a hard time
23 making, quote unquote appropriate, eye
24 contact. This makes autistic people look
25 suspicious to police and leads to many

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2 unnecessary harmful and deadly interactions
3 with police. I have no doubt that the Nassau
4 PD will use this new tactic to shut down free
5 speech and that there is no evidence to
6 support the need for this law.

7 Any person of conscious should be
8 enraged against the use of such authoritarian
9 scare tactics in our community and paid with
10 with our dollars.

11 My last point would be that last
12 April when we were considering the People's
13 Plan and other supposed police reform bills, I
14 don't remember which legislator it was but one
15 of you asked him repeatedly why his own
16 statistics, asked Commissioner Ryder, why his
17 own statistics, which they fought tooth and
18 nail in court to avoid releasing, state that
19 they pull over five Black drivers for every
20 one White driver. He could only say
21 repeatedly that all stops are based on
22 probable cause.

23 As a lawyer, I know about probable
24 cause. Does Commissioner Ryder believe that
25 white people are inherently less criminal and

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2 that black people are inherently more
3 criminal? Or does the Nassau PD choose to
4 pursue probable cause more often against black
5 people? How else can we explain his answer or
6 is his answer like his now deleted tweets
7 about supporting BLM only when it is
8 politically expedient.

9 Free speech is by definition under
10 our laws not violence. It may be
11 uncomfortable. It may be unwelcome. It may
12 be infuriating. You may disagree. But it is
13 not violence as suggested by this bill. It is
14 horrifying to see a legislature effectively
15 attempt to criminalize unpopular words and
16 smirks. My face is not a crime. Thank you.

17 LEGISLATOR NICOLELLO: Kurt
18 Kronenberg.

19 MR. KRONENBERG: I don't have any
20 written speeches because that's not what I
21 do. I'm an activist. I've been doing this
22 for 31 years now. Half my life. I've
23 witnessed many police brutality incidents,
24 especially Nassau, Suffolk, New York City. I
25 was at Occupy for weekends on weekends and

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2 seeing girls getting beat up by police.

3 We have a right to protest. We
4 have a right to our free speech. You want us
5 to respect police officers? That's an earned
6 disposition that they have to do. Isn't that
7 right Mr. Elrad? Sergeant Elrand that rides
8 around with his sound cannons with our
9 peaceful protests in Long Island.

10 This is the first time I'm able to
11 protest on Long Island. Over 150 myself in
12 the last year and a half. I don't want to be
13 criminalized for doing my duty as a citizen.
14 I'm not a criminal. But me, I fear them and
15 the ones over there because like they tell us,
16 you fit the description. You have a badge and
17 you have a gun and I fear you. You have the
18 right to keep us safe not beat us up.

19 LEGISLATOR NICOLELLO: Sir,
20 comments are to the legislature.

21 MR. KRONENBERG: He's not even
22 listening. Look at him. Are you listening to
23 us. Not one single bit. All you are is on
24 your goddamn phone. He is looking at nobody.
25 He's a freaking joke. Why don't you tell him

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2 look at us as we are speaking. Tell him
3 that. Tell him that. Not one time. He's
4 such a damn hypocrite. Not one time. Look at
5 him. Put your phone down. Can you look at
6 me? He can't.

7 LEGISLATOR NICOLELLO: Sir, if
8 you have something to say about the bill say
9 it.

10 MR. KRONENBERG: The bill is
11 going to criminalize every person of color.
12 That's all this is about. I'm glad to be part
13 of the social justice movement over the last
14 year and a half. 97.6 percent of them were
15 peaceful but you only look at the little bits
16 that were violent. That wasn't involved with
17 Black Lives Matter. I'm an activist. I'm
18 always going to be an activist. Leave us
19 alone. Let us do our job.

20 LEGISLATOR NICOLELLO: Kathy
21 Middleton. Judy Gardener. Is there a Judy
22 Gardener here? We've been here for a while.
23 Maybe some people have left. Lynn Kaufman.

24 MS. KAUFMAN: I had a whole nice
25 thing written out and everybody has said most

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2 of it. So, I really want to stand here and
3 talk to the white people who are sitting in
4 front of me. I'm a white -- I'd like you to
5 look at me. I hear you are not looking at
6 me. Arnie. Really Arnie.

7 I'm a white affluent woman, and I
8 have a wonderful relationship with the
9 police. Why? Because the police are never in
10 my neighborhood. And I have never been pulled
11 over by the police because driving while white
12 apparently not a thing. So, how about if we
13 white people listen to the black and brown
14 people in our life who have a different
15 experience than we do and are trying to make
16 us understand that this bill would be really,
17 really horrible for many people in our
18 communities.

19 When we were going to pass police
20 reform plans I'm one of the people that helped
21 write the People's Plan. The three black
22 legislators sitting before me all said vote
23 for the People's Plan. It's the only one that
24 is really going to have police accountability
25 and all the white people said we don't really

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2 care what you think. Just because you're
3 telling us that your experience is different
4 and that the police are not always our friends
5 we don't really care what you think.

6 Once again today it appears that
7 Legislator Abrahams and Bynoe and Solages are
8 against this bill. Why don't we listen to
9 what they have to say? Our experience as
10 white people is not their experience. We will
11 never have a problem with the police. The
12 police are our friend. They like us. They
13 look like us. I sat through all of these
14 things. There wasn't one black policeman that
15 came up. That is really the challenge that
16 you have in front of you is to make the police
17 force look like the people who they police.

18 So Josh, Arnie. Arnie, I met with
19 you when we wrote the traffic bill and I came
20 away from our meeting and I said to my
21 friends, your constituents, he's a good guy.
22 And as I told them that you're a cosponsor to
23 this bill universally they say what the hell
24 has happened to him? How can you be doing
25 this?

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2 Now Josh, I'm older than you so you
3 have to look at me when I talk. That's called
4 respectful. I need you to look at me. I was
5 on the school board in my home school district
6 for nine years and sometimes we came up with
7 something that we wanted to do and it sounded
8 great in executive session and then we came
9 out and there was a whole bunch of our
10 constituents there. And every once in a while
11 on a really good day we listened to them.
12 Listen to us. I know you all came into this
13 room convinced that you were going to pass
14 this bill but you don't have to. You can
15 change your mind.

16 So, it will be awful that on a
17 Monday afternoon a couple of hundred people
18 dropped what they were doing, came out, your
19 minds were already made up and you didn't
20 listen to anybody. Of course we will vote you
21 out. You know that's going to happen. But it
22 shouldn't be threats of oh, we're going to
23 vote you out. It should be that you just want
24 to do the right thing. Listen to these people
25 and please listen to Legislators Abrahams,

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2 Bynoe and Solages. They are trying to tell
3 you something that you don't understand. We
4 don't live their experience. Joshie, you
5 don't live their experience. Pull the damn
6 bill.

7 LEGISLATOR NICOLELLO: Louie
8 Mendez.

9 MR. MENDEZ: Buenas tarde
10 everybody. This used to be mi casa. I used
11 to work in the county of Nassau but I feel
12 like you casa is a not my casa anymore.

13 Folks, my name is Louie Mendez.
14 I'm the former assistant director and project
15 director of the Nassau County Office of
16 Minority Affairs. I am the founder of an
17 entity called Empowering Young Professionals
18 and I'm also Latino in case you guys haven't
19 heard or seen.

20 I used to get called to do ethnic
21 sensitivity training at the Nassau County
22 police academy. But ever since I've been
23 speaking up about the rights of Blacks and
24 Browns I no longer get called. There's some
25 young man here that went through my class and

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2 I'm proud to see him here. He happens to be
3 an American of Salvadorian background and you
4 can single him out because he's not white.

5 I can't change the color of my
6 skin. Neither can any of the Black folks
7 here. Yet a cop if he or she feels that this
8 is dangerous for him they can quit.

9 I'm going to tell you and I'm going
10 to share my experience with all of you. I
11 live in the county of Nassau. 1.3 million
12 people. A county where the Nassau County
13 Police Department is under consent decree for
14 not hiring people that look like me. A county
15 where the police commissioner can openly say
16 as a matter of fact, Blacks and Latinos can't
17 be hired because they can't qualify to be
18 police officers because they come from broken
19 homes.

20 I got three white legislators now
21 holding my future on the line. By the way,
22 I'm glad that my Legislator Ferretti made it
23 back. Thank you so much. Hopefully I'm able
24 to change your mind with my experience.

25 A few years back Legislator Lafazan

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2 came to Empowering Young Professionals which
3 is directly right across the street at 220 Old
4 Country Road. He broke bread with the young
5 members of Empowering Young Professionals just
6 like he said in that tape that was played,
7 that he wanted to empower the youth. He lied
8 to us. He won't even answer our phone calls
9 right now. I've texted him seven times to
10 pull the bill and he hasn't even said hello to
11 me.

12 So, I'm going to tell you this,
13 which is very important, I've a got a white
14 middle age man legislator, a white out of
15 touch with minorities woman as a legislator
16 and a 27 year old self-proclaimed living in
17 the basement of his parents house legislator
18 who now wants to feel my experience. Who
19 wants to put me in a very difficult situation
20 when it comes to policing.

21 I have just handed over the Nassau
22 County charter Section 2112 to the
23 legislators. Does everybody have them?
24 They're coming around. This is very important
25 because I'm just going to forget about

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2 everything that has been said and talk to you
3 about procedure, which is what supposedly to
4 govern all of you, right?

5 So, if you look at the Nassau
6 County Office of Minority Affairs charter,
7 which is the equivalent to what would you call
8 it? the constitution of the county, thank you
9 so much counsel. The Office of Minority
10 Affairs should have the following powers and
11 duties. A, assist the various officers of the
12 county government in improving the delivery of
13 quality of life services -- all of you are
14 county government officers -- in the following
15 matters. Social services, mental health,
16 health services, public works, projects
17 involving the minority community and public
18 safety. This is a public safety matter.

19 So I have a question because
20 there's a lot of blame to go around to get
21 here and I apologize if I take a little bit
22 longer. The administration has the Office of
23 Minority Affairs executive director submit, as
24 called by the charter, to produce and publish
25 a research paper or study issue affecting the

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2 minority communities. Has that been submitted
3 for this legislature to be considered? The
4 answer is no.

5 There is a Minority Affairs
6 standing committee in the legislative body.
7 Any one of you could have called for a
8 hearing. But yet Legislator Rhoads you know
9 have an open hearing dating back to two years
10 ago where Reverend Watson is still waiting for
11 you to call him. Unfortunately, Reverend
12 Watson is dead.

13 I just want you to know this is
14 your rules and you bypassed them and the
15 reason why you bypassed them is you don't care
16 what we have to say. And I plead to you, I
17 have kids that are growing up in the county.
18 I have a grandson who is Black and Latino.
19 His last name is Floyd by the way. I just
20 want you to know something. You have a chance
21 to make it right. You have a chance to send
22 this law back to committee. You have a chance
23 to have the Office of Minority Affairs come
24 back and give you an impact assessment and in
25 that impact assessment you will assess that

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2 this law is not good for people that look like
3 everybody behind me.

4 So, Josh, on behalf of everybody
5 here for the two democrats and you shame on
6 you. Shame on you and shame on you. Thank
7 you.

8 LEGISLATOR NICOLELLO: Whoever
9 has the sanitizer just leave it up there at
10 the podium. The spray one. Terryl Dozier.

11 MR. DOZIER: So, hello. My name
12 is Terryl Dozier. I'm a member of the LI
13 United. If you cannot see I am a Black man.

14 So, before I start with actually my
15 written remarks I would like to say that we
16 heard earlier actually when I believe it was a
17 supervisor, one of the police supervisors,
18 came up here and said that their officers
19 might get yelled at. I guess that's what
20 we're talking about right now. During a
21 protest an officer might get yelled at.

22 Joshua got yelled at earlier today
23 and there was screaming and he didn't look or
24 pay attention and then the person walked off.
25 Is that we're coming down to really right

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2 now? That we're legislating people, citizens,
3 yelling at folks? Folks yelling at Legislator
4 Lafazan because he represents a greater
5 institution. Individual officers, I don't
6 know any of these officers' names. Might get
7 yelled at because they represent an
8 institution that might be oppressing people
9 and people are angry.

10 It's clearly not assault because
11 New York State penal code 120 says assault of
12 an official such as a peace officer in order
13 to prevent that person from performing his or
14 her duties is class D felony resulting in a
15 minimum of two years and a maximum of seven
16 years. This is what we're talking about now.

17 I explicitly mentioned my race
18 earlier because as a Black person I am
19 insulted by this bill. I was born into this
20 skin. I was born with all of the hate placed
21 upon me that accompanies this skin. I was a
22 toddler playing in my front lawn the first
23 time I was called a nigger. In grade school
24 the first time a white school authority figure
25 told my Black mother told her that her Black

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2 sons would never take a White girl to a dance
3 on his watch. A middle schooler the first
4 time I was followed in a store. A teenager
5 the first time I got pulled over by the police
6 while walking because my, quote unquote,
7 coattails were too long. I was born into this
8 skin.

9 When it comes to police harassment
10 I consider myself one of the lucky ones
11 because I am still here. You have the
12 audacity to make a mockery of people who have
13 lived a lifetime of oppression because of
14 their race, religion, disability, gender,
15 sexual orientation by reinforcing an
16 occupation, a career decision, as a protected
17 class.

18 My understanding, as many have
19 mentioned, is that this bill gives even more
20 rights to the police than those that belong to
21 other protected classes. That if you
22 intimidate a person due to their race they
23 must actually have to prove that race was part
24 of your rationale. However, in this case if
25 you intimidate an officer the assumption of a

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2 hate crime is given.

3 Those four officers who lied on
4 record and was exposed by Newsday at least two
5 of the victims were Black and Hispanic. So
6 can we assume that they falsified records
7 because of the race of their victims? And if
8 so, will a hate crime be filed against them?

9 This is a disgrace. I would like
10 one of you to please list me the policies
11 etched in our history that has necessitated
12 such protection for police when somehow
13 segregation, redlining, biased eminent domain,
14 broken windows policies and the many other
15 historical and current discriminatory policies
16 do not rise to the level of giving the same
17 presumptive right to other protective
18 classes.

19 And the cherry on top is that you
20 are putting this bill through as a reaction to
21 your constituents rising up to simply say
22 racism doesn't belong in policing. Something
23 which should be cleared not punished.

24 The fact of the matter is that a
25 Black man had his life choked out of him by a

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2 law enforcement officer and your community
3 rose up to say we too need protection and
4 there are needed changes in policing here in
5 Nassau County.

6 Instead of leading that change, you
7 decide to pick this moment to hold your
8 constituents accountable after passing a
9 police reform plan that refused to hold your
10 officers accountable. You say civilians can
11 be sued while refusing to adopt the People's
12 Plan proposal for liability insurance so that
13 individual officers can be responsible for
14 misconduct in civil suits. I wonder about
15 this and I know my time is almost up but this
16 is the last thing I'm going to say.

17 I wonder if anyone has paused to
18 think Executive Order 203 was issued as a
19 means to address racism and racial disparities
20 in policing. And you passed a plan that your
21 three Black colleagues over there disapproved
22 of. The only people at this legislative table
23 who have any lived experience with racism and
24 you denied their experience.

25 Then a couple of months later you

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2 put forth a Back the Blue bill. A bill aimed
3 at silencing protesters. A bill similar to
4 that in Utah, which meant the arrest of a
5 young woman because she stomped on a Back the
6 Blue sign. Ask your Black colleagues what
7 they think about this bill. I bet many of you
8 have already asked. I bet they have told you
9 what they think about this bill.

10 So, when you do end up passing this
11 bill you can stop pretending that you care
12 about Black lives or listen to Black voices or
13 even respect the experiences of your Black
14 colleagues. I believe we all want to see
15 ourselves as heroes in life stories. When I
16 look at this legislature I see the 39th
17 Congress. The group of people who as
18 recompense for nearly 400 years of human
19 ownership gave land back to the slave owners.

20 I see the all white jury letting a
21 guilty mob free after they lynched a man. I
22 see the white citizens counsel doing the
23 footwork to implement the policy of
24 segregation. Each one of them an institution
25 to maintain the status quo, to oppress those

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2 seeking equality and justice. You all are
3 carrying a legacy but it is not one of
4 history's heroes. Thank you.

5 LEGISLATOR NICOLELLO: Scott
6 Banks.

7 MR. BANKS: Good afternoon
8 Presiding Officer Nicoletto, Minority Leader
9 Abrahams and county legislators. I stand here
10 in solidarity with the opponents of this
11 ridiculously divisive legislation. This is a
12 bad bill which each of you should vote no.
13 And you know who else does not support this
14 bill? The acting district attorney of Nassau
15 County, Joyce Smith. I reached out to the
16 district attorney when I first read this bill
17 and I forwarded a copy of the bill. Ms. Smith
18 wrote an email to me today which I will read
19 for the record.

20 Good morning Scott. I'm truly
21 sorry for my delayed response. If asked by a
22 reporter I will give a statement opposing the
23 bill. Although our legislators may have been
24 well intended, I have serious concerns about
25 the constitutionality and the practical

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2 implications of this bill.

3 Thank you, Joyce.

4 This is the chief law enforcement
5 officer of our county. This is an officer, a
6 person who works with the police each and
7 every day and her office is taking a stand
8 against this ill conceived legislation.

9 As the attorney and chief of the
10 Legal Aid Society and chief public defender I
11 urge you to reject this legislation. This, as
12 many of the speakers have stated, this bill
13 seeks a remedy for conduct that doesn't exist
14 in Nassau County.

15 I was fortunate to sit on the PACK
16 committee. I attended over 15 meetings.
17 Attended by Police Commissioner Ryder. And
18 frankly, in each of the meetings the
19 commissioner stated that during the protests
20 this past summer, last summer, there was no
21 damage to property. There was no violence.
22 Police were not unnecessarily harassed. The
23 protesters did what they were constitutionally
24 entitled to do. What we have done in this
25 country to protest and express our views.

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2 Now, this once again, you know, we
3 can talk about, as the bill talks about,
4 remedying a wrong that doesn't even exist.
5 But, you know, the penal law of the state of
6 law which our clients are prosecuted on just
7 about every day have those protections for
8 police. There are enhanced protections for a
9 police officer who is allegedly menaced by a
10 person. Normally that menacing charge is a D
11 misdemeanor. For a police officer it's a D
12 felony. Assault charges is the same way. So
13 I urge that there's no need for this
14 particular legislation. There are ample
15 protections for the police.

16 This law is unconstitutional. It
17 is void for vagueness. Under the vagueness
18 doctrine of the constitution, a statute is
19 void if the legislative delegation of
20 authority to judge it or administrate it is so
21 extensive that it will lead to arbitrary
22 prosecutions.

23 Well, what does this law do?
24 First, there are no standards governing the
25 exercise of discretion granted under this

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2 statute. The scheme that is outlined in this
3 proposed law permits and actually encourages
4 the arbitrary and discriminatory enforcement
5 of law. And it provides no actual and fair
6 notice to individuals as to what actual
7 conduct is subject to significant civil
8 liability.

9 You know, in thinking about this
10 legislation I wonder if the city of
11 Minneapolis had this law on its books it is
12 arguable that officer Chauvin could have a
13 private cause of action against the shouting
14 bystanders who cursed and scream and told
15 Chauvin get off his neck for over nine
16 minutes.

17 Outrageously, this law is telling
18 our county attorney you have to use Nassau
19 County tax dollars to go after those people
20 who were trying to save the life of a human
21 being. You know what? Under this law Chauvin
22 and his minions would have had a civil
23 lawsuit. A vague law impermissibly delegates
24 policy matters to police officers, judges and
25 juries for resolution on an ad hoc and

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2 subjective basis. Once again subjects
3 everyone to arbitrary discrimination.

4 This law will have a chilling
5 affect on First Amendment rights. It is
6 overbroad. It doesn't define a lot of the
7 elements that somebody has to know whether or
8 not he even violated the law. You referred to
9 the penal law, yet it doesn't define what
10 conduct would be subject to civil liability
11 here.

12 I would urge everybody here to --
13 and one other thing. This irrebuttable
14 presumption. Whoever drafted this legislation
15 should look up constitutional law. Permanent
16 irrebuttable presumptions under Supreme Court
17 law have been long disfavored under due
18 process clause of the Fifth and 14th
19 amendments.

20 So, I would ask in closing that
21 this legislature take a few moments. I
22 understand the politics. We all want to talk
23 about supporting police. We support the
24 police. This is not about supporting police
25 but it's supporting all of them and their

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2 rights.

3 My clients, the clients that my
4 office represents, cannot afford the treble
5 damages that are in this legislation. My
6 clients are not going to be able to afford
7 attorneys who are going to be able to
8 challenge complaints that are made before the
9 human rights administration. They will
10 default. There will be judgments.

11 Please put politics aside here.
12 This is not the right law. This is certainly
13 not the right time for this legislature to act
14 and pass this ill conceived and very bad piece
15 of legislation. Thank you so much.

16 LEGISLATOR NICOLELLO: Just a
17 word. There's probably about 40 slips left.
18 We are going to be here for the duration. The
19 point I'm making to you is at least half the
20 people who were here before have left. There
21 may be people in here who want to speak but
22 have to leave at a certain time. Please stay
23 within the five minutes. You can make your
24 points within the five minutes so that
25 everybody else has an opportunity to speak

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2 before the room empties out completely.

3 Next speaker is Paolo Pironi.

4 MS. BROWN: The name is April
5 Brown. It amazes me that I'm standing here
6 listening to this garbage all over again
7 because you people decided to come up with
8 some legislation that makes absolutely no
9 sense. People are standing before you
10 begging, begging, please don't pass this law
11 today. I can see people here who told me that
12 a \$25 million building was garbage. But I
13 listened to all of you.

14 I have watched Nassau County police
15 cars on my street before mobile phones became
16 a fact and had to have a cell phone, God rest
17 his soul, he's dead now, call the Third
18 Precinct because there were five cars on my
19 street with a man with his head, a Black man,
20 this is long before all these people came up
21 and said I can't breath.

22 And for you people, and I say you
23 people, to stand here and you regard these
24 people standing here, all with guns, all with
25 guns, watch a British show. Not one of them

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2 have a gun on. Not one of them. You all want
3 attention? You come up and pass a law that
4 makes sense. Every Black community is by a
5 railroad. Every Black community does not have
6 police intervention properly. Every Black
7 community. I have watched my brother, my
8 brother, arrested because the police told him
9 he had the wrong car. This is going way back
10 in time. This is going back to Yo MTV Raps.
11 You all know who he is.

12 I understand something. Understand
13 it. Hazel Dukes is in the back. Shirley
14 Chisholm. All of these people came to my
15 house when I was a little girl. They came to
16 my house. I'm up here protesting because all
17 of the people who protested from New Castle
18 are now dead. But you people, Mr. McKeivitt, I
19 watched you for over four hours laughing and
20 talking. Laughing and talking. I would have
21 been thrown out of here.

22 I'm here because I'm hearing people
23 tell me you have to vote today. Why? Why do
24 you have to vote today? Everybody here has
25 come up to this microphone and said this is

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2 not a good bill. Not good at all.

3 Poor Josh has been beat up, turned
4 around, slapped up every which way but loose.
5 Ellen you don't get away with it. You know I
6 speak the truth. Understand. Josh, when they
7 tell you to look at them look at them. You
8 got to reap what you sow.

9 Mr. Nicoletto, I can't see that
10 well anymore but I make it very clear, you are
11 in charge. Why did you put this bill before
12 this entire committee? Which you know is
13 completely out of sorts. Beyond out of
14 sorts. There are a whole lot more things that
15 need to go on than this stupid bill. A lot
16 more things. I should be able to call the
17 Third Precinct and have something done when I
18 call them. That doesn't happen.

19 You all talk about redlining. My
20 parents were just fine by redlining. Okay?
21 My father was called a nigger. Okay? And he
22 was light skinned and had a pony tail. My
23 mother couldn't get a job. Not a social
24 service job. Not out here. Because this was
25 the suburbs. Everybody behind me and I mean

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2 everybody, people say to me Oh, my God April
3 who are you? Why do you do that? Yes, I am a
4 racist. How dare you. How dare you. How
5 dare you sit here waste my time going over
6 something that is not needed. Not necessary.

7 These guys have a job to do. Not
8 stand up here. I'm sorry, I did see a woman
9 over here. How dare you waste everybody's
10 time. Look at that clock. I've been paying
11 attention. We didn't started on time. We did
12 not start on time. That's a doggone shame and
13 you're going to take a vote and tell me I have
14 a whole stack of things here.

15 If I didn't speak up Mr. Peroni
16 would be speaking before me. I speak up. I
17 speak up all the time. People say oh, my God
18 April, don't do that. Be careful. You may be
19 arrested today. I am not going to be
20 arrested. I will not be silenced.

21 You don't have to vote for this
22 bill. I don't have to stand here and beg you
23 when I put you there. I've been quiet for a
24 very, very long time. I've been out there and
25 I have been fighting the fight with people.

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2 April you going to be quiet? April, are you
3 going to do this? Oh Lord, April is going to
4 say something. But April is sick and tired of
5 watching you make decisions for me that are
6 unnecessary. Complete and totally
7 unnecessary.

8 When I see five cop cars and to
9 have a teenager with his head in between the
10 curbside. Oh, we have Belgium block that's
11 very expensive. And the cops tell me oh,
12 you're in my space. Not a problem. I'm
13 backing up. But I'm calling the Third
14 Precinct. Doesn't take five cops to put down
15 one teenager on a bicycle. This happened over
16 20 years ago. It's still happening today.
17 They don't circle -- they being the
18 helicopters -- don't circle your
19 neighborhoods. Chuck Schumer came down to the
20 Town of North Hempstead so that helicopters
21 would no longer fly over Great Neck. But they
22 fly over my neighborhood. The airplanes fly
23 over my neighborhood now.

24 And I have to listen to this
25 garbage from you because oh, we have to

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2 protect our law enforcement. On the side of
3 the cars I have made sure, to protect and
4 serve. Period. You were asked did you want
5 to join or not? You had to take an oath.
6 That's the way it goes. My boss you don't
7 want me? You're out April.

8 Now all of a sudden I have to sit
9 here and beg you oh please don't do that. We
10 don't want you to do that. That's garbage. I
11 I've listen to a lot of people come up to this
12 podium and I a lot of people I do know. He's
13 not the only one that has to be elected back
14 in. Get it right. Get it right.

15 I don't always agree with what you
16 have to say. With what anybody has to say. I
17 got a lot of police officers in my family and
18 you can stare into space all you want. The
19 guns are there. The handguns are there. They
20 eat food just like I eat food. But they don't
21 want to hear me yell and scream and tell them
22 this is not right. I will continue to yell
23 and scream and tell you it is not right. We
24 don't have to beg. We have to get you the
25 hell out of office. That's how it works.

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2 LEGISLATOR NICOLELLO: Paolo
3 Pironi.

4 MR. PIRONI: Good afternoon. For
5 full disclosure, I am Legislator Lafazan's
6 opponent in the upcoming election.

7 Just a little over a year ago
8 Legislator Lafazan was at a Black Lives Matter
9 rally on Jericho Turnpike in Woodbury.

10 LEGISLATOR SOLAGES: Is this
11 political? I'm sorry. I've seen in the past
12 other political candidates come here and the
13 presiding officer every time would say hey, is
14 this political? So please, let's be their
15 here. That's all.

16 LEGISLATOR KOPEL: I can recall
17 one time that my political opponent --

18 LEGISLATOR SOLAGES: Everything's
19 not about you Kopel. Okay? Please. Where is
20 the presiding officer?

21 LEGISLATOR KOPEL: You need to
22 calm down.

23 LEGISLATOR SOLAGES: No sir. You
24 need to calm down. Please don't tell me how I
25 should be.

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2 LEGISLATOR SOLAGES: Legislator
3 Lafazan's character is not political.

4 LEGISLATOR KOPEL: You know
5 what? I think that the point is correct. If
6 you have something to say about the particular
7 bill please feel free to go ahead. If you
8 want to make a political speech here I think
9 that's inappropriate. You decide. You want
10 to talk about the bill, sure, you're welcome
11 to.

12 MR. PIRONI: I'm just speaking on
13 Legislator Lafazan's character.

14 LEGISLATOR KOPEL: That's not
15 appropriate. So thank you.

16 MR. PIRONI: Thank you.

17 LEGISLATOR KOPEL: Next speaker
18 would be Thomas Williams.

19 MR. WILLIAMS: Good afternoon.
20 Just for some background, I have been involved
21 in government in Nassau County at the village
22 or county level for 46 years. I have been an
23 attorney for over 45 years. I only learned of
24 this local law the other day when my son,
25 who's on the faculty of the University of

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2 Arkansas called me and told me it's on the
3 news down there.

4 I've known Fred Brewington for over
5 30 years and my son told me gee Fred's
6 involved. I called Fred. Fortunately, he was
7 able to forward to me the proposed local law
8 etcetera.

9 Now, I have been at various times
10 periodically involved with this legislature
11 since it was created in 1995. I'm fairly
12 familiar with much of your legislation. I was
13 ten years a commissioner of the Nassau County
14 Civil Service Commission. I've read this law
15 and in my humble legal opinion it is the most
16 pernicious bill this body has ever proposed.

17 I don't know Legislator Lafazan. I
18 don't know your background. I don't know if
19 you're an attorney. Are you? Then somebody
20 else wrote this bill. I have two names for
21 it. One is the Police Officer Financial Aid
22 bill of 2021 or the Frankenstein bill because
23 it takes a piece from here a piece from there
24 and slaps it together in an incredibly
25 undraftsman like manner. I'm particularly

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2 bothered by the fact that it says there shall
3 be an irrebuttable presumption that
4 harassment, menacing, assault etcetera.

5 I don't know how many of you are
6 lawyers. I know Carrie is. I know Rich is.
7 Only he's not here right now. Mr. Muscarella
8 I think you are. Any of you who are attorneys
9 know there is no such irrefutable presumption
10 except in housing discrimination. Otherwise
11 there is none because what an irrefutable
12 presumption does is negates the necessity to
13 show mens rea. Or as we commonly know it as
14 intent. It just puts on top of this statute
15 or this local law that whoever curses at a cop
16 is presumed guilty.

17 Now, you who are attorneys know
18 that 50 years ago the United States Supreme
19 Court said the use of profanity, even in
20 calling police officers vial names, is a
21 correct exercise of a First Amendment freedom
22 of speech and that a police officer has to
23 have a thicker skin than the average member of
24 the general public.

25 You folks know perfectly well, if

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2 you have any legal training or have had any
3 legal advice, this bill does not pass
4 constitutional muster. If you pass it it will
5 be challenged and in the federal district
6 court in the Eastern District of New York it
7 will be thrown out as unconstitutional. The
8 Second Circuit in Manhattan will uphold that
9 both as a three person panel or en banc.

10 Then the county might be as so ill
11 advised as to petition the Supreme Court for a
12 writ of certiorari. And I predict that the
13 Supreme Court will summarily dismiss the
14 application for the writ. And you will have
15 spent hundreds of thousands of dollars of
16 taxpayer money to defend an unconstitutional
17 law. Thank you.

18 LEGISLATOR KOPEL: Amy Marion is
19 next.

20 MR. PIRONI: I'm terribly sorry
21 but this is not a political statement and I
22 will speak because it is my freedom of speech.

23 LEGISLATOR SOLAGES: You said it
24 was about his character. Come on. Can
25 Nicolello please come here and can we have the

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2 Nassau County Police Department -- where is
3 Nicolello?

4 MR. PIRONI: We hold the Nassau
5 County Police Department and our communities
6 systemically racist.

7 LEGISLATOR ABRAHAMS: Sir, I'm
8 being completely respectful to you and you
9 probably don't understand the --

10 MR. PIRONI: It is not a
11 political speech.

12 LEGISLATOR ABRAHAMS: I
13 understand. Let me finish. Because you
14 probably don't understand the history of this
15 institution. I have been a part of this
16 institution for almost 20 years. I'm here to
17 tell you, on both sides, and I have defended
18 it when Democratic opponents have come to
19 challenge my Republicans colleagues, we have
20 never, never allowed an opponent to come and
21 speak while describing he is an opponent to
22 one of our colleagues. Because it could be --
23 the perception could be that it is political
24 in nature.

25 I have not seen you here in the

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2 last four years that Mr. Lafazan has been
3 here. I'm just saying that could be in turn
4 interpreted as political in nature. We have
5 not allowed it. We are not saying that you
6 cannot speak. What we are saying is you
7 cannot speak in the political nature which you
8 are coming before us today. If you want to
9 provide your statement to us we will be happy
10 to take your statement and incorporate it as
11 part of the record. But I think, Presiding
12 Officer, that's been the standard in the
13 legislature for some time.

14 LEGISLATOR NICOLELLO: He's
15 allowed to speak about the bill.

16 LEGISLATOR ABRAHAMS: He said
17 before he wanted to speak to Mr. Lafazan's
18 character.

19 LEGISLATOR NICOLELLO: Well look,
20 no.

21 MR. PIRONI: Can I speak as a
22 constituent of Legislator Lafazan?

23 LEGISLATOR NICOLELLO: If you
24 want to speak about -- look, whatever you're
25 going to say about his character no. That's

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2 not what we do here. If you want to speak
3 about the bill, if you want to speak about
4 something else go ahead whatever time is left.

5 MR. PIRONI: I'm speaking about
6 the bill. There is mentioned -- thank you.

7 LEGISLATOR ABRAHAMS: Guys, I can
8 get tons of Democratic candidates down here to
9 talk about you. Why would we want to do
10 that?

11 LEGISLATOR NICOLELLO: Amy
12 Marion.

13 MS. MARION: Guess we'll have to
14 find a new candidate to challenge Lafazan.

15 In August of 2020, two months after
16 the governor's Executive Order 203 was issued
17 which proclaimed the Blacks Lives Matter and
18 within three days of the executive order's
19 guidance for the institution of police reform
20 this body saw fit to pass legislation to
21 include first responders as a protected class
22 in direct disregard of the definitions of a
23 protected class established by the Civil
24 Rights Act of 1964 confirmed in the 1968 act
25 and expanded by the federal Hate Crimes

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2 Prevention Act of 2009 in New York State Human
3 Rights laws.

4 This body saw fit to expand the
5 definition of protected class contrary to
6 federal and state statutes and jurisprudence.

7 Now this body seeks to double down
8 on its impermissible acts by imposing civil
9 liability for those who are deemed to have
10 harassed, menaced, assaulted or injured an
11 individual due to such individual's protected
12 class status as first responders.

13 This body has not established a
14 compelling interest exists in this county and
15 quite to the contrary, both the county
16 executive herself and the police commissioner
17 himself have stated that no such compelling
18 interest exists.

19 While this bill claims that it is,
20 quote, the judgement of this legislature that
21 the recent widespread pattern of physical
22 attacks and intimidation directed at the
23 police has undermined the civil liberties of
24 the community at large and the bill states,
25 quote, that this legislature notes with

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2 extreme concern that in many jurisdictions
3 outbreaks of destructive looting and
4 lawlessness have deliberately targeted and
5 victimized law enforcement officers and other
6 first responders it ignores the statements of
7 the county executive and police commissioner
8 who both repeatedly stated that the
9 demonstrations in this county have all been
10 peaceful.

11 This bill contains no clearly
12 defined prohibitions. It imposes civil
13 liability regardless of a criminal prosecution
14 being brought and then at the same time
15 chooses to define harassment, menacing and
16 assault as those terms are defined in
17 New York's penal law for criminal
18 prosecution. It also borrows its definition
19 of riot from a federal criminal statute.

20 This bill constitutes content
21 discrimination and the official suppression of
22 ideas. It makes it an irrebuttable
23 presumption that such harassment, menacing,
24 assault or injury is motivated by such
25 individual status as a first responder if that

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2 individual is either in uniform or clearly
3 identified as a first responder.

4 This bill's irrebuttable
5 presumption guarantees that a determination is
6 automatic and not based upon actual objective
7 evidence. Evaluation of acts alleged to have
8 been harassing and menacing however requires
9 that determinations are or based upon facts
10 and evidence and an evaluation of
11 reasonableness under the circumstances. That
12 is what the law provides.

13 Monetary damages are imposed no
14 matter where, when or how these undefined acts
15 are alleged to have taken place.

16 Only circumscribing acts taken when
17 injury occurs in the course of a riot as
18 justification for imposing treble damages but
19 that is the only specificity within this
20 amorphous bill.

21 According to this bill, if an
22 individual is being beaten and assaulted by an
23 officer that individual is not permitted to
24 protect him or herself nor even speak out in
25 protest, for that will subject the individual

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2 to civil sanctions regardless if a state
3 county prosecutor deems the acts to be
4 justified in self defense.

5 The First Amendment generally
6 prevents government from proscribing speech or
7 even expressive conduct because of disapproval
8 of the ideas expressed.

9 This is bill does not even address
10 content. It makes it an irrebuttable
11 presumption that speech directed at an
12 identifiable first responder is proscribed and
13 subjected to punitive damages, a means to
14 continue to silence and suppress future
15 speech.

16 This bill is precisely what the
17 First Amendment forbids. As stated by
18 justices in this United States district
19 federal courts individuals may commit heinous
20 acts without warning and with little
21 prompting. But under the First Amendment the
22 fear of such spontaneous attacks without more
23 cannot override individual's rights to freedom
24 of expression. Please do the right thing.

25 LEGISLATOR NICOLELLO: Mary Beth

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2 Gunther.

3 MS. GUYTHER: Good afternoon.

4 I'm Mary Beth Guyther and I'm the social
5 justice coordinator for the Long Island Area
6 Counsel of Unitarian Universeless
7 Congregations, and I'm also a member of Long
8 Island Advocates for Police Accountability. I
9 will be brief. Many folks have already made
10 these points but I think it's important to
11 remember a few basic things.

12 A protected class historically the
13 importance of it can't be underestimated.
14 It's based on immutable characteristics of
15 race, ethnicity, disability, sexual
16 orientation, gender identity. Not a
17 profession. Not a job you took. Not based on
18 a uniform you can choose to put on or take
19 off.

20 This legislation would open the
21 door to dangerous suppression of free speech.
22 It's up to the first responders to determine
23 what is annoying, harassment or menacing.
24 This violates the spirit of due process. One
25 of our foundational rights as enshrined in the

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2 Constitution.

3 The third point is, as many people
4 have said, this legislation is not needed.
5 Police are already protected in existing
6 legislation and County Executive Curran and
7 Commissioner Ryder both went on the record in
8 describing last summer's actions after the
9 murder of George Floyd as peaceful.

10 Finally, like Scott said, just an
11 example of what might happen with such
12 legislation. Think about those citizens
13 trying to save the life of George Floyd.
14 Calling out to those officers to check his
15 pulse, to get up off of his neck. Trying to
16 interrupt a murder. They could all be sued.
17 Think about that. Is that what you want to do
18 here today? Thank you.

19 LEGISLATOR NICOLELLO: Victoria
20 Haddy.

21 MS. HADDY: I'm just basically a
22 white middle class citizen of this country.
23 I'm here for a different type of a bias. The
24 political division of Democrats and the
25 Republicans. This amendment could suppress

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2 one political side's view by the response
3 against them. To think how I stand for
4 Democrats in protest for their rights many
5 days. Yet here I have two Democratic
6 legislators sitting before me trying to pass
7 an amendment that would allow for more
8 suppression and it feels like a slap in my
9 face.

10 Newsday wrote about this very
11 article. Newsday reports the bill being
12 considered by the Nassau County Legislature
13 could make police officers and other first
14 responders a protected class under the human
15 rights law which currently bars discrimination
16 based on race, religion, gender and
17 orientation. No other professions are
18 protected under the Human Rights Law.

19 This bill would allow a lawyer for
20 the Long Island county to sue protesters on
21 behalf of officers and call for fines of up to
22 \$25,000 for anyone who harasses, menaces or
23 injures an officer. The amount would be
24 doubled if the offending behavior in the
25 course of participating in a riot the bill

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2 says.

3 While it sounds good and we wish
4 for no officer to be hurt, this would grant
5 broad authoritarian powers to first responders
6 as an unintended consequence. While based on
7 a belief that a first responder wouldn't lie
8 or show no bias in regard to how their
9 injuries occurred. I mean, we can basically
10 say did they occur under a false arrest and
11 the police officer say the opposite.

12 This recently actually happened
13 when a police officer rammed a car and said
14 that the defendant ran into him. This officer
15 went to the hospital claiming neck injuries.
16 Did the first responders use aggressive
17 tactics first?

18 How this amendment would even be
19 considered under the Human Rights Law is a
20 complete affront to all human rights activists
21 under our First Amendment.

22 If we had data to back up how first
23 responder injuries fall under the Human Rights
24 Law we could all make decisions in how this
25 addendum applies to the existing law and to

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2 them. We just cannot add to law that we deem
3 to use without any repercussions of how it
4 applies to the existing law.

5 Otherwise, all laws whether they
6 apply to a specific matter or not, could be
7 then changed to suit the party bringing it
8 forward.

9 The first responders have laws on
10 the books to protect them. So why more? Not
11 based on anything but one side's definition of
12 how it applies. This proposal also assumes we
13 don't have bias against any one group.

14 We also have no direction on who
15 will decide if someone can get sued. In
16 enacting this it would open the doors for all
17 states and counties to use current laws and
18 allow for the changing of our basic right of
19 free speech for all.

20 This is not for the Nassau
21 legislature to decide but needs to be brought
22 before our highest court to decide, the
23 Supreme Court, to see if it impedes on our
24 First Amendment rights.

25 Laura Curran, I am pleading for you

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2 to veto this proposal.

3 Cons against the proposal. Bias
4 against a group. With all protests we have
5 encountered in the past year we need to ask
6 was the response to one group equal to the
7 response of another group? Did the first
8 responder's actions effectively influence the
9 response against themselves or was is it
10 totally unprovoked? Were stronger arrest
11 tactics used against one group?

12 There are many videos and photos
13 showing the different response against each
14 group of protesters on the web. So now we
15 have to ask if bias against some by the first
16 responders warrant that they then get to
17 receive compensation based on their own
18 responses to the protesters.

19 I have tons of videos showing all
20 that had gone on at the Bellmore train station
21 week after week after week. They have been
22 there for almost a year now. And the abuse I
23 took from them for doing my rights as a
24 Democrat. Meanwhile, I was always called the
25 agitator. I was the one that had to leave.

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2 So this is something we have to question. We
3 can't just assume that everybody is fair and
4 every first responder is fair because it's
5 not.

6 I had an ambulance in front of a
7 truck rally. Nassau County with their lights
8 on flashing this and that. I had a
9 granddaughter pass away from drowning and we
10 couldn't get an ambulance to our house. How
11 do you think this made me feel watching them
12 sitting there in the middle of a thing.

13 In conclusion, passing this will be
14 setting a precedent leading us on a very
15 slippery legal slope which we may never
16 recover from. A further push away from
17 democracy. Nobody wishes for first responders
18 to get hurt. And I am not advocating for
19 violence against first responders but to this
20 proposal.

21 We need to allow for the people of
22 this country to have recourse on this law. We
23 need to know the force against protesters will
24 be equal and that the tactics used against one
25 group is the same for all protesters as not to

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2 cause some protesters to get frustrated and
3 attack the first responders. Before we can do
4 anything this must get answered as we do not
5 give First Amendment rights to one group
6 without giving the same right to another.
7 Thank you very much.

8 LEGISLATOR NICOLELLO: Susan
9 Gottehrer.

10 MS. GOTTEHRER: Thank you so much
11 for giving all this time to this. My name is
12 Susan Gottehrer. I'm the director of the
13 Nassau County Civil Liberties Union. Before I
14 start talking about the bill I just want to
15 address some of the abysmal level of dialogue
16 that has gone on around all this policing
17 stuff.

18 First of all, being pro-police
19 reform is not being anti-police. I think that
20 any bill or legislation or anybody who has
21 been elected to create policy that buys into
22 the degradation of our discourse, assuming
23 that all voters are stupid and all policies
24 should be based public relations and
25 electioneering, should not be sitting in those

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2 seats. So let's just try to raise the
3 dialogue a little bit. Shall we?

4 I have heard logic proposed that if
5 somebody proposes a piece of legislation that
6 is protection for police it immediately means
7 if you don't vote for it you don't want to
8 protect the police. Again, can we raise the
9 dialogue please?

10 Can we also please acknowledge the
11 fact that a lot of this legislation that looks
12 very similar around the country, I'd love to
13 ask the unions who their public relations firm
14 is on a national level. So let's keep that in
15 mind while we're talking about this particular
16 piece of legislation and who really wrote it
17 and where did it come from.

18 To begin with, the preamble of this
19 legislation is unbelievable. I don't know how
20 many of you have read it. It sets up the
21 rationale for this legislation using incendiary
22 language making references to outbreaks of
23 destructive rioting and lawlessness and
24 attacks on police asserting that these attacks
25 are intended to hinder police from

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2 safeguarding society from chaos and mass
3 violence.

4 I don't know where any of you are
5 living but I haven't seen it. Not to mention
6 what other speakers have pointed out here that
7 the county executive and the police
8 commissioner and many of you have talked about
9 the peaceful protests. So hair on fire Josh.
10 I don't think so. It's a deliberate
11 hyperbolic attempt to set a dystopian
12 landscape. It's ridiculous.

13 So, we would ask Legislator Lafazan
14 and other sponsors of this bill to present
15 measurable data to justify the need for the
16 bill specifically in Nassau County. Not
17 around the country. Not in other cities. In
18 Nassau County. So we can be confident that
19 the people governing the county and proposing
20 public policy here are not wasting our time
21 and doing it in a mature, grown-up fashion.

22 Secondly, this adds tools to the
23 policing tool kit regarding consequential
24 threats during interactions with the police.
25 As if the existence of a baton, a gun and a

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2 taser were not enough, now there's the looming
3 threat of a civil claim brought into the mix.

4 This county has already made it
5 abundantly clear it is not interested in
6 police accountability. And now to tip the
7 scales of power even further, instead of using
8 your time to legislate checks and balances and
9 help people in the communities and create some
10 equity in this county you've decided to use
11 your time in this way for legislation that
12 will increase the power of the police and
13 decrease their accountability.

14 Legislator Ferretti are we
15 bothering you? Thank you.

16 We have real problems here in
17 Nassau County. That is complete waste of
18 everybody's time seriously and quite
19 embarrassing. You're making spectacles of
20 yourselves. I've been getting calls from
21 around the county what does this mean? Does
22 it mean if I point my finger at a police
23 officer during a speech and call out a
24 specific behavior by a police officer am I
25 harassing him? Does that fall under one of

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2 these codes? If the public doesn't understand
3 what the legislation means then the only
4 effect the legislation has is to create a
5 permanent veil of threat over every
6 interaction whether or not it's ever
7 enforced. As soon as you pass this bill that
8 threat now exists over every interaction.
9 It's a permanent veil of threat along with all
10 the other threats that come with a police
11 interaction.

12 Regarding the financial damages.
13 Some say the damages will fit the offense and
14 will not always be in stated range of 25,000
15 to \$50,000. That is not comforting to people
16 who get a civil suit thrown at them and have
17 to hire attorneys for months and months and
18 months and that will be financially
19 catastrophic for them.

20 Again, I would like to ask or I
21 would hope during the debate, I would actually
22 like to ask now, if any of the sponsors of the
23 bill or Josh could give us an example of
24 behavior that would result in a suit? Because
25 if you can't then you shouldn't be voting for

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2 the legislation. If the public doesn't know
3 the parameters it's not an okay law.

4 Can any of you give me an example
5 of what might get them into trouble? Can you
6 give them an example of what might get them
7 into trouble? Anybody? No? Okay.

8 So on that note, the other thing is
9 I'm not sure exactly how we're supposed to
10 find out how many civil suits have been thrown
11 at people. Again, transparency issues. I'm
12 sure the answer is we have to go digging in
13 the courts to find out. So much for
14 accountability and transparency again Nassau
15 County.

16 So ask I one more time for
17 measurable data to be presented on the mass
18 violence and chaos that is being perpetrated
19 all over the county the police are currently
20 being prevented from putting down. If you
21 can't provide that then please stop wasting
22 everybody's time.

23 Can I pass it to Fred Brewington?

24 LEGISLATOR NICOLELLO: I thought
25 Mr. Brewington wanted to wait until the end

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2 but he can go now if he wants. Whatever you
3 want.

4 MR. BREWINGTON: You abuse us and
5 then you complain about the way we fight
6 back. You claim that we are anti-police and
7 we are not. I sure wish all the seats up
8 there were filled but I don't have control
9 over that. You have control.

10 My fellow lawyers up there, I'm
11 going to take you back to constitutional law
12 101 just for a little bit in a couple of
13 seconds. But I want to stand here as a life
14 member of the NAACP. The most feared and
15 revered civil rights organization in the
16 world.

17 Mr. Lafazan, I don't think you and
18 I have really had a good conversation. I
19 would cherish that because I'll try to help
20 school you a little bit and help you clean the
21 stuff that's on your shoes that you stepped
22 in. Clean that off. Because what you've
23 created for everybody here in Nassau County is
24 a step back in time. A step back in history.
25 And we heard Reverend Easley talk about Bull

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2 Connor. Let me tell you a little bit about
3 Bull Connor.

4 One of the things they did was they
5 made it unlawful to parade in the streets,
6 raise issues about the concern where people
7 were getting -- look at me this time young
8 man -- people were getting tarred and
9 feathered because -- I'll step over here.

10 LEGISLATOR NICOLELLO: The
11 reporter is not going to be able to take
12 down --

13 MR. BREWINGTON: I'll speak loud
14 enough. He won't have any problem hearing
15 me.

16 LEGISLATOR NICOLELLO: Mr.
17 Brewington, Fred, please go behind the
18 podium. Everyone else does.

19 MR. BREWINGTON: I'll do that
20 because I will be obedient to a point. I'll
21 do it for him not for you all.

22 I start by good afternoon. There's
23 several ways to address this Lafazan law. One
24 of them was to discuss directly about tar and
25 feathering and lynchings that went on and

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2 still go on. You can just look at the Byrd
3 bill in Congress and tell you about a man that
4 got dragged behind a pickup truck in Texas in
5 your lifetime young man and yet you stood
6 with -- I'm not even on my prepared remarks
7 yet -- you stood and kneeled, just like
8 Ms. Ford did and other people did, with Black
9 Lives Matter protesters and said I hear you.
10 You didn't hear a damn thing. Because if you
11 did you wouldn't pontificate and put this up
12 as a bill and denigrate the lives of those
13 individuals that dared to set their bodies in
14 front of firing squads to stop abuse. So you
15 should be ashamed of yourself.

16 I don't care what your political
17 attempts are to climb up the ladder. Don't
18 climb on my back. No matter what approach I
19 take there is no way to find the passage of
20 the suggested law being acceptable.

21 The rest of the time that is going
22 to be allotted to me, and I'm going to pray
23 that somebody is going to yield some time to
24 me. Anybody out there that plans to speak
25 going to yield some time to me? So I got 15,

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2 20 minutes. I'm good.

3 LEGISLATOR NICOLELLO: That's
4 fine if those folks would give me their names.

5 MR. BREWINGTON: Say your name
6 out loud Doris. Regis Thomas. Doris Sharpe.
7 Nathan. Is that enough? Thank you.

8 First, the bill is unconstitutional
9 without any root to being salvaged. If you
10 want to fight I'm built for it. Be prepared.
11 We're built for it. Amy stands with me.
12 She's built for it. We'll bring the
13 constitutional lawyers because I've already
14 spoken to them across the country.

15 Ms. Schaefer, I watched you pop
16 your gum all afternoon and I'm going to say
17 this because someone taught me that it's
18 really not good to do that when you want
19 people to respect you.

20 LEGISLATOR NICOLELLO: There's no
21 call for that.

22 MR. BREWINGTON: There is because
23 you're not sitting there. As a matter of fact
24 Mr. Chair let me tell you something.

25 LEGISLATOR NICOLELLO: She's not

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2 allowed to chew gum?

3 MR. BREWINGTON: There you go. I
4 sat here and respected and clapped for a long
5 time and I'm going to just tell you there is.
6 Because when you saw the faces that we saw,
7 the grimaces on the face when people talked
8 about Black Lives Matter and we watched people
9 on this side and at least one person on this
10 side make faces it's okay for me to comment.

11 LEGISLATOR NICOLELLO: You're not
12 commenting about that. You're commenting on
13 somebody chewing gum. It's unnecessary. You
14 don't need to do that.

15 MR. BREWINGTON: If you want to
16 tell me that I can't say when I'm disrespected
17 that means that the police that you want to
18 legislate to give the right to sue can't say
19 that they are disrespected.

20 LEGISLATOR NICOLELLO: All right
21 go ahead.

22 MR. BREWINGTON: Any day.

23 The violation of the First
24 Amendment rights is clearly identified in the
25 vague and undefined terms like injure. That's

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2 not defined. But yet its tail end,
3 Mr. Kennedy, it's on the tail end like a tail
4 wagging a dog. So that it's wide open. You
5 may try to steal the definition, whoever wrote
6 this law, from the penal law or from the
7 federal statute but you left some things out.
8 One of them is injure.

9 Because if indeed one of the
10 brothers over here, who do serve us well, says
11 oh, I'm injured. My heart hurts. That's not
12 defined and they could sue, Mr. Kopel. They
13 could sue, Ms. Bynoe. They could sue and it's
14 not even defined. But I'm not even getting
15 there yet because the fact that while loosely
16 referencing the New York penal law sections
17 120.00 03, 04, 04A, 05, 06, 07, 08, 10, 13 and
18 15 dealing with assault and menacing. As well
19 as 240.25, 26, 30, 31 and 32 dealing with
20 harassment, all of which require some proof of
21 intent. It then wipes clean the need to prove
22 any of those crimes including the mens rea of
23 criminal intent as set forth in those
24 statutes. How can that be?
25 This is a bill that you put up.

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2 The creation of a private right of action
3 which not only has an ill-defined term and
4 terms but seeks to chill and limit the speech
5 of person who would seek to express
6 themselves, make statements which are
7 unpopular to and about police and/or engage in
8 forms of protected speech that are otherwise
9 lawful and properly protected by hundred years
10 of American jurisprudence is absurd.

11 You're going to find yourselves on
12 the cover of the Washington Post, the New York
13 Times, Time Magazine and any other document
14 that you can think of as it being Nassau
15 County the police state.

16 The time and reasoning of this
17 proposed statute makes one point crystal
18 clear. This law is intended to punish those
19 voices and intimidate those people who would
20 put their bodies on the line for a moral
21 imperative that cannot be denied. The intent
22 to chill and dampen protected speech and
23 thwart protesters could not be more obvious.

24 Second, the placement of the status
25 of being a protected class on first responders

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2 including police is contrary to law and all
3 designations of historical categories of real
4 victims of hate, real victims of
5 discrimination and real victims of defined
6 categories under federal and state law.

7 What you have done and what you are
8 doing right now is a slap in the face to those
9 who crossed the Edmund Pettus Bridge, raised
10 their voices for women rights in Seneca Falls
11 and dared to speak out and that were
12 victimized at Stonewall. If any of you want
13 to know what those references are give me a
14 call.

15 Any argument which suggests that
16 first responders are already defined in the
17 Nassau County Human Rights Law as a protected
18 category as amended in I believe it was in
19 August of 2020 or perhaps '19 does not make it
20 valid. Repeating an unconstitutional mistake
21 does not make the first mistake go away. In
22 fact, it makes it worse. The classes of race,
23 color, religion, national origin, disability,
24 age, sexual orientation, gender identity are
25 all characteristics recognized under federal

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2 law.

3 Systemic violence, lynchings, tar
4 and featherings, abuses, tazings, beating with
5 asp and batons, threats to life, limb and
6 security are not being solved by this law. In
7 fact, they illustrate the real problems that
8 exist by trying to cover it up. By giving
9 police yet another security blanket that they
10 don't need.

11 The bill is dangerous and as yet
12 another hidden double whammy. Here it is.
13 Not only does it allow police to sue the
14 civilians that pay their salaries, it does
15 provide for civil penalties under paragraph
16 five where it says, very important, in
17 addition, Legislator Walker, in addition to
18 civil liability any person found to have
19 violated the provisions of this section shall
20 be subject to a civil penalty no more than
21 \$25,000 per violation. Per violation. You
22 want to bankrupt somebody and shut them down
23 that's one way of doing it.

24 People are going to be afraid to
25 speak their mind. As a matter of fact, if

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2 they stood on a soap box and said what I'm
3 saying right now one of these young people in
4 uniform over there could say I was insulted, I
5 felt harassed and I'm suing Brewington.

6 In addition to this, the
7 legislature another double whammy -- I'm sure
8 you read it, Mr. Lafazan -- gives up its power
9 to the police commissioner to have the county
10 attorney sue the civilian for these damages
11 and penalties.

12 So what you are doing is what
13 occurred just prior, historians, just prior to
14 us entering World War II. Is that the elected
15 officials in countries we call totalitarian
16 gave absolute authority to nonelected persons
17 to use the power of government to handle those
18 who they wanted to silence and economically
19 ruin. I don't need to teach some people on
20 the dais up there their own history.

21 You then in paragraph four
22 completely cut out the Human Rights
23 Commission. Did you know that? This statute,
24 in paragraph four, says and cut's out the
25 Human Rights Commission of Nassau County and

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2 states that they are not to be involved in
3 providing any investigation, any hearing, fact
4 finding or other form of due process.

5 So that you are rigging the process
6 to deny constitutional rights and skipping any
7 opportunity for the agencies whose law you are
8 amending to be involved at all. This is more
9 than cheating. It's abusive.

10 Let me just ask, you probably won't
11 answer me, did you get counsel from the Human
12 Rights Commission on this bill? If you did
13 tell me who you spoke to because I spoke to
14 them. Okay.

15 The county's own numbers reported
16 to New York State demonstrate that the
17 impacting of police on communities of color
18 shows disproportionate and disparate numbers
19 based on race. You all have refused to
20 discuss race. You refuse to have that
21 conversation. That's what makes this even
22 more dangerous. From car stops to arrests and
23 from use of force and race based on
24 differential and charges those communities
25 that suffered over policing the numbers in

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2 Nassau do not lie.

3 It is these facts which confirms
4 what has been occurring in our country all of
5 which justified public outcry by people from
6 all races, all religions, all gender
7 identities. Those with disabilities and those
8 who were born in different lands and from
9 other communities who call themselves allies
10 who understood that when they said,
11 Mr. Lafazan, Black Lives Matter this past year
12 and a half they understood that it was not the
13 police who had been victimized. Police are
14 not discriminated against. Black people are.
15 Brown people are. Gay people are. Disabled
16 people are. Women are. Jews are. Muslims
17 are. Christians are. Older people are.
18 Police are not.

19 How dare you appropriate centuries
20 of struggle by oppressed peoples and abuse
21 your authority to cheapen those struggles by
22 offering no less passing this bill. Then you
23 make it so that nothing has to be proven by
24 gathering and granting an irrebuttable
25 presumption. We want to say that term because

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2 for all lawyers we should all cringe,
3 Mr. Nicolello you remember that term.
4 Irrebuttable presumption. That whatever is
5 alleged, as vague as it may be, that it was
6 done solely as a hate crime against police and
7 that the statements, actions, protests were
8 for no other reason. Not like vindicating
9 civil rights.

10 I'm almost done.

11 But let me take you through a very
12 simple and very brief exercise. Listen to
13 these words. That's wrong right there. You a
14 tough guy, huh? You don't think anybody
15 understands that S bro. S standing for
16 another word, Legislator Ford. I'm going to
17 try and be gentile.

18 You're being a bum right now. He's
19 enjoying that S. You're enjoying that. Look
20 at you. Your body explains you're an f'ing
21 bum. You know, that's bogus right there,
22 bro. You can't even look at me like a man
23 because you're a bum, bro. You think that's
24 cool. What's your badge number, bro? I know
25 that's what you want to do but I'm not scared

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2 of you. Check him for an f'ing pulse. You're
3 a bum, bro. You're bum, bro. You're
4 definitely a bum. The first thing you want to
5 do is grab your Mace because you're scared.
6 Scared of f'ing minorities.

7 Let me just say those are
8 comments -- if we can go to B -- those
9 comments came from these people and some of
10 you may have this picture. These are some of
11 the people that stood as George Floyd got
12 murdered. Those individuals we need to say,
13 we said George Floyd's name, but we need to
14 say them. They're Elisa Fanari, Charles
15 McMillian and Christopher Martin and Donald
16 Williams and Genevieve Hansen and Darnella
17 Frazier. A fire fighter, a mixed martial arts
18 fighter, a high school student and her
19 nine-year old cousin. And you remember the
20 T-shirt, it said love.

21 Those individuals that are in this
22 picture, the one that you each have a picture
23 of, you've got this, right? Those people
24 could be sued based on your law. Based on
25 your say so. Based on what Mr. Lafazan has

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2 placed up as political fodder.

3 But let me tell you another thing.

4 That each of you need to look. Look at
5 these. You see these four? Everybody got a
6 copy of this up there? Because these are the
7 faces of those who stood to silence, ignore,
8 discount and abuse the voices of regular
9 people who protested as they witnessed on May
10 25th and you would pass a law to allow these
11 four people or any of our own to sue them and
12 never have to prove intent. Was there intent
13 in saying that because they hated police? Or
14 because they were trying to save a man's
15 life?

16 I pray, brother Rhoads, that you
17 think hard on this bill. Mr. McKeivitt, I pray
18 hard your heart is not harden like farrow. I
19 pray that you each think of it. Even the ones
20 that put their name on this bill and thought
21 they were doing something smart. I pray that
22 each of you understands that on May 25th you
23 would have condemned those eight people that
24 gave these words that have all the curse words
25 in them that I gave you to being sued and

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2 financially ruined so that they would learn a
3 hard lesson and never do it again.

4 If you want to bring our society to
5 its knees give that power to the police so
6 they can shut us down. Because we've only
7 asked for justice. We've never asked for
8 vengeance.

9 I'm going to sit down now but
10 before I do let me just say this. Don't fuel
11 hatred. Don't fuel discrimination. Don't
12 give discriminators yet another tool to put a
13 neck on my knee. Because when you do you
14 force people to push back. You force people
15 to be in a corner that they don't want to be
16 in. Don't kneel with us and at the same time
17 nail us to the damn cross. Thank you for your
18 time.

19 LEGISLATOR SOLAGES: I have a
20 question and point of clarification as to the
21 rules and bylaws of this body. At this point
22 legally it's my understanding -- please
23 correct me if I'm wrong -- at this point
24 legally only the presiding officer can pull
25 the bill; is that correct?

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2 LEGISLATOR NICOLELLO: It's
3 irrelevant. Here's the thing.

4 LEGISLATOR SOLAGES: With all due
5 respect --

6 LEGISLATOR NICOLELLO: We are in
7 the middle of a hearing. We are in the middle
8 of a hearing. So I have a number of other
9 slips. Does anyone here want to speak on
10 this? If you want to come and speak -- I'm
11 sorry sir, there's a whole stack of people who
12 want to speak who submitted slips. I'm going
13 to call those names in order. Have them come
14 up. If people don't want to speak at this
15 point, want us to move on to the next thing
16 then we will.

17 LEGISLATOR ABRAHAMS: Reverend
18 Mackey before you speak I just want to make
19 sure the public is clear on how the procedure
20 of the legislature works. The presiding
21 officer has the authority to not call the
22 bill. Pull the bill cannot happen. It's
23 already been part of the legislative
24 calendar. What will then proceed if the bill
25 is called someone can call for a motion to

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2 table the item. From that standpoint a table
3 needs a second and then from there the
4 legislature votes on it. Those are the only
5 two processes.

6 I know everyone is saying pull the
7 bill because they do not want to see the bill
8 go forward. But there is no process to pull
9 the bill off the legislative calendar. The
10 legislative calendar is part of a public
11 notice. The public has been notified. It
12 would be reckless and irresponsible to pull an
13 item that the public has been notified of
14 because you would not be here today if you
15 were not notified based on that item.

16 I think the language we mean to say
17 is not pull the bill, is not call the bill or
18 we mean to table the bill. I want to make
19 sure we're clear on the language.

20 LEGISLATOR NICOLELLO: The
21 hearing is still open. Whoever wants to speak
22 I'm going to call the names. Reverend Mackey
23 you go ahead.

24 REVEREND MACKEY: Thank you very
25 much. My name is Pastor Arthur Mackey, Jr.

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2 Pastor of Mount Sinai Baptist church in the
3 Roosevelt, New York. I'm here to call on the
4 Nassau County Legislature to vote against this
5 racist, classless and sexist bill to make
6 Nassau County police a police protected
7 class. They don't deserve to be a protected
8 class. I was born Black and so was Ackbar
9 Rogers who was brutally beaten by the Freeport
10 Police, including the mayor's son, and nothing
11 has been done about that. Justice needs to be
12 done and Nassau County police certainly don't
13 need to be a protected class.

14 Also Ahmad Tillery of Roosevelt,
15 New York was born Black. Brutally beaten, the
16 Black Boy Scout, by the Nassau County police
17 from the First Precinct. We marched there
18 with attorney Brewington to the First
19 Precinct. They had guns pointed at us,
20 snipers, as we marched there but we marched on
21 anyhow.

22 Then in Queens, illegally over the
23 borderline, Matthew Felix was assassinated by
24 Nassau County police. Now we have no problem
25 honoring top cops. I worked in government for

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2 30 years, three decades. I put together a lot
3 of good programs honoring top cops. But we do
4 have a problem with corrupt cops killing our
5 people. We stood with Matthew Felix's
6 family. They killed him at 19 years old. I
7 was there with him -- the family for their
8 20th birthday. There's going to be a march on
9 the 29th regarding his assassination by Nassau
10 County cops. And we call on you to vote
11 against this bill and anybody who votes yes we
12 call on the good people of Nassau County to
13 vote against them.

14 Now, Ralph Caso never brought a
15 bill like this. He would meet with the Black
16 leaders. Fran T. Purcell never would bring a
17 bill like this. He would meet with leaders in
18 the community. Thomas S. Gulotta would never
19 bring a bill like this. He would meet with
20 the leaders of the community and say we got to
21 talk to Jim Rice from the Commission on Human
22 Rights.

23 My father, the late Reverend Arthur
24 Mackey, Sr., Thomas S. Gullotta would never
25 allow a bill like this to come. Thomas Suozzi

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2 would never allow a bill like this to come.

3 Shame on you for bringing this
4 racist, classless and sexist bill that
5 discriminates against the people. We have
6 gone through too much. There are too many
7 Black men found hanging in the Nassau County
8 jail. There are too many cases of color in
9 Nassau County and Nassau County has become the
10 new south and it's nothing to be proud of.
11 It's something to be ashamed of. Vote no on
12 this bill.

13 LEGISLATOR NICOLELLO: Patricia
14 Pastor.

15 MS. PASTOR: Good evening. Looks
16 like that's where we're at. I was glad you
17 let a couple of people in after Fred because I
18 really didn't want to follow Fred. Fred's a
19 tough act to follow.

20 My name is Patricia Pastor and I am
21 a civil rights attorney, constituent of
22 Legislator Birnbaum. I live in Manhasset and
23 I am also the president of the National
24 Organization for Women in Nassau County and
25 the legislative lead for Now New York State.

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2 I'm here today to talk about this
3 bill and so many people have already said what
4 I wanted to say. So, most of my prepared
5 notes I'm sure you will be grateful I'm not
6 going to cover. So, I should be fairly
7 brief.

8 What I want to say is that my
9 presence here is not about anti-police. I
10 spent ten years in the NYPD and I have police
11 officers in my family. And I have a sort of
12 familiar relationship sometimes with police
13 because of that. So, I kind of get it when it
14 comes to individual officers.

15 But we're talking about a society,
16 we're talking about a culture when we talk
17 about police problems. Problems in the police
18 departments in Nassau County and Suffolk
19 County, in New York and throughout the country
20 actually.

21 So, my presence here to speak today
22 is about maintaining a democracy because this
23 bill is a threat to democracy. And it's about
24 the right of the citizens of Nassau County to
25 speak out and to object to mistreatment and to

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2 object to abuse by government actors.

3 Police officers are public
4 servants. They're government actors. We have
5 a right, all of us have a right to speak out
6 obviously against abuse and mistreatment and
7 harassment by government actors, including the
8 police.

9 This bill, and in particular the
10 irrebuttable presumption, which for anyone who
11 doesn't understand that means that if the
12 police are a protected category and I say or
13 do something that the police consider
14 harassment this law says that it's going to be
15 assumed by the fact finder, by the judge, by
16 the jury, it's going to be assumed in the
17 lawsuit that the police bring against me, it's
18 going to be assumed that I said or did to the
19 police officer because he's a police officer,
20 because he wears a uniform and because he
21 carries a shield and gun. It's already
22 assumed and it's irrebuttable. Nope, I can't
23 bring a lawyer in to say that's not true.
24 Can't do it. It's going to be assumed.

25 So, yes, this bill gives police

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2 officers more rights than all of those
3 marginalized people that current federal,
4 state and local law protect right now because
5 of their race and gender and all of those
6 categories mentioned by other people
7 previously.

8 So, again, police are public
9 servants. They're not marginalized peoples.
10 No one here is going to try to argue that with
11 me. Wearing a uniform is not an inherent
12 characteristic. This bill is
13 anti-democratic. It's anti-civil rights. It
14 violates the tenants of a democratic society.
15 Essentially it gives police absolute
16 discretion to decide what is harassment. It's
17 like I fear for my life. It's okay and
18 important for a police to say I fear for my
19 life if he or she does. But I'm talking about
20 when that's the statement that you have to
21 make to get away with abuse. Okay? It's like
22 that. It stifles the First Amendment right of
23 every citizen who objects to mistreatment.
24 LEGISLATOR NICOLELLO: Please sum
25 up.

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2 MS. PASTOR: In a democratic
3 society we need to be able to speak out and
4 this bill is creating a situation that will
5 stifle that fundamental right. You cannot
6 call yourself a democratic representative of
7 Nassau County citizens and vote for this
8 bill. If this bill passes this bill after
9 what we have witnessed here today then you
10 have made a mockery of the legislature and
11 your role in it. Thank you.

12 LEGISLATOR NICOLELLO: Lisa
13 Votino.

14 MS. VOTINO: Good evening
15 legislators. I wasn't going to speak but
16 there's a voice in this that hasn't been heard
17 yet. My name is Lisa Votino. I'm actually a
18 resident of Suffolk County. So I thank you in
19 advance for considering my comments today. I
20 am a member of Long Island Advocates for
21 Police Accountability but that's not why I'm
22 here today. My fellow members, I said will
23 speak but they've spoken, on the troubling
24 issues in this bill. But I will speak on
25 something that I unfortunately know all too

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2 well.

3 This is my first time speaking
4 before this legislature. But it is important
5 to note that this body presented me with a
6 citation when I was the inaugural recipient of
7 the Delanas Stewart award at the Long Island
8 regional branches of the NAACP luncheon
9 several years ago. I believe several of you
10 were also in attendance. I received that
11 award because I'm a community organizer. I
12 work on civil rights and human rights issues.

13 One of the main reasons I received
14 the recognition was because of my work with
15 victims of hate crimes and incidents of hate.
16 When people say they don't recognize my name I
17 always reply good. I think people think I'm
18 joking but I'm not. It means you've never
19 needed me and that is an incredibly blessed
20 thing.

21 I'll say that this work is very
22 emotional at times. Most of my work is in
23 Suffolk and honestly there is never a lack of
24 work there. While much of my work can be very
25 difficult at times, as you can see, there's

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2 honestly nothing that breaks me more than
3 being intimately involved in the aftermath of
4 a hate crime. That's how I know most of you
5 have never worked closely with victims of hate
6 crimes and it is to your detriment and their
7 detriment that you haven't. You wouldn't be
8 able to stomach this law for a single second
9 if you had.

10 After elected officials say their
11 platitudes and activists push to ensure that
12 circumstances leading up to a hate crime don't
13 happen again and the media leaves that's where
14 you find me. I'm the person that quietly
15 helps people pick up the shattered pieces of
16 their lives when they are forced to try to
17 continue on with something so devastating.

18 I have held hands as verdicts have
19 been read and I wiped tears when a person is
20 told that the crime that destroyed their life
21 won't be charged as a hate crime. The truth
22 is that we should be tougher on hate crime and
23 instead we're debating watering it down to
24 include people that at the end of the day can
25 take off their uniforms. Victims of hate

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2 crimes don't have that luxury. And it is a
3 luxury.

4 You have never received a call at
5 three a.m. from a survivor of a hate crime
6 hysterical crying because it's finally eat
7 them up inside that had they just been born
8 White this never would have happen to them.
9 You all get to sit there and decide whether
10 we're going to make a mockery of their pain.
11 We already understaff and underfund the
12 investigation and prosecution of hate crimes.
13 Victims are often for the most marginalized
14 and underserved parts of our community. That
15 person on the phone with me at three a.m. has
16 no other redress.

17 Police officers do. We have other
18 protections in place for officers. And if the
19 BLM movement never happened last year we
20 wouldn't be standing in this room right now.
21 You all know it.

22 What you do here affects not only
23 Nassau but it seeps into Suffolk and the
24 country at large. And as people have pointed
25 out, it already has. History will not look

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2 fondly at this moment and you legacies will be
3 tarnished and rightfully so. For those in
4 Nassau that believe they can keep getting by
5 by saying hey, at least we're not Suffolk.

6 I would have you consider that this
7 is the equivalent of Mississippi saying during
8 the civil rights movement hey, at least we're
9 not Alabama. Am I right?

10 In 2021 we don't look highly at
11 either for their actions during that pivotal
12 moment in our country's history.

13 And before you dismiss what I say
14 and chalk it up to just another cop hater I
15 assure you I'm not. I have many friends and
16 family who are in corrections and are
17 officers. But if you still want to believe
18 I'm anti-cop -- and I'm going to ask for a
19 little extra time -- I refer you to someone
20 you might know.

21 LEGISLATOR NICOLELLO: I'm going
22 to ask you to please sum up. Everyone is
23 blowing beyond the five minutes. I've been
24 very reasonable but please sum up and get to
25 the end of your comments.

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2 MS. VOTINO: If you want to still
3 believe anti-cop I refer you to someone you
4 might know, former chief of the Nassau police
5 and current Southhampton town police chief
6 Steven Scrinicki. Who I just fondly call
7 chief. We worked together to ensure
8 protesters and officer safety at the marches
9 last summer. And we worked on police reform
10 in the town of Southhampton. We come from two
11 very different perspectives and I honestly
12 don't know his thoughts on this. But we agree
13 on one simple principle, leave your community
14 better than you found it. And I would ask all
15 of you to do the same today.

16 LEGISLATOR NICOLELLO: Judy
17 Orenstein.

18 MS. ORENSTEIN: I will try to
19 take less than the five minutes. I'm not one
20 of those who has a device. I'm still paper.
21 I'm a boomer.

22 Good afternoon. My name is Judy
23 Orenstein. I've been a resident of Nassau
24 County for the vast majority of my 64 years.
25 Yes, I've now admitted that. I consider

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2 myself a fairly reasonable person with the
3 exception of when I'm at an Islanders game and
4 we're playing the Capitals. I'm not so
5 reasonable then.

6 Most of what I was going to say has
7 already been said. You said it so much better
8 than I had prepared. But I do want to point
9 out a couple of things and dot a couple of I's
10 and dot a couple of Ts.

11 A family member of mine asked
12 someone on this body about this bill last week
13 and was told, at least as they were reported
14 it to me, that this was really just a bill
15 that was designed to protect police officers
16 who get injured while they're doing their
17 jobs. I don't think there's anybody here who
18 doesn't think that a police officer who gets
19 injured while doing their job shouldn't be
20 able to be compensated for that. Should get
21 full salary or whatever if they're now
22 disabled. And frankly, if there aren't
23 already provisions for officers who get
24 injured on the job then shame on every
25 legislators who hasn't provided for that.

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2 But the reality is, as has been
3 pointed out to you, this bill does a lot
4 more. I don't know any except for two of you
5 so I don't know this. But I suspect that some
6 of you may be sitting up there thinking that
7 some of what has been said here is hyperbole.
8 When people say people who -- the people in
9 Minneapolis who called out to Derrick Chauvin
10 could have been sued under this law. I
11 thought I was the one who invented that one
12 and you did it so well. But I've been
13 thinking of nothing but that for this whole
14 weekend.

15 Here's why I don't think it's
16 hyperbole. Because your law says that
17 harassment is defined as it's defined in the
18 New York State penal law and what I think
19 nobody has pointed out yet and I hope you all
20 know this, is that Section 240.26 number 3
21 under New York State penal law definition of
22 harassment says that a person can be found
23 guilty of harassment if, and I quote, he or
24 she engages in a course of conduct or
25 repeatedly commits acts which alarm or

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2 seriously annoy such other person.

3 You think Derrick Chauvin wasn't
4 annoyed by those people? I think he probably
5 was. I think his colleagues were too. I
6 think that the truly dangerous thing about
7 this is that whether it's a person who's being
8 abused by those -- and please let me be
9 clear. I understand most cops are good. I'm
10 not an all-cops-are-bad type of person. But
11 we all understand just like in any profession
12 there are bad apples. There are bad waiters.
13 There are bad lifeguards. There are bad
14 teachers. Maybe. None of you I'm sure.

15 But for those few bad apples this
16 law as written will have a chilling effect on
17 people trying to call out to those bad apples
18 and trying to call them to account.

19 If I see somebody, and I'm a
20 privileged white lady, if I see a police
21 officer abusing his badge and I call out to
22 him I could now be sued by him because I've
23 annoyed him and I could be subject to a
24 \$25,000 fine.

25 And the chilling effect is that I

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2 think, and if you're honest with yourselves, I
3 hope you realize this too, that if this law it
4 were in effect in Minneapolis in 2020 Darnella
5 Frazier probably would not, or maybe, likely,
6 would not have had the courage to keep on
7 recording. Derrick Chauvin would have
8 walked. He would have walked. And I sure as
9 heck hope as an almost a lifelong resident of
10 Nassau County that there is not one person
11 sitting up there right now who thinks that
12 would have been a good thing. Thank you.

13 LEGISLATOR NICOLELLO: Chester
14 McGiven. Kevin Shakir.

15 MR. SHAKIR: This is a message of
16 peace. I'm from Westbury. Legislator Bynoe's
17 my legislator. Thank you so much for always
18 being on the right side of history.

19 I want to ask all of you up here
20 today if you have kids who just turned 16 did
21 you have to have the talk with them? What is
22 that talk? That guys if you get pulled over
23 make sure you roll down all your windows, turn
24 the car off and put your hands on the steering
25 wheel. That's the conversation I had with my

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2 father when I turned 16 years old. I didn't
3 understand what that meant at that time. I do
4 today. Had I got pulled over and a cop looked
5 at me as a threat I might not be here today.

6 Legislator Lafazan, we're both
7 millennials. We grew up in the same time just
8 different school districts bro. I grew up
9 with the Black people and Hispanics. You grew
10 up with White people. Ain't nothing wrong
11 with that. You don't live my life brother.
12 And the thing that I'm astonished, astonished
13 is how the heck did this even get put
14 forward?

15 I'm a member of an organization
16 called Empowering Young Professionals where we
17 try to hold government accountable. If this
18 gets passed today, how can I go back to my
19 membership and say how can we hold government
20 accountable? They're going to tell me Kev,
21 you're crazy. I don't have 25k to dish out.
22 Do you guys have 25K to dish out if one of
23 your cousins did it. Maybe. I damn sure
24 don't. A lot of people in my community damn
25 sure don't. Excuse my language.

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2 This is a mockery. You want to
3 talk about the life I live? I started the
4 first Islamic radio station in America because
5 Muslims in America don't have a voice. And to
6 propose something like this against Black and
7 Brown folks is a mockery.

8 Let me tell you a little story.
9 9-11 I was in fourth grade. I had no idea
10 what religion was. I knew I was Muslim. But
11 did I have an idea of what my religion was?
12 Of who Osama Bin Laden was? At fourth grade,
13 eight, nine years old? No idea. But I got
14 bullied for it. I got the hate for it. But
15 guess what? It made us stronger and made us
16 come out here to say no, what's wrong is
17 wrong. This is wrong.

18 I've had conversations with people
19 and I did not mention this bill that was going
20 on today. I just said hey, where do you think
21 this law is passed in? In what country? None
22 of them said United States of America. And if
23 I didn't see this beautiful American flag
24 behind us and this law get passed today I
25 don't think we're in the United States of

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2 America.

3 Just on Friday in my office what I
4 witnessed we have real estate agents in my
5 office. They were supposed to show houses
6 here in Nassau County. Three of them called
7 and said hey, with this bill that's going into
8 place we're not welcomed to Nassau County.
9 Please find me a property out in Queens.
10 Please find me a property in Connecticut or
11 find me something anywhere except Nassau
12 County.

13 This is a precedent that we are
14 going to be setting. Do you want to be
15 labeled as the county that does not like
16 minorities? You tell me guys. Or do you want
17 to be inclusive? Do you want to welcome
18 everybody into this beautiful county? You
19 guys are the legislators here today. What you
20 guys do today will affect you guys for the
21 rest of your lives and your names will go down
22 in history on being on the right side or wrong
23 side of history. Please be on the right
24 side.

25 UNIDENTIFIED SPEAKER: Excuse

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2 me. I know I'm out of order. We have
3 children here. One is fortunate enough this
4 summer to work with Judge Giannelli. They
5 have to leave. They didn't know what the
6 process and the procedure entailed. If
7 someone could yield their time to two students
8 that approached me and said can we please
9 speak? By the time they filled out the form
10 it was considerably late. They're working for
11 Judge Giannelli now and attorney Irwin.
12 They're bright, caring kids that want to
13 participate. They participated in mock trial
14 all year long until seven and 8:30 at night at
15 Holy Trinity but they have to go home now. So
16 when they asked me if they could speak, and I
17 believe in law enforcement. I was blessed to
18 work with the first black detective Butler in
19 Hempstead. Coleman, who's since retired --

20 LEGISLATOR NICOLELLO: Ma'am.

21 UNIDENTIFIED SPEAKER: So if you
22 could please let them speak I'd be most
23 appreciative.

24 LEGISLATOR NICOLELLO: Let me
25 ask, there's other slips here. Is everyone

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2 else willing to let them go first? Go ahead.
3 You submitted slips, right? What's your name
4 so we can note on the slips?

5 MS. MCNAIR: My name is Chelsea
6 McNair.

7 MR. REINA: My name is David
8 Reina.

9 MS. MCNAIR: Good evening. I
10 know we've all been here a very long time and
11 we're all tired and want to vote and hopefully
12 this bill will be denied. But what I've
13 learned in school is the best way to learn
14 something is to hear it over and over again.
15 You have heard over and over again why this
16 bill shouldn't go through.

17 I would like to start off by saying
18 I highly respect law enforcement. I
19 understand, not really, but I try to
20 understand what you go through every day. But
21 imagine what it's like to walk down the street
22 and to remember you can't have your hands in
23 your pocket. And you can't have your hood
24 on. And you can't have your hoodie zipped up
25 because it looks suspicious when you walk down

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2 the street.

3 Two days ago my mom told me that we
4 were going to come here because there was a
5 bill being put before you guys and I was
6 confused so I decided to look up the bill and
7 see what it was about and then I was even more
8 confused because it didn't make any sense. So
9 I decided to educate myself because that's
10 what I like to do and the broad terms in the
11 bill didn't make any sense. It does not take
12 years in law school or years of just being
13 alive in general to understand that that law
14 is so broad in its terms that it can't
15 possibly make any sense to any of you sitting
16 here before me.

17 The only thing that was defined in
18 that bill was the amount of money and
19 compensation that these officers could get.

20 Now, I'm a youth intern with Nassau
21 County and I was placed at the Nassau County
22 Supreme Court. And I'm an intern to Veronica
23 Renta Irwin and she is a principal law clerk
24 to Judge Gianelli. In my time there, it's
25 been six days maybe, I realized that when

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2 cases come before them if they have a question
3 about what the law says they look it up.

4 Now, if this goes through and a
5 case like that comes before them and they look
6 it up and this bill comes they have no choice
7 but to grant the decision because it just says
8 hey, you might as well. How does that make
9 sense?

10 I have to write essays in high
11 school that have more character and definition
12 to my point of what I'm trying to say in my
13 essays than this bill does.

14 The fact that discrimination
15 against police officers is held to a higher
16 standard than discrimination against people of
17 a certain race, gender, sexuality, disability
18 and any other protected group does not make
19 any sense. Thank you.

20 MR. REINA: Today I believe that
21 we have seen an array of different points made
22 by a lot of different people. Now, like what
23 Chelsea said, the way that we learn in school
24 is that you repeat and you study over and over
25 again. I believe that when it comes to the

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2 emotional side of this we have seen people who
3 appear to become emotional here.

4 I believe that this bill is
5 unfair. We have seen people fight for their
6 future and right now I feel as though I'm
7 fighting not only for now, the present, but
8 for the future.

9 I have a question to the
10 legislation. What do you consider
11 harassment? We have seen here in America and
12 in Nassau County the impact of police
13 brutality and we have not seen much done. But
14 a glance at a police officer can potentially
15 lead somebody to become bankrupt. You're
16 telling me a citizen is more menacing than a
17 human being with a weapon holstered to their
18 waist.

19 We are scared. Young people are
20 afraid. I should not be here, standing here
21 before you defending my basic human rights. I
22 was promised a future of equality and I don't
23 believe that I should stand here before you
24 fighting for that.

25 For the benefit of these police

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2 officers here, why are we getting punished?

3 Why are my human rights up for debate?

4 LEGISLATOR NICOLELLO: Joseph
5 Sackman.

6 MR. SACKMAN: Good evening. My
7 name is Joseph Sackman. I am a student
8 committee member of Long Island Activists and
9 I also sit on the executive board of NYPAN,
10 New York Progressive Action Network.

11 When I learned about this bill in
12 June I was very surprised that it was even put
13 forth. A lot of us were surprised it went
14 anywhere. This week when we find out it goes
15 through committee and now we are all here it
16 took great effort for many people to do a lot
17 in a short period of time. Organizing and
18 going out. I went out and wired Mr. Drucker's
19 district and others. And when I talked to
20 individuals about this they were extremely
21 surprised that the legislature would put this
22 forward. They couldn't believe that what we
23 are doing was taking our democracy and
24 stepping on it to move us towards a police
25 state. An authoritarian state. That's what

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2 this is doing. It's a step towards that.

3 We would be perverting our human
4 right laws and I entirely believe that this
5 law is repugnant to the Constitution. And if
6 it's repugnant to the Constitution it is your
7 responsibility to not pass this bill. If you
8 pass this bill you are bringing our democracy
9 down. And we will take that to note and will
10 remember that and come November you will see
11 that in the ballot.

12 If you are there next time you will
13 see us again going out there defending our
14 democracy, defending our republic and making
15 sure that you pay for it because we are here
16 to defend our democracy. That's what our
17 right is to do for the Constitution and you
18 are looking to destroy that. I cannot believe
19 it.

20 I can't believe, Mr. Drucker, who I
21 have spoken with, who I have seen out there
22 would do this. I'm very surprised. That's
23 one the things that blew my mind and that this
24 was even coming forward. It is a shame.

25 I can go on and on but I'm not

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2 going to because you've heard it all, all the
3 reasons not to do this. And if it does go
4 forward we will continue to fight and we will
5 make sure that you know that you have just --
6 I'm so emotional about this. I have fought
7 for this Constitution previously for over
8 several years trying to amend it against
9 corruption laws and now you're just one little
10 bill and you're going to take us down even
11 further away from our democracy. Vote no on
12 this. All of you vote no on this. Thank you.

13 LEGISLATOR NICOLELLO: Richard
14 Clolery.

15 MR. CLOLERY: Get straight to the
16 point. To the members of the legislature,
17 once again I come before you to encourage you
18 to increase funding for the buses here in
19 Nassau County. The reasons for this becoming
20 more obvious every day. Cars are becoming
21 more expensive not just because of insurance,
22 maintenance, etcetera. For the simple fact
23 that because of how complicated cars have
24 become and because of the pandemic car prices
25 have reached all time highs. Even used ones.

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2 Because cars are one of the few
3 reliable modes of transportation here on the
4 island, besides cabs, Lyft, bus service and
5 Uber, this presents a huge problem for young
6 people who want to stay on the island as this
7 will and has encouraged people to move from
8 the island. Don't you want people to stay
9 here on the island and collect from them the
10 revenue you need to keep this county going?

11 Then you need to, at the next
12 budget meeting, you need to make a serious
13 investment in buses here on the island so that
14 A, all the lines that were cut -- which, by
15 the way, the M50 was cut quite a long time and
16 I'm next to it -- will be restored.

17 That B, that all buses will be
18 available even on the weekends and that there
19 will be bus service at night so that people
20 who come home at night won't only depend on
21 their vehicle or cab service to get them
22 home.

23 Speaking of budget meetings, I
24 tried to look on the meeting schedule when it
25 is and it's never on there. Could you people

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2 tell me what day it is so I as a responsible
3 citizen here in Nassau County, can participate
4 in the process? Thank you and have a good
5 day.

6 LEGISLATOR NICOLELLO: Rachel
7 Hu.

8 MS. HU: Good afternoon
9 everybody. I have been waiting some time to
10 be here and say this but there's a lot of on
11 my mind that has already been said. But I
12 want to bring something else forward in this
13 conversation.

14 Pastor Arthur Mackey mentioned this
15 earlier. But I am absolutely incensed that
16 this bill can come forward and sit here in
17 this body right now and every single one of
18 you has not addressed a single question asked
19 to you. I'm incensed that that can happen.

20 And I'm very disturbed that we have
21 not talked about the fact that right here in
22 Nassau County we have killer cops on our
23 forces.

24 In February of 2020 19 year old
25 Matthew Felix was targeted, surveilled and he

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2 was murdered by Nassau County police. He was
3 killed by officers who are still on the force
4 today. The officers who stole Matthew's life,
5 their names we fought an entire year, an
6 entire year to get their names. And their
7 names are Peter Lange, Alejandro Perez, John
8 Giavanellio and Robert Somas. And every
9 single one of them has faced no consequences
10 for the murder of Matthew Felix.

11 It's disgusting that we are
12 introducing a bill to protect officers when
13 young men like Matthew Felix had no protection
14 and lost their lives to these racist police
15 officers. It's disgusting.

16 Because tell me how someone like
17 Rondice Jones has no protection. For those of
18 you who don't know Rondice's case, his feet
19 were tazed by nine officers. He was held
20 down, brutally beat, called the N word and
21 racial slurs over and over again. He has PTSD
22 because of what your officers have done to
23 him. That's what happening in this county
24 right here. We're not talking about George
25 Floyd. We're not talking about Minneapolis.

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2 We're not talking about anywhere else in the
3 country but right here.

4 So when I say that, that we're
5 going to come and waste everybody's time to
6 say that police officers need protection when
7 we have two young boys, the Tillary boys, who
8 were beat by police and kidnapped by police
9 right here in our own community it's
10 disgusting. Because in the middle of a
11 pandemic when we should be here talking about
12 what you're going to do about the millions of
13 people across the country and the thousands
14 right here in Nassau County who will be
15 evicted come August, come the end of August,
16 that's what we should be talking about when
17 we're here in this body.

18 But yet we're talking about the
19 supposed rights and protection of police
20 officers. It's disgusting and it's so deeply
21 wrong that we can sit here and claim like
22 people like Josh can sit there and claim to
23 care one ounce about Black lives or about
24 people at all that live here and we can't talk
25 about the fact that so many of us struggle

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2 with unemployment during this pandemic. How
3 many of us have struggled to put food on the
4 table for our families. And we're going to
5 waste everybody's time talking about this.
6 It's horrible and it's atrocious.

7 I want to say to end out my
8 statement that every single one of you that
9 votes for this bill you are a traitor to your
10 people. You are a traitor to the people here
11 in Nassau County. You are a traitor. And
12 you've made that very clear. You are no
13 different than the bigots who supported
14 segregation that you condemn. You are no
15 different in any way, shape or form.

16 And Josh specifically, you are a
17 grifter. You are a hypocrite and truly an
18 opportunist of the highest order. That is
19 what you are. And you need to take ownership
20 of that because the reality is is that while
21 we are on the precipice of a mass housing
22 crisis we are literally sitting here talking
23 about a bill that does nothing other than
24 criminalize protests, it does nothing other
25 than rob us of our civil rights, and does

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2 nothing other than literally insult every
3 single victim of a hate crime we have in
4 Nassau County.

5 We had a mosque here in Nassau
6 County deal with a hate crime. It's an insult
7 to that mosque. A young lady who had acid
8 thrown on her face it's an insult to that
9 young lady who had acid thrown on her face.

10 I have friends and family members
11 of mine who have experienced hate crimes.
12 Young Chinese woman who was literally pushed
13 over while getting vaccinated by a racist
14 broke her wrist because of who she was.
15 That's a hate crime. So as an Asian-American
16 here in Nassau County I can't sit here and
17 deal with the level of disgust that I feel for
18 the fact that we're going to redefine hate
19 crimes to be about police officers.

20 So I want to end my sentence on
21 this and end my statement on this. You may
22 all feel very safe in your jobs today, you may
23 feel like you hold all the cards, that you can
24 sit back and bask in your power to do what the
25 PBA and police interests pay you to do.

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2 That's what happens. They pay your paycheck.

3 But the reality is, is that
4 fundamentally you can only be on top for so
5 long because the people are coming for you.
6 And next time when we have tens of thousands
7 of people in the streets they're coming right
8 for you and your offices because that's what
9 happens to people who are traitors to the
10 people that they are supposed to represent.
11 Thank you.

12 LEGISLATOR NICOLELLO: Jeremy
13 Joseph.

14 MR. JOSEPH: My name is Jeremy
15 Joseph. I'm a scientist. I'm a member of LI
16 United and Nassau DSA. I reside in Hicksville
17 and am a constituent of Legislator Drucker who
18 has not returned any of my daily calls this
19 past week so I had to make sure to be here in
20 person.

21 When I first heard of this
22 legislation at the beginning of this summer I
23 had one response. I laughed. I cannot
24 believe that something so extreme could even
25 see the light of day and surely no one in

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2 their right mind would give this bill a second
3 thought. This legislation is straight out of
4 fascist playbook. Not something you would
5 expect in a diverse community like ours.

6 Two months later I stand here a
7 fool for underestimating just how little our
8 representatives represent us. So, it's become
9 increasingly clear that we do not understand
10 the gravity of the issues that we have been
11 speaking about regarding the bias in
12 policing.

13 To some extent I get it. It's hard
14 to understand something that you've never
15 personally experienced. Our characterizations
16 of the police probably seems completely
17 foreign to you. To you the police uphold the
18 law and protect your communities. For us in
19 this room we do not have that same police and
20 that is why we are here over and over again.

21 So, I grew up with this inherent
22 trust of the police as an institution. As a
23 teenager, I might have seen this law today and
24 probably not even given it a second thought.
25 Thankfully, we all have a chance to grow. I

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2 was exposed to the realities of racial bias in
3 policing and what policing meant for someone
4 like me as a young man. So, here is a
5 personal story.

6 As a young adult, I was leaving a
7 store late at night and in a parking lot I was
8 attacked by a group of white men unprovoked.
9 Well, that's not completed true. They were
10 provoked by this, by the color of my skin.
11 Language warning for those in the room. They
12 attacked me and let me know because they
13 wanted to, in their words, fuck up that
14 nigger.

15 Bystanders called the police and I
16 would point you to the police report except it
17 doesn't exist. We couldn't convince the cops
18 to charge my attackers with anything, much
19 less a hate crime. In fact, they ended up
20 chatting with my attackers like they were old
21 friends.

22 In case I wasn't clear let me
23 recap. I was attacked by white men with beer
24 bottles because I did not look like them and
25 then white men with guns came and protected

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2 them from consequences. I learned that day
3 that the police were not there to protect me.
4 They never there to protect me. They were
5 never designed to.

6 Hate crime laws are meant for
7 historically oppressed minority populations.
8 They are meant to protect people who have not
9 been protected by the law. The police
10 officers here they will be the first to tell
11 you that they represent the law. So, let's
12 make it more simple. Hate crime laws are
13 meant to protect people who have not been
14 protected by the police. Police do not
15 protect us from hate crimes. I can tell you
16 firsthand they are often an obstacle to the
17 justice that we seek.

18 I mean, if you amend these human
19 rights laws to enhance their status you are
20 weaponizing this designation against the very
21 people it's meant to protect.

22 So, you want to protect communities
23 from hate crimes? Well, you had the chance to
24 do the bare minimum a few months ago and you
25 rejected it. Many us of here in this room we

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2 were here with proposals for training cops to
3 recognize and report hate crimes. To fully
4 document these instances and make them
5 publicly known for the benefit of affected
6 communities and you all rejected it.

7 Well, not all of you. There are
8 three legislators here who agreed that our
9 hate crime procedures, among other things,
10 were deficient. It is no coincident that they
11 are the three black legislators sitting in
12 front of us. They told you that our police do
13 not make them or their families feel safe. We
14 told you that our police do not make us or our
15 families feel safe.

16 LEGISLATOR NICOLELLO: Please sum
17 up sir.

18 MR. JOSEPH: Not only do you
19 ignore us, you're now taking extra steps to
20 entrench their virtually unchecked power.
21 Even today I expect we will see the same
22 vote. If you want to continue to vote along
23 these lines then next time we'll skip the
24 pretenses and bring 16 white hoods for you
25 all.

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2 LEGISLATOR NICOLELLO: Mr. Joseph
3 you're done. Habib Ahmed you're next. Mr.
4 Joseph you're done. You're done.

5 MR. JOSEPH: I'm going to say one
6 last thing.

7 LEGISLATOR NICOLELLO: No, no,
8 no. You said your last thing sir. Sit down
9 please. Mr. Ahmed please come up. Mr. Joseph
10 you're done. No, no, no. There is a five
11 minute time limit for every speaker. Every
12 speaker gets five minutes. I have not been
13 enforcing it but I'm going to start because
14 everyone is violating it. You had your five
15 minutes. Please sit down. Please sit down
16 Mr. Joseph. Mr. Joseph, I'm telling you if
17 you don't sit down --

18 UNIDENTIFIED SPEAKER: Excuse me.
19 Someone yielded their time. You allowed
20 others to take someone else's time. You will
21 allow him.

22 LEGISLATOR NICOLELLO: Ma'am
23 thank you. Mr. Joseph please sit down. Your
24 five minutes are up.

25 MR. JOSEPH: I see you take

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2 objection to my characterization. So consider
3 this. My attackers chased me in a parking
4 lot. Called me N words for five minutes.
5 Your yes vote on this first responders' bill
6 today will leave millions of people feeling
7 unsafe in their own communities for years to
8 come. That is a scale of violence that my
9 attackers could only dream of.

10 In case you think this bill can be
11 amended, I'm concerned that they will be
12 suggesting that this get tabled and we'll see
13 it come back again. We'll all gladly come
14 back again.

15 Now, there are not just some simply
16 problematic parts that can be excised.

17 LEGISLATOR NICOLELLO:

18 Mr. Joseph.

19 MR. JOSEPH: It cannot be fixed.
20 The entire bill has no business being in.

21 LEGISLATOR NICOLELLO: Mr.
22 Joseph, I'm going to clear out the room sir.

23 LEGISLATOR NICOLELLO:

24 Mr. Joseph.

25 MR. JOSEPH: I'm done.

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2 MS. GOTTEHRER: Mr. Nicoletto,
3 you cannot start enforcing the rules just
4 because you don't specifically like what he
5 said.

6 LEGISLATOR NICOLELLO: Ms.
7 Gottehrer, I have told every speaker --

8 MS. GOTTEHRER: You understand
9 what everybody just saw here happen. You've
10 been letting everybody go.

11 LEGISLATOR NICOLELLO: You're
12 right. Thank you for reminding me. From now
13 on at the five minute mark I'm stopping every
14 speaker. Because she's telling me I can't
15 enforce this. I'm not enforcing the rules. I
16 have to let everyone go over. So if you want
17 to play that game we will. Five minutes and
18 you're done.

19 Mr. Ahmed please. Habeeb Ahmed.
20 I'm not going to enforce it arbitrarily. I
21 can hear. It's going to be five minutes on
22 the dot. Thank you Susan. I very much
23 appreciate.

24 Habeeb Ahmed. Dan Lloyd. El
25 favero.

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2 EL FAVERO: Hi everybody. My
3 name is el favero. You were close. I use
4 they/them pronouns. I'm here as part of Long
5 Island United and also representing myself.
6 I'm nonbinary and a proud member of the trans
7 community on Long Island as well as the queer
8 community.

9 I want to take this time to remind
10 you all that trans people are not a protected
11 class in this county despite the legislation
12 being brought forward several times including
13 in 2020 by Drucker. Drucker, I'm absolutely
14 disgusted to see you cosponsoring this bill
15 today. How disappointing.

16 Trans people are not a protected
17 class in Nassau County. So I know that I'm
18 not worthy of protection here or respect
19 because all of you voted on it so there's a
20 record.

21 Meanwhile, the police became a
22 protected class in 2019. I remind you police
23 work is a job. I don't stop being trans and I
24 don't get paid for it and I don't get
25 benefits. Or the irrebuttable presumption.

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2 Trans people are not a protected
3 class and nonbinary people are not recognized
4 in policies in Nassau or in the Nassau County
5 police but you are going to recognize me
6 today.

7 Passing this legislation today will
8 not stop critique of the police because I
9 promise you I am personally not done and
10 institutionally we are not done holding you
11 accountable and here is the truth of that.

12 We do not critique you. I didn't
13 call out of work and come here at ten a.m. on
14 a Monday to testify because of the vague
15 notion that you are police. We critique you
16 because the racial disparities in policing in
17 Nassau are impossible to ignore. Although you
18 try. I can remind you that Hispanics are two
19 times more likely and Black people 5.3 times
20 more likely to be arrested in Nassau County
21 than White people.

22 We hold you accountable for the
23 latent and blatant racism in the Nassau County
24 Police Department policies, as well as the
25 rhetoric of the police themselves, including

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2 Commissioner Ryder who we all know went on
3 record saying Black applicants are three times
4 less likely than White applicants to be
5 accepted to the police force because they come
6 from broken homes.

7 We call out your hypocrisy when you
8 do not serve and protect the communities you
9 claim to but instead criminalize and
10 overpolice communities of color and other
11 vulnerable populations and protect
12 yourselves.

13 We will continue to speak out
14 because the police cannot or should I say will
15 not or will I say do not police themselves.
16 Where is the independent oversight? Where is
17 the inspector general? Where is our CCRB?

18 We critique you because policing is
19 a job. And when someone does not do or will
20 not do their job change must be come. And
21 that change will come from the needs of the
22 people and the communities, not some 16 odd
23 legislators running on PBA money and
24 desperation for election votes and pandering
25 problematic policies. Not the PBA or

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2 Commissioner Ryder or Laura Curran or the
3 police or White people in this county.

4 We the people, stakeholders, Black
5 and Brown people, Asian people, the disabled
6 community, veterans, folks of all religions
7 and creeds, queer people and the trans
8 community we will not be silent. We will not
9 be complacent. We will continue to speak and
10 protest and vote. And we will have justice in
11 policing on this island. And whether you're
12 part of that or not is up to you.

13 Whether you want to join us in this
14 work, whenever you want to join us in this
15 work to make Long Island equitable for
16 everyone you are welcome. I hope that moment
17 is today. We're here. We are always here.
18 And if you are not interested in that work I
19 recommend looking for other employment.
20 Because believe me, this offense,
21 reprehensive, disgusting legislation is not
22 it.

23 When it comes to talking about
24 things like overemployment, if you want to
25 talk about discrimination, I've stopped

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2 getting jobs since I came out. We can go
3 there but you're not ready for it.

4 I want to talk to Josh now. Josh,
5 I hope you look at me. We're the same age.
6 Hi. I also live with my parents. They're
7 really conservative. It was really hard to
8 come out to them because they're both pretty
9 Republican, conservative. None of them really
10 believe in trans people like most of you.
11 Really difficult. So we have a lot of
12 problematic conversations at home. Hard
13 conversations.

14 I know exactly what it's like to
15 sit here and look into someone's eyes and know
16 that they are not going to do the right thing
17 despite everyone pleading sometimes for them
18 to do it.

19 I sat down with my mom to talk
20 about the legislation because I was so upset
21 as a trans person. I was so offended. And
22 you know what she said to me? Wow. That
23 sounds illegal. And if she can see it so can
24 you. If you continue to ignore it I don't
25 know how you sleep at night. Thank you for

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2 your time.

3 LEGISLATOR NICOLELLO: Dennis
4 Jones.

5 MR. JONES: Good afternoon. My
6 name is Dennis Jones. I've lived in Nassau
7 County for over 20 years. I am a former
8 police officer from the NYPD and I joined the
9 NYPD in 1984. Remarkably, I served there for
10 25 years, which included being in many
11 different areas of concentration.

12 It has been my experience in law
13 enforcement that professionalism plays a great
14 part in the performance of your duty as a
15 police officer. Nassau County police officers
16 are one of the highest paid in the country.
17 However, the Nassau police officer doesn't
18 answer the amount of 911 calls or report to
19 the amount of parades or demonstrations or
20 even riots in their career that many NYPD
21 officers do each year.

22 I spent five years in the internal
23 affairs bureau investigating allegations of
24 corruption. I entered believing that it was
25 such an unnecessary job. How bad things could

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2 be in such a great police department. I
3 immediately found out that to be otherwise.
4 There are bad officers in law enforcement.
5 There are bad doctors. There are bad
6 lawyers. There are situations that take place
7 months and years to investigate to expose the
8 truth and the cover-up.

9 All of you see the many cases
10 brought before the Innocent Project, brought
11 by the Innocent Project, and how many years
12 have been taken away from truly innocent
13 people as they rot in jails all across the
14 country. Those innocent people were arrested
15 and convicted because of the lies told by
16 unprofessional and corrupt police officers.
17 We've seen that many, many times here in Long
18 Island.

19 Nassau County is exposing a very
20 dangerous area that would surely lead to some
21 of the most despicable acts and destroy lives
22 you cannot apologize for later.

23 Changing Nassau County human rights
24 law to make it an unlawful discriminatory
25 practice to harass, menace, assault or injure

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2 an individual due to such an individual status
3 such as a first responder is slipping into a
4 slippery slope of retaliatory practice.

5 You should be here fighting for the
6 legislation to protect all citizens, not to
7 put citizens in harm's way. For we all know
8 and believe that the rights of Nassau
9 residents who want to exercise their freedom
10 of speech and the right to peacefully assemble
11 would be in jeopardy.

12 Again, we should be looking to
13 reimagine policing as the New York State
14 governor had demanded. Look at the rest of
15 the country. Reimagining policing is taking
16 place all over. Even in the tough areas. The
17 murder of George Floyd and the Black Lives
18 Matter movement has not sparked this
19 insensitive action elsewhere. They are
20 building not running scared. Elsewhere we
21 seek collaboration not separation.

22 The legislation, as was said
23 before, talks about recent widespread
24 patterns, the physical attacks and
25 intimidation directed at police and we know we

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2 find that nowhere here in Nassau. Over
3 several hundred injuries sustained we haven't
4 seen any of that here in Nassau. So I ask you
5 simply just to vote no because this does more
6 harm than supposed intended good. Thank you.

7 LEGISLATOR NICOLELLO: Douglas
8 Mayer. Reverend Tristan Salley. Steve
9 Abreu.

10 MR. ABREU: Good evening. How's
11 it going Josh? Last time I saw you it was
12 probably 2019 Town of Hempstead Marijuana Task
13 Force hearing where I was pulled off the
14 podium for bringing up donations you took from
15 Trump-connected consulting firms. That was
16 fun. Here we are again two years later.
17 Thanks man. Like, you know, you made it a lot
18 easier for people to believe that you're a
19 scumbag. Like, for the past three years a lot
20 of people in this room I've been talking to,
21 I've been alerting this guy is a wolf in
22 sheep's clothing.

23 LEGISLATOR NICOLELLO: Listen
24 sir. You can speak all you want but you're
25 not going to use profanity like that. All

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2 right? We have certain levels of civility
3 here. So, if you're going to use that you're
4 not going to speak. But speak on the bill.

5 MR. ABREU: So, I got an extra 40
6 seconds on my timer now. So I'm just going to
7 ignore you when you tell me to stop talking.

8 Anyway. No one believed me for
9 years. We can trust him. He's a good guy.
10 Just doing the best he can. Now look what you
11 did, bro. Now, like literally everyone that
12 wouldn't listen to me they all sound like me
13 now. It's crazy. We got to get this Josh
14 Lafazan out of there. He's horrible. He's
15 fascist. It's awesome man. It really is.

16 Even your friend Nikeel, like I
17 tried reaching out to him two years ago to
18 tell him about you and he vouched for you
19 man. He vouched for you so much that we don't
20 even talk anymore. I haven't spoken to him in
21 two years. Now you're not returning his phone
22 calls. That's wild, bro. It's just crazy.

23 I got posts on Facebook from last
24 year. Like, got to love these hack Long
25 Island Democrats like Lafazan, Curran,

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2 Bellone, Garens, Drucker, who proudly stood
3 with racist cops and Republicans against
4 cannabis legalization all last year despite
5 being presented time and time again. Now they
6 want to pretend like their Black Lives
7 Matter. Like they support racial justice.
8 And people thought I was crazy. No, what do
9 you mean? They're doing their best. Now here
10 we are.

11 All you could do was try to rename
12 the board of elections after Shirley
13 Chisholm. Did that even happen? It's still
14 the board of elections. Great bro. I mean
15 it's great. Really though. People thought I
16 was crazy. They really thought I had a chip
17 on my shoulder or something. I was jealous of
18 you. Like okay. Well now that's clearly not
19 the case. You did this two years ago with the
20 water balloon fiasco.

21 First and foremost we cannot keep
22 our community safe. We don't keep our
23 officers safe and that went under the radar.
24 A lot of people didn't notice that one but
25 here we are two years later. Thank you Josh.

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2 This is interesting too. You
3 people keep saying how the community supports
4 this bill. The community supports our
5 police. But I didn't hear anyone from the
6 community come up and support this bill. I
7 mean hardly any of your police officers came
8 up in support of this bill. All the police
9 officers you had here all day they're all gone
10 now. There's more of us than there are of you
11 right now. How many cops came to support this
12 bill? Like three or four. The top brass and
13 that's it? None of the street cops. No one
14 on the beat came up to testify and say I feel
15 unsafe on the streets of Nassau County, which
16 is apparently the most safest county in all of
17 America.

18 You guys got to pick one. The
19 safest county in America or it's so dangerous
20 we got to make police more protected than
21 transgender people in Nassau County. Which is
22 insane. As the brother of a transgender
23 LatinaX sister who never had any protection in
24 this county. Even when she was child as
25 student in a Plainview school district getting

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2 the everloving S beaten out of her. Called
3 gay. Called girly. Called fez. Called a
4 S-P-I-C. But no protection for her as a
5 transgender Latina. But let's give all the
6 protection in the world to people who put on a
7 uniform. I don't understand. So she should
8 become a cop and then she'll be protected?
9 They probably wouldn't even let her on.

10 I know people who have called the
11 cops for assault from like roommates and told
12 the only way you can press charges is if we
13 let the other person press charges against you
14 too and then you're both going to spend the
15 night in jail and then what? But now we have
16 got this. I can't make any sense of it.

17 I mean, someone was talking before
18 about consulting firms. One of the consulting
19 firms that wrote this bill. I mean. I know
20 the consulting firms that you work with Josh.
21 Let's talk about Gotham consulting firm. The
22 one run by New York State Democratic Chairman
23 David Schwartz. The same David Schwartz who
24 defended Donald Trump and Michael Cohen
25 against Stormy Daniels. The same David

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2 Schwartz who runs Gotham consulting firm
3 that's claim to fame is running the --
4 organizing the first ever presidential
5 campaign rally for Donald Trump in 2015. The
6 same David Schwartz whose claim to fame with
7 you is introducing to Jay Jacobs and putting
8 on the map for Nassau County politics. It's
9 all on the record. His own words. He's taken
10 \$2,500 from him recently. You've taken \$2,000
11 from his firm. How much are you taking from
12 the PBA?

13 LEGISLATOR NICOLELLO: Could you
14 please sum up?

15 MR. ABREU: I got 40 seconds
16 left.

17 You took \$2,500 from the Nassau
18 County PBA PAC June 3, 2019. How that's
19 working out? You enjoying that \$2,500? Is it
20 helping your campaign? That's cheap man.
21 Come on. That's all it costs? For this?
22 \$2,500 for all this? That really blows my
23 mind.

24 Mule only took from the Freeport
25 PBA \$500. \$1,000. That was cheap man.

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2 Damn. Is that all you got to do? We just
3 have to give you guys some money and you'll
4 not pass these crappy bills. Who took \$400
5 from the Glen Cove PBA? Looks like Friends of
6 Delia. \$400 in 2021. June 18th and June 6th
7 Glen Cove PBA.

8 LEGISLATOR NICOLELLO: Your time
9 is up my friend. I'm going to call the next
10 speaker. Thank you. Julie Grey-Owens.

11 MR. ABREU: I'm representing Long
12 Island NORMAL, the National Organization for
13 the Reform of Marijuana Laws and I'm a former
14 steering committee of Long Island.

15 MS. GREY-OWENS: My name is Julie
16 Grey-Owens. I'm the executive of Gender
17 Equality New York, a statewide transgender
18 nonbinary and intersex advocacy organization.
19 I'm here to remind this legislative body that
20 for years transgender advocates pleaded with
21 you to codify civil rights protection for
22 gender expansive transitive Long Islanders.
23 Long story short, you failed to protect our
24 community.

25 Ironically however, you are now

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2 preparing hate crimes protection for a mainly
3 White, mainly heterosexual, mainly cisgender
4 well paid police force. Where was the level
5 of concern when we came here pleading for our
6 basic civil rights? Equating protected class
7 minority community members with well paid
8 individuals who choose their profession is the
9 height of hypocrisy. Our police are already
10 protected under law and crimes committed
11 against them already come with steep
12 penalties.

13 I want to make it clear that
14 support to the legislation will be a signal of
15 your indifference to freedom of speech and the
16 right to demonstrate. I want to make it clear
17 we are watching you.

18 LEGISLATOR NICOLELLO: Theresa
19 Sanders.

20 MS. SANDERS: Theresa Sanders,
21 president and CEO Urban League of Long
22 Island.

23 A I have been here a little over
24 five hours and I have to tell you that not
25 only am I disappointed in a lot of my friends,

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2 I'm a pretty seasoned professional, I've been
3 around for a couple of years and I have served
4 with so many people on this island and it's
5 really, really hard to understand how we
6 wasted taxpayer money today. I just don't
7 believe that we're wasting. I'm looking at
8 these cops. My father was a police officer.
9 My father served in the military. They have
10 been standing here all day. I know they have
11 other things to do. This is absolutely
12 ridiculous that we are in here at this point
13 just before a vote. Why wasn't this stopped
14 ahead of time? There's lots of things that we
15 could be doing.

16 And I heard so much today. I had
17 this revelation. It's about money. This is
18 not about the Black community being upset with
19 the cops. Yeah, there's a level to it but
20 that's a camouflage. At the end of this, if
21 this goes forward, there are going to be poor
22 people that are enslaved in a new way under
23 debt because they have to defend themselves.
24 Not just poor people. When we say that phrase
25 on Long Island it sounds funny, but when you

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2 say poor people on Long Island I'm talking
3 about folks making 70, 80 over \$100,000. But
4 if you started adding on this bill that you
5 have to pay 50 grand because you looked at a
6 cop wrong that is unheard of anywhere in this
7 country.

8 If this goes forward what's next?
9 The teachers' union coming. Because that kid
10 that curses out the teacher now maybe we can
11 put teachers in a protected class. What about
12 the lawyers? Let's put lawyers. I say let's
13 vote for the leg. Let's put all of you in a
14 protected class. This can go on and on and
15 on. Meanwhile, the street lights don't work
16 anymore. The water's not running clean.

17 Because we have spent all this
18 police overtime standing in a legislative
19 building today. Does this make any sense to
20 any of you?

21 Listen, my dad was a cop in Harlem
22 in the '60s. Now just think about it. Those
23 of you who are millennials might not get the
24 context. The context was during the civil
25 rights movement they hired Black cops to

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2 patrol the Black neighborhoods. It was very
3 dangerous in Harlem to send a White cop in
4 Harlem. So they hired Black cops. We saw it
5 as a family. We saw the hate. My father was
6 hated by a community. He was hated by the
7 blue. It was so much of a struggle. But this
8 has got to stop. This is absolutely
9 ridiculous. We have other problems that we
10 need to work on.

11 I mean, if this bill had any merit
12 I'm quite sure you would have heard something
13 else today. So to put a person that's already
14 on the payroll to come up to tell you this is
15 a great bill that's not a valid justification
16 for the bill. Not at all. Everybody else not
17 on the payroll came up and told you something
18 different.

19 So I'm pleading with you. I am
20 really pleading with you. I would not have
21 sat here five hours. I have other things to
22 do. So do all these other people that are in
23 here and so do you. Put the cops back out on
24 the street to do their jobs. Not having them
25 stand in the leg for hours. But this is

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2 absolutely ridiculous.

3 So, if you really want to figure
4 out some way to bring something fruitful
5 forward maybe we need to talk about what this
6 is and what the intent was. I find it hard to
7 believe that we would get to this point where
8 we would have so much misunderstanding about a
9 document. Give us some time. I would love to
10 see it tabled and let's do something else.
11 But if you choose not to kill it we do need
12 some discussion. I plead with you all to
13 please let's discuss this.

14 Thank you Fred for your leadership
15 on this. Shanequa love you. Thank you.

16 LEGISLATOR NICOLELLO: Ashna
17 Gibbons.

18 MS. GIBBONS: My name is Ashna
19 Gibbons. I'm a high schooler. I've waited
20 here as long as anybody else and everybody
21 else who's sacrificed their Monday not working
22 I want to thank you for coming out to oppose
23 this bill.

24 First, I wanted to say to note that
25 minus the people from the Police Benevolent

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2 Association every single constituent that has
3 come out here has told you how horrendous this
4 bill is going to be if you pass it. Every
5 single one of your constituents who pays your
6 salary has come out here and told you we are
7 your boss. We've told you this is horrible.
8 I don't understand why it hasn't been table
9 yet. We're just waiting for you to table it.
10 That's why we're still up here speaking.

11 I've been doing some research into
12 New York State penal law as a result of this
13 bill being put forth. I see it as unnecessary
14 for many reasons.

15 First of all, there's no evidence,
16 people have been saying this all day, there's
17 no evidence that this bill is necessary. That
18 should be cause to table it right then and
19 there. Yet again, there's more evidence
20 police are already a protected class under
21 subdivision K of Section 21-9.2 of the county
22 administrative code. They're already a
23 protected class along with minority groups who
24 cannot change the physical attributes about
25 themselves that people discriminate against

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2 them for. Although police can.

3 So police already have this
4 protection. They already have weapons and
5 they're already trained at all times when
6 they're in uniform which is when this
7 irrebuttable presumption is applicable. That
8 a person would be discriminating, quote
9 unquote, discriminating against a police
10 officer. It's guaranteed that police officers
11 are already going to be armed and trained to
12 deal with a potential physical threat.

13 So I don't understand why the
14 legislature thinks that financial compensation
15 is further necessary further than other people
16 are given under New York State penal law. For
17 example, under menacing, assault and
18 harassment, as well as injury, which are the
19 four things defined under the law. I read the
20 law a couple of times. I hope you can tell I
21 have my notes here.

22 The defendant, in addition to any
23 civil liabilities as pointed out by other
24 lawyers smarter than myself, shall be subject
25 to a civil penalty of no more than \$25,000 per

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2 violation. Per violation. When a violation
3 can be as small as, quote, annoyance under
4 harassment under this law, \$25,000 seems like
5 a bit much. I'm pretty annoyed. By now a lot
6 of people have expressed their annoyance but
7 we're not getting 25 grand. I don't see my
8 money.

9 And under the New York State penal
10 law menacing and assault to the first degree
11 are felonies. And currently for everyone else
12 besides police officers who decided they
13 wanted to become a police officer fines are
14 not to exceed \$5,000.

15 So why do police get five times the
16 money? Why are you allowing the police to get
17 five times the money, I would like to know,
18 per violation in addition to these civil
19 liabilities under this law?

20 And if it is determined to be a
21 riot \$50,000. Ten times more than fines for
22 felonies are generally and that includes, I
23 checked, that it includes offenses such as
24 menacing and assault.

25 So, they're getting potentially ten

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2 times the amount that a regular person would
3 receive even though they don't even have to
4 prove that anything happened to them because I
5 guess, you know, PBA money just buys that I
6 guess for them. That's how many thousands of
7 dollars.

8 Legislator Lafazan, I also wanted
9 to tell you I'm a constituent of yours. I
10 can't vote but my parents can and in
11 approximately a year I will be able to vote.
12 So, I look forward to not voting for any of
13 the legislators that vote yes for this bill.
14 At this point when people have been speaking
15 for five plus hours talking at you, all of
16 your constituents, if any of you vote yes I'm
17 genuinely concerned for your mental health how
18 you came to this decision. How this was a
19 logical decision for you that's it. Thank
20 you.

21 LEGISLATOR NICOLELLO: Gregory
22 Lewis. Reverend Monte Malik Chandler.
23 Patricia Spenser. What's your name?

24 MS. SMITH: Diane Clark Smith.

25 LEGISLATOR NICOLELLO: Who

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2 yielded their time to you?

3 MS. SMITH: The reverend. He had
4 to go back to Long Beach.

5 My name is Diane Clark Smith and my
6 husband and I are attorneys and parents of
7 three in District 12. Thank you for serving
8 us Mr. Kennedy.

9 My mother-in-law served as a first
10 at NUMC for 32 years. My mother works at a
11 fire department for 22 years. Yes, we even
12 have multiple members of law enforcement. We
13 have questions. The county is on record as
14 saying the protests and Trump rallies were
15 peaceful last summer. This county is ranked
16 number one by US News and World Reports. The
17 justification for this bill was spelled out I
18 believe in the preamble as purportedly being
19 the January 6th insurrection.

20 This resolution would send out
21 mobile alerts to all residents whenever an
22 officer is injured during a protest. That is
23 surely not going to trigger vigilante
24 justice. The very actions, the January 6th
25 insurrection that the bill purports to

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2 address, if a civil suit is brought by a first
3 responder and they lose are the officers to be
4 on the hook for the legal fees and the court
5 costs? Is the PBA going to cover those court
6 costs? Who is going to pay the lawyers? If
7 not the county, the taxpayer, will be
8 responsible. If the county attorney is tasked
9 with defending lawsuits alleging police
10 misconduct how can their office also bring on
11 behalf of first responder lawsuits on behalf
12 of this bill? How is that not a conflict of
13 interest? Under the rules of professional
14 responsibility assuredly it would be.

15 Attorneys are sworn to uphold the
16 Constitution. This very legislative body was
17 sworn to uphold the constitution. These
18 officers were sworn to uphold the
19 Constitution. The officers were sworn to
20 uphold the Constitution. This bill violates
21 the US Constitution. The New York State
22 Constitution.

23 Speaking of lawyers, will this bill
24 be applied to attorneys who bring suits
25 against officers? If so, would that likely

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2 count as an occurrence under malpractice law
3 causing attorney premiums to skyrocket and
4 likely discouraging attorneys from
5 representing those who are accused? These are
6 questions that need to be answered before any
7 vote on this bill can take place.

8 What will happen to the small
9 businesses who are barely recovering after
10 COVID? Tasked by the state to enforce COVID
11 protocols as we're possibly going into other
12 issues and going to have to mask up again.
13 What will happen to those small businesses who
14 simply ask a uniform officer to wear a mask.
15 Based upon the irrebuttable presumption that
16 small businesses could be sued when they're
17 just protecting their customers and employees
18 in avoiding state fines they can be sued.

19 What about my autistic child who
20 offends a cop, as he tends to offends
21 everyone, just by virtue of having behavioral
22 issues? Is that parent on the hook for their
23 child's actions? Do we lose our home because
24 our child is sued?

25 These policies are bleeding us

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2 taxpayer dry. My tax bill is \$14,000 a year
3 and going up. My in-laws' tax bill is over
4 \$12,000. My sister-in-law and brothers-in-law
5 all of our taxes are crazy already and we are
6 paying for this. We are.

7 When an officer make mistakes
8 they're protected by qualified immunity
9 afforded by no other protected class. The
10 county pays out millions of our taxpayer money
11 every year while underfunding the programs
12 that would keep our citizens safe. That would
13 keep these officers safe.

14 The decisions made by our
15 legislature today will drive homeowners like
16 my family who invest in this community,
17 volunteer our time and contribute to your
18 campaigns, to go looking elsewhere. And we do
19 individually, as a family, we contribute to
20 your campaigns.

21 LEGISLATOR NICOLELLO: Ma'am,
22 please sum up.

23 MS. SMITH: I understand.

24 My point is we have protect and
25 serve backwards. It is the public servant's

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2 job to serve the public. The first responders
3 job. The legislature's job. Not the
4 taxpayer's job. We've got enough.

5 LEGISLATOR NICOLELLO: Kamal
6 Cush. I called him before. Richard Kosowski.

7 MR. KOSOWSKI: How you doing
8 sir? My name is Richard Kosowski. I'm a
9 resident of Nassau County and I'm a
10 conservative. That's my ideology and I'm
11 pro-police. But my role model was Frank
12 Serpico. The patrolman that was shot in the
13 face by his fellow officers not protecting him
14 doing a buy and bust.

15 I want to address the issue all you
16 legislators have sworn an oath of the office
17 to uphold and protect the US Constitution, the
18 state constitution, the various laws of the
19 state and the county. If any rule,
20 regulation, ordinance, policy, procedure, law
21 comes in conflict with the Constitution you
22 shall not enforce the law. You shall not
23 implement that law. If you do you are in
24 direct violation of your oath of office. You
25 swore under the penalties of perjury, oath or

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2 affirmation so you are in violation if you do
3 pass this law. It's clearly in conflict with
4 the Constitution.

5 First of all, there's a question of
6 multiple constitutionality issues. For
7 instance, substantive due process, procedural
8 due process. What about the 14th Amendment
9 equal protection under the law and the Fifth
10 Amendment? So you got multiple issues. When
11 you got the irrebuttable presumption all a
12 police officer has to do is allege something,
13 harassment. If you intend to harass. Okay.
14 The statute says without a legitimate
15 purpose. Well, I'm filming a police officer.
16 I'm want to hold him accountable because
17 there's systemic corruption in the Nassau
18 County police department that is not being
19 addressed.

20 So, now, when I try to address the
21 issues what happens now? Police officer files
22 a lawsuit. Says I harassed him, alarmed him,
23 annoyed him. The question is, is it a
24 constitutionally protected activity? Well,
25 they're not going to address that issue.

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2 Because maybe a jury is not of my peers.
3 Maybe he doesn't think like I do. Maybe he
4 thinks I shouldn't question my government. So
5 if I question my government I'm causing
6 annoyance and that's a justification for the
7 irrebuttable presumption.

8 That's absurd because how would I
9 defend myself if the officer says I harassed
10 him? Now it constitutes a hate crime.
11 There's no evidence I can bring forth because
12 the judge can't even entertain or the jurors
13 can't because it's irrebuttable presumption.
14 It's totally outrageous.

15 For any of the legislators to
16 consider this is treasonous to me. As far as
17 I'm concerned treasonous. You're violating
18 your oath of office. You know your oath. You
19 swore to your oath.

20 So now there's no reason. You're
21 on notice now. You're on notice by me and
22 multiple other people that spoke.

23 Also I want to mention the issue
24 there is systemic police corruption in the
25 Nassau County Police Department. I am saying

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2 it as a white male. I see systemic corruption
3 in the police department. The police tamper
4 with the police reports. This is not the
5 safest in the county. The reason why it's
6 safe because they falsify police reports.
7 There's multiple things that are going on.
8 I've seen it.

9 Inspector Stillman of the internal
10 affairs has committed multiple violations.
11 Total corrupt. The district attorney fails.
12 The public corruption division of the district
13 attorney fails to investigate allegations of
14 police corruption. They're protecting one of
15 their own. They got a symbiotic relationship
16 so interwoven that they're one and the same.
17 So, if the police go down the prosecutor goes
18 down as well and that's the issue.

19 The other issue is this, is that
20 the Nassau County Police Department has got
21 two separate policies. One official lawful
22 policy. That's the one everybody knows.
23 That's the professionalism they portray to the
24 public. But then they got an unofficial,
25 unlawful policies with quotas, arrests quotas,

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2 stop, question and frisk. They may tell you
3 not but it's all about activity. It's about
4 performance. They don't call it. They
5 disguise it. They don't call it numerical
6 quotas. They call it activity. Performance
7 goals.

8 What I'm saying is that there's
9 systemic corruption in Nassau County Police
10 Department when multiple people tried to get
11 reform here pertaining to the inspector
12 general or an outside agency to investigate
13 police corruption you guys didn't want to take
14 it up.

15 Now the PBA is very powerful. The
16 superior officers and multiple entities are
17 very powerful. I'm not anti-police, I'm
18 anticorruption. I am a constitutionalist to
19 the extreme. You guys talk about the rule of
20 law here, right? You say about police and
21 protecting the police and the rule of law. My
22 podcast is called Rule of Law News. I am
23 specifically about the rule of law. My
24 podcast talks about why internal affairs --
25 why investigative agencies fail or refuse to

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2 adequately investigate allegations of police
3 corruption and misconduct in police
4 departments with the blue wall of silence.
5 That's a qualifier.

6 The Nassau County Police Department
7 has a blue wall of silence. The reason why is
8 they got two separate policies. When there's
9 two separate policies there's a need for
10 secrecy. The blue wall is established and
11 everything else follows through. They have to
12 have secrecy. If anyone tries to penetrate
13 that secrecy they will be persecuted. So I'm
14 against the bill and I hope you will rule
15 accordingly.

16 LEGISLATOR NICOLELLO: Sonya
17 Aurora. Either Felder or Feldner. Elle
18 Lagalante.

19 MR. LAGALANTE: I'm probably not
20 going to raise my voice or hit the table.
21 Please do not mistake that for me not taking
22 this very seriously or as an aspersion to
23 validity of other having done the same.

24 Now, I want to remind everyone that
25 this is not a referendum on the police as a

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2 whole. Although we have had a lot of
3 important statements to that effect. This is
4 about a very specific law. And the task
5 before you today, there's some stuff that I
6 don't, but basically it's either you have to
7 vote no or have to vote yes. If you want to
8 vote no do it today. Because there's so many
9 reasons why you should vote no today. We've
10 heard them all. I really won't repeat them.

11 But basically unpopularity is not
12 persecution and a protected class is designed
13 to provide redress to victims of persecution.

14 Now, if you want to vote yes, and I
15 suspect from looking at some of your faces
16 that you do, you can't vote yes today. We've
17 heard so many reasons why from sources as
18 diverse as the ADA of a county, affected
19 community members, the NAACP, many attorneys
20 of various different stripes and practice,
21 teenagers, boomers, people who are of the
22 BIPOC community, white allies of the BIPOC
23 community.

24 I would like to say my name is
25 Elle. I use they/them pronouns. I'm a member

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2 of the nonbinary and trans communities.

3 So, all I can say is that we've
4 heard so many procedural and draft-related
5 reasons why this bill is not being passed.

6 I want to speak why I believe
7 Legislator Lafazan is not looking at people.
8 He's not looking at his phone. He's doing a
9 speech and debate flow. Because he chose to
10 hear all of our objections so that he can
11 refute them. We know that this is the case.

12 So, rather than allowing this kind
13 of bad faith debate to take place simply give
14 it more time to take place in good faith.
15 That's what you must do if you want to vote
16 yes. You can't do it today. I think I've
17 made my point around that.

18 The last thing that I really kind
19 of just want to, I guess I want to leave on a
20 more maybe philosophical or spiritual note.
21 It doesn't feel nice to be told that you
22 should be ashamed of yourself. I know this.
23 I know shame. As a queer person on Long
24 Island I know shame. It does not feel nice to
25 be told that you should be ashamed of

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2 yourself. And a lot of the time when you
3 don't feel nice you feel a desire, I feel
4 desire personally to take some kind of
5 punitive action against those who might shame
6 me to say hey, you want to shame me, guess
7 what? Yes on this bill.

8 I just want to really emphasize --
9 I did hit the table, look at that -- I really
10 want to emphasize that you as an individual
11 are not a bad person even if you are engaging
12 in behavior that is shame-worthy for affected
13 members of a community. You're not a bad
14 person. And there's never a wrong time or a
15 too late to hear criticism and say you're
16 right.

17 I also would like to say on that
18 same spiritual note that nobody thinks that
19 choosing to become a cop is choosing an easy
20 profession. I would not choose it for that
21 very reason. I don't think that anyone would
22 ever say that being a police officer is easy.
23 What we are saying is that being a police
24 officer is already protected because that's
25 like the whole point. They're given extra

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2 rights so that they can protect us. So,
3 there's no reason why they need to be
4 protected above and beyond in this way. Thank
5 you for your time.

6 LEGISLATOR NICOLELLO: Vinnie
7 Satriano. Kevin McKenna.

8 MR. MCKENNA: My name is Kevin
9 McKenna. I am a Syosset resident and I am the
10 founder of Town of Oyster Bay News and now
11 Town of Hempstead News on Facebook. Social
12 media has changed all your worlds. There will
13 be a major disruption this November in the
14 election. And I am talking about the bill.
15 The world this afternoon on my way back here,
16 I was here earlier, Josh, you finally made it
17 to the big time. You still have the Fox News
18 sit-down on your Facebook from four years ago
19 as your top post to feed your ego. You are my
20 legislator. I thank you very much for
21 bringing national attention to Nassau County.
22 You made CNN this afternoon.

23 I want to know what Legislator
24 Drucker has been promised to sit next to you.
25 I want to know what he has been promised to

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2 sit next to you. And, you know, earlier when
3 the discussion was going around about the
4 masks, I looked up there and I said you could
5 look at the individual and you could decide
6 which party they're in as to whether or not
7 they have a mask on. How sad is that masks
8 have become so political?

9 Getting back to Mr. Lafazan. You
10 are an outright fraud. That's not a curse
11 word. And if I were you between now and
12 November I would change this law to make the
13 legislators a protected class because you're
14 going to need it.

15 Now, this comes down to money.
16 This is all about money. Not as the lady
17 earlier said about money. This is about
18 political donations from the PBA.

19 Now, my father was a New York City
20 police officer. My cousin was a Suffolk
21 County lieutenant. My nephew right now is on
22 the NYPD. I actually went to Farmingdale
23 University back in 1975 for a few weeks. I
24 thought I was going to be become a police
25 officer. I'm glad I didn't. I have the

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2 utmost respect for the police officers. And I
3 would love to know how many of these police
4 officers here, there's about 40 of them in
5 here right now, there was about a hundred
6 earlier, what are you expecting here?

7 Nassau County is in need of
8 financial resources. What are they doing
9 standing around here? What's going to happen
10 here? Is that a show of force? What's this
11 all about? What's it all about? Why the
12 police presence?

13 Why did you delay this meeting,
14 Mr. Nicolello, in order to continually give
15 awards, maybe justifiably so, but on a day
16 like this when you have how many residents
17 here that took off from their days of work to
18 come here to purposefully you pulled a -- I'm
19 not going to mention any names -- but you
20 pulled a let's-hope-they-leave political
21 stunt.

22 Now, as I said, if anybody wants to
23 give me their time I have a lot more but you
24 probably don't want to.

25 Mr. Nicolello, I have Town of

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2 Oyster Bay News on Facebook. I am fed a lot
3 of information about you. You are the one who
4 is putting that inexperienced, he's never held
5 a job in his life, you're the one who's
6 putting him up to these political stunts. And
7 as a matter of fact, when you gave him the
8 Stillwell project to run with in Syosset you
9 were promised a judgeship one year from now if
10 he pulled off the Stillwell Fields project.
11 But he didn't pull it off because we
12 exposed --

13 LEGISLATOR NICOLELLO: Well, he
14 found out about it, right Josh?

15 MR. MCKENNA: -- the fraud that
16 Josh Lafazan is. He is an outright fraud.
17 And Mr. Drucker, you have destroyed your
18 political career even if you say no to this.

19 And in closing, this stunt is all
20 about you guys voting yes so that you force
21 Laura Curran, you want to test Laura Curran.
22 You want to force her to veto this bill so
23 that she destroys her election. This is all
24 about politics and you are a disgrace.

25 LEGISLATOR NICOLELLO: I'd like

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2 to have motion to close the hearing. Moved by
3 Legislator Rhoads. Seconded by Legislator
4 Walker. All those in favor of closing the
5 hearing signify by saying aye. Those
6 opposed? We're going to take a quick caucus.
7 Quick break.

8 (Meeting was recessed at 7:10 p.m.)

9 (Meeting reconvened at 7:44 p.m.)

10 LEGISLATOR NICOLELLO: Ladies and
11 gentlemen we are going to resume the meeting
12 now. We are back in session.

13 Item five, it's a vote on a local
14 law to amend the Nassau County administrative
15 code in relation to amending the Nassau County
16 Human Rights Law to preclude discrimination
17 against first responders.

18 Legislator Lafazan makes that
19 motion. Seconded by Deputy Presiding Officer
20 Kopel. The item is now before the
21 legislature. Any debate or discussion?

22 LEGISLATOR ABRAHAMS: If I may
23 Presiding Officer. I'm not too sure because I
24 didn't want to curtail the debate or
25 discussion from any of our members but I did

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2 want, after consultation with my caucus, move
3 to table the item for today. It seems like to
4 me that we've heard from a substantial
5 proportion of the public on this particular
6 issue. I say a substantial proportion of the
7 folks we heard from today have made a very
8 strong and persuasive argument to not proceed
9 to go forward.

10 I will say that Nassau County
11 Police Department as such in any police
12 department has a very difficult job. I think
13 the measure that's before us today with what
14 we have heard today from the public I believe
15 makes their job even harder. Part of what
16 makes their job easier to deal with is when
17 you have the public that has the same level of
18 trust and respect, admiration for the
19 officers, and I believe that that level of
20 trust and respect is there, but it's
21 compounded in more difficult to get that level
22 of trust when you have the public field in
23 opposition to this bill that is before us
24 today.

25 I think with hearing from so many

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2 people, there had to be almost close to
3 hundreds of slip, maybe a little less than a
4 hundred slips today, I couldn't in good
5 conscious go forward with any bill, not just
6 this bill but any bill where we heard from so
7 many people. And it's now almost eight
8 o'clock at night and I have to think that if
9 there were more people that could make it down
10 here on a Monday in the middle of the summer
11 they would have came.

12 I feel that at this point to go
13 forward with any bill -- I expressed my
14 concerns obviously in my abstention vote
15 several weeks ago. I plan to vote no today if
16 the table does not happen. But in spirit of
17 ensuring the public has more opportunity, more
18 hearings, more transparency on this bill, I
19 truly believe we should move to table it. I
20 didn't want to move to table if there was
21 going to be some debate or discussion because
22 I don't want to curtail anyone's ability to be
23 able to voice their concerns or opinion. But
24 if there is no debate or discussion or no
25 further comments I would like to put forward a

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2 motion to table the item for today.

3 LEGISLATOR NICOLELLO: A motion
4 to table is nondebatable. We need a second.
5 Seconded by Legislator DeRiggi-Whitton. All
6 in favor -- it's not debatable. We can talk
7 afterwards. All in favor signify by saying
8 aye. Those opposed? Nay. The vote falls by a
9 vote -- the motion to table fails by a vote of
10 nine to eight with one abstention. I just
11 did. Nine votes in favor of tabling, all from
12 the Minority. Eight votes against tabling. I
13 gave you an extra vote. Eight votes from the
14 Minority in favor of tabling. Nine votes from
15 the Majority against tabling and one
16 abstention which was Legislator Ford.

17 The item is still before us. Any
18 debate or discussion on the item? Legislator
19 Lafazan. Go first Josh.

20 LEGISLATOR LAFAZAN: Thank you
21 Presiding Officer. Thank you to all who came
22 today. We've had a very lengthy hearing so I
23 will be very brief.

24 I sponsored this bill and I support
25 this bill. My bill takes behavior which is

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2 already criminal and has been for many years
3 and simply adds a civil component under the
4 Human Rights Law of which first responders
5 were made a protected class in 2019. Since
6 police have been authorized by the state to
7 sue for negligence and intentional harm since
8 1996 this should not alarm anyone.

9 Moreover, the crimes of harassment
10 and menacing have been on the books for a long
11 time, yet we have not seen them used to
12 suppress freedom of speech like the critics of
13 this bill allege. Why do we think they will
14 have that effect now?

15 And why shouldn't we trust the
16 American judicial system to apply these laws
17 in a constitutional manner civilly just as
18 they have been applied in a criminal context.

19 There is no justification for
20 violence against first responders and these
21 bills will add further protections in law to
22 protect Nassau County's first responders as
23 they protect us. I urge a yes vote. Thank
24 you.

25 LEGISLATOR NICOLELLO: We have

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2 other legislators. I understand. I just note
3 for the record that Legislator Lafazan sat and
4 listened to every comment today and I think
5 you should have the same courtesy for him.
6 Legislator Drucker.

7 LEGISLATOR DRUCKER: Thank you
8 Presiding Officer. The past few weeks have
9 probably been the most difficult time I've
10 experienced over my five years as a legislator
11 both personally and as a Democratic caucus
12 member. I just want everyone to know the
13 remarks that I prepared here and my decision
14 on how I'm going to vote was made before
15 today. It was made over the last few days and
16 over the weekend. I had made my decision and
17 I wrote out remarks and they have not changed
18 based on comments today.

19 So, when I first agreed to
20 cosponsor Legislator Lafazan's bill almost two
21 months ago I did it, and I'll be honest, I'm
22 going to take a mea culpa here, I did it out
23 of a reflexive action because I support Josh
24 and at the time I thought if there were any
25 issues with the bill it would be brought up in

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2 our caucus meetings, it would be brought up in
3 meetings that we have, other sessions that we
4 would have before it would ever make its way
5 onto the calendar.

6 Apparently that didn't happen. I'm
7 as guilty as the rest of us on the caucus
8 because we were asleep at the wheel when it
9 comes to that. We should have paid more
10 attention to this bill. And when it first
11 came to light on Sunday night, before two
12 weeks ago Monday's session, when it was only
13 appearing before the before the Rules
14 Committee, which I'm not a member of, I wasn't
15 a member of those committees. I also wasn't
16 at the session.

17 But the point is that the
18 controversy and the issues that arose came up
19 very late. When it was addressed with the
20 Majority that we had issues and we wanted to
21 amend the bill because there were
22 objectionable parts to it, the Majority was
23 not receptive to those suggestions.

24 So I didn't contemplate, when I
25 first agreed to cosponsor the bill, the

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2 unintended consequences of the bill from a
3 perspective other than as a lawyer and in
4 reliance on a legal footing that the bill
5 stood upon as presented to me.

6 But it has been made abundantly
7 clear to me before today that those unintended
8 consequences are the fear and concern by law
9 abiding citizens that certain language in the
10 bill will threaten their constitutional rights
11 to peacefully march, demonstrate and speak
12 freely.

13 After hours and days of careful and
14 diligent deliberation, I have come to the
15 conclusion that the bill is fatally flawed,
16 and as a result, I am withdrawing my support
17 for this bill and I will be voting against
18 it.

19 But let me be clear. I will always
20 remain firmly committed to protecting our
21 first responders at every turn because they're
22 the ones that are the reason why we live in
23 the safest county in America. But as a lawyer
24 whose cliental for more than 35 years are the
25 marginalized, underrepresented in minority

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2 communities, I am always concerned and
3 protective of the democratic principles that
4 this county was founded upon.

5 For these reasons, I again will
6 withdraw my support for Legislator Lafazan's
7 bill and I will vote no with the emphatic
8 plea -- well, I will just vote no.

9 LEGISLATOR NICOLELLO: Legislator
10 Mule.

11 LEGISLATOR MULE: Today has been
12 a long day. I had made my decision last week
13 what I was going to do. It really came down
14 to the words irrebuttable and the menacing and
15 harassing. I couldn't get past that. And I
16 just believe that we have to do whatever we
17 can to protect the police in whatever ways
18 makes sense. However, this is not the right
19 bill. I will be voting no.

20 But I want to say one more thing
21 and I really appreciated Elle's remarks. I
22 truly believe that everyone's intentions were
23 good and that no one is evil or -- and I think
24 when we start bandying words like that around
25 we just keep the divide going. And we've got

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2 to figure out a way to come back together. We
3 really, really do. We have to talk to one
4 another.

5 Hold on. I'm talking please.

6 We need to figure that out. I
7 don't have the solution but I hope to be part
8 of the solution and I would welcome any
9 conversations where perhaps we could figure
10 that out. Because it's not an us versus them
11 situation. We all live here in Nassau
12 County. We have to figure out a way to not
13 make enemies of people who might disagree with
14 us about one thing one way or the other. Or
15 don't see things the way we do because of our
16 lived experiences. We have to figure out a
17 way to talk to one another so that we can
18 really live as a society with respect and
19 civility.

20 I certainly have respect for you
21 Josh. You know that. I know that your
22 intentions were always good. And so, I think
23 it's important to say that. I know you've
24 really been under the gun today.

25 This is what I'm talking about.

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2 This is what I'm talking about. We have to
3 figure this out. That's it. Thank you.

4 LEGISLATOR NICOLELLO: Legislator
5 DeRiggi-Whitton then Legislator Bynoe.

6 LEGISLATOR DERIGGI-WHITTON: I'm
7 in the same mind set as Debra Mule, and I have
8 to say that when I have been talking to the
9 police there is a need for this type of
10 legislation. Otherwise we wouldn't have
11 contemplated it. There's a lot going on with
12 our police. Do they protest when things are
13 wrong? They don't. Do they come and talk to
14 their elected officials? They do. I know a
15 number of things that are criminal acts that
16 have happened that have not been pursued.

17 In my opinion, what this law is
18 doing is saying that you can protest, you can
19 have a peaceful protest. This isn't really
20 designed to address what happened in Nassau
21 County. This is designed for like a January
22 6th situation where the police were really
23 attacked and nothing happened. It's still not
24 happening. Yes, it's down in DC but that is
25 what the mind set could be now.

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2 The way that I'm looking at this is
3 this is bringing it together. I want everyone
4 in this room to feel respected by Nassau
5 County. I really do. I want you to feel
6 safe. I want you to be able to express your
7 views but in a decorum of a way that you can
8 express your views to someone yet not
9 overstep. Which is basically what this law is
10 saying.

11 I trust the attorney who wrote this
12 bill. I know that --

13 LEGISLATOR NICOLELLO:

14 Mr. McKenna.

15 LEGISLATOR DERIGGI-WHITTON: I
16 trust that number one -- excuse me. Don't
17 interrupt me because I didn't interrupt you.

18 LEGISLATOR NICOLELLO:

19 Mr. McKenna.

20 LEGISLATOR DERIGGI-WHITTON:

21 Number one, the police are already given this
22 right. It's been since 2018. I don't see any
23 cases -- and if I'm proven wrong that they're
24 not entitled to this status then, you know, I
25 don't know why anyone hasn't done anything

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2 about this. There's some civil right lawyers
3 and why aren't they addressing the fact that
4 they don't deserve this status. We gave it to
5 them. We gave it to veterans. If you want to
6 discuss that you can discuss that as well.
7 Maybe they're not entitled to it.

8 Excuse me. Can you please stop or
9 else I'm going to -- I can't finish my
10 thought.

11 The bottom line is, I believe that
12 the police officers already have this status
13 which we voted on 19 to nothing in 2018. It
14 was never brought up. If you want to defuse
15 it or rebut it go right ahead. But in the
16 last three years almost it has not been the
17 case.

18 Number two. I know that it sounds
19 as if a simple gesture could cause a problem.
20 The real truth is there is a standard. There
21 is a threshold that you have to reach before
22 you have a decision made. I think that those
23 protections, number one, the police can
24 already sue. Ever since 1986 they have that
25 right. This law does not do that much to be

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2 completely honest with you. It already has
3 everything. At this point why did we go
4 through this? Maybe that's the question.

5 But I am going to say something
6 right now. In my mind, and I have given this
7 so much thought, and I'm probably going to get
8 in trouble once again, I'm probably going get
9 in trouble with my party or whatever else, but
10 I am up here because I believe in my heart
11 that this bill sends a message that I think a
12 lot of people believe in. We're coming up on
13 20 years from 9-11. Our first responders, and
14 it's not only police, it's a lot of volunteers
15 that are having problems. They go into your
16 house. They pull people out with COVID. I
17 saw what happened during COVID. I saw what
18 these people did.

19 The bottom line is, I think that
20 they deserve respect. And although, yes,
21 police get paid but this is all first
22 responders. There are many volunteers that
23 are having issues. So, in my opinion I think
24 that they deserve our protection and our
25 respect and I'm voting yes.

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2 LEGISLATOR NICOLELLO: Legislator
3 Bynoe.

4 LEGISLATOR BYNOE: Thank you
5 Presiding Officer. Presiding Officer, thank
6 you for the floor.

7 So, a lot was said today and a lot
8 of issues bubbled up beyond my earlier
9 comments on this issue during the committee
10 session. I stand opposed to this bill as I
11 did during the session for the reasons I spoke
12 on earlier. But I think some of them, more
13 immediate issues, are the ones you heard
14 today. You heard through the voices of those
15 that are aggrieved by this bill. You've heard
16 from the voices of the people who are pained
17 by this bill to the extent that we hear the
18 raw emotions in their voice.

19 So today I sit here very heavy
20 hearted as your colleague who is a member of a
21 class that has been historically discriminated
22 against with unchangeable personal
23 characteristics.

24 I ask you how in God's name can we
25 bring a bill to this floor that would allow

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2 even members from that protected class to not
3 have the ability to disprove discrimination
4 against police officers. I respect police
5 officers and I've shared that not only do I
6 respect police officers, that I even aspired
7 at one point to be a police officer and had
8 taken a test. More than one. Corrections.
9 Nassau County, Westchester police department.
10 And I passed those exams but, as they say, you
11 plan and God laughs. So my plan ended up
12 differently.

13 So I'm seated here today and I'm
14 seated here today just astonished that we
15 would look to erode what trust our community
16 has with police in this moment. This bill
17 would take all of the efforts that we've all
18 looked to create to build relationships
19 between our constituency and the police.
20 Where will the trust be at this point when
21 they know that they could be sued? Sued just
22 like -- or I should say be susceptible to this
23 law just like the young woman in Utah that was
24 talked about earlier the young woman who
25 simply ripped a Blue Lives Matter sign and

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2 stomped on it. Who is now facing criminal
3 charges.

4 This bill is I believe is very
5 dangerous. It can have fiscal impacts to
6 those who can hardly afford it. Those who
7 want to stand up for their rights. Those who
8 would be afforded an attorney in a criminal
9 court but not in a civil court. It will have
10 a chilling effect most certainly. It will
11 have a chilling effect. And as stated, that
12 effect could have resulted in the murderer,
13 Derrick Chauvin, going free if someone had
14 felt fearful to capture George Floyd's murder
15 by video.

16 I don't have a lot of new material
17 to talk about today because the people have
18 spoken. But what I have new to add to this
19 discussion, because I don't want to belabor
20 the point, but if the real intent of this law
21 is to protect first responders in the course
22 of their duties, then why, tell me why this
23 bill not only provides for the current members
24 of our first responders forces but also those
25 that were in prior service? In prior

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2 service. Because I'm of the mind set that
3 people of certain professions or any
4 professions should not be able to have these
5 types of protections. You know why? Because
6 they can hang up their uniforms. I can't hang
7 up my Black skin.

8 But to sit here today and say that
9 it's all right and then we're going to do this
10 and give protections to those who are no
11 longer in service that are prior members of
12 service is really a personal affront. Because
13 I can't retire my Black skin. They can't
14 retire their disabilities and it's not right.
15 Not a profession. We made the mistake once.
16 This body made a mistake once. This is an
17 opportunity to right a wrong. An opportunity
18 to right a wrong.

19 In the words of Martin Luther King,
20 it is always a good thing -- it's always a
21 good time to do the right thing. It's always
22 the right time to do a good thing.

23 This is wrong. It's wrong. I tell
24 you it's wrong. We're going to turn back the
25 hands of time here in Nassau County. Why?

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2 The police are already granted extensive
3 enhancement of criminal justice protections.
4 They're protected. I wouldn't sit here today
5 and vote against this bill if I didn't think
6 they were because I am also charged to make
7 sure that they are protected. That's part of
8 my role. Just as it is my role to make sure
9 that the people that are here are protected.
10 Those young people that had the guts to stand
11 before this mic and tell you from their own
12 hearts how they feel about this bill.

13 Please, we still have time. We can
14 evolve on this issue right here right now. I
15 implore you not today and not in our Nassau
16 County.

17 LEGISLATOR NICOLELLO: I just
18 wanted to clear up at least one
19 misconception. It was said repeatedly that
20 this bill criminalizes conduct. It doesn't.
21 It's not a criminal bill. It applies to civil
22 sanctions. What it does do is take by and
23 large criminal acts as a predicate for that
24 civil liability. Harassment, menacing,
25 assault. These are criminal acts under the

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2 New York State penal law. With respect to
3 menacing and assault on a police officer it's
4 a felony. With respect to harassment it's a
5 misdemeanor. Again, to establish a violation
6 in this statute you have to prove one of these
7 crimes.

8 We sat and listened for five
9 hours. It just shows you where the courtesy
10 lies in this room. Right?

11 The law also creates civil
12 liability for injuring a police officer.
13 Well, New York State law already creates that
14 right. There is a right under New York State
15 law for intentional negligent acts against a
16 police officer.

17 So look -- so anyway. Obviously
18 some people in this audience don't want to
19 hear what our rationale is but that is in a
20 nutshell that we have to protect our police
21 officers from harassment. We have to protect
22 our police officers from menacing. We have to
23 protect our police officers from assault and
24 being injured and I'm going to vote yes on
25 this local law. Legislator Ford.

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2 The weakness in an argument is when
3 you can't listen to somebody else without
4 trying to shout them down. Try to shout us
5 down. We listened for five hours. Every word
6 you said. Five hours. It just shows you what
7 this whole -- thanks. Legislator Ford.

8 LEGISLATOR FORD: This
9 legislation is not only for our police
10 officers but also for other first responders
11 as well as fire fighters and public safety
12 officers.

13 We all -- I listened to all of you
14 and all the comments and I know that your
15 concerns and your fears basically are
16 justified. But I think sometimes when we look
17 at this it would be based when we talked about
18 like the bad police officers who overstepped
19 their bounds. But I think, especially here in
20 Nassau County, that the vast majority of our
21 Nassau County officers are good police
22 officers. They want to work with the
23 community. They're not looking to make
24 trouble. They're not looking to go out and
25 sue residents because you looked at somebody

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2 crazy or something like that. I think that
3 they're well intentioned in their desire to
4 serve the public regardless of the
5 neighborhoods.

6 I know that we're a changing world
7 and we're all looking at different things that
8 are happening. But I think that this
9 legislation, while maybe not 100 percent
10 perfect, but it is something that reaffirms
11 what is already state law and you know.

12 But that being said, with that
13 police reform plan we have required that
14 Commissioner Ryder report back to us on a
15 six-month basis to the full legislature the
16 various benchmarks and this is going to be one
17 of the benchmarks that we're going to look at
18 to see whether or not there are some at times
19 if police officers are exercising their right
20 under this legislation to sue residents and
21 why then we're going to look at that data and
22 we're going to monitor it. Then if we find
23 that it is something that has been very
24 detrimental to the residents here then we will
25 definitely take a look at this again. Thank

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2 you.

3 LEGISLATOR NICOLELLO: Legislator
4 Birnbaum and Legislator Solages after that.

5 LEGISLATOR BIRNBAUM: Good
6 evening everybody. I want to thank you all
7 for taking the time to be here today. I came
8 to this hearing with open ears. I wanted to
9 listen to what our residents have to tell us.
10 When I first read this bill it sounded like a
11 way to protect our police, and I have the
12 utmost respect for people in uniform.
13 Everybody who does their job. First
14 responders, our Nassau County Police
15 Department. But I realized there were
16 problems with this bill when our caucus got
17 together and there were many situations
18 brought up that I hadn't thought about on
19 first reading of the bill.

20 Listening to everybody here today,
21 each with different backgrounds, different age
22 groups, different cultures, I heard all of you
23 and I have come to a decision and I am going
24 to vote against this imperfect bill.

25 LEGISLATOR NICOLELLO: Legislator

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2 Solages.

3 LEGISLATOR SOLAGES: Thank you
4 Presiding Officer for allowing me to speak.

5 Good evening everyone. I'd to
6 thank everyone for their patience, their
7 attention, their respect and I thank you for
8 coming down here today. I'd like to all my
9 colleagues.

10 I will be voting no against this
11 bill. I am very sadden that a respected Black
12 professional such as Legislator Bynoe has to
13 plead with such emotion and remorse in her
14 voice and yet it falls upon deaf ears with her
15 own colleagues. That is shameful. She is not
16 speaking out of convenience. She is speaking
17 out of survival. And to have her sense of
18 urgency overlooked by her colleagues is
19 disgusting.

20 Secondly, any lawyer, law school
21 101, should be voting against this bill. I
22 know you have aspirations in the courts. Good
23 luck in the courts with this on your record.
24 Okay.

25 Legislator Delia DeRiggi-Whitton

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2 mentioned that this is all about January 6th.
3 Well, on January 7th this body, a day after
4 January 6th, held a hearing regarding the
5 governor's police reform bill and that
6 committee was headed by yours truly, Denise
7 Ford. And there was not one mention of what
8 happened on January 6th, the day before, by
9 Legislator Ford in which Blue Lives Matter
10 flags were being used to assault capital
11 police officers. Where was the cry for
12 respect for law enforcement since then? This
13 has nothing to about January 6th.

14 This has everything to do with May
15 25th. May 25th in which brave people stood up
16 to corrupt killing police officers and told
17 them they could not do that. They had such
18 bravery and conviction.

19 Now you are promoting a piece of
20 legislation that would silence that. It would
21 make everyone think that oh wait, I can't
22 speak up because I might be sued civilly.
23 This has a very silencing and chilling effect
24 upon our democracy. This will turn Nassau
25 County to Russia under Putin. Truly, under

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2 Vladimir Putin in Russia there is no
3 difference between what you're proposing now
4 and what we see there. It is a hallmark of
5 our democracy that we have freedom of speech
6 and there are goods parts of that and bad
7 parts of that and you're choosing today to
8 silence what makes us Americans. Patriots.
9 To see something wrong and to say something.
10 How dare you.

11 LEGISLATOR ABRAHAMS: Hold up.
12 We just crossed the line there. I'm going to
13 ask you to please refrain from making comments
14 like that or you have to leave. I cannot
15 stand here in good consciousness and allow
16 anyone up here to be called a Nazi. Please.
17 I don't know where it came from but we're not
18 going to stand for that. Sir, please.

19 LEGISLATOR SOLAGES: And sorry to
20 me for interrupting me. Thank you. Don't
21 interrupt me again.

22 As I was saying, this has a
23 chilling effect upon our hallmark of what
24 makes our democracy special. For any
25 attorney, Mr. Ferretti, Mr. McKevitt. Who

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2 else? Ford? I'm sorry. Rhoads. Who else?
3 Mr. Muscarella. You're going to be a judge
4 soon, right? Schaefer. Any attorney to do
5 this will require you to go to law school
6 again. Thank you very much.

7 Mind you, the Bright Institution
8 and other institutions, law firms are waiting
9 to sue Nassau County based on this
10 legislation.

11 LEGISLATOR NICOLELLO: Legislator
12 Rhoads.

13 LEGISLATOR RHOADS: I would ask
14 individuals to simply do a Google search.
15 Nassau police officers assaulted. You will
16 see Nassau County correction officer assaulted
17 by a prisoner. Suffered a broken nose. July
18 19th this year man assaults police officer at
19 station house in Baldwin. July 11, 2021
20 Nassau police officers injured during two
21 separate weekend arrests in Bellmore.
22 February 25, 2021 homeless woman punches cop.

23 This is a -- and by the way, when
24 we were talking -- sir, you interrupting me is
25 the same as you interrupting Legislator

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2 Solages. I listened to you speak.

3 When we were talking about the
4 protests, again, when police officers tried to
5 stop protesters from going on to the
6 Meadowbrook Parkway two police officers were
7 injured. One was punched in the face. The
8 second one a broken ankle requiring surgery.
9 These are not isolated incidents. Police
10 officers. You had a volunteer fire fighter
11 who was shot responding to an alarm in
12 Bellmore probably I would say eight or nine
13 years ago. These things are not isolated
14 incidents.

15 And the bottom line is, whether
16 it's a private citizen, whether it's a first
17 responder, we do not want anyone to be
18 harassed, menaced, assaulted or injured.
19 Particularly not our police officers. This is
20 not about trying to suppress anyone's free
21 speech. This is about trying to ensure the
22 safety of the people who are there to protect
23 our safety. That's why I will be supporting
24 the legislation.

25 LEGISLATOR NICOLELLO: All

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2 right. Minority Leader Abrahams. Minority
3 Leader Abrahams. I'm listening to you.
4 Sounds good to me. If you could get me to be
5 a judge. Can you work it out for me? I've
6 been here a long time my friend.

7 All right. Ladies and gentlemen.
8 No further debate or discussion. All those in
9 favor of this item signify by saying aye.
10 Aye. Those opposed? Roll call? I think we
11 have it. 12 in favor, six against. It passes
12 the law.

13 LEGISLATOR KOPEL: Members are
14 all here. We're going to do safety first?
15 The roll on Finance please.

16 MR. PULITZER: Yes thank you Mr.
17 Chairman. Finance Committee roll call.

18 LEGISLATOR ABRAHAMS: Mr.
19 Pulitzer. I'm sorry. I think we already
20 clarified the vote but I believe she was
21 trying to figure out the vote. It was 12 in
22 the affirmative, there were six in the
23 negative. The two in the affirmative from the
24 Democratic side were Legislators
25 DeRiggi-Whitton and Legislator Lafazan

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2 supporting with the ten Republican majority.

3 I'm going to put the legislative
4 meeting into recess and move on to the Finance
5 Committee.

6 (Meeting was recessed at 8:26 p.m.)

7 (Meeting reconvened at 8:43 p.m.)

8 LEGISLATOR NICOLELLO: Take the
9 legislature out of recess. I think we have a
10 number of emergencies. Why don't you call the
11 first two emergencies. Both settlements.

12 MR. PULITZER: Thank you.
13 Emergency Resolution number 8-2021. Emergency
14 Resolution number 8-2021, an emergency
15 declaring an emergency for immediate action
16 upon a resolution authorizing the acting
17 county attorney to compromise and settle the
18 claims of plaintiffs as set forth in the
19 action entitled Gurrieri, County of Nassau
20 docket number 16-CV-6983 pursuant to the
21 county law, the county government law of
22 Nassau County and the Nassau County
23 Administrative Code.

24 Next emergency resolution is number
25 9-2021. Emergency Resolution number 9-2021,

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2 an emergency resolution declaring an emergency
3 for immediate action upon a resolution
4 authorizing the acting county attorney to
5 compromise and settle the claims of Nassau
6 County against McKesson Corporation, Cardinal
7 Health, Inc. and Amerisource Bergen
8 Corporation, collectively the Big Three,
9 pursuant to the county law, the county
10 government law of Nassau County and the Nassau
11 County Administrative Code.

12 LEGISLATOR NICOLELLO: That's
13 both of those emergencies, correct?

14 MR. PULITZER: That is correct.

15 LEGISLATOR NICOLELLO: We need a
16 motion to establish the emergency. Moved by
17 Legislator Walker. Seconded by Legislator
18 Drucker. All those in favor of establishing
19 the emergency signify by saying aye. The
20 emergencies are established.

21 I believe we have to call the items
22 again. 283, a resolution authorizing the
23 acting county attorney to compromise and
24 settle the claims of plaintiffs as set forth
25 in the action entitled Gurrieri versus the

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2 County of Nassau.

3 284 is a resolution authorizing the
4 acting county attorney to compromise and
5 settle the claims of the county of Nassau
6 against McKesson Corporation, Cardinal Health
7 and Amerisource Bergen Corporation.

8 Motion by Legislator Muscarella.

9 Seconded by Legislator DeRiggi-Whitton. These
10 two matters are before us. Do we have anyone
11 here who can speak to 284 which is the
12 settlement with the opioid manufacturers?

13 MS. MOLINARES: Good evening
14 legislators. Chief Deputy County Attorney
15 Jessica Molinares. We do have special counsel
16 here. The firm of Napoli Scolnick at your
17 disposal if you would like me to bring them to
18 the podium.

19 LEGISLATOR NICOLELLO: Yes. To
20 the extent that you can describe the
21 settlements without us having to go to
22 executive session then we are willing to do
23 this in public. If we feel there's a need for
24 executive session we will let you know or you
25 let us know.

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2 MS. MOLINARES: Understood.

3 LEGISLATOR NICOLELLO: I guess
4 you have to keep in mind litigation is
5 ongoing, correct? So is there any information
6 you can give us out here without affecting
7 that litigation?

8 MS. NAPOLI: Good evening. My
9 name is Marie Napoli from Napoli Skolnick.
10 I'm here today with Sal Badala and we are
11 representing you in this litigation and we
12 have today the settlement with the Big Three.
13 And I will have Sal give you the details of
14 that, but we're recommending that you accept
15 this settlement.

16 MR. BADALA: Good evening. Thank
17 you. Salvatore Badala from Napoli Skolnick.

18 This is similar to the Johnson and
19 Johnson settlement that we discussed a few
20 weeks ago. It is a New York State settlement
21 that's pursuant to the allocation agreement.
22 But one thing that is different is there's an
23 additional amount of money that Nassau County
24 gets for actually litigating this case, along
25 with Suffolk County, and that would be paid on

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2 September 30th that additional money.

3 In addition to that, there's
4 injunctive relief similar to Johnson and
5 Johnson like we discussed which would help to
6 cut off the supply of opioids that have been
7 pouring into the community.

8 Additionally, Nassau County will
9 get a membership -- they will be part of a
10 board that will actually oversee the entire
11 country when it comes to the injunctive
12 relief. So Nassau County will be one of 17
13 different states and municipalities that are
14 on this board that can actually oversee the
15 injunctive relief.

16 As was mentioned, just an update on
17 litigation itself without getting into
18 details, that litigation is still going on
19 against four remaining defendants. Exactly.
20 I'm sorry. We're currently in trial at Toro
21 with those four remaining defendants.

22 LEGISLATOR NICOLELLO: I would
23 note for the record that we had a lengthy
24 discussion three weeks ago, a lengthy
25 presentation, which was excellent. So, that's

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2 why we didn't need to go into executive
3 session tonight.

4 MR. BADALA: Understood. Thank
5 you.

6 LEGISLATOR ABRAHAMS: Do you have
7 any issue with mentioning the amounts?

8 MR. BADALA: We can mention
9 them. The allocation for the New York-wide
10 settlement it's a range because we have to see
11 how many other communities sign on for New
12 York State. It's not part of a national.
13 It's not contingent on say Iowa signing on.
14 It's just for New York State. Nassau the
15 range is between \$52 million and \$66 million.
16 However, like I said, there's that additional
17 sum of money of \$20 million that gets paid to
18 Nassau County. So you can add that on top.

19 LEGISLATOR ABRAHAMS: Thank you.

20 LEGISLATOR NICOLELLO: Thank you
21 again. Any other legislators? Thank you
22 again. Thank you for your continuing work for
23 us. We appreciate it.

24 MR. BADALA: Thank you. We
25 appreciate it.

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2 LEGISLATOR NICOLELLO: Great
3 results. 287 -- I'm sorry. Before we go to
4 that, any debate or discussion on these two
5 items? Hearing none, all in favor of 283 and
6 284 signify by saying aye. Those opposed?
7 Carry unanimously.

8 I guess we have two more
9 emergencies to do. Why don't you read them
10 both.

11 MR. PULITZER: Emergency
12 Resolution number 10-2021, an emergency
13 resolution declaring an emergency for
14 immediate action upon a resolution authorizing
15 the county executive to into and execute grant
16 agreements and subrecipient agreements on
17 behalf of the county's veteran service agency
18 with various not-for profit veteran
19 organizations that are funded with moneys
20 received by the county under the American
21 Rescue Plan's local fiscal recovery fund and
22 which have been supplementally appropriated to
23 fund grant agreements with such not-for-profit
24 veteran organizations for the purposes of
25 responding to the effects of the public health

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2 emergency caused by the COVID-19 pandemic or
3 its negative economic impacts.

4 The second emergency that is in
5 view is 11-2021. Emergency resolution number
6 11-2021. An emergency declaring an emergency
7 for immediate action upon a resolution
8 authorizing the county executive to enter into
9 a subrecipient agreement with the Long Island
10 Water Conference to administer a program on
11 behalf of the county's Department of Public
12 Works to provide grants to water suppliers in
13 Nassau County for the purpose of defraying the
14 costs associated with treatment and removal of
15 contaminants from the drinking water, which
16 shall be funded with moneys received by the
17 county under the American Rescue Plan's local
18 fiscal recovery fund and which has been
19 supplementally appropriated as part of the
20 county's water quality protection initiative
21 for the purpose of making necessary
22 investments in drinking water infrastructure.

23 LEGISLATOR NICOLELLO: Thank
24 you. Need a motion to establish the
25 emergency. Legislator Rhoads. Seconded by

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2 Legislator Mule. Any discussion on that? All
3 in favor of establishing the emergency signify
4 by saying aye. Those opposed? The emergency
5 is established. And with the consent of the
6 Minority I think we can waive reading of these
7 two items. But they are items 287 and 288.

8 We need a motion by Legislator
9 Ferretti, seconded by Legislator Bynoe on
10 these two items. Is there someone from the
11 administration that would want to address
12 these two?

13 MR. SALLIE: Good evening
14 legislators. The two items before you relate
15 to the American Rescue Plan and the county's
16 continuing programing of the funding allotted
17 to the county. As mentioned, the first
18 request for proposal would be to benefit our
19 veterans as the county has appropriated \$1
20 million in ARP funds for aid to veterans
21 impacted by the COVID-19 pandemic.

22 The county has put forth or is
23 putting forth two programs that would be
24 funded through this \$1 million allotment. The
25 distinction here is out of the realm of

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2 veterans organizations there are 501(c)3
3 organizations and in that case the county can
4 make subrecipient agreements, end grants to
5 those organizations. So, if you are a 501(c)3
6 you are eligible under the ARP program to
7 recoup costs. You are also eligible to render
8 services to veterans who were impacted and
9 qualify under ARP.

10 The non-501c3s are, for instance,
11 your VFW posts, your American Legion posts,
12 those are known as 501c19s. In that case,
13 those organizations are eligible as a
14 subrecipient to the county to render services
15 to, again, to our veterans who were impacted.
16 They are not, as per ARPA, eligible to recoup
17 lost costs.

18 So again, 501c3s are eligible as a
19 subrecipient or a grant recipient to recoup
20 costs or render services. 501c19s, which are
21 your VFWs, your American Legion posts are not
22 able to recoup costs but they are able to
23 render services to help veterans who have been
24 impacted.

25 Out of the \$1 million we are

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2 looking to make grants and subrecipient
3 agreements to as many organizations as we
4 can. The portal, the Boost portal is open.
5 So we are looking to encourage those
6 organizations to apply. We have placed a cap
7 per grant or per subrecipient agreement at
8 \$10,000 each in order to reach as many
9 organizations and to provide grants and
10 subrecipient agreements to as many
11 organizations as possible.

12 Attached to your packet we do have
13 a nonexhaustive list of veteran organizations,
14 both 501(c)3s and 501(c)19s, that we will be
15 doing targeted outreach to ensure that if
16 these organizations have the capacity to do
17 this type of work that they apply through the
18 Boost portal and we receive those applications
19 so that we can make those grants and
20 subrecipient agreements as quickly as
21 possible.

22 LEGISLATOR NICOLELLO: Legislator
23 Ford.

24 LEGISLATOR FORD: Thank you
25 Sean. Now I'm the presiding officer. But

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2 thank you.

3 In regard to the veteran
4 organizations, what type of services or what
5 is it that makes them eligible to be able to
6 get this grant of up to \$10,000?

7 MR. SALLIE: So, the 501(c)3
8 organizations, again, if they have had or if
9 they offer catering services to veterans and
10 so forth and due to the pandemic they were
11 unable to operate they are eligible for cost
12 recovery. On the service side, they can
13 provide services such as food drives, clothing
14 and transportation drives. Funds can also be
15 used to bring any rent, mortgage, utilities up
16 to current status for those organizations.

17 The veterans organizations that are
18 not 501(c)3, the VFWs, the American Legions,
19 they can also hold events to help their
20 veteran constituents. So, if it's sort of a
21 job fair or job training and placement, those
22 sort of things, they will be eligible for
23 utilization of these funds.

24 LEGISLATOR FORD: So as long as
25 they provide something that will help, you

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2 know, maybe educate some of the veterans or
3 help them to be able -- like veterans to
4 like -- you know, when you do the stand down
5 or something like that. Maybe educate them
6 with different things or --

7 MR. SALLIE: Yes. In terms of --
8 they need to be eligible for the ARPA eligible
9 items. So, if it's job training or job
10 placement or job referrals. Because veterans
11 as a group was not specifically mentioned in
12 ARPA, but veterans who were economically
13 impacted and are eligible under ARPA can
14 receive these services through the
15 organizations. Again, job referral services.
16 That sort of thing.

17 LEGISLATOR FORD: So, if they
18 hosted they're be able to get up to \$10,000?

19 MR. SALLIE: The organizations
20 that host, exactly. They will be able to get
21 up to that amount to host or to provide that
22 service. The veterans themselves do not
23 receive it.

24 LEGISLATOR FORD: It will be
25 spelled out on the Boost Nassau portal?

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2 MR. SALLIE: It is. So the scope
3 of work is actually prepopulated in the Boost
4 portal. So the idea is to make it as simple
5 as possible for these organizations. To go in
6 they put in their organizational information.
7 They're basically checking a box that they
8 conform or they will conform to the
9 prepopulated scope of work.

10 LEGISLATOR FORD: Can they also
11 go, because I know that it was indicated that
12 we're going to open up a site in Eisenhower
13 Park. We have like three or four people that
14 will be there. Like if a veterans
15 organization wasn't sure can they go there to
16 have their questions answered and like maybe
17 have their application submitted at that
18 time? They can make an appointment?

19 MR. SALLIE: Absolutely. And
20 that's encouraged. They can certainly go
21 online and try to do that themselves.
22 Otherwise, they're free to go to the resource
23 center at Eisenhower Park and a staff person
24 will help them fill out the application.

25 LEGISLATOR FORD: Like you said,

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2 your outreach, will you be indicating that to
3 the veteran organizations that we're going to
4 encourage you to do it online but if you have
5 questions call or you can go to Eisenhower
6 Park?

7 MR. SALLIE: Come on down.
8 Absolutely.

9 LEGISLATOR FORD: Then my last
10 question because it's late. We have a woman
11 she works with veterans with PTSD. So she
12 might do exercise classes with them. She
13 might do acupuncture and things like that.
14 Strictly for veterans. Would she be someone
15 who would be eligible under the 501(c)3
16 veterans.

17 MR. SALLIE: If she is rendering
18 a service that is eligible under ARP. So food
19 and security. Housing and security.
20 Unemployment. Those types of services to
21 reduce those insecurities and unemployment,
22 yes, she would be eligible.

23 LEGISLATOR FORD: Thank you very
24 much.

25 LEGISLATOR NICOLELLO: Let me

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2 just follow-up and Legislator Ford may have
3 asked this, but are you developing a program
4 to go out to the various veterans or bring
5 them in to explain this entire process?
6 Because directing them to go to Boost Nassau
7 portal is not, for the most part, going to be
8 very helpful. They're going to have to be
9 walked through the process and shown how it is
10 the services that can be rendered that will be
11 reimbursable.

12 MR. SALLIE: Yes. And our
13 veteran services agency will be spearheading
14 that effort. My understanding is there is a
15 meeting that's being set up with sort of the
16 larger organizations to inform them of this
17 opportunity.

18 LEGISLATOR NICOLELLO: Legislator
19 Rhoads you had a question.

20 LEGISLATOR RHOADS: Just a
21 couple, I promise, quick questions. With
22 respect to the 501(c)19s is it for services
23 that they can provide moving forward or can
24 they seek reimbursement for services that were
25 provided during the course of the pandemic?

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2 Many of them did food drives. Are they are
3 able to go back retroactively?

4 MR. SALLIE: Legislator, we'll
5 have to look into if they can get reimbursed
6 for services that have already been rendered
7 prior to them receiving the subrecipient
8 agreement.

9 LEGISLATOR RHOADS: With respect
10 to the \$10,000 for both 501(c)3s and 501(c)19s
11 is that \$10,000 limit something that we've
12 established or the administration has
13 established or is that something that's
14 actually established in ARP?

15 MR. SALLIE: It is not
16 established in ARP but it's something that the
17 administration has established, with the point
18 getting as many organizations grants as
19 possible. We originally had a list of about
20 100 VFW posts, American Legion posts. We know
21 that it may be more than that number. But we
22 know some organizations aren't as active as
23 others. So \$10,000 should be enough for many
24 of these organizations to do some real
25 meaningful work. But again, it was a county

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2 decision and not a requirement in ARPA.

3 LEGISLATOR RHOADS: I know that
4 the Majority had signed on to a letter that we
5 had sent to I believe Senator Schumer and
6 Senator Gillibrand asking them to seek an
7 amendment to the guidance to permit 501(c)19s
8 to be considered the same as 501(c)3s for
9 purposes of benefits. Have you heard any
10 updates from the federal government with
11 respect to whether that's being considered?

12 MR. SALLIE: I don't believe we
13 have legislator.

14 LEGISLATOR RHOADS: Part of the
15 issue is that VFW halls and American Legion
16 halls usually rely on rental income from
17 events for their sustenance. Obviously they
18 missed out on that for 16 months. So them
19 being excluded as 501(c)19s from being able to
20 seek reimbursement for money that they've lost
21 obviously is a tremendous issue for them.
22 Have you heard anything?

23 MR. SALLIE: No. We will follow
24 up with you on any guidance that's either
25 forthcoming or has already been issued by the

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2 treasury.

3 LEGISLATOR RHOADS: I appreciate
4 that. If we can actually try the
5 administration in pressing that issue to try
6 to get a more expansive definition I'm sure
7 that would be helpful.

8 Lastly, with respect to other
9 not-for-profits, obviously this is only with
10 respect to veteran organizations was before us
11 today, is there a plan to allocate any funds
12 to other not-for-profit organizations like
13 Lion's, Knights of Columbus, other catering
14 type facilities that lost money during --
15 philanthropic organizations that lost money
16 during the pandemic that usually rely on
17 catering funds?

18 MR. SALLIE: My understanding is
19 those organizations would be eligible for if
20 they are rendering services under other
21 programs that will be rolled out under the
22 county's ARPA. Moneys that have already been
23 appropriated. But as for cost recovery for
24 those types of organizations, I think that's
25 your question, I'm going to have to get back

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2 to you legislator on whether or not that's a
3 sort of a next step.

4 LEGISLATOR RHOADS: Thank you.

5 LEGISLATOR NICOLELLO: Any other
6 questions on this item? Thank you. You want
7 to jump into the water conservation?

8 MR. SALLIE: Certainly. So, this
9 item pertains to the water conservation ARPA
10 program that the county has established. Of
11 the \$6 million that was appropriated back in
12 June for the water conservation and water
13 quality program, this is a smaller tranche of
14 total \$6 million. The administration is
15 proposing \$1,550,000 for a water quality
16 initiative. Those funds would be moved
17 through a subrecipient agreement to the Long
18 Island Water Conference so that the Water
19 Conference can then distribute and allocate
20 grants to each of the public and private water
21 districts in Nassau County to provide funding
22 for upgrades to their treatment facilities.
23 Their portable water treatment facilities.
24 So we've all heard of the
25 1,4-dioxane and other emerging contaminants.

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2 This funding would go to those water districts
3 to make those capital improvements to improve
4 the water quality for our residents.

5 We are proposing grants of up to
6 \$50,000 to each eligible water district.
7 Again, that \$50,000 could go to capital for
8 upgrading their treatment facilities.

9 The Long Island Water Conference
10 would be engaged through this subrecipient
11 agreement with the county to administer the
12 program. The Long Island Water Conference
13 would then administer the program on our
14 behalf and work with the public and private
15 water districts to make those grants. Those
16 water districts will apply to the county and
17 to the Long Island Water Conference for grants
18 and we will track that through the Boost
19 Nassau portal.

20 LEGISLATOR NICOLELLO: Any
21 questions on this? Legislator Walker.

22 LEGISLATOR WALKER: I know it's
23 up to \$50,000. Would that be determined by
24 the number of wells that they need to put
25 treatment on? I mean I guess some districts

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2 might not, if they were lucky and they didn't
3 have any contaminants in their water they
4 might not have to address it at all. Yet,
5 there are other districts that are like buried
6 under with contaminants. But the max anyone
7 would receive would be the \$50,000?

8 MR. SALLIE: Would be the
9 \$50,000. We are asking the districts to, in
10 their applications, to explain how they plan
11 on using the funding. So if they are a larger
12 district or they have a -- or their district
13 has a more predominant issue with contaminants
14 that would surely determine how much funding
15 out of the \$50,000 cap they would receive.
16 But at this time we don't plan on going over
17 \$50,000 per water district.

18 LEGISLATOR WALKER: Thank you.

19 LEGISLATOR NICOLELLO: Legislator
20 Birnbaum.

21 LEGISLATOR BIRNBAUM: Is this
22 similar to what you said before with the
23 veterans? What if they already started the
24 work and they're already at a later stage of
25 the work. Would this grant be applicable?

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2 MR. SCHNEIDER: Brian Schneider,
3 deputy county executive for Parks and Public
4 Works. So, legislator, your question is if a
5 water district is experiencing contamination,
6 they've already started a project or
7 remediation project. Basically we're asking
8 water districts to provide justification for
9 whatever issues they are having specific to
10 emerging contaminants 1,4-dioxane or PF
11 PFOAs. If they have other contamination this
12 funding does not cover that. If they have
13 nitrogen issues or other organic or inorganic
14 issues this is only specific to the emerging
15 contamination.

16 So, if there is a project that they
17 have already started \$50,000 is not a lot of
18 money when it comes to the cost of the
19 remediation projects. But the \$50,000 could
20 be used for any portion of their project.
21 Whether it's replacing chemicals or physical
22 testing that they need to do. So, it's
23 anything that has to do with that emerging
24 contaminant project going forward.

25 LEGISLATOR BIRNBAUM: You just

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2 said going forward. So it is just going
3 forward?

4 MR. SCHNEIDER: Yeah. I mean if
5 they can justified the cost that they have.
6 If they're putting in a treatment unit that is
7 specific to treating 1,4-dioxane now that
8 would be certainly an eligible expense.

9 Again, the Long Island Water
10 Conference is going to be overseeing and
11 administering this. So, as water
12 professionals they will also be working with
13 our consultants and using the guidance from
14 the US Treasury to make sure that it conforms
15 to all the requirements to make sure that the
16 money is going to be spent in a proper form.

17 LEGISLATOR BIRNBAUM: Will we be
18 reaching out to all the water districts?

19 MR. SCHNEIDER: Yes. The Long
20 Island Water Conference we've already had a
21 number of meetings with them. They're very
22 excited. They're wishing that the decimal
23 point can move a little bit to provide more
24 funding. But keep in mind we are going to
25 have another bucket of money that's going to

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2 become available next year. So, we're hoping
3 that we will be able to expand the program
4 depending upon the need and the success.

5 LEGISLATOR BIRNBAUM: Great.
6 Thank you.

7 LEGISLATOR NICOLELLO: Any other
8 questions? Thank you and thank you Sean for
9 your patience for being here all day. Conal
10 too. It's about 12 hours now.

11 All in favor of these items signify
12 by saying aye. Those opposed? Carry
13 unanimously.

14 Going back to the regular
15 calendar. We have a hearing on a local law to
16 amend the Nassau County Administrative Code to
17 create a special revenue fund to assist Nassau
18 County to combat the opioid epidemic.

19 Moved by Legislator Walker.
20 Seconded by Legislator Drucker. That's a
21 motion to open the hearing. All in favor of
22 opening the hearing signify by saying. Those
23 opposed? The hearing is now open.

24 Just really brief. This special
25 revenue fund will ensure that moneys from the

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2 settlements go to actually combating the
3 opioid epidemic. Including interventions,
4 recovery services, education, support and
5 assistance to those that suffer from opioid
6 addictions and to their families.

7 I know we have a slip from Brian
8 Sullivan, president of Correctional Officers
9 Benevolent Association.

10 MR. SULLIVAN: Good evening. I
11 will be as brief as possible. I know it's
12 late. We've had a very long day.

13 Earlier today when we did the top
14 cops it was a very good event as always. But
15 one thing that I always pick up on when the
16 police come up and the commissioner comes up
17 we talk about the comprehensive training and
18 PD training that they get and that's what kind
19 of launches me into my normal issues here.

20 Regarding the opioid issue and the
21 opioid settlements, since long before the
22 opioid crisis and the drug overdose issue
23 became front page headline news, local
24 correctional institutions have been at the
25 forefront of this drug scourge that has

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2 affected countless lives. We have recognized
3 for years the beneficial effect of inmate
4 programs and officer training designed to
5 address the crisis of addiction and mental
6 health issues that must be confronted to lay
7 the correct path for inmates to follow that
8 will allow for a successful transition to
9 their communities upon their release from our
10 facility.

11 With that in mind, I bring to your
12 urgent attention the need for funding of these
13 programs in our facility. Funding that, as
14 you can imagine, just like everything else in
15 our facility has been cut to ribbons or
16 deleted over the last several years.

17 There's a cautionary tail to be
18 told here, which I understand is being avoided
19 by the formation of this fund, which is the
20 \$200 billion tobacco settlement in 1998. Only
21 fractions of that money went to preventing
22 smoking and helping people quit. Instead the
23 money went to plug holes in state and local
24 budgets.

25 Johnson and Johnson is paying \$5

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2 billion to my knowledge. Amerisource Bergen
3 and Cardinal Health is paying \$6.4 billion.
4 This is all on the federal level. And
5 McKesson is paying \$7.9 billion. Incredibly,
6 \$2 billion of that is reserved for lawyers'
7 fees. I guess I'm in the wrong business. But
8 a hundred and, I believe, 20 something million
9 dollars is going to be coming Nassau County's
10 way.

11 The second biggest cash settlement
12 behind tobacco and at least 70 percent of the
13 money is to go to abatement activities such as
14 providing Narcan, helping the homeless with
15 addiction problems or educating the public on
16 the dangers of drugs. Everyone involved wants
17 this money to go to opioid abatement around
18 the country.

19 Please consider me an advocate on
20 how I want to see this money, at least in our
21 portion here in Nassau County, spent. It's
22 crucial that a portion of this money be
23 reserved for programs in the Nassau County
24 correctional facility both for inmate programs
25 themselves, particularly with the advent of

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2 the HALT legislation that is being forced down
3 our throats once again by Albany be people who
4 have no idea how to run correctional
5 facilities but will mandate what is done
6 inside of them.

7 And also for training of our
8 correction officers. The opioid crisis has
9 raged through this county and country and we
10 deal with it every day in corrections, having
11 to deal not only with inmates who are mentally
12 ill or others that are violent predators but
13 many of those whose criminality is directly
14 related to their addiction to opioids and are
15 now in our department's problem to deal with
16 all with little to no resources.

17 Programs for the inmates and
18 specialized training for our officers on how
19 to deal with the mentally ill and addicted is
20 how this money would and should be spent at
21 local correctional facilities like ours. We
22 cannot let this settlements be another one of
23 the greatest missed public health and public
24 safety opportunities as was the tobacco
25 settlement.

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2 Every element of this settlement
3 should be geared towards remediating the harm
4 this scourge has caused and prevented from
5 continuing and targeting those that have
6 broken the law and caused pain and suffering
7 to innumerable families because of their
8 actions connected to their opioid addiction
9 who are now residing in our facilities is one
10 hell of a good targeting point to remediate
11 this problem.

12 I am going to be all over our
13 current administration that as we know are
14 appointed and usually you have to get the okay
15 from somebody before they speak in public and
16 I want to be not the only person advocating
17 for programs in the jail for inmates and
18 training for our officers. I certainly hope
19 that I'm not alone here in doing that
20 advocacy. Thank you very much.

21 LEGISLATOR NICOLELLO: Brian,
22 once the money is in the fund it can't be
23 spent unless the legislature approves the
24 spending. So, I think I can speak for all of
25 us that we will certainly support programs for

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2 inmates. That's certainly the front lines of
3 battling the opioid epidemic. As well as
4 training for your officers.

5 MR. SULLIVAN: I appreciate
6 that. There's a lot of money in the county's
7 bank. We need a lot of training. Not just on
8 opioids. Thank you.

9 LEGISLATOR FORD: Brian, I'm sure
10 that we all support you in your efforts on
11 this. One of the women who used to work for
12 me, one of my assistants, Nadine, actually
13 volunteers at the jail on Friday nights. She
14 helps with those who are recovering
15 alcoholics. She had always spoken about the
16 importance of that program and how beneficial
17 it had been to so many of the inmates there.
18 So, I'm sure that the same can be said for
19 those that are going through opioid addiction
20 and any other type of addiction. Anything
21 that can help these people turn their lives
22 around and get on track.

23 MR. SULLIVAN: We used to have a
24 lot of good programs in the Nassau County
25 jail.

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2 LEGISLATOR FORD: And we need to
3 bring them back. Education. We have the
4 money. Let's start investing because I think
5 we can save a lot of people that way really.

6 MR. SULLIVAN: I appreciate it.
7 Thank you.

8 LEGISLATOR NICOLELLO: Legislator
9 Walker and Legislator Mule.

10 LEGISLATOR WALKER: I just want
11 to quickly add, I too, Brian, will be doing
12 all I can to make sure that you receive some
13 of those funds to do education in any way that
14 we can especially target the groups that are
15 in the correction center. Our inmates and
16 certainly for our workers who are there, our
17 correction officers. What they can do to help
18 and combat this.

19 Many of them I'm sure are in our
20 correction facility because of their opioid
21 addiction and hopefully it will make a big
22 difference for them when they get out and look
23 forward to a much better life and not end up
24 back up in there or end up even worst not here
25 at all sure. But whatever we can do I'm sure

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2 all of us will be pushing towards that.

3 MR. SULLIVAN: I appreciate that
4 legislator.

5 LEGISLATOR NICOLELLO: Legislator
6 Mule.

7 LEGISLATOR MULE: Thank you
8 Presiding Officer. I fully support programs
9 certainly going to the correctional facility.
10 But actually I wanted to make another comment
11 so if you want me to wait I can do that.

12 LEGISLATOR NICOLELLO: On this?
13 Go ahead.

14 LEGISLATOR MULE: So, one of my
15 constituents came today intending to speak on
16 this. She had a tragic situation in her
17 family involving opioid addiction, and so, I
18 can't speak for her because I don't know
19 exactly what she wanted to say but I might be
20 able to get her remarks and we can add them to
21 the record.

22 LEGISLATOR NICOLELLO: Kathleen
23 Spatz?

24 LEGISLATOR MULE: Yes.

25 LEGISLATOR NICOLELLO: She filled

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2 out a form. Absolutely. Get her remarks and
3 we will make sure it's part of the record.

4 All right Brian. Anyone else?
5 We're good.

6 We need a motion to close the
7 hearing. Motion to close by Legislator
8 Drucker. Seconded by Legislator Walker. All
9 in favor of closing the hearing signify by
10 saying aye. Those opposed? The hearing is
11 closed.

12 We go to the vote on the item which
13 would be item 6, a local law to amend the
14 Nassau County Administrative Code to create a
15 special revenue fund to assist the county to
16 combat the opioid epidemic.

17 Moved by Legislator Walker.
18 Seconded by Legislator Birnbaum. Any debate
19 or discussion? Any public comment? All in
20 favor signify by saying aye. Those opposed?
21 Passes unanimously.

22 Item four is hearing on a local law
23 to amend the Nassau County Administrative Code
24 to prohibit the refusal to serve first
25 responders.

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2 Motion to open the hearing by
3 Minority Leader Abrahams. Seconded by the
4 Deputy Presiding Officer Kopel. All in favor
5 of opening the hearing signify by saying aye.
6 Those opposed? Carries unanimously. The
7 hearing is open.

8 Any debate or discussion on this
9 item? Any debate or discussion on or public
10 comment on this proposed local law? Hearing
11 none, motion to close the hearing by
12 Legislator Muscarella. Seconded by Deputy
13 Presiding Officer Kopel.

14 Drop down to item number eight, a
15 local law to amend the Nassau County
16 Administrative Code to prohibit the refusal to
17 serve first responders.

18 Moved by Legislator Walker.
19 Seconded by Legislator Ford. Any debate of
20 discussion? Any public comment? All in favor
21 signify by saying aye. Those opposed?
22 Carries unanimously.

23 Number nine is not being called
24 tonight. We have to go to item 31. Item 31
25 is a resolution to establish a Blue Alert

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2 system to aid in the identification, location
3 and apprehension of any individual or
4 individuals suspected of killing or seriously
5 wounding any law enforcement officer,
6 ambulance medical technician or police medic.

7 Motion by Legislator Lafazan.

8 Seconded by Legislator Rhoads.

9 LEGISLATOR LAFAZAN: Thank you
10 Presiding Officer. Very briefly. I proudly
11 sponsor this bill and am grateful for my
12 colleagues in the Majority who amended this to
13 include more of our first responders.

14 This bill establishes Nassau
15 County's first ever Blue Alert system modeled
16 after the Amber Alert system. The Blue Alert
17 system will establish an emergency
18 communication protocol to alert the public of
19 critical information regarding an individual
20 who either seriously injures or kills a cop.
21 I think it is crucial and I urge a strong yes
22 vote. Thank you.

23 LEGISLATOR NICOLELLO: Thank
24 you. Any other debate or discussion on this?
25 Hearing none, all in favor signify by saying

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2 aye.

3 LEGISLATOR ABRAHAMS: Josh, quick
4 question. Who actually will monitor and
5 administer the Blue Alert system, just for the
6 record? I figure it's PD but I just want to
7 establish that for the record.

8 LEGISLATOR LAFAZAN: Per my bill,
9 the police commissioner had sole authority to
10 issue the alert. I believe the Majority's
11 amendment was the police and/or his
12 representative. Correct?

13 LEGISLATOR NICOLELLO: Yes. Any
14 other questions? All in favor signify by
15 saying aye. Those opposed? Carries
16 unanimously.

17 Item 32 Resolution 119. A
18 resolution to establish a special legislative
19 task force to combat anti-Semitism.

20 That's moved by Legislator
21 Drucker. Seconded by Legislator Birnbaum.
22 There is an amendment in the nature of a
23 substitution that will increase the number of
24 community members on the task force from five
25 to not less than -- not less than five not

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2 more than 15.

3 A motion to amend by Deputy
4 Presiding Officer Kopel. Seconded by
5 Legislator Lafazan. Any debate or discussion
6 on the amendment? All in favor of the
7 amendment signify by saying aye. Those
8 opposed? The amendment passes unanimously.

9 Now we have to consider the bill as
10 amended. All in favor of the resolution as
11 amended signify by saying -- sorry. Before I
12 do that, Legislator Drucker.

13 LEGISLATOR DRUCKER: Thank you
14 Presiding Officer. I just wanted to make a
15 quick statement. This was bill that I
16 introduced and I want to say that I'm very
17 proud of my colleagues on the legislature for
18 joining me in recognizing the urgency of
19 combating and eradicating the shameful rise in
20 anti-Semitism and hatred directed at Jews.

21 This resolution is a working
22 resolution designed to study the root causes
23 of anti-Semitism in our county, where it comes
24 from, where it is most concentrated and how do
25 we prevent it from taking hold and growing.

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2 The task force that this resolution
3 provides for enlists the expertise and overall
4 quality of the people that will be on it to do
5 the work necessary to eliminate this scourge
6 and bring this county closer to the ideals we
7 aspiring to.

8 LEGISLATOR NICOLELLO: Thank you
9 Arnie. Anyone else? All in favor of the
10 resolution as amended signify by saying aye.
11 Those opposed? Resolution passes
12 unanimously.

13 I think that's it. We're going to
14 put the legislative meeting into recess.
15 Obviously it's a long month and in case
16 there's something that provides us to come
17 back but before our next set of committee
18 meetings we'll have the flexibility to do
19 that. So I'm going to put the legislature in
20 recess.

21 (Meeting was recessed at 9:26 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 18th day of
August 2021

FRANK GRAY