

NASSAU COUNTY LEGISLATURE

COMMITTEES MEETING

RICHARD NICOLELLO

PRESIDING OFFICER

PUBLIC SAFETY COMMITTEE

DENISE FORD

CHAIRWOMAN

County Executive and Legislative Building

1550 Franklin Avenue

Mineola, New York

Monday, October 3, 2022

2:18 p.m.

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

LEGISLATOR DENISE FORD CHAIR
LEGISLATOR STEVEN RHOADS VICE CHAIR
LEGISLATOR MAZI MELESA PILIP
LEGISLATOR THOMAS MCKEVITT (Acting)
LEGISLATOR DELIA DERIGGI-WHITTON RANKING
LEGISLATOR SIELA BYNOE
LEGISLATOR DEBRA MULE

MICHAEL PULITZER
Clerk of the Legislature

A L S O A P P E A R E D :

THOMAS DELANEY, PUBLIC WORKS

PUBLIC COMMENT:

SUSAN GOTTEHRER, NY CIVIL LIBERTIES UNION

CHERYL KESHNER, LILAC

1
2 LEGISLATOR FORD: Good afternoon. At
3 this time I will call the Public Safety
4 Committee to order. I will ask the Clerk
5 to call the roll.

6 CLERK PULITZER: Thank you,
7 Chairwoman.

8 Legislator Debra Mule.

9 LEGISLATGOR MULE: Here.

10 CLERK PULITZER: Legislator Siela
11 Bynoe.

12 LEGISLATOR BYNOE: Here.

13 CLERK PULITZER: Ranking Member
14 Delia Deriggi-Whitton.

15 LEGISLATOR DERIGGI-WHITTON: Here.

16 CLERK PULITZER: Substituting for
17 Legislator John Ferretti, Legislator Tom
18 McKevitt.

19 LEGISLATOR MCKEVITT: Here.

20 CLERK PULITZER: Legislator Mazi
21 Melesa Pilip.

22 LEGISLATOR PILIP: Here.

23 CLERK PULITZER: Vice Chairman
24 Steven Rhoads.

25 LEGISLATOR RHOADS: Present.

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2 CLERK PULITZER: Chairwoman Denise
3 Ford.

4 LEGISLATOR FORD: Here.

5 CLERK PULITZER: We have a quorum.

6 LEGISLATOR FORD: Thank you very
7 much, sir.

8 There's one item on the agenda today
9 which is Clerk Item 320-22. This is an
10 ordinance supplemental to the annual
11 appropriation ordinance in connection
12 with the Office of Emergency Management.

13 May I have a motion? Moved by
14 Legislator Pilip, and seconded by
15 Legislator Rhoads. The item is before
16 us.

17 Good afternoon, sir.

18 MR. DELANEY: Good afternoon.
19 Thomas Delaney, Office of Emergency
20 Management. We have before you two
21 items. One is a supplemental
22 appropriation for \$131,000 for the New
23 York State Public Safety.

24 And the is an appropriate for 1.785
25 million for a Statewide Interoperable

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2 Communications Grant. These are both
3 funded by New York State. They're not
4 Federal grants. We use them to enhance
5 the capabilities at the 9-1-1 dispatch
6 center or other dispatch centers that we
7 have for the PSAP grant and the statewide
8 interoperable. We buy communications
9 equipment for PD.

10 LEGISLATOR FORD: Communications is
11 very important. I know we all have to be
12 able -- especially since you deal with
13 non emergencies as well as emergency
14 times, we need to be able to speak to one
15 another at a drop of a dime. Thank you
16 very much.

17 Any debate or discussion or
18 questions?

19 (Whereupon, no verbal
20 response.)

21 LEGISLATOR FORD: Anything from the
22 public?

23 (Whereupon, no verbal
24 response.)

25 LEGISLATOR FORD: I see none. All

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2 those in favor of passing this item,
3 please signify by saying aye.

4 (Whereupon, all members of
5 the Public Safety Committee
6 respond in favor with aye.)

7 LEGISLATOR FORD: Opposed?

8 (Whereupon, no verbal
9 response.)

10 LEGISLATOR FORD: The item passes
11 unanimously. We have no other items
12 before us, but we do have two slips for
13 speakers. We will allow them to come up
14 and ask their questions.

15 First speaker is Susan Gottehrer.

16 MS. GOTTEHRER: Hi. Thanks for
17 letting me speak today. My name is Susan
18 Gottehrer. I'm the director of the Nassau
19 County New York Civil Liberties Union.

20 I do want to speak a little bit
21 about language access today. I know you
22 guys are doing budget, and we will be
23 speaking to the police commissioner as
24 well regarding the monetary aspect of
25 interpretation services for Nassau

1
2 County.

3 But I did want to call your
4 attention to a language access test that
5 was jut run and a report was put out by
6 LILAC and then New York Immigration
7 Coalition. They conducted random testing
8 of eight Nassau County Police Precincts
9 and Police Head Quarters where they had
10 Spanish-speaking volunteers asking
11 questions and asking for information,
12 such as how to get a complaint form. Out
13 of 94 calls made, testers were unable to
14 obtain language assistant or get the
15 requested information 44 times out of 94
16 calls. This is a 46.8% failure rate.

17 Volunteers also called headquarters
18 and there was zero ability to get what
19 they wanted. That was for eight phone
20 calls.

21 According to Title 6 of the Civil
22 Rights Act of 1964 Section 601, Non
23 discrimination in federally assisted
24 programs: No person in the United States
25 shall on the ground of race, color, or

1
2 national origin be excluded from
3 participating in, be denied benefits of,
4 or be subjected to discrimination under
5 any program or activity receiving Federal
6 Funds.

7 In 2000, the United States
8 Department of Justice clarified saying
9 failure to supply language assistance is
10 a form of national origin discrimination.

11 In 2013, County Executive Mangano
12 passed Executive Orders 67 and 72, and
13 those are also not being followed.

14 So I'm coming to you to request as
15 you look at the budget and think about
16 the role the Public Safety Committee
17 plays in oversight of the Executive
18 Branch, we are asking you to conduct
19 oversight in this area. The laws are
20 being broken. Your job is to conduct
21 oversight over executive agencies which
22 the Police Department is one.

23 As you look at these budgets, I'm
24 looking at the budget numbers, I know
25 that Commissioner Ryder put together

1
2 budget requests, but we need to start
3 thinking about interpretation. He will
4 always tell you numbers about Language
5 Line, but this report shows they have to
6 hire interpreters. This is abysmal. As
7 it stands right now, the advocates are
8 the only oversight function happening
9 over the Police Department in this County
10 and we're exhausted. That's not our job.
11 I think the powers that be know that the
12 advocates are exhausted. We should not
13 be the oversight body. You are.

14 Thank you.

15 LEGISLATOR FORD: Susan, it was our
16 understanding, if they weren't going to
17 have interpreters in the precincts, there
18 would be a line that they, let's say,
19 somebody who's Spanish speaking would be
20 able to call and then be connect to
21 somebody on the other end that would then
22 be able to interpret. The question can
23 be posed in Spanish and be translated to
24 English to the police officer. Are you
25 saying that's not happening?

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2 MS. GOTTEHRER: That is happening
3 sometimes, but the rate that our testers
4 got and -- I'll let Cheryl share with you
5 some of the responses the testers got
6 that are outrageous. Commissioner will
7 only talk about Language Line. Please
8 don't let him just talk about Language
9 Line, because it's not happening to the
10 extent that it needs to happen. We need
11 human interpreters who are qualified. As
12 it stands right now, police are allowed
13 to self-report about their qualifications
14 - "oh, I can handle this call". That's
15 not acceptable either. So there's a lot
16 here. Please don't let Commissioner
17 Ryder only talk about Language Line,
18 'cause that's all he can do.

19 LEGISLATOR FORD: Even with the
20 Language Line, I was listening to the
21 redistricting meeting in Long Beach last
22 week, and the Language Line did not work
23 during that. I'm curious then whether or
24 not we should do business with somebody
25 else. It doesn't seem to be consistent.

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2 MS. GOTTEHRER: I think that there's
3 a lot of holes. Whatever business and
4 whatever budget lines are being looked at
5 or should be looked at for this, it's
6 just not just about an app. It's about
7 the training, but it's also about other
8 things.

9 Just to let you know, the Hispanic
10 Heritage celebration that happened last
11 week had no interpreters, just to let you
12 know. That will give you an idea.

13 LEGISLATOR FORD: It's embarrassing.
14 Also, I was going to contact you today
15 anyway. I did speak to Commissioner
16 Ryder and in November we will be doing
17 the update in-person police --

18 MS. GOTTEHRER: Thank you so much
19 for sharing that.

20 LEGISLATOR FORD: Don't go away. We
21 have Legislator Mule.

22 LEGISLATGOR MULE: Thank you,
23 Chairwoman.

24 Susan, I remember reading that. It
25 really was appalling. It's something we

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2 absolutely have to address. It reminds
3 me with the housing discrimination test
4 and the testers really brought that to
5 life. A lot of things happened as a
6 result of that. This absolutely has to
7 be addressed. You can have whatever
8 program's in place, but if they're not
9 working -- I remember reading some of the
10 things that you said someone else is
11 going to be coming up and telling us
12 about. It really was horrifying. That's
13 not what we want for this county. We want
14 much better. We want everyone to have
15 access to accurate information in a way
16 that they can understand, whatever that
17 is.

18 MS. GOTTEHRER: Thank you so much
19 for saying that. Yeah. We need to be
20 more vigilant. Thank you so much.

21 LEGISLATOR FORD: Susan, please stay
22 up. Legislator Bynoe may have a question
23 for you.

24 LEGISLATOR BYNOE: Good day. How are
25 you?

1
2 MS. GOTTEHRER: Good.

3 LEGISLATOR BYNOE: Thank you for
4 sharing that data. I did read the
5 article. Almost at the same time,
6 there's a subcommittee of this committee
7 that has been meeting regarding hate
8 crimes. I would say that either this
9 standing committee or this subcommittee
10 needs to spend some time looking at
11 resolves and solutions, because I believe
12 that not only are we providing a
13 disservice for someone who might need
14 information from the Police Department,
15 but those who might want to give
16 information specifically around hate
17 crimes and other types of victimizations
18 that they're sustaining out here in the
19 community. We have a follow-up meeting
20 with the Commissioner that we've been
21 trying to schedule. We wanted to talk to
22 him about something I think supports your
23 concern regarding language access as
24 well. I'm imploring our Chairwoman who
25 has convened this subcommittee to make

1
2 this a matter as a body --

3 LEGISLATOR FORD: We will be meeting
4 with Ryder soon. I did speak to him
5 about that. I think this will also then
6 tie in with that. Because if we don't
7 have proper access via a person's
8 language, they will be reluctant to reach
9 out for any help. If they're not
10 understood, they would feel as if they're
11 just on the other side. I agree, we need
12 to make it so we're very inclusive for
13 the people who live in our community and
14 for people who visit here as well.

15 MS. GOTTEHRER: Absolutely. It's a
16 safety issue, as Cheryl will share. Let
17 alone an issue of not feeling welcome or
18 that you might even be protected under
19 the law, because you you can't
20 communicate. You heard it during the
21 police reform movement, reports are not
22 being read back to people in their
23 languages. They're signing things, they
24 don't know what they're signing. This is
25 very layered and nuanced. I really

1
2 appreciate hearing that there's a
3 subgroup that will be looking at this for
4 sure. Thank you.

5 LEGISLATOR FORD: Thank you very
6 much.

7 LEGISLATOR BYNOE: Thank you, Chair.

8 LEGISLATOR FORD: Thank you, Siela.

9 MS. KESHNER: Good afternoon. My
10 name is Cheryl Keshner and I work for the
11 Empire Justice Center. I coordinate the
12 Long Island Language Advocates Coalition,
13 LILAC. We've been working at LILAC since
14 2010 to ensure that people who may not
15 read, write, speak or understand English
16 proficiently have equal access to all
17 programs and services. We were
18 instrumental in getting the executive
19 orders passed in both Suffolk and Nassau
20 County; Suffolk in 2012 and Nassau in
21 2013. Those mandated that language
22 access be provided in any language needed
23 at all public county agencies and that
24 translation be provided in the six most
25 frequently encountered languages of any

1
2 vital documents.

3 Since that time, we have been
4 working to monitor and to see how those
5 agencies are doing to try to act as a
6 resource meeting with heads of various
7 departments. Unfortunately, in Nassau
8 County, the compliance over the years has
9 been abysmal.

10 Under prior administration --
11 various different police commissioners we
12 saw it kind of went up and down. Under
13 the current commissioner, there's been a
14 lot of resistance to change and more of a
15 concern of covering up and denying there
16 are mistakes rather than recognizing them
17 in order to be able to make improvements.
18 That's been a major problem. So we
19 embarked on this study with the New York
20 Immigration Coalition earlier this year
21 to do a more comprehensive study than we
22 have in the past to see what was going
23 systemically in the Department. We have
24 met with the Department. Last time we
25 met was in November in relation to

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2 various domestic violence concerns and
3 where people in our community who were
4 limited English proficient were not being
5 treated properly and were being further
6 traumatized in their interactions with
7 police.

8 So in our testing, as Susan said, we
9 did not make any false reports, we just
10 simply called for information. There were
11 close to 100 calls. As Susan indicated,
12 many of those calls were unable to get
13 assistance. Some were told to call
14 9-1-1, some were hung up on, in some
15 cases the officer did not know how to
16 connect the individual to Language Line.
17 Some officers who connected a person to
18 Language Line would then hang up not
19 realizing they needed to stay on the
20 line. Those who did get assistance in
21 many cases were connected with
22 Spanish-speaking officers. So based on
23 our prior studies, it's our belief that
24 had the person been another language such
25 as Haitian, Creole, Korean, Farsi, they

1
2 probably wouldn't have gotten any help at
3 all, because that's what we've seen in
4 the past.

5 We really do fear for the members of
6 our community. This can have huge
7 implications in terms of a person falsely
8 arrested of a crime, a person who is a
9 crime victim, as Legislator Bynoe pointed
10 out, someone who wants to report a hate
11 crime, someone who wants to cooperate
12 with the police to let them know what's
13 going on in their community if there is
14 some type of a danger.

15 This needs to be addressed
16 immediately. Obviously, our officers
17 need better training. The current
18 language access plan is completely
19 insufficient. We had given very specific
20 recommendations for changes and
21 improvements. As Susan said, officers
22 who claim to be bilingual, cannot
23 self-assess their proficiency, which it
24 states in the language access plan.
25 There obviously needs to be more

1
2 diversity in the Department.

3 There needs to be a number of other
4 changes. In terms of domestic violence,
5 we have a whole bunch of other --

6 LEGISLATOR FORD: Can you wrap this
7 up?

8 MR. DELANEY: -- recommendations.
9 Yes, I want to thank you for your time
10 and hope that we can serve as a resource
11 in the future. Thank you.

12 LEGISLATOR FORD: All right. As
13 there is no other business in front of
14 this Committee, may I have a motion to
15 adjourn?

16 LEGISLATOR DERIGGI-WHITTON:
17 (Indicates).

18 LEGISLATOR FORD: Moved by
19 Legislator Deriggi-Whitton. Seconded by
20 Legislator McKeivitt.

21 All those in favor?

22 (Whereupon, all members of
23 the Public Safety Committee
24 respond in favor.)

25 LEGISLATOR FORD: This Committee is

now adjourned. Planning is next.

(Whereupon, Public Safety
Committee adjourns, 2:37 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF NASSAU)

I, KAREN LORENZO, a Notary Public for and
within the State of New York, do hereby
certify:

That the above is a correct transcription
of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set
my hand this 3rd day of October, 2022

Karen Lorenzo
KAREN LORENZO

PUBLIC SAFETY COMMITTEE 10.03.2022

\$	advocates ^[2] - 10:7, 10:12	CHERYL ^[1] - 3:9	DENISE ^[1] - 2:2
\$131,000 ^[1] - 5:22	Advocates ^[1] - 16:12	Civil ^[2] - 7:19, 8:21	denying ^[1] - 17:15
1	afternoon ^[4] - 4:2, 5:17, 5:18, 16:9	CIVIL ^[1] - 3:8	Department ^[7] - 9:8, 9:22, 10:9, 14:14, 17:23, 17:24, 20:2
1.785 ^[1] - 5:24	agencies ^[3] - 9:21, 16:23, 17:5	claim ^[1] - 19:22	departments ^[1] - 17:7
100 ^[1] - 18:11	agenda ^[1] - 5:8	clarified ^[1] - 9:8	Deriggi ^[2] - 4:14, 20:19
1550 ^[1] - 1:16	agree ^[1] - 15:11	CLERK ^[8] - 4:6, 4:10, 4:13, 4:16, 4:20, 4:23, 5:2, 5:5	DERIGGI ^[3] - 2:6, 4:15, 20:16
1964 ^[1] - 8:22	allow ^[1] - 7:13	Clerk ^[3] - 2:13, 4:4, 5:9	Deriggi-Whitton ^[2] - 4:14, 20:19
2	allowed ^[1] - 11:12	close ^[1] - 18:11	DERIGGI-WHITTON ^[3] - 2:6, 4:15, 20:16
2000 ^[1] - 9:7	almost ^[1] - 14:5	Coalition ^[3] - 8:7, 16:12, 17:20	different ^[1] - 17:11
2010 ^[1] - 16:14	alone ^[1] - 15:17	color ^[1] - 8:25	dime ^[1] - 6:15
2012 ^[1] - 16:20	annual ^[1] - 5:10	coming ^[2] - 9:14, 13:11	director ^[1] - 7:18
2013 ^[2] - 9:11, 16:21	anyway ^[1] - 12:15	COMMENT ^[1] - 3:6	discrimination ^[4] - 8:23, 9:4, 9:10, 13:3
2022 ^[2] - 1:21, 22:13	app ^[1] - 12:6	commissioner ^[2] - 7:23, 17:13	discussion ^[1] - 6:17
2:18 ^[1] - 1:22	appalling ^[1] - 12:25	Commissioner ^[5] - 9:25, 11:6, 11:16, 12:15, 14:20	dispatch ^[2] - 6:5, 6:6
2:37 ^[1] - 21:4	appreciate ^[1] - 16:2	commissioners ^[1] - 17:11	disservice ^[1] - 14:13
3	appropriate ^[1] - 5:24	COMMITTEE ^[1] - 1:11	diversity ^[1] - 20:2
3 ^[1] - 1:21	appropriation ^[2] - 5:11, 5:22	Committee ^[7] - 4:4, 7:5, 9:16, 20:14, 20:23, 20:25, 21:4	documents ^[1] - 17:2
320-22 ^[1] - 5:9	area ^[1] - 9:19	committee ^[2] - 14:6, 14:9	domestic ^[2] - 18:2, 20:4
3rd ^[1] - 22:13	arrested ^[1] - 19:8	communicate ^[1] - 15:20	down ^[1] - 17:12
4	article ^[1] - 14:5	Communications ^[2] - 6:2, 6:10	drop ^[1] - 6:15
44 ^[1] - 8:15	aspect ^[1] - 7:24	communications ^[1] - 6:8	during ^[2] - 11:23, 15:20
46.8% ^[1] - 8:16	assess ^[1] - 19:23	community ^[5] - 14:19, 15:13, 18:3, 19:6, 19:13	E
6	assistance ^[3] - 9:9, 18:13, 18:20	complaint ^[1] - 8:12	eight ^[2] - 8:8, 8:19
6 ^[1] - 8:21	assistant ^[1] - 8:14	completely ^[1] - 19:18	either ^[2] - 11:15, 14:8
601 ^[1] - 8:22	assisted ^[1] - 8:23	compliance ^[1] - 17:8	embarked ^[1] - 17:19
67 ^[1] - 9:12	attention ^[1] - 8:4	comprehensive ^[1] - 17:21	embarrassing ^[1] - 12:13
7	Avenue ^[1] - 1:16	concern ^[2] - 14:23, 17:15	emergencies ^[1] - 6:13
72 ^[1] - 9:12	aye ^[2] - 7:3, 7:6	concerns ^[1] - 18:2	Emergency ^[2] - 5:12, 5:19
9	B	conduct ^[2] - 9:18, 9:20	emergency ^[1] - 6:13
9-1-1 ^[2] - 6:5, 18:14	based ^[1] - 18:22	conducted ^[1] - 8:7	Empire ^[1] - 16:11
94 ^[2] - 8:13, 8:15	Beach ^[1] - 11:21	connect ^[2] - 10:20, 18:16	encountered ^[1] - 16:25
A	belief ^[1] - 18:23	connected ^[2] - 18:17, 18:21	end ^[1] - 10:21
ability ^[1] - 8:18	benefits ^[1] - 9:3	connection ^[1] - 5:11	English ^[3] - 10:24, 16:15, 18:4
able ^[5] - 6:12, 6:14, 10:20, 10:22, 17:17	better ^[2] - 13:14, 19:17	consistent ^[1] - 11:25	enhance ^[1] - 6:4
Absolutely ^[1] - 15:15	bilingual ^[1] - 19:22	contact ^[1] - 12:14	ensure ^[1] - 16:14
absolutely ^[2] - 13:2, 13:6	bit ^[1] - 7:20	convened ^[1] - 14:25	equal ^[1] - 16:16
abysmal ^[2] - 10:6, 17:9	body ^[2] - 10:13, 15:2	cooperate ^[1] - 19:11	equipment ^[1] - 6:9
acceptable ^[1] - 11:15	Branch ^[1] - 9:18	coordinate ^[1] - 16:11	especially ^[1] - 6:12
access ^[8] - 7:21, 8:4, 13:15, 14:23, 15:7, 16:16, 16:22, 19:18, 19:24	broken ^[1] - 9:20	correct ^[1] - 22:10	excluded ^[1] - 9:2
According ^[1] - 8:21	brought ^[1] - 13:4	county ^[2] - 13:13, 16:23	Executive ^[4] - 1:15, 9:11, 9:12, 9:17
accurate ^[1] - 13:15	budget ^[5] - 7:22, 9:15, 9:24, 10:2, 12:4	COUNTY ^[2] - 1:2, 22:5	executive ^[2] - 9:21, 16:18
act ^[1] - 17:5	budgets ^[1] - 9:23	County ^[8] - 1:15, 7:19, 8:2, 8:8, 9:11, 10:9, 16:20, 17:8	exhausted ^[2] - 10:10, 10:12
Act ^[1] - 8:22	Building ^[1] - 1:15	COURT ^[1] - 1:25	extent ^[1] - 11:10
Acting ^[1] - 2:5	bunch ^[1] - 20:5	covering ^[1] - 17:15	F
activity ^[1] - 9:5	business ^[3] - 11:24, 12:3, 20:13	Creole ^[1] - 18:25	failure ^[2] - 8:16, 9:9
address ^[1] - 13:2	buy ^[1] - 6:8	crime ^[3] - 19:8, 19:9, 19:11	false ^[1] - 18:9
addressed ^[2] - 13:7, 19:15	BY ^[1] - 1:25	crimes ^[2] - 14:8, 14:17	falsely ^[1] - 19:7
adjourn ^[1] - 20:15	Bynoe ^[3] - 4:11, 13:22, 19:9	curious ^[1] - 11:23	Farsi ^[1] - 18:25
adjourned ^[1] - 21:2	BYNOE ^[5] - 2:7, 4:12, 13:24, 14:3, 16:7	current ^[2] - 17:13, 19:17	favor ^[4] - 7:2, 7:6, 20:21, 20:24
adjourns ^[1] - 21:4	C	D	fear ^[1] - 19:5
administration ^[1] - 17:10	call ^[1] - 11:14	danger ^[1] - 19:14	Federal ^[2] - 6:4, 9:5
	cannot ^[1] - 19:22	data ^[1] - 14:4	federally ^[1] - 8:23
	capabilities ^[1] - 6:5	deal ^[1] - 6:12	Ferretti ^[1] - 4:17
	cases ^[2] - 18:15, 18:21	debate ^[1] - 6:17	First ^[1] - 7:15
	celebration ^[1] - 12:10	Debra ^[1] - 4:8	follow ^[1] - 14:19
	Center ^[1] - 16:11	DEBRA ^[1] - 2:8	follow-up ^[1] - 14:19
	center ^[1] - 6:6	Delaney ^[1] - 5:19	followed ^[1] - 9:13
	centers ^[1] - 6:6	DELANEY ^[3] - 3:4, 5:18, 20:8	FORD ^[22] - 1:12, 2:2, 4:2, 5:4, 5:6, 6:10, 6:21, 6:25, 7:7, 7:10, 10:15, 11:19, 12:13, 12:20, 13:21, 15:3, 16:5, 16:8, 20:6, 20:12, 20:18, 20:25
	certify ^[1] - 22:9	Delia ^[1] - 4:14	Ford ^[1] - 5:3
	Chair ^[3] - 2:2, 2:3, 16:7	DELIA ^[1] - 2:6	form ^[2] - 8:12, 9:10
	Chairman ^[1] - 4:23	denied ^[1] - 9:3	
	CHAIRWOMAN ^[1] - 1:13	DENIS ^[1] - 1:12	
	Chairwoman ^[4] - 4:7, 5:2, 12:23, 14:24	Denise ^[1] - 5:2	
	change ^[1] - 17:14		
	changes ^[2] - 19:20, 20:4		
	Cheryl ^[3] - 11:4, 15:16, 16:10		

Franklin ^[1] - 1:16 frequently ^[1] - 16:25 front ^[1] - 20:13 FULL ^[1] - 1:4 function ^[1] - 10:8 funded ^[1] - 6:3 Funds ^[1] - 9:6 future ^[1] - 20:11	interpret ^[1] - 10:22 interpretation ^[2] - 7:25, 10:3 interpreters ^[4] - 10:6, 10:17, 11:11, 12:11 Island ^[1] - 16:12 issue ^[2] - 15:16, 15:17 item ^[4] - 5:8, 5:15, 7:2, 7:10 Item ^[1] - 5:9 items ^[2] - 5:21, 7:11	M major ^[1] - 17:18 Management ^[2] - 5:12, 5:20 mandated ^[1] - 16:21 Mangano ^[1] - 9:11 matter ^[1] - 15:2 MAZI ^[1] - 2:4 Mazi ^[1] - 4:20 McKEVITT ^[2] - 2:5, 4:19 McKevitt ^[2] - 4:18, 20:20 meeting ^[5] - 11:21, 14:7, 14:19, 15:3, 17:6 MEETING ^[1] - 1:4 Melesa ^[1] - 4:21 MELESA ^[1] - 2:4 Member ^[1] - 4:13 members ^[3] - 7:4, 19:5, 20:22 met ^[2] - 17:24, 17:25 MICHAEL ^[1] - 2:12 might ^[3] - 14:13, 14:15, 15:18 million ^[1] - 5:25 Mineola ^[1] - 1:17 mistakes ^[1] - 17:16 monday ^[1] - 1:21 monetary ^[1] - 7:24 monitor ^[1] - 17:4 most ^[1] - 16:24 motion ^[2] - 5:13, 20:14 Moved ^[2] - 5:13, 20:18 movement ^[1] - 15:21 MR ^[2] - 5:18, 20:8 MS ^[8] - 7:16, 11:2, 12:2, 12:18, 13:18, 14:2, 15:15, 16:9 MULE ^[3] - 2:8, 4:9, 12:22 Mule ^[2] - 4:8, 12:21	OF ^[2] - 22:4, 22:5 Office ^[2] - 5:12, 5:19 OFFICER ^[1] - 1:9 officer ^[2] - 10:24, 18:15 officers ^[4] - 18:17, 18:22, 19:16, 19:21 OFFICIAL ^[1] - 1:25 one ^[4] - 5:8, 5:21, 6:14, 9:22 Opposed ^[1] - 7:7 order ^[2] - 4:4, 17:17 orders ^[1] - 16:19 Orders ^[1] - 9:12 ordinance ^[2] - 5:10, 5:11 origin ^[2] - 9:2, 9:10 outrageous ^[1] - 11:6 oversight ^[5] - 9:17, 9:19, 9:21, 10:8, 10:13
G	J	K	P
given ^[1] - 19:19 Gottehrer ^[2] - 7:15, 7:18 GOTTEHRER ^[8] - 3:8, 7:16, 11:2, 12:2, 12:18, 13:18, 14:2, 15:15 Grant ^[1] - 6:2 grant ^[1] - 6:7 grants ^[1] - 6:4 ground ^[1] - 8:25 guys ^[1] - 7:22	job ^[2] - 9:20, 10:10 John ^[1] - 4:17 Justice ^[2] - 9:8, 16:11 jut ^[1] - 8:5	KAREN ^[3] - 1:25, 22:7, 22:17 Karen ^[1] - 22:16 KESHNER ^[2] - 3:9, 16:9 Keshner ^[1] - 16:10 kind ^[1] - 17:12 Korean ^[1] - 18:25	p.m ^[2] - 1:22, 21:4 participating ^[1] - 9:3 passed ^[2] - 9:12, 16:19 passes ^[1] - 7:10 passing ^[1] - 7:2 past ^[2] - 17:22, 19:4 PD ^[1] - 6:9 people ^[5] - 15:13, 15:14, 15:22, 16:14, 18:3 person ^[6] - 8:24, 12:17, 18:17, 18:24, 19:7, 19:8 person's ^[1] - 15:7 phone ^[1] - 8:19 Pilip ^[2] - 4:21, 5:14 PILIP ^[2] - 2:4, 4:22 place ^[1] - 13:8 plan ^[2] - 19:18, 19:24 Planning ^[1] - 21:2 plays ^[1] - 9:17 pointed ^[1] - 19:9 police ^[8] - 7:23, 10:24, 11:12, 12:17, 15:21, 17:11, 18:7, 19:12 Police ^[5] - 8:8, 8:9, 9:22, 10:9, 14:14 posed ^[1] - 10:23 powers ^[1] - 10:11 Precincts ^[1] - 8:8 precincts ^[1] - 10:17 Present ^[1] - 4:25 PRESIDING ^[1] - 1:9 problem ^[1] - 17:18 proficiency ^[1] - 19:23 proficient ^[1] - 18:4 proficiently ^[1] - 16:16 program ^[1] - 9:5 program's ^[1] - 13:8 programs ^[2] - 8:24, 16:17 proper ^[1] - 15:7 properly ^[1] - 18:5 protected ^[1] - 15:18 provided ^[2] - 16:22, 16:24 providing ^[1] - 14:12 PSAP ^[1] - 6:7 PUBLIC ^[3] - 1:11, 3:4, 3:6 public ^[2] - 6:22, 16:23 Public ^[7] - 4:3, 5:23, 7:5, 9:16, 20:23, 21:3, 22:7 PULITZER ^[9] - 2:12, 4:6, 4:10, 4:13, 4:16, 4:20, 4:23, 5:2, 5:5 put ^[2] - 8:5, 9:25
H	L	N	O
Haitian ^[1] - 18:25 hand ^[1] - 22:13 handle ^[1] - 11:14 hang ^[1] - 18:18 hate ^[3] - 14:7, 14:16, 19:10 Head ^[1] - 8:9 headquarters ^[1] - 8:17 heads ^[1] - 17:6 heard ^[1] - 15:20 hearing ^[1] - 16:2 help ^[2] - 15:9, 19:2 hereby ^[1] - 22:8 hereunto ^[1] - 22:12 Heritage ^[1] - 12:10 Hi ^[1] - 7:16 hire ^[1] - 10:6 Hispanic ^[1] - 12:9 holes ^[1] - 12:3 hope ^[1] - 20:10 horrifying ^[1] - 13:12 housing ^[1] - 13:3 huge ^[1] - 19:6 human ^[1] - 11:11 hung ^[1] - 18:14	Language ^[9] - 10:4, 11:7, 11:8, 11:17, 11:20, 11:22, 16:12, 18:16, 18:18 language ^[11] - 7:21, 8:4, 8:14, 9:9, 14:23, 15:8, 16:21, 16:22, 18:24, 19:18, 19:24 languages ^[2] - 15:23, 16:25 last ^[3] - 11:21, 12:10, 17:24 law ^[1] - 15:19 laws ^[1] - 9:19 layered ^[1] - 15:25 LEGISLATGOR ^[2] - 4:9, 12:22 Legislative ^[1] - 1:15 Legislator ^[12] - 4:8, 4:10, 4:17, 4:20, 5:14, 5:15, 12:21, 13:22, 19:9, 20:19, 20:20 LEGISLATOR ^[36] - 2:2, 2:3, 2:4, 2:5, 2:6, 2:7, 2:8, 4:2, 4:12, 4:15, 4:19, 4:22, 4:25, 5:4, 5:6, 6:10, 6:21, 6:25, 7:7, 7:10, 10:15, 11:19, 12:13, 12:20, 13:21, 13:24, 14:3, 15:3, 16:5, 16:7, 16:8, 20:6, 20:12, 20:16, 20:18, 20:25 LEGISLATURE ^[2] - 1:2, 1:4 Legislature ^[1] - 2:13 letting ^[1] - 7:17 LIBERTIES ^[1] - 3:8 Liberties ^[1] - 7:19 life ^[1] - 13:5 LILAC ^[4] - 3:9, 8:6, 16:13 limited ^[1] - 18:4 Line ^[8] - 10:5, 11:7, 11:9, 11:17, 11:20, 11:22, 18:16, 18:18 line ^[2] - 10:18, 18:20 lines ^[1] - 12:4 listening ^[1] - 11:20 live ^[1] - 15:13 look ^[2] - 9:15, 9:23 looked ^[2] - 12:4, 12:5 looking ^[3] - 9:24, 14:10, 16:3 Lorenzo ^[1] - 22:16 LORENZO ^[3] - 1:25, 22:7, 22:17	name ^[2] - 7:17, 16:10 NASSAU ^[2] - 1:2, 22:5 Nassau ^[6] - 7:18, 7:25, 8:8, 16:19, 16:20, 17:7 national ^[2] - 9:2, 9:10 need ^[7] - 6:14, 10:2, 11:10, 13:19, 14:13, 15:11, 19:17 needed ^[2] - 16:22, 18:19 needs ^[9] - 11:10, 14:10, 19:15, 19:25, 20:3 New ^[7] - 1:17, 5:22, 6:3, 7:19, 8:6, 17:19, 22:8 NEW ^[1] - 22:4 next ^[1] - 21:2 NICOLELLO ^[1] - 1:8 non ^[1] - 6:13 Non ^[1] - 8:22 none ^[1] - 6:25 Notary ^[1] - 22:7 notes ^[1] - 22:11 November ^[2] - 12:16, 17:25 nuanced ^[1] - 15:25 number ^[1] - 20:3 numbers ^[2] - 9:24, 10:4 NY ^[1] - 3:8	obtain ^[1] - 8:14 obviously ^[2] - 19:16, 19:25 October ^[2] - 1:21, 22:13
I			
idea ^[1] - 12:12 immediately ^[1] - 19:16 Immigration ^[2] - 8:6, 17:20 implications ^[1] - 19:7 imploing ^[1] - 14:24 important ^[1] - 6:11 improvements ^[2] - 17:17, 19:21 IN ^[1] - 22:12 in-person ^[1] - 12:17 inclusive ^[1] - 15:12 indicated ^[1] - 18:11 Indicates ^[1] - 20:17 individual ^[1] - 18:16 information ^[6] - 8:11, 8:15, 13:15, 14:14, 14:16, 18:10 instrumental ^[1] - 16:18 insufficient ^[1] - 19:19 interactions ^[1] - 18:6 Interoperable ^[1] - 5:25 interoperable ^[1] - 6:8			

Q	services [2] - 7:25, 16:17	together [1] - 9:25
	set [1] - 22:12	Tom [1] - 4:17
qualifications [1] - 11:13	shall [1] - 8:25	training [2] - 12:7, 19:17
qualified [1] - 11:11	share [2] - 11:4, 15:16	transcription [1] - 22:10
Quarters [1] - 8:9	sharing [2] - 12:19, 14:4	translated [1] - 10:23
questions [3] - 6:18, 7:14, 8:11	shows [1] - 10:5	translation [1] - 16:24
quorum [1] - 5:5	side [1] - 15:11	traumatized [1] - 18:6
	SIELA [1] - 2:7	treated [1] - 18:5
	Siela [2] - 4:10, 16:8	try [1] - 17:5
R	signify [1] - 7:3	trying [1] - 14:21
race [1] - 8:25	signing [2] - 15:23, 15:24	two [2] - 5:20, 7:12
random [1] - 8:7	simply [1] - 18:10	type [1] - 19:14
Ranking [2] - 2:6, 4:13	six [1] - 16:24	types [1] - 14:17
rate [2] - 8:16, 11:3	slips [1] - 7:12	
rather [1] - 17:16	solutions [1] - 14:11	U
reach [1] - 15:8	someone [4] - 13:10, 14:13, 19:10, 19:11	unable [2] - 8:13, 18:12
read [3] - 14:4, 15:22, 16:15	sometimes [1] - 11:3	unanimously [1] - 7:11
reading [2] - 12:24, 13:9	soon [1] - 15:4	under [4] - 9:4, 15:18, 17:10, 17:12
realizing [1] - 18:19	Spanish [4] - 8:10, 10:19, 10:23, 18:22	understood [1] - 15:10
really [5] - 12:25, 13:4, 13:12, 15:25, 19:5	Spanish-speaking [2] - 8:10, 18:22	Unfortunately [1] - 17:7
receiving [1] - 9:5	speaker [1] - 7:15	UNION [1] - 3:8
recognizing [1] - 17:16	speakers [1] - 7:13	Union [1] - 7:19
recommendations [2] - 19:20, 20:8	speaking [4] - 7:23, 8:10, 10:19, 18:22	United [2] - 8:24, 9:7
redistricting [1] - 11:21	specific [1] - 19:19	up [9] - 7:13, 13:11, 13:22, 14:19, 17:12, 17:15, 18:14, 18:18, 20:7
reform [1] - 15:21	specifically [1] - 14:16	update [1] - 12:17
regarding [3] - 7:24, 14:7, 14:23	spend [1] - 14:10	
relation [1] - 17:25	SS [1] - 22:4	V
reluctant [1] - 15:8	standing [1] - 14:9	various [3] - 17:6, 17:11, 18:2
remember [2] - 12:24, 13:9	stands [2] - 10:7, 11:12	verbal [3] - 6:19, 6:23, 7:8
reminds [1] - 13:2	start [1] - 10:2	via [1] - 15:7
report [4] - 8:5, 10:5, 11:13, 19:10	State [3] - 5:23, 6:3, 22:8	Vice [2] - 2:3, 4:23
REPORTER [1] - 1:25	STATE [1] - 22:4	victim [1] - 19:9
reports [2] - 15:21, 18:9	States [2] - 8:24, 9:7	victimizations [1] - 14:17
request [1] - 9:14	states [1] - 19:24	vigilant [1] - 13:20
requested [1] - 8:15	Statewide [1] - 5:25	violence [2] - 18:2, 20:4
requests [1] - 10:2	statewide [1] - 6:7	visit [1] - 15:14
resistance [1] - 17:14	stay [2] - 13:21, 18:19	vital [1] - 17:2
resolves [1] - 14:11	stenographic [1] - 22:11	volunteers [1] - 8:10
resource [2] - 17:6, 20:10	STEVEN [1] - 2:3	Volunteers [1] - 8:17
respond [2] - 7:6, 20:24	Steven [1] - 4:24	
response [3] - 6:20, 6:24, 7:9	studies [1] - 18:23	W
responses [1] - 11:5	study [2] - 17:19, 17:21	wants [2] - 19:10, 19:11
result [1] - 13:6	subcommittee [3] - 14:6, 14:9, 14:25	week [2] - 11:22, 12:11
RHOADS [2] - 2:3, 4:25	subgroup [1] - 16:3	welcome [1] - 15:17
Rhoads [2] - 4:24, 5:15	subjected [1] - 9:4	WHEREOF [1] - 22:12
RICHARD [1] - 1:8	Substituting [1] - 4:16	WHITTON [3] - 2:6, 4:15, 20:16
Rights [1] - 8:22	Suffolk [2] - 16:19, 16:20	Whitton [2] - 4:14, 20:19
role [1] - 9:16	supplemental [2] - 5:10, 5:21	whole [1] - 20:5
roll [1] - 4:5	supply [1] - 9:9	WITNESS [1] - 22:12
run [1] - 8:5	supports [1] - 14:22	WORKS [1] - 3:4
Ryder [4] - 9:25, 11:17, 12:16, 15:4	Susan [8] - 7:15, 7:17, 10:15, 12:24, 13:21, 18:8, 18:11, 19:21	wrap [1] - 20:6
	SUSAN [1] - 3:8	write [1] - 16:15
	sustaining [1] - 14:18	
	systemically [1] - 17:23	Y
S		year [1] - 17:20
SAFETY [1] - 1:11	T	years [1] - 17:8
Safety [8] - 4:3, 5:23, 7:5, 9:16, 20:23, 21:3	TAKEN [1] - 1:25	YORK [1] - 22:4
safety [1] - 15:16	terms [2] - 19:7, 20:4	York [7] - 1:17, 5:23, 6:3, 7:19, 8:6, 17:19, 22:8
saw [1] - 17:12	test [2] - 8:4, 13:3	
schedule [1] - 14:21	testers [4] - 8:13, 11:3, 11:5, 13:4	Z
Seconded [1] - 20:19	testing [2] - 8:7, 18:8	zero [1] - 8:18
seconded [1] - 5:14	thinking [1] - 10:3	
Section [1] - 8:22	Thomas [1] - 5:19	
see [3] - 6:25, 17:4, 17:22	THOMAS [2] - 2:5, 3:4	
seem [1] - 11:25	tie [1] - 15:6	
self [2] - 11:13, 19:23	Title [1] - 8:21	
self-assess [1] - 19:23	today [4] - 5:8, 7:17, 7:21, 12:14	
self-report [1] - 11:13		
serve [1] - 20:10		