

NASSAU COUNTY LEGISLATURE

PETER J. SCHMITT,
PRESIDING OFFICER

PUBLIC SAFETY COMMITTEE

DENNIS DUNNE,
CHAIRMAN

1550 Franklin Avenue
Mineola, New York

June 4, 2012
2:20 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

DENNIS DUNNE (Not Present)
Chair

JOSEPH MUSCARELLA (Sitting in for Dennis Dunne)

JOSEPH BELESI
Vice-Chair

NORMA GONSALVES

DENISE FORD

JOSEPH SCANNELL (Not Present)
Ranking

JUDI BOSWORTH (Sitting in for Joseph Scannell)

DAVID DENENBERG

WAYNE WINK

WILLIAM J. MULLER III, Clerk

LIST OF SPEAKERS

GREG STEPHANOFF

EDWARD SHANK 8

KEITH SATHER 12

2 LEGISLATOR BELESI: I call the Public
3 Safety Committee to order.

4 CLERK MULLER: Legislator Wink?

5 LEGISLATOR WINK: Here.

6 CLERK MULLER: Legislator Denenberg?

7 LEGISLATOR DENENBERG: Here.

8 CLERK MULLER: Legislator Bosworth,
9 substituting for Ranking Member Legislator
10 Scannell?

11 LEGISLATOR BOSWORTH: Here.

12 CLERK MULLER: Legislator Ford?

13 LEGISLATOR FORD: Here.

14 CLERK MULLER: Legislator Gonsalves?

15 LEGISLATOR GONSALVES: Present.

16 CLERK MULLER: Legislator Muscarella,
17 substituting for Legislator Dunne?

18 LEGISLATOR DUNNE: Here.

19 CLERK MULLER: Vice Chairman Belesi?

20 LEGISLATOR BELESI: I'm here.

21 CLERK MULLER: We have a quorum.

22 The first item is Clerk Item Number 341-

2 12, an ordinance supplemental to the annual
3 appropriation ordinance in connection with the
4 police department.

5 Do we have a motion?

6 LEGISLATOR MUSCARELLA: So moved.

7 LEGISLATOR BELESI: Second.

8 CLERK MULLER: Legislator Muscarella and
9 Legislator Belesi.

10 SERGEANT STEPHANOFF: Good afternoon.
11 Sergeant Greg Stephanoff from the police
12 department.

13 This is an assistance to firefighters.
14 The item, the grant was actually approved last
15 month, Item 336-12. It's a grant that will
16 enable the police department to outfit the fire
17 department ambulances in the county with radios
18 that will enable them to talk to our medical
19 control.

20 LEGISLATOR BELESI: Anyone to speak?
21 You spoke on it, Greg?

22 Public comment?

23 (No verbal response.)

24 Discussion?

25 (No verbal response.)

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

4 (Aye.)

5 Opposed?

6 (No verbal response.)

7 The item passes unanimously.

8 CLERK MULLER: Clerk Item Number 342-12,
9 an ordinance supplemental to the annual
10 appropriation ordinance in connection with the
11 police department.

12 Please take a motion to take this matter
13 before the legislature.

14 LEGISLATOR GONSALVES: So moved.

15 CLERK MULLER: Legislator Gonsalves.

16 Seconded?

17 LEGISLATOR FORD: Second.

18 CLERK MULLER: Legislator Ford.

19 LEGISLATOR BELESI: The item is before
20 us. Is there anyone to speak on the item?

21 SERGEANT STEPHANOFF: Sergeant Greg
22 Stephanoff, again.

23 This is a grant that will go to our bomb
24 squad for \$110,110, and it will enable the bomb
25 squad to buy advance portable chemical identifier

2 and a hand-held chemical identifier to be used in
3 hazmat situations.

4 LEGISLATOR BELESI: Any debate or
5 discussion?

6 (No verbal response.)

7 Public comment?

8 (No verbal response.)

9 All those in favor of the item please
10 signify by saying aye.

11 (Aye.)

12 Opposed?

13 (No verbal response.)

14 The item passes unanimously.

15 346-12, an ordinance supplemental to the
16 annual appropriation ordinance in connection with
17 the probation department.

18 Please entertain a motion to place this
19 matter before the legislature.

20 LEGISLATOR GONSALVES: So moved.

21 CLERK MULLER: Legislator Gonsalves.

22 LEGISLATOR FORD: Second.

23 CLERK MULLER: And Ford.

24 LEGISLATOR BELESI: The item is before
25 us. Anyone to speak?

2 MR. SHANK: Yes. Edward Shank, Nassau
3 County Probation Department.

4 On January 17, 2012, with the full
5 support of County Executive Ed Mangano, District
6 Attorney Kathleen Rice, and Administrative Judge
7 Anthony Morano, Nassau County's adolescent
8 diversion part was opened in District Court.
9 Nassau's adolescent diversion part, or ADP, is
10 one of nine pilot sites statewide. The goal is
11 to demonstrate that very often the best system
12 response to 16 and 17 year olds committing non-
13 violent, criminal acts, are not criminal
14 sanctions.

15 Working closely with the New York State
16 Division of Criminal Justice Services and their
17 Office of Probation and Correctional
18 Alternatives, Nassau has developed a model built
19 on universal actuarial risk assessments.
20 Criminal cases that previously lingered for
21 months and sometimes years can now be resolved in
22 weeks, freeing up system resources and saving tax
23 dollars.

24 As of May 31, probation officers have
25 risk assessed 296 adolescent criminal defendants,

2 or 94 percent, of those categorically eligible
3 for the diversion program. 158 of them, or 53
4 percent of the total, have scored low risk of
5 recidivism. 112 of these low risk offenders have
6 already had their charges dismissed outright.
7 Just as important, those adolescents who require
8 specific services to reduce their risk of
9 recidivism based on these actual assessments are
10 immediately referred for the appropriate services
11 and remain eligible for favorable court
12 dispositions if they comply. Because Nassau's
13 adolescent diversion program has such strong
14 local support and so closely mimics reform
15 legislation currently pending in Albany, DCJS has
16 provided probation with \$71,500 in funding to
17 support an existing adolescent diversion program
18 probation officer position.

19 LEGISLATOR FORD: Good afternoon.

20 MR. SHANK: Good afternoon.

21 LEGISLATOR FORD: Thank you very much.

22 I think this is a great initiative. But I just
23 have a question. I don't know if it really
24 borders on this or not.

25 Considering the fact that we are working

2 now not to send these young people into a jail
3 situation, which I think is commendable to try to
4 keep them out of jail. But with the probation,
5 when they work with the probation, I don't think
6 we are required, but do we try to encourage many
7 of these young people that are partaking of this
8 program to basically stay in school or do you
9 find that they don't go to school?

10 MR. SHANK: You know I don't have
11 statistics on that particular item. It is one of
12 the things that probation does encourage youths
13 to stay in school, complete GEDs, or stay in
14 regular school program. So it is something that
15 that would be one of the things that they could
16 be referred to, as far as this program goes, as
17 well as regular probation.

18 LEGISLATOR FORD: Because I'd like to
19 see it. For them, education is very -- for every
20 young person education is so important. And the
21 fact that if, while they're participating in this
22 program, that perhaps they continue with their
23 studies, they might find a much better future for
24 themselves.

25 MR. SHANK: That's one of the things the

2 courts would take into account in regard to
3 disposing of these cases.

4 LEGISLATOR FORD: Thank you very much.

5 LEGISLATOR BELESI: Any other debate or
6 discussion?

7 (No verbal response.)

8 Any public comment?

9 (No verbal response.)

10 All those in favor of the item please
11 signify by saying aye.

12 (Aye.)

13 Opposed?

14 (No verbal response.)

15 The item passes.

16 MR. SHANK: Thank you very much.

17 CLERK MULLER: Clerk Item Number 357-12,
18 an ordinance supplemental to the annual
19 appropriation ordinance in connection with the
20 correctional center.

21 Please entertain a motion to place this
22 matter before the legislature.

23 LEGISLATOR GONSALVES: So moved.

24 CLERK MULLER: Moved by Legislator
25 Gonsalves.

2 LEGISLATOR MUSCARELLA: Second.

3 CLERK MULLER: Seconded by Legislator
4 Muscarella.

5 CAPTAIN SATHER: Captain Keith Sather,
6 Sheriff's Department.

7 The item before you is a supplemental
8 appropriation of federal forfeiture funds. These
9 funds will be used for the training, purchase of
10 equipment within the sheriff's department.

11 LEGISLATOR BELESI: Any questions?

12 LEGISLATOR DENENBERG: I just had one
13 quick question.

14 LEGISLATOR BELESI: Go ahead. Mr.
15 Denenberg.

16 LEGISLATOR DENENBERG: First, thanks for
17 being here.

18 This is not reimbursement, right? We use
19 the money once we receive them or this reimbursed
20 county funds?

21 CAPTAIN SATHER: No. We use the money
22 once we receive it.

23 LEGISLATOR DENENBERG: Thank you.

24 LEGISLATOR BELESI: Any public comment?

25 (No verbal response.)

2 All those in favor of the item say aye.

3 (Aye.)

4 Opposed?

5 (No verbal response.)

6 The ayes have it.

7 CAPTAIN SATHER: Thank you.

8 CLERK MULLER: Clerk Item Number 359-12,
9 a resolution authorizing the signing of a New
10 York State Department of Transportation
11 supplemental grant agreement to fund and support
12 police enforcement of high occupancy vehicle laws
13 on the Long Island Expressway.

14 LEGISLATOR GONSALVES: So moved.

15 CLERK MULLER: Moved by Legislator
16 Gonsalves, seconded by Legislator Muscarella.

17 LEGISLATOR BELESI: The item is before
18 us.

19 SERGEANT STEPHANOFF: Good afternoon.
20 Sergeant Greg Stephanoff again.

21 This HOV grant is for \$915,000. This
22 award will provide funding for police officer
23 overtime and vehicle usage reimbursement for
24 dedicated patrols to enforce the high occupancy
25 vehicle traffic laws on the Long Island

2 Expressway.

3 LEGISLATOR BELESI: Any debate or
4 discussion? Mr. Denenberg.

5 LEGISLATOR DENENBERG: This is only for
6 -- how do we figure out what's for enforcement of
7 the HOV as opposed to if someone -- if an
8 officer's in a car enforcing the HOV and a
9 speeder comes by, they just let the speeder go
10 because they're only looking at the HOV or?

11 SERGEANT STEPHANOFF: No. They'll
12 enforce any vehicle and traffic law that comes
13 before them. For instance, last year 15,893
14 tickets were given under the prior grant, 5,670
15 warnings, but then there was also I believe six
16 arrests made - a DWI arrest was made, four
17 suspended license arrests were made, and a
18 criminal possession of stolen property arrest was
19 made.

20 LEGISLATOR DENENBERG: And that we don't
21 get reimbursement for?

22 SERGEANT STEPHANOFF: They pay for the
23 overtime because the person's out there for that
24 effort.

25 LEGISLATOR DENENBERG: Okay.

2 SERGEANT STEPHANOFF: Whatever comes up,
3 you can't foresee what's going to come up. So
4 whatever comes up, he enforces.

5 LEGISLATOR BELESI: Any other debate or
6 discussion?

7 (No verbal response.)

8 Public comment?

9 (No verbal response.)

10 All those in favor of the item signify by
11 saying aye.

12 (Aye.)

13 The item passes unanimously.

14 There is no other business in front of
15 this committee. May I have a motion to adjourn?

16 LEGISLATOR MUSCARELLA: So moved.

17 LEGISLATOR GONSALVES: Second.

18 LEGISLATOR BELESI: Muscarella and
19 Gonsalves.

20 All those in favor?

21 (Aye.)

22 The committee is adjourned.

23 (Whereupon, the Public Safety Committee
24 adjourned at 2:29 p.m.)

25

C E R T I F I C A T E

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

THAT I attended at the time and place above mentioned and took stenographic record of the proceedings in the above-entitled matter;

THAT the foregoing transcript is a true and accurate transcript of the same and the whole thereof, according to the best of my ability and belief.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of June, 2012.

FRANK GRAY