

PUBLIC SAFETY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

A regular meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Thursday, January 31, 2012 at 9:30 a.m.

Members Present:

Legislator Kate Browning, Chairperson
Legislator Robert Calarco, Vice-Chair
Legislator DuWayne Gregory, Member
Legislator Kara Hahn, Member
Legislator John M. Kennedy, Member
Legislator Tom Muratore, Member
Legislator William Spencer, Member

Also in Attendance:

George Nolan, Counsel to the Legislature
Sara Simpson, Assistant Counsel to the Legislature
Renee Ortiz, Chief Deputy Clerk, Suffolk County Legislature
John Ortiz, Senior Budget Analyst/Budget Review Office
Michael Pitcher, Aide to Presiding Officer Lindsay
Bobby Knight, Aide to Presiding Officer Lindsay
Paul Perillie, Aide to Legislator Gregory
Kevin LaValle, Aide to Legislator Muratore
Lora Gellerstein, Aide to Legislator Spencer
Ali Nazir, Aide to Legislator Kennedy
Jennifer Mish, Intern, Legislator Spencer's Office
Dr. Yvonne Milewski, Medical Examiner
Mike Sharkey, Suffolk County Sheriff's Office
Kerry Kneitel, Suffolk County Sheriff's Office
Ted Nieves, Lieutenant, Suffolk County Police Department
Tracy Pollak, Suffolk County Police Department
Todd Guthy, Suffolk County Police Department
Jim Hickey, Suffolk County Police Department
Andrew Divine, Suffolk County Police Department
William Maddigan, Suffolk County Police Department
John Meehan, Suffolk County Police Department
William Silva, Suffolk County Police Department
Thomas Palmieri, Suffolk County Police Department
Dr. Scott Coyne, Suffolk County Police Department
Hank Mulligan, Suffolk County Police Department
Ronald Snyder, Suffolk County Auxiliary Police
Ed Heilig, District Attorney's Office

Christopher Tamis, SCPD/Marine Bureau
Chris Hattan, SCPD/Marine Bureau
Robert Waring, SCPD/Marine Bureau
Robert Cassagne, SCPD

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Mark White, SCPD
Gerard Hardy, SCPD
Gerard Frielingsdorf, SCPD
Donna Giordano, SCPD
Arthur Sanchez, DSPBA
Danny Delvalle, SC Probation Officer's Association
Linda Lagnese, SC Probation Officer's Association
Patrice Dlhopsky, Suffolk County Probation Department
Jay Egan, Chairman, FRES Commission
Laura Ahearn, Executive Director, Parents for Megan's Law
Bill O'Leary, Forensic Therapist
Michal J. Finland, AME
Suzanne McBride, AME Police Emergency Unit President
John Desiderio
Theodore Imbasciani, Ronkonkoma Civic Association
Other Interested Parties

TAKEN AND TRANSCRIBED BY:

Lucia Braaten, Court Stenographer

*(*THE MEETING WAS CALLED TO ORDER AT 9:48 A.M. *)*

CHAIRPERSON BROWNING:

Okay. Good morning. Sorry we're running a little bit late, but if everyone could please stand for the Pledge of Allegiance, led by Legislator Muratore.

*(*Salutation*)*

And, please, remain standing for a moment of silence for the men and women who defend our country.

*(*Moment of Silence*)*

Thank you. Okay. And welcome to our first meeting of 2013, and it's a pleasure to be back, I think. And I'd like to say a special welcome to Legislator Muratore, who is now joining our committee. I think -- Tom, I think you're going to be a great asset to the committee with your law enforcement background.

LEG. MURATORE:

I'll try, I'll try.

CHAIRPERSON BROWNING:

So it's certainly a pleasure to have you here. We do have some cards.

Okay. And I did receive some correspondence from our FRES Commissioner. He's unable to attend this morning for some personal issues, so we wish him well.

And I would like to start with our cards, and we have a Linda Lagnese. I hope I didn't crucify your name.

MS. LAGNESE:

Hi. I'm Linda Lagnese. I'm the Vice President of the Suffolk County Probation Officers Association, and I just wanted to speak briefly on I.R. Resolution 2014, which is to conduct a study on the Alternative to Incarceration Programs offered, and we just have a couple of concerns with that kind of study.

We would just request that any study would be conducted by an impartial and an independent agency. And the population of the probation -- the probation population is such a difficult population to study as far as their successes and how well they do on probation. And we would just hope that you would consider talking to the Probation Officers who deal with these people on a regular basis, and finding out what type of criteria would be considered for a success in a Probation ATI, because in one ATI program it may be successful, in another program it may not be considered a success. So there's a lot of -- a lot of gray areas when you do such a study.

So we're just concerned that any data that would be collected would be impartial, and it would be reviewed by people in the Probation Department who do work with this offender population, and then any results would also be compared with any other studies that have been conducted throughout the state with these type of results. So that was just one of our major concerns.

CHAIRPERSON BROWNING:

Thank you.

MS. LAGNESE:

Thank you.

CHAIRPERSON BROWNING:

I think, Kara, we're still going to table it, right?

LEG. HAHN:

Yeah.

CHAIRPERSON BROWNING:

We actually have been working with the Administration and with some other ideas, and, obviously, I do believe that, you know, speaking with Probation Officers when it comes to this is important --

MS. LAGNESE:

Thank you.

CHAIRPERSON BROWNING:

-- because you are the people on the ground. But it will be tabled because we are looking at how we can do this with the Administration and do it right.

MS. LAGNESE:

Okay. Thank you very much.

CHAIRPERSON BROWNING:

Thank you.

LEG. HAHN:

And, as the sponsor, as with all, you know, legislation, we always welcome workers, County workers. If they have ideas or ways to contribute to make it better, I'm open to that. I do have a meeting with someone from Probation --

MS. LAGNESE:

Good.

LEG. HAHN:

-- next week, I believe.

MS. LAGNESE:

Yeah, I think so.

LEG. HAHN:

And if anyone else wants to talk to me, my office is always open. So thank you.

MS. LAGNESE:

Thank you.

CHAIRPERSON BROWNING:

And next, we have John Desiderio.

MR. DESIDERIO:

Good morning. I'm a resident of Northport, John Desiderio. And early last year I started a conversation with Legislator Spencer's Office about some concerns about public safety and environment, one of which I want to talk about today is public safety relating to fuel that's left in the boats that are stored over the season in dry storage.

And Legislator Spencer and I had a number of conversations and they're supposedly looking into legislation that would, you know, put some protections in, because last February there was a serious

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fire in the Freeport marina, where two workers were working on some boats and they were using electrical equipment and the sparks caused an explosion on one of the boats because there was fuel remaining in the boats. And the tank was only partially filled, so there were lot of vapors, and the vapors ignited, started a fire, and it was pretty devastating. It destroyed a lot of boats, seriously injured a couple of the workers that were on the boats. Fortunately, that was in an off-time of the season, so there weren't many people there.

Now my concern is, and it should be for I guess all of Long Island, everywhere boats are stored, our homes in Northport, a number of them are right on the fence line of the marina we live behind. And there are so many boats stored right up against our fence line and these boats are very often filled with fuel or partially filled, and workers are usually working on them all even through the winter months, and especially into the spring and summer where a lot of people are around, and especially in our backyards, and some of these boats are within 15 feet of our fence line. And that was my real concern, that, you know, if an explosion happened in our backyards, as it did in Freeport, unlike Freeport, we have homes along the fence lines.

And I had asked Legislator Spencer if he could look into some legislation where -- and I tried with the marina to ask them to at least keep the boats a certain distance from the fence lines of our homes and there -- I don't want to even make -- state the comment that came back to me. But I went to the Village and they wouldn't do anything either, the Village of Northport. So I went to Legislator Spencer addressing this issue and asked if something could be looked into to protect, you know, the residents, and not only residents, but people that are frequenting the marina, walking around the boat areas, or whatever.

It's very dangerous, you know, working on boats when there's fuel in the tanks. Now some research was done by the Legislator's Office and it came back to them, well, you know, it's better if there's some fuel in the boats than none, and, you know, I just didn't understand that. I couldn't get the resolve to that because when there's fuel in the engines, in the tanks, if it's full, there's little space for vapor to form. But, if there's only partial fuel in there, there's a lot of vapors in the tank, and that's when it gets very explosive. So, ideally, it's best to have no fuel in the tank and air the tanks out before they go into dry storage, or have the fuel tapped out and filled up when they go into storage.

I guess secondarily, the best alternative, I guess, if fuel can't be removed from the boats, is have at least a safe setback from property lines. And, you know, I would appreciate you looking into that. Legislator Spencer, you said you were going to research the possibility of legislation, that was back in June. I didn't know if that was discussed at all.

CHAIRPERSON BROWNING:

Okay. His time is up, but do you have any comments or questions for him? You could --

MR. DESIDERIO:

Thank you. Thank you.

LEG. SPENCER:

I know -- Mr. Desiderio, please come back. We did take up this issue and quite extensively. I think that we've shared a lot of communication, actually dozens of e-mails and responses back and forth from different levels. There's a jurisdictional issue with regards to that, so we did work with Assemblyman Raia. And so I guess -- did you get any of that information? You met with Assemblyman Raia also?

MR. DESIDERIO:

Yeah, but not for a number of months. I haven't heard anything back. As far as where I thought the situation was, I thought it was going to be done mostly through your office as to the research and looking into legislation.

LEG. SPENCER:

We did. I think that -- and I think I have a stack of e-mails probably about that thick (indicating) back and forth with some of the information that we were able to share, researching it with the State, and the State DEC, that we shared with you those numbers and things of that sort. We did as much as we could on our end of things. Right now that is a State law. Are you under the impression that it's a County law or County legislation can be done on this particular issue?

MR. DESIDERIO:

No, I think this -- you know, I think the issue really in general, you know, should be public safety everywhere. I mean, it's a matter of, you know, securing residents from being exposed to the possibility of explosions and danger of fuel that's stored in boats. And if workers are working on those boats when they're in storage, it exacerbates the situation, because the fuel there, workers with sparks on equipment, you know, it's very likely an explosion could happen if they're right behind your homes. It's even worse than in an open boatyard where there's no residences or community buildings around.

LEG. SPENCER:

We do -- do you have a question? I'm sorry.

D.P.O. HORSLEY:

I did, but go ahead.

LEG. SPENCER:

Go ahead.

D.P.O. HORSLEY:

Hi. Legislator Horsley. I have a lot of -- believe me, you're not alone in having marinas next to neighborhoods. And we've had a lot of fires in both Lindenhurst and whatever. And I can see it also relating to hurricanes and things like that when our boats just went missing and traveling and all -- and many of them I'm sure had fuel involved.

Are you thinking about standards, that when you put -- when you winterize a boat, that they have to remove the fuel as part of the process in which you winterize a boat by, you know, putting them up on racks, or whatever may be, that that would be one of the things that they'd have to go through?

MR. DESIDERIO:

As a safety concern, I think that would be, you know, a possibility. But I don't know what the realities are of emptying fuel out of boats before they go into dry storage. And a lot of people will be very aggravated, they're going to lose fuel, and it's an expense to them. But, you know, I'm just thinking more of the public safety. Is it more important to save a few dollars on fuel or more important to protect the public, and I think it's protecting the public.

Now, at least, and again I said I went to the marina owners in the Village, I said, "Can you at least have a setback from the boats from the fence line near our homes?" And they absolutely refused and said, you know, "You've got to go and do it on your own." So I didn't -- couldn't deal with the Village on that, so I went to Legislator Spencer and also Assemblyman Raia and said, "Can you look into this and can we do something about it?" I mean, it's common sense. I mean, if there's --

D.P.O. HORSLEY:

Yeah. We, in my district, we've had a number, a rash of fires in marinas, at marinas nearing neighborhoods and things like that. I don't know if they became more extensive because of fuel being left in the boats. Is there any evidence that this has been a problem, that when a boat catches fire that it blows or --

MR. DESIDERIO:

Well, I mean, I brought the example of the Freeport fire --

D.P.O. HORSLEY:

The Freeport, okay.

MR. DESIDERIO:

-- where it was very clear that workers working with electrical equipment caused a spark, but it could be lightening that happens, it could be vandals that are on the boat, maybe lighting cigarettes or something. That happens in boatyards often. Kids go in there and they sit on boats and have parties, whatever, and if there's fuel in the boats, I mean, it makes it even more dangerous.

D.P.O. HORSLEY:

Interesting.

MR. DESIDERIO:

But my main concern is if there's got to be fuel on boats, at least put into legislation they've got to be a distance from homes or, you know, public buildings or playgrounds or something. I mean, it's too close to our homes. We're like 20 feet from -- I have pictures of the boats. I mean, they're like 10 feet from the fence line and 20 feet from our homes.

D.P.O. HORSLEY:

Yeah. You're not alone. There are others that have very similar situations, across the South Shore anyway.

MR. DESIDERIO:

Yeah. So I think in general, it may be something for everybody to address as far as the public safety issue.

D.P.O. HORSLEY:

Okay. Thank you. I think that's interesting.

CHAIRPERSON BROWNING:

Okay. Thank you.

LEG. SPENCER:

Thank you, Mr. Desiderio, appreciate it.

CHAIRPERSON BROWNING:

Suzanne McBride.

MS. MC BRIDE:

Good morning again. I'm just back here to thank you for your help with the staffing shortage at Suffolk County Police Department's 911 Center and just to keep you informed as to how things are progressing.

As you all know, back in November, after I made a presentation here, 11 SCINs were signed immediately that day by the County Executive. Five of those were promotional, four of them were supposed to be for Public Safety Dispatchers and two were supposed to be for Emergency Complaint Operators. As of yet, because of the long, lengthy process that applicants have to go through to be hired, we still don't have any new hires. I'm told they might be hitting our floor by some time late April to start their training, which means, because of the training process, they won't be actual usable employees to fill overtime and such until probably late August at the earliest.

Also, as we stand now, we'll be getting, from what I'm told, three dispatchers and one Emergency

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Complaint Operator, which, with the promotions that are planned, will mean we'll end up exactly where we were in November come August. Since I was here in November, one of our members retired in early January, leaving us shorter. And I'm sure between now and August, we'll be losing one or two or possibly more employees. So I'm here again today to ask to please, if we could have some more dispatchers for the 911 Center. Thank you.

CHAIRPERSON BROWNING:

Thank you, Suzanne. And I know that there was a request made of some Legislators to go visit the 911 Center, and thank you for taking the time with me to see what you're doing. So, if any of the members do want to go, I wouldn't recommend a whole bunch of people all at one time, I would say maybe do it two at a time. For the size of the room and the work that you do, and I think for everybody to get a better understanding of what you do, it would be best that everybody do it maybe two, no more than three at a time, so --

MS. MC BRIDE:

And I would be more than happy to be there and help you through your tour. Thank you very much.

CHAIRPERSON BROWNING:

Yeah, we'll work on settling that up. Thank you. Next one is --

LEG. HAHN:

I know I'm already getting an appointment, if anybody wants to partner up with me when I go in February. I can't find the date on my calendar, but I saw it there the other day.

CHAIRPERSON BROWNING:

Okay. So just, you know, let me know or call Kara.

LEG. HAHN:

I'll find it and I'll send it.

CHAIRPERSON BROWNING:

Michael Finland is next.

MR. FINLAND:

Good morning, everyone. I'm Michael Finland from Suffolk County AME. To recapitulate on Suzanne McBride's thoughts, last November I spoke before this committee with regards to an urgent situation which had been evolving at the Suffolk County Police Department's Police Emergency Unit. Suzanne McBride, the Unit President for Police Emergency, put together a compelling presentation for the Legislature in which she defined the complexity of the duties performed by the staffing in this key and vital division. The employees who work in the Police Emergency Unit are Public Safety Dispatchers, Emergency Complaint Operators and Police Operations Aides.

Through attrition and retirements, the overall staffing has declined over the years due to the local and national economical crisis. And due to that situation, the County has not always been in the position to hire new personnel. As a result of our presentation last Fall, we were pleased to be informed that 11 new SCIN forms were signed to augment the staffing in this unit. We are extremely grateful for the Suffolk County Legislature's attention and support in this matter. We look toward the Legislature and the Legislative body once again in that we need to continue monitoring this personnel issue.

We still have a high volume of mandated overtime in this section and it is my fervent hope that, whenever possible, we will augment our workforce in this unit. For the sake of ensuring public safety, Police Officer safety and to deliver appropriate and timely services to the public at large, we should continue to monitor the situation and to increase the staffing whenever possible.

My sincere thanks to Legislator Kate Browning for her support in this endeavor, as well as to the entire Legislative body. Thank you.

CHAIRPERSON BROWNING:

Thank you, Mike. And the last is Bill O'Leary.

MR. O'LEARY:

Good morning. My name is Bill O'Leary. I'm a Forensic Therapist and I work with victims and perpetrators of violent and sexual crimes. I have the unenviable task of working with the majority of the sex offenders that we'll be talking about today.

Hopefully, people realize that the reason that I do this, because people often ask how can you sit in the room with a rapist or a child molester, it's a means to an end. The better I do my job, the better chance someone won't get hurt later.

We've worked a lot on the topic of protecting the community from sex offenders, and I'm cautiously optimistic about what's going to be proposed today. But I don't -- what I'm hoping is, as we have this open discussion as we move forward, that we also look at the second half of the equation, which is preventing sex abuse.

Ninety-four percent of sexual crimes are committed by someone who's not on the registry, by someone who's not known to us. Ninety-three percent of the time victims know the perpetrators. I'm hoping that we'll kind of move our resources from how much we're spending on trailers and homelessness and move it towards the possibility of maybe preventing and educating and, hopefully, changing that 94% statistic.

According to the FBI, one out of four children are sexually abused by the age of 18. That's not a new statistic and it hasn't gone down. So I think we can't argue that number to look at we need to change what we're doing to be more effective to change that number. One out of four is an epidemic, that's 25% of children. So, like I said, I'm hoping that through this discussion that we'll actually look at that issue as well. Thank you.

CHAIRPERSON BROWNING:

Thank you. And we do have the presentation. I know we have Mike Sharkey from the Sheriff's. Do you have anything you need to report? No? Okay. Is there anyone else in the room who would like to speak before we start? No? And Probation, do you have anything you need to report? Nothing? Okay. I did say FRES isn't here.

Okay. So if we'd like -- Chief Burke and Laura, if you'd like to come up. We have Chief Burke from Suffolk County Police Department, and we have Director of Parents for Megan's Law, Laura Ahearn.

And I'd like to advise the committee members, you know, there may be some questions you may ask that you think you can ask. Please be aware that some of the things that the Police may be doing cannot be discussed publicly. So I think we need to respect the fact that some questions you may ask may not be able to be answered. If we do need to go into executive session, we can do that.

CHIEF BURKE:

Thank you, Ms. Chairwoman. Good morning, everyone. First, I'd like to thank the members of the Public Safety Committee for your support in 2012. I'm proud to report that 2012 was a banner year for the Suffolk County Police Department. With our Intelligence Led Policing model that we implemented, we identified 68 separate patterns and trends. As a result, we arrested 127 separate Apex criminals, and we cleared 222 cases as a result of our Intelligence Led Policing efforts.

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Our violent crime is down nearly 5%; our overall crime is down nearly 10%. And I'm proud to say that the Suffolk County Police Department is back. We have all of our police officers thinking about crime. Crime-fighting is the number one priority and public safety is the number one priority of each and every Suffolk County police officer.

Today, what I'd like to present to you is a comprehensive plan to address the sex offender issue in this County. County Executive Bellone directed the Police Department to develop a comprehensive strategy to deal with sex offenders in the County. And I'd like to thank the Chairwoman, Kate Browning, because I was able to consult with her in the process of developing this plan. And the plan basically addresses all sex offenders in the County, how we effectively deal with them.

As a result of the policies that have developed over the years with respect to sex offenders, a great deal of attention and energy has been focused on the homeless sex offender. But I want to just emphasize that the homeless sex offenders are just one subset of the entire sex offender population. Presently, we have 38 homeless sex offenders. However, there are a total of 1,016 domiciled sex offenders that live throughout the County. The homeless sex offenders, in fact, only make up 4% of Suffolk County's sex offender population. From a law enforcement perspective, we should be focusing on all sex offenders equally, not just the homeless sex offenders.

New York -- a little bit of history about the homeless sex offender issue, which I know you're all very, very familiar with. New York State Law requires Suffolk County to pay for emergency housing for the homeless. Since the advent of Megan's Law and sex offender registration, the Suffolk County policy as basically focused on the placement of homeless sex offenders has been clustering. At one point in the Brook Motel in the Town of Babylon, there were 18 sex offenders clustered under one roof. Presently, the trailers that exist in Riverside and BOMARC, we've had up to 40 sex offenders clustered under one or two separate roofs. There was at one time a proposed sex offender mega facility slated to go into the Hamlet of Farmingdale where there would be 30 sex offenders clustered under one roof. And presently, there is a plan to presently create the permanent construction of six mini shelters throughout this County that each would house up to six, cluster up to six homeless sex offenders. And presently, the number of homeless sex offenders that we have right now would call for the construction of a seventh such facility.

It's the policy or the recommendation, the strong recommendation of the Suffolk County Police Department to end clustering. Let's face it, if I took 20 bank robbers and put them under the same roof, at the end of the week, what would I come out with? Twenty better bank robbers. If I took 20 terrorists and put them under the same roof, at the end of the week I'd come out with 20 better terrorists; 20 gang members, 20 sex offenders. Clustering under the same roof just has to end, it's bad public policy.

We should treat homeless sex offenders just like we treat the domiciled sex offenders. We should place the homeless sex offenders throughout the County in the existing County shelter system. A proviso would be that Suffolk County would not place more than one sex offender in any one facility, therefore, ending the terrible policy of clustering sex offenders. As a last resort, if there is a lack of shelter space, Department of Social Services will consult with the Police Department regarding placement with the paramount concern of public safety and fostering the anti-clustering policy. We should give thought to where we put these people and the type of people that we put, and it should be done with public safety in mind, and the Police Department is the best vehicle to accomplishing that.

Instead of spending our taxpayer dollars on buildings and staffing facilities for sex offenders, the Police Department recommends that the County devote its resources towards implementing the toughest monitoring and enforcement program in the nation. We have a seven-point plan that the Police, sworn members of the Police Department will enact, and I'll go into each of them individually.

The first is strengthening our address verification efforts. It's been proven that sex offender

registry reduces sex offender recidivism. However, the registry is only good if it's accurate. It's got to be a prime role in the Police Department to make sure that the information that's contained on that registry is accurate, and we have to strengthen our address verification efforts.

The screen that you see in front of you is what an average police officer logs onto when he comes on duty, and this, again, is a product of our Intelligence Led Policing model. You'll see police officers on the street in sectors, which is the primary way that we police the County, will have access to recently discharged inmates from prison, current arrests, recent warrants that have been issued, the latest directives that the Police Department has put out, crime alerts. And if you see in the middle of the screen are criminal intelligence crime patterns and trends. Police officers are required to log in and be familiar with these items.

If you see at the lower right-hand corner of the screen, we're going to implement the Sex Offender Registry. So each police officer in each sector and the specialized units will have access to this, and I'll show you how it works. When you click on the sex offender button on your computer screen, this screen pops up. And there's a myriad of ways that a police officer can search the database, but the most important way is the sector. If I am operating Unit 610, Sector 610, I will be able to type 610 into the sector button. As a result, the next screen will pop up on your upper right-hand screen. It will show the operator of 610, all of the sex offenders that reside within Sector 610. The operator will be able to click on the sex offender, and if you see on the lower right hand of your screen, a photograph of that sex offender and the sex offender's pedigree will pop up on the screen.

In addition, we will create a permanent patrol check inside of the -- as assigned to that sector and all of our COPE units. What a patrol check is is this: If we receive a community complaint about someone speeding or blowing stop signs, or there may be a homeowner that's away on vacation, or there may be disorderly youths that are gathering at a particular area, a patrol check is created. And when a police officer comes on duty, he has the patrol checks that are assigned to 610, and he is required to pay attention to those patrol checks and document action that is taken with respect to the patrol checks.

A permanent patrol check will be created at the residence of a sex offender and it will be part of a uniformed sector car operator's duty to pay attention to that sex offender's address, as he would any other criminal hazard in his or her sector, and document the activity taken with respect to that particular hazard.

If a Suffolk County police officer has a knowing or is aware that he has made contact with a sex offender, he will be required to complete a Suffolk County Police Department Intelligence Form documenting the circumstances surrounding that contact; what kind of car he was driving, who he was in the company of, under what circumstances it took place. That intelligence report will be forwarded to our Special Victim Section, which is tasked with monitoring, and, if necessary, enforcing sex offender rules. It will also be forwarded to our Intelligence Bureau, which, again, is the nerve center of the Police Department's Intelligence Led Policing operation. So we will capture the contacts that police officers have with known sex offenders, and that information could prove useful in determining patterns or potentially predicting future behavior.

If a Suffolk County police officer is not aware that he has made contact with a sex offender, let's just say he issues a summons to him or is involved in taking a report where the sex offender may be the victim of a crime, or the sex offender potentially pawns jewelry, and he's not aware that he's dealing with a sex offender and he files a Suffolk County Police report that is contained in one of our Suffolk County Police indices, okay, our Orion Intelligence System has what is known as watch list capabilities, where we are able to load subsets of individuals, gang members, parolees, probationers, terrorist suspects. Sex offenders are going to become a subset that is going to be loaded into the Orion Intelligence System. So, if a sex offender receives a ticket for passing a stop sign, or if a sex offender's mailbox gets knocked over, or if a sex offender is involved in a domestic incident, or if a sex offender pawns a piece of jewelry, the Orion Intelligence System human-proofs

that system. The Orion Intelligence System will connect the dots and will alert our Intelligence Bureau that a police officer has had an unknowing contact with a sex offender. As a result of that notification on Orion, Criminal Intelligence will forward that information to Special Victims for investigation and follow-up.

We are also going to include on a police officer's monthly activity report, when we track the activity of our police officers as a performance statistic, sex offender interviews. We want our cops, as much as they're thinking about crime, we want our cops thinking about the protection of our children, to be on top of, to be aware of the activities of registered sex offenders. You see, you become a registered sex offender because you're committed and convicted of a sex offense. And then the court, unlike in any other arena in the Criminal Justice System, assigns a level of risk. There's a court-assigned level of risk. It is my opinion and my staff's opinion, and I hope the opinion of the members of this committee, that we should be aware and on top of what these people who have a risk of reoffending and hurting our children, are -- what they're up to.

In the event of a homeless sex offender, okay, we are going to be provided the information in conjunction with Department of Social Services, of where a homeless sex offender is going to be placed. On a daily basis, a computer-generated notification will be sent to the police car concerned. Okay? Level 1 sex offender, John Joe, whatever his date of birth is, is spending the night at wherever he may be spending the night. That police officer will be tasked to go and verify and document that homeless sex offender's whereabouts. You see, they're going to know that we know where they are. Okay. So, that is what the Police Department, the tip of the spear, the thrust that we propose, that we take to the sex offenders.

In coming up with this plan, we consulted with Parents for Megan's Law, which is arguably the most respected organization in the United States that's dedicated to the prevention of sexual abuse, advocacy for victims. And what I'd like to do now is I'd like to turn it over to Laura Ahearn for an addition part -- for her to explain the additional facets of the Police Department's plan.

MS. AHEARN:

Thank you, Chief Burke. Madam Chairwoman, Members of the Public Safety Committee, my name is Laura Ahearn. I'm the Executive Director for Parents for Megan's Law and the Crime Victims Center.

Before we begin, I'd like to just give you a real quick update on what's happening statewide and here in Suffolk County with our residency restriction law. Currently, five residency restriction laws across New York State have been overturned, including Nassau County's. Suffolk County's law was challenged by a Level 3 sexually violent offender, who served 19 years in prison after pleading guilty to Rape 1 in Suffolk, and to a Rape 1 in Nassau County. Suffolk's residency restriction law will likely soon be overturned.

Residency restrictions have had an unintended effect here in Suffolk County and actually across the state. They've contributed to significant clustering, especially, as you know, in the Town of Southampton where the trailers are currently located. The trailers will be closed and residency restriction in Suffolk County will be overturned. So where are we going to go from here? A CHI mini shelter plan addressing less than 4% of Suffolk County's 1,000 registered sex offenders? That's 38 offenders. Or a comprehensive plan, which is victim and community-based, and addresses all 1,000 offenders, including those 38?

As part of the Suffolk County P.D. plan, we'll be implementing the Parents for Megan's Law Sex Offender Tracking and Community Support Eight-Point Plan. The plan consists of eight points that are going to support law enforcement, and also which are going to be victim and community-based. The first is in-person sex offender address verification, again, which supports law enforcement. The second, which is technology-based proactive monitoring of registered sex offenders, which supports

law enforcement. The third, sex offender registration tips and 24-hour hotline, which supports law enforcement, and also engages the community. Fourth, sex offender e-mail alert notifications and also website enhancements. Our Megan's Law Helpline expansion, outreach and prevention education, enhancing our current outreach and prevention education services. Enhanced crime victim services, and, of course, collaborations with Police, Probation, Parole and the community.

Address verification enhances law enforcement -- address verification enhances enforcement and increases registration compliance. Believe it or not, sex offenders who fail to register have higher rates of recidivism compared to offenders that are non-FTRs, Failure-to-Registers. FTRs, Failure-to-Register offenders, are 54% more likely to be convicted of another felony sex offense compared to non-FTR offenders. Failure-to-Register offenders are 68% more likely to be convicted of any other felony compared to non-FTRs. So what that means is that offenders that are failing to register have a much higher rate of recidivism.

So what we're going to do in supporting law enforcement is we're going to bring on two teams of two retired law enforcement staff who will conduct in-person address verifications for all Suffolk County registered offenders, all 1,000. Staff will verify home addresses for all of them and work addresses for Level 3 offenders. Level 3 offenders are required to report their work addresses, and a look at our Suffolk County Level 3 offenders demonstrates that 60% of them are not reporting work addresses. I find it unlikely that 60% of them are not employed. And even when information was provided, it's inconsistent and incomplete. We had one registered sex offender, a Level 3, who had his work address listed as "off Sunrise Highway."

So updated addresses will be transmitted to a PFML realtime database from guys out in the field on their laptops directly to a database housed in the agency, and any inconsistencies are going to be transmitted and forwarded to Suffolk County P.D. for enforcement.

Technology-based, Point 2 is technology-based proactive monitoring of sex offenders, which will enable us to detect potential violations that may otherwise go undetected for extended periods of time. It's a cost-efficient tool that works 24 hours a day, 365 days a year, and it will enable us to provide Suffolk County P.D. with data-driven investigative leads, allowing them to focus their resources where they have the most impact on community safety, on enforcement. The methods and tools which will be utilized are confidential. However, we will be meeting individually with Legislators to provide specific details.

Point 3 engages the community, sex offender registration tips and our 24-hour hotline. Parents for Megan's Law currently provides sex offender e-mail alerts to registered users throughout the County, so we have a lot of community members who are already in touch with the agency. These notifications provide community members an opportunity to report sex offenders who are failing to register or sex offenders who are failing to comply with their probation or parole conditions. To increase reporting and engage the community further, Parents for Megan's Law is going to expand our portal on our website to report sex offenders potentially in violation. We're going to develop a smart phone application to make it easy to report offenders, because if you're driving and you notice that there is an offender that is residing somewhere that that shouldn't be, you can actually report it through a phone app. We're going to create a new 24-hour hotline for reporting, and all viable leads will be referred to Suffolk County P.D. for enforcement.

Point 4 engages the community as well; our sex offender e-mail alerts. We have notified the community on 21 million instances of sex offenders moving in and moving out, thanks to the Chairwoman, who was last year very concerned that a lot of the notifications that were going out were not reflective of the number of offenders who were living in the community, because move-out notifications weren't happening. So we started implementing that at Legislator Browning's request last year, so its increased the number of notifications that go out, making community members aware of those who we know pose a risk to public safety. Members of the community can register online or via the mail by zip code to be notified of offenders who will move and move out in Suffolk

County.

Modifications are going to be made to the Parents for Megan's Law website to disseminate homeless sex offender alerts to every user. So, in other words, when somebody registers by zip code, you're not necessarily getting a homeless offender who may just have a zip code in one particular area. So if you're living, say, in the Mastic area and there's a homeless sex offender in Patchogue, but he's wandering about your community, you're not getting the photos of them right now. So we're going to change the website so all homeless offenders and any offender who has an unknown address, meaning he could be an absconder or have a warrant on him, we'll have special areas for people who would like to be more engaged with the agency and to be the eyes and ears for law enforcement. So we're going to make it easier for them to report.

We're also going to, of course, forward all viable leads to Suffolk County Police. And it's important to note here that almost all, 63 of the Suffolk County school districts participate in the sex offender e-mail alert program, which means that there -- some of them are relying solely on the agency to disseminate sex offender notifications to their community. So we have a really good program which reaches out to the community. Now what we want to do, enhance that to engage the community more in the reporting process.

Also, our Megan's Law Helpline significantly supports the community. Many of you know, a lot of your constituents have called us and community members concerned when there's an issue in their community relating to a convicted sex offender. And on the Helpline, we, of course, educate callers about how to access valuable information so they can protect themselves and their children from those known to pose a risk to public safety. But, also, we play a really important role in this whole process in that we want the community to use that information responsibly.

So we engage community members in discussion about using their information responsibly, which will ultimately lead to a reduction in the potential for vigilanteism. We educate about sexual abuse and rape prevention, internet safety, and, of course, we provide valuable information about crime victim services and support that is available here in Suffolk County. The new hotline will provide the community an opportunity to speak with a trained specialist 24 hours a day about Megan's Law issues, sex offender registration tips, prevention, or any crime victim services needs.

The sixth point engages the community and supports the community and supports law enforcement as well in that our staff have trained over or have educated over 110,000 children and their parents on sexual abuse and rape prevention and internet safety in schools and community organizations right here in Suffolk County. An education supervisor will conduct extensive outreach to the schools and community organizations, and, of course, we're going to be promoting the use of this new comprehensive plan's tools that engage the community in reporting, and, also, we're going to train per diem prevention educators to ensure that we have more educators in our schools teaching children K through 12 how to protect themselves from sexual abuse. Because, as was noted earlier, one in four girls and one in four boys or one in seven boys will be a victim of sexual abuse by the time they reach the age of 18, and that's pretty astounding. One in four girls in this country and one in seven boys will be sexually abused. So prevention education is a critical component to this comprehensive plan.

And Crime Victim Services, as well, Point 7, the agency will beef up its crime victim services support because, as we do more outreach, the community is going to rely more substantially on the agency and the services we provide. Crime victim advocacy, access to support service, and crime victims being informed of their rights increases the potential for crime victims to participate in the criminal justice process and reduces the potential for revictimization. Support of crime victims is critical as a component of this plan because we want to prevent revictimization by ensuring that crime victim services are readily available. And in our relationship with the Police Department in our Crime Victim Center Program, which provides services to child victims of sexual abuse, adult victims of rape, and all victims of violent crime, we facilitated a return of nearly two million dollars to crime

victims here in Suffolk County. That's funding that is diverted from the Medicaid budget to -- from the Medicaid budget to directly the New York State Crime Victims Fund budget. So we're relieving taxpayers of a lot of expenses related to crime that are a result of medical expenses, counseling expenses, and in some cases more serious like homicides, expenses that are related to burial. The agency and our agency advocates are there to ensure that crime victims are supported and to prevent the potential for revictimization.

Point 8, collaboration with Police, Probation, Parole and the community. The agency has collaborated with Suffolk County Police Department for nearly 15 years in our joint mission to keep the community safe. All viable leads will be forwarded to Suffolk County P.D. to further -- for further investigation, allowing them to focus their resources on enforcement. The agency, as you know, has longstanding collaborations with all of the municipal Police Departments on Long Island, Federal agencies, the FBI, U.S. Marshals, Suffolk County Probation, New York State Parole, U.S. Probation and Parole, the District Attorney and the U.S. Attorney, and other law enforcement agencies across the nation in furtherance of achieving its mission and goals.

Let's stop running in circles. We're attempting to individually address pieces of the sex offender management puzzle. Resources are continually exhausted and a solution is never found. We continue to run in circles. All pieces of the puzzle are addressed in this comprehensive plan. It's a plan, again, an eight-point plan that engages the community, is victim and community-based, supports law enforcement, ultimately to protect our most vulnerables from sexual predators. The public expects sex offender management laws that get tough, but also get results. When you adopt this plan, you'll be providing Suffolk County's most vulnerable with the toughest monitoring enforcement and community support program in the nation, which will get results.

CHIEF BURKE:

Thank you, Ms. Ahearn. And I want to especially thank Laura and her staff for what is a very, very comprehensive piece of our overall program. I also want to thank my senior staff, Chief of Detectives, William Madigan; Chief of Patrol, John Meehan, and Chief of Support Services, Mark White; our Commander of our Criminal Intelligence Section, Jim Hickey. And I'd also like to introduce to the Committee the individual in the Police Department that will be spearheading this effort and act as liaison with Ms. Ahearn in this program, it's Detective Sergeant Donna Giordano. Donna is a 31-year veteran of the Suffolk County Police Department. She's presently a supervisor assigned to our Special Victim Section. She's worked as a police officer on the streets of the Third Precinct, has been a Detective in our Narcotics Section, a Detective in our Special Victim Section, a Detective in our Homicide Section. She served as a Patrol Sergeant in the Sixth Precinct, and most recently, she served in our Internal Affairs Bureau. So Donna is going to be doing the lion's share of the work. Donna and her staff will be doing the lion's share of the work with this.

I also, in closure, especially want to acknowledge the men and women of the Suffolk County Police Department for the work that they have done over the last year. 2012 was about setting the stage. 2013 is going to be about getting things done. It's going to be a great year for this Police Department.

I also want to acknowledge our Labor Union leaders. They have partnered with management in an unprecedented fashion, and in a large part, a lot of the work that has been done has been done to the cooperation of our PBA, SOA and SDA leadership.

I just want to address one thing. In acknowledging the men and women of the Suffolk County Police Department, I also -- when I say that, I want to acknowledge the civilian employees of this Police Department and some of the speakers that had come up. To be a 911 Operator in Suffolk County is akin to being an air traffic controller. You talk about a stressful job, and the work that these people did, particularly during Super Storm Sandy, when many of them, their own homes got wiped out and destroyed and came to work day in and day out.

As to the concerns that they have addressed, Deputy County Executive Tom Melito and his Performance Management Team were in the Police Department. They specifically addressed the issues related to communications. And we're confident that within the coming months, we're going to get a good handle with respect to personnel and/or technological help that we could get in that particular area.

And, finally, I want to thank the committee, particularly Chairwoman Browning. Thank you for all your support that you've given this Police Department over the past year. Thank you.

CHAIRPERSON BROWNING:

Thank you. I have one quick question, because I know we talked about working with the various departments, and we do have a Sex Offender Unit in Probation. Have you yet had conversations with them? Are you planning to bring them in on a lot of what you're doing?

CHIEF BURKE:

Yeah. We partner with Probation in -- all of the time on everything, and Laura does, too. And, again, there's an added benefit when a sex offender is on probation, in that they're allowed to put conditions on him that are extraordinary; that if there is a sex offender that's out there that's residing that's not under any form of supervision, it makes our job a little bit more challenging. And we partner with Probation constantly. They're going to be a key cog in this wheel.

CHAIRPERSON BROWNING:

And I should not forget about Parole. I think my opinion of how Parole works in comparison to our Probation Department is not quite the same. So I --

CHIEF BURKE:

Well, we're meeting today. Detective Lieutenant Hickey, our Criminal Intelligence Commander, and Deputy Inspector Cahill, who is our Organized Crime Bureau Commander, we're meeting with the newly installed person who is running Parole here in Suffolk County, we're meeting with him this afternoon, Chairwoman.

CHAIRPERSON BROWNING:

Okay. And what's his name? You're drawing a blank?

CHIEF BURKE:

Bill McCartney.

CHAIRPERSON BROWNING:

Bill McCartney?

CHIEF BURKE:

Yes.

CHAIRPERSON BROWNING:

Okay. So, you know, I have to say, I -- one of the biggest concerns I've had in my district is when I get the phone calls from residents, and I know that Chief Meehan back there, he's -- when he was the Inspector, and up until today. And I see Mr. Pirone in the back. And, you know, the calls from residents saying, you know, "I just learned there was a sex offender moving next door to me," or "across the street and we haven't seen him."

So I'm glad to see that there's going to be, I guess, a more proactive check-in, because I have seen it myself in my own district where we do find out that they moved into the district or claimed they did, but they didn't. And so whether they're living in my district or somewhere else, the fact that they're not knowing where they are and they're giving fake addresses, I think it's very important that we make sure that we do know where they are.

I know we have a couple of questions, so Legislator Muratore?

LEG. MURATORE:

Thank you, Madam Chair. First of all, to the Chief, what a great job. And I'm really overwhelmed with this. This is a big wow for you guys. I mean, we're really going to put the sunlight on these bugs, and you know when the bug is hit with the sunlight, they like to run and hide, they like to work in the dark. And I think this program is going to keep light on them forever. And they're going to say, "You know what, I don't want to live in Suffolk County anymore." And I'd like to exterminate them. We're going to drive them out of our neighborhoods, out of our communities, out of our County. And I really, really am impressed with this.

Two concerns I have. Number one, Chief, you have the manpower to do this? Are you going to be able to have enough men and women to conduct this program?

CHIEF BURKE:

You know, Legislator, I could always use more manpower, but I'm confident --

(*Laughter*)

LEG. MURATORE:

Didn't you tell me that last night, Jim? Didn't you tell me last night?

CHIEF BURKE:

I wonder who asked you to ask that, Legislator. We're going to be able to implement this. Again, we're constantly -- and the County Executive's Office has been very good, as you well know. Late in 2012, they enabled us to make some personnel moves, and I'm confident that, you know, we're going to be able to do this. When it's decided as to, you know, the CHA plan versus this plan, certainly some of the resources from CHI could be diverted and we could do an even better job.

LEG. MURATORE:

Laura, you're going to be able to find the necessary people that you will need? You have funding for that also?

MS. AHEARN:

Yeah. As part of the plan, the organization would be funded to implement the address verification, to ensure that the website enhancements are done, to cover all of the costs for the proactive monitoring. The whole entire plan has been discussed and will be funded.

LEG. MURATORE:

That's great. And, you know, congratulations. Detective Sergeant Giordano, I know she's going to do a great job. You know, she was one of the ladies that I trained back in my days of training. And if I look out there, I see a lot of the men and women I trained, so I guess we did a pretty good job here. So I thank you. I commend you for this great job, and I'm really happy for Suffolk County that this is going to be happening. Thank you.

MS. AHEARN:

Thank you.

CHIEF BURKE:

Thanks, Legislator.

CHAIRPERSON BROWNING:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Madam Chair. Chief, thank you for being here; and, Laura, thank you as well.

You've presented us with a lot of information, a tremendous amount of information. And I was glad to hear that you intend to make yourself available to brief us for some follow-up, because I think that there is probably -- there is no issue that's more in need of our constant intention, your attention and oversight and monitoring. It is one of the most vexing issues, certainly, that I've faced in my time here in the Legislature, and something that transcends pretty much every district. Every constituent, anybody who's a parent, grandparent, niece, nephew, or anything, is mindful of this, and it's always on their radar in the forefront.

So let me ask just a couple of general questions, and then maybe we'll have an opportunity at another point to do a little bit more.

And then just one comment, I guess, general. The shelter system that never got developed or implemented came about from a resolution that was passed by this body back in 2010. What you are presenting to us now, how do you propose to go ahead and do this? Is this by a directive of the Department or is it a piece of legislation we're going to see? What's the methodology?

CHIEF BURKE:

I would assume it would be a piece of legislation that you're going to see, that's my assumption.

LEG. KENNEDY:

Okay. All right. Jurisdiction, tell me about jurisdiction. I mean, our Suffolk County Police Department basically is the five west end towns. How do we propose to deal with those individuals that reside in our villages that have police departments, or, for that matter, the five west end -- five east end towns?

CHIEF BURKE:

Criminal Intelligence function is to know one function, that's a countywide function.

LEG. KENNEDY:

So it is countywide.

CHIEF BURKE:

So any of the police departments that exist in this County can avail themselves of Criminal Intelligence services. It would be, you know, incumbent upon the local Police Chief to simply adopt our plan. I mean, they would be able to get -- whatever information that we have, we could easily provide it to the individual local jurisdictions. But, again, I can't direct the Chief of whatever Police Department on how and if he wants to implement the plan within his own jurisdiction. But, certainly, all of the information that we would have available to Suffolk County Police sector officers we could make available to any of the other jurisdictions that exist in the County.

LEG. KENNEDY:

Okay. Here's one of those areas where I guess I have a curiosity, but, obviously, I don't -- you mentioned the Orion Intelligence System. In general terms, without telling me anything too specific, what is that? What is the Orion Intelligence System?

CHIEF BURKE:

The Orion Intelligence System is a computer program that we've had in the Police Department for years, quite frankly, I think before 2012 it was underutilized, that essentially is used by other police departments and jurisdictions, that is an intelligence network that basically connects the dots for us.

LEG. KENNEDY:

Okay.

CHIEF BURKE:

It is our intelligence system and that's what the Orion system is.

LEG. KENNEDY:

So it contains data on "X" number of individuals who are known to your department for whatever reason, whether it was arrest or a victim, or whatever, for some reason, it's made its way from on officer interaction into -- it's been entered into the database?

CHIEF BURKE:

Essentially, yes.

LEG. KENNEDY:

Okay. And so this enhancement or method that you're proposing is going to add data and then create links of data?

CHIEF BURKE:

Exactly. For instance, it would tell us if a sex offender was in the presence of a gang member.

LEG. KENNEDY:

Okay.

CHIEF BURKE:

It connects the dots over a period of time.

LEG. KENNEDY:

And then the system will drive that out to your sector cars? How are your sector officers going to gather what that enhancement is?

CHIEF BURKE:

Intelligence gets it. The Detectives assigned to the Criminal Intelligence Bureau, they will receive the connect-the-dots notification. They will evaluate it and/or investigate it or forward it to the appropriate command for further investigation, depending upon what it is, and then a determination is made whether it goes out to the police officers.

LEG. KENNEDY:

Okay. And we don't have that now? That capability is generally not -- maybe the capability is there, but it's not quite utilized or employed or delivered in that method?

CHIEF BURKE:

The sex offender piece is going to be woven into the overall Department Intelligence System.

LEG. KENNEDY:

All right. Chief, I have another question for you, and, Laura, a question for you. You know, my hearing is going as I get a little bit older. Did I hear you say something about place sex offender in the present shelter system?

CHIEF BURKE:

That's exactly what I said.

LEG. KENNEDY:

You did?

CHIEF BURKE:

Yes, sir.

LEG. KENNEDY:

Okay. And since the current shelter system is something that by law most of us get limited information on -- we know about it generally, most of us know about shelters in our districts. That's one of the pieces I guess we're going to have a little bit more conversation on, because, as I understand it, it's a tiered process. There's the emergency housing for somebody who shows up who's been evicted, or landlord threw me out, or the house burned down, or whatever, and I need someplace to go to tonight. Then you move to the next level where it's an individual who's, "I'm disabled, I'm injured, I'm," whatever, "and I need to find someplace to be for like the next maybe 20 or 30 days." Then there's other folks who are, "I got no ability to go ahead and find housing and I'm going to have to be someplace for the next five or six months." Is that more or less the way it is?

CHIEF BURKE:

Yes.

LEG. KENNEDY:

Okay. And so we're saying now these 38 individuals are going to find their way into that system?

CHIEF BURKE:

Yes.

LEG. KENNEDY:

Okay. So that's something we're going to have to talk a little bit more about.

CHIEF BURKE:

Okay.

LEG. KENNEDY:

And then, Laura, you talked about Level 3s who have a 60% failure rate in registration for work address?

MS. AHEARN:

Yeah. We took a look about a week ago at the number of Level 3s in Suffolk County and their reporting of their work address, and what we found is that 60% of those Level 3s don't have a work address. Now that has to be further looked at because some can be unemployed. So, legitimately, not having a work address would not be a violation of registration requirements. However, that has to be further looked at and that requires a lot of staff time to do, and this program will incorporate in that staff time to take a look at that and then further provide that to law enforcement once it becomes a viable lead, that the offender is, indeed, failing to provide a work address.

LEG. KENNEDY:

Okay. Well, I'm going to go back to what the Chief said. I want you to help me just a little bit more here. The Chief spoke specifically about its part of the criminal justice process where when somebody's convicted, there is a determination made on their likelihood to offend, thus, those three levels, correct?

CHIEF BURKE:

(Nodded yes).

LEG. KENNEDY:

All right. And in then doing that, isn't it also part of the criminal justice process that compels these individuals to have to register?

MS. AHEARN:

Yes, it is. Chief Burke did point out sex offenders are risk level assessed, actually it's at sentencing. And using a risk assessment instrument, which is a point system, they will argue, defense obviously will argue for a lower risk level --

LEG. KENNEDY:

Sure.

MS. AHEARN:

-- and the D.A. typically a higher risk level.

LEG. KENNEDY:

Yes.

MS. AHEARN:

So because there are additional burdens, the higher your risk level goes, and because disclosure to the community increases, the higher your risk level goes.

So, for Level 3 offenders, yes, indeed, there is a requirement for them to be reporting their work address, but it requires a tremendous amount of staff power to look at every single Level 3 offender on a regular basis. And, also, when they're sending in their verifications, there needs to be, and that's what we're working on with the Police Department, the process and procedure to ensure that they are actually reporting their work address. So it's going to require a development of a process within the organization in working with the Police Department. But 60%, Legislator Kennedy, not reporting a work address, there's something very wrong with that.

LEG. KENNEDY:

Absolutely, positively agree. And, Chief, I'll go to you. Look, if there wasn't a consequence for paying taxes, nobody in this country would pay taxes. What happens if you don't register?

CHIEF BURKE:

You'd get charged with a felony. And let me tell you something, Legislator.

LEG. KENNEDY:

Please, talk to me about that.

CHIEF BURKE:

This is going to be -- we're going to be busy, because, as I said, I am serious, very serious about the protection of these communities, and this is going to become a big priority of this Police Department. This is the plan. We're coming. They're going to know that we know, very simply.

LEG. KENNEDY:

All right.

MS. AHEARN:

Just, also, as a side note here, it's also a violation of their conditions of probation. So in all of the collaborations that we're building and strengthening in this process, it's a violation of probation, a violation of parole. And besides that felony, failure to register, there are a lot of other, on a deeper level, for investigating failure to register, or identifying failures to register. There's a lot more that can be done with this program. And this comprehensive plan allows for the coordination and further, from law enforcement, enforcement, so that we are charging these offenders when they're violating registration laws. That's not happening as much as it can right now.

CHIEF BURKE:

And if I may add, Legislator, this particular type of crime is different. You know, a crack house

opens up in your district, guess what? To the untrained observer, there are going to be signs that there is a drug house that's opened up. Not so, sex offenders do not apply their trade-in the street.

LEG. KENNEDY:

Right.

CHIEF BURKE:

That's why we partnered with Ms. Ahearn and her group, because they are specially trained, and they will assist us with respect to lead generation and community awareness and training.

LEG. KENNEDY:

Okay. Obviously I'll be interested to see whatever the piece of legislation is. I will reserve that one other area for us to have some follow-up conversation. But thank you very much for being here.

CHIEF BURKE:

Thank you, Mr. Kennedy.

LEG. KENNEDY:

Okay. Thank you.

CHAIRPERSON BROWNING:

Legislator Horsley.

D.P.O. HORSLEY:

Thank you very much, Madam Chair. First of all, I just want to thank the Administration on how they're bringing this to the Legislature. I think they've done a great job in briefing us individually and talking to us, and I just thought it was -- I think it's very positive and it's great for our relationship.

But I wanted to just first start with the concept of the mini shelters, and paying out taxpayer dollars to build these things has always left my stomach churning. And the fact that both Parents for Megan's Law and the Police are now going to be involved with this process is heartwarming, and it is something that is I believe long time coming. And I really appreciate the fact that you guys are in with us in the soup on this issue, because it's great. And thank you very much for putting this program together. It has a lot of positives, and I think you're going to be -- it's going to be well received in the long run. So thank you very much on behalf of Suffolk County.

I just had a couple of quick questions. I just wanted to make sure what I was briefed on was true, because I didn't -- I didn't hear it come up. One was that it was -- that there's only going to be one per shelter of a homeless sex offender in any location, one. And secondly, I'm questioning, and this was the other issue that I didn't hear, was if there is a shelter, we have many families in shelters, you know, with kids. Are these sexless home -- these homeless sex offenders, will they -- how will they -- they will not be placed into a shelter where we have families? I just want to make that assured and put that into the record.

CHIEF BURKE:

Yeah, that's -- yeah.

D.P.O. HORSLEY:

Yeah. I don't think you mentioned it, Chief, and I just wanted -- I wanted to make sure that was absolutely true, that they're never put together.

CHIEF BURKE:

That's true.

D.P.O. HORSLEY:

That is true, and that's for the record?

CHIEF BURKE:

Yes.

MS. AHEARN:

Absolutely.

D.P.O. HORSLEY:

Both of you, thank you.

CHAIRPERSON BROWNING:

Okay. Legislator Spencer.

LEG. SPENCER:

All right. Thank you once again for bringing up this very important issue and coming up with a comprehensive solution. I had a couple of concerns or questions that I would like to ask.

It seems that we're taking this issue and we're bringing it on a much global, big level. And, first, with regards to intelligence, I'm glad to see that the systems can talk to each other and that we're able to connect the dots. I'm just wondering about a review process with regards to the intelligence.

First of all, I guess, with misinformation, for instance. I'm William Robert Spencer, Jr. You know, I was applying for life insurance and they sent my father's records by accident, and, you know, it took me three years to take care of that. So I guess when you're talking about intelligence, if you have someone that is presenting the wrong identity, or someone who has a similar name as another member of their family, if there is a mistake. And once it starts at one point in the system and it gets into the intelligence and it just disperses, can we pull it back? So I'll just ask for a quick response on that.

CHIEF BURKE:

Well, people lie to the cops all the time about who they are and what their date of birth is, but that's why we're the cops. We're tasked with figuring things like that out, and that's why we have levels of supervisory review. And I would like to think in most cases we level out at what the truth actually is. And if, in fact, in the unlikely event that there would be misinformation that would put in there -- would be put in there, I'm confident that we would have uncovered the fact that it is misinformation. Much like we uncover the fact when we lock a guy up and he says his name is John Jones and his name is really Pete Smith, ultimately we find that out. Why? Because there are other identifiers besides a name and a date of birth. And with the tools and resources that we have, we're pretty good at figuring out when people are lying to us. But in the unlikely event that there would be misinformation put into any Suffolk County Police indices, I'm confident we'd catch and correct it.

LEG. SPENCER:

Okay. That does answer my question. I think we could correct it at the source, but then, as far as your understanding of this Orion Intelligence System, then that could be retracted and go throughout all your other databases.

CHIEF BURKE:

Yeah. Information is constantly updated in the Police Department databases. Every time that we have a contact with a particular individual, whether he gets a summons or whether he gets -- whatever contact he has, we're constantly updating the information that we have on that person. And if there is a conflict of information that was given, you know, we got you down as

five-foot-three and the guy presents himself, he's now six-foot-one, that's going to -- that's another identifier that's going to present itself and we'll be able to correct it.

LEG. SPENCER:

And I understand in the rate of recidivism with regards to these sorts of issues, I know that there is some evidence, as offenders get older, that the recidivism decreases. Is there -- and maybe this question is for Laurie. With regards to the offenders, overtime, are they reassessed, and are there levels reclassified, or once you're in at a particular level, you're always at that level, depending on what your offense is?

MS. AHEARN:

A risk level assessment, when that's done, traditionally a Level 2 and a Level 3 offender will have to register for life. I mean, there are some things in there that allow for petitioning, but traditionally it's for life; 30 years for Level 2s; Level 1s, 20 years, they drop off the registry. Your question kind of mixes in -- risk level assessment is really -- it's a process that ultimately serves to decide what information goes out to the community. So it's not a mental health assessment. That process would take place when they -- when a sex offender is in counseling, and that's a whole separate issue.

Sex offenders have access to counseling through their insurance and through Medicaid, so the counseling component is a whole separate issue. This is about supporting victim-based and community-based, in supporting the community to ensure that they are engaged in reporting anything that might be happening, and also are educated about how to prevent sex crimes in the first place, and victims are provided support services so they're not likely to become revictimized.

But the treatment component or risk level assessment process is two separate issues, but sex offenders can drop off the registry, Level 1s after 20 years.

LEG. SPENCER:

Okay. Thank you. And the last question that I'll have, you know, my concern is not only as we get more intelligence and we have systems, databases talking to each other, and as we open this issue up, and if we find that there's a lot of information in terms of the interviews and the contacts that are going in, is there a concern that the system could just be completely overwhelmed? And I want to make sure that there's a way that if there is someone that is low risk, that their interviews and their contacts aren't taking up a lot of resources, maybe away from higher risk situations. You know, it may be a bigger can of worms.

CHIEF BURKE:

Yeah, I understand. In Orion, there's always upgrades, so there's always technological upgrades to Orion, you know, the Version 6, Version 7, whatever it might be. So we, you know, on a regular basis upgrade the system. So I'm confident that we're not going to be overloaded with extraneous information at all, we're confident with that.

LEG. SPENCER:

Thank you.

CHAIRPERSON BROWNING:

Legislator Gregory.

LEG. GREGORY:

Thank you, Madam Chair. And I would like to congratulate you on coming up with a plan outside of the box. We've been struggling with this issue forever, it seems. But I do have some questions, and, if not, concerns. One thing that wasn't mentioned was what is the cost of this program, given our -- you know, I'm the Chair of the Budget and Finance Committee. Just Tuesday, you know,

with all the things that are going on, we're expecting a 100 million dollar deficit, I would just like to know how much this program is going to cost the taxpayers of Suffolk County.

CHIEF BURKE:

Well, as far as the Police Department goes, you know, pretty much we have existing resources. I mean, we may have some additional personnel issues when all of the work comes in. And, of course, there's technological issues that we may have. But I'll tell you what, it's going to be a lot less than the CHI Program. Whatever the number comes in at, CHI is I think upwards of four million dollars. This is going to be considerably less than CHI. Exactly what it is, we're still in the process of working out, but it's not going to be four million dollars, that's for sure.

LEG. GREGORY:

But the majority of that, from what I understand, was transportation. So how does this plan eliminate -- It was like one -- over a million dollars in transportation costs.

CHIEF BURKE:

Well, we probably have -- now, with transportation, is we're transporting them all out to Riverhead and Westhampton. We're paying cab fare from Babylon to Westhampton. That's the killer with transportation, we're driving them all out east. It's all 50-mile cab rides.

LEG. GREGORY:

Right. And that's my question, how does this plan eliminate that?

CHIEF BURKE:

Because the individuals, the 38 individuals will be placed in homeless shelters throughout the County.

LEG. GREGORY:

Okay. That brings up my next concern. We talked about clustering. I think you bring up an excellent point, but, you know, the plan calls for putting these 38, 50, whatever the number is, homeless sex offenders into shelters and, from what I was briefed on, motels, you know, like the Broadway Inn, or whatever. And the majority of those are in low income communities, the communities that have an overabundance of sober homes, have overabundance of shelters already. So you're going from clustering to potentially having communities bursting or busting at the seams with these sex offenders. I don't necessarily think that's -- that's a concern that I have, a very big concern.

So what I would like to see, if this program could have some type of verification built within it that no one community is overburdened with these sex offenders. I mean, I represent Wyandanch and North Amityville. I don't have to tell you, Chief, you used to patrol those areas. You know what they're dealing with. There are sex offenders in those communities. I mean, you talk about clustering, they're clustering within the communities. They learn how to become better criminals when they come out of jail. If you add sex offenders to that dynamic, you know, the community overall is going to be impacted by that, so I have a concern about that.

Has this plan been run up the flag pole? I would imagine, with the County Attorney's Office. To me, you know -- and I don't want to go into the intelligence gathering, too much into it, but it seems like if someone is -- if someone's not on parole, not on probation, and we're gathering information on them to put in a system, I would imagine that groups like the ACLU and others may have concerns and may present some type of constitutional challenge to that. I don't know. You have a better insight on that than I would.

CHIEF BURKE:

Our Criminal Intelligence System complies totally with United States Federal Code, CFR 28, I believe it is. So we're in compliance. It's been in place for years, so --

LEG. GREGORY:

But is that for people that are currently on probation, on parole? I mean, this -- and for all intents and purposes, these people are, you know, regular citizens, just like anyone else. They have a past conviction, but they don't have a requirement to report to Probation or to Parole, yet an officer is asking me for information to gather so that they can track my movements. And I understand that --

CHIEF BURKE:

Well, they're not tracking -- we're verifying that the information that -- see, here's the difference between them and others. They've been convicted of a sex offense, and unlike any other arena in criminal justice, the court has assigned them a risk level. The court says risk, risk, risk. They've been identified legally as having risk. And it's not like we're tracking their movements, we're verifying that the information that they're legally required to give us is true. And as Ms. Ahearn has said, we've found out in many instances it's not.

And we've also determined, and it's played out, that when they lie about things like that, they are also very likely to reoffend. So I think it's an absolute affirmative duty of the Police Department to make sure that we hope they never reoffend. But we want to let them know that we are paying attention, because there is this high -- insofar as any other crime, the risk of recidivism in this arena is much greater, and the consequences are much greater. The consequence is a child being victimized. To me, that's an untenable consequence.

LEG. GREGORY:

No, I agree. I think that given the nature of the crime, of the past crime, that there's a higher level of scrutiny and monitoring. I just -- I'm not sure that, you know, once this plan is done, you know, that some group is going to file a lawsuit. I just want to make sure that the plan that we put in place is going to be the plan that we have a year from now, because, you know, after some court challenge, or whatever the case may be.

CHIEF BURKE:

We're confident that we'll withstand any court challenge.

LEG. GREGORY:

If you're confident, I'm confident. Thank you.

CHAIRPERSON BROWNING:

Okay. Well, I have to say that, you know, this has been an issue that I've had to deal with in my own district. And, you know, one of the things that we see, especially during a campaign season, how it's being used for politics, and I think it's time to take the politics out of it.

And we all, as Legislators, care about the issue. We all have to say, you know, something has to be done. These people have a constitutional right to live where they want to live, where they choose to live, and there's really not a lot we can do about that. However, they are required to register. They're required to register where they are. And I think that what our Police Department is doing and what Parents for Megan's Law is going to do is be more proactive and be more engaged in making sure they're following the law, and that's the way I see it.

And, again, when we talk about recidivism, I've seen myself a few times where I've seen sex offenders being arrested, find out, you know, he's back in the Riverhead Jail. Thanks to the information now that I receive, that, oh, you know, Section 1, sex offender -- I mean, my staff all pay attention. "Oh, did you see so and so? He's back in jail." And, generally, what we'll find out is it's not because they committed a sex offense, a lot of times it's substance abuse or some other type of crime. Is that something that we see. I mean, when we see the recidivism of the sex offender, is it more often something else other than a sex crime?

MS. AHEARN:

Well, what I did state earlier is that sex offenders that are failing to register are more likely to commit other felony sex offenses, 54% and 68% more likely to be convicted of any felony offense. So we really have a great interest in ensuring that sex offender addresses are verified, they're employment addresses and their home addresses.

And, you know, I'd like to just take a moment, Madam Chairwoman, to mention publicly that this organization has worked many years with you and your staff, and actually with everybody on the Public Safety Committee and the full Legislature, and addressing your concerns has led to the development of this plan, to solidify all of the actions that are being taken. It's an eight-point plan that's developed over 15 years of experience with lawmakers like yourself who want to address all of the concerns in your community.

So I'd like to thank you for working with us during that process, and just assure you that this plan is the most comprehensive plan. I've not seen anything like this in any other jurisdiction across the country, and this will protect our most vulnerable.

CHAIRPERSON BROWNING:

All right. Again, there is no plan that's 100% foolproof. However, I think this is a good opportunity to let this happen. Let's try and move forward with this plan and see how it works. You know, as you move along, yeah, you might find that there's something that you could tweak, something that you missed, but I think right now this is probably the better way to go at this time.

And I certainly thank you for all the work you have done in working with the Police Department. And we need to make sure that we're doing right by our communities. And I think this is definitely going to be a much stronger effort than possibly putting, you know, the CHI shelters, because I do see the problem that if we put it outside a police precinct, it's not going to work. We have talked about that, how, you know, victims go into police departments and now they have to walk past a trailer, so that's not going to work. And one time, I mean, we had Legislator Gregory's District, where they were going to put the homeless sex offenders across the street from the amusement park. That wasn't going to work. So it seems like no matter what you want to do, it's never going to work. So we need to -- we need to come up with a good plan. And I appreciate all the work that you guys have done to do this.

On another note, don't go anywhere, we're going to change channels. Legislator Hahn --

LEG. HAHN:

I do want to make one comment about --

CHAIRPERSON BROWNING:

-- has a 911 question for you.

LEG. HAHN:

Yeah. I do want to make a quick comment about this. I want to thank you, first of all, for taking what I am sure was an extraordinary amount of time to think through a very complex issue and come up with a very comprehensive plan. And our communities have been screaming for more action on this, and I applaud you for giving it the attention it deserves.

And I have confidence in Parents for Megan's Law, I have confidence in our Police Department. I have confidence that either one of you will let us know if there are so many leads that we need more Detectives, or whatever it is, that we'll know what we need. And I'm also glad this includes additional resources for prevention, because I do believe we'd rather these crimes not happen at all than to begin with. So I'm excited to hear more about the prevention strategies, and thank you.

I do want to move over to the 911 issue to switch topics here. And I want to know -- ask, because I thank you, to the County Executive, to the Police Department, whoever is responsible for, you know, signing the SCINs immediately for the 911 Operators after the November meeting, and thank you for that. However, it sounds like it's going to be a few months before we get to where we need to be. And they're still in the very difficult position of being overworked and severe -- you know, three times a week overtime, mandated overtime, you know.

So I just want to know, is there anything that we could do to alleviate the load on these workers in the -- for the temporary time period? We had a retiree. You know, was there another SCIN signed since the last set? And I just want to know, is there any way to bring back retirees just for that short period of time until the ones that are being trained come on staff, you know, in some sort of very temporary period of time? Is there some way we can think outside the box just to help them? I don't think it's right to say, "Oh, we're fixing it, but it's going to take four months," you know, so I just want to ask about that.

CHIEF BURKE:

Well, I think one of the very first places that the County Executive directed his Performance Management Team to focus in on is that area. So, as I had said, that Deputy County Executive Melito and his staff were in there recently, as within a week or two, and, you know, their direction has been in conjunction with us to think outside the box. So we are trying as best we can, as quick as we can to fill the gaps.

And, again, my -- as you know, when I said it's like being an air traffic controller over there, it's a very, very busy thing. And in terms of, you know -- but there is a process. You just can't plop someone in and answer 911 calls. There is a training process that takes place, because, again, it's a very, very, very unique job, it's a very, very difficult job, and you just can't put anybody to sit and answer a 911 phone call.

LEG. HAHN:

And that's why I'm asking about retirees. I know in other areas of the County we've asked retirees to come back just for very temporary fixes like this, when we're waiting for these very experienced, very specifically trained individuals to get trained and be ready to be on the job. And we're so overwhelmed while we're waiting for the training to occur, you know, is there any way to use people, you know, a couple of times a week, something that's per diem? You know, I don't know, but is that something we could think about?

CHIEF BURKE:

Well, you know, I'm sure there's considerations.

LEG. HAHN:

Okay.

CHIEF BURKE:

There's legal considerations, there's contractual considerations, there's fiscal considerations. And if it has been done in other areas of the County, to my knowledge, at least since I've been the Chief, we haven't brought retirees back to do any type of work, and I don't even know if that's feasible. But, if it is feasible, I'm sure it's being -- it will be considered by the Department and as well as the Performance Management Team.

LEG. HAHN:

Thank you.

CHAIRPERSON BROWNING:

Okay? That's it. No more questions? Okay. I don't know if it's something that you can respond to, but I know that the media has been doing some reports on the Gang Task Force issue that came

up. And I was wondering if you're able to respond to this, or should we -- should we be talking about this in executive session?

LEG. MURATORE:

Can I say something?

CHAIRPERSON BROWNING:

Tom, you have a question?

LEG. MURATORE:

Well, not so much a question, but a statement. You know, I don't know why the Police Department is being forced to discuss their tactics, their strategies in the paper. I mean, we're dealing with gangs here and they're giving up their resources. I mean, does Obama talk to the press about when he's going to take Bin Laden? We can't be doing this.

I mean, for years I sat in that audience, you know, as a PBA guy, and now I sit behind the horseshoe here and I say to myself, "Why does the Department have to come forward and give out sensitive information in the paper and answer questions about it?" We shouldn't be doing this.

These men and women are involved in a war, a war against drugs, terrorists, gangs, and, yet, we're coming forward. Maybe if -- I mean, I don't even trust executive session. If we want to go in and speak to the Chief in his office as a committee, I think we can do that. And from what I know about what goes on, maybe there are other issues here besides just taking three men or women out of a specific position. And are we going to force these men and women in the Department to come and answer these questions? I don't think so. So I really feel uncomfortable with discussing this in public.

CHAIRPERSON BROWNING:

Okay. And, you know, again it's -- what you're reading in the media and what's actually going on, I just -- again, I don't want to compromise anything. I don't necessarily believe that what I'm reading in the paper is fact. I believe that this Police Department has been very active over the past year on dealing with the gang issues, I mean, we were up in Huntington Station at the beginning of the year, and what we were going to do with the gang units and putting them in the precincts.

So I think that this Police Department over the past year has been very proactive. So I don't like it when the media is coming out with a message and maybe not necessarily getting the right information.

So, you know, again, I guess we can have further conversations about that. But I just think that there has to be some kind of rebuttal to the media that they're not quite reporting the information correctly.

CHIEF BURKE:

Well, just I'll say one thing. I've never seen so many unnamed sources ever quoted in the newspaper article again -- ever before, and I've been dealing with responsible journalists my entire career. Just read the article.

CHAIRPERSON BROWNING:

Well, that's what I did. And so I think that they need to be given some type of information to say what you're being told is not quite correct, because this Police Department has done a great job and doing a good job on the gang issues.

CHIEF BURKE:

Thank you.

CHAIRPERSON BROWNING:

So with that, I think there are no more questions. And I appreciate you coming and giving us this information, and we'll be talking some more. So we only have three resolutions on the agenda.

1943 - Directing the Suffolk County Police Department to offer drug treatment referrals to individuals receiving Narcan (Hahn). Legislator --

LEG. HAHN:

I'm going to make a -- we're still working on this. We have a very good direction to go in, but I just wasn't able to finalize the points before the deadline. So I'm going to ask for it to be tabled one more time.

CHAIRPERSON BROWNING:

Okay. Motion to table, Legislator Hahn; I'll second that.

LEG. HAHN:

Thank you.

CHAIRPERSON BROWNING:

All in favor? Opposed? Abstentions? It's tabled. **(Vote: Tabled 7-0-0-0)**

2014 - Directing the Criminal Justice Coordinating Council to study the effectiveness of the County's alternative to Incarceration Programs (Hahn).

LEG. HAHN:

Motion to table.

CHAIRPERSON BROWNING:

Same motion, same second, same vote. **(Vote: Tabled 7-0-0-0)**

2088 - Adopting a Local Law to set minimum safety standards for recreational boats in Suffolk County (Spencer).

LEG. SPENCER:

Motion to table.

CHAIRPERSON BROWNING:

Motion to table for public hearing, correct? Second, Legislator Gregory. All in favor? Opposed? Abstentions? It's tabled for public hearing. **(Vote: Tabled for Public Hearing 7-0-0-0)**

With that, we have no more on the agenda. I'll make a motion to adjourn; second, Legislator Calarco. We are adjourned.

(*THE MEETING WAS ADJOURNED AT 1:36 P.M. *)