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2
3 PUBLIC SAFETY COMMITTEE
4
5 OF THE
6
7 SUFFOLK COUNTY LEGISLATURE
8
9 MINUTES

10 A meeting of the Public Safety Committee of the Suffolk County
11 Legislature was held in the Rose Y. Caracappa Legislative
12 Auditorium of the William H. Rogers Legislature Building,
13 725 Veterans Memorial Highway, Smithtown, New York on
14 November 19, 2020.
15

16
17 **Members Present:**

18 **Legislator Tom Donnelly - Chairman**
19 **Legislator Bridget Fleming - Vice-Chair**
20 Legislator Kara Hahn
21 Legislator William Spencer
22 Legislator Leslie Kennedy
23 Legislator Susan Berland
24 Legislator Steven Flotteron
25 Legislator Rudy Sunderman
26 Legislator Samuel Gonzalez
27 P.O. Robert Calarco - Ex Officio
28

29 **Non-Members Present:**

30 **Legislator Al Krupski - District No. 1**
31 **Legislator Anthony Piccirillo - District No. 8**
32

33 **Also in Attendance:**

34 Sarah Simpson - Counsel/Suffolk County Legislature
35 Lora Gellerstein - Chief of Staff to Presiding Officer Calarco
36 Dan Dubois - Chief Deputy Clerk/Suffolk County Legislature
37 Derek Stein - Aide to Presiding Officer Calarco
38 Karen Klafter - Aide to Legislator Donnelly
39 Tim Rothang - Aide to Legislator Anker
40 Bob Doering - Budget Review Office
41 Robert Braun - Bureau Chief/County Attorney's Office
42 Nicole Amendola - Director/Intergovernmental Relations/CE's Office
43 Doug Sutherland - Chief Deputy Comptroller
44 Stuart Cameron - Chief of Department/Suffolk County Police
45 Anthony Calandrillo - Lieutenant/Chief of Department's Office-SCPD
46 Andrew Neubauer - Director/Suffolk County Probation Department
47 Michael Sharkey - Suffolk County Sheriff's Office
48 Richard Fessel - Suffolk County Sheriff's Office
49 Craig Pavlik - Finance & Asset Forfeiture Bureau Chief &
50 Director of Finance - District Attorney's Office
51

52 **Minutes Taken By:**

53 Alison Mahoney - Court Stenographer.
54
55
56

(*The meeting was called to order at 9:38 a.m. *)

CHAIRMAN DONNELLY:

Good morning, everybody, and welcome to this November 19th meeting of the Suffolk County Legislature's Public Safety Committee. I'd ask you to all please rise for the Pledge of Allegiance led by our Presiding Officer, Robert Calarco, and Legislator Rudy Sunderman from the horseshoe right here.

Salutation

Please remain standing for a moment of silence as we pray for the continued healing of our nation throughout these tumultuous times. As always, please pray for all First Responders on duty throughout our nation today and always. And as always, we remember our servicemen serving both here and abroad protecting and defending democracy.

Moment of Silence Observed

Thank you. Be seated.

Once again, good morning, everybody, and welcome to this November 19th meeting of the Suffolk County Legislature's Public Safety Committee. Just a couple of housekeeping items. In-person comments will not be permitted during this meeting. Public comments related to this committee may be provided through the submission of a three-minute phone message to 631-853-3685, or via e-mail to clerk.legislature@suffolkcountyny.gov, or mailed to the attention of the Clerk's Office, Suffolk County Legislature, William Rogers Building, 725 Veterans Memorial Highway, Smithtown, New York, 11787.

So we're going to take a point of personal privilege here this morning before we get to the agenda of the meeting. In the audience here at the horseshoe we have the Commissioner of Probation, Commissioner Neubauer. She was recognized at the last General Meeting, she is retiring next week. We wish her well in the next chapter of her life.

She has served this government for some 47 years dating back to 1974. To put that in context for everybody, Gerald Ford was the President of the United States when Commissioner Neubauer started working for Suffolk County. She's led the Probation Department for the last number of years, and particularly in the last eight months. During these incredible stressed times of the COVID crisis, the Probation Department plays a key role in our public safety network and the after-action follow-up to ensure that those who have been released from incarceration are being modeled and our communities are being protected. Commissioner Neubauer has never wavered from her duties. She is a stalwart of this County and when the history of Suffolk County is written, she will certainly play a prominent role.

1 On behalf of the Presiding Officer and the Legislative Chief of
2 Staff, we have flowers to present to Commissioner Neubauer. And if
3 she would come forward to take a socially-distanced picture with
4 us, that would be terrific. Commissioner Neubauer, thank you for
5 your service.

6
7 **DIRECTOR NEUBAUER:**
8 Thank you, Mr. Chairman.

9
09:41AM 10 **CHAIRMAN DONNELLY:**
11 Rob, you want to be in the picture?

12
13 **P.O. CALARCO:**
14 Sure.

15
16 *(*Photograph Taken*)*

17
18 **CHAIRMAN DONNELLY:**
19 Thank you for everybody's cooperation. Commissioner Neubauer,
09:42AM 20 again, we wish you well in the next chapter of your life.
21 Many good years of health and happiness in your retirement.

22
23 So we were due to have a presentation this morning by the New York
24 Bicycling Coalition; that presentation is going to be canceled.
25 So we're going to move into **Tabled Resolutions**.

26
27 We have Resolution No. **1767(-20)**, that's **Adopting Local Law No.**
28 **-2020, A Local Law to prevent reckless biking in Suffolk County**
29 **(Sunderman)**. Legislator Sunderman, your pleasure?

09:43AM 30
31 **LEG. SUNDERMAN:**
32 I'm going to make a motion to table.

33
34 **CHAIRMAN DONNELLY:**
35 Okay, I'll second the motion. And again, we look forward to seeing
36 that bill come to fruition in memory of the late Legislator Tom
37 Muratore who had worked the last several years on such an important
38 part of our public safety. So we have a motion to table and a
39 second. Roll call.

40
41 **LEG. SUNDERMAN:**
42 On the motion.

43
44 **CHAIRMAN DONNELLY:**
45 On the tabling motion?

46
47 **LEG. SUNDERMAN:**
48 Yeah. So, we've heard from other counties and towns and villages,
09:43AM 49 I've been speaking with them, that we've placed -- that have placed
50 similar laws and have seen a reduction in reckless biking. And as
51 awareness, this legislation has worked in other towns and Villages.
52 So, we are going to look forward to moving it at the next cycle.
53 I have a few adjustments that are going to be made, I have spoken
54 to some Legislators and also the County Executive's Office, so we
55 are looking to make an adjustment. We did speak to Counsel, so
56 that's in the process, hopefully, to be fixed.

1 You know, it does put a stress on our drivers and the quality of
2 life of our residents, and this is going to allow a tool for our
3 law enforcement. So I am looking to move forward with this on the
4 next cycle.

5
6 If you truly operate your bicycle safely, this really -- there's no
7 discussion. So I am just going to fix a few little things that
8 have been brought forward to me and it will be rectified. And I
9 did speak to Nicole from the County Executive's Office yesterday
09:44AM 10 and we do have a plan to fix one thing.

11
12 **CHAIRMAN DONNELLY:**

13 Okay, thank you. Anybody else on the tabling motion? I don't see
14 anybody's hand raised in the Zoom. No? Okay. So we have a motion
15 to table and a second. Roll call.

16
17 *(*Roll Called by Mr. Dubois - Chief Deputy Clerk*)*

18
19 **LEG. SUNDERMAN:**

09:44AM 20 Yes.

21
22 **CHAIRMAN DONNELLY:**

23 Yes.

24
25 **LEG. FLEMING:**

26 Yes.

27
28 **D.P.O. HAHN:**

29 Yes.

09:44AM 30
31 **LEG. GONZALEZ:**

32 Yes.

33
34 **LEG. FLOTTERON:**

35 Yes.

36
37 **LEG. KENNEDY:**

38 Yes.

09:45AM 39
40 **LEG. BERLAND:**

41 Yes.

42
43 **LEG. SPENCER:**

44 Yes.

45
46 **P.O. CALARCO:**

47 Yes.

48
49 **MR. DUBOIS:**

09:45AM 50 *Ten. (Tabled - VOTE: 10-0-0-0).*

51
52 **CHAIRMAN DONNELLY:**

53 Moving along to *Introductory Resolutions.*

54
55 We have Introductory Resolution No. *1830(-20) - Adopting Local Law*
56 *No. -2020, A Local Law to ensure the safety of bicyclists in*

1 **Suffolk County (Hahn).** Legislator Hahn, your pleasure?
2

3 **D.P.O. HAHN:**

4 I believe this needs to be tabled for public hearing, so I'll make
5 a motion to table.
6

7 **LEG. BERLAND:**

8 Second.
9

10 **LEG. GONZALEZ:**

11 Second.
12

13 **CHAIRMAN DONNELLY:**

14 Seconded -- motion by Legislator Hahn to table for a public
15 hearing. Second by Legislator Berland. Roll call.
16

17 *(*Roll Called by Mr. Dubois - Chief Deputy Clerk*)*
18

19 **D.P.O. HAHN:**

20 Yes.
21

22 **LEG. BERLAND:**

23 Yes.
24

25 **CHAIRMAN DONNELLY:**

26 Yes.
27

28 **LEG. FLEMING:**

29 I'm so sorry. On the motion; is it too late for a discussion,
30 Mr. Chair?
31

32 **CHAIRMAN DONNELLY:**

33 No, not at all.
34

35 **LEG. FLEMING:**

36 So I have a question for the sponsor. You know, how is -- so we
37 just tabled Sunderman's bill, understanding he was talking with the
38 County Executive and ironing some things out. How does this
39 coincide with that?
40

41 **D.P.O. HAHN:**

42 I'm not sure it does. You know, we -- this just needs to be tabled
43 because it hasn't had a public hearing yet.
44

45 **LEG. FLEMING:**

46 I appreciate that. But on the merits of the bill, just wondering
47 how it interacts if we're just moving forward.
48

49 **D.P.O. HAHN:**

50 This is words to Counsel --
51

52 **LEG. FLEMING:**

53 Is there coordination --
54

55 **MS. SIMPSON:**

56 Yeah, I was going to say, I can answer that if you'd like.

1 **LEG. FLEMING:**

2 Sure.

3
4 **MS. SIMPSON:**

5 So Legislator Sunderman's bill is regulating the behavior of
6 bicyclists, Legislator Hahn's bill is regulating the behavior of
7 motorists in relation to how they interact with bicyclists on the
8 road. So they're kind of -- they don't overlap in any way, they're
9 complimentary in some respects, because one is regulating the
10 bicycles, operators and one is regulating the motorists.

09:47AM

11
12 **LEG. FLEMING:**

13 Okay, appreciate it. Thank you, Sarah.

14
15 **MS. SIMPSON:**

16 No problem.

17
18 **LEG. FLEMING:**

19 I'm sorry, I'll cast a yes vote.

20
21 **CHAIRMAN DONNELLY:**

22 Thank you, Legislator Fleming. Thank you, Legislative Counsel, as
23 well. Continue with the roll call.

24
25 *(*Roll Call Continued*)*

26
27 **LEG. SUNDERMAN:**

28 Yes.

29
30 **LEG. GONZALEZ:**

31 Yes.

32
33 **LEG. FLOTTERON:**

34 Yes.

35
36 **LEG. KENNEDY:**

37 Yes.

38
39 **LEG. SPENCER:**

40 Yes.

09:47AM

41
42 **P.O. CALARCO:**

43 Yes.

44
45 **MR. DUBOIS:**

46 *Ten. (Tabled for Public Hearing - VOTE: 10-0-0-0).*

47
48 **CHAIRMAN DONNELLY:**

49 *Resolution No. 1846(-20) - Accepting and appropriating Federal*
50 *funding in the amount of \$95,902 from the United States Department*
51 *of Justice, Drug Enforcement Administration (DEA), for the Suffolk*
52 *County Sheriff's Office participation in the DEA Long Island Task*
53 *Force 2021(County Executive). I'm going to make a motion to place*
54 *on the Consent Calendar. Seconded by the Presiding Officer.*
55 Roll call.

56

Public Safety Committee - November 19, 2020

(*Roll Called by Mr. Dubois - Chief Deputy Clerk*)

1
2
3 **CHAIRMAN DONNELLY:**

4 Yes.

5
6 **P.O. CALARCO:**

7 Yes.

8
9 **LEG. FLEMING:**

10 Yes.

11
12 **LEG. SUNDERMAN:**

13 Yes.

14
15 **D.P.O. HAHN:**

16 Yes.

17
18 **LEG. GONZALEZ:**

19 Yes.

20
21 **LEG. FLOTTERON:**

22 Yes.

23
24 **LEG. KENNEDY:**

25 Yes.

26
27 **LEG. BERLAND:**

28 Yes.

29
30 **LEG. SPENCER:**

31 Yes.

32
33 **MR. DUBOIS:**

34 *Ten (Approved & placed on the Consent Calendar - VOTE: 10-0-0-0).*

35
36 **CHAIRMAN DONNELLY:**

37 Thank you.

38
39 Resolution No. *1851(-20) - Accepting the donation of a 2015 Honda Civic from the National Insurance Crime Bureau for use by the Suffolk County District Attorney's Office (County Executive).*

40 I know we have Mr. Pavlik in the room, if anybody has any
41 questions. I'll take a motion from Legislator Sunderman, seconded
42 by Legislator Berland, to approve. Anybody on the motion? I don't
43 see any hand raised. No questions to Mr. Pavlik from the District
44 Attorney's Office? Seeing none, we have a motion and a second.
45 Roll call.

46
47
48
49 (*Roll Called by Mr. Dubois - Chief Deputy Clerk*)

50
51 **LEG. SUNDERMAN:**

52 Yes.

53
54 **LEG. BERLAND:**

55 Yes.

1 CHAIRMAN DONNELLY:

2 Yes.

3

4 LEG. FLEMING:

5 Yes.

6

7 D.P.O. HAHN:

8 Yes.

9

09:49AM

10 LEG. GONZALEZ:

11 Yes.

12

13 LEG. FLOTTERON:

14 Yes.

15

16 LEG. KENNEDY:

17 Yes.

18

19 LEG. SPENCER:

09:49AM

20 Yes.

21

22 P.O. CALARCO:

23 Yes.

24

25 MR. DUBOIS:

26 *Ten (Approved - VOTE: 10-0-0-0).*

27

28 CHAIRMAN DONNELLY:

29 Thank you.

09:49AM

30

31 MR. PAVLIK:

32 Great. Thank you.

33

34 CHAIRMAN DONNELLY:

35 Thank you, Mr. Pavlik.

36

37 Moving along, Resolution No. *1878(-20) - Amending the 2020 Capital*
38 *Budget and Program and appropriating funds in connection with the*
39 *Purchase of Tasers and other Police Equipment for the Suffolk*
40 *County Police and Sheriff Departments (CP 3531) (County Executive).*

09:49AM

41 I know we have Chief Cameron in the room. I'm going to make a
42 motion to approve. Seconded by the Presiding Officer. And on the
43 motion, we'll open it up to questions to Chief Cameron. Legislator
44 Fleming.

45

46 LEG. FLEMING:

47 Yes, thank you. And thank you, Chief, for being here to answer
48 questions. Just, you know, we were invited to participate in the
49 use-of-force training and it was very, very informative and
50 helpful. I think there's a lot of discussion, as you well know
51 because you handled it well in the public, about use of force in
52 the Police Department and across the nation, really, we are sort of
53 ahead of the curve on it. Just wondering if you could fill us in a
54 little bit on how you or the department sees the upgrading of your
55 taser inventory impacting use of force on the street.

09:50AM

56

1 **CHIEF CAMERON:**

2 Certainly, absolutely. We've had taser devices deployed widely in
3 the department for about 15 years. We currently have two models,
4 one is the X-26, one is the X-26B. Taser advised us a few years
5 ago that the X-26 would be discontinued and they would discontinue
6 selling batteries and cartridges for us, so they're forcing us to
7 replace them. I bought extra batteries and cartridges to maintain
8 their useful life some to extend them, but some of the tasers we've
9 had deployed for about 15 years and they've really become our most
09:51AM 10 useful, less lethal weapon. They've been very effective.

11
12 The new model that we're moving to, the Taser 7. Is significantly
13 more effective for a lot of enhancements that have been done with
14 the device. It's the most advanced taser that Taser sells. You
15 know, some of the design features are the darts are a little
16 heavier, they fly straighter and with a little greater kinetic
17 energy. So, for example, if you're shooting somebody that has
18 loose clothing on, it improves the aim of the darts and it makes it
19 more likely that they penetrate the skin so they'll be effective.

09:52AM 20
21 The taser now has a second dart capability, so if the first shot is
22 ineffective you can fire the taser a second time. The -- there's a
23 second type of cartridge, a cartridge that's designed to be fired
24 at close range, and many of the taser deployments are ineffective
25 because the officers are simply too close to the individual that
26 they're trying to incapacitate. If somebody suddenly pulls a
27 weapon and the officer tries to tase them if they're too close,
28 about 85% of taser deployments occur when the officers are very
29 close to the individual. So the -- this cartridge, close-range,
09:52AM 30 close-cordic cartridge is a 90% increased probe spread. So the
31 taser will be a lot more effective for close deployments. And
32 again, if the first cartridge is ineffective you can fire again.
33 If one dart from each cartridge is able to make contact with the
34 individual, the device will recognize that and it will shot across
35 one dart from each of the cartridge to be able to bring somebody
36 down.

37
38 With respect to deescalation, the tool also has some enhancements.
39 We've all seen the arching of the taser as a warning to someone
09:53AM 40 that we're going to tase them. With the models that we have now,
41 in order to do the arching you have to actually remove the
42 cartridge. The new Taser design has a separate button that allows
43 you to arch the taser which makes it very clear to someone that
44 you're going to get tased if you don't comply, and the arch is more
45 effective and louder.

46
47 Additionally, the current tasers we have have a single laser beam
48 to aim the device. The new device has a dual laser system and the
49 laser is adjusted depending on whether you have the cartridge for a
09:53AM 50 greater distance or you have the close-range cartridge. So in
51 other words, the lasers will show you where the probes are going to
52 go and they adjust themselves depending on which cartridge you
53 actually have deployed in the device. So you can arch the taser as
54 a warning to someone that they're going to get tased, and you can
55 also lase them to show them that the darts are actually going to
56 strike them to try and gain their compliance before you actually

1 have to deploy the weapon. Which, you know, as a last resort we
2 want to use force, so we can gain someone's compliance by
3 impressing upon them that we're very serious that we will tase them
4 if they don't comply, they may comply without us having to deploy
5 the weapon. So, you know, we're very excited about being able to
6 replace our tasers with a weapon -- with a less lethal weapon that
7 appears to be much more effective.

8
9 Another failure on the current tasers we have is when the taser is
09:54AM 10 fired, the wires for the darts completely deploy from the taser
11 device itself. The new model, the wires deploy from the darts,
12 only as much wire feeds out as is necessary for that deployment.
13 If someone tries to pull the darts out by grasping the wire and not
14 all the wire has been deployed, they will unravel additional wire
15 and not be able to pull the darts out. So it makes it much more
16 difficult for a suspect to pull the darts out.

17
18 And because we have the dual cartridges in the new weapons, if
19 you're facing multiple adversaries, let's say you go into a
09:55AM 20 situation where there's two people that are armed or looking to
21 assault a police officer or assault someone else, you can actually
22 tase two people if both deployments are effective. So it's
23 tremendously more capable.

24
25 With respect to officer accountability, currently a taser
26 deployment we consider a use of force. Whenever a taser is
27 deployed, the officer is requested to bring his taser device out to
28 the range and they connect it to the network and download the
29 mede-data out of the taser device. When was the taser activated,
09:55AM 30 how long was the shot, how long was the weapon deployed for?
31 Because if you fire it deploys for five seconds, but you can turn
32 the weapon off and deploy it for a shorter period of time if the
33 person is compliant in less than five seconds.

34
35 The new taser device has transitioned from disposable to
36 rechargeable batteries and they're smart batteries. So the
37 batteries will store the data from that taser and when they're
38 docked for recharging, they will automatically, through our
39 network, load the usage data on that taser device through the
09:56AM 40 range. So there'll be no more necessity to bring the taser out to
41 the range to download the usage data from it, it'll automatically
42 deploy out of the battery.

43
44 Additionally, if there's a firmware upgrade for the taser device,
45 it will upload into the battery and the next time the battery is
46 installed in a taser, the firmware will automatically be loaded on
47 to it.

48
49 So as with all technology, this device, this weapon seems to be a
09:56AM 50 tremendous improvement. I believe it will be much more effective
51 for our officers. And I'm incredibly grateful, with the financial
52 situation that the County is in, that the Legislature would assist
53 us in being able to deploy this new weapon system.

54
55 **LEG. FLEMING:**

56 Wow! That's a lot of information and very important. Thank you

1 very much and I appreciate you being here.

2

3 **CHIEF CAMERON:**

4 You're quite welcome.

5

6 **LEG. FLEMING:**

7 Thank you, Mr. Chair.

8

9 **CHAIRMAN DONNELLY:**

09:57AM 10 Thank you, Legislator Fleming. Any other questions to Chief
11 Cameron? I don't see anybody's hand raised. Seeing no questions,
12 we have a motion and a second to approve. Roll call.

13

14 (**Roll Called by Mr. Dubois - Chief Deputy Clerk**)

15

16 **CHAIRMAN DONNELLY:**

17 Yes.

18

19 **P.O. CALARCO:**

09:57AM 20 Yes.

21

22 **LEG. FLEMING:**

23 Yes.

24

25 **LEG. SUNDERMAN:**

26 Yes.

27

28 **D.P.O. HAHN:**

29 Yes.

09:57AM 30

31 **LEG. GONZALEZ:**

32 Yes.

33

34 **LEG. FLOTTERON:**

35 Yes.

36

37 **LEG. KENNEDY:**

38 Yes.

39

09:57AM 40

41 **LEG. BERLAND:**

42 Yes.

43

44 **LEG. SPENCER:**

45 Yes.

46

47 **MR. DUBOIS:**

48 *Ten.*

49

50 **CHAIRMAN DONNELLY:**

09:58AM 51 Thank you. Resolution No. **1878 is approved (VOTE: 10-0-0-0).**

52

53 We have no Procedural Motions, no Home Rule Messages, nothing
54 Subject to Call, no need for an Executive Session.

55

56 I'm going to take, again, a moment of personal privilege to once
again thank the Presiding Officer, his staff here, Legislative

Public Safety Committee - November 19, 2020

1 Counsel, the Clerk, the stenographer, all the IT folks who really
2 allow us to continue the continuity of government via this hybrid,
3 in-person and Zoom program. It's really been very effective and
4 kudos to all who put this together.

5
6 And I would just like to a moment to wish all the members of the
7 Public Safety Committee as well as all our First Responders
8 throughout our County a very healthy and happy Thanksgiving.

9
10 Seeing no further business, I'll take a motion from Legislator
11 Sunderman, seconded by the Presiding Officer, to adjourn.
12 Thank you all.

13
14 ***(*The meeting was adjourned at 9:58 a.m.)***
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09:58AM

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