

1. 10-10-2023 Public Safety Public Notice

Documents:

[10-10-23 PUBLIC SAFETY HEARING.PDF](#)

2. 10-10-2023 Public Safety Agenda

Documents:

[10.10.23 - BUDGET HEARING - PUBLIC SAFETY.PDF](#)

3. 10-10-2023 Public Safety Minutes

Documents:

[10.10.23 PUBLIC SAFETY COMMITTEE_BUDGET HEARING.PDF](#)



PUBLIC NOTICE

PLEASE TAKE NOTICE THAT

**THE NASSAU COUNTY LEGISLATURE WILL HOLD
A HEARING OF THE PUBLIC SAFETY COMMITTEE**

**AT WHICH TIME THE COMMITTEE WILL HOLD A PUBLIC
HEARING REGARDING THE 2024 NASSAU COUNTY BUDGET
PERTAINING TO THE OFFICE OF MANAGEMENT AND BUDGET
NASSAU COUNTY COMPTROLLER, THE POLICE DEPARTMENT,
THE DISTRICT ATTORNEY, AND THE SHERRIFF'S DEPARTMENT**

ON

TUESDAY, OCTOBER 10, 2023 AT 11:00 AM

IN

**THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER
THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING
1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501**

As per the Nassau County Fire Marshal's Office, the Peter J. Schmitt Memorial Legislative Chamber has a maximum occupancy of 200 people.

Attendees who would like to address the Legislature must submit a slip to the Clerk's office staff. Public comment is limited to three minutes per person. At meetings of the full Legislature, public comment will be heard only during the pre-calendar public comment period and during public hearings that are on the calendar. At meetings of the Legislature's committees, there is no pre-calendar public comment period. Public comment will be heard on agenda items. Public comment on any item may be emailed to the Clerk of the Legislature at LegPublicComment@nassaucountyny.gov and will be made part of the formal record of this Legislative meeting.

The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed. Additionally, those for whom English is not their primary language, or for those who are Deaf or hard-of-hearing, language and communication assistance technology will be available at public meetings. Every Legislative meeting is streamed live on <http://www.nassaucountyny.gov/agencies/Legis/index.html>"

**Scan the QR code to submit written public comment,
which will be incorporated into the record of this meeting.**



MICHAEL C. PULITZER
Clerk of the Legislature
Nassau County, New York

DATED: October 3, 2022
Mineola, NY

NASSAU COUNTY LEGISLATURE

PUBLIC SAFETY COMMITTEE

Theodore Roosevelt Executive and Legislative Building
1550 Franklin Avenue, Mineola, New York 11501

2024 Nassau County Budget Hearing
October 10, 2023
11:00 A.M.

AGENDA

| 1. | Andrew Persich, Director Office of Management and Budget |
|----|---|
| 2. | Hon. Elaine Philips, Comptroller Office of the Nassau County Comptroller |
| 3. | Brian Lee, Assistant District Attorney Office of the District Attorney |
| 4. | Patrick Ryder, Commissioner of Police Nassau County Police Department |
| 5. | Anthony LoRocco, Sheriff Sheriff's Department |
| 6. | Public Comment |

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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO, PRESIDING OFFICER

PUBLIC SAFETY COMMITTEE

DENISE FORD, CHAIRWOMAN

Hearing of

Nassau County Budget Hearing

OFFICE OF MANAGEMENT AND BUDGET

OFFICE OF THE NASSAU COUNTY COMPTROLLER

OFFICE OF THE DISTRICT ATTORNEY

NASSAU COUNTY POLICE DEPARTMENT

SHERIFF'S DEPARTMENT

County Executive and Legislative Building

1550 Franklin Avenue

Mineola, New York

Tuesday, October 10, 2023

11:38 a.m.

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

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A P P E A R A N C E S

LEGISLATOR DENISE FORD CHAIR
LEGISLATOR THOMAS MCKEVITT VICE CHAIR
LEGISLATOR MAZI MELESA PILIP
LEGISLATOR JOHN FERRETTI
LEGISLATOR DELIA DERIGGI-WHITTON RANKING MEMBER
LEGISLATOR SIELA BYNOE
LEGISLATOR DEBRA MULE

MICHAEL PULITZER
Clerk of the Legislature

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

OFFICE OF MANAGEMENT AND BUDGET

ANDREW PERISCH, DIRECTOR

COMPTROLLER'S OFFICE

HON. ELAINE PHILIPS, COMPTROLLER

BETSY HILL, DEPUTY COMPTROLLER

LISA TSIKOURAS, DIRECTOR OF ACCOUNTING

CHARLES CASOLARO, ESQ., COUNSEL TO COMPTROLLER

JEFF SCHOEN, DEPUTY COMPTROLLER

DISTRICT ATTORNEY'S OFFICE

BRIAN LEE, ASSISTANT DISTRICT ATTORNEY

DENNIS MCDERMOTT, DIRECTOR OF FINANCE

POLICE DEPARTMENT

PATRICK RYDER, COMMISSIONER NCPD

OFFICER THOMAS MURPHY

SHERIFF'S DEPARTMENT

ANTHONY LOROCCO, SHERIFF

MIKE SPOSATO, COMMISSIONER CORRECTIONS

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CHAIRWOMAN FORD: At this time, I will call the Public Safety Committee to order, and I will ask Legislator Drucker to lead us in the Pledge. We ask that everybody, please remain standing so we could take a moment of silence for Israel and the situation that's happening over there.

(Whereupon, the Pledge of Allegiance is said.)

(Whereupon, a moment of silence is observed by all.)

CHAIRWOMAN FORD: All right. Thank you.

We just want to put on record that our thoughts and prayers of Israel and all those who were killed in this attack, let us pray that all hostages are returned safely. And of course, we are concerned for our fellow Americans who are also held captive as well. So let us pray that someday soon that there will be peace and order restored back in the Mideast.

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Good morning everybody. As promised, we are going to go out of order. I'm sorry, Andy.

So we will give an opportunity for the speakers who have submitted forms to come up before the hearings to provide us with your public comments.

Arlo Fleisher.

MS. FLEISCHER: Thank you.

Hi, my name is Arlo Fleischer. I'm here to talk about and we're here today because Long Island United is releasing a report monitoring police reform in Nassau County. And I'm here to talk about the failure of Nassau County Police Department to execute any meaningful reform since 2020.

This point is all the more important for a department that will be getting such a large portion of the County budget.

Long Island United's report is a comprehensive review of the status of Nassau County police reform, and the

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Commissioner continues to report data in an unscientific and confusing manner making analysis extremely difficult. Yet, despite his best efforts to muddy the waters, this report still shows bias in policing.

According to the data, people of color continue to be represented at a significantly higher rate for arrest, use of force, pat downs and field stops. Black people are 3.6 to 8.6 times more likely to be subjected to use of force than white people, with weapons being displayed at rates of at least 6.8 times more than white people.

Not only is police reform not working, the numbers are getting worse. In 2021, black people were 1.2 to 3 times more likely to be stopped, and in 2022, this range increased to 1.5 to 3.7 times more likely.

The Nassau County Police Department repeatedly says in their reports that they will use data to evaluate their

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practices and make adjustments. Yet we are in our third year of police reform, and the numbers have only gotten worse.

Beyond the data, this report also looks at each of the areas discussed in the police reform plan, and assesses progress in these areas. To draw on one example, the Police Commissioner made a commitment to improve response to mental health calls, but nobody from the Department will meet with Long Island United's Mental Health Working Group to review progress. They promised to reduce the number of people being brought to NUMC's emergency room and to increase the number of mobile crisis response teams, and to train 911 dispatchers to divert calls to mobile crisis teams. As far as we can tell, they have hired more staff members for mobile crisis teams; yet, according to the report, out of 4239 mental aid calls, 4026 were brought to the ER and only 211 calls were answered by mobile crisis teams, which we don't

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even know if that means phone calls or on site calls.

Additionally, there is a commitment to have the Police Commissioner before you publicly every six months, and the last time he was here was February of 2022. Is it really possible that a police department receives such a large portion of the County budget, and is able to operate with zero oversight?

Between 2015 and 2020, the County spent \$55 million on lawsuits against the Police Department. And yet there is no oversight, including from this Committee, over the Police Department. Please honor your commitments and hold the Commissioner to his promises.

Thank you.

CHAIRWOMAN FORD: Thank you. Jeremy Joseph.

MR. JOSEPH: Hello, I'm Jeremy Joseph, I'm a steering member of Long Island United to Transform Policing and Community Safety. I want to talk about

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the police budget today.

The Nassau County Police Department is one of the largest and highest funded police departments in the country. This Body today and over the next few weeks will invariably be increasing this budget for the upcoming year, and we as taxpayers are left wondering what we're getting out of these funds.

For context, normally, under normal circumstances, Police Commissioner Ryder will come here whenever he feels like, tells you that everything is going great. Don't worry about the complaints or any reports of misconduct you may have heard. He's got everything under control. There is no way of formal oversight by this Body. He gets a pat on the back and he's told he's done a good job. We, as activists, demanded that they give bi-annual reports to see what our money is funding. This Body did enact that and we appreciate it, but you have not enforced it. The last report from

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Commissioner Ryder was over a year ago.

A whole year's worth of policing has been reported, and it's 11 pages. That's \$1 billion budget reported in 11 pages of data here. And it's not even data. It's a PDF. It's a static document posted online, late, as always. It's numbers printed on a page. It's not machine readable. So our volunteers have to hand enter every one of these numbers just to do analysis. Real data would be digitalized in a way that can be read.

Now I'm a mathematician. I've worked with countless government databases from departments large and small. Even databases dating back to the 1980s are in digital format because they want to be read. This paper report would not be acceptable even back then.

This is not data. This is malicious compliance. This is a deliberate obstruction of what our police department is doing. This is the equivalent of some notes hand scrawled on a napkin at the

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last minute. This is what we get for \$1 billion.

Every year, myself, I'm required to produce a lot more than 11 pages to prove I'm doing my job. I make slightly less than \$1 billion. So I would say that this is an embarrassment, but that would imply that the police are trying to report this data and failing to do so. The reality is, this is a deliberate attempt to obstruct and hide what the police are doing. This is a de facto cover up.

A report and analysis by LI United, it's 50 pages that we did. You get that for free. Because we care about the public safety of Nassau County, we care about the grossest management of these funds. We care about protecting the taxpayer.

I ask that you please demand the Police Department. This is your responsibility. Ask that they have full digital reports that are detailed and exhaustive. We need to know what we're

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paying for.

Thank you.

CHAIRWOMAN FORD: Thank you. Susan Gottehrer.

MS. GOTTEHRER: Good morning. Thanks for changing around the order of speaking.

I'm here today as a member of Long Island United to Transform Policing and Community Safety. Today we are releasing the report -- it should be sitting in front of you -- tracking implementation three years after George Floyd's death.

As you consider the amount of money you are going to give to the Nassau County Police Department today, please ask yourself if anyone, anywhere, under any circumstance would receive this amount of money with no oversight. This report shows that after three years of promised police reform, a reform movement that was triggered by a very clear racial bias in policing around the country, there has not only been no change in bias

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here, but the numbers have actually gotten worse.

In 2021, black people were 1.2 to 3 times more likely to be stopped, and in 2022, that number went up to 1.5 to 3.7 times more likely. And the Police Commissioner continues to report data in a siloed way that makes it impossible to know if people who are being stopped are arrested or detained. So we don't know the outcomes of those stops. That information is given separately, and there is no way to make connections. And that is dangerous because that means we can't analyze what our Police Department is doing, how they're doing it, and how things need to change.

Now, throughout his police reform, he writes in the data sections: "We will be reviewing this data so we can make adjustments if we're not doing it well", it says that and he's just not and he's not reporting data in a way that we can even make sense of it barely. Although,

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we have an expert here who actually did.

You, as the Public Safety Committee, are about to decide how much money to give to the Department, and yet you have not had a hearing. The last hearing was in February 2022. We need biannual hearings. We need this Police Department that's going to receive all this money to be held with its feet to the fire on reporting.

You also have a responsibility to look at the data yourselves. I would ask you, but I know you don't answer people who stand at this microphone: How many of you have actually analyzed his data? Do you have a data analyst for the Public Safety committee to analyze his data? If the answer is no, that's egregious with the amount of money that this department is getting. There is absolutely no oversight. And before you hand over all that money, you have an obligation to the constituents and the taxpayer payers to be able to ask them probing questions

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about the data and their policing models that continue this cycle of bias in all these neighborhoods. It's right in front of you in our report. You have an obligation to read this report, understand the relationship between the models and the data.

This Body is not an extension of the Executive Branch. You are a check on the Executive Branch and you are a check on the executive agencies, specifically this committee. Please, please do your jobs.

Also, the agenda for tomorrow's Public Safety Committee I don't think is on the website yet. Could you please put it up as soon as possible?

CHAIRWOMAN FORD: Thank you.

Scott Kaufman.

MR. KAUFMAN: Hello. My name is Scott Kaufman. I've done a lot of the data analysis that Susan was referring to that you'll see in front of you in the report. So there are forms of 2020 I just want to call out or explicitly, and this

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is, in the words of the County Executive at the time, "intended to reduce racial bias through robust community oriented policing strategies while working toward reducing racial disparities in policing".

So, just to be clear, there was an explicit goal there, right? An outcome of reducing. Racial disparities in policing. This was three years ago. Since then, what have we seen in the data that we actually do get:

No improvement in arrests, right. So we went from 2.3 to 5.7 times as likely for a black person to be arrested. Now we're looking at numbers 2.4 to 5.4 times as likely; zero impact, in terms of racial disparities in policing. And that's based on a 20% increase in volume, by the way, which means that there's more black people being arrested than historically, since these were supposedly implemented.

Seven of the top ten towns that show up in the highest arrest rates are

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disproportionately black, six are disproportionately Latino, and field interviews, which have increased by 33%, actually have gotten worse. So the likelihood of a black person being stopped through a field interview went from 2.4 to 5.7 times, is likely to 3 to 7.2 times as likely, and this is based on a higher volume again.

Of the 114 incidents of a weapon being displayed against a person, which is a three times increase, by the way, from 2021, 65% of this was against black people.

The idea that any budget discussion would not take the complete failure of the reforms into consideration, as evidenced by outcomes, by the way, would be a failure.

Just to be clear, any improvements to policies, protocols or anything else that the Commissioner will say that they made since 2020 are a farce because the outcomes don't actually show any change.

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He can say, hey, since then we have a policy that every police officer has to spin around five times before they arrest somebody. It doesn't matter. The outcomes are the outcomes. That's all anybody should care about here. So nobody should listen to changes to protocol, policy, internal review boards, et cetera. What we should look at is the outcomes that we are seeing. In three years since police reform has been implemented, and what we can all see from their own data is that they have actually gotten worse and that is egregious and the only thing that we should be considering when thinking about accountability.

Thank you.

CHAIRWOMAN FORD: Thank you.

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CHAIRWOMAN FORD: All right. Andy, we are ready for you.

MR. PERSICH: Good afternoon, Andy Persich, Office of Management and Budget.

I'm here to present the 2024 budget on behalf of the County Executive. This is the second budget with a no tax increase. And I'm going to go into the particulars.

First, let me just introduce my senior staff. I have Chris Nolan to the right of me or Ifran Qureshi and Irina Sedighi and my other staff, who's in the back of the audience here. This couldn't be done without them. There are major component of putting this together, and without them I wouldn't be sitting here. So I have to give them glowing accolades for what they do every year, in and out. It's a long, arduous process, but we get it done every year with the deadlines that are set before us.

(Whereupon, following presentation refers to OMB

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Packet.)

MR. PERSICH: So I'm going to go through the presentation, which I think everybody has up there. The basic start for the budget is basically the 2023 Budget. We're trending rather well again in 2023. The budget is balanced with a surplus that we will be moving into some reserves as time goes on, but we'll wait and see how the year finishes out. But as of right now, we're projecting a \$4.3 million surplus, predominantly due from sales tax and interest rates being higher on our investment income. The current forecast is approximately 1.567 billion. I'm going to go out to the decimal places because it plays a role when we're doing the forecast. It is approximately 2.6% over the NIFA approved budget and 3.4% higher than the 2023 Budget, and 3.3 over collections from 2022. It's the driving factor in keeping this budget balanced. But that being said, we've built some contingencies in that have helped us, I

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think, and we've done some fiscally sound things, and we continue to manage and do certain things that keep the budget in balance.

Some of this surplus is offset by declining real estate market. Everybody knows out there, I don't need to go into depth. With higher interest rates of lack of inventory, we're starting to see a decline in transaction volume in real estate. These have a way of rebounding itself. So we're hoping that the market comes back at some point. But right now we've planned for that in this budget and the previous budget.

I'm going to go over some of the highlights of what the budget includes. As stated earlier, it's a no tax increase budget, a no fee increase budget. It has modest sales tax growth of about 1.5% over productions, which has been reinforced by some of the reports we've gotten from outside agencies like Moody's, which we think is ultra

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2 conservative. There might be some
3 upside, but again, we can talk about
4 economic factors and what's going to
5 happen in the future. But there is a
6 recession looming, I don't know what the
7 catalyst will be, but I think somewhere
8 along those lines. But we are well
9 positioned to handle any economic
10 downturns with the amount of reserves we
11 have on our books.

12 This budget includes: A reduction
13 in real estate transactions in the GIS
14 tax map, mortgage recording tax, just the
15 reflection of current economic
16 conditions; incorporates the new CSEA
17 contract, which has been placed before
18 this Body; it includes a contingency of
19 approximately \$40 million, which if
20 something goes sideways, we have that at
21 our disposal to use.

22 The budget is growing approximately
23 at 4.6% or \$152 million over the 2023
24 Budget, which is predominantly driven by,
25 I would say, a couple of things. It's not

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just labor contracts. It's also federal mandated programs and some increases in Medicare that are driving up those numbers, direct assistance programs, that are that are actually driving up the expense side of it.

It also includes 50 new positions, 20 additional cops. There's additional monies in there for additional people in DSS, Human Services, to bring the total headcount for the County to 7463. Embedded in that is two police classes of approximately 60 and two corrections classes of approximately 80. All of these additions should help mitigate some of the overtime issues that we've seen in the past, and we're hoping that those trends continue on the downward spiral.

Slide three, which shows you what the budget looks like. If you look, the largest number, of course is our salaries, which is just contractually. We've built into the model the contractual obligations from the union

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2 contracts, which we settled. All five
3 unions have been settled. We have one
4 outstanding, one IPBA, which we're hoping
5 will be done rather quickly. But once
6 that's done, we should have, for lack of
7 a better thing, a labor piece for the
8 next two and a half years, which is when
9 the contract expires in June of 2026.

10 Fringes are declining for a couple
11 reasons. One is the savings we will be
12 receiving from the CSEA contract. In
13 addition, we've paid off the pension bill
14 in 2023, which is driving the number
15 down.

16 Local government assistance. I'll go
17 through this. This is a function of sales
18 tax. We have to give a piece of our sales
19 tax to the local municipalities.

20 Transportation costs are increasing.
21 The FTA has given us money for
22 paratransit monies, and that'll be part
23 of the Veolia contract, which will be
24 coming to you in the near future. It's
25 for paratransit able ride for the

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disabled. It's a big program, and FTA has informed us that we have to expand this county to county, region to region. So we're making an expansion on that. We've gotten some federal funds to offset that. There's a County share, and we're working with with NICE bus to figure out the best means to implement this.

OTPS is going up driven by a few factors: Inflation and a couple other things and some of the energy costs that are going up.

Our debt service is going up. We're starting to normalize as a result of the NIFA transaction. But in addition to that, we're starting to see an inclining interest rate, which is, we have to start being more strategic when we do our capital budget because realizing that rates are at 6-7% now for municipal markets. We have to take that into consideration when going out to borrowing to figure out, and time the projects better.

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Direct assistance. There's programs in DSS that we're seeing an uptick in. I would say it's mostly in the daycare arena, some recipient grants and a couple other areas. Some of those monies are offset by monies that we get from the Federal Government and the State. So you'll see no offsetting corresponding increase in those factors.

"Other" is just a component of other things. We're increasing the tax cert amount from 30 to 40,000,000 in 2024. It's just I have additional resources to cure the backlog. Even though I have reserve set up, I thought it would be a prudent way to get us back up, to get caught up with some of that, in case I needed additional resources to cover the backlog.

On the revenue side, as you can see, sales taxes increasing. That's the largest jump. You'll see it's \$78 million. We're keeping property taxes flat. State aid is increasing because of

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the new programs that are out there,
along with federal aid that I've
described in the expense side. Department
revenues is declining predominantly due
to the real estate market, and other
revenues are increasing, mostly in the
investment income arena that's driving up
those numbers.

The next slide, slide four. If you
look, you can see we're not aggressive in
what we're projecting for the sales tax
number; we're projecting 1.5% increase.
If you look at the current trends we're
almost on target with that. I'm always
cautious. We've done a good job with the
Administration and this Body reacting if
something turns sideways. So we will be
back if something goes different that we
may have to modify. But right now we
think this is a good solid number and the
growth will continue.

I would imagine that we're going to
see another bump in inflation considering
some of the events out there. Gas prices

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I would imagine, would be going back up at some point again. So we will reap the benefit, which is bad to the economic which cuts consumer spending. But we can get into that discussion, I'm sure, at another point. But, I do think that there is some room in our sales tax number that keeps it, I think, on the conservative side.

One of the things this Administration has done, and I've been happy to be part of it, is we're limiting what our liabilities are out there. The pension deferral -- which has been a topic for this Body, I think, which is a good thing -- now that we have money, we're no longer deferring our pension costs, which is a savings to us. We paid it all off. We don't have to pay an interest component. There's no amortization. It's a good news story. The credit rating agencies like it. I happen to like it. I'm sure the accountants like it too, because the note disclosure and

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the financial statements is rather long and voluminous. But we're getting there.

I've talked about the tax cert increase. We're doing that just to get rid of some of the overhang that I think we might be encompassing in the upcoming years.

Again, we've settled three labor contracts within this year: PBA, CSEA and COBA will be coming before you at tomorrow's Committees event. The only outstanding one is IPBA, but I'd think that would be before you before the end of the year if I were guessing.

As you can see, our tax cert liability is \$289 million as of 2023. If you go back, part of it has to do with the LIPA settlement. But we are pumping money out the door as fast as we possibly can to limit our interest exposure that we have on some of these judgments and settlements, and trying to diminish that clock from ticking and accruing more liability. So we are working to do that.

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These are the resources we have available to us. We have DAF, which encompasses the old '17 and '18 DAF, the new DAF, and the upcoming years DAF. We have money in the SRF fund and the general fund to cover some of these shortages. But that's how we're planning on funding and getting rid of this liability. As I've stated to this Body before, the liability will never be zero, just based on valuations and what the future will hold. We will always have some type of tax cert liability, but we're limiting and keeping that number down.

The Multiyear Plan, which is a charter requirement, which is what we have to report to our friends at NIFA, is in balance. We've made some assumption of risks. We have to take into effect that we have some money sitting on the sidelines and reserves that could help offset any anomalies that we would have out there. But the plan is balanced. It includes all the labor contracts as we

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know, going through 2026 and '27, things will get a little different when we get into next year's budget, because we'll have to figure out what the labor contracts will look like, and we'll have to factor them into the plan. But as of right now, the Multiyear Plan is balanced. There is no, I will say, GAAP closing measures that are needed. And we will continue to manage, as we have with success in the past many years with this Body and the Administration to keep the budget balanced, which is what we've done, and hopefully we will be relieved of being in the NIFA control period.

The Multiyear Plan highlights:

We have 2%, 2.5% growth in sales tax in the out years.

The pension expense grows and is reduced in 2026 and 27. We might see a big spike this year as a result of some of the calculations that the State Comptroller does, but I think we are perfectly situated in case there is a

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downturn in the market, that we have money on the sidelines to put into use if need be.

Healthcare costs are growing at an average of 4%. It might be a little low, but I think we're in a range that we saw a bump from the Covid overhang. Hopefully we'll see that diminish over time.

Tax Certs going back to \$30 million as a result of that in the out years. Because we think at that point we'll have a lot of the backlog shortened and shouldn't be a need for it. And we have contingency reserves built in 2025 and 2026 of 21 and \$17 million.

Again, let me just say this about the Multiyear Plan. It's the basis of how I build the budget or how I give departments targets. But it's a plan. Things change. You know, the world changes and budgets sometimes are obsolete the day I give them to you, when they're going to pivot and change. So just so you know, I've come used to that.

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I give it to you today and I don't know what tomorrow is going to hold. So we do the best we can to accommodate some of the risks that we think are out there. But we've addressed a lot of them in the past few years, and we continue to address them in the out years.

And again, the County is on good fiscal grounds. And as you can tell by the summary sheet, which I'm going to go through, that we should all take credit. Our rating, we've got two bond upgrades, four in total over the past two years. That's telling everybody, which is a signal to the people who measure me. I would say, as I am measured by this Body and some other agencies, that they're telling us that we're on the path to recovery. We still need to be fiscally conservative, fiscally prudent. We need to be cognizant of the revenue side of the of the County Budget, but the expense side too, which we do rather good at managing, and we challenge every expense

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that's known, my staff and I, me particularly, it's not just because you have a budget, you get to spend it. You have to justify it because the world changes.

We have an extremely resilient tax base, which is good, which will diminish some of the problems we may have in an economic downturn.

We're increasing our reserves. We can plan to continue that. If I were happy enough to say, I could predict that we will have a rolling surplus, I would, but we're trying to get there so that we have money every year, that we have a finished amount, that we wouldn't have to worry about being in a deficit position, which is what I don't want to be in.

Again, several years, I think it's 5 or 6 of consecutive surpluses. Our cash position is in the best position we've been in. We're not doing short term borrowings anymore. So that eliminates some of the debt service costs associated

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with that.

We have again, very good expense controls. We challenge everything just because we have to. It's not that we take it personally. It's just that part of our job in my department is to make sure that we're spending money in the right regards and we challenge positions, expenses, whatever we have out there. But we do challenge everything that's out there.

Again, we settled with five unions, three this year, and the State Comptroller has awarded us a zero risk in his fiscal stress report for this year. So I think we should all take a big bow here, because I think it's a great news story for everybody, including the residents, that the County is back on fiscal stable ground, and we will continue to manage to that in the next few years.

I'm here to field any questions from this Body and I thank you for your time.

CHAIRWOMAN FORD: Andy, thank you

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very much for your presentation. And with zero risk, you should all have a pat on your back. Well deserved. And it's due to your hard work and your diligence.

MR. PERSICH: Thank you.

CHAIRWOMAN FORD: Sometimes being a little tough, even when we call over for something, I guess in the end we have to thank you for being very prudent.

MR. PERSICH: Thank you.

CHAIRWOMAN FORD: I just have a couple of questions and it does appear to be a good budget, and I'm happy that there is no tax increase and no fee increase. And looking at the out years, it seems to be very promising, especially for the residents here in Nassau County.

But I'm just going to the budget for NIFA. How much does NIFA take off of the top of our sales tax revenue? What is what is the cost in dollars to the County.

MR. PERSICH: This year's budget includes \$2.6 million for NIFA expenses.

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CHAIRWOMAN FORD: So that's 2.6 million for NIFA. Did that include the money that will go to Dellaverson?

MR. PERSICH: Part of it, I believe some of their contractual expenses, will be paid out of that money.

CHAIRWOMAN FORD: And he got 25,000 a month, right?

MR. PERSICH: Correct. And he's been around for like three years?

MR. PERSICH: Since 2019, I think, I could go back and check. Right before the pandemic I think was when he was engaged.

CHAIRWOMAN FORD: So okay. And I guess the question then is, is there any possibility that we can get NIFA out of here with this wonderful budget?

MR. PERSICH: My position, I think we no longer need to be in a control period. They will never go away as much as I would love for them to go away. But I think as an oversight, I think we're at that point in this relationship, I think

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we should be out of the control period.

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It's been my position. Now we have all

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the labor contracts settled and we fixed

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out the cost for the next few years.

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Every budget will have risk. I'm sure

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NIFA will assess the risk. That's their

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job. I can paint you the glowing picture,

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which I think personally we are in good

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shape. I have not given you a budget with

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any extreme wild things in there, but

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there are going to be risks that they're

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going to assess. But to your point, yes,

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Legislator, I do believe that we should

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be out of the control period and less

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would be better for all of us.

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CHAIRWOMAN FORD: These are just

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simple questions. When you talk about the

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sales tax revenue and the revenues that

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we're going to get in the out years, did

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you include any of the funding that will

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get from the Sands, if indeed it gets

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built, or is that something that has not

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been considered, but it can be a

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possibility that can help the bottom line

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in the future?

MR. PERSICH: We have not included any additional revenues that we'll be getting in from the gaming license and the additional fees that they will be paying us. We did not build that in there because one, we don't have the State approval on the gaming license, which is still up in the air. So we did not build that in there. We are okay up until that point. It would definitely help and give us some more flexibility, if and when that place the that casino was opened up. But you know we will see other things as a result even if it doesn't happen, sales tax and other things. But we didn't build a lot of that into this budget.

CHAIRWOMAN FORD: That's good because it is a good budget. So so even if nothing happens, we're still in fairly good position, Correct?

MR. PERSICH: Yes.

CHAIRWOMAN FORD: All right. My last would be then considering that we do have

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such a good budget and we have contingency for reserves, I know that during the contract process there was an issue that came up with employees that were switched from getting their health benefits for life from working ten years to 20 years. As you know, some of them have come before us. And I think a lot of us have received e-mails, from those who are constituents. Do we know yet how many employees?

MR. PERSICH: Let me put it to you this way. We're in the process of compiling that list. I will tell you that we were working with COBA right after this. So we kind of got a little lost, and I apologize. But to that degree, we started doing some analysis. I don't want to give you a hard number because I don't want you to hold me to it. But as of the other day when I looked at it with me and my staff, depending upon where people are, it's roughly between 125 and 150, which I've narrowed it down. But

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keep in mind now of that 125, when you start looking at the ages and the demographics of it, some people have come here later. I don't know if they have benefits or not. They're getting it from somewhere else. So those are the things that we have to drill down to. And I will say this to put this Body's mind at ease. It's something that's going to come up in 2026. You know what I mean? That's when it's imposed. And, you know, when we did the contract, for lack of a better thing, it was a credit that the Union got as a result of that. Whatever we see fit to do in the future, we can work on that. But right now we're lock step in on a Collective Bargaining Agreement that was agreed to by 80% of the membership. It's a contract that modified, so we will look at it if it becomes a major problem.

CHAIRWOMAN FORD: I appreciate your hard work in this. And I understand that the membership did vote, and that is something with the Union that was part of

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2 that contract. But for us sitting up
3 here, as much as we respect that we voted
4 for it, we did pass the contract, I think
5 that we also have to advocate on behalf
6 of those people. And I'm sure that if you
7 look at 125 to 150 employees, they have
8 to be 55. So there's probably a number of
9 them that may have started when they were
10 25 or 35. They would have to work for 20
11 years regardless if they got it after ten
12 years or not. So I think that we are
13 going to and I hope that everyone up here
14 will join me in saying that we will fight
15 to see if we can get them at least the
16 grandfathered in. Because they did start
17 with low salaries and they did get
18 employed under a certain condition and
19 they thought they had this contract.

20 MR. PERSICH: Understood. Just keep
21 in mind, any modifications to the
22 contract would require a give and take of
23 what we're going to get back.

24 CHAIRWOMAN FORD: We're going to
25 look, and I think that it would be the

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cost, basically what the cost would be.
So it might not be that prohibitive. And
with the budget being as good -- and,
really I do believe that this budget is
good. I don't normally say that. I'm
usually that person like digging at it.

Thank you very much.

Any of the legislators? Legislator
DeRiggi-Whitton, Legislator Mule, and
then Legislative Drucker.

LEGISLATOR DERIGGI-WHITTON: Thank
you once again for all your work.

MR. PERSICH: Thank you.

LEGISLATOR DERIGGI-WHITTON: I just
had a couple quick questions. When you
talked about the surplus, does that
include the money we received from the
ARPA funding?

MR. PERSICH: No, it does not.

LEGISLATOR DERIGGI-WHITTON: And
does it include the funding that we
received from the opioid settlement?

MR. PERSICH: No, it does not.

LEGISLATOR DERIGGI-WHITTON: So the

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1 billion does not include either of those?

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MR. PERSICH: No. But those are segregated. Some of the monies we have on reserves are segregated out to separate -- I hate to use the term. Legislator Rhoads made fun of me when I saw him the other day about the buckets that we put things in. The opioid funding and the ARPS funding, which is now subject to a negotiation between this Body and the County Executive, is still sitting in a repository segregated from this. Same thing with opioids. My money does not include that.

LEGISLATOR DERIGGI-WHITTON: I've been asked if our increase in bond rating at all is due to the fact that we haven't spent that money, but you don't see that that could be a correlation?

MR. PERSICH: The rating agencies and some of the things we're talking specifically of, the operations, they noted those two resources, but we're not

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using them for operations. It's a plus to have that money in the bank for some other reason.

LEGISLATOR DERIGGI-WHITTON: So you're 100% sure that those two are not listed in the reserves?

MR. PERSICH: Hang on one second. Of the of the \$1 billion, they are listed in there.

LEGISLATOR DERIGGI-WHITTON: So they are part of the one billion.

MR. PERSICH: Yes, they are. Roughly around \$378 million are related to ARPA. Those are the balances in there.

LEGISLATOR DERIGGI-WHITTON: Out of the 1 billion approximately 70 million is from the opioid settlement that hasn't been given out and approximately what, 260 --

LEGISLATOR KOPEL: Approximately, I would, say 300 million is still sitting out there. There's still some programs active that we haven't spent the money out of there.

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LEGISLATOR DERIGGI-WHITTON: That's what I've been asked a couple of times. If I think that the reason that we haven't given out some of this money is because we're using it to kind of improve our bond rating. But it's in the reserve. But you believe that it's not being considered?

MR. PERSICH: It's not being considered for operational purposes.

LEGISLATOR DERIGGI-WHITTON: But it's still part of the 1 billion.

MR. PERSICH: That's still part of the billion dollar.

LEGISLATOR DERIGGI-WHITTON: Okay. So really we have about --

MR. PERSICH: Let's round it down. It's around 600 some odd dollars million in reserves, the other monies is falling into the two categories which is ARPA and --

LEGISLATOR DERIGGI-WHITTON: We have closer to 600,000,000 which is still great. I just like to keep that money

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separate, because I really want to see that opioid number zero soon.

MR. PERSICH: We're moving strategically carefully with that. I'll give you the opinion for me being the budget guy.

LEGISLATOR DERIGGI-WHITTON: We've only given out 2 million.

MR. PERSICH: We're working to get it out the door is what I will say.

LEGISLATOR DERIGGI-WHITTON: Yeah. The other quick question I had, you said that we had 217 million for the Tax Cert Liability Reserve?

MR. PERSICH: Yes.

LEGISLATOR DERIGGI-WHITTON: How much of that do you plan on spending this year?

MR. PERSICH: As much as I can get out the door. I don't think I'm going to get it all out the door this year. We started the year roughly around 400. I think we pumped out 200 million this year. These are additional resources to

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finish this year out and next year. It is a very long, arduous process dealing with some of these claims, because it has to do with evaluations and getting a settlement offer across the table. We've working diligently to get it down.

There's some other things that are being in the mix that, '17 and '18 DAF that are still lurking out there that we're working through. But I think we have ample resources to cover it. Timing, as much as I want to give you a promise, it's hard for me to do that based on the two parties are negotiating, so it just takes a little longer.

CHAIRMAN NICOLLELO: Believe me, I kind of know, it's tricky.

It looks like you have more in reserve than we actually owe right now.

MR. PERSICH: I would say no. Remember, it's going to grow annually. Every year I think we're going to add even though it's a 289 now, figure we're going to add -- just ballparking this on

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valuations -- another 100 next year.

My operating cost once I get the backlog down to a manageable number which would be zero but it's probably not going to be there, we're going to have operating resources to cover every year's current liability. That's why the DAF was created. That's why in the plan I consider -- I have tax certs of, \$30 million, so I have \$70 million of resources annually.

LEGISLATOR DERIGGI-WHITTON: Okay I appreciate your help. I just kind of think just for clarification you might want to just really have the number closer to 600 million, because again, it's almost like -- that's not really our money, so to say that we have that in reserve, I don't think gives the right clear picture.

MR. PERSICH: Understood.

CHAIRWOMAN FORD: Legislator Mule.

LEGISLATGOR MULE: Thank you. Hi,
Andy.

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MR. PERSICH: Good afternoon.

LEGISLATGOR MULE: Congratulations to everybody.

MR. PERSICH: Thank you.

LEGISLATGOR MULE: My questions are about reserves also. And they're really more general, just for clarification purposes.

I used to be on a school board, and by law, we could only have, I believe it was 4% of reserves in a school budget. That's that was state law. What percent of the budget do we have in reserve?

MR. PERSICH: Well, considering that we have almost a \$4 billion budget and we have 600 million, is probably 15%, there about.

But that being said, I will take you down some of the things: We have bonded indebtedness fund, which is we're going to defuse some debt this year which we're going to spend the money. The suits and damage money that we have out there, our plan is to spend that. Some of the

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numbers may not be reflective up to date, but we do have a plan to spend some of those monies. Once we get through those two big things, I would say those are the two largest components, I think we're down into a range about another 2 or \$300 million that's acceptable to what the State Comptroller would want.

Again, we've built a path of liability which some other counties haven't, which is taking us time to get that down. We have to pay off some of those liabilities with these reserves, and we'll whittle that number down. It's a timing issue, is what I would say, but there is a plan to use some of these monies to spend it down, to get it down to an acceptable place. And that's the plan. Strategically what you want to do is put money into reserves for economic downturns that you are aware of, you have money placed in there whether retirement goes crazy, health insurance, one of those things that go up and down. We've

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kind of made all those contingencies for the uncontrollable expenses. There's some squeeze happening, I will say, which we'll look at the end of this year with Medicaid and some of the things that the State is doing to squeeze out some of the money that is owed to us. So we may look to do another type of offset, because I think things are going to get a little more challenging with the State in the upcoming years as far as funding goes. So we will prepare for that when we get more information to do that.

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LEGISLATOR MULE: I agree. I think we absolutely do need to prepare, and I think that the amount that the school districts are allowed to have, that doesn't make sense to me. It never made sense to me. So I'm not advocating for going to what the school districts are held to. I think it's absolutely prudent and necessary for us to plan for economic downturns.

Basically you've answered all my

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questions. Thank you.

MR. PERSICH: Thank you.

CHAIRWOMAN FORD: Legislator
Drucker.

LEGISLATOR DRUCKER: Thank you,
Madam Chair.

Andy, Congratulations also. Great
job.

MR. PERSICH: Thank you.

LEGISLATOR DRUCKER: You know, year
after year, I always say that you do
great work, but my background in training
is in the law. And when it gets to
numbers, my eyes glaze over. So I need to
ask you some basic questions.

MR. PERSICH: No problem.

LEGISLATOR DRUCKER: Just to
piggyback on Legislator Ford's question
about the lease, the rent for the hub.
We're getting paid now, though.

MR. PERSICH: We've incorporated the
current agreement, which was a
modification of the old agreement. We're
only accounting for the current rent

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stream that we're getting in now. That's included in the budget. If I misspoke --

LEGISLATOR DRUCKER: What is that monthly rent?

MR. PERSICH: Around \$6 million annually.

LEGISLATOR DRUCKER: So the total and reserves you said is about 600 million right now, right?

MR. PERSICH: You can classify those as not operating reserves, it will be a better classification to say that those are operating reserves. There's monies in the SRF fund, there's money in longevity, money in judgments and claims, money in tax certs, there's money in Worker's Comp. We have retirement reserve, we have the bond indebtedness and employee accrued liability which is to help pay for termination pay. These are all strategically placed things that in case something does happen and we're short, we have the money to put into action immediately. I'm not saying it's going to

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come at the same time, but it's fiscally prudent that at some point we will have to spend some of this money, but you'd rather do it over time. You don't want to bleed them out one at a time. You use a strategic amount to bleed down the reserve, is what I would say.

LEGISLATOR DRUCKER: Gotcha. Okay.

On the page three of your summary, can you just go over for me again, you mentioned direct assistance, an increase of 53 million.

MR. PERSICH: Yes.

LEGISLATOR DRUCKER: And you said that was primarily for daycare?

MR. PERSICH: Yes. Federal daycare funding. DSS provides a program and it's increasing because they give a lot of absentee monies for them not showing up. So we have to cover. Anybody who participates in the program has gets 80 absences. We have to fund those with or without whether the services are used. So if you decide not to send your kid, I

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still have to fund the daycare. Some of the other programs, I would say recipient grants, TANF, SNAP, some of those programs were included in that. We're starting to see an uptick, I think, in some economic activity that we're not sure if this is the beginning or the end or the tail wagging the dog, for lack of a better thing. When you see some of these numbers going up, I think you're starting to see what I would say is the beginning of the economic bubble starting to head a little bit.

MR. PERSICH: And just go over underneath direct assisted, it says "other".

MR. PERSICH: I would say it encompasses tax certs, rents, a couple other big ticket items that we have out there that are included in the budget. NIFA set asides, some of those things that are included in there, there's some bond stuff in there, but that's the majority of it, I would say. So 70

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million, or 80 million of it,
approximately, is certs and judgments.
And then as rents that we have to pay out
and there's some other things that we
have to pay out from NIFA set asides.

LEGISLATOR DRUCKER: The outstanding
tax liability is 289.

MR. PERSICH: As of today, yes.

LEGISLATOR DRUCKER: And what was it
last year?

MR. PERSICH: Based off last year's
number, I think, from the annual
financial statement is 383. So we're
whittling it down. We're making a big
dent and it's a process. It's a long,
arduous process.

LEGISLATOR DRUCKER: On page six,
your outstanding liability, 383.4; how
much was that related to LIPA?

MR. PERSICH: That's taken out. Its
net of the LIPA settlement.

LEGISLATOR DRUCKER: That's taken
out, and then you arrive at the 383?

MR. PERSICH: That's correct. If

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you go back in 2021, I think 2021, we had 700 some odd million. Once we settled the LIPA thing you took about 250-275 off the liability books by the settlement of that --

LEGISLATOR DRUCKER: That was my confusion.

And then again on page seven. Other revenues: 449.6 million.

MR. PERSICH: That's correct.

LEGISLATOR DRUCKER: Talk about that.

MR. PERSICH: It's a combination of a bunch of things. It's all the other non departmental revenue. It's investment income. It's a couple other things I would say. Some of the BG revenues which are revenue to offset expenses. I can give you a list of what's included in that by object code if you don't mind, without me going down the list. But it's a long, distinguished list. For presentation purposes, we don't break it out as pretty as we should in detail, but

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it's just to keep it short and sweet and to the point.

LEGISLATOR DRUCKER: I'd appreciate that from someone mathematically challenged like myself. I'd appreciate it.

MR. PERSICH: No problem. We will get that list to you.

LEGISLATOR DRUCKER: I think that's it for me. Thank you, Andy. Good job.

MR. PERSICH: Thank you.

CHAIRWOMAN FORD: Legislator Bynoe.

LEGISLATOR BYNOE: Thank you, Madam Chair.

Hi, Andy.

MR. PERSICH: Good afternoon, Legislator.

LEGISLATOR BYNOE: So I want to revisit your conversation with Legislator DeRiggi-Whitton regarding the \$400 million that's being included in a surplus that's part of the opioid money. Would you clarify that?

MR. PERSICH: Yeah, I will clarify.

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It's not being included in the surplus. It's a reserve money. Money that we have in the bank. Reserve as a rainy day fund, for lack of a better thing. It's not being used in any way, shape or form to fund operations. It's just sitting over there determining how we're going to spend that money.

LEGISLATOR BYNOE: The part when you talk about this \$1 million, it's a component or it's a part of it?

MR. PERSICH: It's a part of it, yes.

LEGISLATOR BYNOE: It is a part of it. So the 400 million is a part of the billion.

MR. PERSICH: That's correct.

LEGISLATOR BYNOE: And you're reporting the \$1 billion as?

MR. PERSICH: As as a reserve balance that we have out there.

LEGISLATOR BYNOE: She expressed some urgency about getting the money out as soon as possible. And you stated we

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need to be strategic. Or you implied that I'm not going to use I'm not going to say you said that specifically, but you implied that we need to have some level of a plan associated with releasing the money. Am I correct?

MR. PERSICH: Correct. That's my job, I will tell you that much. But I'm not withholding it. The County Executive and this Body comes to me and says they want to spend the money, we will do that. We will keep track of the monies that's being spent out there. That's what I mean strategically. My position is, is you spend money, I got to check it. Because I have the Comptroller checking, me on the back side of what we're doing. So we need to be checks and balances. Even though it's not an operating fund, we will work with the Body and the Administration to figure out how to spend those funds. So that's what I meant strategically. That's my strategic point.

LEGISLATOR BYNOE: So you could see

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how one might mistaken that as a strategy to be able to present a stronger financial position.

MR. PERSICH: It's not the position of this Administration. I don't want to speak -- but we're not withholding funds as a result of being fiscally frugal or anything else. We're just trying to figure out the best plan of attack to get that money out the door.

LEGISLATOR BYNOE: When did this money come into the County?

MR. PERSICH: ARPA funds came in in two tranches in 2020 -- I think 2021 and 2022 we got the second tranche. The opioid monies came in I think around the same time, but they came in and tranches because of all the different settlements. I would defer to the County --

LEGISLATOR BYNOE: Let's stay with opioid. We got some of it in 2020.

MR. PERSICH: Yes we did. We were dealing with Covid at that point. You know what I mean? Those settlements will

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be for us.

LEGISLATOR BYNOE: 2020, then 2021,
we got another --

MR. PERSICH: Yes. We got monies in
from three different settlements;
manufacturing, distribution and I think
there was a portion from the New York
State IG that we got some monies.

LEGISLATOR BYNOE: Specifically
related to the opioid money, what would
you or this Administration see as an
appropriate plan for utilizing that money
and distributing? What would you need to
see? What would you need to experience in
order to do that?

MR. PERSICH: I do not want to speak
because I am not a drug and alcohol
counselor, and I want to speak on behalf
of that. I look to see that the money
that's given out that there's goals and
measures that each recipient gets, that
we have some type of showing that it's
benefited the cause.

Look, fentanyl has affected

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everybody in this room, we can't sit here and deny it, as is the opioid crisis and everything else. So I think strategically we want to make sure the money goes out to a specific place. I'm a finance guy. I'm not the best guy for this. If you want to spend \$100 million and the County Exec wants to do that, I will work with this body to do that. I like to see there's goals and measures with every contract, which we do.

LEGISLATOR BYNOE: Were you aware of any process being employed in the immediate to be able to achieve that?

MR. PERSICH: I'm not aware. I know we're actively looking to send money out the door, and we're looking to do additional RFPs with the next tranche of money that we have out there. We've done one part. We're going to do another part in the near future.

It's being baked, meaning we have an idea where we're putting it together, I think, for what the residual amount of

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these funds are going to be used for.

Look, we've allocated \$15 million annually is what we've committed to. We're putting that out there. Spending it becomes a little bit more problematic because the agencies have a lot more guidelines associated with that. So I think that's delayed some of the money going out the door. Our process here is somewhat long and arduous. The way we've set it up the money that we've allocated can't get out fast enough just because of some of the procurement stuff that we have, but we will work to streamline that.

LEGISLATOR BYNOE: Are you are aware of a opioid task force; you should be aware of it.

MR. PERSICH: Yes, I'm aware of it.

LEGISLATOR BYNOE: That existed under the prior Administration.

LEGISLATOR BYNOE: Yes, it did.

LEGISLATOR BYNOE: It was led by your current police commissioner that

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came up with specific ways that that money could be utilized.

MR. PERSICH: I am aware of the plan. I'd have to dust it off because I'm not in the room on that endeavor. But I am aware of that being there.

LEGISLATOR BYNOE: So we're sitting here with money that came in in 2020 that is making our reserve balance appear larger than it should be because we should be spending that money. We're placing -- to me, I'm just going to tell you the way I see it, because I was a part of that opioid task force -- where I think there were some real concrete measures that were put in place as a way of that report. You didn't have to accept all of them. Okay, but you had alcohol and behavioral law enforcement specialists on that committee that worked to come up with possible solutions. And this was in advance of the money coming so that when the money came, we'd have a plan. And it's disheartening to me that

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we're sitting here, basically on the eve of 2024, and we haven't used this money.

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And to sit here and say, you know, we

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don't know where it is, that's fallen

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short for me because I feel as though

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it's almost like I have a roof leak. The

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insurance company pays me. Or better yet,

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the roofer did a terrible job, and I sue

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the roofer and I get the money. And

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instead of fixing my roof. I put it in an

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account so I can feel like I'm flush with

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money. And my roof is getting ready to

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cave in.

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Our kids are od'ing in the street.

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People are dying. We're making law

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enforcement's job even harder, and our

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EMTs jobs harder because we're not

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actively spending this money. We're

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putting ourselves in jeopardy because

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we're not spending this money and I think

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it's terrible. I think it's a terrible

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financial strategy. Those same lines

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that you're talking about, a bubbling up

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on the back end in Social Service and

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TANF and all of that and homeless services is because we're not spending the money up front.

MR. PERSICH: Understood.

LEGISLATOR BYNOE: Let's talk about ARPA. When did we first get our first payment of ARPA?

MR. PERSICH: May of 2020 was when we got the first tranche and then we got the second tranche in May of '22.

LEGISLATOR BYNOE: Same thing applies here. I'm not going to walk us through the same exercise. Same thing applies here. We're paying with human toll while we sit here to try to be flush with money and appear differently for the purpose of a financial exercise. It's terrible. It's egregious.

I'm fearful that at the very last minute when the clock is winding down on this money, then we're going to just throw this money out in the street and it will go nowhere for the benefit of having an intended outcome that could be

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beneficial, impactful. Because then we're going to be scrambling. The community service providers, our partners in this, will not have had the time to build their capacity to do what they need to do. We could be building capacity for those organizations who can be on the front lines and helping us, but instead this is what we're doing with the money. It's shameful. It's shameful. And I ask my colleagues on this, on this Body, that we need to be putting a little more pressure to ensure that this does not continue into the future. It's shameful.

Thank you.

MR. PERSICH: Thank you.

CHAIRWOMAN FORD: Thank you, Siela; well, said.

Legislator Walker.

LEGISLATOR WALKER: Andy, I want to thank you, too.

I do have a question, and I don't know that you can answer it or really have to go back to DSS. But when you said

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that we have to pay for child care, those services whether a child attends or not, are we trying to stay on top of that? Say it was my child that was supposed to be going, and they're supposed to be able to go every single day, and maybe over a period of time I've sent them twice. Like, are we trying to address that in another way? Because obviously we're not helping that child and we're spending a lot of money for no reason.

MR. PERSICH: Let me put your mind that ease a little bit with this. Yes, we are on top of it, when it came out, it was 40 and went to 80 days. But this program is 90% funded by the federal government. So we do get funding in there. There are some restrictions that we can't do anything about. But we are working with DSS to see if there's ways to enhance it and make the program more efficient, better. But these are the nuances of some the new regulations.

LEGISLATOR WALKER: Aside from child

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care, they'll get transportation to -- if someone says, well, yes, my child gets it, but I have no way of getting them there. I'm assuming we have ways to help them with that.

MR. PERSICH: I will find that out. I don't know if transportation -- I do believe it might be covered, but I'm not sure about that.

LEGISLATOR WALKER: The main purpose of us is helping our children.

MR. PERSICH: Well, I think the purpose is to let the parents go out and work so that they have a place that their children have a place to go. I think that's the intent of purpose. There are income restrictions on the program and everything else. That's one of the things that are driving up the direct assistance. There's other things, recipient grants and a couple of the programs out there in DSS, which are offset by some aid. But the majority of the aid coming into the preschool program

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is federal, and it's at 90%. It's fairly successful when it operates. But when you get these nuances with the absenteeism, it drives me crazy. Because if you're not using the program and I'm paying a service provider for not having a kids in a class and there's only three, who's benefiting?

LEGISLATOR WALKER: You just hate to see money being spent that's not being utilized.

MR. PERSICH: Exactly. But you know, these daycare providers need to be in place in case something does happen. I understand that they have a business model and a revenue stream, and they have to keep teachers on board. I don't know what the quick fix is, but we look and evaluate those issues all the time. These are the things that come across my desk that you just go, what? And you can ask my staff, they get the, "what for, what are you talking about?". But we have to manage to it because the needy people

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need to be taken care of. And we have to administer that because we know that as direct correlation, not only on the County, but the economic benefits and the health benefits of these people if we don't take care of them.

LEGISLATOR WALKER: Thank you.

MR. PERSICH: Thank you.

CHAIRWOMAN FORD: I just want to follow up in regard to Legislator Walker and the childcare. Who sets the rates that we pay the to the child care providers, do we try to remain -- the cost of child care has gone up. I have a granddaughter who's in child care, so I know how much in the private sector people are paying. What about us? Do we pay or are we at least trying to keep in line with the increases?

MR. PERSICH: Federally, the State sets the rate with the Feds, I think. And that's how we have to comply with those rationales. That's why 90% is covered under under the federal bucket. But

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they're the ones who tell us what the rates should be in coordination with the state geographically. I'm sure there's different costs in different parts of the country because it's cheaper and everything else.

CHAIRWOMAN FORD: I think then they follow suit, like, New York is more expensive than Delaware.

MR. PERSICH: Exactly.

CHAIRWOMAN FORD: I know in the past, when I had been involved with the daycare, the child care, with the payments, are we keeping up with a timely reimbursement to the daycare providers so that they're not waiting for the checks or the reimbursements?

MR. PERSICH: There's some time frame in there. I don't know what it is specifically, but we have to make those payments readily available. There are some issues sometimes, but pretty much we're getting that money out the door. If you look, you could see that the money is

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going out the door quickly.

CHAIRWOMAN FORD: All right. Thank you. Legislator Ferretti.

LEGISLATOR FERRETTI: Thank you, Legislator Ford.

Good afternoon.

MR. PERSICH: Good afternoon, Legislator.

LEGISLATOR FERRETTI: Back to the the opioid money. It's been classified as the County needing to spend the money. But really we just allocate to agencies and they do the spending of the money, right?

MR. PERSICH: That is correct.

LEGISLATOR FERRETTI: At the last budget hearing, I don't know if it was you or possibly Commissioner Nevin that was talking about how there are some agencies with a contract has gone through and the money is there for the taking for them to take it and spend it, and they haven't done so.

MR. PERSICH: Right. They have to

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submit a claim. The process, just so I

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can clarify this, we did an RFP for

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services. We selected "x" number of

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vendors. This is who is getting an

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allocation. They have not submitted their

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invoices. The Comptroller's Office has

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to pay that bill, but they can't just

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pay. Unless the contract specifically

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says you go to all the money up front,

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they have to give us an invoice for the

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services that they're providing, and then

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we reimburse them.

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LEGISLATOR FERRETTI: So they spend

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the money and then they get reimbursed.

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MR. PERSICH: Exactly. So there's

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been a delay in that.

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LEGISLATOR FERRETTI: When you say

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delay, there's been agencies that have

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the go ahead to spend the money and they

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haven't spent the money yet.

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MR. PERSICH: That's correct.

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LEGISLATOR FERRETTI: About how many

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agencies are in that situation?

MR. PERSICH: I don't know off the top of my head, I think there was 5 or 6 that were in that range.

LEGISLATOR FERRETTI: All right. I think that should give us pause. The goal here is for this money to be spent. And if we're dedicating this money to agencies that aren't spending it, that's not helping anybody. So I think a deliberate approach here is warranted, especially in light of the fact that the money that has been given the A-ok, go spend it, it's not being spent. I appreciate that we're being deliberate with this money and making sure going forward that it goes to agencies who are actually going to spend it. Do we know why these agencies haven't? Have we had any outreach to these agencies?

MR. PERSICH: Part of the issue, I do believe, was getting all the paperwork in for some of the disclosures that we always have problems with and some of the

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procurement guidelines we have set forth. I think that was a part of the delay in the process. Now we're moving to the second phases; what work have they done in order to get those monies reimbursed for them? So maybe they haven't done anything to submit a bill for. So that could be the issue too. I'm not well in tuned with that. I would defer to Commissioner Nevin on that. But I think that's part of the issue is, is that these agencies have not provided the services as of yet. So they haven't submitted bills yet.

LEGISLATOR FERRETTI: And that hasn't changed since the budget hearing a couple of weeks ago. There's still situations of agencies who have this money available to them but have not spent yet.

MR. PERSICH: Correct. And I think they're trying to process whatever they can to get through the door. It's not being held up in any arena like on our

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side or anywhere else. I will tell you that much. We're trying to process it. We do have checks and balances here.

LEGISLATOR FERRETTI: You can't process it if they haven't submitted the invoice, right?

MR. PERSICH: Right. And you do realize that some of these invoices could be problematic if it's the first time doing it with the County, because there's certain rules and regulations. So there's a lot of back and forth. So when you think it's going out the door, it's really not going up because we have to make sure we get all the paperwork, Comptrollers Office does a complete audit of these funds before they go out the door that they comply with the contract. So there's a process that we have to follow to make sure that we're protecting the dollars.

LEGISLATOR FERRETTI: All right.
Thank you.

MR. PERSICH: Thank you.

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CHAIRWOMAN FORD: Thank you.

And I also think, because I know one of the agencies that did get an allocation, I think it's not a reluctance on their part. They're filling out the paperwork. But I think it might also be their fiscal year because they had indicated that October 1st was something where they would start their new contract or whatever they do. So I think they wait for those time periods. So I think it's not that it's whether or not they're not the forms that they have to fill out. But a lot of the agencies, it depends upon how they're spending the money. Like you were indicating, John, that they're ready to spend the money, but I guess they have to wait till they provide the services and then they get reimbursed. Correct?

MR. PERSICH: That's correct.

CHAIRWOMAN FORD: Okay. But also then considering that, I'm hoping that we are able then to take a look at the next round, with the delay for them to fill

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out the forms and whatever, I'm hoping that we do come up with the next round of recipients for these grants that we can get this money out the door. Because it is very, very important when we look at the impact on our communities and how beneficial the money can be.

Legislator Bynoe.

MR. PERSICH: Understood.

LEGISLATOR BYNOE: Thank you, Madam Chair.

Just for points for clarity.

Legislator Ferretti asked the question whether we were spending the money directly or we're waiting on these agencies. And you answered correct. There's nothing that prohibits us from utilizing this money directly. So if, let's just say, that we decided we were going to take NUMC and make it a state of the art rehabilitation center, we could take the money and invest it there. We don't have to fund a third party; is that correct?

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MR. PERSICH: You'd still have to do
some type of an agreement with --

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MR. PERSICH: That is correct.

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MR. PERSICH: I don't have the
answer to that. I will get back to you if
you need to, but I don't have the answer

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to that.

LEGISLATOR BYNOE: Okay.

The second question is regarding reimbursement. The use of this fund is through a reimbursement mechanism, correct?

MR. PERSICH: Correct.

LEGISLATOR BYNOE: So could it be that these agencies don't have the ability to provide additional services, or to provide the additional services than what they were already being funded for, to be reimbursed, that they don't have the money available to them for the purpose of being able to provide a service to be reimbursed later for it? So they have to be able to staff up. So if they're going to do additional work beyond what they're currently doing, if they're going to expand their target audience from 100 to now, 200, that means more caseworkers. That means everything from keeping the lights on would cost more. Could it be that they're just not

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able to do that in order to be reimbursed?

MR. PERSICH: I can't speak to the individual organizations and their financial position.

LEGISLATOR BYNOE: Hypothetically.

MR. PERSICH: Hypothetically, yes. Then I would argue back once they got the terms and conditions -- just for everybody's edification, we are the slowest payers known to mankind. Unfortunately it's just the nature of where we are. But if they needed the money up front, then when they submitted their solicitation, they probably should have said I need "X" number of dollars.

LEGISLATOR BYNOE: But you created this as a reimbursement. You didn't create it with an option to ask for the money up front; am I correct?

MR. PERSICH: I wasn't on the RFP committee, but I believe that's what how it was set up. Yes, as a reimbursement.

LEGISLATOR BYNOE: So let's move on

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to the next thing. When we talk about agencies now that we're finding may not have the financial wherewithal to be able to put out this money on consignment and wait for the reimbursement, we found that some agencies have the ability to do the work. You're funding them. They're being funded through reimbursement, correct?

MR. PERSICH: Yes.

LEGISLATOR BYNOE: Okay. So. If those agencies -- and this was asked on the record the other day as well -- if we found agencies that have the ability to do this work, and they have the capacity, why aren't we funding them? If they've been reimbursed to their max, why aren't we looking to give them another shot of money? Why aren't we spending the money where we know they're able to meet the needs of our constituents, our residents, and be able to provide the capacity? Why haven't we looked at that?

MR. PERSICH: I'm not in the process of the opioid and how are we doing it?

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But let me give you my two senses.

One, usually how we do financial data -- and this is just me talking -- we have historical trends of what they've done. We don't know if giving them the money right now has a benefit, that they can process stuff fast enough, but I will say it's probably something we should look at. If these agencies are performing up to the expectation levels that we add more funds to their contracts. I think it's a wait and see type of thing to say. If "XYZ" agency has had great results as a result of this, we should throw more money at them.

LEGISLATOR BYNOE: So the point that I'm making here is that we have no plan, because the plan is to keep the money in the coffers and not to spend the money. That's where I see this. That there is no plan. There's no plan to help our families that are on the street struggling. There is no plan to make sure that we're providing a level of care to

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the people who are struggling to the extent that we have people sleeping in bushes, you got people walking down the street -- I've never experienced anything like this in my days. I've lived here 50 years. I've never seen anything like this on Long Island. You have people running around in the street waving guns at motorists. We don't think we have a problem here? This is a public health crisis.

MR. PERSICH: Understood, Legislator, and I will take back your concerns to the Administration. We're not withholding this to make the balance sheet look better.

LEGISLATOR BYNOE: If we're any more deliberate, we're going to implode. If we're any more deliberate without making any advances toward finding solutions, we're going to implode with that money sitting in the bank.

MR. PERSICH: Understood.

CHAIRWOMAN FORD: Well, I hope that

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there is a way that we can find so that if we have these money in reserves and the ability to be able to disperse it, I hope that we can. Because I think it's very important that we make an effort to reach out into the communities because lives are being lost. I had my meltdown last week or was it two weeks ago? But you see how passionate -- and I hope the Administration can hear us -- there is a passion that we have in regard to this. We see it in our communities who are living it every day, and we need to move a little bit faster.

MR. PERSICH: Understood, Legislator. I don't think there's anybody in this room that hasn't been impacted by this crisis. So I think personally we all could share a story. I could too. I'm sure the County Executive himself can share stories. I think it's just a path of how we want to get there. It's got nothing to do with that we're trying to bolster our balance sheet. I look at the

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operating budget. That's what I focus on.
That's my operation. Keep that in there.
We will work with the Administration and
this Body to figure out how to spend the
other funds that are out there, which is
what we've always done.

CHAIRWOMAN FORD: So you're looking
at the global.

MR. PERSICH: I look at the whole
picture. Yes, do I classify on the
balance sheet as this; it's not for
anything else, I have to do it that way.
I'm not doing it to make myself look
better.

CHAIRWOMAN FORD: As long as the
money is there. But let's hope that they
could venture off a path and find a
shortcut.

MR. PERSICH: Thank you.

CHAIRWOMAN FORD: One last question
from Legislator DeRiggi-Whitton.

LEGISLATOR DERIGGI-WHITTON: I was
going to defer, but just just real quick.
Maybe we could just look at what Suffolk

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County is doing. I hear they're disbursing funding a lot smoother than we are.

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MR. PERSICH: Understood.

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We are all on record that the

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Administration is listening and understanding. It's not directed at you. The frustration is just felt. We need to make some movement.

MR. PERSICH: To this Body and never take it personally.

LEGISLATOR BYNOE: So if you would, I'm sorry. And that's why she wanted to defer to me. I wanted to say to you, please don't mistake my passion for this issue to be an attack towards you, and if you have received it in that way, I apologize. I'm just frustrated.

MR. PERSICH: Point taken, Legislator. I understand your passion.

LEGISLATOR BYNOE: You've always handled yourself very professionally, and I apologize if my passion is overcompensated towards you.

MR. PERSICH: Need for an apology, Legislator. Your passion is appreciated. I understand it, so no harm, no foul with me. I'm good.

LEGISLATOR BYNOE: Thank you, Andy.

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MR. PERSICH: Thank you.

CHAIRWOMAN FORD: Thank you very
much for your presentation and your
patience.

MR. PERSICH: Thank you.

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CHAIRWOMAN FORD: Our next presenter will be County Comptroller Elaine Phillips.

Good afternoon, and thank you very much for coming here.

COMPTROLLER PHILLIPS: Good afternoon, everyone. It's our honor to be here again. Thank you for taking the time. Thank you for inviting us. I want to introduce, I think you already know, my Deputy Comptroller, Betsy Hill; also, Lisa Tsikouras, the Director of Accounting in the Comptroller's Office; and my staff, Charlie Casolaro, Chief Counsel; Jeff Schoen, Deputy Comptroller; Beaumont Jefferson, Deputy Comptroller; and Anna Souza, which hopefully will have just a minute to update you on Nassau Forward, which is probably the most transformative project that the County will have for our internal needs, which is implementing a new financial system. So we'll take a minute to take you there.

I also want to thank the rest of the

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team, particularly Lisa's team and Accounting Division; Wendy Goldstein, my Director of Communication; and Dan, our analyst, and Liz, for all the hard work they've done.

So in your packet you have on the left side, you have our PowerPoint presentation. You also have one of those nifty cheat sheets we always give you. So it talks about the difference between the five major funds, which is what the County Executive's budgetary office uses when they budget the three operating funds, which is what we will talk about mostly, which is more comprehensive governmental funds and government wide state reporting. So keep that close by.

On your right side you see a copy of our complete report. I will just say not the fact that it took a lot of work to create that report, there is a wealth of information when it comes to the economy, both nationwide, globally here in Nassau County, and it goes into finite detail,

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but still being a good read on each of the different budgetary items in the report. So I encourage you to take a few minutes and take a look.

So the beginning part, just to turn to page two of the PowerPoint presentation was really already reviewed by OMB and Andy who did a great job. And it just restates where Nassau County is. I feel like a broken record here, but we have audited financials for four years that show that we have had a surplus. And you should thank yourselves. Really. Great job, all of you. Four years of a surplus.

If you turn to page three, based on the three primary funds, which is this more comprehensive way of looking at things, it includes the general fund, the police district and the sewer fund, we are still on track as a mid-year for \$95.3 million surplus. That does not include the CSEA and other updates. We did a quick analysis on that, Lisa and

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her team, and including CSEA contract and some other updates, the surplus would still be 40.5 million.

The next page on page four, Andy spoke about it. It's the State Comptroller's fiscal stress test. I really think the graph tells it all. You know, if you go back and look at 2017 and 18, when the County was in the pink, which is the significant fiscal stress. What you and the Administrations did to bring it down over the years, and the fact that this year we have a zero, a zero. So 14.6 -- I think it's 14.8 or something gets us in no fiscal stress, which we had last year, we're down to a zero. The State Comptroller's Office could not find one thing that would indicate fiscal stress. I'm confident that next year at this time will be talking about a similar number for 2023.

If you turn to page five and we take a broad look at the economy -- and as I said, please go to the report for details

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-- Inflation has dropped significantly since mid 2022, and that's been done by increases by the Federal Reserve Bank.

We are in a higher interest rate environment right now, and I'm going to just take a second to talk about that. So what do higher interest rates do? The fact is, is the Fed can control short term interest rates. And they've raised the fed funds rate to slow down the economy. It slows down lending, it slows down borrowing. But probably what concerns me more is longer term interest rates, the ten year Treasury. So the ten year Treasury as of Friday was almost at 4.8%. That is the highest rate it has been since 2007. And what does that mean? That means investors that are going to go out to lend money to the US government for a longer period of time, need a greater premium in order to lend money to the US government. And we've seen since the spring, the ten year Treasury has increased by 1.5 percentage points, just

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75 basis points in the last month. So it's saying that the market is demanding a higher premium to buy US debt. Why is that? China's not going to help us out. They're just not. Commercial banks aren't in a position right now to buy longer dated treasuries also. And that gets kind of filtered through. So right now mortgage rates are at 7.5%, roughly. And even mortgage backed securities which are just big securities pools of individual mortgage loans are at the highest spread. So the amount you earn over the ten year treasury since literally back in my days in the mortgage backed securities market -so back in 2009 -- it says that there is concern on: One, the federal deficit; two, the chaos in Washington, D.C.; three, the fact that we have not contained fiscal spending in the US.

Sadly, the one thing that is going to change that is a war. So what happens? Since Friday ten year Treasury yields have gone down 15 basis points. So from

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480 to 465. And if this war in the Middle East continues -- It's called a flight to quality -- so more global investors will look at the US as a safe haven for their money. So it's a very sad way to bring down long term interest rates, but it's very possible. How that impacts Nassau County: Higher mortgage rates, less lending, slower economy.

And we go to the next page on page six. So if you look, we show you Nassau County's median household income, this was 2022 data, New York state versus the US, you can see that we are a very wealthy economy. Our families below poverty, although we'd like a 0% there, is still well below New York state in the United States. And our unemployment rate just as of August 2023 is still below. So we do have a resilient economy, hands down. We saw on Friday, we saw some unemployment data that came out for the month of August. There was a huge increase in jobs and the beauty of that,

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it was spread across all industries. So it wasn't just healthcare, it wasn't just government. It was truly spread out. Wage inflation, which is something we need to be concerned about, it's cooling. Total hourly earnings rose only up 0.2% for the month of August, which is a good number.

You'll see when we get to sales tax though, there is a cooling of sales tax when it comes to what's happening across the United States and even here in Nassau County.

So let's go to page seven just to give you the overview. Our review of the budget is based on these three primary operating funds. Your cheat sheet, which is more comprehensive than the budgeted five major funds. The three operating funds include the Consolidated General Fund, the Police District, and the Sewer and Storm Water District. Given that preface, our projection for 2024, based on these three primary operating funds, is a \$28.8 million surplus from a

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budgetary basis. Then we do these GAAP adjustments and we still see a \$4 million surplus. I'm going to put one little caveat there. GASB 87, which is your leases, and GASB 96, which are your software subscriptions is not being factored in there, but it'll move around a little bit.

The primary driver for our revenue side of our budget, as Andy clearly stated, 41% of our revenues is sales tax. The chart on page nine -- I think OMB took from us -- but it indicates and gives you a historical outlook. The average increase in sales tax since 2014 has been 3.36%. If we kind of look, 2018 through 2022, we did not include what could happen in 2023. And the reason I picked that time period is that's when we started receiving sales tax on internet sales is 5.83%.

Our projection, if you go to page ten, we like to do this scenario analysis because projections are as good as the

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2 piece of paper. They could change the
3 second we stand up. We actually feel that
4 the budget office is being slightly
5 conservative in their projection. They
6 took our 2023 projection, which is right
7 on target right now, and kind of kept it
8 flat. We actually think we're going to be
9 a percentage higher than OMB. So instead
10 of 1.605 billion or 1.619 billion, a \$14
11 million difference.

12 Look, if we continue to show
13 increases like we have in the past, we
14 only showed you up 3%, which is two
15 columns to the right of the yellow
16 column, we could see an additional
17 opportunity of 58.5 million. But let's
18 say things slow down, which is always the
19 risk. You take our projection and reduce
20 by 1%, you get right into where OMB is.
21 But let's go down 3%, \$32 million, a
22 contingency has been put in the budget.
23 So we'd be okay. And I do believe OMB
24 would be back here in front of you
25 talking about other measures that could

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be done to control that.

I'm going to hand it over to Lisa right now to talk about a couple of individual spots where we see some opportunity and risks.

MS. TSIKOURAS: Thank you, Comptroller.

Good afternoon.

Very briefly, I just want to talk about some of our assumptions, because I think it's important to understand how our projections are developed based on those assumptions.

Consistently, the Comptroller's Office has looked at certain assumptions and has reported these consistently through the years that we've projected our mid-year and our budget reports. We exclude vacancies. We look at who are the on boards at the moment, and then we also include any projected police officer classes and correction classes, because those have a significant impact on overtime, in particular. We include the

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steps. We do not include the cost of any unsettled labor contracts. In this case, we included the cost of the settled labor contract for CSEA. However, due to the timing and the fact that the effect of that contract has not been yet in our financial system, where we extract a lot of our data, we utilized what the Budget Office's projected costs and savings were for that contract. As we all know, the COBA contract was ratified by its members last week, so that is not included in here as well. So those are some of our major assumptions that you need to take into consideration as you're looking at our projections.

We'll start with revenues. The Comptroller discussed sales tax. You can see that we're projecting \$14.5 million surplus on the sales tax revenues. And the next item on page 11, as you see, is use of fund balance. Just to explain what use of fund balance is, and for those of you who've been up there for a

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long time, I'm sure you've heard me speak of this in the past. Use of fund balance is not a revenue source. It's a means to appropriate funds. But it's not a revenue source, and such, we always risk that. That's another assumption that we take out in all of our projections.

COMPTROLLER PHILLIPS: It's like using your savings account. You earned it at some point, but you didn't earn it for 2023. You just saved it.

MS. TSIKOURAS: It's a means to use to appropriate your funding.

Fines and Forfeitures. We are projecting 14.4 million risk in Fines and Forfeitures, and that's mainly based on historical trends. We've looked at what was budgeted in the past, what we actually collected and kind of projected that out. So we have risks in TPVA Fines and Forfeitures. We're also risking the Boot and Tow Program, and we're taking a haircut on the school bus cameras. We're also risking up \$11 million in

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departmental revenues. And that's mainly driven by the 5 million in the income and expense law, as well as GIS tax map fees. We're taking that down, again, based on historical trends. We tend to look at several years of historical trends, what was budgeted, what was actually coming in, and kind of extrapolate that data.

Rents and Recoveries. The two main pieces to that risk are the disencumbrances because similar to the Use of Fund Balance, if you are taking in appropriations that you had basically obligated in prior years and you are eliminating that open encumbrance, that's not a revenue source. So we automatically take that out again, being very consistent throughout the years. And that's about 7 million of that 11 million. And the rest is really sale of County property once again until something is closed. We have no idea if that if that's achievable or not.

The other big piece in here is the

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Capital Resources For Debt. Basically what that is, is if you've got capital projects and you've borrowed money for those capital projects, if you haven't spent that money, those proceeds, but that project is complete, by law you can only utilize those excess funds to pay down your debt service. So the 15 million that's budgeted, we risk that, again, being very consistent in our presentation because we don't have a list of what those projects are at the moment, and we haven't been able to review a list to see if that's feasible or not. We hope and we expect that there will be some pickup for that as we go through the ERP project, which Betsy can speak to.

MS. HILL: A critical part of implementing a new financial software system is to clean up the old data. Apparently, data was moved over back in 1999 that had not been cleaned. So we've got a lot of cleansing to do, and one of the projects is looking at these bond

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issues that have not yet spent their funds. We're hoping that with the help of the Field Audit Division, we're going to go through these funds and work with the departments to identify what could be released now and used to pay debt service.

With regards to the overall project that we're working on, we kicked it off a year ago in September. We spent a year of analyzing what the County does and how it does it, what we need going forward. We issued an RFP in July, and just last week was the deadline for proposals. We've gotten a decent amount of proposals from the organizations we had hoped to hear from, and we will be analyzing them over the next few months. It's going to be a long haul to do that. By the beginning of December, we should have identified a very small number of those proposers who we are going to interview. We'll give them a month to prepare. In January, we will interview them, and in February, we

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hope to choose the implementer and the software that we will use going forward. At that point, it will move to the County Executive and the County Attorney and then the various approvals after that. So hopefully by sometime middle of next year or a little bit later, we should have a project that starts to be implemented.

COMPTROLLER PHILLIPS: And when we talk about we are analyzing. Yes, the Comptroller's Department is driving this project, but the Selection Committee --

MS. HILL: Represents the major players who have to deal with the financial software system. And we're also working with our outside consultant. As the Comptroller mentioned, Anna Souza is the project manager for this project and she's been doing a great job.

MS. TSIKOURAS: Thank you, Betsy. Continuing with some of the other Risks and Opportunities, moving down into the expenditure categories, you'll see, of course, the largest variance going on

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here in the largest opportunity represents payroll and fringe. And as I explained previously, our assumptions take into consideration or I should say, exclude certain things that are in the budget because of timing or uncertainty as to what the actual effects are going to be.

Early Intervention. We continue to risk Early Intervention. We've done so for the last few years. Based on historical trends, what the actuals are coming into against the budget. Just remember that for Early Intervention, we do get a reimbursement from state aid of 59.5% of these costs. And these costs also may be mitigated in the future. I believe that the County is looking into possible caps on some of these costs to help cover some of these excess dollars.

The only other two large items that are on here: One is the Property Tax Refunds. Because we're looking at the three primary operating funds, and the

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general fund is a consolidation of several funds, one being the litigation fund. The litigation fund doesn't have a proposed budget. However, we anticipate there being approximately \$40 million remaining in that fund to be used in 2024 and we anticipate that that money will be paid out of out of the Litigation Fund as well as the operating fund for a total of 80, that 40 falls through because there's no budget against it. So that's why you see that.

Finally, the contingency in there. This is a contingency that is both in the Sewer Fund and in the General Fund. At this time, based on the numbers, we don't anticipate utilizing that contingency. However, it is there. And so you'll see that as a positive, as a surplus, a potential opportunity.

The only other item that I wanted to mention is in the GAAP adjustments. As the Comptroller mentioned, these don't include GASB 87 and 96. They're very

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comprehensive. They take an enormous amount of effort on our part to go through all the agreements and come up with what those numbers have to be on a GAAP basis. But the negative that you're seeing here is, and I'm sure you're all aware that the pension rates are going up. So this is a function of those increased pension rates that you're seeing in the GAAP adjustments.

COMPTROLLER PHILLIPS: I talk about one possible opportunity if we all reach out to the governor. So there is something called Enhanced Federal Medical Assistance (eFMAP). What this is are dollars federal savings dollars that come into the state. And since they began, which is 20 years ago, every governor has passed through these dollars to the appropriate counties and New York City based on how much you contribute to the non federal Medicaid match. Governor Hochul in her budget states that there is \$625 million available in federal revenue

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2 to be used to fill the state budget holes
3 in the Medicaid program. So this is the
4 first time in 20 years a governor is
5 possibly -- at least it's in the
6 budget -- not going to pass these dollars
7 onto the individual counties. So
8 basically, we as taxpayers in counties,
9 are offsetting the lack of fiscal
10 management at the state level.

11 So, OMB has budgeted the \$14 million
12 that we would lose. I am hoping with lots
13 of support from this room, that the
14 Governor sees the light. The New York
15 State Conference of Counties has been
16 extremely vocal against this idea to
17 withhold these funds from counties.
18 Ultimately, this could cost the counties
19 and New York City, they estimate over
20 \$625 million. So it's a lot of money. So
21 I'd ask, if you run into the governor,
22 could you tell her, give us our money?
23 That is a \$14 million possibly that could
24 show up.

25 MS. TSIKOURAS: Going to page 12

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where we talk about the Multiyear Financial Plan. The assumptions that we make in our 2024 projections, we carry out for the three years, and we take into consideration other factors. Again, the projections that you'll see here will not have vacancies, will not have the unsigned labor agreements. The difference between the final year 2027 and 2025, those same assumptions exist there. However, there are some other changes to 2027. For example, there's no pickup for the contingency because there isn't a contingency budgeted. Our sales tax projections are flat to the budget, so there's no pickup on that. And then we're also anticipating some higher early intervention and social services costs. So that's what drives the difference between the 2025 and 2027. And this is on a budgetary basis.

COMPTROLLER PHILLIPS: Then last again, I repeat myself. We show you the way NIFA calculates actual surpluses. So

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you'll see from '19 through '22, even under the NIFA calculation, which is not GASB accounting, there's been surpluses. Based on our assumptions, at the mid-year, we were assuming under the NIFA of calculation, there would be \$234 million surplus. With the updates that Lisa mentioned with CSEA and other updates, it's still \$186 million. And using our assumptions, running it through their calculation, we would say that next year we're going to have \$128 million surplus. So I will echo the point that I have made here too many times that Nassau County should not be in a control period.

Questions?

CHAIRWOMAN FORD: Thank you very much. Really appreciate your presentation.

And yes, I agree with you that we should not be in a control period. But then again, I've always been vocally against NIFA and I really would like to see them completely gone, but that's not

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going to happen. But maybe we can settle on no more control period. Because I do believe that we are trending in the right direction.

COMPTROLLER PHILLIPS: I think we're there.

CHAIRWOMAN FORD: Okay.

I just have a few questions. Going back when we look at the Nassau County economy and we look at the median household income and we see that, yes, Nassau County, we do trend higher than elsewhere in the United States and even in New York State, do we take into consideration then the cost of what it is to live here in the county? I mean, you know that when you think of it, \$136,000 is a lot of money. It really, truly is. But I happen to know there are young families out there right now that make even more than that and they're just about getting by. You read how so many of these young people, their credit card debt and everything is going up and up

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and up. They're finding it tough to make ends meet. Do you take into that consideration or is this just strictly this --

COMPTROLLER PHILLIPS: This is strictly data. It's from the census data. So, no. And you're absolutely right. The cost of living; it's difficult.

CHAIRWOMAN FORD: All right. So it's good if we can try to keep our costs down.

COMPTROLLER PHILLIPS: Exactly. And as this budget does. Again, pat yourself on the backs. No property tax increases. No fee increases. We do have to watch, 41% of our revenue is sales tax. And I know NIFA has brought this up. But if you go back, and you know I think I've showed you before you go back, we have data back to 2008, the fact is, is with the exception of the Great Recession in 2008/09, and then a Covid year, sales taxes have always gone up, have trended

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upward.

CHAIRWOMAN FORD: So I think what even helped even with us is that on the online sales now we can actually get sales tax from that because so many people do shop online. Right now it's Amazon Prime Day. People do even order from Costco now online. I guess I'm just that old fashioned. I'm much older than all of you.

COMPTROLLER PHILLIPS: I have never ordered groceries online. I've never done it; I just can't.

CHAIRWOMAN FORD: Yeah, neither have I.

Andy had mentioned also sometimes it's tough dealing with the County. It seems that when we pay, when we reimburse, it just seems to be like a long time, when we talk to agencies. But I think what was brought up when we went to the legislative breakfast for our youth services, one of the issues that they have is that they have these

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contracts and they are providing the service, but a lot of times they're paying, but they're waiting for reimbursement, it takes a while. So they resort to bridge loans which then incurs an added expense for that because they have to borrow. Whatever amount they borrowed, they're borrowing it. Is there any way that we can -- I don't know if this falls under the Comptroller or not, so I'm just pulling this out of the air. Is there any way that we can work with the agencies to try to find out how we can work with them, reimburse them, or pay them so that they can avoid this type of borrowing? Because, as you said, interest rates are on the rise. Even the federal government is even paying higher just to borrow money.

COMPTROLLER PHILLIPS: So I'd like to say a couple of things, Madam Chair.

One, not to sound defensive, but to give our Claims Department credit. If you have a purchase order claim that comes

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into the Claims Department, that is paid out on average in seven days; seven days. Okay. That is a historical low. That's what a great job the Claims Division -- if you have a contract claim, 17 days. It used to be 50 days on a contract. And the only reason the difference is truly because a contract is more complicated versus a purchase order. So they are doing a great job.

I will say I too was not there when they created the RFP for certain things, and the answer is under contracts you can advance claims. At the same time, the risk for some of these agencies and I'm looking this way because of opioids. You know, the risk of one time government funds is you go out and hire all these individuals, and then after those funds go, you don't have a revenue source to continue using them. Look, it's up to the agency. It's not ours. Stay in our lane. And that's the problem sometimes with government funding, it's almost

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easier to use government funding in brick and mortar because it's a structure, it stays there. You don't have to worry about it. When you start using it for operating, it just becomes more difficult.

But to answer your question, could our Claims Division be able to advance money? If that's the way the RFP was written, operationally, we could do that. Operationally.

CHAIRWOMAN FORD: But it would be good then.

COMPTROLLER PHILLIPS: We can't do it, but we process it.

CHAIRWOMAN FORD: But when we write the RFP. And it's not just the County. New York State, from what I gather, like is even worse than we are. Although we seem to have improved our payment process.

COMPTROLLER PHILLIPS: We improved it significantly.

There's another idea that was

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brought up by -- Charlie, come on up here. So we house in the Comptroller's Department, the Committee for nonprofits. The last time we met, which was a while ago, there was discussion when it comes to -- what is it validating your Board of Trustees?

MR. CASOLARO: The issue that we have in the County, as you recognize, is that our disclosures have a shelf life of six months. By the time a contract is written, drafted, routed through every agency, that six months expires, then we have to go back to the drawing board for these disclosures. And in many instances, these disclosures -- the corporations that we do business with and the non profits, some corporations are national. They have their headquarters in different states of the country. And other not for profits just take a long time to get these disclosures fully completed. It's a constant issue of missing that six month deadline. So when the six months expires,

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we have to go back to the drawing board.
And then the contract gets delayed
further. So it takes a long time.

So we've proposed to move the shelf
life of these disclosures to 12 months.
And we've discussed that with the
Administration. We've discussed that with
the IG. And that seems to be a way where
we would be able to move our claims and
move these contracts faster through. We
wouldn't change the substance of the
disclosures, we wouldn't change the
requirements of the disclosures, but it
simply extends the shelf life from 6 to
12 months.

COMPTROLLER PHILLIPS: We'd like to
take responsibility for the idea, but the
idea really came from our nonprofits.
It's just an additional burden when
nothing has changed. And what could be
written in there legally, if there is a
disclosure issue that does change within
that 12 month period of time, that it
would be their obligation in order to

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stay compliant with the contract, that they would have to notify us. And if we found out that they weren't compliant, we could always make a decision if we want to maintain that contract or not.

But it really was driven from the non profit industry. We have a great representation. We've expanded the Committee under this Administration. I believe we represent every nonprofit out there. So, I would greatly appreciate it if the Legislature would consider that. They would, more importantly.

LEGISLATOR BYNOE: Hi, Comptroller.

COMPTROLLER PHILLIPS: Hi.

LEGISLATOR BYNOE: So, question. I'm sorry. Are you saying that this is not a renewal. This is during the actual contract period that every six months they have to renew?

MR. SCHOEN: As you know, the funding each year goes by each year, even if they have multiyear contracts. So each year when we do an advisement, the

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disclosures need to be up to speed. And although they have the obligation to tell us about any changes, they have to do a new disclosure every six months, even if there weren't any changes. So if we were to move it to one year, they would have the obligation to change them if there is a change. And then each year they would simply provide us with those disclosures when those advertisements have to be routed so that they don't get held up. Right now, the issue is as the advisement come along, if they're out of date on the six months, because advisements aren't every year for everybody, they start at different times, it's delaying what they need throughout the advisement.

LEGISLATOR BYNOE: I know some time ago, there was an issue that was birthed right here on this floor where it was a new contract being extended to someone who already had disclosures on file and -- I'm smiling because I think I might be at fault here -- and I think we

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didn't like that loophole. I think we said every time there was a contract, I thought it was at contract renewal. I'm going to go back and look at it and make sure that I didn't cause this problem, or collectively, at my request, through legislation, didn't cause this problem. And then maybe if it is that we should look at it again. But if it isn't, I think what you're explaining is something different, which I don't think, if I'm not mistaken, no other contract is required to do that. The regular contracts, regular DPW procurement contracts come through that same process?

MR. SCHOEN: Any new contract or any any time we try and extend them more money, we need to make sure that disclosure is up to speed.

LEGISLATOR BYNOE: Okay. So that was the it was the legislation that we put forward not too long ago that probably --

COMPTROLLER PHILLIPS: Like I said, where it was really brought to the

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2 forefront for us was through the
3 nonprofit industry, which we work with so
4 many of them and they've been so
5 complimentary on how quickly we pay them
6 now. Really so appreciative. But when
7 asked, is there anything else we can do
8 to help you? This is a big issue for
9 them. It's the paperwork.

10 LEGISLATOR BYNOE: That was like a
11 half \$1 million contract we were going to
12 extend without new disclosures and it was
13 glaring to us. And so maybe we could look
14 at something with lower thresholds, with
15 lower risk, where we might be able to do
16 something to help those entities. It
17 should be done as a cohesive county that
18 we have all the folks who play a role in
19 that approval process have a voice in how
20 we move forward.

21 MR. CASOLARO: Legislator, if I just
22 may add, it's not necessarily so much the
23 monetary threshold, although that is an
24 issue. It's any contract or any renewal
25 or any advisement. To move money through

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the contract system, to get a contract approved, you have to have these disclosures. And then at the end of six months, they expire. And before we get a contract fully routed and approved and certified by this Legislature, the disclosure requirements have expired and we need to start over again. And that's what the delay is a lot of times.

LEGISLATOR BYNOE: Yes. I understood that. Thank you for the clarity.

I think we have to look at why it takes so long to get things routed through a process too. I think it's twofold.

MR. CASOLARO: I could provide a little light into that.

Because when a contract comes from a department, multiple departments in the county and multiple levels of approval are required. If it requires budget, it requires NIFA, it requires Comptroller. There are four different steps within the

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Comptroller's Department alone that is required for a contract to be approved.

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Now, I've discussed this with Mr. Cleary, the Chief Compliance Officer, and the IG.

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We've thought of some ways -- this is for another conversation -- but we've thought

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of some ways to narrow that. It doesn't

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compromise integrity and oversight and

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transparency, but you need almost five

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people in the Comptroller's Office alone

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to approve a contract. There may be a

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more narrow way to accomplish that. So

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we're looking at those issues.

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COMPTROLLER PHILLIPS: I will say we

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have worked jointly with Robert Cleary.

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This is a partnership.

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CHAIRWOMAN FORD: We did. But, you

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know, but I think sometimes, we had a

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good reason. At the time when we looked

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at this, it seemed logical to move in

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that direction. But now that we realize,

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maybe we went too far. We all did.

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COMPTROLLER PHILLIPS: For good

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reason.

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CHAIRWOMAN FORD: What I'm saying is, I think that maybe this is an opportunity. And I was only looking at it for the nonprofits, but even with the contracts. But maybe this is something that as a group, we can look at and and like you said, it shouldn't just be done in a vacuum, but bring all of the interested parties, the people that do go through the approval process. Remember, Delia, when we were on that other call and it was like, you go from here and it's jumped to here, and then you're going to go over here, and then you're up to here with the IMAs. That's another ping pong type of contract and how long it takes, you know especially with the disclosures. So I think that maybe that is something that I would --

COMPTROLLER PHILLIPS: We'll put a proposal that will come from if you the County, not from us.

CHAIRWOMAN FORD: Maybe if you could bring us together and bring the people

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that be in the process. And we can meet with our sides and our counsel and actually take a look at this. I think moving forward, we need to reexamine this and see. We all want to make sure that we're protecting and spending our taxpayer money properly. And I think that that was the concern. But if we can achieve something where we could be a little bit kinder to everybody doing business with us. I think a year, it's not like five years or whatever where anything can happen, but maybe sometimes a year might be a possible solution at this time. So I think it's worth a conversation. What do you think?

LEGISLATOR BYNOE: Oh, I agree. I learned back in Policy 101 is that you have to review your policy and evaluate it and if it's not hitting the intended goal, then you have to realign. I'm committed to doing that.

CHAIRWOMAN FORD: Okay. Anyone else?
Legislator DeRiggi-Whitton.

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LEGISLATOR DERIGGI-WHITTON: Hi,
Elaine.

I just have a quick question. If we have a contract with a group, let's say like, you know, one of the family services that treat opioids and we already have that contract with them. Can we then give them funding in a quicker way? Because that's what I thought the plan was with opioid.

Karen, do you have this full name or do you need?

MR. SCHOEN: Jeff Schoen, Deputy Comptroller.

I believe for the ARPA funding, when you when you appropriated the ARPA funding, you gave the --

LEGISLATOR DERIGGI-WHITTON: No.
Opioid.

MR. SCHOEN: I'm not sure on the opioid, but as a mechanism, that you did approve a certain streamlining for organizations that we already have contracts with. So it can be done, yes.

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LEGISLATOR DERIGGI-WHITTON: So we approved, I forget how many groups that were, it was the County Executive's list, that we already do business with. I know Dr. Reynolds group is one. Safe Center, there are so many. And we already have contracts with them. So my understanding was that we were going to be able to distribute the 15 million that we were going to do per year directly to them, because we already are in business with them and we already have contracts with them. And fast forward, now none of the money's going out. And they're saying, oh, well, they haven't filled out their disclosure forms and all this, but why do they have to if we already have a contract with them?

MR. SCHOEN: My recollection was on the ARPA side, I'm not sure on the opioid side, that you did grant the County Executive authority to give the money directly to the organizations that we already had contracts with. Otherwise,

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any kind of additional funding would
require those types of disclosures.

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LEGISLATOR DERIGGI-WHITTON: Let's
confirm it. But I don't think we need all
these forms that Legislator Ferretti was
talking about. And I don't think we need
them. I think that was the whole point of
us using agencies that we already have
contracts with, so we could get the money
out quick.

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COMPTROLLER PHILLIPS: And the
question would be, was that did that RFP
allow advancements of funds or did it
have to be reimbursements? So I don't
have.

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LEGISLATOR DERIGGI-WHITTON: You
have to confirm it because I don't want
to go with my memory, but I never heard
of reimbursement in any of that. And I
just tried to reach out to a couple of
people. I haven't confirmed it yet, but I
never heard the word reimburse.

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COMPTROLLER PHILLIPS: We could take
a look too.

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LEGISLATOR DERIGGI-WHITTON: It

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wasn't supposed to be because it's such

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an urgent issue. Like Legislator Bynoe

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said, these guys are operating on a

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shoestring budget, and a lot of them

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don't have the funding. And I'm sorry,

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but to worry about them hiring people and

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not being able to keep them, they've been

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in business for 20 years. They know what

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they're doing. And right now there's such

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an urgency. The hope is if we do get

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their agencies boosted up, maybe the need

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won't be as bad in a couple of years. So

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we can't sit here and say, oh, you

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shouldn't hire people. You should let

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them do what they know. That's was the

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whole point I thought of us choosing

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those agencies that we already do

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business with, we already have contracts

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with just to get the money out. And now

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we're not getting the money out. So if

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there's a way that you could check into

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that, I would appreciate it.

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COMPTROLLER PHILLIPS: We can look

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at the RFP and I will say if a claim comes in or an advancement is needed, we will do our best to expedite those also.

LEGISLATOR DERIGGI-WHITTON: One other quick question, you're okay with the 1.5 increase in sales tax?

COMPTROLLER PHILLIPS: Yes. I mean, look we got to watch it. We're in the third quarter. We get checks all the way into February. So we're really not in the fourth quarter yet. We're kind of in that third quarter. And the fact is is we've seen a decrease here in sales tax growth in Nassau County from the beginning of the year. So it's something we have to watch. I mean, it's probably the thing that I look at the closest because it does have an impact. The good news is that scenario analysis that I showed you. So say we go down 3%, right. It's \$35 million. \$35 million is a lot of money. On a \$3.9 billion budget, you can you can work with that. So, you know, obviously if there was some extreme but I

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know and I don't want to talk about opioid reserves, but the other reserves that we have set aside for litigation, for tax certiori, that's exactly why you do set aside reserves. I know you talked about reserves at length. I will tell you, when I was a local mayor, we did not have a policy in place that talked about what was the amount in New York State, at least for the villages, we don't believe for counties, Andy may have said differently. Really doesn't give you any guidance on what it is, so we went out and kind of did a survey and spoke to what we believe were experts in the field, what best practices were at the village level was anywhere from 3 to 6 months of operating budget based on your budget. Now, that would be huge, okay. You know, \$3.9 billion budget. And then we put a cap of no more than 20% of our operating budget. So there are best practices out there. And I know Andy does not want to just keep building up these

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reserves. But, you know, on the off side as Legislator Mule said, those reserves are really important. And if we do go into an economic downturn, it will be those reserves that will be needed. So I feel like we have a good balance.

LEGISLATOR DERIGGI-WHITTON: That's a good practice, but it has to be money that's allocated for operational not for something that is --

COMPTROLLER PHILLIPS: Right.

LEGISLATOR DERIGGI-WHITTON: I always ask the Comptroller every time we do a budget if they feel comfortable with the sales tax, because I know that it's a that's like a wild number, like we have no control.

COMPTROLLER PHILLIPS: That's why we show you scenarios.

LEGISLATOR DERIGGI-WHITTON: Because if they're predicting that the sales tax might go down nationwide at least us increasing a little bit goes a little counterintuitive. But okay.

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COMPROLLER PHILLIPS: Well, the question is you have inflation. So this is where we got our level of comfort. We're saying slightly over what we believe is going to come 1% over, what we believe is going to come in 2% over, what we believe is going to come in in 2023, while we still have inflation at 3.7%. So inflation alone, just don't forget that prices just go up because of inflation. So some of that revenue generating is that. What I don't want is to see a report come out from NIFA saying that this county is relying too heavily on sales tax. The fact is, is every government throughout New York State and probably throughout the nation are relying on sales tax. And the fact is, if you look at historical trend, sales tax has been an extremely dependable revenue source. So I'm tired of reading that in their report.

CHAIRWOMAN FORD: Legislator
Drucker.

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LEGISLATOR DRUCKER: This is unrelated, Elaine. And, Elaine, thank you.

COMPTROLLER PHILLIPS: You're welcome.

LEGISLATOR DRUCKER: I recently had a meeting with Jeffrey Clark, Commissioner of Office of Community Development, and we were talking about this Housing Down Payment Initiative Program that the County has to assist first time home buyers. Are you aware? And it's supposed to restart again in December, in which the County will provide funding. But it's impacted by HUD restrictions and once it is in place, it's going to result in monies that are being paid out. I just want you to know if you're aware and if it's factored into your budget at all.

COMPTROLLER PHILLIPS: I am not aware of it, so I wouldn't want to opine on it.

LEGISLATOR DRUCKER: It's a program

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the County has offered in the past. A Down Payment Assistance Program, in partnership with the Office of Community Development, to provide this assistance to first time home buyers.

COMPTROLLER PHILLIPS: And I wonder, and I'm speculating, if it's similar to Early Intervention, where, as Lisa mentioned, 60% of that is reimbursed from the state. In this case, HUD, it would be from federal dollars.

LEGISLATOR BYNOE: I actually have some experience with that program. I used to run it when I worked for Long Island Housing Partnership. It's a down payment assistance program, and it's fully funded by Home money. So money that comes in through the Home Funds, okay, through that office. And so it would be allocated in their overall budget.

COMPTROLLER PHILLIPS: So we're really administrating it versus funding it. Thank you.

LEGISLATOR BYNOE: I have another

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question, Madam Chair, if you don't mind.

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I wanted to know how we were doing with Hotel/Motel money in terms of getting that money in from the operators, and if we feel that we need to have a higher level of enforcement, or are we feeling that the information that we're getting tied to the amounts paid correlate?

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COMPTROLLER PHILLIPS: So I don't know if you know, but we're actually auditing the Hotel/Motel money. So I want to be careful how much I say until the report --

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LEGISLATOR BYNOE: Tell me later.

COMPTROLLER PHILLIPS: I can tell you later. But I will say that overall, they do an excellent job. Were some administrative policies that might have got lost, particularly during Covid; the answer is, yes. We've spoken to them about that. And they are the first to agree to say, yes.

So there's the potential that we're

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going to claw back, but the dollar amounts that we're going to claw back are minimal. They are taxpayer dollars. We have to get them back. If they advanced money that people didn't show up or they didn't stay as long, those are our tax dollars. But we're talking tens of thousands of dollars, not hundreds of thousands of dollars.

LEGISLATOR BYNOE: We feel like everybody's in compliance, in other words. Because at some point we had some venues that weren't in compliance, like I think the former Westbury Music Fair, now known as NYCB wasn't paying.

MS. HILL: That's a separate issue.

COMPTROLLER PHILLIPS: What is Westbury?

LEGISLATOR BYNOE: I'm referring to the tax revenue that we derive from Hotel/Motel stays and tourism and that kind of funding that comes in. So that was the funds that I was referring to. I was wondering whether we feel that the

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operators are making timely payments and reporting and that kind of --

COMPTROLLER PHILLIPS: Ask the Treasury Department. That is a Treasurer's function.

But I did give you a little heads up on an audit that's coming out too.

LEGISLATOR BYNOE: Thank you.

Then the one last thing, the Fines and Forfeitures, I think they said TPVA was the major contributing factor to that.

MS. TSIKOURAS: Yes. Well, what we basically did is, as you know, Fines and Forfeitures is a big chunk of what the County collects. So we looked at historically over the last several years, what's been budgeted, what's actually been collected. We look at run rates. We talked to the departments. So I know that they had some operational issues with the transitioning of some software. So they're definitely lagging behind. And based on those historical trends, we've

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said that we think that they're not going to achieve those numbers.

LEGISLATOR BYNOE: Okay.

Thank you very much.

MS. TSIKOURAS: Sure. Of course.

CHAIRWOMAN FORD: Legislator Giuffre?

LEGISLATOR GIUFFRE: Thank you.

Comptroller, the GAAP adjustment that you mentioned earlier, that that was because of the f-map impound. Tell me, what was the GAAP adjustment?

MS. TSIKOURAS: Okay, so the County the county's financial system is on a budgetary basis. So in order for us to issue our financial statements, we have to convert all that data to meet Generally Accepted Accounting Principles. And one of the things that the County does is when we pay our pension bill, it's recorded in our financial system on a cash basis, basically. We pay our financial, we pay the bill, we record the expenditures typically in February of

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every year because that's when it's due to the State. But the State's invoicing is on the State cycle. So the State's fiscal year is April 1st to March 31st. The County's is the on calendar year. So what we have to do is we make every year we book a GAAP adjustment to reflect 25% of one of the bills in 75% of the other. So this year, because of the increase in rates, the projected 2025 invoices are coming in much higher. And so a portion of that impacts the the GAAP adjustment.

COMPTROLLER PHILLIPS: In the regular report that's on the right side on page nine, Legislator, you can take a look.

LEGISLATOR GIUFFRE: Could you tell me a little bit about -- I heard f-map come up. My questions particularly concerns, I saw and I remember there was a letter that Senator Borrello wrote in February where he put some numbers in there, and it was about the amount of money owed to counties from 2017 was 1.2

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billion. I don't know how much of that is owed to Nassau. And then there's a current amount that is being withheld or that is under the governor's budget.

COMPTROLLER PHILLIPS: I'm not familiar with what you're referencing. This map, the "little E", the enhanced F-map is what I was referencing. And I have a great piece from New York State Organization of NYSAC that I would be more than glad to share with all of you. They're estimating the four year cost to local taxpayers anywhere from 2.5 billion to 2.9 billion. Now, that's pumped up. On an annual basis it's \$625 million in Federal Medicaid savings that are currently distributed into the counties in New York City; \$280 million to counties, \$345 million to New York City. So the only good news out of this, this impacts New York City by \$345 million. So I'm hoping politically or from a lobbying standpoint, New York City will be front and center up in Albany talking about

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this, in addition to NYSAC.

LEGISLATOR GIUFFRE: Right. So we're all in the same boat in a sense, the city as well as the counties.

COMPTROLLER PHILLIPS: Yes, we really are. But it's in the budget and the budget has been passed. And it truly states that this is found money from the federal government to offset state costs.

LEGISLATOR GIUFFRE: But it's not being shared with the counties.

COMPTROLLER PHILLIPS: Right. So, you know, this isn't found money. This money has been there for 20 years and every governor in the last 20 years has passed this federal savings onto local government.

LEGISLATOR GIUFFRE: If it was passed on to Nassau County, how much --

COMPTROLLER PHILLIPS: It's 14 million Andy budgeted this year that he is not going to receive, which is why I said it's a potential opportunity. And I believe over the course of four years --I

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need to fact check myself, I think it totals out to be about 27 million; 26.5 is what I remember. So it's real dollars.

LEGISLATOR GIUFFRE: No, it's a lot of money.

COMPTROLLER PHILLIPS: It's real dollars. That offsets sales tax.

LEGISLATOR GIUFFRE: Right. And the budget though reflects the fact that we're not getting that.

COMPTROLLER PHILLIPS: Yes. I confirmed with Andy this morning that he has expensed. He does not have the 14 million on the revenue side.

LEGISLATOR GIUFFRE: All right. Thank you.

COMPTROLLER PHILLIPS: Thank you.

CHAIRWOMAN FORD: Thank you very much.

COMPTROLLER PHILLIPS: Thank you, everyone. Thank you always for having us.

CHAIRWOMAN FORD: Thank you for your presentation. It was very thorough and

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thanks for answering all of our
questions.

COMPTROLLER PHILLIPS: Absolutely.

(Whereupon, a brief recess.)

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CHAIRWOMAN FORD: Next up will be the District Attorney's Office for presentation.

Good afternoon.

EXECUTIVE ADA LEE: Good afternoon, distinguished members of the Legislature. It's my pleasure to present to you the district attorney's budget for 2024. My name is Brian Lee. I'm an Executive ADA in charge of administration at the District Attorney's Office. Also with me today is Dennis McDermott, he's the Director of Finance.

This will be a very brief presentation. Our proposed budget for 2024 is a little over \$58.5 million. And this request is a slight increase over the budget that was approved last year of \$57.1 million. It is a \$1.4 million increase over last year's budget, representing approximately 2.5%.

This is a nominal increase request. We believe that this is required for effective administration and operation of

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the office. We are trying to be fiscally responsible during these times.

In terms of headcount, we are asking for 458 full time staff members for the District Attorney's Office. This is a number that is lower, actually, than last year, and I'll explain that in greater detail. It's more consistent with what we asked for or we got back in 2022.

Currently, we have 428 staff members, 218 of which are ordinance employees, 167 CSEA employees, and 43 IPBA employees. We are currently operating with a reduced headcount and that's the reality. We are still recovering from the loss of personnel in the last two years.

Just to give you some numbers: Since January 1st of 2022, we have lost over 113 ADAs/prosecutors. We call that the "Great Resignation" that's being experienced throughout the state. We have a current staff of ADAs of around 200. For us to lose that many in a course of

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20 months is astounding. But yet, we were able to persevere. We hired approximately 100 assistant district attorneys during that time. But what we lost in terms of experience, we could not gain from hiring brand new ADAs. So it is a time of transition for us. It's a difficult time for us, but having said that, we are doing remarkably well.

Just to explain, in this next slide, you'll see that the caseload for the County, including misdemeanors and felonies, are on the increase. We did experience a lull, a decrease in the caseload during the pandemic year, starting in 2020 onto 2021 and 2022. But the projections for 2023 -- and these are projections are provided for by the OCA. They're not District Attorney's numbers. These are the court numbers. We're expected to reach 37,521 felony and misdemeanor cases, which surpasses what we had prior to the pandemic in 2018 and 2019.

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Despite the increasing number of caseloads that the ADAs are required to handle, if you think about it, if we have diminished number of ADAs, they're handling more cases than ever before.

I want to show you a graph that really demonstrates the remarkable performance of the District Attorney's Office in the past couple of years. What we have here (referring) is the dismissal rate, again provided by the OCA, which shows that the dismissal rate for all of the counties in blue, New York City in orange, and our office in gray. You'll see that in 2019, we were pretty much consistent in terms of dismissal rate with the counties throughout New York State and New York City. And in 2020, that's the that's the time when we experienced the pandemic, as well as the discovery and bail reform, we saw a spike in the number of dismissals for the State and for New York City. But you see, for our office, it actually decreased to 34%.

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In 2021, those numbers are more staggering because you see that the dismissal rate for the State is 55%, 69% for the City where our office was at 38%.

And in 2022, we continue to be remarkable in the sense that the New York State level was 50%, City percentage was 62, and our office was at 34%. Now translate these dismissal numbers into conviction rate, if case is not being dismissed, they're being disposed of with guilty pleas, trials, and so the conviction rates have remained staggeringly leveled and high compared to the rest of the state. And this is remarkable in light of what I just told you about the number of ADAs that we've lost. Over 60% of the staff was lost in the past 20 months, Yet with the newly hired staff, we're able to accomplish this level of efficiency.

Despite our efforts, I don't want to give the impression that we're out of the woods. By operating with a reduced staff

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level, it can have a negative impact on the quality of prosecution, public safety and retention.

The challenges that we are facing in hiring new ADAs really stemmed from a couple of things. One is the competition that we're facing from our adjoining neighbors, New York City as well as Suffolk, but also they're becoming very competitive. For instance, we just found out about a month ago that Suffolk DA's office is offering \$10,000 more than our office for starting salary for ADAs. It's really hard for us to compete at that arena where they're offering \$10,000 more to go to an adjacent district attorney's office. New York City, by comparison, pays about \$5,000 more than the Nassau County DA's office.

We're not just having difficulty hiring ADAs just because of the salary levels. The climate that we're in, in terms of what an ADA is expected to do, have sort of been communicated to law

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students that the ADAs job is no longer what it was in the past. Less time is spent in the courtroom, but more time is spent in your offices doing discovery. And they do a lot of discovery. A lot of their time is spent compiling discovery. Once you compile, you have to disseminate that information to the defense and is becoming very, very taxing for the ADAs. And that may explain why there is so much resignation in our office, in addition to the basic climate, that prosecutors no longer wear the white hat. We are perceived as sort of I don't use the word enemies, but no longer are perceived as ones pursuing justice, but just trying to get numbers and put behind bars. That is the furthest from the truth. Truth of the matter is, we have dedicated ADA's that are pouring their hearts and souls into their jobs to do justice. Those that stayed are examples of committed ADAs, who are charged with the task of carrying out justice for our victims in the

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county.

We are also experiencing hiring more crime victim advocates and discovery expeditors as well as support staff because until the new contracts came out, we had great difficulty hiring civil servants at a starting salary of \$28,000, \$26,000 for legal secretaries and paralegals. For example, we must have interviewed over 100 legal secretaries and attorney assistants the past 20 months. We were able to hire 12 out of hundreds. And the main reason why they're not taking the job is because we're offering so little in terms of starting salary. Now, we're very hopeful that with the new contract that's coming out, that's going to change. When you look at the new contract, it's going to take a year or two when the starting salary levels are high enough for them to be lucrative or attractive for new hires.

Nevertheless, I just want to reiterate that we are trying our best.

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We're trying our best to recruit. We are working tirelessly to carry out justice, to do our cases and protect the victims of this county.

So we ask that you approve the budget that we requested for the reasons stated.

Thank you very much.

CHAIRWOMAN FORD: Thank you very much for your presentation.

In the budget that you proposed for the DA's office, did you include in that the increase of starting salaries for the ADAs that you want to hire so you are more competitive with Suffolk?

EXECUTIVE ADA LEE: We learned of the Suffolk County DA's office increase right after we put in our budget request. I would say the day that we did it so we we couldn't go back and change all the numbers. But we did talk to OMB, Andy Persich in particular, about the possibility that if we are struggling to hire ADAs because of the increase in

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adjoining counties, that we will come back to OMB and to the Legislature to ask for more money, if that if that is necessary.

CHAIRWOMAN FORD: Would you know off the top of your head what you think that cost would be if you had to add to increase it?

EXECUTIVE ADA LEE: If you were to try to match Suffolk County, for instance, at \$10,000, of course, you can't just look at it in a vacuum. You can't just give 10,000 more for the starting class because that impacts the entire office, right? Everyone would have to get bump up. The other struggle that we have in terms of salary for the District Attorney's Office is that the District Attorney's salary is set by statute. It is commensurate with the Supreme Court Justices' salary, which haven't been raised since 2019, is currently at \$210,900.

We don't believe that any line ADA

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should make more than District Attorney's office. What that does is pushes up all of the employees towards that number without being able to go over that number. So it's hard to calculate how much money we'll need. But hopefully next year there is some talk of a committee being formed by the OCA to ask for an increase in the salary for Supreme Court Justices, which may alleviate some of our salary structure and the burdens that's incumbent upon the current salary structure that we have.

CHAIRWOMAN FORD: So not only the Supreme Court Justice, but you're saying the DA's throughout New York State are stuck at this salary level, and that's it.

EXECUTIVE ADA LEE: That's right.

CHAIRWOMAN FORD: Well that's interesting. All of them?

EXECUTIVE ADA LEE: All elected DA's in New York State make the same amount of money, \$210,900.

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CHAIRWOMAN FORD: Wow. Well, good luck on that. I hope you're able to succeed and do get the increases, because our DA does work very hard, and I still am always eternally grateful that she went after that contractor that billed a lot of people out of a lot of money. And, you know, for us it was justification because after Sandy, a lot of people lost a lot of money to unscrupulous contractors and nothing was done to them.

EXECUTIVE ADA LEE: Thank you.

CHAIRWOMAN FORD: Now I just want to bring up, because I know that with your CSEA workers and from what I gather, you have a number of them that were hired, after 1999 or whatever it may be -- I'm really going back -- but just recently, and they are going to be impacted by the change in getting your medical benefits from 10 to 20 years. Do you know how many employees you would have? They would be your CSEA workers and they would be your support staff you're trying to hire. You

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have a potential of maybe losing those people because they aren't going to stay for the 20 years because some of them might be old enough to to leave, correct?

EXECUTIVE ADA LEE: That's correct. We'll see in two years when it goes into effect in 2016. We anticipate that probably two dozen employees will have to make a very tough decision as to whether to stay on or to leave. What they're struggling with, what I've heard from the employees is that there are a number of employees in our office that have the ten years but don't have the 20, so they feel like they're vested in the ten, but they don't have the 20, and now they're going to be required to stay up to 20. So I see the unfairness in that. But I know that this was a negotiated contract. All parties were represented. There is good and bad in the contract in terms of what the CSEA employees see.

CHAIRWOMAN FORD: Higher salary. Their tiers have been bumped up as well.

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So they're getting more money. The contract is a very, very good contract. So we're not even questioning that. But I'm just curious, and I'm hoping that maybe prior to 2026 that maybe something can be resolved to make it so that these employees -- a lot of them, will stay regardless if it's ten years or 20 years, but hopefully that we're able to get it, that they don't have to make that difficult decision in 2026.

EXECUTIVE ADA LEE: We hope so.

CHAIRWOMAN FORD: You gave a great presentation. You could see how well run the District Attorney's Office is running and it's credit to all of you and especially to Ann Donnelly.

EXECUTIVE ADA LEE: Thank you.

CHAIRWOMAN FORD: Thank you very much.

Legislator John Ferretti.

LEGISLATOR FERRETTI: Thank you, Legislator Ford.

Thank you for your presentation.

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EXECUTIVE ADA LEE: You're welcome.

LEGISLATOR FERRETTI: Earlier, you indicated the district attorney salary -- Did I hear correctly? No ADA makes more than the District Attorney.

EXECUTIVE ADA LEE: That's correct.

LEGISLATOR FERRETTI: Is that a County policy? Is that a AD policy?

EXECUTIVE ADA LEE: No, it's not a DA policy. But you'll find that most offices throughout the state, that is the rule. I'm not sure if it's a written rule, but in terms of just being reasonable, we know that the District Attorney works nonstop. She works seven days a week. And we think it's unfair that someone should make more than the boss when we don't have the hours that the boss keeps. So that is something that we internally believe in. And a lot of the DA's offices, I would say 95% of the DA's office adhere to that rule. When I say a rule, I guess it's the policy.

LEGISLATOR FERRETTI: Okay. I think

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if we had that rule in the Legislature,
we'd have no staff.

EXECUTIVE ADA LEE: Oh, goodness.

LEGISLATOR FERRETTI: Aside from
that, though, Suffolk County, \$10,000
more starting salary. How about Queens?
Brooklyn? Are they in the same boat?

EXECUTIVE ADA LEE: Suffolk just
went to 80,000. We just upped to 70. And
the City is at 76.

LEGISLATOR FERRETTI: So they're
higher also.

EXECUTIVE ADA LEE: Yes.

LEGISLATOR FERRETTI: Okay. Thank
you.

EXECUTIVE ADA LEE: You're welcome.

CHAIRWOMAN FORD: Legislator
Schaefer.

LEGISLATOR SCHAEFER: Good
afternoon.

EXECUTIVE ADA LEE: Good afternoon.

LEGISLATOR SCHAEFER: Thank you for
your presentation. Very comprehensive.

EXECUTIVE ADA LEE: You're welcome.

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LEGISLATOR SCHAEFER: Couple of sort of extrinsic comments or just questions. I have the OCA predictions that you presented. Are those typically accurate?

EXECUTIVE ADA LEE: I have no reason to believe they're not accurate. They're posted, it's made public, and they're updated constantly.

LEGISLATOR SCHAEFER: Okay. So it's something you use and that's why obviously it's in your report because you can kind of rely on it?

EXECUTIVE ADA LEE: Of course, if can't rely on the OCA to give me numbers, I don't know who I could rely on.

LEGISLATOR SCHAEFER: Okay. That's what I thought.

So you're looking for 30 more to hire; is that correct?

EXECUTIVE ADA LEE: Thirty more to hire, yes.

We want to get to 458 but as you can see, we're currently at 428. And I discussed with everyone here the

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difficulties that we're having in hiring. Right now, I believe we have 218 ordinance employees, most of which are ADAs. We do have some other non ADA ordinance employees. We need to maintain that number and that's a struggle. We just hired a new class. They just started in September, 26 ADAs. So we're at a high right now. But slowly we're going to start losing ADAs. But since we don't hire it throughout the year, we hire mid-year class about 5 or 6 and a large class in September, we have to survive until we get to that. The only other mechanism is to hire lateral ADAs, but that's very difficult too.

LEGISLATOR SCHAEFER: Right. So the the 30 additional personnel is a mixture of maybe support staff and ADAs that you're looking for?

EXECUTIVE ADA LEE: That's correct.

LEGISLATOR SCHAEFER. Okay.

So my other topic was animal crimes. We haven't heard much about that. In the

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past, we used to see press conferences. When they were arrested or they obviously knew they had rescued an animal that had been injured or legs cut off or really lovely things like that -- there were press conferences and we haven't seen any of that in a while. And I was wondering what's happening in area. Are there cases that are being resolved and will there be any press conferences? Or just some awareness? Because I think it's important. I think people tend to forget and who they can call or what what they can do about it. I know it's usually involving the Nassau County ASPCA. And so I think I happen to know a couple people involved in that, and I think that they always appreciated that connection with your office and the ability to show what they're doing and what you're doing in that arena. Because, like it or not, animals are important to so many people, especially in this county, and I just think it's important to make sure you

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keep people aware of who's taking care of the people that are doing the things they shouldn't be doing.

EXECUTIVE ADA LEE: Okay. I assure you that just because we are not doing more press releases as we have done in the past, does not mean that we're not vigorously prosecuting these cases. In fact, we have the same level of staffing for the Animal Crimes Unit. In the past, we had four ADAs, one paralegal and two investigators, and that's been consistent throughout. We currently have one unit chief; four ADAs, two of which are at a felony level, two of which are the misdemeanor level; one paralegal; and two investigators devoted to that unit.

Compared to last year, I think we had ten cases, animal cruelty cases last year. To date, we have seven. We do have a couple of investigations that are currently pending and I think from one of the investigations, you will see a press release because it involves dog fighting.

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I don't want you to be concerned that we're not prosecuting these cases; we are. We just haven't had an opportunity to do a press release. But nothing has changed. We are still actively investigating and prosecuting these cases.

LEGISLATOR SCHAEFER: Now, I know that the ASPCA is a private organization. It's not the County, even though it's referred to as Nassau County ASPCA. Does the DA's Office provide any funding for them out of the budget or they don't? I'm not sure how that works. I know they do fundraising for things.

EXECUTIVE ADA LEE: Sure.

I don't think we have direct monies that are going from our office to that particular agency.

MR. MCDERMOTT: One more thing. There is a Memorandum of Agreement with the County Police, ASPCA and DA where we do reimburse, if nothing else, a lot of the expenses that go towards animal care

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treatment, etcetera, for things that do become criminal matters.

LEGISLATOR SCHAEFER: Got it. Okay. And is that still in effect?

MR. MCDERMOTT: Yes.

LEGISLATOR SCHAEFER: Okay. Is there any expiration on it or no?

MR. MCDERMOTT: They're working on a new one right now okay. But we're still valid.

LEGISLATOR SCHAEFER: Okay. Thank you very much.

EXECUTIVE ADA LEE: You're welcome.

CHAIRWOMAN FORD: Legislator Drucker.

LEGISLATOR DRUCKER: Thank you, Chairwoman. Thank you, sir, for your presentation.

EXECUTIVE ADA LEE: You're welcome.

LEGISLATOR DRUCKER: Starting salary is \$70,000 for an ADA?

EXECUTIVE ADA LEE: It is actually \$68,000, if you haven't passed the bar. It becomes \$70,000, once you pass the

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bar.

LEGISLATOR DRUCKER: And how long a commitment are you required to give?

EXECUTIVE ADA LEE: Three years.

LEGISLATOR DRUCKER: You track the resignations and you gather the reasons why the resigning, correct?

EXECUTIVE ADA LEE: Sure. To the best of our ability.

LEGISLATOR DRUCKER: What percentage of the resignations are due to financial considerations? Like you have, for example, a head of household who's starting out at a law school opportunity to work in the DA's office is, you know, optimum experience. But, if after three years, you're making \$75,000 and you have a family or young children not so feasible. So do you track the percentages of resignations that are due to financial rather than, you put that out there that it's due to stress from discovery requirements.

EXECUTIVE ADA LEE: When we talk to

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the ADAs who are leaving, they do cite finances as one of the reasons.

LEGISLATOR DRUCKER: How many?

LEGISLATOR DRUCKER: I would say about half of the ADAs are leaving for firm jobs. The other half are leaving for other government jobs. Some are leaving for other DAs offices. Some are leaving for non DA office jobs. For instance they're leaving for a clerkship. They may be leaving for some other agency like the federal agencies or local agencies that don't have the the demands of the caseload or the discovery demands or discovery compliance demands that they have.

But you're right, I would say half the ADAs cite one of the reason for their leaving being finances.

LEGISLATOR DRUCKER: Do you have data to support the 50%?

EXECUTIVE ADA LEE: Well, we do ask ADAs who are willing to speak to us when they leave as to the reasons for leaving.

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Whether they are forthright with us, they will cite reasons for why they're leaving. Some will say it's because it's just the demands of the jobs are are very high. Some will say, like what you just pointed out that they have a family to take care of, but we don't keep like exact statistics. But based upon my experience in speaking to other executives and tracking how many people are leaving. We've had a number of people leave, a lot of people leave last year, so we had a lot of opportunities to speak to people and get some feedback.

LEGISLATOR DRUCKER: I understand, and it is regrettable, don't get me wrong, but when you put out a PowerPoint and you put down in bold letters "due to stress of discovery demands", I think that's a little misleading, especially since you don't keep the data and it's an estimate by you based on conversations with third parties.

EXECUTIVE ADA LEE: It is a

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conversation with them.

LEGISLATOR DRUCKER: Your support staff, has that increased in terms of helping out the ADAs with discovery demands so that they're freed up a little bit more?

EXECUTIVE ADA LEE: We have a title called Discovery Expeditors that we started hiring back in 2019, and their exclusive role is to assist ADAs in helping out with discovery compliance. The issue that I see with Discovery Expeditors is they don't stay very long. Again, I'm not sure if it's because starting salaries for Discovery Expediter, I think it's \$30,000. So it's not very attractive in terms of longevity. They stay maybe a couple of years, they were out of college. They may take the job, but they seem to get the experience and go elsewhere.

The other thing I would like to mention is that throughout the county we have that position Discovery Expeditors

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in other municipalities that pay more, I guess they have their own contract. For instance, I believe Hempstead offers maybe \$10,000 more. There's other agencies throughout the County that were competing with local counties and local towns and cities that are sort of attracting our Discovery Expeditors more for more pay.

LEGISLATOR DRUCKER: You mentioned that the differential between Nassau and the New York City boroughs is about \$5,000. I would suggest that you check out the data as they get promoted into other positions; supervisors, deputy bureau chiefs and bureau chiefs, I think the differential is a lot different than \$5,000.

EXECUTIVE ADA LEE: Yes. That's correct.

LEGISLATOR DRUCKER: We'll talk about dismissals. What percentage of your dismissals is due to 30.30 mandates?

EXECUTIVE ADA LEE: I don't have

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those figures, but I can tell you that we our office, we work very hard to avoid 30.30 dismissals. That is something that the DA has expressed to the staff that she will not tolerate 30.30 dismissals. A lot of our dismissals are because of uncooperative nature of our complainants or victims in the case, and some of which are discovery compliance dismissals, meaning that we have failed to gather the information that's required under the new law in a timely fashion. So that is a constant struggle.

LEGISLATOR DRUCKER: No. I know for a fact I have people I know who are in the DA's offices in the boroughs and the stress of trying to comply with the discovery demands and avoid the 30.30 dismissals is very real. I understand.

One of the things that's particularly important to me, and I'm sure everyone else here: Hate crimes. One of the things that disturbs me about prosecuting hate crimes, because I think

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2 they should all be prosecuted
3 independently and as a felony, but they
4 have to be piggybacked or joined with an
5 underlying predicate felony in order for
6 the hate crime to be prosecuted as a
7 felony. In other words, painting a
8 swastika on a school bench may not be a
9 felony in and of itself, which it should
10 be, and I would appeal to our state
11 representatives to see if we can do
12 something under the Criminal Procedure
13 Law to mandate or to classify it as a
14 felony independently. In your office
15 you're constrained by state law, I
16 understand that. But would you agree that
17 that's difficult? You'd like to prosecute
18 a lot of these hate crimes independently,
19 but you can't because it has to be an
20 underlying predicate felony?

21 EXECUTIVE ADA LEE: That's correct.

22 LEGISLATOR DRUCKER: Can you
23 elaborate on that?

24 EXECUTIVE ADA LEE: Well, you are
25 absolutely correct that we are bound by

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the New York State penal law, which says that a hate crime, you still have to have the underlying predicate crime, whatever that may be, a misdemeanor or a felony. And it bumps it up one grade up. So if it's a misdemeanor, you could treat it as a B misdemeanor, if it's a Class E felony, then it's a Class D felony, but for sentencing purposes only. But by and large, hate crimes are difficult cases to prosecute. Some are very, very apparent in nature, but some are not very apparent in nature. You could have a robbery case, based upon the nature, the parties involved, you may think it's a hate crime, but because we have to prove motive. And that's the difficulty in proving any type of hate crime. You have to prove that the person had a bias or motive based upon race, gender, nationality or religious belief. But that's hard to do because that needs to be articulated during the commission of the crime, which rarely happens.

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In addition to having the underlying crime that you have to prove to, to bump it up to a felony, whether you have an independent statute that says anything in which you have a graffiti of a swastika is a felony, that would make our jobs easier. It would. But at the same time, we're bound by what we have in terms of the law. I'm not sure that's going to change, but you're in a position to change it.

LEGISLATOR DRUCKER: But the fix is in Albany, correct?

EXECUTIVE ADA LEE: It is, it is.

LEGISLATOR DRUCKER: Would you say that your office with this budget is adequately funded to deal with the rise and surge in hate crimes in Nassau County?

EXECUTIVE ADA LEE: We are.

Currently we have a Hate Crimes Unit that's comprised of the Unit Chief; two ADAs who are felony experienced; two misdemeanor ADAs; and then we also have a

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paralegal who is involved with hate crimes as well. And we've had Hate Crimes Unit since February of 2017. And every year we work with the Police Department in identifying cases that could be potentially hate crime. We go out and we conduct investigation, post arrest mostly. But our Hate Crimes Unit primarily functions as a mechanism to educate the public and to train our staff and to train anyone else, agencies that are involved as to what hate crime is and to how to report those crimes when that happened. I personally have gone with Hate Crime Unit Chiefs to schools, to churches to speak to them. We've had incidents of bias in some of our high schools. We've been there. We are on the ground talking to school administrators, synagogues, churches, community centers, talking about all of that.

We recently received, I want to say, October of last year, funding from the federal government, a tune of \$100,000 a

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2 year to buttress our Hate Crimes Unit
3 capacities. The only restriction is that
4 the money has to be spent as a
5 supplement, not to supplant the current
6 staff. So we have to hire someone new to
7 be in that unit. But that's a difficult
8 thing to do when you're trying to hire
9 someone solely for the purpose of doing
10 Hate Crimes Unit when we already have a
11 very robust, dedicated team. So that's
12 something that we need to internally
13 discuss to figure out how to utilize that
14 money. We think that the best way to use
15 that money is for training, educational
16 purposes.

17 LEGISLATOR DRUCKER: But you are in
18 fact prosecuting cases. You have a case
19 that meets the criteria, you're
20 prosecuting them.

21 EXECUTIVE ADA LEE: Absolutely.

22 LEGISLATOR DRUCKER: As someone who
23 deals with this issue, unfortunately,
24 sadly, almost on a daily basis now, I
25 think it's important for the public to

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see that our DA's Office is not hesitant to prosecute these cases. Accountability has to be had here. And I think it's important for your office. And I appreciate you going out and speaking. And I've been to a lot of events where your office has representatives educating people about it. But as we can see, it's not working and it needs to have more teeth to it. And again, it's back to what I said earlier. We need to have changes made in Albany, but we also need to not be hesitant to bring some of these cases to trial. Sometimes not every case is a perfect case to go to trial, but sometimes it's like a poker and you don't have to show your hand until the last possible minute. But I think it's important to show perpetrators and purveyors of this hatred that when they get caught, a price will be paid.

EXECUTIVE ADA LEE: Absolutely.

LEGISLATOR DRUCKER: Thank you very much.

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EXECUTIVE ADA LEE: You're welcome.

LEGISLATOR WALKER: I just had a piggyback on on what Laura was speaking about. Would it be helpful to you just so we could get the information out, we will send out newsletters or teams or whatever. If there's anything that you could share with us in regard to animal, the animal issues. Because for many people, sometimes they feel like they're their focus on animals is more important than their focus on people. But for those for all of our residents to know what's happening, what's been done. Also it gives them the opportunity to know who they might reach out to if they see an incident happening, that they know that they can notify the ASPCA, they can reach out to our offices, that it will be taken further than than just to kind of shut a blind eye. And that goes for all of our issues. But, you know, I know you said that's something you really haven't kept up on. There might be a press

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conference coming up soon, but, if you could send that over to us, that's something we could put out there.

EXECUTIVE ADA LEE: Sure.

Absolutely.

LEGISLATOR WALKER: Thank you.

EXECUTIVE ADA LEE: We do have a website, a DA website, which we have a complaints unit that will take any calls regarding any crimes.

LEGISLATOR WALKER: We could share that too. Because oftentimes we kind of cover like if it's Public Safety or we're sending out a health kind of information. But you know, we can add that to wherever it fits and maybe be helpful to you too.

EXECUTIVE ADA LEE: Of course.

LEGISLATOR WALKER: Thank you.

EXECUTIVE ADA LEE: You're welcome.

LEGISLATOR SCHAEFER: If I can just add to that. As Legislator Drucker was saying similarly, it shows that there are consequences. We know that you are addressing those, but so the public knows

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that there are consequences for those things.

CHAIRWOMAN FORD: Legislator Ferretti.

LEGISLATOR FERRETTI: Just one last inquiry.

The \$68,000 before you're admitted, \$70,000 for the new attorneys, how long is that salary been the case?

EXECUTIVE ADA LEE: We just increased that this past year.

LEGISLATOR FERRETTI: What was it?

EXECUTIVE ADA LEE: It was 62 to 68.

LEGISLATOR FERRETTI: Wow. So it's about a little less than 10%.

EXECUTIVE ADA LEE: Yes.

LEGISLATOR FERRETTI: And what about for the new attorneys when they become when they get admitted? It's 70 now. What was it?

EXECUTIVE ADA LEE: It was 68.

LEGISLATOR FERRETTI: So that went up 2000.

EXECUTIVE ADA LEE: Yes.

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LEGISLATOR FERRETTI: But those that are not admitted went up 6000?

EXECUTIVE ADA LEE: Yes. We try to bridge that gap. We try to incentivize non admitted attorneys to get get their paperwork in when they pass the bar. But we got rid of that. And now we try to close the gap between unadmitted attorneys and admitted attorneys. There are certain things that unadmitted attorneys cannot do like going to the grand jury, things of that nature. So we want to accelerate their process to become admitted attorneys so we could utilize them fully. So we want to incentivize them. But at this point we're falling behind our competition in terms of our salary. We're trying to make some changes to address that.

LEGISLATOR FERRETTI: Okay. Thank you.

EXECUTIVE ADA LEE: You're welcome.

CHAIRWOMAN FORD: Thank you very much for your presentation.

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EXECUTIVE ADA LEE: You're welcome.
Thank you, everyone.

CHAIRWOMAN FORD: We really
appreciate you answering our questions.

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CHAIRWOMAN FORD: Good afternoon and welcome.

COMMISSIONER RYDER: Good afternoon. Good afternoon, everybody, and thank you for giving us this time to talk about a 2024 proposed budget.

I have a handout that you have all received. On the first slide, if you open up the page one, it is NCPD Budgeted Revenues and slide two is the Budgeted Expenditures. There has been an increase in obviously salary, wages and fees. As you see, everything listening to the last couple of presentations, has gone up, including contractual obligations. There is a balanced budget of 1,059,000,000 and also on the expenditure side, any questions on that?

(Whereupon, no verbal response.)

COMMISSIONER RYDER: Okay, I'm going to go right to the headcount.

The headcount in the police department is the total number that I

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work with. The '23 adopted headcount was 3879. The adopted headcount for '24 is 3901. From the Police Department sworn side, the adopted headcount of 2542, which was a 42 person increase from 2022. And at 2024, we are going up an additional 20 police officers to 2562.

On the civilian side, with CSEA employees, 1315 was the adopted headcount of '23, and the proposed headcount of '24 is 1317. Total headcount for the Police Department including seasonal and ordinance is 3901.

Next slide.

LEGISLATOR SCHAEFER: Commissioner, can I ask a quick question? I'm sorry to make you go back, but back to the first page. Just curious. Federal aid I see is \$75,000. What is that based on? How do they find that number?

COMMISSIONER RYDER: That is a federal aid subsidy that we get from the federal government.

LEGISLATOR SCHAEFER: But what do

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they base that amount on? Does everybody get 75,000 or you know what I'm saying. Like this is what our county gets. What is Suffolk County?

OFFICER MURPHY: Different municipalities you're going to get a different sum.

LEGISLATOR SCHAEFER: What does it depend on though?

OFFICER MURPHY: Size, population.

LEGISLATOR SCHAEFER: A population of obviously residents.

OFFICER MURPHY: Of the county itself.

LEGISLATOR SCHAEFER: Okay. Thank you.

COMMISSIONER RYDER: All right, we'll continue on.

You'll see the NCPD budgeted to actual overtime. Right now we are on pace of the budgeted number of last year. Obviously the year is not over. So we will be going over slightly on the budget. And that's due to mostly we've

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had a lot of incidents this year that would not projected. Parades are fully back. When we went into the Covid world all of those things went away and now they're all coming back. But over time overall is higher because of the new contractual agreement. So the projected number was with no contract. Now obviously there is a contract and those numbers will change.

Year end police salary budget. You see the numbers there again has gone up from the 491 million to 522 million. It's the estimate. And again, that's due to contractual obligations of settling the contracts with the three unions.

Next slide. Crime numbers. So if you look at our crime numbers back in '19, '20 and '21, we were voted by *US News and Reporting* the safest county in America. In '22, we actually lowered overall crime, and *US News and World Reporting* decided not to do the report that year. But I want to give you some numbers and

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put it into perspective of what we're looking at, because we are down in overall crime at 2.87%.

Last year, our homicides with a record low in the 98 years of the Police Department, and we are down year to date, 18% where we were last year. Homicides are down.

When you look at our stolen cars, we have 1,040,000 registered vehicles here in Nassau County, 1,040,000. We are probably going to do less than 650 stolen cars. That is down 21% from last year, which is also a very low number. Even though we report numbers high, the reason is 90% of the cars that are stolen, people leave their keys in them. They're not locked. So I can drastically bring that number down. But it is already down 21% because of that education that we went out and went to the public and spoke to them and show them the flyers and the road blocks, where we handed out flyers to the community to educate them about

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locking their vehicle.

There are over 500,000 homes in Nassau County. Residential homes. We are going to do less than 300 burglaries. It's down 15%. Go back ten years ago. We used to do 200 burglaries on a weekend. We are going to have less than 300 burglaries this year. That is another record low number here in the Police Department.

Our street robberies are down another 9%. That is our violent robberies that occur on the streets we are less than 167. But as you all know, we carry a population of about 1.5 million. So again, bringing those numbers down.

The numbers that have gone up is our commercial burglaries went up 28%. That 28% was due to a crew that was arrested. That South American theft group that has been up here. We have made several arrests. Just another one last week working with the federal government and the US marshals. We picked them up in new

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Jersey, and hopefully that will stop that trend of commercial burglaries. But we are still working off historic low numbers from last year.

So that gives you an idea where we are with crime, except if you flip the next page. Let's talk about shootings, shooting incidents involving injury. We are down 41% and we are down 33% on the five year average. We continue to make improvements when it comes to violence and crime and gangs here in Nassau County. We make that improvement because of using the technology that is available to us: ShotSpotter, using the cameras, the license plate reader programs that we have, using them correctly, reducing crime.

So we have seen, again, safest county in America three years in a row. We hit it on the fourth year, but they stopped the report. We're going to hit it again. This year will be the fifth year in a row that we are lowering crime here

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in Nassau County. We continue to reduce violence and making it still the safest county in America.

If you want to flip over to the next page, the Training Village, first of all, a thank you.

LEGISLATOR FERRETTI: Commissioner, can I ask you a question on one of the ones we just went through?

COMMISSIONER RYDER: Yep.

LEGISLATOR FERRETTI: The 2023 major crime numbers. You mentioned the 28.57 other burglaries. That's commercial burglaries?

COMMISSIONER RYDER: That is the commercial burglaries, correct.

LEGISLATOR FERRETTI: South American, can you just explain a little bit more about what that was?

COMMISSIONER RYDER: So with bail reform and this is not the political message, this is the Commissioner speaking. With bail reform, we have a revolving door when it comes to violent

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felonies. Someone breaks into a commercial establishment and they commit that burglary and they are caught, they're getting the appearance ticket, they're getting released by the judge. They are not held on bail. As you just heard from the District Attorney's Office, one of the problems that we have, along with discovery.

So the group that we have been looking at for both residential and commercial burglaries has been out of South American theft group. South American theft group, we have conversations with our federal partners, information was received that they know to go to certain areas in the United States where they are told, if you are caught, don't run, don't flee, surrender. You will get released. If you cause an injury to a police officer, you're not getting released. You're held on bail. If you take off in the car and you run somebody over you, you're going to be

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held on bail. There's now violence involved with that burglary. If you come out of the house with \$1 million in jewelry, get away. You get away. We catch you in the next day without the million dollars. You're walking out the door with an appearance ticket. You're not staying in the system. That's the revolving door. So when we challenge things like our commercial burglaries, which we have over 400,000 commercial establishments in this county, it creates a process that we can't keep them in. And what they do tell them also in which we've received from our federal partners that when you do get caught and you do get released, get back on a plane and come home.

LEGISLATOR FERRETTI: When you say come home, you're talking about another country?

COMMISSIONER RYDER: Go down to South America. Wherever you came from. We had the Venezuelan group is now that we're seeing we've had other groups up

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here that have been up here in the United States hitting us very hard.

LEGISLATOR FERRETTI: This specific group, like, do we do we know how many people were in this group?

COMMISSIONER RYDER: Believe it or not, it's a smaller group than you would think. It probably rotates anywhere during the course of a year, 50 to 70 people.

LEGISLATOR FERRETTI: We caught them in New Jersey?

COMMISSIONER RYDER: We caught a fraction of it. We made an arrest last week of the three people that were really hitting us hard. The last house they hit was up in Muttontown, and that's the one that we made the arrest on. They are being held because of our federal partners. And the other reason of being held because they were wanted in Westchester, they were wanted in New Jersey. And the night that we arrested them was in New Jersey after they

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committed another burglary.

LEGISLATOR FERRETTI: So they're not out right now.

COMMISSIONER RYDER: They are not out because other jurisdictions put a hold on them.

LEGISLATOR FERRETTI: They in the country legally?

COMMISSIONER RYDER: They are in the country illegally. They may have gotten a visa to come in as a holiday, a visitation, but they overstayed.

LEGISLATOR FERRETTI: This chart, any of these categories, because I see stolen vehicles, do any of them include catalytic converters? Are catalytic converters included in stolen vehicles, or is that not on here?

COMMISSIONER RYDER: That would go into your grand larcenies that would be under the stolen vehicles, grand larcenies.

LEGISLATOR FERRETTI: Okay, so it is included in this chart.

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COMMISSIONER RYDER: That's correct.

LEGISLATOR FERRETTI: I'm sure these are not all catalytic converters, but that grand larceny is roughly the same as last year.

COMMISSIONER RYDER: That's correct. We we are slightly up 0.12%, but that's a high number we're working off. Again, shoplifting, appearance ticket; catalytic converter, appearance ticket. The only the only misdemeanor is that we do hold until at least the next morning for the judge to deal with would be a domestic violence case.

LEGISLATOR FERRETTI: So somebody goes into CVS and steals a can of Red Bull, is that included in any of these?

COMMISSIONER RYDER: We would do a field arrest on that. We process it in the field, give them the appearance ticket in the field, and he would be released.

LEGISLATOR FERRETTI: So that's not included in any of these?

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COMMISSIONER RYDER: No. That would be a misdemeanor larceny.

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LEGISLATOR FERRETTI: Is that in anything on this package?

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COMMISSIONER RYDER: It's in total crime numbers. I don't have the total crime numbers with me on this report.

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LEGISLATOR FERRETTI: Because, just my experience in my district, and in the surrounding districts, that has to be way up. I mean, you go into a CVS, you go into any of these stores and it's almost like they don't even call the police.

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have to be much higher than they've been.

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COMMISSIONER RYDER: They are very high when it comes to the misdemeanor area. If I showed you the numbers and I will get them all to you, I apologize.

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But when you look at shoplifting, you

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just saw the white crime is out of

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control in Green Acres -- excuse me,

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Roosevelt Field, it was in the news last

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week. It's high. It's not violent crime.

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It's theft. Theft in general. They walk

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into a store, they'll grab five

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pocketbooks and they'll walk out and they

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will walk. They don't run, they'll walk

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out. And that person in that store will

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decide not to call us. Sometimes they

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wait till they're gone and then they call

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us. Sometimes corporate has told them,

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don't interact, call the police

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afterwards, take a report for insurance

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purposes.

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So it's underreported, the number.

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But we know that even those that we have

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that do run, they run and they fight. And

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we've had incidents in the mall where our

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officers have been hurt in accidents

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inside the mall trying to catch up to

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them.

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LEGISLATOR FERRETTI: That's the

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thing, they call them nonviolent crimes, but sometimes it leads to injury or violence.

COMMISSIONER RYDER: Many times it'll turn into a robbery, because if any force is used for the overtaking in that property, it'll turn into a robbery.

LEGISLATOR FERRETTI: So, yeah, if you had those numbers. Not today, obviously, but I'd love to see him because again, you're in these communities most of us have lived in all of our lives, and you walk into a pharmacy of a CVS or a Walgreens and there's a security guard there for the first time you've ever seen. There's got to be a reason. They're not hiring these security guards for no reason and spending money. So I'd really like to see those numbers.

COMMISSIONER RYDER: I will get them at the end of the day.

LEGISLATOR FERRETTI: Thank you.

LEGISLATOR WALKER: Just to add to

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what Legislator Ferretti is saying. You look in the targets, like the Target by me, you have to press a button for every single thing you want because everything is behind locked cabinets. It's gotten ridiculous. And again, security guards, the people who work there, you feel so bad for them. It's just amazing. Somebody will come in and all of a sudden they have 40 toothpastes in their backpack. It's just unbelievable. And who suffers from that? Every one of us. Because eventually prices have to go up because they can't afford to to keep going like that or stores will close. And then we have, you know, empty storefronts in our community. So it's got to be horrendous for you. I mean, I see the police up here all the time.

COMMISSIONER RYDER: What we've done, like we do every year, we showed you in a major crime numbers. That's what we're looking at. The the good news is violence is down. The bad news is

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property crime has been on the rise since 2020 and 2021, we saw the catalytic converters. Now we've knocked catalytic converters back quite a bit. We're still getting them, but we've knocked them back.

We spend the time chasing the new method that they're stealing from. So shoplifting was high. It's starting to come back down. The violence is not there, which is good. Because of the work that the Police Department is doing and the District Attorney's Office, when we do make those arrests, we are holding them and keeping them and bringing them to trial. But we do see an increase in property crime. And again, it's the bail reform revolving door that's happened. And I don't like making this a political statement. It's a fact. Sometimes people do need to be penalized and held. Not everybody should be walking out. And I do agree with many of the things with bail reform, but that is one I am not

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agreeable on.

LEGISLATOR FERRETTI: One more thing to highlight. I was just talking to Legislator McKeivitt. I got an undershirt on right now that I got at Walmart in East Meadow. You can't buy undershirts or underwear anymore. You have to wait 20 minutes to get somebody to come and unlock it. It's like, this is what we're living in. Something changed.

So. Yeah. I'd love to see those numbers.

LEGISLATOR BYNOE: Commissioner, how are you?

COMMISSIONER RYDER: Very well, thank you.

LEGISLATOR BYNOE: Good. Good, good. So no matter how many times someone has committed that type of crime, the misdemeanor larceny, they're released. Is that the case?

COMMISSIONER RYDER: If there's no violence, it has to wait until they catch up to their court date. Because there'll

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be no warrant issued. There'll be no court order issued. When the first court date finally reaches 30 to 45 days, when they get in on that 45th day, then the judge will get all of the arrests in front of him and can take action on the others at that time. But for that window of 45 days and it was longer during Covid, that is the opportunity for them to commit more crimes.

LEGISLATOR BYNOE: Are we seeing that now that we're out of Covid and this the 45 day window is actually then tallying the number of arrests. Are we seeing that judges are making decisions to hold people on these types of crimes or no?

COMMISSIONER RYDER: It depends on the judge and how he's interpreting what what he believes is what he has the power to do. Some of the judges are very good, and some believe that they should still get that pass.

LEGISLATOR BYNOE: So then the

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question is, what's bringing the crime down for shoplifting? What do you think it is? Is it the response by law enforcement?

COMMISSIONER RYDER: What will be the number down?

LEGISLATOR BYNOE: You said the numbers coming down.

COMMISSIONER RYDER: Because we have to put extra officers in the mall. We have 20 officers and two sergeants that are dedicated just for the Roosevelt Field Mall. That's a lot of resources for that square footage, on top of their own public safety officers that they have in there, their private security.

Then at holidays as we come up from Black Friday on, we will turn around and add a whole bunch more resources into it because we know crime will tick up during the holidays. It's crime of opportunity.

LEGISLATOR BYNOE: So it's law enforcement presence in Roosevelt Field, but not in our Targets and those other

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stores.

COMMISSIONER RYDER: It's impossible to cover everything. But we are trying and we have very good partners in a lot of the stores that are working with us. Sometimes we get some that and I don't want to call them out in public, but say that corporate says when we're not to get involved, wait till the crime is done and then sign a complaint so they can get that filed for insurance purposes.

LEGISLATOR BYNOE: Okay. Thank you.

LEGISLATOR DRUCKER: Commissioner, always a pleasure.

I don't really have a question for you. I just have a comment because I just have to tell you that your guys and gals have done a tremendous job over the past few days in providing a presence and a level of comfort. I've gone to three or four different rallies and vigils over the past few days, and every single one of them. Your office had a tremendous presence, and it's not just over the past

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four days. I would say that over the past more than a year, I always see your staff, your officers present, and you provide a level of comfort in very, very dangerous times that we live in now. And it's not going to be a temporary thing. So it's something your office is going to have to deal with on a regular basis in perpetuity, I think. And it's really sad and distressing and terrifying. But we need you. We need you on the forefront for all of us. And you've been doing a tremendous, tremendous job, and I applaud you for that. But you need to keep it going forever, I think.

COMMISSIONER RYDER: Thank you. And that's a credit to the well-trained men and women of the Police Department, the job that they're doing. But also, as you saw, the County Exec has committed to keep hiring. We don't fall behind. And increasing the size of the Department. There's a lot of storefronts out there and we try to cover them all. I put 20

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cops just into the Roosevelt Field Mall, there's a lot of square footage to cover, but that's a pretty good amount of cops that I could be used in other places.

So the County Executive is committed to hiring more, increasing the headcount. You've all seen Operation Overwatch that is out there with a presence of 20 additional officers every single day for the last several months, which gives us a presence and morphs us in size out there for the public.

LEGISLATOR DRUCKER: And I know the challenge for you is also deployment. How are you deploying these men and women on a daily basis? Where is your emphasis? Where are you concentrating on. And you have X amount of pieces for X amount of spots. And it's not easy, but I think you're doing a great job and I thank you for that.

COMMISSIONER RYDER: Thank you.

CHAIRWOMAN FORD: Legislator Walker.

LEGISLATOR WALKER: I just want to

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piggyback on Legislator Drucker. I thank you for that, for covering all of our synagogues, with all that is happening and, and certainly all our houses of worship. But I also want to thank you. I represent Farmingdale and I want to thank you so much for all you did for the Farmingdale community, for the residents there. They're still hurting tremendously. And I know that I reached out to you about the Big Band Show in Hicksville this year, this coming weekend, and how you're going to help us there with with coverage, because our groups have to cross Jerusalem Avenue, which is a very busy street. And, you know, we already had a tragedy dealing with the band we don't need additional tragedies. And but you're always there. You make it work for us. And, you know, again now you have to pull people from whoever, you know, maybe we can use crossing guards, or maybe we have to use our police officers. I know our

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municipalities work with you. The Town is going to close Division Avenue with town trucks or whatever, but working together and all that you do in the men and women of your Department.

COMMISSIONER RYDER: It's always a tragedy that brings us united and brings us together. And the three unions that always sit in the back of the room and doing their work, they came together along with the County Executive. We raised over \$12,000 that night in Mulcahy's that were given to the band. And again, Homeland Security Lieutenant Connelly, which you all know and does the assessments. His people were there every step of the way, making sure when those kids came home, we can make it as comfortable as we could for them.

LEGISLATOR WALKER: And certainly helping the families that that day to get them up to where the tragedy occurred. Like I said, I was at the parade on Sunday night with the Farmingdale Fire

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Department and some of the kids who were involved, one of them hurt very, very badly. She was there in her wheelchair. She's in the Fire Department Juniors, and she was there. And like I said, I cannot thank you all, every one of you, enough for all you've done and all you continue to do to help that community and to help those families in those kids.

COMMISSIONER RYDER: We get that from the people that support us. So we thank you.

CHAIRWOMAN FORD: Legislator Solages.

LEGISLATOR SOLAGES: Thank you.

I assume the Police Commissioner is not done with his presentation, so I would ask him please, to continue. But there was all this talk about Roosevelt Field Mall and in my district we have Green Acres Malls. I just wanted to ask how many officers we have there. And just last week or two weeks ago, we saw during the Top Cop presentation an incident with

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two detectives at Green Acres Mall who had to retrieve or get the suspect in by going into Queens and such heroic work and I really thank them for that. So I just like to ask you how many officers we have dedicated towards Green Acres Mall, and what is your plan on addressing the increase in retail theft there?

Thank you.

COMMISSIONER RYDER: As you know, Green Acres Mall has shrunk in size, especially on the inside of the mall where we have the response officers. We have four officers that work inside, and we have two additional officers that part of the POP Program and the plain clothes that come out there and assist with the mall. Depending on day of the week, time and everything else. Intelligence led policing is all based on what's trending up and how we adjust to do it in, in the right and proper way to address that crime issue. But the crime itself in Green Acres Mall has actually been down.

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And that's a good thing, some would say, because it's the reduction of businesses. I'll also say, they might have reduced inside the mall, but they've expanded outside and we've had a decent response there. Thank you.

LEGISLATOR DERIGGI-WHITTON: When you're seeing hiring, I know you're having another test and all, but how are you finding that whole process? Is it slow? I heard it's a bit of a wait.

COMMISSIONER RYDER: We have learned and we are not embarrassed to say that we've learned because it's a good thing to learn that after the death of George Floyd, what we can do better. How do we get more diverse? We have 34,000 people pre-registered for this test already, 34,000. And I'm happy to say the numbers are about 22% African American, about 25% Hispanic, and the rest mostly white, and then a small piece of Asian. That recruitment drive looks like the community. So that's a good thing.

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I got to get them to show up for the test. I got to get them there. That's it. The rest of the way, we have a mentoring program now that they have availed themselves to. Once you get past the test, we even mentored them for the physical part and stuff. So we always ask for the community to do their part and reach out and get these kids signed up. And I know, Legislator Solages, we've been down in the Fifth Precinct heavily recruiting. We've been in Roosevelt, Uniondale, Hempstead, heavily recruiting. We go as far as Washington Heights. We go out to Suffolk County. To take the test, you just got to live within that area. So we're pushing real, real hard for recruitment and it's looking good. Now we got to get them to the test. Everybody's got to show up to that test. And then from there we hope to get a much better hiring process and see a better look.

LEGISLATOR DERIGGI-WHITTON: How do you let them know what's available as far

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as resources? When they sign up to take the test, does each applicant get a list of services that they're entitled to if they want to have help?

COMMISSIONER RYDER: When you sign up for the test, then they'll tell you there are study places and study guides. It's kind of tough to study for a police test, right? Because it's not like a sergeant's test, those books that you have. With a police test, it's about reading comprehension and test taking techniques and stuff. So there are groups that do it like PTS and everybody. I think the test is \$150 to take the test. We also know that you can contact Civil Service and you need a waiver because you cannot afford that \$150, they will work with you, which is a good thing.

The volume is where it's going to come from. It's the volume. Because I can't have the reduced numbers like I did on actual test day, which hurt me right from the start. We're offering and going

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out like heavy, heavy recruiting right
now to bring that number even higher.

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I'll take 50,000 people for the test if I
could.

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LEGISLATOR DERIGGI-WHITTON: Are you

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having issues, once someone takes the

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test and with getting the test processed?

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Because how long of a delay is there from

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the time you get the list and then you

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can actually hire them?

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COMMISSIONER RYDER: Well, first you

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take the test. Then there's probably six

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months to eval and break it down and see

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what the numbers are at the end. After

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that, then they start the physical part.

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If the test is approved, DOJ. And then we

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go to the physical part. That physical

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part gets done within a couple of weeks

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and then it's background. So if I develop

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a list it's six months before we can hire

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from that list.

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CHAIRWOMAN FORD: Legislator Walker,

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then Legislator Bynoe.

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LEGISLATOR WALKER: My quick

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question was do we feel that our mentoring program is being helpful? Do we have have many of our hopeful test takers being involved in that?

COMMISSIONER RYDER: I think we could say comfortably in any program you offer in this county to anybody, it's not utilized enough. But we've had some some kids that we've saved in the program that they've come to me and said, hey, this kid's a good kid. Here's what we need to do. And we worked with Civil Service. They understood it on the appeal process, and they've gotten on and some have just recently graduated from the last class. So yes, I think it works. It's underutilized. It should be used more. I'm hoping this test it will because don't forget this mentoring program didn't happen until after the last test. Now it's in gear before the test.

LEGISLATOR BYNOE: Thank you. I wasn't aware we were going to jump ahead, so I'm happy that Legislator

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DeRiggi-Whitton ask about the test recruitment because I definitely have interest in how you were recruiting. And so I know minimum requirement is 66 college credits?

COMMISSIONER RYDER: No. It's 32.

LEGISLATOR BYNOE: I thought you had to have an associate degree.

COMMISSIONER RYDER: No. Nassau County is 32 college credits. City of New York, I believe, is 64 now.

LEGISLATOR BYNOE: Okay, so obviously we're on campuses. Have we been in churches? Have we --

COMMISSIONER RYDER: Churches, parades, school outings. We just go and set a table up in the school. We were in Roosevelt two weeks ago where we actually set a table up, you know, and we hand out the flyers. And the nice thing is that the QR code they can come up, take it and then pre-register on it. Now we're in the registration section, not the pre registration. So now we're trying to get

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everybody signed up and reregistered.
We're sending e-mails out constantly.

LEGISLATOR BYNOE: Okay. I know I've seen the police at many of the Westbury career days. And they've had their own little show going on there. And they were actually the most visited table of all of the tables that were there, so I found that encouraging.

So can you tell me a little bit about what the pretest phase mentoring looks like.

COMMISSIONER RYDER: So when you sign up to take the test, we give you a list and it says you know if you want to reach out to the Guardians, if you want to read out reach out to the Hispanic Association, you want to reach out to the Emerald Society, we have a list of groups and numbers that they can call. And sometimes it's just about a question. And all of these, they all have a general number that they use or e-mail address. And many times, you know, they're giving

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back because they want to see people from their group coming in and they do a good job of it. And we get calls, we get questions. At the time of hiring, I don't have my original birth certificate, how do I get this? So we help them through that process. Some of it is more. I got a bunch of tickets. But here's what happened. I need to explain that. So we help them write the appeal process letter to Civil Service, if it's denied the first time.

LEGISLATOR BYNOE: Can we encourage some of those groups to actually do some outreach to those entities instead of having the folks reach out to them? People are typically bashful about asking for help or they, in some way or another, feel like they might be put through a voicemail loop and not get where they need to go, because that's kind of the state of affairs in this country now, in terms of reaching out to customer service and things like that. So maybe even an

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outreach or like an event where, you know, the minority population is identified and each group has some level of a mixer or something that brings them together to have them have some level of engagement that's proactive by the entity.

COMMISSIONER RYDER: So we've had career days where we have the separate tables set up, which is good. When we go into Roosevelt, we'll make sure we have an African American officer and Hispanic officer so they have the outreach. Some feel more comfortable. And sometimes there's even a language barrier so the officer can translate. So we do do the outreach on that side of it, 34 to 40,000 people trying to call them it's going to be difficult. But we do do it on the initial stage. So when they sign up for the pre-registration, they also get a contact number. Hey, if you got a question, reach out to us. We'll help you.

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LEGISLATOR BYNOE: I've seen that.

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But just maybe an e-mail that says,

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listen, we're going to hold an event on

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X, Y, and Z date at the Training

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Facility. Stop by if you want to learn

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more about how to prepare for the test,

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so that there's some level of an

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opportunity for them to come. If we want

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to really get them to the test, I think

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we're going to have to do a little bit

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more to keep them engaged because

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unfortunately, what happens is, I think

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to sign up for the test, some of these

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people will, like you said, were

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registered in the pre registration phase.

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COMMISSIONER RYDER: Right now, yep.

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LEGISLATOR BYNOE: I could tell you

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I think last year this time I saw folks

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doing the pre-registration at Westbury

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High School Career day. So we're already

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like maybe a year or so and they've been

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sitting on a list. I'm just saying to

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keep them engaged and let them know, you

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know the test is coming. You know, some

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of those folks may not even know that by the 31st, we're going to be in the next phase in testing. So just something to keep them engaged, just an idea of how we might be able to do that.

COMMISSIONER RYDER: They are all receiving an e-mail right now telling them that this is the new test. You've got to sign up. And if you need assistance again here are the mentoring groups. But what we'll do is I'll go back to Community Affairs and we'll try to set up a career day at the academy, not try. We will. We'll set one up. They can come in about the test and we'll bring the groups in and everybody. Absolutely. We'll have those separate tables set up.

LEGISLATOR BYNOE: I think that would be great. Okay.

And then where are women rating in this ranking in this?

COMMISSIONER RYDER: We usually get about 30% women that sign up to take the test from all different races. So but

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then again the numbers, well, last test all races and gender failed by half across the board. White, black, Hispanic, female, male failed by half. So that's a big number to lose off I think it was 16,000 actually showed up to take the test. And then we dropped.

And you know my other biggest struggle is that the villages get priority for residents. So I'm competing against Hempstead, Freeport, Glen Cove. It's tough, when it comes to minority hiring because they're already going to their resident areas. Other problem that we get is Nassau County makes you go through the academy. We don't care if you were in New York City, police officer, you come out here, you still have to go through the academy. Villages have the option of waiving the academy and taking them straight into employment. We believe that the extra training and training, the way we want you to be here in Nassau County and be our type of officers, not

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that any of them are any less, but it's important. But all the villages do come back and do in-service with us.

LEGISLATOR BYNOE: I do think it's important that we have training, no matter where you have been serving previously, and whatever we can do to try and help to make sure that people actually show up for the exam, I'm willing to do. And I do think trying to keep them engaged through the process gets them less distracted to to go in other places and other directions. So I wish you well in that endeavor.

COMMISSIONER RYDER: Thank you.

CHAIRWOMAN FORD: Legislator Mule.

LEGISLATGOR MULE: Hi, Commissioner.

COMMISSIONER RYDER: Good afternoon.

LEGISLATGOR MULE: So my question is related to recruiting, but on a different level.

So we are hearing that the DAI numbers, and it's right here in the report, that the DAI numbers are not what

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we want them to be. We raised the salaries. I believe we did a couple of different things in the hopes that that would work. Is it right to conclude it's not working? And if so, what else can we do?

COMMISSIONER RYDER: This is a different world that we live in when it comes to our children. They are different thinkers than most. I see it in these young kids that we hire. They like the comfort of being in that police officer's job, which is great because they do a phenomenal job. They really do. But they don't want to take on that extra responsibility of being a detective, maybe there's a longer work schedule.

Contracts went DAI first, then SOA then PBA. Now the DAI wants to do better than what, the PBA. So it's always chasing the new ideas and innovative ways that were thought during the process when they were doing the contracts. So we are looking at a couple of things that need

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to be tweaked. We have to obviously work with Andy and make sure that we're not doing anything that causes a re-opener. But we're making adjustments now to try to get continued -- we get the recruitment, but you also a lot of your senior cops that were detectives are retiring at a higher rate. You know, these young cops, I think we're at 60% of less than five years on the job or maybe six years on the job. That's a young group of kids that ain't going nowhere for at least the next 14 years. Detectives, though, we make them a detective and they're going to retire in the next 2 to 3 years. So we have a bigger turnover. But we are working with the Union right now. The County Exec, Andy, and the new DAI president, Billy Bourguignon, is there to make sure that we can get something to recruit to bring them in.

LEGISLATGOR MULE: Okay, so you'll report back to us?

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COMMISSIONER RYDER: Yes.

With a high number.

CHAIRWOMAN FORD: So you just want to talk about your Training Village?

COMMISSIONER RYDER: It's the last slide and the one that I get the most --

CHAIRWOMAN FORD: And actually talking about recruitment segues right in because that's where all the new police officers are going to learn.

COMMISSIONER RYDER: This is the game changer. And it's a game changer because of the vote that all of you took to support this program. This training village is going to put us in the front when it comes to policing in this country.

I've been to training centers all over the country. Everything is tactical, tactical, tactical, tactical. From the minute you get sworn in as a police officer, it's about your gun, your taser and all the things that come with defensive tactics.

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This is community policing. This is bringing cops into real life; 98, 96% of what we do is nothing to do with making arrest. It's dealing with the problems that society has that we have to work our way through and whether it's mental health crisis, which we do a great job with our mobile crisis team and a dual response. But now you're going to send a cop from the evac track, driving through that track at a high rate of speed, working through the cones, getting himself all worked up, and then he has to get out of the car at the train station with the mental aid, with the knife. What's the first thing every cop is going to do in America? They're going to pull their gun and say, drop the knife. I just escalated that. I just brought it to a level I don't want to be at. I want to de-escalate. I want to bring it down. Right. You have distance. You have cover in your car. You can talk to the individual. It's not like it's a gun in

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his hand. It's a knife in his hand. So you start to have that conversation of de-escalation; bringing it down.

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But then you respond to the school and is a domestic, not all about active shooter. Yes. It's the top priority we have is making sure that we keep our children safe. But we handle domestics all the time between custodial issues with parents and the child in the school, how are we handling that? Or we're going to respond to the school for the kid that just made a school threat? And how are we handling that?

You go to the house across the street, the split level home with the attached garage that is on the Sabbath, and it's a Jewish family that experiencing the Sabbath and it calls us somebody calls us for a domestic. My cop goes in and say, why didn't you pick up the phone and call me? I can't pick up the phone and call you. It's against my religion, you know. How come that woman

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won't shake my hand? It's against her religion. I walk into a mosque and I got an aided case that's on the floor and needs immediate care. Am I taking my shoes off when I run across the prayer mat, or am I leaving them on? It's about life and death. We're leaving them on. But if I'm going to interview somebody, if I want the right response and the cooperation, I'm taking my shoes off.

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Understanding. And I say it all the time up here, if you understand the community you police, you police it better. The very diverse cultures in this county is where we're going to benefit from this training. Everything what we went through in the last four or five years is going to come to fruition, and is going to be a better cop. We already do a lot of reform training that we promised, and our cops go through it every year and they have outside speakers come in and speak to them about the different cultures, whether it's a race

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issue or religion or a gender issue.

Now we're going to put them in the scenario that the first time shouldn't be the real time, it shouldn't be when that life and death or that decision is this is the first time you're going to deal with it. No, you should deal with it in training. But you can't train you on a PowerPoint. You can't train in a classroom and say, sit there and stare at the instructor that's going to talk to you. You got to live it. You got to play it. You practice how you play. It's muscle memory.

We are bringing the kids from the college. We're writing a curriculum right now with the community college that is going to take the students part of the Criminal Justice Program, part of the those in Mental Health Studies or Social Studies are going to be part of our role play, and they're going to get college credits for it. We're going to tell them the script for the day. This is what you

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do, but do it any way you want, son. This is your house and they're coming into your house. But this is what we like to see where we're going. And this African American, this Spanish kid who says, I don't speak English. Okay, officer, pull out your Language Line App and do it. That'll be the first time he gets to actually do it. And it's not real. It's as close as you can get, but it's not real.

And then these kids, when it's over, will sit with the group that they just went through and the Officers will say, Hey what did we do wrong. Oh you want me to go down a list A, B, C, D and E, and they're going to teach us what they saw, and then we're going to teach them why we did what we did.

Nobody, nobody does this in the country. Nobody. They'll teach you to pull your gun out, how to take that person down, defensive tactics, use the taser here. We're going to teach you

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de-escalate and understand what you're policing to police it better. And we're going to use college kids that are in this study. And then maybe a heavy recruitment, but a very diverse community college into our training process. And they're going to get their college credits and we're going to learn from them.

The Village has already broken ground. Pretty much cleared all the soil and brush and stuff. They'll start bringing in sewage lines and everything else next couple of weeks. The contractor said the other day, he goes, we're going to be breaking ground quicker as far as our first building than you think. We're going to move pretty quick on the project.

It's a great program. And we're going to teach our cops to police the way they should police. They do a great job from what we teach them in a classroom. But how good will we get when the first

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time is not the real time? The first time should be in a training scenario. Not when you're dealing with that child or somebody out in the street.

CHAIRWOMAN FORD: I really appreciate and I have to concur with you, though. I think that this really is very innovative, and I think it's going to be very welcomed in the world of training our police officers.

Would the officers when they're training, would they have body cameras on as well so that they know to use them or?

COMMISSIONER RYDER: Everything that you deal with in your day-to-day policing will be engaged. So that officer will engage his bodycam. That officer will drive like he's driving through the streets in Nassau County. That officer will fill out the forms. And if he makes an arrest, he's going to the police station. That's right there on the site if he needs to take someone to the hospital -- and here's a real big game

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changer with the hospital NUMC, we're going to train with them. So I'm going to say I got the person that's been hit by the train. I got an amputated leg. We're going to call for ambulance. And medics are going to show up to the role player place on a tourniquet, remove the tourniquet that we have on and place on their own, put them in there, or even call for aviation and we're going to fly into NUMC and land like we normally do. That shouldn't be the first time as the real time, it should be in training. And so that's where the hospital gets involved. We're going to call out our hostage negotiators. We're going to call out our Mobile Crisis Team, and we're going to work with them on a dual response right there in that village. Not the first time out on the street.

CHAIRWOMAN FORD: I think that's wonderful. And I really wish that maybe this will be a model to be used by every police department. And I honestly believe

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even outside of New York. I had watched a documentary and it touched on certain things with the police department for sexual assaults, and it was amazing to see when you have these smaller police departments that don't have these sophisticated training tools, that it lacks something. Maybe you could be a model and maybe all the states will then do a centralized training location. If you can't have a small village, maybe they could come up with and better train the police throughout the United States for better responses.

COMMISSIONER RYDER: I hope they come here first and pay us.

CHAIRWOMAN FORD: You know what? I think, honestly, you should advertise it because I really think it is really going to help a lot of these officers. And they do a good job, and a lot of them do lose their lives in the line of duty because of some of these situations. But really, if they can be better trained, I think

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that it'll be a bonus for them as well.

Thank you, sir.

Legislator Solages.

LEGISLATOR SOLAGES: Thank you very much, Chair.

Good afternoon, Commissioner. Thank you for your presentation.

This line of questioning is again, no attempt to Tuesday afternoon quarterback your yourself and your officers. You do a great job and I concur with my colleague in government that you keep our communities safe. And when I hear that crime has decreased actually, for example, at Green Acres Mall and also in the county, I'm very delighted and thankful. But I do have to ask certain questions. This body cannot serve as an extension of the Executive. It must serve as a checks and balances. And I must ask you certain questions out of diligence and respect for our public.

You mentioned everything you learned in the past three or four years. What

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steps to reinvent and reform the NCPD are planned for this fiscal year coming up and what resources are needed?

COMMISSIONER RYDER: So we still do bias awareness training. We still bring outside speakers in to address that training. The new contract, thank you to the unions has given us training days that we bring them in for a 12 hour block on what we call in-service, and we also bring them for evac, and we also bring them to the range. And then part of the evac day, there's also additional in-service type training because that's a four hour block in the morning. So we're spending 16 hours at a minimum retraining our officers on everything that we've learned through reform and keeping all of our promises that we made in our reform guideline to the Governor's Office that was signed off. We are meeting all of those standards and exceeding in many cases.

LEGISLATOR SOLAGES: Understood.

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But there are many individuals who came here before in public comment and mentioned, and in fact issued a report from the Long Island United to Transform Policing and Community Safety. And they have various things to say. For example, they look at the arrest ratio between black males and white males in Nassau County. And in fact, we discussed this before in the past. What is that arrest ratio and has it has it gotten worse? Are we arresting more black males to white males in proportion?

COMMISSIONER RYDER: So if you looked at category of arrest from the last time we spoke, no, it hasn't changed. Right. But I will tell you this. We're looking at it closer and the reasons why: 73% of all of our arrests come from somebody calling 911 for help; 73%. My self-initiated stuff is about 27%. And if you look at all of our arrests based on probable cause, based on calls to the community, we have shifted

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2 our resources around, our complaints are
3 way down from where they used to be, and
4 our complaints are down because of camera
5 and transparency. It's there, the
6 engagement. We do have a few cases that
7 have gone to the Attorney General. There
8 are checks and balances in place: It
9 starts with a supervisor; it then goes to
10 Internal Affairs; it goes to Additional
11 Review Board; it then goes to the
12 District Attorney's Public Corruption
13 Office; and then to the Attorney General.
14 And they are looking at pattern behavior.
15 And many times they've come back and
16 said, look, we understand the officer is
17 cleared, but we like retraining. We're
18 ahead of you. Already done the retraining
19 on this officer because we see sometimes
20 officers get misguided and we got to
21 bring them back.

22 We're following the reform promises.
23 The numbers of arrests, I look at it just
24 like you do. And I said, I know I'm going
25 to get question on this. What's my

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answer? And like I said, 73% are from calls being asked to come in. And if you look at the three highest locations East Garden City and Westbury, that's the mall, Roosevelt Field Mall. Garden City, sorry. Not East Garden City, excuse me. Garden City and Roosevelt Field Mall or Source mall, that's Westbury and Garden City. Then you have Valley Stream. That's the Green Acres mall. They're the three highest locations for calls for service, asking for assistance, whether a crime has been occurred in that community. And we respond.

The other problem is, and again, not to go back at it, but when you look at bail reform, 6211 people have been released without bail; 556 have been rearrested; 255 bench warrants have been issued. So that's that reoccurring crime that we talk about.

And again, I'm not making it political. I'm just giving you the facts of what it is. If it takes 45 days to get

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me in front of a judge, that can answer the problem, and you do five or six crimes, that's a problem for me. That's a problem in my numbers. And unfortunately, depending on that race of that individual, that he could be that repeat offender.

LEGISLATOR SOLAGES: Thank you.

One of the previous speakers mentioned that the last hearing regarding the update as required under the public, the reforms was this year in February, but actually the last update or it was November of last year. Isn't that correct?

COMMISSIONER RYDER: No, sir.

My reports are sent 30 days after the close of business of that point. So in June, you'll get it in July, and January 1, you'll get it towards the end of January, before February. So you get it within 30 days of the closing, because we have to clean the numbers up.

LEGISLATOR SOLAGES: So the half

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year report for fiscal year '23 has not been posted or received by the Legislature.

COMMISSIONER RYDER: It has been sent to County IT. I think there was a problem with their software. But that was sent. I have it right in front of me that was sent up there.

LEGISLATOR SOLAGES: Yes, Commissioner. When the report is completed, I mean, when the new report is completed, can it be sent directly to the Legislature's Office?

COMMISSIONER RYDER: Sir, I believe it was. I believe it was sent to both sides.

LEGISLATOR SOLAGES: To the Chair -- we didn't receive it -- Can we we also request a separate hearing?

COMMISSIONER RYDER: It was sent to both counsels on both sides.

CHAIRWOMAN FORD: It wasn't sent to the Legislators.

COMMISSIONER RYDER: Not to the

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individuals. No.

CHAIRWOMAN FORD: Perhaps. Maybe if it could be sent to the members of the Public Safety Committee.

LEGISLATOR SOLAGES: Did you receive it?

CHAIRWOMAN FORD: No.

LEGISLATOR SOLAGES: So the chair didn't receive it.

COMMISSIONER RYDER: I know where I sent it. Sir, I will ask and I will get it to where it's got to be.

LEGISLATOR SOLAGES: Okay, but I received information from counsel that she did not receive it as well.

Furthermore, going back to some of what some of the speakers said in public comment, the manner by which you send this information is also important. I mean, they asked specifically for a fully digitalized report. I mean, can you please, in the hopes of increasing transparency, if nothing's going wrong, then let's show to the world, can we

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please have a fully digitalized report,
please?

COMMISSIONER RYDER: Sir, that is a fully digitalized report. It gives you the numbers in each category. And then from that category it's given to the percentages. And then brought in was the race, time, date, use of force, Non force, stop, Non stop, was forced used during the stop; it's all in there.

LEGISLATOR SOLAGES: And also information about the outcomes of field stops.

COMMISSIONER RYDER: Yes, sir. It's in there. Yes it is. It says what is resulted in an arrest. What is it resulted in a just a form.

LEGISLATOR SOLAGES: Some of these people who came to speak are well intentioned, well spoken individuals. And they made a diligent effort to research this information and to get that information. They were talking about interns or had to input information

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manually. Are you telling me that they were making a misrepresentation?

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COMMISSIONER RYDER: I can bring 100 analysts in the world, and 100 analysts are going to do it differently. I give you that my professional, well trained analysts in the Nassau County Police Department prepared this report done by civilians with the raw data that they get and they pulled the data. We did the T stop program that's in all of our cars now. Any time you interact with the public and do a stop, whether it's a traffic stop or a field stop, you must fill that report out. That includes race, religion -- if you offer and give it to us, it's what you appear, because we're not permitted to ask.

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LEGISLATOR SOLAGES: Understood.

Then just going back to what some of the speakers said, they said there was a deliberate attempt to hide information. That's not the case at all, sir.

COMMISSIONER RYDER: Sir, if you

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look at that report and you tell me what I'm missing and I will provide you the result, that's not a problem at all.

LEGISLATOR SOLAGES: Thank you.

Just furthermore, with respect to the testing, I know I understand that you said that they could reach out to Civil Service to see if they can get a waiver or the fee. I have received calls from many people in my community asking to take the test, but the fee is an issue. It is an issue. Perhaps, there is a process that you can provide that can provide a clear answer as to whether certain fees can be waived based on income?

COMMISSIONER RYDER: I get myself in trouble all the time because my mouth too much. But here's what I tell you. Everybody that's that's applying for this test has the right to ask for that waiver. But that goes to the Civil Service Department, not to the Nassau County and not to the Nassau County

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Police Department.

LEGISLATOR SOLAGES: Is there a separate fund, a scholarship scholarship fund or a fund to help individuals? Because, again, I get these calls and these are young, eager people who just want to be part of the best team and serve their community like my father did.

COMMISSIONER RYDER: The last thing I want to do is lose one of those kids. They're the kids we want. We do want them, and they're eager and want to take that test and it shouldn't be because they can't afford it. So, you know, as communities get together, as leaders get together, maybe they can help them out. But I'm sure if they apply and write the right letter, Civil Service will take that under consideration.

LEGISLATOR SOLAGES: Thank you, Commissioner.

COMMISSIONER RYDER: Thank you, sir.

CHAIRWOMAN FORD: I just wanted just to follow up.

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Commissioner, I think you need to maybe look at who's sending the report out to us, because I think for some odd reason, last year we had an issue with getting the report as well. So I think wherever it's coming from is not maybe using the right addresses or whatever. So because I just confirmed with our counsel that he did not receive the report as well.

COMMISSIONER RYDER: Okay.

LEGISLATOR BYNOE: Legislator Bynoe.

LEGISLATOR BYNOE: Thank you.

Commissioner Ryder, could you talk a little bit about the Mobile Crisis Unit response? There were some assertions made earlier on the record that they don't believe that the response team is being utilized heavily, and that most of the calls they were only getting a small percentage of the calls could you.

COMMISSIONER RYDER: We have a three tiered response and the first starts up, you call 911 for help. And whether it's

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the parent calling for the child that the child himself calling or the adult himself calling for himself, every one of our CB operators has been trained, when they receive that training on on what to do, they make a decision. Okay, let me link in mobile crisis right now. This is non-life threatening. There's no endangered to anybody off my meds and I'm feeling depressed. Hold on, sir. And they make the connection to the mobile crisis team. That happens during the hours of of, I think it's 8:00 in the morning till about midnight at night. That's where 90% of our calls come during that time period. We make the outreach to the mobile crisis team. If that person on the on the team says we're good, we know Mr. Jones will take it from here. Okay. Thank you. The 911 operator disconnects. If they say, we're not sure. Stay on the line, have the police officer respond. We will send a police officer. That's the least intrusive way and a good way to

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treat some of these people that are very low on the spectrum when it comes to any kind of violence.

The second way would be if we get a call, he may have a knife. He's been threatening to kill himself. We go with mobile crisis. We notify, it's a dual response. Hey, we're letting you know we're responding to this address. And then they respond. Obviously, there's not as many mobile crisis people out there as there are police officers. We're always at the house first. But all of our cops have been taught the art of de-escalation. We have not one injury in the past year when it comes to mobile crisis response; zero.

The last phase is I got a gun, I'm going to kill somebody. We're going right. The Police Department's going, we contain, we calm down, we de-escalate, we use force. The numbers are like less than 200 times did we have to take over and even, like less than ten times do we

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have to use a method of force. And a method of force is maybe we just go in with the shield to get them to drop the knife. We're not tasing them. We're not shooting. We're going in with the shield. Let's get them to drop the knife. It's a bat in his hand. Let's talk to him. Let's use a bar that can pin them while we get the knife out of them. We don't hurt anybody. We've hurt nobody in our mobile crisis response in the past year, in the past several years.

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The high number I don't like and I think you don't like either is we still taking about 96% to the hospital. That's our control. Mobile crisis and we're taking them to the hospital and now mobile crisis will tell you that's where they lose the disconnect between the patient and themselves.

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LEGISLATOR BYNOE: Can you talk about what the alternative to taking them to the hospital looks like?

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COMMISSIONER RYDER: It's turning

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them over with mobile crisis signing off

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and say, look, we got Johnny from here,

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okay? We're not taking them to the

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hospital. In that mid range one when he

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comes and out there was no knife, it's

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mom just was upset. The kid, whatever it

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was, mobile crisis comes to the house and

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they say we got them. Okay. Mobile

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crisis says to us that they have it and

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they got it under control. We hand it

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off.

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LEGISLATOR BYNOE: Okay. And so. Let

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me just for my own purposes, let me

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recap. I'm not going to hurt. The call

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comes in. I'm off my meds. I'm feeling,

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you know, a bit of anxiety. Whatever it

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is, I'm feeling challenged. I'm not going

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to hurt anyone. Mobile crisis can go by

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themselves.

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Second one is mid range.

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COMMISSIONER RYDER: Mobile crisis

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is on the phone with them right away. And

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then they can follow up on their own

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visit.

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LEGISLATOR BYNOE: Okay then the third one is. There might be some level of a weapon interaction and there is a dual response.

And then the third being violence has occurred. You're just going.

COMMISSIONER RYDER: He's barricaded, struck his mother, he's locked himself in his room, and he has possibly a weapon in the room.

LEGISLATOR BYNOE: And so mobile crisis doesn't show up at any time in that third scenario?

COMMISSIONER RYDER: No, in the third we will notify them, but we're not delaying our response for the notification.

LEGISLATOR BYNOE: Does this county offer some other possible remedy or supplement to mobile crisis to the extent that the parent, let's say, has called. And this is the mid range one, where we're fearful that it could escalate into something more dangerous and the police

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and mobile crisis respond. There's a determination that nothing unlawful occurred. To the extent that there needs to be an arrest, mobile crisis assists in the de-escalation, but the parent is still leery or uncomfortable. To take him to the hospital -- where else could we take them? I know CNN Guidance is in the midst of putting together, I guess, like a step down approach to a hospital where they can go and spend time in that space, and they can stay overnight and they can get a shower, they can get stabilized on their meds and all of that in that space. And that's the alternative to the hospital. But there's nothing else that exists right now for that, am I correct?

COMMISSIONER RYDER: We rely on the response of mobile crisis to tell us the other resources. We know there's 277-TALK and there's all sorts of different sites on the app on the phone that could get you assistance, we know

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that those resources are there.

LEGISLATOR BYNOE: But that's all with maintaining the person probably in their residence.

COMMISSIONER RYDER: That's correct.

LEGISLATOR BYNOE: But if even the people who are in the residence with that person feels like their medication hasn't taken effect in the short span of time that you've responded, and they're uncomfortable and maybe want them to go somewhere in the meantime. I'm just trying to understand to this point, have you learned that there's an alternative?

COMMISSIONER RYDER: I can't really answer that question because I don't know. But I do know our response.

LEGISLATOR BYNOE: I think I knew the answer, but I thought I'd ask it. I think that we're waiting on something like CNN Guidance to come along to answer that gap in service. We have a gap in service here. And so I think us as a county, we're ill equipped to be able to

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provide that service between taking them

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to the hospital and keeping them at home

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where they maybe aren't really going to

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stabilize as quickly and in the best

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fashion. So while the hospital number is

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disappointing, in the immediate I feel

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like I don't know what else what other

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alternative we could offer that provides

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them an opportunity to stabilize and not

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cause any more disruptions or other

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issues at home or in their communities.

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So this goes back to a talk from

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earlier about how we could best use money

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for opioid and and ARPA funds so that we

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can create opportunities for this

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destabilizing and not overburden our

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hospitals, not keep these families

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struggling to try and fill the gap where

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I think we should be. And so I asked that

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question, I think full knowing.

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I do want to see us do better, but I

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think that we can't do that until we

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commit the proper resources and properly

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partner with the folks who have those

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resources to get this done.

And so I want to turn my attention to the to the Chair. Madam Chair, this is a budget hearing and we don't have all the data and I think it puts our Commissioner at a disadvantage to answer some of the questions that were posed on record earlier. And as Legislator Solages mentioned, we are responsible with like in every department to ask the tough questions sometimes. And so I don't think that we're in a position to even determine whether we have any real tough questions to ask or find out how we can pinpoint resources differently to help the Commissioner turn the corner on some of the things that he might be looking to do if we don't have the data. So I do think we do need to have a hearing as it relates to Police Reform, so we can get a more up to date understanding of where the Police Department is in moving forward in implementation and be able to look at some of the data that gets

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bubbled up through your implementation to determine whether we're moving in the right direction and whether we need to make any adjustments to what has been submitted in the plan.

COMMISSIONER RYDER: What data are we talking about?

LEGISLATOR BYNOE: Data as far as you have other data that I think like you said in your report that we haven't reviewed, because it appears that it went to our counsels and we didn't get it. So we haven't had the opportunity to review that data. So I think we should review that data. And I think that if we have any questions that bubble up out of that data, we should be able to ask you those questions. But now is not the time. It's not fair to you because because we'd be asking questions blindly because we haven't even reviewed what you submitted last. So I think that we should review that, and we should have an opportunity to look at the data and then ask you

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questions. That's the only point I'm making.

COMMISSIONER RYDER: Gotcha.

LEGISLATOR BYNOE: And then as the Village is constructed and then it's providing training, I would love to see the groups, the cohorts that go through that training at the Village, I'd like to see data on those folks so that we could look we could see the success of the Village, because I think that that would be important to tout moving forward. So as each cohort goes through and it's trained in certain de-escalation techniques, and they're out in the field, requiring to employ those things, and we have success stories that come out of those or tweaks and changes that need to be made that we can do that by way of looking at the data.

Thank you.

CHAIRWOMAN FORD: Thank you, Legislator Bynoe. And yes, we'll look into it.

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Legislator Gaylor.

LEGISLATOR GAYLOR: Thank you, Madam
Chair.

Good afternoon, Commissioner.

COMMISSIONER RYDER: Good afternoon
sir.

LEGISLATOR GAYLOR: Two things. One
is detectives. They're down about 18%.
17, 18, 20 with attrition, will be even
more. Can you be a little more specific
on a plan to increase the number of
actives to meet the continuing workload?

COMMISSIONER RYDER: We are looking
at downsizing some areas, elimination of
some areas and reinventing a little bit
in the Detective Division, but I can't
really discuss what is not in my control.

LEGISLATOR GAYLOR: I'm more focused
on the headcount. How do we get the
headcount back up, is what I'm saying.
You know, not on the changes of tactics
or techniques or procedures. What is our
plan to increase the number of
detectives, monetary incentives or?

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COMMISSIONER RYDER: There are some changes that we're looking at regarding the structure of the Detective Division. With those changes with the Union and the County Executive Office, we're looking to make those changes. When we make them, we make the job more inviting to our young police officers. I think a natural progression will happen again once our officers mature as officers. And I don't mean that they're immature. I mean the fact that they grow and they got this process in them now, and they want to go and do something else, like homicides and robberies and narcotics.

We will see a progression going forward. I think a couple of the ideas that we have and I again, I'm not at liberty to discuss them yet, but I think some of the changes that we have are going to be beneficial to the young officers joining the detective ranks.

LEGISLATOR GAYLOR: So I'm hearing you're working on something. You've got a

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plan. Is that a plan that's going to come to fruition in this next 12 month budget cycle, or is it the plan that's going to take years?

COMMISSIONER RYDER: No, I think the plan, if it goes forward, will be within the next 60 days.

LEGISLATOR GAYLOR: Good to hear. Good to hear. Because that is concerning.

Are we still the safest county of its size in the nation?

COMMISSIONER RYDER: Absolutely.

LEGISLATOR GAYLOR: Is there any resource or anything that you need that's been denied or that should be included in the budget that's not?

COMMISSIONER RYDER: As a Commissioner, the County Executive has always given me what I'm asking for, and sometimes even more. And the Legislative Body has always approved that in the budget. So I we're going to continue to grow. We have a class graduating in November and we have a new one going in

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in November. We also are already scheduled for May to hire another class. So we're moving forward. And as you've seen in the last two budget sessions with the County Executive, he's increased the headcount every single time.

LEGISLATOR GAYLOR: Okay.

So if you would just please let all of the men and women in blue know how much we appreciate them, how much I appreciate them, at least. And I think many of my colleagues up here feel the same way. As I heard Legislator Drucker say, we need you. We need the police to be out there. We need them to be visible. We need you to be vigilant in these trying times.

The training facility is great. The training facility will lead officers to take the correct actions as they need it without second thought. And we are the safest county of its size in the nation because of you and the Police Department and the men and women of the three police

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unions that put their lives at stake every day. And so I just want to say publicly, thank you. Thank you for your service. Thank you to each and every one of the members of the Police Department, all our detectives, all of our members of the SOA, DAI. You're really doing a superb job. So thank you again.

COMMISSIONER RYDER: Thank you. If I could just add, please don't ever forget the CSEA. I know you don't. My civilians have done an outstanding job for us in the Police Department.

LEGISLATOR GAYLOR: Absolutely. CSEA is number one.

COMMISSIONER RYDER: Otherwise, Kris Kalendar will give me a hard time.

LEGISLATOR GAYLOR: You're right. He'll give me one too.

CHAIRWOMAN FORD: Kris Kalendar is a good guy.

Legislator Solages.

LEGISLATOR SOLAGES: Just for the record, that counsels did not receive the

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report.

OFFICER MURPHY: That's not true.

LEGISLATOR SOLAGES: Allegedly. Again, they didn't receive it. So going forward, can the Clerk receive the report? The Clerk of the Legislature, please?

COMMISSIONER RYDER: I will have that conversation. Yes, sir.

LEGISLATOR DERIGGI-WHITTON: I just have two quick things.

In your village, can you do a scenario where the police officers walk in and they see someone passed out on the floor with with needles around them and see if they check for diabetes?

COMMISSIONER RYDER: Absolutely.

LEGISLATOR DERIGGI-WHITTON: It's happened time and time again where people think someone overdosed or something. But it could be medical. As a mom of a diabetic.

COMMISSIONER RYDER: 100%.

LEGISLATOR DERIGGI-WHITTON: I've

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heard of someone recently being pulled over, not Nassau County police, but they had needles in the car and the person was passed out, but they thought it was drugs and it wasn't, so it could make a difference of life and death.

And the last quick thing how is texting 911 coming along?

COMMISSIONER RYDER: It is fully up and running. We've done the training. Everybody's been trained and I think we've had 1 or 2 already usages of the texting 911.

LEGISLATOR DERIGGI-WHITTON:
Terrific. I appreciate both, thanks.

COMMISSIONER RYDER: Thank you.

CHAIRWOMAN FORD: Legislator Ferretti.

LEGISLATOR FERRETTI: First, let me apologize because I was the first one to interrupt you in your presentation, and we've gone off for, like, an hour and a half. So sorry to everyone, but I don't regret it because you've provided a lot

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of great information.

I echo my colleagues. Thank you. And of course, for everything you've done. Absolutely the best police department in the country. Your leadership can't think of a better person to head it up than you. So thank you for everything.

As a result of the new contracts that have all been signed, we're hearing that there's an issue now with the detectives in terms of losing them. You know, the old problem that we had where you couldn't get detectives to take the job because of the steps. And often it was beneficial for them to not become a detective, but rather stay as a police officer for different reasons. And as a result of the contracts, we've been hearing that that's something that we tried to fix, and I think we did fix it, but now it's kind of out of whack again. So can you just explain what's going on with that? And maybe what we can do, how we can help you to fix it?

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COMMISSIONER RYDER: In the first go around, the detectives did their negotiations and it's a public contract. There was extra paydays in those steps. And it was also steps that don't even out. So if I go from a police officer job to a detective job, it only makes sense. I should be paid more. I'm taking on more responsibilities. But if you're not at the top level police officer and you're going to be a first grade detective, a second tier detective, you have to finish your police steps before you get those detective steps. So it doesn't make sense. So I got to do nine years as a police officer before I went -- and that's what I meant by maturity in the police officer ranks as these young cops who all have less than those five, eight, nine years. When they hit the ninth year step, now it's that benefit to take that detective, because now I'm going up in salary. Otherwise, I'm staying level and and I'm doing more paybacks. So again,

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complicated negotiations. Everybody had to do what they did when they did their negotiation. Now we got to kind of fix what we need to do to keep the recruitment up.

LEGISLATOR FERRETTI: Yeah. And I know this is isn't your Department, when we talked about it with the County Attorney at the last budget hearing and then the District Attorney, you try to raise the salaries of people to start, but you got to remember, it kind of throws off other things, the unintended consequences. And I think it's a similar situation here where the police contract may have thrown off the detective's contract. And it's definitely something that we need to work together to address. We have to make sure that our precincts are staffed with the proper amount of detectives, and I don't know that that's the case right now. And it's not the fault of anyone, really. It's just the natural ramifications of the contracts,

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which having these contracts is a good thing. But we have to we definitely have to work together to make sure that we staff our precincts with the right amount of detectives. I think that's one of the reasons why maybe we did see a decrease in crime. We had our detectives staff properly and the flow was really there. And although we needed these contracts signed, and I'm happy that that they're all done and taken care of, the unintended consequence here to nobody's fault has to be addressed. So let's work together on this.

COMMISSIONER RYDER: Thank you for that.

CHAIRWOMAN FORD: Okay, it's my turn. All right.

In your report on the major crime, I'm a little confused because when you talk about the criminal sexual act and sexual abuse, it seems that the crimes are down 50%. But it is my understanding that, like with SVU, they have seen an

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increase in cases. Is that something different?

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COMMISSIONER RYDER: So SVU covers a wide range. It's just not sexual abuse. It's not just rape. It's so it depends what category we're looking at. These are the major crime categories. And we saw reduction last year. We're seeing a reduction again this year. The Safe Center along with Carlo, they get a lot of times someone that reports and does not want to be public about it. So they might have cases, a lot of them mostly domestic that they're handling that we may not have the number on. And again, that's the privacy of the victims in those cases also.

CHAIRWOMAN FORD: So it's not necessarily that these things are not happening. It's just that -- and I know 30%, I think it is, of assaults get reported, because it is the victims don't want to come forward for whatever reason. So these are just those really horrific

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crimes, sexual crimes are down 50%,
correct?

COMMISSIONER RYDER: That's correct.

CHAIRWOMAN FORD: Okay. And your SVU
does a wonderful job.

COMMISSIONER RYDER: Thank you.

CHAIRWOMAN FORD: How many officers
are we currently --

COMMISSIONER RYDER: I just added a
brand new detective into SVS. Somebody
wanted to get out of the child
pornography, which child pornography is a
tough business, move to a different
section of SVS, and we brought a new
officer in and he's also a translator. So
it works for us.

CHAIRWOMAN FORD: Good because I
think that'll be a big plus.

Crossing guards. Where are we with
them and has the fact that the
Administration increased their pay to \$30
an hour, have we seen more people
applying and accepting the jobs?

COMMISSIONER RYDER: Total crossing

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guards, we have 415 right now. We have roughly about 400 crossings a day. So in math it covers it, but it doesn't because you have sick leave, people don't come in, they're part timers. So we are at a point where very rare circumstances are we paying overtime to the police officer now to cover that post. You're going to get a storm, it's going to happen. They're not coming in. Sometimes schools will close and not close. We still got to cover that crossing to make sure the kids know. So we'll put a police officer on it. But we will continue to hire. We just hired another group of 12 last week. I think they go out this week. They do a week in the academy and then they go out and they start working. So we continue to hire. We're still at \$30 an hour. We're heavily recruiting, but we are covered as far as post go, actually over in the coverage. But mathematically it looks nice, but it doesn't actually add up at the end of the day.

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CHAIRWOMAN FORD: So we've actually reduced the times that we actually put a police officer at a crossing. Because I know that either you have somebody, you pay them over time or you might move somebody from another post and put them there --

COMMISSIONER RYDER: Correct. It got away from us. So we would have to hold over a night guy to cover the crossing in the morning on overtime. But the reality is, and then we would still take we're permissible up to six people in total for the entire precinct to take and cover across at different times. And it's for the hour, but you cannot leave that crossing. They are dedicated to that spot because the kids come first. The numbers are much better now because of the the dollars that are out there. And we continue to hire every day.

CHAIRWOMAN FORD: Perfect.

The medics they ended up getting an increase. So where are we with them?

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COMMISSIONER RYDER: So they got an increase. They got a contract. We just hired 15 the other day. That gets us about where the number should be. But we lose through attrition. We lose through sick leave. We lose through many other reasons. So we continue to push and hire. With the new contract and what was negotiated before that with the contract, we believe our hiring is going to become a lot easier.

CHAIRWOMAN FORD: Okay. And then with them by themselves in the cab, can we still have a discussion about maybe one day so there's more than one?

COMMISSIONER RYDER: I believe the County Executive and the unions have the discussions quite often.

CHAIRWOMAN FORD: Perfect. I really appreciate it.

I have to just comment on your wellness program. And I think that came from a Legislator Bynoe and the concern over the police officers and especially

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after they have involvement in some crimes and whatever. I think you're going to have another wellness program where you're bringing people in from all over. Does that wellness program -- because I know they're volunteers -- is there any consideration to maybe have this where it's a particular department with officers assigned to that specifically, and that's just basically what they do?

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COMMISSIONER RYDER: We were

actually looking at redesigning it a little bit. They've done an outstanding job. Every event is sold out. We give them credit if they go. If somebody from the Department -- we're giving them every reason to attend -- not to attend. And again, like I said, every event is sold out. The wellness program is doing very, very well. And we're actually looking at some things that we can tweak to make it better as far as structure inside it.

CHAIRWOMAN FORD: Perfect, I like

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that.

My last thing is, I had residents that asked me about those cars that travel around. Is that Operation Overwatch?

COMMISSIONER RYDER: That is Operation Overwatch. So in four zones, which is on the radio frequency. Example One and Seven; Four and Five; Six and Three; and Two and Eight, they have four additional cars and a supervisor. They ride in a rotation of five. In the past several days we've broken them up for the coverage of our synagogues and yeshivas during the week to make sure that we're covering. So we're breaking them up and utilizing them to get extra coverage out there. They're a force multiplier that the County Exec wanted to see, giving people back their comfort level. When crime was spiking as of sometime last year, it was a way to bring back that comfort level. And now with the acts of that have occurred in overseas in

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Jerusalem, you will see that that is going to be again pushed out really hard from the County Exec side of things, making sure that when you go to pray, you pray in peace.

CHAIRWOMAN FORD: Are they going to be synagogues and houses of worship?

COMMISSIONER RYDER: All houses of worship.

CHAIRWOMAN FORD: So they won't be driving around.

COMMISSIONER RYDER: They'll actually be sitting. We've broken some of them up. Yes.

CHAIRWOMAN FORD: Okay.

COMMISSIONER RYDER: And then during the day -- I don't want to say normal times but normaler (sic) times they rotate from school to school. So they ride around the school areas right. During the public schools Monday to Friday.

Well, we also now again with the yeshivas that are out there, we're

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covering them. But on Friday, it's a big prayer time for the Muslim community, Saturday is a Sabbath, and Sunday is the Christian. So we bounce between the three and making sure. Intelligence led policing is the only way to police in this country to do it right and do it fairly. And we tried to spread it out using those assets in the right way.

CHAIRWOMAN FORD: Perfect. All right.

Commissioner, thank you very much. I really appreciate your presentation and taking the time to answer all questions. Thank you very much.

COMMISSIONER RYDER: Thank you.

LEGISLATOR WALKER: Commissioner, please pass a thank you to all your officers and to all our other offices throughout the DAI, SOA --

CHAIRWOMAN FORD: CSEA.

LEGISLATOR WALKER: CSEA.

COMMISSIONER RYDER: Never forget them.

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LEGISLATOR WALKER: Crossing guards,
medics, everybody. Thank you.

CHAIRWOMAN FORD: Yes. Thank you. Do
an excellent job.

COMMISSIONER RYDER: Thank you.

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CHAIRWOMAN FORD: Sheriff LaRocca
for Corrections.

Good afternoon. Thank you very much.
So the floor is yours.

SHERIFF LOROCCO: Thank you. Good
afternoon, members of the Legislative
Body. I am Sheriff LoRocco, and this is
Mike Sposato, Commissioner of
Corrections.

We are happy to announce that the
COBA contract was ratified by 80% of the
membership, which will be presented to
you for consideration for approval.
Thanks to the County Executive working
with the unions now, both the civilians
and sworn members of the Sheriff's
department have current contracts after
over six years without one. The new
contracts will help with morale by
recognizing the difficult jobs done every
day by all the members to keep our
officers safe, our communities safe, and
the inmates safe.

The Commissioner I have met with OMB

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and are satisfied with the budget as is submitted. We anticipate swearing in a new class of 25 correctional officers in November. In addition, we recently promoted.

On the capital side of the budget, the long awaited 832 building project, roof and HVAC systems is out to bid and will be back on November 10th. In addition, the facility wide camera project, which is underway to enhance safety, security and security of our employees and inmates.

We're open for any questions now.

CHAIRWOMAN FORD: That was quick. All right.

SHERIFF LOROCCO: Yes.

CHAIRWOMAN FORD: Actually, thank you for answering. I was going to ask about the roof and the air conditioning. November 10th, is that the companies right now that are bidding and then you will select a --

SHERIFF LOROCCO: By November 10th

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the bidding will be closed and we'll see who's on the bidding list.

CHAIRWOMAN FORD: And then you'll make your determination as to who you will award the contract to.

SHERIFF LOROCCO: Well I guess the with the Office of Emergency or Budgeting will make that decision.

COMMISSONER SPOSATO: We have a walkthrough on October 16th with all the potential bidders. They're going to come to the jail to assess it. Look around.

CHAIRWOMAN FORD: Then they all have to respond by November 10th.

SHERIFF LOROCCO: Correct.

COMMISSONER SPOSATO: Correct.

CHAIRWOMAN FORD: If they're interested and how much they feel that they could do the job for, correct?

SHERIFF LOROCCO: Correct.

COMMISSONER SPOSATO: Correct.

CHAIRWOMAN FORD: And the time frame.

So from there, once they respond to

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November 10th, what is the process so that a contract can be awarded? How long do you think it would take?

COMMISSONER SPOSATO: At that point it goes to Purchasing and they do that. We're not involved in that process at all. Once the bid goes out, they'll keep us posted on who wins the bid. Our last role is the walk through. We show them everything.

CHAIRWOMAN FORD: Okay. Well, at least we're making progress to some degree. Thank you very much.

The tests. You're going to have a class of 25 going in November, correct?

COMMISSONER SPOSATO: Correct.

CHAIRWOMAN FORD: All right. And then you're slated next year to have two other classes.

COMMISSONER SPOSATO: Correct.

CHAIRWOMAN FORD: Is there any way to try to increase? How many correctional officers are we down by? Because it's more than 25 --

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SHERIFF LOROCCO: I believe right now we have about 770 correctional officers.

CHAIRWOMAN FORD: And what is the optimal number?

SHERIFF LOROCCO: The budgeted amount is probably closer to 800.

CHAIRWOMAN FORD: But you also then you'll have retirements, right?

SHERIFF LOROCCO: Right. Through attrition we will lose quite a bit. Probably 50 people over year's span.

CHAIRWOMAN FORD: Congratulations, by the way on the contract with the correction officers. I think it's very key.

SHERIFF LOROCCO: Absolutely.

CHAIRWOMAN FORD: Does that boost -- and the starting salary, I guess tomorrow it'll be discussed in Committees, correct?

SHERIFF LOROCCO: Right.

CHAIRWOMAN FORD: But it does actually increase the starting salaries

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for correction officers?

SHERIFF LOROCCO: The top pay being of course increased also. So it'll be more attractive of job. Hopefully getting people to take the test and make it a lot easier.

CHAIRWOMAN FORD: Right. What about the timeframe. Their steps to get to top pay seem to be a lot longer than other law enforcement, have we shortened that at all?

CHAIRWOMAN FORD: No, not at all. I believe it's still 15 years I believe now.

CHAIRWOMAN FORD: Wow. Okay.

COMMISSONER SPOSATO: What they do is they expedited some of the amounts of the raises in the middle steps. So the the start step in like 25 from 37 will go up to 41,000. But the steps, they'll get more money with those first initial raises.

CHAIRWOMAN FORD: The beginning steps. Rather than waiting to the end.

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COMMISSONER SPOSATO: Yeah. So like the first from year two to six, you'll see a bigger increase.

SHERIFF LOROCCO: It'll be more front loaded.

CHAIRWOMAN FORD: Right. Rather than back loaded, and then within a certain amount of time then they'll reach the actual top pay. What's going to be the new top pay?

SHERIFF LOROCCO: I don't think we have the actual numbers yet.

CHAIRWOMAN FORD: Tomorrow you'll have them, which is good.

I know that we spoke but I think just, basically with the issues that were brought to our attention in regard to some of the inmates at the jail and some of the concerns that they had echoed to the Civil Liberties Union, whatever you could say on record would be appreciated. Just give us a better understanding of what had happened and to allay some of the concerns.

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COMMISSONER SPOSATO: Sure.

Basically, since the HALT and the bail reform, we have a more difficult class of inmates that come, the higher bails.

But we also have another problem. We have about 30% of our inmates are gang members. And then we also have another about 100 inmates that have a lot of "keep separates". They're in the same cases, they can't be together.

But the reason we opened up a tier in our linear tier building, and we did that because we have a lot of inmates that not a lot, but a few of us that were assaultive to staff, assaultive to other inmates. And we're kind of limited to what we can do based on the new rules. So what I did was I opened up a tier and I limited what they're allowed to do. So basically, like the minimum standards is what it is. They get everything they required to get. It's the extra stuff. So whether it's commissary or more time on

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the phone, and again, a couple of the things they had said was this Plexiglas; is not true. All the cells are opened.

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Where the officers walk there is a guard walk. We put Plexiglas on that because a few of the inmates were throwing feces

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and urine. Their cells are open. But

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where they come out is what we did to

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block that. Stuff like that.

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There's a couple allegations that,

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you know, that we use tasers. We don't

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even have tasers. So that's not true. But

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you know, but listen, any specific case,

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like I told you, I would be more than

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happy to look into it for you. But these

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are difficult to manage. We only have so

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much space. We had a lot in the past of

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medium inmates based on classification.

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All of our inmates now a max inmates. So

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they can only be in specific areas. I

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can't use the dorms, so I lose a lot of

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housing space. They have to be either in

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a pod setting or in a linear tier

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setting.

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We have ten inmates now, they're in a specific area. We review it every seven days. When the inmates go in, the supervisor speaks to them, lets them know what they're getting and what they can have and what they can't have. We meet regularly. My captains in the investigative units meet to see we have. We start them off in the back end of the tier and move them up to the front end of the tier, and then they gradually come off.

So this is just a way to try to combat. Officers are assaulted and inmates are being assaulted. We have 200 gang members and they're trying to like rule the dorms. So we're moving them into one place that we can monitor. We have a camera there that when they move around.

Basically we're just trying to stop the the assaults on staff. We're doing what we have to do to protect the inmates and we have to protect the officers.

CHAIRWOMAN FORD: I understand that

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with the violence.

It is my understanding that you do file paperwork in regard to any inmate that is sent to this tier or disciplined in any way.

COMMISSONER SPOSATO: Correct.

CHAIRWOMAN FORD: And that an inmate has the right to file a grievance via New York State. And they will then reach out to you to get a record.

COMMISSONER SPOSATO: When something happens, if you assault an officer or you're in a fight, your assault, another inmate you know will do a lock in is what it's called. We have a triplicate form. We fill it out. The inmate knows why they're locked in. We speak to them. We keep that for the State because they do have a lot of avenues to change that. Basically, they know they can call the District Attorney's hotline, which they all have; Civil Liberties; they can call the State directly.

They grieve it to us. We either

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accept the denied the grievance, then they go up to the State. The State calls us, they have their own committees, the State that does an investigation. And plus we do multiple layers of an investigation ourselves. If there's an incident, the officers have to write reports, and then we have a separate supervisor that reads it up through the captain that reviews everything, and we're constantly reviewing it.

I think the calls that the Civil Liberties is getting is more that they don't like being secluded where they are. They're escorted by supervisors. They don't walk alone. They lose some of the things that we give inmates that are behaving. So this is more of a way to get them to try to behave, but they're still getting everything they deserve by the State. It's just a way to try to help their behavior.

CHAIRWOMAN FORD: Legislator Mule.

LEGISLATGOR MULE: Hi. How are you

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doing? Referring to what the chairwoman was talking about in terms of the notifications that we got. You said that if an inmate has a complaint, there are numbers that they can call. One of the things that we were told was that there's a lack of an ability to make calls. So can you tell me how that happens?

COMMISSONER SPOSATO: That's not the case. Normally, the inmates are allowed out, say, like on this tier, they're allowed out seven hours a day. And throughout the day, we lock in for different reasons for counts, for meals, they can make three, ten minute phone calls. But minus that, if they tell us they want to speak to a hotline, we let them use the phone. We're not blocking the phone. We're blocking the times they can use it. They'll tell us they need to do it and we'll bring them to the phone. That's not true. They might be talking about family members and being able to talk all day like they can, that they

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can't do on this floor. They have access to the phone privileges, but not as long as they want. We limit the amount of phone calls they can make.

LEGISLATOR MULE: Okay. Thank you.

COMMISSIONER SPOSATO: You're welcome.

CHAIRWOMAN FORD: Legislator DeRiggi-Whitton.

LEGISLATOR DERIGGI-WHITTON: I'm glad to hear that you're putting the cameras up, because I went on a tour with the interns, and it was very interesting. They actually loved going to jail. It was their favorite part of the whole summer. They loved it. Everyone did an incredible job of giving them a true impression of everything from a difficult inmate and how they would take them out of their cell. They really did a good job.

But I was concerned, because one of the things that was mentioned is how when when they lock the doors or something,

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there's only one correctional officer in the room at the time, and when they get to the end, they do some kind of phone call or something to let you know. This is a correction officer.

COMMISSONER SPOSATO: This is a complaint from the corrections?

LEGISLATOR DERIGGI-WHITTON: No, it wasn't a complaint, but they were just mentioning how they go down the line and they just lock everything. And then at the end there's some there's some thing that they do to let everyone know that everyone's locked in or something, but there's no camera. So if there's only one correction officer in that room when they're locking the various jail cells, to me, I don't know how you can't have cameras. So I'm very happy that you're getting them for the safety of the correctional officers.

COMMISSONER SPOSATO: The correctional officer, they do a great job. They're trained for that. We have

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one officer in each pod. We have two in our in our bubble, which is our secure station. A lot of it's done through the microphone. We will tell the inmates to lock in or we open their gates, they go in and out mean. We're probably one of the only few facilities that don't have them, and County Executive Blakeman from day supported putting them in. So we're clamoring the whole entire facility.

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LEGISLATOR DERIGGI-WHITTON: That is

so smart because if it was two people in that room taking care of the doors, they could say, okay, well, there's two people, but it's only one person taking care of the doors. I could just see someone being over taken.

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COMMISSONER SPOSATO: It's a little

confusing. The person in the room is there for security. He doesn't control any of the doors. They are controlled by the bubble. That's powered.

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LEGISLATOR DERIGGI-WHITTON: He

looks down and make sure everybody's in.

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COMMISSONER SPOSATO: He hits a patrol every 15 minutes or every half hour, depending what classification you are. But he doesn't open a closed doors.

LEGISLATOR DERIGGI-WHITTON: Okay.

Anyway, I'm glad that you're putting cameras all over.

The other thing I was thinking about, I understand that the correction officers might not be offered some of the same advantages that some of the police officers are offered as far as like mental health, like the opportunities like. Do you have anything? Commissioner Ryder was just mentioning that they all have what was a form. I forget. The mental health ability for any police officer.

COMMISSONER SPOSATO: When every officer comes onto the job, we give them a full mental health training. Every year we do in-service, we do a refresher course.

LEGISLATOR DERIGGI-WHITTON: It's a

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counseling.

COMMISSONER SPOSATO: We have an EAP. We have an Employee Assistance Program that people speak to. He does a great job. We have a guy that's full time on that. They can speak to him. Plus they can go to the County. We have that in place. We've had it in place for years.

LEGISLATOR DERIGGI-WHITTON: Maybe we can do a little bit of a better -- I'm sure you're doing a good job, but just a better job of letting the employees --

COMMISSONER SPOSATO: They know. Everybody knows. We have an EAP number. They can call them, it's all confidential, obviously. We have an HR supervisor that oversees that in case they have to go into a program. Which, we're not told that. I'm just asked to let someone if they are going to be out of work for a month. But they don't get into the details.

LEGISLATOR DERIGGI-WHITTON: It wasn't even like anyone was -- I think I

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asked the question, but it just would be good to have like a stress management -- maybe like not as much of like a high level like that -- maybe just more of a stress management program available because they're in there a lot and the overtime and everything else.

COMMISSONER SPOSATO: Like I said, we utilize our EAP for that. We have staff in there. That's what they do. I'd be more than happy to look into something further, but we do that now.

LEGISLATOR DERIGGI-WHITTON: I think it'd be important. Because I think just in the couple of hours that I was there, it's a tough atmosphere and I think it would be good to maybe start it before it's a real problem. Like someone has to seek real help, but just maybe do some kind of stress management.

And the last thing again for morale. I know, Chairwoman Ford, we discussed having something along the lines of Top Cop, which we just recognize them with

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some of the things that they do.

COMMISSONER SPOSATO: We're in the process of that now. We brought one of the new deputy sheriffs, Tom Sullivan, has been he's here today. He's been working on with the unions to do all previous years that we didn't give out awards. He's getting stuff from all the supervisors and will be eventually presenting that here.

LEGISLATOR DERIGGI-WHITTON: That's so important. And your guys were great. They were really positive and they were very professional. And I elicited some of it. It wasn't like they were complaining to me. They were really proud of what they did. They were great with the kids. I mean, one of the kids was like, when did you decide to become a correctional officer? And and it was just kind of interesting to see their reactions to it. I don't remember, but it's a tough job.

COMMISSONER SPOSATO: Very tough.

LEGISLATOR DERIGGI-WHITTON: If we

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can do anything to make it easier for them.

COMMISSONER SPOSATO: Beautiful.

LEGISLATOR DERIGGI-WHITTON: Thank you.

CHAIRWOMAN FORD: Thank you.

I think that, Legislator DeRiggi-Whitton, when we were there, when we walked around, we talked about perhaps maybe modeling, trying to like, mimic what the police department does with their Wellness Committee, where you can assign, get some volunteers and follow what they do, where they do a whole approach to, I guess, an officer to help them deal with stresses, anxiety, whatever can impact. And I agree with Delia. They are locked away there in the facility along with inmates. And I think that they do deserve to be able to have something added as well. Anything that we can do to help them with their jobs, I think it's very, very important.

I'm glad that we're addressing the

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buildings. I'm glad that we're getting the cameras in. We're looking to see what else we can do for the officers.

And I agree, they whenever I'm there, they're always very positive. They're very accommodating. You could see how professional they are and the way that they do the jobs. Even over the years when things weren't so great, there was water coming down and whatever. So I'm very thankful for everything that has been done for them and we're bringing more officers in, but I honestly think we need to take a look at this and see if you can follow that model. It has been something that has been implemented with the Police Department, and it has proven to be very successful. Because yes, there are officers that come from across the country to go and attend these seminars. So I would urge you, I think next week they're going to have it again. So I would urge you to at least pop in and see what it's about. And hopefully you'll see

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that this may be something rather than create something new, you just follow it.

Whatever we could do, because we do owe a debt of gratitude to all of the correction officers that work there, that work for us and work with some of the the toughest people, criminals in the world. Because when you hear about the problems that they have, the assaults and everything else that can happen, they really have exhibited true bravery and two, courage and true professionalism in the job that they do. So we thank them.

Okay. Is that it?

Legislator Walker.

LEGISLATOR WALKER: I really just wanted to add. I'm very happy to hear the positive things that we're doing, and hopefully we'll continue to get more correctional officers.

My big concern, too, is when we have to have correctional officers work overtime and it's a kind of mandated overtime. And for some of them, I'm sure

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it's nice they get a little extra money. But I always worry then too, that that's when mistakes can happen. You know, people get tired. They've worked a whole shift. Now they have to work another shift. You don't want to see something happen just because they've had to work so long. And so the more we can do, the more we can get there to be of help to them and all the things that you're doing in a positive way. Just want to thank you for that and anything that we can do to help you all. Thank you.

COMMISSONER SPOSATO: Thank you.

CHAIRWOMAN FORD: Thank you very much.

SHERIFF LOROCCO: Thank you.

CHAIRWOMAN FORD: Thank you for your presentation and answering our questions.

We are finished. This hearing is over.

(Whereupon, the Public Safety Committee is adjourned, 4:48 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

: SS.:

COUNTY OF NASSAU)

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 10th day of October, 2023.

Karen Lorenzo

Karen Lorenzo

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