

PROTECTIVE SERVICES COMMITTEE MEETING
Held via Audio Webinar Pursuant to Temporary Emergency Orders
Members: Chairwoman Nacerino & Legislators Sayegh & Sullivan

Thursday

February 18, 2021

The meeting was called to order at 6:05PM by Chairwoman Nacerino who led in the Pledge of Allegiance. Upon roll call Legislators Sayegh, Sullivan and Chairwoman Nacerino were present.

Item #3 - Approval/Protective Services Committee Meeting Minutes/ October 15th & November 10th, 2020

Chairwoman Nacerino stated the minutes were accepted as submitted.

Item #4 - Approval/ Protective Services Committee - Police Policy Review Panel Meeting Minutes/ January 12th & 26th, 2021

Chairwoman Nacerino stated the minutes were accepted as submitted.

Item#5 - FYI/ Homeland Security and Emergency Services 2020- 2021 Public Safety Answering Point (PSAP) Operations Grant/ Deputy Commissioner BES Robert Lipton

Deputy Commissioner BES Robert Lipton stated this is the annual PSAP Grant. He stated this is the 2020 grant because there were no grants released last year. He stated this is the application for the PSAP grant. He stated once the application is submitted, and the County wins an award then a budget will be set up. He stated the approved use of any awarded funding is to spend it on salaries, equipment and things needed in the 911 Dispatch Center.

Chairwoman Nacerino made a motion to Waive the Rules and Accept the Additional; Seconded by Legislator Sayegh. All in favor.

Chairwoman Nacerino stated a copy of the completed application was sent to the Legislature after the agenda was published, that is why it was submitted as additional. She thanked Deputy Commissioner Lipton for providing the comprehensive application. She confirmed with Deputy Commissioner Lipton that there are no matching funds.

Item #6 - Discussion/ Putnam County Fire Advisory Board/ Fire Advisory: Chairman Robert Trace & Co-Chairman Justyn Lewis

Chairwoman Nacerino stated, unfortunately, at this time Robert Trace nor Justyn Lewis are on the call this evening to speak to their correspondence. She stated she has conferred with the County Executive about this matter. She stated that she along with the Deputy County Executive, the County Attorney and the Director of Personnel take this matter very seriously and will consider every detail of the concerns expressed in their letter.

Commissioner Ken Clair and Deputy Commissioner Casey Quake were both on the audio webinar.

Bureau of Emergency Services Commissioner Clair expressed briefly that he had some issues with how this was handled. He stated he will speak to the facts this evening. He stated the cost of the Putnam County EMS Training is the cheapest in the area in cost comparison. He stated the student or the Organization the student represents is charged \$350 to take the class. He stated the fee last year was \$145. He stated it was presented at the Fire Advisory Board Meeting and at several Chief meetings that the cost was going to be increased. He stated as long as the Student passes the County gets reimbursed \$700. He provided an overview of what the student receives for the \$350.

Bureau of Emergency Services Director Casey Quake stated prior to instituting the fee, he and his staff conducted a regional cost comparison. He stated the fee of \$350 and what the student receives was more than reasonable. He stated an important fact is the County does not make a \$1.00 from the \$350 fee. He stated every cent is returned to the student in goods and materials that they need for the course. He stated they get students from across the State. He stated there is financial aid and scholarships available. He stated this is about putting volunteers on the road and not about anything other than that.

Chairwoman Nacerino stated the County Executive, the County Attorney, and the Director of Personnel are looking into the concerns expressed. She stated she has full confidence in speaking with the Administration that the County will communicate some resolve.

Bureau of Emergency Services Commissioner Clair stated this matter could have been resolved without involving the Legislature. He continued to speak to his efforts to keep all of the departments updated.

Legislator Sullivan stated he agrees that this is a reasonable fee. He stated that Westchester charges a lot more. He stated he is glad to hear that Commissioner Clair is working to keep communication among the Captains and Chiefs of the Fire Departments. He stated this is a new position that was referenced, and it always takes some time to get people use to a new process. He stated he feels very good that in the future everything will be rectified.

Putnam County Fire Advisory Board Chairman Robert Trace stated he apologized for his late arrival onto the call, but he was having technical difficulties. He stated the reason for their concern with this is that most of the departments had already submitted their budgets prior to this new procedure. He stated also people do not want to pay out of pocket.

Chairwoman Nacerino stated that may be a significant deterrent at this time, considering the fiscal challenges many people have been facing during the past year. She stated perhaps consideration could be given to making the fee effective later, maybe during the next budget period. She stated she is not sure if that is possible. She stated she believes Fire Advisory Board Chairman Trace brings up a valid point. She stated it has also been discussed that recruitment has been challenging for the departments, so asking an individual to pay \$350 at the onset may in fact be a burden.

Commissioner Clair stated the department he is with, Brewster Fire Department, they have a training budget. He stated when the information was shared with the Department's he spoke to the fact that Fire Departments could use their training budget funds to cover the cost for their attendees. He stated he does not see another way of doing this other than the County absorbing the cost which is not feasible at this time. He stated he also told the Departments that the County Executive and the Legislature have all been very good to the volunteer services, as an example approving the purchasing of radios at a cost of \$7,000 for each department.

Director Quake stated he did survey each department and did a five (5) year student history review. He stated we are very sensitive to the fact that each department has a budget to stay within. He stated on the average most of the departments have spent \$2,100 over the course of the past five (5) years. He stated they get one (1) maybe two (2) students per year from each department. He stated the hope is that will increase. He stated they are happy to work with the individuals. He stated they have received positive feedback from the students who have gone through the course. He stated some have provided feedback saying if their department was unable to pay, they would have paid out of pocket and were very satisfied with the educational opportunities this course afforded them. He continued to detail the extensive research and surveys they did prior to including the fee. He stated he truly believes they did their due diligence before increasing the fee.

Commissioner Clair stated the Bureau of Emergency services wants to work with all the departments and improve their programs. He stated in order to improve their programs it will require funding.

Chairwoman Nacerino stated this is not a matter that had to come to the Legislature, but it did. She expressed that there is clearly an opinion from those who contacted the Legislature that there is a need for improved communication. She expressed her appreciation for the information shared this evening by Commission Claire and Director Quake. She stated both the agencies are vital to our community, the Fire Departments, and the Bureau of Emergency Services. She stated she hopes there can be a resolve reached.

Putnam County Fire Advisory Board Chairman Robert Trace explained that the Fire Departments work with a tight budget and have to purchase equipment and such which is accounted for when preparing their budgets. He stated this fee was mentioned, however there was no letter sent out notifying the Departments confirming the change was being put forward. He stated he would like to see better communication and also wants them all to work together as they move forward.

Chairwoman Nacerino stated hopefully this evening's conversation is the catalyst to move forward in the right direction and to have some effective communication. She stated she is the Legislative representative on the Fire Advisory Board. She stated she looks forward to continuing this conversation at the next meeting.

Item #7 - Update/ Police Policy Review Panel – Timeline/ Deputy County Executive Tom Feighery, First Deputy County Attorney Andrew Negro & Putnam County Sheriff Robert Langley

Chairwoman Nacerino stated she wanted to begin this agenda item by starting with some remarks. She explained that she and Putnam County supports New York State’s mission to promote openness transparency and accountability. She continued to speak to the process and the feedback received, which was mostly positive. She spoke to the fact that Putnam County is a small County which may or may not encounter the magnitude of issues other County’s face. She stated there are areas where the Putnam County Sheriff’s Department can improve upon their policies and procedures, which she listed. She stated this is not meant to disparage the Sheriff’s Department. She stated the Putnam County Sheriff’s Department does a great job. She stated in every aspect in life there is room to grow and evolve. She continued with her opening comments regarding the recognition for the need to change police policies and practices in response to recent incidents throughout the Country. She stated this Legislature has sought transparency from the County’s Sheriff’s Department long before a mandate was in place via the Governor’s Executive Order 203. Legislator Sullivan was instrumental in leading the charge with numerous requests for information to be open and transparent. She stated she is grateful to the members of the Police Policy Review Panel who came together and gave their time, energy, and expertise to develop Putnam County’s “Plan”. She stated despite the constraints of COVID-19, the Panel has developed a comprehensive report, notwithstanding the constraints and stringent time provided. She stated the process has been completed in an open and transparent manner in compliance with Executive Order 203 and the DCJS collaborative manual, as noted on page 19 of the draft “Plan”. She continued to share her comments regarding this living document. She stated as Chairwoman of the Legislature’s Protective Services Committee it is her intention to continue to solicit feedback throughout the year by inviting subcommittees along with the Sheriff to participate in the Protective Services Committee meetings. She stated the Public Comment session last evening in regard to the “Plan” yielded many comments, which will be considered by the Panel. She stated the final document will be presented to the Legislature and will be posted on the County’s website for review. She stated the Protective Services Committee Meeting will meet on March 9th to ratify the final “Plan” in accordance with Executive Order 203. She stated on the call this evening are: Deputy County Executive Tom Feighery, First Deputy County Attorney Andrew Negro, and Sheriff Robert Langley. She requested that First Deputy County Attorney Andrew Negro speak to the timeline and the Police Policy Review process.

First Deputy County Attorney Andrew Negro confirmed there was a public comment meeting held last night, February 17th, by the Panel. He stated that was in order to elicit public comment with respect to the draft “Plan” that was posted on the County’s website on February 5, 2021. He stated there is a portal on the County’s webpage for public comments to be submitted. He stated the comments will be considered as part of the collaborative process and pursuant to the requirements of Executive Order 203 and hopefully a final draft “Plan” will be submitted to the Protective Services Committee, as indicated by Chairwoman Nacerino, in time for the March 9th meeting with hopefully a Special Full Meeting immediately following for a vote by the entire Legislature. He stated in accordance with Executive Order 203 the “Plan” must be adopted and ratified by the Legislative Body of each municipality that has a police force, and certified up to New York State by April 1, 2021.

Deputy County Executive Tom Feighery stated this has been a very emotional process. He thanked Chairwoman Nacerino for her recap and for speaking with the members of the People of Color subgroup and for your commitment to them. He stated that is the kind of commitment which demonstrates the County's commitment to working to be the best we can be.

Chairwoman Nacerino stated she has a few questions for Sheriff Langley, she invited him to speak first if he wanted to make any opening remarks.

Sheriff Langley thanked all who were involved in this process. He stated a lot of hard work has gone into this, a lot of relationships have been forged through this process with the community and he looks forward to continuing his work with the members of the groups in the community.

Chairwoman Nacerino stated this is a policy for Police Reform, so she believes the Sheriff would be the best to answer her questions. She stated there were concerns expressed the Sheriff's Department use of "LEXIPOL to update procedures emphasizes policy updates that minimize legal exposure and liability – not to address better policing to the needs of communities of color" (excerpt from draft "Plan" page 33). She questioned if the policies submitted were part of the draft, have the LEXIPOL policies been adopted and have said properties been submitted to the Panel and have said policies been submitted to the Panel and revised to reflect the evidence based policing strategies in accordance with the Executive Order. She stated they are still watermarked as "draft". She explained that is why she is requesting clarification.

Sheriff Langley stated if they are labeled as "draft" they are still in the process of being released. He stated LEXIPOL has been very useful keeping up with Federal and State changes in laws and policies.

Chairwoman Nacerino requested clarification that the policies the Sheriff's Department has adopted from LEXIPOL have been incorporated. She questioned if the existing policies have been revised to include evidence based policing strategies as per the 14 items listed in Executive Order 203.

Sheriff Langley stated he would need to check on that, he stated he does not have an answer, as this question was not provided to him in advance.

Chairwoman Nacerino stated they have until March 9th which is when the final "Plan" will be considered for approval by the Legislature. She questioned if the Sheriff is aware of any contractual or collective bargaining related issues that could interfere with the information of the recommendation in the report, such as the implementation and use of Body Cameras. She stated that is a practice the members of the public have expressed their support for. She stated there have been Letters to the Editor in local papers, stating that the Legislature will not fund the Body Cameras. She stated it should come out that the issue is not funding but rather the Union will not allow it. She requested Sheriff Langley speak to that matter.

Sheriff Langley stated the Body Cameras are needed in his department, he would need to look into the position of the Union on the use of Body Cameras. He stated Body Cameras protect both the community and the officers.

Chairwoman Nacerino stated all of the support groups have mentioned their support for the use of Body Cameras. She stated the Union, as you are saying would not allow that. She stated she would hope they would be more receptive in light of the Executive Order, the feedback from the residents and what is happening throughout the State, we would hope the Union Members would be receptive to the use of the Body Cameras. She repeated what Sheriff Langley stated, the Body Cameras would protect not only of the Officers but also the public at large. She stated she hopes that conversation is not shut down. She expressed her appreciation for the Sheriff looking into that.

Sheriff Langley stated the funding for the Body Cameras is in the Contingency Budget Line, so it is a matter of the Legislature approving the release of that funding.

Chairwoman Nacerino stated if you are ready, willing, and able we will get you the money. She stated it is a part of the public's request, and she agrees it is a practice we need and support. She stated if the Union is not receptive to it, then we are grid locked. She requested the Sheriff communicate with the Union representatives. She stated we are all striving for an open and transparent police department.

Sheriff Langley stated that would be great. He stated however he is confused by the reference to the Union Members possibly would not allow it.

Chairwoman Nacerino stated she thought she heard the Sheriff say that, however his phone connection keeps cutting in and out, so maybe she mis heard. She requested that he clarify.

Sheriff Langley stated he did not say that the Unions would not allow the use of Body Cameras.

Legislator Sullivan stated the Sheriff may not have used the exact word, but the Sheriff did insinuate that he would have to get the approval from the Union to be able to use Body Cameras.

Chairwoman Nacerino stated if this is a Union issue or not a Union issue remains to be seen, but it is not a funding issue. She stated the comments made in the Letters to the Editor that the Legislature will not fund the Body Cameras is not the case. She stated the Union support still remains to be seen. She stated she would hope Sheriff Langley would advocate for them especially in the wake of police reform, and police openness and transparency.

Sheriff Langley stated for the record those were not his words. He stated that he will look into it.

Chairwoman Nacerino stated that she stands corrected and thanked the Sheriff for being receptive and looking into the matter. She stated moving on to her next question. She stated assuming the "Plan" is adopted what recommendations do you feel would be your top priority in 2021.

Sheriff Langley replied training.

Chairwoman Nacerino questioned what training the Sheriff is referring to.

Sheriff Langley stated mental health, CIT and de-escalation training.

Chairwoman Nacerino stated she would like wellness training for our officers as well, so they keep healthy both body and mind. She stated she looks forward to continued discussions on these matters throughout the year. She thanked the Sheriff for participating in this discussion.

Legislator Sullivan stated he has a couple of questions and then would follow up with a couple of statements. He stated he sees a lot of hard work and comments from the subgroups in this “Police Policy Review” however he sees little or no comments from the Sheriff related to the policy. He further stated other than the boiler plate policies that had been purchased from LEXIPOL. He questioned when will revised policies be submitted by the Sheriff’s Department, to include comments from the subcommittees for the Legislature’s review prior to the Legislature’s ratification of the Police Policy Review. He stated this document is, a review of the Sheriff’s Department policies. He questioned when would we see policies that incorporate the sub panels comments and recommendations.

Sheriff Langley stated the Legislators can notify him of which policies they would like to see. He stated any policies that were requested by the subcommittees were provided.

Chairwoman Nacerino stated, as she stated earlier the policies from the Sheriff’s Department seem to be in draft form and have no changes made to them. She questioned if the policies have been embellished and revised in accordance with the Executive Order.

Sheriff Langley stated they have been updating policies and releasing policies. He stated he does not have LEXIPOL with him to review and provide specifics.

Chairwoman Nacerino stated they look forward to the Sheriff’s response. She requested that any changes made in policies please be specified so the Legislators will be able to identify the changes in time for the March 9th meeting.

Legislator Sullivan stated he does not believe the Sheriff understands what he is asking. He stated he does not see in the draft policies, currently included, any revisions that incorporate the subpanels’ comments. He stated he would like to know from the Sheriff when we will see policies that include the subpanels’ comments.

Sheriff Langley stated he can say that some of the polices have been changed. He explained that he could not answer whether all of them have been addressed.

Chairwoman Nacerino read from a list of categories that were part of the Executive Order that should be a part of the County “Plan”, they are asking has the Sheriff revised the policies to meet the evidence-based strategies that were requested.

Chairwoman facilitated further discussion.

Legislator Montgomery stated that relating to the matter of the Unions and the potential use of the Body Cameras, she questioned if there is a Legislative Liaison.

Chairwoman Nacerino stated there is not a Legislative Liaison.

Legislator Montgomery stated then the Legislature does not know for sure that the Union is opposed to the use of the Body Cameras. She stated the Sheriff funded for Body Cameras, the Legislature put that funding in contingency. She stated during the Public Hearing last night, regarding the proposed “Plan” she heard a lot of dissatisfaction with the “Plan”. She stated there were many issues raised, one being that there was not a good representation of the County on the “Panel” that is voting to adopt the plan, including the minority leader member of this Legislature. She questioned why we are asking the Sheriff to provide his changed policies, when we have not even adopted a “Plan” for what we want the policies to look like.

Chairwoman Nacerino stated because the “Plan” that will be going to the State will be the County’s Policy.

Legislator Montgomery stated she understands a “Plan” to be a roadmap, and in this case a road map of the Sheriff’s Department’s policies. She questioned how many policies are on the books in the Sheriff’s Department.

Sheriff Langley stated there are 160 policies.

Legislator Montgomery questioned if they are all in this “Plan”.

Sheriff Langley stated no, the policies are on the website that were submitted to the Legislature.

Legislator Montgomery stated her point is this “Plan” is the roadmap for those policies that we hope the Sheriff will change and adopt. She stated she does not believe 160 policies could be changed in time to meet this executive order deadline of submission by April 1, 2021.

Chairwoman Nacerino thanked Legislator Montgomery for her comments. She stated no one ever said this “Plan” would incorporate every single policy. She stated it is a “Plan” to make specific changes, in accordance with the Executive Order 203. She stated we realize change is needed. She stated to date we cannot see any changes that have been made by the March 9th Protective Services Meeting, she hopes the Sheriff can demonstrate there have been changes made. She stated as far as the Body Cameras are concerned it is a moot point, until we hear the position of the Union.

Legislator Sayegh stated during the discussions with the subgroups of the Police Policy Review Panel (PPRP) a common thread was transparency, accountability, training, and crisis intervention. She stated we are not alone in these focus points. She stated as she reviewed other County’s Plans those are the same issues that in the forefront. She read from page 32 of the draft “Plan” which was submitted by the African American/People of Color, LGBTQIA+, Education

Subcommittee Leaders: *No inventory of equipment, budget allocation, and patrol guide were offered for review.* She questioned as to if said information was provided to any of the subcommittees or not provided at all. She continued to read from page 32: *The stakeholders also had no data surrounding incident reports involving community of color. The subcommittees had limited access to police policies and procedures.* She stated this report was submitted February 5, 2021. She stated these important groups were left out from reviewing policies and procedures. She continued to quote sections of page 32. She stated if these policies were not provided to these subcommittees then how can we say we were transparent in the PPRP process. She questioned what policing data does the Sheriff's Department collect and what if any should be made public. She stated she believed the public is crying for transparency from law enforcement.

Chairwoman Nacerino stated the stakeholders worked really hard to submit their recommendations. She stated for us not to act on the recommendation or even take some of them and incorporate them into the draft "Plan" seems to be a travesty. She continued to list the topics she does not see in the Sheriff's Plan. We were more optimistic that some of these recommendations would be reviewed by the Sheriff's Department and be embellished into his own policies. She stated in accordance with the Executive Order 203 this is what we are tasked to do. She stated she hopes to see more information and demonstration of where the effective changes were made, it is not just a roll over of the policies that were in place.

Sheriff Langley stated he would like to point out an important matter. He stated Executive Order 203 requires the County Executive to write this "Plan", not the Sheriff. He stated the Protective Services Committee has remained silent until now.

Chairwoman Nacerino stated the County Executive did execute the PPRP and she did form the subgroups and put this entire plan together.

Legislator Sullivan stated he would be reading from the Executive Order to provide some clarification: *The political subdivision in coordination with its police agency must consult with stakeholders etc... and create a plan to adopt and implement the recommendation resulting from its review and consultation including any modification, modernization and innovation to its policing deployment strategy policies, procedures and practices tailored to meet the specific needs of the community.* He stated he does not see where that mentions the County Executive. He stated these are the Sheriff's policies that he is supposed to modify and incorporate the public comment, then the Legislature is to review them and ratify them, it is very simple. He stated the Executive Order is two (2) pages. He stated what the Chairwoman is saying is the Legislature wants to see the original LEXIPOL policy and the revised LEXIPOL policies, including underlining to any revisions made to the policies. He stated that will clearly decipher the draft and what the Sheriff has incorporated into the policy. He stated they never anticipated reviewing the 160 policies of the Sheriff's Department. He stated First Deputy Attorney Andrew Negro can speak to why the policies that are included in the plan have been included.

First Deputy Attorney Andrew Negro he stated it is his understand those are the policies that were provided to PPRP for review by the Sheriff's Office. He stated additionally it is his

understanding they were the policies in the Sheriff's Office that were germane to the panel review.

Chairwoman Nacerino stated the ownness is not on the County Executive. She stated the County Executive formed the panel, the panel writes the report, and the Legislature adopts the report. She stated they will wait to see the requested changes.

Sheriff Langley stated once again Executive Order 203 requires the Executive Officer of each County or Municipality submit their plan. He stated this is not the Sheriff's Plan. He stated he as Sheriff has participated in every step of the process. He stated it is the responsibility of the Chief Executive Officer of the municipality to submit the plan, not the Sheriff.

Legislator Sullivan stated if we are not happy with the changes made to the Sheriff's policies the Plan will not be ratified by the Legislature. He stated in that instance then a monitor for the Attorney General's Office will be assigned to the Sheriff's Department and will do the job that was not completed through the PPRP. He stated additionally, funding will be cut off to Putnam County. He stated then the Attorney General will take over the running of the Sheriff's Department. He stated he does not believe the County Executive will sign off on a document where no changes or updates were made to improve the policy by the Sheriff's Department.

Sheriff Langley stated Undersheriff Cheverko has been involved with Deputy County Executive Thomas Feighery during these procedures every step of the way. He stated the Sheriff's Department has been on board 100% in this process. He stated this is the County Executive's Plan. He stated the Executive Order does not say the Sheriff's will submit a Plan.

Chairwoman Nacerino stated this should not be a bone of contention, it should be a collaborative effort from all parties. She continued to provide clarification and what the Legislature is asking.

Legislator Montgomery requested confirmation that the County Executive is Chair of the PPRP, the County Executive selected the members of the panel, and the County Executive chose the members of the subcommittees.

Chairwoman Nacerino stated she believes that is correct.

Legislator Montgomery stated that she has been on every call of the PPRP and has met with different Subcommittees and has met with some of them with the Sheriff. She stated she can say that the Sheriff has been an active participant throughout this process. She stated her request to the Sheriff, which is different from her colleagues, please do not draft your policies until you hear and have read all the feedback. She stated she would hate for the Sheriff to submit his policies prior to him hearing from everybody in this County about what is in place.

Chairwoman Nacerino stated the County Executive is the Chair of the PPRP. She stated First Deputy County Attorney Negro will provide how the subcommittees were formed.

Deputy County Attorney Andrew Negro stated for clarification under the Executive Order 203 the Plan is not the County Executive's. He stated the Chief Executive of a local government that

has a Police Agency is required to convene the head of the local police agency and the stakeholders to develop a plan through the panel. He stated it is the plan of the subdivision in working in coordination with the police agency and the stakeholders. He stated the formation of the stakeholder subgroups, included an application process put out through the panel. He stated the applications were submitted to the panel members and they selected and formed the stakeholder subgroups. He confirmed the County Executive did not personally pick the subgroups, they were formed by the Panel.

Legislator Montgomery questioned how the applicants were chosen, did the panel vote on them.

Deputy County Attorney Andrew Negro stated his understanding is that it was a work group selected through the application process.

Chairwoman Nacerino requested that Deputy County Attorney Andrew Negro speak to the role of the Sheriff in this process.

First Deputy County Attorney Andrew Negro stated per Executive Order (EO) 203 the local police agency of the municipality is required to work with the political subdivision and the stakeholders to develop a policy that is in conformance with the EO 203. He stated as part of the process the existing policies of the police agency were required to be reviewed.

Sheriff Langley questioned who wrote the plan. He expressed his appreciation to the subcommittees for their hard work. He stated as a result of the hard work one of the committees will be assembling an advisory committee to the Sheriff. He stated that person will be selecting the members, he will have no involvement in selecting the members of the advisory committee.

Chairwoman Nacerino stated she is aware of the advisory committee and we embrace them.

Legislator Sayegh she stated it is disingenuous for the subcommittees to make recommendations without the expectation of implementation by the Sheriff's Department. She continued to speak to the need to work together.

Sheriff Langley stated the Sheriff's Department has every intention to comply with the recommendations, and the County needs to commit to the funding that will be required to comply. He elaborated on his statement of what will require funding, such as the CAD System. He stated he has communicated with many groups even beyond the PPRP. He stated they have been very involved.

Legislator Sullivan requested that Legislative Counsel Robert Firriolo speak to the question presented to First Deputy County Attorney Andrew Negro in terms of his opinion of what the role of the Sheriff is under EO 203 and what the role is of the County Executive. He stated also he would like Legislative Counsel to state if the Sheriff can form his own advisory committee.

Legislative Counsel Robert Firriolo stated firstly, he was a member of the PPRP, appointed by the County Executive. He stated First Deputy County Attorney Andrew Negro is correct. He stated the County Executive forms the panel, convenes it, and explicitly a member of that must

be the head of the local police agency as well as community stakeholders. He stated the panel formed has to review a specific list of evidence based policing strategies, policies and procedures. He stated then the panel has to consult with the stakeholders and come up with a report. He stated said plan must be submitted for public comments and after that is presented to the Legislative Body for ratification/adoption. He stated once the final “Plan” is adopted by the County it becomes the policy of the County, which the local law enforcement agency is supposed to follow. He requested that Legislator Sullivan repeat his second question.

Legislator Sullivan stated he was going to set up his own advisory committee. He stated he does not recall that as being a possibility to address these issues in the EO 203.

Legislative Counsel Robert Firriolo stated it is not contemplated by the EO 203. He stated if it is adopted as part of the recommendations and if the Sheriff wants to liaise with community groups on how to implement the recommendations effectively, there is nothing to stop him from speaking with the groups, the public and continuing to speak with the sub panel. He stated that it is not contemplated in EO 203 as the process to move forward to adopt a plan by a municipality.

Legislator Sullivan stated he would like to make comments and he has been waiting patiently. He began by thanking all who were involved in the development of a plan that will hopefully foster greater transparency and accountability from the Sheriff. He stated on the Public Hearing call last night the public raised some very serious concerns they have with the Sheriff’s Department, such as use of force, the need to produce timely reports that are open to the public, the need for the creation of an oversight committee, the need for more panel meetings and discussions, to improve diversity within the Sheriff’s Department, to address racial and other biases, they commented on the lack of transparency, they want more community involvement and outreach from the Sheriff’s Department, they want public accountability and openness. He stated they talked about mental health in relation to what level of force is appropriate, what resources should be allocated to the use of force and possibly reallocate some resources from that to mental health issues. He stated what he found most upsetting from last evening’s Public Hearing call was the lack of participation from our Sheriff. He stated the PPRP is about the Sheriff and his Department, not the County Executive, not the Administration, or the Legislature. He stated the silence during the call was deafening. He stated an action plan from the Sheriff that details the steps that will be taken to address public concerns with clear goals, objectives, timeline and when the goals and objectives will be implemented and find a way to measure and evaluate those steps so we can see if the results were achieved and accomplished. He stated and if the goals are not reached, he would like there to be a detailed explanation as to why not. He stated EO 203 puts a great deal of responsibility on the Administration and the Legislative Body. He stated at the end of the day this plan has to do with the Sheriff and his strategies, policies, procedures, and his practices. He stated he believes it is important for the public to know his comments are not an attack on Robert Langley. He stated this is a review of the actions of the Sheriff and his responsibility and lack of leadership and management of the Sheriff’s Department. He stated there has been a complete lack of transparency and accountability from the Sheriff with the Legislature. He stated there have been many requests to the Sheriff for information regarding practices and policies related to substantial events that have incurred including the deployment and use of force, and internal accountability for misconduct. He stated no reports have ever been supplied to the Legislature. He stated we need transparency for investigating reports of

misconduct. He stated the Sheriff has always hid behind some excuse why he cannot share the information with the Legislature. He stated these excuses are not valid reasons for a lack of transparency. He stated if the public knew of all these events, they would be outraged and alarmed at the lack of transparency and accountability for his actions. He stated the people of Putnam County should be concerned by his actions and lack of action in the daily activities of the Sheriff's Department. He stated the Legislature, and the Administration are dismayed and frustrated by the Sheriff's continued disregard for the role of the Legislature, the County Executive and her Administration and the importance of following the policies and procedures that have been put in place. He stated as Legislators it is our role to protect the residents and taxpayers and the assets of Putnam County. He stated over the years we have seen and continue to see much litigation against the County because of the actions of the Sheriff's Department. He stated we must ensure, as part of EO 203, that we look out for our community, our family, our friends, and our neighbors. He stated the Sheriff thinks he can do whatever he wants and not be accountable to anyone. He stated as Sheriff Langley heard last night, he is in fact accountable to the taxpayers and the residents of Putnam County. He stated it is not only about crime it is about how you treat the people. He stated we do not have major cities, or major crime. He stated we are a bedroom community. He stated we need a Sheriff who understands our needs and makes the changes necessary at the Sheriff Department to match our community. He stated that is a substantial budget for the Sheriff's Department of over \$30 million, he stated that is more than proficient to tackle any CAD problems. He stated the Sheriff has been there for three and a half (3.5) years and this is the first we are hearing that the Sheriff's Department needs money for CAD problems. He stated EO 203 mandates an obligation for police oversight. He stated over the next few months he looks forward to working with the Administration, his colleagues, and the members of the PPRP to encourage more dialogue and discussion through improved transparency and accountability and reviewing police policy procedures. He stated he takes this responsibility very seriously. He stated the people of Putnam County demand change, action and accountability and the Sheriff has shown an unwillingness to embrace transparency and accountability through his mismanagement and lack of trustful communication and information sharing with the Legislature and Administration. He stated this must change in Putnam County.

Sheriff Langley stated as Sheriff he has a responsibility to comply with the law. He stated those who enforce the law must obey the law. He stated he has a duty to protect constitutional rights. He stated just because someone requests something, it does not mean the information can be released without following the proper laws and the proper constitutional guidelines. He stated as far as the rest of the comments, they do not even dignify a response.

Legislator Montgomery stated regarding the Advisory Panel that Legislator Sullivan mentioned, that was discussed and brought up last night during the Public Hearing call. She stated it was suggested and it was something the Sheriff agreed with. She stated it was a topic that was being discussed all along. She stated there are things that are not in EO 203 that the public would like to see. She stated she would like to thank the Sheriff for listening to the public and making accommodations for those things. She stated she is excited to see, once again, what this roadmap will look like for the changes that will come for the Sheriff's policies. She stated she is waiting to adopt the "Plan" so we can see the changes in the policy. She stated she appreciates the Sheriff's participation. She stated that she disagrees with everything Legislator Sullivan has said. She stated we have lawsuits from the previous Sheriff, the Sheriff who was in office before

Sheriff Langley, she stated those are the lawsuits we are dealing with. She stated she understands this is difficult, the notion of sharing legal information that is still under investigation. She stated the Legislature wants to see the information on these matters before the Sheriff has dealt with them, she believes there is a fine line. She stated she believes the Sheriff has done a really good job at protecting the civil rights of his public, protecting victims, and protecting people before they have been charged. She stated we are dealing with a situation where the Sheriff tried so hard to protect the identity of somebody and he could not because of some legal issue. She stated if we go any further with Legislators getting a hold of criminal investigations and things that are before the courts, we are in big trouble. She stated she wants to get this right, let's not make this political, and allow the Sheriff to do his job as he has been doing, listening to the public and being very careful about how these policies are drafted and let's get the public's input to see what they want.

Legislator Sullivan stated he was on the call last night. He stated they have never requested any confidential information. He stated they have never compromised any investigation. He stated to even imply that, is idiotic. He stated we have asked him for many reports on many other issues and have never received the majority of the important matters. He stated there always are excuses on why he cannot release the information. He stated this is much more important to the people of Putnam County than Legislator Montgomery or the Sheriff may think it is. He stated on the call last night there were lots of comments, from close to 30 different people, with the consistent message of transparency, accountability, and a couple of commissions. He stated they want the information released. He stated EO 203 requires it to be released. He stated that is what the people want, that is what we expect and that is what we are going to get. He stated the Protective Services Committee is not going to sit by and approve policies that are inadequate to protect the people of Putnam County.

Chairwoman Nacerino stated there is a new heightened awareness focused on the Sheriff's Department to be more open and transparent, to revise and modernize the policies. She stated this should have been more of a concerted effort to submit revised policies. She stated that information cannot even be identified this evening. She stated she has reviewed the Plans of Nassau, Westchester, Yonkers which all have interjections from the Departments that reflect the changes. She stated the Sheriff cannot point to even one (1) segment of the policies he produced. She stated we will wait for it and hope that something has been changed that can be submitted in the final "Plan" to the State of New York.

Item #8 - Other Business – None

Item #9 - Adjournment

There being no further business at 8:18PM Chairwoman Nacerino made a motion to adjourn; Seconded by Legislator Sullivan. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsky.