



Public Safety

BOL Meeting Minutes - Final

Committee Chair: Terry Clements

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Tuesday, April 12, 2022

1:00 PM

Committee Room

CALL TO ORDER

Meeting jointly with the Committees on Legislation and Health

This meeting will be held pursuant to Chapter 56 of the New York State Laws of 2022, which authorize any public body to meet and take such action authorized by law without permitting in public-in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed. To access the meeting, please visit: <https://westchestercountyny.legistar.com>

With a quorum present, Chair Clements called the meeting to order at 1:05 PM.

Present: Committee Chair Clements, Legislator Borgia, Legislator Cunzio, Legislator Johnson, Legislator Pierce and Committee Vice-Chair Smith

Absent: Legislator Alvarado, Legislator Barr and Legislator Woodson-Samuels

Remote: Legislator Borgia, Legislator Cunzio, Legislator Johnson and Committee Vice-Chair Smith

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

Joint with LEG and HEALTH.

Guests:

Westchester County Department of Law - Chief Deputy County Attorney, Stacey Dolgin-Kmetz, Jason Whitehead,

Senior Assistant County Attorney; Moms Demand Action for Gun Sense in America - Barry Graubart, Deputy Chapter Leader; Everytown for Gun Safety - Sam Levy, Senior Counsel

[RES-2022-77](#) PH - Gun Store Warning Label Law

A Public Hearing on "A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 529 in relation to the posting of notices warning of the dangers of weapons or firearms." [Public Hearing set for May 23, 2022 at 7:30 p.m.] LOCAL LAW INTRO: 2022-159.

Submitted by: COMMITTEES ON LEGISLATION AND HEALTH

Ms. Dolgin-Kmetz spoke on the item, which requires gun dealers to post warning signs on premises about the dangers of guns, before speaking about the specifics of the sign and a change requested by the County Clerk's office to better indicate sign size, references changes made re: County Clerk's office to better align with the Charter and Code. Vice-Chair Gashi spoke about additional changes that had been discussed and spoke about his concern

regarding potential imprisonment resulting from the failure to put up a sign, to which Ms. Dolgin-Kmetz noted that it aligns with sentencing drawn from the County's safe storage law, and a discussion ensued on whether that may need to be updated. Legislator Cunzio asked if there is a class action suit where the county is named as a defendant could we face liability, and Ms. Dolgin-Kmetz referenced the indemnification clause in the proposed law, and a discussion ensued on the penalties. Legislator Nolan asked if any consideration was given to how we could help address illegal guns, to which Vice-Chair Gashi agreed it was an important issue but wasn't relevant to the specific legislation being discussed, and that perhaps additional legislation needed to be discussed with the advocates present.

Legislator Williams-Johnson introduced Commissioner Orth who spoke on suicide statistics in Westchester in 2021. He noted that while Westchester investigates these further, people who complete suicide don't necessarily have serious mental health issues, but pointed out that there is a clear correlation between access to firearms and completed suicides. He noted that that his department also oversaw the Safe Storage Law, with Mr. Giuliano speaking in depth about the protocols in place to remove firearms from someone who may be a risk to themselves or the public. Ms. Dolgin-Kmetz commented that in response to Legislator Shimsky's earlier question about the language used, they used legislation from King's County in Washington State. Legislator Shimsky said that depending on the language it might either elicit an averse response, or help give people pause. She asked how often people buy the gun with which they complete a suicide versus them using a gun that's already in the home, to which Commissioner Orth said it's a small percentage.

Mr. Levy addressed several of the points raised stating that if a gun is newly purchased for purpose of self-harm, having access to it increases the likelihood of completed suicide threefold, and that's what this is meant to address, education people of those potential risks. He added that in addition to Westchester's laws, New York State has recently update its own safe storage laws. Finally he said that regarding the 100 guns per day statistic cited by Legislator Nolan, not all of those are illegal guns, saying that both can be combatted, and that the legislation before committee is helping to mitigate risk.

Mr. Graubart clarified that the three-fold increase is actually one-hundred times higher immediately after someone takes ownership of a gun, stating that he knows of six people who shouldn't who have been allowed to buy guns, doing so at a pawn shop and unfortunately completing suicide. He added that in most cases of suicide people fail, however with guns, it has a 85-90% chance of success.

Legislator Cunzio asked if the data for gun suicides is broken down into legal vs illegal guns, to which he responded that he doesn't. She added that people aren't able to simply walk into a store and purchase a gun and walk out with it right away, with Mr. Idoni adding that a licensing officer needs to issue you the license/permit to buy a gun. A discussion ensued on the actual time it takes for a person to take ownership of a gun once they have decided to make a purchase. Mr. Levy pointed out that New York State currently has no statutory waiting period for long guns, and that someone who passes a cursory background check could walk out of a store in under an hour with a rifle or shotgun. Mr. Graubart said that he was unsure how much sense melding the safe storage language to this legislation made, but would be happy to work further with Legislator Pierce on this. Mr. Giuliano raised the point of the National Suicide Hotline number changing over to 988 in July and said calls will be answered by staff at St.

Vincent's Hospital.

This RESOLUTION - Public Hearing was continued

[LL 8-2022](#)

LL - Gun Store Warning Label Law

A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 529 in relation to the posting of notices warning of the dangers of weapons or firearms.

Submitted by: COMMITTEES ON LEGISLATION, PUBLIC SAFETY AND HEALTH

Please refer to item #1.

This LOCAL LAW - Amendment to Local Law was continued

Discussion on the Training Academy

-Updates on the changes that have been made as a result of the Police Reform process.

-Training for Dealing with Individuals in Mental Health Crisis

Guests: Department of Public Safety

Deputy Commissioner Raynor

Captain McGuinness

Training Director Lieutenant Alongi

Chair Clements asked what kind of training do officers currently receive to help them identify a person who is having a mental health crisis? Lt. Alongi responded that the Crisis Intervention Training is conducted at the recruit level as well as during in-service training for all officers. It is a five day course that covers a variety of topics related to dealing with individuals dealing with a crisis. He noted that they also conduct a block of training called persons with disabilities which is a two day course covered in recruit school and in-service. We also teach this course as one of our train-the-trainer courses. He discussed that at the academy they do a lot of role playing and they are always incorporating dealing with a person in crisis or dealing with someone who has disabilities into their training. This is one of the pervasive themes at the academy.

Chair Clements asked what resources are available to those officers when they determine that a person, in fact, is having a mental health crisis? Mark Giuliano discussed that this is a major portion of the 911 Diversion training that has been taking place. That is for our dispatchers, officers and personnel who take these calls are given the tools to help recognize these situations and then allocate the appropriate resources and response. This is a program that will help to increase the safety to our officers as well as the person who is in crisis and other people out in the community. This program is not predicated on just delivering training to the law enforcement, it is about creating a team within the community with the crisis stabilization teams and the mobile crisis response teams and local hospitals that will be receiving these individuals.

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Pierce, seconded by Committee Vice-Chair Smith, the Committee adjourned at 2:30 PM.