

**COMMITTEE ON LEGISLATION**  
**MINUTES: May 17, 2010**

**LEGISLATION**

**MEMBERS:** Chair: Nonna; Legislators: Myers, Burton, Harckham, Rogowsky, Burrows, Abinanti, A. Williams, W. Ryan

**PUBLIC SAFETY & SECURITY**

**MEMBERS:** Chair: Rogowsky; Legislators: Myers, Burton, Harckham, Burrows, Nonna

**IN ATTENDANCE:**

**CE: LAW:** M. Nicholas-Brewster, J. Adin, L. Cipolla, M. Gleeson  
**BOL:** B. DeSoye, J. Sold, L. Goldstein, M. Berard, M. Montalto  
**Guests:** J. McKinstry

**MINUTES:**

With a quorum present, the Committee on Legislation was called to order at 12:13 p.m.

With a quorum present, the Committee on Public Safety & Security was called to order at 12:13 p.m.

Kristen Verrino, Pace Law student and Board of Legislators intern, described the differences between the County Toy Gun Law, chapter 530, and the New York State Toy Gun Law.

Chief Roger Rokicki of the Department of Public Safety stated that it is his understanding that the Department of Consumer Affairs was to handle the inspection and enforcement of this law. The Committees stated that they will follow up with the Department of Consumer Affairs. The Committees discussed the various situations in which someone would be caught with a toy gun. It was determined that the Committees will also follow up with the District Attorney to see if there have been any prosecutions in a crime involving a toy gun. Chairman Nonna asked that a chart be created showing the differences between the state and county law.

The Committees discussed the Gun Safety Law with Ms. Verrino, Chapter 527 of the County Charter. Chief Rokicki stated that if a person is accumulating five or more fire arms the Department of Public Safety is asked by a judge to make a house call and ensure that the guns are being safe guarded. He stated that there are five detectives assigned to the inspection unit and he estimated that approximately 100 inspections in the home are made per year. Chief Rokicki stated that they inspect gun shops for signs when a shop applies for a license when they open; otherwise they have no reason to go back. Chairman Nonna asked for a copy of the letters that the judges send when they request a home inspection. Chairman Rogowsky asked the Chief if there have been any complaints recently that would require us to enact a change to the law. Chairman Nonna stated that he has received some complaints by the gun owner groups.

The Committees discussed the DWI Impoundment Law chapter 698, with Ms. Verrino. She stated that with the new forfeiture law, the standing impoundment law does not explain that after they get their car out of impoundment they are still at risk of losing their car. The Committees discussed the need to have the law cross referenced with the new DWI forfeiture law. Legislator Harckham stated that he will provide the study done in San Francisco where they lengthened the time before a person can pick up their car after arrested and it showed that it lowered the re-arrest numbers. The Committee agreed to leave the law as it stands.

Moved by Legislator Burton and seconded by Legislator Rogowsky the Committee on Legislation minutes for the meeting of May 10, 2010 were approved with a vote of 7-0.

Moved by Legislator Harckham and seconded by Legislator Burton the Committee on Public Safety & Security minutes for the meeting of May 10, 2010 were approved with a vote of 5-0.

Moved by Legislator Burton and seconded by Legislator Harckham the Committee on Public Safety & Security adjourned at 1:13 p.m. with a vote of 5-0.

Moved by Legislator Harckham seconded by Legislator Rogowsky the Committee on Legislation adjourned at 1:13 p.m. with a vote of 7-0.

**AUDIO RECORDING ON FILE FOR REVIEW UPON REQUEST**