

**STRICKEN AS OF 9/3/2020**

Introduced by Legislator Cilmi

Laid on Table 3/3/2020

**PROCEDURAL RESOLUTION NO. 4-2020, DIRECTING THE  
LEGISLATURE TO CONDUCT AN INDEPENDENT  
INVESTIGATION INTO THE CIRCUMSTANCES  
SURROUNDING THE DEATH OF THOMAS VALVA**

**WHEREAS**, Thomas Valva died on January 17, 2020 under suspicious circumstances while there were open investigations into his family and living circumstances amid allegations of child abuse; and

**WHEREAS**, the County Executive established two (2) internal task forces, comprised predominantly of appointees from his administration and the Department of Social Services, to examine different elements of this case; and

**WHEREAS**, pursuant to Section C2-8 of the SUFFOLK COUNTY CHARTER, the County Legislature has the authority to investigate the performance of any function, office or department in County government; and

**WHEREAS**, an independent investigation into the death of Thomas Valva and the Department of Social Services' involvement with his case should be commenced by the County Legislature to ensure that all necessary information is brought to light and any issues with the operation of County government which impacted the outcome in this case can be appropriately addressed by the policy-making body of the County; now, therefore be it

**1st RESOLVED**, that, pursuant to its oversight and investigatory authority established in Section C2-8 of the SUFFOLK COUNTY CHARTER, the County Legislature hereby convenes an independent investigation into the death of Thomas Valva and the County's involvement with the Valva and Pollina families; and be it further

**2nd RESOLVED**, that the investigation shall be conducted by an independent outside Counsel, to be selected upon the consensus of the Presiding Officer, Majority Leader and Minority Leader of the County Legislature, with the Presiding Officer executing the contract with independent Counsel for such services; and be it further

**3rd RESOLVED**, that the independent Counsel shall be charged with investigating the death of Thomas Valva and the Department of Social Services' interactions with his family at all times prior to and following his death. Said Counsel shall be empowered to request and obtain documents and information from any relevant entity of County government and may request additional information and materials from any other relevant State, federal or local government entity in the furtherance of their investigation; and be it further

**4th RESOLVED**, that if the independent Counsel, after commencing the investigation, determines that it is necessary to obtain subpoena power to compel the production of documents and witnesses, such authority shall be only granted pursuant to a separate procedural resolution of the County Legislature; and

**5th RESOLVED**, that the independent Counsel shall provide a written report to the members of the Legislature containing a detailed accounting of the investigation and the Valva

case, Counsel's findings and determinations, and suggested actions to improve the functioning and interaction of all departments in relation to this tragedy; and be it further

**6th**                **RESOLVED**, that the report shall be provided to each County Legislator within 120 days of the execution of the contract with outside Counsel and independent Counsel shall provide an oral briefing on the contents of the report and answer questions from the Legislators in executive session, if necessary, at the general meeting of the Legislature immediately after the filing of the report; and be it further

**7th**                **RESOLVED**, that the Legislature shall pay for the costs associated with this investigation using existing funds within the Legislature's 2020 operating budget allocations.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO SECTION C2-15(A) OF THE SUFFOLK COUNTY CHARTER