

**SPECIAL COMMITTEE RESOLUTION NO. 001-2020,
ESTABLISHING RULES GOVERNING THE OPERATION OF
THE SPECIAL COMMITTEE INVESTIGATING THE DEATH OF
THOMAS VALVA**

WHEREAS, on March 10th, Presiding Officer Calarco established a Special Committee comprised of himself, Deputy Presiding Officer Hahn and Minority Leader Cilmi to investigate the circumstances surrounding the death of Thomas Valva; and

WHEREAS, The Committee is tasked with conducting a fact finding to establish a time line of events and circumstances involving the interaction of the Valva, Zubko-Valva and Pollina Families with Suffolk County, including, but not limited to, the Department of Social Services, Child Protective Services, as well as the Suffolk County Police Department. The time-line shall include points of contact, reports filed and the action taken by the respective County Departments. Thereafter, to provide recommendations for the implementations of procedures or rules or statutory enactments designed to prevent similar events from ever occurring again; and

WHEREAS, Procedural Resolution No. 8-2020, approved by the Legislature on March 17, 2020, authorized the retention of special counsel for the purposes of assisting the Special Committee in conducting its investigation, in both the Suffolk and Nassau County proceedings; and

WHEREAS, the March 10th memorandum issued by Presiding Officer Calarco requires the Special Committee to establish its own rules of procedure separate and apart from the existing Rules of the County Legislature so that it can function efficiently and effectively; now, therefore be it

1st RESOLVED, that the Special Committee shall require a majority of its membership present to convene a meeting; and be it further

2nd RESOLVED, active participation in the proceedings of the Special Committee shall be limited to the members of the Special Committee and any special counsel retained to assist them in the conduct of their obligations. Active participation shall include: attendance in executive sessions, questioning any witnesses during a public portion of a meeting, and voting on proposed actions; and be it further

3rd RESOLVED, that Counsel to the Special Committee shall have the ability to question witnesses in both public hearings and executive sessions; and be it further

4th RESOLVED, the Special Committee shall hold as many meetings, including those portions which occur in executive session, as necessary to conduct its fact-finding mission; and be it further

5th RESOLVED, that the Special Committee shall hold a minimum of 1 public hearing to take public testimony from a pre-selected list of witnesses; and be it further

6th **RESOLVED**, that, pursuant to County Legislature Procedural Resolution No. 7-2020, witnesses appearing before the Special Committee may be placed under oath when appropriate upon a unanimous vote of its membership; and be it further

7th **RESOLVED**, that any witness who appears before the committee may be accompanied by legal or union representation upon request and where appropriate; and be it further

8th **RESOLVED**, that, pursuant to County Legislature Procedural Resolution No. 9-2020, the Special Committee may, upon a unanimous vote of the membership, issue a subpoena compelling the provision of testimony and/or documents from any witness who refuses to testify before or provide materials to the committee voluntarily; and be it further

9th **RESOLVED**, that the name of any individual employee of Suffolk County, who personally responded to, or was active in this case, shall not be disclosed without the express permission of that employee in any file report; and be it further

10th **RESOLVED**, that if the Special Committee identifies any issues which may constitute criminal conduct, that information shall be reported immediately to the appropriate federal, State or local investigating authority; and be it further

11th **RESOLVED**, that a draft copy of any proposed report shall be provided to the County Executive, County Attorney, the Commissioners for the Department of Social Services and the Police Department for review and comment prior to finalization and issuance by the Special Committee; and be it further

12th **RESOLVED**, that the final report of the Special Committee shall contain the findings, including any remedial steps or procedures implemented by any department or agency or court as a result of any internal investigation, and additional recommendations. A copy of the report shall be provided to the following parties: the County Executive, the members of the County Legislature's Seniors and Human Services Committee, the Commissioner of the Department of Social Services, the Commissioner of the County Police Department, the District Administrative Judge for the 10th Judicial District of the New York State Court System, the Clerk of the Legislature, the District Attorney, and any relevant department or jurisdiction which would be in a position to implement the recommendations.

DATED:

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

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