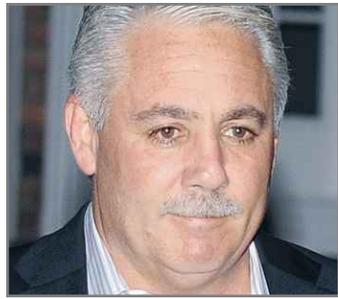




Legis. Robert Trotta



James Burke

NEWSDAY / JOHN PARASKEVAS

JAMES CARBONE

Trotta: Burke should repay settlement

He'll press for suit to recoup \$1.5M

BY NICOLE FULLER

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A Suffolk County lawmaker is introducing legislation directing the county to sue former Suffolk Police Chief James Burke, convicted of beating a handcuffed suspect and orchestrating a cover-up, to recoup the \$1.5 million the county paid to the victim in a civil settlement.

Legis. Robert Trotta said he plans on Tuesday to introduce the resolution in an attempt to repay the county taxpayers for the \$1.5 million paid to Christopher Loeb, whom Burke beat while the Smithtown man was handcuffed inside a Hauppauge police precinct in 2012.

"It should not be the responsibility of the taxpayers to pay for his criminal activity, period," said Trotta (R-Fort Salonga).

Burke, 54, of St. James, was sentenced to 46 months in prison after pleading guilty to violating Loeb's civil rights and obstruction of justice for instructing fellow officers to lie about the beating to federal authorities. He was transferred from a low-security federal prison in Allenwood, Pennsylvania, to a halfway house the day after Thanksgiving.

John Meringolo, Burke's Manhattan-based attorney did not respond to a text message seeking comment Monday. Loeb sued the county, Burke and six other officers in 2015 in federal

court for violating his civil rights and the county agreed to the \$1.5 million settlement in February, citing Burke's guilty plea and the possibility of higher costs after a trial.

Bruce Barket of Garden City, who represented Loeb in the proceedings involving Burke, did not respond to calls.

County Executive Steve Bellone's spokesman Jason Elan attacked Trotta's resolution as a non-starter. "This phony proposal by the Republican front-runner for county executive is just his latest attempt to deceive Suffolk taxpayers," said Elan. Trotta is considering a run for county executive.

County Attorney Dennis Brown, in a statement, said: "Suffolk County did not pay money on behalf of James Burke. The lawsuit was settled to protect taxpayers and counsel determined that there was no legal basis for the county to seek reimbursement from Burke."

George Nolan, counsel to the Suffolk Legislature, said he could not comment.

Trotta said Burke, who receives an annual state pension of \$145,485 and got a six-figure payout upon retirement shortly before his arrest in December 2015, can afford to repay the county.

Minority Leader Tom Cilmi (R-Bay Shore) said he supports the measure, though added he hadn't polled the entire Republican caucus.

NO CONSENSUS ON LEGALIZING POT

BY DAVID OLSON

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Legalizing recreational marijuana in New York State would reduce racially discriminatory drug arrests, proponents said Monday at a public hearing in Lindenhurst, while opponents worried about increased use by minors and more impaired drivers.

The 5½-hour hearing at Babylon Town Hall was the last of four held statewide since Oct. 16 and co-sponsored by four Democratic-controlled state Assembly committees. The hearings were designed to gather public input on a bill to legalize marijuana for New Yorkers 21 and older. Assemb. Crystal Peoples-Stokes (D-Buffalo), who attended the hearing, said she plans to reintroduce a legalization bill next month after a version she introduced last year did not make it out of committee.

Peoples-Stokes and others framed legalization as a "social justice issue," because even though African-Americans and Latinos use marijuana at roughly the same rates as whites, studies show they are far more likely to be

arrested for possession of small amounts of the drug.

"As a result, their lives have literally been destroyed," she said, causing them problems finding jobs and housing.

Assemb. Andrew Raia (R-East Northport) said he was concerned about marijuana's negative effects and children having easier access to it under legalization.

Nine of the 10 states that have legalized marijuana did it through voter referendums. Raia said legalization should be up to the state's voters, not its Assembly and Senate.

Monday's hearing came amid increased discussion statewide on legalization. In addition to the four Assembly hearings, there were 15 state-sponsored "listening sessions" in September and October on legalization. A study commissioned by Gov. Andrew M. Cuomo, led by the Department of Health and released in July concluded that there would be more positive than negative impacts if marijuana were legalized and regulated in New York.

A survey of Long Island and New York City residents by South Nassau Communities Hospital released in September found that 50 percent of re-

spondents supported legalization and 40 percent opposed it

Dr. Andrew Tatarsky, director of the Center for Optimal Living, a Manhattan substance-abuse treatment center, said even though marijuana can cause psychological and other problems in some users, "prohibition does not deter people from using marijuana."

He cited studies showing adolescent use did not rise in states that legalized recreational pot. One reason may be that "criminalization actually adds to the allure of marijuana" for some young people, he said.

It also can act as an "exit drug" for people getting off hard drugs, Tatarsky said.

Dr. Julia Arnstein, a professor of medicine, epidemiology and psychiatry at the Albert Einstein College of Medicine in the Bronx, said even though medical marijuana is legal in New York, many people who need it cannot afford it. Unlike prescription opioids, she said, marijuana is not covered by government or private insurance.

Iris Bertino, 51, a Ridge resident, said alcohol already causes many societal problems, and legal marijuana would do the same. "Why legalize another drug?" she asked.



BARRY SLOAN

Cheer on the way

Holiday cards are prepared for loading onto a truck at Dees' Nursery in Oceanside Monday. DHL has teamed up with the nursery and the community to donate and deliver trees, letters, menorahs and gifts to those serving abroad.