

SUFFOLK COUNTY

# Probe sought on lawsuit fee

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Suffolk Comptroller Joseph Sawicki asked yesterday for a district attorney probe into whether public money is improperly being spent on a \$12.25-million "personal lawsuit" brought by Police Commissioner Richard Dormer and his deputy over their ouster from police unions.

Sawicki made the request after reviewing \$3,685 in bills paid to the county's labor lawyers, Lamb and Barnosky, dating to December. No bills have been submitted this year, even though the suit was filed in State Supreme Court in April.



Joseph Sawicki

The comptroller, in a letter to prosecutors, said the law firm's answers have been "insufficient" and have "heightened my suspicions that there indeed could be a misappropriation of county funds." He also said he is "seriously concerned" about paying for the suit through the firm's labor consulting contract.

Sawicki said he could not consult County Attorney Christine Malafi as she had approved the payments. Malafi said there are "compelling public policy reasons to bring the lawsuit to protect commissioners who imple-

ment county policy without fear of retribution." A spokesman for District Attorney Thomas Spota declined to comment.

The lawsuit seeks damages against the Suffolk Police Benevolent Association, Suffolk Superior Officers Association and the Suffolk County Police Conference and its leaders for removing Dormer and Deputy Commissioner Roger Shannon as retired members last fall. The removal occurred after County Executive Steve Levy decided in September to replace county police highway patrols on the Long Island Expressway and Sunrise Highway with sheriff's deputies.

Suffolk's top cops state the ouster was done with "malice" to "punish and injure" them, resulting in loss of a variety of union benefits as well as "mental anguish" and "loss of professional reputation." At the time, the unions removed them for failing to speak out against the transfer and "engaging in conduct that ... discredits the PBA."

Malafi said the county would not pay for pursuing claims like "mental anguish," though she acknowledged the county will pay for the complaint that included those claims.

Levy spokesman Mark Smith said Sawicki's action was "retribution" against Malafi for "raising a red flag" on a recent ATM contract, adding, "There is no way taxpayers will pay a dime for a private lawsuit and the county attorney knows better."