

Suffolk cop docked pay for criticizing commissioner

September 1, 2009 by REID J. EPSTEIN /
reid.epstein@newsday.com

A Suffolk police officer and Iraq War veteran who criticized Commissioner Richard Dormer at a public meeting has been docked five days pay for his comments.

Officer Mike Simonelli, 37, who said he is set to deploy to Afghanistan with his Army Reserve unit, compared Dormer - during testimony before the Legislature's Public Safety Committee - to a turncoat military commander who had defected to the Iraqi side.

"That commander who completely decimated the morale of an entire battalion in a combat environment is a great comparison to Commissioner Dormer and what he's doing to the Suffolk County Police Department," Simonelli said July 30 in the public comment portion of the meeting, which he attended while off-duty.

At the meeting, lawmakers and Dormer were discussing whether budget concerns caused the recent delay in a homicide detective reporting to a Brentwood murder scene while the victim lay in the street.

Simonelli, a Third Precinct officer with the department for nine years, said in an interview Tuesday that his Aug. 21 disciplinary letter stated he "embarrassed, ridiculed and degraded" Dormer in his comments.

Dormer did not respond to requests for comment. His spokesman, Tim Motz, issued this statement: "If this was a private in the U.S. Army who said these things against a general, he would be court-martialed before he walked out the meeting room door."

Eric Durr, a spokesman for the New York State National Guard, said while the military generally permits respectful dissent, criticism deemed wantonly disrespectful or that impeaches a superior's character could result in discipline that typically falls short of a court-martial.

Dan Aug, a spokesman for County Executive Steve Levy, called the punishment "an internal police matter."

Simonelli was punished for "conduct unbecoming" a police officer. The specific rule violation he is accused of encompasses "any other violation which, in the opinion of the commanding officer and subject to the approval by the next higher command, is appropriate for command discipline procedure."

The Suffolk Police Benevolent Association will challenge Simonelli's discipline, union vice president Noel DiGerolamo said Tuesday.

"This individual who sacrifices so much for others to protect their rights is having his rights stripped by what appears to be nothing more than an abusive administration," he said.

The union's challenge to the discipline will go before a hearing officer appointed by Dormer, DiGerolamo said.

In 2004, Sen. Charles Schumer (D-N.Y.) issued a proclamation honoring Simonelli's Iraq service. Reached at his St. James home, Simonelli called his punishment "disgraceful."

"When I deployed to Iraq in 2003 I told people I had the greatest job in the world," he said. "Now I'm leaving for Afghanistan with an entirely different perspective."

Legis. Jack Eddington (WF-Medford), the Public Safety Committee chairman, said the department cannot punish officers for what they say while off duty. "Is this a 24-7 job?" he said. "Because if it is, then they're underpaid."

With Martin Evans