



# NYCLU

NEW YORK CIVIL LIBERTIES UNION

Suffolk County Chapter  
Touro Law Public Advocacy Center  
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Andrea Callan, Esq.  
Suffolk Chapter Director

VIA FACSIMILE

June 3, 2009

Christine Malafi, County Attorney  
Suffolk County  
H Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge NY 11788  
Facsimile: (631) 853-5169

**Re:** FOIL Request for County Policy on Bus Advertisements and Standard Operating Procedures relating to Advertising on County Property

Dear Ms. Malafi:

On behalf of the New York Civil Liberties Union (NYCLU) and pursuant to the New York Freedom of Information Law (FOIL), I write to request a copy of any documents<sup>1</sup> from the county:

- Written policies or memoranda, concerning the county's policies for non-county entities seeking to advertise on county buses;
- Standard operating procedures relating to advertising on county property;
- A copy of the "Birthright" ad that has been posted on Suffolk County buses in the recent past;
- A document or documents listing or identifying the ads that Suffolk County has approved since May 1, 2007 and, with respect to each ad, the entity or individual sponsoring that ad; and
- A document or documents listing or identifying the ads that Suffolk County has denied since May 1, 2007 and, with respect to each ad, the entity or individual sponsoring that ad.

The NYCLU understands that you may not be able to quickly produce the third and fourth categories of documents indicated above and is willing to discuss with you disclosing those documents on a rolling basis. Nevertheless, the NYCLU requests that you respond completely to the request for documents falling into the first two categories mentioned above immediately or by no later than June 10, 2009.

Sincerely,  
  
Andrea Callan, Esq.

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<sup>1</sup> The term "documents" as used in this request applies to all materials covered by the Freedom of Information Law.



... for transit bus

## ON THE ISLAND

### SUFFOLK COUNTY Ad for bus rejected due to political nature

Suffolk County yesterday rejected a local group's effort to place pro-gay-marriage advertisements on the sides of Suffolk County Transit buses on Route 110.

County Attorney Christine Malafi said the county has a long-standing policy of not accepting political advertising on its buses.

"Given the time and the media coverage of it, it is obviously a political issue," Malafi said. "When you put something on a county bus it necessarily looks like it's endorsed by the county. We try to keep it plain vanilla on the buses."

An ad from groups that oppose gay marriage also would have been rejected, Malafi said.

Jeffrey Friedman, a Rockville Centre man whose group, the Long Island LGBT Coalition, spent \$6,000 to affix ads stating "Support Marriage Equality / Everybody should be able to marry the one they love / Call your state senator" on the buses, said he was unaware the county prohibited political signs on buses.

"There are some key places where our voices need to be heard," Friedman said.

Kevin Biscardi, a marketing manager for Gateway Outdoor Advertising, which sells Suffolk Transit's advertising, said he'd never before had an ad rejected by the county.

"I didn't even know they needed to get permission," he said. "Their ad, I thought it was not bad, I thought it was done in very good taste."

— REID EPSTEIN

minimize air pollution and save energy; carpool or take mass transit, switch off unused lights and appliances and shade windows to limit heat build up. For updates and more information, call 800-535-1345.

— JENNIFER SMITH

### LONG BEACH Man in fatal hit-run posts \$500G bail

The Nassau County jail is preparing to release the Queens College student charged with running down a driver in Long Beach who was pounding on his hood, authorities said.

Bond was posted for Evan R. Potts, 22, who had been in the Nassau County jail since last Friday on a charge of second-degree manslaughter, jail officials said. He was being released last night after the \$500,000 bond was posted in the afternoon.

The man who was pounded on the hood, Ian Sharinn, died after being struck by the car Potts had driven, police said.

Witnesses and police said last Friday that after Sharinn, 34, and Potts exchanged words about one of their driving maneuvers, a furious Sharinn chased Potts through two red lights, screaming obscenities and later pounding on Potts' hood. Potts dialed 911, tried to back out, but still drove forward and killed Sharinn, police said.

— MATTHEW CHAYES

### GARDEN CITY Police on hunt for Adelphi Peeping Tom

Authorities continue to search for a Peeping Tom who

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