

A6

TOP STORIES

\$7.7M settlement

- Legislature OKs payment in Jo'Anna Bird case
- Suit said Nassau police failed to protect mom of 2

BY SID CASSESE
sid.cassese@newsday.com

The Nassau County Legislature yesterday approved a \$7.7 million settlement for the family of Jo'Anna Bird, whose 2009 murder led to a lawsuit alleging that police had failed to protect her.

The Nassau Interim Finance Authority, a state board that oversees finances for the cash-strapped county, will make the final decision on payment, for which the county must borrow money. NIFA officials could not be reached yesterday.

Fred Brewington of Hempstead, the Bird family's attorney, said he expects NIFA to approve the payment. Bird's two children, Leonardo, 6, and Jo'Anna, 8, are being raised by Bird's mother, Sharon Dorsett.

Initial borrowing approval for the settlement had been set for a legislative committee more than two months ago, but was held up by Presiding Officer Peter Schmitt (R-Massapequa), who said he had questions about it.

Schmitt said many of his questions were answered after a federal court order allowed legislators to look at a police internal affairs report on the Bird case. "The Nassau County Po-

lice Department and the officers involved were unforgivably very lax in carrying out their duties and following required regulations," he said.

Schmitt urged legislators to approve the bonding, which they did by a 17-2 vote. Republicans Francis Becker of Lynbrook and Howard Kopel of Lawrence voted no.

Becker said he was unhappy with the process that allowed the officers involved in the case to continue on the job without being disciplined.

Kopel said it was unclear that the police caused Bird's death, and that the settlement sets a bad precedent. "It's like suing the fire department because, despite their efforts, they didn't keep your house from burning down," he said.

Bird's ex-boyfriend, Leonardo Valdez-Cruz of Westbury, then 23, terrorized her for months before finally breaking into her New Cassel apartment and stabbing her to death, according to prosecutors.

Two months after Bird's death, then-Nassau Police Commissioner Lawrence Mulvey said an internal investigation revealed that seven officers, including a patrol supervisor,

Jo'Anna Bird case



PHOTO BY HOWARD CHILUPP 2010

- **May 2008:** A judge bars Leonardo Valdez-Cruz from contacting Jo'Anna Bird.
- **September:** Valdez-Cruz guilty of violating the order.
- **March 2009:** Bird is found stabbed to death in her New Cassel home. The next day, Valdez-Cruz arrested in Bird's murder.
- **March 2010:** A lawsuit filed in federal court by Bird's mother, Sharon Dorsett, alleges that Valdez-Cruz was working as a police informer and that the relationship led police to be lenient with him. Police decline comment, saying they do not confirm or deny the identity of informers.
- **April:** Valdez-Cruz convicted of first-degree murder; sentenced to life in prison.
- **Nov. 14:** Legislative Republicans remove from the calendar a measure for \$7.7 million in borrowing to pay the settlement.
- **Jan. 30:** The legislature votes 17-2 to approve the borrowing.

Leonardo Valdez-Cruz on the day of his sentencing for killing Jo'Anna Bird

failed to take proper action during domestic-violence visits to the home where Bird, 24, lived.

Brewington also said that police waited too long before entering the crime scene and that Bird could have been saved had they intervened sooner.

Valdez-Cruz is serving a life sentence.

In other action at the legislature, Marc Herbst complained that members of his Long Island Contractors' Association are owed \$4.5 million by the county and payment was long overdue.

Rob Walker, the chief deputy county executive, told Herbst and the legislature that he expects NIFA to approve those payments tomorrow.

"And I expect they will be paid late this week or in the following week," he said.