

**PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION
LAW ENFORCEMENT PLANNING COUNCIL
FINAL SUMMARY MINUTES**

Thursday, August 27, 2015 – 9:30 a.m.

Clayton Hutchinson Agricultural Center
Exhibit Hall “B”
559 North Military Trail
West Palm Beach, Florida

Members Present

Director Kirk Blouin, Chairman, Palm Beach Police Department
Chief Brian Smith, Vice Chairman, Juno Beach Police Department
Chief Robert Mangold, Atlantis Police Department
Chief Dan Alexander, Chairman, Boca Raton Police Department
Chief Jeffrey Katz, Boynton Beach Police Department
Director Michael Porath, Greenacres Department
Chief Frank Kitzerow, Jupiter Police Department
Chief Wes Smith, Lake Clarke Shores Police Department
Chief Richard Jenkins, North Palm Beach Police Department
Chief Stephen Stepp, Palm Beach Gardens Police Department
Chief Thomas A. Ceccarelli, Palm Springs Public Safety Department
Chief Bryan Kummerlen, West Palm Beach Police Department
Sheriff Ric Bradshaw, Palm Beach County Sheriff's Office
Chief Larry Leon, Palm Beach County School District Police Department
Chief Charles Lowe, Florida Atlantic University Police Department
Troy Walker, Special Agent in Charge, Florida Department of Law Enforcement
Duane Little, Resident Agent Supervisor, Florida Department of Law Enforcement
Michael D'Alonzo, Assistant Special Agent in Charge, Federal Bureau of Investigation
John McKenna, Assistant Special Agent in Charge, Drug Enforcement Administration
Edward Thompson, Assistant Special Agent in Charge, U.S. Immigration and Customs Enforcement
Robert Pearce, Resident Agent in Charge, U.S. Secret Service
Pete Garcia, Federal Security Director, Transportation Security Administration
Xavier Morales, Patrol Agent in Charge, U.S. Border Patrol

Members Absent

Chief Jeffrey Goldman, Delray Beach Police Department
Chief Garrett Ward, Gulf Stream Police Department
Chief Craig Hartmann, Highland Beach Police Department
Chief John Pruitt, Jupiter Inlet Colony Police Department
Chief Sean Scheller, Lantana Police Department
Chief Carmen Mattox, Manalapan Police Department
Chief Hal Hutchins, Ocean Ridge Police Department
Chief Clarence Williams III, Riviera Beach Police Department
Chief Duncan Young, Palm Beach Shores Police Department
Chief Carl Webb, South Palm Beach Police Department
Chief Christopher Elg, Tequesta Police Department
Major Luis Ramil, Florida Highway Patrol
Bill Fraser, Chief Investigator, State Attorney's Office 15th Judicial Circuit
Major Camille Soverel, Florida Fish & Wildlife Commission
Lieutenant Anthony Stafford, State Fire Marshall's Office
Captain Rodney Tilley, Florida Division of Alcoholic Beverages & Tobacco
Robert Shirley, Resident Agent in Charge, Bureau of Alcohol, Tobacco, Firearms and Explosives
Glen Wilner, Assistant Chief, U.S. Marshals Service
Ellie Michaud, Supervisory Special Agent in Charge, Internal Revenue Service

Advisory Members Present

Director Larry Schroeder, Criminal Justice Institute of Palm Beach State College
Hon. Dave Aronberg, State Attorney, 15th Judicial Circuit
Joni Livingston, CJSTC Field Specialist, Florida Department of Law Enforcement
Gregory Starling, Chief Probation Officer, Florida Department of Juvenile Justice
Julie Hogan, Deputy Statewide Prosecutor, Attorney General's Office of Statewide Prosecution (Represented by Jonathan Bridges)

Advisory Members Absent

Dr. Michael Bell, Palm Beach County Medical Examiner
Rolando Garcia, Deputy Chief, U.S. Attorney's Office
Rosalyn Baker, Circuit Administrator, Florida Department of Corrections

Guests

Major Patrick Mccutcheon, Palm Beach County School District Police Department
Senior Manager Charity Raba, PBSO/Fusion Center Director
Auxiliary Captain Christopher Yannuzzi, Boynton Beach Police Department
Steve Wohlfiel, Ocean Ridge Police Department
Richard Markoe, PBC Manager - Court Operations
Alicia Baker, Clerk & Comptroller
Deputy Chief Dan Szarszewski, Palm Beach Police Department
Assistant Chief Clint Shannon, Palm Beach Gardens Police Department
Dominick Pape, Palm Beach Gardens Police Department
Captain Jeff Lindskoog, Palm Beach County Sheriff's Office
Sergeant Bob Thomas, Palm Beach County School District Police Department
Jane Hekel, U.S. Immigration and Customs Enforcement
Captain David Bernhardt, West Palm Beach Police Department
Lucy Rodriguez, Criminal Intelligence Analyst, Palm Beach Police Department
Michelle Spangenberg, Criminal Court Operations Manager
W. Hernandez, Florida Department of Law Enforcement
Captain Tom Mitchell, Delray Beach Police Department
Scott Penney, Public Defender's Office of the 15th Judicial Circuit
Assistant State Attorney Adrienne Ellis, State Attorney's Office, 15th Judicial Circuit
Dr. Selena LaMotte, Palm Beach County Sheriff's Office
Chief Assistant Al Johnson, State Attorney's Office, 15th Judicial Circuit
Jeff Kadel, Executive Director, Palm Beach County Substance Awareness Coalition
Christina Dindial, Florida Department of Law Enforcement
Alyssa Milo, Florida Department of Law Enforcement
Helene Hvizd, Senior Assistant County Attorney
Colonel Frank DeMario, Palm Beach County Sheriff's Office
Chief Judge Jeff Colbath, 15th Judicial Circuit
Mike Edmondson, Executive Assistant, State Attorney's Office, 15th Judicial Circuit
Greg Kridos, Chief of Intake, State Attorney's Office, 15th Judicial Circuit
Assistant Chief Jim Stormes, Palm Beach Gardens Police Department
Assistant Chief Sarah Mooney, West Palm Beach Police Department
Ted Gonzales, LEX Countywide Program Director
Patrick Doyle, Intelligence Analyst, West Palm Beach Police Department
Steven Randerson, Assistant Federal Security Director, Transportation Security Administration
Tom M., Palm Beach Police Department

CJC Staff Present

Michael Rodriguez, Executive Director
Katherine Hatos, Senior Criminal Justice Analyst
Jacquelyn Esposito, Criminal Justice Analyst
Rosalind Murray, Criminal Justice Program Development Specialist
Craig Spatara, Manager Criminal Justice Programs
Bert Winkler, Temporary Professional

- I. Welcome and opening comments by Director Kirk Blouin, Chairman
- II. Roll Call
- III. Introduction of Guests

- IV. The August 27, 2015 agenda was approved.
- V. Approval of the minutes of the meeting of July 23, 2015.
- VI. Chairman's Comments
- VII. Initiatives/Updates
 - a. PBC Drug Trends and updates from the Coalition

Jeff Kadel, Executive Director of the Palm Beach County Substance Awareness Coalition, talked about the success of their programs, projects, and strategies made possible with their partnership with the law enforcement agencies, which include: 1) Prescription drug drop-box program – the county currently has 24 drop-boxes, the most for any county in the country, with over 8,000 lbs. of prescription drugs collected. Jurisdictions that do not have one yet may request a drop-box for free, as donated by the solid waste authority; and 2) Underage drinking prevention through compliance checks; especial thanks to North Palm, West Palm, Palm Springs, and Palm Beach County Sheriff's Office. The Coalition provides ongoing training. Executive Director Kadel thanked agencies for their support and encouraged more participation. Katherine Hatos will send out a copy of the drug trends report. They are working on a community action plan to address the issues with flakka which includes a survey that will be sent out to agencies regarding training.

- b. Judicial Procedure for Destruction of Evidence

Alan Johnson, Chief Assistant State Attorney of the 15th Judicial Circuit, mentioned the new Administrative Order signed by Chief Judge Colbath in June regarding the destruction of drugs, and fish and wildlife evidence. Three key points: 1) The order request has to be made by the attorney, not the evidence custodian; 2) Do not set the destruction date until the order is back from the Chief Judge or Administrative Judge; and 3) Make sure that the evidence custodians look for co-defendant cases, because of pending court cases.

- c. Civil Citations

Helene Hvizd, Senior Assistant Palm Beach County Attorney, said that at a meeting of the Board of County Commissioners on June 23rd, staff was tasked with the responsibility of investigating the potential for an ordinance that allows a civil citation in cases of possession of small amounts of marijuana or drug paraphernalia. Legally, their investigation started with the fact that they are not preempted by state law to enact such an ordinance. Under certain circumstances, one of them is that the penalties must be lessor

than the penalties imposed by state law; and secondly that discretion is not removed from the officer. They are looking at a few models including Miami-Dade and Hallandale Beach which have already enacted ordinances. A misdemeanor crime may require more than a civil citation in certain circumstances (ie possession is incurred at the time of a felony crime, DUI, domestic violence). Civil citation wouldn't be available for those on probation, pre-trial release, or service of a search warrant. Their initial discussion revealed that there is a juvenile first offender program that is working well. Ms. Hvizd mentioned that this civil citation may not be restricted to an age group.

There was a lengthy discussion concerning this item. Chief Leon noted that this proposal cannot be used for juveniles as PBC has approved the JFO diversionary program not civil citation. Mr. Johnson agreed and added that the problem with civil citation for juveniles is that it doesn't include a treatment component. Chairman Blouin mentioned that law enforcement is very comfortable with the current JFO program. It has been very successful and the program is a lot more involved with juveniles than civil citations. In terms of civil citations for adult offenders, Chairman Blouin mentioned several issues including search incident to arrest, discretion related to totality of the circumstances, and enforcement for those that don't pay. Chief Alexander mentioned dealing with the root issue in terms of legislation. He also expressed concern about further complicating law enforcement responsibilities and increased public scrutiny. Chief Kitzerow said that the JFO model is an example for the entire state. He also expressed agreement about changing legislation rather than writing ordinances to bypass them and inquired about the desired outcome of civil citations. Ms. Hvizd responded that those who approached the BCC presented concerns for the juveniles that may not be able to satisfy some of the penalties or restrictions imposed by the JFO, and also adults who may be charged and end up with a criminal record. Chairman Blouin contended that the JFO program completely removes the offense from their record while civil citations would remain on the offender's record. Chief Leon talked about the improvements to the program over the years. Ms. Hvizd asked if she may approach Chief Leon for additional information and potentially for a meeting with the Commissioners. Sheriff Bradshaw mentioned that he didn't think that all of the Commissioners were in favor of civil citations. He mentioned that there are already diversionary programs in place. He also advised that the Deputies will go by the current system. Chief Judge Colbath mentioned that the preliminary investigation for another project revealed that there are very few people that would qualify for civil citations.

VIII. New Business: None was discussed.

IX. Old Business: None was discussed.

X. Liaison Updates

- a. Sexual Assault Response Team: Chief Jenkins referred to the attached SART update. He discussed the lethality screening for first responders from Oklahoma City Police Department that's been used effectively for the last several years in reducing domestic violence, serious injuries for victims, and domestic violence murders. Next month they will have a draft accreditation compliant policy attached to the agenda for agencies to determine if they would like to voluntarily adopt the policy.
- b. Data Sharing: Chief Kitzerow reported that the numbers for LEX continue to climb as more officers are being trained in the new system. He thanked Ted Gonzales and the LEX staff for all their hard work. He also thanked the Criminal Justice Commission for another year of funding for the countywide operations director position. He asked Mike Rodriguez to thank the Criminal Justice Commission for their continued support. Regarding other agencies contributing to LEX: Highland Beach, Tequesta, and Ocean Ridge are on the implementation phase and working on connectivity throughout the county network. Still in the planning phase are Palm Beach Shores and Lake Clarke Shores. They will be meeting this month with the State Attorney's Office to integrate them into the LEX system. Training on the new 3.0 LEX continues throughout the county. Schedules are underway and being well received by: Town of Palm Beach, North Palm Beach, West Palm Beach, Juno Beach, Delray, Jupiter, and Palm Beach Gardens. LEX board meeting is scheduled for September 3rd at 2:00 at the Vista Center.
- c. Criminal Justice Institute: Director Schroeder reported that they have a number of academies: one starting this past Monday, one starting on the 8th, one on October 19th. They have several graduations coming up towards the end of September and end of October. They are offering the SART training at the officer level at the college on September 29th. They increased their allocations on the equivalency training from 12 to 24 to meet the demand. Chairman Blouin asked about the number of cadets that are generally in each category. Director Schroeder said that they normally have an average of 33 cadets or above for full time; but that the part-time is a struggle with higher attrition. Part-time is currently at 20. Maximum capacity for each class is 36.
- d. Communications/Interoperability: Chief Mangold reported that the WPB P-25 overlay on the MPSCC open sky countywide network is moving forward, on schedule, and no glitches at this point.

XI. Training Announcements

- a. AEquitas Training (*on yellow paper*)
- b. Signal 35: How to Survive Training (*on yellow paper*)

XII. Member Comments

Chairman Blouin announced the LEX meeting after a 10-minute break.

XIII. Attachments

- a. Administrative Order No 4.907-615 (*on blue paper*)
- b. SART 8/25/15 Update (*on yellow paper*)
- c. Domestic Violence Risk Assessment (*on yellow paper*)
- d. Domestic Violence Procedure (*on yellow paper*)

XIV. Adjournment

Next Meeting: September 24, 2015 Clayton Hutchinson Agricultural Center