

**PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION
LAW ENFORCEMENT PLANNING COUNCIL**

FINAL MINUTES

Thursday, July 7, 2011 – 9:30 a.m.

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

Members Present

Chief Frank Kitzerow, Chairman
Chief Clarence Williams, III, Vice-Chairman (Represented by Assistant Chief David Harris)
Chief Robert Mangold
Chief Matt Immler
Chief Anthony Strianese
Chief Craig Hartmann
Chief John Stewart
Chief Jeff Tyson
Chief Clay Walker
Chief Robert O'Neill (Represented by Captain Robert Coliskey)
Chief Christopher Yannuzzi
Chief Stephen Stepp (Represented by Assistant Chief Rick Facchine)
Director Kirk Blouin
Chief Steve Kniffin
Chief Roger M. Crane
Sheriff Ric Bradshaw (Represented by Chief Deputy Mike Gauger)
Chief Charles Lowe
Major Luis Ramil
Michael Driscoll, Resident Agent in Charge
Mike Waites, Chief Investigator
Major Carol Owsiany-Himmel (Represented by Captain Priscilla Turner)
John McKenna, Assistant Special Agent in Charge
Edward (Eddie) Thompson, Resident Agent in Charge (Represented by Supervisory Special Agent Steve Wunderlich)
Pete Garcia, Federal Security Director

Members Absent

Director Michael Porath
Chief Garrett Ward
Chief Brian Smith
Chief Wes Smith
Chief Mark Hall
Chief Pete Pitocchelli
Chief Delsa Bush
Chief James Kelly
Major Jeffrey Hubert
Lt. Anthony Stafford
Dana Morrison, Special Agent Supervisor
Stephen Barborini, Resident Agent in Charge
Glen Wilner, Assistant Chief Deputy
George Sanders, Supervisory Special Agent in Charge
Matthew Lynch, Resident Agent in Charge
John Modlin, Patrol Agent in Charge

Advisory Members Present

Joni Livingston, Florida Department of Law Enforcement (FDLE)
Feirmon Johnson, Chief Probation Officer

Advisory Members Absent

Director Larry Schroeder
Dr. Michael Bell, Palm Beach County Medical Examiner
Rolando Garcia, Deputy Chief
Hon. Michael McAuliffe, State Attorney
Roselyn Baker, Circuit Administrator (Represented by Donald Monroe)
Julie Hogan, Deputy Statewide Prosecutor

- I. Welcome and opening comments by Chief Frank Kitzerow, Chairman
- II. Roll Call
- III. Introduction of Guests
- IV. Approval and/or additions to the agenda
 - a. The July 7, 2011 agenda was approved.
- V. Approval of the minutes
 - a. The June 2, 2011 minutes were approved.
- VI. Under Chairman's Comments, Chairman Kitzerow:
 - a. Chairman Kitzerow congratulated Chief Pete Pitocchelli on his promotion to Chief of Police for the Tequesta Police Department, and wished Rick Ricciardi well on his pending retirement.
- VII. Presentations
 - a. Sexual Assault Response Team: Nicole Bishop, Holly DiBenedetto, and Carol Messam-Gordan of Palm Beach County Victim Services, and Julie a survivor advocate presented information about this initiative. Julie shared her personal story of being assaulted, and her positive experience with law enforcement and medical personnel at the Roxcy Bolton Rape Treatment Center in Miami. The professionalism and compassion she received from law enforcement and the forensically trained doctors and nurses made all the difference in her journey. She explained "...that's what we're trying to bring here to Palm Beach County – a centralized center where law enforcement can take rape victims, where they can be seen by people who are specially trained in collecting evidence, in dealing with the specific needs of sexual assault victims." She noted that it took 6 months to apprehend the suspect in her

case and 4 years to go to trial. A seven consecutive life sentence was issued and upheld on appeal last year.

Nicole Bishop presented information about the initiative and thanked Senator Lizbeth Benacquisto, who was able to secure over \$300,000 from the State's Department of Health for Palm Beach County Victim Services and Rape Crisis Center. The funding will be used to improve services for sexual assault victims in Palm Beach County by establishing a centralized center, forming a Sexual Assault Response Team (SART) to review best practices and develop protocols, providing expert medical care by Sexual Assault Nurse Examiners (SANE), dedicating advocates and increasing therapy services available to sexual assault victims.

Ms. Bishop addressed questions concerning the project, and asked for support from the LEPC including representation on the SART. The LEPC agreed to support the initiative, and Chief Craig Hartmann volunteered to represent the LEPC at the SART meetings. Chairman Kitzerow added the item as a LEPC reporting committee and requested that meeting information be sent out to members. Chief Immler also suggested that Ms. Bishop reach out to Fire Rescue concerning their transport protocols.

VIII. Updates/Discussion

- a. Vulnerable Adult Protocol: Mary Jones, Jane Wagley, Preston Mighdoll, and Chief Walker presented an update. Chief Walker advised that fourteen agencies have signed the protocol and two agencies have integrated the protocol into their standard operating procedures. Several are also pending. Chief Walker encouraged agencies to get involved by signing on to the process. Mr. Mighdoll discussed the training sessions held on May 12th and 19th in which seventeen agencies participated. Additional follow-up and support for the protocol will continue to be offered for agencies including providing a sample policy. Ms. Jones asked that members save the date for an August 29, 2011 luncheon (cost: \$25) focused on protecting the elderly from financial exploitation. Advanced training (Elder Financial Exploitation) will also be held on the same day for all Palm Beach County investigators and detectives.

IX. New Business

- a. Chairman Kitzerow and Mike Driscoll stressed the importance of the new law (House Bill 45, amends F.S. 790.33) that was passed concerning concealed weapons effective October 1, 2011. Information was distributed concerning the impact of this law. Mr. Driscoll recommended that all Chiefs, mayors, and city officials thoroughly read this information as it supersedes all local, county, and city ordinances concerning carrying concealed weapons. He

summarized the law by saying that Chiefs of Police or other law enforcement officers on duty who prohibit the legal carrying of firearms are subject to removal from office, a \$5000 fine, and a civil lawsuit. Some areas are exempt including police/sheriff stations and court houses, but public events such as football games, concerts, etc. are not exempt. Chair Kitzerow added that no public funds can be used to defend a public official charged under this statute, and strongly urged everyone to contact their elected officials. Chief Yannuzzi noted that this issue was discussed at the Florida Police Chief's Conference, and that it also nullifies any ordinance that you may have that restricts the use of a firearm such as discharging a firearm. He also mentioned that there is no definitive answer concerning restricting someone from entering a building with a weapon if a meeting is being held in a conference room or commission chambers. You may be able to restrict access to the meeting location, but not prevent them from entering the building.

X. Old Business

- a. Chairman Kitzerow spoke about a proposed Law Enforcement Planning Council bylaws change that would amend language in Article I, Section 3, Purpose by deleting a, b, c and including the following language:

To advise and make recommendations to the Palm Beach County Criminal Justice Commission regarding law enforcement matters ~~including~~. Provided, however that they do not involve policy issues relating to the specific operations of a law enforcement agency.

~~a. Identification and assessment of policy issues which impact criminal justice and law enforcement agencies on a countywide basis.~~

~~b. Development of strategic plans for ensuring better coordination and cooperation of law enforcement agencies and other criminal justice functions.~~

~~c. Researching other law enforcement issues as requested by the Palm Beach County Criminal Justice Commission.~~

Chief Immler recommended removing the first paragraph of Section 3 and leaving a-c to address the advisory issue. Discussion followed regarding concerns related to taking away LEPC's advisory role to the CJC. A motion was made by Chief Walker to go in the direction suggested by Chief Immler and ask that the CJC formulate their resolution or bylaw in the same direction. Motion was seconded and approved.

XI. Committee Reports

- a. Book and Release Committee: Chief Crane stated that the committee has not met since their last meeting.
- b. Recruitment and Retention Committee: Chief Yannuzzi stated that the e-mail went out for the end of the quarter survey to be returned to Katherine Hatos, and that these should be returned by no later than July 22nd so a report can be presented at next month's meeting.
- c. Traffic Committee: No report.

XII. Liaison Updates

- a. Data Sharing: Chairman Kitzerow stated that they had a very good meeting with the Palm Beach County Sheriff's Office regarding the direction for LEX in the future and how that's going to integrate in with regional crime fighting strategies.
- b. Child Abuse Protocol: No report was presented.
- c. Crime Prevention Officers Association: Liaison needs to be appointed.
- d. Criminal Justice Commission: Michael Rodriguez, Executive Director of the CJC provided an update. Formula grant announcements indicate that the CJC will be receiving over \$150,000 less than last year. The finance committee met and reallocated funds to make up for that loss. The Juvenile Assessment Center will be supported with \$317,000 by the CJC for security, which is less than the current contract of \$454,000. The actual cost for fiscal year 2010 was \$424,000 and approximately \$65,000-\$85,000 is needed to provide the same service. The CJC will be contacting DJJ Secretary Walters and a preliminary discussion has been held with PBSO concerning the funding difference. Mr. Rodriguez expressed concern about changing the contract due to the time needed for the RFP/RFS process.
- e. High Intensity Drug Trafficking Area: Colonel Stormes (Palm Beach County Sheriff's Office) advised that substantial funding is available including funds carried over from last year plus additional funding for this year. Supplemental funds also have been made available.
- f. Criminal Justice Institute: No report.
- g. High School Criminal Justice Academies: No report.
- h. Municipal Public Safety Communications Consortium: Chief Mangold advised that on-going meetings are being held with the City of West Palm

Beach to resolve issues. The next meeting is scheduled for the 28th of this month. On-going public records requests are being made by the Palm Beach Post. A cell site is being installed by the Nextel tower in Palm Beach Gardens to address the interference issue. The City of Palm Beach Gardens has offered to handle annual auditing and public financial services which will shore up the organizational structure. Chairman Kitzerow emphasized how well the system is working every day. Director Blouin also mentioned that the system is working well for Palm Beach, but there has been a lot of biased reporting.

XIII. Training Announcements

- a. Firearms and Ammunition Protocol familiarization course (information available in packet)

XIV. Member Comments

- a. Katherine Hatos spoke about the Domestic Violence training that was held on June 10th. Very positive reviews were received from those that attended. Another training session will be scheduled later this year in Palm Beach Gardens. Chief Yannuzzi recognized all involved for a great job including Elizabeth Parker, Sergeant Kyle Haas, Mark Wynn, and Barry Krischer. He also thanked Boca Raton for the use of their facility.
- b. Chief Crane discussed bringing concerns related to the previously mentioned firearms law to the Palm Beach County League of Cities for their assistance. Katherine Hatos will relay the information to the League of Cities.

XV. Attachments

- a. Criminal Justice Institute Update
- b. Youth Violence Training
- c. Domestic Violence Investigations Training

Next Meeting: July 7th, 2011