

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

FINAL MINUTES

Thursday, April 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 Robert Mangold
Chief Matt Immler
Acting Chief Brian Smith
Chief John Stewart
Chief Jeff Tyson
Chief Clay Walker
Chief Steve Kniffin
Chief Mark Hall
Sheriff Ric Bradshaw (Represented by Chief Deputy Michael Gauger)
Chief Charles Lowe (Represented by Keith Totten)
Chief James Kelly
Major Luis Ramil
Mike Waites, Chief Investigator
Major Carol Owsiany-Himmel
John McKenna, Assistant Special Agent in Charge
Stephen Barborini, Resident Agent in Charge
Glen Wilner, Assistant Chief Deputy
Matthew Lynch, Resident Agent In Charge
Pete Garcia, Federal Security Director

Members Absent

Chief Clarence Williams, III-Vice-Chairman
Chief Anthony Strianese
Director Michael Porath
Chief Garrett Ward
Chief Craig Hartmann
Chief Wes Smith
Chief Robert O'Neill
Chief Christopher Yannuzzi
Chief Stephen Stepp
Chief Kirk Blouin
Chief Roger M. Crane
Chief Rick Ricciardi
Chief Delsa Bush
Michael Driscoll, Resident Agent in Charge
Major Jeffrey Hubert
Lt. Anthony Stafford
Dana Morrison, Special Agent Supervisor
Edward (Eddie) Thompson, Resident Agent In Charge
Danny Auer, Special Agent In Charge
John Modlin, Patrol Agent in Charge

Advisory Members Present

Director Larry Schroeder
Hon. Michael McAuliffe, State Attorney
Rosalyn Baker, Circuit Administrator
Todd Weicholz, Bureau Chief

Advisory Members Absent

Dr. Michael Bell, Palm Beach County Medical Examiner
Rolando Garcia, Deputy Chief
Joni Livingston, Florida Department of Law Enforcement (FDLE)
Feirmon Johnson, Chief Probation Officer

- 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 April 7, 2011 agenda was approved.
- V. Approval of the minutes
 - a. The March 3, 2011 minutes were approved.
- VI. Under Chairman's Comments, Chairman Kitzerow:
 - a. Expressed well wishes to Chief Dennis Weiner in his new position as Police Chief of Coral Gables. Chairman Kitzerow mentioned that Chief Weiner wanted to express his thanks to everyone at the Law Enforcement Planning Council (LEPC) for their support and assistance during his tenure.
 - b. Congratulated Acting Juno Beach Police Chief Brian Smith on his new position.
- VII. Presentations
 - a. Chief Deputy Gauger from the PBSO spoke about Public Assistance Fraud investigations. He stated that they have had tremendous success over the last several years, and introduced Agent Scott Sabideau, Department of HUD/OIG, and Detective Mike Leatherman, PBSO's Fraud Unit, to speak more about their operations. Agent Sabideau and Detective Leatherman highlighted their successful collaborative efforts pertaining to public assistance (housing and food stamp) fraud investigations and offered training and support to agencies. They also discussed that they work very closely with the State Attorney's Office and have a wonderful prosecution team that has been very successful in prosecuting these cases. Chief Deputy Gauger noted that they have reclaimed neighborhoods and recognized the importance of these partnerships with Housing and Urban Development,

State Attorney's Office, and US Attorney's Office. State Attorney Michael McAuliffe called the collaboration a "home run" and stated that these efforts would be sustained over the long term.

VIII. Updates/Discussion

- a. **Innocence Commission Meeting Update:** Michael McAuliffe, State Attorney gave an update to the body, stating this is still a pending issue. He thanked the law enforcement community for their participation in drafting eyewitness identification policies that were brought before the Innocence Commission. He advised that the Innocence Commission voted to support Senator Negrón's bill that would provide statutory mandates and remedies, but they also voted unanimously to support law enforcement initiatives to work out the issues in their own way.

State Attorney Michael McAuliffe spoke of the advocacy efforts of law enforcement in the Florida Senate and House of Representatives. An amendment was drafted to the House bill that doesn't have any required remedies and allows agencies the flexibility to draft and implement their own policies. There are current competing bills in the House and Senate. State Attorney McAuliffe will provide an update at next month's meeting. He also voiced concern about the treatment of law enforcement and that a different tactic may be taken on the next issue. Chairman Kitzerow addressed similar concerns.

IX. New Business

- a. **Juvenile Assessment Center:** Brenda Oakes of the Criminal Justice Commission informed the body that the Juvenile Assessment Center lease is due to expire September 30, 2011. She advised that the Department of Juvenile Justice (DJJ) is looking at relocating the JAC behind the detention center on 45th Street. Issues related to potential changes if the JAC were moved were reviewed, including concern that law enforcement agencies located in the southern section of Palm Beach County would opt to use the JAC less often due to distance. There was also a discussion about the potential lack of concentrated services at the JAC due to space constraints at the new location.

Ms. Oakes solicited the LEPC for a letter to the DJJ regarding law enforcement's position on moving the JAC. Ms. Oakes also stated that the DJJ would likely move the JAC depending on what was best for their financial interests. Issues related to staying at the same location were also discussed, such as property maintenance and upkeep costs that would not be covered by the lessor or DJJ. There was a discussion about law enforcement's position on the issue. Chairman Kitzerow stated that LEPC would prepare a letter stressing the importance of having a JAC in Palm Beach County with the

continued support of DJJ, with the understanding that moving the JAC could preclude the use of the JAC by law enforcement in the south end of Palm Beach County.

- b. **Criminal Justice, Mental Health and Substance Abuse Planning Council:** Becky Walker of the Palm Beach County Criminal Justice Commission informed the body that a new representative from the LEPC was needed for the Criminal Justice, Mental Health and Substance Abuse Planning Council (CJMHSAs) due to the vacancy of Phillip Ludos' position. A motion to nominate Chief Clay Walker for the LEPC representative to the CJMHSAs Planning Council was made, seconded, and passed by the body.

X. Old Business

- a. No old business to discuss.

XI. Committee Reports

- a. Book and Release Committee: No report.
- b. Recruitment and Retention Committee: The staffing survey for the first quarter was submitted to the agencies and should be available by next meeting.
- c. Traffic Committee: No report was presented.
- d. Vulnerable Adult Protocol: Chief Walker stated that training for this project is going to be held May 12th and May 19th, 2011, and will be hosted at the Lake Worth campus of Palm Beach State College. Announcements will be made by e-mail and should be on the college's website as well. Chief Walker asked those who have not submitted their policies, to please forward them to Katherine Hatos or Shahzia Hashmi at the Criminal Justice Commission.

Chief Walker highlighted the successes of the child abuse protocol which had full law enforcement participation and was recognized in a recent article in the Palm Beach Post. The article noted that Palm Beach County is the best at child abuse investigations. Chief Walker also mentioned that DCF Supervisor, Mary Bosco, is looking at using this protocol as a model standard for the State of Florida. The same level of participation for the vulnerable adult protocol was recommended by Chief Walker. Barry Krischer was introduced and spoke about some of the history behind the child abuse protocol and voiced his support for the vulnerable adult protocol in Palm Beach County.

XII. Liaison Updates

- a. Data Sharing: Chairman Kitzerow provided an update, mentioning that over 1100 users are currently on the LEX system, and that there are 700-800 LEX

sessions per day. The amount of time saved due to LEX was emphasized. He also stated they are moving ahead with some of the Federal partners who are interested in coming on board with the project.

- b. Child Abuse Protocol: No report was presented.
- c. Crime Prevention Officers Association: No report was presented.
- d. Criminal Justice Commission: No report was presented.
- e. Criminal Justice Institute: Director Schroeder gave an update, stating that in May they will be having a defensive tactics instructor course, and in June they will have a firearms instructor course. Director Schroeder reminded the body that just because someone completes the instructor course, does not mean they are CJSTC Certified as instructors, and that such individuals cannot instruct until they are certified.
- f. High-Intensity Drug Trafficking Area: No report was presented.
- g. High School Criminal Justice Academies: No report was presented.
- h. Municipal Public Safety Communications Consortium: No report was presented.

XIII. Training Announcements

- a. Youth Violence Prevention Project's Law Enforcement Workgroup: ATF Agent Steve Barborini announced upcoming eTrace training and camera distribution at Palm Beach Gardens Training Complex.

XIV. Member Comments

- a. Chief Kitzerow announced May 3rd, 2011 as the date the regional communications center is supposed to go live, which will include Jupiter, Palm Beach Gardens, and Juno Beach.

XV. Attachments

- a. Circuit 15 JAC Advisory Council Position Paper
- b. Juvenile Assessment Center Monthly Statistics
- c. Palm Beach County's 'the best' at abuse inquiries, John Lantigua, Palm Beach Post, April 3, 2011
- d. ATF eTrace Training Flyer

Next Meeting: May 5, 2011