

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

FINAL MINUTES

Thursday, May 5, 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 Michael Madden)
Chief Matt Immler
Chief Garrett Ward
Chief Craig Hartmann
Chief Brian Smith
Chief Christopher Yannuzzi
Chief Steve Kniffin (Represented by Sgt. Dave Kelley)
Chief Roger M. Crane
Chief Delsa Bush
Chief James Kelly
Michael Driscoll, Resident Agent in Charge
Mike Waites, Chief Investigator
Major Carol Owsiany-Himmel
John McKenna, Assistant Special Agent in Charge (Represented by Bob Masters)
Edward (Eddie) Thompson, Resident Agent In Charge
Glen Wilner, Assistant Chief Deputy
Matthew Lynch, Resident Agent In Charge

Members Absent

Chief Robert Mangold
Chief Anthony Strianese
Director Michael Porath
Chief John Stewart
Chief Wes Smith
Chief Jeff Tyson
Chief Clay Walker
Chief Robert O'Neill
Chief Stephen Stepp
Chief Kirk Blouin
Chief Mark Hall
Chief Rick Ricciardi
Sheriff Ric Bradshaw
Chief Charles Lowe
Major Luis Ramil
Major Jeffrey Hubert
Lt. Anthony Stafford
Dana Morrison, Special Agent Supervisor
Stephen Barborini, Resident Agent in Charge
Danny Auer, Special Agent In Charge
Pete Garcia, Federal Security Director
John Modlin, Patrol Agent in Charge

Advisory Members Present

Director Larry Schroeder
Joni Livingston, Florida Department of Law Enforcement (FDLE)
Feirmon Johnson, Chief Probation Officer
Todd Weicholz, Bureau Chief

Advisory Members Absent

Hon. Michael McAuliffe, State Attorney
Roselyn Baker, Circuit Administrator
Dr. Michael Bell, Palm Beach County Medical Examiner
Rolando Garcia, Deputy Chief

- I. Welcome and opening comments by Chief Frank Kitzerow, Chairman.
 - a. Chairman Kitzerow recognized Criminal Justice Commission (CJC) Chair Barbara Cheives.
- II. Roll Call
- III. Introduction of Guests
- IV. Approval and/or additions to the agenda
 - a. The May 5, 2011 agenda was approved.
- V. Approval of the minutes
 - a. The April 7, 2011 minutes were approved.
- VI. Under Chairman's Comments, Chairman Kitzerow:
 - a. Congratulated Brian Smith on his promotion to Chief of Juno Beach.
- VII. Presentations
 - a. Judge Ronald Alvarez presented information about the A Child in Need of Services/A Family in Need of Services (CINS/FINS) to make sure that all agencies are aware of these programs. CINS/FINS program was established by the Florida legislature as a means of providing assistance to children and families to address issues leading up to a child being involved with the juvenile justice system. Services are provided for kids under 18 years of age that don't have any delinquency charges. There are two providers in Palm Beach County and the CINS/FINS budget is still intact. Brochures were provided and a copy will be sent electronically.
- VIII. Updates/Discussion
 - a. **Innocence Commission Meeting Update:** An e-mail update will be sent out to members.

IX. New Business

- a. **Bylaw Amendment:** Chairman Kitzerow brought forward a proposal for a bylaw change to address concerns about the ability of members to conduct business. In order to make the proposed change, LEPC voting members would need to approve the amendment and approve bringing the item forward to the CJC for input and follow-up. The proposed change was read as follows:

Amend Article I, Section 3, Purpose, of the Law Enforcement Planning Council Bylaws to remove ~~a. Identification and assessment of policy issues which impact criminal justice and law enforcement agencies on a countywide basis.~~ Revise b. to "a. Development of strategic plans for ensuring coordination and ~~better~~ cooperation of law enforcement agencies and other criminal justice functions", and c to "b. Researching other law enforcement issues as requested by the Palm Beach County Criminal Justice Commission. Provided, however does not involve policy issues relating to the specific operations of a law enforcement agency."

There was an extensive discussion about the proposed bylaw change and whether or not it would achieve the intended purpose and remedy the Sunshine Law issue. Mike Rodriguez advised that the CJC voted to not change the ordinance permitting designees for constitutional members and will attempt to address the issue legislatively. Procedural recommendations for compliance were discussed including keeping items on the agenda for a limited period and fact finding before the recommendation stage. He also advised that the Sunshine Law only concerns voting items, which can be discussed after the vote has occurred.

Todd Weicholz recommended the following language for Section 3 – Purpose.

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.

Barry Krischer agreed with the comments made by Todd Weicholz. He also suggested that a cover letter be included from the State Attorney advising that this language cures the defect to reassure agencies to come back to the meetings. Chairman Kitzerow/Chief Investigator Waites will follow-up with the State Attorney's Office about a cover letter. The item was tabled for the next meeting.

X. Old Business

- a. No old business to discuss.

XI. Committee Reports

- a. Book and Release Committee: Chief Crane advised that the Corrections Task Force meeting was held and jail population was down. A subcommittee is working on a request to address several areas including the success rate and cost of programs. Chairman Kitzerow acknowledged Chief Crane and Chief Hall for their help with the legislative session.
- b. Recruitment and Retention Committee: The staffing survey was included in the packet. Chief Yannuzzi reminded members that the first column, budgeted positions, should equal the total of the second, third, and fourth columns. A reminder will be sent out two weeks prior to the end of the quarter. Chairman Kitzerow also thanked Chief Yannuzzi for his work on this project.
- c. Traffic Committee: No report was presented.
- d. Vulnerable Adult Protocol: No report was presented.

XII. Liaison Updates

- a. Data Sharing: Chairman Kitzerow provided an update, mentioning that a significant effort has been made to train all agencies on the LEX system. He requested that agencies let him know if they haven't received training recently. They are over 1100 users currently on the LEX system, and that there are 700-800 LEX sessions per day.
- 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 advising that two new classes were held last week. The Vulnerable Adult Protocol meetings will be held at PBSC on May 12th and May 19th at 1:30 PM. Director Schroeder also discussed legislation concerning officer funding. There is one bill to keep funding at the same level of \$67 per officer, while the other bill proposes reducing funding to \$46 per officer. The bill maintaining current funding levels has the most traction. Chairman Kitzerow thanked Director Schroeder for doing a great job at the Criminal Justice Institute.
- f. High-Intensity Drug Trafficking Area: Colonel Stormes mentioned that they are starting to see some of the assets come out of the task forces.
- g. High School Criminal Justice Academies: No report was presented.

- h. Municipal Public Safety Communications Consortium: Chairman Kitzerow mentioned that the North Comm Regional Communication Center went online Tuesday, May 3, 2011. Juno Beach, Jupiter, and Palm Beach Gardens are all in the same facility dispatching and receiving 911 calls.

XIII. Training Announcements

- a. No training announcements.

XIV. Member Comments

- a. Patricia Vazquez advised that DCF is hiring Child Protective Investigators and they are opening these positions up to law enforcement agencies. Information will be provided by e-mail.

XV. Attachments

- a. Draft of bylaw amendments
- b. Quarterly Staffing Report

Next Meeting: June 2, 2011