

Palm Beach County Criminal Justice Commission  
**LAW ENFORCEMENT PLANNING COUNCIL**

Thursday May 7, 2009

Clayton Hutchinson Agricultural Center  
Exhibit Hall "B"

559 North Military Trail  
West Palm Beach, Florida 33415

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**MINUTES**

**Members Present**

Chief Mangold, Atlantis  
Chief Alexander, Boca Raton  
Chief Ward, Gulf Stream  
Chief Matt Immler, Boynton Beach  
Chief Howe, Palm Beach  
Chief Hartmann, Highland Beach  
Chief Weiner, Juno Beach  
Chief Crane, South Palm Beach  
Mike Waites, SAO  
Chief Kelly, PBC School District PD  
Mike Driscoll, FDLE  
Chief Kitzerow, Jupiter  
Pete Garcia, TSA  
Carol Owsiany, FI Div of Alcohol & Tobacco  
Chief McCollom, Tequesta  
Dana Morrison, DEP  
Glen Wilner, US Marshal  
Chief Lowe, FAU Police  
Director Ludos, Greenacres  
Chief Stepp, Palm Beach Gardens

**Advisory Members Present**

Michael McAuliffe, State Attorney  
Dr. Michael Bell, Medical Examiner  
Director Schroeder, CJ Institute  
Joni Livingston, FDLE  
Feirmon Johnson, DJJ

**Guests**

Jeff Tyson, Lantana  
Dr. Crouse, PBSO  
Keith Koenig, North Palm Beach

Michelle Miuccio, Boca Raton  
Dave Kelley, Palm Beach Shores  
Kim Myers, WPB PD  
Kirk Blouin, Palm Beach  
Luis Ramil, FHP  
Dennis Crespo, WPB PD  
Carmen Mattox, Manalapan  
Robert Manley, PBSO  
Ruby Starks, PBSO  
Wendy Unger, Boynton Beach  
Holly DiBenedetto, Victim Services  
Ed Brwer, School Police  
Scott Deatley, Jupiter  
Jim Barrett, Jupiter  
Mike Edmonson, SAO  
Todd Weicholz, Statewide Prosecutor  
Gary Roy, Greenacres  
Joe Milemkojic  
Mark Hall, Palm Springs  
Barry Krischer, PBSO  
Nancy Grimes, PBSO  
Marty Millar, Mayor N. Palm Beach  
Brian Fernandes, Statewide Prosecutor  
Luis Martinez, Statewide Prosecutor  
Brian Smith, Juno Beach  
Steven Randerson, TSA  
Jill Richstone, SAO

**CJC Staff**

Wayne English  
Katherine Hatos  
Brenda Oaks

- I. Chief Immler called the meeting to order and welcomed everyone.

- II. Roll call was conducted and a quorum was present.
- III. Guests introduced themselves
- IV. The agenda was unanimously approved.
- V. Minutes from the April 2, 2009 meeting were unanimously approved.
- VI. Chairman's Comments
  - A. The Chair announced that the LEX Board of Directors Meeting scheduled to follow this meeting has been cancelled and will be rescheduled.
  - B. The Chair announced that there will be a Law Enforcement only briefing regarding child predators at the conclusion of this meeting.
  - C. The Chair extended best wishes to Juno Beach Assistant Chief Bob Daniels as he leaves to become Chief in Buckeye Arizona.
- VII. Presentations
  - A. Jill Richstone from the SAO discussed the recent Supreme Court decision in Arizona v. Gant. A handout was provided. The decision involves searches of vehicles and will impact the street officer. No longer will the arrest of the occupant of a vehicle justify the search of the entire vehicle. It will restrict searches of the vehicle to situations where the arrestee is within reaching distance of the passenger compartment of the vehicle at the time of the search or if it is reasonable to believe that the vehicle contains evidence of the offense of arrest. There are a number of exceptions to this which were discussed at length. Departmental policies regarding impoundment and inventory searches are important in these cases. The decision will become effective in about 20 days. A work group was formed to look at existing impoundment and inventory search policies and to come back with recommendations for model policies. Chief Kitzerow, Captain Hall and Mr. McAuliffe volunteered to serve in the work group.
  - B. Captain Starks and Lt. Manley from PBSO discussed Inmate booking and the FDLE charging tables. FDLE is now requiring arrest data to be transmitted electronically and it must be very accurate. Booking charges must now come from the FDLE charging tables. Not all agencies are using the FDLE Tables which is problematic. Training will be required for the street officers. The School Police may be able to help with training. Mr. McAuliffe will look into the magnitude of the problem and report back.
  - C. Al Grasso and Lisa Rosenfeld the Health Department gave an update on the H1N1 Flu. Humans have no natural immunity to it. It is a relatively mild virus. He discussed the number of cases around the country and state. The Health Department is now in a community mitigation mode. Normal good hygiene is the best preventative method. It was noted that 36,000 Americans die every year from the seasonal flu. A flu shot is the best prevention for the seasonal flu. Normally there are 3 pandemics in every century. In the 1918 pandemic, the first wave was very mild but the second wave in the fall was very bad. The virus can last for 2 hours on a hard surface. Publix will be helping in distributing information and supplies. The LEPC Pandemic Committee will be reactivated to work with the health department.

There is a concern that people will become complacent over the summer if the next wave doesn't come until the fall. The health department has a wellness program to spot sick people in the workplace and get them sent home. There is legal authority for that action. Getting preventative medication to first responders is an important issue. Quarantine issues were discussed. Public education is very important.

#### VIII. Updates/Discussion

- A. Michael McAuliffe gave an update on the arrest and search warrant process. He is conducting an internal review of how arrest and search warrants are processed in his office in order to better work with law enforcement He will come back to the Council with more detailed proposals to review and discuss.

#### IX. Committee Reports

- A. Chief Crane gave an update on the Traffic Hearing Committee. The committee will meet on May 15. One topic of concern is the need to fine tune the procedures for resets and continuances. The process for dismissals is also being studied. The committee's work is going very well.
- B. Major Blouin and Dr. Crouse gave an update on the DNA / Law Enforcement Services Work Group. Previously Council members asked for a breakdown of cases showing what each agency had in the DNA Backlog. By reviewing these cases and their status the backlog has been substantially reduced. A meeting will be held with the SAO to make sure that cases have not been plead out or otherwise closed without notifying the lab.

#### X. Old Business

#### XI. New Business

#### XII. Liaison Reports

- A. Chief Kitzerow noted that the LEX Board of Directors meeting scheduled to follow this meeting has been cancelled due to the lengthy LEPC agenda. It will be rescheduled.
- B. Director Schroeder gave an update on the Criminal Justice Institute. A written report was also provided in the agenda package.
- C. Chief Mangold gave an update on the MPSCC. All 5 sites have been completed. Site acceptance testing will be completed within a week. System acceptance testing then should be completed within 30 days.

#### XIII Member Comments

- A. Chief Ludos discussed some FPCA issues.

#### XIV. Adjournment