



**Pinellas Police Standards Council  
Tampa Bay Regional Planning Council  
4000 Gateway Centre Boulevard, Suite 100  
Pinellas Park, FL  
Agenda: January 13, 2016 – 8:30 AM**

1. **Call to Order** – Chairman Rick Stelljes
  
2. **Approval of PPSC Minutes** –Draft Attached
  
3. **Guest Speakers** –  
Dr. Max Bromley, Director of the USF Master of Arts in Criminal Justice Administration, will provide a brief announcement about the USF cohort set to begin August 2016.
  
4. **PASS Update** – Director Waters
  
5. **Committee Reports** –
  - ❖ Legislative Committee – Chief Haworth
  
  - ❖ Training – SPC Dean Brian Frank
  
  - ❖ Standards Review Committee – Chief Rob Vincent
  
  - ❖ Finance – Chief Bill Sohl
  
  - ❖ Pinellas County Safety & Emergency Services – Director Mike Cooksey
  
  - ❖ Pinellas County Justice Coordination – Operations Manager Deborah Berry

**6. New Business**

**7. Old Business**

**8. Roundtable**

**9. Adjourn**

**Next Meeting**  
**Wednesday, February 10, 2016 – 8:30 AM**  
**Pinellas Park High School – Criminal Justice Academy**  
**6305-118<sup>th</sup> Avenue**  
**Largo, FL**



**Pinellas Police Standards Council  
Tampa Bay Regional Planning Council  
4000 Gateway Centre Boulevard, Suite 100  
Pinellas Park, FL  
Agenda: December 9, 2015 – 8:30 AM**

1. **Call to Order** – Chairman Rick Stelljes
2. **Approval of PPSC Minutes** –
  - ❖ Motion by Chief Sohl and Chief Holloway – The Council unanimously approved the November 4, 2015 PPSC Minutes.
3. **Guest Speakers** –  
None
4. **PASS Update** – Director Waters
  - ❖ Director Waters advised agencies are steadily providing their law enforcement salary information for the annual Salary Survey scheduled for release no later than February 1, 2016.
  - ❖ Director Waters stated Attorney Jaensch of the HarrisonFord Law Firm confirmed her presentation in front of the Council set for March 9, 2016 at the Tampa Bay Regional Planning Council. Director Waters reminded the Council of their previous desire to invite selected HR representatives from their agencies to attend this presentation.
  - ❖ Director Waters recapped some key points derived from his recent attendance of the Criminal Justice Selection Center Directors meeting -

FDLE's planned replacement of ATMS, Director Waters stated FDLE has formulated a steering committee and they have begun some basic programming. FDLE fully expects the new software should be operational by the end of 2017.

FDLE's advancement of a single source CJBAT is scheduled for statewide use by July 2017.

The Directors Association has expressed concern with regard to new military personnel attempting to file for EOT (Exempt from Training) status within Florida. Directors were reminded to use due diligence verifying military personnel for training

equivalencies as some are lacking fields such as traffic stops and traffic investigation training. The Directors were cautioned to ensure the military job performance descriptions usually supplied within an individual's VMET directly corresponds to actual military training records.

- ❖ Dean Brian Frank interjected, with respect the lack of training equivalencies, he would see what SPC could possibly perform to help facilitate training classes for those specific areas to help military personnel seeking EOT status.
- ❖ Director Waters advised the PASS Background Investigator Position application period was extended due to a number of interview cancellations necessitating a larger pool of candidates be sought for interview contention. He advised the extension notification has one amendment reducing the Bachelor's Degree mandate to "preferred" status with a mandatory Associate's Degree requirement.

## 5. Committee Reports –

- ❖ Legislative Committee – Chief Haworth
  - Chief Haworth provided an update to the myriad of legislative bills that have been filed or were pending submission for the 2016 Legislative Session (see attached). The Council discussed some of the substantial law enforcement implications within the upcoming 2016 Legislative Session.

Among the legislative items acquiring extended discussion within the Council were SB 300/ HB 163 Weapons and Firearms (Open Carry) and SB1044/ HB 883 Civil Asset Forfeiture Reform. With regard to SB 300/ HB 163, Chief Vincent stated the Florida Police Chiefs (FPC) has decided to conditionally endorse the bill as long as the following amendments are adopted:

- 1: Maintain requirement that a person open carrying have a concealed weapons permit and are subject to the restrictions and limitations of s. 790.06 and 790.10, Florida Statutes.
2. Expressly maintain the "reasonable suspicion" standard for a law enforcement officer to stop a person to verify/investigate his or her open or concealed carry of handguns.
3. The amendment deletes "subsection" and adds "s. 790.33, Florida Statutes." A new section is added which states "nothing herein is intended to restrict a law enforcement officer's ability or authority to conduct investigations as otherwise permitted by law."

Qualified immunity is a vital tool that allows law enforcement officers to perform their duties without fear of frivolous lawsuits. Officers will not fear losing qualified immunity when investigating a person open or concealed carrying.

4. Add language that "to openly carry a firearm means a loaded or unloaded handgun carried securely upon the person in a holster that is wholly or partially visible, or carried upon the person in a case or bag that is wholly or partially visible."

The Council expressed candid reservation regarding the FPC's conditional endorsement citing the essence of the bill is not only detrimental to public safety but would cause unbridled damage to Florida's tourism industry. The Council was uniform in agreement that the two legislative bills were wrong in their entirety for the State of Florida.

The Council discussed the aspect of executing a resolution denoting opposition to the open carry legislation. Chief Riley made the motion for approval of a resolution promulgating the PPSC opposition to SB 300 and HB 163 for distribution to the Governor, Senate President, House Speaker, members of the Pinellas County Board of County Commissioners and members of the Pinellas County Legislative Delegation. Chief Haworth seconded the motion and the motion for approval carried unanimously.

Chief Hendry stated that within the same context of the open carry legislation, HB 4001/ SB 0068 are both active and are a cause for real concern and opposition amongst the university/college police chiefs. The Council shared Chief Hendry's concern for the potential harmful consequences of the legislation.

Sheriff Gualtieri stated Senator Brandes and Representative Caldwell filed SB 1044 and HB 883 (Civil Asset Forfeiture Reform) this past week. He stated the focal point of the proposed legislation allows law enforcement to seize property but the property cannot be forfeited without a criminal conviction. Sheriff Gualtieri advanced one of the many problematic issues is what happens if you have a felon that flees (fugitive)? How long does an agency hold the seized property?

The Council shared the same concern expressed by Sheriff Gualtieri. Chief Holloway pondered an additional inquiry to what are the agency's responsibilities and liabilities with regard to the seized property if a person is found not guilty?

The Council asked Sheriff Gualtieri what was the outcome of the FSA reach out to the FPC? Sheriff Gualtieri stated that although discussion still continues, the FSA and the FPC have not found common ground. Sheriff Gualtieri strongly stressed his premise (presented at the previously PPSC meeting) that inaction in this case is not a viable option. He stated he remains committed to the previously defined and consensus driven principles for rational judicial oversight/review forfeiture reform. The Council concurred with Sheriff Gualtieri's sentiments.

- Sheriff Gualtieri advised Senator Geraldine Thompson has recently introduced SB 810 (an act that would require FDLE to investigate any circumstance where a law enforcement officer uses force resulting in death). He stated the FSA has not formally taken a position on the bill yet but the consensus is that the investigative entity decision should be made locally. Sheriff Gualtieri stressed the importance for members of the public to have trust in their law enforcement agencies. He alluded to the investigative expertise and resources within departments; especially those with larger agencies.

The Council echoed in Sheriff Gualtieri's comments and hypothesized the potential cost impact (fiscal and personnel) on FDLE if this legislation is enacted.

- Chief Vincent brought forward his recent contact with the coalition FAST (Faith and Action for Strength Together) and their advocacy for civil citation legislation mandating all first offense misdemeanor cases be handled through civil citation. He advised the legislation seeks to take away law enforcement discretion in this area with the wording “shall” be issued a civil citation.

The Council was adamant in their opposition to taking away law enforcement discretion commenting each case should be independently investigated and evaluated for the merits of civil citation/community service programs. The Council discussed the civil citation/community service programs within Pinellas County and postulated these are among the best in the state of Florida.

Chief Stelljes advised this is a hot topic within the Florida school system as there is a significant push from many entities, including the Department of Juvenile Justice (DJJ), to curtail police involvement by referring all but severe or chronic matters for the school system to handle. Chief Stelljes cited an example using Broward County where the SROs are only notified of a juvenile’s criminal activity related to misdemeanor drug possession after the third occurrence. He said a statistical reduction of arrests is achieved within this process but at what cost to the community and the long term welfare of the affected child?

❖ Training – SPC Dean Brian Frank

Dean Frank advised Police Academy Class 198 is set to graduate tonight (12/9/15) at the Allstate Center and invited the Council for attendance.

Dean Frank touched upon the remarks made earlier by Director Waters regarding the FDLE development of the single source CJBAT. He advised that FDLE intends to use the monetary gain of CJBAT to supplement the Law Enforcement Trust Fund.

❖ Standards Review Committee – Chief Rob Vincent

Chief Vincent reminded everyone there are three applicant appeals set for review immediately following the PPSC meeting.

❖ Finance – Chief Bill Sohl

Covered within the PASS Update.

❖ Pinellas County Safety & Emergency Services –Director Michael Cooksey

N/A

❖ Pinellas County Justice and Coordination – Operations Manager Deborah Beery

**6. New Business**

Chief Holloway announced the St. Petersburg Times is developing a “Frog Man Swim” event that will involve law enforcement officers and fire rescue personnel. Chief Holloway advised the event is tentatively planned for February 2016. He advised that he would pass along more information as it becomes available for dissemination.

7. **Old Business**

- ❖ Chief Stelljes advised a statistical review of the school arrests for Pinellas County through November indicated an 18% decline from this same time period last year. He stated for the actual month of November; arrests were the same as last year.
- ❖ Major Young advised the Tarpon Springs Police Department will hold a memorial event for fallen Tarpon Springs Police Officer Charles Kondek on 12/21/15 (1730 hours) at the Public Safety Memorial Garden in front of the Public Safety Facility.

8. **Roundtable**

N/A

9. **Adjourn**

Chief Boudreau and Chief Sohl

**Next Meeting**

**Wednesday, January 13, 2016 – 8:30 AM**

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