



**Pinellas Police Standards Council
Tampa Bay Regional Planning Council
4000 Gateway Centre Boulevard, Suite 100
Pinellas Park, FL
Agenda: Wednesday, June 14, 2017 – 8:30 AM**

1. **Call to Order** – Chairman Armand Boudreau

2. **Approval of PPSC Minutes** – Draft Attached

3. **Guest Speakers** – SPC Dean Brian Frank and Director Michael Dibuno will give a brief presentation on the aspects of providing a Telecommunications Academy.

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 Jim Fogarty

 - ❖ Pinellas County Justice Coordination – Operations Manager Deborah Berry

6. **New Business**
7. **Old Business**
8. **Roundtable**
9. **Adjourn**

Next Meeting
Wednesday, July 19, 2017 – 8:30 AM
Tampa Bay Regional Planning Council
4000 Gateway Centre Boulevard, Suite 100
Pinellas Park, FL



Pinellas Police Standards Council
Wednesday, May 10, 2017 – 8:30 AM
Pinellas County Sheriff's Office
Administration Building
10750 Ulmerton Road
Largo, FL

ATTENDANCE: Chief Bill Sohl (Belleair PD), Chief Probation Officer Melissa Fuller (DJJ), Chief David Hendry (USF St. Petersburg PD), Chief Kevin Riley (Kenneth City PD), Chief Anthony Holloway (St. Petersburg PD), Chief Jeff Undestad (Largo PD), Chief Rob Vincent (Gulfport PD), Manager Deborah Berry (PC Justice Coordination), State Attorney Bernie McCabe (6th Judicial Circuit), Chief Terry Hughes (Indian Shores PD), Director Michael Dibuono (SPC College of Public Safety Allstate Center), Rick Hart (Chief Investigator SAO), Captain Charlie Caulk (FHP), Chief Kochen (Tarpon Springs PD), Chief Deputy Dan Simovich (Pinellas County SO), Sheriff Bob Gualtieri (Pinellas County SO), Director Jim Fogarty (PC Safety and Emergency Services), Chief Michael Haworth (Pinellas Park PD), Chief Dan Slaughter (Clearwater PD), and ASAC John Vecchio (FDLE)

1. **Call to Order** – Chairman Jeff Undestad
2. **Approval of Previous Month PPSC Minutes** –
Motion to approve by Chief Holloway and second by Chief Kochen – The Council unanimously approved the April 12, 2017 PPSC Minutes.
3. **2017/18 PPSC Budget Review and Approval**
Director Waters spoke on behalf of the Budget Committee and asked if there were any questions or concerns regarding the presented PPSC FY 2017/18 Budget. No questions or concerns were raised by the Council. Chief Vincent asked for a motion to approve the FY 2017/18 PPSC Budget that was second by Chief Riley. The Council unanimously approved the PPSC FY 2017/18 Budget.
4. **Annual Nomination and Election of PPSC Chair and Vice Chair (June 1, 2017 – May 31, 2018)**
 - o **Chair** – Chief Undestad nominated Chief Boudreau and asked for a motion to approve his selection as Chair. Chief Holloway second the motion to approve Chief Boudreau. The Council unanimously approved Chief Boudreau as the PPSC Chair.

- **Vice Chair** - Chief Holloway nominated Chief Riley and asked for a motion to approve his selection as Vice Chair. Chief Sohl second the motion to approve Chief Riley. The Council unanimously approved Chief Riley as the PPSC Vice Chair.
- ❖ **Committee Chairs** – All Committee Chairs asked to remain in their appointed seats and the Council unanimously agreed.

5. PASS Update – Director Waters

- ❖ Director Waters advised that FDLE Field Representative Scott Ballard was unable to attend today’s meeting and asked that he provide information regarding FDLE’s pending rollout of the new ATMS (scheduled for release June 15, 2017). Field Representative Ballard has accordingly touched base with all the Pinellas County law enforcement agencies Personnel & Training Section representatives to express the urgency for officers pending the 4-year mandatory training requirement to perform/complete as quickly as possible.

Field Representative Ballard requested that officers, nearing the timeline of the mandatory training requirement, should complete their training under the current ATMS by June 1, 2017. He advised that although anticipating a seamless transition to the new ATMS, it is often better to side on caution.

- ❖ Director Waters stated PASS activity has remained steady with a continued increase level of EOT applications. He advised that PASS is currently performing multiple single agency background investigations. He advised PASS investigators are in continuous communication with each agency ensuring coordination of background objectives and file completion timelines.

6. Committee Reports –

- ❖ Legislative Committee – Chief Haworth
 - ❖ Chief Haworth provided a brief analysis of the 2017 Florida Legislative Session specifying those bills impacting the law enforcement community.
 - PASSED - CS/CS/HB 39: Autism Awareness Training for Law Enforcement Officers – Bill requires continued employment training component related to autism spectrum disorder.
 - PASSED – SB 118 Criminal History Records: prohibiting a person or entity engaged in publishing or disseminating arrest booking photos from soliciting or accepting a fee or other payment to remove a photo.

Sheriff Gualtieri interjected that an additional aspect of this bill pertained to the administrative sealing of criminal records in specified circumstances. He advised that this segment of the bill’s implementation was tied to the passage of SB 450 – Public Records/Civil Citation or Prearrest Diversion program/Criminal History. Sheriff Gualtieri stated that the Florida Sheriffs Association (FSA) was opposed to the criminal history directive within SB 118 and thankfully, SB 450 failed to pass legislation making continued opposition a moot point.

Sheriff Gualtieri stated that agencies should ensure their legal departments are aware of this aspect when performing a legal summary of this year's legislative session. He stated the way the bill is written/viewed that it is very easy to miss that the enactment of the criminal history directive was tied to the passage of SB 450.

- PASSED – SB 128: Stand Your Ground – Once a prima facie claim of self-defense immunity from criminal prosecution has been raised by the defendant at a pretrial immunity hearing, the burden of proof by clear and convincing evidence is on the party seeking to overcome the immunity from criminal prosecution.

State Attorney McCabe interjected that the bill's passage is a result of the Senate agreeing to embrace the "House" version of the bill. He said that paramount within this bill is the prima facie requirement.

- PASSED – SB 312: Eyewitness Identification – Requires state, county, municipal, or other law enforcement agencies that conduct lineups to follow specified procedures.

State Attorney McCabe interjected that the Eyewitness Identification Model Policy developed by the PPSC was used as a template in the writing of this legislation.

- PASSED – SB 150/HB 477: Minimum/Mandatory Sentencing for Fentanyl – makes minimum/mandatory sentencing for possessing more than 4 grams of fentanyl or carfentanil.

Sheriff Gualtieri interjected that this bill passed by one vote. He advised that the legislature has really taken a hard stance against minimum/mandatory sentencing and would like to reduce and/or eliminate its application within statutes. Sheriff Gualtieri stated to fully expect a continued push during the next legislative session toward this goal.

- PASSED – HB 7059: Juvenile Justice – Providing criteria for a child to be a prolific juvenile offender; requiring the court to place a prolific juvenile offender in certain detention care under a special detention order until disposition.

Sheriff Gualtieri interjected that Secretary Daly was a great partner to the law enforcement community in this legislative process. He said the passage of the bill represented a compromise by all parties. Sheriff Gualtieri shared some of the highlights to include defining a prolific juvenile offender as

1. someone charge with a delinquent act that would be a felony if committed by an adult.
2. has been adjudicated or had adjudication withheld for a felony offense, or delinquent act that would be a felony if committed by an adult.
3. has 5 or more arrests, adjudication, or adjudication withheld where at least 3 must have been for felony offenses or delinquent acts that would have been felonies if committed by an adult.

The prolific juvenile offender must be tried within 45-days and the 21-day detention period has been enhanced to reset the 21-day clock if a violation occurs. Sheriff Gualtieri stated that it used to be when a habitual juvenile offender committed a violation on day 19 they could only be placed back into secure detention to serve the remaining two days of their 21-day detention period.

- Failed – Juvenile Civil Citations (various presented bills): Sheriff Gualtieri stated that he fully expects civil citation legislation to be introduced again at the next year’s legislative session. State Attorney McCabe echoed Sheriff Gualtieri’s sentiments stating that Senator Joe Negron has been a forceful advocate of juvenile civil citations and has been steadily opposed to the concerns of the law enforcement community.
- Chief Haworth stated that there was no legislative action taken with regard to the passage of Amendment 2 (medical marijuana). He advised that there has been talk of reconvening the legislature to address this issue but nothing formal has been announced.
- Chief Haworth stated that all introduced gun legislation (being monitored by the Council) failed passage for this year’s legislative session. He stated that he fully expects these various gun bills will be reintroduced at next year’s legislative session.
- Sheriff Gualtieri provided an update to the legislative effort (SB 608) to raise the threshold of charging grand theft from \$300.00 to \$1,000.00. He advised the legislature approved a lesser version that singularly applies to cases of rental and/or leased property (rental centers) raising the threshold from \$300.00 to \$750.00. Sheriff Gualtieri and State Attorney McCabe stated they fully support the threshold increase for this specific offense and the Council agreed.

❖ Training – SPC Dean Brian Frank

- ❖ Director Michael Dibuono advised that Pinellas County’s use of the Trust Fund has risen dramatically since their last report to the Council (rising from 30% usage to now 75% usage). He thanked the Council for their continued messaging support of the available training at the Allstate Center.
- ❖ Director Dibuono advised the SPC Allstate Center has recommended an increase to academy tuition (Police \$500.00 and Corrections \$250.00) that will be presented to the SPC Board of Trustees for review and approval consideration.

Chief Slaughter asked if consideration was given toward the potential impact of self-sponsored academy students. Director Dibuono stated that this fee increase, if granted, will be the first in at least eight years and that by all accounts, it will still be lower than any of the surrounding Tampa Bay area law enforcement academies. Director Dibuono advised that the fee increase is necessary as SPC has been subsidizing the increased costs for academy students. He advised the

proposed fee increase only brings the Allstate Center in line with not being subsidized.

- ❖ Director Dibuono stated the SPC Allstate Center leadership in coordination with the SEPSI Advisory Board has made several proposed changes to the dress code for academy students and the applicability of withdrawal/removal tuition reimbursement. He stated that among the dress code topics under revision is the longevity requirements of wearing of long sleeve uniforms and designated patches worn by academy students. With regard to tuition reimbursement for student withdrawals, Director Dibuono stated that the Allstate Center will abide by the SPC's academic policy for adding and dropping classes. He stated that the academy has erred in the past with providing tuition reimbursement for sponsored and self-sponsored student's withdrawal during any portion of the academy.

The Council discussed some of the aspects of Director Dibuono's comments. Chief Holloway asked if the advisory board could bring matters, having the ability to directly impact agencies, to the Council first prior to formal decisions. Chief Vincent interjected stating the SEPSI Advisory Board is not a decision making authority but only makes recommendations to the college. He stated that while specifying this, he fully appreciates the concern generated by Chief Holloway and will address this with the advisory board. Director Dibuono concurred with Chief Vincent and stated he will also address this concern to the SPC Allstate Center leadership.

- ❖ Standards Review Committee – Chief Rob Vincent
 - ❖ No Applicant Appeals scheduled this month.
- ❖ Finance – Chief Bill Sohl
 - ❖ PPSC FY 2017/18 was previously addressed at the start of meeting.
- ❖ Pinellas County Safety & Emergency Services – Director Jim Fogarty
 - ❖ Director Fogarty advised that the Regional 911 State Advisory Board has one current vacancy with the probability of another vacancy/opening soon. He advised the board consists of ten members (five for the telecom industry and 5 from within the Florida counties). Director Fogarty stated he would like to have Pinellas County represented within one of the two possible vacant positions.
 - ❖ Director Fogarty stated in reference to the wildfires throughout the state that Pinellas County has a permanent burn ban in place.
 - ❖ Director Fogarty stated the opioid epidemic has been receiving a lot of news coverage recently and he wished to share that Pinellas County EMS has the Narcan Kits covered within these media reports.
 - ❖ Director Fogarty stated that the Pinellas County Flood Maps have been redrawn and Director Sally Bishop is currently reviewing the updated maps. He advised that he will be sharing more information on this topic when available.

- ❖ Director Fogarty stated that an impact study is in progress with regard to the upsurge in 911 calls in the last few years. He stated the study hopes to delineate what factors are driving the growth in call volume.

- ❖ Pinellas County Justice Coordination – Operations Manager Deborah Berry
 - ❖ Manager Berry advised that the Pinellas County Business and Technology Center is upgrading its server.

7. New Business

- ❖ N/A

8. Old Business

- ❖ N/A

9. Roundtable

- ❖ Chief Probation Officer Fuller stated with regard to the earlier conversation on prolific juvenile offenders that DJJ is using a data extraction method to pull PJO eligible youth from the DJJ system. She advised that the criteria used is one pending felony, a recent felony adjudication (or withhold) and a prior history of five charges (three of which must be felonies). Chief Probation Officer Fuller stated that their officers are required to visit juveniles meeting this criterion in their homes no less than three times each week.
- ❖ Chief Holloway advised that the Adult Pre-Arrest Diversion Program (APAD) developed by Sheriff Gualtieri was touted at this year’s legislative session and he applauded this accomplishment. Sheriff Gualtieri thanked Chief Holloway and reiterated that it is a communitive effort by all the Pinellas County law enforcement agencies and the State Attorney’s Office.
- ❖ Sheriff Gualtieri asked the membership if their city leaders have discussed the potential impact related to the all but certain passage of a Constitutional Amendment to raise the homestead exemption slated for November 2018 ballot. The membership stated that their city leaders are looking into this predicament now. The membership fully agreed that fiscal budgets will be significant impacted/reduced and the thoughtful planning and revamping of resources is immediately warranted.
- ❖ Chief Undestad inquired if the membership was aware of the news article from The Washington Times, dated May 4, 2017, regarding an unclassified FBI report concerning the Ferguson Effect. The report, “Assailant Study – Mindset and Behaviors”, alleged the social-justice movement sparked in Ferguson, Missouri made it socially acceptable to challenge and discredit actions of police officers. The study submits that anti-police movements combined with last year’s cop-killing spree have made officers increasingly less likely to engage in proactive policing.

10. Adjourn

Chief Haworth and Chief Sohl

Next Meeting

Wednesday, June 14, 2017 – 8:30 AM

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4000 Gateway Centre Boulevard, Suite 100

Pinellas Park, FL