



**City of Jacksonville – The Jacksonville Journey
Law Enforcement and Deterrence Sub-Committee**

MINUTES

OF

GETTING GUNS OFF THE

STREET

SUB-COMMITTEE

February 19, 2008

**The Jacksonville Journey – Getting Guns Off the Streets
Sub-Committee
February 19, 2008
2:00 p.m.**

PROCEEDINGS before the Jacksonville Journey –“Getting Guns Off the Streets” sub-committee taken on Tuesday, February 19, 2008, Edward Ball Building, 8th Floor – 214 N. Hogan Street, Jacksonville, Duval County, Florida commencing at approximately 2:00 p.m.

Bishop John Howard, Chair
Joe Stelma, Member
Ed Hearle, Member
Jon Phillips, Staff

APPEARANCES

COMMITTEE CHAIR & MEMBERS:

BISHOP JOHN HOWARD, Chair
ED HEARLE, Member

ABSENT:

JOE STELMA, Member

PROFESSIONAL STAFF:

JON PHILLIPS, Office of General Counsel

STAFF:

LYN COMPTON, Office of General Counsel

GUEST SPEAKERS:

PATRICE L. BRYANT
Senior Circuit Administrator
4th Circuit Community Corrections
Florida Department of Corrections

J. TODD LOCKHART

Resident Agent in Charge
U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Jacksonville Field Office

PROCEEDINGS

February 19, 2008

Getting Guns Off the Streets

2:00 p.m.

Call to Order and Comments. Bishop John Howard, Chair, called the meeting to order at 2:11 p.m. and the guest speakers were introduced to the subcommittee.

Purpose of Meeting. To obtain information from law enforcement personnel (Bureau of Alcohol, Tobacco, Firearms and Explosives “ATF” and 4th Circuit Community Corrections – Florida Department of Corrections) on the ways their agencies are utilizing their resources to reduce violent crimes and remove guns from the streets.

Minutes.

Mr. Phillips asked the guests to explain their agencies’ functions and how they relate to crime reduction with particular attention to removing hardened criminals and firearms from the streets.

The first speaker was Ms. Bryant.

MS. BRYANT: Ms. Bryant explained that her agency works through the Florida Department of Corrections with post incarceration or sentenced offenders on controlled release, probation, and community control in Duval, Nassau and Clay counties.

Each offender is subjected to varying degrees of supervision. Offenders who are released from prison (and have had a prior admission) can be placed on conditional release for two years. If they violate the conditions of their release, they are returned to prison for the balance of their sentence. Probationers can be on probation for up to the maximum sentence length for their crimes. Unlike conditional release, violation of probation can result in incarceration for any amount of time up to the maximum. Community control functions as house arrest. The highest level of supervision is community control on an ankle bracelet. Some community controlled individuals are visited twice a week at random. Offenders who do not comply with their post incarceration requirements can be and are sent back to prison to complete their maximum sentence.

Ms. Bryant's agency is charged both with monitoring offenders to make sure that they comply with their post incarceration requirements, but also to assist these offenders in reaching the goals set for them, i.e., obtaining employment, at least a GED diploma, vocational training, and medical and/or psychological services. Thus, there are resources available to them that are not available to those who are sentenced to county jail time and released without being placed on probation after the release.

Offenders not on house arrest are required to report once monthly to her office, but are also visited regularly, and without warning, at their places of

residence. Her department usually sends out teams of 2-3, sometimes assisted by a law enforcement officer.

Unlike normal law enforcement procedures, her department is allowed to conduct “warrantless searches”, which means that they are allowed to search an offender’s residence for suspected drugs, weapons, or other illegal contraband.

Ms. Bryant related that the warrantless searches are very effective, but are done by staff on a voluntary basis because of budget restrictions. She believes that authorizing overtime for these searches would create the incentive for staff to carry out more of these searches, which would have the effect of, for purposes of this committee’s interests, removing more firearms and weapons from the streets.

Right now her department has a staff of 163, of which 131 are certified. All certified staff make home visits.

It is very rare for an offender on supervision in her department’s program to commit a homicide, and she was of the opinion that being on probation was a powerful deterrent against violent behavior by probationers.

When asked what she felt could be done to reduce firearm and weapon violence, she said she felt that, in addition to more searches as described above, more intervention needs to be done at schools, with programs designed for varying age levels. The programs should incorporate the effects of firearm and weapon violence. She does not believe that after school detention is a deterrent.

Youth today needs more structure and a true consequence for their actions. They need more constructive after school activities. They need to be taught the difference between good and bad peer groups.

She believes there is correlation between lack of education and crime and would like to see a “Weed and Seed” program in our community. A Weed and Seed program reflects a comprehensive approach to community revitalization through the use of coordinated crime reduction activities combined with a mix of social, economic, and housing improvement programs in targeted geographic areas. The basic premise is that crime and the fear of victimization can be major barriers to the renewal of neighborhoods suffering from poverty and unemployment, substandard housing, and various other social and health dysfunctions. Therefore, a solution is to remove a neighborhood area's violent and drug-related criminal elements while simultaneously providing the necessary supports for a positive infrastructure to develop so that a healthy and self-sustaining community can arise.

She believes we need a constant police presence, police substations, 24 hour police coverage, in high crime areas.

Mr. Lockart then addressed the meeting.

MR. LOCKHART: Mr. Lockhart explained that his agency, although a federal agency working through the Justice Department, works very closely with

local and state agencies with the intent of removing violent offenders from the streets and obtaining the maximum sentence possible for the offense. This community partnership is formed by his agency, the JSO, FDLE, SAO and USAO. He has two of his agents embedded on site at JSO and JSO has an officer embedded in his office. He works very closely with Lt. Ron Lendvay of JSO's Violent Crimes Task Force, Officer Williams of the "Gun" unit, Frank Talbot of the USAO in Jacksonville, and Mark Caliel and Matt O'Keefe of the SAO's Violent Crimes Task Force.

He cited several examples of this cooperative effort. He explained that an offender might be arrested by JSO for a drug offense, but if the offender also carried a weapon, federal jurisdiction could kick in. If the weapon's charge under federal law carries the higher sentence, the offender is tried in federal court. Federal offenses usually carry higher sentences (minimum mandatory), and are easier to prosecute. However, if state charges carry the higher sentence, the case goes to state. Police units really don't care who prosecutes the case, just so long as the venue will obtain the highest sentence.

He noted Project Safe Neighborhoods, which allowed the USAO to increase hiring. It was so effective here that it was used to justify getting more prosecutors at the USAO locally, which in turn lends itself to better sentences. Also, he

anticipates he will be able to increase the number of ATF agents working on this issue in the near future.

He explained that in federal sentencing repeat violent offenders do virtually all of their time with no parole, and usually at a federal prison out of state, away from family and friends. He stated that right now about 60% of his resources are working on Operation Safe Neighborhoods. His office is right now forming a second group which should be done by the end of this summer.

Project Safe Neighborhoods has been around for quite some time, under a variety of names. He thinks it was initiated about 1995, but it has grown over the years.

PSN works because it lets law enforcement target local problems, can be used like a surgical tool, to apply resources where they do the most good, targeting very violent offenders. This reduces violence because the selective incapacitation of violent individuals prevents those individuals from committing future crimes. This program has become more successful each year. When asked by the committee he promised to forward a short synopsis of the program for their review.

When asked for his opinion on how to further reduce violent crimes, he stated that the media could be very effective. He believes that most local offenders are only familiar with the short state sentences, they are unfamiliar with

the longer federal sentences. The media could be utilized to educate offenders on these facts. He stated this method was very effective in North Carolina, where many offenders no longer carry weapons while dealing drugs because of the harsher sentences.

He described Operation Outreach, where agents go out and speak to schools to get out the anti-crime message, deglamorizing violence, and stressing career focus, especially in law enforcement. He and his unit have been invited to speak at many schools. However, he was unaware of any program that ensured that every student in 7-12th grade was aware of the harsh penalties available for carrying a gun while dealing drugs, and noted many arrestees taken federal were surprised they were facing so much time. He agreed that communicating these facts more widely could have the same effect as it did in North Carolina, i.e., violent drug dealers were less likely to do their business while armed with a gun.

When questioned he stated that he had seen no provable increase in assault weapons because the Brady Ban was lifted. However, the use of assault weapons in the drug trade in Jacksonville has increased, and they are confiscating an alarming number of AK-47s, some of which are fully automatic.

He stated that it was difficult to trace firearms because state statutes prohibit registration of guns. At present a gun owner can't even recover their own

gun if it is stolen without registration and the owner failed to record the serial numbers.

He feels more of the same law enforcement needs to be done, but also acknowledges that JSO is stretched tight by budget restraints and that ATF, like JSO has always been forced to do more with less. There are always manpower issues.

He spoke of project “Chopper Stopper” a cooperative effort led by JSO, targeting people attempting to procure automatic and semi-automatic guns.

He spoke of the effectiveness of using informants and undercover agents and of good intelligence.

Officer Lockhart spoke of a recent investigation his office worked on which involved a church arson, which is still unsolved. But a by-product of that investigation was unearthing a major drug / weapons dealing organization. Law enforcement must be more than one dimensional.

The floor was then turned over to the committee for general comments.

Chairman Howard felt it was time to narrow down the issues before the committee.

Mr. Hearle produced a draft which he had prepared on his own initiative and already read to the Law Enforcement and Deterrence Sub-Committee. He

feels it is time to shift from gathering more information from speakers to forming a hypothesis and making recommendations.

It was agreed that, although there might not be a need for further speakers at the meetings, there was still a great deal of research to be completed before the committee would have enough information to move toward their conclusions. There is still a need to evaluate how gun violations are being prosecuted in this jurisdiction.

When questioned by Chairman Howard, Mr. Phillips stated that he also needed more time to speak to judges and prosecutors, etc.

It was decided that at this point it was clear that the committee needs attempt to finish information gathering prior to or near March 6, 2008, and that the February 26, 2008 meeting should be cancelled.

FOR THE FUTURE:

Cancel February 26, 2008 meeting.

Mr. Phillips is to complete his research prior to the March 6, 2008 scheduled meeting. If research can't be completed, Mr. Phillips to cancel meeting.

Formulate a draft of final recommendations for the committee to discuss.

Committee to impose a schedule for finalizing this project.

Need to write an interim report.

Need to ascertain when the interim report is due.

Schedule another meeting for March 17, 18 or 19, preferably a longer meeting (at least two hours). Date dependent on committee members schedules.

Mr. Phillips to have draft report by mid-March meeting date.

Mr. Hearle then introduced Crime Fighting Strategies of Philadelphia Police Department for the committee's review, explaining that he had pulled it off the internet.

3:57 p.m. – MEETING ADJOURNED.