



City of Jacksonville – The Jacksonville Journey

Law Enforcement & Deterrence Sub-Committee

MINUTES

OF

LAW ENFORCEMENT & DETERRENCE

SUB-COMMITTEE

March 13, 2008

The Jacksonville Journey – Law Enforcement & Deterrence

Sub-Committee

March 13, 2008

9:30 a.m.

PROCEEDINGS before the Jacksonville Journey - Law Enforcement & Deterrence Sub-Committee taken on Thursday, March 13, 2008, Edward Ball Building, 8th Floor - 214 N. Hogan Street, Jacksonville, Duval County, Florida commencing at approximately 9:30 a.m.

Law Enforcement & Deterrence Sub-Committee

Paul Perez, Chair
Ed Hearle, Member
Joe Henry, Member
Bishop Howard, Member
John Jolly, Member
Henry Luke, Member
Frank Mackesy, Member
Isaiah Rumlin, Member
Lanny Russell, Member
Joe Stelma, Member
Melissa Nelson, Member
Michael Weinstein, Member

APPEARANCES

COMMITTEE CHAIRS & MEMBERS:

PAUL PEREZ, Chair
ED HEARLE, Member
JOE HENRY, Member
JOHN JOLLY, Member
FRANK MACKESY, Member
MELISSA NELSON, Member
LANNY RUSSELL, Member
JOE STELMA, Member

EXCUSED ABSENT:

BISHOP HOWARD, Member
ISAIAH RUMLIN, Member
MICHAEL WEINSTEIN, Member

PROFESSIONAL STAFF:

Howard Maltz, Office of General Counsel

STAFF:

ADAM HOLLINGSWORTH
MISTY SKIPPER
PAM MARKHAM
ALICE CHECORSKI

PROCEEDINGS

March 13, 2008

Law Enforcement & Deterrence

9:30 a.m.

Call to Order and Comments. Chairman Perez called the meeting to order at approximately 9:40 a.m.

Purpose of Meeting. Discuss the Mayor's crime initiative - The Jacksonville Journey - Take a Step - Law Enforcement & Deterrence Sub-Committee. Chairman Perez stated during today's meeting we will review each of the workgroups' preliminary recommendations.

2. Discussion Items

Chairman Perez welcomed everyone to the meeting and introduced Adam Hollingsworth, who provided a reminder of the Sunshine Law and other housekeeping items such as the need to identify oneself prior to speaking since the meeting was being streamed live.

Chairman Perez stated that later today the Education, Truancy, Dropout and Literacy Subcommittee and the Positive Youth Development Subcommittee will be presenting their recommendations to the Steering Committee. The timeline for this subcommittee is as follows:

March 27, 2008 - 9:30 a.m. Workgroups will present their recommendations for the subcommittee's vote

April 10, 2008 - 2 p.m. Preliminary review of Law Enforcement & Deterrence recommendations by Steering Committee

April 14, 2008 - Funding Committee review

April 24, 2008 - Final Steering Committee review and recommendations

Chairman Perez asked the sub-committee to review the minutes from the February 28, 2008 meeting for approval at the end of today's meeting.

School Safety Recommendations presented by Joe Henry, Chair

Mr. Henry stated after our review of all of the school safety plans, it was determined by the workgroup that there are enough plans in place. The Duval County School Board should work to ensure that these items are kept current and updated at least annually to ensure school readiness. Training and continuous re-

training is still an issue as far as the workgroup is concerned. Mr. Henry cited the example of Raines High School, where football games were changed to the afternoon instead of the evening following an incident. If it is unsafe to have a football game, it is unsafe to live there and it is unsafe to have a high school there. There is an issue of deployment when coming to an event. It is incumbent upon secondary employment in order to get people to work these events. For Gator Bowl and Super Bowl games, people are required to work. The issue is how to structure the payment, whether they are on time and a half or voluntary status. Since staffing is an issue, they need to be scheduled in advance to solve that problem. Finally, a solution is needed to eliminate any obstacles that exist to providing the necessary security. Mr. Henry is not sure if anybody knows these safety plans exist. Reference should be made to them.

Chairman Perez served on the workgroup with Mr. Henry and they noticed the void during special events. The idea is to develop a plan and incorporate what needs to be included. There were no questions from the subcommittee.

Mr. Henry ended by saying somebody in the school and somebody at JSO should be a reference to assist with questions. We need accountability because there isn't anyone directly responsible to ensure the safety plans are being updated, training is being conducted and the plans are properly disseminated.

Getting Guns off the Street Recommendations reported by Jon Phillips on behalf of Bishop Howard, Chair

Mr. Phillips stated the recommendations are not final, but are still under consideration.

#1 Increased use of post-incarceration supervision, i.e. probation and community control of convicted felons.

Chairman Perez asked if this is something that has to be ordered by the court as part of the sentence. Mr. Phillips responded, not necessarily. It would ultimately be the decision of the circuit judge and the State Attorney's Office. However, sex offenders and domestic batterers are required to be on probation. If you are on probation, you are subject to be re-sentenced up to the maximum. There should be an increased number of people subject to this supervision, but there is no funding for police officers to spot check for guns.

Joe Henry asked who would be the accountable person or body for measuring the increase in volume and frequency of spot checks. Mr. Phillips replied the Department of Corrections has been doing this. Over a short period of time, 37 guns have been confiscated, but they do not have the funds to pay staff after hours.

There has been some evidence that being on probation deters some criminal activity. Melissa Nelson said this is a good idea. The problem would be the resources, but you will have a staggered release schedule. Perhaps the Department of Corrections could create some sort of incentive program based on additional work.

Mr. Phillips said it would require the State Attorney's Office

(SAO) to adopt this as a policy and get buy-in by all of the circuit judges. At this point, we would have to begin with a voluntary policy change from both the SAO and the judicial. There is a lower recidivism rate with people who successfully complete two years of probation.

Mr. Perez said we should consider focusing on the buy-in from the judges and the SAO in identifying potentially violent criminals. Melissa Nelson said an important prong in making this work is making sure the judiciary buys in since the case count is a concern of the judges already. The bench as a whole has to agree. Ed Hearle said if this emerging recommendation is publicized before it is made, he wonders if contact should be made to the judiciary under the Sunshine Law.

Joe Stelma said we have to consider resources and cuts in the budget. The Duval Delegation should be included in the process.

Jon Phillips stated **lobbying for increased resources is addressed in recommendation #4.** The responsibility of the State government is to keep law and order. If they don't fund it successfully, it won't work.

Recommendation #2 concerning prosecution and sentencing is not ready for discussion at this point because not all of the research is complete. He expects to have it done by Monday, March 17, 2008.

Recommendation #5 increasing the penalty for possession of a firearm by a convicted felon - the subcommittee is aware that City Council is already looking into this.

Recommendation #6 recommends the purchase of the Shotspotter system. This could be used in conjunction with surveillance cameras. The police would know about gunshots before anybody calls it in.

Recommendation #7 lobbying for changes in Chapter 790 of the Florida Statutes is still under discussion. We are looking at certain regulations that could be passed as ordinances.

Recommendation #8 Stop and Frisk Policy - there is an ordinance proposing something along that line.

Recommendation #9 Bonds - still under discussion.

Chairman Perez called for any questions regarding these recommendations. John Jolly said in terms of effective prosecution and sentencing, we looked at Operation Safe Streets and its success. Is this a different initiative or along the same lines? Mr. Phillips stated the research isn't complete. In the recent past, there are some things the SAO has done that are good ideas. The judge has the prerogative to lower the sentence and after reviewing random closed files from 2005, Mr. Phillips sees this is happening. John Jolly asked Mr. Phillips if in his review of closed file cases, did he notice any patterns of the Operation Safe Streets individuals (those committing a large amount of crimes and having been through the system) being transferred to county court? Mr. Phillips did not see that anyone was targeted except those arrested for serious crimes, but he hasn't looked at enough files yet.

In summary of these recommendations, Chairman Perez said they should entertain Ed Hearle's comments that some communication is explored and made to the judges with SAO being a part of that discussion regarding recommendation #1, the increased use of post-incarceration supervision. This recommendation and #4, lobbying for increased resources should both be referred to the Funding committee.

Recommendation #3 regarding better education/public relations should be referred to the Public Relations committee.

Administration of Justice recommendations presented by John Jolly,

Chair

This workgroup focused on three areas:

1. High caseloads
2. Cooperative efforts with SAO and JSO (resources)
3. Non-core functions of SAO and JSO

Focus area #1 is high caseloads. Last year, the caseloads ranged from 250-650 while in the 1980s the caseloads were between 100 and 250. The jail population is a problem due to high caseloads. Howard Maltz reported that we are exceeding our rated capacity for the jail population. By reducing this number, we could save millions of dollars being spent on housing the inmates, food, manpower, etc.

The workgroup is recommending that the SAO look at horizontal prosecution (used when there is no victim most of the time) versus vertical prosecution and how other cities prosecute.

Regarding the disposition of cases, the workgroup suggests that

the judiciary be encouraged together with SAO to more aggressively push these felony cases through the system and put them on the calendar on a more frequent basis. They could possibly use retired and county court judges in trying these felony cases.

Adam Hollingsworth asked if the recommendation is for the judiciary and the prosecutors to change the procedures and are there facts to alert the public that they reacted favorably? Mr. Maltz said one of the recommendations is for transparency in the system through the Web sites, etc. Mr. Maltz suggested the City work with UNF (either IT or Criminal Department) to determine the best way to do this.

The workgroup recommends that the SAO in cooperation with JSO conduct frequent reviews of non-violent cases to better move pre-trial detainees through the system. JSO has developed a target list of violent criminals and there are two senior level attorneys devoted to these cases.

Focus area #2 addresses resources. A large percentage of convicted felons get sentenced to county jail, which is a drain on current resources. The recommendation is if individuals are sentenced to appreciable sentences, they are sent to State prison. They encourage JSO to continue to monitor the population in the jail for non-violent misdemeanor offenders who will be better served on home detention. There is a definite need to develop additional funding resources.

The workgroup discussed **focus area #3, non-core functions handled between SAO and JSO.** Jay Plotkin, Assistant State Attorney,

detailed the steps they go through to divert cases, but it is a drain on resources and time. There are 13 diversionary programs run by the State Attorney's Office. The workgroup does not recommend they be taken away but an alternative funding source be identified. They suggest the Mayor and City Council review the millage rate as a possible option for revenue.

Paul Perez stated the workgroup also looked at bonds and asked about the recommendation to the judiciary regarding the lowering of bonds for certain offenses. Undersheriff Mackesy stated that Dr. Michael Hallett, UNF, will be doing some analysis of bond schedules. Dr. Hallett is seeing a potential cost savings of 10%. The Undersheriff will be meeting with Dr. Hallett next week.

Police Presence recommendations presented by Lanny Russell, Chair

Mr. Russell reported that the objective data shows there are an inadequate number of sworn officers in the Jacksonville Sheriff's Office. They recognize the benefits of community policing, technology and training. The workgroup will be meeting soon with the stakeholders to reach some conclusion of these issues. Adam Hollingsworth recommended the workgroup pick a date for their next meeting and Monday, March 17, 2008 was agreed upon. The second date is Wednesday, March 19, 2008 to conclude their recommendations.

Undersheriff Mackesy handed out copies of a letter he received from Downtown Vision, Inc. sent after their presentation to the subcommittee.

Chairman Perez called for a motion and a second to approve the minutes of the February 28, 2008 meeting, which was unanimous.

3. Action Items

- **March 26, 2008** Workgroups submit recommendations to Misty Skipper for distribution to the full subcommittee.

At the **March 27, 2008** meeting, the subcommittee will review and vote on recommendations.

- Sub-committee submits recommendations to Steering Committee on **March 27, 2008**.

Adjournment Meeting adjourned at 11:30 a.m.