

Florida Law Enforcement Consolidation Task Force Meeting
Friday, March 30, 2012
Meeting Minutes

The Law Enforcement Consolidation Task Force was called to order at the Florida Department of Highway Safety and Motor Vehicles in Tallahassee.

The following task force members were in attendance, either in person or by telephone:

Julie Jones (DHSMV), Commissioner Gerald Bailey (FDLE), Colonel David Brierton (FHP), Colonel Jim Brown (FWC), Colonel Jerry Bryan (DOACS), Director Emery Gainey (OAG), Sheriff David Gee (FSA) and Chief Gerald Monahan (FPCA).

Agenda Item 1: Executive Director Julie Jones welcomed those in attendance and discussed the role of the Governmental Efficiency Task Force.

Agenda Item 2: Director Jones requested approval for the minutes from the November 7, 2011 meeting. Commissioner Bailey made the motion to approve the minutes which was seconded by Colonel Jerry Bryan and the vote was unanimous to approve the minutes.

Agenda Item 3: The following old business was discussed:

a.) Legislative Report

- i. Colonel Brown discussed the legislative bill for the Environmental Law Enforcement merger. The bill transfers the law enforcement components of DEP to FWC (147.5 positions). The Bureau of Emergency Response remains in the Secretary's Office. Additionally, 15 positions are transferred from DOACS to FWC which consolidates all state lands and fisheries patrol. The pay parity issue was removed but is included in the budget. The bill passed the House and Senate unanimously and has gone to the Governor for approval. Director Jones inquired about the inclusion of support staff and Colonel Brown said the bill requires two committees be set up between the agencies to review rules and identify outside resources that need to be transferred to FWC. It will still have to go to the Legislative Budget Commission for transfer of funds and positions. Colonel Brown had started this process prior to the establishment of the task force after the response to Deep Water Horizon.
- ii. The information from the Fleet Management and Aviation team reports went to the Governor's Office of Planning and Budget and Legislative staff after the Governor's budget was submitted. Nothing was picked up because of the timing of early session. The recommendations might get readdressed in the future.

b.) Chief Vicki Cutcliffe, ABT, submitted an update to the Task Force on their civilianization of positions. DBPR Deputy Secretary Michael Walker said the civilianization will be primarily through attrition although some people will be affected because of an office closure in Daytona. They are also increasing the span of control by reducing three regions to two regions. They will reclassify three captains and three lieutenants to agents. These efficiencies can be accomplished without Legislative action.

c.) Colonel Jerry Bryan gave an update on the outstanding issue for the Agricultural Interdiction team. The DOT study determined the co-location of Ag Interdiction and DOT Motor Carrier at non-interstate locations (Trenton and Fanning Springs) would cost \$1.5-\$1.6 million, which is cost prohibitive. The team has no other recommendations and the report is closed out.

Commissioner Bailey asked how the significant findings would be communicated since the initial report had already been issued. Director Jones said the submitted report indicated it was an

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initial final report and that another deliverable was due to the Legislature by June. Any significant issues that are identified will be included in the addendum, including the two issues the Governor has asked the Task Force to review.

- d.) Melinda Miguel gave an update on the issues identified by the Inspector General team. The recommendation to de-conflict the Whistleblower Statute and Police Bill of Rights will not be accomplished through an opinion by the Attorney General. The Attorney General's Office recommended they also seek legislative clarification on whether civilian investigators can perform investigations on sworn staff. They are finalizing MOU language to have independent legal counsel for Inspectors General. They will seek legislative clarification during next session. They can work through OPB with House and Senate consensus on the staffing ratio recommendation. Director Jones suggested they close the report but continue to use the Task Force as necessary.
- e.) Major Richard Mechlin gave an update on the Law Enforcement Administration and Support team. The team will forward information on merging policy, administrative staff and legal resources to FWC to assist with their merger. Director Jones asked that they codify Colonel Brown's methodology to ensure that any future administrative consolidations can benefit from this merger.
- f.) Lieutenant Colonel Kelly Hildreth gave an update on the Sworn vs. Non-sworn team. Most of the agencies have implemented the team's recommendations and they continue to work with the Department of Lottery's Division of Law Enforcement on their civilianization process.

Agenda Item 4: The following new business was discussed:

- a.) Director Jones had been asked to draft an executive order but the Governor will be codifying in a letter a request to:
- Extend the charge;
 - Review and make recommendations on the viability of creating a state law enforcement resource center for use by all law enforcement agencies. Recommendations should include legislative proposals, rules, procedures, funding, maintenance, technology and oversight; and
 - Review the current law enforcement communications systems and processes to make recommendations to ensure the availability and reliability of a state law enforcement radio system for the future.

The Governor's Office would like the task force to focus on law enforcement efficiencies. The data center and radio system are two big projects on the horizon and they would like the Task Force's opinion. They requested the Task Force to put together two teams to make recommendations to the Governmental Efficiency Task Force.

Director Jones asked if there were any issues with the Task Force members to take the charge. Commissioner Bailey indicated he had reservations because the Statute clearly states the Task Force sunsets on June 30. Although both issues (data center and radio system) are long term projects they have already had a lot of work completed and Commissioner Bailey thought they could complete the reports by June 30. Commissioner Bailey also was concerned that the exemption to data center consolidation could be jeopardized. Director Jones agreed that the projects could be worked on by July and if needed, they could ask the Governor to continue the

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work ex-officio. Director Jones also acknowledged that House, Senate and OPB staff support FDLE's exemption from data center consolidation.

- b.) Director Jones acknowledged that both she and Commissioner Bailey had worked on the radio project independently. She asked Lt. Colonel Greg Gibson, Chairman of the Joint Task Force (JTF) and Christopher Campbell, Director of Telecommunications, Department of Management Services, to discuss the issues. Lt. Colonel Gibson wanted a separate group to make the recommendation that the JTF be given additional authority. Director Jones has asked the Task Force to assist DMS and JTF to outline the next generation of the state radio system and move it forward.

Director Campbell said they were developing a network of networks and a single vendor would manage all the networks. They have had considerable conversations with Motorola and Harris. It is important to preserve the integrity of the existing networks but improve them so they all work together. Harris has partnered with ATT and Motorola has partnered with Verizon. Since the federal government is now providing \$7 billion for communications nationwide, they have developed an advisory committee to determine how the money will be spent. Bill Price of DMS has been asked to participate in the Advisory Technology Committee for the FCC. Mr. Price gave the timeline of the project:

- 60-90 days to produce recommendations for the FCC
- The FCC has 30 days to review and publish and submit to the National Telecommunication Information Administration who is charged to spend the funds.

There is \$135 million for states' public safety broadband planning. The NTIA will publish the results in August. The states have to designate who they want to lead the effort. Don't know at this point how long the planning stage will last. NTIA will consult with state and local government public safety stakeholders to develop a set of RFPs to spend the funds. It is unknown how long this process will take, however, each state's Governor will have to decide to opt in or opt out of this federal program. Opting in means we accept what they provide in terms of coverage, cost and functionality. If the state opts out we must pursue grant funding, build our own radio access and then tie into the national network.

Director Campbell would like to recommend, with the input of the agencies, to use existing networks not build new networks. Harris and Motorola have addressed using the existing networks and enhancing coverage where needed. Governance issues and policies will have to be addressed on a state and local level.

Lt. Colonel Greg Gibson said that he understood that the Bureau of Public Safety was destabilized and the JTF Board is assisting DMS with staffing issues. Regarding the purchase of telecommunication equipment, he believes the consumer should dictate the needs and the supplier should produce the requested products. Presently, the JTF is designated by statute as an adjunct entity to DMS and only holds an advisory capacity. He would like the statute to be revised to earlier language that had DMS be responsible to the direction of the JTF. The inclusion DMS has extended to JTF is a great start but not a final solution. He is concerned that the state may not get the desired equipment for field officers without JTF input. He realizes that statutory language cannot be changed immediately but he would like a recommendation for future revision.

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Lt. Colonel Gibson has two additional concerns:

- The \$3 UTC fee that funds SLERS enhancement trust fund was in jeopardy of sunseting until DHSMV added the language into the department bill at the last minute. Without that funding the SLERS enhancement trust fund would be bust. The Efficiency Task Force should be telling DMS what its legislative issues are instead of issues falling through the cracks.
- When the next wave of technology for purchase by law enforcement is presented DMS should lead the charge and make one purchase instead of each agency pursuing its own funding.

Commissioner Bailey said that, based on the fact that a directive is coming from the Governor's Office, he would withdraw his motion to review the management of the state law enforcement radio system. However, he thinks that the fact that a DEP member is the chair of JTF and that DOT has a seat needs to be addressed. Additionally, a member from Department of Agriculture and Consumer Services needs to be added. He thinks that the task force should consider moving the contract to align agencies such as FHP, DHSMV or FWC. Mr. Price acknowledged that the law enforcement component had been transferred out of DMS and the primary users of the system are all at other agencies. Director Jones said she liked the idea of the resolution submitted by Commissioner Bailey but to modify it to include some of the information presented in the meeting. She wanted to make some recommendations in support of the JTF but avoid redundancy by not duplicating the JTF as the subject matter expert team and include DMS members. Lt. Colonel Gibson offered the members of the JTF technical committee with the addition of DMS staff that could make up the team. Commissioner Bailey moved to:

- Review the current management of the SLERS contract; and
- Provide a recommendation on which agency is the most appropriate to manage the SLERS contract.

Colonel Brown seconded the motion. Director Jones asked to include statutory language revision addressing the membership of JTF and to add teeth to the JTF. Additionally, moving the alignment of SLERS would be a legislative topic but making recommendations for a better platform for proposed legislation could be included.

Mr. Price requested to allow input from the tech committee to the DMS designee for the purpose of making recommendations to the FCC. Director Campbell said it was imperative that members of the law enforcement community participate – it is not the DMS network it is the State of Florida network for law enforcement.

Director Jones said they could move forward without the task force involvement and asked for a vote on expanding Commissioner Bailey's resolution and the vote was unanimous.

Colonel Brown made a motion to standup a communications team to provide recommendations for the state radio system. Chief Monahan seconded the motion and the vote was unanimous. Director Jones asked Chief Monahan and Sheriff Gee to find team members to represent the Florida Sheriff's Association and the Florida Police Chiefs Association. Colonel Brown will be the task force team sponsor and Lt. Colonel Greg Gibson will be the team leader.

Commissioner Bailey asked if it was feasible to complete these projects under the current charter. Director Jones said yes since DMS will need this information quickly.

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- c.) Director Jones was asked by the Efficiency Task Force to review multiple IT related issues including mobile data terminals, consolidated law enforcement platforms and systems including CAD/RMS, the rapid ID module and credentialing. She asked Director Gainey if his IT team could take on the project and he accepted and would determine if he needed to add new members. Director Jones asked if he would consult with Abe Uccello and submit a team charter. Colonel Brown made a motion to stand up the newly constituted team which was seconded by Colonel Bryan and the vote was unanimous.

Agenda Item 5: The next meeting date will be scheduled sometime at the end of April.

Agenda Item 6: Director Jones asked for comments. Commissioner Bailey asked how the task force would formally act on the Governor's request. Director Jones said she thought they could proceed within their existing charge and if the letter is different the task force would have to meet. Colonel Brown made the motion to adjourn the meeting which was seconded by Colonel Bryan and the vote was unanimous.