“VISION 2000”
PLANNING FOR
THE FUTURE

By: Captain Mike Touchton - Strategic Planning Division
Pinellas County Sheriff’s Office

On September 14 and 16, 1998, the Pinellas County Sheriff’s Office (PCSO) held its first annual Strategic Planning Session. The goal of these sessions is to prepare our agency to meet the increasing challenges faced by modern-day law enforcement. Our objectives include identifying and prioritizing issues relevant to the delivery of services; developing and maintaining high performance standards; and affirming internal support of all PCSO members. Simply, our future and the future of the citizens we serve are our top priorities.

In order to increase input and interaction, participants were divided into two groups of approximately 40 each, meeting on separate days. The sessions were conducted off-site, and included a continental breakfast and lunch, compliments of the executive staff. (Ed, the food was great!)

The session began at 7:30 a.m. and lasted through 4:00 p.m. Sheriff Rice opened each session and provided direction by sharing his vision for the future of the PCSO.

Chief Deputy Jim Coats chose to be a participant in both sessions working, with the lieutenants, captains, majors, and directors. The participation of the various levels of management helped bring out the real issues and a positive dialogue. Following the Sheriff’s vision statement and a few announcements, the work began.

Our first task was to identify the strengths and weaknesses of our agency. To our fortune, the list of strengths far exceeded the list of weaknesses. It was apparent that we all take pride in the well-established reputation of our sheriff’s office, however, the group agreed we should be aware of our weaknesses and work to correct them.

Each subgroup was instructed to select a group leader, speaker and writer. Other exercises included developing a mission statement, prioritizing issues, setting goals, developing an action plan, and implementing solutions, all in the course of an hour and a half.

After individual groups completed their assignments, a presentation was made to the entire group. The presentation included some very interesting group discussions. Not everyone agreed with the information and ideas presented; however, a group consensus was always reached. Many good ideas were discussed, some of which already have been implemented. Details of implemented ideas will be addressed further in our next article.

I’m glad to be able to report that every participant had and will continue to be a part of the decision-making process. Similar meetings will be held in June of each year to evaluate our progress and reassess our priorities.

As the second step, the sheriff and chief prioritized the topics as follows:

1. Organizational Communications
2. Promotional Process, Performance Evaluations and Compensation
3. Technology
4. Planning, Budgeting and Decision Making
5. Training
6. Performance Based Organizational Review

The first three topics were targeted for immediate attention, with groups 4 through 6 continuing to meet and develop recommendations.

Work groups 1 through 3 have met one-on-one with Chief Coats and are hard at work targeting the many issues encompassed under their work group topic.

All agency members have been invited and encouraged to provide input and to facilitate that process, and a listing of names of the individuals in each subgroup have been posted throughout the agency.
Pasco case may test Bill of Rights

Excerpted from St. Petersburg Times By Geoff Dougherty

Winn-Dixie managers in New Port Richey suspected Mark Hovik had shoplifted before, so on May 10, they asked him to leave the supermarket. Instead, Hovik laid down in one of the aisles. When Pasco sheriff’s deputies arrived, Hovik refused to give his name.

They asked again, and he refused.

Hovik, who has a history of mental troubles, finally answered, and that answer earned him a month in jail.

“Well,” he said, “I guess I’m Cinderella’s wife.” Deputies charged him with obstructing a police officer by disguise.

Although it may seem silly, the case of Cinderella’s wife could soon be a federal one. Literally.

The U.S. Supreme Court recently has grappled with the limits of the Fifth Amendment. Does it mean only that police can’t force defendants to confess to crimes? Or that defendants can’t be forced to speak to police at all, even if only to give their name?

The question to which people can avoid giving basic identifying information to the police has never been resolved,” said Christopher Slobogin, a University of Florida law professor. Hovik’s case, should it get that far, “Could establish new law in terms of the federal Constitution,” Slobogin suggests.

It would take some powerful legal maneuvering to catapult Hovik’s case all the way to Washington. As it stands now, Hovik’s court-appointed attorney, Robert Attridge, successfully argued to have the charges dismissed because of the Fifth Amendment issue.

The case was decided in county court, but the State Attorney’s Office has filed an appeal.

For Michael Halkitis, an assistant state attorney, the court’s decision to dismiss the case threatens police and the public.

Deputies will never be able to issue warnings to trespassers or effectively arrest lawbreakers if they can’t find out the name of the person they’re trying to arrest, Halkitis said.

“To say it’s trivial is to misunderstand everything about this case,” Halkitis said, “It seems to me that this is clear cut. How the heck are you ever going to issue a trespass warning if they don’t have to give their name?”

The state attorney’s office appealed the case, Halkitis said, because deputies (particularly here in Pasco County) know about the court’s decision and might feel obligated to let suspects off unless they provided a name.”

That’s a problem for the police and not for Hovik, said Attridge. The federal and state constitutions, he said, clearly say that people cannot be forced to speak up and give police incriminating information about themselves.

As the argument goes, determining a suspect’s name is the first step police take in completing a criminal investigation of that person. So forcing someone to identify himself is, in effect, asking him to testify against himself.

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Editor’s Note: Prior to my departing the Pasco County Sheriff’s Office ten years ago to join the FSA staff, Deputy Scott Golisano joined the agency and was assigned to uniformed patrol. He recently left Pasco County S.O. to join the United Nations peace-keeping forces in Bosnia. He recently sent me an e-mail, and he invites anyone in Florida law enforcement who wishes to correspond with him via e-mail, to do so. Here is the note I got from him....

HELLO FROM BOSNIA...

Hope this message finds you and your family well. Well, I have been in Bosnia about a month and a half, and it was definitely a culture shock when I stepped off of the plane. I guess I didn’t expect to see so much damage to the city of Sarajevo.

Once here a few weeks, though, the damaged areas do not seem to matter anymore. I am stationed at Tito Barracks, which is located in the city of Sarajevo. I have been assigned to LPTA (Local Police Training Administration) as the defensive driving instructor for the basic police academy. It is interesting work. I have met law enforcement officers from all over the world, believe it or not there are many similarities in our policing techniques. Whatever political difference one might have with another, they seem to have put all that aside to work together as a team.

The cost of living is fairly cheap, my rent is about $185 U.S. dollars (300 Marks), bread is about 30 cents a loaf. I will get my first leave in March and hope to make it home. It’s a little hard going through the holidays without the family, but the U.S contingent is having a Christmas party for us to make life a little easier.

If anyone would like to e-mail me, feel free to publish my e-mail address. It is: Angelo.Golisano@umnibh.org

Merry Christmas and Happy New Year to all!

Yours for better law enforcement,
Scott Golisano, International Police Task Force
U.N. Mission-Bosnia Herzegovina
Charley Reese hits the nail on the head

Editor’s Note: Charley Reese is a long-time columnist for the King Features Syndicate. His no-nonsense, sometimes country, plain language, common-sense reasoning has made him a favorite of gazillions of readers. Here’s a recent column Reese wrote on crime and punishment. It’s entitled, “People inside prison can’t commit crimes outside” Nobody says it better.

A journalist recently wrote that the crime rate was going down despite the fact that prisons were full.

Gadzooks. Gee whiz. Duh. Hello? The crime rate has gone down because the prisons are full. People inside prisons can’t commit crimes outside of prisons. Get it? Let’s try a little basic criminology. A small percentage of the population commits crimes. A small percentage of the criminal population commits a majority of crimes.

All along, the solution to the crime problem was really simple. Catch the people doing the most crimes. Put them in prison. Don’t let them out. Ergo, the crime rate falls.

Crime for 1997, the latest year for which statistics are available, was 3.2 percent lower than 1996, 10 percent lower than 1993, and 13 percent lower than 1988. The ’97 homicide rate is down 8.1 percent from ’96.

There are several factors in this. One, while the gun control nuts were trying to disarm potential victims, the National Rifle Association and other rational people were lobbying hard for tougher and longer sentences for violent criminals.

Second, many states followed Florida’s lead and now allow honest citizens to get concealed weapon permits. Armed citizens deter crimes, and nothing is more certain for recidivism than a bullet in a bad guy’s head or heart. For those of you whom nothing exists unless “a study shows” that it does, read “More Guns, Less Crime” by John R. Lott, Jr., the John M. Olin Visiting Law and Economics Fellow at the University of Chicago.

It’s a sound piece of research that has stood up under a barrage of lies and howling by the gun control crowd. The research is based on 54,000 observations across 3,000 counties over 18 years. The conclusion? Allowing law-abiding citizens to carry concealed handguns saves lives. If you kill more criminals and put more of them in prison for very long times you get less crime. That’s so simple only a liberal would argue otherwise.

Of course, the federally funded criminal hand-holding industry and its bureaucrats are not interested in facts, logic or public safety. They are interested in your tax dollars and have to claim they perform some useful function.

In fact, the crime rate went up because the social study approach to criminal justice ruined what was once a perfectly good system of criminal justice, tough cops, judges and prisons. They hollered long and loud: “Building prisons won’t solve the crime problem.” Well, they were dead wrong.

In the 1960’s and ’70’s, liberals not engaged in wrecking other aspects of American society decided to take a “therapeutic” approach to crime. Criminals were not responsible. Crime was a social illness to be cured by an elaborate network of public-private social agencies.

If we make it exceedingly dangerous to commit a crime, exceedingly likely a criminal will be killed or caught and exceedingly likely that once caught, he will go to prison for an exceedingly long time, the crime rate will go down. De-fund the social workers and build more prisons. That’s the happy trail to a safe society.”

NEW PORT RICHEY - Steven Jessup, son of Sgt. Brian and Sandra Moyer (Pasco County S.O.) is all smiles as he receives his plaque designating him as one of FSA’s $1,000 Scholarship winners for this school year. Jessup began as a freshman this year at Florida State University and plans a career in the field of criminal justice after graduation.
Florida's Public Records Law applies to e-mail

FREQUENTLY ASKED QUESTIONS: ELECTRONIC MAIL

1. Does Florida's Public Records Law apply to E-mail records?

Yes. Ch. 119, F.S., specifically states that any information made or received pursuant to agency business is a public record, regardless of its means of transmission. Records transmitted via an e-mail system are thus public records, and are therefore open to public inspection under the access provision of Florida's Public Records Law.

2. How long should E-mail be retained?

It is important to understand that retention requirements are based on an analysis of the value of the contents of information, not on the media on which the information is recorded. Thus, a message received via e-mail has no retention value; rather, the content of the message is what dictates its retention value. For example, if your department receives incoming general correspondence via e-mail, then the record retention requirement for routine correspondence should apply (General Schedule 1, Item 17: 3 fiscal years). If staff members in your department exchange correspondence in the process of considering whether a particular vendor is suitable for a building project, then the record retention requirement for capital improvement bid records should be applied (General Schedule 1, Item 70: 15 years for successful bids; Item 71: 5 years for unsuccessful bids). Consult the record series in the General Records Schedules published by the Bureau of Archives and Records Management.

3. Is there a shorter retention period for certain types of E-mail?

Yes, the Dept. of State, Div. of Library and Information Services, has established a retention period for certain public records which allows those records to be retained only until they are obsolete, superseded, or their administrative value is lost. For the sake of convenience, we refer to this retention requirement as “OSA.”

4. What types of E-mail messages qualify for this “OSA” retention?

The Div. of Library and Information Services has established an “OSA” retention for “transitory messages” which have short-lived administrative value and lose that value upon receipt of the communication. Transitory communications could be compared to a telephone conversation with a colleague or a verbal communication in an office hallway. E-mail messages containing meeting notices, routine office announcements, or queries from one employee to another regarding an administrative procedure are examples of e-mail messages that can be disposed of upon receipt. Other examples of transitory messages may include telephone voice mail, messages on self-sticking “post-it” notes, and written telephone messages.

5. How do I dispose of E-mail that falls into the “OSA” category?

E-mail that falls into this category may be deleted once it has been received and read. The intent of establishing a record series for “transitory messages” and assigning it a retention of “OSA” was based upon the recognition that some e-mail serves an extremely limited, communicative function, and that as soon as that function has been fulfilled, the e-mail message is obsolete. Permission of the Bureau of Archives and Records Management to proceed with the destruction of these records is not required. It is important, however, for all employees who use agency e-mail system to be able to recognize which records are transitory and which records should be classified as part of another record series.

6. How exactly should E-mail that has to be retained be stored?

It really depends on the nature of the message and whether or not the message has more than merely communicative value. If you receive an e-mail message that has only transitory value, as discussed in the responses to questions 4 and 5, then you can delete the message from your e-mail system immediately, or as soon as the message has fulfilled its communicative purpose. If, on the other hand, the e-mail message has more than merely communicative value, if it serves to perpetuate for formalize knowledge of agency activities, or if it's function belongs more properly to one of the record series in one of the Bureau of Archives and Records Management's general schedules, then the retention requirement of that record series should be used as the guideline.

7. Who is responsible for managing E-mail?

In essence, everyone is responsible for managing e-mail. The use of computers and the ability to create networks of computers that connect large groups of users have revolutionized the way we do business. Because information is such an important resource and because effective
management of information is necessary to reduce costs and safeguard the public’s right to know, it is incumbent on public agencies to be sure that all their employees know about the e-mail system, how it is used, and what their rights and responsibilities are with regard to that system.

8. Can employees in public agencies in the State of Florida (including sheriff’s office employees) expect privacy in using E-mail in the office?

The US Congress passed the Federal Electronic Communications Privacy Act of 1986. This legislation states that users do have a reasonable expectation of privacy, but that employers also have a right to monitor work produced in ordinary course of business. Generally speaking, given the pre-eminence of Florida’s Public Records Law and the openness of public records in the State of Florida, an agency employee should NOT expect his or her e-mail to be private.

9. In the process of sending and receiving E-mail, how does one go about designating a specific copy as the record copy?

It is a generally accepted records management principle that the originator of a document retains the record copy. This principle can be extended to include e-mail records. If, for example, the Purchasing Department issues a general memo via e-mail stating the new policy for approval of purchases over $1,000, one can safely assume that the copy of record of this new policy is in the Purchasing Department. The copy received by those employees via the agency e-mail system is an informational copy only. This general approach works for most intra-agency e-mail. Inter-agency e-mail or e-mail that is received from a citizen or from an outside company should, however, be designated as the record copy. For this type of e-mail, an agency’s e-mail policy should identify the department that is the holder of the record copy.

10. Where can I find out more about the basic principles of managing e-mail, of putting together an e-mail policy, and of managing electronic records in general?

You can call the Bureau of Archives and Records Management with specific questions (850-488-1486 or SUNCOM 278-1486 and ask for Mr. Jonathan Christmas). The Bureau can assist you in the essentials of e-mail policy and electronic records management. To see what policies and guidelines regarding the management of e-mail the federal government has established for use in federal agencies you can consult the Code of Federal Regulations, volume 36, part 1234.24. CFR 36, part 1234 contains a great deal of good information regarding the creation and maintenance of electronic records in general.

Courtesy of the Florida Department of State Bureau of Archives & Records Management http://www.dos.state.fl.us/dlis/barm/archives.html
HANK EARL CARR
HOSTAGE SITUATION, MAY 19, 1998

By: Deanna Dammer, Public Information Officer, Hernando County Sheriff’s Office

On any given day, law enforcement officers expect the unexpected. But on the morning of May 19, 1998, no one could have predicted how many lives would be changed by the actions of one man.

For Hank Earl Carr, it was a day of rage and carnage that began with the killing of his girlfriend’s four-year-old son. While Tampa PD detectives Randy Bell and Ricky Childers had Carr in custody for that investigation, he used a hidden handcuff key to free himself. Carr shot both officers point blank, and left them to die in their unmarked vehicle on a Tampa street. He then headed north on I-75 in a stolen pickup truck. His rampage continued when he shot and killed FHP Trooper James B. Crooks.

As Carr was pursued up I-75, he shot at several vehicles along the way, injuring two truck drivers. Firing at a Pasco County Sheriff’s cruiser, he shot out a windshield, he then shot and pierced the underside of a Hernando County S.O. helicopter (missing the pilot by inches), then took refuge in a Shell gas station on State Road 50 in Hernando County, just off the Interstate. There he took a young female clerk hostage, and began a four-hour standoff that brought law enforcement officers from over a dozen agencies.

Once it was confirmed that Carr had a hostage, the Hernando S.O. called out its SWAT Team and hostage negotiators, and set up a central command post from which all actions could be coordinated. With help from the Pasco County Emergency Response Team, the SWAT Team established a perimeter around the hostage negotiators had set up in a nearby motel to establish communication with Carr. They were hampered by repeated calls from a Tampa Bay radio station personnel in an attempt to “go live” with the suspect. They eventually succeeded and aired a live, six-minute interview with Hank Earl Carr which was also carried by local television stations. After hearing the radio interview, a newspaper reporter also called the Shell station to get a story again tying up the phone line. In order to eliminate any outside calls, authorities requested help from BellSouth, and an employee was dispatched to the scene. The Shell station’s phone line was disconnected, and a new line was established to allow negotiators exclusive access to Hank Earl Carr.

After more than four hours of negotiation, including Carr’s girlfriend trying to talk him out, the hostage was released unharmed. When continued efforts to get Carr to give up failed, eight CS tear gas canisters were launched into the gas station through the front plate glass windows. In preparation for a forced entry, the Tampa PD Bomb Squad had placed two breaching charges against the exterior of the building in strategic locations: one to distract and disorient Carr; the other to penetrate the building’s cinder block walls. After sufficient time was allowed for the CS gas to take effect, and Carr still not surrendering, the breaching charges were detonated. The Hernando S.O. and Tampa PD tactical teams entered the building, finding Carr dead on the floor, the result of a self-inflicted gunshot.
wound to the head.

In addition to the live radio interview with Carr, Tampa Bay television station helicopters provided live coverage of SWAT maneuvers. Those controversial actions will be addressed at a legislative level in an attempt to keep members of the media from interfering with or hampering future crisis negotiations, taking actions which may endanger law enforcement and civilian lives while allowing them to get their stories.

Three law enforcement officers died on May 19, and their loss cannot be measured. But the professionalism, restraint and support shown by the men and women who rallied to end a day of senseless killing was a tribute to Detectives Randy Childers and Ricky Bell, Trooper James B. Crooks, and every law enforcement officer who has died in the line of duty.

Dade County no longer exists!

Now that we’ve got your attention, here’s the scoop...

The residents of the now former Dade County were afforded a referendum in which they were given the option to change their county’s name. And, by majority, they agreed that they indeed wanted to change it.

So, for those of you working in civil process, warrants, and other divisions that regularly correspond with other sheriff’s offices, please change the name on your records.

It is now officially Miami-Dade County, and the county policing agency that performs the duties similar to your local sheriff’s office is now called the Miami-Dade Police Department (as there is no “sheriff’s office” in that county).

OFFICERS TRAINED TO INVESTIGATE INTERNET CRIMES

Law enforcement officers from agencies throughout Florida gathered for a 2-day conference in September to learn new ways to investigate the growing problem of child pornography and exploitation on the Internet.

The LEACH (Law Enforcement Against Child Harm) Task Force, NCMEC/FL branch, and the Broward S.O. hosted the conference. More than 60 law enforcement officers attended the meetings.

Kenneth V. Lanning, Supervisory Special Agent with the FBI, opened the conference with a presentation on the characteristics of child molesters. SA Lanning is recognized as one of the foremost national experts on child molestation.

Other presenters included Jay Farr from the Innocent Images program of the FBI, John MacKimon of the U.S. Customs Service and Ray Smith of the U.S. Postal Inspection Service. Ruben Rodriguez, Director of NCMEC’s Exploited Child Unit, addressed the conference on the national resources available to law enforcement when investigating Internet crimes and exploitation. Don Colelough of America Online explained how their online service deals with this issue.

“Having the leading national experts in the field of Internet exploitation at this conference was the culmination of a training survey we conducted of the task force members over a year ago,” stated Nancy McBride, executive director of NCMEC/FL. “It was very gratifying to be able to provide this level of experience and expertise in our first training endeavor.”

The Broward S.O. has taken a lead role in the LEACH Task Force, which has been active since 1994. Its mission is to identify and arrest child pornographers and molesters who commit crimes via the Internet. The task force, with the support of NCMEC/FL, also conducts programs to teach parents and educators how to monitor their children’s Internet activity to prevent these crimes from taking place.

The Broward S.O., with support from FDLE, NCMEC/FL, and countless law enforcement agencies was recently awarded one of ten federal grants from OJJDP aimed at strengthening the fight against child pornography on the Internet. The funds will serve to enhance the current efforts of LEACH. The grant will also allow the task force to take the next step in investigating Internet child exploitation by setting up three “safe” sites in Broward, Dade and Palm Beach counties where detectives can log-on and conduct their Internet investigations while sharing information with other law enforcement agencies.

The grant will also provide the team with computer hardware and software as well as additional training initiatives. NCMEC/FL will play a role in the expansion of the community awareness and education campaign aimed at preventing kids from falling victim to Internet predators.

“The September training really helped set the stage for the work which will be accomplished under the new grant,” said McBride. “We look forward to expanding our outreach; bringing the safety and prevention message to more children, families and members of the community, and increasing the number and level of law enforcement officers who investigate Internet exploitation.”
News briefs

Dean appointed Sheriff in Marion County

Shortly before his death, Gov. Lawton Chiles appointed Ocala lawyer Ed Dean as the new sheriff of Marion County. Dean was appointed to fill the unexpired term of Ken Ergle, sheriff in this central Florida county since 1992. Ergle resigned just prior to being arrested by FDLE in connection with $170,000 in missing investigative funds. Dean's term of appointment will end January, 2001. Of course, if he chooses to do so, he may run for the office during the next regular election that will be held in November, 2000.

DV calls kill hundreds of officers

Crime Control Digest reported recently that since they started keeping records, more than 500 law enforcement officers have died as a result of their being called to reports of domestic violence. And, in 1996 alone, FBI reports indicate that more than 14,000 assaults against police officers occurred during disturbance calls. That figure represents over 30 percent of all assaults against police during 1996.

U.S. Supreme Court will review police/media events

The Supreme Court November 9 agreed to decide whether police who take news reporters into people's homes, or onto their private property, while seeking to make an arrest can be sued for violating the residents' constitutional rights. The court said it will hear an appeal by a Maryland couple photographed in their nightclothes by a newspaperwoman as police unsuccessfully sought to arrest their son. The Rockville couple allege that the Montgomery County Sheriff's Office violated their constitutional protection against unreasonable searches by bringing the news media into their home without their consent.

In a separate case, the justices also said they will decide whether the same liability confronts Federal agents and a prosecutor who allowed a CNN reporter and camera crew to accompany them during a raid at a Montana ranch.

(For more information, the cases are Wilson vs. Layne, 98-83, and Hanlon vs. Berger, 97-1927.)

65 officers slain in 1997

Sixty-five law enforcement officers were feloniously killed in the line of duty in 1997. The total is an increase of nine officers over 1996 figures. Of the 65, 34 were employed by city police departments, 20 by sheriff's offices, nine by state agencies, and two by federal agencies.

62 of 65 were killed by a firearm, with handguns accounting for 44 of the total. Three officers were slain with their own weapons, and 25 of the 65 (38%) were wearing body armor when killed.

32 (half) of the 65 were killed in the South; 15 in the West; 11 in the Midwest; and seven in the Northeast.

A total of 49,151 line-of-duty assaults were reported by 8,692 agencies covering 75% of the total U.S. population.

WEIRD, BUT TRUE...

ROCK HALL, MD - Police Chief Kevin Winstead told one of his officers about a dream he had about watching a building burn down. When the story reached the town council, they took it as a "veiled threat" and fired him. Winstead is now suing the town over his firing and damaged reputation.

TALLAHASSEE - After wildfires scorched 500,000 acres in Florida last summer, the governor asked a task force for recommendations to keep it from ever happening again. Their conclusions: 1) controlled burns to remove dead brush is "one of the best methods" to avoid wildfires, and 2) make sure there is water available to fight the fires that do start. (This is not a joke.)

RENO, NV - Max Baer, Jr. who played Jethro Bodine on "The Beverly Hillbillies" TV show back in the 1960's says his proposed casino is not "tacky," as opponents to his project complain. "I'm a has been, a used-to-be and a was. But at one time, I was an is," he argued incomprehensibly before the city council here. But the ideals and theme behind the show are not tacky, he told them. "One hundred million people watched it every week. So, 100 million American citizens are tacky?"