

1 MARJORY STONEMAN DOUGLAS HIGH SCHOOL
2 PUBLIC SAFETY COMMISSION MEETING
3 BB&T CENTER CHAIRMAN'S CLUB
4 PANTHER PARKWAY SUNRISE, FLORIDA 33323
5

6 June 5, 2019
7 8:30 A.M. - 5:30 P.M.
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11 COMMISSION MEMBERS/ATTENDEES:

12 SHERIFF BOB GUALTIERI - CHAIR
13 JASON JONES - PSC GENERAL COUNSEL
14 CHRIS NELSON - CHIEF OF POLICE, CITY OF AUBURNDALE
15 BRUCE BARTLETT - CHIEF ASSISTANT STATE ATTORNEY,
16 SIXTH JUDICIAL CIRCUIT RICHARD
17 SWEARINGEN - COMMISSIONER FLORIDA DEPARTMENT
18 OF LAW ENFORCEMENT
19 MAX SCHACHTER - VICTIM PARENT
20 LARRY ASHLEY - SHERIFF, OKALOOSA COUNTY MELISSA
21 LARKIN SKINNER - CEO, CENTERSTONE OF FLORIDA
22 MARY MAYHEW - SECRETARY AHCA
23 DAVID MICA - DCF CHIEF OF STAFF
24 SIMONE MARSTILLER - SECRETARY DJJ
25 JACOB OLIVIA - EVC OF K-12 PUBLIC SCHOOLS
MIKE CARROLL - FORMER SECRETARY DCF
JAMES HARPRING - UNDERSHERIFF/GC, INDIAN RIVER
COUNTY
PAM STEWART - COMMISSIONER OF EDUCATION
GRADY JUDD - SHERIFF, POLK COUNTY DOUGLAS
DODD - SCHOOL BOARD MEMBER, CITRUS COUNTY
LAUREN BOOK - SENATOR, DISTRICT 32 (ABSENT)
RYAN PETTY - VICTIM PARENT
MARSHA POWERS - SCHOOL BOARD MEMBER, MARTIN COUNTY
KEVIN LYSTAD - PRESIDENT, FLORIDA POLICE CHIEF ASSOC
CHRISTINA LINTON - COMMISSION STAFF, FDLE

1 (Thereupon, the meeting is called to order:)

2 CHAIR: All right, good morning everybody.
3 We'll call the meeting to order. Before we get
4 started with the first agenda item Mr.
5 Schachter has something he wants to bring
6 forward. Mr. Schachter, you are recognized.

7 COMMISSIONER SCHACHTER: Commissioners, on
8 your desk in front of you you have the Marjorie
9 Stoneman Douglas High School Newspaper that was
10 recognized by the Pulitzer Committee. It has
11 beautiful memorials of all of the seventeen
12 victims, so please take a look at it at your
13 leisure. Thank you for everything you do for
14 this commission.

15 CHAIR: All right, thank you, Mr.
16 Schachter. We appreciate you making that
17 available to everybody. It's very well done,
18 and we appreciate it. The governor's executive
19 order directed the Department of Education and
20 the Commissioner to provide the districts with
21 guidance on adhering to the requirements of
22 SB7026. As we talked about, letters went out
23 superintendents from Commissioner Corcoran last
24 week, and you've been provided with copies of
25 both letters.

1 Now, if you recall I sent a similar letter
2 to all superintendents and school board chairs
3 back in March on behalf of this commission. At
4 our April meeting Director Kelly provided you
5 with the results of a survey showing school
6 districts' compliance, and non-compliance with
7 SB7026, as well as established best practices.
8 That survey has been recently updated, and
9 Director Kelly is now going to share with us
10 the results of the updated survey.

11 As you're going to see as Director Kelly
12 goes through this presentation there are still
13 come districts that are out of compliance with
14 the law, and as Commissioner Corcoran indicated
15 in his letter last week non-compliance will
16 leave the Department no choice but to, quote,
17 use the full extent of the law to ensure
18 compliance, closed quote.

19 For those school districts in the State of
20 Florida not in compliance more than one year
21 after SB7026 became law, I wholeheartedly
22 encourage Commissioner Corcoran to take
23 immediate action against those who for whatever
24 reason just don't seem to take school safety
25 seriously enough. And this non-compliance

1 needs to stop. The districts need to be in a
2 hundred percent compliance, and frankly there's
3 no reason for them not to be in compliance.
4 This isn't a cost issue, this is a will issue,
5 and this is spending more time figuring out how
6 to get out of it than how to do it.

7 And as you'll see, and Director Kelly is
8 going through his presentation, but it is
9 clear, and the legislature reiterated it in
10 7030, is that drills are required to be done on
11 monthly basis, and why do we still have
12 nineteen school districts in the State of
13 Florida that aren't doing drills on a monthly
14 basis. We have some that people aren't even
15 moving. They're not drills, they're just
16 talking to them in a classroom.

17 So let Director Kelly go through his
18 presentation, and then we can have some further
19 discussion about it, but the new sanction
20 authority that's in 7030 that the Commissioner
21 can directly use I think needs to be done, and
22 somebody needs to be made an example of,
23 because it's clear after a year that we still
24 don't have compliance, so that's what it's
25 going to take unfortunately. There's no reason

1 it shouldn't be that way. People should just
2 do what the law says, and do the right thing,
3 but they're not.

4 Do, Director Kelley, we'll turn it over to
5 you for an update, and appreciate you being
6 here.

7 SHERIFF JUDD: Sheriff, if I may --

8 DIRECTOR KELLY: Good morning, Mr.
9 Chairman --

10 SHERIFF JUDD: Excuse me.

11 DIRECTOR KELLY: -- commission members, I
12 appreciate the opportunity to be back today to
13 give you an update on a survey that --

14 CHAIR: Damien, hold on a second. Sheriff
15 Judd, did you have something?

16 SHERIFF JUDD: Since you -- I mean you
17 brought, brought the topic up before he
18 presents, is it appropriate, either before his
19 presentation or after, that we, we have a vote
20 of this Board so, so there's a clear message to
21 Richard Corcoran what, what we need to do, and
22 how serious we are?

23 CHAIR: Yeah, let's -- let's hear the
24 presentation, so you can have all the data, and
25 then we'll entertain any motions that any

1 commission members want to make.

2 SHERIFF JUDD: I'll have one.

3 PRESENTATION SCHOOL DISTRICT SURVEY AND STATEWIDE
4 COMPLIANCE WITH SB7026

5 DIRECTOR KELLY: Thank you for the
6 opportunity for being here, and I'm going to go
7 through the survey that we sent out again. It
8 was a carbon copy of the April survey, with the
9 exception of the first question, which was do
10 you have a safe school officer assigned bell to
11 bell at each school. I'm going to go through
12 the reason why we didn't send that question out
13 again. This slide that you're seeing here is
14 updated from April. There were nine law
15 enforcement officers added to the list from the
16 April numbers, and there six guardians added to
17 the list.

18 This is the breakdown of the, what was the
19 second question. Back in April we had thirteen
20 school districts that reported that they did
21 not have a law enforcement officer or a
22 guardian present bell to bell. Rather than
23 resend the survey I decided to visit the
24 thirteen districts who had reported that they
25 could not, they could not say they had a law

1 enforcement officer or guardian there. Since
2 my visits we have dropped that down to ten.
3 There were three schools that had, or three
4 districts that had a small number of schools
5 that didn't have full time covering, and they
6 were able to finish out the school year with
7 full time coverage.

8 Of the ten that are remaining I can report
9 to you that eight of the, or seven of the ten
10 are going to correct this for the 2019/2020
11 school year by adopting the guardian program.
12 And the, the other one who, who is reporting
13 that they will be in compliance are going to be
14 in compliance by moving the one program that
15 they have that's non-compliant to a location
16 that already has a law enforcement officer
17 present. And then there are two school
18 districts that still have not gotten with us to
19 tell us what their plan is for the 2019/2020
20 school year.

21 CHAIR: Damien, would you just clarify on
22 that, of, of those ten districts, and you said
23 seven of them are going to fix it by adopting
24 the guardian program, is, is that, for our
25 benefit, and without naming them because we

1 don't want to expose any vulnerabilities, but
2 are any of those districts where it is, I'll
3 call it the direct public schools themselves
4 that are under the superintendent as opposed to
5 charters, are those all districts where the
6 problem where there isn't somebody there -- I
7 know up until recently there's a problem in
8 Orange County, and I'll call it in the main
9 public schools, and so, my understanding is
10 that that's been fixed, but the question is, is
11 that in those ten districts is it all charters,
12 or are there any of the schools under a
13 superintendent that are not compliant with
14 this?

15 DIRECTOR KELLY: Seven -- seven are
16 charters. Two are a combination of charters
17 and public schools. And the last one is a
18 small program which is, has thirty five
19 students in it that are moving to a different
20 facility.

21 CHAIR: Okay. Sheriff Judd?

22 SHERIFF JUDD: Let me tell you that we had
23 one charter that despite our best efforts would
24 not comply. Well, the day that I went to the
25 media and pointed out that this charter is the

1 only one in the county that's not complying,
2 the next day they complied. School is out
3 right now; I think it would be a great time to
4 air them out, and that gives them all summer to
5 figure it out.

6 So I'm, you know, I don't know -- I'm one
7 commissioner's voice here, but I would like,
8 unless there's opposition and I'm overwhelmed,
9 let's name them. Let's name names, and name
10 people, and name districts of who the heck
11 doesn't care enough to protect their children,
12 and let's get it on, on the table. And that
13 gives them all summer before school let's back
14 in to correct the deficiency.

15 COMMISSIONER SCHACHTER: I would second
16 that motion.

17 CHAIR: Okay, well, you know, I don't
18 know. I think that it really -- and it may be
19 something -- my understanding, and Director
20 Kelly, you can speak to this is, is that my
21 understanding is, is that I'm not sure that you
22 have the authority to make that decision,
23 because I think it's being made above you
24 within the Department of Education not to do
25 that, so he, or Chancellor Oliva may need to

1 speak to it, but I don't think that, you know,
2 we're in a position to tell him to do it.

3 I think that he's getting that from, my
4 understanding is, is that that concern is
5 raised at the highest levels within the
6 Department of Education, and they don't want to
7 do that; is that correct?

8 DIRECTOR KELLY: Yes, sir.

9 SHERIFF JUDD: Well, you know, this
10 commission doesn't work for that Department of
11 Education, and we're here to get a problem
12 fixed.

13 CHAIR: Go ahead. Commissioner Petty, go
14 ahead.

15 COMMISSIONER PETTY: I would speak in
16 support of what Sheriff Judd is saying. These
17 schools are already at risk, and I don't know
18 that by exposing at this time when school is
19 out we put, we put them at any more risk. I
20 think we actually improve the safety and
21 security of those schools by naming them now,
22 and giving those superintendents or
23 administrators a couple of months to get their
24 acts together and protect those kids comes
25 school time.

1 SHERIFF JUDD: We've given them all year
2 so that we didn't put them at risk.

3 CHAIR: Well, they do have summer programs
4 going on.

5 SHERIFF JUDD: In some of the schools.
6 But, you know, they can get -- they've got
7 partial covering in all of these counties so
8 they can move that covering around to cover
9 those summer programs.

10 CHAIR: Well, you know, I hear you.
11 Commissioner Nelson, did you have something?

12 CHIEF NELSON: Director Kelly, of the two
13 districts that will not be in compliance have
14 they given a reason, is it an issue with the
15 guardian program, not wanting to do it? What's
16 their excuse for not being in compliance with
17 it?

18 DIRECTOR KELLY: One of the districts is
19 not in the position to respond to me regarding
20 charter schools at all because of a lawsuit
21 that they are tied up in where they, where the
22 Judge ruled that they cannot go out and
23 actually find out what the circumstances are at
24 the charter schools until the lawsuit is
25 resolved. And the other district is, again is

1 charter schools, and they're just, they just
2 don't have an answer right now, when I, when I
3 visited them last month, you know, we had a
4 face to face with the superintendent. And it
5 is something they are going to address, but
6 they weren't able to tell me right then and
7 there that this, this is the direction they
8 were going in.

9 CHAIR: But are their -- are those
10 schools -- I'm -- now I'm not clear, is, is
11 that are there -- because again because careful
12 because charter schools are public schools, so
13 when we talk about public schools I don't want
14 to be using the wrong nomenclature, but what,
15 so I'm going to refer to the schools under the
16 superintendent for our purposes of this
17 discussion, schools that directly fall under
18 the superintendent is public schools, and the
19 schools that are charter schools that are
20 governed by a Board, and have a principal for
21 that charter schools, okay, so we're on the
22 same page.

23 DIRECTOR KELLY: Yes, sir.

24 CHAIR: Are there any public schools that
25 fall under a superintendent that, in any

1 districts that are in non-compliance?

2 DIRECTOR KELLY: Yeah, there -- there are
3 two.

4 CHAIR: Those are two that are.

5 DIRECTOR KELLY: Two districts, yes.

6 CHAIR: Okay, but -- that are charters.
7 And everything else in the other eight
8 districts are, are charters?

9 DIRECTOR KELLY: Correct.

10 CHAIR: And in -- in -- to Commissioner
11 Nelson's question, as to those other, those two
12 that are public schools and under a
13 superintendent, do we know, are, in those
14 districts are they guardian districts, or no?

15 DIRECTOR KELLY: One will be.

16 CHAIR: But it's not now.

17 DIRECTOR KELLY: That's going to be their
18 --

19 CHAIR: So -- so one -- so they are --
20 they're already going to fix it, they've
21 already said they're going to fix it.

22 DIRECTOR KELLY: Yes, sir.

23 CHAIR: All right, so that leaves the
24 other one, and then the other one that is not a
25 guardian district either?

1 DIRECTOR KELLY: It's not. And it has one
2 school, and they are going to use guardians to
3 correct that.

4 CHAIR: They're going to what?

5 DIRECTOR KELLY: They're going to --
6 they're going to have the guardian program.
7 And it's actually going to be, I was going to
8 bring up later on, it's going to be the
9 situation where it will be the first time that
10 we have a guardian program where the guardians
11 are trained outside of their county.

12 CHAIR: Outside of the county.

13 DIRECTOR KELLY: Correct.

14 CHAIR: Because the Sheriff doesn't,
15 doesn't want to do it in that county.

16 DIRECTOR KELLY: Correct.

17 CHAIR: Okay. So -- so the two public
18 school districts that are under a
19 superintendent that are not now in compliance,
20 and haven't been during this school year, have
21 indicated to you they're going to be in
22 compliance when school starts in August --

23 DIRECTOR KELLY: Correct.

24 CHAIR: -- and they're going to use,
25 excuse me, they're going to use the guardian

1 program.

2 DIRECTOR KELLY: They are, yes.

3 CHAIR: Okay. So does that -- and then
4 all the rest are -- and do you have any number
5 -- do you have any idea, if you do, as to -- so
6 in the other eight districts that are all
7 involving charters that are in non-compliance
8 -- and again now under 7030 -- and what they
9 were doing before, some of them, were saying
10 that the law didn't apply to them, and I know
11 you've dealt with that in a number of places
12 around the state, well that, that even
13 position, argument, is off the table now
14 because the legislature clearly in 7030 stated
15 unequivocally that all of this applies to
16 charters, but in those other eight districts
17 where it is all charters that have been in
18 non-compliance do you have any idea just
19 generally the number of, total number of
20 charters that didn't have a safe school
21 officer, where they weren't in compliance?

22 DIRECTOR KELLY: I could tell you by
23 district without naming the districts if you --

24 CHAIR: But how many -- but how many --
25 I'm looking at how many -- not -- we know it's

1 eight districts, but about how many schools?
2 Are we talking ten schools, a hundred schools,
3 five hundred schools?

4 DIRECTOR KELLY: In one district it's
5 forty seven schools.

6 CHAIR: Forty seven.

7 DIRECTOR KELLY: Yes.

8 CHAIR: That were not in compliant?

9 DIRECTOR KELLY: Yeah, I'd say two, two
10 districts --

11 CHAIR: And -- and then -- and in order to
12 gain compliance that requires going to the
13 Board of Directors for each of those forty
14 seven, and they all have different Board of
15 Directors probably, unless they're a particular
16 charter that has multiple campuses, but it
17 would mean going, for to get in compliance you
18 got to go to each one of those different
19 Boards; is that right?

20 DIRECTOR KELLY: Correct. Unless it's --
21 unless it's a Board that cover, if they have
22 several in the district --

23 CHAIR: Several schools, right, it's a
24 corporation or something, right. Go ahead,
25 Sheriff.

1 SHERIFF JUDD: Let me clearly point this
2 out. There's many charter schools in my
3 county. There's different charter school
4 boards in my county. Every one of them has a
5 full time guardian, or a full time law
6 enforcement officer, and has since I had to
7 call out that one school, which stood up
8 ceremoniously and said, oh, he's put the kids
9 at risk, so gosh, I guess we'll add a school
10 resource officer. Well, imagine that.

11 Those charter students are human beings,
12 and they're funded through the school board.
13 And why in the world do those forty seven
14 charters in, one area, wherever they are, have
15 the latitude and the luxury not to comply with
16 the law. And we've given them all year, and
17 we've said here all year long during these
18 meetings, and Sheriff Gualtieri has been very
19 clear that the law does apply to them, and now
20 if we call them out today that gives them the
21 whole summer to get it, get it right. And if
22 they happen to have any school functions in any
23 of those areas that are ongoing they can have
24 one of the school resource officers or
25 guardians that's out of school cover the school

1 until they get someone there.

2 But, we wouldn't allow anyone else to
3 stand up here in state government, and
4 certainly the DOE is on the commission, and
5 say, well, we're not going to tell you that,
6 and, and who, and Mr. Kelly, Damien Kelly
7 knows, you know, I think he walks on water, and
8 he's, he's doing what we say, but I want their
9 names public. I want them called out. I want
10 to make sure there is a guardian or school
11 resource officer on every campus across this
12 state full time when school let's back in, and
13 us sitting here keeping them quiet is enabling
14 what they're doing.

15 I found sunshine moved a, moved a group of
16 people in one day in my county, and we can get
17 that same compliance in every county in this
18 state if they will do what I did, and my
19 superintendent did in our county, so --

20 CHAIR: Well, we've done it here before,
21 you know, you know -- you know, Jacksonville is
22 not real happy with me, but that's okay, but
23 now they're in compliance, so we got what we
24 needed. And I'm happy about that, and they can
25 be unhappy all they want, and others. Orange

1 County is another example of that, and you can
2 do down the list.

3 But with that said, it's not fair to put
4 Damien on the spot. He's under directives.
5 So, Chancellor Oliva, what do you want to do,
6 do you want to run it up a flagpole at a break
7 and come back to us --

8 MR. OLIVIA: I'd be happy to do that. And
9 just as a point of clarification 7030 gave new
10 guidelines, and it gave rule making authority
11 to the Board to put those protocols and
12 procedures, and expectations clearly in place
13 with compliance, so that, that process is going
14 to move forward, and we're going to get these
15 schools in a hundred percent compliance.

16 SHERIFF JUDD: I want to know who they are
17 today.

18 CHAIR: Well, we can tell you -- and he
19 can certainly tell you. His question is, is
20 that do they tell, tell you, or tell us as a
21 commission, or do they make it public, and
22 that's what he needs to find out, if -- you
23 know, because again, we can't put Director
24 Kelly on the spot, he's under directives, so,
25 so it's, so it's up to, up to Chancellor Oliva

1 to tell us what the Department's position on
2 that is going to be, and then if you would at
3 break come back, and we can readdress this
4 after the break.

5 But -- but it has worked, Sheriff, you're
6 right, and we have done this numerous times,
7 and we have named districts, and schools, and
8 other entities, and called them, out, and it
9 does move the needle, you're right.

10 SHERIFF JUDD: And, Sheriff, you don't
11 know how many children you may have saved in
12 Orange County and/or Duvall County because of
13 your action, or our action. And, Chancellor, I
14 say this with all due respect, and you know
15 I'm, I was passionate about this, and I'm a
16 missionary now after, after sitting here for a
17 year, if they don't release the information
18 then let's subpoena whoever we need to subpoena
19 before this commission and find out why you are
20 not doing what we know -- I've got -- I have --
21 I have got a solution that forces people to do
22 what they should do, and it's sitting back
23 there. It's called television cameras and
24 reporters, who all of the sudden the community
25 now knows that their charter schools and their

1 folks don't care about the students in those
2 schools.

3 And I'm -- I'm hot about this. The
4 thought that they're, that we've gone an entire
5 year is bad enough. Yes, we have the law, but
6 let's call them out. Let's put some heat on
7 them right now.

8 SHERIFF ASHLEY: Chair.

9 CHAIR: Sheriff Ashley, go ahead.

10 SHERIFF ASHLEY: Is -- are these --
11 Damien, are these two school districts that
12 we're discussing here, are they, did they
13 accept safe school funding for SROs or
14 guardians?

15 DIRECTOR KELLY: Yes, sir.

16 SHERIFF ASHLEY: So is that not what the
17 grand jury has been empaneled for?

18 CHAIR: I don't know. I'm not going to
19 into what, the scope of they're going to, I
20 don't think we can do that, so.

21 SHERIFF HAPRRING: Sheriff, just quickly,
22 I believe 7026 was, was clear. I think 7030
23 put a fine point on it. And while I -- I
24 completely appreciate the issue of not wanting
25 to expose weaknesses, or shortcomings in

1 security, I do believe that's it incumbent upon
2 all of us here to force this issue, to require
3 the disclosure, to require that today
4 regardless of whether it's a charter school, a
5 traditional public school in a district, not
6 just so that the, that the community knows, and
7 the public knows, but at its core is meets our
8 responsibility to ensure the safety of the
9 children, so that the parents can make a choice
10 if they know that a school is not covered, or
11 there is a, an issue at that particular school,
12 and they can make that choice, and then it's
13 going to be up to the, up to the people in the
14 community.

15 CHAIR: So to be clear, I agree with you,
16 and, you know, what we have done, what I've
17 done demonstrates that, and it has worked, so
18 -- but let's -- in fairness to Director Kelly,
19 let's let Chancellor Oliva make a phone call at
20 the break, he'll get back to us, and let's let
21 Director Kelly continue with the presentation,
22 and you can see the remaining results of the
23 survey, and we'll take it from there. So why
24 don't you keep going, Director Kelly?

25 SHERIFF JUDD: And, Sheriff, let me

1 underscore one more time, Damien Kelly is my
2 hero. We wouldn't be where we are without him,
3 so, so -- and, Damien, clearly you, you
4 understand that I'm not asking you to violate
5 the direction that you're given. And he has
6 done a remarkable job, but it's time for us to
7 act. Thank you.

8 DIRECTOR KELLY: And I'll just add that
9 my, my main concern is that there are some
10 small school districts that it could be easy to
11 try to figure out what school they're talking
12 about that may, that may not have covering.
13 And I understand schools are out right now, but
14 we also told the districts when we surveyed
15 them that this, we were not going to be
16 identifying any district. That may be
17 something that, that the Chancellor will say,
18 you know, we'll overrule, but that was --

19 CHAIR: Yeah, let's let him -- let see
20 what he finds out, you know, but all that
21 against the backdrop of, it's over a year, come
22 on, you know, you know, what, what are we
23 doing. And -- and -- and for some of them, you
24 know, part of the problem is, is that they've
25 had an option, and I've said this a thousand

1 times in the past, and people say, well, this
2 is an unfunded mandate, it is not an unfunded
3 mandate. They have an option, and it doesn't
4 cost them a dime, and that is to implement the
5 guardian program and having existing employees
6 do it as a collateral responsibility.

7 That's the option that the legislature
8 provided, they just don't like that option, and
9 because they don't like that option, and they
10 don't want to pay for it, they just decided not
11 to comply, and they don't, just don't get to do
12 that. That's just wrong. And that's what
13 frustrates me, and frustrates everybody,
14 because they can do it, and there's no barrier
15 to doing it other than will, and their will is
16 they're being defiant, and they just don't want
17 to do it because they don't like it.

18 That day is gone. That ship sailed. You
19 don't get to do that anymore in the area of
20 school safety, and that's the message they need
21 to receive.

22 DIRECTOR KELLY: And -- and just to follow
23 up on it, when, when I left here in April I was
24 frustrated by the numbers that were there, and
25 that's why I chose to, to go visit all thirteen

1 districts. And we did make some in-roads, and
2 get some better covering, but -- and then I
3 felt like, yes, I do, I do have the plan from
4 eight, but there are still two that, that I
5 can't tell you anything about --

6 CHAIR: And -- and there should be zero.

7 DIRECTOR KELLY: Correct.

8 CHAIR: Because there's just no reason,
9 there's no excuse, there's -- there is nothing
10 anybody can say, and they shouldn't have been
11 exposing the students to that vulnerability,
12 and, and that hole needs to get plugged, and it
13 needs to stop, and it needs to stop now.

14 CHIEF ASSISTANT BARTLETT: Mr. Chairman, I
15 have a question, just, just for clarification.
16 So on a statewide basis of the public schools
17 how many are non-compliant right now in the
18 state of Florida?

19 DIRECTOR KELLY: Of any districts --

20 CHAIR: Districts is ten.

21 CHEIF ASSISTANT BARTLETT: How many
22 schools?

23 DIRECTOR KELLY: You've got ten, ten --

24 CHAIR: He's asking the number of actual
25 schools?

1 DIRECTOR KELLY: The total of like all of
2 the ten districts?

3 CHEIF ASSISTANT BARTLETT: Yes.

4 DIRECTOR KELLY: It's I believe a hundred
5 and ninety.

6 CHEIF ASSISTANT BARTLETT: A hundred and
7 ninety?

8 DIRECTOR KELLY: Yes, sir.

9 CHEIF ASSISTANT BARTLETT: Wow, that's a
10 bigger number than I thought, than we were
11 talking about the districts.

12 CHAIR: And -- and that -- and that's the
13 current number, and that gap has closed
14 recently. It was bigger than that. At the
15 April meeting it was bigger than that.

16 DIRECTOR KELLY: Correct.

17 CHAIR: And, you know -- and probably the
18 biggest one that there was, and that existed
19 right around the time in April, was still in
20 Orange County, where they had, in public
21 schools where they had one deputy covering four
22 or five schools. Now, they stopped that, and
23 they came into compliance, but that was only in
24 the last couple of months, so.

25 COMMISSIONER DODD: I've got a question.

1 CHAIR: Go ahead.

2 COMMISSIONER DODD: And just to continue
3 on, on that clarification though, so what,
4 Damien, you're saying, is at the beginning of
5 next school year, as of the start of next
6 school year how many schools will not be in
7 compliance, what is that number?

8 DIRECTOR KELLY: If everybody that I've
9 met with does what they said they're going to
10 do, and those guardian program, then there are
11 only two school districts that I, I can't
12 report on. And that would be a little less
13 than a hundred schools between the two
14 districts that, that I just don't know the
15 circumstances there.

16 COMMISSIONER DODD: There will still be
17 almost a hundred schools at the start of next
18 school year from what you know now --

19 DIRECTOR KELLY: If -- if nothing changed
20 from the information I have right now, but --

21 COMMISSIONER DODD: Okay.

22 DIRECTOR KELLY: Just let me clarify, I
23 don't know the situation with those schools
24 because the district is not able to report to
25 me what's the situation.

1 CHAIR: And that district -- and that
2 district -- I mean I'll just tell you, I know
3 that's Palm Beach, and there's litigation going
4 on, which again, my opinion, ridiculous, where
5 there's litigation between the school district
6 and the charters about the applicability of all
7 of this, and they're fighting with each other,
8 and it's before an administrative law judge,
9 and they're haggling back and forth about who
10 can do what, and who can tell who what, and
11 what money, and everything else, when just do
12 their job and provide for effective safety.

13 Instead they're all fighting with each
14 other, you know, and you're going to, you want
15 to, it's a good segue way into what we're going
16 to hear later today about communications here
17 in Broward County where everybody is just
18 fighting with each other. So the fighting
19 needs to stop, and people just need to figure
20 it out. And but that's what's going on. And
21 so the district he's talking about, I'll tell
22 you because I know, that that district is Palm
23 Beach County.

24 SHERIFF JUDD: And arguably it's the
25 wealthiest county in the State of Florida, and

1 while this fight is going on, if they cared
2 about the children in these schools they'd say,
3 hey, we're going to staff it with a school
4 resource officer, or we're going to staff it
5 with a guardian, and then we'll let the courts
6 figure it out. To think for a second that a
7 lawsuit and a couple of lawyers on each side of
8 a issue can stop the safety and security of the
9 officer, and usurp two years worth of state law
10 is ridiculous. It's -- it's absolutely totally
11 ridiculous.

12 And the people of Palm Beach that have
13 children in those schools ought to be standing
14 up and saying have you all lost your
15 ever-loving mind? This is nuts. It's not like
16 the law passed one month and we're here wearing
17 people out the next month. This is the
18 opportunity today to wear them out, while
19 school is out. And for the few schools that
20 are in there's certainly all kinds of school
21 resource officers or guardians that's not
22 assigned to the schools, they can go cover
23 those schools while they fix the problem. But
24 I can tell you if we sit here and keep them
25 quiet, and nobody in the community understands,

1 over a hundred schools, over a hundred schools
2 don't have what we've, what we've had in the
3 law for over a year -- I don't know how many
4 different ways I can say it. I'll think of
5 some more in a minute.

6 CHAIR: And let's -- let's -- let's keep
7 going through the presentation. I think
8 Chancellor Oliva is probably making some phone
9 calls. We'll find out what he finds out, and
10 let's keep going through the presentation.

11 DIRECTOR KELLY: And -- and, Sheriff, my
12 message is always the same when I travel. That
13 -- that number that you see on the top is the
14 number of traditional public schools, to
15 include charter schools in the state. I'm
16 responsible for all three thousand six hundred
17 and ninety five, and I make that clear
18 everywhere that I go.

19 So we'll start in on the survey. The --
20 the guardian numbers, I put a note on the
21 bottom of this because later on I don't want
22 you to get confused by some other guardian
23 numbers that you'll see. So back in April we
24 had, according to the survey response we had
25 thirty one school districts that had authorized

1 the guardian, and thirty six who had not. The
2 June survey, we have thirty eight reporting
3 that they, they've authorized guardian, twenty
4 nine have not. And if you look at the note at
5 the bottom, in some instances the school
6 district is indicating their support for the
7 guardian program, although the county is not
8 yet actually participating, thus the difference
9 between these numbers and the total of thirty
10 active guardian programs. And you'll see that
11 again on another slide coming up.

12 The next question was does your district
13 authorize school employees, principals,
14 coaches, counselors, et cetera, to perform
15 guardian duties in addition to their regular
16 duties. Back in April we had eighteen, and
17 we've increased that by three. We now have
18 twenty one who are reporting that the district
19 authorizes other employees.

20 This one, I also put a note on it so, so
21 to make it understandable. Has the sheriff in
22 your county authorized the guardian program?
23 Back in April it was thirty one, and now we've
24 increased that by eight, so we're up to thirty
25 nine according to what the district reports.

1 And again, in some instances the sheriff is
2 indicating their support for the guardian
3 program although the county is not yet actually
4 participating in it, thus the difference
5 between these numbers and the total number of
6 thirty active guardian programs.

7 CHAIR: Commissioner Dodd, I believe your
8 county now has the guardian program; is that
9 right?

10 COMMISSIONER DODD: That is correct.

11 CHAIR: Right. Good.

12 DIRECTOR KELLY: The next question was has
13 guardian training taken place in your district.
14 Back in April we had twenty five that trained
15 guardians, and in the June survey we now are up
16 to twenty eight. And the ones, the three new
17 counties that have done training are Baker,
18 Escambia, and Union County.

19 This was a question that wasn't in the
20 April survey, and the sheriff wanted this
21 question added. The question was, for schools
22 that are only served by a guardian and no law
23 enforcement officer assigned, does at least one
24 guardian on every campus have a law enforcement
25 radio. Of the twenty five ten reported that

1 they do have law enforcement radios. Fifteen
2 do not. And as you've heard here countless
3 times over the last year, that seconds matter
4 when something happens on a school campus, and
5 we are doing anything and everything we can to
6 assist any district who is doing the guardian
7 program to have radios issued by the sheriff.

8 CHAIR: So -- and just for everybody's
9 benefit, and anybody listening, especially in
10 the districts that have the guardian program
11 that have not provided police radios, law
12 enforcement radios to the guardians, is that
13 those radios are able to be paid for by the
14 guardian money, so there's really no reason for
15 you not to have the guardians have radios. We
16 have talked about this methodology, and the
17 methodology for best mitigating harm is you
18 have to be able to identify the threat, you
19 have to be able to communicate the threat, and
20 you have to be able to react to the threat.

21 If you can't identify the threat then
22 there's nothing to communicate. If you
23 identify the threat but you can't communicate
24 it effectively then there's nothing for people
25 appropriately to react to. So if you have

1 guardians that are tasked with being on these
2 school campuses with the sole purpose of
3 addressing an active assailant situation, and
4 taking effective action against an active
5 assailant, but those people who you task with
6 that don't have a communication device to
7 directly communicate with what will be their
8 colleagues in the first response, and that is
9 responding law enforcement officers, or if that
10 guardian has somebody at gunpoint, or is trying
11 to take somebody into custody, or to avoid a
12 good guy on good guy situation, and all the
13 other reasons, it is paramount that these
14 guardians who are the armed people on campus
15 have the communication devices, and I really
16 would encourage every district that has a
17 guardian program to apply for the money, because
18 it is available, and use those dollars to buy
19 the radios so that the guardians have the
20 necessary communication equipment that will be
21 an essential tool, is an essential tool, and
22 makes a difference.

23 Sheriff Judd, go ahead.

24 SHERIFF JUDD: Yes, sir. And let me
25 reiterate that every school in our county,

1 every public school, charter school, has a
2 radio. When they pick that up and talk they
3 talk directly to our desk sergeant, so we can
4 dispatch in seconds. We've got a shooting at
5 Crystal Lake Elementary, and we dispatch it
6 that quick, because there's no 911, there's no
7 going through call takers, and it's -- and as
8 Sheriff Gualtieri eloquently pointed out the
9 radio is available, I mean there's money for
10 them, and it's just a mandate. I mean no
11 communications, no response.

12 CHAIR: Every -- every guardian in our
13 district, and we have about a hundred and ten
14 of them, every guardian has a police radio that
15 they carry on their person, every single one of
16 them. And so they've been trained on it,
17 they've been doing it now for a full school
18 year, there's been no issues, and it's been
19 very effective, and so I would encourage you
20 all to do it. Anybody else? Yeah, Mr.
21 Schachter, go ahead.

22 COMMISSIONER SCHACHTER: And, Director, in
23 Broward County we use the guardians, right?

24 DIRECTOR KELLY: Correct.

25 COMMISSIONER SCHACHTER: And do all the

1 guardians have radios, are you aware of that?

2 DIRECTOR KELLY: They -- they have applied
3 for funding for radios, so I don't -- I don't
4 have the numbers, the breakdown of numbers, but
5 I would imagine that they're, they're applying
6 for funding to, to give every guardian a radio.

7 CHAIR: Or do you know right now -- I
8 don't believe they do right now. Do you know?
9 I don't -- I don't believe they do here in
10 Broward, but I don't know. Do you know?

11 DIRECTOR KELLY: Yeah, I don't know for
12 sure what -- I do know they've applied for
13 funding for them.

14 CHAIR: Secretary Mayhew, go ahead.

15 SECRETARY MAYHEW: Yeah, I just wanted to
16 go back on the lack of training, or for the
17 districts that have not had guardian training,
18 I just want to understand of the districts that
19 are intending to use a guardian to meet their
20 legal obligation, is that the barrier, or do we
21 know if those districts that are still not in
22 compliance, is it the training that they have
23 not yet fulfilled? I'm just trying to match up
24 some of the data here.

25 DIRECTOR KELLY: It's -- it's not really

1 one particular thing. For example, one
2 district, they cannot report compliance because
3 they're, they have schools that contract with
4 private security, they're armed private
5 security. The sheriff in that district has
6 opted for the guardian program, and is going to
7 train all of those private security guards so
8 that they will be ready, and they'll be in
9 compliance for '20, '19/2020.

10 Other districts, they, they just haven't
11 done the training yet. They're -- you'll see
12 -- later on when we get out of the survey
13 you'll actually see some slides on, you know,
14 everything about the guardian program, who's in
15 it now, who's reapplied, who has applied for
16 the first time and have had their grants
17 approved, and then the ones who are, who have
18 notified us, yes, we want to participate but
19 they have yet to actually send paperwork in.
20 And it -- it will be forty seven counties that
21 will, will be, have told us they're either
22 participating or they're going to participate.

23 SECRETARY MAYHEW: I'm sorry, I didn't
24 hear that last part.

25 DIRECTOR KELLY: It will be forty seven

1 counties of the sixty seven, is what it will
2 jump to.

3 SECRETARY MAYHEW: Okay, thank you.

4 CHAIR: Harold -- Harold, can you turn his
5 mic up a little bit. It's hard to hear so you
6 can turn it up a little bit. Commissioner
7 Larkin-Skinner, and then Commissioner Dodd.

8 COMMISSIONER LARKIN-SKINNER: I'm just
9 trying to understand the numbers on this
10 particular slide. If there are twenty eight
11 counties that have had guardian training, only
12 twenty five answered either yes or no regarding
13 the radios, so who is in the forty two, is that
14 all districts that are either using law
15 enforcement or security? The numbers just
16 don't quite match.

17 DIRECTOR KELLY: Well, there's -- there
18 are only twenty five who actually have
19 guardians in schools. Three more were added,
20 they've begun the training, but the guardians
21 have not gone to, into the field, so when this
22 survey went out only twenty five reported that,
23 that -- only twenty five could respond to that
24 question, and ten said, yes, we have radios,
25 and fifteen --

1 COMMISSIONER LARKIN-SKINNER: Okay, thank
2 you.

3 CHAIR: These -- these numbers are not
4 going to add up, they're not going to match.
5 And some of it is because guardian training,
6 guardians have been approved in some counties
7 but not implemented.

8 DIRECTOR KELLY: Correct.

9 CHAIR: All right, Commissioner Dodd, go
10 ahead.

11 COMMISSIONER DODD: Yes. And I just
12 wanted to mention the deadline for applying for
13 money, I mean you've continued to extend that,
14 so any programs that are, that are just coming
15 on board, will they still be able to apply for
16 the guardian funding?

17 DIRECTOR KELLY: Yes, sir.

18 COMMISSIONER DODD: Okay. And I think
19 that's a great thing. I know Damien has worked
20 with our county. I mean we have SROs in all of
21 our schools, but we're, we've expanded the
22 guardians as a secondary, and so --

23 CHAIR: And there's plenty of money. So
24 remember that the -- in 7026 the legislature
25 allocated \$67 million in non-recurring funds.

1 In 7030 they rolled, and in the budget, they
2 rolled over the balance into FY20, so and there
3 is only somewhere, and this is ballpark number,
4 somewhere I think about, maybe around \$12
5 million that's been encumbered, but actually
6 disbursed is somewhere only around \$5 or \$6
7 million, so the point is that there is a
8 tremendous amount of available guardian money,
9 and that same \$67 million, the balance will be
10 available through the next fiscal year, so
11 there's plenty of funds available.

12 DIRECTOR KELLY: Yeah, and Commissioner
13 Corcoran has made it clear that, that this is
14 an option he wants kept on the table, and that,
15 you know, our goal would be that eventually all
16 sixty seven sheriff's offices would, would see
17 this as a viable option, and the districts
18 would see this as a good option for the future.

19 CHAIR: Go ahead, Sheriff.

20 SHERIFF ASHLEY: Just for those schools
21 that don't have an SRO or a guardian, for
22 sheriffs that have trained guardians, I mean
23 it's a hundred forty four hours, so if you
24 started today you're almost a month at eight
25 hours a day in getting these folks trained, so

1 they don't have much time before school starts
2 to train, they got to get started.

3 DIRECTOR KELLY: And I think a lot of it
4 is, has started in this, you know, in the last
5 week. The one district that we're helping to
6 send guardians to, another sheriff to train, we
7 made it clear to them that you've got to meet
8 that sheriff's deadline, as he's, you know,
9 he's not going to work around what suits you,
10 you've got to get your people over to him now.
11 And that's what's happening.

12 CHAIR: All right. Chancellor Oliva, do
13 you want to -- anything -- you got any
14 information for them?

15 MR. OLIVIA: I'd just say right now our
16 staff is working on a response. We'll have it
17 shortly, so --

18 CHAIR: Okay. All right, thank you.

19 MR. OLIVIA: -- it's going to take some
20 time to review, and then we'll get back to you.

21 CHAIR: All right, thank you. All right,
22 Director Kelly, why don't you keep going.

23 DIRECTOR KELLY: The next question was
24 does your district have a written, have a
25 written active assailant response policy or

1 procedure. Back in April four districts
2 responded that they did not. In June that has
3 dropped down to two. I've spoken to both
4 districts and the, both of them at the June
5 school board meeting, will adopt an active,
6 active assailant response policy, so we will,
7 we will have all sixty seven.

8 CHAIR: And just -- and out of fairness,
9 because it's fair, is, is that neither of those
10 districts, that I called them out last time,
11 they now how have it, neither of those are
12 Jacksonville. Jacksonville does now have a
13 policy, correct?

14 DIRECTOR KELLY: Yes, sir. Yes, sir.

15 CHAIR: All right.

16 DIRECTOR KELLY: The next question was, if
17 so has that policy or procedure been
18 distributed to all district employees. Back in
19 April nine reported that it hadn't been, and in
20 June eight reported that it had not been. And
21 I went through the notes, because we gave them
22 the option to write some notes, so I'll, I'll
23 share with you. Five of the eight, they report
24 that it will be in place for the 2019/2020
25 school year, and three did not give any, any

1 indication.

2 CHAIR: No, you know, and (unintelligible)
3 but you've got to scratch your head on that,
4 you know, come on, you know, you got a policy
5 but you haven't given it to your employees, I
6 mean what - - really -- I mean what -- how do
7 you -- I'm not going to say anything else
8 because it speaks for itself, but seriously
9 people, I mean, you know, you got a policy but
10 you haven't given it to everybody, then it,
11 that is no better than not having a policy.

12 DIRECTOR KELLY: Right. The next question
13 was if so does the policy or procedure clearly
14 state that any and all employees are authorized
15 to initiate an active shooter response. Back
16 in April fourteen responded no to this
17 question. Since then it's dropped down to six.
18 And looking at the notes for the six that, that
19 responded no, two said it will be in place for
20 2019/2020, and four didn't indicate any
21 response.

22 The next question was does your district
23 have a policy or procedure requiring that all
24 classroom doors be locked when occupied by
25 students. Back in April fourteen responded

1 they did not, and in June seven still reported
2 they did not. Of the seven in the notes three
3 of them didn't give any indication. One said
4 it was a directive of the superintendent. One
5 said that it is, will be in place for
6 2019/2020. One said it's a best practice, and
7 one reported that they are in, in the process
8 of installing new locks in all of their
9 schools, and it will be in place for 2019/2020.

10 CHAIR: Commissioner Dodd, go ahead.

11 COMMISSIONER DODD: So you said that one
12 of the districts said that it's not best
13 practice, that's the reason they're not locking
14 their doors; is that what I heard?

15 DIRECTOR KELLY: They said it is a best
16 practice. That's what they, they consider it a
17 best practice, but it's not a policy.

18 COMMISSIONER DODD: Oh, I'm sorry, so they
19 consider it a best practice to lock doors, but
20 they don't want to put it in their policy.

21 DIRECTOR KELLY: They -- yeah, they have
22 not yet put it in as a policy, yeah.

23 COMMISSIONER DODD: Okay.

24 DIRECTOR KELLY: The next question was
25 does each classroom door with a window have a

1 teacher accessible opaque covering that may be
2 quickly applied in response to an active
3 response, in response to an active assailant
4 response. Back in April we had thirty six who
5 responded no. In the June survey that dropped
6 down to twenty seven. And of those twenty
7 seven twelve report, list that it's in
8 progress, they just haven't completed all the
9 schools yet. Two responded that it's up to the
10 teacher.

11 And as I've travelled to a lot of these
12 districts I have made it clear to them that it
13 doesn't make sense that you're putting this one
14 a teacher to make that decision, that this is,
15 you've heard that, this commission say that
16 this is a best practice, and it's something
17 that doesn't cost anything other than, you
18 know, a piece of paper, so we'll keep working
19 away on that.

20 The next question, does your district have
21 a policy or procedure requiring the
22 establishment and identification of a hard
23 corner, or other safest area in the classroom.
24 Back in April fourteen responded no, and in
25 June thirteen responded no, but after I read

1 through the notes what, what you see here is
2 the aggregate. If they said yes or no that's
3 what you're seeing on here, but then in the
4 notes some of them said, three said that they
5 use the term safe area, which, you know, they
6 should have responded yes if that's, that's the
7 term they use, because that's what the question
8 says.

9 Two said that they train teachers to do it
10 but it's not, they don't have a policy on it.
11 One responded that it was a procedure. Three
12 responded that it will be in place for
13 2019/2020, and one said they use ALICE
14 training, and ALICE training kind of, the hard
15 corner seems to contradict what ALICE training
16 is. What I've made it clear to them is that
17 from the Office of Safe Schools we consider
18 this a best practice, and it's just another
19 tool for their toolbelt that doesn't fit every
20 scenario because all classrooms are not the
21 same, but as we, we've pointed out here
22 countless times, that on the second floor at
23 Marjorie Stoneman Douglas High School people,
24 you know, stayed safe because they used the
25 hard corner.

1 CHAIR: Mr. Schachter, go ahead.

2 COMMISSIONER SCHACHTER: Director, so I
3 think you were, you were just alluding to this,
4 but do, when you talk to these school districts
5 are we stressing the fact that, you know,
6 obviously safe school officers understand that
7 unfortunately we could be training our next
8 murdered, and that they need to be teaching the
9 staff and the students to be able to make
10 decisions in different scenarios? You know,
11 obviously we don't want to just focus on this
12 incident because, you know, the murderers are
13 going to do something different next time. I
14 just want them to be teaching the kids to have
15 situational awareness, and be able to make
16 decisions obviously on the fly in duress.

17 DIRECTOR KELLY: Yes, sir.

18 CHAIR: Sheriff Ashley, go ahead.

19 SHERIFF ASHLEY: I just want to add that
20 absent a policy there is no accountability, so
21 whether they practice it, or whether they think
22 they should do it, or whether they think it's a
23 best practice, if it's not in policy there's no
24 accountability if they don't do it. And that's
25 what we ran into multiple times over here in

1 Broward County, is they thought they knew, this
2 one said, that one, this one said this, but
3 there was no policy so there was no ability to
4 hold people accountable. So they need to have
5 it in policy.

6 DIRECTOR KELLY: And I think part of the
7 problem, Sheriff, with this is that some
8 schools, the classroom layout, there is no such
9 thing as a hard corner. It's -- there -- there
10 are glass on four sides, and when, when they're
11 answering these surveys they're answering them
12 for all of their schools, so if they have any
13 schools that they can't report that, yes, we
14 have the hard corners, and we've identified
15 them, and we train people to, you know, that
16 that's the safe place to go to, they, they
17 respond no to this because of the layout of
18 their school.

19 But I think in general all of our school
20 safety specialists know that this is a very
21 viable option for them, and I do believe they
22 all train on it.

23 CHAIR: But that's -- that's the reason
24 why we asked the question the way we did, is
25 with hard corner or safest area. And -- and I

1 want to be clear about this for anybody and
2 everybody that's listening, is, is that the
3 important concept is that every single room,
4 and it doesn't matter what that room is, every
5 single room, this room, a portable classroom,
6 the classrooms at Stoneman Douglas, every room
7 has what is the safest area in that room.

8 And the safest area in a room may not be a
9 safe area in and of itself, but in that
10 particular room it is the safest place. So as
11 an example, as an example is, is that if you
12 take this room as an example, and let's just
13 say that that's a wall that has windows in it,
14 and in this particular room, and there may not
15 be a hard corner, the safest place may be on
16 the floor underneath those windows, and that
17 may be the safest place given the circumstances
18 of this room and the dynamics of the event that
19 are unfolding.

20 So even if you take a portable, and people
21 can talk about all the vulnerabilities in
22 portables, rightfully so, at least in most
23 cases, but there are still in that portable
24 what is the safest place, and it may be low on
25 the floor in a corner at the opposite end of

1 where the point of entry is, or against the
2 point of entry. It just doesn't -- you got to
3 look at it. And this is what's so important,
4 that the teachers and the people occupying
5 those classrooms, and this is why drills are
6 important, which is getting to the next slide,
7 because if you don't think it through, and you
8 don't have a plan, and you don't train on that
9 plan, and muscle memory doesn't kick in, you're
10 not going to do anything, and we all know that.

11 So this is where the concept, and that
12 term -- and if I frankly had it to do over
13 again probably would have not used as much the
14 term hard corner but safest area, or safe
15 space, because people are getting mixed up with
16 the hard corner, and the hard corner being an
17 absolute, as opposed to every room, I don't
18 care what the room is, has the safest area, and
19 sometimes that safest area needs to be
20 identified by the teacher, or whoever it is
21 that is the person in charge of that individual
22 room.

23 So hopefully that, you know, adds some
24 clarification to it, so all the school safety
25 specialists, to anybody listening or watching,

1 that's what we're looking for here, is that
2 have you in every room, and whether it's the
3 cafeteria or whether it's the gymnasium,
4 whether it's a classroom or a portable, has
5 somebody gone through and identified in those
6 rooms under those circumstances what the safest
7 place is so when it goes back the kids can get
8 in whatever that safest area is. That's the
9 concept. Mr. Schachter.

10 COMMISSIONER SCHACHTER: You know, but I
11 don't want to -- I want everyone to understand
12 it's based on the threat, you know, if, if the,
13 if the murderer, you know, ignites a Molotov
14 cocktail in a room, you know, it would be
15 different. And at the last two school
16 shootings the murderers have gotten into the
17 classroom with guns, so, you know, this brings
18 up another topic that you just mentioned, is,
19 you know, do we teach kids run, hide, fight,
20 ALICE. Does DEO -- do you -- what do you
21 recommend to your school safety officers?

22 I know, you know, Fieldcrest is, is doing
23 great things, and they, they teach their, their
24 kids and their staff; do we have a position on
25 that as far as DOE goes?

1 DIRECTOR KELLY: Well, with our active
2 shooter training that, that we've procured for
3 the school safety specialists we went with an
4 Alert T, which is a, it's an age based program
5 that, that it covers several options, every,
6 it's not a one size fits all, it just depends
7 on what, like you said, where is the threat
8 coming from, are you out in the open, are you
9 in a hallway, are you in a classroom, and it
10 goes through all of those different scenarios
11 on how best to react to that.

12 And we'll -- we'll come to that in a
13 little bit, because I do have some updates on,
14 on the training for that.

15 COMMISSIONER SCHACHTER: Okay, thank you.

16 DIRECTOR KELLY: The next question was
17 does every school in your district conduct an
18 active assailant drill at least one time per
19 month. Back in April twenty four districts
20 responded no, and in June that dropped down to
21 twenty one. I know, Sheriff, that's not
22 acceptable, and moving forward it's, it's been
23 made crystal clear that the expectation is
24 that, you know, you will drill, you will do
25 active shooter drills as often as you do fire

1 drills.

2 Just to give you what some of the notes
3 said, four districts of those twenty one said
4 it will be in place for 2019/2020. Others
5 responded that they do it every nine weeks,
6 that they -- another one said they do critical
7 incident drills monthly, so they've lumped
8 active shooter into there somewhere. Some said
9 they do five per year, I per semester, one per
10 quarter, so it was kind of --

11 CHAIR: I just don't -- you know, I just
12 don't -- I mean -- and make more out of this,
13 but I don't understand the concept is, is when
14 a law is passed by the legislature, and the
15 governor signs it into law, is we're all
16 expected to follow the law. We don't get to
17 pick and choose the laws we follow and the ones
18 we don't, you know, if I get told to do
19 something, and it's in law, we do it whether we
20 like it, whether we agree with it or not. And
21 we have process in place, and the legislature
22 considers bills, we get to weigh in on those,
23 and give them our input, and then they decide,
24 and they set the policy in the statute.

25 I just don't understand this at all, you

1 know, I really don't. This is one of those
2 areas to me that, you know -- and again now
3 it's been reaffirmed in 7030, and when the
4 legislature says the law in this state is, is
5 that you will drill every month, and you have
6 some that just decided, well, we'll just do it
7 nine times a year, we'll just do it this way,
8 we'll just do it that way. I -- it -- it's
9 unexplainable.

10 So I -- I seriously hope that -- be --
11 because why don't we just obey other laws, we
12 don't like them, we just don't have to follow
13 them? It shouldn't work that way. It doesn't
14 work that way. There needs to be consequences,
15 so.

16 DIRECTOR KELLY: And I think Chancellor
17 Oliva sort of alluded to that we're, you know,
18 we're moving forward, the expectations have
19 already been sent out to districts from
20 Commissioner Corcoran, and --

21 CHAIR: Yeah, those letters last week will
22 go a long way I hope. And knowing Commissioner
23 Corcoran, I know he'll follow through on those,
24 and that's what needs to be done.

25 COMMISSIONER SCHACHTER: And, Director

1 Kelly, what advice do you give school districts
2 to prevent drill apathy, and kids and staff not
3 taking these drills seriously because they're
4 so often?

5 DIRECTOR KELLY: I mean it's -- it's -- to
6 be honest I don't encounter in, in my travels
7 any, and I haven't been anywhere where people
8 have said, you know, we don't take this
9 seriously. I -- I am -- I guess I'm fortunate
10 that when I speak to them, you know, and before
11 I came to DOE I worked for Commissioner
12 Swearingen, and the last case I worked on was
13 to investigate what happened at Marjorie
14 Stoneman Douglas, and sadly I'm able to tell
15 them what I saw during that investigation, and
16 that, you know, this is something that it's not
17 if this is going to happen again, you know,
18 it's when, and that we have to do everything
19 that we can, and take this seriously moving
20 forward.

21 COMMISSIONER SCHACHTER: Are any school
22 districts, you know, doing scenario based
23 training as opposed to just the same thing
24 every time?

25 DIRECTOR KELLY: Yeah, they're -- they're

1 -- when Commissioner Stewart was still
2 commissioner one of her earliest messages to me
3 was that she wanted to make certain that school
4 districts varied their drills all the time
5 because you don't, if you do the same drill
6 where the assailant is coming from the same
7 place, then you just get boredom, and, and
8 apathy.

9 And I don't know if you remember, we had
10 that conversation, and I've made that crystal
11 clear to the districts, that you've got to
12 change this up, you've got to keep the students
13 and the staff engaged. And -- and we'll stay
14 on top of this until, until we get the results
15 that we want.

16 COMMISSIONER SCHACHTER: Thank you.

17 CHAIR: A lot of districts are doing that,
18 Mr. Schachter. A lot of them are. I know we
19 are. It's all progression based, and it's all
20 very -- and -- and the ones who aren't, then,
21 yes, it is susceptible to drill apathy, but if
22 you're just doing the same thing time and time
23 again then you're just not doing it the right
24 way. So there's a whole bunch of models, and,
25 and those of us that have those, all these

1 programs developed where they are appropriate
2 at the elementary level, and different at the
3 middle level, and different at the high level,
4 and age appropriate, et cetera, and they have
5 all these variations, is we're all willing to
6 share them with others if they, if they ask.

7 There's -- there's a lot of models out
8 there that are effective in drilling, and the
9 feedback that we get from parents is very
10 positive, and the kids have been able to use
11 some of what they learned in these drills in
12 other environments, and so the feedback overall
13 once they go through the right training is
14 positive, and now they understand why it's
15 being done, and especially to create that
16 muscle memory, so.

17 COMMISSIONER SCHACHTER: I think that
18 that's critical, and so for anyone to say that,
19 you know, we're traumatizing our kids by, by
20 having them drill is, is putting the lives of
21 the children in danger. They need to drill.
22 We saw it at Marjorie Stoneman Douglas. They
23 never had a drill in the 2017/2018 school year.
24 They didn't teach the teachers, they didn't
25 teach the staff, and we saw the results of

1 that.

2 CHAIR: Yeah. You know -- you know, I'm
3 dating myself, you know, but some of you
4 remember this, I wasn't traumatized by air raid
5 drills. I remember as a kid sitting in
6 elementary school up against the wall waiting
7 because bombs are coming through the roof. I
8 wasn't traumatized by that. And how many fire
9 drills, and all the other drills. Kids aren't
10 traumatized by that. You can go to a plethora
11 of examples, so that is, if it's done right
12 they're not traumatized by it, and they're made
13 safer by it, and that's just a bunch of
14 rhetoric, so. Go ahead.

15 COMMISSIONER DODD: Yeah, I just want to
16 speak on behalf of some school districts that
17 I'm, that I'm familiar with that are taking the
18 drills very seriously, that are varying the
19 drills, that are varying the time of the
20 drills. They're, you know, in our district,
21 you know, they don't know when the drill is
22 going to happen. We notify parents prior to
23 the drill so that they know that there's an
24 ALICE drill that's going to be taking place,
25 and so I really have seen a lot of that, and,

1 you know, documenting what the drill scenario
2 was.

3 And, you know, if, you know, you got to --
4 if you don't count it a lot of times it doesn't
5 get done, and so in my district, you know,
6 pushing for that documentation of the incident
7 is a great way to show those monthly drills,
8 but also how we're varying them, and so I've,
9 I've seen a lot of that.

10 DIRECTOR KELLY: The next question was
11 are, are there schools in your district that
12 conducts active assailant drills where the
13 students do not physically move or react during
14 the drill. I'm kind of baffled that --

15 CHAIR: It's going the wrong direction.

16 DIRECTOR KELLY: -- there were ten in, in
17 April, and twelve in June. I think part of it
18 is that because this is a general question some
19 reported this time around that they're -- like
20 one, for example, said that they do have a
21 program where they have mentally and physically
22 disabled students, and that they, they have a
23 different protocol for, for doing the drill
24 there with, with those students. But, yeah, I
25 was a little - - when I, when I saw the

1 results, and it's something that I'm going to
2 follow up on with the districts.

3 The next question was do you conduct
4 active shooter drills that require the students
5 to run in addition to locking down and hiding.
6 Back in April there were twenty six that said
7 no, and in June there were, it dropped down to
8 twenty. And this is something that we, we
9 discussed the last, back in April, that having
10 the word run in there, a lot of districts
11 responded by saying we don't allow the students
12 to run during the drill because they don't want
13 to, somebody to trip, and that they have an
14 injury as a result of running, so that word run
15 is what's --

16 CHAIR: Well, we probably should -- we can
17 change it, you know, the next time around,
18 whatever, and do it to flee. You know the
19 whole -- the whole concept here is, is that
20 because we found is, is that districts were
21 only drilling in hiding, and again that's not
22 effective, it's not good, because it does
23 create that muscle memory, and so when the
24 right response may be to flee as opposed to
25 hide, and if all you're doing every single

1 drill every single month is only a hiding drill
2 then that's what they're going to do, and so it
3 needs to encompass fleeing.

4 And again, it goes back to varied drills
5 with varied scenarios, and some of the drills
6 should, I think, as the year progresses you
7 teach the concepts, and then what the drill
8 should progress to are individual decision
9 making drills. So today's drill is not going
10 to be a run drill, it's not going to be a hide
11 drill, it's not going to be, if you will, a
12 fight drill, it's not going to be any other, is
13 we're going to put the scenario down, and put
14 the scenario out there, and based upon what
15 you've learned in the proceeding months you
16 decide what to do, and what is the best course
17 of action. That's the way it should work.
18 But, if you're only teaching one reaction then
19 when it happens you're only going to get one
20 reaction, and that may be a reaction, and it
21 may actually cause more harm.

22 DIRECTOR KELLY: The next question, does
23 each school employee have a communication
24 device on their person, and/or a device that is
25 immediately accessible at all times when he or

1 she may immediately communicate an observed
2 threat and active an active assailant response.
3 This -- the numbers on here, I've, I've
4 corrected them. One district, they, they got
5 their, they answered their question in the
6 wrong line, so it actually, the numbers for
7 April, you had thirty three that said yes and
8 thirty four that said no, and the one for June
9 should say forty five and twenty two.

10 Of those twenty-two two thirds of them in
11 the note said that in 2019/2020, that they will
12 have this in place.

13 CHAIR: And -- and what you got there, and
14 what's going on is, is that you have people
15 that all right staffing doors and staffing
16 gates that don't have communication devices.
17 So go back to the methodology, identify,
18 communicate, and react. And if you're the
19 person that's standing at the gate, because
20 you're tasked with being at that gate to make
21 sure somebody doesn't get through during
22 ingress and egress time, and you see somebody
23 come up to the date like a Nikolas Cruz
24 carrying a rifle bag, but you can't communicate
25 that to anybody else, it's useless.

1 So, you know, having people that are in
2 these positions that don't have the ability to
3 communicate -- and what the next slide is going
4 to show is the other side of it, is, is they
5 have where they can receive communication, so
6 if, again, if somebody is identified with a
7 threat, and they have communicated the threat
8 but you can't hear the communication, then you
9 can't react to it.

10 So these communication devices are
11 paramount, and I think what's happening is in
12 too many places, they're waiting for that big
13 picture high tech high cost item, I said it
14 before, Walmart is right down the street, go
15 buy walkie- talkies. They can do that. Why --
16 why are they not doing that, why? It can be
17 done. If there's a will there's a way.

18 COMMISSIONER SCHACHTER: I just spoke to
19 Brian Kast, they director of school safety of
20 Broward County, and he informed me that all
21 guardians will be issued radios, BSO radios
22 prior to the start of the school year, so
23 that's good.

24 CHAIR: That's a good thing.

25 DIRECTOR KELLY: And then this, this slide

1 is similar to the other one, that you have the
2 correct answers on here. The difference is
3 whether they can, are able to receive
4 communications, and it was the same response,
5 thirty three back in April and forty five in
6 June, with the same, moving forward the same
7 numbers that would be ready for 2019/2020.

8 The next question was does every school in
9 your district have a requirement that gates to
10 fences surrounding the school be closed and
11 locked when not being used for active ingress
12 and egress. Back in April we had ten that
13 responded no, and in June we have six that
14 responded no. And I went into the notes for
15 all six, and they did put some notes in there.
16 One school reported that both of their high
17 schools do not have any fences at all. The
18 second one reported that it's in progress. The
19 third one said that some of their schools have
20 no fences. The fourth one said it will be in
21 the place for 2019/2020. The fifth one said
22 they don't have a policy but that they, they do
23 keep their gates locked, so I think they, they
24 probably could have answered yes to this. And
25 the sixth one would be the same; they said they

1 keep their gates locked, but they, they did
2 answer no. So think there are, there are four
3 that as moving forward that we, we need to
4 follow up to figure out the situation with
5 their fencing.

6 The next question, is there a requirement
7 that gates opened for ingress and egress be
8 staffed at all times when open, and back in, in
9 April we had, thirty eight responded no, and in
10 June that dropped down to twenty nine. And a
11 lot of them in their notes added that for
12 2019/2020 this was something that they were
13 going to, to rectify.

14 So that -- that's the end of the survey.
15 I'm going to talk a little bit about the, where
16 we are with the Coach Aaron Feis Guardian
17 Program. So currently we have twenty eight
18 sheriffs throughout Florida that have trained
19 guardians. We have received application
20 requests totaling a little over \$13.3 million,
21 and to date a little over \$5.3 million has been
22 paid out to sheriff's offices based on the
23 invoices that they have provided us.

24 So this slide here shows you the original
25 twenty five districts who participated in

1 guardian, the guardian program, and of that
2 twenty five sixteen of those districts have
3 reapplied for funding to train more guardians
4 moving forward. This will explain the question
5 you had earlier of guardians who, who -- so we
6 have five new districts that you see there,
7 Baker, Escambia, Franklin, Levy, and Taylor,
8 who have had their, their application has
9 already been approved.

10 And then we have seventeen districts who
11 have, who have notified me that they want to
12 participate in guardian. And I can go ahead
13 and add an eighteenth one, because Sheriff
14 Harden in Glades County has contacted me, and
15 that's something that he would like to, to look
16 at, and moving forward. And as I said earlier
17 Jackson County, who is going to participate in
18 guardian, are going to have their guardians
19 trained by a, a different sheriff's office.
20 They're trying to work the particulars out
21 right now.

22 So I do have something positive. This was
23 the, the students that presented to you back in
24 April from the Flagler Palm Coast High School.
25 They were contacted by the Department of

1 Homeland Security after they saw the
2 presentation, and they were, they received
3 these awards for, for the work that they're
4 doing there, so I just wanted to add it, very
5 proud of what those students have done there.

6 So I wanted to give you a follow up on
7 some training that, that has been taking place.
8 Active shooter training, we completed the first
9 round in Fort Lauderdale back on May 14-16.
10 Training was very successful. We did realize
11 it was going to be the smallest number of
12 school safety specialists, just because of the
13 location, and fifteen school safety specialists
14 received their certification at that training.

15 The next training scheduled for active
16 shooter is June 11-13, and the final one, that
17 one would be in Orlando, and the final one will
18 be June 18-20. That will be in Tallahassee.
19 And at the end of that training all of the
20 school safety specialists will be certified.
21 The Virginia threat assessment model training
22 that we put on, we completed our first
23 training, which was on the 21st of May, 21-24
24 at Polk State, where we brought in Dr. Dewey
25 Cornell, and also Dr. Scott Poland. Dr. Poland

1 did the suicide prevention portion of it. We
2 have a second round of training July 23-26,
3 again at Polk State, this time in Winterhaven,
4 and then the final one will be July 30th
5 through August 2nd, and that will take place at
6 Valencia College in Orlando.

7 And I'd like to, to thank Mr. Schachter
8 for inviting me to come down last week to the
9 target violence, targeted violence seminar, it
10 was very, very, very informative. It was a
11 great turnout for both the days. And the same
12 thing to, for you, Mr. Petty, I appreciate you
13 putting that training on.

14 And I'd also -- let me give you an update
15 also on the social media monitoring tool.
16 We're moving forward with contract
17 negotiations, even though there are two bit
18 protests in place. Commissioner Corcoran has
19 made it clear that this is a project that he,
20 we want to get through, and right now they, the
21 stage it's in is agreeing on some language with
22 the vendor. And on the centralized integrated
23 data repository, legal is working on data
24 sharing agreements with DCF and school
25 districts for this project. The vendor Five

1 Point Solutions have completed the first draft
2 of the system security plan, configuration
3 testing for access to the single sign on
4 environment was successful, and Five Point
5 Solutions successfully, successfully connected
6 to SESIR and FortifyFL data APIs. This, again,
7 is a project that will be up and live by August
8 1st.

9 And I'd just like to finish by thanking
10 all of the school district superintendents,
11 school safety specialists, and staff, for
12 everything they did this year to keep our
13 students safe on campus. And I'd also like to
14 thank all of our sheriffs, police chiefs, all
15 of the deputies under their command, and all of
16 the officers under their command, and all of
17 the guardians for what they did this year to
18 keep our students safe. And I'd be happy to
19 take any, any other questions.

20 CHAIR: All right, does anybody have --
21 Sheriff Judd, go ahead.

22 SHERIFF JUDD: Damien, is it, is it fair
23 to say that some districts are being passive
24 aggressive, or clearly don't, some of these
25 that aren't complying, that they don't have any

1 intention of complying outside of us forcing
2 them to comply?

3 DIRECTOR KELLY: I think the situation
4 with having a, a law enforcement officer, or a
5 guardian on campus, I feel confident it will be
6 rectified for beginning of school. The only --
7 there are only two districts that, that, like I
8 said, can't give me answer today on what their
9 plan is, but the other eight have a, have a
10 clear plan in place, and it involves the
11 guardian program, and they, they have the, the
12 applicants already in place to, to fill those
13 positions, and the training has been scheduled,
14 so I feel confident for that.

15 I do think that, you know, the school
16 safety specialists, as I've said time and time
17 again, for me was the best part of 7026,
18 because it gives us somebody, a single point of
19 contact to get our message out to, and I find
20 all of them very dedicated. I don't see
21 complacency. Is it acceptable that we still
22 have the numbers that we have, no, sir, no,
23 it's not, and moving forward I'm going to make
24 it my mission to see that, that everybody is in
25 compliance.

1 SHERIFF JUDD: In addition to the
2 guardians I continue to see in the data that
3 you presented that they're not complying with
4 things such as safe areas, such as policies and
5 practices. Now, we're well over a year from
6 7026 passing and I still see a, a pattern of
7 lack of sense of urgency for many districts,
8 correct?

9 DIRECTOR KELLY: I mean on, on paper it,
10 it is that way. When -- when I visited them I
11 don't, I really don't get that. It's -- the --
12 the two districts that have large number of
13 schools that they can't answer for, it is
14 frustrating that there is litigation there, and
15 that, that that's the, that's the reason that
16 they're saying that they don't know the
17 situation with those schools. We -- we did --
18 I traveled with our new Chancellor of
19 Innovation Eric Hall, who Commissioner Corcoran
20 brought on board, and we traveled down to see
21 both of those districts, and to, and made it
22 clear to them that they have to have a plan
23 moving forward to be able to account for all of
24 those schools.

25 Like I said on the slide I'm responsible

1 for three thousand six hundred and ninety five
2 schools, and, you know, they, they're all,
3 every one of them is as important as the other
4 one.

5 SHERIFF JUDD: But at, at the end of the
6 day there are, are still districts that amount
7 to at least one hundred public and/or charter
8 schools that are not complying. I mean they're
9 not complying, and I think that there has not
10 been a sense of urgency by a lot of them, but,
11 hey, if you, if you came on late that's better
12 than never. But I -- I request that this
13 commission, you know, continue to have Damien
14 report to us, survey and report, and as I said
15 before we publicly, today is a good day to
16 publicly hold them accountable, and to continue
17 to hold them accountable until the children of
18 the various districts and schools are safe.
19 And that's what we're here for, I mean that's,
20 that's our mission, is to investigate what went
21 wrong and what we need to do to correct it.

22 CHAIR: And just a couple more and we're
23 going to move on here. Commissioner Dodd, go
24 ahead.

25 COMMISSIONER DODD: Yeah, I would like to

1 see us add a question, or a survey point on the
2 secondary. I mean it was a recommendation for
3 the commission that there be an immediate
4 backup, and I mean we're, we're trying to get
5 those first officers in, which is good, but
6 there's a lot of districts that are already
7 there, and I would like to see how many
8 districts are moving towards a secondary, an
9 immediate backup on their campus.

10 I would also like -- you know, we didn't
11 make a decision on how many, how many safe
12 school officers per student based how large the
13 schools are. We got a lot of big schools out
14 there that, that should have more than one
15 person trained and ready to respond in case of
16 an active assailant. I wish we could capture
17 that somehow in a survey.

18 DIRECTOR KELLY: Yes, sir.

19 CHAIR: I know. Yeah, I mean one is not
20 enough, but once we get to one then we can --
21 Secretary Mayhew, go ahead.

22 SECRETARY MAYHEW: I guess just to follow
23 up on that question, and I apologize, Mr.
24 Kelly, if this information has been presented
25 before, but do we have a breakdown of the

1 percentage of schools that are satisfying the
2 obligation with a guardian? Just -- just to
3 try to address some of the future
4 vulnerabilities that may need strengthening
5 from a compliance perspective.

6 DIRECTOR KELLY: Yes. I have a list of
7 every single school, and what the coverage is,
8 whether it is a law enforcement officer or
9 guardian, or nothing. I have all of that
10 information.

11 SECRETARY MAYHEW: I think -- I think that
12 would be helpful to just understand as future
13 policy is considered, from either auditing for
14 compliance, or just understanding where some of
15 those additional vulnerabilities may be.

16 CHAIR: I think what you'll find around
17 the state is where the guardians mostly are,
18 and this isn't a hundred percent, mostly where
19 you're going to find the guardians is in the
20 elementary schools and the charter schools.
21 Most of the high schools and the middle schools
22 are going to be covered by a law enforcement
23 officer. Maybe you're going to have some bleed
24 over, but that's kind of the breakdown. That's
25 the majority of what you see of the guardians,

1 so.

2 One more. I think we had Mr. Schachter,
3 and then we're going to move on.

4 COMMISSIONER SCHACHTER: Thank you very
5 much, Director. We -- I think this commission
6 all, you know, owes you a debt of gratitude for
7 what you've done to get all these districts in
8 compliance. If it wasn't for you nobody thinks
9 that we would be at this stage of compliance,
10 so thank you for all of your efforts.

11 In my view I agree with, with both the
12 Chair and the Sheriffs, that if we can call
13 these districts out -- the public needs to
14 understand, the parents need to understand that
15 their schools are not safe, and public pressure
16 will, will make them come into compliance and
17 protect children's lives.

18 And lastly, I -- in the last two school
19 shootings the murderer has gotten a gun into a
20 classroom, and we know from our analysis of
21 this horrible incident that law enforcement is
22 just not going to get there in time. You know
23 even if you've got one SRO, two SROs, they just
24 can't be everywhere at every instant,
25 especially if you have a gun that reaches

1 inside a classroom. We know in the last two
2 shootings a hero was there to save lives. I
3 feel very strongly that we need to embolden, we
4 need to empower the students, and teach them
5 life skills. Unfortunately we don't live in,
6 you know, there's a lot of bad things out in
7 this world, and children need to know how to
8 take care of themselves, defend themselves, and
9 especially during active shooter situations I'm
10 in favor of giving them options.

11 And, you know, there's been a lot of talk
12 in the media about how we should not teach our
13 kids, I, I believe that we should be teaching
14 either run, hide, fight, ALICE, or some self
15 defense, a training to give kids an option, to
16 empower them, and give them the confidence, and
17 involve them in the safety of their schools.
18 So, you know, I mentioned that earlier. I know
19 a couple of districts are doing that.

20 Does the Department of Education have a
21 position on that? And I certainly would like
22 this commission to make a recommendation in
23 that --

24 CHAIR: We already have, Mr. Schachter.
25 And you just made the case about why one good

1 guy with a gun is not enough, and why you're
2 not going to have a enough cops, and you just
3 made the case, is the, is what Commissioner
4 Dodd was asking about, about how many have
5 more, because two is better than one, three is
6 better than two, and four is better than three.

7 And you just made a case about why, and
8 districts are resistant to it, is, is that if
9 they really want to do that, if you want to
10 send an unarmed kid, like what happened out in
11 Colorado, to stop the shooter, or do you want
12 to have somebody there like a Chris Hixon, you
13 can put a gun in his hand and he can kill the,
14 kill the killer, then you just made the case
15 about why that's important.

16 COMMISSIONER SCHACHTER: Chair, I firmly
17 agree that, you know, two is better than one,
18 and we need more than one school safety
19 officer, but I'm also cognizant of the fact
20 that they're -- it does -- you're still not
21 going to be able to get there time. We need to
22 stop these incidents in a matter of seconds,
23 and if a gun gets into a classroom, you know,
24 we need to embolden and teach the kids, you
25 know, different options, and way to prevent

1 this from happening, and save lives.

2 CHAIR: All right. All right, Director
3 Kelly, thank you for being here, we appreciate
4 it. Annie, you're up. The next topic before
5 we get into the communication issue is, is that
6 some of you, Mr. Schachter asked about
7 FortifyFl and its utilization, and we did a
8 survey of all sixty seven districts on
9 FortifyFl, and to give you some statistics on
10 it.

11 I'd ask, just ask you to keep in mind as
12 you hear the presentation from ASAC White about
13 the survey that 7030 now has a requirement that
14 the districts promote the FortifyFl app, so the
15 results of this survey are before that
16 requirement law, and before it is going to be
17 promoted as it needs to be by the district, so
18 this is just to give you -- and -- and also
19 importantly, to give you an idea about
20 utilization, about the districts that have an
21 app, or some type of a system other than
22 FortifyFl, because that distorts the numbers of
23 FortifyFl, because if there's another system in
24 the district that is being heavily used then
25 that doesn't mean nothing is happening, so

1 we'll hear the survey, and then we'll get into
2 the communications issue. Annie, go ahead.

3 PRESENTATION FORTIFYFL APP UTILIZATION SURVEY

4 MR. WHITE: Good morning, Commissioners.

5 So basically the survey went out. We had
6 several survey questions. We sent them to the
7 safety specialists for each of the sixty seven
8 districts and the five lab schools. The survey
9 initially went out with an email, and they were
10 asked the questions contained in the survey.

11 Initially eight districts answered the initial
12 email saying they used another safety app, but
13 we did not get a response as far as what app
14 they were using other than FortifyFl, so that's
15 why I just want to preface that with some of
16 the numbers that you're going to see. We did
17 have --

18 CHAIR: Annie, hang on. Hang on a second.
19 Sheriff Ashley, did you have a question?

20 SHERIFF ASHLEY: I just clarified, I
21 didn't understand that we had seventy two
22 school districts.

23 CHAIR: No, sixty seven, but they got some
24 of the other --

25 SHERIFF ASHLEY: I -- I forgot the first

1 --

2 CHAIR: Okay. All right, go ahead, Annie.

3 MR. WHITE: And we did have some that did
4 not respond, even after our emails and phone
5 calls. So one of the questions was what app if
6 any is the school using, if not using an app do
7 they have a hotline or other reporting measure.
8 Thirty of the seventy two school districts are
9 using FortifyFl only. Now, again, this was
10 before 7030, their all promoting it, but they
11 had something other than FortifyFl.

12 They -- thirty two of them have an app in
13 addition, so they're using both. Six of the
14 seventy two school districts do not have an
15 app, but do have a hotline or other reporting
16 measure. Again, they all have FortifyFl, they
17 all receive FortifyFl, and have been receiving
18 FortifyFl since last year.

19 Eleven schools consisting of the six who
20 currently do not use any app, and five who
21 currently have an app, are in the process of
22 procuring another app other than FortifyFl.
23 Four of the school districts, again, did not
24 respond at all. I'm sorry. Are you promoting
25 FortifyFl? We know now that all of them, with

1 7030, are, but at the time of this forty two of
2 the seventy two districts were promoting it,
3 and again, 7030 requires that. Sorry.

4 CHAIR: Hope they listen to the law.

5 MR. WHITE: Yes, sir. We asked them who
6 their app notified. Of the thirty two school
7 districts using an app other than FortifyFl
8 three notify only school administration, seven
9 notified the law enforcement only. Eleven
10 notified both law enforcement and somebody
11 within the school district, and two notified
12 someone other than law enforcement. One of
13 them actually notified the website
14 administrator, who would then I guess pick up
15 the phone and call somebody. And we had
16 another one that notified the crisis center,
17 so, in the county.

18 Internet monitor 24/7, does your app have
19 the capability to chat with the tipster, or
20 communicate while the tip is being reported.
21 Twenty two of the thirty two school districts
22 that use an app, another app other than
23 FortifyFl, reported that their app is monitored
24 24/7 in some capacity. I will say that was
25 overreported. When we actually got

1 clarification on that they said they would get
2 an email. Well, you're not up 24/7, checking
3 your email at night, so those numbers are
4 skewed, and were overreported.

5 Fourteen of the thirty two report they
6 have the ability to chat with the tipster while
7 the tip is being reported. This was again
8 overreported because when we asked for
9 clarification they said that the live chat
10 capability was them to be able to send someone
11 an email back, so it's not they're seeing it
12 pop up on their screen as the tip is being
13 entered and they can communicate, similar to, I
14 know Mr. Schachter has talked about what
15 Colorado has. It's not that feature on, on
16 most of those.

17 Is your app anonymous, is there an ability
18 in any manner to find out who the tipster is?
19 Twenty five of the thirty two state their app
20 is completely anonymous. Seven of those twenty
21 five report they have the ability to provide
22 law enforcement with identify of a tipster if
23 requested by law enforcement with legal
24 process.

25 Does your app allow for media and photos

1 to be uploaded, what languages are available,
2 does your app have any analytics and statistics
3 reporting built in? Nineteen that use
4 something other than FortifyFl allow media and
5 photos. Twelve have languages other than
6 English that can be used, and thirteen had
7 analytics and statistics built in. Again this
8 number was overreported because when went back
9 and got clarification some were considering the
10 ability to compile statistics as analytics when
11 that is not truly analytics.

12 How long have you been using the app, and
13 how many tips to date? Most apps were
14 established last Spring. There was a handful
15 that had it for the last four to five years.
16 Of those that the number of tips, four, four
17 schools had zero to twenty five tips. Two
18 reported twenty five to, or, I'm sorry, twenty
19 six to fifty. Twenty two in the fifty one to
20 ninety nine range, five in the hundred plus,
21 and seventeen could not provide us any data.

22 Just an update on FortifyFl, you have the
23 information there in your PowerPoint. It has
24 changed as recently as today. I know we're,
25 we're up a couple from that as far as tips.

1 We're over a thousand tips now as of this
2 morning. And that's pretty much the
3 information.

4 CHAIR: Anybody have any questions? It
5 just gives you a snapshot of FortifyFl's
6 utilization, and where we are. I think
7 probably, you know, some time next year it
8 would probably be good to update it again after
9 the requirement that it be promoted, and just
10 update everybody. But anybody have any
11 questions? Yeah, Mr. Schachter?

12 COMMISSIONER SCHACHTER: Are -- are there
13 any plans to add that two, two way live
14 dialogue, or, you know, develop a center so
15 that people can be there to communicate with
16 the tipster?

17 MR. WHITE: I can tell you currently there
18 are not plans for that with the resources that
19 we have available at this time. It is dynamic.
20 We are making changes. We're in the constant
21 conversation with the app software designer.
22 We are looking at some of the other states.
23 Other states are coming on board, and are using
24 the same vendor, so we're getting ideas from
25 them, some of the things the other states are

1 seeing, and we're taking all that into
2 consideration, and see where we can apply them
3 here with our app.

4 COMMISSIONER SCHACHTER: Can you tell us
5 -- I know the number one tip that comes in to
6 Safe to Tell in Colorado is a child that wants
7 to commit self harm. Do we have -- do we have
8 any of -- have we had any of those tips? Have
9 we --

10 MR. WHITE: Yes, sir, I will tell you
11 that's not our primary tip. If we had to break
12 it down a lot of it is smoking in bathrooms. I
13 think we had a lot of test tips. A lot of
14 those numbers are people coming in, testing the
15 tip. We have had some self harm tips. We have
16 had bomb threats. We have had just a variety,
17 you name it, anything from selling drugs on
18 campus to someone doesn't like a particular
19 teacher, and food is bad in the cafeteria.

20 COMMISSIONER SCHACHTER: I mean do -- do
21 the -- do the districts that, that have the tip
22 going straight to the school, understand that,
23 you know, that shouldn't be that way, a law
24 enforcement should be getting these tips? If a
25 child reports in that he's being sexually

1 assaulted by a teacher the last thing we want
2 is the school being notified so they can tell
3 the teacher.

4 MR. WHITE: And let me clarify on that,
5 because I want to make sure people understand.
6 Those are those other apps. Those are not
7 FortifyFl. FortifyFl goes to the school, and
8 law enforcement, and FDLE at the same time.

9 COMMISSIONER SCHACHTER: Okay, thank you.

10 CHAIR: All right, thank you, Annie.
11 Appreciate it. All right, we're going to segue
12 way now into a discussion which is pretty much
13 going to be the rest of the day, and that is
14 radio, and 911 regional communications here in
15 Broward County.

16 PRESENTATION RADIO TOWER ISSUE BROWARD COUNTY

17 CHAIR: So as we first talk about the
18 Broward County police radio system I just ask
19 that everyone keep in mind that every day that
20 this system is not replaced there is a public
21 safety, and officer safety, issue here in
22 Broward County.

23 The radio system did not work again for
24 about an hour a week ago Saturday, and from
25 talking to police chiefs, they had to pull

1 their officers off the road because they had no
2 radio communications on the main channels, and
3 the entire county had to move to one mutual aid
4 channel. This meant that all radio traffic was
5 limited to emergency traffic only, and all
6 proactive policing in essence stopped. The
7 protocol in most cities in Broward County is
8 for officers to report to the police station
9 when the radio system stops working.

10 It's not a good thing when there actually
11 has to be a protocol in place to that affect.
12 Cities without cops on the street doing
13 proactive policing is not good, and cops
14 responding to calls with limited communications
15 is bad, and potentially dangerous.

16 After our last meeting based on a vote and
17 a resolution of this commission I sent a letter
18 to the City of Hollywood mayor, and the city
19 manager, and you were all copied on that
20 correspondence. To better understand, and try
21 to help resolve the Hollywood radio issue I've
22 met over the last few weeks with Hollywood
23 Mayor Josh Levy, with the City Manager Dr.
24 Ishmael, and the Assistant City Manager over a
25 Public Safety George Keller, as well as County

1 Commissioner Michael Udine, and County
2 Administrator Bertha Henry.

3 Here's the short version, and while it may
4 not seem all that short, trust me, it's the
5 short version of where we are. The need for
6 two radio towers in Hollywood was first raised
7 in about late 2016. One was needed on the east
8 side of the city, and one was needed on the
9 west. Hollywood quickly approved the west site
10 at a city wastewater treatment plant. The West
11 Lake Park site was discussed but not approved,
12 and the West Lake Park site is on the east side
13 of the city.

14 In 2018 the east site in West Lake Park
15 was again discussed, and the city proposed an
16 alternative site on top of the new Cirque hotel
17 building in Hollywood. The County opposed the
18 Cirque site for optimal radio reasons, and the
19 city opposed the West Lake Park site due mainly
20 to citizen opposition, as well as other
21 environmental concerns that the city had.

22 The City of Hollywood and Broward County
23 had been back and forth with experts' studies
24 on radio covering, and other issues. Excuse
25 me. As you can imagine the experts don't agree

1 on everything, and in some cases don't agree on
2 anything. In any event, the issue we left off
3 with after our April meeting was whether action
4 could be taken by the Broward County Board of
5 County Commissioners to place the tower in West
6 Lake Park regardless of Hollywood's opposition.

7 There were media reports about a, quote,
8 super majority vote by the DCC, and we had some
9 confusion about what that entailed. You'll
10 remember that discussion at the end of April's
11 meeting. That issue dealt with the deed
12 restrictions on West Lake Park for recreational
13 use only, and that's what required an eight out
14 of nine vote by the Board of County
15 Commissioners, to remove the deed restrictions.

16 The Board of County Commissioners voted
17 two weeks ago to remove the deed restrictions
18 by a vote of eight to one. So with those deed
19 restriction issues resolved the matter moved
20 back to the City of Hollywood to approve the
21 County's permit to built the tower at the West
22 Lake Park site. The Hollywood City Commission
23 will consider that request tonight at its
24 regular commission meeting.

25 Now, Broward County has initiated Chapter

1 164 Dispute Resolution proceedings, and before
2 the County can file a lawsuit it requires a
3 joint meeting between Hollywood and the City
4 Commission of Hollywood and the Broward County
5 Commission. That joint meeting under Chapter
6 164 is set for tomorrow, June 6th. However, if
7 the City Commission approves the permit tonight
8 then that joint meeting will be cancelled. If
9 the permit is not approved then meeting will of
10 course proceed as it's scheduled for tomorrow
11 between the County Commission and the Hollywood
12 City Commission.

13 If the matter is not resolved after the
14 joint meeting then the County, excuse me, the
15 County will decide whether to file suit against
16 the City of Hollywood. But if the City
17 approves the permit tonight then the residents
18 opposing the site, and there are many, and they
19 are represented by lawyers, will decide whether
20 to file suit to block the approved permit and
21 radio tower construction.

22 The best case scenario for public safety
23 and officer safety in Broward County is that
24 the Hollywood City Commission approve the
25 permit tonight, that there be no litigation,

1 and the County moves forward with building the
2 tower in West Lake Park. Even if the City
3 approves the permit tonight and there are no
4 further delays, realistically speaking, and
5 under the best case scenario, it's probably
6 about a year and a half before the new radio
7 system becomes operational.

8 So that's where it is, and trust me, that
9 is the short version of many meetings that I've
10 had over the last several weeks with officials
11 in Broward County and the City of Hollywood,
12 and we'll know tonight. And so with all of
13 that I decided, because the Commission is
14 meeting tonight, and they're having a scheduled
15 164 Resolution tomorrow, and because these
16 matters are pending, that we didn't bring any
17 of those officials before the commission.

18 You'll have several here today on the
19 other issue, which is an extremely pressing
20 issue, but there's a chance that this is going
21 to get resolved tonight with the City of
22 Hollywood approving the permit, and then of
23 course, like I said is, is that there could be
24 litigation over it because there is strong
25 opposition by residents in Hollywood. So

1 that's where it is. I'm happy to answer any
2 questions that you all have. Sheriff Judd.

3 SHERIFF JUDD: First off, Mr. Chair, I
4 appreciate you spending the time, and working
5 with the Board of County Commissioners. To get
6 an eight to one vote is a strong message. And
7 I -- I have had no communications, I don't
8 presuppose what will happen tonight, but I can
9 imagine the City of Hollywood more than likely
10 is going to vote in the affirmative for that.

11 I want to implore those who think that
12 it's worthy of a lawsuit in the event it passes
13 tonight, shame on you, that you would put those
14 personal feelings ahead of the safety and
15 security of the people of Broward County. I
16 want you to go home, have an introspective look
17 at yourself, look across the table tonight at
18 your child, and say do I want my child at risk
19 because I don't want a radio tower in
20 Hollywood, Florida.

21 I'm certain that the Hollywood City
22 Commissioners have had that discussion around
23 their table at home, and certainly in their
24 communities. It is mandatory that we have the
25 appropriate covering so that we can deliver

1 emergency services as quickly as possible
2 throughout Broward County. The people of
3 Broward County deserve that.

4 I hope in the unlikely event that a small
5 group of people want to file a lawsuit that the
6 overwhelming majority of people in Hollywood,
7 and certainly Broward County, will stand up and
8 say what are you thinking, you want to create
9 an environment where we can delay the
10 implementation of this radio system that the
11 County has, as I'm told, put aside \$59 million,
12 \$59 million so we can clearly communicate?

13 Look in your heart and soul today,
14 commissioners from Hollywood, and vote yes
15 tonight. And for the people who are
16 threatening a lawsuit, there's always a lawyer
17 that ethically and morally will file a suit if
18 a group of people want that, but I want that
19 group of people that think that way to
20 understand they're putting the risk, they're
21 putting children, and their neighbors, and
22 themselves at risk, and they're still having to
23 use the old antiquated system that we have seen
24 fail time and again, and the delays that we've
25 already experienced apparently are going to

1 cause this radio system to be pushed back
2 again.

3 It's a complicated process to put a
4 massive system in place to improve
5 communications over a county the size of
6 Broward, so I ask my fellow commissioners, and
7 I don't think there's any doubt, we need to
8 stand in today and support the Hollywood City
9 Commissioners, and encourage them to do the
10 right thing and vote for that tower. We need
11 to make sure that we as a commission push and
12 push, and check and balance, and stay after
13 this until all of the permitting is done, and,
14 and encourage Motorola, and all the County, and
15 whoever is involved in the process, to expedite
16 this radio system as quickly as possible.

17 And to, once again for the naysayers, the
18 handful of naysayers out of the millions of
19 people in Broward County, look into your heart,
20 look into your soul, look across the dinner
21 table and say is my child worth having a
22 professional radio system that will ensure we
23 can get EMS, fire, and police where they need
24 to be when they need to be to save your life.
25 Thank you.

1 CHAIR: Mr. Schachter, go ahead.

2 COMMISSIONER SCHACHTER: Hearing you talk
3 about that the radios just went down for an
4 hour, it is just infuriating. And now we're
5 talking about the radio towers not being up
6 until 2021 when they told us that this would be
7 fixed in 2019, I'm just flabbergasted. It's
8 just so, so upsetting. But I want everybody to
9 understand what happened at Marjorie Stoneman
10 Douglas, and the failures there, and the
11 failures at the airport, can happen again. And
12 not only at a school, we're talking about
13 another mass casualty incident. It could be at
14 a church, a synagogue, a mall. We've got to
15 get this fixed, so I a hundred percent agree
16 with the Sheriff, let's get this done.

17 CHAIR: All right, so the next area that
18 we're going to go into, which is tied into
19 this, but remember the issues are twofold.
20 One, as it relates to radio communications
21 themselves, and that's what we just discussed,
22 and what's paramount about the radio
23 communications system is the towers so that the
24 system can be replaced, but the other component
25 of this is the overall regional communications,

1 and regional 911 centers in Broward County.

2 So prior to regional communications in
3 Broward County there were eleven different 911
4 centers. The system was bifurcated, and it was
5 redundant. The eleven different 911 centers
6 were consolidated into three regional centers,
7 and two independent centers, which we know are
8 Coral Springs and Plantation, because they did
9 not join regional communications.

10 For those cities that consolidated the
11 results were efficiencies, streamlined call
12 processing, and importantly, much of the call
13 transfer process was eliminated by
14 consolidation. And you all remember we talked
15 about that extensively. It's important to
16 retain the consolidated model because when it
17 is run properly it creates a better 911 system,
18 and gets people the help they need faster.

19 We saw the affect of a bifurcated system
20 requiring call transfer during the shooting at
21 Stoneman Douglas High School. This commission
22 determined that the bifurcated system delayed
23 the law enforcement response, and adversely
24 affected all public safety responses to the
25 shooting at Stoneman Douglas. Remember the

1 first 911 call from the girl in Building 12 who
2 called 911 with shots being fired in the
3 background, and you heard that conversation
4 sitting right here in this room, remember that
5 Coral Springs, and the call taker who could not
6 communicate with the Broward Sheriff's Office
7 deputies when that call taker took that call
8 from that girl with the shots being fired in
9 the background, remember that extensively
10 delayed call transfer from Coral Springs to the
11 Broward Sheriff's Office, to regional
12 communications, and that no law enforcement
13 officer was dispatched to Stoneman Douglas High
14 School by the Broward County Sheriff's Office
15 for one minute and twenty eight seconds after
16 the first 911 call was received.

17 Now, think about that. The first time a
18 dispatcher put voice to radio to dispatch
19 somebody, to dispatch a law enforcement
20 officer, because of the delay was one minute
21 and twenty eight seconds. Twenty four people
22 were shot and/or killed in one minute and forty
23 four seconds, so most of the first floor
24 shooting was done, over with before anybody
25 even got on the radio to dispatch somebody

1 because of this delayed call processing. We
2 need look no further for evidence as to why the
3 call transfer process that is part of a
4 bifurcated system is poor. It unquestionably
5 delays people getting help, and it adversely
6 affects public safety.

7 While consolidated communications has
8 created efficiencies in Broward County it
9 unfortunately has come with significant
10 controversy, and that controversy threatens the
11 system today, and thus threatens public safety.
12 This system in Broward County has real
13 governance and operational issues that are
14 causing discord, and at least two police
15 departments, Coconut Creek and Margate, are in
16 the process of leaving the regional
17 communications system.

18 Now, make no mistake, these cities are not
19 merely talking about leaving, as some have
20 reported, both cities' commissions support
21 withdraw, and are actively negotiating
22 contracts with the City of Coral Springs. This
23 commission's responsibility is to determine
24 what went wrong at Stoneman Douglas, and we
25 did, and to make recommendations for

1 improvements, which we have, but the regional
2 911 system is in serious trouble in Broward
3 County, and degradation of that system through
4 dismantling of the regional communications
5 system is contrary to this commission's
6 recommendations and effective policy.

7 You need to hear from our presenters today
8 to have an understanding of the seriousness of
9 the problems, and see if somehow we can make
10 any recommendations on how thee issues can be
11 resolved. You're going to hear from a
12 representative of the Broward County Police
13 Chiefs Association, the Broward County Fire
14 Chiefs Association, Chief John Shaw from the
15 Margate Police Department on why his city is
16 leaving regional communications, from the
17 Broward County Sheriff's Office as the system
18 operator, and from Broward County Administrator
19 Bertha Henry is the, County, is the overall
20 responsible entity for managing the system.

21 You received testimony, written testimony
22 from Sunrise Mayor Mike Ryan on Monday, and
23 that statement will be made part of the record.
24 So we emailed this out as soon I received it to
25 you all, and you all have received a copy of

1 it. For the media, we have copies of Mayor
2 Ryan's statement, and that is available from
3 the FDLE PIO who is here. So for the media, we
4 do have copies for you, again, of Mayor Ryan's
5 written statement, and she can give that to you
6 now.

7 Last week the Broward County Police Chiefs
8 Association sent a letter to the County mayor,
9 and the entire Broward County Board of County
10 Commissioners, recommending based on a recent
11 vote of the Police Chiefs Association that the
12 County's role in regional communications be
13 taken away from the County, and be transferred
14 to the Broward County Sheriff's Office.

15 Now, I'm going to stop there for a second,
16 and, you know, think about that. And for those
17 of you in law enforcement, that's a big deal,
18 and one of the reasons why that's a super big
19 deal, and I'm just going to tell you, it's the
20 way it is, and you all know it, is that to have
21 a statement by police chiefs, and to have the
22 Police Chiefs Association vote to take
23 something like this and put it under the
24 Sheriff is virtually unheard of, because in
25 most counties it doesn't work that way. Is --

1 is that for the police chiefs to seed something
2 from them and give it to the Sheriff's Office
3 you got to have some really serious issues
4 going on, and some serious problems, and I'm
5 here to tell you that there are some serious
6 issues going on here in Broward County.

7 Now, you were provided a copy of the
8 letter from the police chiefs, and I think the
9 last sentence on the first page of that letter
10 pretty much sums it all up, where it says that
11 this whole situation, quote, seems to be a
12 consistently confrontational relationship,
13 closed quote. Now, regardless of ones' views,
14 or which side of the fence one is on, this is
15 the problem, the battle lines have been drawn,
16 and because it is a consistently
17 confrontational relationship it cannot work as
18 it is.

19 So I'm going to now go through very
20 briefly, because I've already covered some of
21 it, but I want you to have, and I want it to be
22 in the record, and to update for familiarity
23 before we begin hearing from all the presenters
24 today, just a refreshed background on how we
25 got to this point. So in the PowerPoint on the

1 first slide, remember there are thirty one
2 municipalities in the County, twenty fire, and
3 nineteen law enforcement agencies. You have
4 differing models. Some cities provide their
5 own police services, some provide their own
6 fire services, some contract with others, and
7 some contract with the Broward County Sheriff's
8 Office, so it's a real mixed governance
9 situation throughout the County.

10 In 2002 to promote closest unit response,
11 especially with fire/EMS, is the votes in
12 Broward County amended the County charter and
13 established a communication infrastructure to
14 promote that closest unit response. So this
15 was the origin of regionalization in Broward
16 County. Not much happened, and it's outlined
17 in Mayor Ryan's testimony, and I hope you all
18 had a chance to read it, but not much happened
19 between the charter amendment in 2002 and the
20 formation of the Broward County Consolidated
21 Communications Committee, or the CCCC as it is
22 referred to down here, in 2011.

23 When the CCCC was formed, and it had
24 twenty two members, and its composition is in
25 front of you, it was to evaluate the

1 feasibility of this regional communications.
2 That resulted in 2012 in the formation of the I
3 Board, which was the implementation board for
4 consolidated communications. And that was
5 formed in March of 2012 by the County
6 Commission. Again its composition was a cross
7 section from across Broward County, and it
8 issued its final report in early 2013, and the
9 I Board recommended that the governance
10 structure be that County government oversee
11 regional communications.

12 So I want to be clear about what I'm going
13 to say, is, is that this is my
14 characterization, having been very involved in
15 this for, especially the last month or so, but
16 here's, here's, here's the characterization,
17 the shorthand, is the County owns it, and BSO
18 is the management company. So think about it
19 in a business, you got an owner, somebody owns
20 a hotel, but you got a management company that
21 runs it. That's kind of the model that's going
22 on here.

23 And when the County took over regional
24 communications, and you'll see a little bit
25 about this in here, is, is the County also

1 became the hundred percent funder, so all of
2 the cities that had these individual PSAPs,
3 these individual 911 centers, these individual
4 communications centers with their own dispatch,
5 is they were able to eliminate millions of
6 dollars from their budgets because the cities
7 no longer paid for the dispatchers, the radio
8 operators, the 911 centers, it was all taken
9 over by the County, and regional communications
10 to the cities in transferring that
11 responsibility to the County saved millions and
12 millions of dollars.

13 So the County took it over, they became
14 the owner, but the day to day operations, the
15 management company, the operator, is the
16 Broward County Sheriff's Office. Plantation
17 and Coral Springs, they decided they weren't
18 going to join, and they were concerned about
19 the level of service, and that it would be
20 inferior to their current system.

21 The next slide, the agreements were signed
22 in September of 2013 by the appropriate
23 officials, and through interlocal agreements
24 with the municipalities. And as I said, the
25 County shall provide the management,

1 administration, and oversight, of consolidated
2 E-911 communications systems. It all kicked
3 off in 2014, and the Office of Regional
4 Communication and Technology, or it is, as it
5 is referred to as, ORCAT was formed. Again,
6 ORCAT, the owner if you will, the management
7 entity, and Broward County Sheriff's Office
8 became the operator. The County funded
9 everything, and the participating cities closed
10 their communication centers, saving millions of
11 dollars.

12 This next slide, this is the structure
13 today, as you can see. So on the ownership
14 side under the County Commission, and under the
15 direct control and responsibility of the County
16 Administrator, and you have those people, and
17 in those positions, that are responsible on the
18 ORCAT side. And then of course on the operator
19 side it falls under the Sheriff's Office, and
20 you have Sheriff Tony down to Angie Mize, who
21 you will hear from here today, and you've heard
22 from Angie before, and she is the acting
23 communications director for the Sheriff's
24 Office. And again there are three sites,
25 north, central, and south.

1 In addition to the consolidation there are
2 governance boards, and those governance boards
3 under the agreement provide direction for
4 regional communication. And there are three
5 governance boards, once involving CAD, which is
6 computer aided dispatch, the other is law
7 enforcement, and the other is fire. You also
8 had formed fairly recently in this process what
9 is called the ORT, and you're going to hear
10 from Chief Rosa from Sunrise on behalf of the
11 Broward County Police Chiefs Association today,
12 but he is also the Chair of the ORT, which is
13 the operational review team, and that is the
14 team that is supposed to vet, make
15 recommendations on those operational systems
16 that affect all of the users. So the ORCAT
17 personnel answer to Bertha Henry as the County
18 Administrator, and the BSO personnel answer to
19 Sheriff Tony.

20 The problem started pretty much from the
21 beginning. ORCAT, BSO, and the Public Safety
22 Agency system users, whenever you start
23 anything you're going to have growing pains,
24 startup pains, startup issues, and those would
25 be what you'd consider to be usual, but right

1 from the get go they were much greater than
2 that. Unfortunately the issues progressed, and
3 have become personal, and the tension grew
4 significantly among the stakeholders. Distrust
5 became an impediment to resolving issues.

6 The users, which are the city police
7 departments, the fire departments, et cetera,
8 boulevard that ORCAT was exceeding its
9 boundaries in dictating operational issues with
10 which it had no qualifications and no
11 experience, so to address the concerns that
12 were raised the County, and you remember we
13 went through some of this last time, retained
14 Fitch & Associates in 2016 to conduct a system
15 study, and to make recommendations.

16 Fitch found that tensions existed. To
17 quote part of the Fitch report; there was
18 significant agreement and consensus in the
19 early stages of the consolidation, based on
20 numerous meetings and adoption by all parties
21 of interlocal agreements, however it's fair to
22 note that such consensus has now dissipated in
23 a number of areas. In some of those areas, and
24 I'm not going to read all of this, but a couple
25 are worth highlighting so you have the

1 background and the backdrop against which all
2 of this is occurring, County staff is
3 essentially attempting to run operations of the
4 law enforcement and fire rescue agencies, and
5 employee surveys revealed organization that has
6 significant moral problems, and frustration
7 with the lingering staffing, training, and
8 management issues.

9 Remember in the April meeting we shared
10 with you the results of those employee surveys,
11 and the results of those employee surveys, if
12 you recall, in a number of areas were very
13 troubling, including being unprepared for
14 significant events, including a mass shooting.
15 Now, you asked us to update the survey results,
16 and we have with the cooperation of Sheriff
17 Tony updated those survey results, and when I
18 get done here, after the break, Sergeant Suess
19 is going to come back and share with you those
20 updated survey results, and I'll tell you that
21 the results are worse today than they were in
22 2016.

23 Fitch also noted one of the major concerns
24 shared by all the stakeholders is the state of
25 relations among the parties, specifically the

1 County, BSO in its role as the operator, and
2 the end users, namely law enforcement and fire
3 rescue personnel who provide direct services to
4 the residents and visitors. There's a
5 consensus among the parties that something is
6 broken. Every group indicated there's a lack
7 of trust between system participants. This is
8 2016, and this is in the Fitch report.

9 Then in June of '17 there's a joint
10 statement by the Fire and Police Chief
11 Associations. They issue this in writing.
12 ORCAT makes operational decisions when they
13 have no expertise in E-911 call taking, police,
14 fire rescue dispatching, and the operational
15 requirements of the police and fire rescue
16 services. They propose at that point to the
17 County Charter Review Commission that the
18 Charter Review Commission create the Director
19 of Public Safety Communications, who would be a
20 direct report to the County Commission.

21 In the Charter there are only three
22 reports to the County Commission, and that's
23 the County Auditor, the County Administrator,
24 and the County Attorney, so to have anyone part
25 of that that is outside of the County

1 Administrator it would require a charter change
2 to make them a direct report to the County
3 Commission. They also propose creating a
4 public, a Public Safety Communications Advisory
5 Council, and that that would also be in the
6 Charter.

7 In mid 2017 in response to that statement
8 by the chiefs Mayor Ryan of Sunrise and County
9 Administrator Henry spoke before a
10 sub-committee of the Charter Review Commission.
11 Administrator Henry proposed hiring an ORCAT
12 Director with public safety experience to
13 address the chiefs' concerns, and as a result
14 of that the CRC sub- committee rejected the
15 proposal to create this Charter Director
16 position, and this committee. So that didn't
17 go anywhere, and there was no creation of that
18 position directly reporting to the Board of
19 County Commissioners.

20 In April of '18 there is a renewed push.
21 Mayor Ryan authored an email to Broward County
22 Commissioners. He referenced the '17 effort in
23 front of the Charter Review Commission, and he
24 asked the Commission to put that matter on the
25 ballot for a referendum, which didn't happen.

1 He noted reported outages of the 911 system,
2 the throttling of radios during major events,
3 and the radio tower failures that resulted in
4 unreported radio failures.

5 In May of '18 the new letter that was sent
6 to County Administrator Bertha Henry, and this
7 was from BSO and chiefs; we believe there
8 exists a lack of planning, a lack of oversight,
9 and a lack of funding, and no clear vision for
10 one of the most important components of public
11 safety. There have been committees such as the
12 CCCC and the ORT with little or not measurable
13 success. Representatives of both associations,
14 and the Broward County Sheriff's Office, to
15 these committees, have reported frustration on
16 an inability to get things done.

17 In September of '18 the chiefs' letter to
18 Bertha Henry, and this was Sunrise Chief Rosa
19 as Chair of the ORT along with Sunrise Fire
20 Chief John McNamara, and they said the lack of
21 input by the respective public safety
22 professionals demonstrated fundamental
23 misunderstandings as to the appropriate role of
24 the County, and raising the specter of
25 unsettled unilateral operation decisions and

1 performance standards without regard to impact
2 on our collective agencies.

3 So the Fitch report, as we said, was in
4 December of '16. The chiefs expressed concern
5 over the lack of ORCAT operational experience
6 in '17, so Administrator Henry hired Tracy
7 Jackson as the ORCAT Director in the Spring of
8 2018. Director Jackson came from Miami-Dade
9 County Fire Rescue. He does have public safety
10 experience, but I can tell you that, and you'll
11 hear today from all of the people that we have
12 talked to, more than a year after Director
13 Jackson assumed his position the issues are
14 unresolved, and some even characterize them as
15 worse than ever.

16 A couple months ago, in March of this
17 year, March of 2019, and again we provided you
18 a copy of this in the last few days, Mayor Ryan
19 authored an op-ed that was published in the
20 South Florida Sun-Sentinel. In that Mayor Ryan
21 stated today friction and distrust persist as
22 it relates to our 911 system between County
23 technology employees and our public safety
24 professionals.

25 So to fast forward to where we are, our

1 commission investigators interviewed numerous
2 stakeholders, primarily mid and upper level
3 managers, and the investigators found the same
4 tone present that Fitch found, and it is
5 evident that there remains today significant
6 distrust among the stakeholders, and that this
7 is an us versus them environment, and that is a
8 barrier to issue resolution, and the success of
9 regional communications.

10 So to sum it up, the stakeholders feel the
11 County exceeds its area of responsibility, that
12 it's too domineering regarding stakeholder's
13 operations. They feel the County lacks a
14 collaborative inclusive decision making
15 approach. They also feel the County is too
16 bureaucratic in its decision making. On the
17 other hand the County feels the stakeholders
18 have co-located, but not sufficiently
19 consolidated under regional communications.
20 Because of this the County believes that the
21 efficiencies and cost savings of true
22 consolidation have not been realized, and the
23 County feels that it has fiscal responsibility
24 as the funder, and that obligation is not being
25 realized or respected by the stakeholders.

1 The County also feels that the
2 stakeholders have not been responsible to fully
3 implementing fire/EMS closest unit response
4 protocols, they have not developed a common
5 fleet map that would better organize police
6 communications, and respond to other ORCAT
7 requests. The County recognizes that there is
8 discord, but doesn't believe that it is
9 universal among all stakeholders.

10 Here's a list of the people and entities
11 that we have talked to over the last month or
12 so. I can tell you that I've spent a lot of
13 time down here in the last several weeks, and I
14 have personally interviewed fourteen agency
15 heads, other high level individuals
16 representing stakeholders, representing their
17 mayors, city managers, police chiefs, fire
18 chiefs, and every single one of them, every
19 single one of them agree with Mayor Ryan's
20 statement that today friction and distrust
21 persist as it relates to the 911 system between
22 County technology employees and our public
23 safety professionals, and I'm here to tell you
24 that it does. They all agree that the system
25 is not working. Where they disagree is on the

1 responsibility and the reasons for the
2 problems.

3 So as we conclude, after speaking with
4 these stakeholders over the last several weeks
5 there's no doubt the high level discord and
6 high level distrust is beyond repair in my
7 view. The issues have become personal. They
8 can't be resolved under the current governance
9 structure with the existing personnel. Coconut
10 Creek and Margate are leaving, and to avoid
11 others, and regressing to the disjointed system
12 that existed before 2014, something has to
13 change.

14 You're going to hear directly from these
15 representatives of the stakeholder groups, or
16 the stakeholders themselves today. The Broward
17 County Police Chiefs recently voted again to
18 have BSO assume all responsibility for regional
19 communications. There is not consensus with
20 the Broward County Fire Chiefs Association for
21 BSO to assume ORCAT and regional communication
22 responsibility, so you've got the Broward
23 County Police Chiefs that say give it to BSO,
24 Broward County Fire Chiefs, you'll hear from
25 Chief Babinec today, how is the president of

1 the association, and what he's going to tell
2 you is they don't have consensus. They believe
3 it should go to some other entity, but not
4 necessarily BSO, and what that entity is nobody
5 knows. The County Administrator, you'll hear
6 from her today. She does not currently support
7 BSO, or any other entity assuming the County's
8 current role and responsibilities regarding
9 ORCAT and regional communications.

10 So while the system is broken, and this
11 course has to be reset, I think it comes down
12 to a few things as far as options. Either the
13 people have to change, it's probably not going
14 to happen, the governance structure has to
15 change, which doesn't seem to be a will to do.
16 And probably about the only thing that's left
17 is to true some neutral objective outside
18 facilitator to come in and chip away at this,
19 and bring it to some degree of functionality.

20 I don't have the answers. And that's
21 where it is, and you all need to hear from them
22 directly, but to some degree I throw my hands
23 up because I rarely find things that I can't
24 fix, and this ain't fixable the way it is. So,
25 it's a mess. And we're going to take a break.

1 We're going to come back. Sergeant Suess is
2 going to give you an update on the Fitch
3 report, and then we're going to begin with the
4 presentations, and you'll hear beginning from
5 Chief Rosa. Mr. Petty.

6 COMMISSIONER PETTY: Just a -- just a
7 quick thank you, Mr. Chair, for taking the time
8 to dig into this, for meeting with all of the
9 constituencies, and for, and for the summary as
10 we, as we get into hear testimony about, about
11 the problems. We may have stumbled onto the
12 one thing that works less well than the Broward
13 County School District today, so I'm interested
14 in digging into the solution. I appreciate
15 your comment about throwing your hands up, but
16 I think if we dig into it together we can make
17 some recommendations.

18 CHAIR: Yeah, you know, I do think -- you
19 know, when -- when I say that, you know, I do
20 think it's fixable. I do think it's fixable,
21 but I, but I know it requires somebody to come
22 in here and take the bull by the horns and fix
23 it, you know, and, and -- well, you know, I got
24 a full time job. While it -- while it's
25 tempting to, to want to do it, I'm not going to

1 do it. And -- and I know how to do it. It can
2 be done. It can be done, but these parties
3 just need to come to the table and -- well,
4 let's here from them, and then you can all talk
5 about it. Sheriff Judd, go ahead.

6 SHERIFF JUDD: I too want to compliment
7 you on the work you've done on this. And I
8 think it's the obligation of this commission to
9 hold the parties responsible for finding the
10 solution, or we have the talent sitting around
11 this table to find the solution for them. The
12 question is do you want to find it at home or
13 do you want the outsiders to come in and fix it
14 for you; that's a decision that you're going to
15 have to make.

16 Everybody is going to have to give a
17 little. We're going to hear information in a
18 few minutes, but make no mistake about it, this
19 commission was empaneled to investigate what
20 occurred and fix problems, and it is absolutely
21 unequivocally not acceptable for public safety
22 professionals not to be able to sit in a room
23 like this around tables, get the, get their
24 professional experience and education together,
25 because they all deal with communications every

1 day, and fix the problem.

2 We can be the catalysts for them, but they
3 can't be a bunch of children in a sandbox.
4 And I look forward to us hearing from them and
5 finding, them finding solutions, and having
6 answers today. I certainly hope I don't hear
7 any whining and crying. I want to hear
8 professionals who I know have the experience
9 and the ability to fix this, to come together,
10 together when they stand up here, and then we
11 as a commission need to, to support a change,
12 because as we're about to hear from the Sheriff
13 and our Chair, that it's broken, and it's got
14 to be fixed because the people of Broward
15 County deserve it, and we as a commission on
16 behalf of the people of Broward County should
17 demand it.

18 CHAIR: Go ahead, Mr. Schachter, and then
19 we're going to take a break.

20 COMMISSIONER SCHACHTER: I -- I would like
21 to add on to what Sheriff just said, and remind
22 the parties involved that we have a great
23 governor in this state who has removed the
24 failures of this, the former sheriff, who was
25 now arrested yesterday, and he empaneled a

1 grand jury to investigate the school board, and
2 we have a great commission here that has done a
3 lot of good work, so I expect to hear answers,
4 and we will get to the bottom of it. If they
5 can't fix it we will fix it. Thank you very
6 much, Sheriff, for, for all of your work on
7 this effort, and all of your meetings, and
8 coming down here and spending so much time on
9 this. So thank you.

10 CHAIR: It's 10:45. We need to really
11 keep on track. We've got a lot to cover here
12 today by the end of today, so we'll start again
13 promptly, promptly at 11:00. 10:45, fifteen
14 minute break.

15 (Thereupon, the meeting is in recess, and the
16 proceedings continue as follows:)

17 CHAIR: Sergeant Suess is going to provide
18 you an update on the questions that were
19 re-asked from the Fitch study that he reported
20 on back at the April meeting. So go ahead,
21 John.

22 PRESENTATION UPDATED FITCH STUDY

23 SERGEANT SUESS: I'll keep this pretty
24 brief. Before I move ahead -- so looking at
25 the response rates for the different survey, so

1 in 2016 there were a total of three hundred and
2 seventy seven personnel to which the survey was
3 provided. Only one more employee here in 2019,
4 and then the response rates, they were a little
5 more, a little higher response rate in 2016 as
6 compared to the 2019 survey, but a hundred and
7 ten of three hundred and seventy eight
8 responded in some form to the survey.

9 So before I get into it I'll give you a
10 quick overview as a reminder. So on the left
11 side, the left grey box, you'll see there's two
12 different categories there, dispatchers and
13 managers within that single grey box. On the
14 right there's no delineation between
15 dispatchers and managers, every one of them,
16 every one is combined is combined in these
17 responses.

18 But we looked at this particular question,
19 or statement, I believe we provide a good level
20 of service to citizens who call 911. We see
21 there's a significant reduction in those who
22 agreed, and a significant increase in those who
23 are neutral about this particular statement.

24 When I began my current job the initial
25 training I received prepared me well for the

1 work. There's an increase in those who feel
2 neutral about the training, the initial
3 training, but a significant number still do not
4 feel that training prepared them well for the
5 work.

6 The ongoing training I receive continues
7 to enhance my skills. Not much changed over
8 the past three years regarding ongoing
9 training. Two thirds of employees are either
10 neutral or disagree about ongoing training
11 enhancing their skills.

12 The regional communications system is
13 equipped and prepared to handle large scale
14 emergencies such as Hurricanes or mass shooting
15 incidents. We see there's a drastic change
16 here. The employees recognize that the
17 regional system is not equipped to handle large
18 scale emergencies.

19 CHAIR: This is the -- this is the one
20 that is most troubling of all. And, you know,
21 there are others, but when fifty seven percent
22 of the employees, and they were all given the
23 opportunity to respond to the survey, and the
24 survey was open for at least ten days, and but
25 when fifty seven percent come back and say that

1 they don't believe that they're equipped to
2 handle large scale emergencies such as
3 Hurricanes or mass shootings that's bad. And
4 -- and it's gone up since '16, so.

5 SERGEANT SUESS: The work methods we
6 utilize help improve the efficiency in our
7 work. We see overall that the responses for
8 this question have also worsened.

9 Policies and procedures are easily
10 understood and applied. We have fewer
11 employees agree with this statement, and a
12 greater number of them feeling neutral about
13 this particular statement.

14 Moving on to the next slide --

15 CHAIR: And more that disagree with it,
16 too, right? Well, the managers.

17 SERGEANT SUESS: Right.

18 CHAIR: It's up to fifty nine percent, and
19 it's sixty five of the dispatchers, but it's
20 still a very high number.

21 SERGEANT SUESS: Yes, sir. The technology
22 and information systems we use are reliable and
23 appropriate to the job. We see that there is
24 continued lack of faith in the technology
25 within the regional system.

1 Equipment problems are handled
2 appropriately, and I get feedback on the
3 problems I report. Again it's pretty much the
4 same as previous years. There is a significant
5 disagreement with that statement, as far as any
6 equipment issues or problems being handled.

7 As I said, very brief, just providing you
8 an update, overall it's safe to say things have
9 indeed worsened. Is there anyone that has any
10 questions?

11 CHAIR: Yeah, Mr. Schachter, go ahead.

12 COMMISSIONER SCHACHTER: So am I to
13 understand that the entity that's in charge of
14 this would be the, would be the Sheriff?

15 SERGEANT SUESS: No, sir.

16 COMMISSIONER SCHACHTER: No? Okay.

17 SERGEANT SUESS: No, sir, the County is.

18 All --

19 COMMISSIONER SCHACHTER: The County is in
20 charge of training, and all that?

21 SERGEANT SUESS: Well, so there's some
22 bifurcated responsibility there. BSO largely
23 would be responsible for managing the
24 personnel, and providing the training to them.

25 CHAIR: So -- so but all these employees,

1 just to be clear with that, and there is, is
2 that all of these people who were surveyed are
3 employees of the Broward County Sheriff, so all
4 of these people are the people that are doing
5 the day to day call taking, the day to day
6 dispatching. Now, where it gets into the
7 bifurcation is, is that the technology, the
8 technology is what the, you know, that -- the
9 technology is responsible for ORCAT. The
10 technology is on the County side.

11 But I would say, and Angie Mize and
12 Colonel Zukowsky are here, and you can ask
13 them, and talk to them later today about this,
14 but when they talk about that the people in
15 there, fifty seven percent of them say that
16 they don't feel that they're equipped to handle
17 the emergencies in, large scale emergencies and
18 school shootings, I do think that's a BSO
19 thing, because those are the people who are
20 working for BSO.

21 Those people aren't working for the
22 County, they're working -- now, ultimately the
23 County is responsible because the County is the
24 owner, they're at the top of the system, but
25 the way it's supposed to work is, is that the

1 County is the owner of the system, and ORCAT is
2 ultimately responsible, and they're the funder,
3 but the management company is BSO, and those
4 are BSO employees.

5 COMMISSIONER SCHACHTER: Yeah, no, I
6 understand that, but like when it says policies
7 and procedures, the work methods we utilize,
8 who develops all of that?

9 CHAIR: Yeah, so I think -- I think that
10 -- save those questions for the County
11 administrator, and for BSO when you hear from
12 them this afternoon. All right, anybody have
13 any other questions for Sergeant Sues? No.
14 Update, that. Okay, so we're going to move in
15 now, in here, the first presentation is from
16 the Broward County Police Chiefs Association,
17 and we have Chief Anthony Rosa from Sunrise
18 that's here. And remember Chief Rosa is a
19 representative of the Police Chiefs, but also
20 is Chair of the Operational Review Team. And,
21 Chief Rosa, welcome. We thank you for being
22 here.

23 PRESENTATION BROWARD COUNTY REGIONAL COMMUNICATIONS
24 AND ORCAT, ISSUES, BROWARD COUNTY POLICE CHIEFS
25 ASSOCIATION

1 CHIEF ROSA: Thank you, and good morning.
2 So my name is Anthony Rosa. I'm the Chief of
3 Police for the City of Sunrise, and I'm an
4 Executive Board Member for the Broward County
5 Chiefs of Police Association. I am the
6 Association's representative for most matters
7 related to communications, and I am Chair of
8 the current version of the Joint Operational
9 Review Team with law enforcement and fire
10 rescue, and I'll discuss that in a few more
11 minutes.

12 I want to give you a little bit of
13 background so when I'm speaking you understand
14 where I'm coming from. I have approximately
15 twenty four years of law enforcement
16 experience. Twenty two of those are here in
17 the City of Sunrise. My background with
18 communications consists of experience with the
19 direct oversight of the Sunrise Police
20 Department's PSAP starting in early 2009, and
21 ending after Sunrise consolidated into the
22 regional communications system.

23 You know, this gave me the experience, and
24 any insight into all aspects of law
25 enforcement, and fire rescue E-911 intake,

1 dispatching, law records management, and
2 essentially what makes up the Broward County
3 Regional Consolidated Communications System
4 today. You know, I have experience in all of
5 the ancillary and administrative functions
6 that, that come along with that. I was heavily
7 involved in the transition to the consolidated
8 system, and I was considered a subject matter
9 expert on operational matters, and I provided
10 any guidance, or information as it came up.

11 Part -- part of the reason that happened
12 is in Broward County I'm one of the few law
13 enforcement officers that has this level
14 experience with both fire rescue dispatching,
15 E- 911 intake, and law enforcement outside of
16 the Sheriff's Office. And -- and outside of
17 those two municipalities that were
18 non-participating members of the consolidated
19 system.

20 So I'm here today, I really want to
21 discuss issues that concern the Broward Chiefs
22 related the County administration's oversight,
23 and what we consider interference with
24 operational matters into the consolidated
25 system. And I'm really going to try to stay in

1 my line with discussing the nature of the
2 Operational Review Team's interactions with the
3 Broward Chiefs, and, you know, how we interact
4 with County administration on matters related
5 to the system.

6 So what you see in here is the Operational
7 Review Team in its current form. It was
8 developed as part of a recommendation from the
9 Broward County consultant's report that we
10 heard about, and I know you're aware of, the
11 Fitch report. Both the Broward County Police
12 Chiefs and the Fire Chiefs Association of
13 Broward County collaborated, and we decided it
14 was appropriate as a result of the
15 recommendations in that report to consolidate,
16 and develop and operational decision making
17 structure that involved both the law and fire
18 disciplines, and we acted together, and in the
19 best interests of public safety.

20 The ORT consists of three designees from
21 the Broward County Chiefs of Police
22 Association, three designees from the Fire
23 Chiefs Association of Broward County, and one
24 designee from the Broward County City Managers
25 Association. And you see the, the list of

1 names and agencies that they're representative
2 of on your screen at this moment.

3 The need to establish this version of the
4 Operational Review Team I believe was widely
5 recognized, including by the consultants, who
6 stated in one of their reports the County has
7 inappropriately made, and public safety
8 officials has allowed, and I'll touch on that
9 because I think that's an important part of
10 this, some operational decisions to be handled
11 by the County that should instead be determined
12 by public safety officials. So because of this
13 the chiefs from both associations, you know,
14 when we collaborated, we developed a structure
15 to ORT that did differ from what was envisioned
16 and recommended in the Fitch report, because we
17 tailored it to meet our needs as the actual
18 recipients, or operators of the system.

19 The Fitch report recommended two distinct
20 and separate review teams, one for law and one
21 for fire, and instead what the chiefs, what the
22 chiefs received, you know, or came up with
23 after evaluation, was we thought we should
24 combine this. And we thought that by doing
25 that we're going to have a lot better, and

1 closer, collaboration between the law and the
2 fire disciplines, and in the combined format
3 the County would have one operational and
4 decision making body that they could seek
5 guidance or receive direction from. And the
6 chiefs further decided that it was important to
7 include one city manager on this committee, and
8 that ensured just absolute transparency to our
9 decision making process, and with the hopes
10 that the city managers could see, you know,
11 what we had already identified as some problems
12 with the relationships that had existed.

13 Both public safety associations, police
14 and fire, agree that this is one of the biggest
15 examples of what the system has done up to this
16 point, is it's caused the police and fire
17 chiefs to get together, collaborate, and come
18 up with what, you know, what we believe are
19 solutions to solve the problem.

20 I want to further clarify, and kind of
21 delineate the structure that the chiefs
22 established. And when I say the chiefs
23 established this, we did this through the
24 Operational Review Team. We established a
25 hierarchy that included the existing governance

1 boards within Broward County for law records
2 management, fire records management, CAD, and
3 then any other working group that may be needed
4 in -- and I'll call radio, it probably the most
5 important working group that's needed within
6 the County. There was a previous version of a
7 radio collaborative effort with the County
8 called the Regional Public Safety
9 Communications Committee, but there has not
10 been a meeting of that in several years.

11 So these governance boards that I just
12 spoke about, they're highly successful examples
13 of delegated decision making, as the boards
14 consist of all subject matter experts in that
15 specific topic that are appointed by the
16 participating agency's chief executive. So the
17 organizational structure adopted by ORT
18 accounts for the fact that if there was ever an
19 unresolved dispute at the governance board
20 level the issue would be escalated to the, to
21 the chiefs, or ORT, for a final decision.

22 Excuse me.

23 Since the ORT is the representative body
24 of both police and fire chiefs it has been
25 assigned the authority to make decisions on

1 behalf of both associations, and if the ORT
2 members in their judgment determined that an
3 issue needed contemplation, or a decision by
4 the actual chief of the agency, and it's
5 brought then to a chiefs only vote of the
6 respective organizations.

7 This slide that I just put up, it depicts
8 the work flow process that the operational
9 review team has adopted. I'm not going to go
10 through the details, and the flow of it, but I
11 think it's important to recognize that this
12 chart really represents inclusion, and the
13 ability to say yes or not to almost any issue
14 that arises from any entity involved in, in
15 whatever the issue is. We designed it to allow
16 maximum input by all of the operational
17 decision makers, and we've also included the
18 County through ORCAT almost at the very
19 beginning of the process.

20 And again I, you know, we believe that
21 collaboration to resolve some of the issues is
22 important, and that's why we did that. And
23 then at the other end of it, at a higher level
24 we recognize that some of our requests, or some
25 of our issues may require funding from the

1 County, and there is a structure in place for
2 that, but we're not representing it on the work
3 flow.

4 So up to this point everything that I've
5 discussed was created by the chiefs as a result
6 of us recognizing that the police chiefs and
7 the fire chiefs did cede some operational
8 control upon the formation of this system.
9 And, you know, we got together, collaborated,
10 and we decided we need to get some of the
11 operational decision making control back. Now,
12 when we developed this -- and everything that
13 I've just previously discussed has been opposed
14 by either County administration or their
15 representatives of ORCAT at some point in the
16 process.

17 And I can give you an example. A
18 representative of County administration
19 directly opposed the joint nature of the ORT
20 after its formation, voicing opposition during
21 several meetings of the stakeholders, during
22 one of the Broward County consolidated
23 committees, that, that this structure the
24 chiefs adopted is not what Fitch recommended.
25 And I think it's important to recognize that

1 the chiefs view the Fitch report as a
2 guideline, or a roadmap designed to make
3 recommendations, or making recommendations for
4 improvement to the system, and how we can make
5 things better. But we do not see it, and we do
6 not believe that it's a mandate, nor should it
7 be considered a final authority on any
8 operational matters. The police chiefs believe
9 the decisions on any operational matters must
10 be made by the police chiefs.

11 So kind of to highlight what I'm talking
12 about, that the County has opposed it, and they
13 currently don't recognize the current ORT
14 organizational structure, or the work flow
15 process. This slide is actually a screen
16 picture that I took late last week of the
17 County website that shows two operational
18 review teams in existence, once for fire rescue
19 and one for law enforcement, and, you know, the
20 Operational Review Teams have taken on many
21 different structures and versions over the
22 years, and I've been involved since my
23 involvement in communications with all of them
24 in one capacity or another. I'm not ever aware
25 of there being two operational review teams,

1 and, you know, I think that this is similar to
2 other things that the County is presenting, and
3 this highlights the, the division between the
4 operational stakeholders and some
5 administrative issues that exist, because
6 similar, there's a similar, and I'm not going
7 to put it on a slide, but there is a similar
8 misunderstanding, or misrepresentation in my
9 opinion, of our work flow process.

10 The work flow process that I had up there
11 previously is what the Broward chiefs think is
12 best for the regional system in its operational
13 capacity, however the County misrepresents
14 both, the ORT as two separate organizations
15 that don't exist, and that's misleading to the
16 public, and unclear I think to the leaders of
17 our municipalities. It's not representative of
18 what the Operational Review Team has adopted,
19 and the process that's actually followed by the
20 police and fire chiefs.

21 County I don't think recognizes the
22 organization hierarchy that the ORT has adopted
23 recently. A member -- very recently actually.
24 A member of ORCAT made a statement to an ORT
25 governance, I'm sorry, an ORT Board member,

1 that the Law of Records Management Governance
2 Board goes not report to the ORT. And this is
3 not the first time this sentiment has been
4 articulated by the County, or any of their
5 representatives regarding our governance
6 boards, and it's perplexing to the chiefs that
7 they don't recognize, even after we've
8 explained it, the natural relationship that
9 occurs in the law enforcement and fire rescue
10 rank system. The fact that, you know, I
11 mentioned before these governance boards
12 consist of members appointed by the agency
13 head, automatically lend itself that they are
14 subordinate to the ORT in the structure, and,
15 and given the ability to make certain decisions
16 by the chiefs.

17 So I think these are just a couple of
18 examples of lack of recognition by the County,
19 or the public safety professionals in Broward
20 County, as the subject matter experts, and the
21 group that's most appropriately suited to make
22 decisions that affect the operations of our
23 agencies. So the concerns that I brought up,
24 they began soon after the migration of the
25 technological component of the system, which is

1 known as ORCAT. It used to be under the
2 leadership of the Broward Sheriff's Office, and
3 it's part of the regional system, it migrated
4 over to County government.

5 When that happened there was almost an
6 immediate sentiment that the fact that the
7 County owned the system meant that the County
8 was able to make decisions, and County
9 administration through ORCAT continues to cause
10 the police chiefs to have to become personally
11 involved, because the constantly
12 confrontational relationships that have
13 developed at the operational level.

14 I'm going to show you two slides here,
15 and, and this one is a representation of the
16 governmental structure of Broward County in
17 2015. The next one was taken in May of 2019,
18 and I'll get to that in a moment. So for, for
19 several years during and after consolidation
20 the chiefs have been raising concerns related
21 to the County's oversight of the system, and
22 there has been little improvement. During the
23 most recent Broward County Charter Review
24 discussion in 2017, and I'm not going to get
25 into because the Sheriff already talked about

1 it, but the chiefs did support the creation of
2 a Director of Public Safety Communications, and
3 a Communications Advisory Council, and we did
4 that because we recognized that the system was
5 broken and, and needed to come up with a
6 solution to fix it.

7 Clearly the Director of Communications
8 reporting directly to the County Commission did
9 not come to fruition. We think, you know, we
10 believe that partially, because during one of
11 the sub-committee meetings, as stated, the
12 County Administrator did commit to hiring a
13 director for ORCAT who has public safety
14 experience. When it was proposed the Broward
15 Chiefs agreed that was an acceptable outcome,
16 and we ceased any direct advocacy for the
17 creation of the position of either director or
18 an advisory council.

19 Eventually a Director of ORCAT was hired,
20 and the credentials that he came with
21 demonstrated the experience that the police
22 chiefs were expecting, but in reality
23 unfortunately the County organizational
24 structure was modified, and the new director
25 was assigned as the Director of Regional

1 Emergency Services and Communications. So this
2 spot actually took the position of ORCAT on the
3 County's governmental structure in the chart.
4 This chart represents a distinction. There is
5 Office of Regional Communications Technology,
6 and then there's also a Office of Emergency
7 Management.

8 So you can see those two changes on the
9 two charts, and, and like I said I won't point
10 them, out, but they, they do exist there, as
11 I'm sure you've noticed. So really what the
12 Chiefs asked for, what was needed for the
13 system, and what is currently needed, is a
14 dedicated director of ORCAT, because what we
15 got, though after asking, is we got
16 consolidation of two positions that in my
17 opinion Emergency Management and Communication
18 are worthy of having two distinct leadership
19 structures because of the importance of each.

20 I think that -- not only the importance,
21 but how busy this was, you know. And I think
22 that the amount of responsibility on the new
23 Director of ORCAT, to have both Emergency
24 Management and Communications under his charge,
25 most likely accounts for the fact that the

1 Director has only attended one meeting of the
2 Operational Review Team since his hire as the
3 Emergency Management and Communications
4 Director, when like I said I believe they're
5 worthy, each one is worthy of full time
6 leadership.

7 Unfortunately the relationship between the
8 ORT and ORCAT has continued to deteriorate to a
9 point where after a rather contentious ORT
10 meeting ORT boulevard that a private meeting
11 was necessary with the Director and Assistant
12 Director outside of an audience to try to
13 improve the relationship and create better
14 understanding between the two entities.

15 Unfortunately on the day of that scheduled
16 meeting both the Director and the Assistant
17 Director cancelled that meeting. And we've
18 since rescheduled it, but it has not happened
19 yet.

20 So in general I want to point out that
21 most Chiefs, and including myself, and maybe
22 myself more than most, have excellent long term
23 working relationships with most members of
24 ORCAT. There are varying levels of effective
25 communication though with some other members,

1 and it's clear that personalities interfere,
2 and are an obstruction to cooperative attempts
3 to communicate on operational issues.
4 Essentially we don't speak the same language,
5 the operational people and the technology
6 people.

7 I can give you multiple examples of the
8 disconnect that I think happens. One I'm going
9 to touch on, though, is the radio throttling
10 issue. You know the role of the first
11 responder during a mass incident will almost
12 always require the use of some level of the
13 radio system. You know, and after MSD the
14 Chiefs learned for the first time that the
15 simple toggling of a switch will put capacity
16 on a radio system. And -- and when I say we
17 learned for the first time, in some instances
18 law enforcement officers with forty plus years
19 experience had never heard this before, and the
20 same goes true for myself.

21 But, with that knowledge, and once we were
22 told about it, we agreed that first responders
23 should be educated on how to most efficiently
24 use a radio, you know, to mitigate any, any
25 problems that the system may experience. You

1 know, we have -- we do have an issue with the
2 fundamental lack of understanding of the role
3 of the first responder during a mass type, mass
4 type incident. The advice that the Chiefs were
5 given from ORCAT during this incident in order
6 not to put load on the radio system was to turn
7 our radios off, you know, if we're not
8 responding. I -- I almost don't know what to
9 say to that, because it's not appropriate to
10 make that recommendation, it's not practical,
11 and it's not safe, because police and fire
12 rescue units while they aren't responding to a
13 mass incident are still providing emergency
14 services to the rest of the county, there's
15 oversight, there's command and control, and
16 other reasons that we do have to be on the
17 radio.

18 You know, I don't think that advice ever
19 took into the fact what the police and fire
20 chiefs talk about, is we are concerned, and we
21 train what if we have to respond to multiple
22 mass incidents within Broward County at one
23 time. What capacity goes onto the radio system
24 if that happens? I think we all know the
25 current radio system, what would happen, and

1 the police and fire chiefs have been training
2 to, to deal with that, and to try to mitigate
3 those, those issues. What I don't know is how
4 the new system will be affected if there was
5 two mass casualty or critical incidents
6 occurring simultaneously within Broward County.
7 We've asked several times, and we have not
8 received answers.

9 I bring this issue up, and I talk about
10 it, because we've learned that the County knew
11 about a potential user issue with radios, users
12 causing unnecessary capacity on the system at a
13 prior significant incident, the airport
14 shooting, but did not coordinate or present any
15 preventive or mitigative suggestions the Chief.
16 I think it's just another example of the lack
17 of acknowledgment of the chiefs in their role
18 as operational people within the system.

19 It is extremely concerning to the Broward
20 County Chiefs of Police Association, and it's
21 evidence that we are not considered equal
22 partners in the governance of the system, and
23 we do not have an effective voice with
24 operational decisions or operational
25 management. This hampers our ability to

1 provide the best services to the residents,
2 visitors, and businesses within Broward County.
3 We believe that the current structure of the
4 consolidated system will never be effective as
5 long as the County is involved in operations
6 matters, either directly or indirectly, that
7 affect the law and the fire rescue services.
8 So due to the fundamental lack of understanding
9 of the needs of the first responder community
10 by County administration the Broward County
11 Chiefs support the entire consolidated
12 communication system properly funded, and with
13 a governance structure in place that gives the
14 Chiefs a seat at the table, real true decision
15 making ability on operational matters, and that
16 the system be transferred to the Broward County
17 Sheriff.

18 We believe that the system can only be
19 operated by somebody with operational expertise
20 and understanding of public safety matters, and
21 I believe that this will certainly allow the
22 for the effective and efficient resolution to
23 operational issues that arise, and for the
24 improvement to the level of service being
25 provided by BSO to public safety agencies

1 without any interference from Broward County.

2 And I think -- I think it's important to
3 note a couple things, the system and the
4 governance that's set up in place today.
5 Everybody at this table, everybody on this
6 commission I believe would recognize you can't
7 have two bosses, and what we have right now is
8 the County, who owns and funds, and provides
9 support through technology to the system, and
10 then you have the Sheriff who operates the
11 system, and from our perspective there are two
12 bosses, and conflicting messages that exist.

13 I also want to point out that in my
14 opinion it's not appropriate to have ORCAT
15 managing the system. ORCAT is the Office of
16 Regional Communications and Technology. I
17 believe the purpose of technology is to support
18 the operation, not, not drive the operation.
19 I'm not sure of any business model, whether it
20 be in public safety, government, or even in the
21 private sector, outside of maybe technology
22 sector itself, where technology drives and
23 governs the operation. And I think that the
24 solution, or the best solution at this point is
25 to have the system, and I don't believe this,

1 you know, it is my personal opinion, but it's
2 also the opinion of the Broward County Chiefs
3 of Police Association, that the system needs to
4 be placed under the leadership of the Broward
5 County Sheriff.

6 So that -- that ends my presentation, and
7 I'm open to any questions.

8 CHAIR: And once -- I just want to clarify
9 something, because on, on the meeting that had
10 been scheduled with Director Jackson to resolve
11 some of these issues, that private meeting is,
12 is that, I'm confused, because has that been
13 rescheduled or not been rescheduled?

14 CHIEF ROSA: It has been rescheduled.

15 CHAIR: When was the communication on that
16 to reschedule it, because that's --

17 CHIEF ROSA: It happened early last week.
18 Late two weeks ago, or early last week.

19 CHAIR: Okay, but so that has been -- that
20 -- that --

21 CHIEF ROSA: Yes.

22 CHAIR: Okay. Is there a date set for
23 that, or is it --

24 CHIEF ROSA: There is a date, and I don't
25 know what it is.

1 CHAIR: Okay. All right. All right,
2 Sheriff Ashley, go ahead.

3 SHERIFF ASHLEY: Thank you for the
4 presentation, that was certainly insightful,
5 and certainly matches my own experience in law
6 enforcement communications. What operational
7 -- you gave one example, the toggling example,
8 what, what actual examples of operational
9 control would you like back? As police chiefs
10 you're making the decision how many call takers
11 you have versus how many dispatchers you have,
12 versus the calls, administrative calls. What
13 -- what specifically would you like back that
14 ORCAT doesn't provide you the opportunity to
15 do?

16 CHIEF ROSA: So there's going to be
17 several things, but when, when there's a
18 recommendation by ORCAT to, to change something
19 in the system -- and I'm going to give you an
20 example of the something the Sunrise Police
21 Department and the Lauderhill Police Department
22 are current dealing with. There was a
23 recommendation, and it's the County's intent,
24 as it was explained to me, to consolidate the
25 Sunrise Police Department and the Lauderhill

1 Police Department's radio channels overnight
2 from two separate and distinct channels to one
3 channel.

4 That -- that was done as a result of a
5 study by the Fitch report. I'm not going to
6 pretend to understand the methodology they
7 were, but what I can tell you is that that's
8 not going to work. The Lauderhill Police
9 Department and the Sunrise Police Department,
10 two different agencies. I've had significant
11 discussions with the Lauderhill Police Chief on
12 this, and we both concur that by doing this
13 Lauderhill will effectively shut down Sunrise
14 Police Department at night. Call volume --

15 SHERIFF ASHLEY: So they didn't take any
16 jurisdictional considerations in making that
17 decision.

18 CHIEF ROSA: There was no jurisdictional
19 considerations, nor was there any, at the time
20 the recommendation was made, even any
21 involvement from the police chiefs on it, other
22 than the police chiefs coming together as a
23 group saying that we're not going to accept any
24 of those, outside of the direct approval from
25 the affected police chief, you know, the

1 agency's police heads, agency heads.

2 CHAIR: So not only that -- and I just
3 wanted, just for clarification, and you can
4 respond to this, because I've talked to Chief
5 Stanley, and talked to Deputy Chief Siegel,
6 and, and their concern is -- and this is where
7 it goes -- this is where the operational stuff
8 just isn't matching up is, what they say is, is
9 that the County is basing it totally on
10 statistical information and PTTs, push to
11 talks, and they're using data, where, where
12 they're saying from an operational standpoint,
13 because whatever everybody calls it, and we all
14 call it something different, but when the air
15 is held for emergency situations, et cetera,
16 that doesn't give the full picture.

17 And Lauderhill is at night, put it this
18 way, crime is more in Lauderhill than it is in
19 Sunrise, and, and they're exponentially busier,
20 and the have a lot more emergency situations,
21 and a lot more time. So if you take a Sunrise
22 police officer that's trying to do a traffic
23 stop, trying to check out with somebody, trying
24 to do proactive policing, trying to do
25 whatever, but they're on the same channel with

1 Lauderhill, and Lauderhill's channels are
2 continually held, the air is held for emergency
3 traffic because of all those high risk
4 situations they're dealing with, then they
5 won't be able to get on the radio.

6 And so what they're saying, the
7 frustration is the County doesn't listen to
8 them because they're using pure metrics and
9 statistical information, which when the, when
10 the air is held for five, ten, fifteen minutes,
11 or whatever it is, they're saying operationally
12 isn't going to work, and the County is not
13 listening to them. Is that -- is that correct?

14 CHIEF ROSA: Yeah, that's exactly correct.
15 And, you know, I want to point out for the non-
16 law enforcement officers that during critical
17 incidents mostly all transmissions stop, so if
18 you're evaluating the system, or you're trying
19 to make a recommendation to consolidate
20 something for a cost savings potentially, and
21 not taking into consideration why there are no
22 transmissions, so if there's a critical
23 incident occurring there's no transmission,
24 obviously that stat is not registering in the
25 system, and then - - and this is something that

1 we repeatedly pointed out needs to be taken
2 into consideration.

3 CHAIR: And this is what gets to the core
4 of this, because they're not communicating, and
5 because, you know, when the director only shows
6 up at one ORT meeting, and they're not, there's
7 no lines of communication, and you get into the
8 distrust, and you get into every, is that they
9 can't -- I mean a simple issue like that, they
10 just can't get it resolved because they're not
11 communicating on it.

12 SHERIFF ASHLEY: And -- and given the
13 opportunity when the County Manager presents I
14 certainly think I have a solution for him, or
15 at least an alternative that we can discuss
16 then. But thank you for your presentation and
17 information.

18 CHIEF ROSA: Thank you.

19 SHERIFF ASHLEY: Thank you.

20 CHAIR: Chief Lystad, go ahead.

21 CHIEF LYSTAD: Just a couple questions,
22 Chief, some of them are from a financial, and
23 as familiar as you are with PSAPs you should be
24 able to answer the questions. So when you
25 consolidated with the PSAPs, the PSAP funding

1 that you had before, did that go to the County?

2 CHIEF ROSA: No. No, the City realized
3 the savings with the PSAP funding. The County
4 -- the County took on the funding by itself, it
5 funds the system.

6 CHIEF LYSTAD: And so before the
7 consolidation you had frequencies assigned to
8 those cities, specifically as we are talking
9 about Sunrise and Lauderhill?

10 CHIEF ROSA: So Sunrise owns several
11 frequencies. As part of the consolidation
12 process we did, although we maintain ownership
13 of them we did sign over some rights to the
14 County for use of those frequencies.

15 CHIEF LYSTAD: So is the County using
16 those frequencies for the dispatch that you
17 just, the example you just talked about?

18 CHIEF ROSA: Yeah. And my weakness is
19 going to be radio, and exactly specifically
20 where the frequencies are assigned to, so I'm
21 not going to tell you yes because I don't know
22 if that will be accurate, but I do know that it
23 was presented to us there was a need for the
24 additional frequencies in order to consolidate
25 the system.

1 CHIEF LYSTAD: Okay, so in the
2 presentation I saw ORT is not being recognized
3 by ORCAT, so there's no real interaction; is
4 that a fair statement?

5 CHIEF ROSA: There -- there is
6 interaction. So things are done in silos, or,
7 or at least my observations within the County
8 things are done in silos, so I believe County
9 Administration believes there's two separate
10 ORT structures in place, one for police, one
11 for fire. The -- the assistant director has
12 come to almost every ORT meeting, and been
13 involved. One of the problems that we find
14 though is that we're continuously regurgitating
15 questions and information for our desires, and
16 it seems to die at the ORT level. And that's
17 -- that's a, you know, an operational concern
18 of ours, because we decided that this should be
19 the, the clearinghouse for any operational
20 issues. I hope that answers your questions.

21 CHIEF LYSTAD: The example you presented
22 about the two agencies for the dispatch, prior
23 to consolidation did they have their own
24 frequencies, and their own dispatch?

25 CHIEF ROSA: Yes, we have our own

1 dispatch. So I want to -- I'll step back --
2 I'll go back a little bit. So frequencies,
3 we'll refer to them, or we refer to them as our
4 radio channels, but really what they are is
5 individual talk groups for the agencies. So,
6 yes, Lauderhill and Sunrise could talk
7 simultaneously and never hear each other, so we
8 were on two separate what I'll call radio
9 channels, what I believe you're referring to as
10 frequencies, that were completely apart from
11 each other, and only merged when there was an
12 operational need, if, if one jurisdiction
13 entered the other with some kind of a police
14 response.

15 CHAIR: Mr. Schachter, go ahead.

16 COMMISSIONER SCHACHTER: Thank you, Chief,
17 for your presentation. I'm just curious, did,
18 did Fitch interview Lauderhill and the other
19 agency prior to making that decision?

20 CHIEF ROSA: Well, I don't know if they
21 interviewed Lauderhill. I did speak with one
22 of the authors of the Fitch report, and then
23 after the Fitch report we actually authored a
24 letter asking them to reconsider that, because
25 we know that there's, it's not going to work,

1 and gave some examples of previous instances
2 since the system has been consolidated of, of
3 radio channel lessening that had to be undone.
4 And, you know, once of the reasons I've said,
5 is I'm not going to explain because I don't
6 understand the methodology that was used. What
7 I do understand is the operational impacts of
8 the agencies.

9 One of the things that happened, the Fort
10 Lauderdale Police Department lessened the
11 amount of radio channels they had, and quickly,
12 because of the push to talk stats showed that
13 it could work, you know, in the cooperative
14 nature that I think all the law enforcement
15 agency are, we tried it, and it was quickly
16 undone because it didn't work. So that really
17 concerned me as the Sunrise Police Chief, the
18 impact it's going to have on my agency, you
19 know, and I know Lauderhill feels the same way
20 if, if this happens.

21 COMMISSIONER SCHACHTER: Did Fitch have
22 any recommendations on the macro level to fix
23 all these problems?

24 CHIEF ROSA: Well, and I think that's,
25 that's kind of the point, you know, Fitch made

1 several recommendations, but were not looking
2 at it as a wholistic document, one total
3 recommendation for general improvement to the
4 system. What I've -- what I've found, and what
5 I realized is, and this is including the Police
6 Chiefs, we go into that Fitch report and we
7 find the things that are most important to us,
8 and we say, look it, Fitch said this, we have
9 to do it. County does the same thing. Nobody
10 is looking at this Fitch report as a document
11 as it should be, a recommendation for general
12 improvement to the system.

13 COMMISSIONER SCHACHTER: And then my last
14 question is, and I asked this earlier, as I
15 look through the updated Fitch, and it says the
16 ongoing training I received, you know, and it
17 talks about training, and it talks about
18 preparation, who do you feel is, is in, who is
19 in charge of that?

20 CHIEF ROSA: So, you know, we have two
21 things going on. Directly I believe that the
22 Broward County Sheriff is in charge for
23 training, and ensuring his employees are
24 trained. But there is some involvement from
25 the County from a funding, from an

1 availability, and a staffing perspective, to
2 allow people to be trained, so, you know, it's
3 not just one person. I think, you know, as an
4 agency head I believe that it's the agency
5 head's responsibility to ensure his people are
6 trained, but if you don't control your funding
7 stream, you don't control portions of your
8 budget related to the funding of that specific
9 function, then you can cause some problems.
10 You may not be able to -- I don't want to speak
11 for the Sheriff, but you may not be able
12 implement some of the things that you think are
13 important.

14 COMMISSIONER SCHACHTER: And I understand
15 that, you know, the, the people, that the
16 dispatchers might not feel that the technology
17 would, would work, and they know that it failed
18 on these last two mass incidents, and that
19 might affect how they answered some of the
20 questions, but when it comes to policies and
21 procedures are easily understood that's by BSO,
22 right?

23 CHIEF ROSA: Yes.

24 COMMISSIONER SCHACHTER: Okay, thank you.

25 CHAIR: And just to I guess give you a

1 little insight on, when I talked to, personally
2 talked to several about the Fitch study, and I
3 heard it several times, was, is that they
4 didn't, because of the undercurrent, and the
5 distrust is, is that they didn't respond fully,
6 or at all to the Fitch questions, because Fitch
7 was being compensated by the County, and paid
8 for by the County, and they felt it was a
9 report paid for by the County, and they didn't
10 share a lot of information with Fitch because
11 they didn't trust it.

12 Now, whether that's right or wrong I'll
13 just tell you that that's what was said, and so
14 that's the level of discord, and that's the
15 level of problems that exist. I mean just
16 with, you know, with what you said, Chief, and
17 I want to make sure I got this right, and in
18 part of a question, is that you said that the
19 police chiefs are not considered to be by you
20 all, you all, you don't consider to be equal
21 partners with ORCAT in the structure, and with
22 the County involved it will not be effective.

23 And -- and you've told me previously that
24 for it to work County administration has to be
25 to of it, and I think you said that here, here

1 today.

2 CHIEF ROSA: Yes. Yes, that's correct.

3 CHAIR: So if -- if that's not an option
4 what is the Police Chiefs' position on how it
5 would work? If this relationship is so
6 fractured, and your view is, is that for it to
7 work they have to be out of it, you're not
8 considered peers, and on an equal level with
9 them, but if they're not getting out what's the
10 next step?

11 CHIEF ROSA: So I think when you say, the
12 premise of them not getting out, I think they
13 have to get out. But if -- if the system is to
14 continue to reside in the County the step is to
15 have one leader, and it has to be the right
16 person that's not subject to influence of the
17 same person that's responsible for all other
18 aspects of the County. So, you know, our
19 original support for a person reporting
20 directly to the County Commission for matters
21 of communication, you know, that's, that is
22 definitely another solution.

23 I think it's important, because that would
24 allow the County Commission to hire the right
25 person with, with the management skills and

1 leadership skills to be able to handle a system
2 of this complexity.

3 CHAIR: So -- so since Mr. Jackson was
4 hired, and I'm not going to pick on him, but
5 he's in that position, and, and because of
6 what's been said, and I think we've talked
7 about this is, is that what's the view of the
8 Police Chiefs, are things better, worse, the
9 same, over the last year? Because he's been in
10 place for a year now, and he was brought in to
11 try and resolve these issues; is the situation
12 better, worse, or the same?

13 CHIEF ROSA: I'm -- characterization from
14 the Police Chiefs is it's worse. And, you
15 know, I want to qualify that by saying, you
16 know, in part of my presentation, and I have
17 developed a great relationship with Mr.
18 Jackson, but I do think that it's going to be
19 virtually impossible within a county the size
20 of Broward to be responsible for emergency
21 management and this communication system.
22 They're both complicated. They're both labor
23 intensive, and they both need directed
24 leadership.

25 CHAIR: I guess -- maybe you've already

1 answered this question but I want to ask
2 anyway. If you had to identify one thing as
3 the greatest barrier to the success of regional
4 communications what would that one thing be?

5 CHIEF ROSA: Interference by
6 administrative people that don't have, and
7 don't appear to want to hear from the
8 operational people.

9 CHAIR: Anybody else, any questions? Mr.
10 Petty.

11 COMMISSIONER PETTY: Just an observation.
12 We talk a lot about -- I've heard the term
13 used, equal relationship, or relationship of
14 equals, when I look at this I look at you as
15 the customer for this, and I don't think that's
16 a symmetric relationship. I think -- I think
17 the first responders and police, fire/EMS, you
18 guys are the customers, and what you need to do
19 your job should be at the top of the priority
20 list for the County, regardless of agency
21 department head, and we'll get into more of
22 that later, you're, you know, you're the
23 customer, so this, this whole idea of trying to
24 get a symmetric relationship doesn't make any
25 sense to me.

1 I think you guys should say this is what
2 we need to do our jobs, this is the jobs we've,
3 the job we've been tasked to perform in this
4 County, this is what we need, and if there's
5 some budgetary limitation then we deal with
6 those things. But other than that I don't
7 understand why, why, you know, why the
8 relationship even needs to be symmetric.

9 CHIEF ROSA: So when the system was first
10 formed it was formed with the idea that, that
11 we are the customers of the system, and I think
12 that attitude permeated throughout the County,
13 that we're going to receive the level, you
14 know, what we receive. So the -- the customer
15 relationship wasn't really there, because it
16 was, yeah, you're our customers, but we're not
17 going to necessarily give you what you want,
18 we're going to give you what we think you need,
19 and doing that without any background, or any
20 understanding of how we provide public service
21 to the community.

22 So because of that, and I think that
23 morphs into what the Fitch report said, that
24 the Chiefs have, you know, inappropriately
25 allowed decisions to be made, you know, we

1 decided, no, that can't happen anymore, we have
2 to start making the decisions because we're the
3 ones ultimately responsible to provide
4 protection, provide, you know, policing
5 services to the community.

6 COMMISSIONER PETTY: And I recognize
7 public agencies and private enterprise are
8 quite different, so I don't, I don't see this
9 naively, but there are very few private
10 businesses that could operate the way that I'm
11 understanding from you testimony the County is
12 operating and still remain in business.

13 CHIEF ROSA: Yeah. And -- and we
14 recognize that, and I think, you know, part of
15 the recommendation that there be one person in
16 charge with public safety experience, I don't,
17 just it's more complicated than that, like they
18 have to have significant management experience,
19 budgetary experience, and leadership
20 experience, but with an understanding of
21 operational issues, police and fire
22 departments, fire rescue agencies have.

23 COMMISSIONER PETTY: Or at least a
24 willingness to listen.

25 CHIEF ROSA: A willingness to listen would

1 be an excellent start.

2 CHAIR: When -- when that meet -- when
3 that meeting was cancelled a couple weeks ago,
4 and it was cancelled just before the meeting
5 was to occur, and that was to try and resolve
6 in private these differences --

7 CHIEF ROSA: Yes. Yes, so --

8 CHAIR: -- and -- and -- and, you know,
9 I've heard from others, and I think I've talked
10 to you about it briefly, but how did that make
11 you all feel, how did that -- when this -- when
12 you all are going to sit down and try and make
13 peace, and that meeting was cancelled abruptly,
14 what was the result of that?

15 CHIEF ROSA: So I, you know, the members
16 of the Board, I know them very well, and, and,
17 you know, we think it's the right thing to do.
18 The relationship is broken, it's been broken
19 for years, you know. At a contentious public
20 meeting there's an audience, and in my
21 observation some people play to the audience a
22 little bit, and I thought that it was important
23 to have this meeting privately without an
24 audience so we could just kind of hash out some
25 of the problems, some of the differences.

1 We do that in spirit of cooperation, so we
2 want this system to work. We think -- we think
3 it's a robust system. We know it's
4 complicated, but, you know, when it's
5 cancelled, a meeting of that magnitude where
6 we're making an effort, we're putting ourselves
7 out there to, to try to resolve some of these
8 differences, and, and it gets cancelled, you
9 know --

10 CHAIR: Were you told why it was
11 cancelled?

12 CHIEF ROSA: Yes, there was a conflicting
13 meeting for both people.

14 CHAIR: For both of their people?

15 CHIEF ROSA: For both of their people,
16 yes.

17 CHAIR: Okay. Sheriff Judd, go ahead.

18 SHERIFF JUDD: Chief, we see the letter
19 from the Broward County Police Chiefs
20 Association, and I think it's powerful that you
21 say, hey, if, if the operations were turned
22 over to the Sheriff and, and he hired someone
23 who solely was in charge of this system, and
24 you had the fire chiefs, and the police chiefs,
25 then we could solve these issues.

1 CHIEF ROSA: Yeah, that -- and that's the
2 sentiment of the letter. You know, we're not
3 naive. You know, there, there are concerns
4 that we discussed internally with handing this
5 over to the Sheriff. Some of the things we
6 talked directly to the Sheriff about, you know,
7 before we came to this conclusion that, the
8 Broward Chiefs came to the conclusion that,
9 that this is the best course of action at this
10 time, is, is we want a commitment that the
11 Chiefs are going to have a voice at the table
12 and be, be decision makers, and, and, you know,
13 so we don't send that letter lightly, and you
14 know, because I think we, you know, if you're
15 in the law enforcement business you see, and
16 you can anticipate certain things happening
17 over time.

18 The Sheriff is an elected position, you
19 know, it could be every election a new sheriff
20 comes in, new sets of standards are, you know,
21 applied by that sheriff, so we send that letter
22 knowing that, but we think that the system is,
23 is in such dire straits that this is the best,
24 the best solution to the problem.

25 SHERIFF JUDD: Also by the chief -- by the

1 sheriff being a publicly elected official every
2 four years you, you as a police chief, and as a
3 citizen, have the right to check his report
4 card, that, hey, this, this is working.

5 CHIEF ROSA: Yes. Yes.

6 SHERIFF JUDD: I reflect, we have a
7 consolidated system in our county that I run,
8 and Chris Nelson, who is now with the State
9 Attorney's Office, was a chief in Auburndale,
10 but I reiterate, Chris had as much power to
11 modify rules, change rules, as my own people
12 did, because they sit as a group, the fire
13 chiefs and police chiefs, they sit as a group,
14 and they hash out issues and say, well, we need
15 this for our community, and we need this, and
16 they, they worked through these issues.

17 I'll ask this question later, but as I
18 understand the Fire Chiefs don't agree with
19 your letter; is that correct?

20 CHIEF ROSA: Yeah, you know, I spoke with
21 the President of the Fire Association, and his
22 words to me, they don't have consensus when we
23 spoke, right before we sent this letter out,
24 and, you know, I'd prefer if you'd ask him
25 directly about that situation --

1 SHERIFF JUDD: I will.

2 CHIEF ROSA: I don't -- I don't know their
3 inner workings, but them, them not having
4 consensus was what was relayed to me.

5 SHERIFF JUDD: You obviously see the issue
6 here. If -- and -- and this commission can,
7 can be really a power broker between the Board
8 of County Commissioners, the County
9 Administrator, the Police Chiefs, the Fire
10 Chiefs, and the Sheriff. But if you've got one
11 side saying -- if the Sheriff says, yeah, I'll
12 do it, and the Police Chiefs say, yeah, we
13 think the Sheriff ought to do it, and we need
14 to have seats at the table, and a voice in how
15 operationally it occurs, and then the Fire
16 Chiefs sit back and go, well, we don't have
17 consensus, well, you, you see the problem that
18 the Sheriff and our Chair was just alluding to.

19 So, I leave you with this. We want to do
20 our part to help resolve this. We've heard
21 from the County Administrator in the past, and
22 she tells us the same thing, she's got a huge
23 county to run, and certainly we could be
24 influential, and we can provide a solution, but
25 the solution we provide you from all over the

1 state of Florida may not be in the best
2 interests of Broward County. But if we can't
3 get those that are complaining and pointing
4 fingers at the County to agree then that means
5 you all are part of the problem too.

6 CHIEF ROSA: Yes. And -- yeah, I
7 certainly understand that. I think, you know,
8 Broward Chiefs decided we were going to take a
9 leadership role, and something has to be done,
10 and instead of just saying something has to be
11 done this recommendation is indicative of what
12 we think will effectively solve it. I can tell
13 you, you know, I mean I've had personal
14 conversation with the Sheriff about some
15 governance things that we'd be looking for, and
16 to get his commitment before Broward Chiefs
17 took this step.

18 You know, I'm not sure the Fire
19 Association was -- I know they weren't involved
20 in the conversations I had, and I think that it
21 needs to be vetted a little bit more for them,
22 but I'm optimistic that ultimately -- because
23 the Broward County Sheriff also runs Broward
24 County Fire Rescue, so, you know, separate from
25 the municipalities that have their own

1 agencies, but I think that we're not too far
2 off. And again I don't want to speak for the
3 Fire Association, I'm certainly not involved in
4 their discussions, but it's my sense that with
5 the right governance structure, the right, the
6 right input, the right seats at the table, so
7 to speak, for everyone involved, at least at
8 the Chiefs level, is important for everybody.

9 SHERIFF JUDD: Well, first off I want to
10 commend the Broward County Chiefs under your
11 leadership, because that's what you've
12 demonstrated here. I want to encourage you,
13 and I will encourage the Fire Chief after we
14 hear his presentation, or her presentation,
15 that it's very important to the Fire Chiefs,
16 and the Police Chiefs, and the Sheriff to, to
17 get together and say, look, we're the
18 operators, we'll be, we understand the funding
19 sources, the Board of County Commissioners, but
20 we will solve our problems if you'll inculcate
21 this in one place, and for the sake of this
22 argument at this moment in time, follow the
23 Police Chiefs' recommendation, which we hope is
24 the Fire Chiefs' recommendation, which we hope
25 is the Sheriff's recommendation, so they County

1 Administrator can say, look, this is the best
2 solution to what is now by the consensus, and
3 survey, and feedback from the stakeholders, a
4 failed system in its, in its current form.

5 The -- and I would encourage, we're going
6 to have a lunch break at some point in time,
7 and then we're going to meet again in a couple
8 of months, that, that there be some intense
9 work, because I can tell you from a personal
10 perspective if I were where you are, and where
11 the Fire Chiefs are, and where the Broward
12 Sheriff is, I wouldn't want folks from outside
13 solving the problem. I would say, look, we're
14 experts, we're professionals, we've got decades
15 and decades, and decades of experience and
16 education, we have brought to this Commission
17 what we believe will be the beginning of the
18 solution, will you support us. And I think if
19 that's, if that's solidified appropriately it
20 will be easier for us to make a decision that
21 will be in the best interests of, of not only
22 the stakeholders, but to me the stakeholders
23 are really, really the people who need
24 emergency services, and deserve the very best.

25 CHIEF ROSA: Absolutely. Absolutely.

1 Yes, sir.

2 SHERIFF JUDD: And I -- what I hear is
3 you'll, you all agree with that.

4 CHIEF ROSA: Yes, we do. Thank you,
5 Sheriff.

6 CHAIR: Chief, just -- and so as a member
7 of the Executive Committee of the Board of
8 Directors of the Chiefs Association, and as a
9 law enforcement leader in Broward County and
10 Chair of the ORT, in the last two years how
11 many times have you had a personal sit down
12 with the County Administrator?

13 CHIEF ROSA: Two years, none.

14 CHAIR: In the last two years not once.

15 CHIEF ROSA: That's correct.

16 CHAIR: What about the Chiefs Association,
17 or the Board of the Chiefs Association, how
18 many times have you all sat down directly face
19 to face with the County Administrator?

20 CHIEF ROSA: I believe none. I was not --
21 I was not -- in the last two years I was not on
22 the Executive Board for the Chiefs, so I --

23 CHAIR: Are you aware of any meetings
24 between the Chiefs Association and the County
25 Administrator in the last two years?

1 CHIEF ROSA: I am not.

2 CHAIR: Have you all invited the County
3 Administrator to any of your meetings?

4 CHIEF ROSA: No, we have not.

5 CHAIR: And any reason why, do you know?

6 CHIEF ROSA: You know, we've been working
7 with ORCAT through the County Administrator,
8 but I can tell you just it has not happened, so
9 I don't know why.

10 CHAIR: All right. Under Sheriff
11 Harpring, go ahead.

12 SHERIFF HARPRING: Thank you, Chief. I'd
13 like to note that the letter that went out is
14 fairly bold, and I think does show a commitment
15 to, to leadership. You referenced affirmative
16 interference in that particular letter, and I
17 find that to be a strong statement. I'm not
18 saying it's either good or bad. Was that
19 interference, did any of that come from BSO, or
20 was that strictly from ORCAT?

21 CHIEF ROSA: Everything I referred to in
22 that letter is geared towards ORCAT. You know,
23 to be fair we work through problems with BSO,
24 but I think there's more of a symbiotic
25 relationship between the law enforcement

1 agencies so I'm less likely to highlight a
2 problem, because at least from the Sunrise
3 Police Department standpoint when we do have an
4 issue that we believe is the responsibility of
5 BSO we communicate that with them, and their
6 issue gets resolved. I can't say the same with
7 the County, the issue does not always get
8 resolved.

9 SHERIFF HAPRRING: And I do think it's
10 telling, and in Indian River County, which is
11 exponentially smaller than here, we have three
12 PSAPs, our system which dispatches for us, and
13 all fire and EMS, and then two other much
14 smaller municipalities, so I think that's, I
15 think that's, that's telling also. Do you know
16 BSO's position in regards to your
17 recommendation?

18 CHIEF ROSA: Well, you know, I think -- I
19 think it would be appropriate for the Sheriff
20 or his representative to, to give that. I did
21 have discussions directly with the Sheriff
22 where, where he has told me that he agrees to
23 take on this responsibility. There was some
24 needs to happen, you know, it needs to be
25 properly funded, you know, there needs to be a

1 structure in place, things like that. But I --
2 but I suspect that when, when they do speak if
3 you ask that question the answer should be yes.

4 SHERIFF HAPRRING: But from a system and
5 organizational standpoint you didn't get a, an
6 abject no, it's not going to happen, we're not
7 going to, we're not willing to do it.

8 CHIEF ROSA: Absolutely, yeah, we did not
9 get that.

10 SHERIFF HAPRRING: Do you believe that the
11 lack of consensus on the fire side is an
12 insurmountable impediment, or do you think that
13 concerns that they may have can be resolved in
14 some way through your groups' work, and, and
15 BSO's work, to perhaps allay any fears or
16 concerns that they have?

17 CHIEF ROSA: You know, again, you know, I
18 don't want to make judgment calls on behalf of
19 the other association. It's my sense, though,
20 that this can be, it's not insurmountable, it
21 can be discussed. You know, I want to point
22 out that associations, you know, they're made
23 up of all the different municipalities, police
24 chiefs and fire chiefs, a chief representing
25 his individual agency may not agree with

1 something, but as part of the association may
2 agree with something, so from an association
3 standpoint I don't think it's insurmountable.

4 SHERIFF HAPRRING: Do you see any costs
5 coming back to the municipalities if there's a
6 switch from ORCAT to BSO, and, and if there is
7 do you think that would be retaliatory?

8 CHIEF ROSA: Well, yeah, there should not
9 be a cost. The system is funded. I think that
10 in order for it to go to the Sheriff -- and
11 Broward Chiefs would not support it if it
12 didn't go to the Sheriff and be properly funded
13 by the County at the same time. So I think if
14 there was anything less than proper funding,
15 you know, then that's going to be a problem,
16 and we have to ensure that if this
17 recommendation does come into fruition there
18 has to be, and there's a lot of pieces to the
19 puzzle, but funding is very important because I
20 think the Sheriff in order to make correct
21 operational decisions have to have proper
22 funding for that operation.

23 SHERIFF HAPRRING: Would any of that
24 funding include any of the operational piece
25 more towards your individual agencies, IE, you

1 know, radios, P25, all that kind of stuff?

2 CHIEF ROSA: No, you know, I think right
3 now there's, there's clear demarcation points,
4 who's responsible for which level of funding,
5 you know, the police agency is, you know,
6 responsible for the computers in their vehicle
7 that, you know, they're interacting with CAD,
8 responsible for their individual portable
9 radios, things like that, just a couple
10 examples. I think the current delineation, you
11 know, is appropriate, and should remain in
12 effect when this goes to the Sheriff's Office.

13 SHERIFF HAPRRING: Thank you. Thank you,
14 Chair.

15 CHAIR: All right, thanks, Chief, we
16 appreciate it. Thank you for being here. So
17 we're going to break for lunch, and we'll start
18 again at -- yeah, Sheriff Judd, go ahead.

19 SHERIFF JUDD: Yeah, before we break for
20 lunch, I talked to Commissioner of Education
21 Richard Corcoran about making public the school
22 districts and schools, and he said he would
23 like to give the school districts and schools
24 until August 1st to, to get in line. If they
25 didn't he would make them publicly, he would do

1 it -- his quote was; I'll do a press
2 conference, and you can stand beside me, and
3 we'll call out the districts at that time if
4 they don't. So --

5 CHAIR: It sounds like a fair resolution.

6 SHERIFF JUDD: It does to me.

7 CHAIR: A fair -- a fair compromise to it,
8 and hopefully they get the message just from
9 this discussion.

10 SHERIFF JUDD: Well -- well, and -- and
11 the important is, yesterday, and, and you said
12 it very eloquently there, it's important for
13 them to hear the train coming, feel the train
14 coming, and see the train coming, because
15 August 1st the train is going to run over them.

16 CHAIR: Yep.

17 SHERIFF JUDD: So there's -- there's the
18 message.

19 CHAIR: Get it done. So all right, so
20 we'll start again promptly at 1:00. We'll
21 begin with Chief Baninec from Coral Springs
22 Fire Department on behalf of the Fire Chiefs
23 Association. 1:00.

24 (Thereupon, the meeting is in recess, and the
25 proceedings continue as follows:)

1 CHAIR: All right, welcome back. We'll go
2 ahead and continue with the discussion about
3 911 communications. And next on the agenda is
4 Chief Frank Babinec from Coral Springs, who is
5 the President of the Broward County Fire Chiefs
6 Association. And I believe Chief Babinec has a
7 couple of other fire chiefs from the
8 association here with him, and we appreciate
9 you being here, and welcome back Chief Babinec.

10 PRESENTATION BROWARD COUNTY REGIONAL COMMUNICATIONS
11 AND ORCAT ISSUES, BROWARD COUNTY FIRE CHIEFS
12 ASSOCIATION

13 CHIEF BABINEC: Yes, sir, thank you.
14 Thank you for having us. Sheriff, as you said
15 I'm here today representing the Fire Chiefs
16 Association of Broward County. I am the
17 President of the Association. I'm here on
18 behalf of the Vice President Julie Downey, our
19 Secretary Percy Sayles, who is out of town, and
20 our Treasurer Rodney Turpel. We do have
21 several fire chiefs in attendance with us
22 today, and representatives from other
23 organizations. They'll be available to help
24 answer any questions if there are, if we have
25 any questions afterwards. Chief John McNamara

1 from Sunrise has, also wants to say something
2 as soon as I'm done. If you would allow for
3 that I'd appreciate that.

4 The reason that we don't have more fire
5 chiefs here today is we have an annual
6 conference that happens every year, and it's
7 happening today. And there's actually a
8 southeast meeting of fire chiefs going on right
9 now, so we've kind of split up the duties of,
10 of being at two different places.

11 Today we're here to speak on a very
12 important issue regarding public safety
13 communications. As you know this is an
14 imperative resource to all first responders to
15 be able to provide the highest level of service
16 to our communities, and the residents,
17 visitors, that they deserve. You guys should
18 have all have gotten a letter that was sent out
19 on May 18th of last year. That was a joint
20 letter between the Broward Fire Chiefs
21 Association, the Broward Police Chiefs
22 Association, and BSO, that kind of outlines
23 some of the concerns that the, the bodies had
24 from the different organizations related to
25 communications. If you haven't gotten that,

1 Sheriff, I'll be happy to get you a company of
2 that so you can disseminate that.

3 At the time we stated -- and this is very
4 important. I want everybody to realize this.
5 At the time we stated, and we sit here today,
6 we continue to maintain that we're committed to
7 working collaboratively to ensure
8 interoperability countywide between the
9 communications systems that will serve all of
10 us to the highest level. All of our agencies
11 heavily depend on regional communication and
12 the infrastructure to provide life saving
13 emergency services. The communications system
14 technology and people are the most vital link
15 to us to be able to provide this service as
16 emergency responders.

17 There are issues that need to be
18 addressed, however these technical and
19 operational changes cannot occur until the
20 administrative and trust issues are resolved
21 and worked out by all the stakeholders. We
22 cannot afford to continue to work in an
23 environment that impedes change, success, or
24 progress in emergency communications. Public
25 safety operational decision must be made or

1 influenced by public safety professionals.
2 It's the only answer that makes sense, and it's
3 the only way the public will truly be served at
4 the highest level.

5 The membership of the Broward Fire Chiefs
6 Association feels that at times there's a lack
7 of oversight, support, respect, trust, and
8 accountability, that influence the decisions
9 going into the public safety communications.
10 We have, and still believe that a collaborative
11 approach to countywide interoperability to
12 communications is essential, and something we
13 need to collectively figure out. I would go
14 further and say not only do we need to
15 collectively figure it out, I would say we have
16 a responsibility to collectively figure it out.
17 The public safety officials that serve Broward
18 County in my opinion, and in the Board's
19 opinion, we have had a conversation about this,
20 we feel that that's our responsibility, our
21 public deserves that, and probably expects that
22 from us, to be able to do so.

23 Vital communication equipment and training
24 in policy need to be provided to the end users
25 to they can do their jobs efficiently and

1 safely. The Fire Chiefs Association of Broward
2 County seeks a system wide collaborative
3 approach led by subject matter experts,
4 technical experts with the experience, ability,
5 authority, and right attitudes and resources to
6 ensure communications infrastructure that we
7 can depend on on a daily basis. As I
8 previously stated the Fire Chiefs Association
9 is committed to working together to achieve
10 this.

11 As you are aware the Police Chiefs
12 Association sent out a letter last week, and I
13 was contacted on Friday in reference to this
14 letter. At the time the Police Chiefs
15 Association was asking for the Fire Chiefs
16 Association to support the letter they were
17 sending out. I did not have an opportunity as
18 the President of the Fire Chiefs Association to
19 reach out to the membership to get that answer
20 right then and there, so over the weekend I
21 reached out to the twenty fire rescue agencies
22 in Broward County that we represent, and I
23 personally talked to each chief from each one
24 of these organizations, and I asked them to
25 tell me what their position was, and basically

1 took a vote over the phone from the, from the
2 membership.

3 Nineteen of the twenty organizations
4 committed that they are in support of the
5 Police Chiefs position, and one entity couldn't
6 commit to it because they didn't have the
7 opportunity to go back and talk with their,
8 their bosses. More importantly they stated
9 their -- they -- they're not -- it's not a
10 blanket statement that they're committed to
11 doing, just turning anything over. They want
12 to make sure that there are processes and
13 controls in place that allow for end users to
14 be involved with operational decisions that
15 affect the end users.

16 CHAIR: Chief, I'm just going to stop you
17 for a second, I just want to clarify because of
18 what we heard before, so I just want to make
19 sure at this juncture that we're all
20 understanding is, is that what we had talked
21 about before, and obviously it's changed over
22 the weekend, that before there wasn't
23 consensus, and there was, the organization
24 wasn't able to support the position to transfer
25 responsibility from the County to BSO. If I

1 understand correctly now you have nineteen of
2 the twenty, so you have absolute majority in,
3 in that the organization does support the
4 transfer to BSO, but with certain caveats, and
5 certain other conditions that, that may be with
6 it, but as far as the transfer of the
7 responsibility as long as the conditions were
8 met that the, the Fire Chiefs Association's
9 position is supportive and consistent with the
10 Police Chiefs; do I have that right?

11 CHIEF BABINEC: Yes, sir.

12 CHAIR: Okay. All right.

13 CHIEF BABINEC: And -- and more
14 importantly they want the system fixed, so
15 collectively whatever that comes out to be is
16 what the Fire Chiefs, the majority of them said
17 they would support. But if that is the fix to
18 being able to provide the level of
19 communications needed for the first responders
20 that's what they support.

21 CHAIR: And hang on. Sheriff Judd, go
22 ahead.

23 SHERIFF JUDD: Thank you very much. I've
24 had the opportunity to talk to Sheriff Tony
25 over lunch. He's home recuperating from some

1 minor surgery or he would have been here. And
2 he told me to make sure that I clearly
3 communicated to the fire chiefs, and to the
4 police chiefs, that should you all agree, and I
5 hear nineteen to one, and that's, that's
6 convincing in my mind, by nineteen to one the
7 Fire Chiefs agree with the Broward County
8 Police Chiefs Association that should the
9 County agree to turn that responsibility over
10 to him that he would in writing by contract
11 guarantee the fire chiefs and the police chiefs
12 to be voting members on the Board directing the
13 Sheriff's operations as to a consolidated
14 system.

15 Obviously he has to have the resources
16 from the Board of County Commissioners to, to
17 run, to appropriately run that system, but he
18 told me clearly, make no mistake about it you
19 will be a decision maker at the table with
20 voting authority, so will the police chiefs.
21 And he wanted me to make sure that I
22 communicated that to the commission, and to the
23 public today.

24 CHIEF BABINEC: Thank you, sir.

25 CHAIR: And Colonel Zukowsky, the Under

1 Sheriff is here, and he'll have an opportunity
2 to speak later, and I think he'll speak to that
3 issue as well. So go ahead, Chief Babinec.
4 Thank you.

5 CHIEF BABINEC: That -- that's pretty
6 much, you know -- in closing, again, we want to
7 ensure that we get everybody, all the
8 stakeholders to the table, talk this through,
9 make sure that we are coming up with the best
10 solution for the visitors and residents of
11 Broward County, whatever that is, and then
12 collectively move forward with a plan that all
13 stakeholders had a voice in creating.

14 So that was the consensus that I got from
15 the fire chiefs throughout the County. This
16 message was collectively written by those fire
17 chiefs. I got parts of it from, from each one
18 of them, so I stand here today speaking on
19 their behalf. I know Chief McNamara had
20 something he wanted to follow up on, Sheriff,
21 if that's okay?

22 CHAIR: It's okay, but before you do that
23 -- and I do want you to get into this, and I,
24 because I think it's important to understand,
25 and is we're vetting all the issues, we're

1 fleshing everything out, and I think that has
2 to be done, and, and hopefully it leaves us
3 some type of a moving forward in a positive
4 direction, and some reconciliation to this, but
5 we got to get it all out there because this
6 commission needs to understand, at least a lot
7 of what we've discussed.

8 I need you talk about the current issue
9 with closest unit response, and the computers,
10 and the equipment on the fire apparatus that
11 are eight or nine years old that are not being
12 replaced because of this dispute over closest
13 unit response. I need you to share with the
14 commission that situation.

15 CHIEF BABINEC: So the closest unit
16 response project is something that Chief Levy
17 has been working on, along with Chief McNamara,
18 Chief Kane, Chief Mozur, a lot of other
19 stakeholders, and actually the closest unit
20 response issue is somewhat of a success issue,
21 or item that we've been working on that we've
22 actually gotten some resolution on, and we've
23 worked collectively with the County to come up
24 with a project charter. The closest unit
25 response first phase is launching, or just

1 launched, it's going to launch this summer,
2 where we have five cities that are in on that
3 first phase. We're going to do that for a six
4 month period. We're going to go back and look
5 at it, and make sure that it's being done
6 right. Once we get a handle on that we're
7 going to move to the second phase, and we're
8 going to move throughout the County until all
9 of the fire rescue agencies are up and running
10 with closest unit response.

11 Previous to that we had several of the
12 chiefs that came forward to -- we have a mutual
13 aid in our communications sub-committee that
14 came to the sub-committee and were voicing
15 concerns about the age of the computers that
16 were on, on their apparatus. Some of these
17 computers were, were seven, seven, eight year
18 old range, and for technology that's old, and
19 they were complaining about the ability for
20 those computers to operate.

21 There were some discussions that were had
22 with ORCAT, and ORCAT came back and basically
23 said, listen, we need to get closest unit
24 response going, once we get closest unit
25 response going then we can change out the, the

1 MDTs, and start working towards a replacement
2 plan. Some of the fire chiefs will argue that
3 we have closest unit response. It's card
4 driven. It's CAD driven today, it's not AVL
5 driven, which obviously AVL driven is, is our
6 goal, truly where the closest unit is on the,
7 on the computer, not where it's projected to be
8 by a computer, and we are working towards that.
9 And I truly feel that we will accomplish
10 closest unit response in this county in, over
11 the next, hopefully over the next year to
12 eighteen months, but that is something that's
13 moving forward.

14 But in the interim there is an issue with
15 the age of the, of the equipment that is, that
16 is in some of the apparatus, and these, these
17 gentlemen can speak to that, and there's
18 probably some more chiefs in my background
19 that, that can talk better to that than I can.

20 CHAIR: Well, was there a quid-pro-quo,
21 where you all were told that you're not getting
22 the equipment replaced until you get this
23 closest unit response agreement done, and that
24 there was a delay in replacing that equipment?

25 CHIEF BABINEC: We -- we were told that

1 the equipment replacement was contingent on us
2 getting the closest unit response up and
3 running.

4 CHAIR: Mr. Schachter, go ahead.

5 COMMISSIONER SCHACHTER: So, thank you,
6 Chief, and for all, all the other Chiefs. Can
7 you -- for us non-law enforcement professionals
8 can you just back up a little bit and explain
9 why the County is so insistent on closest unit
10 response, and how was it done before? Not a
11 long presentation, just, just, you know,
12 quickly, if you could just elaborate a little
13 bit.

14 CHIEF MCNAMARA: John McNamara, I'm the
15 Fire Chief of the City of Sunrise Fire Rescue
16 Department. Just repeat the context of your
17 question again, because I want to make sure I
18 answer directly.

19 COMMISSIONER SCHACHTER: Can you just
20 explain what closest unit response is, what was
21 happening before versus what we're trying to do
22 now?

23 CHIEF MCNAMARA: Okay, so closest unit
24 response in the context of what the charter
25 required in 2002 was for high priority calls,

1 and for years there were several debates on
2 what high priority call consisted of. I might
3 think it's X. You might think it's Y. That
4 along with -- there were fire chiefs with
5 respective agencies that also debated, probably
6 more for the political reasons of crossing each
7 other's boundaries as it related to was closest
8 unit county wide or was it independent
9 jurisdictional, and I can speak on that after
10 Chief Babinec a little more in length.

11 That delayed that a little further, but
12 the intent of that is to ensure that no matter
13 what agency you are and where you're at its
14 time sensitive emergencies to get the truck
15 that's closest to that unit there, and the real
16 only way to do that is through an automatic
17 vehicle locator system inside your unit that is
18 in turn connected to the 911 center so they can
19 send it to you, send a unit to the incident.

20 COMMISSIONER SCHACHTER: I would think
21 that would be done all the time. I don't
22 understand why you would send someone further
23 away than, you know, than someone is actually
24 located.

25 CHIEF MCNAMARA: I could tell you -- and I

1 don't -- not that I'm being given permission by
2 every fire chief in Broward County to say this,
3 but I feel very comfortable in saying that
4 every fire chief in Broward County subscribes
5 to sending the closest unit to the closest call
6 in their community regardless of the priority.
7 That has been that way for my entire time in
8 the fire service. The debate came when it was
9 the cross jurisdictional of agencies on how
10 that process was to take place.

11 COMMISSIONER SCHACHTER: And so that
12 wasn't happening, so the County wants to force
13 it to happen? That sounds like a good thing.

14 CHIEF MCNAMARA: To follow upon Chief
15 Baninec's statement in relation to the
16 Sheriff's question there was some debate as it
17 related to what agencies had to sign the
18 closest unit response agreement that, that they
19 were asking every fire chief to sign. And
20 quite frankly for the professionals we were
21 having a difficult time explaining why
22 Deerfield Beach in the northeastern part of
23 Broward County had really no operational need
24 to have a closest unit response with Miramar in
25 the southwest part of the county because they

1 would never get there, and, and the matrix that
2 was provided to use was essentially that, and
3 it was partially being delayed because those
4 boxes were not being checked.

5 COMMISSIONER SCHACHTER: Why -- why --
6 yeah.

7 CHAIR: All right, and -- well -- and
8 Sheriff Ashley has a question, but before did
9 you want to make a statement as well? Did you
10 have --

11 CHIEF MCNAMARA: Sure. I don't want to --

12 CHAIR: No, let's just do it now. I'll
13 let you, let you do it now, because otherwise
14 there may be some questions on what you have to
15 say, so why don't we just let you make your
16 statement now.

17 MR. MCNAMARA: Appreciate that. Again I
18 want to thank Chief Babinec for allotting me
19 some time under the Fire Chiefs Association to
20 speak to you on this topic. I want to start by
21 saying that what I'm going to speak about is a
22 little bit different in context than what
23 you've probably heard as it relates to
24 operational technical decisions, et cetera,
25 because I don't know, and forgive me if some of

1 you have obtained this type of information, but
2 this is a subject that you would be hard
3 pressed to convince me that has not been
4 debated, over-commissioned, over-analyzed,
5 over-counseled, over-committed in Broward
6 County than communications systems, and
7 specifically fire rescue and closest unit
8 response.

9 And I can show you documents dating back
10 to 1984, where we've been talking about this
11 same subject that you all are talking about
12 today. I could show you report after report in
13 the '90's from consulting firms like Tri-Data,
14 Fishkind and Associates, the Fire Chiefs
15 Association, Frontline Group, all recommending
16 how to get here. And I applaud you all for
17 researching this, although I do feel it's
18 important to say that there's probably one
19 particular group that's been left out of this,
20 and it's actually, although Fire Chiefs tried
21 their best to, to represent their own
22 employees, the labor organizations representing
23 firefighters had probably one of the most
24 influential roles in getting the ballot charter
25 passed.

1 And I can say that with certainty because
2 since 1997 being employed in the fire service I
3 was a union representative leading that charge
4 in 2002, and the intent was exactly what I, I
5 said to you, sir, and that was to push an
6 initiative to send the closest units to the
7 closest calls. And we felt it as important
8 respective of independent agencies to get that
9 done. And when it passed we finally said,
10 okay, we're moving in the right direction to
11 the intent, that if you notice in the charter
12 it created a Fire Rescue Services Council to
13 facilitate this discussion. Part of my role
14 and responsibility prior to becoming a fire
15 chief I had the opportunity to serve on that
16 council from 2007-2014. All of these items
17 have been consistently discussed.

18 We're here today for two reasons beyond
19 the, the scope of what you've been looking at.
20 One was the fact of that charter, that it was
21 pushed, it was forced, and it was supported by
22 the residents, but it took another decade to
23 even remotely get any of it done, and it was
24 done professionally in my opinion, with a
25 statement you made earlier about money, and the

1 responsibility of, because of money who should
2 oversee it, and I think the point to that was
3 right around 2010, '11, and the economic
4 crisis, letters were sent to municipalities
5 that did not have their own PSAP centers that
6 they were not going to begin being charged for
7 the 911 service.

8 Now, I'm not here to debate whether that's
9 correct or not, but my point of reference for
10 bringing it up is that even after 2002, and
11 even the common sense approach that you would
12 think would be the right thing to do, it still
13 did not get here until money, because cities
14 were now being told they were going to be
15 charged for it. Again, I'm passionate about
16 this because I was charged with the
17 responsibility prior to becoming the Fire Chief
18 in representing the men and women's interests
19 in the field using this equipment, and prior to
20 2012 every time we tried to push the initiative
21 it was pushed on firefighters that they were
22 almost, had an ulterior motive to get this
23 done.

24 I'm not trying to take any of the
25 limelight from the fire, from the police side

1 of things, but it really was the firefighters.
2 We stepped aside from that because we felt
3 regardless of how it was happening it was
4 finally happening, we were finally getting
5 somewhere with this. After it occurred still
6 nothing changed, it was still all about who was
7 in charge, who had the power, and we started
8 committing it again.

9 I don't want this to come out directly to
10 any one person, I'm trying to say it as a
11 process of the group. When this committee was
12 put together, and I'll end with this, I
13 actually had some hope that finally we'd have
14 outside individuals that would come in and tell
15 people like myself, now that I'm a Fire Chief,
16 you're doing it wrong, you're going to do it
17 this way, and here's why, because it's, it's no
18 longer about the politics, it's no longer about
19 the money, it's about the life and safety of
20 the people using this system.

21 In your presentation it was kind of
22 articulated that, man, we're, this is pretty
23 broke, I don't even know how we can fix this,
24 it's, it's a lot of parts here that I don't
25 know if we can fix. I got to tell you I'm a

1 little deflated because I've sat on both sides
2 of this now for so long, and I thought,
3 finally, this is the time that some people are
4 going to tell us you're doing this wrong, we
5 know how to do it, and we're going to tell you
6 how to do it. I implore all of you to sit back
7 down -- you know - - I'm sort of directing this
8 to you, obviously at this point, but you know
9 how to fix this.

10 You could tell us how to fix this. There
11 is no ties from you to here. We need to be
12 told. We need to stop -- please do not give
13 credit to the idea that when you want something
14 to fail you send it to a committee.
15 Collaborate, but give us decisive action. You
16 know what needs to be done to stop thirty five
17 years of discussion, because I ensure you if
18 Margate and Creek are leaving, and this
19 continues to be this way, we will be back to
20 where we were in 1984, except I won't be in the
21 fourth grade. Thank you.

22 CHAIR: And -- and -- and -- and just to
23 put this other issue, Chief Baninec, and then
24 we'll go to Sheriff Ashley, because I just want
25 to get all this, a couple of these things out

1 here, because I think it's just, tells the, the
2 story as to where we are, and, and why that
3 isn't, it isn't working, it is broken, and the
4 relationships, and two things I want you to
5 address, because you didn't is, is that one is,
6 is the issue about fire station already that we
7 talked about, and the cost of not being
8 consulted, and the, and that system, and the
9 lack of coordination with ORCAT on that.

10 And then secondly I want you to address
11 the issue, and your feeling on this, is, is
12 about the ORT process, is the ORT process
13 working, is it effective. From the Fire Chiefs
14 perspective, what is the Fire Chiefs
15 perspective on ORT.

16 CHIEF BABINEC: Chief Levy is going to
17 have the best answer on the ORT process,
18 because he actually, him and, and Chief Kane
19 are the two that really attend those meetings
20 for us.

21 CHAIR: All right.

22 CHIEF LEVY: Good afternoon, Jeff Levy,
23 Assistant Fire Chief Lauderhill Fire
24 Department. Sheriff, if you would please just
25 repeat that question for me.

1 CHAIR: Yeah, sure. So I mean, and
2 specifically related to the ORT, what is the
3 Fire Chiefs perspective on ORT, and is it
4 working, is it effective, is there effective
5 dialogue, do the Chiefs feel like that they're
6 listened to, is there a seat at the table,
7 what's the relationship with Director Jackson
8 as far as it relates to ORT; just the, the
9 whole dynamic there from a fire, from the Fire
10 Chiefs perspective.

11 CHIEF LEVY: Okay. So ORT as you know has
12 representatives from law enforcement and fire
13 rescue, and the City Managers Association. The
14 ORT was a recommendation that came out of the
15 Fitch report for fire rescue and law
16 enforcement to facilitate operational
17 requirements of the 911 system, operational
18 between us and the Sheriff's Office, who is the
19 operator.

20 I can tell you I have been on, a member of
21 the ORT since its inception along with Chief
22 Rosa, and it's, I think the representation from
23 ORCAT is limited. We continually have Mr.
24 Bayag at the table. Questions are asked of Mr.
25 Bayag. He is unable to answer questions at

1 times, says that he would get back with you,
2 the group with the questions, and that is
3 usually a month or two down the road when we
4 have that next meeting. I can only recall that
5 Mr. Jackson has been at one of those ORT
6 meetings. I do know that Chief Rosa, who is
7 the Chair of the ORT, has made the request that
8 Mr. Jackson be in attendance, since it is a
9 operational review team, and we as the ORT, and
10 I'm sure Chief Rosa might have expressed this
11 earlier, the ORT doesn't feel that the County
12 administration has, takes it serious.

13 You know, the CCCC committee that was
14 taking place with Mayor Ryan, elected officials
15 were there, County administration was there all
16 the time, things were getting done. At the ORT
17 it seems like we're constantly asking the
18 questions and we're waiting the answers, and
19 answers, until the last, the most recent
20 meeting that we had, there was then
21 representatives from the CAD team, the 911
22 team, and, and different members of the ORCAT
23 group that were able to answer questions, but
24 -- I hope that answer your question.

25 CHAIR: So, and were you here, or did you

1 hear Chief Rosa earlier?

2 CHIEF LEVY: I did not.

3 CHAIR: Okay. Do you think the
4 relationship between the ORT and the County
5 ORCAT is effective?

6 CHIEF LEVY: I do not. I don't -- I don't
7 think there is any -- I know that the -- the
8 ORT consistently says things, makes
9 recommendations, makes requests of the ORCAT
10 group, and it doesn't seem like the, again like
11 I stated before, that the ORT is being taken
12 serious from County administration. The lack
13 of attendance, the lack of communication, the
14 lack of questions that get answered, it doesn't
15 appear to me.

16 CHAIR: All right, Sheriff Ashley, go
17 ahead.

18 SHERIFF ASHLEY: Help me understand, is
19 the fire districts in Broward County, are they
20 their own taxing authorities, or do they fall
21 under municipalities and the County?

22 CHIEF LEVY: With the exception of the
23 unincorporated areas of Broward County
24 everybody else falls within a municipality.
25 There are no fire taxing districts in Broward

1 County.

2 SHERIFF ASHLEY: Okay, so do any of the
3 municipalities contribute any revenue towards
4 the consolidated emergency communications
5 system?

6 CHIEF LEVY: It's only -- Chief McNamara
7 advised me it's only being done through
8 residential taxes.

9 CHAIR: I think the answer to that is no.
10 They -- everything -- everything -- when --
11 whenever they took over the County funds, it
12 funds it all.

13 SHERIFF ASHLEY: Okay. And that was --
14 that was my question, is that I see a way past
15 this through, through the County, and through
16 having a single person -- you're -- you're
17 describing the same things the Police Chiefs
18 are describing, is not having operational
19 control over where you're people are at, what
20 gets fixed, what doesn't get fixed, how many
21 radios you have, where they communicate,
22 jurisdictions, all those things that some IT
23 professional is trying to tell you you need to
24 do this, and you, you understand you need to
25 something else.

1 So I think that picture is clear for us,
2 and I think there is a solution, and we'll
3 certainly recommend it, or at least I hope we
4 will, and you all will have to, to actually
5 implement that.

6 CHAIR: Mr. Schachter, you had something?

7 COMMISSIONER SCHACHTER: Yeah, I mean from
8 the, the Chief's testimony earlier, ORCAT does
9 not even recognize the ORT, right?

10 CHIEF LEVY: It appears to us that ORCAT
11 doesn't take ORT as serious as they do with the
12 CCCC committee. Again, in the CCCC committee
13 you have elected officials, city managers,
14 mayors that are there. County administration
15 is present at those CCCC meetings. Within the
16 ORT meeting the, for the vast majority of
17 the -- the only representation we have is from,
18 from ORCAT level is Mr. Bayag.

19 COMMISSIONER SCHACHTER: Yeah, I mean
20 based on my interpretation of Chief Rosa's
21 testimony, you know, you formed the ORT without
22 the consent of ORCAT, and that's why they're
23 not on board.

24 CHIEF LEVY: I do know that as the ORT was
25 formed, in recommendations from the Fitch

1 report the ORT was formed by both law
2 enforcement, fire rescue, with the
3 recommendations, a flow path of, organizational
4 flow path which created -- I know there are
5 multiple attempt from the ORT to get a
6 consensus with ORCAT to agree upon how the
7 process of information were to flow, and it's
8 yet to be, yet to be agreed upon.

9 CHAIR: Commissioner Harpring, and then
10 Sheriff Judd.

11 SHERIFF HAPRRING: Thank you, gentlemen.
12 And just collectively not to one person, but
13 whoever is, feels most, most able to answer,
14 the Chiefs of Police Association represented in
15 their letter, which I know you're aware of,
16 that they have experienced affirmative
17 interference in regards to the County and ORCAT
18 relative to operations. Have you experienced
19 that, an affirmative interference?

20 CHIEF MCNAMARA: Yes, sir. I can't give
21 you specific number of times and dates, but I
22 can assure you we've expressed out concerns
23 regarding the current situation, and although I
24 do understand there are the sides of the
25 technology component in making that work that

1 might be out of our specific controls, but we
2 have experience just as, I would say probably
3 the same number of those operational usage
4 issues, where we've had to get off channels, if
5 you're referring to Chief Rosa's testimony
6 earlier about going on joint channels, et
7 cetera, we've had to share those same
8 experiences.

9 SHERIFF HAPRRING: And -- and just to
10 clarify, the ORT was a specific recommendation
11 from Fitch, and it seems that, based on the
12 testimony this morning and the testimony this
13 afternoon, that that recommendation had, seems
14 to be largely ignored by the County and the
15 governance of ORCAT, would that be fair to say?

16 CHIEF MCNAMARA: Yes. I would refer to
17 Chief Levy, even down to the flow chart design
18 to how to vet issues, and who you vet them to,
19 and how you debate when someone disagrees with
20 you, and how far it can go, to my knowledge,
21 and I'm, I've been on the Board just recently,
22 that has not been ever codified.

23 SHERIFF HAPRRING: And I think the point
24 is that this, you know, ORT didn't just come up
25 as a, you know, something that was decided, you

1 know, over a few beers on a Saturday afternoon,
2 hey, this is a good idea, let's do this, this
3 was from a systems evaluation standpoint, from
4 a neutral third part observer, and that
5 recommendation again seems to have been, you
6 know, just largely ignored by one of the, you
7 know, one of the largest players, to apparently
8 the detriment of the people who are actually
9 doing the work in the field.

10 CHIEF MCNAMARA: Yes, sir.

11 SHERIFF HAPRRING: And Chief Babinec
12 mentioned earlier, or actually I think it was
13 you, that you believe that there was a
14 quid-pro- quo relative to ratification of the
15 MOUs for closest unit response as it would
16 relate to your securing new MDTs for your
17 units; did I hear that correctly?

18 CHIEF MCNAMARA: I would say maybe up
19 until most recently, as we were just notified
20 that there is some procurement process in place
21 to facilitate the phase on teams. Up through
22 that point, yes, there was a, certainly the
23 intended insinuation directly, if Deerfield and
24 Miramar, the example I gave earlier, could not
25 check that box, you were not doing closest unit

1 response, and again, trying to operationally
2 explain how that's just not relevant was
3 difficult.

4 SHERIFF HAPRRING: Right. Right. And
5 sometimes I see the, you know, the sort of
6 inquiry into procurement that's like a definite
7 maybe just to kind of put people off. I'm not
8 putting words in your mouth. And two things
9 finally, on the economic side, is there a role
10 that the municipalities would play
11 economically, in terms of some sort of
12 contribution in light of the information that
13 came up relative to Sheriff Ashley's comments,
14 in terms of, you know, that, that being
15 unified, and is there an additional economic
16 contributory role for the municipalities to
17 play?

18 CHIEF BABINEC: I -- I can tell you that
19 the municipalities right now, you know, pay for
20 certain things, you know, subscribers, station
21 alerting, and, and stuff like that, but as far
22 a paying into the system itself I can't answer
23 that question.

24 SHERIFF HAPRRING: And finally, in light
25 of the, what's pretty clear from the testimony

1 so far, that there's been affirmative
2 interference, reticence to follow
3 recommendations based on independent third
4 party evaluations of the system, if you were to
5 push this way, and pull out of the County, we
6 realize the County still has a major arm in
7 funding, and opposed to in system overview, are
8 any of you concerned that there could be
9 economic retaliation through the County
10 Administrator, the County, or any other
11 entities associated with the County, to include
12 the commission, if this gets pushed forward?

13 CHIEF BABINEC: I -- as I said before I
14 see the County being one of the primary
15 stakeholders here, so I think no matter what
16 happens here the County is going to have to be
17 at the table, and be part of the overall
18 solution, so I would certainly hope that that
19 wouldn't be the case.

20 CHAIR: Sheriff Judd, go ahead.

21 SHERIFF JUDD: I understand that Mr.
22 Jackson has only been to one ORT meeting in the
23 past year, correct? Has the County
24 Administrator been to an ORT meeting?

25 CHIEF LEVY: As far as my attendance at

1 the meetings I do not recall the County
2 Administration being at any of the meetings.

3 SHERIFF JUDD: Has the County
4 Administrator been invited to the meeting, or
5 have you all asked to speak directly to the
6 County Administrator?

7 CHIEF LEVY: I do know that the County
8 maintains the distribution lists, the County
9 Administration, the County ORCAT maintains the
10 distribution lists, they maintain the minutes.
11 I can't answer that question one hundred
12 percent, but I can only make the assumption
13 that they are aware of the meetings, and I
14 would have to defer to Chief Rosa to see if
15 they were officially invited.

16 SHERIFF JUDD: Is the conflict, the bigger
17 conflict that's occurring between the Police
18 Chiefs, the Fire Chiefs, and ORCAT/the County,
19 is the, is the conflict over funding issues for
20 equipment, or is it operational neglect?

21 CHIEF BANINEC: I think it -- I think
22 everything kind of all plays together. And we
23 were in a meeting with, and I forget if it was
24 Tracy or Brett Bayag that said it, and I think
25 it was a great -- actually, Chief McNamara, I

1 believe you were there, and you might even have
2 said it, but somebody said it's like we all
3 live in the same big house, but we all go in
4 our separate bedrooms and never come out into
5 common areas to get together and have a
6 conversation, and figure out what's best for
7 the household. And -- and that's kind of what
8 it's like, you know, everybody kind of has
9 their piece, but collectively we're not just,
10 we're not working together well.

11 SHERIFF JUDD: So if we set aside for a
12 moment the funding, okay, and the County
13 Administrator said today the funding is what it
14 is, and we will make sure that the Sheriff gets
15 the designated funding to run the system, and
16 the Sheriff said I'll take over operations, the
17 Fire Chiefs will, and the Police Chiefs, will
18 make up a Board, a voting Board, so that all of
19 the sudden there's not a windfall of money,
20 there's not a retraction of money, but you
21 function with what you have now, and it's like
22 any other process, then the, the team goes to
23 the Sheriff, who goes to the Board and says
24 this is what we need, we need MDTs this year,
25 or we need replacement radios next year, but

1 aside from a budge battle operationally if the
2 County Administrator would say I'll be glad to
3 give the Sheriff the responsibility and the
4 funding that's allocated for that operation
5 could you all make that work, could you all
6 make a consensus with the Sheriff to run that,
7 and, and to eliminate the operational issues,
8 or is the fight over a money grab, cause, cause
9 if the fight's over a money grab then we're
10 dealing with something else.

11 Are we dealing with an operational
12 breakdown because people won't talk and get
13 along?

14 CHIEF BANINEC: I believe that's
15 absolutely correct. And I say that although
16 there may be some people that would quietly sit
17 there and have reservations on the aspect of
18 Broward Sheriff's Office running the system.
19 We'll speak openly about that for a second.
20 Operationally speaking when you can sit and
21 speak with someone who understands
22 operationally how you actually use the
23 equipment in the field compared to what maybe
24 the book tells you how to use, not saying the
25 book is, information is incorrect, but

1 operationally using it you'd know how that
2 works -- I think the Sheriff alluded to earlier
3 in the day when Chief Rosa was talking about
4 some of the recommendations about mixing
5 channels at certain hours of the evenings, we
6 understand that that's not operationally
7 conducive to what we do. If you're dealing
8 with someone specifically in the public safety
9 realm of that I believe wholeheartedly even if
10 there's still disputes on internally how that
11 happens you're now dealing with someone the
12 same level playing field.

13 I would also go, not that I'm given the
14 authority to speak on behalf of Sheriff Tony,
15 but I would also say that it would also kind of
16 matriculate back down to fire chiefs, that
17 there would be a, essentially a person that is
18 in charge of the system, that while it would be
19 great to have the voting on it he or she is
20 still representative of in charge of that
21 system, so if they institute some operational
22 thing, or program that specifically
23 representing Sunrise, for example, do not like,
24 well, I have a choice, I can stay or I can go.

25 Most of these cities, most of these

1 entities across the country that do these
2 things, I have personally visited Phoenix Fire
3 Rescue's consolidated 911 system, that's how
4 these things operate. So again, you have right
5 now operationally -- it's almost like you're
6 not sure who's in charge, and, and it would
7 certainly behoove us to be able to do that,
8 irrespective of how much they're providing the
9 Sheriff's organization to pay for that. And
10 obviously that would be up for the Sheriff to
11 decide, I certainly couldn't speak on that, but
12 I believe that can be done.

13 SHERIFF JUDD: Let -- let me -- I'm trying
14 -- I'm trying to focus us in on this, okay?
15 I'm sitting here, we got the magic wand, okay,
16 and we really don't, but the commission has got
17 a big bullet holder, if we go to the County
18 Administrator, and we say, County
19 Administrator, we've heard from all the
20 stakeholders, and by the surveys a couple of
21 years ago by Fitch, the resurvey today, the
22 Police Chiefs, the Fire Chiefs, the system has
23 lost trust, and its lost value to the point
24 that people are wanting to bail out, now,
25 County Administrator, you can switch that line

1 item of funding over to the Sheriff, and get
2 rid of that headache that obviously is not
3 working well for wherever the perception is,
4 you can do that, now I as the County
5 Administrator say, hey, I'd be more than happy
6 to give it to the Sheriff, the question is at
7 that point, the Sheriff said, and like you said
8 when I say it once you can repeat it a thousand
9 times, I will have a voting Board of fire
10 chiefs and police chiefs, the stakeholders and
11 the customers, who will direct the operations
12 of the emergency dispatch center, and that team
13 with his team matriculates to him, and then
14 he's responsible for getting the funding, if
15 I'm, what I'm hearing today then at that point
16 in time it's the duty and responsibility of the
17 fire chiefs collectively, and the police chiefs
18 collectively, to get their teams on board and
19 say, hey, we're not going to get all of what we
20 want here, but we've got to, we've complained,
21 now the County Administrator is giving it to
22 us, and we will absolutely unequivocally fix
23 this with our counterparts who are in the
24 police services, our counterpart who is the
25 Sheriff, and he is the elected official that

1 every four years has to get a report card
2 checked, and obviously it's, you know, the
3 County Administrator reports to a Board so
4 nobody gets to vote on the County Administrator
5 if they don't like the way the County
6 Administrator's administrating the 911 service
7 and the other duties and responsibilities the
8 have, not so with the Sheriff, so am I hearing
9 that the fire chiefs, the police chiefs, and
10 I've heard from the Sheriff, if make this
11 recommendation after receiving feedback from
12 the County, irrespective of, you know, we can
13 argue dollars and cents, but that that funding
14 comes to the Sheriff, and then the Sheriff is
15 responsible for it, are you all going to fix
16 it?

17 Are you going to fix it? Are you going to
18 collaborate and cooperate with public safety
19 emergency services through the Sheriff and fix
20 it?

21 CHIEF BANINEC: Yes. I've gotten that
22 commitment from all the fire chiefs, that they
23 collectively have a vested interest in making
24 this work. Whatever -- again, whatever the,
25 like you said, whatever that collective

1 solution is, if that's the solution is the one
2 that's best for this County I've gotten a
3 commitment from all the fire chiefs that they
4 are all in, they want to fix this. Whatever
5 that fix is they are on board.

6 The other thing I want to make clear too,
7 Sheriff, is when I talked to the fire chiefs it
8 wasn't, you know, yeah, we simply, we support
9 the police chiefs position, it was we support
10 it, however exactly what you just said. We
11 need to have a voice. We need to have an
12 operational voice at the table that we can sit
13 down and articulate what we need to do to
14 effectively serve the community. And that's
15 really the bigger piece of this I think for a
16 lot of the fire chiefs, is having that avenue
17 to be able to operate in that environment.

18 SHERIFF JUDD: And -- and I'll -- I can
19 speak for what the Sheriff told me, but the
20 Under Sheriff is coming up, so what I'm hearing
21 right now is at the conclusion of this
22 commission hearing, all of this information, if
23 this commission says we've heard from the fire
24 chiefs, they say we'll make it work, we want a
25 voting seat at the table, the police chiefs say

1 we want it to work, we want a voting seat at
2 the table, the Sheriff says I'll give you a
3 voting seat at the table, you will direct the
4 operations, and the chiefs get together on the
5 fire side, the chiefs get together on the
6 police side, the Sheriff and his staff get
7 together, so you work out the individuals, then
8 you all work together, and you will, you will
9 bring in for a landing this thirty five year
10 problem, and obviously that you'll work through
11 the, the systems and processes, and ultimately
12 be able to present to the Sheriff, and then
13 he'll be able to turn to the Board of County
14 Commissioners who he receives funding from, and
15 also collaborate with the Administrator to say
16 I got this thing, because the chiefs have it on
17 the fire side, the police side, my guys and
18 gals do, and we'll get this, we'll get this
19 horrible position that we've had in the past
20 off of the County's back.

21 CHAIR: So -- so --

22 CHIEF BABINEC: Sheriff, the say you just
23 put it you named every stakeholder, and you
24 gave a streamlined approach to how operations
25 should go, and that I believe is the intent of

1 the message that I received from our fire
2 chiefs throughout the county.

3 CHAIR: So if -- if that doesn't happen is
4 that do you see any viable path to success with
5 the current governance structure, the current
6 people, and the current situation -- is there
7 any -- from your perspective, from the Fire
8 Chiefs perspective, again with the current
9 people, the current governance, the current
10 structure, leaving it in place, without this
11 significant change is there any pathway forward
12 to success in this?

13 CHIEF BABINEC: Sheriff, as I was talking
14 to the fire chiefs over the weekend, and every
15 one of them, I could sit here and quote twenty
16 different things that were said, but the gist
17 of it was every one of them felt something
18 needs to change in order to move this forward.
19 Some even reiterated that they hope they see
20 the change before the day they walk out in
21 retirement. Some say that they're worn out by
22 this. Some say that they don't know what the
23 fix is but the fix has to happen. So something
24 is going to have to -- I -- we can't --
25 collectively we all can't move in the direction

1 we're moving now without doing some kind of
2 reorganization that provides for more effective
3 communications.

4 CHAIR: And -- and, Chief McNamara, you're
5 shaking your head no. Your answer to my
6 question is no? All right, it's not -- there's
7 no path forward given the, the current
8 structure, something absolutely has to change?
9 Yes. All right. And I hope that everybody is
10 listening to this, and I hope that across the
11 board people are listening to this, and, you
12 know, that's a very important answer, and a
13 very important statement, because what it says
14 is from the people that are boots on the
15 ground, in the trenches involved in this, that
16 this is not going to work, and it can't work.

17 And so at all levels, from the County
18 commissions to the City commissions, and to
19 everyone, is that they need to hear that,
20 because I can tell you I've been hearing that
21 for the last months, and there isn't one
22 person, not a single person that I've talked to
23 at any level, and you'll hear from her in a few
24 minutes, except for the County Administrator,
25 and she said that she thinks it can still work,

1 but everybody else, everybody else has said no
2 way, no how, not going to happen, is that the
3 relationships are too fractured, they're too
4 broke, and the trust is too destroyed, that
5 this cannot work under any circumstances.

6 So that's a very, very important
7 statement, and perspective that needs to be
8 considered as whatever decisions are made are
9 made in this to, to fix it. And it can't
10 stand, and it shouldn't stand the way it is,
11 because I can tell you, and you're going to
12 hear in a minute from Chief Shaw from Margate,
13 is, and I can tell you that from every other
14 fire chief, police chief, people, that I've
15 talked to, the only thing that's keeping others
16 from leaving the system, the only thing that's
17 keeping them from leaving the system is the
18 money, and I have been directly told by
19 numerous police chiefs that they have
20 considered it, and their cities have considered
21 it, but because it would cost, depends on the
22 size of the city, 7, 8, 9, \$10 million to
23 recreate and resurrect their communications
24 centers, their 911 centers, is that they're
25 kind of, they're stuck.

1 But some have said the money doesn't
2 matter, they don't care anymore, and that's
3 Margate and Coconut Creek, and there's others
4 that eventually may get to the same place. And
5 that's what -- there's a degradation of the
6 system, and it's a reversion back to a
7 bifurcated system, and it's just all going back
8 to a bad process, so I mean at the end of the
9 day that is the bottom line, is, is that from
10 the stakeholders there is no path to success
11 without structural change. Go ahead.

12 SHERIFF JUDD: That is exactly my
13 conclusion as well, and at, at your direction I
14 would like the Under Sheriff to speak for the
15 Sheriff instead of me. I would like to get him
16 on the record, as well as, as Chief Rosa. And
17 we -- we have Chief Babinoff from the, Babinec
18 from, from the fire side. I'd like to hear
19 from the Under Sheriff, and on behalf of the
20 Sheriff, and then have the three of them stand
21 up at this microphone and, together, and give
22 us that information. And then of course we'll
23 hear from the County side of it.

24 CHAIR: Yep, and you're going to hear from
25 -- we're going to -- as soon as soon as we get

1 done here, we'll wrap this up, and you'll hear
2 from Chief Shaw, and then we're going to hear
3 from the Broward County Sheriff's Office, from
4 Colonel Zukowsky, and from Angie Mize, and then
5 we'll hear from the County Administrator, so.
6 Commissioner Dodd.

7 COMMISSIONER DODD: Yeah, I just -- I just
8 wanted from the fire services perspective, and
9 dealing with the emergency management side of
10 this, with ORCAT, if that were to fall under
11 the operation of the Sheriff, we have that
12 emergency management component, and yet we see
13 in the, in the, the survey, that it seems like
14 if this change would take place with the
15 regional communications and technology it would
16 even improve the opportunity, or the ability to
17 respond to an emergency management event, a
18 Hurricane, a tropical storm, a mass casualty
19 event, would you agree with that, or are there
20 concerns with the emergency management side?

21 CHIEF BABINEC: The -- the Fire Chiefs
22 Association recently developed a group of
23 municipal emergency managers to go out on
24 behalf of the Fire Chiefs to start gathering
25 some information on emergency management so we

1 can kind of see where we are within, within the
2 County. They're continually working on trying
3 to assess that state, if you will, for us.

4 I don't know -- I can't sit here and tell
5 you it's going to have an affect not going to
6 have, I just don't have enough information on
7 that. I don't know if anybody else can speak
8 to that, but I wouldn't feel comfortable in
9 answering that, only because I don't have the
10 information.

11 CHAIR: All right. I think the last
12 question is Chief Lystad, and then we'll move
13 on.

14 CHIEF LYSTAD: Thank you, Mr. Chair.
15 Thankfully some of the other commissioners
16 asked the questions I wanted to ask. I just
17 had two questions and then a statement, or just
18 one question then a statement. As it relates
19 to the, to the Broward County Administrators
20 Office has the Broward Fire Chiefs went and met
21 with them at any particular time, sought an
22 audience to discuss the issues, or has that all
23 been through ORCAT?

24 CHIEF BANINEC: As the President of
25 Broward Fire Chiefs I'm going on my second

1 year. I have not met with the County
2 Administrator as the President of the Broward
3 Fire Chiefs. I have been in meetings with her
4 in my capacity as the Fire Chief for Coral
5 Springs/Parkland. All of my meetings on behalf
6 of the Broward Fire Chiefs have been with Mr.
7 Jackson, Mr. Bayag, and their staff.

8 CHIEF LYSTAD: And so nothing's ever been
9 elevated over Mr. Jackson?

10 CHIEF BABINEC: He -- he conveys to me
11 that he brings the message back to his bosses
12 and then gets back to us with whatever answers,
13 or questions we ask.

14 CHIEF LYSTAD: Okay. And then my -- my
15 statement is just for the non-law enforcement
16 people, or people in government on the
17 commission. This -- this in my opinion is, one
18 of the biggest crucial problems is trust, and
19 there's no trust between the, the end users,
20 the law enforcement fire personnel, and the
21 County Administration. And I can tell you,
22 speaking from the law enforcement side, once
23 you lose trust you almost never, never get it
24 back, and so this, this system is not going to
25 be fixed without something drastic from this

1 commission. Thank you.

2 CHAIR: All right, Chiefs, thank you very
3 much for being here. We appreciate it. So the
4 next presenter is Chief John Shaw from the
5 Margate Police Department. And again I asked
6 Chief Shaw to present as a representative of
7 one of the two cities that have made the
8 decision that they are leaving regional
9 communications, and to provide the reasons why.
10 Chief Shaw, welcome. We appreciate you being
11 here.

12 PRESENTATION BROWARD COUNTY REGIONAL COMMUNICATIONS
13 AND ORCAT ISSUES - MARGATE POLICE DEPARTMENT

14 CHIEF SHAW: Thank you. Good afternoon,
15 my name is Jonathan Shaw, and I am the Police
16 Chief for the City of Margate. This is my
17 twenty fourth year with Margate. Prior I was
18 employed with the Collier County Sheriff's
19 Office. Some of the commissioners may not be
20 familiar with Margate, or its geographical
21 location in Broward County, so I want to share
22 some information about our city.

23 Margate has grown to become the fourteenth
24 largest city in Broward County. We have a
25 population in excess of fifty five thousand.

1 We are 9.4 square miles. We have 135 miles of
2 roadways, and we have 30 miles of waterways.
3 We border the cities of Coconut Creek, Coral
4 Springs, and North Lauderdale. We have been an
5 accredited law enforcement agency since 1994,
6 first in Broward County to become dually
7 accredited in 1997. Margate had its own
8 communications center, a PSAP, from the early
9 1980's through 2014 when we merged with the
10 County system.

11 So now that you have an idea of the City
12 of Margate let me address why I've been asked
13 to be here today. On May 2nd, about one month
14 ago, along with representatives from the
15 Coconut Creek Police Department, Chief Perry
16 from Coral Springs and I, met with Sheriff
17 Gualtieri. This meeting was organized after
18 Sheriff Gualtieri learned that the City of
19 Margate and the City of Coconut Creek were in
20 negotiations with the City of Coral Springs to
21 provide communication services to both cities.

22 The Sheriff wanted to know why we wanted
23 to merge with the Coral Springs communications
24 system, what were the issues that made our
25 citizens, city administration, our police

1 officers, fire department, and our commission,
2 support the decision to start facilitating a
3 contract with Coral Springs.

4 Before I start sharing some of the reasons
5 my city has made this decision I want to
6 explain that in Margate are the end users of
7 the County system. I will be discussing
8 several critical issues with you, but my job as
9 Chief of Police in Margate is not to decide if
10 these problems are an ORCAT issue or a BSO
11 issue. We have reported these concerns and
12 difficulties, and have been disappointed in the
13 results of improving the system thus far.
14 However, it is my job to ensure that I am
15 attempting to get the best possible
16 communications system for the citizens and
17 first responders in our community.

18 In 2014 after over thirty years of having
19 our own dispatch center the regionalization of
20 the County system occurred. We knew that there
21 would be some growing pains and issues with the
22 new system. After three years of a
23 communications system that was not meeting the
24 expectations we were told we would receive a
25 more comprehensive collection and review of

1 complaints were in initiated. This started in
2 April of 2017. All complaints were reported to
3 the Margate Communications Manager, and they
4 were submitted to 911 Operation Center, or
5 direct contact with communications staff.
6 Their responses were routinely reviewed by
7 Margate command staff.

8 These complaints continue without Margate
9 having any ability to correct the issues --
10 excuse me. These -- these abilities to correct
11 the issues that are brought to my attention.
12 They are initiated from citizens disappointed
13 with the service they received from contacting
14 the communications center via 911, and the non-
15 emergency lines. They come from our police
16 officers, and our fire department personnel as
17 well.

18 I want to share information of a complaint
19 that was filed that I also shared with Sheriff
20 Gualtieri during our meeting. This incident is
21 one of the most frustrating complaints we have
22 made. Just prior to meeting with Sheriff
23 Gualtieri in April of 2019 the County had a
24 string of serial robberies that were occurring
25 at Dollar Stores and pharmacies by a small

1 group of individuals pictured here in this
2 Margate BOLO. With the robberies occurring in
3 our general area deployment strategies were
4 used, and we reassigned our street crimes unit
5 as a robber prevention measure.

6 One of our Dollar Stores in Margate was
7 robbed, and as the robbery was occurring an
8 employee at the back of the store called 911.
9 As she watched the store getting robbed she had
10 two not answered 911 calls, and showed the
11 sergeant upon their arrival her cell phone
12 pictured here. The first call was fifteen
13 seconds of ringing. She hung up and called
14 again. The second phone call was forty seconds
15 of ringing, no answer. The third call was
16 answered in thirteen seconds, and then
17 processed and dispatched out in two minutes and
18 fifty seconds.

19 Margate's street crimes unit was across
20 the street at another pharmacy location, and
21 arrived on scene to the Dollar Store in less
22 than one minute when being given the call. The
23 subjects were gone in a situation where every
24 second counts. They committed two more
25 robberies, one of those in Margate, before the

1 task force from BSO, Margate, and other
2 jurisdictions, took them into custody days
3 later.

4 Upon filing this complaint we were
5 notified that based on the implementation of a
6 new IAED call taking answering protocol there
7 was a delay in processing call processing talk
8 times, which is what we were told accounted for
9 this situation. Margate was added additional
10 communication staff -- Margate was informed
11 that additional communication staff was added.

12 From April of 2017 through July of 2019 we
13 have documented a total of a hundred and sixty
14 eight complaints. Fifty five percent have been
15 radio dispatch related, thirty one percent have
16 been call taker related, fourteen percent,
17 which includes equipment issues or other. In
18 comparison with communications centers not
19 affiliated with the County system Coral Springs
20 has recorded two complaints within that same
21 time frame. The City of Plantation has
22 recorded six.

23 When discussed at staff meetings and
24 patrol briefings Margate police officers and
25 fire personnel indicated over time they tend to

1 report issues less because the complaints are
2 frequently repeated types of incidents and they
3 see no improvement occur.

4 A sample of some of our communication
5 frustrations: The radio stops working.
6 Officers must return to the station, back up
7 plans are implemented, and all proactive
8 policing in Margate stops, non-emergency phones
9 are not answered. We have multiple dates for
10 both those issues. Holding priority calls.
11 Citizens frustrated with the call taking
12 process. Pertinent information not being given
13 to officers, or information not gathered from
14 citizens. Wrong locations of incidents, where
15 they occurred. Officers being given calls for
16 other jurisdictions. Wrong address of the
17 incidents. Officers being sent to the
18 incorrect address, and officers being assigned
19 to the wrong active calls.

20 In the interest of time this is a reminder
21 that this is a sample of a hundred and sixty
22 eight complaints that as an agency head I have
23 no control or ability in our current system to
24 correct. I do want to add from a previous
25 comment made earlier today about call

1 transfers, the implementation process with
2 Coral Springs is being developed to interface
3 CAD systems through Motorola which will
4 eliminate the concern for call transfers, and
5 allow for fire to utilize the closest unit
6 response.

7 In conclusion, the best way I can describe
8 my city is that we strive for a hometown feel.
9 Our communications system used to be part of a
10 community, that was a clear benefit for our
11 citizens and first responders. Margate's
12 commission and city officials have decided that
13 we are willing to merge with the Coral Springs
14 system, and create a partnership with them to
15 get back to a level of service we had prior to
16 2014.

17 Currently we have input into the customer
18 service that our callers receive. There is no
19 way to have a high level of control, oversight,
20 and any measure of accountability for a system
21 that our residents use. We don't have input
22 into the level of training the staff receive,
23 or their knowledge of my community. Both
24 Coconut Creek Police Chief Butch Arnell and I
25 agree that consolidating in North Broward, and

1 merging with the Coral Springs system, brings a
2 better service, a better level of service to
3 the residents in both of our communities.

4 CHAIR: Thank you. I just want you to --
5 just to recap, I want to make sure everybody
6 understands this, is that, that the problem you
7 had with that robbery detail was, is that you
8 had your street crimes unit and detectives that
9 were set up across the street from the Dollar
10 Store, the robbers went in, the clerk called
11 three times, didn't get through to 911 three
12 times, and it was a total of five minutes
13 before the call was actually dispatched, and by
14 the time the officers got across the street the
15 robbers were long gone. And that your
16 detective -- that's a screen shot that's up
17 there from the clerk's phone where the clerk
18 tried to call 911, couldn't get through, and
19 your detective provided you a copy of the
20 clerk's attempted 911 calls from that
21 screenshot; is that correct?

22 CHIEF SHAW: That's correct. That's --
23 the sergeant that was on scene the day of the
24 robbery took that photo.

25 CHAIR: And -- and that's because of the

1 implementation of EPD, emergency dispatch
2 police protocols, not being staffed correctly,
3 and having delays in the call taking where they
4 just couldn't answer calls.

5 CHIEF SHAW: That's correct. I
6 summarized. I could have Lieutenant Suarez
7 read you the explanation that we received via
8 email if you'd like.

9 CHAIR: All right, we'll see if any of the
10 commission members want to hear that. The
11 other thing I'd like you to address, just, I'm
12 going to open it up to questions, is, is that
13 the issue that you all have, and it's up there
14 in some of your summarized topics, but a far as
15 familiarity, and one of the things, a couple
16 things I want you to address is, is that the
17 problems you have with personnel not being
18 properly trained, and properly familiar, and
19 not knowing the area, and you gave me an
20 example of not knowing the difference between
21 Atlantic Avenue in Delray Beach in Palm County,
22 in Palm Beach County, and Atlantic Boulevard
23 down here, and then the problem with, and you
24 can expand on that.

25 But also the problem with, you're up here

1 in North Broward, but you have three centers,
2 north, central, and south, and you've got south
3 center dispatchers, or call takers that are
4 taking north calls and, and not being familiar
5 with the area. Would you just kind of expand
6 on all that a little bit?

7 CHIEF SHAW: Sure. The -- the incident
8 that, that we spoke about for Atlantic Avenue
9 and Atlantic Boulevard was a subject that had
10 been struck by lightening, and the caller was
11 having difficulty with, one, explaining to, the
12 caller saw the subject in the field and didn't
13 know an address to give them, she was calling
14 from her condo, and they struggled or several
15 minutes, I believe it was almost ten, for them
16 to determine a location. And this comes back
17 to the fact that the call takers are not
18 familiar with my city, so they could be
19 accepting this call from one of three dispatch
20 centers, and they may have independent
21 knowledge of Margate.

22 The system that our city wants to go to,
23 these dispatchers would have training and, and
24 knowledge of the specific city, and that's
25 something that we had prior to 2014.

1 CHAIR: Sheriff Judd, you have a question?

2 SHERIFF JUDD: Chief, you've heard the
3 conversation we had a minute ago with the fire
4 chiefs.

5 CHIEF SHAW: Yes, sir.

6 SHERIFF JUDD: If we wave the magic wand,
7 and the County Administrator said we'll turn
8 this over to the Sheriff, you have police
9 chiefs, the fire chiefs, who are going to be
10 voting members, and between the fire chiefs and
11 the police chiefs and the Sheriff they're going
12 to be in total operational control of this
13 system to improve it, would you still leave
14 ORCAT, or would you stay and be part of the
15 solution to the current system you're involved
16 with?

17 CHIEF SHAW: Sheriff, I feel like -- we're
18 at step one or two currently. I feel that if
19 we leave and go with Coral Springs, they're
20 already at the finish line, and they're putting
21 forward a phenomenal product, and a customer
22 service level that the residents of my
23 community deserve. And I feel that we can go
24 there now and even with the implementation
25 process that it will take we will still be

1 there much faster than we will be if we stay
2 and hope that this can be resolved.

3 SHERIFF JUDD: So you're leaving
4 regardless of the solution that's reached?

5 CHIEF SHAW: Correct. Our -- both of our
6 communities want to, want to -- and, you know,
7 I feel like leaving is, is kind of not the most
8 appropriate term. This plan is to create a
9 fourth PSAP that will have the interoperability
10 to communicate with the County's system. And
11 -- and that's why I did make the comment about
12 the CAD systems that are looking to interface
13 together. They will be able to rely on this,
14 on this operations center as a back up.

15 And I am not the, the most technically
16 advanced to explain this, and there, there are
17 people here that are better able to explain it,
18 but in simplest terms, we use the term leaving
19 but it's not really correct. We are looking
20 for a different level of service in both of our
21 communities, and we feel that Coral Springs
22 offers that level of service that, that both of
23 our communities want, and are willing to pay
24 for.

25 CHAIR: But, you know, with that -- and I

1 understand -- and I don't want to get too far
2 into the weeds with this, but in order for that
3 to take effect the way that you're hoping it
4 will take effect is, I understand that, that
5 the decision still needs to be made by the
6 County, and the County Administrator, about
7 whether to allow that interface between Coral
8 Springs CAD, and Coral Springs is going to have
9 to invest several million dollars early to buy
10 a new CAD system.

11 Coral Springs right now still has shelf
12 life left on its current CAD system. In order
13 to make this work they're going to have to put
14 it off the shelf and by the new P1 CAD that is
15 compatible with the County's new CAD system,
16 and then the County would have to approve the
17 interface between the Coral Springs, which
18 would then be yours, new P1 CAD and the
19 County's CAD, in order to in essence create
20 this fourth regional center that would function
21 with a degree of similarity to the other ones.

22 But there's a lot of contingencies on
23 that, and if the County wouldn't approve that
24 then it would be back to an island of the way
25 it is now, with Coral Springs, Margate, and

1 Coconut Creek, and you wouldn't have that CAD
2 interface. So in order for it to work the way
3 you're hoping it would work with this, whatever
4 you want to call it, leaving, migration,
5 whatever, is that there are a lot of yet to be
6 determined steps that there haven't been
7 commitments on.

8 CHIEF SHAW: I don't know what stage the
9 County and Coral Springs are at. I'm not the
10 right person to answer that question.

11 CHAIR: Well, that's the way I understand
12 it from Chief Perry, so -- Sheriff Ashley
13 first, and then - go ahead.

14 SHERIFF ASHLEY: Thank you, Chief, for
15 your presentation. Is your municipality a user
16 city in, do they have a contract already with
17 Coral Springs?

18 CHIEF SHAW: Both cities are, the
19 contracts are in the final stages of review
20 with the attorneys, and they're set to be voted
21 on in the near future.

22 SHERIFF ASHLEY: Has there been an amount
23 settled on, the cost for your city?

24 CHIEF SHAW: The first -- the first year,
25 and this is only based off of --

1 SHERIFF ASHLEY: I'm just looking for a
2 round - -

3 CHIEF SHAW: A ballpark is about,
4 approximately \$2 million.

5 SHERIFF ASHLEY: And how much does your
6 city currently contribute to the countywide
7 emergency communications system?

8 CHIEF SHAW: Well, I know, you know, part
9 of every residents' taxes go in. I know \$12.50
10 of every municipal ticket goes towards the
11 County's system. And that --

12 CHAIR: But you don't pay anything in your
13 budget, so there's not a line item you can see
14 in the budget --

15 CHIEF SHAW: There's not a line item.

16 CHAIR: They don't pay anything out of the
17 budget.

18 CHIEF SHAW: Correct.

19 SHERIFF ASHLEY: I keep asking that
20 question because I'm concerned about the skin
21 in the game. So we want a better system, and
22 we want control over our system, but we really
23 don't want to contribute towards that system in
24 regards to funding, and so that's why I'm
25 asking that question repeatedly. If

1 municipalities want the best system, and
2 whether that's via County or their own cities,
3 then certainly the expectation by the County
4 I'm assuming would be, all right, if we're
5 paying all the, if we're paying all the bills
6 then we should have the majority of the say on
7 how this thing operates. Now, that doesn't
8 help you operationally; I understand that. But
9 cities need to contribute as well to the fix,
10 instead of, you know, the County is going to
11 handle all of that, we're going to be in
12 control of it, they're going to pay for it.

13 So I understand the dilemma here, and I'm
14 not sure that I'm not in the same boat that
15 the, our Chair is, that it may not, it may not
16 fixable.

17 CHAIR: Yeah. Well, I can -- and you get
18 -- and -- and I know you probably have, but
19 read Mayor Ryan's written testimony. And with
20 the history of this is, is it was a decision
21 made the County, and by the County
22 Commissioner, to pick up all the funding on
23 this, so the, you know, it was, that's what the
24 offer was, and that's how it came about. And
25 so the County offered to pick up the tab fully,

1 so that was something that -- and that's one of
2 the reasons why it happened. So that was a
3 County offer, and a County decision, and they
4 committed to funding it, so. Mr. Schachter,
5 go ahead.

6 COMMISSIONER SCHACHTER: Thank you, Chief,
7 for, you know, this testimony was really great
8 to help me understand the issues, and if I was
9 in your shoes I would want out as well, you
10 know, after, after seeing all these complaints,
11 and, you know, just listing all these
12 frustrations. Do you attribute these failures
13 to the County and ORCAT, or do you attribute
14 the failures to the training, and at the
15 Sheriff's Office?

16 CHIEF SHAW: You know, I'm not there. I'm
17 not one of the policy makers making these
18 decision. To be honest I'm assuming that
19 there's a little bit in both, or, you know, I
20 don't know. I guess the best way for me to
21 answer is there are problems, and I know that I
22 have a means of trying to correct it, and it's
23 by not staying.

24 COMMISSIONER SCHACHTER: Yeah, I
25 understand. I understand. You know, the

1 reason I ask is because you obviously, you
2 know, you're in law enforcement, you
3 understand, you know, what's going in to makes
4 these problems the way they are, but, you know,
5 just from sitting here as I look at your sample
6 of communication failures, you know, tell me if
7 I'm wrong, but the only, I se the radio
8 channels stop working, that would be a County
9 issue, but all these other issues seems like
10 training issues, you know, correct me if I'm
11 wrong, Chair? So --

12 CHAIR: It seems to be, I mean a lot.
13 Some of them are, you know, and they, you know
14 --

15 COMMISSIONER SCHACHTER: Right, it's
16 problems with both.

17 CHAIR: All right, I think -- I think we
18 had one -- Mr. Petty, did you have something?

19 COMMISSIONER PETTY: I think Mr. Schachter
20 asked part of my question. I just wanted to
21 clarify the issues that I'm seeing here seem to
22 be with BSO, who I understand is running this.
23 I mean a lot of these -- the radios not working
24 aside, it seems to be the other issue, but
25 these are, these are train, these are

1 operational issues.

2 CHIEF SHAW: Correct, they are operational
3 issues, and I don't have the independent
4 knowledge to say what part of these operation
5 decisions are from ORCAT or from BSO. There is
6 - - there is a difference in the, in the
7 appearance of training that we were used to in
8 Margate prior to 2014 and the service that we
9 get now. You know a term that, that Chief
10 Arnell and I used, is a concierge service is,
11 is what our residents expect when they call
12 dispatch. They want to know that they can call
13 at 2:00 in the morning and the dispatcher
14 understands that we have animal control twenty
15 four hours a day. That doesn't always happen.
16 They don't always know what our city provides
17 because they can be calling one of three call
18 centers that may not know everything about
19 Margate, and so we want to get back to a system
20 where we have that ability.

21 CHAIR: So -- so in the last year, and
22 you've experienced a lot of problems, and at
23 our meeting you brought a huge three ring
24 binder that had two hundred complaints in it,
25 and, and all, but in the last year how many

1 times have you sat down with the County
2 Administrator as the owner of the system, and
3 you and the County Administrator had a
4 discussion about this?

5 CHIEF SHAW: Zero.

6 CHAIR: How many times have you in the
7 last year with the operator, because your
8 issues, and this is why, you know, I structure
9 of these presentations this way, you heard from
10 the fire chiefs and the police chiefs, and now
11 you hear from one that's leaving who does seem
12 to have issues on, not just on the owner side
13 but on the operator side, how many times did
14 you sit down with Sheriff Israel and have a one
15 on one with him about this?

16 CHIEF SHAW: Zero.

17 CHAIR: So Angie Mize, who's now the
18 acting director for BSO as it relates to the
19 operations, have you ever sat down with her and
20 had a one on one with her?

21 CHIEF SHAW: Several years ago there was a
22 meeting, I believe maybe in early 2017 before
23 we started this formalized process of filing
24 the complaints, when we went over some
25 concerns, but that was a one time meeting and,

1 and nothing came of that. All of these
2 complaints get forwarded, you know, through the
3 chain, through whatever channels that their 911
4 center wants, you know, complaints filed
5 through, so I'm assuming that she sees some of
6 these, or all of them.

7 CHAIR: Well, one of the things we see as
8 a theme here, I'll say it we see it as a theme,
9 and I observe as a theme is, is a lack of
10 effective communication at the top levels. And
11 this is something we saw yesterday, and I asked
12 some of these questions about discussions
13 between agency heads, and that seems to be a
14 void here across the board, and there has not
15 been at the top levels effective communication
16 from my observation. Mr. Schachter, go ahead.

17 COMMISSIONER SCHACHTER: Can you explain
18 to me why you've got massive failures, a
19 hundred and sixty eight complaints, and someone
20 in a leadership position in your city doesn't
21 pick up the phone and call someone at ORCAT or
22 the County and say, listen, we forwarded the
23 last ten, it's still happening, what are we
24 doing to fix it?

25 CHIEF SHAW: I don't know who I could get

1 to call, or who I should call. I had give
2 complaints filed last week. I had an issue
3 this morning that I was told about. I don't
4 know what the answers are.

5 COMMISSIONER SCHACHTER: Why -- why aren't
6 you calling the County Administrator?

7 CHIEF SHAW: Well, because as a Chief
8 we're going through the Chiefs Association to
9 try to make changes. But they're aware of all
10 of these problems.

11 COMMISSIONER SCHACHTER: But the Chiefs
12 Association -- and did you -- I'm sure you've
13 addressed these complaints to them. They're
14 not reaching out to the County Administrator
15 either. I just don't understand it, why no one
16 is going and meeting with her, and talking
17 about these, and getting a stakeholder meeting
18 of everybody together and say, listen -- you
19 got a hundred and sixty eight, I'm sure every
20 other city has these similar results.

21 CHAIR: Well, she'll be here in a minute,
22 and she can answer, but it does seem that
23 there's a delegation down, and the
24 communication is probably at the, mostly it
25 does seem, and Angie Mize will be here in a

1 minute, and she's the Director, and what she'll
2 tell you is, is what she told me is, is that
3 she has very little interaction with what would
4 be her counterpart, who is Tracy Jackson. Most
5 of her interaction is with Brett Bayag, who is
6 the Assistant Director, and so they're -- and
7 Alfonso Jefferson, who is above Tracy Jackson,
8 or with the County -- there's very little
9 dialogue there, if any.

10 So that's just the way -- and that's --
11 and I -- and I believe that that's, that
12 contributes to these problems. So let's hear
13 from them, and let them tell you for the, by
14 themselves.

15 SHERIFF ASHLEY: Chair, just one comment.
16 It has to be pretty bad, though, when you're,
17 you're willing to make your citizens pay \$2
18 million for a service that they currently get
19 for free.

20 CHAIR: Right.

21 SHERIFF ASHLEY: So it has to be pretty
22 bad.

23 CHAIR: That's the point. I
24 wholeheartedly agree with you, and that's what
25 I said before, and other cities, and I am

1 concerned that other cities are, are on the
2 cusp of saying we don't care, and if it costs
3 us \$2 million, \$4 million, \$6 million, we're
4 done with this, and they're going to bail.
5 And that's what -- one of the whole purposes of
6 doing this is to try and prevent that from
7 happening, because you get back to the whole
8 reason why we're here and having this
9 discussion, is the, the nonsense, and what
10 happened when that girl was on that phone in
11 Building 12 saying I need help, and she's
12 crying, and you hear the shots firing in the
13 background, and the first voice doesn't go on
14 the radio to dispatch the first law enforcement
15 unit for a minute and twenty eight seconds.

16 That's -- let's get back to that. That's
17 what this is all about. And then you've got
18 situations that the Chief is, is giving
19 examples of, about a robbery team sitting
20 across from a store, and you've got a five
21 minute delay, and you go into all these other
22 things -- and there's two sides to every coin,
23 but the bottom line is, is that it is bad
24 enough where -- and Coconut Creek, probably
25 spending as much as you are, if not more --

1 CHIEF SHAW: Yeah, they're spending the
2 same amount.

3 CHAIR: The same amount. So you've got --
4 between two cities they're spending \$4 million
5 and saying see ya, so.

6 COMMISSIONER SCHACHTER: I would -- I
7 would as well, you know, if it was this bad I
8 would want out too. Just a quick question.
9 You said that -- you mentioned two minutes and
10 fifty seconds before a call was dispatched. Is
11 that -- can you tell us why, is that because of
12 the call transfer process, or is that just
13 because --

14 CHIEF SHAW: Right, that's probably a
15 better question for the Sheriff's Office to
16 handle, but, right, so we get -- we get data,
17 and it said, you know, from call answer to
18 dispatch was two minutes and fifty seconds.

19 COMMISSIONER SCHACHTER: That's horrible.
20 Thank you very much for your testimony.

21 CHAIR: All right, Chief, thanks for being
22 here. Wait, one second. Mr. Petty, go ahead.

23 COMMISSIONER PETTY: Just to comment first
24 I guess, you know, the irony of the fact that
25 we're here trying to solve communications

1 problems, and what we're seeing is the
2 stakeholders unwilling to communicate with each
3 other to solve problems is not, hope, I hope
4 not lost on the, my fellow commissioners. A
5 lot of these problems could be solved by
6 picking up the phone, or going to lunch
7 together, or something. I just don't -- I
8 don't get it.

9 And I think your point about \$2 million,
10 you know, now the, now the residents of Margate
11 are going to pay \$2 million because we're not
12 picking up the phone and talking to each other;
13 I don't get that. Chief, can you help me
14 understand -- I've -- I've heard a lot about
15 that community feel and local policing. I get
16 -- I get it -- I think I understand it. But
17 there are trade offs I think with being
18 integrated with a countywide, more, more
19 integrated with a countywide system. Are there
20 trade offs, or am I missing, am I missing
21 something there?

22 Are you going to -- are the residents of
23 Margate going to lose something because you're
24 not more tightly integrated with the rest of
25 the County?

1 CHIEF SHAW: No, I don't believe we're
2 going to lose anything. I think -- I think we,
3 we'll get back the level of service that we
4 were expecting, and still have all the same
5 capabilities that Coral Springs currently has.
6 And they have a -- they have a phenomenal
7 system.

8 COMMISSIONER PETTY: I guess for my fellow
9 commissioners in law enforcement is that, can
10 you still have that community feel in those
11 different dispatch centers, as I understand it,
12 and still deliver the same public safety
13 capability?

14 SHERIFF JUDD: One of the big advantages
15 to a combined 911 dispatch center is that you
16 can hear each other across the city/county
17 lines, so that you don't have one car on one
18 side of a divided highway on one dispatch
19 channel, and one on the other side on another
20 dispatch channel. So some of the advantage --
21 there's economies of scale, so you should be
22 able to save huge tax dollars. If it's
23 appropriately stacked you should be able to
24 turn that call around as quickly as a city can.
25 And then on the radio traffic the law

1 enforcement officers who work next to each
2 other, which otherwise would be on a different
3 frequency, can hear each other.

4 Now, of course when you have a big
5 metropolitan area everybody can't be on the
6 same frequency, so there's got to be a line
7 some place, but you reduce those lines. So if
8 it's -- if you're running a robust center day
9 in and day out, you have the economies of
10 scale, you should be able to save the tax
11 payers money and improve the services. And if
12 both of those aren't happening then you end up
13 with the result where they're saying public
14 safety is worth us going back to our own
15 system. And quite frankly in today's
16 environment, which has been exacerbated by
17 state law a few years ago, where you could hire
18 a dispatcher and communications operator, give
19 them some hands on training, or some standard
20 protocol training, and put them to work, you
21 have to give a dispatcher over three hundred
22 hours of training now before they can answer a
23 call by themselves, so you'll struggle to staff
24 those additional centers to a greater extent
25 than, than if you have the whole, and if it's

1 being done right.

2 CHAIR: And that goes to -- and the key to
3 that, Sheriff, is what you just said about
4 adequate staffing, because here, here's one of
5 the problems we're facing down here, is that
6 they are, do have staffing challenges, and they
7 can talk to that, but and this is part of the
8 problem with that whole, if you will,
9 maintaining that level of service, and that
10 small town, and, and just, it can happen, but
11 you have to be properly staffed, and you have
12 to have the right people, and consistent
13 people, and when you're constantly switching
14 dispatchers -- so I've heard, as an example,
15 from, you know, Lauderhill, they say, well,
16 they're fortunate enough a lot of times they
17 get the same dispatcher.

18 Others say, no, we don't even get the same
19 dispatcher every day, and they're clueless as
20 to our people, and they're clueless as to the
21 city, and then you get a situation because
22 they're not staffed right, and some of that may
23 go to funding, which may go to the County, is,
24 is that you get a call, and it go, it's going
25 to be a call that comes in, a 911 call let's

1 say that comes in, and it's from a resident in
2 Margate, but because they're backlogged, backed
3 up, and they don't have the staffing at the
4 north center, it's answered by a call taker in
5 the south center who is familiar with Cooper
6 City, is familiar with all those south county
7 cities, so when that person says, you know, I'm
8 here at, you know, Joe's store here on this
9 street, and they're like -- or -- or you get
10 people that call up that, about city business,
11 or other things, and it's being answered at the
12 south center, that person who's familiar with
13 Cooper City that's clueless about Margate, is
14 you end up with all this disjointed
15 misinformation, and that's where you end up
16 with all the problems.

17 So if every call that was in Margate was
18 being answered in the north center, and they
19 had consistency in dispatchers, consistency in
20 personnel, it'd probably work a lot better,
21 but, and you tell me if I'm wrong, but that's
22 part of the problem.

23 CHIEF SHAW: Nope, you're a hundred
24 percent accurate.

25 CHAIR: So that -- you know, so there's a

1 lot of ifs in that, and the ifs are properly
2 staffed, consistent people, all, all those
3 other things, and that's part of what they're
4 saying is the frustration, so.

5 COMMISSIONER PETTY: Thank you, Chief.

6 CHIEF SHAW: Thank you.

7 CHAIR: All right, thanks for being here.

8 We appreciate it. Next up is the Broward
9 County Sheriff's Office, Colonel Zukowsky and
10 Angie Mize, we'll hear from them and then we'll
11 take a break. And then we're going to come
12 back and hear from the County Administrator.
13 But we'll hear from BSO first. Colonel, thank
14 you for being here. Appreciate it.

15 PRESENTATION BROWARD COUNTY REGIONAL COMMUNICATIONS
16 AND ORCAT ISSUES - BSO

17 SHERIFF ZUKOWSKY: Good afternoon to the
18 members and the crowd, the families, the
19 viewers at large. Mr. Chairman, commission
20 members, I'm humbled to be before you today,
21 and I would be remiss to not echo the sentiment
22 that I've heard several times during these
23 proceedings of appreciation for the commitment
24 each of you have made to this commission, and
25 to the Broward County, and that is appreciated

1 on a personal and professional level.

2 My name is Sean Zukowsky, and since
3 January of this year I have served in the
4 capacity as Under Sheriff of Broward County.
5 The position is a second in command, and
6 encompasses primary responsibility for
7 maintaining the day to day operational capacity
8 of the Sheriff's Office. I'm here to provide a
9 brief synopsis of Sheriff Tony's intended
10 course of action with regards to the future of
11 regional communications. He does regret not
12 being here in person.

13 His intent is to continue to foster
14 positive working relationships and conditions
15 conducive to a more collaborative and
16 productive approach right now, in the short
17 term. To be direct and candid, as we've
18 already alluded to, thank you Sheriff, to be
19 very direct and candid, it's our belief that a
20 return of all aspects of regional
21 communications to the Broward Sheriff's Office
22 is in the best interests of the public safety
23 providers and the citizens of Broward County.

24 It is BSO's intent and commitment in the
25 mid to long term to achieve the conditions

1 favorable for the stakeholders in the County to
2 agree to this and implement it, because the
3 short version is that would take time. That is
4 not a flip a switch today and can happen
5 tomorrow. So we recognize that it starts with
6 the short term efforts to improve what exists
7 currently, and work towards setting those
8 conditions that will make for a successful
9 transition.

10 Sheriff Tony seeks to return that full
11 operational control of communications to the
12 Broward Sheriff's Office, but only, and to
13 reinforce what was previously said, only with a
14 permanent communications advisory board, for
15 lack of a more defined term, comprised of
16 ranking members of the Broward Chiefs of Police
17 and Fire Chiefs Associations. This advisory
18 board will include voting powers related to the
19 operational decisions and enhancements of
20 communications services provided to the
21 participating entities. So one last time, the
22 Sheriff made sure that I knew to convey
23 unequivocally voting members to an advisory, a
24 membership board that would be part and parcel
25 to this, this vision, and this entity, if it's

1 afforded the opportunity to move forward.

2 So Sheriff Tony finds that extremely
3 imperative to reduce any negative impact that
4 could arrive from a new administration coming
5 into power as the newly elected Sheriff, so
6 unless we establish from the onset the next
7 Sheriff, as we've articulated, if it's not,
8 once you make an administration change they can
9 change a lot of things, and it would be
10 detrimental I think to the benefit of the
11 entire populace of those public service
12 providers if we didn't install that, that
13 board. It's paramount. It's critical.

14 So for some other context, Sheriff Tony's
15 immediate predecessor in interest divested the
16 Broward Sheriff's Office of the responsibility
17 over the administrative and technical aspects
18 of regional communications, ceding its control
19 over to Broward County. This command decision
20 at the time is believed to have been an effort
21 to amicably resolved the contentious litigation
22 over the subject of control of technology and
23 communities started by then Sheriff Lamberti.

24 Sheriff Lamberti's administration, I am
25 told, strongly opposed the County taking over

1 any aspect of communications, and was
2 rightfully I think concerned about vesting a
3 non-sworn law enforcement agency, the Broward
4 County ORCAT division, with responsibilities to
5 adhere to complicated CJIS compliance
6 regulations while having ongoing access and
7 complete technical control over a system that
8 transfers sensitive CJIS data. That was just
9 one of the primary concerns that was relayed.

10 Such concerns were put aside by the former
11 Broward Sheriff's Administrator in 2013, and
12 control over those regional communications were
13 transferred to Broward County, with Broward
14 Sheriff's Office becoming a vendor of sorts to
15 the County offering only personnel tasked with
16 day to day dispatch and PSAP call answering
17 services. This was a substantial change in
18 circumstances in the County, as prior to 2013
19 the Sheriff's Office was the leading public
20 safety agency operating and completing
21 controlling many PSAPs, as we've heard
22 described in the summary, for large portions of
23 the County and contract cities.

24 So some would characterize that eventual
25 transfer of the responsibility to the County as

1 one agreed to only after the request, or
2 concession of that BSO administration in 2013.
3 I am not intimately familiar with all of the
4 contributing factors driving the decision at
5 that time, but I am in the position now, at
6 least, to at least reasonably conclude and
7 offer to you that one factor had to have been
8 the sheer complexities and expenses involved
9 with that business side of ORCAT. And I'd be
10 remiss if we didn't at least put that out
11 there, that that is a tremendously sizable
12 endeavor.

13 So the desire to exit the litigation of
14 the matter as well in an amicable way I have no
15 doubt was part and parcel to that decision. So
16 the challenges presented by the notion of
17 providing communication service to a myriad of
18 end users with particular nuances and
19 expectations, much like the small town feel
20 that several of the chiefs have articulated,
21 could be intimidating, or overwhelming to some,
22 but keep in mind this includes vendor
23 contracts, technology software, development,
24 equipment procurement, programming, deployment
25 of equipment, MOUs, MOAs, fleet mapping,

1 leasing structurally sound and secure operation
2 sites, complicated CJIS compliance, creating
3 and implementing contingency plans for
4 emergency operations, and the hot topic of
5 late, radio tower placement and construction.

6 So even with all those challenges though
7 my position to you today, the Broward Sheriff's
8 Office's position is that a capable and
9 determined entity with similar operational
10 responsibilities and expectations is in the
11 best position to advance the communications
12 needs of that public safety provider community,
13 and the community of the County. The absolute
14 bottom line is that with, I'm sorry, that
15 entities without actual operational
16 responsibility cannot be reasonably expected to
17 provide optimal level of advocacy and support
18 for entities with operational responsibility.
19 Those two things just I don't think are
20 congruous.

21 To be fair -- and it is generally accepted
22 that up until January 25, 2019 the Broward
23 Sheriff's Office did not want the
24 responsibility of the full spectrum of ORCAT.
25 It should not be a surprise then that the

1 County would be strenuously reluctant after
2 only four months of this significant change in
3 the Sheriff's Office position. The County, and
4 namely the County Administrator, has an
5 absolute obligation to ensure any such transfer
6 or responsibility, of responsibility is in the
7 best interest of the community, that it can be
8 conducted with out interruption in service, and
9 that regional communications will maintain its
10 operational integrity, and that it can be
11 sustained financially for the longest term.

12 So things we've talked about, that it
13 needs to be funded appropriately, to the
14 appropriate levels, and needs to be
15 transitioned without interruption of service,
16 critical items. So if a public service
17 provider has made a decision to depart from
18 regional communications BSO is not the big bad
19 villain with any evil plans to obstruct, or
20 even take it personally if they want to do so.
21 We do understand some of the decisions, and
22 rationale behind it, but BSO today does not
23 want responsibility of ORCAT for the sake of
24 power and authority.

25 For what it's worth -- I'm sorry. We are

1 committed to providing that quality public
2 safety services to the County across the fire
3 rescue, detention, and law enforcement
4 spectrum, and are the single largest user of
5 the operational side of regional
6 communications. For BSO to be successful in
7 providing our public safety services to our
8 jurisdictional constituents BSO needs effective
9 regional communications, and thereby is
10 resolutely committed to be a staunch and
11 supportive advocate for all of the
12 participating members. That's the only way
13 this works successfully, moving forward for all
14 parties.

15 We are steadfast in our obligation to
16 provide that system, and to resolve any issues
17 that reside, arise. So our processes are
18 getting better, with commitment from this BSO
19 administration to work through and resolve any
20 challenges or problems. For what it's worth
21 neither Sheriff Tony, Angie, or I, feel that
22 all referenced some of the issues that have
23 been raised, as you said, and we've talked
24 about in smaller groups. I always default to
25 if the folks in the subordinate chain of

1 command cannot resolve issues then at some
2 point it needs to get to that cross talk at the
3 executive level, and that is what I think has
4 been clearly identified as sorely deficient in
5 our environment right now.

6 So, I'll try to land the plane here as
7 quickly as I can. For BSO to be successful in
8 providing public safety services BSO needs
9 effective regional communications, as we said.
10 We will continue to improve. BSO has
11 demonstrated its commitment to the partners
12 within the regional communications with our
13 consistent attendance and senior level
14 involvement in the ORT. Rather than just go to
15 ORCAT with another problem Sheriff Tony
16 directed we collaborate to develop and test
17 solutions to an existing communications problem
18 in Parkland, and then present our specific
19 request to ORCAT for review and discussion in
20 the absence of an alternative implementation.
21 That seems to have worked most recently, as
22 recently as last week, so we have seen some
23 movement in that regard. So we will continue
24 to endeavor in that effort in the short term,
25 to work within the construct as it stands right

1 now.

2 So what will follow from our acting
3 Director Ms. Angie Mize are here observations
4 of other historical obstacles we interpret as
5 being counter-effective to communications
6 operational performance. We have often found
7 ourselves at odds with ORCAT over the
8 interpretation and application of two
9 particular terms, operational versus
10 administrative, and that continues to be a
11 pretty sizable stumbling block for us. So
12 please keep in mind that we as committed
13 professionals to public safety are passionate
14 about the advocacy of public safety, and
15 primarily the advocacy for providing the best
16 service possible.

17 I think, or at least hope that the true
18 contention or conflict on a lot of these issues
19 is that we collectively are passionate, so
20 passionate about what we think is the best
21 course of action to resolve these problems. So
22 I'll turn it over to Angie, and remain prepared
23 to answer any questions.

24 CHAIR: All right. Thank you, Colonel,
25 appreciate it. Angie, welcome back.

1 DIRECTER MIZE: Thank you, Sheriff, I
2 appreciate it. Good afternoon, and thank you
3 for having me again. My name is Angela Mize.
4 I am the Assistant Director, actually acting
5 Director of the Broward County Sheriff's Office
6 of Regional Communications. So Sheriff
7 Gualtieri had asked me, and challenged me with
8 regards to what are the obstacles, what are the
9 concerns, what are the barriers to success of
10 the regional system from the perspective of the
11 Sheriff's Office regional communications staff
12 and operational team, and in doing so I've
13 provided, I have a list of concerns that have
14 been outlined, and have been some impediments
15 to our success.

16 So a little bit of historic information;
17 the Sheriff's Office communications division
18 was always a regional site. Before regional
19 communications became the Sheriff's Office was
20 a regional site. We not only dispatched four
21 BSO districts for a number of independent
22 municipalities that chose to have 911 and
23 dispatch services through the Sheriff's Office,
24 so the framework was always there, and had been
25 for decades prior to regionalization coming to

1 be.

2 When the regionalization plan began it
3 began with the County Administration and their
4 team to begin to conceptualize feasibility to
5 what the regional system would like, and in
6 doing so they came up with a lot of concepts,
7 and a lot of planning, specific to budgeting,
8 to staffing, to what the city, participating
9 cities would be dispatched out of, to even the
10 site locations and what those floor plans would
11 entail. All this occurred prior to an operator
12 being selected. It occurred prior to BSO
13 assuming operational ownership of the system.

14 So when BSO signed on to become the
15 operator of the system the wheels were already
16 in motion, very much so, to where we were
17 brought into a system that was already
18 established with essential rules and
19 regulations, site locations and floor plans,
20 municipal participation and partnerships, and
21 where those participating cities were going to
22 be assigned and dispatched from. That began
23 the system.

24 The system also started with a lack of
25 some of the support functions that are needed,

1 things like the training unit, audio evidence
2 unit, and quality assurance, were never
3 considered prior to the advent of
4 regionalization, and these were things that the
5 Sheriff's Office had to come forward and say
6 you need this for a large consolidated system
7 to operate, you need these support functions.

8 The County has ownership, management, and
9 governance of the system. That has been the
10 mantra from the day the system was incepted.
11 That has been what has been sold from the day
12 BSO signed on to become the operator. And in
13 doing so, again, the wheels were already in
14 motion prior to BSO coming on board, so when
15 BSO signed on to become the operator of this
16 system, and for the past now six years, there's
17 been a lot of things that have occurred that
18 does prevent us from reaching our optimal
19 objectives, from our achievements.

20 BSO has no control, ability to control
21 operate, or the operational technology side of
22 the house. We have said that before, the
23 personnel and the operations of the personnel
24 falls to the Sheriff's Office, however anything
25 technology goes to the ORCAT side. Why this is

1 so important is that there are issues with
2 equipment that we do not have the ability to
3 migrate, to stand up, to reposition, to
4 acquire. These our outside of our control.
5 And when we do find opportunities where our
6 processes and operations could be benefited
7 from some of these adjustments we are
8 essentially at the mercy of ORCAT to actually
9 execute, first of all confirm, vet it, and then
10 ultimately decide to execute it if that is
11 done, to achieve these objectives.

12 Not only is it with hard equipment, the
13 equipment itself, it also goes to the
14 programming of that equipment. So some of our
15 current technologies, like our CAD system and
16 our telephone system, and our radio system,
17 there's been recommendations that we have made
18 with regard to how to enhance the utilization
19 of those equipments, and things that we would
20 like to see done for reprogramming, and again,
21 those recommendations must be submitted to
22 County, who must first consider, vet, move
23 forward, or decline to move forward with those
24 requests.

25 Much like the municipalities if we do have

1 any issues pertaining to equipment issues we do
2 open up and submit what they essentially call
3 tickets to the County system. It's essentially
4 opening up a complaint, or a concern, to say we
5 need you to take a look at this. Some of the
6 results of the surveys that you have just gone
7 over a few hours ago hinted on some of these
8 issues, with regard to functionality of the
9 equipment, and the assurances that the
10 equipment is functioning as proper.

11 So, we will open up complaint tickets,
12 we'll open up concern tickets with regard to
13 technology. The response to those tickets can
14 be in some cases delayed, or not response, with
15 at times very limited follow up to what those
16 concerns were. So operationally we address our
17 employees needs, we open up concerns with
18 regards to whatever the equipment issue is that
19 they may have, and we continue with operations.
20 And with regard to what happened to that
21 ticket, what happened with that concern, was it
22 corrected, was it adjusted, was it fixed,
23 oftentimes the feedback to us is very limited,
24 if at all, and leads to the frustration of the
25 staff, to say why do I even bother bringing

1 this up when I have told you multiple times and
2 this equipment is still not functioning as
3 proper.

4 We cannot control environmental assets,
5 headsets and chairs, and things that make the
6 environment more comfortable for the staff.
7 That purchasing and procurement is outside of
8 our control, so we can engage the County with
9 regard to what our preferences are, but
10 ultimately it's going to be done through the
11 process that they have set forth. The staff is
12 frustrated. They have a lack of identity.
13 They have a lack of inclusion. These three
14 sites are not BSO sites although we are BSO
15 employees, they operate out of municipal
16 locations, and the feeling of the staff from
17 day one has been a lack of inclusion, a lack of
18 identity. They don't feel like they belong.
19 The staff is frustrated with that feeling,
20 clearly, and that's been a pervasive opinion
21 that we've seen through a number of years.

22 There's operational interference, for lack
23 of a better term, with regard to -- the County
24 does have oversight and management, they have
25 governance, so as such with regard to things

1 pertaining to our staffing, and to our budget,
2 the County is going to have a very sound voice
3 with regard to what they feel we should be
4 doing with that. We have had multiple years of
5 debate and argument on what our staffing should
6 be, our staffing counts should be, or the
7 staffing allocation should be, what the
8 staffing should be doing, and obviously when
9 you start debating about staffing and numbers
10 behind that comes funding.

11 So these debates have been going on for
12 quite some time, and in fact it was the debates
13 over these particular items which essentially
14 launched the Fitch, or the Fitch report, which
15 brought Fitch in as an independent consultant
16 to take a look at what was going on with those
17 topics, in addition to the overall operation of
18 the system. But Fitch was launched essentially
19 based upon a discuss with regard to the
20 staffing, personnel counts, and funding that
21 BSO as the operator stated that we needed to
22 run the system, and the disconnect to what
23 County administration expected those numbers
24 and those costs to actually be.

25 Our contract has got a number of

1 performance benchmarks that the implementation
2 board at the time had recommended as objectives
3 that we should be achieving. Just like
4 everything else we go through those benchmarks,
5 we take a look at our performance, we go
6 against what the benchmark objectives are, and
7 we have discussions with regard to what we met
8 and what we did not. There's a considerable
9 argument between operations, and essentially
10 the ORCAT team by following their contract that
11 talks about operational objectives that are
12 difficult, if not impossible to achieve. We
13 provide a lot of support, a lot of discussion,
14 a lot of mitigation, a lot of reasoning why
15 that operational processes in a complex
16 consolidated system can have difficulty meeting
17 those objectives.

18 And the problem that we have seen, and
19 you've heard this theme repeated by the other
20 speakers that have come up, is that despite a
21 lot of discussion, there is a lot of
22 discussion, there's just no action taken on
23 that discussion. So what we have always been
24 lacking is somebody who is going to champion
25 the cause, and basically come forward and say,

1 okay, I hear what you're saying, I see what
2 objectives need to be, and we need to develop a
3 better process, we need to develop a better
4 benchmark series. That is something that has
5 been missed, and that has led to a lot of
6 debate, argument, angst between BSO and the
7 ORCAT team.

8 The Fitch report has a lot of
9 recommendations in it. We heard a lot of
10 speakers comment with regard to a lot of the
11 recommendations in there, and BSO operations
12 echoes some of the opinions that were stated by
13 the various chiefs, that some of the Fitch
14 report should be seen as recommendations, not
15 mandates. Some of these recommendations are
16 difficult, if not ill-advised, to achieve, but
17 yet again there has been this, this expectation
18 to proceed forward with these recommendations
19 despite, and that has been again another source
20 of issue.

21 BSO does not have vendor contract or
22 control, so going back to the original concern
23 with regard to equipment not working, working,
24 needing to be adjusted, reprogrammed, acquired,
25 repositioned, BSO does not have the ability to

1 engage any of these vendors to do anything that
2 we need. The vendor contracts are with the
3 County, and the vendors have specific
4 instruction because we do not hold the
5 contracts through the Sheriff's Office that we
6 cannot direct or authorize any adjustments to
7 any equipment whatsoever. So again, when we do
8 identify we don't even have the avenue to go to
9 the vendor and have the vendor on our behalf
10 execute things that we need; it cannot go
11 through that way.

12 The PSAP locations themselves we do not
13 hold the lease agreements. The Sheriff's
14 Office has no control over the three PSAPs, the
15 site locations, the environment of those
16 locations, what our staff can access, what our
17 staff cannot access, and any kind of
18 specialized conditions specific to those site
19 locations. The lease is held by the County, we
20 merely occupy the space. But if there's a need
21 for us to have more availability, more
22 accessibility, it is not, and if it is not
23 within the lease terms, we do hit a roadblock
24 because we do not have that lease, we cannot
25 renegotiate that lease. And again, this ties

1 into the operators' feeling of lack of
2 identity, lack of inclusion. There's very few
3 things that we can adjust around when it comes
4 to the site location.

5 To mirror some of the comments that were
6 made earlier, my experience has been there is a
7 lot of the membership of ORCAT that does
8 operate in silos. There does not seem to be a
9 lot of communication amongst the many main
10 entities of the organization, so in turn what
11 you'll have is one entity that will begin a
12 project, going down one course of action, only
13 to have the other entity essentially almost
14 duplicate that effort. And when you say, okay,
15 well, that person is trying to work on
16 something that you are doing right now, there
17 doesn't seem to be a lack of communication
18 amongst them on a lot of projects that have
19 gone forward in the past.

20 The current operators contract is
21 unsigned. It expired in September of 2018, and
22 we are currently under multiple extensions of
23 the original language. There's major sticking
24 points with regard to that contract, which is
25 predominantly the reason why it is remained

1 pending at this point. Some of the issues that
2 have come up on the operational standpoint, and
3 an issue that I know that this committee has
4 had concern with before, with regards to the
5 Sheriff allowing management to select police
6 chiefs, the same language exists in the
7 operator contract, to where the County wants
8 the right to select the managers of our three
9 PSAP bldgs, so that is a contention point.

10 There is an issue with quality assurance,
11 and quality improvement stemming from the Fitch
12 report. One of the recommendations out of the
13 Fitch report was to stand up an independent
14 quality assurance division. This harks back to
15 my original comment about despite operational
16 concern, evidence, mitigation, argument,
17 justification, there doesn't seem to be anybody
18 from the ORCAT side that is pushing forward
19 these concerns to the higher powers that could
20 make the decision to overturn, or to alter
21 course. So often what we find is, well, this
22 is what's in the contract, this is what the
23 Fitch recommendation says.

24 The quality assurance/quality improvement
25 unit is a prime example of that. The Fitch

1 recommendation called for an independent third
2 party source. There's a lot of concern with
3 the utilization of an independent third party
4 source. I have expressed many times in
5 writing, and verbally, to the team what those
6 concerns are, but despite that there is a still
7 an independent third party source, and as
8 predicted there are operational concerns as a
9 result of that. This ties back into our
10 contract, and ties back into the County's,
11 their oversight, and their management, wanting
12 to stand down our quality assurance/quality
13 improvement group.

14 And again this comes back to BSO as an
15 operator, and our ability to say I need
16 personnel doing this function for this purpose
17 at this job, and having County come in and say,
18 well, we don't agree with that, we think you
19 should repurpose them here, you don't need them
20 anymore because we gave you this, and this will
21 replace that. And unfortunately that is not
22 how it works, particularly when there's
23 concerns with regard to what that third party
24 entity can do, and we are seeing it come to
25 realization now. That independent team is up,

1 and the predictions that we've had are coming
2 true.

3 The end users, there's a lack of end user
4 participation, and I think that this is due to
5 a number of factors. Going back to Chief
6 Shaw's comments before, I completely respect
7 everything he says. I appreciate everything he
8 has to say. I have never engaged Chief Shaw as
9 a Chief. The meeting he is referring to, it
10 was his predecessor that we engaged, and his
11 predecessor told us there was no issues with
12 BSO as operating the system. So my concern
13 with this is that, and we see this a number of
14 times through the municipalities that we do
15 provide service, some of them will engage BSO
16 directly, and we have exceptional relationships
17 with them, Sunrise being one. Exceptional
18 relationships, if there's issues they come to
19 us, we deal with what we can deal with, we fix
20 what we can fix, and anything that is outside
21 of our control because it does deal with the
22 technology aspect, or something that we cannot
23 manage ourselves, we advise, and then we
24 facilitate to get that done.

25 But there's some municipalities that just

1 do not participate, there are others that are
2 not sure where to go for their concerns, so I
3 can tell you that there are definite entities
4 out there that will go to the County directly,
5 which if that's what they want to do that is
6 fine to do that, but the problem is how much of
7 that information gets back to you, in what
8 context, what agreements, or promises, or
9 admissions were made during that discussion.

10 We do not have that information, so oftentimes
11 we find ourselves saying we didn't speak to you
12 about that, you're telling us that this is what
13 was said to you but that may not be what we can
14 do, and here's the reason why we cannot do
15 that.

16 I was told yesterday that they, one team
17 of ORCAT set up a meeting with a city that
18 involves us. We don't know anything about the
19 meeting, but the meeting was established. So
20 these are some of the concerns that we have.
21 And please understand, I mirror Chief Rosa's
22 comments, there are people in ORCAT who are
23 amazing, they are passionate, they are well
24 informed, they do a good job, they're very
25 dedicated to what they do, so there are very

1 good people out there.

2 I think that the problem is the way the
3 system was set up, from the onset of the County
4 has management oversight and control, and some
5 municipalities taking that and saying them my
6 contact is through County, others saying I'm
7 going to go BSO as the operator to get some
8 stuff taken care of for us, and you have a
9 clear diversion right from there.

10 BSO does participate in the ORT. We are
11 there every month. We provide report outs, we
12 tell them where we are with our hiring, with
13 our staffing, with our training, where we are
14 with obvious and concerns that we have. We are
15 there every month with them. We participate in
16 one of the governance boards. We are there at
17 every meeting, where we talk about things that
18 we would like to have seen done, so BSO
19 participates. BSO is a support entity. We are
20 here in support of what the fire rescue and the
21 law enforcement communities need. BSO
22 communications is not here to dictate what they
23 get, we are here to support what they want,
24 which in turn frustrates me when there is lack
25 of end user participation, or there is

1 misinformation to the end users that BSO has
2 not had an opportunity to address or correct.
3 It's concerning, and it's problematic, and it
4 becomes a bigger problem unto itself because it
5 begins to go downhill.

6 BSO -- back to the original survey
7 comments, and the questions with that -- I know
8 that question has come up before. I'm not
9 surprised by the responses, and this ties back
10 in to Chief Shaw's concern before about the one
11 call in particular. One of the Fitch
12 recommendations was utilization of protocol
13 based interrogation, IAED. IAED has three
14 protocols, emergency medical dispatch, which we
15 have been on for well over fifteen years,
16 emergency fire dispatch, which we launched in
17 November of '18, emergency police dispatch,
18 which we launched in March of 2019. These were
19 Fitch recommendations with full support from
20 the police and fire organizations to move
21 forward with these protocols, and with BSO
22 operational support as well, because we have --

23 The protocol essentially is a scripted
24 series of questions for chief complaints, so
25 regardless of what the caller tells you in the

1 medical call if somebody is having chest pains
2 the protocol will tell you precisely what
3 information to get from that caller so that
4 nothing is essentially missed, it's scripted.
5 Now, in the medical community it is very rigid,
6 because none of us are physicians, so we have,
7 we follow the script as written, because it
8 really will give you the precise initial
9 diagnosis of what that patient is experiencing.

10 In the emergency police dispatch world
11 though it is much more fluid and it allows for
12 much more flexibility of the operators. I'm a
13 former DLE dispatcher, I'm a former call taker.
14 I appreciate the DLE interrogation, and the
15 fluidness behind DLE events, and knowing that a
16 one size will never fit all in the DLE
17 community, it just does not. EPD gives you
18 much more flexibility, but because of that
19 there's a lot of training behind this, there's
20 a lot of demand.

21 In March of this year, March 25, 2019 we
22 launched EPD, which was a seismic shift from
23 what operators have known for in some cases
24 twenty or thirty years, and we told them do it
25 this way, do it with a scripted series of

1 questions. Yes, you can be a little more
2 flexible, yes, you can insert to your expertise
3 level, yes, you can customize to a degree, but
4 do it this way. In doing so; I'm not certain
5 about what my policies are anymore, I'm not
6 certain about my work processes, I'm not
7 certain I'm providing good service. All of
8 this is indicative of what just happened to
9 them, which was a considerable shift in what
10 they knew to where we are bringing them.

11 Now, having said that, and back to the
12 training issue, I personally have gone out and
13 conducted training with everybody. I went to
14 nine meetings covering three buildings,
15 covering three shifts, and spoke to over three
16 hundred of my staff members. I not only, not
17 only went through the EPD concerns, which is a
18 significant source of angst for them, but I
19 went through critical operations.

20 Interestingly, on that critical operations
21 question it was written as critical
22 operations/Hurricanes, and you look at some of
23 the commentary with regard to that, and some of
24 the respondents was responding to the Hurricane
25 preparedness, and when you put that into

1 perspective to why it makes sense.

2 During Hurricane Irma the south building
3 did not have the assist -- the -- they lost
4 commercial power. It did not have a chance to
5 click to generator. The generator caught fire.
6 They went dark in the middle of the Hurricane.
7 The central site has, had a little bit of a
8 snafu with regard to some leaking, and some
9 whatever, and the north site had a bit of a
10 snafu. And all of this comes back to the staff
11 inclusion, and the staff feeling like they
12 belong somewhere. These are not our buildings.
13 We have no authority to dictate to any of the
14 three municipalities where our personnel will
15 sleep during a Hurricane, where they will put
16 their storage, how they will operate outside of
17 their PSAP.

18 And for the law enforcement and fire
19 rescue team on the Board you can appreciate,
20 you understand during a Hurricane activation
21 you come in with all of your gear, and you're
22 going to hole up for a few days, depending upon
23 what that storm is about. The employee's angst
24 has come from a lot of the experiences, and the
25 concerns with the ability for us -- we cannot

1 go in and tell any municipality, well, we're
2 going to take this floor, and we're going to
3 use this for our space. It doesn't work like
4 that. Prior to regionalization it did; there
5 were our buildings. This is some of their
6 frustration, which I appreciate because I
7 understand where they're coming from.

8 Now, the cities have been great. We have
9 reached out to them. We've tried to have
10 meetings with them, tried to memorialize what
11 we need going forward, but the staff are still
12 very much shell shocked with regards to what
13 has happened, and what they fear happening
14 going forward.

15 CHAIR: But, Angie, that community -- that
16 question was -- what happened in significant
17 events, natural disasters, and school, in
18 active shooter situations, and what you're
19 saying, I think it was, whatever that number
20 was, fifty seven percent say that you're not
21 prepared, you're saying that that's driven by
22 an event a year and a half ago, by Irma?

23 DIRECTER MIZE: I'm saying that there is
24 -- some of them took that question and focused
25 on the Hurricane.

1 CHAIR: How do you know that?

2 DIRECTER MIZE: Because they hand writ it
3 on -- the handwrote it on there. Some of them
4 talked about -- they put handwritten comments
5 in regard to that question. So I'm not saying
6 all of them by any stretch, and again the
7 training that I just completed with them, we
8 covered emergency operational procedures, we
9 covered what the plans are going forward. We
10 covered how to basically be prepared should the
11 system, the radio system start to have affects
12 of throttling, what it means, what it looks
13 like, what do you do if that were to happen, so
14 this training was just done with all the line
15 staff.

16 CHAIR: You think having fifty, fifty
17 seven percent I think was the number of your
18 people who answered that question on a negative
19 is, is a good thing?

20 DIRECTER MIZE: Is a good thing?
21 Absolutely not. No, absolutely not.

22 SHERIFF ZUKOWSKY: Well, it's good to know
23 it right now, but you know, for what it's
24 worth, Sheriff --

25 CHAIR: All right, keep going.

1 DIRECTER MIZE: So that's basically the,
2 the end result with regard to the end users,
3 there's confusion over who to call, when to
4 call, and why they would call that entity. So,
5 those have really been the experiences of the
6 operator going forward.

7 CHAIR: All right, a couple of things then
8 I'll open it up. One of the things I want to
9 clarify is, is right now, when you talk about
10 the operator agreement, there is no signed
11 contract between BSO and the County, so that's
12 the operator agreement that's just on
13 extensions right now. And one of the things
14 you said, and I want to clarify this, is, is
15 that it is currently being negotiated, but one
16 of the sticking points in the negotiations is
17 you have three sites, and you have three
18 managers of that sites, and those, those three
19 managers are BSO employees who oversee the
20 employees who are the day to day call takers
21 and dispatchers, correct?

22 DIRECTER MIZE: Yes.

23 CHAIR: And the -- the County wants to
24 dictate to you, and they want to be the
25 decisions maker as to who those center managers

1 are?

2 DIRECTER MIZE: They want to have a voice
3 in the selection process.

4 CHAIR: Any idea why?

5 DIRECTER MIZE: Because they said that it
6 -- from what I recall they said that it was
7 mirrored from the district contracts that BSO
8 has with the municipalities for law
9 enforcement, so they were just mirroring the
10 language.

11 CHAIR: Which is a flawed way of doing it,
12 but okay, I guess we can ask the County
13 Administrator about that. A couple things is,
14 is that from what you told me, and tell me this
15 is right, and you told me this, is that you
16 told me that Tracy Jackson spends ninety nine
17 percent of his time on emergency management,
18 not ORCAT, and he's not your primary contact,
19 even though he is the Director, and should be
20 your peer as the acting Director; is that true?

21 DIRECTER MIZE: Most of my engagements are
22 with Mr. Bayag, correct.

23 THE COURT: And your view is he spends
24 ninety nine percent of his time on EM.

25 DIRECTER MIZE: I can't -- I mean my view

1 is that I don't see him in a lot of meetings,
2 so the presumption is that's where he's
3 spending the majority of his time.

4 CHAIR: Okay. Are you short staffed?

5 DIRECTER MIZE: Yes.

6 CHAIR: And people are on mandatory
7 overtime?

8 DIRECTER MIZE: Yes.

9 CHAIR: Okay. And does that contribute to
10 some of the other problems you heard in the
11 discussion with Chief Shaw?

12 DIRECTER MIZE: So with Chief Shaw in
13 particular -- we analyze our call processing
14 time monthly. We ensure that our call
15 processing time has sufficient staffing behind
16 it every month, so we do take a look at how
17 many operators are required, and if there's not
18 enough operators we mandate. The utilization
19 of EPD drove the call processing time higher
20 than it had been before. So we launched it in
21 March 25, 2019, and we took a few weeks worth
22 of data to determine how long, how much longer
23 call processing time is, is that it gave us a
24 higher requirement for staffing on the phones.
25 That was done just a couple of days after the

1 incident that she --

2 CHAIR: And I -- and I get that. And I
3 should have been clear. My questions is more
4 directed as the issue of if you have a call
5 that's coming into Margate, not answer, not
6 being answered by the Margate center but being
7 shifted down to the south center, so you got
8 somebody familiar with Southwest Ranches or
9 Cooper City, and they're not familiar with
10 Margate, is that part of, of being, like if
11 you're short staffed here then the calls are
12 being answered down there?

13 DIRECTER MIZE: That has always been the
14 framework, so that is unusual, and that has
15 nothing to do necessarily with being short
16 staffed, or any, that is just how the system
17 was established, so that's not indicative of a
18 staffing concern. That's just the ability to
19 be more efficient, to allow the calls to be
20 moved around.

21 CHAIR: Okay. And so you are short
22 staffed, as you just said, and, and you told
23 me, and I want you to elaborate and explain to
24 the commission, that two years ago you came up
25 with a proposal to consolidate the three

1 centers into two --

2 DIRECTER MIZE: Yes.

3 CHAIR: -- which would help with staffing

4 --

5 DIRECTER MIZE: Yes.

6 CHAIR: -- and create efficiencies. But
7 the County has not acted on it, and refused to
8 implement that recommendation; so talk about
9 that.

10 DIRECTER MIZE: So again it goes back to
11 our inability to do anything other than
12 personnel. So I can write policy, but I can't
13 change provisioning, and programming, or
14 anything to that affect. A couple of years
15 back, again as a result of the Fitch
16 recommendation, Fitch came up with a couple of
17 requirements, or recommendations for, for
18 efficiency, and consolidation was one of the
19 topics they came up, which you heard the Chiefs
20 mention, which was essentially taking talk
21 groups and just putting them together during
22 certain times a day.

23 And in looking at that, and considering my
24 staffing concerns that I have, I started taking
25 a look at what efficiencies we can find in the

1 system itself that would not require
2 consolidation, and the bottom line is we do not
3 need three PSAPs. You just do not need three
4 buildings. We have operated in a flee
5 capacity, which basically means one building
6 shuts down and moves into the two others, and
7 we found that when we do that the requirement
8 for overtime goes down, people can get to go
9 home at the end of the day, and the buildings
10 that are fleeing into has the capacity to
11 support that manpower, so you don't need three
12 on a daily basis.

13 So in doing that I started planning
14 through what we can shave down should we go to
15 two buildings. Now, going back to my staffing,
16 and my budgeting, my staffing is done through a
17 recognized staffing model through APCO, which
18 is called Project Retains, and it's basically a
19 nationally recognized model for PSAPs that
20 tells you how many people you need in a
21 location based upon call volume and work
22 station requirements, and what your operators
23 are available to work. So in doing that you
24 realize that for every one work station, that's
25 about six people to run it on a 24/6 basis 365.

1 So if I go from three buildings down to two I
2 have the ability to remove some workstations,
3 because I do not need the representation of
4 that workstation in that building anymore
5 because I already have it.

6 For example, there's three law enforcement
7 tack assignments that are meant to be manned
8 24/7. That's literally a daily dispatcher
9 waiting for a critical incident to happen, so
10 that when it does they can assume the workload,
11 and aid in the critical event. There's three
12 of them, one per building. You go down to two,
13 I only need two of them. In saving that one
14 workstation that's six less full time people
15 that I need, which will come off of my vacancy.

16 This proposal was written 2017, where we
17 planned it out, we demonstrated floor plan
18 models, we demonstrated the personnel savings
19 that could be achieved as far as head count,
20 and we presented it to ORCAT at the time. I
21 don't know how far it went, so in fairness to
22 administration I don't know if it made it
23 there, but we did share it with the ORCAT
24 membership, and they looked at it. But the
25 bottom line is we can't take action, because in

1 order to achieve two I have to take some of the
2 workstations from the third building and
3 repurpose it. I can't do that.

4 CHAIR: Who's the highest level person
5 that, within ORCAT or County Administration
6 that you know of that was made aware of this
7 proposal?

8 DIRECTER MIZE: The last time this
9 proposal was mentioned was probably in 2018,
10 with Mr. Jackson being the highest ranking at
11 the time that it was discussed.

12 CHAIR: Sheriff Ashley.

13 SHERIFF ASHLEY: -- out of, you tell me
14 what your annual communication operational
15 budget it.

16 DIRECTER MIZE: Roughly \$43 million.

17 SHERIFF ASHLEY: And you control who you
18 hire and who you fire.

19 DIRECTER MIZE: Yes.

20 SHERIFF ASHLEY: And who is disciplined.

21 DIRECTER MIZE: Absolutely.

22 SHERIFF ASHLEY: So how many complaints do
23 you have against your operators on a, on an
24 annual basis?

25 DIRECTER MIZE: Well, that's the

1 interesting thing, and thank you for that. We
2 have, obviously have twenty nine municipalities
3 that operate out of our three buildings. The
4 complaint numbers that I receive at any given
5 time, one or two a week. If you're going to
6 look for mistakes you're going to find them,
7 and when you look at the number that was
8 presented, a hundred and sixty, I'm not sure
9 what the number was, but when you look at that
10 number it's very jarring, and it can invoke a
11 serious response, to say are you kidding me.
12 But we have to keep in mind (a) how many calls
13 for service are processed; tens of thousands
14 for that one municipality in the course of the
15 year, and what are those complaints about.

16 So, I'm not okay with any complaint,
17 particularly an officer going to a wrong
18 location. That is not okay. But to suggest
19 that it's due to a lack of training is unfair.
20 We have a comprehensive training program. We
21 do put people through training on the floors.
22 We do put people on remedial. And I have done
23 everything from remediated, counseled, to
24 recommended termination for people who are not
25 performing to standards.

1 So the problem, or the benefit of regional
2 communications is we are so large, there's
3 three hundred plus operators on those floors,
4 and you have to look at us like a cruise ship.
5 You need to make a change in process, you start
6 it, and when you start turning that wheel it
7 doesn't turn right away, you've got to get
8 everybody moving in the same direction, and it
9 takes time to do that. We take our complaints
10 seriously.

11 SHERIFF ASHLEY: Do you -- do you
12 investigate the complaints, or some other
13 organization?

14 DIRECTER MIZE: I do have a member of my Q
15 team investigate, but I overview it before it
16 gets sent out, so I do confirm that I agree
17 with the findings.

18 SHERIFF ASHLEY: You have stats, I'm
19 assuming, that say how many people have been
20 disciplined during the course of a year.

21 DIRECTER MIZE: Absolutely.

22 SHERIFF ASHLEY: Is it normal, abnormal,
23 above average, below average, based off of best
24 practices? Do you have any ideal about that?

25 DIRECTER MIZE: Off the top of my head I

1 would say that we roughly issue a couple of
2 hundred counselings a year, but keep in mind
3 counselings are going to range from performance
4 and behavioral, so it cannot be seen as two
5 hundred mistakes, the both of them will tie
6 into that. Internal Affairs discipline is much
7 much lower, clearly.

8 SFRA: Chair, what I'm trying to get at
9 here is we heard from Chief Shaw, and I thought
10 we were talking about operational issues, and
11 then to hear his sample of communication
12 frustrations, it seems that it's more, it's
13 more complaint driven, not necessarily about
14 how, you know, radio channels stop working, or
15 throttling, or some other technical term, it's
16 more about holding priority calls, just
17 citizens frustrated with the call taking
18 process, pertinent information not being
19 gathered, giving officers wrong locations,
20 wrong address, officers assigned to wrong
21 active calls, and so it seems to be that the,
22 that the complaint is not necessarily against,
23 or at least from Margate is not against ORCAT
24 and technical issues, it's more against
25 operators. Or at least that's what it seems to

1 be here. And I'm just trying to get some sense
2 of what your view is on these, these particular
3 frustrations.

4 DIRECTER MIZE: So with regard to the list
5 there are going to be some that were absolutely
6 sustained, those mistakes were made. There is
7 mistakes, or complaints that come in that are
8 not sustained, the operator is exonerated. So
9 there is a number of the complaints that are
10 put in, that just because a complaint is filed
11 does not mean it occurred as outlined, so with
12 --

13 SHERIFF ASHLEY: Is it -- is this normal,
14 I guess, is this normal or abnormal, wrong
15 locations?

16 DIRECTER MIZE: It's not frequent. It
17 does happen. And like I said if you're looking
18 for mistakes you're going to find them. There
19 are certain cities who will submit far more
20 issues than others so you have to also look at
21 that as well. Is it reasonable to assume that
22 all the mistakes only happen in one
23 municipality but yet the other twenty have zero
24 issue? So it's also, has to be considered that
25 if Margate and Coconut Creek do go to Coral

1 Springs they're going to have the same growing
2 pains, and the same potential issues.

3 SHERIFF ASHLEY: My last question, Chair.
4 Who in the world -- I think you told us, Under
5 Sheriff, who in the world agreed to this?

6 DIRECTER MIZE: I really don't --

7 SHERIFF ASHLEY: Who -- who in the world
8 gave away your operational control, your
9 ability to manage your own communications? Who
10 was that?

11 DIRECTER MIZE: That's probably better for
12 administration to speak, because that would
13 have been prior to my coming to this position.
14 That would have been in the 2011/12 discussion.

15 CHAIR: Sheriff Israel signed the
16 agreement, so the answer to your question is
17 that --

18 SHERIFF ASHLEY: I've just never heard of
19 that.

20 CHAIR: -- that the, the agreement was
21 signed by Sheriff Israel.

22 SHERIFF ASHLEY: Thank you.

23 SHERIFF ZUKOWSKY: It was in litigation up
24 until that point.

25 DIRECTER MIZE: Yeah.

1 CHAIR: Commissioner Bartlett, go ahead.

2 CHIEF ASSISTANT BARTLETT: So if you're
3 short staffed --

4 DIRECTER MIZE: Yes.

5 CHIEF ASSISTANT BARTLETT: The answer that
6 the Chief got was that you were short staffed
7 for some of his issues --

8 DIRECTER MIZE: That is not -- that was
9 not what happened there.

10 CHIEF ASSISTANT BARTLETT: Is that on you
11 though, or is that on the County?

12 DIRECTER MIZE: So we were not short
13 staffed that day --

14 CHIEF ASSISTANT BARTLETT: But just --
15 just let's say you are. If that -- if you are
16 short staffed --

17 DIRECTER MIZE: Right.

18 CHIEF ASSISTANT BARTLETT: -- is that on
19 you, or is it on the County?

20 DIRECTER MIZE: If we are short staffed,
21 and we do not secure the required overtime to
22 fill the staffing requirement that is on us.
23 Just because we're short staffed does not mean
24 we operate short staffed. That is incorrect.
25 Short staff on a number just means that I don't

1 have the full time personnel to meet the
2 requirements day to day without needing
3 overtime.

4 CHIEF ASSISTANT BARTLETT: Let's try this.
5 If you have to hire somebody do you hire them
6 --

7 DIRECTER MIZE: Yes.

8 CHIEF ASSISTANT BARTLETT: -- or does the
9 County provide --

10 DIRECTER MIZE: We hire them.

11 CHIEF ASSISTANT BARTLETT: Okay, you hire
12 them. So the last time we met we met because
13 of an issue related to the failure to, among
14 other things, answer 911 calls, and being able
15 to dispatch them. Today we see you again, and
16 ironically we hear from earlier testimony one
17 of the issues that's facing the Chief in
18 Margate is, and he shows the telephone, which
19 is part of his materials, showing that there
20 were three 911 calls made before an answer was
21 taken by the dispatchers during the course of a
22 robbery, which I'm assuming when somebody calls
23 and says there's three guys sticking up the
24 store there's a pretty short dialogue that goes
25 on with a dispatcher, right; is that fair to

1 say?

2 DIRECTER MIZE: Not necessarily, it just
3 depends. I would love it to be that cut and
4 dry on a caller, but not necessarily.

5 CHIEF ASSISTANT BARTLETT: I meant that's
6 pretty simply put, but that's pretty easy to
7 understand that's what's happening, what's
8 happening, and it's two minutes, two minutes
9 and thirty seconds plus before they can
10 dispatch everybody after two phone calls, one
11 of which was over forty seconds ringing. How
12 can you -- how can that be explained? I don't
13 get it.

14 DIRECTER MIZE: So you have so many
15 operators to answer inbound calls. The
16 operator count needed to be increased due to
17 the utilization of EPD, which went online three
18 weeks or so prior to. So we had the required
19 staffing that would have been sufficient prior
20 to the EPD solution. After the EPD
21 implementation we had to reassess our staffing,
22 and increase the staffing to ensure. Now,
23 remember, the State of Florida requires ninety
24 percent within ten seconds, but ninety percent,
25 which means that within the state statute

1 itself there's still variance that understands
2 calls are going to be answered outside of ten
3 seconds. And every PSAP throughout this
4 country I guarantee you are going to have calls
5 answered outside of their prescribed
6 frameworks, it will happen, these are surge
7 calls, so it's going to take place.

8 Now, with regard to that particular issue,
9 was the staffing on the phones that needed to
10 be on the phones for the original prescribed
11 call answer, yes. And that was the information
12 that was given back to the Chief. We needed to
13 have X amount of people there. That was --
14 that was the number of people on the phones, so
15 the personnel were there. The issue though was
16 it's taking longer to hand up the phone from
17 the phone call I'm on because I'm using the
18 system.

19 We increased the staffing number behind
20 the new call processing times, so now we're
21 back to where our call processing pick up time
22 has be. But at any given time any PSAP
23 throughout the this country is going to have a
24 surge to where their operators are overwhelmed
25 with the inbound call volume, it just will

1 happen. I'm not saying it's okay, but I'm
2 saying it does happen, and that is the
3 reasoning why that does occur.

4 CHIEF ASSISTANT BARTLETT: So there was a
5 surge that day, and that's why that person had
6 to call you three times before she could get a
7 dispatch two minutes and thirty eight seconds,
8 or whatever it was later.

9 DIRECTER MIZE: Yeah, but -- yeah, well,
10 they got -- the second -- the third call that
11 picked up, it took two minutes to enter the
12 call into the system, so it wasn't, it wasn't a
13 two minutes for it to ring, but, yes, in that
14 particular case there was more calls coming in
15 than operators available.

16 CHIEF ASSISTANT BARTLETT: So that's -- I
17 mean it just doesn't seem to be acceptable to
18 me. I just -- I guess maybe --

19 DIRECTER MIZE: Well, this goes back to
20 the original argument with regard to staffing
21 and budget, and how many people should be on
22 the phones, and looking at some of the original
23 Fitch recommendations that actually stated the
24 Sheriff's Office was overstaffing our 911 phone
25 lines.

1 CHIEF ASSISTANT BARTLETT: But, see, Chief
2 Shaw though it maybe justified in making his
3 complaints.

4 DIRECTER MIZE: I'm not saying he's not.

5 CHIEF ASSISTANT BARTLETT: Saying he's not
6 getting the level of service he needs.

7 DIRECTER MIZE: I'm not saying in that --
8 I'm not saying in that case he was not, and I
9 am in no way suggesting that his experiences
10 are okay. But what I would love to say was I
11 would loved to have an opportunity to sit down
12 with the Chief and gone through specifically
13 what needs he's looking for, what objectives
14 he's looking for. He mentioned concerns with
15 our training program. I'm not aware of what
16 concerns with our training program that the
17 city does have. So while tickets are being
18 submitted to say look into this concern,
19 concerns do not equate to you have problems
20 with how you're running things.

21 Mistakes are mistakes. What I would loved
22 to have seen was an opportunity to sit down
23 with any of the municipal partners to say I
24 need you to look at -- and we do enjoy that
25 relationship with many of the partners, who

1 will call and say, look, take, tell me what's
2 going on here, what do we do to fix it. Other
3 partners don't, which is fine, and others go
4 through a third party. And this becomes part
5 of this disjointed system that we've got right
6 now, to where not anybody is necessarily sure
7 of who's in charge of what. So you have people
8 making calls that doesn't necessarily get to us
9 with regard to what they need us to take a look
10 at.

11 BSO is, and always will be, very receptive
12 to what the stakeholders want. We are in
13 support of them. If they say they need
14 something done we will figure out a way to make
15 that happen for them. That has always been how
16 we operated, and that's how we will continue to
17 operate, but mistakes --

18 CHIEF ASSISTANT BARTLETT: Did you know
19 about his call before you came in here today,
20 the issue --

21 DIRECTER MIZE: I knew about it when the
22 point of contact submitted it to me in April,
23 so yes. And again, the response is we have
24 increased staffing to prevent this from being
25 an issue of surge. We increased staffing a few

1 days after that incident occurred. We had
2 already been in process to increase staffing,
3 so by the time the concern came increase in
4 staffing was done.

5 CHAIR: Is it true that in your system
6 when somebody calls 911 in Broward County that
7 if the call is not answered by a live call
8 taker within a certain amount of time that the
9 call is answered by in effect an answering
10 machine?

11 DIRECTER MIZE: No. A 911?

12 CHAIR: Some -- some -- some sort of
13 automated system picks up on it.

14 DIRECTER MIZE: We have automated call
15 distribution, so the system is going to
16 automatically distribute the call to the
17 available operator. Now, when the operator,
18 when the call finds an operator, and it picks
19 up and makes the line active there is a
20 pre-recorded message that gets you live with
21 the operator. It's not a recording as in
22 please leave a message, it is I've connected
23 you and now you're live with an operator, and
24 the voice basically says 911, what is the
25 address of the emergency.

1 CHAIR: So if I call 911 and it's not
2 picked up, within how many seconds does that
3 recording come on?

4 DIRECTER MIZE: It doesn't. The recording
5 only comes on when it's connected with a
6 person. Other than that you're not going to
7 get that recording.

8 CHAIR: So what does it do, it just keeps
9 ringing and ringing and ringing? All right.

10 DIRECTER MIZE: It will ring, and then it
11 will bounce to make sure -- it will look for an
12 operator in one of the other two buildings.
13 And I've asked the County to, to help me do
14 some reprogramming on that process as well,
15 because I think there could be better
16 efficiency served there.

17 CHAIR: So what's -- what -- what is the
18 delay, between the time that recording comes on
19 and they are actually speaking to a live call
20 taker --

21 DIRECTER MIZE: They're -- they're live.
22 So when you look in the system, the system it
23 looking for an operator, so when the system --
24 when the call hits the system it documents the
25 time that the call hit the system. The next

1 time that you're looking for is when the system
2 found an operator. Right there you're live.
3 The call is picked up. It would be no
4 different than somebody manually picking up the
5 phone and speaking.

6 CHIEF ASSISTANT BARTLETT: You have what I
7 believe, probably the most intimate knowledge
8 of the system than anyone else that we've heard
9 of. From your personal experience do you feel
10 like the system is broken?

11 DIRECTER MIZE: Broken, yes.

12 CHIEF ASSISTANT BARTLETT: Do you feel
13 like it can be fixed under the current
14 situation that it is right now with the County
15 being responsible for the equipment and Broward
16 SO being responsibility for the personnel?

17 DIRECTER MIZE: From my six years I don't
18 see that being a workable solution going
19 forward, so no.

20 CHAIR: Mr. Schachter.

21 COMMISSIONER SCHACHTER: Thank you for
22 coming in today. Can you -- looking at the,
23 the list of complaints from the Chief, I only
24 see one here that have, you know, the radio
25 channel, that was the, the County, but these

1 other issues, are they, can you attribute them
2 to lack of, you know, cooperation, lack of
3 technology, lack of staffing, or is this -- go
4 ahead, I'm sorry, I'll let you answer.

5 DIRECTER MIZE: No, no, no, I'm sorry.
6 Lack of staffing, no. Technology it's hard to
7 say, on addressing it would depend upon what
8 the nature of the error of the address was.
9 Was it because we weren't getting the correct
10 information, the correct coordinates from the
11 phone system, was it because -- so it could be
12 both technology and operator. The majority of
13 that, that list, I'm going to be a hundred
14 percent honest the majority of that list is
15 going to be on operator for making mistakes,
16 there were procedural errors not followed.

17 Now, they were trained to the procedure,
18 they know what the procedure, or they should
19 know what the procedure is, because we do
20 coach, we do train, we do do random quality
21 assurance to make sure that the operators are
22 following protocol, but humans make mistakes.
23 So a lot of that is -- and again, that doesn't
24 make it okay, it makes them human.

25 COMMISSIONER SCHACHTER: So how long has

1 the, has the Chief been the Chief of Margate,
2 do you have any idea?

3 DIRECTER MIZE: I don't. I would
4 guesstimate a couple of years, but that's a
5 total guess. I don't know.

6 COMMISSIONER SCHACHTER: A couple years.
7 So, and where do those complaints go to, those
8 hundred and sixty complaints?

9 DIRECTER MIZE: They filter them through
10 the Broward County system, and the system auto-
11 forwards the complaint to my attention, as well
12 as members of my team.

13 COMMISSIONER SCHACHTER: Okay. Okay. So
14 when you get those complaints do you follow up
15 with them? I mean --

16 DIRECTER MIZE: Absolutely.

17 COMMISSIONER SCHACHTER: -- I'm just
18 wondering. And nobody from Margate reached out
19 to you to say we keep getting these complaints,
20 we need to fix this, we're very upset.

21 DIRECTER MIZE: I'll be honest with my
22 experience with the point of contact from
23 Margate. So the complaints come in, they go to
24 my attention, my team investigates. They
25 forward me the CAD, the audio, the telephone

1 data, whatever I need in order to take a look
2 at what that complaint was. I look through it.
3 I see what it is that they've written, and I
4 concur with, either I concur or I alter the
5 response to make sure that it meets the, the
6 end result. That is a hundred percent given
7 back to the city. So every city who submits a
8 complaint regardless will always get feedback
9 from us. They always have the opportunity to
10 question the response. So it's not that
11 because we said we're done here, if they don't
12 like it they are always welcome to say, look, I
13 don't understand, I don't agree, can you look
14 at it again, a hundred percent.

15 Now, with regard to some of the complaints
16 I can tell you there has been debate between me
17 and the Margate contact with regard to the
18 issue that was brought forward, and I've had to
19 sit down a couple of times and say, look,
20 you're misreading the data, you're misreading
21 the interpretation, that is not what the data
22 is showing. And there's been a couple of
23 things additionally as well, and this falls
24 back to the discussion about training, and the
25 discussion about not having participation in

1 our training methodology, a lot -- some of the
2 concerns, I'm not going to say a lot, some of
3 the concerns are because there is a preset idea
4 from the former independent PSAPs about how
5 training should be done, and what should be
6 taught, and what should be emphasized, and what
7 discipline should be applied, and it's not
8 necessarily how we do business.

9 So in that respect I've always gone back
10 and said we will talk about it, we can look at
11 it, just because it's BSO's way does not mean
12 it is the right way, it's always subject to be
13 re- looked at and re-discussed.

14 COMMISSIONER SCHACHTER: What are the
15 numbers of complaints from the other twenty
16 nine jurisdictions? I've -- I've --

17 DIRECTER MIZE: There's some we get zero.
18 The second follow up to Margate would probably
19 be Fort Lauderdale, and they have dropped
20 considerably. In the span of a month I would
21 say under ten, maybe five depending. Beyond
22 that there's some municipalities we do not hear
23 from ever.

24 COMMISSIONER SCHACHTER: So Margate is the
25 outlier, they have a lot more complaints than

1 any other district. Okay. And -- and when you
2 knew that they were going, that they were
3 seriously thinking about changing, along with
4 the other city, did you reach out to them to
5 try to --

6 DIRECTER MIZE: I actually did --

7 COMMISSIONER SCHACHTER: -- you know, go
8 over these, and work through these issues?

9 DIRECTER MIZE: I -- yeah, I actually did.
10 So again, to Chief Shaw's predecessor was when
11 we sat down, and that was the meeting that he
12 was referencing, when we sat down with his
13 predecessor and said, hey, I'm hearing
14 rumblings, what's going on, what do we need to
15 do, how do we fix it. He said I have no issue
16 with BSO, my problem exists -- and that was the
17 end of it. To the Fire Chief -- I reached out
18 multiple times to the Margate Fire Chief and
19 said, hey, let's sit down, I'm hearing, what
20 are you talking, what, yes, we'll sit, we'll
21 sit, it never happened.

22 COMMISSIONER SCHACHTER: Because I view
23 them as your customer, and you want to make
24 your customers happy.

25 DIRECTER MIZE: Absolutely, a hundred

1 percent.

2 COMMISSIONER SCHACHTER: And obviously
3 with all these complaints coming in, you know,
4 somethings got to give. And now on the, on the
5 slides about the Fitch report, obviously it's
6 very disconcerting to hear all of these, you
7 know, these numbers the second time again.
8 When it says policies and procedures are easily
9 understood and applied, and, you know, fifty
10 nine percent, you know, disagree, that is, that
11 is you, or are you saying that -- you develop
12 those policies and procedures, right?

13 DIRECTER MIZE: I'm -- BSO has complete
14 ownership of policies and procedures, and as
15 such -- and again what I can say is because we
16 did move, and migrate to this new system
17 starting in November the policies do need to be
18 rewritten, and I, again, I have met with every
19 one of my staff, and I have told them we are
20 going to be re-writing it, we are going to be
21 addressing it, but the reason I haven't yet is
22 because this is a new system to them, and I
23 want their feedback as to what operationally
24 they need the system to do for them in order
25 for them to do their jobs, and for them to have

1 comfort in the system that they're operating.

2 COMMISSIONER SCHACHTER: You expected
3 those numbers to be like that.

4 DIRECTER MIZE: I'm not surprised, a
5 hundred percent.

6 COMMISSIONER SCHACHTER: Okay. Okay.
7 Okay. And the ongoing training I received
8 continues to enhance my skills; why do you
9 think that's so bad?

10 DIRECTER MIZE: So I can tell you, and I
11 don't want to go into -- I mean I'll tell you
12 as much as you'd like to know with regard to
13 training. I can't say what they're thinking,
14 what they're mindset is with regard to that,
15 but I can tell you that we have done with
16 regard, particularly to our first line
17 supervisors, a tremendous focus of active
18 assailant critical incident training. We just
19 concluded scenario based training with our
20 first line supervisors the last Friday of May,
21 where every one of my supervisors went through
22 drills, where we tested, evaluated them in
23 their environment utilizing their technology,
24 seeing what they do in response to prompts. I
25 had actors in the center playing dispatchers,

1 playing call takers, and we graded them on
2 their response.

3 We have developed processes materials for
4 them. We have trained them on that, and that
5 was, the culmination was that scenario
6 training. For my line staff, and that was the
7 one thing I realized we need to do a better
8 job, with regard to dealing with the line on
9 anomalies that they don't normally deal with,
10 things like radio throttling, emergency
11 operational things, evacuation of the
12 buildings.

13 We had an unplanned emergency evacuation a
14 couple of months ago that we had done after
15 action on and realized that we've got to shore
16 up some process. So that was the focus of my
17 training that I just completed on June 3rd. I
18 met with three hundred of them and gave them
19 hard copies, went through all the materials,
20 explained everything, and then I opened the
21 floor for anything they needed to hear.

22 So I think the regional system took a lot
23 of focus of BSO management away from the
24 people, and focused it on making the
25 operational system work, and dealing with a lot

1 of the stressors that were coming at us from
2 all angle, and we are done. Our attention is
3 with our people. Our attention has to be with
4 our staff. These are passionate people. These
5 people work hard. Their passion is undeniable.
6 They want to do a good job, and my job is to
7 make sure they can do that. And that is the
8 message that they're getting.

9 COMMISSIONER SCHACHTER: Thank you.

10 THE COURT: Sheriff Judd, and then the
11 last question will be from Commissioner
12 Harpring, and then we're going to take a break,
13 and then we're going to get to the County
14 Administrator.

15 SHERIFF JUDD: What is your allocated
16 staffing?

17 DIRECTER MIZE: I'm fully budgeted to four
18 forty seven.

19 SHERIFF JUDD: How many do you have on
20 duty today?

21 DIRECTER MIZE: I'm down to fifty six.

22 SHERIFF JUDD: You're down fifty -- so you
23 have fifty six. What -- what's your turnover
24 percentage?

25 DIRECTER MIZE: The last -- the last

1 fiscal year it was 15.9, I believe was my
2 turnover.

3 DIRECTER MIZE: And what do you pay,
4 what's your starting pay and top pay?

5 DIRECTER MIZE: Geez, I can't even say. I
6 want to say for -- because we have three levels
7 of communications operators. My top -- my
8 first entry level probably starts at the upper
9 20's to lower \$30,000 range. Now, I can tell
10 you that our union is requesting a salary study
11 to potentially reposition the base, which we
12 are in full support of them doing.

13 SHERIFF JUDD: What percentage of your
14 calls do you answer in ten seconds or less,
15 your 911 calls?

16 DIRECTER MIZE: At the busy hour we're
17 always over ninety percent. Throughout the
18 twenty four hour cycle it really depends upon
19 time of day. Typically on the twenty four hour
20 cycle we are a ninety percent or higher, but
21 there's definitely surge periods. But at our
22 busiest hour, which is what the statute
23 requires, we are, we meet that benchmark almost
24 every day ever month. Our anomaly was EPD
25 going live. For the month of May we may have

1 missed it twice.

2 SHERIFF JUDD: You've heard the testimony
3 from the Police Chiefs and the Fire Chiefs. If
4 you accept the leadership of the Police Chiefs
5 Association and the Fire Chiefs concurrence
6 that they make up a committee, and that the
7 Sheriff, I'll direct this to the Under Sheriff,
8 and that the Sheriff have operational control,
9 and the duty and responsibility of managing the
10 process, the equipment is moved from the office
11 of the County Administrator to the County
12 Sheriff, does things improve for you? I'll ask
13 both of you that.

14 SHERIFF ZUKOWSKY: Answer for --
15 absolutely we would recognize process
16 improvement, and overall operational
17 improvement as well.

18 DIRECTER MIZE: We would have the ability
19 to control the things that we do not, so
20 operationally I would see it as improving, and
21 going back to the way it was prior to 2013.

22 SHERIFF JUDD: Do you have -- have you set
23 a meeting to say once a month, once a quarter I
24 want to meet with the stakeholders, and every
25 discipline I dispatch for?

1 DIRECTER MIZE: Have we set up a meeting,
2 no, but we do participate in the ORT, and
3 that's, they are, all the stakeholders are
4 invited to that, so that's the purpose of that
5 meeting. We have not initiated one as BSO, no.

6 SHERIFF JUDD: How often is that?

7 DIRECTER MIZE: Once a month.

8 SHERIFF ZUKOWSKY: And for what it's
9 worth, Sheriff, I go to that every, every month
10 since I've been appointed, and the Under
11 Sheriff or equal will participate in those with
12 Angie.

13 SHERIFF JUDD: Under Sheriff, when is the
14 last time that you went into your
15 communications center and sat down and talked
16 to one of your call takers or dispatchers?

17 SHERIFF ZUKOWSKY: I popped into the north
18 center two weeks ago.

19 DIRECTER MIZE: A couple weeks ago.

20 SHERIFF ZUKOWSKY: Yes, sir, two weeks
21 ago.

22 SHERIFF JUDD: Is this the beginning of
23 the solution to the communication problems as
24 outlined by the Police Chiefs, the Fire Chiefs,
25 and the Sheriff over the phone call earlier

1 today?

2 SHERIFF ZUKOWSKY: I absolutely believe
3 that to be the case, sir.

4 SHERIFF JUDD: Thank you.

5 CHAIR: Okay, last question, Commissioner
6 Harpring, and then we're going to take a break.

7 SHERIFF HAPRRING: Just very briefly, and
8 I don't need a dissertation on the response,
9 but if, if we were to look at the updated Fitch
10 survey the trend line would obviously be in a
11 negative direction. Do you have any reason to
12 believe that the responses to the 2019 survey
13 are, are inaccurate, or skewed for some reason?

14 DIRECTER MIZE: The only thing I can say
15 is that less than thirty percent responded, so
16 skewed in the sense that you had less than
17 thirty percent participate give back responses
18 to that. I don't feel that they were being
19 untruthful, if that's the question, no. I feel
20 they were speaking their mind.

21 SHERIFF ZUKOWSKY: And what I'll add is
22 just we, we are, we welcomed that type of
23 feedback, and, and now can focus obviously more
24 attention to those things, whether they be
25 artificially created through implementation of

1 a new training protocol, and a new answering
2 protocol, it doesn't matter, it has a
3 requirement for us to focus attention onto
4 those things, and that's our intention. And
5 I'll leave with one last thing, and I can speak
6 for our communications personnel. To a T they
7 are unequivocally committed to performing the
8 services, and they do so on a regular basis in
9 an exemplary fashion. And every day -- I go in
10 there and talk to them -- when I go in and talk
11 to them, speak to them, they are earnestly
12 embedded in the commitment to providing the
13 service to all of our stakeholders, and I
14 believe that. And I think we have faced
15 challenges, but the people certainly carry the
16 day.

17 SHERIFF HAPRRING: Do you welcome the
18 removal of the County from its current level of
19 involvement?

20 SHERIFF ZUKOWSKY: What I would welcome is
21 the, the focus from an operational perspective,
22 sir, and what was identified is we certainly
23 would still need the County, for example,
24 perfect example is the radio towers, eminent
25 domain issues, legal issues, so it needs to

1 continue a relationship, a working relationship
2 as well. We're committed to producing that
3 environment conducive to taking it, and then
4 that's where we think we're, we'd all be best
5 suited.

6 SHERIFF HAPRRING: Yes, sir. Thank you.

7 SHERIFF JUDD: Can I make one comment?
8 You know, one thing that concerns me as we look
9 at the operational aspect of this, you had a
10 thirty percent response to this survey, if that
11 were my office and I was trying to gather data
12 to get us some help you daggumm can believe
13 that I'd have a hundred percent, so what,
14 what's up, why didn't you all, why did we only
15 get a thirty percent response when we're trying
16 to gather data to help you?

17 SHERIFF ZUKOWSKY: Yes, sir. And through
18 my experience in the military, as well we have
19 command climate surveys, so very similar,
20 intent is to have as much of a reply and
21 response rate as you possibly can facilitate
22 without strong arming somebody, and forcing
23 them to the table and literally making them
24 check the block. So your point is well taken.
25 One of the artificial constraints was a

1 timeline that we were provided the surveys and
2 asked to return it, but aside from that I
3 certainly would have been hopeful for more
4 participation.

5 SHERIFF JUDD: One more editorial comment.
6 In my shop when I pay people they do what I
7 tell them to do. I'd have -- I'd have handed
8 that survey to every one of them, and I'd say
9 I'm not telling you how to fill it out or what
10 to say, but you gonna fill that out and turn it
11 back in. And that's how you get compliance.

12 DIRECTER MIZE: Well, I can tell you that
13 it was presented, given to every operator. We
14 made sure that that was done, but the -- the --

15 SHERIFF JUDD: You all didn't manage the
16 process very well, or you either didn't want
17 the answer.

18 SHERIFF ZUKOWSKY: Understand, sir.

19 CHAIR: All right, so we really, really
20 need to take a break. So go ahead --

21 SHERIFF JUDD: I'll just make this one
22 comment, Under Sheriff. With all due respect
23 to the County, and their, their
24 responsibilities, as an independent
25 constitution officer the Sheriff can run his

1 emergency communications center, and everything
2 in it, IT, equipment, without the assistance of
3 the County. I just want to make that clear.
4 Thank you.

5 CHAIR: All right, so we'll start again.
6 Thank you, Colonel, thank you, Angie,
7 appreciate it. We'll start again promptly at
8 4:00 with the County Administrator.

9 (Thereupon, the meeting is in recess, and the
10 proceedings continue as follows:)

11 CHAIR: Okay, I call the meeting back to
12 order, and welcome Broward County Administrator
13 Bertha Henry. Ms. Henry, thank you for being
14 here.

15 PRESENTATION BROWARD COUNTY REGIONAL COMMUNICATIONS
16 AND ORCAT ISSUES - BROWARD COUNTY ADMINISTRATOR

17 MR. HENRY: Thank you. Can you hear me?
18 There we go. So, anyway, thank you all of you,
19 and I know you've had a long two days, and I've
20 only been here since, oh, maybe 11:30 or so,
21 and I've heard a lot of commentary, and it's
22 just, to some extent it can be a little
23 overwhelming where to begin, and I thought that
24 maybe what I would do is begin with how did,
25 how do we get here, because everybody picks a

1 point in time when they want to start the
2 clock, but prior to 2006 what is today called
3 ORCAT was a technology group that was owned by
4 the County. It was with the County. It never
5 started out with the Sheriff, it started out
6 with the County.

7 Some time when shortly after the Board via
8 an agreement decided that it would contract
9 with the Sheriff to provide fire and EMS, maybe
10 a year or half so later we decided, well, we'll
11 try moving ORCAT over at the same time. Fast
12 forward where we began a number of discussions
13 regarding the, the benefits, if you will, of
14 consolidation. So as you can imagine, you have
15 thirty one municipalities, and the boundaries
16 are very close. I mean there's not like wide
17 chasms between municipalities, you're in and
18 out of one city, and you would never know
19 unless you see a certain vehicle for a Sheriff
20 or a Fire Department that you would recognize.

21 So there were a number of reasons these
22 conversations seemed to move forward, but if
23 you had the number of PSAPs that we had, and
24 there were concerns by some of the
25 municipalities that if you were a contractee of

1 the Sheriff there was certain services that you
2 were getting, and if you were not, meaning you
3 had your own police, you had your own fire,
4 there were certain services that you would not
5 be getting. And so over time the conversation
6 centered around how do we make sure that
7 there's equity in the community, and we said,
8 hey, look, this is a municipal level function,
9 and if the Sheriff isn't covering his costs
10 through his agreements with the municipalities,
11 he should.

12 Well, anyway, I'll fast forward. We
13 agreed to pursue the study for consolidation,
14 and we did. Now, in between that time, because
15 there's a lot of things going on, there's
16 sub-committees, where were committees, they
17 were all looking at how this could happen, what
18 kind of, what kind of technology, there were a
19 lot of conversations going back and forth, and
20 where, where, in which community where you had
21 a comparable number of police officers could
22 you look to, to give guidance. There wasn't
23 many. Clearly there were not a comparable
24 entity in the state of Florida, although we did
25 have one of our counties around Gainesville

1 that had done that, so we, we looked at that,
2 and there were some in other, other states.

3 But in the end we came up with a set of
4 priorities and recommendations that ultimately
5 were presented to the County Commission. Now,
6 I heard today that the County Commissioner
7 offered to, to pay for this, the County
8 Commission just offered to, to do this. That
9 would not be true. There was much debate on my
10 Board about whether or not we should take on
11 this new financial responsibility, a lot of
12 debate about that.

13 But ultimately what I believe carried the
14 day, because I was one of those individuals
15 that advocated to let's try it, let's see if we
16 can make it work. I went against some of my
17 commissioners, some of which remind me of that
18 every day, but I felt like we should give it a
19 try, because my colleagues were, and when I
20 refer to my colleagues I'm talking city
21 managers at this point in time, they were very
22 much concerned about the way certain things
23 were occurring with a number of activities at
24 that time with BSO. So now you're talking
25 three sheriffs ago, and when this conversation

1 started.

2 But what ultimately drove the day for the
3 County Commission was that the County would
4 operate and maintain it, that this wasn't --
5 the concern that a lot of the commissioners had
6 was that we would be turning over the
7 pocketbook, and it would just never be an end.
8 And my colleagues said, look, here's some basic
9 principles -- there were eight basic goals of
10 the system that we all bought into. And it
11 talked about having the best technology, which
12 we agreed we would do. It talked about being
13 an efficient system, because all, through all
14 those studies the response was clearly you're
15 going to save money when you go from twelve
16 PSAPs to wherever you end up. And we looked at
17 that, and it certainly made sense to, to me.

18 And we have been at somewhat of a
19 crossroad for quite something time, you've
20 heard it, and I think a lot of that is because
21 a lot of our police and fire chiefs, I don't
22 know that they have read the interlocal
23 agreements. The interlocal agreement that we
24 have with each municipality, there is, there
25 are two agreements with each city, and that,

1 and that agreement actually speaks to how you
2 elevate an issue. There was absolutely concern
3 that cities, many of our cities with their own
4 police and fire departments did not want to
5 have all the decisions made by one law
6 enforcement agency. They wanted to make sure
7 that municipalities had a say, and that's
8 written in our agreement, and we try to adhere
9 to that.

10 To -- to fast forward to the conversations
11 that, that have been going back and forth about
12 their, the police and fire chiefs interaction
13 with, with the County, let me start with I have
14 been asked to meet with the Police and Fire
15 Chiefs Association, to my knowledge, at least
16 once. I have met with individuals outside of
17 that a few times, and that request came as a
18 result of cities at the time, we were, as we
19 were getting ready to procure the 911, the new
20 radio system that we're building today, when we
21 were going through how, what is the best system
22 we want to buy, what is it, what, they're, as
23 you can imagine, as some of you police and fire
24 chiefs you'll know there's, there are really
25 two entities in the marketplace that are

1 providing these type of systems, and my County
2 Commission would never spend 50, 60, 70, \$80
3 million without going through a competitive
4 process.

5 So when we decided that, okay, it's time
6 to go, we're going to move forward, we invited
7 a representative from the Police Chief
8 Association to be on the selection process. We
9 invited a representative from Fire Chiefs
10 Association to be on the process, I mean to be
11 part of the process. They had lots of say as
12 it relates to how do we make sure that this new
13 system can be heard, and can function in any
14 type of scenario. We created scenarios where
15 there's construction activity going on, and all
16 those things, to make sure that ultimately the
17 recommendation for the system was going to be
18 the best for everybody.

19 Subsequent to that -- now, there were a
20 representative from each. I can't really speak
21 to how they communicate with each other, but
22 one of the frustrations that I have experienced
23 is that that communication when you talk to one
24 or two, you don't know how far down into the
25 organization their communication is going,

1 because clearly I received a letter from the
2 Association that had, oh, maybe twenty five,
3 thirty questions related to what we were doing
4 with the system, so we responded. They invited
5 me to come to each of their, their meetings. I
6 went. I responded to all the questions at the
7 meeting, in writing.

8 So when, I just, some of the members here
9 asked the question have you reached out to Ms.
10 Henry on all of these issues that they're
11 talking about right now; the answer is no, they
12 have not. Would I take a meeting if they did,
13 absolutely. I have -- I don't know of anyone
14 that's asked for a meeting from me that I have
15 turned down. There's no, no benefit for me to
16 do that. We're vested in this system.

17 So, I hear that, wow, Tracy has only been
18 to one meeting, or hasn't been to a meeting,
19 and I scratch my head because clearly in the
20 Fitch report when you read it they wanted,
21 quote, ORCAT out of the ORT. That was very
22 clear. And so when they said they wanted ORT
23 out, I mean they wanted the ORCAT out of the
24 ORT, at that point it was clear that there is a
25 process in place. And oh, by the way, someone

1 suggested that the ORT came as a recommendation
2 from Fitch. That would not be true. There was
3 an ORT long before. The ORT goes back a long
4 time, it just got really focused on what its
5 role was going to be. But we have -- the
6 system has always contemplated having input
7 from the operations.

8 So in the Fitch report it talks about
9 governance, and it talks about technology
10 governance, and so those of you that are in the
11 technology field, you know that governance in
12 the terms of technology has a different
13 meaning, and so the, the document talks about
14 to technology governance, and so that exists.
15 It has fire. It had representatives from fire
16 chiefs and police chiefs on that governance
17 committee. That governance committee, I saw --
18 -- line items of things that were brought
19 forth, done. Some things they had consensus
20 on, some things they didn't, they put -- so
21 clearly that committee is, is functioning, and
22 things are happening. And I'm happy to provide
23 you with that document subsequently.

24 But the ORT, which was supposed to -- now,
25 these are the field people, these are the

1 people who should be making, making decisions
2 about how things should go in the field. So
3 we're, my staff's direction, and it's laid out
4 in the Fitch escalation chart, if it is, if
5 City A wants a change, and it doesn't affect
6 City B, or anybody else, make it. We don't
7 have to talk about it, let's just make it. If
8 it doesn't -- if it doesn't affect another
9 city, and it, and it doesn't impact the system,
10 it's just my city wants every time I get this
11 type of call I want two officers dispatched,
12 that is unique to a city, and we can program
13 that that can happen.

14 If there is a recommendation that's coming
15 out of the ORT that affects other
16 municipalities we said you, that, they need to
17 get consensus. But if they reach consensus and
18 it have no financial impact do it, don't care.
19 If you -- if we in fact now have a situation
20 where the ORT is making a specific
21 recommendation, and it's going to have impact
22 throughout the system, and obviously have an
23 impact financially, then we need to be brought
24 into those discussions. We need to be brought
25 into those discussions because, you know,

1 clearly my Board has to say here's the open
2 checkbook, go and spend whatever you want, and
3 the process for me isn't -- there are rarely
4 those things that, that, that have that kind of
5 impact.

6 So I listened very intently today to hear
7 what is it that's, you know, this, this system
8 is just broken, and it's just broken, and I'm
9 trying, okay, so what's broken, because clearly
10 the police and fire chiefs are unhappy, but at
11 the same time, as I've shared with Chief
12 Gualtieri, I reached out the City Manager for
13 Fort Lauderdale, the City Manager for Pembroke
14 Pines, the City Manager for Coconut Creek, the
15 City Manager for -- so all of these are my,
16 these are my colleagues, are you guys, what is
17 going on, because I'm hearing you are, you
18 know, that you guys are taking the position
19 that ORCAT needs to go back to the Sheriff's
20 Office, because this is a conversation I can
21 have easily, because I know the conversations
22 that I've been having with them.

23 And let's talk about Coconut Creek. And
24 I'm just going to use that as an example
25 because Margate probably tacks onto that.

1 Coconut Creek did come to me, cause my
2 colleagues know how to get a hold of me, they
3 call me and they let me know when they have a
4 problem about something. Coconut Creek reached
5 out to me and said we are having all kinds of
6 problems, and we can't get them resolved,
7 operational issues, we cannot get them
8 resolved. And I said can you allow me to get
9 with the Sheriff to see if can put you two
10 together, see if you can't work it out, because
11 they in my opinion has some very legitimate
12 issues.

13 And it's -- I won't get into all of them
14 now, because, you know, just that takes this
15 meeting in a whole different direction in the
16 end; you'd figure that out. But when I reached
17 out to the Sheriff I said, Sheriff, you have a
18 problem with Coconut Creek, they're wanting to
19 leave the system, and they're wanting to leave
20 the system because they're unhappy about
21 ABCDEFG, you need to go talk to them.

22 Okay, the Sheriff went, had a meeting. At
23 the end of the day I wasn't involved in the
24 meeting because I wanted them to make sure they
25 had that opportunity to really talk about that.

1 In the end Coconut Creek said we're still
2 leaving, but, Bertha, would you consider, would
3 you consider allowing us to stay in the system
4 and have our own call takers and dispatchers.
5 I said of course, because all I really care
6 about is whether or not, you know -- we -- when
7 we're having this conversation about call
8 transfers, and all of that, that issue will not
9 be there, and if you want this higher level of
10 service, like you heard somebody say concierge
11 service, if you want that for your city you can
12 have access to all the technology, the CAD, the
13 radio system, you can have access to
14 everything, we just need to make sure that your
15 people understand the basic protocols because
16 in, in a situation where there's a major
17 incident and they need to talk to each other,
18 that you all know what's going on, so we said,
19 and so I said yes, I would do that.

20 And I have not -- I know that there's
21 conversations. I've certainly heard that
22 they're having conversations with the City of
23 Coral Springs, and I look at that as, okay,
24 that's a decision that municipality wants to
25 make, and ultimately I know in their heart of

1 hearts they are ask concerned about these call
2 transfers as I am, and that they would figure
3 that out. Someone said earlier -- in the past
4 I've had sheriffs say to me I am not going to
5 have anybody else dispatch my officers. I
6 can't do anything about that. Sheriff Tony
7 said, okay, I'm willing in this incident, in
8 this instance, because clearly we kept saying
9 you've got calls coming to this, two different
10 call centers, and you really should, this isn't
11 working -- we've been talking about this for a
12 long time.

13 So he's agreed to do that, and I sent the
14 technology team over there, let's go meet with
15 them, find out what they need, make it happen,
16 because this is the first time that invitation
17 was ever offered. And ultimately they're
18 working through the issues, they put a --
19 because they set a meeting, and I'm like
20 immediately -- so they put a little bit of a
21 pause on it because they figured out, well,
22 there's probably some things we need to have in
23 place before that happens.

24 So I don't buy into the concept that we're
25 inflexible. I think there are a number of ways

1 that we can certainly address the concerns that
2 I've heard, but what I can't -- if the -- if
3 I'm being asked today if I would recommend to
4 the County Commission that this function be
5 transferred over to BSO the answer is no, I
6 cannot, because I go, I start this from a long,
7 from a long place, and I know that there were
8 my colleagues at the time that were very upset
9 about it, they did not want that to happen,
10 they did not want that to happen, and now we're
11 on, like I said, three sheriffs later with
12 another, so I can't -- I don't believe at this
13 point that we are at a place where this, where
14 all of the technology is even in place.

15 And I really do appreciate you all
16 weighing in on this, on this tower, because I
17 think it is helping to move the needle. It
18 certainly moved it with my Board. So we're
19 just gearing up to get that done. The team
20 that's been focused on that, I actually, my
21 heart goes out to them, because what I hear,
22 they're in ORCAT, ORCAT, ORCAT, bad, bad ORCAT,
23 but nobody's talked about the fact that they're
24 standing up two radio systems, the E-911 system
25 and the local government radio system.

1 Nobody talked about that we didn't even
2 know that ultimately we were going to have the
3 school board as a partner until the last
4 minute, and they've had to scramble to make all
5 these things happen. And they're happening.
6 The radios are programmed. We're given --
7 we're kicking -- we're kicking in place, we're
8 getting things done from a technology
9 standpoint.

10 And if you're asking if I'm willing to sit
11 down to try to bridge the communication gap,
12 absolutely, I am absolutely prepared to do
13 that. I have, as I'd shared also with Chief,
14 look, you said, you know, could there be an
15 honest broker to help with, facilitate this
16 conversation. I said it's a honest broke,
17 because let me tell you when someone suggested
18 here's the reason Fitch came about -- Fitch
19 came about because -- I'm a County
20 Administrator, and I know that when you put a
21 system, you take twelve PSAPs and you try to do
22 what we have to do, find a home for them, and
23 all of the things that were involved in that,
24 you absolutely need to stop, step back and
25 assess what you're doing, and, and that's how

1 Fitch actually came about.

2 So there were lots of issues that people
3 have concerns about, but when we brought Fitch
4 on, and Fitch said, hey, ORCAT interfered in,
5 and they stuck their nose in, and they, you
6 know, there was a lot of that type of
7 conversation, but no one actually talked about
8 why that occurred. That occurred because my,
9 the municipalities said you need to do this
10 consolidation ASAP, can you get it done in a
11 year, and we said yes. And so when you're
12 pulling those systems together you have to
13 move, you have to make decisions, so when we
14 asked for decisions to be made, and nobody's
15 making decision, and the clock is ticking
16 because my colleagues, they want this money,
17 they want this off their, off their books, they
18 want to be able to take those savings into that
19 subsequent year --

20 And, oh, by the way, nobody actually
21 talked about how we did that. No one lost
22 their job. We said we'd take on every last one
23 of them, they would stay where they were in
24 terms of their pay, we didn't want anybody
25 harmed. So there were a lot of things going

1 on, and I got to tell you that the two, when I
2 hear that there was, oh, a little bit of an
3 issue about certain things when were pulling
4 things together, I will promise you that I sat
5 in a room with the leadership from BSO, who in
6 a room full of folk said, well, you know, the
7 problems that we're having is from those, from
8 those Coconut Creek people. I was horrified.
9 The -- the transition had already happened, and
10 I said these are your people, what do you mean.

11 So when you start -- if you couldn't
12 embrace it then you're absolutely setting this
13 thing up for problems. So I'm hearing that BSO
14 had absolutely no role in the discussions about
15 the layout in the PSAPs. BSO at that time had
16 other plans for the PSAP that was left in that
17 building. They wanted that floor for something
18 else, so we ended up with three PSAPs because
19 at the end of the day when you look at the size
20 of, the size of the number, of the dispatch
21 center to be able to do county wide, we didn't
22 have a facility big enough to do that. BSO's
23 building wasn't big enough to do that, so we
24 looked at the communities that volunteered,
25 hey, we will take this on, Coconut Creek,

1 Sunrise, and Pembroke Pines.

2 And so we worked with -- when we looked at
3 that we said, okay, we can make this work until
4 we're able to build something better. So we
5 had been, had in our, in our plans, in our five
6 year capital plan, an opportunity to build a
7 functioning one big happy family PSAP, but I
8 don't -- that's, you know, it's in the plan,
9 because right now the priorities are the
10 towers, and everything else that we're doing,
11 and, and I -- I don't want to spend as, spend a
12 lot more time what could, for me seem like
13 rambling, but I do want you to be able to ask
14 me questions because I think once I'm able to
15 respond, because there was so many things said
16 today that was inaccurate, and then it just
17 gets frustrating, because I have been here from
18 the beginning, unlike a lot of the people that
19 were here talking today.

20 I've been here from the beginning, and
21 I've been at a position in this conversation
22 were I know at lot of back stories that a lot
23 of these front line people don't even know. So
24 with that I am prepared to answer your
25 questions.

1 CHAIR: So -- so I, I know from talking to
2 you, and from what you said here today, that,
3 you know, you're, as you said your colleagues
4 are the city managers, and that the police
5 chiefs work for the city managers, but you
6 clearly heard the frustration of the police
7 chiefs and the fire chiefs, and so, so my
8 question is, as my same question was for them,
9 that as the County Administrator, and as the
10 owner, in my characterization, of the system,
11 and the person that's at the top of the system,
12 and while the question for them was have they
13 reached out to you, knowing that there are all
14 these problems, and there are clearly problems,
15 unequivocally there's problems, is that have
16 you reached out to them and said, come on, I
17 got a conference room, let's sit down and work
18 this out?

19 MR. HENRY: So the answer to that is I've
20 talked to individuals, because when you get
21 with this, you, you start talking to an
22 association, at some point you start to, you
23 don't really know who or what you're talking
24 about, so I will tell you that I've talked to a
25 number of chiefs, and, and I'm willing to, if

1 this becomes now the Association, because the
2 Fire and Police Chiefs Associations, they're,
3 they're establishing a role, but ultimately
4 I've got to make sure that the roles that they
5 have staked out is the role that my
6 municipalities who sign the agreement, because
7 there's no agreement signed because Police and
8 Fire Chiefs Association and the County, but
9 with my municipalities there's an agreement
10 that says this is how this thing gets
11 escalated.

12 They're not following the process, they
13 don't really want to, so, you know, I'm just,
14 at this point there's enough frustration for
15 everybody. I'm frustrated. They're
16 frustrated. But not to the point where I can't
17 have a dialog if there, if there's a
18 willingness and a wanting to do that.

19 CHAIR: So -- so with, without the
20 interpersonal issues being resolved how do you
21 even move forward? Doesn't that have to be the
22 first step in this process, is to try, if
23 there's going to be some effort, that these
24 tensions, and the true animosity, and the, just
25 the problems with the relationships, there has

1 to be some bridge building here in order to
2 even have a chance of getting out of the
3 starting gate, because right now it ain't even
4 in the starting gate. You can't get to the
5 substantive issues until you deal with these
6 interpersonal issues.

7 MR. HENRY: And I think these
8 interpersonal issues come around, come about as
9 a result, once again, of miscommunication.
10 Because if -- if the report says ORCAT get out,
11 we, we don't want you involved in our, in the,
12 in the ORT, he gets out. He gets out. If what
13 they really meant, we just want you to come and
14 listen, then they should say that. What they
15 said, they wanted him out, so I don't -- I --
16 you know, I feel for the, for the individuals
17 here, and Tracy, because we're trying to, we're
18 trying to figure out what they want, and
19 respond in a way that's acceptable to them.

20 I have people from ORCAT attend the
21 meeting, and they're there to take notes, and
22 they're there to get the questions that they
23 may have, but all of the whatever specific
24 recommendations, and things like that they
25 need, they didn't want us involved in that I'm

1 told, so now if that, if that's changed --
2 okay, that's new.

3 CHAIR: I'll let some of the other
4 commissioner probe some of this. I want to ask
5 a couple of just the questions, follow up from
6 what you heard, though, with Angie Mize,
7 because some of this is, is, is that no doubt
8 perception, reality, both, but perception is
9 reality --

10 MR. HENRY: Sure.

11 CHAIR: -- is -- is that you are all, you
12 all are exceeding your bounds, exceeding your
13 lane, domineering, my way, highway, and I'm
14 not, and that that's causing problems. And
15 like one of the things that was mentioned, and
16 what's your view on this, and is it true, that
17 you all in the process of negotiating the
18 contract are insistent that you get to have say
19 in the center managers? That leads to, which
20 is a consistent theme, that it's the County's
21 way or the highway.

22 MR. HENRY: So the Sheriff -- the way that
23 that agreement is written the Sheriff gets to
24 pick. We just want to make sure -- and I'm
25 going to give you the back story behind that.

1 CHAIR: I'm asking.

2 MR. HENRY: The back story behind us
3 asking to make sure we can do that is to make
4 sure that the person that you're appointing,
5 that we kind of say yes and no over, only
6 because I have, I have, some of my
7 municipalities, they seem to know more about
8 certain leadership in that organization than I
9 do, and, and so they were concerned about
10 certain activities, and people being promoted
11 into things where they can clearly say they
12 don't think that they're technically qualified.

13 Now, have we rejected anybody that they
14 have proposed? The answer is no. And why is
15 that, because no, the candidates they have
16 proposed to run those facilities, there's been
17 on issues raised at, at the time of their
18 appointment that that person would not be able
19 to do a good job.

20 CHAIR: So one of the things that -- and
21 I'll let you speak to this, it was raised, is,
22 is that, and you're big about efficiencies, and
23 cost savings, and fiscal responsibility, which
24 you should be, but what about this issue that
25 Ms. Mize raised about the recommendation two

1 years ago to consolidate from three PSAPS to
2 two, which would do all of that as far as
3 efficiencies, and cost savings, and personnel,
4 et cetera?

5 MR. HENRY: Because when that
6 recommendation was brought, and I, you know,
7 passed it on to, to the consultant to take a
8 look at, there were questions and concerns
9 raised, and to my, and it was my understanding
10 that they were brought to them, but so what was
11 being proposed at the time was that there be an
12 operation, and I believe it was for fire, and
13 another one for police, right.

14 So now you have a dispatch center that
15 only does police, and another dispatch center
16 that only does police, and they said, well,
17 what about, what happens when you have these,
18 how do you deal with some of the calls where
19 you actually need both, so there were some
20 technical issues that, that they were trying to
21 work through. I would -- I would -- I would
22 love to move from three to two.

23 CHAIR: That's what I figured.

24 MR. HENRY: My goal is to go to one with
25 a, with a back up. So, you know, they have

1 everything they need. But we put that system
2 together in one year, and we didn't, and, and
3 the decisions that you have to make about these
4 dispatch centers, because we, we have lots of
5 flooding in south Florida, we know where
6 Hurricane, the Hurricane zones are, so we had a
7 consultant to, we hired a consultant, and they
8 say that we have to, if we have to build these
9 facilities where do you build them, because you
10 want to make sure they are as redundant, and
11 they perform whatever the situation is. And so
12 the came back with a couple of locations given
13 where they, that what happened.

14 So did we move quickly with the three,
15 yes. Would I like two, yes. Would I like one
16 even better, with a back up, absolutely.

17 CHAIR: So I go back to what I said when
18 we opened this this morning, is I don't know,
19 and I'm very skeptical that this is fixable in,
20 in the current situation, and that means the
21 current governance, and the current people,
22 and, and the way things are today, because I
23 think that the relationships are strained at
24 their limits, if not broken beyond repair, but
25 one of the key reasons, if not the key reason I

1 am confident as to why it has gotten to the
2 point that it is is from the lack of
3 communication, the lack of effective
4 communication.

5 Whether there can be effective
6 communication to fix it, I don't know, and
7 again I'm skeptical of it, but something's got
8 to give somewhere, because continuing down the
9 path that it's on is not good, and isn't good
10 for anybody. And as with most things, as they
11 say the truth is in the middle, the reality is
12 in the middle some place, and there's, there's
13 room on both sides of this, there's skin on
14 both sides of this.

15 And I can tell you that in -- and I've
16 told you this in our discussions, that I come
17 away from all the talks we've had, all the
18 discussions we've had, and all the discussion
19 I've had with the fire chiefs, the police
20 chiefs, mayor, city managers, come with what
21 you say makes sense, then I go to them, what
22 you say make sense. There is room on both
23 sides. If you all would just sit at the table,
24 put it all out on the table, and get some
25 incremental successes that people can live

1 with, and if everybody leaves the table being a
2 little bit unhappy that's a good thing, that's
3 called compromise, nobody should get it the way
4 they want it all the time.

5 And -- and if you all would go into it
6 with that perspective, it may be too late, but
7 if it's going to work that's the only way it's
8 going to work.

9 MR. HENRY: I will definitely go into it
10 with that perspective, and I need some of my
11 colleagues with me, because again this, this
12 conversation that I'm having with you, and why
13 the County, and the role that we're all in, you
14 know, it didn't, it didn't just come as a
15 result of, oh, Bertha woke up one day and
16 decided that she wanted to, you know, increase
17 her budget by a few hundred million dollars.
18 It didn't happen that way.

19 So I was -- and we were all trying to
20 solve problems, and there were problems that
21 were laid out for everybody to see, and there
22 were behind the scene issues that were very
23 frustrating to my colleagues, and so when you
24 hear, or when you see that some of the
25 municipalities are saying that they were not

1 going to go into this system, they were not
2 going to go in this system if the only
3 decisions that get made are made by BSO, and
4 quite frankly because I'm not involved in the
5 interactions that the, that a lot of these
6 municipalities were having with, with the then
7 Sheriff, I can't, I really, I can tell you what
8 was told to me -- so if they come to the table,
9 and they're willing to say, okay, we're good,
10 Bertha, with letting the Fire Chiefs
11 Association speak on our behalf, we're, we're
12 good with letting the Police Chief Association
13 speak on our behalf -- but I -- but that needs
14 to come from them, because that's, that's where
15 that needs to come.

16 And -- and -- and with my colleagues at
17 the, at the, at the forefront, I'm happy to
18 start that dialogue, because they have to
19 embrace this too.

20 CHAIR: And you're right, your colleagues
21 meaning the city managers.

22 MR. HENRY: I beg your pardon?

23 CHAIR: Your colleagues, meaning the city
24 managers.

25 MR. HENRY: Yes.

1 CHAIR: Yeah. Sheriff Judd, go ahead.

2 SHERIFF JUDD: Thank you, Mrs. Henry. I
3 recognize the, the job of a county manager or
4 county administrator is a mess, and that the
5 challenges are significant, and we're glad to
6 help you on this, this tower issue. I
7 certainly hope and pray Hollywood does the
8 right thing tonight and votes like we, we hope
9 they do. I want to start with an illustration,
10 and the illustration is based on what I've
11 heard from everyone today.

12 If you, Mrs. Henry, ran the Broward
13 Communication Center as a private enterprise I
14 could build one across the street and bankrupt
15 you in a year, and the reason I could do that
16 is because the trust is bankrupt, the
17 communication is bankrupt, the training
18 environment is bankrupt. Not this -- and it
19 goes across the board. It's not just -- but
20 it's your center, you own it, it's, it's under
21 your organizational structure, but when you go
22 -- the perception is bankrupt. If we were in
23 private enterprise I'd be drive, floating me a
24 43' Hatteras in a couple of years, and, and
25 you'd say, well, since I don't have a job

1 anymore let's go fishing.

2 That's where we are. The -- the
3 perception fills in the gaps between the, the
4 different operation structures. But we're not
5 in that environment. So we're in a government
6 environment, where everybody kind of has to
7 take what they can get. We see as government
8 professionals, and we've done this, and I took
9 over a center for the County because they
10 wanted to get rid of EMS and fire dispatch, or
11 wanted to consolidate it with police dispatch,
12 and I said no problem, I'll do it. They still
13 control it ultimately because they control the
14 money, but they said, here, Sheriff, you take
15 it, we've got emergency management, we've got
16 addressing, we got the 911 money, we'll own the
17 radios, we'll own the system, but it's yours,
18 and the line item comes over.

19 If you do that with Sheriff Tony what you
20 have done is taken away the ability of them to
21 point their fingers at you. You still
22 ultimately control the process because you have
23 the purse strings, and like you said no one can
24 just open up the checkbook and say, well, here
25 it is, and just spend all the money you want

1 to. They still have to live within the
2 guidelines of the fiscal budget that's
3 provided. And we hear them talking about
4 economies of scale, a blending two to one, let
5 me go find it. Let them do it.

6 My point is this. If you -- if you
7 listened to all of that, for whatever reasons
8 it is, but you say, you know, I'm going to
9 recommend to the Board of County Commissioners,
10 rather than have this Commission maybe
11 recommend to the Board of County Commissioners,
12 that I'll sit down with the Sheriff and say,
13 Sheriff, you say you'll do this, you'll have
14 the Police Chiefs Association, the Fire
15 Association to have voting rights to
16 operational issues, to how we RFP, or, you
17 know, equipment, technology updates, whatever,
18 and then they take that, the Sheriff puts the
19 request in the budget, ultimately the County
20 Administrator, the Board of County
21 Commissioners has fiscal control over
22 everything.

23 To me it seems like you're just, you, you
24 are moving a headache to the subject matter
25 experts, and you're now saying at this juncture

1 that was then before the blend happened, and
2 now the people who were saying we're not going
3 to cooperate if the Sheriff runs it stood up
4 here today and said as long as we have a seat
5 at the table, and a vote to make sure that we
6 can direct the operations, and the technology
7 needs, understanding, and my question was take,
8 take the economic side of it, because we're
9 going to, if, if we wave the magic wand and you
10 get it you're still under the same economic
11 constraints as if the County is managing, then
12 my question to you as, as one professional
13 administrator to another, if I, if I were
14 running the, if I was the county administrator
15 in the county next I'd look at you and say,
16 Bertha, from Grady, give it to them, you've got
17 the control over it, give it to them and let
18 them deal with that, just let them work through
19 that, because ultimately if they come to you
20 and say, hey, now that we've got it we need \$15
21 million more next year, and you say, well,
22 that's great ladies and gentlemen, but we only
23 have \$5, so get a third of whatever you needed.

24 Ultimately it seems to me that that will
25 force the communication together. I can

1 imagine -- I -- and maybe I can't imagine, as
2 massive as this county is that you run that you
3 don't have the time. There's no way you can
4 craft enough time in a twelve or fourteen hour
5 day, which is probably your average day, to sit
6 down and deal with an operational issue at that
7 level. So I guess my, my end question to you,
8 and I don't, is, Lord have Mercy, if they want
9 it why in the heck wouldn't you give it to
10 them, and then they're responsible, and that
11 Sheriff is responsible, and he has to get
12 re-elected. If he doesn't deliver the services
13 that the people need and deserve, and that way
14 you all are out from under this, this finger
15 pointing, and ultimately you're the check and
16 balance because you're in charge of the money
17 anyway.

18 MR. HENRY: Okay, to respond, I think we
19 have to -- once again I want to make sure
20 everybody understands what, what we're talking
21 about. We probably have close to half a
22 billion dollars worth of infrastructure in the,
23 in these totality of all the systems that we
24 have. It's a lot of money. And -- and I have
25 -- I, Bertha, would have to have confidence

1 that this entity that I'm turning over these
2 assets to had the ability and the wherewithal
3 to manage those facilities that way that I,
4 that., that we would, particularly since we're
5 putting quite a bit of money into these
6 facilities as we speak.

7 The issues that I've heard thus far isn't
8 the people that actually monitor the radio, and
9 make sure that all of the towers and things are
10 working, and the systems are maintained, it's
11 about who gets to make operational decisions.
12 That's what this, what appears to me this fight
13 is about. So if you're asking me could I look
14 at a system that would give them more
15 operational decision making in the system,
16 absolutely. If you're asking me to turn over
17 all of these assets to my now fourth Sheriff,
18 and I have confidence that they're going to be
19 managed and maintained the way that they
20 should; no, I do not.

21 SHERIFF JUDD: The issue is when you look
22 at assets, in the State of Florida -- I'm
23 saying this for every else, you know.

24 MR. HENRY: Of course.

25 SHERIFF JUDD: Every building that the BSO

1 is in is your asset.

2 MR. HENRY: You've got it.

3 SHERIFF JUDD: It's the County asset.

4 MR. HENRY: You've got it.

5 SHERIFF JUDD: Every jail is your asset.

6 MR. HENRY: Correct.

7 SHERIFF JUDD: So you're not turning over
8 anything you don't already own anyway; do you
9 see what I'm saying? But there is an elected
10 official that's directly responsible, and it
11 takes the heat off of you, so what I'm, what,
12 what I'm hearing is that you don't have the
13 confidence that the Sheriff's Office, Police
14 Chiefs Association, Fire Association can manage
15 the, manage that operation.

16 MR. HENRY: What I don't have confidence
17 in, that they, that there is the expertise
18 available in the Sheriff's Office to manage
19 these assets. Because I think we're talking --
20 I want to make sure we're talking about the
21 same thing, because, yes, you're right, we own
22 the buildings, but when it's time to replace
23 the roof the County does that, I mean so -- so
24 -- and I maintain the, the assets to be able to
25 do that. And that's what I'm talking about.

1 So if you're asking me could we come up
2 with something that we could look at to allow
3 cities to have, or the police and fire chiefs
4 to have more operational wherewithal in the
5 system, I think that we can. Do I feel
6 comfortable recommending to my Board that I
7 turn all, turn over all these assets to the
8 Sheriff's Office right now, and the Police
9 Chiefs and Fire Chiefs Association, no, I do
10 not.

11 SHERIFF JUDD: Here's -- here's my -- and
12 maybe you can help explain this to me. And --
13 and I equate this to my shop. If I need a new
14 update on my, my computer system, hardware,
15 software, whatever, you get your subject matter
16 experts together, and they say here's our
17 needs, here's our needs, here's our needs, you
18 write an RFP, and you go through the process.
19 Then you take that RFP and you to the funding
20 source, IE., the County, and you say, look, the
21 system is ten years old, twelve years old,
22 we've done the RFP, you know, and here's the
23 cost, and, and the, you put it in your budget,
24 it comes over in your budget, you're good to
25 go, we got the budget money, you're right, your

1 time for it, and you buy it.

2 The difference is the process is managed
3 by the end user, and it's financed by the
4 County. It's not that the end users say we
5 need all this, and then it has to go over to
6 the County, who doesn't have to manage
7 anything, and decide, hm, we can wait five more
8 years, so to me I think the issue is, and I
9 don't know what the will of Board is, that we
10 look at a process, because the County
11 Commission and the County Administrator
12 ultimately have oversight with the fiscal side
13 of it, that you put the responsibility in the
14 shop that should be dealing with the
15 responsibility.

16 The County government doesn't need to be
17 in the dispatch business any more than they
18 need to be in the business of answering calls
19 for service, or working a paramedic scene or a
20 fire scene. They need to fund it. There's
21 checks and balances, and oversights in the
22 process, but it seems like to me you could get
23 the same outcome, you could push the
24 responsibility down, hold them liable, and then
25 be able to sit back from an auditing

1 perspective and go, okay, I gave you what you
2 wanted, and why aren't we getting there.

3 But what I'm hearing is you're not
4 comfortable that they're capable of doing that.

5 MR. HENRY: That's correct.

6 SHERIFF JUDD: Thank you.

7 CHAIR: Commissioner Petty, you're next.

8 COMMISSIONER PETTY: Ms. Henry, thank you
9 for being here today. So -- so you talked a
10 lot about how we got here, and that was helpful
11 context, and it's always in my view helpful to
12 get both sides of the issue, so thank you for
13 walking us through that. What I'm looking for
14 right now is your honest assessment of where
15 we're at today.

16 MR. HENRY: My honest assessment is that
17 the technology is in good -- I mean it's --
18 when we're done we're going to have the best
19 technology bar none, clearly in the state, and
20 from around the country. That's not just my
21 assessment, that comes from people that have
22 come into our system, like the president of
23 NINA to look at, wow, so the technology isn't
24 broken. I -- so when I hear that I go I just
25 don't buy that, the technology isn't broken.

1 What I believe is broken is as the Chief
2 said early on, this, there is some
3 communication issues that we have, and so when
4 I look at, when I look at what's been going on
5 on the, on the log records and other
6 governance, and how much work is getting done
7 there, there's no -- nobody is talking about
8 all that work that's getting done, but there's
9 work getting done.

10 Do I believe that there needs to be, I
11 need to see improvement, with, with our BSO
12 operator, absolutely I'm not comfortable, and
13 I'm not the only one that's not comfortable.
14 When I hear that this is, you know, this is the
15 consensus, this is the consensus of the Police
16 and Fire Chiefs, I can, you know, maybe that is
17 true, and then I'm trying to -- okay, so what
18 is that they're really -- I'm trying to listen,
19 what is it they're really upset about.

20 So I heard one of the things that they're
21 really, really upset about, is this channel
22 consolidation. Nobody asked did it happen.
23 No, it didn't happen. They raised some
24 concerns about it. We're trying to talk about
25 it. I've had the consultants come down a

1 couple of times, and ultimately, you know, I
2 told the guys, I said when they came back, and
3 some of these things did get to me, look, we
4 have a radio system, two radio systems now we
5 have to stand up, let that be our focus, and at
6 some point we should sit down and have that
7 talk, but in the meantime they need to talk
8 about how it affects them operationally so that
9 all of that information is right out front for
10 everybody to, to address.

11 So there has been no channel
12 consolidations, the recommendation came from
13 the consultant and, and I have strongly
14 considered it because from day one we were told
15 we, this, we were going to get this, this
16 consolidated system down to be, you know, we,
17 County Commission, you can save so much money,
18 the taxpayers can save this money. None of
19 that's happening yet, so I have to keep pushing
20 this issue.

21 The other issue is closest unit response.
22 My God, if we've been having conversations
23 about closest unit response, I heard in the
24 '90's, I wasn't there, I came here in 1996,
25 came to the County in 1996, so it's been going

1 on since 1996, but yup, it may have been going
2 on so -- okay, so the charter changed 2002,
3 yes, so now we're going to really get it done.
4 It's now 2019 and we're finally making some
5 headway on that.

6 Why do you -- why -- you know, if you ask
7 me why do I think we finally made some headway
8 on that, because someone said that I threatened
9 them with the equipment. And so that we can
10 all be clear what I said was my commission
11 fulfilled their part in 2002, they have paid
12 for the infrastructure, they put all this
13 equipment in the vehicles, and we still don't
14 have closest unit response. It's now 2019, or
15 '18, so here's what I'm going to recommend to
16 my commission, that we don't spend any more
17 money until we get a plan for closest unit
18 response.

19 I did say that. But I also said, and if
20 your system is really in bad shape you can go
21 ahead and purchase it, and we will reimburse
22 you your costs when we have our plan, so nobody
23 was going to ever be without any money. But I
24 -- I would have to -- I would have to say that
25 in Bertha's opinion, that it would never have

1 happened unless we, you know, lit a fire. And
2 that's all I cared about, lighting that fire,
3 because there, there are ALS licenses that are
4 granted saying we do closest unit response.
5 Well, you know, I know we don't do closest unit
6 response. Yes, there are run cards that says,
7 well, if this, then that, that, that, but
8 within their community -- but if our lines --
9 with thirty one cities our lines are so porous,
10 you don't know, so why wouldn't you have that
11 in the system.

12 And -- and for me twenty years is a long
13 time to trying to figure that out. And other
14 communities are doing it, other communities are
15 doing it, and it's really just on the fire
16 side, and its, it's maybe twenty five percent
17 of the calls that would be impacted, I don't
18 know, there's some study that said it wouldn't
19 even be that. We're not talking about a
20 hundred percent of the calls, we're talking
21 about life threatening calls, why wouldn't we
22 want to do that.

23 So, yes, I just want that, I want clarity
24 on that. Not once did I say at the end of the
25 day if you, you go ahead and buy it, but once

1 you've spent the money that's too bad. The
2 intent was always to fulfill the County's
3 obligation, but we needed to get them moving.
4 Twenty some odd years is too long.

5 COMMISSIONER PETTY: Okay, so I think --

6 MR. HENRY: I'm trying to see who's
7 speaking.

8 COMMISSIONER PETTY: There -- there was a
9 lot -- yeah, I'm still going here.

10 MR. HENRY: Okay. No, I -- you were
11 looking down at the table --

12 COMMISSIONER PETTY: So technology I
13 think, I think we've heard from the
14 stakeholders that the technology plan in place
15 is, it's a great system, it will solve a lot of
16 the technology problems that, that the County
17 experienced during the MSD tragedy, and
18 earlier, so I think, I think we're aligned on
19 tech. You mentioned the impasse has really
20 been about communications, it's really been
21 about the stakeholders communicating.

22 MR. HENRY: Correct.

23 COMMISSIONER PETTY: So I'm interested to
24 understand, understanding where we are today,
25 great technology, we've made some progress on

1 closest unit response, and some other great
2 things. We're making some progress on radio
3 towers hopefully. How do we -- if the -- if
4 the solution is not to give operational control
5 to BSO how do we move forward, what's, what's
6 your recommendation for moving forward, and how
7 do we solve this, because I think we, I think
8 we all agree that the users of the system are
9 unhappy, they're unhappy with it because not
10 only do they want to replace the roof, they're
11 asking for a new floor, a new wing, they want
12 some new windows, it's not, and they want to be
13 able to make those operational changes without
14 having to ask permission all the time, I guess
15 is --

16 MR. HENRY: Well, I don't -- I'm not quite
17 sure what you mean by that, because I want to
18 make sure I understand. So the buildings that,
19 that they're in right now, they're not our
20 buildings. They -- we lease the buildings from
21 the municipalities.

22 COMMISSIONER PETTY: I'm sorry, I was
23 using your analogy of replacing, replacing a
24 roof. I mean we're -- the roof is long overdue
25 for replacement, and look, I think we're

1 replacing the roof. But what they're asking
2 for is not a replacement of the roof, they're
3 asking for some new rooms, a new configuration
4 of those rooms, some new equipment in those
5 rooms. That's what the users are asking for,
6 so the police chiefs and the fire chiefs are
7 frustrated at the pace with which they're able
8 to make changes and use the system, so I'm just
9 -- my question to you is if the, if he issue,
10 or the solution is not to hand control to the
11 Sheriff so that those changes can be made what
12 is, what is your recommendation, what is your
13 path forward?

14 MR. HENRY: My -- my recommendation is
15 what is, today what is in the system that
16 people, we really, we really aren't using, and,
17 and that is -- and I -- and I'm willing to make
18 sure that unequivocally if, if the members, the
19 participants in the system want to see
20 something that affects their own, their, just
21 their jurisdiction, they don't have to talk to
22 anybody, they go to tell them, they get it
23 done, they, you know, we get the ticket, we
24 read it, we get it done, because it's not
25 impacting the system, it's just a field

1 operation for that municipality.

2 If there are field operations that affect
3 the, the system, my colleagues have said that
4 they want to be able to weigh in on that, and
5 because ultimately, believe it or not, not
6 everybody agrees. I have -- I'm hanging onto a
7 city right now that's a participant in a city,
8 you talk about Coconut Creek, and you talk
9 about Margate and others, but there are other
10 cities that, well, County, you all, you
11 promised, or BSO promised they were going to do
12 this, they're not doing that. Well, you know,
13 enough's enough, so they made a change. So I
14 have -- I have -- I have municipalities that, I
15 mean, I, you know, I hear what the police and
16 fire chiefs are saying, but that's not what
17 I'm, I'm hearing.

18 My team just went out to that city about a
19 month ago, two months ago, once again trying to
20 keep them. Hey, so we'll figure out what, what
21 they did, and, and, yeah, they had made a
22 change, and nobody knew about it. Those are
23 the things that cities are concerned about, and
24 so if, if we call can agree that if, if the
25 changes that they're making, and my, these,

1 it's all fine with the system, what, I don't
2 care. I'm -- I'm with you, Chief, that, you
3 know, make, make those changes.

4 But if in fact it is going to have global
5 impacts, and, and cities need to weigh in on
6 whether this is something that they want to do
7 -- and not all cities -- and I'm not going to
8 -- I'm not going to say this is all -- but
9 there are -- Pembroke Pines is my second
10 largest city. I have to care about whether
11 they're getting what they believe they, they
12 should be getting. And so when you tell --
13 when -- when we, if we can all agree, and I'm
14 happy to have that conversation with the police
15 chiefs and -- and the Broward City County
16 Managers Association, they, they create
17 sub-committees all the time. I am happy to
18 have them create a sub-committee to work with
19 the Police and Fire Chiefs Association so we
20 can all get concurrence about what it is that's
21 going to make everybody happy.

22 But today I'm not, I am, I am, I cannot
23 comfortably say that I would, that I can
24 recommend that we just turn over the system, I
25 can't.

1 COMMISSIONER PETTY: So let question. I
2 got the sense in listening to the Chiefs, and I
3 know you were, you were here for, for that too,
4 that, that the trust -- and Commissioner Lystad
5 mentioned this earlier today, that the trust is
6 broken, and that's a difficult thing to, to
7 restore. So if this is going to work going
8 forward on, on the plan that you just outlined,
9 how do we restore the trust?

10 MR. HENRY: So trust is restored when all
11 the partners live up to the commitments that
12 they make. So if I'm willing to live up to my
13 commitments they have to be willing to live up
14 to theirs as well. When people live up to the
15 commitments that they've made that's where
16 trust starts to come back. And sometimes it's
17 not -- it's -- someone said it needs to start
18 small, and it gets bigger, and bigger, and
19 bigger, and maybe at some point we all one big
20 happy family and it's not an issue, but today
21 it's, it's trust, it's distrust on both sides.
22 I don't disagree with that. But it's clearly
23 on my side as well.

24 CHAIR: Sheriff Ashley, you're next.

25 MR. HENRY: I'm sorry.

1 SHERIFF ASHLEY: Thank you for being here
2 today, and thank you for providing the
3 information you have. And I hear your
4 frustration, and I heard it from, the
5 frustration from the police chiefs and the fire
6 chiefs, so what I also know, this group is
7 frustrated, this commission is frustrated
8 because clearly it's broken. And you, you may
9 not believe it's broken but it is broken. It
10 broke in the airport incident, it broke in
11 Parkland incident, and it just broke here
12 recently from my understanding, where it went
13 down a couple hours. So it's broken when you
14 have police departments that participate in it
15 for free willing to leave it, a free service,
16 and go pay millions of dollars annually to
17 create their own service.

18 So it's broken. There's no other way to
19 say it. There's no -- there's plenty of
20 evidence that it's broken, and it's not
21 working, and the fear, at least from this
22 commission, is that it's going to happen again
23 in the next mass killing or the next mass
24 incident. It's going to break down when
25 everybody needs it the most, because nothing is

1 more important in public safety than emergency
2 communications. Nothing's more important to
3 that. You've got to be able to communicate to
4 get services to wherever the incident is.

5 So with that, do the cities, do the
6 municipalities that participate in the program,
7 do they contribute any revenue towards that
8 program, via contracts, allocations, or taxes,
9 do they contribute anything towards the
10 consolidated emergency communications system?

11 MR. HENRY: No, it comes out of the
12 County's budget.

13 SHERIFF ASHLEY: So it's a shared service
14 amongst all residents of Broward County, so
15 there's nothing exclusive about it, everybody
16 shares, everybody shares the service, all the
17 citizens except those cities that do their
18 elusive communications themselves.

19 MR. HENRY: Right. And even in some of
20 those cities that we provide, there are
21 services that we provide that their residents
22 take advantage of. They may not be in the, the
23 consolidated communication, from that, from
24 that standpoint, but there are other assets
25 that County provide that the do take advantage

1 of, and we're fine with that.

2 SHERIFF ASHLEY: Do you know how many
3 employees the Broward County Sheriff's Office
4 has?

5 MR. HENRY: They are probably right around
6 six thousand or so.

7 SHERIFF ASHLEY: And it's your belief that
8 they don't have the ability to manage a
9 communications system?

10 MR. HENRY: So let's -- a communications
11 system, we should be -- you know, again I want
12 to understand what, what that mean, because
13 that, that means different things to different
14 people.

15 SHERIFF ASHLEY: IT technology --

16 MR. HENRY: If you're talking about just -
17 - if -- I'm going to start with, with clearly
18 call taking and dispatch. You have some of
19 your cities that are up front saying, no, they
20 don't do a good job, and I don't -- they -- and
21 they're the recipients, the recipient of that
22 service from us through a contract, but yeah,
23 they, they, they question whether or not they
24 do a good job at that. Are they working on it?
25 I -- I, God, I hope so, and I think that they

1 are, but they're not there yet.

2 If you're asking me whether or not they
3 have the expertise to take over this
4 infrastructure the answer is no. When we were
5 having -- there was a point in time when the,
6 several Sheriffs ago they went out and they
7 hired an IT person to do some stuff on the
8 radio. Oh my God, the radio system was down
9 for many mega hours, and why, because that
10 person didn't understand, didn't know, and the
11 only way the system got back and running, they
12 ended up reaching out to us to get some
13 technical expertise to get, to make that
14 happen. So the answer is they don't have, I,
15 no, I don't believe that they have the
16 technical expertise to do that.

17 The reason I'm so, I feel so passionate
18 about this, is because the people who make the
19 system run every day, go up and down, not the
20 people making decisions about whether or not
21 the field operations can happen or not, but the
22 people that, that sits behind mega computers
23 trying to make all this stuff, make sure it's
24 all going, these people have years of
25 experience doing what they do, and they can do

1 it like that, it's quick, they know it, they
2 understand it, they've been doing it for years.

3 So somehow somebody just automatically
4 assumed that these people, oh, yeah, we'll go
5 work for the Sheriff --

6 SHERIFF ASHLEY: How many of them are
7 there? How many network administrators do you
8 have --

9 MR. HENRY: Oh my God, we have -- can you
10 -- we'll get you a number in just a second,
11 because it's -- I know just to -- so he'll get
12 a number for you.

13 SHERIFF ASHLEY: So you have a number of
14 network administrators in charge of maintaining
15 the system.

16 MR. HENRY: The E-911, the radio, the
17 towers, the -- I mean it's, it's, it runs the
18 whole gamut of all the services, the CAD,
19 everything that we're providing.

20 SHERIFF ASHLEY: And so the, so the County
21 manages those individuals, and thereby they
22 manage the emergency communication system.

23 MR. HENRY: Correct.

24 SHERIFF ASHLEY: So we'll -- as an analogy
25 -- I'm a simple minded fellow so I like

1 analogies. So you pay for the Sheriff's Office
2 evidence facility; do you not?

3 MR. HENRY: I'm sorry, say it again.

4 SHERIFF ASHLEY: Do -- do you not pay for
5 the Sheriff's Office evidence facility, where
6 he stores all of his evidence, his criminal
7 evidence?

8 MR. HENRY: Yes.

9 SHERIFF ASHLEY: Do you have any access to
10 that facility?

11 MR. HENRY: No.

12 SHERIFF ASHLEY: Do you have any control
13 over that facility?

14 MR. HENRY: Under certain circumstances.

15 SHERIFF ASHLEY: I can't imagine what that
16 would be, but --

17 MR. HENRY: No, again, with their
18 concurrence, you know, if you've got to go in
19 and make repairs you've got to be able, and
20 they're of a nature that they don't do, then,
21 yes, we have access with their concurrence.

22 SHERIFF ASHLEY: It's the same with
23 communications. We -- in Okaloosa County the
24 Sheriff's Office manages emergency
25 communications, so we have all the IT

1 specialists, we have all the network
2 specialists, we have all the contracts and
3 vendors that manage our system for us, and so
4 I'm not sure why it would be such a big swing,
5 or something you couldn't overcome in order to
6 turn over those resources and consolidate this
7 under a single entity, and remove the County's
8 management of it rather than its funding of it.

9 And I'll ask it another way. If the
10 Sheriff submits his budget, his certified
11 budget this coming budget year, which we're in
12 the middle of, and says I need \$60 million in
13 capital outlay in order to improve our
14 communications system, and your County
15 Commission says no, we're not going to give you
16 that, we're in charge of that, and he takes
17 that to the Governor, and the Governor says
18 there is a need for this, this is broken, and
19 he appeals this denial by your County
20 Commission, certainly the Governor can say I
21 agree with the Sheriff, I agree with the Police
22 Chiefs, I agree with the Fire Chiefs, County,
23 this capital outlay will be provided; do you
24 agree with that? Do you believe he has the
25 authority to do that?

1 There are certain budget items that under
2 the statutes the Sheriff has the ability to
3 appeal in his budget. I can't tell you that,
4 today that communications is one of them.

5 SHERIFF ASHLEY: I can tell you that it
6 is. The capital outlay is one of those,
7 personnel, operation costs, and capital outlay,
8 he can appeal all of those.

9 MR. HENRY: For -- for communications?

10 SHERIFF ASHLEY: Capital outlay is
11 communications.

12 MR. HENRY: No, I understand, but again,
13 my understanding, and clearly there are, there
14 are services that our Sheriff provides that he
15 would not be able to appeal to the Governor's
16 Office, so I'm just suggesting for a moment
17 that I would take a look at that, because I
18 don't know how -- how large is your
19 unincorporated area in Okaloosa County?

20 SHERIFF ASHLEY: We're -- we're not nearly
21 as large. We're two hundred and twenty
22 thousand.

23 MR. HENRY: No, but I mean what is the --
24 is it forty percent, fifty percent, the
25 percentage of your --

1 SHERIFF ASHLEY: Eighty percent.

2 MR. HENRY: Eight percent unincorporated.

3 SHERIFF ASHLEY: Unincorporated. We have
4 nine municipalities, all very small
5 municipalities, but --

6 MR. HENRY: See, we're -- we -- our
7 unincorporated area is less than three percent,
8 and so everything else is incorporated, and
9 those are municipal level responsibilities that
10 the County had decided to do on its behalf.

11 SHERIFF ASHLEY: On its behalf, but those
12 municipal --

13 MR. HENRY: On cities -- on municipalities
14 --

15 SHERIFF ASHLEY: So you want to get into
16 dual, dual taxation. Every one of those
17 municipal residents are a County resident as
18 well; would you agree?

19 MR. HENRY: Yes.

20 SHERIFF ASHLEY: And they pay County
21 taxes?

22 MR. HENRY: Yes.

23 SHERIFF ASHLEY: And they pay city taxes.

24 MR. HENRY: Yes.

25 SHERIFF ASHLEY: So I don't -- I don't

1 Understand what your, what your logic
2 there is telling me, that it's only three
3 percent. They pay taxes. They pay dual taxes
4 for a service that they don't believe they're
5 getting.

6 MR. HENRY: But what I will also say, that
7 there is nothing in the statute that says that
8 the County Commission is required to provide
9 call taking and dispatch for a municipality.

10 SHERIFF ASHLEY: Then why are you doing
11 it?

12 MR. HENRY: Because we thought it was a
13 great idea.

14 SHERIFF ASHLEY: So you've heard from the
15 end users, is what I'm trying to get at, who
16 say that it's not working. So if you're not
17 responsible for it, and you don't have to do
18 it, why not turn it over to the people who are
19 responsible for it, and that have to do it?
20 That's my, my final say. But thank you for
21 being here, and for your information.

22 MR. HENRY: Okay, thank you.

23 CHAIR: Okay, so we need to wrap this up.
24 Commissioner Harpring briefly, Commissioner
25 Dodd, and then we're going to wrap up.

1 SHERIFF HAPRRING: I'll be direct. And I
2 really appreciate your comments, and your
3 statements. There are multiple sides to every
4 story. What you say has validity, as what the
5 others before you said, but it seems to some
6 extent that it's kind of like we're, you know,
7 on a carousel at a circus that's, you know,
8 stuck inside a carnival somewhere. You can
9 tell I've been sitting next to Sheriff Judd for
10 a number of, number of year here now, it seems
11 like something he might say, so thank you for
12 that, Sheriff.

13 The -- you know, you mentioned committees
14 and sub-committees. To me those have always
15 been places that good ideas go to die. Is
16 there any reason why you, your counter parts,
17 and by that I mean the, you know, the, the
18 municipal administrators, the city managers,
19 and those with authority, IE., someone from the
20 Sheriff's Office, someone who can speak with
21 authority, can sit at the table and resolve
22 these issues in some short term, at your level,
23 not at some delegated level, or some committee
24 level?

25 MR. HENRY: Yes. Yes.

1 SHERIFF HAPRRING: And are you wiling to
2 initiate those discussions in a relatively
3 short period of time?

4 MR. HENRY: Yes.

5 SHERIFF HAPRRING: Okay. Is there any
6 reason that ORCAT has to exist?

7 MR. HENRY: Yes.

8 SHERIFF HAPRRING: And does that have to
9 do with your concerns that you've articulated
10 relative to the ownership, the IT systems that
11 you are currently involved in and maintaining;
12 is that correct?

13 MR. HENRY: That's one of the reasons,
14 yes.

15 SHERIFF HAPRRING: Okay. And finally, you
16 talked about your desire to go to, your
17 preference would be one County owned dispatch
18 center with a back up that is also County
19 owned, something that's not leased by, or
20 leased from the municipalities; is that
21 correct?

22 MR. HENRY: That's correct.

23 SHERIFF HAPRRING: Is there any reason why
24 -- or let me ask you this. Is there a plan to
25 do that? Do you have some plan in place to

1 look for property, put out RFPs for
2 construction, all those kinds of things? If
3 that's what you desire to do has the Commission
4 indicated to you that they don't want you to go
5 down that road, or is there some impediment to
6 doing that?

7 MR. HENRY: No, the Commission has -- the
8 Commission hasn't done that. What we -- we
9 develop a capital plan, and we present it to
10 the Commission. And it's usually five years
11 out, so I know -- I would love to say that, you
12 know, everything can go at the moment, but
13 we're at like \$120 million into this current
14 program that we have right now, so now this,
15 this center has to get in the budget queue to
16 get that done.

17 SHERIFF HAPRRING: Is it in your five year
18 plan now?

19 MR. HENRY: Go ahead. Alfonso, go ahead.

20 CHAIR: Just go ahead and talk. He'll
21 turn it one.

22 MR. JEFFERSON: Alfonso Jefferson,
23 Assistant County Administrator. The center
24 itself, right now we have funding to start
25 doing the conceptual designs and programming

1 for the particular center itself. We have
2 identified a particular location. Right now I
3 don't feel comfortable in identifying that
4 location because within Broward County we are
5 fully incorporated, and we have to work with
6 our municipalities in order to get certain
7 things done within those particular
8 municipalities.

9 But we've already identified the location
10 of it. We already have started the design and
11 the programming for that. We will be bringing
12 the stakeholders on board to actually start
13 having that discussions regarding the program
14 component to make sure that everything that we
15 need within that dispatch center incorporates
16 what the stakeholders want in that dispatch
17 center as well.

18 MR. HENRY: So -- so what he means is --
19 because I do need to -- I just want to make
20 sure I can clarify this. So here's our, our
21 five year plan, and that in one year we say we
22 need a couple hundred thousand to do some
23 reconnaissance kind of work. And then the next
24 year we put in some money for something else.
25 The next year may be land acquisition. The

1 next year it might be the capital. So it spans
2 over a five year period.

3 SHERIFF HAPRRING: We're going to meet
4 again I believe in August, and I just would
5 love to have a report back in August as to not
6 that issue but the, the issue of you getting
7 together with your counterparts, as well as the
8 law enforcement and fire individuals. And I
9 would love to hear that you've had a meeting,
10 and this is the direction that we're going.

11 MR. HENRY: I commit to you I will have a
12 meeting.

13 CHAIR: All right, last one. Commissioner
14 Dodd, then we're going to, then we're done.

15 COMMISSIONER DODD: I have two brief --

16 CHAIR: Go ahead.

17 COMMISSIONER DODD: I mean there's
18 obviously, you know, a communication problem.
19 I'm hearing mixed -- I think with this
20 unwillingness to cooperate, and to compromise,
21 and it comes in my view at a big risk to public
22 safety. I'm skeptical that improvements can be
23 made at this point without a fresh start. It's
24 been very frustrating for me as a Board member
25 hearing all of the oral arguments, or

1 discussions that we've had regarding this, and
2 because of the fact it's already been sixteen
3 months since the attack at Marjorie Stoneman
4 Douglas High School will very, no, with no real
5 radio communication solutions, I think it's
6 time for a change.

7 And I think that you trust the Sheriff's
8 Office with fire services, I don't know, maybe
9 the only Sheriff's Office in Florida now that
10 runs the, runs fire services, but I think a
11 fresh start for all the stakeholders, and for
12 your administration too, to give ORCAT to the
13 Sheriff's Office if he's willing to run it. If
14 the stakeholders have said their willing for
15 the Sheriff to take over that responsibility
16 then I think that needs, that's what should
17 happen, and that you, your administration can
18 see it as a fresh start, and let the Sheriff be
19 responsible, he's an elected official, and stay
20 focused on your job with emergency management,
21 which I know you've spent time on that, and
22 that's a very important part to the citizenry
23 here in, in Broward County, is to be ready for
24 emergency management incidents. Thank you.

25 CHAIR: Ms. Henry, we certainly appreciate

1 you being here today, and spending pretty much
2 all afternoon and part of the morning with us.
3 I'll say that your cooperation, your access,
4 and the communication and dialogue that we've
5 had, and I appreciate that, because it's all in
6 the interest of trying to find some resolution
7 to this, and we look forward to be able to
8 continue talking with you, and dialoguing with
9 you, and to do whatever we can as a commission
10 to help resolve this issue, because I think we
11 all, and I don't think that anybody would
12 disagree that we all want the same thing, and
13 that is resolution, and an effective system,
14 and that's the whole goal.

15 You know, and I've heard the commission
16 members make their comments, their
17 recommendations, I don't know that we will have
18 a motion, or a resolution, and a vote, and to
19 the extent that we do it's just that anyway. I
20 think from my discussions with you, and knowing
21 you, sort of, but well enough now is, is that I
22 can tell you that I don't think she's giving it
23 up, and absent the Board of County
24 Commissioners telling her to give it up it
25 ain't gonna happen.

1 So I'll ask you, consistent with what
2 Commissioner Harpring mentioned, is will you
3 over the next two months, and we meet again
4 here in August, will you convene a group of the
5 stakeholders, including Sheriff Tony, Chief
6 Rosa, or whoever, Chief Stanley, is the
7 President of the Police Chief Association
8 designates, and/or herself, and Chief Babinec,
9 and some, whoever is designated as far as the
10 City Managers are concerned, and just sit down,
11 and one of the things you said, and I wrote it
12 down, is you said that you're willing to look
13 at a system that gives them more operational
14 control, but not control over assets, and that
15 we can give more operational wherewithal to the
16 chiefs, and see if you all can come back in
17 August with at least an outline, and some
18 general plan, because that does seem like that
19 it moves the needle in the direction that the
20 stakeholders are looking for, and if you can
21 come back with some slightest movement in that
22 direction then that's a positive step.

23 So I'll -- and I'll communicate with you
24 between now and then, but I just ask that you
25 would give that some consideration, and, and at

1 least try. And come back with Sheriff Tony,
2 and come back with those chiefs, and let's see
3 where things are in the next sixty days.

4 MR. HENRY: Okay. There was just comment
5 I really, I want to, I want to respond to,
6 because I would hate to walk away from this
7 podium and leave you the impression that since
8 the incident at Marjorie Stoneman Douglas we've
9 done nothing, because I, you know, that, that's
10 very troubling to me. You know the -- I think
11 we were all horrified about what happened
12 there, and I think we were all desperately
13 trying to find out what happened from a
14 communications system. We know there were
15 lapses all over the place, but I wanted to
16 understand what happened from the
17 communications system.

18 So we all know that there were call
19 transfer issues, you all talked about that, but
20 I think it's important to say that there have
21 been meetings between Coral Springs and the,
22 the system, the regional system, and BSO, just
23 to close some gaps there. There have been --
24 the -- the system -- everyone knows our system
25 is over, there's nearly, pushing thirty years

1 old, and we have been, I mean the team has been
2 working night and day to get that, get those
3 systems up.

4 There was -- there was -- we -- we found
5 ourselves in the conversation about how do we
6 get the school board radios off the system. We
7 have been -- I mean we've worked night and day
8 to make that happen. They were not in our
9 original plan, but we worked night and day to
10 make that happen. Those radios are now
11 programmed. They go -- they are going on
12 recess, and we're going to spend the rest of
13 this summer making sure that those, that they
14 are completely off the system and we have freed
15 up capacity.

16 So I -- I just want to make sure that
17 there is -- I don't want to leave the
18 impression for the, for the, for the group,
19 that we've done nothing. You know we heard
20 about the training and the, the throttling, and
21 the, the other issues. I would take issue with
22 some of the things that have been said here
23 about when they first found out because I know
24 some of that not to be true, but it's
25 irrelevant.

1 The fact of the matter is we jumped on a
2 training program right away, and involved the,
3 some of the participants in the police and fire
4 chiefs to get that done. So it's not that
5 nothing's happened, a lot has happened. We've
6 all jumped to as many hoops as we can to make
7 sure that we are as ready and poised, and
8 positioned as we can be if we have another
9 incident.

10 The Sheriff has said to me he is now, in
11 fact he said to my County Commission at his
12 budget workshop I am taking my team through
13 MIMS training, I am doing that. I will
14 contended that I'm still waiting for a fleet
15 map. You know part of this whole conversation
16 about, well, the County is, they don't let us,
17 you know, we can't all, we have to all cut off
18 our radio, and lots of other things like that,
19 well, in, in some of the other counties I'm
20 sure people, the officers know where they are
21 to go in their system. That doesn't exist
22 here. We're still waiting on that. We
23 desperately want that to happen, but that is an
24 operational issue, it's not mine, but we keep
25 pushing, we're pushing, say let's, let's make

1 sure that that happen.

2 But everything on the technology side that
3 can be done, it is moving, and it is hopping,
4 and I don't want to walk away from the podium
5 to have anybody think that we have been
6 dragging our feet, and we haven't been moving
7 expeditiously to take care of those issues.
8 Thank you.

9 CHAIR: Thank you for being here. Mr.
10 Jefferson, Mr. Jackson, thank you for being
11 here as well. And we'll be in touch, and we
12 look forward to talking to you. Okay, thank
13 you. All right, so we have one public comment.
14 Ronald Barish, you got three minutes.

15 PUBLIC COMMENTS

16 MR. BARISH: My name is Ronald B. Barish,
17 Tracy Jackson. 911 towers, I just want to let
18 you know the West Park has voted on it, passed.
19 Tamarac has voted on it, passed. It should be
20 starting construction, it should the next
21 school year, during the next school year, okay?
22 Three hundred feet high, lights a hundred feet
23 -- lights will be a hundred feet, a hundred and
24 fifty feet high, okay, in accordance with that.

25 For the record, Alfonso Jefferson and

1 Tracy Jackson were partly responsible for lack
2 of communication for 911. He was in charge of
3 E-911 call taking to dispatching and regional
4 communications. Failed. Failed February 14,
5 2018, therefore I am asking, officially asking
6 Tracy Jackson to step down because of a lack of
7 accountability of 911 communications on
8 February 14, 2018.

9 Also the Promise Program, revamp it for
10 two chances for a child to be arrested. After
11 two chances the child, the student should be
12 arrested, not six or seven. Cruz had fifty
13 five incidents, okay. For Scott Peterson, a
14 photo that I was, that was taken by ABC World
15 News was on February 18, 2015, the Broward
16 School Board meeting, I was sitting right
17 behind Scott Peterson on the right in the, in
18 the picture. At that time he was also, it was
19 BSO officer for MSDHS, I heard him say that he
20 will keep the students safe and secure in so
21 many words. That was then. This is now, okay.
22 And also it changed it three hundred sixty
23 degrees.

24 Also -- also, you're cleaning house,
25 there's one to go, all right. Also, metal

1 detectors, Runcie doesn't, doesn't really want
2 them, but I think that we should have them, and
3 that's what I'm saying to you. And also that
4 the towers will encompass Tamarac, Coral
5 Springs, North Lauderdale, parts of Margate,
6 Coconut Creek and Parkland, okay, so that's
7 what I wanted to tell you.

8 And also we should have mental health
9 services, more mental health services, and I
10 recommend a licensed psychologist in every
11 middle and high school. Guidance counselors
12 must do their job for mental health for their
13 students. And that's what I wanted to tell
14 you. And these metal detectors, it also has a
15 backpack that changes into a bulletproof vest.
16 Please understand we have to do something now,
17 it's been too long.

18 CHAIR: Okay, Mr. Barish. Thank you.
19 Thank you, you're done.

20 MR. BARISH: Thank you very much.

21 CHAIR: So what's the will of the, of the
22 commission? We're missing some members now.
23 Some had to leave, it's late. We can have
24 further discussion about this, and consider any
25 motions that you want, or we can pick this up

1 again in August at the beginning of the
2 meeting, and invite back, as I said, Ms. Henry.
3 Sheriff Tony will be available in August. He's
4 told me he'll be available. Any other
5 stakeholders, and just see where they are, and
6 then consider at that point what if anything we
7 want to do as far as a motion, and any formal
8 recommendations that we may send to anybody.

9 I mean really the only formal
10 recommendations that I could see sending to
11 anybody that would have any relevance would be,
12 is to send it to the County Commission. I mean
13 they're -- you know, ultimately if there's
14 going to be any change, and the County
15 Administrator is opposed to it, that's the only
16 entity that can force her to do it, and perhaps
17 we just sit, wait, see what happens, and then
18 pick this up again in August. So what's the
19 will of the group?

20 SHERIFF JUDD: Mr. Chairman, you're
21 exactly right. We submitted our report to the
22 legislature and, and they acted on part of it
23 with our current law. I think our job, at
24 least at this juncture, is to check and
25 balance, to set timelines, and hold people

1 accountable until they comply with the law, and
2 until they resolve the issues. We know the
3 communications system was a major issue. We
4 also know that the Broward County has set
5 aside, I'm told, \$59 million to improve the
6 infrastructure.

7 We also know that the trust is bankrupt in
8 the current operations, so at the end of the
9 day I agree with you, but I don't think we just
10 send a resolution if it, from the commission, I
11 think we bring the Board of County
12 Commissioners in here one at a time, and we ask
13 them a series of questions, and go what are you
14 going to do about it, because if, if we, if we
15 don't reach an affirmative request and, and put
16 the direct responsibility upon the people that
17 have to make a decision, then we're going to
18 continue to get what we have gotten, because at
19 the end of the day we're talking to top level
20 administrators.

21 We're talking to the County Administrator.
22 We're talking to the Chiefs of Fire, the Chiefs
23 of Police. We're talking to the Sheriff, and
24 still the operational people tell us it's a
25 dysfunctional mess. And -- and when you ask

1 about communicating, they're not communicating,
2 so I think -- I think we kind of march this
3 down in a small circle, and then we deal with
4 it.

5 CHAIR: So -- so what I'm going to do,
6 Commissioner, or County Commissioner Michael
7 Udine is here. He's asked to make a statement.
8 I'm going to allow him to make a statement
9 briefly. We're not going to engage in a lot of
10 dialogue, questions. He wants to make a
11 statement, and we'll consider at the next
12 meeting what we do in that regard. But since
13 Commissioner Udine is here and he wants to make
14 a statement, go ahead.

15 COMMISSIONER UDINE: Thank you. Thank you
16 for your service. I've been attending most of
17 the meetings. I was the former Mayor of
18 Parkland. I had students in the, children in
19 the school that day. My daughter was a senior
20 that year. I know Max Schachter's family, most
21 of the Pollack's, the Petty's lived around the
22 corner from me. I - - I served County
23 Commission District 3, which covers Parkland,
24 Coral Springs, Tamarac, and North Lauderdale,
25 where two of the tower sites that needed to be

1 built were located.

2 It's been a long eighteen months to get
3 those tower sites sited. It has not been
4 pleasant or easy. I think that your letter
5 helped last year with Tamarac, because around
6 this time last year, it was last summer when we
7 attended meetings, and we've been fighting and
8 pushing with the City of Hollywood to make sure
9 that that tower is sited in the proper place.

10 There's been a lot of information left
11 out, but I'll just leave it at it was the City
12 of Hollywood that recommended that site. We
13 had -- there was another site within the park.
14 There's a water park there. There's a water
15 tower there. I've been there. It's not really
16 that huge of an issue when you look at the
17 entire surrounding community. That being said,
18 the Parkland tower is under construction. That
19 tower will be finished in July. These are not
20 complicated to build once you get the sites.
21 The Tamarac tower is under construction. That
22 tower will be finished in July.

23 This system would have been up and running
24 by 2019, as was promised. I asked the
25 consultant at the County Commission meeting

1 back in November if we didn't wait around for
2 six months dealing with siting it somewhere
3 else, where people pretty much knew that it
4 couldn't go anyway, it's a park with a water
5 tower already in place, you're not ruining
6 anything that's not already there, this was a
7 simple way to do it.

8 I just must point out though for the
9 record over the last eighteen months there was
10 not one police officer that came, one sheriff's
11 deputy who uses that system that came to help
12 at those meetings to say we need that system.
13 I'm not casting blame on anybody, I'm just
14 saying if I was a police officer in one of
15 those green uniforms, and I knew that I had to
16 be subject to this system, I would be screaming
17 at the top of my lungs to get this finished.
18 And it would have been a big help to have
19 public safety officers come to these meetings
20 where there were votes that needed to be taken
21 to provide a talking point about what was
22 needed on a public safety platform, because
23 like you said yourself Sheriff, Sheriff Judd,
24 the difference between a three hundred foot
25 tower and a twenty foot gravesite is, is pretty

1 stark, and it's pretty sobering. And I -- and
2 I agree with what you said with that issue,
3 that these towers, everybody is using cell
4 phones, and cellular devices now, and if we
5 want to use that technology we need to have
6 that in place.

7 So I'm committed to working with the Board
8 of County Commissioners, any municipality in my
9 district. I voted for the two towers where
10 they are. I'm sure they're not going to be
11 popular votes at some point, but I'm committed
12 because I believe that it's a public safety,
13 public safety imperative that we get that done.
14 I'm committed to work with the police officers,
15 the fire chiefs, the police chiefs, the police
16 chiefs. I've worked with the City of Coral
17 Springs. I've facilitated some of the meetings
18 with Mr. Schachter with the City of Coral
19 Springs, with the City of Tamarac, Ms. Henry,
20 and, and staff from the County Administration
21 was there, and you have my commitment as one
22 member of the County Commission.

23 CHAIR: Well, and in addition to that
24 you've been here today, and you've heard the
25 testimony, and you've heard the discussion.

1 What is equally troubling, and puts public
2 safety at risk, is all this dysfunction within
3 the 911 system, and I would ask you as a
4 sitting County Commissioner, that I really
5 think that it's going to take the County
6 Commission to be involved in this, and to
7 facilitate a resolution.

8 I think it is at such a level that it's
9 going to be a challenge for the current people
10 to resolve this. I hope they can, and we'll do
11 everything we can to help them, but I'd ask you
12 to please take note of the discussion over the
13 last six hours today and please, and with your
14 colleagues on the County Commission, fix this.

15 COMMISSIONER UDINE: I've taken note of
16 it. I intend to stay on top of it. And I also
17 have taken note of the fact that all sides have
18 to work together. There cannot just be one
19 side that's completely funding an unlimited
20 checkbook of ideas, and that's where the rub is
21 always going to come on this, because like
22 Sheriff Ashley has stated everyone is going to
23 have skin in the game on this thing, and it's
24 very easy to say we want to take all the, the
25 costs out of a municipal budget and put it onto

1 a County budget, but we want all this level of
2 service.

3 Any level of service that anybody wants on
4 any one of these systems can be paid for, can
5 be purchased. I've heard some terms, concierge
6 service. You can get concierge service, you
7 can get it in any one of our social services in
8 any of these different call agencies, you just
9 would have to pay for it. Thank you.

10 CHAIR: Thank you, Commissioner, I
11 appreciate you being here. So we'll bring this
12 up, ask them to come, as we were talking about
13 in August. The plan is -- I want to see if
14 there's any different views on it, is, is that
15 I think it's time in August to bring
16 Superintendent Runcie back. We said we were
17 going to do that. I'm sure that you all want
18 to hear from him again, and have follow up with
19 him. Ask Sheriff Tony to come, we have a few
20 things to follow up on.

21 I'm going to change what I've been doing
22 the last couple times on the agenda, in putting
23 it at the end of the second day, a commission
24 discussion on where we're going moving forward.
25 I'm probably going to put that at the first of

1 the agenda next time, because we don't get to
2 that. I do think that we have to have some
3 discussion, and some serious discussion about
4 that. We're missing a lot of commissioners
5 here right now so this isn't the time to do it
6 for a number of reasons, but I think we really
7 need to have a real serious discussion about
8 the path forward, and perhaps that we, maybe, I
9 don't think August, but perhaps the October
10 meeting, and don't have a December meeting, and
11 let all what is taking effect sit for a while,
12 and give it a break for a little bit.

13 You know, there is a lot that is in 7030.
14 There's a lot that's in 7026. There's a lot in
15 the Governor's executive order. There's a lot
16 of wheels that are in motion, and I think we
17 can have a productive meeting with bringing
18 Superintendent Runcie back, Sheriff Tony, get
19 an update on the things with the executive
20 order that have to take affect July 1st, et
21 cetera, try and deal with this communication
22 issue, talk about what we want to put in a next
23 report, perhaps we have an October meeting that
24 deals with a next report.

25 But at that point, you know, my feeling

1 is, is that we give it a break for a while, and
2 we let all these things take hold, and maybe
3 meet again some time next year with an update.
4 But I don't see -- we've done Yeoman's work,
5 the commission has made a difference, but I
6 don't see keeping it going at this pace much
7 longer, and I think we need to bring it in for
8 a landing.

9 So that's my take, and I don't know what
10 you all think about that, but I wanted to give
11 you -- I want you all to give that some thought.

12 SHERIFF JUDD: My last comment is they
13 need to know we're not going away, they've got
14 to fix the problems.

15 CHAIR: Right.

16 SHERIFF ASHLEY: Sheriff, I'm not sure if
17 I missed the reconciliation of if this
18 commission is going to name those two school
19 districts or not, if that was ever --

20 CHAIR: Sheriff Judd did make an
21 announcement on that. He talked to
22 Commissioner Corcoran.

23 SHERIFF ASHLEY: Okay.

24 SHERIFF JUDD: Yes, Commissioner Corcoran
25 said clearly and unequivocally that the ones

1 that are not prepared to be in compliance on
2 August 1st he's going to call out the district
3 and the schools, and he invited me to be there.
4 He said I'll do a press conference, and you can
5 stand beside me. And Sheriff Gualtieri said I
6 want to stand beside him too. So the shot over
7 the bow to them is you are going to be called
8 out August 1st if you're, you're not prepared
9 to be in compliance on the first day of school.

10 SHERIFF ASHLEY: Thank you. I don't know
11 where I was at, but I missed that. The other
12 thing, Chair, is once we get past this, and
13 this commission allows this, these 7026/7030 to
14 settle in, and the Governor's executive order,
15 moving forward after that then the, since all
16 these issues affect every school district, and
17 every citizen in Florida, I'll make another
18 motion that we start moving our meetings around
19 the state so other stakeholders other than
20 Broward County residents can have a say.

21 CHAIR: Okay. Anybody have anything else
22 before we go to the -- Commissioner Petty.

23 COMMISSIONER PETTY: Just one comment. I
24 just want to thank the commission, and the
25 commission staff, for the great work putting

1 these meetings together, countless hours that
2 I'll never, I'll never know about, and it's
3 very much appreciated. I will say to, to those
4 from the County, from Broward County that are
5 still here, as a resident of Broward County I
6 am, I am disturbed that over a year later we're
7 still suffering from some of the same issues
8 that precipitated the tragedy that took the
9 life of my daughter and sixteen others, and I
10 would expect by our next meeting that, that
11 those in positions of responsibility in this
12 County will have gotten together and had some
13 discussions, and made some progress, and be
14 ready to come back here and report that back to
15 us, or, Mr. Chair, I would, I would argue that
16 our work is not yet done, and we're going to
17 have to make some very stern recommendations
18 for changes here in Broward County.

19 CHAIR: Okay. Well, we'll put that, you
20 know, put that discussion -- we're not -- as
21 far as where we go, and we'll have a better
22 idea, we'll put that on the agenda early on for
23 August, and whatever the will of the group is.
24 I just throw it out as give it some thought,
25 that's all I ask. And I agree with you, we're

1 not going away, none of us are. We haven't
2 come this far - - and I'm not suggesting that
3 we should, but just give some thought as to,
4 you know, exactly what we're going to be doing
5 going forward.

6 So with that everybody travel safe, and
7 we'll see you in August. Thank you.

8 (Thereupon, the meeting concluded.)
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C E R T I F I C A T E

(STATE OF FLORIDA)

(COUNTY OF MIAMI-DADE)

I, NATHANIEL TORO, Reporter, certify that I was authorized to and did report the foregoing proceedings and that the transcript is a true and correct transcription of my notes of the proceedings.

Nathaniel Toro

NATHANIEL TORO, Reporter

Commission: GG 111434

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Marjory Stoneman Douglas High School Public Safety Commission
Written Testimony
Michael J. Ryan, Mayor, City of Sunrise, Florida
June 5, 2019

My name is Mike Ryan. I am the Mayor of the City of Sunrise. In lieu of testifying before the Commission, I have requested that the Chair accept my written comments as it relates to the historic and current situation involving Broward County's role in the regional emergency 911 ("E911") system.

By way of background, I have been a Broward League of Cities' representative designated to participate in E911 issues for nearly the past decade. The Broward League has been visionary in being able to galvanize various stakeholders focused on necessary improvements to and greater interoperability of our E911 System. The current Broward League President, Mayor Dan Stermer of Weston, has participated in this journey from the outset and has been a powerful force to drive improvements.

In 2010, I began writing publicly about the need to implement the will of the voters, as expressed through a County charter mandate, to construct a system for closest unit response for medical emergencies by implementing consolidated systems of emergency communications as well as the operational necessity to improve E911 communications to avoid the significant and persistent delays in emergency response due to call transfers amongst the numerous communications centers in the County. Thereafter, from 2011 to 2012, I served as Vice Chair of the Broward County Consolidated Communications Committee, focused on evaluating the potential for regionalization of E911 Communications. I was Co-chair of the Broward County Consolidated Communications Implementation Advisory Board in 2012 through 2013. I was Chair and Vice Chair of the reconstituted Broward County Consolidated Communications Committee, often referred to as BC4, from 2015-2018; BC4 was stood up again after I and others raised concerns related to transparency in reporting and the need for stakeholders to have a voice in the new regional system.

In addition, I am past Chair and past Vice-chair of the Public Safety Committee for the Broward League of Cities from 2012-2013; past Co-chair of the Broward County League of Cities' Joint School Resource Officers Task Force from 2012-2013; current co-chair of Broward County League of Cities' School and Community Public Safety Taskforce from March 2018 to the present, which issued a lengthy report and over 100 recommendations in the aftermath of February 14, 2018. I am also a member of Broward County After-Action Advisory Council formed to make additional recommendations related to the aftermath of the tragedy.

The journey of consolidating and improving interoperability of our E911 communications in Broward County was not easy nor was it a straight line. At the outset, there were those who told me consolidation or regionalization of E911 communications, while necessary, would never happen. There were those who participated in early discussions who openly resisted the idea of regionalization and a better system of interoperability. But, in the months that the initial Consolidated Communications Committee met, the reasons in support of the need for increased interoperability and the potential for improved E911 communications through regionalization



became more obvious. Consensus began to develop around the benefits of providing better, faster and more resilient E911 services through regionalization.

Closest unit response in medical emergencies, despite being the overwhelming mandate of the Broward County voters in 2002, had still not progressed. Some of the reasons were because of technology; some of the reasons were related to the need to lay the foundation for interoperability. Either way, it was far too slow.

Call transfers amongst the E911 centers (known as "Public Safety Answering Points" or PSAPs) were frustrating the fastest possible emergency response. With the advent of cell phones as the primary method to place E911 calls, it was well recognized that towers routinely directed E911 calls to E911 centers outside of the caller's municipality; that meant, far too often the call taker and dispatchers could not send help immediately or at all in emergency situations. The caller, desperate for assistance, would provide all the information as to their emergency only to be told the call taker would have to transfer the caller to another E911 center which could actually send help. Then, after transfer, the interrogation of the caller would often start all over again, causing delays in emergency response.

There were no consistent standards for call handling, quality assurance, or implementing the latest technological improvements for all E911 calls. Remember, we may have lived in one city, worked in another, travelled to school in a different one, and found entertainment or shopped in yet another – each with a different E911 center, different standards, different call handling procedures, and differing commitments to latest innovations.

Anyone who has been involved in E911 call handling knows, whether here locally, anywhere in our country, or even internationally, no system is perfect all the time. Mistakes happen in addresses, deployment and information; sometimes callers cannot provide the best information as to location. Call taking and dispatching is a difficult and stressful job under the best of circumstances. Turnover rates locally and nationally are in the 20% per year range. Training budgets are routinely adjusted and best staffing is subject constant analysis.

So, claims that a particular center handled every E911 call perfectly prior to regionalization or that they had the best system each hour of every day is not realistic. To be sure, there was no transparent reporting of problems or even consistent standards for performance across the different E911 centers. Traditionally, problems or complaints would be handled internally and within the respective agency protocols and etiquettes.

Now, in the system of regionalization, there is greater transparency in E911 call handling than ever; in fact, there are identifiable and consistent benchmarks for performance in those centers in the regional system. There is a procedure in place to file a complaint regarding call taking or dispatching, whether the complaint comes from first responders or the public. The system is intended to be more transparent than ever. There is a process to determine outcomes from the complaints, including counseling, additional training and even progressive discipline when appropriate. Those who do not take advantage of filing a complaint when there is a reason to do so or simply rely on anecdotes actually frustrate the collective efforts to make the system better through transparent and honest assessment of performance. Every complaint or concern

should be logged, heard and addressed. There is a need to constantly and honestly evaluate performance with the goal of providing the best service possible throughout Broward County.

The system was also inefficient from a staffing and infrastructure perspective. With 10 different E911 centers, the costs to the taxpayers were unnecessarily high. Moreover, some of these E911 centers were close to the coast and/or not designed to withstand more than a category 2 hurricane.

Relevant to the focus of my comments today, despite important improvements, there has been frustration on a number of levels still today. To understand why, we must go back historically.

At the outset of evaluating the potential for regionalization, turf battles, prior resentments, and agency traditions made the discussion regarding the need for regionalization and improved interoperability difficult. In fact, those factors at times appeared to be enough to prevent regionalization despite overwhelming belief that there were significant potential benefits from regionalization.

When we began the regionalization process and analysis, we recognized there was a paramount need to ensure a governance structure in which the stakeholders have a meaningful voice. One of the other guiding principles was to ensure bureaucrats and elected officials were not running or interfering with the oversight and daily operations of the public safety system. Finally, there was also a need to ensure a predictable, consistent and stable source of funding that was not subject to being undermined through future parochial battles.

At the intersection of developing governance recommendations, the challenges began. Once the Broward County Board of County Commissioners wisely agreed to be that source of, predictable, consistent and stable funding, County Administration wanted to play a role in governance. Broward Sheriff's Office ("BSO") would be the operator, but as the funder the County Administration officials wanted, and began, to play an outsized role. The development of a County's Office of Regional Communications and Technology, known as ORCAT, was a response to the desire of the County Administration to play that role.

However, ORCAT was not directed by, overseen by or made up of those who had meaningful public safety experience in the field or running E911 centers. As a result, technology decisions which impacted public safety were being made exclusively by ORCAT, sometimes to the frustration of those operating the system, those with experience in E911 communications and public safety professionals.

The Police and Fire Chiefs issued multiple joint pronouncements objecting to the County's oversight. These joint pronouncements were unprecedented calls for action. The Chiefs spotlighted that those running the system from the County side did not have public safety experience and that the wishes of the public safety professionals in the field were being vetoed by those with no public safety experience. I took the public position that the County administrators should not be interfering with or making the final decisions involving a public safety system.

Recently, on May 29, 2019, the Broward County Chiefs of Police issued yet another strongly worded letter outlining their latest concerns and the need for change in the management and governance of the regional communications system. Whether the correct change is to embed ORCAT within BSO or some other model, it is clear that something must occur to alleviate the continued friction and refusal to ensure public safety professionals are guiding and overseeing our E911 system. So long as County Administration is ultimately responsible for decisions which affect public safety, and there is a lack of full recognition of the impact of those decisions daily, we will continue to fall short of a seamless system.

I previously proposed amendments to the Broward County Charter that would create a Director of Public Safety Communications who would answer directly to the County Commission. I also proposed a permanent Public Safety Communications Advisory Council, much like the latest iteration of Broward County Consolidated Communications Committee, before being sunset by the County, made up of community stakeholders to ensure transparency and greater voices. See attached Exhibit A.

Initially, the majority of a sub-committee of the Broward County Charter Review Committee tasked with evaluating these proposals actually voted in favor of these proposals. However, during a later meeting at which I was not present, they scuttled these ideas after based upon advocacy from County Administration. They were told by County Administration that we would finally have a person with public safety experience running ORCAT after years of interim directors with no public safety experience. In short, County Administration, in my opinion, did not want to dilute its power and control over the public safety communications system – which has been an endemic problem to this day. Eventually, the County would hire someone who had past experience, but that person was immediately tasked with other duties as well.

Perhaps a good example of the frustration is the radio throttling issue. In the aftermath of the throttling issues on February 14, and as part of my role as BCCCC chair, I pressed for a county-wide meeting to discuss the technical issues. It was at that meeting that for the first time experienced public safety professionals were told that simply turning on a radio or switching a channel was the equivalent of pushing the radio button to talk; turning on a radio or switching channels stressed and overloaded the system as if they were talking at the same time. I watched first hand as seasoned veterans expressed shock at this notion. It had long been the practice during events, mass or otherwise, to have those unrelated to the deployment, or even off-duty, to listen in on and follow the unfolding events.

However, what was frustrating is that the County's after action report involving the Fort Lauderdale Airport shooting actually contained a passage regarding radio training and discipline as it relates to throttling. Those in the County Administration who run the radio system never followed up with that issue or communicated to the public safety professionals in the field county wide what that meant – until at that meeting ... after February 14, 2018.

Since that county-wide technical meeting regarding radio throttling, there have been training modules issued and development of policy and procedures to address command and control issues involving radios and radio discipline. We may experience throttling in the future

again during in a mass event, particularly one that has multiple sites or runs across jurisdictions. But today we understand more. The question is – why was it that a mayor was raising the issue of needing a county-wide discussion and understanding of radio system throttling and not those in the County Administration who were responsible for the daily operation of the radio system after the Fort Lauderdale Airport shooting? Perhaps because they did not report to public safety professionals, but rather to County administrators responsible for other matters, such as parks and libraries.

It is absolutely true that we need to have highly skilled technical people involved in an E911 system. The issues in an E911 are technically complex. There are certainly some very talented and technically capable people in ORCAT who care deeply about the mission. However, ORCAT and County Administration should not be making decisions regarding, or fail to be responsive to, the needs of the public safety professionals. As I said, whatever the model is implemented to reduce that friction, it needs to be implemented now. In fact, it should have been resolved long ago.

Today, I offer my comments in an effort improve interoperability and move the needle towards a system that is run by public safety professionals whose only mission is to provide the best possible E911 service to all the residents, businesses and visitors of Broward County. I am thankful to the Police and Fire Chiefs Associations for their continued advocacy, publicly and privately, as well as that of the Broward League of Cities and so many elected officials who feel equally passionate about these issues. I am also grateful to Coral Springs Fire Chief Frank Babinec for his focus on interoperability and our collaborative work together.

Thank you for your consideration of these important issues.

ARTICLE V. - PUBLIC SAFETY

§ 5.03. Broward County Public Safety Communications Advisory Fire-Rescue Council

A. The County Commission with cooperation from Municipalities shall ~~maintain~~establish a countywide emergency communications infrastructure for law enforcement, fire and emergency medical services. The County shall provide funding for the communications infrastructure and all municipalities service providers will have the opportunity to utilize the elements of the communications infrastructure. ~~The communications infrastructure shall facilitate closest unit response for life-threatening emergencies and support for regional specialty teams.~~

B. There shall be established a Broward County Public Safety Communications Advisory Broward County Fire-Rescue Council that will be advisory and shall facilitate the coordination between the County and the Municipalities in carrying out the intent of Section 5.03(A), the regional public safety radio system and the consolidated E911 Communications system. The Public Safety Communications Advisory Broward County Fire-Rescue Council shall be comprised of ~~eleven~~nine (11) members appointed as follows:

(1) One (1) member shall be appointed by the Broward County Commission, who may be a member of the County Commission.

(2) One (1) member shall be appointed by the Broward County League of Cities ~~who is its Chair or Vice Chair~~.

(3) One (1) member shall be appointed by the by the Broward County City-County Manager's Association~~Broward County League of Cities who is a current elected Municipal official~~.

(4) ~~Two One (21)~~ members shall be appointed by the Fire Chiefs' Association of Broward County~~Broward County League of Cities who is a current city manager~~.

(5) ~~Two One (21)~~ members shall be appointed by the Broward County Chiefs of Police Association~~Council of Professional Fire-Fighters~~.

~~(6) One (1) member shall be appointed by the Broward County Fire Chiefs' Association.~~

~~(67)~~ One (1) member shall be appointed by the Sheriff of Broward County~~Broward County Medical Association~~.

~~(78)~~ One (1) member shall be appointed by the EMS Council~~Sheriff of Broward County~~.

~~(9) One (1) member shall be appointed by the Director of the Broward County Trauma Management Agency.~~

~~(8) One (1) member shall be appointed by the Broward County County Administrator.~~

(9) One (1) member shall be appointed by the Greater Fort Lauderdale Alliance so long as that organization is in existence, or alternatively, by the County Commission representing the business community in Broward County.

Such members shall be members or employees of the applicable appointing organization.

C. The term of each member shall be two (2) years from the date of appointment.

D. The Council shall issue recommendations from time to time and an annual report to the County Commission and Municipalities.

§ 5.05. Broward County Director of Public Safety Communications

A. There shall be a Director of Public Safety Communications. The Director of Public Safety Communications shall be appointed by the County Commission, and may be removed by the County Commission.

B. The Director of Public Safety Communications shall be the responsible to the County Commission for the proper administration of the Office of Regional Communications and Technology, including providing technical support to the Operator and participating municipalities in the Consolidated E911 Communications System for Broward County; oversee performance metrics and overall operational performance of the Consolidated E911 Communications System and the supportive regional systems; review and analyze the emergency and public safety radio system performance; review and analyse the regional law and fire records management systems; review and analyze the regional computer aided dispatch system; coordinate and collaborate with municipalities to ensure maximum countywide involvement of all stakeholders; provide recommendations to maintain and provide advancements in the area of Public Safety Communications.

C. The County Commission shall include in the general fund of its annual budget for each fiscal year such sum as is necessary for the Director of Public Safety Communications to carry out its duties.