

CONSUMER PROTECTION BOARD MINUTES OF MEETING
November 18, 2020

PRESENT: Abel, Keith
 Aronofsky, Jill
 Clark, Lawrence "Larry"
 Daley, Herbert
 Flynn, Michael
 Goldfarb, Jennifer (Teams)
 Holness, Jephtha "Jeff" (Teams)
 Lerner, Beth
 Morguess, Joseph
 Murphy, Robert (Teams)
 Rubalca, Jenny (Telephonically)
 Schnitzius, Kimberly

ABSENT: Giraldo, Omar

ALSO PRESENT Joseph O'Geen – ECPD Senior Program/Project Coordinator
 W. Gail Custode -ECPD Senior Program/Project Coordinator
 Javier Navas -Assistant County Attorney (Teams)
 Doug McCrary Analyst Supervisor (Teams)
 Beverly Cooley -Administrative Assistant
 Carlos Cabieses -Board Clerk

GUEST: Deputy Foote, BSO Officer
 Wendy Jerkins (Teams)
 Mr. Jesse Scipio (Telephonically)
 Imogene Moss (Telephonically)

The meeting was called to order at 9:30a.m.by Michael Flynn, Chair. The Roll Call was conducted, and quorum was established.

Chair requested that each Board member and County staff introduce themselves. Each Board member and staff present introduced themselves providing a brief background about themselves and their roles.

Chair made a Motion to approve the Board meeting minutes from September 16. A motion was then made, seconded, and passed unanimously.

CORRESPONDENCE: None

ADMINISTRATOR'S REPORT/DIVISION'S REPORT

A. Quarterly Reports

Pages: 1 (attached)

B. Outstanding Items:

NONE

C. Nuisance Abatement Concerns

The Board introduced 2 guests through a telephone conference bridge who spoke about the concerns of criminal activity in their neighborhoods. Activity that has been previously reported to Law Enforcement, and the fact that they feel that nothing is being done to stop it.

Wendy Jerkins spoke about her awareness of pockets of ongoing crimes in her neighborhood despite numerous calls to Law Enforcement. She also wanted to know how such complaints could be elevated, or raised, who can initiate the process, and why does the Ordinance not seem to work for Citizens? Most of her concerns were in Washington Park.

Mr. Jesse Scipio also wanted to know why there is no enforcement on these activities. He feels that the neighborhood is not being protected. He wanted to know why is it taking so long to implement enforcement, and what role does the Consumer Protection Board in conjunction with the Board play in making changes? He also explained he feels that the Ordinance is not being enforced.

1. How long are the investigations?
2. Why so long for the Ordinance to be implemented?

Questions and answers followed. Lengthy discussion was headed by Broward County Sheriff Deputy Foote, a member of Crime Suppression Team for Unincorporated areas of Broward County.

The Deputy acknowledged the concerns of the citizens, and he explained it is necessary to get convictions for these cases to move forward. There have to be 2 narcotics investigations that take place with arrest(s) within a six-month period. Investigations could be street gang activity, narcotics or stolen goods.

The Deputy provided statistics form August 2020- to present, which included 11,000 grams of cannabis confiscated, 34 arrests, in which there were 22 firearms confiscated, 164 grams of cocaine, 33 grams of Fentanyl, 23.3 grams of heroin, 5 vehicles recovered and \$26,000 in cash seized.

The Deputy explained that these areas are being worked, but each arrest must lead to convictions of the person or persons apprehended. Also, the crimes must be tied to residences for Nuisance

Abatement Enforcement to go forward.

The Deputy also spoke on the success of the diversionary program related to narcotics crimes. Most cases that go to the Diversionary program would not make it to the Board because those offenders would receive treatment instead of jail time.

The Board spoke on the fact that the Ordinance was recently changed in 2018, which may have impeded how these Nuisance Abatement cases are handled as there is now the requirement to have 2 convictions within six months.

Questions were posed to the County Attorney, Javier Navas, regarding the County Attorney's Office role in amending the Ordinance.

Mr. Joe O'Geen will be sending the Ordinance to committee.

Chairman Flynn asked for opinions from the Board for explanations of enforcement.

Citizens need to know they can make complaints, and something will happen.

Mr. Flynn says process of implementation needs to be looked at, so the rights of the citizens will not be violated.

What has to happen for Board to become involved was discussed in great length. Recommendations can come from the Division via the complaint process, who could then send the complaints to the Nuisance Abatement Board if they met the criteria.

Convictions must be established, then a case could go before the Board for enforcement with the County Attorney's Office.

What can Board do to ensure movement on these cases?

Board will look at conviction requirements of the ordinance. Board members asked for new copies of the Ordinance to review and Mr. Joe O'Geen agreed to provide additional copies to each of them.

Robert Murphy, Board Member, sympathized with the citizens and stated that "Justice delayed, feels like Justice denied." He offered his time and experience to research what might be done to simplify and speed up the process. County Attorney, Javier Navas agreed to assist.

Mr. Murphy suggested gathering statistics from other cities/counties of similar size with successful Nuisance Abatement Boards and the board was in agreement to go forward with creating an analysis on nuisance abatement successes with evidence from other states.

Mr. Murphy asked for transcript of the current meeting in order to set up stats on a report. He also moved to bring report before the Board and ultimately before the Board of County Commissioners to simplify or modify the Ordinance, if necessary, to make the process easier or faster.

Recommendations were made that all Board members get involve, as they all have access to the Commissioners who appointed them to their Consumer Protection Board positions.

Beth Lerner, Board Member, made a motion, and Jill Aronofsky seconded it. The timeline for completion for Mr. Murphy and Javier Navas is within the next 30 days to compile the information for this report. The Board passed a motion to proceed.

OLD BUSINESS: NONE

NEW BUSINESS: NONE

BOARD MEMBER CONCERNS:

W. Gail Custode -ECPD Senior Program/Project Coordinator, reminded the Board that prior to the shrinkage of their group, the Board had agreed to provide alternates when possible on Hack Denial Hearing dates. This process stopped when the number of Board members decreased. However, now that numbers are up again and Covid-19 can cause last minute cancellations, the request is to return to the process of booking alternates to ensure hearings are not started late or cancelled at the last minute. Alternately, the Ordinance may eventually be amended to allow Hearing Officers to hear the Hack Denial cases.

Larry Clarke motioned to have alternates and Kimberly Schnitzius seconded the motion. The Board voted unanimously in favor.

NOMINATIONS OF OFFICERS: NONE

With no further business, Kimberly Schnitzius motioned to adjourn, and Herbert Daley seconded the motion. The Consumer Protection Board Meeting adjourned at 10:43 a.m. for a break and the BSO Officer left. The Citizens left the call.

At 11:05 a.m., Kristen Bishop, Data Analytics Manager and Ceyda Unsal, Program Project Coordinator Facilitated a planning session for the Board to help determine their top 3 Objectives for FY 2021. Her report will be attached but the Objectives agreed upon are:

1. Hear More Types of Cases
2. Revise the Ordinance for Authority
3. Education and Outreach

The facilitation ended at 12:14 p.m.

Minutes taken by Beverly Cooley.