



C . A . R . E . S .

SHERIFF MARCOS R. LOPEZ

Meeting Minutes

Date: Tuesday, January 4, 2022

Time Scheduled: 6:00 p.m. **Started:** 6:00 P.M. **Ended:** 7:05 P.M.

Location: Osceola County Sheriff's Office Complex
2601 E. Irlo Bronson Memorial Highway
Kissimmee, FL 34744
Training Rooms: B & C

Welcome/Pledge of Allegiance: Captain James Spain

Invocation: Chaplain Carl Foster

1. INTRODUCTION:

- a) Captain James Spain turned the floor over to Chairman McCrimon to officially call the meeting to order.

2. CALL TO ORDER:

- a) Chairman McCrimon called the meeting to order at 6:03 P.M.

3. ROLL CALL: Completed by: Captain James Spain

<u>Committee Members Present:</u>
<u>Committee Members Absent:</u>
<u>Speakers and Presenters:</u>

Mr. Ronald "Fred" McCrimon, Mr. Hector Acosta, Pastor Leonard Thompson, Mr. Owen McCurdy, Mr. Michael Bast

Ms. Lissette Campos, Mr. David Couch

Detective Jason Hernan, Sergeant Angel Diaz

4. APPROVAL OF MINUTES:

- a) Chairman McCrimon asked for a motion to approve the minutes from the December C.A.R.E.S. meeting. The board requested a physical copy of the minutes.

b) Chairman McCrimon asked the board to nominate a secretary to keep notes. The board agreed to postpone this decision until the next meeting.

5. HOUSEKEEPING AND UNFINISHED BUSINESS:

- a) Chairman McCrimon turned the floor over to Captain Spain to cover any housekeeping items.
- b) Captain Spain provided the board with information regarding Vehicle Apprehension reports as advised by Major Yawn in the December CARES meeting. From January 1st, 2021 through November 30th, 2021 there have been 186 Vehicle Apprehension reports and 112 suspects arrested or owners identified.
- c) Chairman McCrimon asked for clarification about the time period the Vehicle Apprehension form data was collected. Captain Spain clarified that the information was from January 1st, 2021 through November 30th, 2021.
- d) Mr. Bast asked whether this information was included in the email sent to the board members. Captain Spain confirmed that it was.
- e) Chairman McCrimon asked the board if they had any recommendations or comments regarding the Project Lifesaver program presented last meeting. No recommendations were suggested.
- f) Mr. Acosta advised that he had referred two people for the Project Lifesaver Program.
- g) Chairman McCrimon made a motion to approve the minutes from the December meeting. The minutes were unanimously approved.
- h) Captain Spain turned the floor over to Detective Jason Hernan to present the Internal Investigation summary.

6. NEW BUSINESS:

- a) Detective Jason Hernan presented a review of Internal Investigation 2021-0031. On October 3rd, 2021 Deputy Encarnacion provided his cousin who was the subject of an aggravated assault with updates on the investigation via text message. Deputy Encarnacion used Spillman, the Sheriff's Office report database, to gain information about the investigation. Deputy Encarnacion sent an instant message to the investigator calling the victim crazy as an attempt to discredit them. Deputy Encarnacion admitted that he was trying to help his cousin avoid arrest.
- b) It was found that Deputy Encarnacion committed Accessory after the Fact and Official Misconduct.
- c) The investigation was closed as sustained for the Conformance of Laws, Unauthorized use of Criminal Justice Information, Disseminating of information, and Intervention violations.
- d) Deputy Encarnacion was terminated and declined the appeals process.
- e) Sergeant Angel Diaz conducted a presentation on Safe and Legal Traffic Stops (S.A.L.T.S.) and Policy 106.0 Fair and Impartial Policing. The presentation included the following points:
 1. The Florida Department of Law Enforcement requires 40 hours mandatory retraining every 4 years.
 2. The agency requires S.A.L.T.S. training to be completed every January.
 3. Pastor Thompson asked how many hours is the S.A.L.T.S. training. Sergeant Diaz answered that it is a 2 hour online course.
 4. Benefits of traffic enforcement include the deterrence of criminal activity and influencing drivers to pay attention to their driving.
 5. According to the National Highway Traffic Safety Administration there were over 36,000 traffic fatalities in 2020.
 6. In the United States, a fatal car crash occurs every 13 minutes.
 7. Policy 310.0 Harassment prohibits use of racially charged stereotypes and racial jokes.
 8. Policy 391.0 Personal Communication Devices prohibits the use of personal communication devices to send messages that are discriminatory or racially charged in nature.
 9. Required actions of deputies- Use the following measures. Be polite, introduce yourself, provide reason for the contact unless the information compromises the investigation, and answer any questions the subject may have.

10. In the absence of a physical description, race, gender, ethnicity, religion, etc. cannot be the sole cause for determining probable cause for an arrest or reasonable suspicion for a stop. Enforcement action should be based on observed or suspected behavior.
 11. Complaint on Bias policing- Anyone can file a complaint if they feel they have been subjected to enforcement action based on race, gender, religion, etc. Internal Affairs can conduct a review to investigate whether the traffic stop was fair and impartial.
 12. Any members who have observed an instance of biased policing shall report it.
 13. Sergeant Diaz provided statistics regarding traffic stops done between 2016 through 2021.
 14. Mr. Bast inquired what "Other" is, in regards to the statistical data provided. Sergeant Diaz clarified "other" refers to a race that does not fall under the designated racial categories.
 15. From January 1st 2021 to December 31st 2021, The Osceola County Sheriff's Office reported 14,500 traffic citations. Asian: 0, Black: almost 2,500, White: almost 12,000, Unknown: 1. Sergeant Diaz clarified that Hispanic is included under the White data.
 16. Pastor Thompson asked why Hispanic is included under the white demographic. Sergeant Diaz responded that Hispanic is an ethnicity not a race.
 17. Mr. McCurty advised that he read an article that found when Hispanic is included under the White demographic, it skews the data.
 18. Mr. Acosta asked which area in Osceola County has more accidents. Sergeant Diaz advised he does not have sufficient information to answer.
 19. Mr. Bast talked about a personal story related to traffic.
 20. Pastor Thompson asked whether the Sheriff's Office works traffic accidents. Sergeant Diaz advised that it depends on certain criteria. If airbags are deployed or if the people sustain injury, we do not work them, Florida Highway Patrol does. Pastor Thompson told a personal story where the Sherriff Office deputies advised they could not respond and he had to wait for FHP to arrive.
 21. Mr. Bast asked how many FHP are working Osceola County. Sergeant Diaz advised that he does not know. Sergeant Nicholson answered that FHP took part of the turnpike and moved them so there is a troop dedicated to Osceola County. Mr. Bast asked how big the troops are. Sergeant Nicholson said generally five people.
 22. Pastor Thompson asked whether that was started within the last two years. Sergeant Nicholson answered yes.
 23. Chairman McCrimon asked whether the Sheriff's Office has a way of receiving any complaints regarding speeding. He asked what the Sheriff's Office is doing in response to complaints and what can citizens do.
 24. Sergeant Diaz advised when he used to work in the Traffic Unit, there was an Aggressive Driving Unit and there was a traffic line that citizens could submit complaints. Chairman McCrimon suggested that the phone number should be posted on Facebook.
 25. Chairman McCrimon asked would a deputy go by that person's house if someone could provide a tag. Sergeant Diaz advised it is up to the deputies discretion. Captain Spain advised it depends on the call.
 26. Mr. Bast asked if they can provide the phone number to submit traffic complaints. Captain Spain advised he would provide the number in the next meeting. He informed the board that we have Community Contact Cards when deputies make contact with members of the community and any complaints regarding traffic are routed to the Traffic Unit. He also advised that during the last budget year, they have requested additional personal to increase the size of the Aggressive Driving Unit.
 27. Pastor Thompson asked how the agency responds to DUI reports. Sergeant Diaz advised that deputies will respond to the call to get that vehicle off the road and will call the Traffic Unit if the driver is impaired.
 28. Captain Spain advised that the tip line to submit traffic complaints is 407-344-5253.
- f) That concluded Sergeant Diaz's presentation.

- g) Captain Spain advised that the board will be provided with information regarding high traffic areas in Osceola County next meeting.
- h) Chairman McCrimon asked if the board had any recommendations for S.A.L.T.S. and Policy 106.0 Fair and Impartial Policing. The board had no recommendations.
- i) Chairman McCrimon asked whether there have been any complaints of racial profiling in Osceola County. Captain Spain advised that he can provide that information in the next meeting.
- j) Pastor Thompson asked if the S.A.L.T.S. training is only 2 hours, is there additional training that adds up to the 40 hours required by the FDLE. Sergeant Nicholson advised there is other training that adds up to that 40 hours such as, Juvenile Sex Offenders, Domestic Violence, CPR etc.

7. PUBLIC COMMENTS:

- a) No members of the public came forward for public comment.

8. OTHER BUSINESS:

- a) Captain Spain advised that they have discussed options on how we can market CARES meetings to the community with the Government Public PIO group, who have agreed to post flyers advertising CARES meetings. He also advised that within the agency, they are working on posting the CARES meetings on social media monthly. Additionally, they are working with the county to get permission to advertise CARES on the digital media board outside the government building on 192.
- b) Mr. McCurdy advised that when advertising, we need to use language to ensure the community understands the purpose of the board.
- c) Mr. McCurdy asked whether other committees are experiencing similar issues with having members of the community attend their meetings. Captain Spain advised that Orange County has been using Zoom for their meetings. He added that their meetings fill up when there is a hot topic being discussed.
- d) Mr. Bast asked whether Kissimmee Police Department or Saint Cloud Police Department have similar committees and added that KPD has discussed having their own committee. Captain Spain responded that to his knowledge they do not, but he can reach out to them.
- e) Chairman McCrimon asked who follows up with profiling complaints and whether the agency has any statistics for unfounded complaints regarding profiling. Captain Spain advised that there would be an inquiry for any profiling complaints and advised that he would look into statistics regarding unfounded complaints.

9. ADJOURNMENT:

- a) The meeting was adjourned at 7:05 p.m.

10. NEXT MEETING:

- a) Tuesday, February 1, 2022 at 6:00 p.m.

Ronald "Fred" McCrimon
Chairman

OCSO Staff Member