

**FORT MYERS BEACH  
TOWN COUNCIL WORKSHOP ON PUBLIC SAFETY  
MAY 21, 1998  
NationsBank Building, Council Chambers  
2523 Estero Boulevard  
FORT MYERS BEACH, FLORIDA**

**I CALL TO ORDER**

Mayor Anita T. Cereceda opened the meeting on Thursday, May 21, 1998 at 6:30 P.M. Present at the meeting were: Mayor Cereceda; Vice-Mayor Ray Murphy; Council Members Daniel Hughes, Garr Reynolds, and John Mulholland; Town Manager Marsha Segal-George; Deputy Town Manager John Gucciardo; and Town Attorney Richard Roosa.

**II PLEDGE OF ALLEGIANCE**

All assembled recited the Pledge of Allegiance to the flag.

**III PUBLIC COMMENT ON AGENDA ITEMS**

There was no public comment.

**IV PRESENTATION BY SHERIFF'S OFFICE REPRESENTATIVES ON VARIOUS LAW ENFORCEMENT AND PUBLIC SAFETY ISSUES**

Colonel Dennis Dufala with the Lee County Sheriff's Department, presented two reports. The reports came out of the February 12 Town Council workshop where the council developed a task list. This is a work in progress, and as the Public Safety Task Force (PSTF) gets more heavily involved, they will discover more things to do. Many of the items on the task list do not involve law enforcement and it is not their job to tell the town how to address those concerns. But as the town's police department, they are here to work with us. This report is a one-sided effort since the task force has just been formed. The recommendations they are making are without the input of the task force.

Some of the issues have already been addressed by the sheriff's department and they just had to pull the data. They have combined some of the other items. They also put together a survey. Last year they had a poll done by the county and hired a polling service to do it. They took much of that information and put it together into their own survey. They have not tabulated all the information yet. It is a superficial attempt to try to find out how people on the beach feel about public safety. They printed 300 surveys and Captain Erne went to the leaders of civic groups to interview them. They took the rest of the surveys around the beach and trained VOICE volunteers on how to do the survey. They wanted a mix of homeowners and renters and business owners and full time and part time residents. The initial results show that the #1 concern is traffic congestion, #2 is litter and trash, #3 is traffic problems other than congestion, and #4 is the conduct of youth in public. Residents were also asked about their experience with the sheriff's department, code enforcement, and whether people would be willing to pay for enhanced police service. They asked about the feeling of safety, and issues such as parks and recreation, schools, etc. They asked about satisfaction with the fire service. They also asked if they had contacted staff members or council members to express their concerns. Their preliminary recommendations are: #1 have a member of the sheriff's department serve with the PSTF as a liaison; #2 assemble an advisory committee immediately to get information from the public and get information back to the public (one representative from each of the entities in the town); #3 the task force should conduct ongoing meetings; #4 include youth or youth leaders in the advisory committee because many of the decisions will impact youth.

Captain Mike Clifton, watch commander, said he was been a deputy on the beach before we became a town. His job was to assemble the data. The report contained a chart of the sheriff's organization and some demographics and projections from the University of Florida. He talked about the two-year trend in crimes which has showed a decrease. The report also shows the dispatch of the cases after arrest and the response time (which has gone down on the beach.) The report shows the log of types of calls. The maps show where the major crime areas are. Another report shows crimes by day of the week and time and date to get a picture of when crimes occur.

He said that manpower includes many more people than patrol officers. It also includes the person in the substation, detectives assigned to the beach, officers from the major crimes division, helicopter

patrols, the marine unit, the VOICE unit, community programs such as the school resource officer and DARE officer, civil process officers, etc. So the presence is not limited to uniform officers.

The most active month is March, followed by April, May and July. The busiest day of the week is Saturday, followed by Sunday and Friday, and the busiest time is from 9 PM to 12 PM. The most frequent call for service is for information followed by assistance calls, alarm calls, suspicious persons, nuisances (dogs, noise, kids, trash, etc), disturbances (fighting, loud parties, infringing on rights), and criminal trespass. Crime categories fall after that, so it seems that the health of the beach is good, that it is reasonably safe and secure. In 1996 the average response time for Priority 1 calls was 9.5 minutes, and for all calls it was 12.75 minutes. In 1997 that time dropped to under 9 minutes for #1 calls and under 11 minutes for all calls. That is timely especially with the heavy traffic on the beach. If someone was looking for a place to live in Lee County, he would tell them that this is one of the safer places to live. That doesn't mean there are no crimes on the beach, but they are not seeing any upward trend in serious crimes. The department offers a neighborhood watch program, but there is only one active program at this time. Those programs are the eyes and ears of the community, and it is their greatest program to prevent crime. They would like to look at increasing that on the beach. It can be used for both businesses and homeowners.

Dr. Croker said it would be interesting to see if the perception in the survey will be the same as the actual crime statistics. Capt. Clifton said they answer to the public and it is important to see their perception. If it is erroneous they can take steps to correct it. Mr. Mulholland said the #5 most common call is for disturbance. A curfew ordinance was proposed recently and he didn't feel it was the right way to accomplish what it was supposed to accomplish. If we have a disturbance during Spring Break, is that as major a problem as residents perceive it to be? Capt. Clifton said he thinks everyone knows we have two spring breaks. One is college students and primarily they come down, rent rooms, go to bars, and are rarely on the street. His perception is that the problem is with the local high school students who can't rent rooms and can't go into bars. That heightens the disturbances in the parking lots and parks, and when they are run off, they may go into the neighborhoods.

Mr. Reynolds said when someone calls in a complaint, before they will take the complaint they have to take your life history, which makes people reluctant to call in. Which is more important? Capt. Clifton said the information is vitally important. If the complaint is very serious and someone is injured or there is a robbery in progress, while they are taking the information the call has gone out to the dispatcher. Sometimes the information is sketchy and the deputy can't find the problem or the problem moves and they must contact the caller back to monitor it. Col. Dufala said that sometimes the call escalates while the deputy is going to the call. Someone may call in a burglary, then later notice three people come out of the house armed and they need to let the deputy know that the call has changed so he will know what he may be facing. Mr. Harby said he noticed there is not a category for vagrancy. Capt. Clifford said Florida did away with the vagrancy law. Now any arrests would come under trespass or nuisance. The homeless will usually end up in one of those categories. Dr. Croker asked if they have educational programs available on the neighborhood watch programs. Capt. Clifton said they would be happy to help people set them up and will hold a program and post signs. Mr. Gucciardo said the statistics are helpful, but he asked how often the data is put together and will we get it as it comes in in 1998. Capt. Clifton said the statistics department can give it to us in any format we want. Captain Erne goes through it on a monthly basis. Mr. Gaydos said he just attended a 2-day seminar on community/police partnerships. We already have some of the program in place because we now have assigned officers and some resident deputies. He recommended the rest of the task force be sent to the seminar if possible.

Col. Dufala said their crime prevention program also includes child safety and working with the elderly in addition to neighborhood watch. He has established a lot of neighborhood watch programs, and there have probably been as many as 50 at one time. But they are cyclic. When there is a lot of media attention, a lot of groups are active. After the crime is addressed, the programs tend to lose interest. Businesses can set up a phone chain to let other business people know that there is a problem such as a bad check writer. Even though there is only one program currently active, it doesn't mean that we don't have people out there who are looking out for their neighbors and who are trained in the effort. He recommended that the PSTF study the information they have provided and will continue to provide. Then they can decide what direction they want to take.

Col. Duffala said there are other law enforcement agencies and private security involved in public safety. They have mutual aid agreements between agencies. They have task forces made up of multiple agencies with a single concern. All this is supplemented with private security. Private security officers don't have the power to arrest and enforce and they are limited to the properties they manage. Deputies

will often take on off-duty jobs and they are then working for that company, but because they are licensed officers, they can respond to any situation. He recommends that the task force become familiar with the various agencies so they can understand their jurisdictional responsibilities. He also recommended a study of the security companies – how many are operating in the town, what are their services and capabilities and cost. One county has a public/private security task force and they are considering doing the same in Lee County.

Regarding youth concerns, they have school resource officers and the DARE program. One of biggest concerns is spring break. He recommends the task force identify any organized youth groups, analyze them to see if they are effective, and search out funding sources. They should also develop a survey to study the need for organized youth activities. He also recommended that they request that additional funding to be allocated to the Sheriff in order to enhance service beyond the basic level during spring break in particular.

Regarding fire and emergency services, he has included some data prepared by Chief Steve Markus.

Regarding social services, directories are available of services in Lee County. He recommended that we study the human service needs and identify the existing services and fill in the gaps. Cape Coral has printed a directory of services in their community. They also list the county, federal, and state agencies that are available in their area. He recommends that we do something like this for our citizens.

Regarding weather preparedness, the county has a plan but it is not specific to the Town. The Sheriff has several contingencies. They will relocate the substation to Edison Community college and the West District would operate out of there. The FMB Fire District would have a command post in that same area. He recommends that the town make this a high priority to be aware of what is going on and see what can be implemented. We should also work in conjunction with the fire department to inform citizens before a disaster and let them know what can be expected after the storm has passed.

Regarding writing a comprehensive plan element for public safety, he recommends that we study comprehensive plans from other communities and see how they have addressed and implemented this.

Regarding financial resources, he noted that the Town has chosen to have only basic services. We can form a strong partnership. Grants are more available if they are done in a cooperative spirit.

He also included information on domestic violence and the sheriff's budget.

Captain Ken Erne said he is excited about the new directions that have been taking place recently. Part of the concept of community policing we have already implemented: the same officers are assigned to the beach and their immediate supervisor is a beach resident himself. He recommends that Sgt. Matt Powell be named as the liaison officer between the task force and the Sheriff's Department.

Mr. Mulholland said we are going into the next budget cycle and he asked if there is a way to get a handle on what would be needed in the way of additional funding regarding youth concerns. Capt. Erne said he would be glad to have a representative work with us in the budget process. Mr. Hughes asked if the local government receives receipts from fines and penalties that are collected through the judicial system. Are they reallocated back to the community in any way? Mrs. Segal-George said the other cities receive money but we do not. Mr. Roosa said that that is done through the county clerks office and we are still working to get that corrected.

## **V PUBLIC COMMENT:**

### **A JENNIFER KAESTNER**

Ms. Kaestner asked if there is a way to separate out the juvenile numbers between beach residents who commit crimes and off-island kids. During the discussion about curfews, some people said an alternative might be programming, but she is not willing to spend tax dollars to entertain off-island kids. They are not her children or her neighbor's children; they are from somewhere else. She is not sure a curfew is the way to go. She has questions about the laws that are already on the books. When she drives by 7-Eleven she sees crowds of kids standing in front of the "no loitering" signs. How can they put up port-a-potties for people who are loitering? Good kids aren't hanging out on the street and good kids aren't sneaking drinks and looking for drugs. Those kids keep her kids from being able to hang out on the beach in a safe atmosphere. She hopes the task force will look carefully at this issue.

Mr. Harby said one of the things they discussed is how can we get our citizens to come to the meetings and give their input. He asked Ms. Kaestner to tell her friends and get them to come too. Betterment of life on FMB is not just law enforcement.

Sgt. Powell agreed with Mrs. Kaestner. He is concerned about the quality of life on the beach. 95% of his calls are in a 10-block radius of the 7-Eleven, so that is why officers stay there in order to catch things. Their presence helps avoid things from happening. There are laws on the books, and he has motivated officers who will implement them. He agrees the children are from off the beach and the officers are outnumbered horrendously. He wants to give the message that if kids come down to the beach, they will be respectful and behave themselves. Mr. Gaydos said one of the problems mentioned at the seminar was an event in another city where up to 5000 kids invade the park with boom boxes every Sunday. People in the immediate area are harassed but the community is pretending it isn't happening. We must address this problem. Mr. Reynolds said many of the council wanted a curfew for that very reason, but some of the parents thought they were trying to harass their kids. Sgt. Powell said the important issue is quality of life, not a curfew. They will enforce the law, curfew or no curfew if they have the backing of the citizens and the business owners.

It was confirmed that Sgt. Powell is acceptable to the town as the liaison.

**VI ADJOURNMENT**

The meeting adjourned at 8:05 PM.

Respectfully submitted,

Peggy Salfen  
Recording Secretary