

M I N U T E S

MONDAY, September 23, 2013

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

McEaddy Conference Room
12th Floor, 301 N. Olive Avenue
West Palm Beach

Members Present:

Daniel Alexander
Dave Aronberg
Rosalyn Baker
Jeffrey Colbath
Barbara Cheives
Douglas Duncan
George Elmore
Carey Haughwout
Randy Johnson, Sr.
Nellie King
William Kramer
Barry Krischer
Kathleen Kroll
Duane Little
Christina Morrison
Gerald Richman
Chuck Shaw
Greg Starling
Priscilla Taylor
Lee Waring

Members Absent:

Chris Allen
James Barr
Nelson Berrios
Sharon Bock
Ric Bradshaw
Vincent Demasi
Timothy Donovan
Rolando Garcia
Dave Kerner
Marshall Manley
John McKenna
Valentin Rodriguez
Robert Shirley

Guests Attending:

David Bernhardt, West Palm Beach Police Department (for Chief Demasi)
Peter Blanc, Court Administration
Mimi Coenen, Workforce Alliance
Barbara Dawickie, Court Administration
Judge Jeffrey Colbath, Incoming Chief Judge (for Chief Judge Peter Blanc)
Pamela Eidelberg, County Attorney's Office
Latronda Hayes, Public Safety
Jim Kelly, PBC Police Chiefs Association
Mike Edmondson, State Attorney's Office
Lawrence J. Leon, School District Police Chief
Jennifer Loyless, Public Defender's Office
Felecia Scott, Riviera Beach Civil Drug Court
Michelle Spangenberg, Court Administration
Louis Tomeo, Clerk & Comptroller's Office (for Clerk Bock)
Claudia Tuck, PBC Human Services Division

Staff Present:

Michael L. Rodriguez, Executive Director
Arlene Griffiths, Administrative Assistant
Katherine Hatos, Senior Criminal Justice Analyst
Shahzia Jackson, Criminal Justice Analyst
Damir Kukec, Research & Planning Manager
Rosalind Murray, Criminal Justice Program Development Specialist
Brenda Oakes, Youth Violence Prevention Planning Coordinator
Craig Spatara, RESTORE Initiative Program Manager

Student Intern:

Danielle Oullette, Florida Atlantic University
Samantha Santiago, Florida Atlantic University

- I. Chairman Douglas Duncan called the meeting to order and extended welcome to members and guests.
- II. Roll call was taken and a quorum was present.
- III. Chairman Duncan invited guests to introduce themselves.
- IV. The agenda was unanimously approved after motion by Mr. Randy Johnson and second by Mr. George Elmore.
- V. The minutes of the June 24, 2013 meeting were unanimously approved after motion by Mr. Randy Johnson and second by Mr. George Elmore.
- VI. Under Chairman's Comments, Chair Duncan:
 - A. Congratulated Feirmon Johnson on his retirement.
 - B. Welcome new members Timothy Donovan, representing the Federal Bureau of Investigation, Greg Starling representing the Department of Juvenile Justice, and Chris Allen, private sector member to the CJC.
 - C. Expressed condolence to Chief Demasi on the passing of his dad.
- VII. Under Executive Director's comments, Mr. Rodriguez:
 - A. Announced the start of the 25th Citizens Criminal Justice Academy on Monday, September 30, 2013 which runs for 11 consecutive Mondays through December 16, 2013 from 6:00 p.m. to 9:00 p.m. The first month of classes will be held at the West Palm Beach Police Department then move around the county, to include tour of the Main Detention Center, the Courthouse and the Medical Examiner's Office.
 - B. Advised of a community youth symposium to be held at the convention center on Wednesday, September 25, 2013 at 1:00 p.m. Participants include members of the Board of County Commissioners, the School Board, the Board of Children's Services Council as well as many other invitees. He noted that

the symposium would be televised by Channel 20.

Vice Mayor Priscilla Taylor encouraged persons to attend as it is intended to help the young people in the county.

- C. Congratulated Ms. Rosalyn Baker, Circuit Administrator in Palm Beach County for being the recipient of the Florida Council on Crime and Delinquency (FCCD) 2013 Re-Entry Award.
- D. Congratulated Mr. Craig Spatara on his selection as a 2013 Golden Palm winner for developing the Reentry Network client database to track arrests and released felons. He noted that the County Administrator's Golden Palm Award recognizes, reward and promotes employee accomplishments. Mr. Spatara will be presented with his award at the October 30th BCC meeting

VIII. Special Presentation

Former Chief Judge Peter Blanc and retired Chief Probation Officer Feirmon Johnson were recognized for their outstanding service to the CJC.

IX. Business Consent Item

There were no business consent items.

X. Old Business

There were no old business items for discussion.

XI. New Business

A. Administrative Order No. 4.202-09/13

Members unanimously approved recommendation by the executive committee relating to addition of items on the bond schedule as presented by Chairman Duncan. He noted that the schedule is reviewed by the Corrections Task Force each year, and that this year, sex offenders registration and child pornography have been added to the list

B. Administrative Order – VOP

Chair Duncan noted that typically, persons who violated their probation are usually sent back to the judge that placed them on probation causing a delay in the procedure. He said that this Administrative Order has been amended to allow persons arrested on a felony violation warrant that are not released on bond, shall be brought before the assigned divisional judge the next business day. He noted that this was for information purposes as the Order was already signed by Chief Judge Colbath.

- C. Legislative Issues – Executive Director Michael Rodriguez reported on the visit of Senator Greg Evers, Chairman of the Criminal Justice Committee for the Senate that was on a visit to Palm Beach County and participated at the September 9th Criminal Justice Commission's executive committee meeting, and provided a brief overview of the issues presented at the meeting:

- State Statute 28.24 relating to service charges by Clerk of the Circuit

Court, where services can be provided to entities without being charged. The CJC is seeking to be included as and agencies/entity in the Statute as it relates to services provided by the Clerk and Comptroller Office.

- Public Safety Coordinating Councils – Mr. Rodriguez noted that intent is to seek clarification regarding designated members to sit on the Coordinating Council.
- Juvenile – Members agreed with postponing the sub-committee’s meeting for the rewrite of Florida Statue 985 relating to the juvenile justice system, pending a third rewrite of the Bill.
- Re-entry Issues – Mr. Rodriguez reported on the following issues a) The Reentry Task Force seeking to change inserted language that prohibits state colleges from using funds to provide services to federal or state inmates; b) Seeking to reintroduce Bill requiring inmates to obtain social security card or a state issued identification card; c) Ban the Box which deals with employment applications that include questions about being convicted as a felon. He said that many jurisdictions have already banned the “Box” and this is being sought for Palm Beach County; and d) Sex Offender Residency Restrictions.

Mr. Kramer commented on the “Ban the Box” issue being pursued on the local level as agreed at the CJC executive committee meeting, to which Public Defender Haughwout agreed would be an issue better off advocating at the local rather than state level.

Chief Alexander questioned the sex offender residency issue as a legislative item. Mr. Rodriguez said that, while he doesn’t think it will move forward on the state legislative agenda for the County Commission, but noted that currently the restrictions vary with municipalities thereby making it difficult for the Predator Offender Unit at the Sheriff’s Office to be confident where people can and cannot live. He reminded that the CJC voted at the last annual planning meeting to pursue a countywide uniformed residency restriction.

State Attorney Dave Aronberg reported that he worked on the Bill when it was brought to his attention by the CJC a few years ago, and that he got it to the Senate to create a statewide residency restriction, and still think that it make sense to have uniformed restrictions.

Mr. Rodriguez will present the issue at the LEPC and the League of Cities for their input.

- Marchman Act – Mr. Rodriguez advised that the Committee is seeking the CJC’s blessing with moving forward with the legislative and procedural side of the Act.

Ms. Claudia Tuck of the Human Services Division presented a brief overview of the committee’s findings and recommendations one of which is relative to the processes, noting that the findings revealed that many of

the families have no support with the processes many are going through. She said that grant funds would be sought in this regard, but that it would be similar to drug courts that are held on Saturdays, where case managers and assessors would be available on site to determine if treatment is needed and referred for same. The other aspect she said, relates to the legislative side which would allow the court to extend treatment and step down from residential if funds are available, allow any judge to sign the court order rather than waiting for a magistrate, for the court to have jurisdiction for up to 12 months so that in the case of a relapse, they don't have to go back through the entire process. It would also allow 72 hour protective custody to not include week-ends and public holidays, and allow a minor to be held in treatment facility awaiting order for involuntary treatment.

Mr. Barry Krischer remarked about the provision that allow individual who leave without a court order, noting the Sheriff's Office concern about being required to pick up people to bring them back saying if that is the intent, there needs to be provision for the use of reasonable force in this regard.

Public Defender Haughwout expressed concerns about not having adequate treatment, saying that she is supportive of it but noted that there are inadequate treatment beds.

Members unanimously approved the committee pursuing this issue with Legislative Affairs for statutory changes.

- D. Chief Judge Jeffrey Colbath raised the issue of jury duties, noting that approximately 12,000 persons are summoned to jury duties on a monthly basis, but said that about half that number do not respond. He said that while exploring ways to handle this issue, one idea was to create a Statue that will allow the suspension of driver's licenses for failure to appear for jury duty. He feels that this is a quick and effective way to get people's attention while raising revenues, and plans to explore it with other chief judges around the State.

Members discussed

Ms. Nellie King expressed concerns with the idea as a private criminal practitioner unless there some public awareness campaign and not sure that this will get the intended results, but would increase the Public Defender's case load. She however thinks that the issue should be pursued to find a solution, and is willing to do so at the Court Systems Task Force.

Public Defender Haughwout remarked that currently in their misdemeanor courts, about half the cases are driving with suspended licenses, and don't think that will have a great impact. She feels that a public service campaign about the duty and honor to serve would be a good thing.

Commissioner inquired about the layout of the summons, to which Chief

Judge Colbath responded that the new summons is being re-crafted as there is so much information included.

Mr. Richman liked the idea of finding a way to publicize and include the honor to serve, noting that in his experience, people who have served on jury tend to have greater respect for the system.

After further member discussion, it was agreed that the issue would be looked at by the Court Systems Task Force.

E. Program Monitoring and Evaluation

Chairman of the captioned committee, Mr. Lee Waring presented the final key performance measures regarding the programs funded by the CJC. He said that this will be used to determine the success/effectiveness of programs. Several areas of the report were highlighted. He noted that the delay in learning of the amount of funds.

Mr. Waring thanked the various groups and staff who assisted in the process.

Members unanimously approved the report as presented.

F. YVPP Funding

Mr. Rodriguez advised of the final public hearing for the budget for the upcoming and that County Administration was still supportive of providing \$400,000 funding for the youth empowerment centers. He noted that the original staff request was for \$520,000 but said that the Commission reduced the amount by \$120,000; reducing the amount to Riviera Beach by \$70,000 taking the \$50,000 requested for West Palm Beach due to the ongoing law suit involving the Inspector General's Office.

Vice Mayor Taylor remarked about the cities taking the responsibility of the centers as it was not the intention for the CJC to continue funding.

- G. Mr. Rodriguez reported that the County adopted new standards for boards and commissions and the need to review the current CJC Bylaws and Ordinance to reflect the county's standards or to seek exemption if required. Members William Kramer, Chuck Shaw, Randy Johnson, George Elmore and Gerald Richman volunteered to sit on the committee.

XII. CJC Initiatives/Updates

There were no CJC initiatives or updates for reporting.

- XIII. Under Member Comments, Mr. Barry Krischer commented on the return of fees, especially on driver's license to tax payers that was mentioned by Senator Evers. He reported that at the Alliance meeting, he proposed that in lieu of sending everyone a check, that the funds might be better spent on the reentry program, beds for the Marchman Act and other juvenile issues that are not appropriately funded. He said that a letter is being prepared by the Alliance for the Legislature.

- XIV. With no further items for discussion, the meeting adjourned at 9:10 a.m.