

**M I N U T E S**

**MONDAY, October 27, 2014**

**PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION**

McEaddy Conference Room  
12<sup>th</sup> Floor, 301 N. Olive Avenue  
West Palm Beach

***Members Present:***

Dave Aronberg  
George Elmore  
Randy Johnson, Sr.  
Dave Kerner  
Nellie King  
William Kramer  
Barry Krischer  
Kathleen Kroll  
Christina Morrison  
Gerald Richman  
Chuck Shaw  
Greg Starling  
Priscilla Taylor  
Lee Waring

***Members Absent:***

Chris Allen  
Rosalyn Baker  
James Barr  
Nelson Berrios  
Kirk Blouin  
Sharon Bock  
Ric Bradshaw  
Barbara Cheives  
Jeffrey Colbath  
Timothy Donovan  
Douglas Duncan  
Rolando Garcia  
Carey Haughwout  
Bryan Kummerlen  
Duane Little  
Marshall Manley  
John McKenna  
Valentin Rodriguez  
Robert Shirley

***Guests Attending:***

Angela Bess, PBC School District  
Todd Bonlaron, PBC Legislative Delegation  
Vern Crawford, PBC School Board  
Mike Edmondson, State Attorney's Office  
Pamela Eidelberg, County Attorney's Office  
Michael Gauger, PBSO (for Sheriff Bradshaw)  
Amy Karpf, Office of Financial Management and Budget  
Jenise Link, Pretrial/PBC Justice Services  
Sarah Mooney, WPB Police Department (for Chief Kummerlen)  
Rachel Ondrus, PBC Legislative Delegation  
Jose Perez, Information System Services (ISS)  
Louis Tomeo, Clerk & Comptroller's Office (for Clerk Bock)  
Yasmin River, Department of Corrections (for Rosalyn Baker)

**Staff Present:**

Michael L. Rodriguez, Executive Director  
Arlene Griffiths, Administrative Assistant  
Katherine Hatos, Senior Criminal Justice Analyst  
Shahzia Jackson, Senior Criminal Justice Analyst  
Damir Kukec, Research & Planning Manager  
Rosalind Murray, Criminal Justice Program Development Specialist  
Craig Spataro, Criminal Justice Programs Manager  
Elizabeth Williams, Financial Analyst II

**Temporary Staff:**

Pamela Williams

**Student Intern:**

Ashley Carseni

- I. Chairman William Kramer called the meeting to order and extended welcome to members and guests.
- II. Roll call was taken, but the meeting lacked a quorum.
- III. Chairman Kramer invited guests to introduce themselves.
- IV. Approval of the agenda will be sought at the next CJC meeting.
- V. Approval of the minutes of the September 22, 2014 meeting will be sought at the next CJC meeting.
- VI. Under Chairman's Comments, Chairman Kramer:
  - A. Reported on the Board of County Commissioners (BCC) workshop held on Tuesday, September 23, 2014, where the CJC, lead by Public Defender Carey Haughwout presented on ex-offender reentry.
  - B. Announced the annual Judge Marvin Mounts prison tour scheduled for March 25 to 26, 2015. Chairman Kramer advised of a slot for a CJC member and invited persons interested in participating to contact Michael Rodriguez or Arlene Griffiths.
- VII. Under Executive Director's comments, Mr. Rodriguez:
  - A. Congratulated Arlene Griffiths on her promotion to Senior Criminal Justice Analyst with the reentry team, and reported that a replacement to fill the administrative assistant position is being sought.
  - B. Congratulated Damir Kukec on the birth of his second daughter Isabella Emily Kukec, born Saturday, October 18, 2014.
  - C. Announced the "Operation Green Light" program to be hosted by the Clerk and Comptroller's office to allow persons with a Palm Beach County traffic ticket assigned to a collection agency, to pay the ticket in full without paying the

collection fees. The event, he said would take place at the South County Courthouse and the Criminal Justice Complex on Saturday, November 8, 2014 from 9:00 a.m. - 4:00 p.m. Persons were asked to contact the Clerk's office for more information.

- D. Expressed appreciation to the Spirit of Giving Network" for agreeing to provide Christmas gifts to participants in the "Back To A Future Juvenile Reentry Program.
- E. Announced a "Call to Action Summit "hosted by Mayor Priscilla Taylor in the Commission Chambers, Government Center on November 3, 2014 from 11:00 a.m. to 1:30 p.m. Mayor Taylor added that it is an answer to the call by the President's "My Brother's Keeper". She hopes that information from the summit will also assist in establishing the new county youth division.
- F. Reported that the Public Safety Department obtained a Violence Against Women Grant from the Department of Justice in the amount of \$900,000 to assist with their efforts in combating violence against women.

#### VIII. Old Business

Under old business, Mr. Rodriguez provided an update on the domestic violence trust fund at the request of Chairman Kramer.

Mr. Rodriguez noted that the CJC is yet to receive proposals requested for expenditure of the funds for purposes outlined in the statute.

Mr. Barry Krischer reported that the committee had three meetings with a provider of training on strangulation, and further stated that a budget proposal was submitted and accepted at the last meeting, and should have been submitted to the CJC by Clay walker.

Mayor Taylor inquired about the details of the trust fund since she was not at the previous meetings when the issue was discussed. She remarked about the victims of domestic violence abuse, who out of fear declines to press charges, thereby allowing the perpetrator to go free. She advised of two cases that were brought to her attention where the perpetrators were released from jail because the victims wrote letters indicating that they were not pressing charges. She wondered if this was an issue that the CJC might want to explore as it needs to be looked at.

State Attorney Dave Aronberg commented on the Bond Schedule that the CJC does have input on, and said that it has not been adjusted in years. He further noted that other things such as the "911 call" may be used when the victim refused to cooperate, but emphasized that they are unable to proceed with a case when there is lack of evidence and no cooperating victim.

Mr. Krischer added that he provides training around the State and said that contrary to other jurisdictions, Palm Beach County does not make affidavits of non prosecution available to domestic violence victims, hence a domestic violence victim cannot sign an affidavit to drop the case.

Ms. Nellie King remarked about her experience as a criminal defense lawyer,

saying that if law enforcement gets called out to a domestic violence situation, someone will be arrested. After further discussion, Mr. Rodriguez noted that issues of this nature can be looked at by the Court Systems Task Force.

- IX. Under new business, Nominating Chairman Lee Waring presented the report but approval of same was deferred to the November CJC meeting due to the lack of a quorum.
- X. CJC Initiatives/Updates

- A. Probation Advisory Board Report

Mr. Damir Kukec provided an overview of the Probation Advisory Board (PAB) that is responsible for the monitoring of the service contract and the service provider in Palm Beach County. He apologized for Chairman Judge Leonard Hanser who was unable to attend because of a full docket. He noted that misdemeanor probation services in the county have no ad valorem impact, as clients must pay for the cost of supervision.

Ms. Candee Villapando thanked Damir Kukec for his valuable insight and guidance, and also thanked PAB members, including former Chairman Judge Bonavita for their input in the process, PRIDE staff for providing data and being helpful and accommodating, and PPS for information provided.

She noted that the report represents 2012 fiscal year, and is the last programmatic review that looked at Pride's level of compliance. She stated that it was not a comprehensive review of all the items in the scope of work and the contract, but noted that it address areas that were thought to be most important. Included in the report are the analyzed electronic data for 4,635 terminated cases, a review of 435 randomly selected physical case files, as well as a review of client notes and personnel files. One of the areas of compliance was in the operation as Pride maintained offices in three locations to ensure efficient service of the clients. West Palm Beach location accounted for three fourths of the clients that were supervised, while Delray Beach and Belle Glade accounted for the remaining one fourth. Of the total number of clients supervised, 75.6% were sentenced to misdemeanor and 24.4% to pre-trial interventions (PTI). The report provided various characteristics of the clients supervised which shows that 70% of the total clients are male, 81% white, 58% employed, and 40% with annual household income of less than \$10,000.

Ms. Villapando also highlighted the client characteristics and supervision outcomes, which indicated the clients that were more likely to succeed. The results are females, white, married, those with education greater than high school, those employed, and those with annual income over \$40,000. Included also are clients 55 and older, has no previous arrest, and those who did not violate probation. The overall success rate of clients studied is 72%. It was also noted that Palm Beach County was comparable with Hillsborough County, Broward County and Orange County, but had the best success rate of all. Majority of the offences reported was DUI. With regards to restitution payments, the data showed that Pride was in compliance in mailing checks

within 14 days as required with nine being the average days within which the checks were mailed.

Overall, Pride complied with contract requirements by maintaining the required insurance, licenses, making timely payments of \$2,500 to the county, and in providing complete access to data, records, and personnel history files. Pride also complied with the scope of work requirements in performing criminal background checks and sexual predator search on offenders, verifying and requesting proof of address and employment, completing needs assessment and making referrals to appropriate agencies when needed, and in maintaining court and other related documentation in client files.

Ms. Villapando stated also, that the transition from Pride to PPS was seamless, and that the hiring of 90% of Pride's employees made it an even a more successful transition.

Mayor Taylor inquired about the high percentage (81%) of white versus 18% black clients. Damir Kukec responded that the issue was explored and it was found that about 95% of DUI cases are white males which seem to be the major factor as judges are required to mandatorily sentence probation if convicted of DUI.

#### B. Ballot Amendments

Mr. Todd Bonlarron, Director of Legislative Affairs provided explanation of five amendments on the ballot for the November 4, 2014 elections. He also explained what it means to vote yes or no, and noted some groups that were for or against the amendments.

1. The Florida Water and Land Conservation Initiative - This deals with the water and land conversation and asked voters whether a dedicated source of funding by statute, where one third of net revenues from the existing excise tax and documents should be established for the next 20 years for the purpose land management. This requires 60% of the voters to approve.
2. Florida Right to Medical Marijuana Initiative - This deals with the medical use of marijuana. Mr. Bonlarron noted that the use of medical marijuana is already legal in Florida under the "Charlottes Webb" law, though it is currently not happening because the processes are still under formation. The existing law he said, allows doctors to prescribe in very limited circumstances such as cancer, epilepsy, and severe joint pain a certain form of marijuana in a liquid or pill form. He said that this amendment requires 60% of voters to pass and would potentially create an expanded use of medical marijuana, but would still require a licensed Florida physician practicing in Florida, to indicate that an individual is eligible to use it because of a debilitating disease.
3. Florida Prospective Judicial Vacancies – This amendment deals with the issue of judicial vacancies and would require the Governor to fill

vacancies in a judicial office where election for retention applies as a result of the justice or judge reaching the mandatory retirement age, fails to qualify for a retention election, or was not retained through an election. This requires 60% of the voters to approve.

4. County-wide Question #1 deals with retaining the tax authority for the Children's Services Council of Palm Beach (CSC). Mr. Bonlarron noted that this allow about \$70 of every \$100,000 of taxable value of resident's property to go towards funding the CSC to provide various services for children throughout Palm Beach County. A pass would support continued operation of the CSC and their authority to levy property taxes which would otherwise eliminate those services in June 2015.
5. County-wide Question #2 deals with Palm Beach County School Board and asked for the continuation of an existing program that has been in place for the last four years, where \$25 for every \$100,000 value is levied against residents properties to help fund about 527 current teachers in the area of music, arts, physical education, and career programs that are provided in the community.

After member comments on the amendments, Chairman Kramer thanked Mr. Bonlarron for presenting such a prescient report.

- C. Presentations of the quarterly programmatic reports as well as the Law Enforcement Planning Council update were deferred to the November CJC meeting due to time constraints.

XI. Member Comments

There were no member comments.

- XII. The meeting adjourned at approximately 9:05 a.m.