

Criminal Justice Commission
Court Systems Task Force

Tuesday, February 12, 2013 – 12:00 Noon
McEaddy 12th Floor Conference Room
301 N. Olive Avenue
West Palm Beach, FL 33401
Draft Minutes

Members Present:

Nellie King, Criminal Defense Attorney's Association
John Rivera, Public Defender's Office
Louis Tomeo, Clerk & Comptroller
Deputy Ed Jablonski, PBC Sheriff
Craig Williams, State Attorney's Office
Judge August Bonavita, Judiciary
Michelle Spangenberg, Court Administration
Jasmin Rivera, Department of Corrections
Feirmon Johnson, Department of Juvenile Justice

Staff Present:

Damir Kukec
Michael Rodriguez
Becky Walker

Guests Present: Christy Altero, Dorrie Tyng, Public Safety, Tony Ryan – Office of Criminal Counsel, Pastor Clarence Ellington, PBC Sheriff

I. Welcome:

The meeting was opened by Chairperson Nellie King at 12:10 pm. She thanked Damir Kukec for filling in for Rosalind Murray.

II. Roll Call and Guests:

Mr. Kukec provided a roll call. A quorum was present.

III. Approval and/or Additions to the Draft Agenda

There was a motion made by Deputy Jablonski and seconded by Feirmon Johnson to approve the agenda as presented.

IV. Approval Final December 11, 2012 Meeting Minutes

There was a motion made by Judge Bonavita and seconded by Louis Tomeo to approve the minutes of the December 11, 2012 meeting as presented.

V. Chairman's Comments – Chairman King discussed the fact that there is a new Judge presiding over Adult Drug Court, Judge Caroline Shepherd. She sends her apology she is covering two court dockets today. She also stated that there is another new judge at Gun Club, and it's Judge James Martz. Judge Martz would like to be invited to meetings. Since we are in the midst of so many changes, perhaps this could a great time to look at the processes at Gun Club. Perhaps recommendations on how to divert arrests should be under review. Civil Citations could be a way to work with law enforcement and the State Attorney. Looking at the cost of incarceration versus the benefit to the taxpayer. Mr. Rodriguez stated that the CJC staff is looking at the civil citation program as it relates to juveniles. Michelle

Spangenberg suggested that Book and Release information be reviewed. NTA crimes are discretionary, we should look for patterns.

VI. **New Business:**

- A. **DUI Court** - Discussion has come up among staff members regarding starting a DUI Court in Palm Beach County. It first came up when brainstorming regarding a new Adult Drug Court Grant Application. Nellie King stated that members of the Private Defense Bar met with the State Attorney and he is interested in looking at diversionary programs of which this may qualify. Dorrie Tyng stated that Adult Drug Court is similar to DUI Court with its phases and potential sanctions. Adult Drug Court already has the staffing to implement a program. Mike Rodriguez stated that next step is to see if there is support among the State Attorney, Chief Judge, and Public Defender. CJC would have to approve. Nellie King suggested that statistics on DUI in Palm Beach County would be helpful. Judge Bonavita stated that he would lend his support. Mr. Rodriguez stated he would bring this to the CJC in February. He reminded members that there are statutory requirements attached to DUI crimes.
- B. **Bylaws** – Ms. King reported that there are several issues with the bylaws. They haven't been updated since 2008. There should be an election of a Vice-Chair. Volunteers were requested. There were none. They will defer elections to the Annual Meeting in November. Other issues include adding the Office Regional Council should be considered as we update bylaws of the Court Systems Task Force. The current bylaws also call for a member of the clergy to be on board. Elections should take place in November. There was a motion made by C. Williams, and seconded by F. Johnson to support amending the bylaws to add the Office of Regional Counsel. Ms. King also welcomed Mr. Clarence Ellington, a Chaplain with Palm Beach County Sheriff's Office and a local assistant pastor at St. Paul AME in Delray Beach. He also explained that early in his career he was a law enforcement officer. He stated his interest in serving. There was a motion made by Y. Rivera, and seconded by J. Rivera to elect Mr. Ellington to the Task Force. The motion was approved.
- C. **Adult Drug Court Grant** – Dorrie Tyng reported that she and Rosalind Murray are working on the grant. Women drop out of drug court with a greater frequency. They are hoping to receive funding to create a new track, called female only or single sex track. The grant is worth \$200,000. It will be submitted on or by February 21, 2013 to the US Department of Justice. Adult Drug Court has received two previous grants in recent years which may be held against them.

VII. **Old Business:**

- A. Update on Senate Bill 1960 Mr. Tony Ryan spoke of the efforts by the Defense Bar to make recommendations regarding the Limited Registry. He thanked Judge Blanc for the reaching out to the Defense Bar. They submitted a letter objecting to the new rates.
- B. Presentation to the Board of County Commissioners – The presentation will be prepared after the grant is completed. It will be presented at the Annual Meeting. Michael Rodriguez stated that we will go to the BCC for treatment dollars.

VIII. **Updates and Initiatives**

- A. Adult Drug Court – Adult Drug Court has been operational for 13 years.
- B. Delinquency Drug Court as reported by Ms. Altero is encouraged by the idea of reframing the program to increase participation.

C. **Member and Guest Comments: None**

The meeting adjourned at 1:15 pm. **The next meeting is Tuesday, April 9, 2013.**