

M I N U T E S

MONDAY, July 14,, 2014 – 8:00 a.m.

**PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION
EXECUTIVE COMMITTEE**

McEaddy Conference Room
12th Floor, 301 N. Olive Avenue
West Palm Beach, Florida 33401

Members Present:

Dave Aronberg
James Barr
Jeffrey Colbath
George Elmore
Randy Johnson, Sr.
William Kramer
Gerald Richman
Lee Waring

Members Absent:

Rosalyn Baker
Barbara Cheives
Carey Haughwout
Barry Krischer

E. Wayne Gent
Ex-Officio Executive Committee

Douglas Duncan
Ex-Officio Executive Committee
(Immediate past chair)

CJC Members Present:

Nellie King
Duane Little
Greg Starling

Guests Attending:

Barbara Dawicke, Court Administration
Mike Edmondson, State Attorney's Office
Pamela Eidelberg, County Attorney's Office
Brian Fernandez, State Attorney's Office
Michael Gauger, PBSO (for Sheriff Bradshaw)
Alma Lewis, Pretrial/PBC Justice Services
Jenise Link, Pretrial/PBC Justice Services
Jennifer Loyless, Public Defender's Office
Louis Tomeo, Clerk & Comptroller's Office

Staff Present:

Michael L. Rodriguez, Executive Director
Arlene Griffiths, Administrative Secretary
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 Spatara, RESTORE Initiative Program Manager

Temporary Staff:

Pamela Williams

- I. Chairman William Kramer called the meeting to order.
- II. Roll call was taken and a quorum was present.
- III. Chairman Kramer welcomed members and invited guests to introduce themselves.
- IV. The agenda was unanimously approved after motion by Mr. George Elmore and second by Chief Judge Jeffrey Colbath.
- V. The minutes of the April 14, 2014 meeting were unanimously approved after motion by Chief Judge Jeffrey Colbath and second by Mr. James Barr.
- VI. Under Chairman's Comments, Chairman Kramer advised that 26 Palm Beach County law enforcement officers graduated from the Gang Resistance Education and Training (GREAT) on June 26, 2014, saying that the officers will soon be putting their skills to practice in community centers and schools. Special thanks were expressed to the Boca Raton Police Department for the training facility, ATF for assistance in bringing the trainers to Palm Beach County and to the School Police, Riviera Beach Police Department, and PBSO for their commitment to prevention. By using local resources and partnerships, Palm Beach County law enforcement agencies saved \$55,640, which he said, was mainly for traveling expenses that allowed the training to take place locally.
- VII. Under Executive Director's comments, Mr. Rodriguez:
 - A. Reported that the CJC partnered with CareerSource for a grant totaling \$473,268 for the first year from the Office of Minority Health's Youth Empowerment Program II to enhance the existing service platform at Youth Empowerment Centers (YECs), with the ultimate goal of healthier life choices for youth, thus creating more opportunities that contribute to a more positive lifestyle. Enhancements offered at the four YECs include mentoring, career navigation and workforce activities leading to employment, and remediation with 60 targeted youth, age 12-18. He noted the possibility of applying for the second and third year if the project goes as planned for the first year, and said that updates will be provided accordingly.

Mr. Rodriguez noted that staff continues to actively seek partners where possible for competitive grants so that the workload is not entirely on CJC staff to do the monitoring and the financial auditing. The above grant is one such example.
 - B. Advised of a video airing on channel 20 with Mayor Taylor featuring reentry initiatives in Palm Beach County.
 - C. Also advised of a video on the history of blacks in West Palm Beach that was

filmed, produced, and edited by the youth empowerment center.

- D. Provided an update on the budget. He reported that notification of the formula grant dollars in the amount of \$341,227 was received with limited days for submission. He noted that a finance committee meeting will be scheduled to recommend allocation of total available funds (\$800,000 to \$900,000) to the executive committee in August and ratify same at the full September meeting or to the full CJC at a special call meeting in August. Members voted to proceed with the finance committee's recommendation to the executive committee at the August 11, 2014 and for ratification by the full CJC in September. Mr. Waring remarked about the general categories breakdown of each programs as discussed in a previous meeting.

Mr. Rodriguez commented on the difficulties of doing so until the allocations are made

VIII. Business Consent Item

There were no business consent items.

IX. Old Business

There were no old business items for discussion.

X. New Business

- A. Under New items, Chairman Kramer commented on the Batterers Intervention Program brought to the Commission by CJC member Barry Krischer where the need to determine its effectiveness was highlighted. He noted that Mr. Rodriguez and staff have since gathered information and said that in his opinion, staff should continue to gather information and compile a list of other programs that may have been legislatively approved but have no clear mechanisms in place for feedback. Chairman Kramer drew attention to a preliminary response/report received from the Batterers Intervention Committee of Palm Beach, and further commented on the CJC's role of suggesting ways to make the criminal justice system more efficient and effective. Members were invited to provide feedback.

State Attorney Dave Aronberg objected to the report, saying that it was incorrect. He highlighted the first two sentences of the fourth paragraph on page 2, which reads "The states attorney's office and public defendersstrong belief in "contributory abuse"." He said that in reading the report, it blames the police, the legislators, the states attorneys, and the public defenders, and further noted that it fails to highlight the lack of cooperation from victims in prosecuting these cases, that he said was a real issue.

Chairman Kramer advised that it was not the CJC's report, and pointed out that it was the first piece of documentary evidence that resulted from a lot of needling pressure and efforts from the executive director and staff to get some information. He noted that there is no evident process where monitoring is taking place, and further stated that while the report is inadequate, it was the beginning of the process.

Chief Judge Colbath questioned who might be in the best position to gather the information on the history and current status of the batterers intervention program, and wondered if grantfunds might be available to hire someone to do same. He volunteered to help in this regard, since he is able to get the statistics about what happens. He also noted that the courts too would be subjected to not being biased as they are a part of the process, and said that ideally, somebody disconnected and unrelated to the players involved should criticize and provide an overview of the process, noting that it is ultimately about making the program more effective.

Chairman Kramer remarked about putting programs on the books with no mechanisms for monitoring. He further remarked about the CJC bringing collective voices on issues such as BIP, and noted that he would like a consensus and recommendations made based on the facts.

Ms. Nellie King provided a background on the issue, saying that it was presented to the Court Systems Task Force for review. She pointed to a packet from the Ninth Judicial Circuit and commented on the statutory changes made. She noted that the Department of Children and Families (DCF) monitored to ensure compliance, but said that the legislator changes no longer involve DCF in the process. The statute she said, requires the community to coordinate efforts for these programs, and further reported that while the regulation was still in place, there was no oversight at the state level. She reported that herself, Michael Rodriguez, and Rosalind Murray attended a number of the Batterers Intervention meetings and discovered that they operate based on the honor system in terms of compliance with state regulations, but noted that the process is closed to new providers wanting to get involved, noting that it was a “free for all.”

Ms. King expressed concerns not only with the partners providing their own oversight, but also with how old the statutory change was, saying that Palm Beach County was way behind the curve on this. She noted that Orange County established a non-profit with a staff dedicated to doing this work and also created an entire board to oversee what goes on in the County. She said that while she is not advocating for Palm Beach County to respond as Orange County did, she feels that the statute requires some response, and in her opinion needs an intense study immediately.

Mr. Gerald Richman commented on his comment from the previous meeting about wasting funds to evaluate a program that is not working, and inquired if it was a state-wide issue. Ms. King responded that because the programs are statutorily mandated they have to work, and question whether there are providers that are DCF compliance. She feels that a framework first needs to be established to provide a balanced approach in determining the effectiveness.

Mr. Rodriguez added that there is a DVIS system housed at the states attorney’s office that is used by the providers, hence the mechanism in place to get some data from the providers or the states attorney’s office.

Chief Judge Colbath agreed with Ms. King about the need for a frame work, and offered to take on the task, but said that he would need staff to help in this regard. He would set up guidelines and get the state, probation and other players that needs to be involved, as he feels that the courts is in a position to call the providers.

Mr. Rodriguez advised of a conference that he would be attending where the issue was on the agenda for discussion. He hoped to gather additional information regarding what happen in other counties. Chief Deputy Michael Gauger suggested that the domestic violence investigators and advocates who work with the women be included on the team to study the issue. He referred to the DUI classes commenting that it is the quality of the instructor that sometimes matter.

Mr. Mike Edmondson commented on his time at the Children's Services Council and their focus on evidenced based programs as a formal process for outcomes, noting that it is the direction that Tallahassee is also going, which he said could be a problem as there were not many such programs out there.

Chairman Kramer questioned how the CJC can be most constructive in helping changes come about and making these programs better even though they are not funded by the CJC. He further noted that while the CJC does not have a specific role, it can play a role in improving same since it was brought to the CJC's attention.

A decision was reached for the issue to be brought back to the Court Systems Task Force for additional work before coming back to the CJC.

- B. Mr. Rodriguez advised of a number of issues that were brought to his attention since the last CJC meeting, one of which was the issue of DUI school treatment. He reported that there are two DUI schools in the County, mandated by legislation, and are certified and monitored by the Department of Highway Safety and Motor Vehicles. He noted that as part of the DUI schools some offenders are required to do substance abuse or mental health treatment beyond the school. Each school, he said has a list of providers that are given to the offenders from which to choose a provider, but said that one provider complained about the close relationship between one of the schools and a provider. This it is alleged, has resulted in most of the referrals going to that one provider, who happens to be down the hall way from the school, and also charges less for treatment than other providers. He said there seems to be no formal link between the school and the provider except having the same agent of incorporation, and questioned whether this is something the CJC wants to take on.

Mr. Edmondson remarked about accusation also received by the state attorney's office regarding offenders requiring additional counseling.

Mr. Douglas Duncan commented on his comments from the previous meeting regarding the BIP program and his suggestion to also look into the DUI issue, as additional treatment/counseling is often required after attending DUI

schools. He said that it seems like 99.9% of offenders in Palm Beach County goes for additional treatment while in some counties no offender goes for additional treatment.

Chief Deputy Gauger commented on his experience teaching in the DUI program for 33 years, stating that the majority of first time offenders are alcoholics. He remarked about the high recidivism rate for those who get arrested for DUIs, and noted that the evaluation and further treatment benefits offenders as it provides the opportunity for intervention. He said that it takes time to work through the addiction process for individuals to make change.

Ms. King added that the issue is not just with the BIP and DUI programs, but that there are others including the sex offender treatment programs, and gave an example of a client that is being treated for over ten years. She said that the issues need to be looked into but questioned whether the resources are available or whether funding can be identified for same. She feels that the CJC should start with the BIP, and preferably using someone from the outside to do the study.

Chairman Kramer commented on his discussion with executive director Rodriguez, where he requested that a list of candidates for review be established to look at the processes and to also look at how they can be funded. The findings and recommendations would subsequently be presented to the Board of County Commissioners for action.

After further discussion, there was agreement that the programs must be prioritized based on available resources and that the CJC could start with BIP program and compile a list of inventory of other programs to be addressed.

XI. Member Comments

There were no member comments.

XII. With no further items for discussion, the meeting adjourned at approximately 9:00a.m