

Palm Beach County Criminal Justice Commission
LAW ENFORCEMENT PLANNING COUNCIL

Thursday June 4, 2009

Clayton Hutchinson Agricultural Center
Exhibit Hall "B"

559 North Military Trail
West Palm Beach, Florida 33415

MINUTES

Members Present

Chief Mangold, Atlantis
Chief Alexander, Boca Raton
Chief Ward, Gulf Stream
Chief Matt Immler, Boynton Beach
Chief Hartmann, Highland Beach
Chief Weiner, Juno Beach
Chief Crane, South Palm Beach
Mike Waites, SAO
Chief Kelly, PBC School District PD
Mike Driscoll, FDLE
Chief Kitzerow, Jupiter
Pete Garcia, TSA
Carol Owsiany, FI Div of Alcohol & Tobacco
Director Ludos, Greenacres
Chief Stepp, Palm Beach Gardens
Chief Lincoln, Lantana
Chief Hillery, Ocean Ridge
Chief Walker, Manalapan
Sheriff Bradshaw
Chief Kniffin, Palm Beach Shores
Chief O'Neill, North Palm Beach
Chief Williams, Riviera Beach
Matthew Lynch, Secret Service
Eddie Thompson, Customs & Immigration
David Serman, FWC

Advisory Members Present

Michael McAuliffe, State Attorney
Director Schroeder, CJ Institute
Joni Livingston, FDLE
Feirmon Johnson, DJJ
Rolando Garcia, US Atty
Roselyn Baker, DOC

Guests

Jeff Tyson, Lantana
Michelle Miuccio, Boca Raton

Dave Kelley, Palm Beach Shores
Ed Brewer, School Police
Scott Deatley, Jupiter
Mike Edmonson, SAO
Todd Weicholz, Statewide Prosecutor
Jim Edwards, DCF
Barbara Dawicke, Court Admin
Charlie Orlando, Greenacres
Patricia Vasquez, DCF
Michelle Spangenberg, Court Admin.
Elizabeth Parker, SAO
Nancy Dixon, Victim's Services
Sherry Howard, PBC
Reggie Scurry, Jupiter
Jeno Wells, Riviera Beach
Yasmin Rivera, DOC
Mike Reardon, PBSO
Bob Price, LW Criminal Justice Academy
Robert Perez, Palm Springs
Barry Krischer, PBSO
Nancy Grimes, PBSO
Marty Millar, Mayor South Palm Beach
Brian Smith, Juno Beach
Chris Yannuzzi, Ocean Ridge
Tara Kirschner, Dori Slosberg Foundation
Dr. Paul Bryan, Woodlake Psychological
Wayne Pickering, US Marshal
Jim Stormes, PBSO
Penny Anderson, PBC ISS
George Sanders, IRS-CI

CJC Staff

Wayne English
Katherine Hatos
Jenise Link
Becky Walker

- I. Chief Walker called the meeting to order and welcomed everyone.
- II. Roll call was conducted and a quorum was present.
- III. Guests introduced themselves
- IV. The agenda was unanimously approved.
- V. Minutes from the May 7, 2009 meeting were unanimously approved.
- VI. Chairman's Comments
 - A. The Chair announced that the July 2 LEPC meeting will be held as scheduled on July 2.
 - B. The Chair announced that the LEX Board Executive Committee meeting scheduled to follow this meeting has been cancelled and will be rescheduled.
 - C. The Chair Congratulated Kirk Blouin on his appointment as Chief at the Palm Beach Police Department.
- VII. Presentations
 - A. Sherry Howard of PBC Legislative Affairs gave a Legislative Update. There were several increases in funding for the courts and associated fees such as the surcharge for criminal and non-criminal traffic violations. Fees that the Sheriff can charge for civil process service were increased. The fee for reckless driving and failing to stop for a school bus was increased by \$55 with the monies going to support trauma centers. Fees for offenses against minors were increased by \$50. A bill was passed requiring the evaluation of zero tolerance policies in schools was passed. A bill requiring that DNA samples be taken from anyone arrested for certain felonies passed. The very important Prescription Drug Monitoring law passed.
 - B. Rosalyn Baker introduced Captain Bob Price of the Lake Worth High School Criminal Justice Academy. Captain Price gave an overview of the Academy. An Advisory Board chaired by Chief Walker has just been instituted. Internships for the students are very important and agency sponsors are needed. Guest speakers and trainers are also needed to interact with the students. Any equipment or assistance would be appreciated.
 - C. Liz Parker from the SAO and Michelle Spangenberg from Court Administration gave an overview of the Fast Track Program. It has been in place for about a year and targets low level felonies such as drug possession. No violent cases or victim cases are plead. The offenders must have either no or very minor arrest records. The SAO reviews incoming cases for ones that qualify. An offer is made to the PD for a felony conviction and court costs if the offender wants to accept responsibility at first appearance and pleads guilty. An advantage to the agencies is that a letter is sent the next day with the outcome of the case and the officer does not need to do a filing package or come to court or depositions which saves a great deal of time. The program also helps to reduce the jail population by

expediting the handling of these cases. The average nights in jail for these type of cases has dropped from 20 to 1 and the total cost inmate dropped from \$1845 to \$86. Chief Williams asked if information was available by jurisdiction and pointed out that some of these quality of life crimes were important to some agencies who would not want some defendant's right back on the street. It is possible to let the program know if there is a particular case or defendant that should not go through the program. Defendant's with multiple arrests will not be allowed in the program to avoid creating a "revolving" door.

D. Michelle Spangenberg from Court Administration gave a Court Administration Update. She noted that on February 9, 2009, Judge Lucy Chernow Brown formed a committee consisting of stakeholders involved in the Criminal Justice System. The Committee was tasked with reviewing current practices relating to Preliminary Violation of Probation (PVOP) hearing for in-custody defendants. On March 2, 2009, the committee met and determined that these hearings should be held at the Criminal Justice Complex on Gun Club Road. Further, the committee found that this would be a cost saving to Palm Beach County, as this will reduce the number of defendants transported to the main Courthouse. This might also reduce the jail population if inmates are released pending a preliminary hearing. The pilot project commenced on March 16, 2009 and saved \$127,409 in the first 3 weeks of operation. Committee meetings occur on a regular basis to identify any necessary procedural amendments. LEPC members are welcome to participate in the committee meetings. A future goal is to include misdemeanor cases.

E. Michelle Spangenberg gave an overview of the Courts Mental Health Specialty Division. She noted that On January 20, 2009 the Fifteenth Judicial Circuit implemented the Mental Health Specialty Division, which handles all "Incompetent to Proceed" cases. Cases are identified as such by the Mental Health Case Manager, a position funded through the CJC and the Palm Beach County Board of Commissioners. Cases are tracked to ensure that expert reports meet statutory requirements and are timely filed. Further, the case manager identifies gaps or trends in the way we process these cases and what services are available in our community for the particular mental health issue involved. Since the division's inception, approximately 45 cases have been temporarily reassigned to Judge Krista Marx. The Mental Health Case Manager found that the majority of these defendants are incarcerated at the time that a Motion for a Competency Evaluation is filed; therefore, in an effort to save in transportation costs, this docket has been relocated to the Gun Club Annex. Hearings are held on Friday mornings. Mr. McAuliffe noted that his office as appointed a competency counsel to better handle competency cases.

F. Chief Walker gave an update on the Legal System Accessibility for the Deaf, Hard of Hearing and Deaf-Blind. The numbers of people effected by hearing loss nationally and locally are huge. About a year ago the Legal System Accessibility for the Deaf, Hard of Hearing Task Force was formed in a statewide effort to address problems of the deaf in dealing with the legal system. TF members are from all aspects of the legal community and experts on hearing loss. Funding for a training curriculum was obtained. Work is almost complete on the training course. A number of local agency people participated in the training video. A complete training package will be furnished to every agency.

G. Tara Kirschner and Lt. Reardon from PBSO gave an overview of the Staying Alive on 95 Program. IT has been expanded to include all Florida roadways. A press conference followed by a dinner will be held on June 30 at the Boca Town Center.

VIII. Updates/Discussion

- A. Becky Walker and Katherine Hatos from the CJC presented the Rapid Response Team 2008 annual report. The Team was started in 1995 to better work together in cases of critical injuries to children or unexpected child deaths. Meetings are held quarterly to review the process and the cases. The 2008 cases were discussed. There was a 25% reduction in the number of cases last year. The recommendations from the report include: Agencies need training on the Rapid Response Team process, need a protocol for resolving issues between counties, increase parental awareness about the dangers of co-sleeping and keep communications with the medical examiner open.

IX. Committee Reports

- A. Chief Crane gave an update on the Traffic Hearing Committee. The committee met on May 15. Ticket dismissals were discussed at length. A new form is being designed that that will require the signature of a court official (no final decision as to who as of yet) on a dismissal request form. There is an upcoming site visit by the State Justice Institute Immigration in the State Courts Project to discuss issues of immigrants and drivers licenses. The immigrant drivers license issue was discussed at length. Chief Crane and Lt. Reardon will represent law enforcement at the meetings. The Sheriff discussed the issue of ticket dismissals. He would like a reason for the dismissal on the form and for a copy to go to the officers supervisor. The Committee will continue to work on the issue. It was suggested that a model policy might be helpful and the committee will look at that.
- B. Chief Lincoln gave a Pandemic Committee Update. The committee will continue to monitor the situation. A meeting is planned within the next month to discuss the status of the situation.

X. Old Business

- A. The issue of the FDLE charging tables and the booking process was discussed. Mr. McAuliffe said that he and his staff are looking into it and will report back in July with a recommendation.

XI. New Business

- A. The Sheriff reported that because of budget cuts he will not be transporting prisoners for the municipalities after October 1. This is an \$800,000 item. He is trying to find a way to continue the service but can't as of now. He will assist with transportation in exigent circumstances. Funding for the JAC was also discussed.
- B. Chief Kelly reported that the State Grants portion of the Safe and Drug Free Schools and Communities (SDFSC) program was being defunded and asked members to address their Congressional Representatives about restoring the funding. A web site with the information was distributed.

XII. Liaison Reports

- A. Major Stormes gave an update on HIDTA. He discussed HIDTA funding and noted that Palm Beach County is expected to get at least some funding.

- B. Chief Kitzerow Gave an update on LEX. He noted that all agencies have access to LEX except for Lake Clarke Shores and South Palm Beach where connectivity issues are being resolved. West Palm Beach has requested \$30,000 in grant funding for LEX. "User Contribution Forms" will be sent to members to cover their share of costs.

- C. Director Schroeder gave an update on the Criminal Justice Institute. A written report was also provided in the agenda package. Construction on the new range was begun. The Trust Fund was approved at \$67 per officer.

XIII Member Comments

XIV. Adjournment