

M I N U T E S

MONDAY, April 28, 2008 - 8:00 a.m.

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION MEETING

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

Members Present:

Stephen Barborini
Joseph Bernadel
Ric Bradshaw
Steven Burdelski
Barbara Cheives
Max Davis
Mike Driscoll
Douglas Duncan
Rolando Garcia
Carey Haughwout
Feirmon Johnson
Randolph K. Johnson, Sr.
Barry Krischer
Kathleen Kroll
Wesley Lauer
Martin Millar
Gerald Richman
Debra Robinson
Stephen Stepp

Members Absent:

Commissioner Burt Aaronson
Moses Baker
Rosalyn Baker
James Barr
Mitch Beers
Sharon Bock
Delsa Bush
George Elmore
Rolando Garcia
William Kramer
Luis Perez
Maria Sachs
Richard Staudinger
Carmen Veneziano

Art Johnson (Ex officio Exec.
Committee)
Harry A. Johnston, II (Ex officio
Exec. Committee)

Guests Attending:

Karen Heidtman, Clerk & Comptroller
James Kelly, PBC School District Police Department
Michael McAuliffe, McAuliffe Law Group
Michelle Spangenberg, Court Administration

Staff Present:

Michael L. Rodriguez, Executive Director
Journey Beard, Crime Prevention Project Specialist
Arlene Burton, Administrative Secretary
Wayne English, Sr. Criminal Justice Analyst
Jenise Gibson, Sr. Criminal Justice Analyst
Katherine Hatos, Criminal Justice Analyst
Damir Kukec, Research & Planning Manager
Rosalind Murray, Program Development Specialist
Glenna Nowalk, Clerical Specialist
Brenda Oakes, Youth Violence Prevention Planning Coordinator
Mike Szakacs, Financial Analyst II

Candee Villapando, Criminal Justice Analyst
Becky Walker, Criminal Justice Programs Manager

- I. Vice Chair Barbara Cheives called the meeting to order at 8:10 a.m. She apologized for Chair Barr's absence, as he was unable to attend due to a family emergency.
 - II. Roll call was taken and a quorum was present.
 - III. Vice Chair Cheives welcomed members and asked guests to introduce themselves. She specially welcomed Joseph Bernadel to his first CJC meeting and advised that he is the Chief Operating Officer of the Toussaint L'Ouverture High School for Arts and Social Justice.
 - IV. The agenda was unanimously approved.
 - V. The minutes of the March 24, 2008 full Commission meeting were unanimously approved after motion by Randy Johnson and second by Chief Stepp.
 - VI. Under Chairman's Comments, Vice Chair Cheives announced that:
 - A. Chair Barr has not had an executive meeting for a while as it was decided if there was no reason for a meeting, he would not have one, but that May's meeting will be held.
 - B. Florida State University (FSU) College of Criminology Center for Public Policy presented the first year evaluation of the youth empowerment centers to the Board of County Commissioners (BCC) on Tuesday, April 22, 2008 at 3:00 p.m. She remarked that the presentation went extremely well and that the comments from FSU were positive. A number of youth served by the centers were in attendance and provided testimonies of the tremendous help they and others are receiving through participation at the centers. The County Commissioners expressed concerns and sought clarification on various issues that require further input from the CJC. Mr. Rodriguez highlighted the following concerns:
 - a. Commissioner Koons enquired whether the CJC was encountering resistance to meeting some of the goals that are not yet met, and volunteered his assistance in that regard. A meeting with the Commissioner is being scheduled.
 - b. Commissioner Aaronson was particularly concerned with the break-down of recidivism rates and whether it was uniform across the site. There was also the discussion about mixing the "bad kids" with the "good kids", which according to Mr. Rodriguez, is the purpose of the program to help kids that are having problems.
 - c. Commissioner Santamaria committed to acting on getting Belle Glade up and running within the next 60 days, since Belle Glade's difficulties in finding a suitable facility was the most crucial concern for them.
- Mr. Davis added that the comments were great and commented that the kids did a wonderful job. He also noted that the Sun Sentinel was in attendance and published a good article. He highlighted the improved relationship between law enforcement and the youths, and thanked the Sheriff for his efforts and the tremendous amount of work he has put into the program.

Vice Chair Cheives reported that Mayor Lois Frankel and Chief Delsa Bush, who also attended the presentation, expressed their satisfaction with the program and their commitment to its future.

Mr. Rodriguez thanked other CJC members for attending the presentation.

- VII. Under Executive Director's Comments, Mr. Rodriguez announced that CJC will be celebrating its 20th anniversary with a breakfast meeting at the Palm Beach County Convention Center on Monday, August 11, 2008 at 8:00 a.m. Details of the event are yet to be determined.
- VIII. Business Consent item(s)
There were no business consent items.
- IX. Old Business
There were no old business items for discussion
- X. New Business
- A. Unanimously approved the Law Enforcement Planning Council's request for CJC's support letter for continued funding by the BCC for the Traffic Hearing Officers Program after motion by Mr. Barry Krischer and second by Mr. Randy Johnson.
- Chief Judge Kroll explained the Traffic Hearing Officer Programs, highlighting that it resides at the Court and handles about 3,000 traffic hearings per week throughout the County. Private Attorneys preside over these cases under contract with the court, at a rate of \$50/hour. Regrettably, the State has decided to cut funding effective March 15, 2008 and the County agreed to pick up the tab since they receive about \$2 million from the revenues obtained from traffic hearings. She said there is a Senate Bill for funding of about \$1 million statewide which is far less than what is required to run the programs.
- State Attorney Barry Krischer added that the Court currently handles an incredible amount of cases and that if traffic cases are added to the system, we will have less resources to deal with more serious cases. He said the County has no alternative but to take it on, as the State will not fund it.
- B. Ms. Rosalind Murray in her brief on the *Second Chance Act*, reported that it was signed into law on April 9, 2008 but that there was no money associated with the Bill, hence the call for support letters to Senate and Congress.
- Dr. Robinson suggested that the support letter be emailed to CJC members for dissemination to their network of contacts.
- Members unanimously approved recommendation by CJC staff for letter of support from the Criminal Justice Commission for Second Chance funding after a motion by Dr. Debra Robinson and a second by Mr. Randy Johnson
- XI. CJC Initiatives / Updates
- A. Mr. Rodriguez presented the proposed CJC FY09 budget, highlighting the programs currently being funded and the source of funding. He advised that the

budget reflects a 5% reduction in ad valorem dollars as requested of all departments by County Administration. Nationwide there is a 67% reduction in federal grant money and it is expected that the CJC will lose some funding. However, he said, that there is movement federally to have some of that money restored, but was unsure of the amount. He noted that we should know more sometime in late May.

Mr. Krischer explained that he is allowed to collect cost of prosecution and has been charging \$50 for misdemeanors and \$100 for felonies, which he said is well below the cost of prosecution. Approximately 50% of the funds collected are deposited into the Drug Abuse Trust Fund (DATF) for funding of beds for a drug diversion program; and the other 50% goes towards the cost of prosecution. According to Mr. Krischer, the Legislature has directed him to use these funds to pay salaries for prosecutors. He added that there is no guarantee of the amount that will be collected, since collection will decline as the economy declines. As a result, the State Attorney can no longer fund treatment beds thereby requiring another revenue stream for DATF. His understanding, however, is that there is enough money to continue through October 2008, and he will also put in some funds from his Money Laundering Taskforce to extend it through December.

Mr. Rodriguez advised that this creates a problem for the CJC and while he has already moved funds around, he is concerned about the revenue balance. He said this is the worst case scenario but is hoping that we will get more federal funds than anticipated, although the County could also request further cuts. CJC is also working with Courts Administration and Justice Services on a grant that will provide treatment money, and another grant was also identified which the CJC is currently exploring for treatment dollars.

Chief Judge Kroll asked that the CJC look at all the programs in an evaluation sense to ensure that available money is spent in the best way. She also noted that Civil Drug Court received a grant this year and that they contacted her about services, which she declined, since it doesn't seem feasible for the amount of money being spent.

Dr. Robinson questioned what we were paying for, as she recalled that while doing private practice, when people were sent to the drug court they would be de-toxed, thus providing only a short-term remedy. She thinks that with the budget situation, now is a good time to explore a better way.

Chief Judge Kroll noted that the drug farm is a great program and questioned how it fit into the drug treatment program and strategy in the County. She questioned whether we were receiving state money from those programs and if so, whether we could convince the state to give more, saying that we need to start looking at those programs with a view to obtaining money for treatment programs.

Public Defender Carey Haughwout enquired about using the Crime Prevention Funds for drug treatment. She pointed out that other areas of criminal justice are losing positions and that CJC should also look at positions that can be cut. She emphasized the importance of providing direct services, and expressed an interest in a comparison of the 2008 and 2009 budget.

After further discussion about the budget, there was a consensus for staff to review the budget and bring back to the CJC full meeting in May.

- B. Ms. Jenise Gibson provided an overview of the Public Safety Coordinating Council/Corrections Task Force in which she highlighted the mission and memberships as well as an update on each activity. The subcommittees are Nebbia Hearings, Conditional Releases and Bail Bond Forfeiture. The current activities include:

- Jail Population & Juvenile Detention Population monitoring
- Mental Health & Substance Abuse
- Weekender Program at the Jail
- Public Defender's Office Pilot ID Card project at the Main Jail
- Alternatives to Incarceration
- Additions to Membership (including Clergy/Faith Based Organization)

Mr. Duncan commended Ms. Gibson on the tremendous work she consistently produces and spoke of her effort in ensuring the success of the Task Force.

Commenting on a point made by Ms. Gibson about the concerns of the rising jail populations, Sheriff Ric Bradshaw reported that there is a Bill currently in Tallahassee to change the sentencing for misdemeanor offences to county jails to run up to 18 months. When a Judge sentences a person to a year and a day, rather than spending that time in the State correctional system, they will be brought back to the county jail. He said this would cost the Sheriff's office another \$750,000 per year and is trying to get it quashed if possible, noting that it is just another way the State tries to shift things to the County.

Mr. Rodriguez remarked that there is a number of interesting Bills in the Legislature, one of which calls for a money bond in cases where an individual is sentenced to felony probation. He is not sure of the status of this Bill.

- C. Mr. Damir Kukec presented the results of the CJC Satisfaction Survey recently conducted among CJC members. A total of 19 responses were received representing 58% of surveys distributed. The overall ratings proved that CJC members are satisfied with staff performance. One area of note for improvement is the marketing of CJC. Mr. Kukec advised that staff are in the process of addressing this area with, for example, Taylor Production. Another area was identifying priorities, planning and budgeting, which are also being addressed. He emphasized that this survey meets a County requirement to report on staff performance and will be carried out two times per year. He encouraged members to advise staff of their needs, suggestions and comments, even without the survey.

XII. Member Comments

There were no member comments.

There being no further business before the Commission, the meeting adjourned at approximately 9:10 a.m.