

M I N U T E S

MONDAY, December 14, 2009

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

FULL COMMITTEE MEETING

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

Members Present:

Rosalyn Baker
James Barr
Peter Blanc
Delsa Bush
Barbara Cheives
Max Davis
Douglas Duncan
George Elmore
Rolando Garcia
Carey Haughwout
Matt Immler
Feirmon Johnson
William Kramer
Kathleen Kroll
Michael McAuliffe
Gerald Richman
Charles Shaw
Lee Waring

Members Absent:

Stephen Barborini
Joseph Bernadel
Flynn Bertisch
Sharon Bock
Ric Bradshaw
Ted Deutch
Mike Driscoll
Randolph K. Johnson, Sr.
Wesley Lauer
Marti LaTour
Karen Marcus
Luis Perez
Debra Robinson
William Stern
Carmen Veneziano

Harry Johnston, II, (Ex-Officio Executive Committee)

Incoming Member Present:

Monroe Benaim, School Board

Guests Attending:

Edith Bush, Community Advisory Board
Joanne Cameron, PEACE/St. Andrew's Church
Debra Carter, PEACE/St. Andrew's Church
Khallid Carter, PEACE/St. Andrew's Church
Mary Carter, PEACE/St. Andrew's Church
Barbara Dawicke, Court Administration
Kevin L. Jones, PEACE/Tabernacle Baptist Church
Mayor Marty Millar, Town of South Palm Beach
Stephanie Paroliu, PEACE
Jim Kelley, School District
Shelby King, Palm Beach Sheriff's Office
Louis Tomeo, Clerk & Comptroller

Staff Present:

Michael L. Rodriguez, Executive Director
Journey Beard, Crime Prevention Project Specialist
Arlene Burton, Administrative Secretary
Wayne English, Sr. Criminal Justice Analyst
Shahzia Hashmi, Intern
Katherine Hatos, Criminal Justice Analyst
Damir Kukec, Research & Planning Manager
Jenise Link, Sr. Criminal Justice Analyst
Rosalind Murray, Program Development 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. Chairman Barr called the meeting to order at approximately 8:02 a.m. Welcome was extended to members and guests.
- II. Roll call was taken and a quorum was present.
- III. Chairman Barr invited guests to introduce themselves.
- IV. The agenda was unanimously approved after motion by Mr. Elmore and second by Mr. Davis
- V. The minutes of the November 23, 2009 full commission meeting were unanimously approved after motion by Mr. Davis and second by Mr. Elmore.
- VI. Under Chairman's Comments Chairman Barr :
 - A. Extended welcome to Judge August Bonavita the new County Criminal Administrative Judge which effective as of November 6, 2009. Judge Bonavita replaced Judge Sandra Bosso-Pardo, and is also the new Chair for the Probation Advisory Board.
 - B. Reminded persons to use the microphone when speaking so that everyone can hear.
- VII. Under Executive Director's Comments, Mr. Rodriguez:
 - A. Reported that County Commissioner Priscilla Taylor and the Criminal Justice Commission's Weed and Seed program hosted a Re-entry Transition Fair Employer Reception on Monday, November 30, 2009 at the West Palm Beach City Hall. The reception was sponsored by A & Associates, a local temporary staffing firm owned by Andrew Luchey. Speakers included Commissioner Taylor, Chief Judge Peter Blanc, Public Defender Carey Haughwout among others. He said the reception was well attended and has hopefully impacted the employers in attendance.
 - B. Announced the second Re-entry Transition Fair to be held at the Salvation Army (600 N. Rosemary Avenue, West Palm Beach) on Friday, January 29, 2010 from 10:00 a.m. to 2:00 p.m. He noted that the Fair is designed to connect ex-offenders to services in our community. Members and guests were invited to attend.
 - C. Encouraged members to complete the satisfaction survey. This he said is a part of the CJC's reporting to the County on performance measures.
 - D. Advised that the CJC recently became aware of a fund that has been set up for a

number of years for the Juvenile Assessment Center (JAC) which has never been used. He said there is approximately \$230,000 available and that with the CJC's permission, he would like to establish a sub-committee of interested persons currently working at the JAC to assist with the decision on how best to use these funds. Ms. Cheives agreed to chair the sub-committee.

VIII. Recognition of 2008-2009 Chairman

Incoming Chair, Barbara Cheives presented the Chairman's gift to outgoing Chair James Barr for his outstanding leadership and guidance over the two years.

Mr. Rodriguez in presenting the Commemorative Scrapbook to Mr. Barr, thanked him for always being available to help and for making his own job less difficult.

Mr. Barr thanked the CJC members and staff for their support over the two years.

IX. Annual Recognition Presentations

Presentation was made by outgoing Chair James Barr to the following committee and task force chairs for their dedication and commitment:

Sandra Bosso-Pardo, Probation Advisory Board
Edith Bush, Community Justice Service Center – West Palm Beach
Douglas Duncan, PSCC/Corrections Task Force
Rolando Garcia, Weed and Seed Steering Committee
Jack Goldberger, Court System Task Force
Carey Haughwout, Re-Entry Task Force
Harry Johnston, Re-Entry Task Force
Jeff Koons, Mental Health and Substance Abuse Planning Committee
William Kramer, Finance Committee
Clay Walker, Law Enforcement Planning Council

Judge Bosso-Pardo, Jack Golberger and Clay Walker were not in attendance.

The following outgoing members were recognized for their service and contribution to the Commission:

Joseph Bernadel, Economic Development Council
Matt Immler, Chiefs of Police Association
Martin Millar, Municipal League
Debra Robinson, School Board

Mr. Bernadel and Dr. Robinson were not in attendance.

X. Swearing in of 2010 Officers:

The Honorable Chief Judge Peter Blanc administered oaths of office to incoming officers Barbara Cheives, Chairman; Douglas Duncan, Vice Chairman; William Kramer, Treasurer and Carey Haughwout, Secretary.

XI. Business Consent item(s)

There were no business consent items.

XII. Old Business, Mr. Rodriguez:

Under old business, Mr. Rodriguez provided members with a briefing on the Youth Violence Prevention Project program's third year evaluation. The briefing included the project's background as well as the following three options which were discussed by the CJC:

1. Contract with Florida State University (FSU), Center for Criminology and Public Policy (fixed cost \$100,000 for year three).
2. Complete Request for Proposal to select a new evaluator (variable cost ranging from \$100,000 to \$400,000).
3. Implement Partnership Evaluation Model (variable cost with a cap of \$100,000).

Mr. Rodriguez noted staff's recommendation to allow FSU to complete the third year evaluation as previously planned and anticipated. Staff would then evaluate the fourth year and sub-contract parts of the evaluation as needed.

Public Defender Carey Haughwout inquired about the Board of County Commissioners concerns with having the evaluation completed by FSU and whether FSU was informed about the concerns expressed.

Executive Director Michael Rodriguez responded that the issue has been resolved, as he met with both commissioners who had concerns, and also with County Administrator Robert Weisman, and that they have indicated they have no problem going forward with FSU.

Chair Barr added that the issue was also discussed with FSU and that it is anticipated that the evaluation will be handled differently.

Mr. Kramer inquired if a staff member would be responsible for coordinating with FSU, to which Mr. Rodriguez responded yes, noting that Damir Kukec as head of the Research Department would have overall responsibility while working closely with Becky Walker and Brenda Oakes.

Members voted to accept staff recommendation after motion by Mr. Davis and second by Mr. Elmore. State Attorney Michael McAuliffe opposed.

XIII. Under New Business,

- A. Members unanimously approved the Reentry Task Force proposed Strategic Plan after motion by Ms. Cheives and second by Mr. McAuliffe.

Ms. Haughwout introduced the new Countywide Reentry Coordinator, Martha Brown for whom funding was secured through the CJC. She noted that the strategic plan is the final product of the Reentry Task Force and that it outlines a three-year plan for addressing issues regarding reentry based on the work done with the identification of gaps and the assessment of services. The strategic plan is expected to be amended as the work continues.

She added that Secretary Walter McNeal would be visiting Palm Beach during the week of December 14th to look at available services. She said it was hoped that the Department of Corrections (DOC) would work with the County on the reentry strategic plan to be able to provide greater transition services from incarceration to the community. She noted that this is a pilot project of DOC, and that while Palm Beach

County was not on the list of possible locations, the County has now moved to the top of the list as the next location.

Ms. Haughwout noted that the pitch to Secretary McNeal and his staff would be that the County has made a lot of progress in reentry coupled with the great public/private partnerships that exist.

- B. Members unanimously approved staff recommendation for funds transfer in the amount of \$40,000 from the Drug Abuse Trust Fund (DATF) to the Criminal Justice Service Center (CJSC) to pay vendors for substance abuse treatment. Motion for approval was made by Mr. Davis and seconded by Mr. Elmore.

Mr. Rodriguez advised that the CJC has been using monies from the DAFT slower than anticipated and that enough was not allocated to the CJSC for treatment purposes. This is to ensure that sufficient funds would be available if needed.

Mr. Kramer inquired about the specifics that the funds would be used for.

Mr. Rodriguez indicated that it would be used for inpatient and outpatient treatment from vendors, and that the funds will be accessed by both community justice service centers.

- C. Members unanimously approved staff recommendation from the Corrections Task Force/Public Safety Coordinating Council on Senate Bill 782, House Bill 445 regarding Pretrial Services Program. Motion for approval was made by Ms. Haughwout and seconded by Mr. Elmore.

Mr. Duncan noted that the Corrections Task Force/Public Safety Coordinating Council is to monitor the jail population with the number one priority being public safety. He said while they are not in favor of releasing defendants who would pose a danger to the public, they would like those that are not a threat to be released. He said that this bill would restrict the ability of the Judge to release someone into a pretrial release program. The Task Force is therefore requesting that the CJC write a letter to the legislative delegation opposing the Bill, since it is not intended to increase public safety and would result in a lot of people remaining in jail.

Chief Judge Blanc added that it appears that the Bail Bondsmen are the only party to benefit from this Bill and agrees with the recommendation. He further stated that the CJC should explore inviting one of the Bail Bondsmen to advise the CJC of the benefits to the court system.

Mr. McAuliffe concurred with Mr. Duncan but wondered if the CJC should wait to see which committee it gets assigned to, and whether the letter would prove more effective if sent to the Chair of the preferred committee instead of to the legislative delegation. He further noted that this issue is introduced each year and would recommend that the CJC time any statement to direct it to the chair of the appropriate committee.

Mr. Rodriguez remarked that the intention was to wait until it gets assigned to a committee after which the letter would be sent to that committee chair as well as our legislative delegation.

Ms. Haughwout added that the Bail Bondsmen have been very successful and thinks this need to be watched very careful. She said given what we have in Palm Beach County, this would have a devastating effect on the County's pretrial release system.

- D. Members unanimously approved staff recommendation from the Corrections Task Force/Public Safety Coordinating Council for the creation of a new Permanent Funding Solutions Committee to explore the option of a Justice Taxing District, after motion by Mr. Kramer and second by Mr. Duncan.

Mr. Duncan expressed the Task Force's concern regarding funding for Correctional operations and programs given the economic situation, and accordingly, proposed that the CJC include permanent funding solutions to their priorities for 2010. He advised that former State Attorney and CJC member Barry Krischer was invited to a Corrections Task Force meeting where he indicated his availability and interest in becoming involved with the committee. He further stated that the Sheriff has advised that his budget will continue to be examined which does not guarantee future funding. Mr. Duncan commented on how close the County came to losing the drug farm substance abuse program which he said they would hate to lose.

Chairman Barr remarked that the committee was in existence about six years ago and was disbanded when the BCC committed to providing annual funds to the CJC. He further stated that the Permanent Funding Committee's role would be to establish the pros and cons, and the possibility of going to the public with a referendum relative to providing taxation support for the criminal justice system.

Mr. McAuliffe inquired if the previous committee had a work product and questioned the need to reinstitute a committee if there is an existing work product.

Mr. Rodriguez noted that while he is not sure of the final product of the previous committee, he thinks there was a final product as the committee went before the BCC. He said the intention was to proceed with an independent/dependent taxing district, but also indicated that there are several options that the committee may wish to review. He promised further research into the final end product.

Mr. Kramer noted that if the CJC is to approach the public, there has to be a clear program of how the money will be used.

Mr. Waring added that there are a number of other entities trying to get special taxing districts and that the CJC has to be very careful in light of what is happening economically. He said although funding source is very important for the CJC, it will be very difficult for all communities.

Chief Judge Blanc noted that while there are concerns about perception with taxing districts in these difficult times, it should be noted that the CJC's interest is exploring something for the long term as it is believed that this will not be the permanent economic situation, and that when this changes, the CJC will be more prepared to address the situation for the benefit of the citizens. His suggestion is for the committee to be called the Permanent Funding Solutions Committee which will explore all options for permanent funding and special taxing districts.

Mr. Duncan will confirm Mr. Krischer's willingness to serve as chair of the committee.

- E. Recommendation from Court System Task Force for the development of a Neighborhood Accountability Board (NAB) pilot project which would target non-violent juvenile offenders. These juvenile offender cases would be reviewed by neighborhood adults who have been trained in restorative justice principles, and have indicated an interest in facilitating these reviews.

Mr. Rodriguez noted that a neighborhood accountability board is a group of citizens in a given community that act as a judge and jury of cases that are referred to them. He said that the County now has a very effective juvenile diversion program, but that this is an experiment to determine if these NABs are able to work better than what is now in place, saying that if they prove to be more successful, they might be further investigated. He said that discussions have been held with the relevant persons about proceeding with a private project phase. The school board police have committed to helping with the administrative aspect, and interested citizens have also been identified in Riviera Beach and he thinks citizens in West Palm Beach can be identified to help in this regard.

Ms. Cheives inquired who would be providing the restorative justice training, to which Mr. Rodriguez responded that Dr. Gordon Bazemore is likely to do so.

Chief Judge Blanc inquired about the budgetary implications for this program.

Mr. Rodriguez responded that there is a cost attached to the training but he is hoping that Dr. Bazemore is able to provide the training at a minimal cost since a contract is already in place to provide other training.

Chief Judge Blanc suggested that an evidenced-based component be included if approved so that when it gets started the success rate can be determined.

Public Defender Haughwout move the motion for approval as a pilot project if it is in line with some project to get youth out of the justice system and back into the communities.

State Attorney McAuliffe added that a timeline and measures be established with the school district with regarding how the identification will be done. He also noted that before this becomes operational, the location and board appointees should be discussed.

Mr. Damir Kukec suggested that the CJC use the Research Department's control trial where a randomly assigned group of kids matching a group with similar conduct but no exposure to the system, to determine the difference.

Members unanimously approved the Court System Task Force's recommendation for exploring the development of a Neighborhood Accountability Board (NAB) as a pilot project with the focus on getting kids out of the justice system and back into the communities. Motion made by Ms. Haughwout and second by Mr. Immler.

XIV. Under Members Comments:

A. Ms. Cheives commented on her visit to the Norton Museum to see the 100 years of history exhibit hosted by the school district. She remarked about the students exhibits which highlighted photos and the history of their families which included three exhibits from the Northwood Youth Empowerment Center.

B. Mr. Waring inquired about the end product of the strategic planning meeting held in November.

Chairman Barr replied that the CJC will be requesting information on programs and budgets from some public sector representatives to see where the CJC can have the greatest impact countywide. This is expected to be presented at the January full meeting.

C. Chief Delsa Bush inquired about the youth empowerment centers future funding, noting that the BCC has warned about not providing further funding. She questioned whether

the CJC has had conversation with the cities in this regard in the event no funding is provided by the County. She commented that it would be a waste to allocate that much funding for evaluation of the centers if contingencies are not in place for the future.

Chairman Barr noted that the CJC will not give up on trying to convince the BCC of the centers worth with the hope of continued funding from the County. He also said, that the municipalities have been advised of the need to ensure that plans are in place for continuation of the centers.

Mr. Rodriguez added that Max Davis and Becky Walker have been speaking with the cities in this regard, and that the CJC has not ruled out the possibility of approaching the County for future funding. He further stated that the CJC has recently identified a new federal grant that is a possible fit for programs at the youth empowerment centers and which staff will pursue.

Chief Immler inquired about the status of this year's funding.

Mr. Rodriguez noted that staff is still in constant discussion with Tallahassee and Washington and alluded to the added work that has been created because of the many changes that are constantly being requested. To date approximately \$2.5 has been approved out of a total of \$5M.

Ms. Oakes added that it is staff belief that if the item is not listed in the manual as unallowable expense, then it is allowable but that the Florida Department of Law Enforcement's (FDLE) philosophy is the exact opposite. She noted that some of the key components to the success of the youth empowerment centers and the justice service centers are being rejected. She said that staff is in the process of building a case by collecting information from other agencies that are funded through the Justice Assistance Grant to further speak with FDLE. She said that staff could agree with FDLE and accept the funds but noted that this would restrict us from paying for key items, highlighting that there have to be incentives if the centers are to attract the worst kids. She thinks it is worth the continued delay if FDLE can be convinced to release those funds to help the programs be more successful.

After further discussion it was agreed to document the history leading up to the current status and then try to speak with a higher authority at FDLE.

- D. Special recognition was made to former chair Harry Johnston Chairman in attendance at his last CJC meeting.

There being no further business for discussion, the meeting was adjourned at 9:08 a.m.