

**M I N U T E S**

**TUESDAY, May 28, 2013**

**PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION**

McEaddy Conference Room  
12<sup>th</sup> Floor, 301 N. Olive Avenue  
West Palm Beach

***Members Present:***

Daniel Alexander  
James Barr  
Nelson Berrios  
Peter Blanc  
Ric Bradshaw  
Barbara Cheives  
Vincent Demasi  
Douglas Duncan  
George Elmore  
Carey Haughwout  
Feirmon Johnson  
Randy Johnson, Sr.  
Dave Kerner  
William Kramer  
Barry Krischer  
Kathleen Kroll  
Duane Little  
Marshall Manley  
Christina Morrison  
Gerald Richman  
Valentin Rodriguez  
Lee Waring

***Members Absent:***

Dave Aronberg  
Rosalyn Baker  
Sharon Bock  
Rolando Garcia  
Nellie King  
John McKenna  
Chuck Shaw  
Robert Shirley  
Priscilla Taylor

***Guests Attending:***

Cristy Altaro, Court Administration  
Angela Bess, Palm Beach County School District  
Mimi Coenen, Workforce Alliance  
Pamela Eidelberg, County Attorney's Office  
Michael Gauger, Palm Beach Sheriff's Office (for Sheriff Bradshaw)  
Alan Johnson, State Attorney's Office  
Lawrence J. Leon, School District Police Chief  
Jenise Link, Public Safety  
Jennifer Loyless, Public Defender's Office  
Corey McCaster, Workforce Alliance  
Lynn Powell, State Attorney's Office  
Theda Roberts, Department of Juvenile Justice  
David Shane, Florida House of Representative (Rep. Kerner's Office)

Christine Shaw, Economic Council of Palm Beach County  
Michelle Spangenberg, Court Administration  
Louis Tomeo, Clerk & Comptroller's Office (for Clerk Bock)

***Staff Present:***

Michael L. Rodriguez, Executive Director  
Arlene Griffiths, Administrative Assistant  
Shahzia Hashmi, Criminal Justice Analyst  
Katherine Hatos, Senior Criminal Justice Analyst  
Brenda Oakes, Youth Violence Prevention Planning Coordinator  
Becky Walker, Criminal Justice Programs Manager

***Student Interns:***

Anand Daibee, Florida Atlantic University  
Danielle Kennedy, Florida Atlantic University

- I. Chairman Douglas Duncan called the meeting to order and extended welcome to members and guests.
- II. Roll call was taken and a quorum was present.
- III. Chairman Duncan invited guests to introduce themselves.
- IV. The agenda was unanimously approved after motion by Mr. George Elmore and second by Mr. Randy Johnson.
- V. The minutes of the April 22, 2013 business meeting were unanimously approved.
- VI. Under Chairman's Comments, Chair Duncan:
  - A. Congratulated and extended welcome to new members Marshall Manley, recommended by the Economic Council of Palm Beach County, and Special Agent Duane Little representing the Florida Department of Law Enforcement.
  - B. Reminded members of the summer meeting schedule and the possibility of a full commission meeting to accommodate funding allocations for FY2014.
- VII. Under Executive Director's comments, Mr. Rodriguez:
  - A. Expressed regrets on losing Mike Szakacs, financial analyst, he congratulated and wish him well on his promotion to the Parks and Recreation Department. He noted that the process for filling the position has started and that Mr. Szakacs was helping through the transition.
  - B. Welcome new student interns Danielle Kennedy and Anand Daibee from the Florida Atlantic University.
  - C. Advised that there were still no words on the formula and Byrne grant dollars, which he noted is a great portion of the funds used for programs throughout the year. He reiterated the need for a meeting of the full CJC to determine allocation of the dollars when they become available.

- D. Congratulated Craig Spatara and his team on the selection of Palm Beach County by the RTI International and the Urban Institute as the evaluation source for the reentry projects, specifically the RESTORE portion. He noted that an award letter for allocation of the funds will be sent to the CJC, and that it is contingent on the county participating in the NIG. This provides funding in the amount of \$1.5M through September 2015. Other persons including Barbara Cheives and Jennifer Loyless were congratulated for their role in the program

Public Defender Carey Haughwout added that the recognition speaks volume to the work that is done and will continue to do, noting how far reentry has come.

#### VIII. Special Presentation – Violence Prevention Intervention Program

In his presentation, Sheriff Ric Bradshaw thanked Representative Kerner, the Chiefs of Police Association and the Law Enforcement Planning Council for helping out in Tallahassee with the Violence Prevention Intervention program. He noted that the program is a logical extension of programs already in existence with long standing success, and said that it is not an indictment of mental health people nor is it intended to stifle or hinder freedom of speech. He mentioned a study by the FBI on mass shootings that revealed a lot of similarities, but said that one of the obvious findings is that there was always pre-warnings or pre-information of something bad about to happen. He commented on the success of the crime watch program that has been in existence for over 20 years with community policing, where the community is encouraged to call if they see something suspicious in the neighborhood. He also talked about the see something say something program in existence since 911. He noted that the concept was to have a team of eight deputies and two mental health professionals (very low keyed) and a hot line where they are able to provide bona fide and verifiable information on someone acting in a manner that has the propensity to do something violent.

Sheriff Bradshaw said that this type of information is needed for prevention and intervention. He further stated that he is not in the mental health business but that he needs mental health professionals with his deputies because of their expertise. He spoke about the great value in being able to prevent people with mental issues from doing bad things, saying that this is a great program if it works, but that there needs to be a way to get it off the ground. He also noted that the Sheriff's office has partnered with 211 to assist in this area.

Public Defender Haughwout noted that the problem seen in Baker Act is that the people go in but that they don't stay, and mentioned that there are many cases in which people are Baker Acted and after doing their 72 hours, they went out and do something bad. She said that the biggest concern is not having the ability to provide the necessary treatment which will see a lot of people go through the system with no positive results. She further noted that Palm Beach County has the lowest number of Baker Act in the state, in terms of people who were held for 72 hours, and think it is a bed space issue.

Sheriff Bradshaw noted that his office is the largest mental health provider in the county. He said that the 92 bed capacity is always full, and that during the week 400 to 600 inmates are treated, medicated, or counseled in a mental health capacity. He noted that this will work but that they are now reevaluating how it should be done.

Mr. Valentin Rodriguez inquired if the cities are able to use the services at the Sheriff's office, to which the answer was yes. He further noted the danger in approaching some mental health persons who are sometimes violent.

Sheriff Bradshaw said that this will be a countywide effort and that the hope is to provide CIT training to all police officers in the county, but noted that it is nothing like having mental health professionals available.

Chair Duncan thanked the Sheriff for his presentation, and commented on the proactiveness of his office in working with the CJC.

IX. Business Consent Item

There were no business consent items.

X. Old Business

A. Juvenile Civil Citation/Juvenile First Offender Program

Mr. Rodriguez remarked about the discussion in previous CJC meetings regarding juvenile civil citation, and introduced Ms. Theda Roberts from the Department of Juvenile Justice (DJJ) to provide details in this regard.

Ms. Roberts noted that civil citation is an alternative to arrest that provides swift and appropriate sanctions for first time non violent misdemeanor, and that it increases public safety, improves youth outcomes, and saves tax payers money. She said that the youth is diverted at the time of arrest and held accountable for delinquent behavior, but also involves parents sanctioning the youth.

She highlighted the statute that governs civil citation and explained the process involved. Included in the statute, is the authority given to DJJ to assist in implementing or improving civil citation. She commented on the Secretary's commitment to making this happen saying that it is one of her top three priorities, and that to date 49 counties are operational in civil citation. Ms. Roberts pointed to findings from a study indicating that when low risk youth are put in a more intense program, the outcomes are worst. She further noted that one half the youth that enter the DJJ system never come back, while for civil citation youth, 94% never come back, hence the opportunity to keep low risk youth out of the system. She said that DJJ helps wherever needed and will help if a community lacks the resource for assessment or for case management, especially in smaller communities with limited services.

Ms. Roberts showed recidivism for civil citation and diversion youth, for which she said arrest makes the difference, since the civil citation youth would go into diversion. She noted that civil citation has a great opportunity to reduce

school arrest and disproportionate minority, as when consistently applied across the county, as in Miami Dade, it provides equal justice for all youth. The law enforcement process was outlined as well as the different roles played by other partners. Benefits to the community and the youth were noted as well as the most common eligible offences and dispositions from July 2011 to June 2012.

She commented on the similarity of the county's existing Juvenile First Offender (JFO) diversion program under which she said civil citation can easily fit, but treated a little differently with the assessment and provision of data as requirements. She also explained what happens to the data when received which goes in the DJJ information system, and spoke of the delinquency side for all youth that get arrested and the prevention side where all youth who get civil citation or prevention services go for tracking purposes. According to Ms. Roberts, the prevention data is not shared and is accessible only to DJJ employees with the need to know. The programs operating civil citation, the intake screeners, the operating entities and other limited individuals as determined by the Secretary are also provided access.

Chief Daniel Alexander described the process involved in his jurisdiction, noting that the only areas not being accomplished are the statewide checks and the provision of statistics. Mr. Barry Krischer asked who provide the assessments and whether the answers provided by juvenile is privileged and why. Ms Roberts said it is privileged because DJJ does not want it to become official records in order to prevent anything that could keep them out of the military and future employment, but noted that the aggregate data will be available. She further stated that DJJ is able to train local law enforcement to do the assessments if the county or local police are unable to do so. Chief Lawrence Leon expressed concerns with the availability of resources for assessments and the possibility of the information ending up elsewhere in the future.

Ms. Barbara Cheives questioned how civil citation impacts disproportionate minority in a more positive way than what is currently done locally, and how it will be enhance with civil citation.

Judge Kroll remarked that there are fantastic programs in the county, but pointed to the fact that she sees more kids of color in Lake Worth, and that she is unable to say that white kids in Boca High gets treated the same as the black kids, and also, that there are more black kids in the court room. She said that she is willing to risk the fear factor to be able to obtain data. She further stated that data from Dade County shows that more of their kids of color are graduating than are in Palm Beach County, and that more of their kids are taking advanced courses than before.

Public Defender Haughwout inquired about the definition of recidivism and the data collected and tracked locally, to which Ms. Roberts and Chief Alexander responded.

Mr. Rodriguez added that he had separate discussions with some Chiefs of Police and that the Secretary will be visiting, hopefully for the July Chiefs of Police meeting to discuss this process. This will be followed by a separate meeting of the voting members, where the CJC will try to lay out how things currently are, how the JDAI Sub-committee feels on the issue, and how the State Attorney's office has developed a stop gap program to deal with the kids that are somehow being missed.

Other comments and concerns were expressed after which Chair Duncan noted that the CJC will continue to look at the issue over the summer.

- B. Mr. Rodriguez noted that the list of juvenile programs is an issue raised many times by Judge Kroll and recommended that in the interest of time, members review before the next meeting and explore direction for staff. He noted that this will continue to change as funding sources change, and that he will also be reviewing a list from United Way and the School District to determine overlaps.

#### XI. New Business

There were no business consent items.

#### XII. CJC Initiatives/Updates

##### A. Sunshine Law, House Bill #361

Representative Dave Kerner reported that the Bill was passed by the House and the Senate, and is on the Governor's desk for his signature. It is hoped, he said, that when signed, it will encourage other counties to model after Palm Beach, and that it will eventually move throughout the state.

Chair Duncan thanked Representative Kerner and Mr. Richman, and his team for all the work done on the Bill.

##### B. The following grants are being pursued by CJC staff:

- Department of Juvenile Justice – Summer Programs Preventing Juvenile Delinquency to support five youth empowerment centers (West Palm Beach (2), Riviera Beach, Lake Worth, and Belle Glade). Total grant amount is \$188,406.
- Office of Juvenile Justice and Delinquency Prevention - Second Chance Act grant for Juvenile Reentry in the amount of \$750,000 for supportive housing for juveniles returning home from moderate to high risk facilities.
- Criminal Justice Mental Health and Substance Abuse Reinvestment Grant to increase public safety and treatment for adults and juveniles with mental health and substance abuse issues. Total grant amount is \$1,200,000 for three years.

#### XIII. There were no member comments.

XIV. With no further items for discussion, the meeting adjourned at approximately 9:15 a.m.