

M I N U T E S

MONDAY, March 25, 2013

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

Business Meeting

Clayton Hutcheson Agricultural Center
559 North Military Trail
West Palm Beach

Members Present:

Daniel Alexander
Roselyn Baker
James Barr
Nelson Berrios
Peter Blanc
Douglas Duncan
Carey Haughwout
Feirmon Johnson
Randy Johnson, Sr.
Dave Kerner
William Kramer
Kathleen Kroll
Christina Morrison
Gerald Richman
Valentin Rodriguez
Chuck Shaw
Priscilla Taylor
Lee Waring

Barbara Cheives
Immediate Past Chair

Guests Attending:

Cristy Altaro, Court Administration
Ronald Alvarez, 15th Judicial Circuit/CJMHS
Lasyonia Ambersly, City of Riviera Beach Civil Drug Court
Angela Bess, Palm Beach County School District
David Bernhardt, West Palm Beach Police Department (for Chief Demasi)
Nicole Bishop, Public Safety
Lisa Bozzone, CARP
Michelle Carter, Gulfstream Goodwill Industries
Mark Charlie, Palm Beach Sheriff's Office
Mimi Coenen, Workforce Alliance
Gail Colletta, Florida Action Committee/Sex Offender
Julius Colletta, Florida Action Committee/Sex Offender

Members Absent:

Dave Aronberg
Sharon Bock
Ric Bradshaw
Vincent Demasi
Mike Driscoll
George Elmore
Rolando Garcia
Nellie King
Barry Krischer
John McKenna
Robert Shirley

Ex-Officio Exec. Cmtee.
E. Wayne Gent
.

Barbara Dawickie, Court Administration
Michelle Dryer, Workforce Alliance
Mike Edmondson, State Attorney's Office
Pamela Eidelberg, County Attorney's Office
Seymour Fishman, Citizens Criminal Justice Academy Participant
Michael Gauger, Palm Beach Sheriff's Office (for Sheriff Bradshaw)
Dave Hesler, Florida Action Committee/Sex Offender
Mark Jolly, Palm Beach Sheriff's Office
Jenise Link, Public Safety
Jennifer Loyless, Public Defender's Office
Marshall Manley, Incoming CJC Member
Corey McCaster, Workforce Alliance
Melissa McKinlay, Legislative Affairs Department
Michele Nelson, Clerk & Comptroller's Office (for Clerk Bock)
Debra Oats, Court Administration
Victoria Pertte
Patricia Sagastume
Felecia Scott, City of Riviera Beach Civil Drug Court
Christine Shaw, Economic Council of Palm Beach
Michelle Spangenberg, Court Administration
Esther Ritchie
Mark Roberts, Citizen
Gena Roland, Palm Beach Sheriff's Office
Glenn Thomas, Palm Beach County Education Commission
Louis Tomeo, Clerk & Comptroller's Office (for Clerk Bock)
Dorrie Tyng, Drug Court
Jessica Wally, Gulfstream Goodwill Industries
Dorothy S. Wilson, Citizens Criminal Justice Academy Participant
Christopher Yannuzzi, Ocean Ridge Police Department
Suzie Zuckerman, Citizens Criminal Justice Academy Participant

Staff Present:

Michael L. Rodriguez, Executive Director
Arlene Griffiths, Administrative Assistant
Katherine Hatos, Senior Criminal Justice Analyst
Damir Kukec, Research & Planning Manager
Rosalind Murray, Criminal Justice Program Development Specialist
Brenda Oakes, Youth Violence Prevention Planning Coordinator
Craig Spatara, RESTORE Initiative Program Manager
Mike Szakacs, Financial Analyst II
Candee Villapando, Criminal Justice Analyst
Becky Walker, Criminal Justice Programs Manager

- 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 minutes of the February 25, 2013 meeting were unanimously approved after motion by Mr. Randy Johnson and second by Chief Judge Peter Blanc.
- V. Under Chairman's Comments, Chair Duncan:
 - A. Extended special welcome to new members Barry Krischer and Christina Morrison who were approved by the Board of County Commissioners (BCC) on March 12, 2013. Harvey Oyer and Marshall Manley have also been recommended for appointment by the Economic Council of Palm Beach and are being processed for approval by the Board of County Commissioners. Mr. Krischer was unable to attend the meeting.
 - B. Announced the 25th anniversary of the CJC and thanked all, including past members for their valuable contribution.
 - C. Reported on the graduation of the 24th Citizens Criminal Justice Academy, and thanked Rosalind Murray for coordinating.
- VI. Under Executive Director's comments, Mr. Rodriguez:
 - A. Reported on the completion of the 24rd Citizens Criminal Justice Academy. The final class was held on March 14, 2013 at the West Palm Beach Police Department's community room. A total of 66 persons completed the class and were given certificate of participation. Mr. Rodriguez mentioned the possibility of an abbreviated academy for later this year, but noted that a decision is to be made in this regard. He also thanked the presenters for their time.
 - B. Congratulated CJC staff, Shahzia Hashmi on the birth of her baby girl.
 - C. Invited Assistant County Attorney, Pamela Eidelberg to comment on the Judge Marvin Mounts Prison Tour which she along with other criminal justice partners attended from March 13-14, 2013

Ms. Eidelberg provided a brief on the prison tour, commenting on the great organization of the tour and her amazing experience. She remarked about the professionalism of the correctional personnel at the eight prisons visited, and the Department of Correction's (DOC) changed philosophy from a focus on punishment to a focus on reentry. She mention DOC's motto "You Never Walk Alone" that is displayed at all the prisons. She also provided some statistics including the recidivism rate which has been significantly reduced over the past 10 years.

Chairman Duncan thanked Ms. Eidelberg and encouraged others to participate in the prison tour.

The CJC provided motor coach transportation for the tour.
 - D. Provided an update on the Sunshine Bill. He reported that the Bill passed two committees in the House and two in the Senate.

Representative Dave Kerner provided further details and noted that the Bill will now go before the Judicial Committee.

Chairman Duncan thanked Representative Kerner and Mr. Richman for their hard work.

VII. Business Consent Item

There were no business consent items.

VIII. Old Business

There were no old business items for discussion.

IX. New Business

A. Residency Restrictions

Public Defender Carey Haughwout provided background on the Sex Offender Sub-Committee which is a subcommittee of the Reentry Task Force, chaired by Mayor Bernard Featherman of Highland Beach, and deals with sex offenders and reentry issues. She noted that among the many issues discussed were the residency requirements for Palm Beach County and the challenges presented by these requirements to successful reentry. The main goal of sex offender management according to Ms. Haughwout is to prevent new victims of sex crimes. Restrictions have been established, mandating where sex offenders/sexual predator can live based on state laws and county ordinances, and municipal ordinances, ranging from 1,000 – 2,500 feet. This means that they cannot reside within that distant of a school, a child care facility and other facilities.

Ms. Haughwout reported that research has shown that residency restrictions have not proven to be successful in reducing recidivism or sex crimes, protecting children, or increasing public safety. She provided a breakdown of the of registered sex offenders in Palm Beach County, the designated categories and the numbers that are monitored by DOC. She added that all sex offenders must be registered with the Sherriff's Department and the Department of Highway Safety and Motor Vehicle whether or not they are under the supervision of DOC. Ms. Haughwout noted the confusion in the law between temporary residents (non residence on vacation for more than 5 days each calendar year) and transient resident offenders (living or remaining in a place that is not their permanent nor temporary address for more than 5 days in the aggregate calendar year). This she said is one of the registration requirements.

Ms. Haughwout noted that the issue has been extensively studied, and that research have shown that stable employment, housing and social support are the most important factors in facilitating successful community reentry for offenders, and in reducing recidivism. She said that policies that interfere with successful reentry and reintegration are not likely to serve the interest of public safety. Of importance she said is that the vast majority of child sexual abuse victims are molested by friends or family members and that the

residency restriction does not necessary address this issue.

She commented on the risk assessments used in determining which sex offender is likely to repeat their crime, noting that these procedures are universally accepted across North America and Europe.

Ms. Haughwout remarked that there is no empirical relationship between proximity to schools and sex offender recidivism. Additionally, the residency restrictions diminish housing availability and increase homelessness making it more difficult for the Sheriff's Office and DOC to track and monitor sex offenders as they have no place of residence and are registered as transients. Ms. Haughwout cited other studies that were carried out and showed that ineffectiveness of residency restrictions. She noted the active law enforcement and DOC's involvement in the Sex Offender Sub-committee

Ms. Haughwout highlighted the Sub-committee's recommendations for risk assessments and not assumptions, treatment rather than judgement, and evidence rather than fear to dictate public policy to make community safer. She advised that the Sub-committee is requesting the CJC's support and assistance in this regard. She further stated that the issue is brought to the CJC for guidance, but remarked about it going to the Chiefs of Police Association and the Law Enforcement Planning Council then brought back to the CJC.

Chairman Duncan suggested that the issue be presented to the Chiefs of Police Association. There were several member comments on the issue before approving the motion (9 – 2, and 2 abstaining - Chief Judge Blanc and Judge Kroll) to move forward with the Sub-committee's recommendation for the residency restrictions in Palm Beach County to comply with the state law of 1,000 feet. The motion also included the issue going before the Chiefs of Police Association and the League of Cities, and back to the CJC before going to the BCC.

Assistant County Attorney Pamela Eidelberg added that in the event of a change in the County Ordinance to comply with the State's 1,000 feet, municipalities who are not in favor would need to pass their Ordinance stating what their restrictions are.

Commissioner Taylor suggested that it might be a good idea to explore what happens in other counties and how successful they are. Chief Deputy Gauger agreed to look into that.

B. Role of the Program Monitoring and Evaluation Committee (PME)

Executive Director Michael Rodriguez reported that the Program Monitoring and Evaluation Committee (PME) recently met to look at issues raised at a CJC meeting regarding the scope of what the committee should be doing.

Mr. Lee Waring, Chairman of the captioned committee added that the Committee was established just over a year ago, and that a policy procedures guideline on how to evaluate programs has been developed. He said that the

Committee has worked with various entities over the year, and has established baselines from outside entities to measure CJC funded programs against other programs around the country to determine program success. He said that at the recent meeting, the Committee recommended that the scope of responsibilities be limited to programs that are directly funded by the CJC as well as those that the CJC is actively involved with. Special programs recommended by the CJC and the BCC would also be evaluated. He further noted that the Committee discussed the Highridge report that was submitted to the CJC, and that a decision was reached to refer the report back to the Criminal Justice Mental Health and Substance Abuse Juvenile Committee since it is not a CJC funded program.

C. CJC Satisfaction Survey

Mr. Rodriguez reported the findings of the annual satisfaction survey conducted earlier this year. He noted that a total of 19 responses were received with positive feedback except for the marketing of the CJC and the programs funded, which got the lowest score as has been over the years. He has since discussed this with Chair Duncan, and will explore ways to address this issue. Members were also invited to submit ideas they may have on improving this area.

D. Make-up of the Finance Committee

Mr. Rodriguez announced the make-up of the 2012 Finance Committee. He noted that the Chiefs of Police representative sat on the Committee in recent years, and inquired whether Chief Alexander should serve. He also pointed out that last year the constitutional officers were invited to the Finance Committee meetings as non-voting members.

Members unanimously approved the reappointment of the 2012 committee to serve in 2013 with the addition of a law enforcement member.

Chief Alexander will present this at the LEPC for a recommendation.

X. CJC Initiatives/Updates

There were no CJC initiatives or updates for discussion.

XI. Member Comments

There were no member comments.

XII. The meeting business adjourned at approximately 9:15 a.m., and transitioned into the annual planning meeting.