

**M I N U T E S**

**MONDAY, NOVEMBER 16, 2015**

**PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION**

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

***Members Present:***

Dave Aronberg  
Nelson Berrios  
Barbara Cheives  
Jeffrey Colbath  
Douglas Duncan  
Joseph Ianno, Jr.  
Randolph Johnson, Sr.  
Dave Kerner  
William Kramer  
Barry Krischer  
Duane Little  
Christina Morrison  
Gerald Richman  
Priscilla Taylor  
Lee Waring

***Members Absent:***

Rosalyn Baker  
Sharon Bock  
Ric Bradshaw  
Michael D'Alonzo  
George Elmore  
Rolando Garcia  
Carey Haughwout  
Kathleen Kroll  
Nellie King  
Bryan Kummerlen  
John McKenna  
Valentin Rodriguez  
Chuck Shaw  
Robert Shirley  
Brian Smith  
Greg Starling

Dr. Robert Avossa, Ex-Officio Executive  
Committee (School Superintendent)

***Guests Attending:***

James Brako, County Attorney's Office  
Michael Gauger, PBSO  
Eliot Kleinberg, Palm Beach Post  
Jennifer Loyless, Public Defender's Office  
Brad Merriman, Assistant County Administrator  
Debra Oats, Court Administration  
Stephanie Sejnoha, Director of Finance/Administration, Public Safety

**Staff Present:**

Vince Bonvento, Interim Executive Director  
Jacquelyn Esposito, Criminal Justice Analyst  
Arlene Griffiths, Public Safety, Senior Criminal Justice Analyst  
Katherine Hatos, Senior Criminal Justice Analyst  
Shahzia Jackson, Public Safety, Senior Criminal Justice Analyst  
Danny Kreshak, Financial Analyst II  
Damir Kukec, Research and Planning Manager  
Rosalind Murray, Program Development Specialist  
Allison Orr, Administrative Assistant  
Craig Spatara, Public Safety  
Candee Villapando, Criminal Justice Analyst  
Pamela Williams, Temporary Staff

- I. Chairman William Kramer called the meeting to order and extended a welcome to members and guests.
- II. Roll call was taken and a quorum was present.
- III. Chairman Kramer invited guests to introduce themselves.
- IV. The Agenda for the November 16, 2015 meeting was unanimously approved, after Chairman Kramer stated the election of officers would be the first item, followed by discussion of reorganizational changes to the Criminal Justice Commission. Move for approval as amended made by Judge Jeffrey Colbath, second by Mr. Lee Waring.
- V. The Minutes of the October 26, 2015 meeting were unanimously approved after motion by Mr. Barry Krischer, and second by Mr. Gerald Richman.
- VI. Chairman's Comments – None
- VII. Business Consent Items: None to be discussed.
- VIII. Old Business Items: None to be discussed.
- IX. New Business Items:
- X. A. Chairman Kramer asked Mr. Douglas Duncan to summarize the actions taken in the Nominating Committee meeting of November 5, 2015.

Mr. Duncan announced the nominated officers for 2016: Mr. Lee Waring, Chair: Mr. Gerald Richman, Vice-Chair: Mr. Barry Krischer, Treasurer: Ms. Rosalyn Baker, Secretary. Ms. Christina Morrison made a motion to approve, second by Mr. Nelson Berrios, no other nominations offered, motion passed unanimously. Also considered was the Executive Committee; the By-laws call for total of twelve members, the Nominating Committee recommends amending the By-laws to have thirteen members to include a member of the BOCC. The Nominating committee thanked Mr. George Elmore for his years of service. The 2016 nominated members for the Executive Committee, in addition to officers, is as follows: Ms. Priscilla Taylor, Ms. Barbara Cheives, Hon. Dave Aronberg, Hon. Carey Haughwout, Judge Jeffrey

Colbath, Mr. Randolph Johnson, Sr., Chief Bryan Kummerlen, Mr Douglas Duncan, and Ms. Christina Morrison, taking the proposed thirteenth seat. No other nominees were offered. Chairman Kramer asked if all members understood the slate of nominees would include an additional thirteenth member, to accommodate the addition of a permanent BOCC member.

Member comments: Mr. Dave Kerner asked if it was the role of the CJC to appoint the member of the BOCC seat. Ms. Priscilla Taylor responded that the BOCC member would be appointed by the BOCC mayor. Motion to approve the addition of a seat was made by Mr. Lee Waring, second by Mr. Randy Johnson, motion passed unanimously.

B. BOCC Meeting Update: Chairman Kramer discussed the BOCC meeting, at which Ms. Priscilla Taylor moved to have the CJC Executive Director directly report to the County Administrator rather than a dual reporting relationship with the County and the CJC. Additionally a standing member of the Executive Committee would be a BOCC member, which the CJC has now complied with. There will be a re-write of the CJC Ordinance to effect these changes. At the same meeting, Mayor Vana instructed the formation of a committee to review the structure and goals of the CJC. The appointed committee consists of County Administrator Verdenia Baker, Judge Jeffrey Colbath, Chairman William Kramer and Mr. Daniel Martell of the Economic Council, and a meeting was held on Friday, November 13. Assistant County Administrator Mr. Brad Merriman will write the ordinance to reflect that each of the seven county Commissioners would appoint one member each, with an eighth seat designated to a former participant in the criminal justice system, to broaden the experience of the commission itself. The total number of members will remain at 33, with four members to be appointed by the Economic Council. This would include the three nominated officers, Chairman Kramer volunteered to take the fourth seat until the end of his term in December, 2016.

Mr. Waring had recommended phasing in the replacement members upon completion of their current term, however, Mr. Brad Merriman clarified the changes will occur with the implementation of the ordinance, after it goes through the BOCC with two public processes for input.

Member Comments: Judge Colbath commented on why the changes are coming about, with a new Executive Director coming on this is a chance to review the direction of the CJC in a positive way. Ms. Barbara Cheives expressed her concern in terms of the succession of nominations; there exists the possibility that the BOCC might appoint some who do not have the history and experience of those members to be replaced. She also asked if there was some criteria to be measured in the appointment of new members, and if the BOCC has the ability to appoint people that have previously been on the CJC. Mr. Vince Bonvento stated the BOCC can appoint anyone they so desire, and the eighth appointee would be brought forth from an appropriate agency. Chairman Kramer added that with regular reporting to the BOCC, there may be more reception and insight concerning budgetary issues. Ms. Cheives added that diversity should be important; Ms. Priscilla Taylor added a detailed discussion regarding diversity was held and as it is already a requirement for every board countywide, she does not think this will be an issue. Mr. Waring added

that there was a perception that the BOCC does not know what the CJC is doing, and a quarterly reporting process through the County Administrator going forward will keep the lines of communication open. Mr. Waring also added there is a lot of institutional knowledge held by the current members, he is concerned that a number of members were to be replaced with others not having the history. Mr. Gerald Richman expressed his surprise and disappointment at the tone of the BOCC meeting. The CJC is the most important advisory board in his opinion; he felt the CJC contributes greatly to public service. He said that Commissioner Taylor blindsided the membership by not bringing forth her concerns and criticisms prior to the BOCC meeting. He stated that the process was brought forth in a disparaging way, and feels that those issues should have been worked on before being brought forth in a publicly negative way. Commissioner Taylor acknowledged her comments regarding the data breach and audits. Those comments were brought forth after a BOCC meeting and she was precluded to discuss with other CJC members because of Sunshine Laws. She disagreed that there were disparaging statements made and said that the CJC had changed, and there was a lack of communication regarding the audits and data breach. She added the BOCC wants the CJC to be run correctly and accountable as the taxpayer funds will support the Executive Director, staff. Chairman Kramer commented that there was no data breach, there are reports refuting such; Commissioner Taylor stated she had a letter from FDLE with the words data breach. Chairman Kramer asked Mr. Barry Krischer to report on his findings concerning the issues raised in the audits. Mr. Krischer said he shared the alleged data breach report from FDLE with the State Attorney's IT division, who made some recommendations for security; it was determined that had already been handled internally in the offices of the CJC. With regard to the procurement to payment internal audit report, this was shared with Ms. Jeanne Howard of the State Attorney's office and Ms. Jennifer Loyless from the Public defender's office. Ms. Loyless recommended there be no delay in bringing information of this kind to the CJC; however it was confirmed that recommendations have been implemented. Further recommendations will be for future confirmation from staff these are working and coordinate with the new Executive Director to make sure they are compliant going forward. Chairman Kramer added there was a grave error in judgment not bringing forth such information, however measures implemented by the former Executive Director were appropriate. Mr. Vince Bonvento said that the Internal Audit offices confirmed their determination that there were no misappropriations of funds. The Executive Director allowed programs providing service to continue while grants had not yet been finalized, thereby exposing the providing agencies for cost risk, without putting them on notice. It was also noted by Mr. Bonvento that policy has now been changed. Further, Mr. Bonvento stated the ISS data support office was not contacted or involved in the FDLE audit, and ISS has procedures in place to cover the CJC. The lack of ISS involvement was caused by a communication breakdown.

Chairman Kramer added that until the new ordinance with the structural membership changes is passed, the current membership will continue, with the appointments as appropriate by the Economic Council. It may be possible that some Economic Council appointees may become appointees of the BOCC membership. Mr. Bonvento said staff is reviewing the expiration dates of those in December 2015, and

will be brought to the BOCC to respond as they see appropriate. Mr. Richman added the Economic Council has a history of creating boards, yet getting members from the Economic Council can sometimes be difficult, but pointed out it is important to have business members involved. Judge Colbath commented on the process of becoming a finalist in the Safety and Justice Challenge, the MacArthur Foundation very favorably views the CJC as a collaborative effort and getting the right people with the right mindset is critical to the future improvement of the Criminal Justice Commission. Mr. Krischer added other state law enforcement agencies, school boards, judges, and various state agencies were very impressed with the work done by the CJC, it is viewed as unique and impressive.

C. Search Committee Update: Chairman Kramer brought forth the search committee update. Dave Aronberg, Verdenia Baker, Judge Jeffrey Colbath, Randolph Johnson, Nellie King, William Kramer, and Lee Waring had a meeting Thursday November 12 to review submitted resumes.

The result is eleven candidates will be interviewed via telephone on December 9, as the field was too interesting to cut down further at this time. Mr. Bonvento suggested rather than delaying in person interviews, it would be beneficial to conduct them on December 14 in lieu of the full CJC meeting scheduled, and move forward to bring its final recommendation to the CJC in January, then subsequently to the BOCC for final approval. Mr. Gerald Richman due to scheduling difficulties is not on the selection committee. Mr. Kerner asked if the goal was to have one candidate to present to the BOCC. Mr. Johnson and Judge Colbath clarified there should be three. Mr. Bonvento said recommendation should be a first and second choice. Mr. Kerner asked the appropriate process for CJC members to voice their opinions in a substantive role vs. superficial role, it was agreed there should be three candidates, and the proper format is to have opinions from the members to the selection committee be heard via Mr. Vince Bonvento. The telephone meeting on Dec. 9<sup>th</sup> is available as a venue for other members to listen and form opinions. Mr. Richman added the federal members of the CJC are notably missing, he hopes future representation will be better.

Mr. Bonvento asked for clarification to cancel the CJC meeting on December 14 and use that date for actual in person interview, the members of the selection committee present were agreeable but schedules will have to be meshed.

Chairman Kramer proposed the full CJC meeting on Dec. 14 be cancelled; Mr. Richman made the motion, motion passed unanimously.

Ms. Stephanie Sejnoha asked if a decision could be made to have grant carry forward of 26,000 to be allocated to reentry, moved and seconded, passed unanimously.

Mr. Kerner asked for time at the next CJC meeting in January to update members on legislative open carry bills. He would like to have CJC recommendations to oppose or support and has asked the same of county administrators and the BOCC.

IX. Old Business – none

XII. CJC Initiatives - none

XIII. With no further discussion, Chairman Kramer asked for motion for meeting to be adjourned at approximately 9:10 a.m., so moved.