

**M I N U T E S**

**MONDAY, April 27, 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  
Roselyn Baker  
James Barr  
Nelson Berrios  
Douglas Duncan  
George Elmore  
Carey Haughwout  
Joseph Ianno  
Randolph Johnson, Sr.  
Nellie King  
William Kramer  
Barry Krischer  
Kathleen Kroll  
Bryan Kummerlen  
Christina Morrison  
Gerald Richman  
Valentin Rodriguez  
Chuck Shaw  
Brian Smith  
Gregory Starling  
Priscilla Taylor  
Lee Waring

***Members Absent:***

Chris Allen  
Sharon Bock  
Ric Bradshaw  
Barbara Cheives  
Jeffrey Colbath  
Michael D'Alonzo  
Rolando Garcia  
Dave Kerner  
Duane Little  
John McKenna  
Robert Shirley  
  
E. Wayne Gent, Ex-Officio Executive  
Committee (School Superintendent)

***Guests Attending:***

Mike Edmondson, State Attorney's Office  
Brian Fernandez, State Attorney's Office  
Shannon Fox, County Attorney's Office  
Latrona Hayes, PBC Justice Services  
Amy Karpf, Office of Financial Management and Budget  
Danny Kreshak, PBC Public Safety  
Jenise Link, PBC Justice Services  
Richard Markoe, Clerk and Comptroller  
Stephanie Sejnoha, PBC Public Safety  
Meagan Rappatta, Magellan Complete Care

**Staff Present:**

Michael L. Rodriguez, Executive Director  
Jacquelyn Esposito, Criminal Justice Analyst  
Katherine Hatos, Senior Criminal Justice Analyst  
Rosalind Murray, Criminal Justice Program Development Specialist  
Allison Orr, Administrative Assistant  
Craig Spatara, Criminal Justice Programs Manager

- 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 April 27, 2015 meeting was unanimously approved after a motion by Commissioner Priscilla Taylor and second by Mr. George Elmore.
- V. The Minutes of the March 23, 2015 meeting were unanimously approved after motion by Mr. James Barr and second by Commissioner Priscilla Taylor.
- VI. Chairman's Comments – Chairman William Kramer informed members that an interim Executive Committee meeting was held on April 13, 2015 for an exploratory discussion pertaining to the permanent funding issue and noted the draft minutes are attached to the agenda; he invited members present to take a moment to review. Chairman Kramer announced the graduation of the first Citizen's Criminal Justice Academy and acknowledged and congratulated the dedication of all the members of various law enforcement agencies and CJC staff in making the Academy a successful program, and noted the next session is underway, and is pleased with the ongoing general reception to date. Chairman Kramer then asked Mr. Barry Kirscher for comments on the permanent funding issue.
- VII. Member Comments (1): Mr. Kirscher responded that if the BOCC is not going to support a special taxing district proposal from the CJC there is no point in exploring any further, he was not sure about how to present it to the BOCC. Commissioner Taylor responded that Ms. Shannon Fox from the PBC County Attorney's office was present to answer any questions CJC members had about the process of establishing special taxing districts. Commissioner Taylor explained the BOCC is perhaps going to ask for a special taxing district to support county infrastructure needs and probably would not support an additional district at this time. Chairman Kramer stated that a topic of discussion emerged from that issue at the Executive meeting leading to a refocus of what the ultimate role of the CJC plays in funding projects. Ms. Carey Haughwout responded with her concern that a move to establish a special taxing district would take the CJC outside its mission. Chairman Kramer responded that the issue is at a stop for the foreseeable future.
- VIII. Executive Director's Comments - Mr. Michael Rodriguez turned the member's attention to the green attachment to the agenda, outlining the grants that CJC staff

has currently applied for. He announced Mr. Chris Allen has relocated and there is an open spot on the Economic Council private seat.

- IX. Business Consent Items - there were no items for discussion.
- X. Old Business – Chairman Kramer asked Mr. Valentin Rodriguez to give an update on his mission to obtain forfeiture funds. Mr. Rodriguez explained that he is teaming up with Judge Caroline Shepherd to meet with the League of Cities. As each city is not aware of how much is available, the task for the League of Cities is to find out from the police chiefs what is taken in and what is available, including the PBSO Sheriff, and if there is money left over at the end of each fiscal year. If so, would they be willing to use those funds for Drug Court expenditures. He plans to do a Drug Court presentation to the League of Cities May, and will report back, he hopes to have some movement on this issue for the CJC September meeting; he interprets the FL Statute to read leftover funds should go to drug rehabilitation programs.
- XI. New Business – Court Programs - Mr. Michael Rodriguez explained that issues concerning diversionary programs in the courts have been brought up in the process of establishing the Batterer's Intervention Program (BIP), and since that time the Court Systems Task Force (CSTF) has agreed to address these programs. Mr. Rodriguez has had conversations with Mr. Al Johnson with the State Attorney's office, regarding new providers (Metro) and coming to the conclusion that there is no process in place to designate which programs are allowed to provide to offenders, and to measure their effectiveness. Mr. Johnson agreed to the CSTF developing procedures to verify and vet future and existing programs before they reach the courts.

Member Comments (2) - Ms. Nellie King concurred and explained some court program providers were aggressive by coming in and taking court files and the concern is who has access and if they are qualified. She added these programs have to have some level of accountability for services provided. Mr. Rodriguez explained it is critical that the CJC support this process, he expects that any process put in place will cause some providers to complain; the support of the constitutional officers will affect the outcome. Chairman Kramer urged the support of CJC for the vetting process. Ms. Carey Haughwout added the participation of the State Attorney's office is a welcome and important support. Mr. Dave Aronberg stated his office is supportive and wants discussions with the CJC throughout the process. Mr. Lee Waring asked if any of these programs being considered for vetting were currently funded by the CJC, and asked if these would be vetted like the PME performs those tasks and its oversight. Chairman Kramer suggested it may be appropriate for the PME to do so. Ms. Nellie King added this would be a long term project, State Attorney support is critical. Mr. Rodriguez added the sex offender program is a good example of one program that is providing services, yet others added would expand the list of service providers. Ms. King added there is a list of court psychologists in rotation for courts, but no list of diversionary programs exists. Chairman Kramer concluded the subcommittee would begin the task of gathering information and developing the process, and report back to the CJC.

XII. CJC Initiatives – The Reentry Task Force (RETF) is to reorganize its membership into an executive committee and then an advisory committee. Ms. Carey Haughwout, current Chairperson, will still be involved in an advisory capacity, but they are requesting that a member of the CJC become a member of the executive committee. Chairman Kramer asked if there was any interest from the members. Ms. Haughwout stressed the need for a member from the private sector as several members already represent the public sector. Revising the RETF would create a more specific executive committee.

Chairman Kramer pointed out private/public sector members have the advantages of related skills and effective backgrounds. Ms. Haughwout agreed and mentioned a private sector member would be great addition to the experience of the public members already serving, and support for Public Safety and PBC in general would benefit from a private sector member.

Chairman Kramer stated the request for a private sector member be placed on the table before the CJC for discussion/volunteers. Mr. Joseph Ianno volunteered to fill the seat; Ms. Haughwout expressed her support of Mr. Ianno's background experience as a good fit for the Task Force. Mr. Ianno was accepted for a seat on the RETF by Chairman Kramer.

Mr. Michael Rodriguez directed the member's attention to the attached newspaper article regarding the local juvenile correctional facility second visit by Mayor Vana over the past weekend; Mayor Vana has requested the Corrections Task Force (CTF) to look at the issue of the conditions that were discovered. This is a Department of Juvenile Justice (DJJ) facility, contracted with Youth Services International (YSI). Mr. Rodriguez explained the CJC has no authority over them, however the facility exists on county land, and there may be some leverage there if needed to correct issues. He gave a brief synopsis of Youth Services International; currently they have four active issues in other correctional facilities. Mr. Rodriguez is advising CJC that the CTF will be addressing the local facility issue.

Member Comments (3) - Judge Shepherd asked that if the CTF does not take on this issue, then who would, and that direction be provided as to who would be the proper overseeing entity. She is concerned that these children are suffering within our community – Judge Shepherd acknowledged the director of YSI is doing a good job, but it does need immediate action. Judge Kroll and Judge Shepherd want to assist the DJJ to correct these types of problems.

Mr. Gregory Starling discussed YSI as a primary provider to the DJJ and over the past year there have been transitions that they are working on with the new director. The DJJ is responding to the incident involving Mayor Vana as well as others, he discussed some of the processes in place to monitor the services under the contract. Chairman Kramer acknowledged and stated the CTF would move forward on this issue.

Mr. Rodriguez, at the request of Judge Kathleen Kroll, reviewed a brief historical update of the CJMHSa Planning Council. Created in 2007, the State had made it a

requirement that this type of body be established to apply for grant funding. The Council, established by ordinance, was originally chaired by Commissioner Jeff Koons and subsequently by Commissioner Priscilla Taylor. During the planning process, in 2009 the Adult and Juvenile committees were established, they have continued to meet since then. In 2012, the CJMHSa Planning Council was dissolved formally by ordinance. At the 2015 Annual Planning Meeting, Behavioral Health was again adopted as a priority of the CJC, and the Behavioral Health Task Force (BHTF) was created. Judge Kroll voiced the concern that two committees were needed, there seemed to be an overlap of the adult/juvenile subcommittees. Mr. Rodriguez explained the Behavioral Health Task Force has created a smaller subcommittee of nine members, in addition to a smaller working group to review all recommendations and will consolidate their findings into one document for the BHTF to review. Judge Kroll made a recommendation that these groups become cohesive into one group, as there is no clear movement. Mr. Rodriguez and Chairman Kramer responded that there had not been much funding previously for mental health/substance abuse programs, but now that money has been set aside by the CJC, the BHTF will continue to work to find programs that are viable, after reviews have been completed and recommendations made.

Court Systems Task Force Update – The Batter’s Intervention Program (BIP) update was given by Mr. Michael Rodriguez. There are three potential options under review for oversight – a Request for Proposal (RFP) to provide services, the drawback being there is only one entity providing in a few other circuits; another option is to have CJC staff create a plan similar to how the Probation Advisory Board (PAB) operates, or to create a RFP for services and have CJC oversee the provider. The CSTF will present its findings in writing including costs and will make recommendations. The CSTF will meet June 9.

The PAB met last week and is moving forward on review of probation services to be complete by next PAB meeting on May 21. The results will be presented, and other issues will be discussed; extension of contracted services, determining payment plans through the courts for violations of probation (VOP), alternative sanctions, changes to how probation affidavits are written, and to establish provisions for a notice to appear. Issues have come up because of the inability to pay costs and fees, which result in violations of probation, this causes a negative cycle to begin.

Member Comments (4) - Mr. Lee Waring asked when some results from the BHTF would be presented to the CJC, Ms. Rosalind Murray responded sometime at the end of June; Chairman Kramer recommended a progress report be given at each CJC meeting. Mr. Barry Krischer commented the State Attorney’s office previously had picked programs on defendant evaluation, to avoid conflict of interest and ensure reputable groups, judges should be able to identify programs that do not meet standards. Judge Kroll questioned how judges should know which are up to standards.

Legislative update – Mr. Michael Rodriguez discussed several issues currently being addressed, such as juvenile civil citations allowing law enforcement to issue second or subsequent misdemeanors, changes in the Marchman Act proceeding, a direct file bill in modification that may be a dead issue at this time. Additionally, a

bill to allow local judges to sentence to the county jail for up to 2 years instead of one for certain crimes, which may impact the county financially.

Mr. Gerald Richman commented there are antitrust implications on recommending Behavioral Health programs; as an advisory body the CJC should be able to make recommendations. He raised the question of how involved Staff will be and decisions on how to proceed should be made soon. Chairman Kramer agreed, Ms. King added the place to start would be the BIP.

Chairman Kramer asked for motion for meeting to be adjourned at 9:00 a.m., so moved.