

M I N U T E S

TUESDAY, May 26, 2015

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

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

Members Present:

Dave Aronberg
Rosalyn Baker
James Barr
Nelson Berrios
Jeffrey Colbath
Douglas Duncan
Joseph Ianno, Jr.
Randolph Johnson, Sr.
Dave Kerner
William Kramer
Barry Krischer
Kathleen Kroll
Bryan Kummerlen
Duane Little
Christina Morrison
Gerald Richman
Chuck Shaw
Brian Smith
Priscilla Taylor
Lee Waring

Guests Attending:

Todd Bonlarron, PBC Legislative Affairs
Joseph Sophie, PBC Legislative Affairs Delegation Aide
Clay Cox, Professional Probation Services
Mike Edmondson, State Attorney's Office
Brian Fernandez, State Attorney's Office
Federico Foreno, Professional Probation Services
Judge Leonard Hanser, 15th Judicial Circuit
Amy Karpf, Office of Financial Management and Budget
Jenise Link, PBC Justice Services
Rachel Ondrus, PBC Legislative Delegation
Vern Pickup-Crawford, PBC School District
Stephanie Sejnoha, PBC Public Safety
Michelle Spangenberg, Court Administration
Louis Tomeo, Clerk and Comptroller's Office
Clay Walker, Department of Children and Families
John Wilson, Office of Financial Management and Budget
Bert Winkler, The Lord's Place

Members Absent:

Chris Allen (resigned)
Sharon Bock
Ric Bradshaw
Barbara Cheives
Michael D'Alonzo
George Elmore
Rolando Garcia
Carey Haughwout
Nellie King
John McKenna
Valentin Rodriguez
Robert Shirley
Greg Starling

E. Wayne Gent, Ex-Officio Executive
Committee (School Superintendent)

Staff Present:

Michael L. Rodriguez, Executive Director
Jacquelyn Esposito, Criminal Justice Analyst
Arlene Griffiths, Senior Criminal Justice Analyst
Katherine Hatos, Senior Criminal Justice Analyst
Shahzia Jackson, Senior Criminal Justice Analyst
Danny Kreshak, Financial Analyst II
Damir Kucek, Research and Planning Manager
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 May 26, 2015 meeting was unanimously approved with additions made by Mr. Gerald Richman to discuss Citizens Review Boards and by Mr. Michael Rodriguez to discuss the Domestic Violence Training Protocol after a motion to approve by Mr. Lee Waring and second by Commissioner Priscilla Taylor.
- V. The Minutes of the April 27, 2015 meeting were unanimously approved after motion by Ms. Christina Morrison and second by Mr. Gerald Richman.
- VI. Chairman's Comments – Chairman Kramer gave a general welcome and turned his comments directly over to the Executive Director.
- VII. Executive Director's Comments - Mr. Michael Rodriguez acknowledged the second session of the Citizen's Criminal Justice Academy is continuing, and thanked those present for providing the space and their speaking talents. The Stepping up Initiative Resolution was passed by the BOCC on May 5, 2015, as an effort to reduce the population of mentally ill housed in local jails. The CJC staff will be working on action items associated with that resolution. Mr. Rodriguez welcomed the CJC's student intern, Siyu Fan, not present at this meeting due to her work schedule.
- VIII. Business Consent Items - there were no items for discussion.
- IX. Old Business – Chairman Kramer asked for the probation report, and welcomed Administrative Judge Leonard Hanser, chair of the Probation Advisory Board (PAB). Judge Hanser presented the topic of the expiration of the Professional Probation Services (PPS) initial three year contract, up for renewal for successive one year periods. The PAB reviewed and is recommending a renewal term from September 3, 2015 through September 2, 2016. The PAB is pleased with the three year record review of PPS by the CJC staff, which has complied with its contract in 92% of all cases overall; financial compliance is satisfactory, as well as

performance measures that compare well with other services in other counties. Hillsborough County 75% compliance, -77% Palm Beach County compliance; Broward County 70% compliance of all cases. Judge Hanser also received favorable opinions from his colleagues.

Member comments: Mr. Randy Johnson asked for clarification of the 70% figure of all case compliance. Judge Hanser answered that 77% of cases indicates success rates of probationers completing all requirements. The 92% represents expectations in all aspects of contract performance. These cases involve county court misdemeanors only; probation is no more than one year. Judge Colbath asked if 23% failure rate was attributable to behavior of probationer or performance measure of servicer. Judge Hanser answered typically behavior cannot be controlled by probationer; he added one area to be discussed with PPS is being more assertive in offering referrals for services to those on probation.

A motion to renew the contract was made by Commissioner Priscilla Taylor, second by Mr. Lee Waring, motion passed unanimously.

- X. Legislative update – Mr. Todd Bonlarron outlined his perspective on part I of the legislative session, he is returning for a special session for budget completion. From a regular session standpoint it was mostly favorable. The large issue of juvenile justice 50/50 split cost share between counties and state, bills that may be incorporated in the next session, is still under discussion. Still working with Judge Gerber 4th DCA Courthouse construction, working to obtain \$16.7 million number needed. Working with the State Attorney's office regarding payment in lieu of tax funding for Sago Palm facility and South Bay correctional and funding for prosecution of PIP fraud. Passed legislation on pain management clinics which eliminated sunset issues, led by State Attorney efforts. Grandparent's rights bill passed. Passed extension of statute of limitations in certain sexual battery cases from 4 up to 10 years in certain cases. Still in progress: issue of sober homes – first steps taken to create a registry, certain voluntary accreditation to get court services referral; Dave Kerner responsible for legislative pieces including human trafficking to post awareness signs with hotline publicly noticed, and an increase in some penalties for solicitation of prostitution to assist with this issue. Ethics restitution public officials liable for dollars taken to those governments wronged. Stalled legislation along with juvenile justice cost share, which died on the last day of session – issue of Mental Health/Substance Abuse including Marchman Act, hopefully will be picked up in January 2016 session. Others include civil liability of farmers; Consumer protections regarding electronic commerce, service of process in civil traffic citations subpoenas for witnesses can be served regular mail, Crime Stoppers trust funds with increased flexibility to purchase promotional items. Fewer than 200 bills passed, 2-3 dozen were criminal justice core issues. He asked

for other issues from CJC members to share.

Member Comments - Chairman Kramer asked if there is any proposed legislation on the restricted use of Domestic Violence Trust Fund (DVTF) dollars. Mr. Bonlarron responded he has had many meetings with statewide associations on making adjustments, such as providing funds for the rehabilitative treatment of a perpetrator of a domestic violence crime. Mr. Bonlarron stated there is a lot of pushback from associations on the issue of creating flexibility in the use of DVTF. Chairman Kramer asked for monitoring of this issue to continue. Mr. Bonlarron said a broad stance was presented, and there is a need for more specific recommendations for the use of these funds, and he will continue to monitor. Mr. Rodriguez asked what association is opposed, Mr. Bonlarron did not recall, they had other priorities in this session; Mr. Bonlarron will provide details. Mr. Rodriguez inquired on the request to incorporate CJC into the statute for access to information; Mr. Bonlarron responded it is not best moved as a stand-alone issue, best suited as an amendment, the opportunity to tag this language on a bill this session was not available, and will look at for next session. Judge Colbath asked if there was any softening between house and senate on budget issues – Mr. Bonlarron responded the State budget issues are looming large for both sides regarding federal state money for Medicaid and the uninsured. Long term solutions are needed, next few days will be critical in how to proceed. Mr. Dave Aronberg thanked the legislative affairs staff and Representative Dave Kerner for their invaluable help.

XI. New Business –

A. County Budget – Mr. Michael Rodriguez explained he had attended a management team meeting, Palm Beach County administration has received department budget and supplemental requests totaling negative 30 million dollars and had brought it down to negative 13 million. Public Safety has made supplemental budget requests for 1 million dollars to fund Drug Court and \$250,000 for Reentry funding to make up for 250,000 federal funds not available this year. Both requests were denied by administration. Administration will take the \$335,000 set aside for CJC Behavioral Health priorities and apply to Drug Court, to offset county's costs. This action represents the first time administration has made a different recommendation other than CJC's. Discussed were three options as to the CJC's approach: Option 1. Acquiesce, Option 2. Meet with the individual commissioners to see what level of support there is, Option 3. Garner support at public meetings for the

issue. Mr. John Wilson of OFMB explained the budget submitted by departments exceed funding sources, the County Administrator is still considering requests and a proposed budget will be presented to the public on June 9, the BOCC has the ultimate decision on funding allocation. Mr. Randy Johnson indicated he is in favor of pursuing meetings with individual commissioners to stress how valuable the Behavioral Health programs will be. Chairman Kramer agreed Behavioral Health initiatives are an investment, not an expense, it will be necessary to make a value judgment. Mr. Waring agreed with the approach favored by Mr. Johnson and how best to present as a solid social and business investment. Mr. Richman asked what data we have that will advocate for the funding. Mr. Rodriguez responded that making the case will be a challenge as there is no specific program identified yet. Mr. Richman asked if we can get data from other sources; Mr. Waring suggested data can be obtained from Dr. Latessa, speaker at the APM. Judge Colbath raised the topic of rising property values; Mr. Wilson said it should have an impact but it is still under formulation, next fiscal year should show more revenue available. There was a general agreement of members to support meetings with the individual commissioners to gather an opinion of support for Behavioral Health issues as a social investment and to make the case for the value of such.

B. Mr. Gerald Richman raised the topic of Citizens Review Boards across the country – this would be something appropriate for the CJC to be doing more in oversight, i.e. police shooting/civil rights issues. Commissioner Taylor responded this has been brought to the BOCC and the county legal department is looking at how to establish, if possible. A report will be made soon before the BOCC.

C. Domestic Violence Training – PME subcommittee has reviewed the proposal by the National Family Justice Alliance on “train the trainer” program on strangulation, the Finance Committee is recommending approval by the CJC. A motion was made by Mr. Lee Waring to approve, second by Commissioner Taylor, approval unanimous.

D. Mr. Michael Rodriguez announced the award of MacArthur Foundation Grant reducing jail populations, with Palm Beach County as one of 20 sites selected; the grant will further fund 10 sites up to 2 million, a press conference scheduled for Wednesday 5/27/15 for the formal announcement.

E. Rep Dave Kerner asked the members and guests to pay attention to what is happening in the legislature concerning the tenor of walking away from difficult issues

and not coming back with a solution. They are at a point budgetary wise with 1 million dollar surplus but shut down of government being used as a tactic to not part with such funds, will have a long lasting effect on state and subsequent local governments.

XII. CJC Initiatives - none

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