

M I N U T E S

MONDAY, SEPTEMBER 28, 2015

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

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

Members Present:

Dave Aronberg
James Barr
Nelson Berrios
Barbara Cheives
George Elmore
Carey Haughwout
Joseph Ianno, Jr.
Randolph Johnson, Sr.
Dave Kerner
Nellie King
William Kramer
Kathleen Kroll
Bryan Kummerlen
Christina Morrison
Gerald Richman
Greg Starling
Priscilla Taylor
Lee Waring

Members Absent:

Rosalyn Baker
Nelson Berrios
Sharon Bock
Ric Bradshaw
Jeffrey Colbath
Michael D'Alonzo
Douglas Duncan
Rolando Garcia
Barry Krischer
Duane Little
John McKenna
Valentin Rodriguez
Chuck Shaw
Robert Shirley
Brian Smith

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

Guests Attending:

Nicole Bishop, Public Safety
Sharon Edmonds, Florida Dept. of Corrections
Michael Gauger, PBSO
Judge Leonard Hanser, 15th Judicial Circuit
Amy Karpf, Office of Financial Management and Budget
Eliot Kleinberg, Palm Beach Post
Jenise Link, PBC Justice Services
Jennifer Loyless, Public Defender's Office
Louis Tomeo, Clerk and Comptroller's Office

Staff Present:

Michael L. Rodriguez, Executive Director
Jacquelyn Esposito, Criminal Justice Analyst
Arlene Griffiths, Senior Criminal Justice Analyst
Shahzia Jackson, Senior Criminal Justice Analyst
Danny Kreshak, Financial Analyst II
Damir Kukec, Research and Planning Manager
Jeanette Marshall, CJC/MacArthur Grant Specialist
Rosalind Murray, Criminal Justice Program Development Specialist
Allison Orr, Administrative Assistant
Craig Spatara, Criminal Justice Programs Manager
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 September 28, 2015 meeting was unanimously approved after motion by Mr. George Elmore, second by Mr. Lee Waring.
- V. The Minutes of the May 26, 2015 meeting were unanimously approved after motion by Mr. James Barr and second by Mr. George Elmore.
- VI. Chairman's Comments – Chairman Kramer gave a general welcome and thanked members for their continued participation. Chairman Kramer noted under New Business Items Judge Leonard Hanser would be first on the agenda due to his court schedule.
- VII. New Business: PAB Update Report

Judge Leonard Hanser presented the results of the meeting of the county court criminal division on Probation Advisory Board (PAB) issues – judges supported unanimously using Notice to Appear rather than O.R. Bonds in violation of probation cases. Payment plans entered into with the Clerk & Comptroller office including a \$25.00 Clerk fee for monitoring received far less unanimous approval, citing the probation service is already providing that service in the monthly fee charged for probation. Felony courts have an Administrative Order (AO) for alternative sanctions; the consequences for violating misdemeanor probations are far less severe.

Member Comments: Chairman Kramer asked if there were alternate suggestions to create a more successful outcome, Judge Hanser answered probation monitoring is the judge's consensus. Chairman Kramer asked if the clerk fee were removed, would that assist the judges to view the plan more favorably. Ms. Carey Haughwout asked if PPS could with collection of fees in lieu of the Clerk's office, i.e. phone calls, emails. Judge Hanser forwarded the idea of the \$375.04 in monthly installments divided into the life of the probation without clerk; Ms. Haughwout agreed it would work with a Notice to Appear. Mr. Michael Rodriguez added he was

not sure contractually require PPS to do more, as defendants are already encouraged to make monthly payments. Ms. Haughwout clarified payments would be made a formal condition of probation, if person unable to make the payment, PPS could analyze.

Chairman Kramer asked if a motion should be made to reanalyze, put on hold the vote made at the Executive committee to move forward. Ms. Carey Haughwout made a motion to suspend the current recommendation and refer back to the PAB for an alternative method to accomplish efficiency; second by Mr. Randy Johnson, motion passes unanimously.

New Business: CJC Staff Finance Recommendation: Mr. Michael Rodriguez summarized the recommendations approved at the Finance Committee (FC) and brought to the last Executive Committee meeting regarding a salary increase for the CJC Research & Planning Manager, which was not approved; the Executive Committee requested more information be brought to member's attention to further address the issue. Mr. Rodriguez reviewed the fact sheet included in the agenda packet outlining job duties, and additional responsibilities stemming from the loss of the Program Director to Public Safety. Mr. Rodriguez asked members to consider the CJC Ordinance language establishing the responsibility of the Executive Director for hiring and maintaining staff to carry out duties authorized by the CJC. The FC unanimously approved on September 8, 2015 the 16% salary increase. Even with full approval of both committees, the increase would still go through the Human Resources process and county approval.

MEMBER COMMENTS: Mr. Richman noted the real issue is if the salary increase can be justified. Ms. Nellie King added the CJC should not get into a performance evaluation that is the responsibility of the Executive Director. She agreed the salary increase is adequately justified. Ms. Morrison's concern was that funding for the raise would not be able to be carried on in future budgeting, but felt her questions have been adequately answered. Chairman Kramer added the CJC needs talented staff to continue the progress of initiatives. Ms. Carey Haughwout said she is not opposed to salary increase, but concerned with procedure, regarding if the Executive Director has authority in how to spend grant funds; ad valorem funds should be within the Executive Director's purview, expenditures of grant funds for supervisory authority over staff is not appropriate. Chairman Kramer clarified that no formal finance committee met after the initial meeting, however discussions ensued with the Executive Director for expenditure of funds in staff positions, focus is on responsibilities, and he feels the process is sustainable. Mr. Richman added the FC already looked at the budgeting process – consensus was greater detail to be provided to the Executive Committee and to the full CJC, sufficient detail had been provided to the FC for approval. Mr. Rodriguez commented that use of trust fund/grant dollars used to fund positions should be moved to ad valorem dollars. Judge Kathleen Kroll asked what other positions are funded by Crime Prevention Trust Fund (CPTF), she thought grant funds were used for those positions rather than general CJC staff. Chairman Kramer said CPTF funds are allowable for staff positions. Judge Kroll said the salary increase too much for one person at this time, and is opposed. Ms. Haughwout also expressed concern with the language

embodied in the CPTF, if it authorizes the use of monies for this purpose. A motion to approve the salary increase was made by Gerald Richman, second by Lee Waring.

Further Member comments: Mr. Richman asked what would suffer if duties were not fulfilled: Mr. Rodriguez responded with the applying for new grant funding, issues with data and research being as robust, Ms. Haughwout opposed to motion, would want to revisit after new position is added to see if there is a deficit in available skills, Commissioner Taylor opposed to 16% raise, would revisit it later, those funds can be used in community in other ways. Christina Morrison asked about timeline of hiring for the new position, applauded Executive Director for efforts in lowering staff costs. She added that grant writing increasingly important as federal funds will be decreasing dramatically; Mr. Waring concurred diminishing grant dollars a reality. Mr. Gerald Richman added viewing as just a salary increase, what will it take to get the right person for the job, defer to Executive Director to identify the correct person, view as a new position for the CJC and is justifiable. Barbara Cheives asked for clarification on motion. Two motions for vote: 1) standing recommendations to reallocate for the 66,000 deficit FC recommendations, 2) a separate motion for increase in salary from CPTF.

1st motion passed unanimously, 2nd motion failed, yes 7, no 8.

New Business: PME Committee Update: Ms. King addressed key performance measures, because of interference with data collection due to FDLE audit to assure privacy security protocols in place, a full data report can be presented at the Annual Planning Meeting. Additionally MacArthur grant duties delayed information, the audit passed with recommendations, at Monday workshop PME approved template for providers was presented, Court Systems Task Force could also use templates in oversight of those programs, and will come to CJC with recommendations for BIP.

New Business: Behavioral Health Task Force Merger: The BHTF has now assumed the role and duties of both the adult and juvenile mental health committees, a motion was made to dissolve those two committees by Commissioner Taylor, second by Carey Haughwout, motion passed unanimously.

MacArthur planning grant work will follow staff to Public Safety Department. Data and Research will still support in planning phase, will look if grant goes to implementation stage.

Ban the Box: Commissioner Taylor commented in favor, the Executive Committee supports, a motion made by Christina Morrison to provide recommendation by CJC approval to county, second by Carey Haughwout, motion passed unanimously.

Ms. Christina Morrison made a motion to bring back within 60 days after new position filled to reconsider salary increase, Gerald Richman second, motion passed unanimously.

IX. Old Business – none to be discussed

XII. CJC Initiatives - none

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