

M I N U T E S

MONDAY, September 24, 2018

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

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

Members Present:

Dave Aronberg
Barbara Cheives
William Dames
Rachel Docekal
George Elmore
Carey Haughwout
Kimber Heddon
Joseph Ianno, Jr.
Keith James
Randolph Johnson, Sr.
Kevin Jones
Dave Kerner
Nellie King
James Martz
Sarah Mooney
Christina Morrison
Gerald Richman
Greg Starling
Stephen Stepp
Lee Waring
Erica Whitfield

Members Absent:

Sharon Bock
Ric Bradshaw
Ellen Cohen
Douglas Duncan
Justin Fleck
Al Jacquet
Barry Krischer
John McKenna
Krista Marx
Frank Mercurio
Robert Shirley

Guests Attending:

Louis Tomeo, Clerk & Comptroller's Office
Michael Gauger, PBSO
Jennifer Loyless, Public Defender's Office
Mike Edmondson, State Attorney's Office
Chuck Shaw, PBC School District
Keith Oswald, PBC School District
Angela Bess, PBC School District
Frank Kitzerow, PBC School District Police
Faye Johnson, PBC Assistant County Administrator
Arlene Griffiths, PBC Public Safety Department, Reentry Program
Danielle Ouellette, PBC Public Safety Department, Reentry Program
Cassandra Atkin-Plunk, Florida Atlantic University
Shanitra McKenzie, PBC Crime Prevention Officer's Association
Lisa Robinson, PBC Crime Prevention Officer's Association
Dave Talley, PBC Career Source
Dave Bernhardt, BOCC District 3

Staff Present:

Jonathan Hackley, Criminal Justice Analyst
Kristina Henson, Executive Director
Aleita Kinman, Senior Criminal Justice Analyst
Danny Kreshak, Financial Analyst
Damir Kukec, Manager, Research and Planning
Althea Mones, Temporary Clerical Staff
Rosalind Murray, Senior Criminal Justice Analyst
Allison Orr, Administrative Assistant
Jacqueline Schoenfeld, FUSE Program Coordinator
Katherine Shover, Senior Criminal Justice Analyst

- I. Chairman Richman called the meeting to order and extended a welcome to members and guests.
- II. Roll call was taken and a quorum was present.
- III. Chair Richman invited guests to introduce themselves.
- IV. The agenda for the September 24, 2018 meeting was unanimously approved after a motion by Ms. Carey Haughwout to move Item XA to IXB discussion. Upon a second by Commissioner Dave Kerner, the motion passed unanimously.
- V. The Minutes of the April 23 and May 21 meetings were unanimously approved after a motion by Commissioner Dave Kerner and a second by Mr. Randy Johnson.

VI. Chairman's Comments:

- A. Chair Richman welcomed members back after the summer break.
- B. Chair Richman welcomed Ms. Faye Johnson as the new Assistant County Administrator liaison for the CJC.
- C. Chair Richman announced the new Assistant Special Agent in Charge of the West Palm Beach FBI Field Office, Justin Fleck.
- D. Chair Richman announced the new Assistant U.S. Attorney representative, Ms. Ellen L. Cohen.

VII. Executive Director Comments:

- A. Executive Director Kristina Henson announced the inaugural event of the National Reentry Summit, to be held in Palm Beach County.
- B. Director Henson gave an update on the status of the Fiscal Year 2018 and 2019 Edward Byrne Memorial Justice Assistance Grants (JAG).

- C. Director Henson announced the next public event coordinated by the Community Engagement Task Force in Boynton Beach on October 25.

VIII. Old Business:

- A. Chair Richman recognized PBC School Board Member Ms. Erica Whitfield and PBC School District Police Chief, Frank Kitzerow, who presented a detailed update on measures being taken by the District to adhere to the Marjory Stoneman Douglas Public Safety Act passed earlier this year and to ensure Palm Beach County school are safe. Among the many strategies being implemented, accomplishments include the placement of a police officer at every school in the District, further coordination with PBC Emergency Management, expansion of School District Police staff, implementation of the LEX system for coordinated communication, and integration of threat assessment teams at every school. Judge James Martz highlighted efforts by the School Safety Subcommittee including an upcoming symposium for trainers from various law enforcement and fire rescue agencies to share information on policies and procedures and examine national best practices related to school shootings. Judge Martz also highlighted beginning efforts with the Children's Services Council and other agencies to ensure that a continuum of mental health care exists in the County to address those identified as threats to school safety.

IX. New Business:

- A. Chair Richman asked for a motion to approve the CJC Nominating Committee's recommendation to appoint Reverend Kevin Jones to a second three-year term to fill the Clergy Seat on the CJC. A motion was made by Mr. Lee Waring, and upon a second by Ms. Christina Morrison the motion passed unanimously.
- B. Director Henson gave an update on the various MacArthur Safety & Justice Challenge strategies including the status of the risk assessment instrument, the text-based court reminder system, the racial and ethnic disparity project, and case processing. She then gave an overview of a grant application for member consideration in response to a supplemental solicitation from the MacArthur Foundation for only the 20 implementation sites to be used for community engagement. The grant is for up to \$200,000 a year for two years. Director Henson outlined the strategies proposed under this grant application including having the University of Florida Research Center conduct surveys and focus groups of county resident attitudes toward the local criminal justice system, hiring a consultant experienced in this work to help enhance and guide the efforts, enlisting Everyday Democracy to help guide strategic planning and goal setting, enlisting national speakers for special events locally, and conducting implicit bias educational sessions with the community. The amounts requested are \$162,000 for the first year, and \$157,000 for the second year. General discussion ensued with member questions and one suggestion made was to include in the grant, funds for translation equipment for non-English speaking people to participate in

community conversations and meetings.

Ms. Haughwout spoke of the extensive resources given to the MacArthur grant from her agency, other agencies, and CJC staff. She voiced frustration that the grant strategies are not accepted by local leaders, nor are they being pushed down from the top within the agencies involved. She reiterated that the Safety and Justice Challenge (SJC) is based upon local leaders agreeing to a sincere desire to change broken elements in their system. She spoke of the analysis done to review the system related to pretrial detention and the issue of racial and socio-economic disparity that keeps people in jail. This, she said, led to the strategy of implementing a pretrial risk assessment instrument. She spoke about how she had office-wide training within her agency and pushed the use of the tool to her staff which she believes all local leaders involved should do. She voiced frustration that the State Attorney's Office never refers to the tool at hearings and asks for high monetary bail and that the First Appearance judges match rates after a year are only 40%. She said we haven't really pushed the tool out and are working it in form and not substance. She suggested that the Community Engagement Task Force needs to honor the voices of the community instead of lecturing to the community about the things we are doing. She said we don't acknowledge that there are broken parts in our system that we are all responsible for and we want to fix them by engaging the community. She said until the leaders accept that our pretrial detention system has a disparate impact on people of color and poor people, that we can't continue to go through these steps. She also raised the issue of the State Attorney's Office recently increasing their cost of prosecution fees at a time when we are trying to address economic disparity in the system. She suggested that the CJC not make application for additional funds for additional activities, until the local leaders agree with the basic premise of the SJC grant which is that there are racial and economic inequities and bias in the system. She said she thinks getting outside assistance for community engagement would be helpful but wants to know that the local leaders are all on the same page before pursuing the grant. Mr. Aronberg clarified that his office uses the pretrial risk assessment. He also responded that his office is part of the MacArthur initiative and supports the risk assessment instrument and that he is part of the 9-member delegation going to the MacArthur All Sites meeting in October in support of the effort. He also responded that his office is at the minimum cost of prosecution fee as set by the state and are the lowest in the state. He further stated that because the state legislature forces him to fund his office out of user fees instead of relying on the state, the only way to fund his budget, is to increase this fee to match what other circuits are doing. On misdemeanor cases he is increasing the fee from \$50 to \$100 per case which matches what the Public Defender's Office receives and they are increasing felony cases to \$50 more than the Public Defender's Office. He said the alternative is to continue to lose his attorneys to private offices because he can't afford to keep them. Ms. Barbara Cheives spoke and said she wholeheartedly disagrees that the Community Engagement Task Force is preaching to the community. She said the upcoming Meet the Experts event is in response to what the Boynton Beach community wanted. She believes the Task Force is

listening to the community. She said the grant application would help the Task Force tremendously. She said there is no time to further examine whether we should go for this grant as it is due November 3rd. She said the grant is a national endeavor and it would be unwise for us to pass up this opportunity. Ms. Haughwout followed-up by saying that she does think we have made efforts with community engagement and the grant would be a good thing to bring in experts who know how to do this. But she restated that she thinks the CJC needs to have a conversation around the extent to which there is buy-in on the premise of the SJC Project.

Being mindful of the time, Chair Richman, closed the discussion of the issue and asked if there was a motion for the grant application. A motion to approve the grant application was made by Ms. Barbara Cheives, and upon a second by Ms. Christina Morrison, the motion passed unanimously.

X. Adjourn

With no further discussion, the meeting was adjourned at 9:10 a.m.