

Criminal Justice Commission
Court System Task Force
Minutes

Tuesday, March 10th, 2009 – 12:00 Noon
McEaddy 12th Floor Conference Room
301 N. Olive Avenue
West Palm Beach, FL 33401

Task Force Members present:

Jack Goldberger, Chairman
Journey Beard, CJC Crime Prevention Specialist
Judge Sandra Bosso-Pardo, County Criminal Court
Judge Lucy Chernow Brown, Circuit Criminal Court
Barbara Dawicke, Court Administration
Feirmon Johnson, Department of Juvenile Justice
Judge Nancy Perez, County Criminal Court (via videoconference from Gun Club)
Yasmin Rivera, Florida Department of Corrections
Michelle Spangenberg, Court Administration
Louis Tomeo, Clerk and Comptroller's Office
Chief Clay Walker, Manalapan Police Department

Task Force Members absent:

Cherry Grant, Public Defender's Office
Capt. Frank De Mario, Palm Beach County Sheriff's Office
Gena Rowlands, Palm Beach County Sheriff's Office
Terri Skiles, State Attorney's Office

Others present:

Cristy Altaro, Court Administration
Fay Callum, Community Justice Service Center
Wanda Joiner, PRIDE Integrated Services
Shelby King, Palm Beach County Sheriff's Office
Bea Lovelace, Clerk and Comptroller's Office
April Moorer, Palm Beach County Sheriff's Office
Johanna Rivera, Public Defender's Office
John Rivera, Public Defender's Office
Kathy Ruby, Palm Beach County Sheriff's Office
Nicole Saunders, Justice Services
Cassandra Strachan, PBSO - Community Justice Service Center

Staff present:

Damir Kukec, Research and Planning Manager
Mike Rodriguez, Executive Director
Becky Walker, Justice Program Manager

1. Welcome

Chair Jack Goldberger called the meeting to order at 12:06 p.m., and welcomed members and guests.

2. Roll Call & Introduction of Guests

Attendees introduced themselves in lieu of roll call.

3. **Approval and/or Additions to the Draft Agenda**

The draft meeting Agenda was approved without amendments.

4. **Approval Draft Minutes**

The draft minutes for the February 10th, 2009, were approved.

5. **Chairman's Comments**

- a. Sara Blumberg discussed the new Administrative Order 10.409-02/09 (Inactive Traffic Citations), and specifically the provision concerning the dismissal of any civil traffic infraction citations which have had no activity for the past seven (7) calendar years.
- b. Chair Goldberger informed the members about the availability to obtain prior Agendas and Meeting Minutes at the Task Force Web Link - http://www.pbcgov.com/criminaljustice/task_force/court/
- c. Judge Lucy Chernow Brown described the upcoming training luncheon, "Putting on Experts at Trial in Criminal and Civil Cases", being held by the Palm Beach County Bar Association - Judicial Relations Committee. Judge Brown is a featured speaker for this event.

6. **New Business** - No New Business

7. **Old Business** – No New Old Business

8. **Updates**

- a. **No Contact Orders** – April Moorer and Kathy Ruby, Palm Beach County Sheriff's Office Central Records Office, told members that only minor issues remain on obtaining BANNER access for their entire staff, and they are ready to schedule training. They are up-to-date on the backlog of Rescission Orders of No Contact. Ms. Ruby requested that a hard copy of the "Rescission Order" BANNER report continue to be generated while PBSO is working on obtaining BANNER access and training. There was a discussion regarding cases when a No Contact Order is initially issued, but subsequently the State Attorney's Office may "no file" the case and the prior No Contact Order is properly rescinded and notice provided to PBSO. Chair Goldberger requested that Journey Beard, CJC, and Louis Tomeo, Clerk & Comptroller's Office, to investigate the possibility of adding a box to the Court Event Form stating "No Contact Order Rescinded" and direct the Clerk's Office to provide notice to PBSO. Also, they will investigate the legalities of using the Court Event Form to accomplish this purpose since it is not a court order.
- b. **Violation of Probation (VOP) Felony Hearings** – Judge Lucy Chernow Brown, Circuit Criminal Court, described a pilot program for in-custody preliminary VOP hearings at Gun Club. The program will begin March 16th on Monday - Friday. The program will handle VOP warrants and some street violations. It is expected that cost savings will be realized since defendants will not require transportation to the various courthouse felony divisions, and should provide faster hearings and less jail time for defendants. This program will encompass all felony divisions at the main courthouse, and will be periodically reviewed. If the program is successful, there may be a possibility to expand it to the county court divisions. Judge Brown will continue to provide program updates to the Task Force.
- c. **Suspended License Assistance Program** – Journey Beard, CJC, updated members about possible participant referral sources, three (3) possible trainers to teach individuals how to navigate the system to get their driver's license reinstated, and using the Community Justice Service Centers (CJSC) as a possible resource location. Sara Blumberg, Traffic Court Administrator, spoke to members about the possibility of a diversionary program for Driving Under Suspension (DUS) traffic infractions, particularly targeting those individuals with three (3) or more DUS offenses in order to prevent them from becoming

habitual traffic offenders. An update will be provided on the misdemeanor DUS and traffic court diversion program(s) at the next meeting.

- d. **Drug Court** - Nicole Saunders, Justice Services Director, reported the Drug Court Advisory Subcommittee meeting will be held on Friday, March 27th. Three working groups (Funding, Partnerships, and Current Operations) were created to strengthen the Drug Court's future, build a more comprehensive network in order to meet objectives, and identify and resolve any issues that may impede its success. New grant opportunities involving the expansion of treatment capacities for adult drug court are being investigated.
- e. **BANNER** - Louis Tomeo, Clerk and Comptroller's Office, reported that negotiations have begun with Aptitude Solutions, a vendor having fully operational case management systems currently operating in Duval and Collier County. There will be a vendor demonstration on March 24th. Due to a recent legislative change that eliminated an 18% school reduction fee for traffic infractions, the Clerk and Comptroller's Office was required to update BANNER at a cost of \$15,000. It was not possible to complete this change control internally.
- a. **Juvenile Drug Court** - Cristy Altaro, Court Administration, reported the first advisory committee meeting was held, and a subcommittee was formed to explore funding sources. There are seven (7) persons currently in the system. The majority of referrals originate from the State Attorney's Office, Public Defender's Office, and the Dept. of Juvenile Justice. On April 24th, the Unified Family Court Unified Family Court will be holding a training event, "Increased Violence in Stressful Times". An informational flyer will be added to the Court System Task Force website.
- f. **Community Justice Service Center** - Becky Walker, CJC, provided the reports from both Centers. The CJC Board recommended discontinuing all future funding for the Community Justice Service Center, and efforts are underway to work with the City of West Palm Beach to fund the CJSC.

9. Member and Guest Comments

John Rivera, Public Defender's Office, asked about a new fine and fee that has been recently implemented, and requested information about the origin and legality of this program. A discussion ensued. Chair Goldberger asked Michelle Spangenberg, Court Administration, to provide an instructional checklist for private attorneys completing the forms.

Judge Lucy Chernow Brown announced that a slight change in the Administrative Order on the timing of assignment of capital cases has occurred. When the State Attorney's Office provides written notice to the Clerk of Court of a death that may result in a capital case, the Clerk will assign the case on a rotating basis among the judges in the Criminal Division using a blind-assignment process. Please see Administrative Order 4.101-03/09*.

The next meeting of the Court will be held on Tuesday, April 14th, 2009.

10. Adjournment

Given that there were no other agenda items; the meeting was adjourned at 1:02 p.m.