

Criminal Justice Commission  
Court System Task Force  
Minutes

Tuesday, May 12, 2009 – 12:00 Noon  
McEaddy 12<sup>th</sup> Floor Conference Room  
301 N. Olive Avenue  
West Palm Beach, FL 33401

**Task Force Members present:**

Jack Goldberger, Chairman  
Cherry Grant, Public Defender's Office  
Elizabeth Parker, State Attorney's Office  
Michelle Spangenberg, Court Administration  
Terri Skiles, State Attorney's Office  
Louis Tomeo, Clerk and Comptroller's Office  
Chief Clay Walker, Manalapan Police Department

**Task Force Members absent:**

Journey Beard, CJC Crime Prevention Specialist  
Barbara Dawicke, Court Administration  
Judge Sandra Bosso-Pardo, County Criminal Court  
Feirmon Johnson, Department of Juvenile Justice  
Capt. Frank De Mario, Palm Beach County Sheriff's Office  
Krista Marx, Administrative Judge, Gun Club  
Yasmin Rivera, Florida Department of Corrections  
Gena Rowlands, Palm Beach County Sheriff's Office

**Others present:**

Krista Garber, Court Administration  
Shelby King, Palm Beach County Sheriff's Office  
Bea Lovelace, Clerk and Comptroller's Office  
Johanna Rivera, Public Defender's Office  
Nicole Saunders, Justice Services

**Staff present:**

Damir Kukec, Research and Planning Manager  
Becky Walker, Justice Program Manager  
Candee Villapando, Research and Planning

**1. Welcome**

Chair Jack Goldberger called the meeting to order at 12:05 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 April 14<sup>th</sup>, 2009, were approved.

## 5. Chairman's Comments

Chair Goldberger requested that Liz Parker become an official member of the Court Systems Task Force to which she accepted. He welcomed the new head of Central, Judge Jeffery Colbath and Krista Marx who will be replacing Judge Brown (Circuit Court) and Judge Perez (Gun Club) respectively. He also wanted to thank Judge Perez for her contribution and that she is now in County Civil.

## 6. New Business

No New Business.

## 7. Old Business

- a. **Fast Track Program** – Michelle Spangenberg noted that the program was implemented in partnership with Court Administration, State Attorney, and Public Defender's Office. The program targets 3<sup>rd</sup> degree felons as an alternative to prosecution by offering a plea agreement. Ms. Spangenberg provided a one-page handout attributing a reduction in the average number of nights inmates spend in jail and a reduction in housing and transporting inmates. According to Ms. Spangenberg, after one year of implementation the program has saved Palm Beach County 2.8 million dollars. Chief Clay Walker invited the State Attorney to the next meeting of the Law Enforcement Planning Council (June 4, 2009) to give an overview of the program. Ms. Parker was asked to attend on behalf of Ms. Skiles as she had reported an existing conflict.
- b. **Proposed Administrative Order (Mental Health Division)** – Krista Garber reported that after careful consideration it was determined that an AO related to the case management check-list was not needed; however, she was kind enough to provide an update on the specialty court for incompetent to proceed cases in which Krista Marx is currently the presiding judge. Ms. Garber noted that as a result of recent meetings with the State Attorney and Public Defender's Office, a number of improvements have been made to with the specialty court (e.g., orders printed and signed at Gun Club). She reported that they now hold hearings sooner for in-custody accused (e.g., active case management) and we are better managing our expert witnesses. Chairman Goldberger requested that the Division judges and attorneys be informed about the implementation of this specialty court. Ms. Spangenberg noted that this item is on the agenda for the next judges meeting. Chairman Goldberger requested an update at the next meeting.

## 8. Updates

- a. **Rescission of No Contact Orders** – Ms. Bea Lovelace, Clerk & Comptroller's Office reported that they have developed a report to generate the number of No Contact Orders issued from circuit and county criminal court. Ms. Spangenberg noted that from the 11,200 cases (circuit only) with No Contact Orders found in the system we are not sure how many of them have an associated rescission order of no contact. The Chair and Ms. Skiles noted that it was very rare that they do a written rescission order and an oral pronouncement associated with the initial No Contact Order. Ms. Lovelace noted that in the case of oral pronouncements there is a "green form" that is recorded in the court for No Contact Orders at first appearance; "that is how it becomes a no contact order" in our system. It was agreed that a working group would meet to determine how we could identify a new process and to parse out the associated rescission orders and No Contact Orders – starting with the closed cases and then moving to open files. Ms. Skiles, Mr. Tomeo, and Ms. Spangenberg agreed to be on the working group.

- b. **Violation of Probation (VOP) Felony Hearings** – Ms. Spangenberg informed the Task Force that the committee met on April 30, 2009; there was some concern with moving forward with “street violations” and the committee decided that they would not include these types of violations in the pilot project. She noted that since the implementation of the pilot program, from March 16 to April 3, 2009, 43 of the total number of Felony VOP cases (91) were resolved at Gun Club resulting in a savings to the Sheriff’s Department of approximately \$5,375. They have also decided not to include Misdemeanor VOPs at this time and they wanted to determine the caseload first. Ms. Parker noted that the caseload volume was too large to handle – fast track and other duties was consuming much of their time at Gun Club.
- c. **Suspended License Assistance Program** – Damir Kukec reported that work on this issue was still on-going as staff and various members of this committee and Sara Blumberg, Traffic Court Administrator, continue to study the issue. Ms. Rivera from the Public Defender’s Office offered to share a draft Administrative Order concerning traffic infractions (e.g., infraction driving under suspension cases without knowing), not related to county criminal, when it is completed next week. It is hoped that this will free up court time associated with attorneys trying to vacate previous convictions. The draft AO will include exceptions related to a Driving Under the Influence (DUI) cases and those cases where there was injury or death. She concluded that the draft will be ready for the next meeting.
- d. **Drug Court** – Ms. Saunders, Justice Services Director, reported that the Drug Court Sub-Committee recently explored a possible federal grant opportunity with various service providers targeting women. Regrettably, the sub-committee was unable to meet some of the technical requirements and the grant application process was abandoned. Ms. Saunders did report that a previous grant application for drug court may be approved in the near future for a co-occurring track for drug court participants with substance abuse and mental health issues – we should know more in the next month or so. She also reported that there was going to be a “citizen’s advisory board” meeting for drug court to include past participants and their families along with others. This was described as a possible precursor for a not for profit fund raising arm for drug court. There is also going to be a joint meeting with the Alternatives to Incarceration (Corrections Task Force) and the Operations Committee of the Drug Court Sub-Committee on May 20, 2009. They will discuss the issue of expanding the eligibility criteria for drug court. Ms. Grant from the Public Defender’s Office noted that they will be raising the issue of post adjudication drug court and expanding the criteria. Chairman Goldberger asked Ms. Saunders and Ms. Grant to report on the outcome of this meeting at the next meeting of the Task Force.
- e. **BANNER** - Mr. Tomeo, Clerk and Comptroller’s Office, noted that they signed a contract with a case management vendor, Aptitude Solutions, and their product is called “Encore.” He reported that they were fast tracking the system and that they plan to have the criminal side online by the Fall of 2010. The company is onsite, and they are focusing on data conversion and the completion of a “fit-gap” analysis (needs assessment) starting June 1, 2009; and it may take up to 90 days.
- f. **Juvenile Drug Court** - no update this month.
- g. **Community Justice Service Center** - Becky Walker, CJC, reported that future funding for the Tamarind Avenue Community Justice Service Center was approved by the Criminal Justice Commission for another year by way of an application from the City of West Palm Beach. Staff will be examining how this will impact operations in the coming weeks.

## 9. Member and Guest Comments

Chairman Goldberger recommended that the Task Force not meet during the summer, July and August, and that he would confirm with Journey about the June meeting.

## 10. Adjournment

Given that there were no other agenda items; the meeting was adjourned at 1:01 p.m.