

Criminal Justice Commission
Court System Task Force
Minutes

Tuesday, January 12th, 2010 – 12:00 Noon
McEaddy 12th Floor Conference Room
301 N. Olive Avenue
West Palm Beach, FL 33401

Task Force Members present:

Jack Goldberger, Chairman
Judge August Bonavita, County Criminal Court
Judge Jeff Colbath, Circuit Criminal Court
Cherry Grant, Public Defender's Office
Judge Krista Marx, Gun Club
Sgt. Craig Laufer, (on behalf of Capt. Frank Demario)
Elizabeth Parker, State Attorney's Office
Yasmin Rivera, Dept. of Corrections
Terri Skiles, State Attorney's Office
Michelle Spangenberg, Court Administration

Task Force Members absent:

Barbara Dawicke, Court Administration
Feirmon Johnson, Department of Juvenile Justice
Capt. Alan Ortman, Palm Beach County Sheriff's Office
Gena Rowlands, Palm Beach County Sheriff's Office
Louis Tomeo, Clerk and Comptroller's Office
Chief Clay Walker, Manalapan Police Department

Others present:

Cristy Altaro, Court Administration
Wanda Joiner, PRIDE Integrated Services
Bea Lovelace, Clerk & Comptroller's Office
Mary Quinlan, Court Administration
Nicole Saunders, Justice Services
Cassandra Strachan, PBSO - Community Justice Service Center

Staff present:

Journey Beard, Criminal Justice Commission

1. Welcome

Chair Jack Goldberger called the meeting, 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

5. The draft minutes for the November 10th, 2009, and December 8th, 2009, meetings were approved.

6. **Chairman's Comments** – Chair Goldberger requested that members volunteer issues and/or projects for consideration before the Task Force.

7. New Business

- a. **Procedure for Return of Firearms:** Michelle Spangenberg, Court Administration, explained that Judge Blanc was contacted by a local criminal defense attorney regarding an Administrative Order (AO) already being used in the 12th Circuit concerning the Procedure for Return of Firearm to individuals who may have been arrested. Specific types of charges (domestic violence, Baker Act, felonies or misdemeanors charged but later dismissed, etc) are not included under this AO. Terri Skiles, State Attorney's Office, remarked that an individual could file a motion for return of the firearm. Cherry Grant, Public Defender's Office, commented that a FL statute specifically states the individual has 60 days to obtain return of their firearm, as well as cases from the 1st and 3rd Circuits, which states the judge having jurisdiction over the initial case has authority over the return of the firearm. Liz Parker, State Attorney's Office, offered that she has already contacted PBSO to obtain their input for a possible AO for our Circuit, and will be contacting law enforcement agencies from other municipalities to gain their input. Ms. Parker will report back in February.
- b. **Court Analyst and County Criminal Case Manager:** Michelle Spangenberg, Court Administration, asked that the introduction of these two new staff members be tabled until the February meeting, but did provide an overview of proposed duties. David Simmons, Court Analyst, is an attorney who will be analyzing data relating to jail population, pre and post sentence data including variables such as length of stay and charges, providing data reports relating to in-custody defendants, assembling court data and performance measures. Stewart Saalfield, County Criminal Case Manager, will be monitoring the misdemeanor VOP and Failure to Appear hearings at Gun Club, and facilitating the resolution of cases that are beyond Supreme Court time standards for case disposition.
- c. **Coordination with PBC School District for Treatment of Juvenile Offenders in Juvenile Court vs. Juveniles Direct-Filed into Adult Court:** Judge Jeff Colbath, Circuit Criminal Court, described a situation that has occurred within the school systems when juveniles have been charged with a crime and direct-filed into adult court, yet the school district is not getting notified that the juvenile will be returning to school. There is currently no liaison between the adult court system and the school district. This has resulted in potential problems since these juveniles, typically charged with serious and/or violent crimes, are returning to school. Task Force members discussed the possibility of having a school district liaison at Gun Club's first appearance hearings for these juveniles. This liaison could provide additional knowledge on those juveniles via speakerphone or satellite. The juvenile cases called at a particular point on the docket. Michelle Spangenberg and Cristy Altaro will contact school district liaisons and report back to the Task Force during the February meeting.

8. Old Business

9. Updates & Initiatives

- a. **Veterans Court:** Michelle Spangenberg, Court Administration, explained the Veterans Administration (VA) contacted Judge Blanc to discuss the possibility of implementing a Veterans Court. There is a nationally recognized Buffalo model that has been recognized, and the VA is considering the possibility of allocating a fulltime staff person to attend first appearance court hearings and identify veterans who could benefit from specialized VA services. Nicole Saunders, Justice Services, commented that Broward County and Miami Dade County already have Veterans Courts that are operating. Pre-Trial Services has been collecting data from June – December '09 to obtain the exact number of defendants who have served in the military who might benefit.

- b. **Videoconferencing Pilot Project:** Judge Jeff Colbath, Circuit Criminal Court, reminded members about the Remote Court Interpreters pilot program that allows interpreters to provide services to various courtrooms while remaining at a central location. Although the program was expected to be in operation by October '09, not much progress has occurred. Judge Colbath will investigate why the program has not yet become operational.
- c. **Rescission of No Contact Orders:** Michelle Spangenberg, Court Administration, reported on the Amended AO covering all new No Contact Orders, and directs when Rescission Orders should be filed. Rhonda Houlihan, PBSO Central Records, told members she had received the 82-page report from the Clerk's Office and those cases should be completely updated in the PBSO system within one week.
- d. **Drug Court:** Nicole Saunders, Justice Services, reported Adult Drug Court had 120 graduates in 2009, and 973 total graduates since the program's inception. There are 155 participants in Adult Court and 13 participants in the grant-funded co-occurring track handling mental health and substance abuse issues. Judge Marx, Circuit Criminal Court, has been working with judges, SAO, and PD's Office in an effort to get more uniformity and equity in drug-related cases heard at Gun Club and Main Courthouse judges. Judge Marx explained phases of Drug Court, and will be screening drug possession cases to ensure equitable outcomes. Court-ordered Pre-Trial Intervention (PTI) must contain a drug education component and must be recommended by Drug Court. The drug education phase is a shorter requirement as compared to the PTI component.
- e. **BANNER / SHOWCASE:** Bea Lovelace, Clerk & Comptroller's Office, reported that SHOWCASE is anticipated to go live in October, 2010. They are doing data conversion, and there will be various levels of security for electronic access. Chair Goldberger asked if it would be possible to electronic access of Probable Cause Affidavit images, and remarked that the private defense bar would be willing to pay for this online service. In Federal Court, Chair Goldberger said it is possible to obtain certain document images via his desktop computer. This issue will be investigated and reported on in February.
- a. **Juvenile Drug Court:** Cristy Altaro, Court Administration, reported that 5 participants are in the program, and will begin accepting youth referrals from the Youth Court diversionary program.
- f. **Community Justice Service Center:** Becky Walker, CJC, reported the second Project Ready class has begun. They are working with the Dept. of Corrections to submit a Second Chance grant application.

10. Member and Guest Comments

11. Adjournment

Given that there were no other agenda items; the meeting was adjourned. The next meeting will be held on February 9th, 2010.