

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION
PROBATION ADVISORY BOARD

Governmental Center, 10th Floor
301 N. Olive Avenue
West Palm Beach, FL 33401

December 15, 2009, 12:15 p.m.

MINUTES DRAFT

Members Present

August Bonavita	Chairman, County Criminal Court Administrative Judge
Virginia Cataldo	US Probation
Kay Oglesby	Public Defender's Office
Elizabeth Parker	State Attorney's Office
John Rivera	Public Defender's Office

Members Absent

Rosalyn Baker	Florida Department of Corrections
Steven Cohen	Criminal Defense Lawyer
Louis Tomeo	Office of Clerk & Comptroller

Guests Present

Cheryl Blackman	Pride Integrated Services, Inc.
Maureen Brickous	Pride Integrated Services, Inc.
Wanda Joiner	Pride Integrated Services, Inc.

CJC Staff Present

Arlene Burton	Administrative Secretary
Damir Kukec	Research and Planning Manager
Shahzia Hashmi	Intern
Michael Rodriguez	Executive Director
Candee Villapando	Criminal Justice Analyst

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- I. Welcome/Opening Comments.** The meeting started at 12:15 pm. Judge Bonavita introduced himself and thanked everyone for the honor of being the new Chairperson of PAB.
- II. Roll Call and/or Introduction of Members & Guests.** In lieu of roll call, Chair Bonavita asked everyone in attendance to introduce themselves.
- III. Approval and/or Amendments to the September 9, 2009 minutes.** The draft minutes for the September 9, 2009 meeting were approved without amendments.
- IV. Approval and/or Amendments to the Agenda.** The agenda was approved with no amendments.

V. **Chairman's Comments.** Chair Bonavita recognized Judge Sandra Bosso-Pardo for her services as past Chair of PAB.

VI. **Old Business**

Alternatives to Cost of Supervision Increase

Candee Villapando reminded the members that past Chair Sandra Bosso-Pardo suggested at the last meeting that PAB may decide to revote on Pride's request for cost of supervision fee increase depending upon the outcome of Mike Rodriguez's meeting with the Chief Judge regarding an office space for Pride in Delray as a possible cost-saving. Mr. Rodriguez reported that Chief Judge Blanc, however, was unable to offer assistance in this matter.

Maureen Brickous gave a brief update on Pride's financial situation, indicating that they have been able to reduce their budget deficits with adjustments in their expenses which included reductions in their payroll, office maintenance, training expenses, etc. She emphasized that, however, this is taxing on their staffing, and that the request obviously is to assist Pride in moving their program forward to where it should be, e.g., in terms of their other operational expenses, including rising insurance costs, improving their database, etc. She added that \$55 is becoming a standard for counties in the state that is about the size of Palm Beach County of over one million population.

Ms. Brickous also reported that they have just signed a 5-year lease for a new office space in Delray which will be open on January 4th, which will save them about \$1,000 per month in rent. She distributed flyers containing the address of the new office.

Chair Bonavita asked if there is anything that can be done from a judicial perspective, and Liz Parker inquired about cases where cost of supervision was waived by the court. Wanda Joiner explained that there is currently a process in place which enables Pride to review the client's financial ability internally, and not have the cost waived straight from court. Judge Bonavita asked Pride to let him know if there are judges waiving the fees so he could remind them of the procedure already in place.

Ms. Joiner noted that if the board is willing to entertain Pride's request for the fee increase at this time that there are not enough members to vote on the issue as there were only four members present at that time, and Ms. Ginny Cataldo concurred that they need to have at least five members in order to have a vote. Chair Bonavita suggested to put this issue at the forefront at the next meeting and to try to get a quorum, and the group agreed that Pride will propose the issue again at the next meeting if there is a quorum.

John Rivera also suggested looking into state probation's fee system, i.e., whether they have a two-tiered fee for supervision fees wherein non-indigent defendants pay a higher cost of supervision. He also asked about cases where the defendant is allowed to buy out of community service hours particularly dui cases with private attorneys since this is usually a large proportion of misdemeanor cases, although he points out that he is not necessarily promoting this idea, but just suggesting it for consideration as a possible source of money. Ms. Joiner said that this money goes directly to the Clerk's Office, and that as in any other condition, the defendants have to provide verification to Pride that they have completed the community service hours, or it will be converted to a fine which Pride will collect, with the other fines and court fees they collect for the Clerk's Office.

VII. New Business

A. DUI Program Referrals to Counseling

Ms. Brickous noted that Pride primarily wanted to clarify the language on the DUI school's certificate of completion and for it to clearly specify the intent of the court whether a client was recommended or required to counseling. She explained that in the circuit, when an offender is placed on probation for DUI, the offender is seen by a substance abuse evaluator, and that depending on the assessment, the dispositions may result in either of the following: (1) no counseling recommended, (2) counseling is recommended, and (3) referral to counseling is mandatory.

In Palm Beach County, there are two DUI schools, Pride and Metro. Pride's DUI certificate of completion states whether referral was not recommended, was recommended, or required. Metro's certificate, on the other hand, states only whether referral is not recommended or recommended (for both recommended and required). As the provider of probation services, Pride is directed by court to require attendance for DUI clients who were *recommended or required* to attend by the DUI program, and therefore an issue arises for Pride probation for the former case, because Pride would have to call Metro to clarify whether referral was required or recommended by the DUI evaluator.

Ms. Brickous distributed copies of a memorandum from 2000 by Judge Barry Cohen, administrative court judge at that time, and explained Pride's operations are currently guided only by this memorandum, but that ultimately, they would like to have an Administrative Order in place to eliminate confusion and for consistency over time. Chair Bonavita said that he might have to get together again with Pride to discuss the proposed Administrative Order.

B. New Delray Office Location

Since Ms. Brickous has already mentioned this earlier, she just reminded everyone to let her know if they need any additional flyers indicating their new location, and that their telephone number remains the same.

VIII. Updates

A. National Institute of Corrections' on-site technical assistance to Pride on the utilization of risk/needs assessments and subsequent referrals

Ms. Brickous provided the committee a copy of the report they received from the National Institute of Corrections representative who visited Pride in the summer, including a cover sheet updating the committee about their follow up meeting with CJC staff since the NIC visit, regarding Pride's current needs assessment tool and their plan to develop a risk assessment tool as a pilot. She said that they will follow up with the CJC on their pilot risk assessment tool, and that they will bring the results back to the board.

B. Community Referral Manager

Ms. Brickous reported that Pride applied for and was approved for dollars to assist them with a referral program. She introduced Pride's newly hired Community Referral Manager, Ms. Cheryl Blackman, who is tasked with identifying the needs of their clients and establishing relationships with the community services in the area. She said that said that they wanted to improve their

referral procedures, which also has been consistently recommended in their past audits. She added that Ms. Blackman will be working with the agencies to establish a good referral connection, and directly refer clients to the appropriate agencies. In addition, Ms. Blackman may be providing direct service to clients that have listed several needs, or really need some more direct attention. Ms. Brickous said that although the position is only a one-year grant-funded position, they are hoping in time to have established connections which Pride can continue if and when they are unable to continue or extend the position.

Ms. Brickous added that another thing they wanted to look at, which is also recommended in the NIC report, with the help of Ms. Blackman, is the level of risk of their clients. The NIC, based on best practices, recommends that probation assess the clients' level of risk, and then supervise them accordingly. Chair Bonavita asked if this is something similar to DOC's classification system. Ms. Brickous said yes. She said that this will be an evidence-based tool assessing the risk or needs of the clients so they can allocate their resources accordingly. She added that this obviously would require a buy-in from the entire criminal justice system, but that they have already had some discussions about the legalities involved.

Ms. Brickous reported that Ms. Blackman right now, however, is working only part-time, as there have been some issues with the funding which has not come through completely. So Ms. Blackman is currently working for Pride one day a week until the funds become available completely.

IX. Additional / Member and Guest Comments

Ms. Villapando welcomed and Judge Bonavita again, and provided the committee with an updated member directory.

X. Next Meeting

The committee decided to schedule regular, quarterly meetings on the third week of the first month of the quarter, i.e., January, April, July, and October, except for the next meeting which was scheduled on the second week of January 2010, on the 13th, Wednesday.

XI. Adjournment

The meeting was adjourned at 1:03 pm.