

M I N U T E S

MONDAY, July 13, 2009 – 8:00 a.m.

**PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION
EXECUTIVE COMMITTEE**

McEaddy Conference Room
12th Floor, 301 N. Olive Avenue
West Palm Beach, Florida 33401

Members Present:

James Barr
Peter Blanc
Ric Bradshaw
Barbara Cheives
Douglas Duncan
George Elmore
Carey Haughwout
Feirmon Johnson
William Kramer
Michael McAuliffe

Members Absent:

Matt Immler
Randolph K. Johnson, Sr.

Art Johnson (ex officio
Committee)

Harry Johnston, II (ex officio
Executive Committee)

CJC Members Attending:

Sharon Bock
Max Davis

Guests Attending:

Todd Banlarron, Legislative Affairs
Barbara Dawicke, Court Administration
Sherry Howard, Legislative Affairs
Un Cha Kim, Clerk & Comptroller's Office
Jennifer Loyless, Public Defender's Office
Felicia Scott, Riviera Beach Civil Drug Court
Stephanie Sejnoha, Office of Financial Management & Budget
Louis Tomeo, Clerk & Comptroller's Office

Staff Present:

Michael L. Rodriguez, Executive Director
Journey Beard, Crime Prevention Project Specialist
Arlene Burton-Griffiths, Administrative Secretary
Katherine Hatos, Criminal Justice Analyst
Damir Kukec, Research & Planning Manager
Jenise Link, Sr. Criminal Justice Analyst
Glenna Nowalk, Clerical Specialist
Mike Szakacs, Financial Analyst II
Candee Villapando, Criminal Justice Analyst

- I. Chairman Barr called the meeting to order at approximately 8:04 a.m.
- II. Roll call was taken and a quorum was present.
- III. Chairman Barr welcomed members and invited guests to introduce themselves.
- IV. The agenda was approved unanimously after motion by Chief Judge Peter and second by Mr. George Elmore.
- V. The minutes of the April 13, 2009 and June 8, 2009 minutes of the Executive Committee meetings were unanimously approved after motion by Mr. George Elmore and second by Mr. Max Davis.
- VI. Under Chairman's comments, Chairman Barr:
 - A. Welcomed and introduced Judge Peter Blanc as the new chief judge and CJC member.
 - B. Reminded members to use the microphone when speaking so that persons can hear you clearly and for recording purposes.
 - C. Advised that there are no scheduled full Commission meetings for the months of July and August, but as always, if the need arises, a special meeting will be called.
- VII. Under Executive Director's Comments, Mr. Rodriguez reported that the Belle Glade Youth Empowerment Center was burglarized this past week end and a couple of play stations and television sets stolen One television has so far been recovered. He noted that during his recent visit to the center, approximately 25 kids were in attendance and even though there are reported staffing issues, things were looking better.
- VIII. Business Consent Item
There were no business consent items.
- IX. Old Business
There were no old business items for discussion.
- X. Under New Business
 - A. Florida State University (FSU) Agreement
Mr. Rodriguez reported that the request for an extension of the agreement for Florida State University (FSU) in respect of the Youth Violence Prevention Program (YVPP) was declined. It was pulled from the consent agenda items by Commissioner Karen Marcus and supported by Commissioner Aaronson. He noted that the commissioners had concerns with the second year evaluation of the project by FSU, particularly with their knowledge of the community to effectively carry out the evaluation. The cost for the evaluation was also cited as a concern. The commissioners requested that the CJC return to the BCC with options for future evaluations within 60 days.

Mr. Rodriguez advised that the CJC will be advertising for request for information from persons who might have an interest in doing the evaluation. This will be distributed to all the local universities and other interests. He asked

members to inform him of any interest that they might be aware of.

Chairman Barr noted that it will be brought back before the executive committee upon receipt of information for approval of a process to move forward.

Mr. Davis commented that Dr. Blomberg initially suggested that a local university be approached to do the evaluation, but noted that former executive director, Diana Cunningham wanted FSU to spearhead the evaluation.

Public Defender Carey Haughwout suggested that the CJC undertake an evaluation of all the CJC projects to determine why they are funded and whether they should be funded. She spoke of her recent discussion with Dr. Brown who was consulted by the Children Services Division to do an overall. She said that the CJC has always discussed concerns about how programs are recommended for funding, and wondered whether we should look at having an overall structural review with the view of establishing a process for evaluation of all CJC programs. She recommended that the CJC speak with the Children Services Division to get a better view of what was done by Dr. Brown, with the intention of possibly duplicating it. She also noted that he has done a lot of pro bona work.

Mr. Rodriguez noted that the CJC staff has been doing some evaluation with the weed and seed programs as well as community courts. He reported of his discussions with Tanner??? at the Children Services Division and remarked that the division seem to have a good process which could be considered if the CJC wanted to allocate some money to this effort. He said otherwise, staff will continue with the in-house evaluation as best as possible. He noted also that with the in-coming chair's cooperation and input, the issue of what CJC does will be a big focus at the upcoming planning meeting, as staff sometimes gets lost in deciding whether the CJC run or fund programs. In the meantime, Mr. Rodriguez will speak with Tanner and possibly Dr. Brown to get some ideas for discussion at the annual planning meeting. Public Defender offered to assist in this regard.

B. CJC Budget

Mr. Rodriguez reported that in addition to the two recent federal stimulus grants received, the CJC recently learnt that the regular Byrne/JAG grant could be also be accessed. He said that the first grant totaling \$303,005 (over 3 years) was due immediately, and that after discussions with each finance committee member, a consensus was reached to allocate that grant towards the YVPP. This is anticipated to be used to establish more adult justice service centers which he said was part of the original plan, but has so far only started in Riviera Beach, and has proven successful. The second grant totaling \$602,122 (1 year) becomes due by the end of August. He noted staff desire for the CJC to allocate 10% of both grants to administrative cost to offset current ad valorem funding.

Mr. William Kramer commented that while he is in agreement with the first grant being allocated to the YVPP, he had no position on the second grant as he was just being made aware of the funds, but would recommend that the finance committee meets to decide on a frame work for the remaining grant.

Public Defender Carey Haughwout inquired about a public meeting in light of concerns expressed over the previous method of allocation of funds.

State Attorney Michael McAuliffe inquired about the specific component of the YVPP to be covered with the funds allocated. He reminded the commission that the CJC owes it to the process and to the public, to know the upside of an investment into a particular program. He urged the CJC to ensure that performance measure is built into the process each time an investment is made.

Chairman Barr stated that if approval is granted within the umbrella of the YVPP, staff should report back to the executive committee and the full commission with specifics on what the funds would cover before it is spent.

Ms. Cheives noted that several programs approached CJC for funding because they have lost funding through the Department of Juvenile Justice (DJJ), but pointed out that some might have received funds from DJJ since their initial application or they may have lost other funding source, hence her support for opening up the process to everyone to apply and present their case.

Mr. Rodriguez assured the members that he will all the participants would be informed of the finance committee's meeting date and that all will be given the opportunity to present if agreed by the finance committee.

After further discussion, members unanimously approved the allocation of the \$303, 005 towards the YVPP, with 10% towards administrative cost.

Chief Judge Peter Blanc commented on a CJC Byrne grant committee which previously existed and was responsible for making recommendation to the Finance Committee regarding distribution of the Byrne grant.

Mr. Rodriguez remarked that the finance committee essentially now acts as that committee though it might require additional members.

Mr. Rodriguez informed members of the updated funding status with Aspira, noting that the CJC approved funding to the tune of \$98,000, but indicated that Aspira has since received an additional \$50,000 from DJJ. He advised of staff's recommendation to proceed with the allocation of \$98,000 which will allow the program to expand into additional schools.

Public Defender Carey Haughwout supports staff recommendation, noting that it is a good program that would be worth the funding, but stressed the importance of making the expectations for expansion into additional schools clear, and not just to offset other programs.

Mr. Rodriguez reported also that \$60,000 was allocated to the Juvenile Delinquency Drug Court for drug treatment which they will not use entirely. He said they have requested that CJC allocate \$2,500 of the \$60,000 towards their rewards program for the kids. Members unanimously agreed to the request.

XI. CJC Initiatives / Updates

A. Clerk & Comptroller

Clerk and Comptroller Sharon Bock provided an update of the clerk's budget and how it will impact the county. She noted that her budget was cut as a result of a by a bill that was passed in Tallahassee, which resulted in a reduction of 18%, from a total of \$40M to \$33M. This bill also moved the clerk's funding year from October 1st to July 1st which she said did not allow her to complete the previously

scheduled budget year, but instead had to create a new budget beginning July 1st. She noted that the clerk's office is a highly manually operated, on demand system but that she had to make the tough decision to lay off 66 members of staff. She said that a combined total of 400 years of experience was lost by losing 32 of her experienced staff, 25 of which came from the criminal division.

She provided members with a justice services impact and noted one of the issues in losing that many staff, as the office inability for collections, particularly from the courts.

Clerk Bock noted that they are trying to manage this extreme damage to the office by looking at where they are able to put their resources. These resources she said needed to be moved from civil into criminal division because of speed and also because of the legal issues that happen in criminal division. The clerk's office in mid county (Belle Glade) which collects payment for traffic tickets from 4,000 people per month was closed. This she said is a huge loss as the traffic ticket system is a \$350M business.

She advised that a complaint tracking system has been established to capture feedback from the public, and commented that her office is one of the finest clerk's offices in the state, with a 98% customer satisfaction for the last 10 years, but does expects to see a dramatic fall in this. She noted that there will be increased lines and cases not going through the system as they should but that they will try to get through as best as possible. Other closures include the attorney's window which the clerk's office could no longer staff as well as the daily bond. Because of zero overtime, Saturday drug courts may also be terminated.

Clerk Bock reiterated the instability of situation but noted that they are trying to keep the programs as stable as possible. She advised that in 90 days a re-evaluation of the choices made will be done to determine the effectiveness of the changes.

Members asked specific questions of the clerk to which answers were provided.

Chairman Barr thanked Clerk Bock for her presentation to the CJC.

B. Legislative Update

Todd Bonlarron, Legislative Director provided an update on the following legislative issues undertaken by the county:

- a. Budget: In respect of the court system (public defender, state attorney and the judges) the county held constant the amount of dollars this year from last year. This resulted in a number of fees being increased along the way.
- b. In the area of Article V. with regards to the unfunded mandate of providing space for regional conflict councils, he said that a number of his colleagues filed suits but that the courts upheld the county's position, and it now seems to be heading to the Supreme Court. The county continues to work well with the state on this issue.
- c. In the area of prescription drug monitoring, a database is been established to allow law enforcement professionals and others to see who is going where to get prescription drugs. He noted the county is ground zero on the

fight of doctor shopping and trying to find prescription drugs.

- d. With regards to seat belt enforcement, persons will now be ticketed for this infraction.
- e. The Nicole's Act, a public safety issue that will require children riding horses to wear helmets on public roads was approved.

State Level:

- a. In the area of corrections, the famous year and a day rule where judges would sentence offenders for a year and a day to get them into state facilities has been changed to allow judges to use non-prison sanctions when sanctioning violators. This could result in additional funding in local jails due to increased population.
- b. In the area of pre-trial drug court programs, judges will now have more flexibility on sanctioning and more leeway on different types of community programs they are able to assign to different offenders.
- c. A DNA database will be established to allow individuals to have their DNA samples taken when accused and/or convicted of felonies and/or misdemeanors. Funding is to be identified for this database.

Mr. Bonlarron reported that the legislatures celebrated a big victory when the juvenile justice legislation bill failed. He said that this bill would encourage judges to do things that many professionals in juvenile justice thought would be unsuitable for juveniles.

Public Defender Carey Haughwout inquired about a special session scheduled for fall to discuss budget cutting.

Mr. Bonlarron responded that while he was not aware of a budget cutting session, he is aware that the legislatures will be looking at the Indian Gaming Compact. He commented however, that if the economic outlook was not good, he thinks the legislatures would give more discretion to the executive branch to hold back dollars, like they have done in the past. He pointed out that a total of \$6M was cut from their budget last year.

State Attorney Michael McAuliffe commended Mr. Bonlarron and his team on the terrific job done in Tallahassee on behalf of the county.

Mr. Bonlarron expressed his appreciation for having local representatives in Tallahassee and in particular the support letters received from the CJC and LEPC, noting that having the support on the issues is usually very effective. He indicated that Sherry Howard from his office specializes in the public safety issues and does most of the work in that area.

Chairman Barr thanked Mr. Bonlarron for his continued support and his presentation to the CJC.

There being no further business before the Commission, the meeting was adjourned at approximately 9:15 a.m.