

M I N U T E S

MONDAY, February 23, 2009

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

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

Members Present:

James Barr
Joseph Bernadel
Ric Bradshaw
Delsa Bush
Barbara Cheives
Max Davis
Douglas Duncan
George Elmore
Rolando Garcia
Carey Haughwout
Matt Immler
Randolph K. Johnson, Sr.
William Kramer
Kathleen Kroll
Wesley Lauer
Marti LaTour
Karen Marcus
Michael McAuliffe
Martin Millar
Marianne Rantala
Gerald Richman
Debra Robinson
Maria Sachs
William Stern
Carmen Veneziano
Lee Waring

Members Absent:

Moses Baker
Rosalyn Baker
Stephen Barborini
Sharon Bock
Mike Driscoll
Feirmon Johnson
Luis Perez

Art Johnson (Ex officio
Exec. Committee)

Harry A. Johnston, II (Ex officio
Exec. Committee)

Guests Attending:

Cristy Altaro, Court Administration
Cerina Anderson, Delray Beach Police Department
Dennis Crispo, West Palm Beach Police Department
Barbara Dawicke, Court Administration
Un Cha Kim, Clerk & Comptroller
Barry Krischer, Private Citizen (Alumnus)
Nicole Saunders, Palm Beach County Justice Services
Stephanie Sejnoha, Office of Financial Management and Budget
Craig Spatara, West Palm Beach Weed & Seed
John Speidel, Visitor out of country (Canada)

Tony Strianese, Delray Beach Police Department
Louis Tomeo, Clerk & Comptroller
Dorrie Tyng, Drug Court

Staff Present:

Michael L. Rodriguez, Executive Director
Journey Beard, Crime Prevention Project Specialist
Arlene Burton, Administrative Secretary
Wayne English, Sr. Criminal Justice Analyst
Katherine Hatos, Criminal Justice Analyst
Damir Kukec, Research & Planning Manager
Jenise Link, Sr. Criminal Justice Analyst
Rosalind Murray, Program Development Specialist
Kristie Slinsky, Temporary Staff
Mike Szakacs, Financial Analyst II
Candee Villapando, Criminal Justice Analyst
Becky Walker, Criminal Justice Programs Manager

- I. Chairman Barr called the meeting to order at 8:03 a.m., and thanked everyone for attending.
- II. Roll call was taken and a quorum was present.
- III. Chairman Barr invited guests to introduce themselves.
- IV. The agenda was approved unanimously after motion by Commissioner Marcus and second by Mr. Elmore.
- V. The minutes of the January 26, 2009 full commission meeting were approved unanimously after motion by Commissioner Marcus and second by Mr. Elmore.
- VI. Under Chairman's Comments, Chairman Barr thanked members for their excellent attendance.
- VII. Under Executive Director's Comments, Mr. Rodriguez:
 - A. Reported that he received word that the CJC might be getting a lease extension through June 2014 for the Juvenile Assessment Center (JAC). He advised that a memo was sent to Mr. Kelly for confirmation, noting that it would be great news for the CJC while still moving forward in finding a permanent home for JAC.
 - B. Invited members and guests to the Palm Beach County Criminal Justice Commission, Criminal Justice, Mental Health and Substance Abuse Reinvestment Act Strategic Plan summit at the Palm Beach County Convention Center, on Tuesday, March 31, 2009 from 8:30 a.m. - 12:00 p.m. All workgroups that have been working on the issues will be meeting together to arrive at a strategic plan for presentation to the Board of County Commissioners (BCC).
 - C. Announced that the City of Riviera Beach voted to build the Youth Empowerment Center at the Lindsay Davis site.

Ms. Cheives added that Acting Assistant Chief Perry brought it before the Council and they voted yes to not fixing the space at Lindsay Davis, but rebuilding instead.

Commissioner Marcus requested a copy of the memo sent to Mr. Kelly regarding the JAC lease extension. She also enquired about a request to the County that some of the federal stimulus dollars might be looked at for criminal justice.

Mr. Rodriguez noted that Mr. Jay Bonner of the Juvenile Justice Board might have initiated it, but he remembers seeing a letter from Audrey Wolf of Facilities Department indicating that it would not qualify for stimulus monies because the plan has to be ready for submission, and there is no plan at this time.

VIII. Business Consent item(s)

There were no business consent items.

IX. Under Old Business, Chairman of the Finance Committee, Mr. William Kramer presented the CJC 2010 budget for approval.

Mr. Kramer pointed to the 2009 and 2010 budget information as well as the Finance Committee's recommendations for ad valorem and additional cuts to correct the revenue shortfalls included in the agenda packet.

He noted that the committee which is comprised of James Barr, Chief Matt Immler and himself, and with assistance from staff tried to identify existing funds to match programs. He spoke of the budget crisis faced by the county, noting that the CJC has to come to the task of finding out the most efficient way to cut funding while leaving as many good programs as possible.

Mr. Kramer first went through the section of the budget that was approved by the Finance Committee and the Executive Committee. He encouraged members to read the budget outline that was put together by staff, as it provides some background of how the committee arrived at the decision process.

In explaining the process used by the committee, Mr. Kramer highlighted proposed cuts for the different programs funded by ad valorem dollars as well as additional cuts:

Ad Valorem Budget Cuts	
\$34,276	LEX/VPT/ISS (non salary \$)
\$14,000	LEPC (operating \$)
\$47,747	Riviera Beach Civil Drug Court (Case Manager)
\$23,691	CJC (operating \$)
<u>\$30,000</u>	Weed & Seed (\$10k from each site)
\$149,714	
Additional Cuts	
\$90,000	West Palm Beach Weed & Seed
\$40,000	Delray Beach Weed & Seed
\$40,000	Riviera Beach Weed & Seed
\$416,914	West Palm Beach Community Justice Service Center
<u>\$62,650</u>	Drug Court Treatment
\$649,564	
\$799,278	Total Cuts

Mr. Kramer noted that the Weed and Seed program has a long history, and that it is his understanding that at inception, it was designed to be transitioned into a city based program rather than continuing with CJC funding. He remarked that at a previous meeting Chief Delsa Bush commented that the City of West Palm Beach could take up the remaining portion of the Weed and Seed funding of \$100,000. Additionally, he said Delray Beach, Riviera Beach and West Palm Beach Community Justice Service Centers (CJSC) were all cut, with a lot of discussion and input from representatives of each program; and that the Drug Court treatment cut was arrived at by rethinking an alternative way of doing their drug testing. Mr. Kramer said the total cuts amounting to \$799,278 puts the CJC in a position to satisfy the needs of the County.

He commented that in researching the history of the CJSC, though it serves good both socially and in criminal justice system matters in that location, the committee felt that its role was more related to a city, rather than a county function, thereby recommending that the funding be moved to other programs.

Regarding the Youth Violence Prevention project, the committee felt that the current funding should also be reduced by 10%.

Chairman Barr reminded members of the direction from Administration to submit the budget with a 10% reduction, but noted that the reason for additional cuts resulted from the CJC reserves being diminished by about \$500,000 due to cuts from this year's budget that are being funded from the reserves.

Mr. Elmore enquired if the Delray and Riviera Beach Weed and Seed sites were able to continue with the significant reduction.

Mr. Kramer said while he has no answer to the question, representatives from the sites thought they could obtain funding from the cities.

Mr. Garcia noted that though the intention of Chief Bush and Chief Strianese is to seek funding for those programs, it is not a done deal and may not occur, which could cause the programs to discontinue. He urged the Commission to take a close look at that.

Chief Bush added that if West Palm Beach has to pick up the entire funding, the reentry component may be discontinued, and she will hopefully be able to consolidate what they have been doing but noted that the money is not yet in the budget as they are just starting their budget process; and also said that she did not expect such a drastic cut. She asked that the CJC not cut both Weed and Seed and the CJSC, as the city now pays for maintenance and utilities, but instead meet her half way and allow her time to work with the city during the budget process to see whether they can provide one half of the funding.

Public Defender Carey Haughwout commented that there is talk that the Byrne grant money would be increased, and asked if that would provide an opportunity for more funding for these programs.

Mr. Rodriguez said that there is more money in the stimulus package for the grants that the CJC normally gets, but it is unclear how much that will be and whether the previous formula will be used. He noted that Todd Bonlarron from the County's Legislative Department is watching this very closely and has asked him for help as well, but concluded that it is a possibility for more funding for the programs.

Ms. Haughwout commented that while she is in agreement with handing over programs to cities that benefit from these programs, she is concerned with doing it without the opportunity of some negotiation with the cities in terms of the hand-over and their ability to plan on what to do with the programs. She is also concerned that the communities have come to depend on these programs and therefore it would be sending a bad message should such programs cease to operate.

Mr. Kramer concurred with Ms. Haughwout's comment in terms of a process to move forward, but noted that because of the current budget situation some programs are going to be impacted.

Mr. Rodriguez said that the CJC's biggest dilemma at this time is to submit the budget to Administration by March 6, 2009, but pointed out that there is room for further negotiations after submission.

Chairman Barr noted that if additional funds are received, the Finance Committee would reallocate more money and will again make recommendations to the CJC. He reported that an attempt was made to meet with the mayor to ensure that she was aware of the direction the CJC was heading, but that she was attending out of town meetings. He said the CJC will follow up with the mayor, but noted that this follows meetings that were taking place about 18 months ago, relative to the decision for the city's need to take over the program, and said while it is not a total surprise for the city it would be a major change.

Mr. Elmore requested to see the budget on the youth empowerment centers (YEC) as he needs to know details in terms of the number of employees and the city's contribution to each center, among other information.

Commissioner Marcus suggested that funds for the Youth Violence Prevention Project be moved from the heading "Reserves" as it could be misleading. She further enquired if the CJC is statutorily required to keep a reserve.

Ms. Haughwout suggested that the funding for the YECs be separated from funding for the Youth Violence Prevention Project because not all the funding is going to the YECs, and that a lot of it goes to law enforcement. She commented on a study carried out some years ago about funding law enforcement while not funding other aspects of the justice system, which then becomes an imbalance. Her concern is that it seems we are adding to that imbalance by providing some of the money for law enforcement and the state attorney's office, while the public defender's office gets no corresponding funding. She thinks the CJC ought to look at how this is being done and whether it is at times adding to some of the difficulties in the court system (when there is an imbalance between various sections of the criminal justice system). While she has no solution to this, she thinks the CJC should have an overall view of how funding should be allocated to ensure the effectiveness of the system.

State Attorney McAuliffe said that while he is not in disagreement with the Public Defender's comments, he would point out that the state attorney's office, the sheriff's office, municipal law enforcement and the Federal Law Enforcement Agency are the proactive players in public safety.

Chief Bush commented that when the YVP project came about, there were four components and that the prevention and YECs have been funded to the utmost, but that

she has not seen where much of anything coming to the law enforcement component of it except for the BrassTRAX and some other ancillary positions that have become available. She is therefore in agreement with the State Attorney that they are on the front line, that there is the weeding component and she doesn't think that the law enforcement component has gotten enough attention in the YVP project as far as the CJC funding is concerned. She also added that as a member of the CJC for this long, she wondered whether the CJC has gotten away from its real mission as an advisory board with recommendations of how law enforcement and all other components of the criminal justice system can do their job, and is instead battling over what projects the CJC will fund.

Mr. Rodriguez responded to Chief Bush's comment by adding that the same discussion is taking place with CJC staff and other CJC members about the core mission and whether the CJC has strayed too far and has gotten into running programs. He said while he walked into the situation, the CJC is now taking the first steps of handing off those responsibilities to the city. He said it will not be an overnight fix and that the discussions are continuing.

Mr. Kramer highlighted the CJC's charter as documented in the Research and Planning newsletter. He said the challenge is how to get all accomplished with the funds available and affect the most people.

Dr. Robinson said she was not cognizant of some of the funding through CJC and requested to see as much of a breakdown of last year's expenditure as possible. She also noted that everybody is having a budget crisis and that it might be poor timing to be asking the city to pick up their responsibility, and would hope that the CJC help the cities to find a way to maintain Weed and Seed, the CJSC as well as other programs. She said that even if the cities were to find the funding to maintain those projects, she hopes that the CJC staff will continue to provide support so that the program's integrity is maintained and also improved. She also expressed concern with budget cuts to the Drug Court. Additionally, she thinks the CJC have missed the opportunity to partner and said that while this will not solve this budget issue, she thinks that the CJC has to find ways to better partner with the cities, school district and other government bodies on an on-going basis for the sake of getting funds for good programs. She said the CJC, in her opinion, is able to see the bigger picture and should be putting plans together for more money. Dr. Robinson also said she thinks the school district should be prevention partner number one, and hopes that persons in close contact with President Obama's Administration will contact them and ask for waivers to get some of the stimulus money in Florida for education to help with prevention.

Mr. Kramer explained that the reduction of funding for the Drug Court was specific to treatment and that the court came forward with a program that they think can accomplish what needs to be done without eliminating the court.

Mr. Elmore enquired about the CJC \$1M yearly commitment from the BCC, noting that the amount has decreased, and requested a complete restructuring of it.

Representative Sachs noted that the state was also having these discussions every day and will continue when session starts the coming week. She said that is how the government operates--if they give you money, you are expected to spend it. She also said, in response to Dr. Robinson's comment, that the CJC not only needs to partner, but

also to determine which programs are working versus those that are not. She stressed the need to look at the areas that can be cut, modified, brought together or done without, because it will get worse before it gets better, as monies will come in from the federal government, but with so many people at the table you can't necessarily count on much.

Ms. Cheives added that the CJC has talked a lot about public relations and letting people know what the CJC does, but that closing the CJSC would be an example of what the CJC does wrong, and would therefore not like that to be the first press release on CJC. She said the community needs to understand the repercussions of the doors closing on the CJSC and questioned whether the mayor, the city commissioners and the county commissioners really understand what these cuts mean. She said that while the Finance Committee has done a great job, the CJC has to think about the message that is being sent.

At Mr. Davis' request, Mr. Barry Krischer provided a brief history on the CJC \$1M, noting that the CJC had looked into a taxing district to fund juvenile programs, all geared towards prevention. He said that the county shut the idea down and replied by suggesting that the CJC get \$1M per year from the BCC instead. It was specifically agreed that if the money was not spent in one year, the remainder would be rolled over into the next year and the CJC still get \$1M, and that if the CJC ran up \$3M it would still be the CJC's money; but he said they never abide by that agreement. With regards to the CJSC, Mr. Krischer said that he and former Executive Director Diana Cunningham visited with the mayor two years ago and had the discussion that if the program was closed, it would be on the city and not on the CJC, since the CJC provided funding for many years. He therefore does not think that the CJC should feel any guilt in its decision.

Chief Bush added that there might have been some miscommunication at the opening of the CJSC. Sheriff Ric Bradshaw was there at the time, and the mayor's perception was that there was some disagreement over of what the city was informed and what would be their task. She remarked that the then-mayor said there was never an agreement, either written or verbal, that the city would take over the CJSC. Though she is in total agreement with the CJC, she continues to put it in her budget every year and it continues to get cut.

Sheriff Bradshaw noted that the CJC got involved in the CJSC because no other entity wanted to take the risk on it, and said further that the city was never told by the CJC that they would be funding the CJSC forever. He added that while at the city, he would always include \$250,000 in his budget to keep the center going since it is such a good program, but said that the city never funded it because the CJC did. He further commented that the way things are, he will be closing the CJSC at Westgate because of the numbers to which the County wants him to commit, which will not happen.

State Attorney McAuliffe remarked that the CJC should have the mayor or someone from the city commission in a meeting to advocate and secure alternative funding for the centers instead of anticipating their closure.

Commissioner Marcus enquired if the \$1M commitment that the BCC made but never kept (because of not allowing it to roll over) was a policy decision.

Stephanie Sejnoha from the Office of Financial Management and Budget Department believes it was a policy decision but promised to follow up on same.

Commissioner Marcus acknowledged that it is not uncommon for the BCC to do that, but noted that it is tough, and that the 10% cuts were from all departments. She said that they are also looking at layoffs and state mandates that involve paying for stuff for which the County should not have to pay. She expressed appreciation for the seriousness in which the CJC took the budget and how they have come up with options to address it. She said that the CJC can always lobby the BCC, but pointed out that the BCC is \$50M short and further stated that if the governor comes up with his 2010 constitutional amendment, for which a lot of business people have advocated, this Commission may not exist because there will be no money. She said it would become a constitutional requirement for them to get a certain increase, as Colorado did for ten years, and then try to repeal it because of how bad it was.

Mr. Rodriguez pointed out that for several years the County allowed the \$1M to roll over, but that was discontinued for the past two years.

After further discussion on the budget, members unanimously approved the budget for submission to Administration on March 6, 2009, with an amendment to request restoration of funding that was not carried forward to the reserves for the past two years. The motion was moved by Mr. Davis and seconded by Mr. McAuliffe.

X. Under New Business:

- A. The Executive Committee's recommendation for approval of funding in the amount of \$8,140 to train six additional personnel to make entries into the Brass TRAX system. This is necessary to replace personnel lost by attrition and retirements. This will be funded by YVP monies and is recommended for approval by the Law Enforcement Planning Council.

Members approved the recommendation, with Dr. Robinson objecting because it was using prevention dollars. Motion moved by Mr. Davis and seconded by Mr. R. Johnson.

B. CJC Program Evaluations

Mr. Rodriguez reported that the CJC is preparing to begin evaluation of all CJC programs in a more efficient manner and requested a vote of support for the letter sent to the members.

Members unanimously approved support of the letter after motion by Mr. Kramer and second by Ms. Cheives.

Representative Sachs remarked the letter was an excellent idea and suggested that some of the numbers be included in terms of efficiency of the programs.

- XI. Chairman Barr asked members to read the CJC newsletters included in agenda packet for updates.

There being no further business for discussion, the meeting was adjourned at approximately 9:10 a.m.