

M I N U T E S

MONDAY, November 22 2010

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

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

Members Present:

Peter Blanc
Delsa Bush
Barbara Cheives
Douglas Duncan
George Elmore
Mike Driscoll
Rolando Garcia
Randolph K. Johnson, Sr.
William Kramer
Kathleen Kroll
Marti LaTour
Michael McAuliffe
Priscilla Taylor
Lee Waring

James Barr, Ex-Officio Executive Committee
Art Johnson, Ex-Officio Executive Committee

Guests Attending:

Sarah Alsofrom, State Attorney's Office
Vince Bonvento, County Administration
Jennifer Loyless, Public Defender's Office
Justine Patterson - Represented Rosalyn Baker, DOC
Louis Tomeo, Clerk & Comptroller, Represented Sharon Bock

Staff Present:

Michael L. Rodriguez, Executive Director
Arlene Burton, Administrative Secretary
Tamika Cooley, Student Intern
Shahzia Hashmi, Intern
Katherine Hatos, Criminal Justice Analyst
Jenise Link, Sr. Criminal Justice Analyst
Brenda Oakes, Youth Violence Prevention Planning Coordinator

Members Absent:

Rosalyn Baker
Stephen Barborini
Monroe Benaim
Sharon Bock
Ric Bradshaw
Mary Brandenburg
Steven Burdelski
Feirmon Johnson
Nellie King
Beth Kigel
Frank Kitzerow
Wesley Lauer
John McKenna
Gerald Richman
Valentin Rodriguez
Carmen Veneziano

Becky Walker, Criminal Justice Programs Manager

- I. Chair Cheives called the meeting to order at approximately 8:05 a.m. Welcome was extended to members and guests.
- II. Roll call was taken and a quorum was present.
- III. Chair Cheives invited guests to introduce themselves.
- IV. The agenda was unanimously approved after motion by Mr. Douglas Duncan and second by Mr. Randy Johnson.
- V. The minutes of the October 25, 2010 meeting were unanimously approved after motion by Mr. Duncan and second by Mr. Johnson.
- VI. Under Chairman's Comments, Chair Barbara Cheives:
 - A. Congratulated Commissioner Priscilla Taylor on her re-election to District 7 for four year term.
 - B. Announced that Northwood/Gaines Park Youth Empowerment Center would be having a Thanksgiving dinner and that she along with Executive Director Michael Rodriguez would be representing the CJC.
- VII. Under Executive Director's comments, Mr. Michael Rodriguez advised that the Criminal Justice, Mental Health and Substance Abuse Planning Council, was awarded a grant from the Florida Department of Children and Families in the amount of \$455,295 with a match of \$529,004 for a total project amount of \$984,299. This is a 3-year grant implementation program that will be used for individuals leaving the jail that have a co-occurring mental health and substance abuse issue with a focus for custodial parents.
- VIII. Old Business:
 - A. State of Youth Violence

Ms. Brenda Oakes presented the status of youth violence in Palm Beach County (PBC), and noted that was a draft of the presentation to the Board of County Commissioners (BCC) Workshop on November 30, 2010. She asked that members make a decision on whether the CJC wishes to continue focusing on youth violence prevention and whether the BCC should be approached for support. She advised that the report would be presented by Chief Clarence Williams on behalf of the Law Enforcement Work group, and invited member suggestions/enhancements to the presentation.

She noted that a total of close to 125,000 youth in PBC are in middle and high schools with Wellington being the largest zip code totaling 5,200 and rank 3rd in juvenile justice referrals, Royal Palm Beach with 4,500 and rank 5th, and Riviera Beach with a total of 1,900 and rank 1st in juvenile justice referrals. She highlighted the decrease in youth violence in the county since 2001, but noted that it is the 2nd leading cause of death for youth ages 10-24. She commented on the key components to preventing youth violence, which include a comprehensive approach, effective strategies, and promotion of skill building among others. She looked at the risk and protective factors of youth violence, which are contributing factors of delinquency and highlighted two onset trajectories for youth violence which begins before puberty and in adolescence.

Ms. Oakes highlighted the prevention and early intervention services available in the county, many of which are specific to the population that they serve. She also noted the cost increases and the cost of crime and violence (\$1.7-\$2.3 million for each youth that leaves school for a life of drugs and crime) and the increase in cost for medical services for gunshot victims and other medical emergencies. She said that the purpose of going before the BCC is to recommend that they advocate for countywide school-based violence prevention curriculum, match the city's contribution to keep the youth empowerment centers open, adopt a recommendation from the 2010 Gang Summit to form an advisory committee on youth violence and diversion. The CJC would also recommend that the BCC advocate and support legislation for level funding for the Department of Juvenile Justice and for reinvestment of funds saved by alternatives to detention/incarceration to local prevention efforts.

It was noted that Palm Beach County was doing worst than the State of Florida in terms of reduction in juvenile crime. Concerns were expressed regarding the decrease in population served and the continued increase in costs and problems, which begs the question of why the CJC wanted to pursue such efforts with no positive results. After further discussion on the matter, Judge Kathleen Kroll moved the motion for the Corrections Task Force to take the lead in investigating the juvenile detention center and provide the CJC with feedback, including the operation structure and costs of the existing as well as a new facility. The motion was seconded by Public Defender Carey Haughwout and unanimously approved by members.

B. Committee Structure

Mr. Rodriguez commented on the operations of the Finance committee in previous years and sought member's guidance regarding its composition and whether the constitutional officers should be a part of the committee, as well as the priorities of the CJC.

After further discussion Mr. Rodriguez agreed to have further dialogue with Mr. Lee Waring and bring back to the CJC.

IX. New Business

A. Domestic Violence Fund

Mr. Rodriguez advised that the Domestic Violence Fund has been accumulating monies for several years, and sought the CJC's guidance in allocating the funds which now totals \$112,000. According to the statute, the funds should be used to defray the cost of incarcerating persons sentenced, and to provide additional training for law enforcement personnel and combating domestic violence.

A decision was reached for staff to further investigate the fund and provide additional information to the CJC. The Finance Committee will then make a decision on its allocation.

B. CJC Staff

Mr. Rodriguez reported that permission to fill the senior criminal justice analyst position occupied by Wayne English was denied by County Administration, and that staff was recommending the use the funds set aside for Pride Probation to fill this position. This would be a one year grant funded position subject to availability of funds for future years.

Member discussions surrounded the issue the CJC's funding process, noting that it

should be based on the greatest need.

Chair Cheives recommended that this be presented it to the Finance Committee for recommendation.

- C. Mr. Rodriguez advised of a request from the Surviving Parents Coalition to Commissioner Karen Marcus regarding the idea of DNA testing for all individuals arrested in Palm Beach County. He noted that there is currently a state legislation that will start requiring the county to test everyone that gets arrested depending on statute number, but that the legislators have yet to allocate funds towards this project. The contact at Parents Coalition is requesting that this be done locally anyway.

Mr. Rodriguez advised that after researching the matter he provided a response in the form of a memo to Commissioner Marcus advising against pursuing the testing at this time because of the high cost involved and that if it was done locally, it could not be sent to the state. There was also the possible litigation against other groups.

Public Defender Carey Haughwout advised that DNA testing is currently done on all persons convicted of crimes.

- D. CJC Strategic Planning

Mr. Rodriguez encouraged members to read the strategic vision document included in the agenda packet for further discussion at January's meeting.

Chair Cheives thanked Damir and his team for doing a good job at putting the strategic document together.

- E. Corrections Task Force recommendation: that the CJC recommend to the legislature to make synthetic marijuana a controlled substance.

Mr. Douglas Duncan noted that the synthetic marijuana, otherwise called "Mr. Nice Guy/ Black Magic Smoke" is a herbal incense that is being sold in gas stations and other areas, which he said is a loophole labeled "not for human consumption" but is being sold for \$50. He said that seven states have already outlawed it and that there have been more admissions to emergency rooms for overdoses of the substance.

Chief Delsa Bush commented about the number of substances on the street in addition to synthetic marijuana as discovered at a recent conference, and suggested that all other substances be looked at as well.

State Attorney Michael McAuliffe remarked that his office and the Sheriff's office were preparing legislative packet on this issue, but noted that there may already be a misdemeanor statute that covers it. He said that they are trying not to prosecute but instead, to look for leverage to convince stores that it is not in their best interest to have the substance on the shelves. He suggested that the CJC invite someone from PBSO to provide an update on the subject.

Chief Bush feels that the legislative method is the way to proceed as stores are not going to volunteer to remove the substance from their shelves since it is such a money making venture.

Members unanimously approved the motion not to proceed with the matter until staff contact the State Attorney and Sheriff's offices to determine the status.

- F. Due to time constraint recommendation regarding the amendment to the Public Safety Coordinating Council adding members from the Corrections Task Force and disbandment of the Corrections Task Force was deferred to January's meeting.
- X. Member comments:
 - A. Mr. Duncan announced that the Veteran's Court was up and running and thanked all those assisted in getting it started.
 - B. He extended well wishes to Jenise Link who is going off to have her baby.
 - C. Chair Cheives advised that she will be out of town for the BCC's workshop on November 30, 2010, but urged members to support Vice Chair Duncan who will be presenting.
 - D. She announced the next Sunshine Law Committee meeting scheduled for December 9, 2010.

The meeting adjourned at approximately 9:00 a.m.