

M I N U T E S

MONDAY, January 28, 2013

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

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

Members Present:

Daniel Alexander
James Barr
Nelson Berrios
Vincent Demasi
Douglas Duncan
George Elmore
Carey Haughwout
Feirmon Johnson
Randy Johnson, Sr.
Dave Kerner
Nellie King
William Kramer
Kathleen Kroll
Gerald Richman
Chuck Shaw
Priscilla Taylor
Lee Waring

Barbara Cheives
Ex-Officio/Past Chair

Guests Attending:

Ronald Alvarez, 15th Judicial Circuit/CJMHS
August A. Bonavita, 15th Judicial Circuit (for Peter Blanc)
David Bernhardt, West Palm Beach Police Department
Vince Bonvento, Assistant County Administrator
Mike Edmondson, Children Services Council
Pamela Eidelberg, County Attorney's Office
Michael Gauger, Palm Beach Sheriff's Office (for Ric Bradshaw)
Dave Kerner, Florida House of Representative
Lawrence J. Leon, School District Police Chief
Jenise Link, Public Safety
David Shane, Florida House of Representative
Tony Spaniel, Palm Beach County Youth Affairs
Twila Taylor, Palm Beach County Youth Affairs
Louis Tomeo, Clerk & Comptroller's Office (for Clerk Bock)

Members Absent:

Dave Aronberg
Roselyn Baker
Peter Blanc
Roselyn Baker
Sharon Bock
Ric Bradshaw
Steven Burdelski
Mike Driscoll
Rolando Garcia
John McKenna
Valentin Rodriguez
Robert Shirley

E. Wayne Gent
Ex-Officio Exec. Cmtee.

Staff Present:

Michael L. Rodriguez, Executive Director
Arlene Griffiths, Administrative Assistant
Shahzia Hashmi, Criminal Justice Analyst
Katherine Hatos, Senior Criminal Justice Analyst
Damir Kukec, Research & Planning Manager
Rosalind Murray, Criminal Justice Program Development Specialist
Brenda Oakes, Youth Violence Prevention Planning Coordinator
Craig Spatara, RESTORE Initiative Program Manager
Mike Szakacs, Financial Analyst II
Becky Walker, Criminal Justice Programs Manager

- I. Chairman Douglas Duncan called the meeting to order and extended welcome to members and guests.
- II. Roll call was taken and a quorum was present.
- III. Chairman Duncan invited guests to introduce themselves.
- IV. The agenda was unanimously approved after motion by Mr. Chuck Shaw and second by Mr. Douglas Duncan.
- V. The minutes of the December 10, 2012 meeting were unanimously approved after motion by Mr. Randy Johnson and second by Mr. George Elmore. .
- VI. Under Chairman's Comments, Mr. Duncan:
 - A. Extended welcome to the following new members who were all present except State Attorney Dave Aronberg:
 - Dave Aronberg, State Attorney
 - Representative Dave Kerner, Legislative Delegation
 - Daniel Alexander, Chiefs of Police Association
 - Nelson Berrios, Crime Prevention Officers Association
 - B. Reminded members that there would be no executive committee meetings unless there were pressing issues to be addressed before the next full meeting.
- VII. Under Executive Director's comments, Mr. Rodriguez:
 - A. Announced the annual planning meeting scheduled to take place at the Clayton Hutcheson Agricultural Center, Exhibit Halls A and B, 559 N. Military Trail, West Palm Beach, on Monday, March 25, 2013 from 8:00 a.m. to 1:00 p.m. He stressed the importance of members input as this is when CJC priorities are determined.
 - B. Reported the start of the Palm Beach County 24th Citizen's Criminal Justice Academy with a record attendance of over 70 participants. Classes continue

each Thursday from 6:00 p.m. to 9:00 p.m. through March 14, 2013. He thanked Chief Demasi for the use of the Police Department's community room, the speakers for their times, and Rosalind Murray for organizing the academy.

- C. Invited members to review their biography and submit changes to Arlene Griffiths if needed.
- D. Commented on the issue of guns and gun control, which he reported has been briefly discussed with Chair Duncan. Mr. Rodriguez remarked about receiving several calls from the media wanting to know the CJC's position on the issue. As such, he wanted to know whether the CJC wishes to have specific or general discussion in this regard. He further noted that the Board of County Commissioners (BCC) expressed interest in the issue and is organizing a youth symposium in collaboration with the School Board and Children Services Council. He said that Riviera Beach, West Palm Beach, and the Chiefs of Police are also proceeding with separate efforts to handle the issue.

Chairman Duncan mentioned an article in the Palm Beach Post regarding a homeowner's frustration with the current law, and asked for member comments. Commissioner Taylor remarked about her conversation with the Sheriff about the gun buy-back program, and reported that the Sheriff's main focus is on the mental health aspect of the issue. Chief Demasi spoke about violence prevention as part of the issue, highlighting the need for a comprehensive approach to address issues such as homelessness, drug use, and violence in schools, saying that mental health is a key contributor in these acts. He also mentioned the approach of pooling resources as one team to deal with violence in the community, and to provide support mechanisms for persons wanting to move away from violence. He said this has been successful in Boston and New York and is now being tried in Chicago and California.

Commissioner Taylor suggested that it might be beneficial to see what the Sheriff's plan before the CJC decides on any action.

Chief Deputy Gauger commented on the article that Chair Duncan mentioned. He said that while he is unable to speak on the Sheriff's plan since it's not yet formulated, it is hoped that the plan will address the issues. Chief Alexander stated that the Chiefs of Police intend to meet with the Sheriff to discuss his plan, and that the Chiefs have also talked about a forum that would cover all the issues mentioned, with mental health and mental health funding being major issues.

Mr. Kramer noted the need to have an open mind in dealing with the issue.

Mr. Randy Johnson inquired about the effectiveness of the gun buy-back program to which Commissioner Taylor responded that the Sheriff indicated was not very effective. Chief Demasi noted that studies have shown that the program is ineffective, but advised that the Police Department has a program

where persons wanting to surrender their guns can contact the local police departments who will pick up and destroy same. Public Defender Carey Haughwout spoke of the need for more publicity about the program that Chief Demasi mentioned, noting that persons wanting to get rid of guns for fear of what may go wrong do not care about the money.

Chair Douglas asked about the Chiefs producing a joint flyer on the gun buy-back program, and concluded that the CJC will wait to see the Sheriff's plan before deciding on any action.

VIII. Business Consent Item

There were no business consent items.

IX. Old Business

There were no old business items for discussion.

X. New Business

A. Finance Committee Recommendations

Mr. Lee Waring, Chairman of the Finance Committee reminded members of the priorities identified for the current fiscal year. He reported that the Committee's recommendations is to allocate unspent funds totaling \$106,000 to the youth empowerment centers for the remainder of the year. The recommendations include staff flexibility in allocation to the centers, and reporting requirements for all the centers.

Members unanimously approved the recommendations as presented.

B. Mr. Rodriguez advised of a bill in the Legislature that will affect FS985.664. He requested a letter of support from the CJC to oppose the draft language change regarding the juvenile justice circuit boards, and the juvenile justice county councils. He reported that the Circuit 15 Juvenile Justice Board voted not to support the legislation on January 10, 2013 because it diminishes local control; including:

- Limits the scope of the board to prevention and reentry
- Chair is appointed by Secretary
- One seat to County Commissioner – community seat cannot go to another representative of the County Commissioner
- Limit of two 2-year term.

Ms. Brenda Oakes provided further details on the bill and how it would affect the criminal justice system.

Ms. Barbara Cheives inquired about the maker of the bill. She commented on her experience while serving on the Blue Print Commission for the Department of Juvenile Justice (DJJ), and her travels around the State of Florida, saying that propably 80% of the Justice Circuit Boards were totally ineffective. She feels that this may be the new Secretary's way of shaking

things up and having better control. She indicated her willingness however to support opposing the language.

Judge Kroll added that while DJJ Secretary has concerns, the proposed language does not address the concerns. She further noted that the Secretary is trying to get statewide feedback on improving the system.

Representative Dave Kerner noted that the common theme in Tallahassee is that they know better and continues to remove local control, but said that he is committed to try to return some level of local control. He also stated that though he has not yet read the Bill, he will speak out against it, and will also ask for a formal opinion on the legislation when the Delegation meets.

After further discussion, members unanimously approved the motion made by Mr. Kramer and second by Ms. Haughwout for a letter of support in opposition of the legislation, and also to request the Delegation's support in opposing same.

C. Highridge Report

Mr. Rodriguez advised that the report was prepared by the CJC at the request of the Criminal Justice Mental Health and Substance Abuse Sub-Committee (CJMHSAs) for juvenile populations. He noted that the original intention was to present the report to the BCC through the CJC, but said that after receiving several phone calls following the distribution, including one from Mr. Waring, he thought otherwise. Mr. Waring added that since there are funding and effectiveness issues, he feels that the Program Monitoring and Evaluation Sub-Committee which was set up specifically for this purpose, should review and present recommendation to the CJC.

Mr. Bonvento said he supports the recommendation, but expressed concerns with the lack of program evaluation, saying that this was the only program evaluated for the last two years though the intent was to develop criteria and evaluate several programs together for cost comparison. He asked whether other programs would be evaluated based on the criteria that the current program is evaluated on. Mr. Waring noted that all the CJC funded programs have been reviewed comparatively to outside programs for dollar and treatment effectiveness. He further stated that the process is a bit long because some of the programs do not match outside programs precisely, but noted that for the coming fiscal year, all programs for review will go through the mechanism of the process for review to determine their effectiveness.

Members approved the recommendation for the Program Monitoring and Evaluation Sub-Committee to review the report with participation from the CJMHSAs members.

Public Defender Haughwout inquired how Highridge got chosen to be evaluated. Mr. Rodriguez said that it came out of the CJMHSAs Sub-Committee, and said that it was different since it's not a CJC funded program. He also said that while he supports the process, staff will be recommending

that the CJC undertake reviews of all juvenile programs at the annual planning meeting,. Ms. Becky Walker added that the evaluation initially started out as a request from Public Safety or Youth Affairs, and said that the CJMHSA continued with what was started instead of starting the process all over.

After further discussion, Chairman Duncan reiterated the need for programs to come before the CJC prior to being evaluated.

D. Marchman Act

Mr. Rodriguez advised of a letter received by the County from a citizen with concerns about the Marchman Act process, specifically regarding the amount of time between hearings. The Act he said, deals with getting someone on substance abuse and mental health issues, civilly committed for treatment. He said that some issues have been identified with the process and that the County is doing a fact finding to possibly find a legislative fix.

Staff was directed to do a fact finding on the Act and report to the CJC before it goes on the agenda for discussion.

XI. CJC Initiatives/Updates

Mr. Rodriguez announced the following grants being pursued by staff:

- A. 2013 Byrne Criminal Justice Innovation grant in the amount of \$1M. This is for a neighborhood revitalization project that targets persistently distressed neighborhoods that have significant crime challenges.
- B. 2013 Adult Drug Court Discretionary Grant in the amount of \$200,000 to potentially target a gender specific drug court as part of the expansion of the program.
- C. A YouthBuild Grant in the amount of \$1.1M to provide “disconnected youth” with a pathway to education and employment through the construction industry. Staff is working with several partners but Workforce Alliance will be the applicant.
- D. A Smart Policing grant that staff will be working with law enforcement on, that might be useful for the Law Enforcement Exchange (LEX) program.

Mr. Rodriguez invited members to review the updated contract list, which Mr. Waring said will be distributed quarterly.

XII. Under Member Comments

- A. Mr. William Kramer inquired about the status of the legislative proposal for the CJC in the Sunshine.

Mr. Richman reported that the Bill has been drafted and that Representative Kerner is the co-sponsor.

Representative Kerner thanked members for the opportunity to talk about House Bill 361, which he said was one of his most important pieces of

legislation, and indicated that he plans to spend a lot of his personal legislative time in Tallahassee to try to get the Bill passed. He said that the Bill provides for Sunshine exemptions and public records requests as it pertains to the Criminal Justice Commission. He remarked about the task of getting people to sit at the table to talk about criminal justice issues, and said he would appreciate any support the CJC and individual agencies can offer in this regard. He noted that these types of exemption bills are not usually popular but believes there is support for the Bill. He will advise the CJC of the Committee it goes to as well as progress made.

Mr. Richman added that they are still in touch with the First Amendment Foundation but doubt they will be successful.

- B. Mr. Bonvento said that with Commissioner Taylor's support he would like to offer Channel 20 to work with the Chiefs of Police to promote the gun buy-back program.
- C. Judge Kroll invited persons to a School Justice Partnership meeting with the School Board members and the Courts to take place at the Courthouse from 3:00 p.m. to 5:00 p.m. today.

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