

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

Full CJC Committee Meeting

Mounts Botanical Garden Auditorium

531 North Military Trail

West Palm Beach, Florida 33415

MINUTES

Monday, January 22, 2024 – 8:00 a.m.

Members Present

Darcy Davis, CEO, Healthcare District of Palm Beach County
Derek Gibson, Circuit Administrator, Florida Department of Corrections
Glenn Kelley, Chief Judge, 15th Judicial Circuit
Reverend Kevin Jones, Clergy, and former CJC Chair
Julia Dattolo, President/CEO, CareerSource PBC
Lauren Whetstone, FPL Energy Services, Inc., and CJC Vice-Chair
Lawrence Gordon, Palm Beach County League of Cities
Maria Antuna, Hispanic Chamber of Commerce
Marcia Andrews, Palm Beach County School Board Member & CJC Treasurer
Marty Perry, CEO, Perry & Taylor, P.A.
Michael Barnett, County Commissioner
Michelle Suskauer, Attorney, Diamond Kaplan & Rothstein, P.A.
Nellie King, Attorney, PBC Association of Criminal Defense Lawyers
Dr. Rachel Docekal, CEO, Hanley Foundation, and CJC Chair

Members Absent

Anthony LaCosta, Asst. US Attorney, WPB
Vacant, Representative, PBC Chiefs of Police Association
Carey Haughwout, Public Defender, 15th Judicial Circuit
Dave Aronberg, State Attorney, 15th Judicial Circuit
Demetrios Thomas, Special Agent Supervisor at Florida Department of Law Enforcement
Earnie Ellison, Managing Partner, Ellison Consulting Group, LLC
Frank Adderley, Chief, West Palm Beach Police Department
Gregory Starling, Chief Probation Officer, Circuit 15, Florida Department of Juvenile Justice
Joseph Abruzzo, Clerk of the PBC Circuit Court & Comptroller
Katherine Waldron, State Representative, District 92
Kathleen Kroll, Administrative Judge, Juvenile Division
Matt Pawlowski, Next Era Energy, and CJC Secretary
Randolph K. Johnson, Sr., CEO of Communications by Johnson
Ric Bradshaw, Palm Beach County Sheriff

Guests Attending

Andrea Rocha, Clerk and Comptroller's Office

Arlene Griffiths, Palm Beach County Reentry Program Coordinator, Public Safety
Helene Hvizd, Palm Beach County Attorney
Jessica Hidalgo, Manager Criminal Justice Programs, Public Safety
Jen Loyless, Public Defender's Office
Latronda Hayes, City of Riviera Beach
Marcia Bahia, Gang Prevention Coordinator, Palm Beach County Sheriff's Office
Sasha Lopez, Commissioner Barnett's Office
Shantel Drayton, Manager of Court Services, Public Safety
Todd Bonlarron, PBC Assistant County Administrator

CJC Staff Present

Katherine Shover, Criminal Justice Systems Manager
Damir Kukec, Manager, Research & Planning
Rosalind Murray, Community Engagement Coordinator
Dawn Caveness- Davenport, Senior Criminal Justice Analyst
Stephanie Moliere, Senior Criminal Justice Analyst
Margo Smith, Criminal Justice Analyst
Christopher Slydell, Criminal Justice Analyst
Brad Allen, Criminal Justice Analyst

- I. **Meeting called to order** – *Dr. Rachel Docekal, Chair*
Chair, Dr. Docekal, called the meeting to order.

- II. **Roll Call** – *Katherine Shover, CJC Systems Manager*
Systems Manager, Shover, called the roll, and determined there was a quorum.

- III. **Approval and/or corrections to Agenda**
The Chair, Dr. Docekal, opened the floor for a motion to approve the Agenda. The Chair entertained a motion to approve the Agenda. The agenda was approved unanimously. A motion was made by Darcy Davis, seconded by Michelle Suskuaer, and passed unanimously.

- IV. **Approval and/or corrections to Minutes dated December 18, 2023**
Chair, Dr. Docekal, opened the floor for a motion to approve the Minutes. Vice-Chair Whetstone mentioned that her title should be corrected. A motion was made by Reverend Kevin Jones, seconded by Marcia Andrews, and passed unanimously.

- V. **Chair's Comments**
 - A. Welcomed back CJC Criminal Justice Analyst, Lt. Colonel Brad Allen from his tour in Jordan and recognized the CJC Staff on their commitment and work with the CJC.

- B. Encouraged members to complete a survey on matters regarding meeting time(s), location(s), etc. CJC Staff will provide support in this effort by contacting each member to gauge their interests and complete the survey via telephone. For any questions or concerns please contact Katherine Shover at kshover@pbcgov.org.
- C. Chair, Dr. Docekal, proposed using the Hanley Center for future CJC Full Meetings (free parking, meals, etc.). Per Chair, Dr. Docekal, the facility falls under all legal guidelines as provided by Helene Hvizd (i.e. Sunshine Law, etc.) to properly host the meeting. There were no questions, concerns, or issues proposed by the board in hosting the meeting at the Hanley Center moving forward.

VI. Old Business

- A. Installation of CJC Vice-Chair, *Lauren Whetstone*
 - Chief Judge Glenn Kelley swore in Lauren Whetstone as the current CJC Vice-Chair.
- B. Chair, Dr. Docekal, reminded members of the upcoming Annual Department of Corrections Prison Tour on March 27th, 2024 and confirmed there is one (1) slot available; preference is for a CJC Board Member to attend prior to opening the opportunity to others (waitlist). Members need to confirm their desire to attend no later than January 24, 2024.

VII. New Business

- A. Nomination Committee Direction- *Todd Bonlarron, Assistant County Administrator*
 - Todd Bonlarron discussed that per the CJC's Bylaws the committee is charged with making recommendations to the CJC on open positions, and additional seats have been added per the most recent CJC Ordinance revision. We are working with the Black and Hispanic Chambers of Commerce on obtaining their direct nominations for these positions that ultimately go before the Board of County Commissioners (BOCC). The committee currently consists of the following members:
 - Chair (Dr. Rachel Docekal)
 - Vice-Chair (Lauren Whetstone)
 - Two (2) Public Sector Members (Carey Haughwout & Commissioner Michael Barnett)
 - Two (2) prior Chairs (Kevin Jones) (**per former Executive Director, Regenia Herring, at the CJC Executive Meeting on 10/10/23, there will be no second past chair as we don't have one. The current composition of members will suffice**).
 - These seats are currently open: *a Community Member at Large, a Returning Citizen [jail or prison], a Student [between 17-22 years old], and a Crime Survivor*. The CJC plans to reach out to multiple community-based organizations with varying

expertise/ participant representation in order to cast the widest net for potential members (ex. Palm Beach Atlantic University, Florida Atlantic University, Palm Beach State College, the PBC League of Cities, The Lord's Place, Vita Nova, Aid to Victims of Domestic Abuse, etc.).

- The committee plans to meet within the next month and hopes to fill the seats as soon as possible to have a full board in place.

B. Executive Director search update – *Todd Bonlarron, Assistant County Administrator*

- The position was advertised and is currently closed. In addition to the current members who expressed interest in reviewing potential candidates for the position (Dr. Rachel Docekal, Lauren Whetstone, Michelle Suskauer, and Marcia Andrews), the Police Chiefs expressed interest in law enforcement being represented as well in the search for the position. This seems to be a good number from within the CJC along with Todd Bonlarron, Administration, our Public Safety Director, and Human Resources (HR) who will review applications, which is currently taking place as HR has forwarded 44 applicants to Todd Bonlarron and Dr. Docekal. Those applications are being currently reviewed with hopes of a short list being compiled soon and the process being commenced in the upcoming weeks.

C. MacArthur Safety & Justice Challenge (SJC) Capstone and All Sites Convening May 8-10, 2024 in Houston, TX – *Brett Taylor, JD, Director, Policy and Practice, Community Justice TA Team, Center for Justice Innovation*

- The event brings together awarded sites to discuss experienced barriers/solutions, providing progress updates on various initiatives, and extending support via various resources/practices used at different locations in order to achieve desired outcomes.
- They anticipate having nine (9) seats to attend this event and want to ensure a diverse group of attendees are considered (i.e. community members, stakeholders from across the justice system, members of the board, etc.) If interested in attending, contact Katherine Shover at kshover@pbcgov.org so a list can be assembled.
- Brett Taylor discussed the MacArthur Foundation Capstone Grant and stated as a part of their third Cohort we are likely to receive another installment totaling at or just under \$875,000, which reflects our last annual payment (allowed our site to establish our current initiative(s)). We have received several multi-year grants through this initiative and are currently using the sustainability grant. The Capstone Grant will most likely be a 2-year grant, but details have not been finalized.
 - *This funding is to support what is already in place (sustainability), not for the creation of any new initiatives or staff. This funding is supposed to ensure that everything is operating optimally, especially our data infrastructure to continue measuring the success/viability of our initiatives.*

- *Exceptions will be made if our site comes up with a persuasive community engagement [initiative] that addresses systemic issues or a [initiative] to address racial equity; two (2) main areas of focus as the grant winds down. Brett is supportive of any new innovative initiative under the two areas mentioned above, but suggests we stick with our current strategies.*

D. Florida State University's (FSU) evaluation of the Public Defender (PD) Initiative and Next Steps report update. Re- allocation of SJC funds – *Brett Taylor, JD, Director, Policy and Practice, Community Justice TA Team, Center for Justice Innovation*

- Brett Taylor explained that the Next Steps Program did not use all of its allocated funds at their expected rate, prompting a conversation between a few individuals. Brett spoke with Carey Haughwout, Laurie Garduque of the MacArthur Foundation, and CJC staff, Katherine Shover along with her team, while Regenia Herring was the Executive Director. A decision was made to reallocate \$50,000 from the Next Steps Program to the Public Defender's Pretrial Release Program for the placement of participants into emergency [or temporary] housing (not staffing, equipment/supplies or any other item(s)), which was identified as a major barrier to connecting participants to services and the success of the Public Defender's motions in front of Judges providing bonds as an option per the PD's Office.
 - Reverend Kevin Jones made a motion to reallocate the \$50,000 from the Next Steps Program to the PD's Pretrial Release Program for housing. The motion was seconded by Marcia Andrews and passed unanimously.
 - Brett also discussed funding of \$50,000 that was allocated for Peer Mentoring services. Due to MacArthur's guidance, it was decided that the mentoring services would be provided by a community-based provider to yield the best outcomes for this program (we are in the process of vetting local providers).
 - CJC staff, Katherine Shover, discussed FSU's current evaluation, by Dr. Jennifer Copp, on the PD's Pretrial Release Program, which should be ready by February 5, 2024. The report will most likely provide recommendations on the program moving forward (a defined scope of work or criteria on participant program eligibility, capped spending amounts per participant, etc.).
 - CJC staff, Katherine Shover, also stated that the Next Steps Program is also being evaluated by Dr. Copp of FSU and should be available in the first quarter of this year.
- E. 2024 Youth Summit CJC Sponsorship Request – *Marcia Bahia, M.S., Gang Prevention Coordinator, Palm Beach County Sheriff's Office***
- Marcia Bahia thanked the CJC for providing a donation last year for the Youth Summit which is an annual event that brings together school-aged students across the county to provide them with workshops on topics that affect them (crime, gang prevention, substance use/misuse, mental health, along with various other

fun activities.). This year is the 15th year anniversary of the summit and they are looking to have a separate Youth Summit in Western Palm Beach County to amplify their reach to the community while acknowledging these students may face different challenges from their counterparts in Eastern Palm Beach County. Access via transportation is another barrier that will be reduced by having a separate Youth Summit as well. Marcia asked for continued support this year from the CJC and asked for \$3,500.

- Michelle Suskauer moved for a motion to allocate \$3,500 to the Youth Summit, which was seconded by Rev. Jones, and passed unanimously.
- F. The Critical Intervention Mapping Workshop will be held March 12 - 13, 2024 at Palm Beach State College.
- CJC staff, Katherine Shover, and Marcia Andrews provided an overview of the event which aims to identify and address critical interventions needed as it relates to mental health; a direct concern of the effects of “unfinished learning” due to virtual learning during Covid-19. This event will support providers in understanding how best to deal with students' issues surrounding readjustment into school, violent behaviors, and more. This critical mapping will allow providers to develop interventions needed to support students, which, if not addressed, can directly impact the work we currently champion under the leadership of the CJC. Michelle Suskauer moved for a motion to approve the allocation of \$1,000 (cover a portion of lunch) for the Youth Summit, which was seconded by Lauren Whetstone, and passed unanimously.

VIII. Updates

- A. New Bond Schedule – *Chief Judge Glenn Kelley, Fifteenth Judicial Circuit*
- Chief Judge Glenn Kelley provided an overview on why the bond schedule was created (*the Florida Legislature passed legislation requiring the Supreme Court to set a statewide bond schedule*). No circuit may reduce the bond schedule promulgated by the Supreme Court without asking the Supreme Court, with an explanation, as to why it is necessary to reduce the bond schedule. Chief Judge Kelley and a committee drafted the bond schedule and Administrative Order (Judge Daliah Weiss, Judge Ted Booras, Judge Sherri Collins, and Katherine Mullinax, with input from the Sheriff's Office, PD, and State Attorney).
 - **What it does**- allows a bond to be set prior to first appearance consistent with the bond schedule (this is not a requirement, yet an option).
 - **What it does not do**- interfere with the discretion of the judge at first appearance to set a bond as they deem appropriate (there are a few limitations to this discretion such as in Domestic Violence cases, which REQUIRES a cash bond.)

- **Significant changes-**
 1. Individuals are entitled to a bond ONLY with a 3rd degree Felony prior to first appearance (bond for 1st and 2nd degree Felonies is eliminated prior to first appearance, bond can be set at first appearance though)
 2. Certain classes of people are eliminated from obtaining a bond (ex. a certain number of arrests in the year prior).
- **Challenges-** Under the Supreme Court guidelines there is ambiguity surrounding Domestic Violence, 3rd degree Felony, and setting bond as there are two options (with- \$5,000 or without violence- \$2,500). PBSO determining whether there was or wasn't violence poses a difficulty as it allows PBSO to assume a judicial function, setting bond.
 - **Solution-** Set the bond at a flat amount, which must be the highest, of \$5,000, as directed by the Supreme Court. A similar approach was taken with 1st degree Misdemeanors, although the impact isn't as significant.
 - **3rd Degree Felonies-** Currently looking at other circuits in the State for possible guidance or list every potential crime, list them, and put a specific bond amount so PBSO doesn't have to exercise any discretion (a judicial function), an approach Broward County has taken.
- **Things to consider-** Within the legislation was the creation of a list of "**Dangerous Crimes.**" A detention hearing must be held within five (5) days of first appearance to determine whether that person should be held on a bond or not (one five day extension with good cause can be permitted).
 - **This is meant to detain someone in jail while their pending trial**
 - **This will create a new category of cases with potentially no bond**
 - **This will increase the workload of the judges**

Questions/Comments

1. **Nellie King-** She would like for the CJC to study and measure the impact of the new bond schedule, starting in January of this year, on the system and individuals who intercept the judicial system, especially those of color; clients are currently being detained under this new order. Clients' rights have been affected by this process and it's concerning.
Response- Chief Judge Kelley expressed how judges will retain the discretion to entertain motions for bond reduction or change in status, but the most significant impact will be surrounding the detention hearings because of the workload they entail. This will increase the jail population without a doubt. *** **It is important to know that per statute the determination hearing must be set, a historical change from only having to be set by request of the State Attorney's Office.**
2. **Chair, Dr. Docekal-** Stated she would love for the Research and Planning Unit of the CJC to see if studying the impact of the bond schedule can be used for our Capstone Project or at least a part of it to determine outcome measures, as this also relates to our work

with MacArthur and reducing the jail population. A follow-up discussion will commence at the next meeting.

3. **Nellie King-** Curious as to which committee would this fall under to study/evaluate the bond schedule. She also reiterated that the jail population will significantly rise because many individuals will not be able to bond out.

Chief Judge Kelley- Stated he is interested in the results of the impact as well and suggested the system be studied from January of this year and beyond moving forward.

A: Chair, Dr. Docekal- The Public Safety Coordinating Council (PSCC) would be charged with overseeing this work.

***The current bond schedule has already been amended and more than likely will be amended again as it is a work in progress. The amendment addresses situations that had not been thought of before... that is, what if a judge signs an arrest warrant and sets bond, does that bond control or does the bond schedule? The result was that the judges' bond will supersede and control over the bond schedule.

***Chief Judge Kelley also discussed consolidation of the courts and stated the Florida Supreme Court adopted a 14 member committee's recommendation not to consolidate. The legislature can raise the issue again as anything is possible; we will continue to be monitor this issue.

B. Member Attendance Requirements

- County Attorney, Helene Hvizd, provided guidance and clarity on member attendance for Public and Private Sector Members of the CJC. In response to Covid-19 and the need for the Board to meet to conduct business, the County reduced the number needed for quorums for the CJC (which was at 33% and was reduced to 25%). This was allowed under the exigent circumstances of the Covid-19 emergency crisis, which is no longer in place as of May 1, 2023. This allowed for virtual/remote via Zoom, WebEx or telephonically, but now the Sunshine Law is enforced.
 - The CJC's Advisory Board is different from others due to us having two (2) groups of members (Public & Private). This allows for Public Members not to be physically present, but won't be marked for non-attendance due to the need for them to execute their Public function. Private Sector Members must be physically present in order for their attendance to count. If they miss three (3) consecutive meetings their participation in the CJC will be terminated.
 - Chair, Dr. Docekal, confirmed that she received guidance via documents from Helene Hvizd on hosting meetings at the Hanley Center and confirmed they are in compliance per its rules (Sunshine Law).

IX. Taskforce Reports- NONE

X. Presentations- NONE

XI. Adjournment- Meeting adjourned.

Next Meeting: Monday, February 26, 2024- 8:00 a.m.
Hanley Center
(Note: Sits Directly West of St. Mary's Hospital off 45th St.)
933 45th Street
West Palm Beach, FL 33407