

MINUTES

TUESDAY, SEPTEMBER 15, 2015

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION
EXECUTIVE COMMITTEE
McEaddy Conference Room
12th Floor, 301 N. Olive Avenue
West Palm Beach, Florida 33401

Members Present:

Dave Aronberg
Roselyn Baker
Jeffrey Colbath
George Elmore
Carey Haughwout
Randolph Johnson, Sr.
Dave Kerner, FL House of Representatives, full CJC member
William Kramer
Christina Morrison
Gerald Richman
Lee Waring
Douglas Duncan
Ex-Officio, Immediate Past Chair

Members Absent:

Barbara Cheives
Randolph Johnson, Sr.
Nellie King

Robert Avossa
Ex-Officio, Executive Committee

Guests Attending:

Nicole Bishop, Public Safety
Barbara Dawicke, Court Administration
Glenny Cueto, Professional Probation Services
James Green, PBC Youth Services
Amy Karpf, Office of Financial and Budget Mgmt.
Larry Leon, PBC School District Police
Jenise Link, Palm Beach County Justice Services
Jennifer Loyless, Public Defender's Office
Commissioner Sylvia Moffett, City of West Palm Beach
Stephanie Sejnoha, Dir. of Finance/Administration, Public Safety
David Shane, FL House of Representatives
Louis Tomeo, Clerk & Comptroller

Staff Present:

Michael L. Rodriguez, Executive Director
Jacquelyn Esposito, Criminal Justice Analyst
Arlene Griffiths, Senior Criminal Justice Analyst
Katherine Hatos, Senior Criminal Justice Analyst
Shahzia Jackson, Senior Criminal Justice Analyst
Danny Kreshak, Financial Analyst II
Damir Kukec, Research & Planning Manager
Jeanette Marshall, Temporary Professional – MacArthur Grant
Allison Orr, Administrative Assistant
Craig Spatara, Manager, Criminal Justice Programs
Pamela Williams, Temporary Staff

- I. Chairman William Kramer called the meeting to order at approximately 8:10 a.m.
- II. Roll Call was taken and a quorum was present.
- III. Chairman Kramer welcomed members and invited guests to introduce themselves.
- IV. The agenda was unanimously approved after motion by Chief Judge Jeffrey Colbath and second by Mr. Lee Waring.
- V. The minutes of the July 13, 2015 meeting were unanimously approved after motion by Mr. Lee Waring, second by Mr. George Elmore.

VI. Under Chairman's Comments:

Chairman Kramer welcomed the committee members back from the summer hiatus.

Under Director's Comments, Michael Rodriguez:

- A. The Annual Planning Meeting is approaching in November 2015; Mr. Rodriguez asked members to bring up particular concerns or topics, comments and suggestions for discussion. The venue is still to be determined.

VII. Old Business – Regular Item(s):

No old business to discuss.

VIII. New Business –

- A. Mr. Michael Rodriguez requested formal approval from the Executive Committee, subsequently to be brought to the next full CJC meeting for approval, to allow the MacArthur Grant duties to move with the staff transferring to the Public Safety Department. Mr. Rodriguez stated there could be some data issues coming up, depending on the implementation plan, which may involve CJC staff. A motion to approve the transfer of duties

to follow staff in connection with the MacArthur Grant to Public Safety was made by Chief Judge Jeffrey Colbath, second by Ms. Carey Haughwout, motion passed unanimously.

B. Finance Committee recommendation - as Mr. Richman was slightly delayed, Mr. Lee Waring asked Mr. Michael Rodriguez to summarize the recommendations made by the Finance Committee which met via telephone conference on September 8, 2015. Mr. Rodriguez corrected the figure for the salary increase notated on the agenda item below to \$12,100.00, changing the total to \$108,727.00. There was a shortfall in the projected amounts received from federal formula grants resulting in a deficit of \$66,627.00. The Crime Prevention Trust Fund (CPTF) has brought in more revenue than expected, that final number will not be known until March, 2016. The Finance Committee and Staff are recommending a reallocation of this Fund for a portion to Drug Court; Reentry total results in \$10,000.00 for each of the three reentry sites for training, assistance, support services, etc. ; an increase in salary for one staff member who will pick up additional duties with loss of positions to Public Safety.

- State/Federal formula grants:

Projected	\$506,029
Actual	<u>\$439,402</u>
Deficit	\$ (66,627)

- Crime Prevention Trust Fund (CPTF):

Available (unallocated) \$142,292

Allocate available CPTF funds as follows;

- \$66,627 to make up for formula grant shortfall to drug courts
- \$30,000 additional dollars to reentry programs (\$10,000/each site)
- \$11,000 salary increase for Research and Planning Mgr for additional duties ***corrected to 12,100**
\$107,627** ****corrected to 108,727**

Member Comments:

Mr. Lee Waring acknowledged there was significant discussion in the Finance Committee meeting on the salary increase item. Mr. Waring explained that from a cost center basis, the budget expenditure is reduced by approximately \$74,000.00. Judge Colbath asked if the salary increase was for one staff person or to be allocated to others, and is the increase in salary competitive. Mr. Rodriguez has not yet talked to the new County Administrator or Human

Resources regarding this salary increase for approval process. Mr. Waring acknowledged there were no issues to use CPTF funds, as there are staff positions currently funded through CPTF. Ms. Haughwout asked what the written purpose of the CPTF is; Mr. Rodriguez offered to bring the definition of use of the CPTF funds to the next full CJC meeting. He did note it was similar to federal formula grant funds usage and is very broad in scope. Ms. Haughwout voiced concern over the salary increase coming from CPTF, because the Public Defender clients pay the fees, as well as the amount of the salary increase. Ms. Haughwout inquired about the new Criminal Justice Analyst position, included and approved in the public budget hearing; her understanding was the new position was to be part time to cover for the transferred position to Public Safety and part time for Behavioral Health Task Force (BHTF). Mr. Rodriguez responded 3 staff salaries are already coming out of CPTF, so the increase should not be issue. He acknowledged the new position was for the BHTF, he questions if a new Criminal Justice Analyst will have skills to deal with grant management/financial management while having Behavioral Health skills. Ms. Haughwout reminded the committee that the BHTF does not need a full time staff member, and she went to commissioners advocating for this position. Mr. Kramer pointed out that his meetings with commissioners advocating for the \$335,000.00 for Behavioral Health funding issues, had resulted in a compromise with the BOCC, i.e. approval of the new position. To define a grant expert vs. a behavioral health expert, he hopes that staff person would be more on the behavioral health side, he was not aware of Ms. Haughwout's declarations to commissioners. Mr. Rodriguez stated the main responsibility of the new analyst would be to implement the BHTF plan, with grant writing skills to gather funding for programs. Judge Colbath made a motion to approve the figures minus the salary increase, to be further discussed, second by Ms. Christina Morrison. Ms. Morrison asked for clarification on the net effect of the salary increase on the budget. Mr. Richman expressed concern if the salary increase was necessary. Mr. Rodriguez summarized the duties left to the CJC staff with the transfer of the three positions to Public Safety. Judge Colbath pointed out the MacArthur grant work could be for a finite period of time for Phase 1, with a 50/50 chance it will continue on. The motion made by Judge Colbath to move forward with Finance allocation recommendations, minus the salary increase, passed unanimously. Mr. George

Elmore asked when the salary increase issue would be brought back for discussion. Both Judge Colbath and Ms. Haughwout stated they would like more definition for duties, the current salary to start with in addition to the increase, or if the increase will go to different people in office for various duties, i.e. grant writing and management, there will be further discussion on this matter .

C. Youth Services – Mr. Rodriguez introduced Mr. James Green from the Palm Beach County Youth Services department. Mr. Rodriguez summarized the creation of the Youth Services Department in January 2015, to consolidate various youth services offered in the County, which came from recommendations at the Youth Symposium a few years ago. The following programs are being recommended by Youth Services and CJC staff to remain with the CJC, especially from a grant writing perspective: 1) Juvenile Reentry, until better established, 2) the Law Enforcement Work Group (LEWG), created from the Youth Violence Prevention Project (YVPP), establishing the Gang Resistance and Education Training program (GREAT), among other activities, 3) the Rapid Response Team (RRT), which responds to suspicious youth deaths. Mr. Green reiterated these programs should stay with the CJC, as there have been strategic planning sessions held and initiatives to continue and facilitate the growth of the (GREAT) program, which works with law enforcement in elementary schools for gang behavior prevention. Chief Larry Leon added school police are working closely on the prevention side, with gun awareness and safety programs, hoping to increase the training, and incorporating middle schools with firearm safety.

Member Comments:

Mr. Gerald Richman asked that more information be brought to the CJC to look more closely at the GREAT program. Ms. Haughwout agreed these programs should stay with CJC, but in the future it would be beneficial to be part of the overall reentry program. Mr. Green added that Youth Services will want CJC involvement in future projects to work with evidence based programs. Chairman Kramer requested the minutes reflect the Executive Committee concurs with the keeping of these programs at CJC.

D. Probation Advisory Board (PAB) - Mr. Damir Kukec gave an update in the absence of Judge Leonard Hanser. The PAB has been working on mechanisms to reduce the number of misdemeanor probation violations such as alternative sanctions, changes in the notice to appear for violations, and implementation of a payment plan. The Clerk and Comptroller’s office has provided a summary for this plan, similar to other programs already implemented; the PAB is asking the Chief Judge to issue an Administrative Order (AO) to require payment plans for misdemeanor probationers

Mr. Louis Tomeo from the Clerk and Comptroller's office explained when and how the fines are paid and due. The Clerk's office conducted a study that reflected 70% of defendants required to pay fines had drivers licenses suspended and sent to a collection agency. The goal is to structure a plan for misdemeanor defendants to be successful based on plans in place for non probationers. Asking for an AO to direct defendants to enter a payment plan with the Clerk, the Clerk's office will follow up by phone and email, defendants will report to probation, which will also follow up. The Clerk reported over 6,000 calls had been made and over 850 cases closed by utilizing payment plans, especially on line.

Member Comments:

Judge Colbath agreed the project is a good idea and he will support the efforts to implement. Ms. Haughwout asked after 3 missed payments, at what point would it go to DMV, after the term of probation has ended. Payment set up fee of \$25.00 is spread over payment plan. Money collected is distributed to State General Revenue, Clerk and Comptroller's Trust Fund, State Trust Fund, CPTF and local Trust Funds as a tiered distribution system. The Palm Beach County Clerk's office is considered to be the forerunner of all counties in the State, collections of criminal fines have increased, and Escambia County clerk is looking to institute the same procedures. Mr. Aronberg concurred it is a promising proposal. A motion was made to recommend moving forward to the full CJC meeting by Mr. Gerald Richman, second by Mr. Lee Waring, motion passes unanimously.

E. Ban the Box – Mr. Michael Rodriguez asked to move the issue of getting the Palm Beach County employment application box removed, not countywide for all business. Entire states, as well as the City of West Palm Beach have adopted the policy with no apparent issues, as well as other major corporations. Palm Beach County does not use the box until a hiring decision is imminent.

Member Comments:

A motion to move forward with this effort to the full CJC and potentially to the BOCC was made by Ms. Haughwout and second by Mr. George Elmore. There have been no formal studies done; gathering anecdotal information was suggested by Mr. Lee Waring to work with the City of WPB on information to support findings, as well as other areas of the country. Motion passed unanimously.

Mr. Rodriguez added the issue of establishing thresholds by the Finance Committee (FC), for spending from the Trust Funds and Formula Grants. Other than substantial changes, to avoid a meeting for small amounts, there was general discussion to decide what those thresholds are, as the FC can meet easily on the phone. Chairman Kramer suggested a threshold amount of less than \$1000.00, beyond that it should be brought to the attention of the FC.

Mr. Lee Waring asked Ms Haughwout for a status on the BHTF, she summarized the sub-committees comprising the BHTF. Policy and protocols for prevention, diversion out of the criminal justice system, data exchange, privacy issues; education and advocacy efforts are all moving forward. Judge Colbath mentioned the MacArthur Grant committees and staff are visiting Miami Judge Leifman, asked if trip could be open to BHTF members on September 25.

Mr. Gerald Richman added it is Constitution Day on Friday; the American Board of Trial Advocates puts on a program for high school students with the cooperation of PBC school District, which is in its seventh year.

With no further discussions, Chairman Kramer asked for a motion to adjourn, unanimously moved, meeting adjourned at approximately 9:05 a.m.

With no further items for discussion, the meeting adjourned at approximately 9:05 a.m.