

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARD APPOINTMENT SUMMARY**

Meeting Date: April 01, 2008
Department: Criminal Justice Commission
Submitted By: Palm Beach County Criminal Justice Commission
Submitted For: Palm Beach County Criminal Justice Commission

EXECUTIVE BRIEF

MOTION AND TITLE: Staff recommends motion to approve: The following appointments to the Criminal Justice Commission, effective April 1, 2008

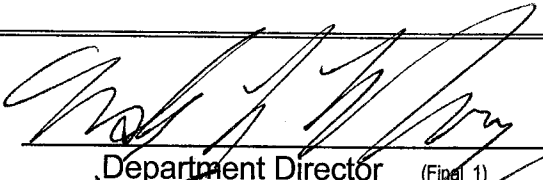
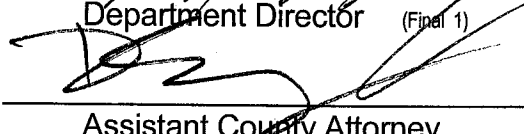
<u>Appoint Nominees</u>	<u>Seat No.</u>	<u>Term to Expire</u>
Mr. Douglas Duncan	21	December 31, 2010
Mr. Wesley Lauer	27	December 31, 2008
Mr. Joseph Bernadel	29	December 31, 2009

SUMMARY: The Criminal Justice Commission (CJC) is comprised of 33 members including elected officials and representatives from private and public sectors. The twelve private sector members are nominated for three-year terms by the Economic Council of Palm Beach County, Inc. and appointed by the Board of County Commissioners. The Council has nominated Ms. Messrs. Douglas Duncan to a three (3) year term; Wesley Lauer and Joseph Bernadel are completing unexpired terms.

BACKGROUND AND JUSTIFICATION: The Palm Beach County Board of County Commissioners enacted Ordinance 88-16 that established the Criminal Justice Commission. The appointments for all nominees correspond with the expiration of the terms for the three (3) seats. In keeping with the requirements of the ordinances establishing and governing the CJC, the Economic Council has offered all nominations.

ATTACHMENTS:

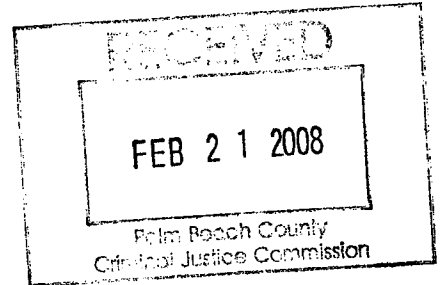
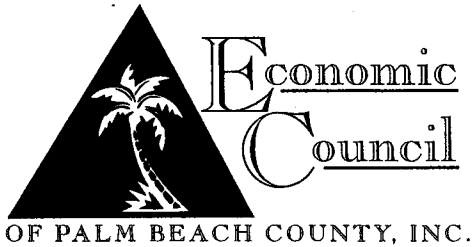
1. Letter of nomination from the Economic Council of Palm Beach County, Inc.
2. Board Appointment Form and Resume for Mr. Douglas Duncan
3. Board Appointment Form and Resume for Mr. Wesley Lauer
4. Board Appointment Form and Resume for Mr. Joseph Bernadel

Recommended By:	 Department Director (Final 1)	3-11-08 Date
Legal Sufficiency:	 Assistant County Attorney	3/12/08 Date

II. REVIEW COMMENTS

A. Other Department Review:

Assistant County Administrator	Date
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February 19, 2008

Mr. Michael Rodriguez
Executive Director
Criminal Justice Commission
301 North Olive Avenue, Suite 1001
West Palm Beach, FL 33401

Dear Mr. Rodriguez:

This is to confirm the Economic Council of Palm Beach County, Inc. would like to recommend the appointments of Wesley Lauer, Doug Duncan and Joseph Bernadil to the Criminal Justice Commission.

If you have any questions please feel free to contact me.

Sincerely,

R. Michael Jones
President and CEO

cc:

Mr. James Barr, Chair, Criminal Justice Commission
Mr. Jonathan Satter, Appointments Committee Chair, Economic Council of Palm Beach County, Inc.
Mr. Wesley Lauer, Akerman Senterfitt
Mr. Doug Duncan
Mr. Joseph Bernadil

RMJ/mlw

Part I:

or

or

to:

Last

First

Revised 6/2007

RESUME - DOUGLAS DUNCAN

Douglas Duncan was born in Chicago, Illinois on May 27, 1953. He received his B.A. from Ripon College where he graduated cum laude and thereafter received his J.D. cum laude in 1980 from Hamline University. His activities included the Silver Gavel Honor Society; recipient, Book Award in Criminal Law; member Hamline University Law Review; and editor, Criminal Law Newsletter, The Florida Bar. Mr. Duncan was admitted to the Florida bar in 1980 and in 1981 the U.S. District Court, Southern District of Florida including Trial Bar and U.S. Court of Appeals, 5th and 11th Circuits. In 1990 he was also admitted to bar for the U.S. Supreme Court. He is currently practicing law in West Palm Beach in the areas of criminal defense, litigation, trial practice and appellate practice.

Since 1985 Mr. Duncan has authored many works such as the "Fourth Amendment Standing of An Automobile Passenger", "What a Lawyer Is Ethically Required to do When a Criminal Defendant Intends to Lie at Trial", "Defense Counsel's Ethical Obligation To Disclose Or Not Disclose Prior to Sentencing That the Client Has a Prior Conviction", "Case law Authority for Downward Departures from Career Offender Enhancement--Under the Federal Sentencing Guidelines" and "Battered Woman Syndrome and Jury Instructions".

In addition, Mr. Duncan's extensive involvement in the community has led him to serve as the Treasurer for the Florida Bar from 1992-1993; Secretary 1993-1994; Chairperson Elect 1994-1995; Chairperson 1995-1996 and Member Executive Council, 1990-1993, 1993-1996 and 1997-, Criminal Law Section. In 1988 and 1989 he was the Chairperson of the Criminal Law Section of the Florida Academy of Trial Lawyers. Mr. Duncan has also been a member and Chairperson of the Palm Beach County Criminal Court Advisory Committee. In 1989 & 1992 he was a member and Chairperson of the Continuing Legal Education Criminal Law Committee and in 1982 he was Vice-Chairman of the Appellate Practice Committee. He also served as the Vice-Chairman for the Continuing Legal Education, Criminal Law Committee, Fourth Judicial District and American Bar Associations. In addition to being an active member of the Florida Bar and the National Association of Criminal Defense Attorneys, Mr. Duncan became the President-Elect of the Palm Beach County Association of Criminal Defense Lawyer in 2001.

Part I:

RESUME – WESLEY A. LAUER

Practice Areas

Commercial Litigation
Alternative Dispute Resolution

Additional Practice Areas

Commercial Litigation
Alternative Dispute Resolution

Experience

- Extensive trial experience in both state and federal courts and before the American Arbitration Association.
- Trial experience covers a wide spectrum of matters, including contracts and commercial disputes, injunctive and equitable remedies, breach of fiduciary duty, probate litigation, fraud, creditors' rights, defamation, enforcement of restrictive covenants, employment claims, real estate disputes and breaches of commercial leases.

Recognition

- AV rated by Martindale Hubbell
- Listed as a Florida Super Lawyer by Law & Politics Florida Super Lawyers Magazine (2006; 2007; 2008)

Representative Clients

Allergy Associates of the Palm Beaches, P.A.
Better Business Bureau of Palm Beach County, Inc.
Council of Better Business Bureaus, Inc.
Fitness First Health Clubs, Inc.

Published Work and Lectures

Mr. Lauer has spoken at seminars and conferences of the West Palm Beach Chapter of the American Institute of Architects and at regional meetings of national accounting firms on various topics, including deposition preparation and the prevention of claims and lawsuits.

Bar Admissions 1971, Florida

Court Admissions

U.S. District Court, Southern District of Florida
U.S. District Court, Middle District of Florida
U.S. Court of Appeals, Fifth Circuit
U.S. Court of Appeals, Eleventh Circuit
U.S. Supreme Court

Professional Memberships and Activities

- The Florida Bar (Member, Professional Ethics Committee (2005-2007); Sections on Corporations, Banking and Business Law, General Practice and Real Property, Probate and Trust Law, as well as its Trial Lawyers Section)
- American Bar Association (Section on Litigation)
- Palm Beach County Bar Association (Member, Professionalism Committee)

Community Involvement

Member, Economic Council of Palm Beach County
Member, Palm Beach County Criminal Justice Commission
Member, Economic Forum
Greater Palm Beach Area Chapter of American Red Cross (Board of Directors, 2001-2006)
Chamber of Commerce of the Palm Beaches (Board of Directors, 2006-2008)
Graduate, Leadership West Palm Beach (2002)

Education

- 1971: J.D., University of Florida College of Law, Dean's List and President's Honor Roll
- 1968: B.A.E., University of Florida

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ADVISORY BOARD NOMINEE INFORMATION FORM**

Part I:

Board Name: CRIMINAL JUSTICE COMMISSION

☒ At Large Appointment

or

☐ District Appointment

Term of Appointment: 2 Years. From: 04/01/08 To: 12/31/09

Seat Requirement: PRIVATE SECTOR INDIVIDUAL Seat #: 29

☐ *Reappointment

or

☐ New Appointment

or ☒ to complete the
term of

WENDY SARTORY-LINK

Due

☒

resignation

☐

other

to:

Completion of term to
expire on:

12/31/09

Part II:

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: BERNADEL JOSEPH M.G.
Last First Middle

Occupation/Affiliation: CHIEF OPERATING OFFICER

Business Name: TOUSSAINT L'OUVERTURE HIGH SCHOOL

Business Address: 777 East Atlantic Avenue, #242

City & State Delray Beach Zip Code: 33483

Residence Address: 2901 Clint Moore Road, #158

City & State Boca Raton Zip Code: 33496

Home Phone: (561) 414-5465 Business Phone: (561) 279-1100 ext.

Cell Phone: (561) 414-5465 Fax: (561) 495-1877

Email Address: jbernadel@tlhs@aol.com

Mailing Address preference: ☒ Business Address ☐ Residence

Minority Identification Code:

☐ IF (Native-American Female)

☐ IM (Native-American Indian Male)

☐ AF (Asian-American Female)

☐ AM (Asian-American Male)

☐ BF (African-American Female)

☒ BM (African-American Male)

☐ HF (Hispanic-American Female)

☐ HM (Hispanic-American Male)

☐ WF (Caucasian Female)

☐ WM (Caucasian Male)

Part III: COMMISSIONER COMMENTS

Appointment to be made at BCC Meeting on: April 1, 2008

***When a person is being considered for re-appointment, the number of previous disclosed voting conflicts shall be considered by the Board of County Commissioners.**

Number of previously disclosed voting conflicts during the previous term

Signature: _____

Date: _____

RESUME – JOSEPH BERNADEL

Joseph Bernadel – Chief Operations Officer & Co-Founder of TLHS.

Joseph Bernadel was born in Haiti, where he completed his primary and secondary schooling at the Institution St. Louis de Gonzague. He emigrated to the United States in 1975 and soon joined the United States Army. He retired as a Major from the US Military in 1997 after 22 years of worldwide sensitive military assignments, which included positions as Attache Militaire in Haiti and Mozambique. He is fluent in five languages: Creole, English, French, Portuguese, and Spanish.

Major Bernadel is the co-founder of Toussaint L'Ouverture High School for Arts & Social Justice in Delray Beach, Florida, a charter high school that opened in August 2001, serving Palm Beach County students of diverse backgrounds. He is the first person of Haitian ancestry to have opened a public school in the United States. In October 2002, the school launched Haiti Museum of Arts & Culture. The Museum honors the culture of the Haitian Diaspora and will serve as a repository of the oral traditions of the Haitian people in Delray Beach and surrounding communities.

Mr. Bernadel serves as the the Chairman of the the Delray Beach Housing Authority and is the Chair of the Joseph Laure Foundation. Mr. Bernadel was appointed by Governor Bush to the Board of the Community Hospital Educational Counsel, a statewide organization and served on the State of Florida Materials Selection Committee for the Department of Education. He is a national trainer for the Anti-Defamation League of Palm Beach County, Florida, and the winner of the Toussaint L'Ouverture Distinguished Service Award in 2007. He was instrumental in having May declared Haitian Heritage Month as proclaimed by the Delray Beach City Council.

Joe Bernadel holds the Bachelor of Science in Administration from the University of Hawaii and has completed his graduate studies at the University of Florida in Latin American and Caribbean Affairs. His current professional priorities are to build institutions honoring the presence and contributions of people of color in South Florida and to enhance their welfare through education, political advocacy, and economic opportunities.

