

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: 7/7/15

Consent     Regular  
 Ordinance     Public Hearing

Department:

Submitted By: PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

Submitted For: PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

**I. EXECUTIVE BRIEF**

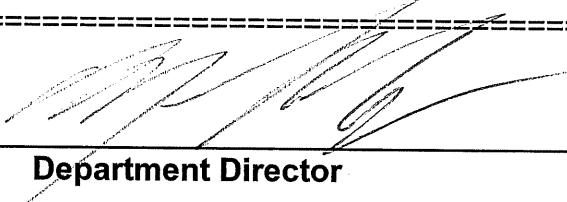
**Motion and Title:** Staff recommends motion to: (A) Ratify the signature of the Mayor on the executed MacArthur Foundation grant agreement with John D. and Catherine T. MacArthur Foundation for the period May 1, 2015 through April 30, 2016; and (B) Approve a budget amendment of \$150,000 in the Justice Services Grant Fund to reconcile the budget to the actual grant award.

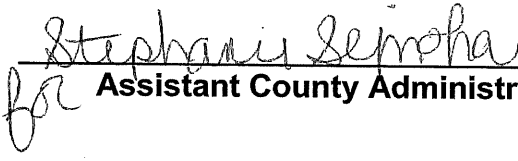
**Summary:** The Board of County Commissioners approved the application for the MacArthur Foundation Safety and Justice Challenge on June 2, 2015. The grant will help Palm Beach County achieve better public safety outcomes, lower incarceration costs and a reduced use of the local jail. The grant does not require a match. **Countywide (JB)**

**Background and Justification:** America's reliance on local jail incarceration has grown dramatically over the past three decades. Jail populations have more than tripled since the 1980s. So have cumulative expenditures related to building and running jails. There are now nearly 12 million admissions to local jails annually—almost 20 times the number of admissions to state and federal prisons. Up to twenty selected sites will receive a grant of \$150,000 to support an intensive six-month planning process, during which they will rigorously examine how their jails are being used and what strategies will reduce incarceration without compromising public safety. Each site will produce a plan for implementing these reforms and 10 sites will be chosen and become eligible for up to \$2,000,000 for 5 years.

**Attachments**

- 1) Executed grant agreement with John D. and Catherine T. MacArthur Foundation
- 2) Budget Amendment (Fund 1436)
- 3) MacArthur Foundation's Safety and Justice Challenge Grant Application

Recommended by:  6-29-15  
Department Director Date

Approved By:  6/30/15  
for Assistant County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact**

Fiscal Years	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Capital Expenditures					
Operating Costs	(\$150,000)				
External Revenues	\$150,000				
Program Income (County)					
In-Kind Match (County)					
<b>Net Fiscal Impact</b>	<u>0</u>				

# ADDITIONAL FTE POSITIONS (Cumulative)      0      0      0      0      0

Is Item Included In Current Budget?    Yes         No   X  

Budget Account Exp No: Fund      Department      Unit      Object       
 Rev No: Fund      Department      Unit      RevSc     

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

Fund: 1436 Justice Services Grant Fund  
 Unit: 5701 MacArthur Foundation  
 Grant: MacArthur Foundation Grant

Departmental Fiscal Review: Stephanie Sepinola 6/30/15

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

[Signature]  
 AK  
 6/30/15  
 OFMB

[Signature] 7/1/15  
 Contract Administration  
 7-1-15 B. Wheeler

**B. Legal Sufficiency:**

[Signature] 7/1/15  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

This summary is not to be used as a basis for payment.

MacArthur Foundation

May 20, 2015

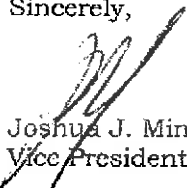
Honorable Shelley Vana  
Mayor  
Palm Beach County, Florida  
301 North Olive Ave.  
Suite 1201  
West Palm Beach, FL 33401

Dear Honorable Vana:

It is my pleasure to inform you that the MacArthur Foundation has awarded a grant in the amount of \$150,000 to Palm Beach County, Florida in support of your organization's project to generate a plan to target jail misuse and overuse as part of a network of sites participating in the Safety and Justice Challenge. The terms and conditions of this grant are described in the enclosed agreement. We ask that an authorized representative of your organization execute the agreement and return it to my attention. If you or your staff have any questions on the contents of the agreement, please contact Steven Casey, Manager, Grants and Budget, at (312) 516-1642.

We wish you every success in your important work which we are pleased to support.

Sincerely,



Joshua J. Mintz  
Vice President and General Counsel

Enclosure  
Grant No. 15-108435-000-USP

John D. and Catherine T. MacArthur Foundation  
140 South Dearborn St., Suite 1200 Chicago, Illinois 60603-5285  
Telephone 312.516.0208 [www.macfound.org](http://www.macfound.org)

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AGREEMENT

THE GRANTEE AND GRANTOR (AS SET FORTH BELOW) HEREBY AGREE AS FOLLOWS:

DATE: May 20 2015

GRANT NO.: 15-108435-000-USP

GRANTEE: Palm Beach County, Florida  
301 North Olive Avenue  
West Palm, Beach FL 33401  
("your organization")

GRANTOR: John D. and Catherine T. MacArthur Foundation  
140 South Dearborn Street, Suite 1200  
Chicago, Illinois 60603-5285  
(the "Foundation")

GRANT AMOUNT: U.S. \$150,000

PURPOSE OF GRANT: In support of your organization's project to generate a plan to target jail misuse and overuse as part of a network of sites participating in the Safety and Justice Challenge, the Foundation's criminal justice reform initiative to reduce over-incarceration by changing the way America thinks about and uses jails (the "Purpose")

FOR USE OVER THE PERIOD: May 1, 2015 - April 30, 2016

EXPECTED PAYMENT SCHEDULE, as may be amended by the Foundation from time to time (the "Payment Schedule"):

Initial Installment: U.S. \$150,000, paid in a single lump sum

WRITTEN REPORTS DUE, as may be amended from time to time upon written authorization from the Foundation (the "Due Dates"):

December 31, 2015: Interim Report, covering the period through November 30, 2015  
May 31, 2016: Final Report, covering the entire life of the grant

OTHER TERMS AND CONDITIONS:

- PAYMENT TERMS:** (A) Payment of the grant funds is expected to be made as indicated in the Payment Schedule above, *provided* your organization is in compliance with all terms and conditions of this agreement at the time of each scheduled payment.

(B) The initial installment of the grant funds will be made within ninety (90) days after receipt by the Foundation of a fully-executed copy of this agreement and all necessary tax documents.
- BANK ACCOUNTS:** Grant funds shall be deposited in an interest-bearing account whenever feasible. Any grant funds, and income earned thereon, not expended or committed for the purposes of the grant, will be returned to the Foundation.
- USE OF FUNDS:** (A) Under United States law, Foundation grant funds, and income earned thereon, may be expended only for charitable, religious, scientific, literary or educational purposes. This grant is made only for the Purpose stated above, and it is understood that these grant funds will be used only for such Purpose, substantially in accordance with the proposal submitted by your organization on or about March 31, 2015 and the budget submitted by your organization on or about May 13, 2015 (the "**approved budget**"), subject to the terms of this agreement. Your organization agrees to obtain the Foundation's prior approval in writing should there be any material changes or variances

to the approved budget, including the timing of expenditures, at any point during the course of this grant.

(B) Your organization confirms that this project is under its complete control. Your organization further confirms that it has and will exercise control over the process of selecting any secondary grantee or consultant, that the decision made or that will be made on any such selection is completely independent of the Foundation and, further, that there does not exist an agreement, written or oral, under which the Foundation has caused or may cause the selection of a secondary grantee or consultant.

(C) RESTRICTIONS ON USE OF FUNDS: (1) In connection with the activities to be funded under this grant, your organization acknowledges that it is responsible for complying with all relevant laws and regulations of the countries in which such activities are conducted.

(2) Your organization hereby confirms that Foundation grant funds will not be used to carry on propaganda, to lobby or otherwise attempt to influence legislation or to conduct any activities described in Sections 4945(d) and (e) of the United States Internal Revenue Code and the Treasury Regulations thereunder. Your organization further confirms that the primary purpose of undertaking the work described in your organization's proposal is not for use in lobbying. For your information, enclosed is a summary of the types of activities prohibited under Section 4945 of the United States Internal Revenue Code. Further questions regarding impermissible activities should be directed to your organization's tax or legal advisor.

(3) Your organization agrees that Foundation grant funds will be used in compliance with all applicable anti-terrorist financing and asset control laws, regulations, rules and executive orders, including but not limited to, the USA Patriot Act of 2001 and Executive Order No. 13224.

4. IDENTITY OF GRANT RECIPIENT: If, after further discussions and due diligence, the beneficiary of the grant funds is an agency other than the named entity herein, the parties shall execute such amendments, documents and agreements as are necessary to ensure funds are provided to the agency/recipient with control and oversight of the grant funds, provided such agency/recipient is a governmental entity or public charity.
5. WRITTEN REPORTS: (A) Written reports are to be furnished to the Foundation covering each year in which your organization receives or expends any portion of the grant funds until the Foundation's grant funds, and any income earned thereon are expended in full or the grant is otherwise terminated. The written reports for this grant are due no later than the Due Dates specified on Page 1 of this agreement. The written reports may be submitted electronically through the Foundation's secure website. Instructions for the electronic submission will be sent to your organization under separate cover. Alternatively, hard paper copies of the written reports, signed by an officer of your organization, may be sent to the Foundation to the attention of Steven Casey, Manager, Grants and Budget, US Programs.  
  
(B) Each written report should contain a narrative and financial account of what was accomplished by the expenditure of the grant funds during the period covered by the report. The narrative account should contain a detailed description of what was accomplished by the grant, including a description of the progress made toward achieving the goals of the grant and an assurance that the activities under the grant have been conducted in conformity with the terms of the grant. The financial account should contain a financial statement reporting, in U.S. dollars, all expenditures of the grant funds and any income earned thereon during the period covered by the report.
6. INTELLECTUAL PROPERTY: (A) In countersigning this agreement, your organization acknowledges that it has read the Foundation's Policy Regarding Intellectual Property Arising Out of the Use of Foundation Funds (the "Policy"; Attachment I hereto). Except as may otherwise be provided herein, all copyright interest in materials produced as a result of this grant (the "Grant Work Product") shall be owned by your organization. To effect the widest possible distribution of the Grant Work Product and to ensure that it furthers charitable purposes and benefits the public, your organization hereby grants to the Foundation a non-exclusive, transferable, perpetual, irrevocable, royalty-free, paid-up, worldwide license to use, display, perform, reproduce, publish, copy, and distribute, for non-commercial purposes, the Grant Work Product and any other work product arising out of or resulting from your organization's use (including digital or electronic or other media) of these funds, including all intellectual property rights appurtenant thereto, and to sublicense to third parties the rights

described herein. Without limiting the foregoing, such license includes the right of the Foundation to publish the Grant Work Product on the Foundation's website in connection with the Foundation's work with and support of your organization, and for use in periodic public reports, press releases, and fact sheets about the Foundation's grantmaking. Your organization further acknowledges and agrees, at the Foundation's request, to execute any additional documents necessary to effect such license.

(B) To the extent that, as part of any arrangement with any subcontractor, subgrantee, or other party working on matters related to this grant and receiving the benefit of the grant funds (a "Third Party"), the intellectual property rights in the Grant Work Product is to be owned by such Third Party, your organization agrees to require that the Foundation be granted a license in such Grant Work Product in a form reasonably acceptable to the Foundation.

(C) Except as stated in Paragraph 6(A) herein, and as you may be otherwise notified by the Foundation, it is the Foundation's policy not to ordinarily use the license granted herein if the Grant Work Product is otherwise made widely available through a means and on terms (including any cost to the public and timeliness of publication) satisfactory to the Foundation. Under the Foundation's Policy, the Foundation will consider also releasing such license at the request of your organization if it is demonstrated to the Foundation's satisfaction that such release is necessary in connection with a publication or distribution plan that will make the Grant Work Product widely available at a reasonable or little cost, such as through scholarly publication, open access journals, or use of a suitable Creative Commons license.

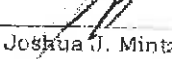
7. **USE OF NAME:** Your organization acknowledges that the name and mark "John D. and Catherine T. MacArthur Foundation" and all variations thereof and any other names and marks comprising the name or mark "MacArthur" (the "MacArthur Name"), are the sole and exclusive property of the Foundation, that any and all uses of the MacArthur Name by your organization shall inure solely to the benefit of the Foundation, and that your organization shall not acquire any right, title or interest in any MacArthur Name. All uses of any MacArthur Name by your organization in any manner shall be subject to inspection by and approval of the Foundation, which approval may be granted or withheld in the sole and absolute discretion of the Foundation. Upon termination of this agreement, or at the request of the Foundation at any time, your organization shall immediately discontinue and forever thereafter desist from any and all use of any MacArthur Name and shall either destroy or deliver to the Foundation, at no charge to the Foundation, stationery, brochures, proposed paid media and other similar materials bearing any MacArthur Name that then are in the possession or control of your organization.
8. **PUBLICATIONS.** Two copies of any publications produced or disseminated wholly or in part with these grant funds will be furnished to the Foundation. Unless otherwise notified by the Foundation, such publications should include a simple acknowledgment of the grant support from the Foundation.
9. **EVALUATING OPERATIONS:** The Foundation may monitor and conduct an evaluation of operations under this grant, which may include a visit from Foundation personnel to observe your organization's program, discuss the program with your organization's personnel, and review financial and other records and materials connected with the activities financed by this grant.
10. **FOUNDATION GRANT REPORTS:** The Foundation may include basic information about this grant through a variety of public channels, including press releases, publications, videos, social media, and the Foundation's website. If there are special considerations concerning the public announcement of this grant at your organization, if you plan to issue a public announcement of the grant, or if you would like to coordinate a public announcement of the grant with the Foundation's announcement, please reach out to the Foundation's Office of Public Affairs.
11. **RIGHT TO DISCONTINUE FUNDING, RESCIND PAYMENTS, AND REQUIRE RETURN OF UNSPENT FUNDS:** The Foundation may, in its sole discretion, discontinue or suspend funding, rescind payments made or demand return of any unspent funds based on any of the following: (a) the written reports required herein are not submitted to the Foundation on a timely basis, (b) the reports do not comply with the terms of this agreement or fail to contain adequate information to allow the Foundation to determine the funds have been used for their intended charitable purposes, (c) grant funds have not been used for their intended charitable purposes or have been used inconsistent with the terms of this agreement, (d) the Foundation is not satisfied with the progress of the activities

funded by the grant, (e) the purposes for which the grant was made cannot be accomplished, or (f) making any payment might, in the judgment of the Foundation, expose the Foundation to liability, adverse tax consequences, or constitute a taxable expenditure. The Foundation will provide notice of any determinations made under this paragraph. In the event the Foundation takes action permitted by this paragraph solely based on (d) and (e), and your organization provides documentation that it has incurred obligations consistent with the terms of the grant in good faith reliance on the grant agreement and the approved budget, the Foundation will consider in good faith permitting grant funds to be used to pay such obligations.

- 12. **RIGHT TO RECOVER SPENT FUNDS:** Your organization will repay the Foundation, upon demand, the amount of any funds spent for purposes inconsistent with or contrary to the grant agreement or the approved budget.
- 13. **U.S. TAX STATUS:** By countersigning this agreement, your organization confirms that it is a governmental entity. If such status changes during the course of this grant, your organization hereby agrees to notify the Foundation and, upon request, promptly return any unspent grant funds to the Foundation as of the date of such change.
- 14. **MODIFICATION OF TERMS:** The terms of this agreement may be modified only by an agreement signed by an officer of your organization and a corporate officer of the Foundation. Any modifications made by your organization to this printed agreement (whether handwritten or otherwise) will not be considered binding on the Foundation until written confirmation of such modification is obtained from the Foundation.
- 15. **HEADINGS.** The section headings in this agreement are for convenience only and are not intended, and shall not be construed, to alter, limit or enlarge in any way the scope or meaning of the language contained in this agreement.
- 16. **ENTIRE AGREEMENT:** This agreement represents the entire agreement between your organization and the Foundation with respect to the subject matter herein and supersedes any and all prior agreements, understandings, negotiations, representations and discussions with respect thereto. This agreement may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or ".pdf" signature page were an original thereof.
- 17. **DUE AUTHORITY:** The person(s) signing this agreement on behalf of your organization represents and warrants to the Foundation that s/he is an officer of your organization and has requisite legal power and authority to execute this agreement on behalf of your organization and bind your organization to the obligations herein.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed as of the day and date first written above.

**JOHN D. AND CATHERINE T.  
MacARTHUR FOUNDATION**

By:   
Joshua J. Mintz  
Its: Vice President and General Counsel

**PALM BEACH COUNTY, FLORIDA**

By:   
Signature

Its: Mayor  
Title

Acceptance Date: 6/2/15

To facilitate receipt of the grant funds, complete the following and return the fully-signed agreement to Joshua J. Mintz, Vice President and General Counsel of the MacArthur Foundation, 140 South Dearborn Street, Suite 1200, Chicago, Illinois 60603-5285.

**Payment should be made payable to PALM BEACH COUNTY, FLORIDA**

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*Please provide mailing instructions below for the remittance or attach wire transfer instructions. Please note that bank fees may be charged to the recipient by the bank(s) processing the wire transfer.*

Contact Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone (optional): \_\_\_\_\_  
E-Mail (optional): \_\_\_\_\_



2/1/99

ATTEMPTS TO INFLUENCE LEGISLATION  
BY MacARTHUR FOUNDATION GRANTEES

Under United States law, MacArthur Foundation grant monies may not be used to pay for attempts to influence legislation, unless they qualify under certain specific exceptions. (These laws do not affect how grantees may spend money received from other sources.) This paper will generally describe what activities are regarded as attempts to influence legislation and some of the exceptions available. Also, attached is a chart describing some permissible and prohibited public policy activities.

Lobbying

Attempts to influence legislation, commonly known as lobbying, may be of two types, direct or indirect:

*Direct Lobbying*

Direct lobbying refers to certain communications directly with government personnel who are involved in the legislative process. They may be legislators or employees of legislative bodies, or other government personnel who participate in the formulation of the legislation concerned.

A communication with these government personnel will be lobbying only if it both refers to specific legislation and indicates a view on that legislation.

*Indirect Lobbying*

Indirect (or "grass roots") lobbying refers to communications with members of the general public. Certain "public relations" or educational activities may constitute indirect lobbying, and others will not. Indirect lobbying communications include only communications that (1) refer to specific legislation, (2) indicate a view on the legislation, and (3) encourage the recipient of the communication to take action with respect to the legislation.

*Specific Legislation*

"Specific legislation" includes both legislation that has already been introduced in a legislative body and a specific legislative proposal.

*Legislation*

Legislation refers only to action by a legislative body -- such as a congress, senate, chamber of deputies, house of representatives, state legislature, local council or municipal chamber of representatives -- or by the public in a referendum or similar

procedure. Legislation of the United States or any other country or of any local government is included.

Legislation also includes proposed treaties required to be submitted by the President of the United States to the Senate for its advice and consent from the time the President's representative begins to negotiate its position with the prospective parties to the proposed treaties.

Action by an executive or by a judicial or administrative body does not constitute legislation, so attempts to influence such action do not constitute lobbying.

*Encouraging Recipient to Take Action*

A communication may encourage the recipient to take action with respect to legislation, and therefore meet the third test for indirect lobbying, in any one of the following four ways:

1. It may state that the recipient should contact a legislator (or other government official or employee who may be involved in the legislation).
2. It may state the address, telephone number, or similar information of a legislator or an employee of a legislative body.
3. It may provide a petition, tear-off postcard, or similar materials for the recipient to send to a legislator or other government official or employee.
4. It may specifically identify one or more legislators who will vote as:
  - a. opposing the communication's view with respect to the legislation,
  - b. undecided about the legislation,
  - c. the recipient's legislative representative, or
  - d. a member of the legislative committee that will consider the legislation.

Exceptions

There are a few specific exceptions from prohibited lobbying. The most important of these for MacArthur Foundation grantees are the exception for examinations and discussions of broad social, economic, and similar problems and the exception for nonpartisan analysis, study, or research.

A communication regarding broad social, economic, and similar problems will not constitute lobbying, even if the problems discussed are of a type with

2/1/99

which government would be expected to deal eventually. Accordingly, it is permissible to speak to legislators or the general public about problems that the legislature should address. These communications may not, however, discuss the merits of a specific legislative proposal or directly encourage recipients to take action with respect to the legislation.

Nonpartisan analysis, study, or research means an independent or objective exposition of a particular subject matter. It may advocate a particular position or viewpoint, so long as there is a full and fair discussion of the pertinent facts, which is sufficient to enable an individual to form an independent opinion or conclusion.

The results of nonpartisan analysis, study, or research may indicate a view on specific legislation, and they may be communicated to a legislator or government official or employee involved in the legislative process. They may not, however, be communicated to members of the general public with a direct encouragement to the recipient to take action with respect to the legislation.

A grantee may not use the nonpartisan analysis, study, or research exception, such as by omitting the direct encouragement to take action, and then later use the

communication for lobbying purposes. If it does, and if the grantee's primary purpose in preparing the original communication was for use in lobbying, the amounts spent to prepare the original communication will be treated as funds used for lobbying.

#### Related Issues

The use of any MacArthur Foundation grant monies to participate in any political campaign on behalf of or in opposition to any candidate for public office is also prohibited by United States law. This applies to elections both inside and outside the United States.

Also, no MacArthur Foundation grant monies may be used to make any payments that would be illegal under local law, such as to offer money to a public official to perform an official action or to omit or to delay an official action.

#### Questions

If you have any questions regarding the rules discussed in this memorandum, or if you would like further information please contact the Office of the General Counsel, at the John D. and Catherine T. MacArthur Foundation, 140 South Dearborn Street, Chicago, Illinois 60603-5285, U.S.A.; telephone (312) 726-8000.

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*PERMISSIBLE AND PROHIBITED ACTIVITIES*

*Some Permissible Public Policy Activities*

1. Meetings with or letters to government officials, including legislators, about a problem needing a legislative solution, so long as there is either no reference to specific legislation or no view expressed on specific legislation.
2. Communications with members of the general public about a social problem, so long as there is either no reference to specific legislation, no position taken on the legislation or no encouragement of the public to contact legislators or other government personnel concerning the legislation.
3. Meetings with or letters to government personnel other than legislators or their staff (such as mayors, governors or their staff) about specific legislation if the personnel contacted are not participating in formulating the legislation.
4. Efforts to influence regulations or other actions of an executive, judicial or administrative body.
5. Public interest lawsuits.
6. Communications directly to legislators or their staff regarding legislation that might affect the communicating organization's existence, powers and duties, or its exemption from taxes.
7. Responding to written requests from a legislative body or committee (but not one legislator) for technical advice or assistance on particular legislation.
8. Communicating the results of nonpartisan analysis, study or research on a legislative issue, so long as there is no direct encouragement of members of the general public to contact legislators or other government personnel concerning the legislation.

*Some Prohibited Public Policy Activities*

1. A letter to or meeting with a legislator encouraging the legislator to vote either for or against specific legislation or to submit a specific legislative proposal to the legislature.
2. An advertisement or pamphlet encouraging people to contact their legislators and to urge them to vote for or against specific legislation.
3. A public meeting where individuals are asked to sign a petition urging legislators to vote for or against specific legislation.
4. Publishing articles and producing radio and television broadcasts urging recipients to become involved in a political campaign on behalf of or in opposition to a candidate.
5. Preparing a fact sheet for a legislative committee describing one view of proposed legislation important to an organization's objectives, when such fact sheet has not been requested in writing by the committee.

## ATTACHMENT I

### POLICY REGARDING INTELLECTUAL PROPERTY ARISING OUT OF THE USE OF FOUNDATION FUNDS

#### Introduction

Foundation grants often result in tangible products, such as reports, papers, research, data sets, books, film or television documentaries, or radio programs ("Grant Work Product"). This Policy addresses the ownership, use, copyright to, and distribution of the Grant Work Product by balancing the interests of the Foundation with the interests of the grantee and other interested parties. The Foundation is cognizant that fast-evolving technological advances are impacting the manner and method by which knowledge in whatever form can be protected and distributed and the Foundation will evaluate this Policy in light of experience.

#### Policy

The Foundation's policy is to ensure that the Grant Work Product furthers charitable purposes and benefits the public. To that end, the Foundation seeks prompt and broad dissemination of the Grant Work Product at minimal cost or, when justified, at a reasonable cost.

The Foundation encourages openness in research and freedom of access to underlying data by persons with a serious interest in the research. Grantees are also encouraged to explore opportunities to use existing and emerging internet distribution models and, when appropriate, open access journals, Creative Commons license or similar mechanisms that result in broad access for the interested field and public.

The Foundation recognizes there may be circumstances where limited or delayed dissemination of Grant Work Product or limited access to data may be appropriate to protect legitimate interests of the grantee, other funders, principal investigators or participants in research studies. Such circumstances will be evaluated on a case-by-case basis.

Intellectual property rights (including copyright and patent rights) should not be used to limit or deny access to the Grant Work Product, to result in exclusive use of such Grant Work Product, or to create revenue that is not used for charitable purposes. While copyright to the Grant Work Product will ordinarily remain with the grantee, the Foundation will require that it be granted a no-cost assignable license to use or publish the Grant Work Product. The Foundation will exercise the license only if the grantee does not or cannot provide for broad and prompt dissemination consistent with this Policy. The Foundation may forego a license if the Foundation is reasonably satisfied that other appropriate arrangements will be implemented that will assure prompt public dissemination of the Grant Work Product.

In all instances, the Foundation will agree to suitable terms at the time a grant is made based on the facts to ensure the objectives of the Policy are met while respecting appropriate interests of others.

This Policy is effective September 18, 2008.

**Craig Spatara**

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**From:** James Brako  
**Sent:** Tuesday, May 26, 2015 12:01 PM  
**To:** Craig Spatara  
**Cc:** Michael Rodriguez L.  
**Subject:** RE: Grant Award Agreement for Palm Beach County, Florida - 108435

Looks fine – good to go.

James Brako  
Assistant County Attorney  
Palm Beach County  
301 N. Olive Avenue, Suite 601  
West Palm Beach, Fl., 33401  
Phone (561) 355-2225  
Fax (561) 355-6461

**From:** Craig Spatara  
**Sent:** Friday, May 22, 2015 2:27 PM  
**To:** James Brako  
**Cc:** Michael Rodriguez L.  
**Subject:** FW: Grant Award Agreement for Palm Beach County, Florida - 108435

Hi James,  
Can you please review before the Mayor signs?  
Have a good weekend.  
Craig

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**From:** Dunbar, Janice [<mailto:JDunbar@MACFOUND.ORG>]  
**Sent:** Thursday, May 21, 2015 5:41 PM  
**To:** Craig Spatara  
**Cc:** Griffin, Patrick; Casey, Steven  
**Subject:** Grant Award Agreement for Palm Beach County, Florida - 108435

Dear Mr. Spatara:

Attached is the agreement for the recent grant award from the MacArthur Foundation's Safety and Justice Challenge competition.

If you agree with the terms, please have an authorized representative of the organization sign it **and return all pages of the agreement to me via email PDF.** *Please be sure that "Award Agreement" or "Grant Agreement" remain in the subject line for prompt payment.* To aid in the payment process, I have also attached our wire transfer form for your convenience.

If you have any questions concerning the administration of your grant award, please feel free to call or email me or Steve Casey, Manager of Grants and Budget, US Programs ([scasey@macfound.org](mailto:scasey@macfound.org)).

Sincerely,

Janice Dunbar  
Assistant Manager, Grants and Budget

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BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA  
BUDGET AMENDMENT

Page 1 of 1 pages

BGEX - 662-0625150000000001430  
BGRV - 662-0625150000000000564

FUND 1436 - Justice Services Grant Fund

Use this form to provide budget for items not anticipated in the budget.

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 6/25/2015	REMAINING BALANCE	
<b>Revenue</b>									
1436-662-5701-3729	Grant Fr Other Loc Government-Public Safety	0	0	150,000	0	150,000			
	<b>Total Revenue and Balance</b>	<b>0</b>	<b>0</b>	<b>150,000</b>	<b>0</b>	<b>150,000</b>			
<b>Expense</b>									
1436-662-5701-1201	Salaries & Wages Regular	0	0	103,244	0	103,244	0	103,244	PA
1436-662-5701-2101	Fica-Taxes	0	0	1	0	1	0	1	PA
1436-662-5701-2105	Fica Medicare	0	0	1	0	1	0	1	PA
1436-662-5701-3401	Other Contractual Services	0	0	6,700	0	6,700	0	6,700	OA
1436-662-5701-3101	Professional Services	0	0	20,000	0	20,000	0	20,000	OA
1436-662-5701-4001	Travel and Per Diem	0	0	13,000	0	13,000	0	13,000	OA
1436-662-5701-5121	Data Processing Software/Accessories	0	0	5,000	0	5,000	0	5,000	OA
1436-662-5701-4801	Promotional Activities	0	0	2,054	0	2,054	0	2,054	OA
	<b>Total Appropriation and Expenditures</b>	<b>0</b>	<b>0</b>	<b>150,000</b>	<b>0</b>	<b>150,000</b>			

**MEDICAL EXAMINER**  
INITIATING DEPARTMENT/DIVISION  
Administration/Budget Department Approval  
OFMB Department - Posted

Signatures \_\_\_\_\_ Date \_\_\_\_\_  
*Stephanie Seip* 6/29/15

By Board of County Commissioners  
At Meeting of \_\_\_\_\_  
7/7/2015  
Deputy Clerk to the  
Board of County Commissioners

**From:** noreply@fluidreview.com [mailto:noreply@fluidreview.com]  
**Sent:** Tuesday, March 31, 2015 5:20 PM  
**To:** Craig Spatara  
**Subject:** Your application for the Safety and Justice Challenge



## SAFETY+JUSTICE CHALLENGE

Dear Craig Spatara,

Thank you for submitting your completed application for the MacArthur Foundation's Safety and Justice Challenge. This confirms that your application has been received; your application is now locked from further editing. Decisions are expected in mid-May. Selected jurisdictions will be required to attend a meeting in Washington, D.C. on May 27th through 29th.

Thank you for your interest in the Safety and Justice Challenge.

You are receiving this message because you have a registered account with Safety And Justice. To unsubscribe, [click here](#).

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# Palm Beach County Criminal Justice Commission

## 1. Applicant Organization

### Page 1

#### 1.1. Jurisdiction name

Palm Beach County

#### 1.2. State

Florida

#### 1.3. Jurisdiction type, please select one:

County None

#### 1.4. Chief executive's name (e.g., name of mayor, county commissioner, or other officeholder with executive branch authority in jurisdiction)

Org\_Head.0 Shelley

Org\_Head.1 Vana

#### 1.5. Name and address of lead agency applying for funds

Org\_Name.0 Palm Beach County Criminal Justice Commission

Org\_Name.1 301 North Olive Avenue

Org\_Name.3 West Palm Beach

Org\_Name.4 Florida

Org\_Name.5 33401

Org\_Name.6 561-365-2326

#### 1.6. Name and email address of primary contact at lead agency

First Name Craig

Last Name Spataro

Title Manager, Criminal Justice Programs

email address cspararo@pbccgov.org

<https://safetyandjustice.fluidreview.com/s/1187935/64657/p/>

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1.7. Jurisdiction population size (please do not use commas)  
19893297

1.8. Jail capacity (select range)  
3,001-5,000

1.9. Jail capacity (insert exact number, please do not use commas)  
3198

1.10. Overall jurisdiction budget (please do not use commas)  
1702773141

1.11. Budget for jail operations and facilities (please do not use commas)  
144735717

1.12. Accounting period end month  
September

1.13. Accounting period end day  
30

<https://safetyandjustice.fluidreview.com/s/1187935/64657/p/>

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## Palm Beach County Criminal Justice Commission

### 2. Motivation

Page 1

2.1. Please explain why the use of jails has emerged as a priority for your jurisdiction. Your answer should address the following: (Up to 750 words total)

a. What particular challenges are motivating your jurisdiction's interest in participating in the Safety and Justice Challenge (e.g., jail overcrowding, disproportionate minority contact, high recidivism)? If data is helpful in providing context here, the Foundation encourages you to include it.

b. If selected to receive grant funding through the Safety and Justice Challenge, what does your jurisdiction hope to achieve in terms of measurable results and/or practice changes?

c. What makes now an opportune time to engage in this work as a system?

Protecting the long-term public safety of residents requires that Palm Beach County (PBC) remain committed to collective impact through evidence-driven innovation and improvement. The jail holds up a mirror to the rest of the criminal justice system. More data analyses and better focus on these individuals is needed, as well as a focus on the six key decision points that influence the use and size of jails. At every point, the criminal justice system has become the default for addressing the problems presented by people with behavioral issues. When appropriate, the criminal justice system has an important role to play, yet many people who cycle through the system could be better served – and public safety improved – if their underlying conditions were addressed effectively.

The detrimental impact of imprisonment, no matter how brief, not only on individuals but on families and communities need to be taken into account when considering the need for jail reforms. There are several particular challenges that are motivating PBC's interest in participating in the Safety and Justice Challenge:

**Imprisonment and poverty-** Imprisonment disproportionately affects individuals and families living in poverty. When an income generating member of the family is imprisoned the rest of the family must adjust to this lost income. The impact can be especially severe in poor, developing areas where it is not unusual for one breadwinner to financially support an extended family network. When released, often with no prospects for employment, former prisoners are generally subject to socio-economic exclusion and are vulnerable to an endless cycle of recidivism and poverty.

**Detrimental social impact-** Imprisonment disrupts relationships and weakens social cohesion, since the maintenance of such cohesion is based on long-term relationships. When a member of a family is imprisoned, the disruption of the structure affects relationships between spouses, as well as between parents and children, reshaping communities across generations.

**The cost of imprisonment-** When considering the cost of imprisonment, account needs to be taken not only of the actual funds spent on the upkeep of each prisoner, which is usually significantly higher than what is spent on a person sentenced to non-custodial sanctions, but also of the indirect costs, such as the social, economic and healthcare costs.

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Public health consequences of imprisonment- Jails have very serious health implications. Prisoners are likely to have existing health problems on entry to jail, as they are predominantly from poorly educated and socio-economically deprived sectors of the general population. Their health conditions deteriorate in confinement.

Adhering to the Risk Principle- PBC's successful reentry initiatives have adhered to the risk principle in order to combat the local high recidivism rates. This concept should be expanded. The risk principle, which states that the level of supervision and treatment should be commensurate with the offender's level of risk, has been confirmed by corrections research for more than a decade. Any jail or prison stay is a predictor of returning again and again.

PBC is interested in modeling effective ways to keep people out of jail whose risk to public safety can be effectively managed in the community, and provide those who are confined in jails an improved chance to succeed. Now is the opportune time to engage in this work as a system because:

- The core justice partners have agreed to explore solutions.
- PBC is leveraging resources from multiple sources around this subject matter.
- The Jail is the County's largest provider of Mental Health services.
- 1 in 3 African American males will spend time in prison compared to 1 in 17 white males.
- The PBC Corrections Task Force monitors the jail population and makes recommendations to achieve the efficient use of limited jail beds unanimously agreed to accept the Safety and Justice Challenge.
- In January, over 70 community representatives, law enforcement and elected officials met in PBC to discuss "Fair and Impartial Policing".
- PBC was selected as a three year pilot site in 2015 to implement an ex-offender employment project by the DOJ, DOL and the Council of State Governments.
- The Robert Wood Johnson Foundation just funded a successful four year jail recidivism project in PBC.
- CareerSource, the county's workforce development board, has recently committed to assist the "hard to hire" by creating a new department.

Hope to achieve/measurable results:

- Reduced use of jails
- More effective risk prediction/management
- Lower incarceration costs
- Better public safety returns
- Better social outcomes

Practice Changes- more effective practices that include:

- Disproportionate minority contact
- Fair and impartial policing
- Early screening
- More effective pre-trial assessments
- Additional effective diversion options
- Reentry practices

2.2 Please provide one or two examples of other collaborative efforts to implement systemic criminal justice reform in your jurisdiction and describe what worked well and

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what didn't. (If you do not have a pertinent example, please proceed to question 3.) Your answer should address the following: (Up to 500 words total)

- What were the goals?
- How was collaboration accomplished, and who was involved?
- Did the initiative achieve its goals? If so, have the achievements been sustained?
- If your jurisdiction is selected to receive a planning grant and participate in the Safety and Justice Challenge, how will the lessons learned through these prior efforts be integrated into your approach this time around?

CJC Youth Violence Prevention Project- Palm Beach County (PBC) experienced a rash of shootings beginning in 2004, generating tremendous concern on the part of the Board of County Commissioners (BCC), Criminal Justice Commission (CJC) members, local law enforcement, educators and the community. In February 2005, the BCC directed the CJC to develop a Youth Violence Prevention Project which would address the increase in violent firearms crimes. In response, a study was commissioned and crime trends were assessed determining that while the County's overall crime rate had declined from 1990-2005, violent crime including those involving firearms, had increased with the murder rate having experienced particularly substantial increases from 2000 to 2005. Of significant importance was the study's finding that violent criminal offenders in PBC were most often adolescents or young adults between the ages of 16 and 24.

The CJC and associated subcommittees selected the national Comprehensive Gang Model established by the Department of Justice to address its violent crime. The five targeted areas that were data-targeted and successfully operational today are Riviera Beach, West Palm Beach, Lake Worth, Boynton Beach, and Belle Glade. Law Enforcement, Courts, Corrections and the Community all developed strategies that successfully reduced the instances of youth violence in PBC.

The CJC Reentry Task Force and subcommittees (Data, Sustainability, Employment, Housing, Sex Offender and Mental Wellness) are comprised of over forty decision makers in PBC and includes the support of the Chief Judge, Public Defender, Sheriff, nonprofit organizations, representatives from the Department of Corrections and community stakeholders. This type of support has made it possible for real reform to occur. Participants have been fully engaged in making suggestions that impact public policy regarding reentry using their experiences as key stakeholders as a barometer of needs in the county. The success of the task force is based on the pooling of resources and uniform assessments and programming. Chaired by the Public Defender, the group was tasked with the development of a Reentry Strategic Plan that was based on a county-wide assessment of reentry services. This Plan guides PBC in the development and implementation of a coordinated and comprehensive continuum of care for ex-offenders. All ex-offender reentry programs facilitated through the CJC have met their goals and cut 1 year baseline recidivism arrest rates in half, saving PBC tax payers millions of dollars.

Additional Accomplishments in FY2014:

- Maintained an automated Ex-Offender Reentry Case Management and tracking system.
- CJC's model of community-based reentry was presented as a best practice at the National Second Chance Act Conference in 2014.
- The CJC's Regional and State Transitional Offender Reentry Program (RESTORE) was nominated by the Florida Department of Law Enforcement as an outstanding Criminal Justice Program and is one of seven sites chosen to participate in a national evaluation through RTI International.

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Lessons learned from over two decades of facilitating collaboration among Criminal Justice agencies will be integrated into the approach to impact the jail population through the Safety and Justice Challenge.

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## Palm Beach County Criminal Justice Commission

### 3. Leadership and Commitment

#### Page 1

3.1. Who will be the lead agency for this initiative and why is this agency best suited to spearhead a cross-agency planning effort around the use of jail in your jurisdiction? Your answer to this question should address the following: (Up to 500 words total)

- a. What will be the most formidable challenges for the proposed effort and how will the lead agency manage them?
- b. Has this agency played a cross-agency leadership role in the past?
  - i. If yes, please describe these leadership efforts, relevant outcomes, and any obstacles the agency encountered.
  - ii. If no, please explain why this agency is in the best position to marshal consensus, advance a planning process, and ultimately implement an aggressive jail reform strategy.

The PBC Criminal Justice Commission (CJC) will be the lead agency for this initiative. The CJC was created by ordinance in 1988. It has 21 public sector members representing local, state and federal criminal justice and governmental agencies and 12 private sector business leaders representing the Economic Council of PBC. The CJC has an established history of building strong partnerships to improve the criminal justice system. The CJC is a trusted agency known for thinking outside the box and has created and funded several pilot criminal justice programs. Many significant reforms to the county's criminal justice system have been led by the CJC, including the implementation of Community Courts, enhancements to Pre-Trial Services, establishing multiple drug courts, piloting offender reentry programs and developing the Youth Violence Prevention Project.

PBC has already faced its most formidable challenge for this effort simply by getting the stakeholders to agree to commit to examining their own policies to generate collective impact on this issue. Most agencies are not willing to commit to examining policies that involve disparity. Because of the commitment to provide and examine data and processes, the problems will be identified. The next significant challenge will be adopting and implementing changes in existing systems. Making changes to existing systems is a challenge, but as reflected through the letters of commitment, PBC is positive that it can be a national leader when it comes to this issue.

The CJC's mission is to serve as a catalyst to bring together criminal justice and related agencies in partnerships and exhibit cross agency leadership, partly through the facilitation of the following boards, committees and task forces:

The Law Enforcement Planning Council- 50 local, state and federal agencies meet monthly to provide a forum for the coordination, research and evaluation of law enforcement activities.

Probation Advisory Board- PBC contracts with a private vendor for misdemeanor probation services. CJC facilitates the Probation Advisory Board to ensure continuing oversight and compliance with the contract.

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Behavioral Health Council- Co-Chaired by the Public Defender and the State Attorney, this committee will examine how to better serve those individuals with substance abuse and mental health issues.

Corrections Task Force- Monitors the County's jail population and makes recommendations to achieve the efficient use of the County's limited jail beds.

Court Systems Task Force- Monitors and evaluates existing and proposed court system programs and policies in order to promote an efficient, cost effective and timely court system and criminal justice system in general.

Program Monitoring and Evaluation Subcommittee- Monitors and reports on the performance of programs funded by the CJC.

Reentry Task Force- Established to define ways to reduce recidivism rates in PBC.

Additionally, CJC strongly emphasizes the use of data and evidence in policy making and program development and is committed to:

- improving the quantity and quality of evidence CJC generates;
- integrating evidence into program, practice, and policy decisions within the field; and
- improving the translation of evidence into practice.

3.2. What other key stakeholders will be integral to the success of this reform effort, and why? (Up to 250 words)

Countywide Law Enforcement- The CJC facilitates the Law Enforcement Planning Council, which is composed of representatives from over 50 local, state and federal agencies that meet monthly to provide a forum for the coordination, research and evaluation of law enforcement activities within PBC.

State Attorney- Office wants to ensure that the County implements the best practices related to incarceration and the services needed and provided to incarcerated individuals. The office has committed to participate in this unique opportunity and will ensure that staff assists in the success of the project.

Palm Beach County Sheriff's Office- Committed to assessing the gaps and needs which exist within correctional facilities in order to reduce the unnecessary incarceration of individuals who can be better served within a community supervision setting.

Public Defender- Looks forward to examining practices internally and as they intersect with county justice partners in an effort to reduce racial and ethnic disparities in the court system.

Judiciary- Believes that the county partners have a joint interest in ensuring that policies that impact the jail system and the incarcerated individuals are effective, fair and guard the health and safety of the incarcerated individuals.

Reentry professionals- Palm Beach County has a well established reentry network and has successfully cut recidivism rates in half. However, the efforts continue to struggle in service delivery for those with substance abuse and mental health issues.

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Pre-Trial Services- Is willing to examine early screening policies to find more opportunities for appropriate diversion options.

3.3. Does your jurisdiction have a standing, interdisciplinary criminal justice planning group (e.g., criminal justice coordinating council)?

Yes

3.3.a. Please describe how the group is structured, the composition of the group, its bylaws, and how it receives funding. (up to 250 words)

The Criminal Justice Commission, funded through formula grant dollars, competitive grant dollars and County Ad Valorem dollars, has an established history of building strong partnerships to improve the criminal justice system in the County.

Vision- Cultivate and enrich local criminal justice practice, policy, and program development

Mission- Serve as a catalyst to bring together criminal justice and related agencies in partnerships

**Core Values**

•An efficient, effective, and timely criminal justice system is vital for the health, safety, and welfare of the County's citizens

•Crime is best addressed through cooperative efforts that involve both public and private sectors

•Neutral leadership is the best foundation for examining issues in a fair and independent process

•Decisions made by a consensus of all interested parties is fundamental to unity

•An open forum for the discussion of issues is imperative for genuine and candid debate

•Success is more certain when all interested parties have a say in crafting solutions

•Expertise and experience of local professionals is an invaluable knowledge base to draw upon

•Successful model programs and national/international trends can benefit local communities

•Courage to seek bold innovative approaches produces remarkable results

**Goals**

•Study all aspects of the criminal justice and crime prevention systems within the federal, state, county, municipal and private agencies

•Provide overall coordination to law enforcement and crime prevention efforts

•Provide an efficient, cost effective, and timely criminal justice system

•Effect the reduction of crime on a permanent basis

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**SHELLEY VANA**  
Commissioner, District III

Palm Beach County  
Board of County Commissioners  
Governmental Center, 12th Floor  
301 North Olive Avenue  
West Palm Beach, FL 33411  
(561) 555-2303  
Fax: (561) 555-6344

svana@pbgov.org

www.pbgov.com

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March 17, 2015

John D. and Catherine T. MacArthur Foundation  
Office of Grants Management  
140 S. Dearborn Street, Chicago, IL 60603  
Re: MacArthur Foundation's Safety and Justice Challenge

Dear Sir/Madam:

The Palm Beach County Board of County Commissioners owns, funds and maintains the County jail system which is operated by the Palm Beach County Sheriff as designated by the Board. The Board is pleased to apply for and looks forward to your favorable consideration and selection as a grant recipient in the MacArthur Foundation's Safety and Justice Challenge.

Palm Beach County is uniquely qualified to be selected for this important work because more than two decades ago, the Board of County Commissioners established the Palm Beach County Criminal Justice Commission (CJC). The mission of the CJC is to act as a coordinating and planning entity with cooperation by all County criminal justice system participants including the Sheriff, State Attorney, Public Defender, Judiciary and representatives of the public with a goal to assure that the system functions in a reasonable, efficient manner in the overall public interest. A continuing charge to the CJC has been to review incarceration policies and address means to reduce our jail population which exceeds 2000 persons per day while protecting public safety. In fact, our jail population has stabilized and been reduced over the past 10 years. Over the years, these cooperative arrangements have led to establishment of alternative institutional process to reduce incarceration including the establishment of special courts such as for drug user crime where special consideration can be given for alternative treatment options and in-home monitoring. Underlying these programs is the goal of improving the end result for those entering the system to avoid recidivism and give the opportunity to become productive citizens.

In furtherance of our request and as a demonstration of our ongoing commitment, Palm Beach County and the CJC are just beginning to take an organized look at the way mentally ill persons interact with our criminal justice system. This is an area where establishment of new policies could change lives while improving public safety. Other areas of concern have been incarceration disparities due to racial and economic factors and their effect, if any, on bonding and pre-release decisions. We would look forward to the data driven study, insights and cooperation you offer to examine our current system to look for areas where our community could make progress. The Board of County Commissioners, CJC and our criminal justice partners are committed to providing relevant data and examining our policies and practices to produce benefits for all in our community. We are fully prepared to give every consideration to new ideas and make changes so that we can reduce our jail population, more effectively manage risk, obtain better public safety and improve societal outcomes in our community.

Sincerely,

*Shelley Vana*

Shelley Vana  
Mayor, Palm Beach County

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March 16, 2015

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

Dear Mr. Rodriguez,


The Palm Beach Sheriff's Office (PBSO) is very pleased to offer this letter of support and commitment for your grant proposal to the MacArthur Foundation in response to the Safety and Justice Challenge RFP. As a strong proponent of jail diversion alternatives for nonviolent offenders, particularly juveniles and individuals with mental health and/or substance abuse disorders, PBSO is committed to assessing the gaps and needs which exist within our correctional facilities, in order to reduce the unnecessary incarceration of individuals who can be better served within a community supervision setting.

The Palm Beach Sheriff's Office has been proactive in creating programs to prevent juveniles from entering the criminal justice system through its Juvenile First Offender Program for eligible misdemeanor offenses. PBSO is also a recipient of a federal grant to divert high risk mentally ill individuals from jail and provide them with case management services and linkage to community-based treatment programs.

However, PBSO also recognizes that many more individuals could benefit without the stigma of an arrest, if they are properly screened and supervised in the community, particularly racial and ethnic minorities and economically disadvantaged individuals who are overrepresented in our jail populations.

To that end, PBSO is committed to reviewing our pre-arrest and post-arrest policies to determine if other cost-effective jail diversion models could be implemented that does not jeopardize public safety, such as the expansion of our electronic monitoring program. In addition, we could examine our training policies for issuing Notice to Appear (NTA) in lieu of booking individuals for low-level offenses or exploring the feasibility of implementing a Civil Citation Program.

As an integral member of the Criminal Justice Commission and the Corrections Task Force/Public Safety Coordinating Council, PBSO has collaborated on many grant-funded initiatives to advance evidence-based practices which improves the criminal justice system and provides a hopeful future for all Palm Beach County residents. The Safety and Justice Challenge grant will provide us with an opportunity to further evaluate our policies and practices for continual systemic process improvement.

Sincerely,  
  
Ric L. Bradshaw,  
Sheriff

3226 Gun Club Road • West Palm Beach, Florida 33409-3001 • (561) 898-3000 • www.pbso.org

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THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT  
OF FLORIDA

RECEIVED

MAR 19 2015

Palm Beach County  
County Justice Commission

CHIEF JUDGE  
JEFFREY J. COLBATH  
CHIEF JUDGE

PALM BEACH COUNTY COURTHOUSE  
208 NORTH DIXIE HIGHWAY  
WEST PALM BEACH, FLORIDA 33411  
(561) 325-7545

March 18, 2015

John D. and Catherine T. MacArthur Foundation  
Office of Grants Management  
140 S. Dearborn Street  
Chicago, IL 60603-5285

Re: Palm Beach County grant application

To Whom it Concerns:

The Fifteenth Judicial Circuit wholeheartedly supports Palm Beach County's application for the "Safety + Justice Challenge" funded by the John D. and Catherine T. MacArthur Foundation. From my position as Chief Judge, as well as from my tenure as the Administrative Judge of the Felony Division, I firmly believe that the Circuit partners have a joint interest in ensuring that policies that impact the jail system and the incarcerated individuals are effective, fair, and guard the health and safety of the incarcerated individuals. I view the MacArthur Foundation's grant as a means to assist us in our collective commitment aimed at ensuring that the Circuit implements the best practices related to incarceration, handling incarcerated individuals, and the services needed and provided to mentally ill incarcerated individuals.

In Florida and across the nation, the incarceration of mentally ill persons is an area that needs additional research and resources. Housing mentally ill individuals who are found guilty of a crime is not necessarily what is best for our community, the incarcerated individuals, the jail staff, law enforcement, etc. Nor does incarceration of these individuals dampen the recidivism rate of this population. However, in many cases, incarceration is our only recourse. Using the MacArthur Foundation funds to explore solutions related to the incarceration of the mentally ill could result in progressive and significant changes to incarceration policies.

Should Palm Beach County be selected to participate in this unique opportunity provided by the MacArthur Foundation, as Chief Judge, I will ensure that court staff and the judiciary assist in the success of this endeavor whether it is via the sharing of court data, surveys, or other appropriate means.

I thank you in advance for considering Palm Beach County's request to participate in the Safety + Justice Challenge.

Sincerely,

  
Jeffrey Colbath, Chief Judge

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OFFICE OF THE  
**STATE ATTORNEY**  
FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA  
IN AND FOR PALM BEACH COUNTY

DAVE ARONBERG  
STATE ATTORNEY

March 31, 2015

John D. and Catherine T. MacArthur Foundation  
Office of Grants Management  
140 S. Dearborn Street  
Chicago, IL 60603-5285

Re: Palm Beach County grant application

To Whom It May Concern:

The State Attorney's Office of the Fifteenth Judicial Circuit wholeheartedly supports Palm Beach County's application for the "Safety + Justice Challenge" funded by the John D. and Catherine T. MacArthur Foundation. From my position as State Attorney, I firmly believe that our Circuit partners have a joint interest in ensuring that policies that impact the jail system and the incarcerated individuals are effective, fair, and guard the health and safety of the incarcerated individuals. I view the MacArthur Foundation's grant as a means to assist us in our collective commitment aimed at ensuring that the Circuit implements the best practices related to incarceration, and the services needed and provided to mentally ill incarcerated individuals.

In Florida and across the nation, the incarceration of mentally ill persons is an area that needs additional research and resources. Using the MacArthur Foundation funds to explore solutions related to the incarceration of the mentally ill could result in progressive and significant changes to incarceration policies. I understand that Palm Beach County Sheriff Ric Bradshaw has adopted these goals of better evaluating the process of dealing with the incarceration of the mentally ill.

Should Palm Beach County be selected to participate in this unique opportunity provided by the MacArthur Foundation, I will ensure that, as State Attorney, my office staff assists in the success of this endeavor.

I thank you in advance for considering the Palm Beach County's request to participate in the Safety + Justice Challenge.

Sincerely,

Dave Aronberg

401 North Dixie Highway • West Palm Beach, FL 33401-4209  
(561) 355-7100

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State of Florida  
Office of the Public Defender  
Fifteenth Judicial Circuit of Florida

Carey Haughwout  
Public Defender

421 3rd Street  
West Palm Beach, Florida  
33401-4297

(561) 355-7500  
Direct (561) 355-7651  
Fax (561) 355-7737

March 13, 2015

Safety and Justice Challenge  
John D. and Catherine T. MacArthur Foundation

To whom it may concern:

What an amazing opportunity this Safety and Justice Challenge offers to Palm Beach County and, most importantly, to those whose lives are so unnecessarily impacted by over-involvement of the justice system in their lives!

Our community is uniquely situated for this important work because of the strong existing collaboration fostered by the Palm Beach County Criminal Justice Commission and the established practice of reviewing our systems and processes for improvement and change. There is always more work to be done, however.

Palm Beach County is just beginning to take an organized look at the way our mentally ill intersect inappropriately and all too often with our justice system. This is an area where an immediate impact could change lives and improve the public safety and quality of life for our community. I also think it critical that we look at alternatives we could offer to our county sentenced inmate population. I believe we are missing opportunities to lessen the negative impact that involvement with the justice system has on their lives. Additionally, I think we need to look at some of our existing bond and pre-release policies to determine if our system is unfairly excluding participation based on risk assessments where the factors considered further widen the gap created by racial disparities and poverty.

I am sure an unbiased and data driven look at our system would reveal many other areas where our community could make progress. I, and my senior staff, look forward to examining our practices internally and as they intersect with our justice partners in an effort to reduce racial and ethnic disparities in our jail and court system. We will share our processes, practices and aggregate data where appropriate - we are very committed to this evaluation and the progress it can bring.

Please help us identify these very important ideas and implement critical changes to our community!

Sincerely,

Carey Haughwout  
Public Defender, Florida's 15<sup>th</sup> Judicial Circuit

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Department of Public Safety  
 Division of Justice Services  
 205 N. Dixie Hwy, Suite 5.1100  
 West Palm Beach, FL 33401  
 Telephone - (561) 353-6849  
 Facsimile - (561) 353-2757  
 www.pbsovw.com

Palm Beach County  
 Board of County  
 Commissioners

Shelley Vane, Mayor  
 Mary Lou Berger, Vice Mayor

Hal R. Velebo  
 Patricia Bunkel  
 Steven L. Altman  
 Melissa McKinley  
 Priscilla Taylor

County Administrative  
 Robert Wetman

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March 13, 2015

Mr. Michael Rodriguez, Executive Director  
 Palm Beach County Criminal Justice Commission  
 301 N. Olive Ave  
 West Palm Beach, FL 33401

Dear Mr. Rodriguez:

On behalf of the Justice Services Division of the Department of Public Safety I strongly support the Criminal Justice Commission's grant application for the Safety and Justice Challenge to the MacArthur Foundation. As you know, the Division of Justice Services operates the pretrial services program for Palm Beach County. Participation in this planning stage of the initiative would benefit our jurisdiction by providing an in depth examination of the usage of our county jail beds which can be used by our policy makers to develop more efficient incarceration strategies.

Policing policies, early screening and booking and arraignment practices should be examined as potential contributors to the unnecessary use of jail in our jurisdiction. Our pretrial services agency will participate in the planning phase process, data collection and data sharing components as needed.

We look forward to working with you and participating in this initiative.

Sincerely,

*Nicole Bishop*

Nicole Bishop  
 Director Justice Services and Victim Services

Attachment # 3

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### Palm Beach County Criminal Justice Commission

#### 4. Data Capacity

Page 1

4.1. If your jurisdiction is selected to receive a planning grant, which individual(s) will be responsible for tracking and sharing data with the Foundation and its partners?

Damir Kukec- Research and Planning Manager

4.2. Please help the Foundation understand the ways your jurisdiction currently collects data, and the availability of data indicators that you believe will be critical to an effective planning process. Please indicate the attributes that best describe your data collection and analytical capacity at the agency level. Please check as many as applicable.

Police, Other

If OTHER is selected, please specify (e.g., criminal justice coordinating council):

Criminal Justice Commission

Police, Courts, Jails

None

Police

Prosecution

Courts

Jails, Other

If OTHER is selected, please specify (e.g., criminal justice coordinating council):

Criminal Justice Commission

4.3. Please answer the following brief questionnaire about your jurisdiction's data capacity:

No

Does every defendant/inmate have a unique identifier?	Yes
Is that unique identifier common across system points a...	Yes
Similarly, does every criminal case have a unique ident...	Yes
Is that unique identifier common across system points a...	Yes
Do you have a centralized system of record or an Integr...	No

<https://safetyandjustice.fluidreview.com/s/1187935/69595/p/>

4/10/2015

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Are data routinely merged between departments or divisi...

Yes

4.3.1. How is defendant race and ethnicity determined (e.g., self-reported, determined by arresting police officer)? Does this vary across the primary agencies listed above? If so, please describe the approach for as many of them as possible.

The arresting officer determines race based on available identification through the Driver and Vehicle Information Database (DAVID) system. If no identification is available the officer relies on what is self-reported by the individual.

4.3.2. How are defendant racial and ethnic categories reported (e.g., black, Hispanic black, Hispanic white, etc.)? Does this vary across the primary agencies listed above? If so, please describe the approach for as many of them as possible.

The primary agencies involved report racial categories as only Black or White.

4.4. To help reviewers understand the data that is currently available in your jurisdiction, please do your best to generate data for 2014 (or the most recent 12-month period for which data are available) on each indicator listed in the Data Capacity Appendix. For each data category (e.g., arrests, jail, bail, etc.), please indicate the source agency from which you gathered the data in the space provided in the template. For example, arrest data may be available through a statewide criminal justice agency, while bail decision data may only be available through the court system. For the application, the Foundation is requesting aggregate data only.

The Foundation understands that not every jurisdiction will be able to provide all of this information at the time of application submission. Lack of comprehensive data will not disqualify applicants at this stage, particularly if your jurisdiction can demonstrate the willingness to work with the Foundation to gather comprehensive data going forward. For any indicators that your jurisdiction is not able to provide at the time of submission, please indicate from the drop-down menu within the Excel document provided whether you would be able to produce the data with some effort, whether you cannot produce the data without significant assistance, or whether you do not currently collect the data.

<https://safetyandjustice.fluidreview.com/s/1187935/69595/p/>

4/10/2015

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12 Month Reporting Period: January 1, 2014  
12 Month Reporting Period: December 31, 2014

To help reviewers understand the data that is currently available in your jurisdiction, please do your best to generate data for 2014 (or the most recent 12-month period for which data are available) on each indicator listed below. For each data category (e.g., arrests, jail, bail, etc.), please indicate the source agency from which you gathered the data in the space provided in the template. For example, arrest data may be available through a statewide criminal justice agency, while bail decision data may only be available through the court system. For the application we are requesting aggregate data only. The Foundation understands that not every jurisdiction will be able to provide all of this information at the time of application submission. Lack of comprehensive data will not disqualify applicants at this stage, particularly if your jurisdiction can demonstrate the willingness to work with the Foundation to gather comprehensive data going forward. For any indicators that your jurisdiction is not able to provide at the time of submission, please indicate from the drop-down menu whether you would be able to produce the data with some effort, whether you could produce the data with significant assistance, or whether you do not currently collect the data.

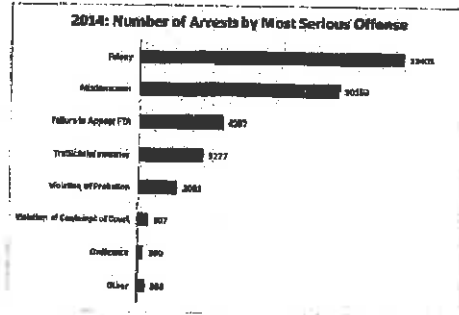
**Decision Point 1: Arrest  
Arrests**

**Total arrests by top charge severity (felony, misdemeanor, violation, other)**

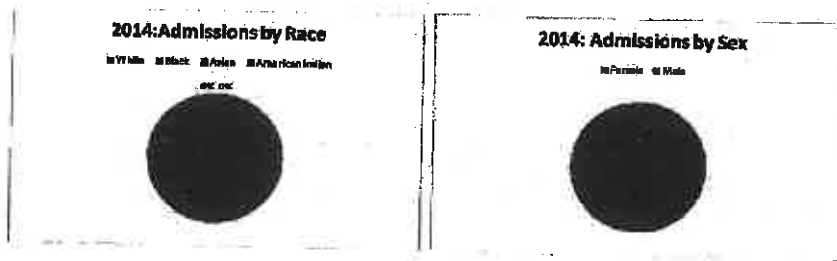
In calendar year 2014, there were a total of 34,299 arrests<sup>1</sup> (or 25,115 defendants) that resulted in an admission into the County jail. It is important to note that these arrest figures do not include notices to appear which where the offender was not admitted into the County jail. This also excludes other types of admissions such as criminal registrants (felons returning to the County) or "commits" / "re-commits" that are being admitted for previous arrests, as well as federal marshal holds and other county warrants.

Source: Palm Beach County's Sheriff's Office, Inmate Case Management System. Booking Information Retrieval System; date of extract: March 10, 2015 (earlier data extracted June 18, 2014). Specification for extract includes defendants in custody between calendar year 2009 and 2014. Timeframe: 2014 admissions by most serious offense/case type.

<sup>1</sup> The most recent calendar year available, the Florida Department of Law Enforcement, Uniform Crime Reports (UCR) reported that there were 59,510 total arrests in Palm Beach County in 2013. Since the UCR data is provided in aggregate format only, they do not report the number of unique individuals arrested in the county.

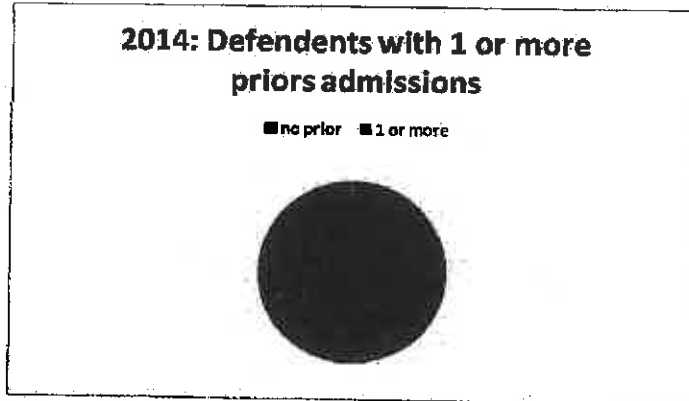


**Total arrests by race/ethnicity/gender**



**Note:** some have suggested that the race and ethnicity variable (or field) may be questionable when it comes to reliability.

# of arrests where defendant had:



**Note:** this chart was compiled by examining the number of prior admissions for those who were in custody in the County jail between calendar year 2009 and 2014; regardless of when they were admitted or released. We present the findings of the number of priors for those defendants admitted in calendar year 2014. Once again, criminal registrants (felons returning to the County) or "commits" / "re-commits" that are being admitted for previous arrests, as well as federal marshal holds and other county warrants have been excluded from this analysis.

It is important to note that the FDLE does not report prior arrests or convictions in the UCR report. If more time was provided, we have the capacity to complete a full Florida wide criminal history match and compile both the number of arrests along with number of priors for each arrest in 2014 with the assistance of FDLE. As a result, we believe that the above figure under reports the number of arrests with priors (arrests and convictions).

**Decision Point 2: Charge**

**Prosecution**

- # of cases accepted for prosecution, broken down by:
- Charge severity: felony, misdemeanor, less than a misdemeanor
- Major crime categories (e.g. persons, property, drugs, etc.)
- Deferred prosecutions
- # of deferred prosecutions
- Declined to Prosecute
- # of cases declined to prosecute

**Decision Point 3: Pre-trial Release**

**Jail admissions: most recent 12 month period**

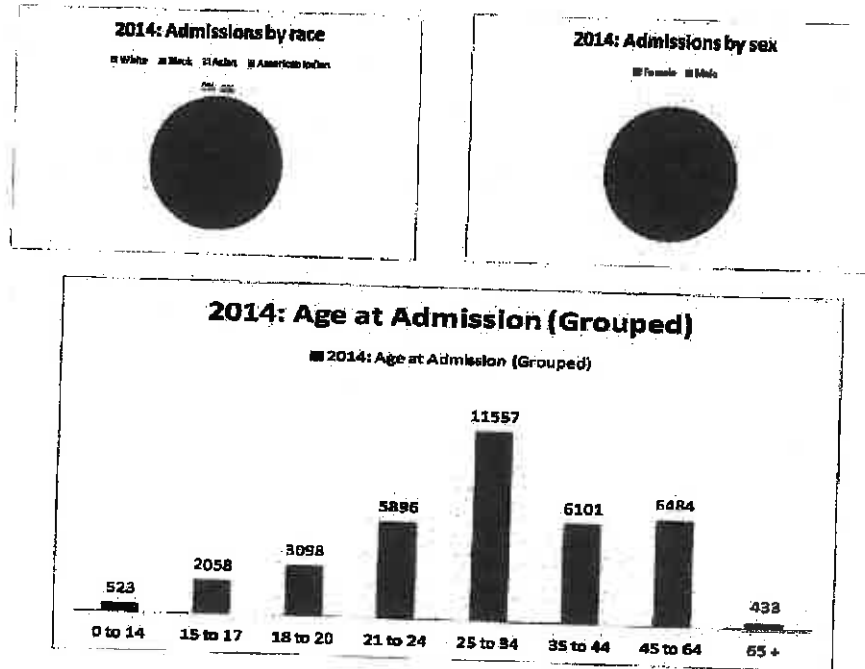
Source: Palm Beach County's Sheriff's Office, Inmate Case Management System, Booking Information Retrieval System (for detail, please see arrest section above). Note: These data exclude only criminal registrants as they are not specifically admitted into the county jail. Time frame: unless specified otherwise is for admissions in calendar year 2014.

# of beds (jail capacity)

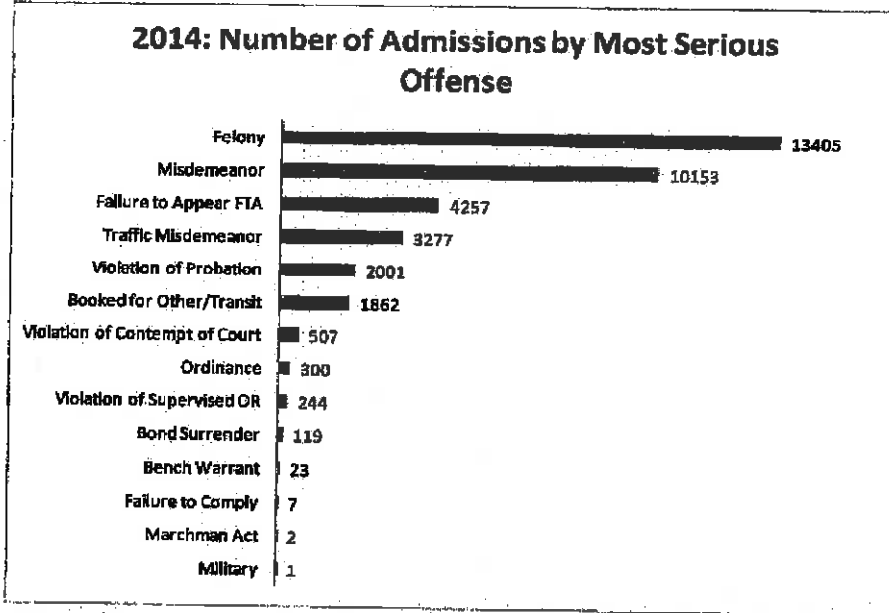
Total capacity in the County Jails is: 3,196

Total admissions to jail for 2014 36,161 broken down by:

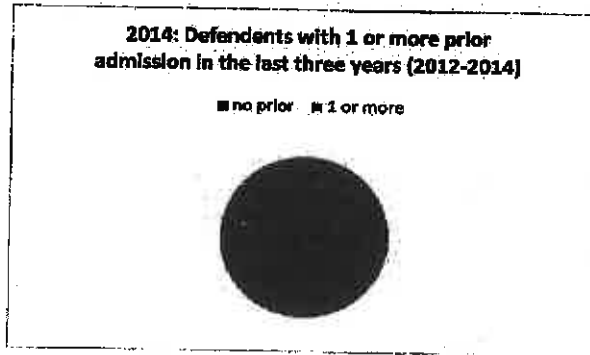
**Demographics: race and ethnicity, age, and gender**



Charge severity: felony, misdemeanor, less than a misdemeanor  
# of admissions in 2014 (or most recent 12 months)

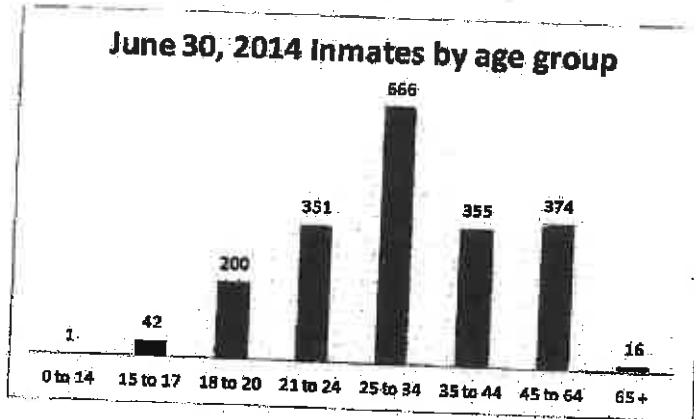
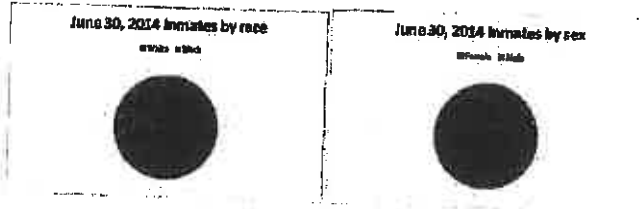


Percent of the 2014 admissions with previous admission(s) to the jail in past 3 years.



Jail: 1 day snapshot [June 30, 2014] Total defendants = 2,005

Demographics: race and ethnicity, age, and gender





**Decision Point 3: Pre-trial Release (continued)**

**Charge severity: felony, misdemeanor, less than a misdemeanor**

Note: the following provide data on the number of releases for calendar year 2014. The unit of analysis is therefore releases not defendants -- as one defendant may have one or more admission and release during the calendar year 2014. Source: see above.

In calendar year 2014, there were a total of 34,735 releases from the county jail, involving 26,285 defendants.

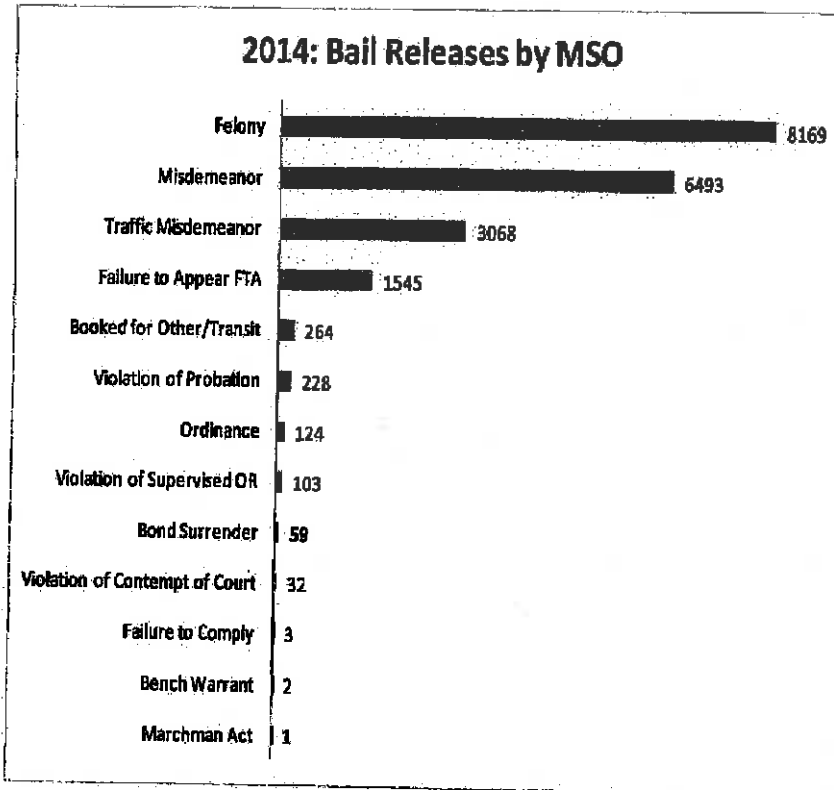
**Average and median length of stay (LOS) for pre-trial detainees by charge severity: felony, misdemeanor, less than a misdemeanor**

**2014 Pre-Trial Releases by Number of Releases by Days in Custody (MSO)**

Year	MSO	Releases	Average Days	Median Days
2014	Felony	12483	30.62	1.23
2014	Misdemeanor	9937	7.13	0.63
2014	Failure to Appear FTA	4153	9.77	1.02
2014	Traffic Misdemeanor	3267	1.61	0.26
2014	Violation of Probation	1917	22.64	3.39
2014	Booked for Other/Transit	1854	22.52	6.22
2014	Violation of Contempt of Court	446	42.01	6.27
2014	Ordinance	301	2.6	0.7
2014	Violation of Supervised OR	228	26.1	6.37
2014	Bond Surrender	113	44.36	9.06
2014	Bench Warrant	23	11.24	0.19
2014	Failure to Comply	7	10.01	1.09
2014	Other	3	1547.48	27.78
2014	Marchman Act	2	6.76	6.76
2014	Military	1	5.18	5.18
	<b>Total</b>	<b>34735</b>		

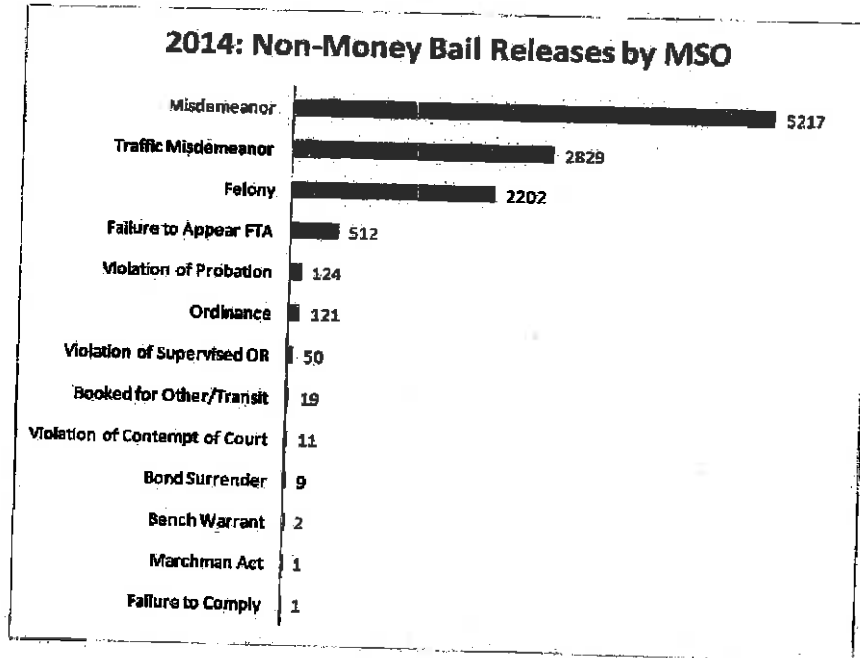
**Bail and Release without Money Bail**

# of defendants released on bail broken down by top charge (felony, misdemeanor, less than a misdemeanor) **Total Bail Releases: 20,019**





# of defendants released without money bail broken down by top charge (felony, misdemeanor, less than a misdemeanor) Total Bail Releases: 11,098



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**Average and median bail amounts set and paid by top charge level (felony, misdemeanor, less than a misdemeanor)**

**2014: Money Bail Releases by Average and Median - Bond Set and Written by MSO**

Year	MSO	Release	Initial Bond Set		Bond Written	
			Average	Median	Average	Median
2014	Felony	5967	\$ 7,604.46	\$ 3,000.00	\$ 5,610.86	\$ 3,000.00
2014	Misdemeanor	1276	\$ 1,135.02	\$ -	\$ 2,420.15	\$ 1,500.00
2014	Failure to Appear FTA	1033	\$ 2,488.83	\$ 2,000.00	\$ 2,469.78	\$ 2,000.00
2014	Booked for Other/Transit	245	\$ 4,660.72	\$ 1,250.00	\$ 4,079.93	\$ 1,114.00
2014	Traffic Misdemeanor	239	\$ 1,792.47	\$ 1,000.00	\$ 2,061.41	\$ 2,000.00
2014	Violation of Probation	104	\$ 2,333.99	\$ 574.07	\$ 3,378.42	\$ 2,000.00
2014	Violation of Supervised OR	53	\$ 1,637.74	\$ -	\$ 2,826.42	\$ 2,000.00
2014	Bond Surrender	50	\$ 10,340.40	\$ 6,750.00	\$ 10,000.00	\$ 6,000.00
2014	Violation of Contempt of Court	21	\$ 2,095.63	\$ -	\$ 7,195.43	\$ 3,000.00
2014	Ordinance	3	\$ 1,783.93	\$ 2,350.00	\$ 1,250.00	\$ 1,000.00
2014	Failure to Comply	2	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00

\*\*

**Definitions of Bail:**

- 4.1 Surety Bond & SOR\* /\* MONEY BAIL
- 4.2 Cash Bond & SOR /\* MONEY BAIL
- 4.3 Released to SOR /\* NON-MONEY BAIL
- 4.4 Surety Bond /\* MONEY BAIL
- 4.5 Cash Bond /\* MONEY BAIL
- 4.6 Superdedcas Bond /\* MONEY BAIL
- 4.9 Own Recognizance /\* NON-MONEY BAIL

\*Supervised Own Recognizance (SOR).

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**Decision Point 4: Case Processing**

**Dismissal**

# of cases disposed at arraignment

# of cases dismissed after arraignment

**Diversion**

# of cases diverted

# of diverted cases that have been successfully completed

**Decision Point 5: Disposition / Sentencing**

**Conviction**

# of cases resulted in a guilty plea or conviction

**Sentence**

# of convictions resulted in prison sentences

# of convictions resulted in jail sentences

# of convictions resulted in "time-served" sentences

# of convictions resulted in non-incarcerative sentences

**Decision Point 6: Post-conviction Process / Supervision**

**Probation**

# of people on probation in the 12 month period 5463 (Misdemeanor Probation)

# of people who completed probation in the 12 month period 3172 (Misdemeanor Probation)

+++++

We can produce this data with some effort (e.g., we can construct these reports by looking at a number of reports and putting something together within a day).

We could produce this data with significant assistance (e.g., the data are collected but putting them together would require significant matching and analysis).

We do not collect this data at this time.

\*Time Frame: Date

\* Source: For each item

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MacArthur Safety and Justice Challenge  
Budget  
Palm Beach County Criminal Justice Commission

A. PERSONNEL	
Senior Criminal Justice Analyst (7 months of \$75,000 annual cost)	43,750.00
Senior Criminal Justice Analyst (7 months of \$75,000 annual cost) 100% of time on project	43,750.00
B. TRAVEL AND TRAINING	
\$1,000 per trip x 2 trips x 5 individuals=	10,000.00
C. Administrative Cost	
\$97,500 x .15 =	14,625.00
<b>TOTAL</b>	<b><u>112,125.00</u></b>

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**PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION  
DETERMINATION LETTER**

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Attachment #   2  

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CINCINNATI OH 45999-0036

001240.024400.2020.8096 1 27 0.405 530  
[Barcode]



BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY  
PO BOX 4036  
WEST PALM BCH FL 33402

001240

RECEIVED  
2014 MAR 27 4:10 PM '14  
SHARON R. BOYD  
BOARD OF CO COMMISSIONERS

CUT OUT AND RETURN THE VOUCHER AT THE BOTTOM OF THIS PAGE IF YOU ARE MAKING A PAYMENT,  
EVEN IF YOU ALSO HAVE AN INQUIRY.

REC'D P/R  
2014 MAR 27 PM 1: 11  
SHARON R. BOYD  
BOARD OF CO COMMISSIONERS  
PAYROLL

The IRS address must appear in the window.

80DCD-TE

0248254921

Use for payments

Letter Number : LTR4876C  
Letter Date : 2014-03-27  
Tax Period : 000000



8596000765\*

INTERNAL REVENUE SERVICE

CINCINNATI OH 45999-0036  
[Barcode]

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY  
PO BOX 4036  
WEST PALM BCH FL 33402

596000765 YH 80AR 00 2 000000 670 0000000000

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CINCINNATI OH 45999-0038

In reply refer to: 0246254921  
Mar. 27, 2014 LTR 4876C 0  
59-6000785 000000 00  
00024110  
BDDC: TE

REC'D P/R

2014 MAR 27 PM 1:16

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY  
PO BOX 4936  
WEST PALM BCH FL 33402

SHARON R. BOCK, CLU, Ch.  
BOARD OF CO. COMM. PB. CO.  
PAYROLL



001340

Federal Identification Number: 59-6000785  
Person to Contact: Darlene Evans  
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This responds to your request for information about your federal tax status. Our records do not specify your federal tax status. However, the following general information about the tax treatment of state and local governments and affiliated organizations may be of interest to you.

**GOVERNMENTAL UNITS**

Governmental units, such as States and their political subdivisions, are not generally subject to federal income tax. Political subdivisions of a State are entities with one or more of the sovereign powers of the State such as the power to tax. Typically they include counties or municipalities and their agencies or departments. Charitable contributions to governmental units are tax-deductible under section 170(c)(1) of the Internal Revenue Code if made for a public purpose.

**ENTITIES MEETING THE REQUIREMENTS OF SECTION 115(1)**

An entity that is not a governmental unit but that performs an essential government function may not be subject to federal income tax, pursuant to Code section 115(1). The income of such entities is excluded from the definition of gross income as long as the income (1) is derived from a public utility or the exercise of an essential government function, and (2) accrues to a State, a political subdivision of a State, or the District of Columbia. Contributions made to entities whose income is excluded income under section 115 may not be tax deductible to contributors.

**TAX-EXEMPT CHARITABLE ORGANIZATIONS**

An organization affiliated with a State, county, or municipal government may qualify for exemption from federal income tax under section 501(c)(3) of the Code, if (1) it is not an integral part of the government, and (2) it does not have governmental powers inconsistent with exemption (such as the power to tax or to exercise enforcement or regulatory powers). Note that entities may meet the requirements of both sections 501(c)(3) and 115 under certain circumstances. See Revenue Procedure 2003-12, 2003-1 C.B. 316.

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BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY  
PO BOX 4036  
WEST PALM BCH FL 33402

Most entities must file a Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code, to request a determination that the organization is exempt from federal income tax under 501(c)(3) of the Code and that charitable contributions are tax deductible to contributors under section 170(c)(2). In addition, private foundations and other persons sometimes want assurance that their grants or contributions are made to a governmental unit or a public charity. Generally, grantors and contributors may rely on the status of governmental units based on State or local law. Form 1023 and Publication 4220, Applying for 501(c)(3) Tax-Exempt Status, are available online at [www.irs.gov/eo](http://www.irs.gov/eo).

We hope this general information will be of assistance to you. This letter, however, does not determine that you have any particular tax status. If you are unsure of your status as a governmental unit or state institution whose income is excluded under section 115(1) you may seek a private letter ruling by following the procedures specified in Revenue Procedure 2007-1, 2007-1 I.R.B. 1 (updated annually).

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

*Susan M. O'Neill*

Susan M. O'Neill, Department Mgr.  
Accounts Management Operations

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**PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION  
ORDINANCE**

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Attachment #  2

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ORDINANCE NO. 88-16  
AS AMENDED BY ORDINANCE NOS.  
89-3, 90-38, 92-14, 92-25, 93-1, 93-35 AND 95-6.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING THE PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION; PROVIDING FOR CREATION; PROVIDING FOR OBJECTIVE; PROVIDING FOR AUTHORITY; PROVIDING FOR OPERATION; PROVIDING FOR STAFF COOPERATION AND SUPPORT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR EFFECTIVE DATE, AS AMENDED BY ORDINANCE NOS. 89-3, 90-38, 92-14, 92-25, 93-1, 93-35 AND 95-6.

WHEREAS, the coordination of all aspects of the law enforcement and crime prevention efforts in Palm Beach County, Florida is important to Palm Beach County; and

WHEREAS, the board of county commissioners of Palm Beach County, Florida is empowered and has the duty to take such action as is necessary for the coordination of an efficient, cost effective and timely criminal justice system, and to effect the reduction of crime, in Palm Beach County, Florida; and

WHEREAS, for the health, safety and welfare of the citizens of Palm Beach County, the board of county commissioners of Palm Beach County, Florida desires that a commission be established with a broad scope of authority to coordinate all aspects of the state and federal criminal justice system in Palm Beach County, Florida.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that

Sec. 2-216. Created.

There is hereby established an advisory commission to be known as the "Palm Beach County criminal justice commission," herein referred to as the "criminal justice commission." The criminal justice commission shall be composed of the following membership from the private and public sector:

(a) Public Sector Membership:

1. Chair or Commission member of the Palm Beach County Board of County Commissioners
2. Palm Beach County Sheriff
3. State Attorney, 15<sup>th</sup> Judicial Circuit
4. Public Defender, 15<sup>th</sup> Judicial Circuit

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5. Clerk of the Palm Beach County Circuit Court
6. Chief Judge, 16th Judicial Circuit
7. Administrative Judge, Juvenile Division, 16th Judicial Circuit
8. Supervisory Special Agent, Federal Bureau of Investigation, West Palm Beach
9. Senior Agent, Drug Enforcement Administration, West Palm Beach
10. Member Palm Beach County School Board
11. Member, Palm Beach County Legislative Delegation
12. Member, Municipal League of Palm Beach County
13. District IX Juvenile Justice Manager, Florida Department of Juvenile Justice
14. President, Police Chiefs Association
15. Resident Agent in Charge, Bureau of Alcohol, Tobacco & Firearms (ATF), West Palm Beach Field Office, U.S. Treasury Department
16. Chief, West Palm Beach Police Department
17. Circuit Administrator, Florida Department of Corrections, 16th Judicial Circuit
18. Supervisory Special Agent, Florida Department of Law Enforcement
19. President, Crime Prevention Officers' Association
20. United States Attorney, Southern District of Florida or Assistant U.S. Attorney, West Palm Beach
21. Member, Palm Beach County Association of Criminal Defense Lawyers

(b) Private Sector Membership: Twelve (12) persons nominated by the palm beach county economic council, but not necessarily members of the economic council, and confirmed by the board of county commissioners of Palm Beach County, Florida, which persons shall be representative of all segments of Palm Beach County, Florida

The terms for the members representing the board of county commissioners, the school board, the legislative delegation, and the municipal league shall be for a period of two (2) years. The remaining public sector members' term of membership will be for the duration of their position entitling them to sit as a member of the criminal justice commission.

Private sector members shall be appointed for a three-year term, with said term commencing on January 1 for the first year of appointment and expiring on December 31 of the third year.

All members of the criminal justice commission shall be electors of Palm Beach County, Florida. Appointed members of the criminal justice commission shall serve at the pleasure of the appointing body.

(Ord. No. 88-16, § 1, 8-16-88; Ord. No. 89-3, § 1, 3-21-89; Ord. No. 90-38, § 1, 10-18-90; Ord. No. 92-14, § 1, 5-28-92; Ord. No. 92-25, § 1, 9-15-92; Ord. No. 93-1, § 1, 2-1-93; Ord. No. 93-35, § 1, 12-21-93; Ord. No. 95-6, § 1, 3-21-95)

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Sec. 2-217. Objectives.

The criminal justice commission is established to study all aspects of the criminal justice and crime prevention systems within the federal, state, county, municipal and private agencies within the county. This purpose shall include the study of the health and human services and educational systems, among others, as they pertain to criminal justice or crime prevention. The criminal justice commission shall make recommendations to the board of county commissioners on policies and programs designed to accomplish the following objectives:

- a. To provide overall coordination to law enforcement and crime prevention efforts in the county;
- b. To provide an efficient, cost effective and timely criminal justice system in the county; and
- c. To effect the reduction of crime in the county on a permanent basis.

(Ord. No. 88-16, § 2, 8-18-86)

Sec. 2-218. Authority.

The criminal justice commission shall have the following authority and powers:

- a. To review, research and evaluate existing systems and programs within the scope of the criminal justice commission;
- b. To establish task forces or subcommittees to study in detail key aspects of programs and systems within the scope of the criminal justice commission;
- c. To adopt from time to time rules and bylaws providing for the governance of the criminal justice commission, which rules and bylaws will be adopted by a majority vote of the members of the criminal justice commission;
- d. To establish an executive committee by the majority vote of the members of the criminal justice commission, which Executive Committee will have such powers and authority as delegated by the criminal justice commission;
- e. To review and comment on all grant requests for programs and systems within the scope of the criminal justice commission;
- f. To make recommendations on modifying, creating or abolishing public and private systems and programs within the scope of the criminal justice commission;
- g. To make recommendations on modifying, creating or abolishing legislation, ordinances or regional or county-wide comprehensive plans dealing with systems and programs within the scope of the criminal justice commission;
- h. To assist the consolidation of systems and programs within the scope of the criminal justice commission when approved by the board of county commissioners;

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- i. To request members of all agencies within the auspices of the board of county commissioners to provide the criminal justice commission in a timely manner with all data and information requested by the criminal justice commission, to appear at any meeting or hearing requested by the criminal justice commission, and to otherwise work in cooperation and good faith with the criminal justice commission in pursuing the criminal justice commission's objectives;
- j. To enter contracts and hire personnel as required to pursue the objectives of the criminal justice commission, subject to approval by the board of county commissioners; and
- k. To take all acts reasonably required by the criminal justice commission in the exercise of the authority set forth above and the pursuit of the criminal justice commission's objectives.

(Ord. No. 88-16, § 3, 8-16-88)

**Sec. 2-218. Operation.**

Members of the criminal justice commission shall serve without compensation but may apply for reimbursement for authorized expenses incurred in connection with their official duties. The criminal justice commission shall operate with such funding and staffing as the board of county commissioners shall approve from time to time. Without prior approval, the criminal justice commission shall have no authority to incur expenses for Palm Beach County, Florida, would become liable.

(Ord. No. 88-16, § 4, 8-16-88)

**Sec. 2-220. Staff cooperation and support.**

The staff of the board of county commissioners, including but not limited to the county administrator, the county attorney and the public safety department of the county, are hereby charged with the responsibility to furnish to the criminal justice commission such records, documents, reports and other data on criminal justice matters which, in the opinion of the criminal justice commission, are reasonably necessary in order that the criminal justice commission may fulfill the duties required of it hereunder. Support services for the criminal justice commission shall be made available by the public safety department.

(Ord. No. 88-16, § 5, 8-16-88)

**Sec. 2-221. Administration.**

The criminal justice commission shall employ an executive director who shall hire such other administrative, professional and clerical assistance as necessary to carry out its duties authorized by this article, and as provided for in the criminal justice commission's budget, reviewed and approved by the board of county commissioners.

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The executive director will be selected by the criminal justice commission and approved by the board of county commissioners. The goals and performance evaluations of the executive director shall be accomplished jointly by the county administrator and the criminal justice commission. The executive director shall also have contemporaneous access to ongoing operations and planning within the public safety department, division of criminal justice of the county.

(Ord. No. 88-16, § 6, 8-16-88)

Sec. 2-222. Severability.

If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

Sec. 2-223. Inclusion in the code of laws and ordinance.

The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The Sections of the ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Sec. 2-224. Effective date.

The provisions of this ordinance shall become effective upon approval and filing with the Secretary of State.

APPROVED AND ADOPTED by the board of county commissioners of Palm Beach County, Florida, on the 16<sup>th</sup> day of August, 1988.

Acknowledgment by the Department of State of the State of Florida, on this, the 25<sup>th</sup> day of August, 1988.

EFFECTIVE DATE: Acknowledgment from the Department of State received on 29<sup>th</sup> day of August, 1988 and filed in the Office of the Clerk of the board of county commissioners of Palm Beach County, Florida.

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**PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION  
BY-LAWS**

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BYLAWS OF PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION  
(Amended November 28, 2011)

ARTICLE I

CRIMINAL JUSTICE COMMISSION

Section 1. Purpose The Criminal Justice Commission is established to study all aspects of the Criminal Justice and crime prevention systems within the federal, state, county, municipal and private agencies within the county. This purpose shall include the study of the health and human services and educational systems, among others, as they pertain to criminal justice or crime prevention. The Criminal Justice Commission shall make recommendations to the Board of County Commissioners on policies and programs designed to accomplish the following objectives:

- (a) To provide overall coordination to law enforcement and crime prevention efforts in the county;
- (b) To provide an efficient, cost effective and timely criminal justice system in the county; and
- (c) To effect the reduction of crime in the county on a permanent basis.

Section 2. Authority The Criminal Justice Commission shall have the following authority and powers:

- (a) To review, research and evaluate existing systems and programs within the scope of the Criminal Justice Commission;
- (b) To establish task forces or subcommittees to study in detail key aspects of programs and systems within the scope of the Criminal Justice Commission;
- (c) To adopt from time to time rules and bylaws providing for the governance of the Criminal Justice Commission, which rules and bylaws will be adopted by a majority vote of the members of the Criminal Justice Commission;
- (d) To establish an executive committee by the majority vote of the members of the Criminal Justice Commission, which Executive Committee will have such powers and authority as delegated by the Criminal Justice Commission;
- (e) To review and comment on all grant requests for programs and systems within the scope of the Criminal Justice Commission;
- (f) To make recommendations on modifying, creating or abolishing public and private systems and programs within the scope of the Criminal Justice Commission;
- (g) To make recommendations on modifying, creating or abolishing legislation, ordinances or regional or county-wide comprehensive plans dealing with systems and programs within the scope of the Criminal Justice Commission;
- (h) To assist the consolidation of systems and programs within the scope of the Criminal Justice Commission when approved by the Board of County Commissioners;
- (i) To request members of all agencies within the auspices of the Board of County Commissioners to provide the Criminal Justice Commission in a timely manner with all

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data and information requested by the Criminal Justice Commission, to appear at any meeting requested by the Criminal Justice Commission, and to otherwise work in cooperation and good faith with the Criminal Justice Commission in pursuing the Criminal Justice Commission's objectives;

- (j) To enter contracts and hire personnel as required to pursue the objectives of the Criminal Justice Commission, subject to the approval by the Board of County Commissioners; and
- (k) To take all acts reasonably required by the Criminal Justice Commission in the exercise of the authority set forth above and the pursuit of the Criminal Justice Commission's objectives.

Section 3. Membership

- A) **Members:** The Criminal Justice Commission shall consist of two categories of members as set forth below in Section 4 and 5.
- B) **Numbers:** The Commission shall have 33 members.
- C) All private sector members of the Criminal Justice Commission shall be electors of Palm Beach County, Florida; public sector members shall serve by reason of their position.

Section 4. Private Sector Membership

- A) Twelve (12) persons nominated by the Palm Beach County Economic Council, but not necessarily members of the Economic Council, and confirmed by the Board of County Commissioners of Palm Beach County. These persons shall be representative of all segments of Palm Beach County, Florida.
- B) Private sector members shall be appointed for a three-year term, with said term commencing on January 1 for the first year of appointment and expiring on December 31 of the third year.

Section 5. Public Sector Membership

- A) The following shall be automatically qualified and requested to serve as members on the Commission for the term of office held:
  - (1) Chair or Commission member of the Palm Beach County Board of County Commissioners
  - (2) Palm Beach County Sheriff
  - (3) State Attorney, 15<sup>th</sup> Judicial Circuit
  - (4) Public Defender, 15<sup>th</sup> Judicial Circuit
  - (5) Clerk of the Palm Beach County Circuit Court
  - (6) Chief Judge, 15<sup>th</sup> Judicial Circuit
  - (7) Administrative Judge, Juvenile Division, 15<sup>th</sup> Judicial Circuit
  - (8) Supervisory Special Agent, Federal Bureau of Investigation, West Palm Beach
  - (9) Resident Agent in Charge, Drug Enforcement Administration, West Palm Beach Resident Office
  - (10) Member, Palm Beach County School Board

- |  |   |
|--|---|
| (11) Member, Palm Beach County Legislative Delegation  | (12) Member, Palm Beach County League of Cities   |
| (13) Circuit XV, Chief Probation Officer, Florida Department of Juvenile Justice   | (14) President, Police Chiefs Association   |
| (15) Resident Agent in Charge, Bureau of Alcohol, Tobacco & Firearms (ATF), West Palm Beach Field Office, U.S. Treasury Department | (16) Chief, West Palm Beach Police Department   |
| (17) Circuit Administrator, Florida Department of Corrections, 15 <sup>th</sup> Judicial Circuit                                   | (18) Supervisory Special Agent, Florida Department of Law Enforcement                                 |
| (18) President, Crime Prevention Officers' Association   | (20) United States Attorney, Southern District of Florida or Assistant U.S. Attorney, West Palm Beach |
| (21) Member, Palm Beach County Association of Criminal Defense Lawyers.  |   |

- B) The dedication, participation and involvement of the public officials enumerated above are instrumental to the success of the Commission. It is imperative that the representatives of the public sector as listed commit themselves to the cause of this Commission and not be represented by any other individual at Commission meetings.
- C) The term for public sector members shall be for the duration of that member's elected or appointed position except that the terms for the members representing the Board of County Commissioners, the School Board, the Legislative Delegation, and the League of Cities shall be for a period of two (2) years. The Board of County Commissioners, School Board, Legislative Delegation, and League of Cities members may be appointed to serve two (2) consecutive terms of two (2) years each. After a one-year (1) absence, a member may reapply for membership. The recommendation of the appropriate agency to be reappointed to the CJC after completion of two consecutive terms will remain a requirement.

Section 6. Compensation

Members shall not receive or be paid any compensation for serving as members of the Commission. However, voting members may receive reimbursement for their expenses incurred in connection with the business of the Commission, subject to prior approval of the Board of County Commissioners.

Section 7. Duties of Member

- A) A member shall perform duties, including that individual's duties as a member of any committee of the Commission upon which that person serves, in good faith, in a manner he or she reasonably believes to be in the best interests of the Commission, and with such care as an ordinarily prudent person in a similar position would use under similar circumstances.

- B) All members shall attend the meetings of the Commission. The attendance requirement of private sector members at full Commission meetings shall reflect PBC Resolution R-2002-1806: "Members of boards shall be automatically removed for lack of attendance. Lack of attendance is defined as a failure to attend three (3) consecutive meetings or a failure to attend at least two-thirds of the meetings scheduled during a calendar year. Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting."

Section 8. Vacancies Any private sector vacancy occurring in the Commission may be filled upon recommendation of the Economic Council and the appointment by the Board of County Commissioners. A member appointed to fill a vacancy shall hold office only until the expiration of the term for the member whose term they filled.

Section 9. Quorum/Majority A quorum shall be at least one-third of the members of the full Commission. A majority shall be the smallest whole number greater than one-half of the members present. The act of the majority of the members present at a meeting at which a quorum is present is the act of the full Commission. Members who use telephonic or video conferencing will be considered present and may vote, but they will not count toward a quorum.

Section 10. Standing Committees and Task Forces The Commission may designate standing committees and task forces, each of which shall have and may exercise the authority as directed by the Executive Committee.

- A) Committee Chair appointments shall be made by the CJC Chair at the December meeting and said appointments shall serve at the pleasure of the Chair, except for 1-5 below. Standing committees shall include:
- 1) Membership, and Bylaws to be chaired by the Vice Chair and to be limited to five members;
  - 2) Finance/Fundraising, to be chaired by the Treasurer with no limitation on membership;
  - 3) Law Enforcement Planning Council (LEPC) whose membership is pre-established by CJC Resolution with the Chair being elected from amongst the members;
  - 4) Corrections Task Force, established by CJC Resolution, expanding the membership of the Public Safety Coordination Council, which was created by Florida Statute No. 951.26. The two committees sit as one with the Chair elected from amongst the members.
  - 5) Nominating Committee shall consist of 6 members; current CJC Chair, Vice-Chair, two (2) most recent past Chairs and two (2) members of the public sector, to be appointed by the CJC Chair, with a one (1) year term and consecutive terms at CJC Chair's discretion. The Nominating Committee Chair shall be elected from amongst themselves.
- B) Task Force missions and/or goals shall be the responsibility of the Chair with ratification by the Executive Committee. Each Task Force shall include at least one Commission member. Other Task Force participants, including the Chair of the Task Force, need not be members of the Commission.

Task Forces may include, but not be limited to:

- 1) Law Enforcement
- 2) Criminal Justice Administration [Information System]
- 3) Corrections
- 4) Crime Prevention
- 5) Court System
- 6) Juvenile Justice/Education
- 7) Drug/Alcohol Prevention And Abuse
- 8) Human Services

Section 11. Meetings

- A) **Regular Meetings**  
Regular meetings of the full Commission will be held on the fourth Monday of each month excluding the summer months of June through August and holidays. The Executive Committee may set meeting dates to accommodate special circumstances. All regular meetings shall be held in Palm Beach County.
- B) **Special Meetings**
- 1) Special meetings of the Commission may be called by the Commission Chair, the Executive Committee or by any ten of the Commission members.
  - 2) The notice of a special meeting shall contain an agenda of the business to be conducted. No business other than that on the agenda may be conducted at a special meeting.
  - 3) Special meetings may be held at any location in the United States.
- C) **Annual Meeting**  
The Criminal Justice Commission holds an all day Annual Planning Meeting on the regularly scheduled Executive Committee date each year in February or March. This meeting will include a brief training session on ethics for members and staff as provided by the Palm Beach County Attorney's Office or their designee.
- D) **Notice**  
All members shall be given at least three working days notice of regular meetings. Members shall be given at least two working days notice of special meetings. Notice may be in written, telephonic, facsimile or electronic form and comply with F.S. 288.011.
- E) **Voting**  
Every Commission member is entitled to one vote on each proposal presented at a meeting. Members may be present via telephonic or video conferencing technologies. Proxy votes shall not be acceptable.
- F) **Protocol**  
To the extent not contrary to these bylaws, Roberts Rules of Order shall govern all meetings of the Criminal Justice Commission, its committees and subcommittees.
- G) **Adjournment**  
A majority of the members present, whether or not a quorum exists, may adjourn any

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meeting of the Commission to another time and place. Notice of any adjourned meeting shall be given to the Commission members who were not present at the time of the adjournment.

ARTICLE II  
EXECUTIVE COMMITTEE

Section 1. Function The business of this Commission shall be managed and its powers exercised by the Executive Committee.

Section 2. Members The Executive Committee shall consist of twelve members, with a minimum of 50% representing the private sector.

- A) The Chair of the Commission and its officers shall serve on the Executive Committee.
- B) The Nominating Committee shall make a recommendation as to the other seats on the committee.
- C) The immediate past chair and the Superintendent of Schools shall serve as ex-officio members.

Section 3. Gifts and Contributions Only the Board of County Commissioners may accept on behalf of the Commission any gift, private grant, bequest, devise, or contribution of property.

Section 4. Meetings

- A) Regular Meetings  
Regular meetings of the Executive Committee may be held on the second Monday of each month, excluding holidays. The Executive Committee may set meeting dates to accommodate special circumstances. All regular meetings shall be held in Palm Beach County.
- B) Special Meetings
  - 1) Special meetings of the Executive Committee may be called by the Commission Chair, or any six members of the Executive Committee.
  - 2) The notice of a special meeting shall contain an agenda of the business to be conducted. No business, other than that on the agenda may be conducted at a special meeting.
  - 3) Special meetings may be held at any location in the United States.
- C) Notice All Executive Committee members shall be given at least three working days notice of regular Executive Committee meetings. Members shall be given at least two working days notice of special meetings. Notice may be in written, telephonic, facsimile or electronic form and comply with F.S. 288.011.
- D) Quorum/Majority A quorum shall be at least one-third of the members of the Executive Committee. A majority shall be the smallest whole number greater than one-half of the members present. The act of the majority of the members present at a meeting at which a quorum is present is the act of the Executive Committee. Members

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who use telephonic or video conferencing will be considered present and may vote, but they will not count toward a quorum.

- E) Every Executive Committee member is entitled to one vote on each proposal presented at an Executive Committee meeting. Members may be present via telephonic or video conferencing technologies. Votes by proxy shall not be acceptable.
- F) Adjournment A majority of the members present, whether or not a quorum exists, may adjourn any meeting of the Executive Committee to another time and place. Notice of any adjourned meeting shall be given to the Executive Committee members who were not present at the time of the adjournment.

Section 5. Administration. The Criminal Justice Commission shall employ an Executive Director who shall hire such other administrative, professional and clerical assistance as necessary to carry out its duties authorized by this article, and as provided for in the Criminal Justice Commission's budget, reviewed and approved by the Board of County Commissioners. The Executive Director shall be selected by the Criminal Justice Commission and approved by the Board of County Commissioners. The goals and performance evaluations of the Executive Director shall be accomplished jointly by the County Administrator and the Criminal Justice Commission.

### ARTICLE III OFFICERS

Section 1. Officers The officers of the Commission shall be members and consist of a Chair, a Vice-Chair, a Secretary, and a Treasurer. The Chair and Vice-Chair shall be elected from the private sector and the Vice Chair may be re-elected for one (1) additional term. The term of the Chair shall be for two (2) calendar years beginning January 1 following the year of his/her election by the Commission. If for any reason, including death, illness, or personal cause, the Chair is unable to serve his/her full two-year term, the Vice-Chair shall assume the duties of Criminal Justice Commission Chair for the remainder of the original Chair's term. The Commission from time to time may elect or appoint other officers, assistant officers and agents who shall have such authority to perform such duties as the Commission prescribes. Each officer shall hold office until that individual's successor is elected and has qualified. The failure to elect a Chair, Vice-Chair, Secretary or Treasurer shall not affect the existence of the Commission.

Section 2. Chair The Chair, subject to the directions of the Executive Committee, is responsible for the general and active management of the business and affairs of the Commission. The Chair has the power to sign correspondence, membership certificates, and resolutions for the Commission, and shall preside at all meetings of the members.

Section 3. Vice-Chair The Vice-Chair shall have the power and shall perform the duties that the Executive Committee or the Chair prescribes. If the Chair is absent or unable to fulfill his duties, the Vice-Chair shall perform all the duties and may exercise all the powers of the Chair. The Executive Committee may authorize the Vice-Chair to sign correspondence and resolutions for the Commission.

Section 4. Secretary The Secretary shall ensure that staff members keep the minutes of the proceedings of the members and Criminal Justice Commission and Executive Committee; see that all notices are duly given according to the relevant provisions of these Bylaws or as required by law, maintain custody of the Commission records, attest the signatures of officers who execute documents on behalf of the Commission, keep a register of each member's mailing address that the member furnishes to the Secretary, have general charge of the membership roster of the Commission, and in general perform all duties incident to the Office of Secretary and such other duties as the Chair of the Executive Committee from time to time prescribes. In the event the Chair and Vice-Chair are absent, perform their duties and exercise all the powers of the Chair.

Section 5. Treasurer The Treasurer shall serve as the Chair of the finance/fundraising committee as needed; and in general perform all the duties incident to the Office of Treasurer and such other duties as the Chair or the Executive Committee from time to time assigned to him. In the event the Chair, Vice-Chair, and Secretary are absent, perform their duties and exercise all the powers of the Chair.

Section 6. Elections

- A) The Nominating Committee shall meet in October of each year and make recommendations to the Commission as to suitable candidates for each office.
- B) Elections shall be held at the Commission meeting in November.
- C) Officers shall be installed in office at the December meeting.

ARTICLE IV  
LIABILITIES AND INDEMNIFICATION

Section 1. Liabilities A member or Officer of this Commission is not personally liable for any debt, liability, or other obligation of the Commission. A member is not subject to any assessment by the Commission.

Section 2. Indemnification Any person, or that person's heirs, or personal representative who is made or threatened to be made a party to any threatened, pending or completed action or proceeding, whether civil, criminal, administrative, or investigative, because he/she or his/her testator or intestate is or was a Member, officer, employee, or agent of this Commission or serves or served any other Commission or enterprise in any capacity at the request of this Commission, shall be indemnified by the Commission, and this Commission may advance his/her related expenses, to the full extent approved by the Board of County Commissioners. The foregoing right of indemnification or reimbursement shall not be exclusive of other rights to which the person or his/her heirs, or personal representative may be entitled.

ARTICLE V  
BOOKS AND RECORDS

Section 1. Records Required This Commission shall keep correct and complete minutes of the proceedings of its Executive Committee, Commission, standing committees, and task forces.

Section 2. Form The Commission's records and minutes may be written or kept in any other form

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capable of being converted into writing within a reasonable time.

Section 3. Inspection The records of this Commission shall constitute public records and all inspections of same shall be governed by Florida Statutes, Chapter 119.

ARTICLE VI  
LEGISLATIVE ADVOCACY

Section 1. Advocacy The Commission may participate in direct and grass roots lobbying with respect to Legislative matters at the local, state and federal levels, only after authorization by resolution of the Executive Committee. The Commission will not take any position whatsoever with respect to the candidacy of any person for public office.


Section 2. Legislative and Regulatory Positions No officer, member, Executive Director or staff member may advocate legislative action which in any way indicates that the advocacy is made on behalf of the Commission without prior authority of the Executive Committee.

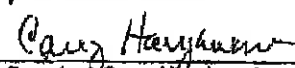
Section 3. Elective Office Candidate Endorsement No officer, member, Executive Director or staff member may endorse any political candidate in such a manner as to indicate or imply that the advocacy is made as a representative of the Criminal Justice Commission.

ARTICLE VII  
AMENDMENT

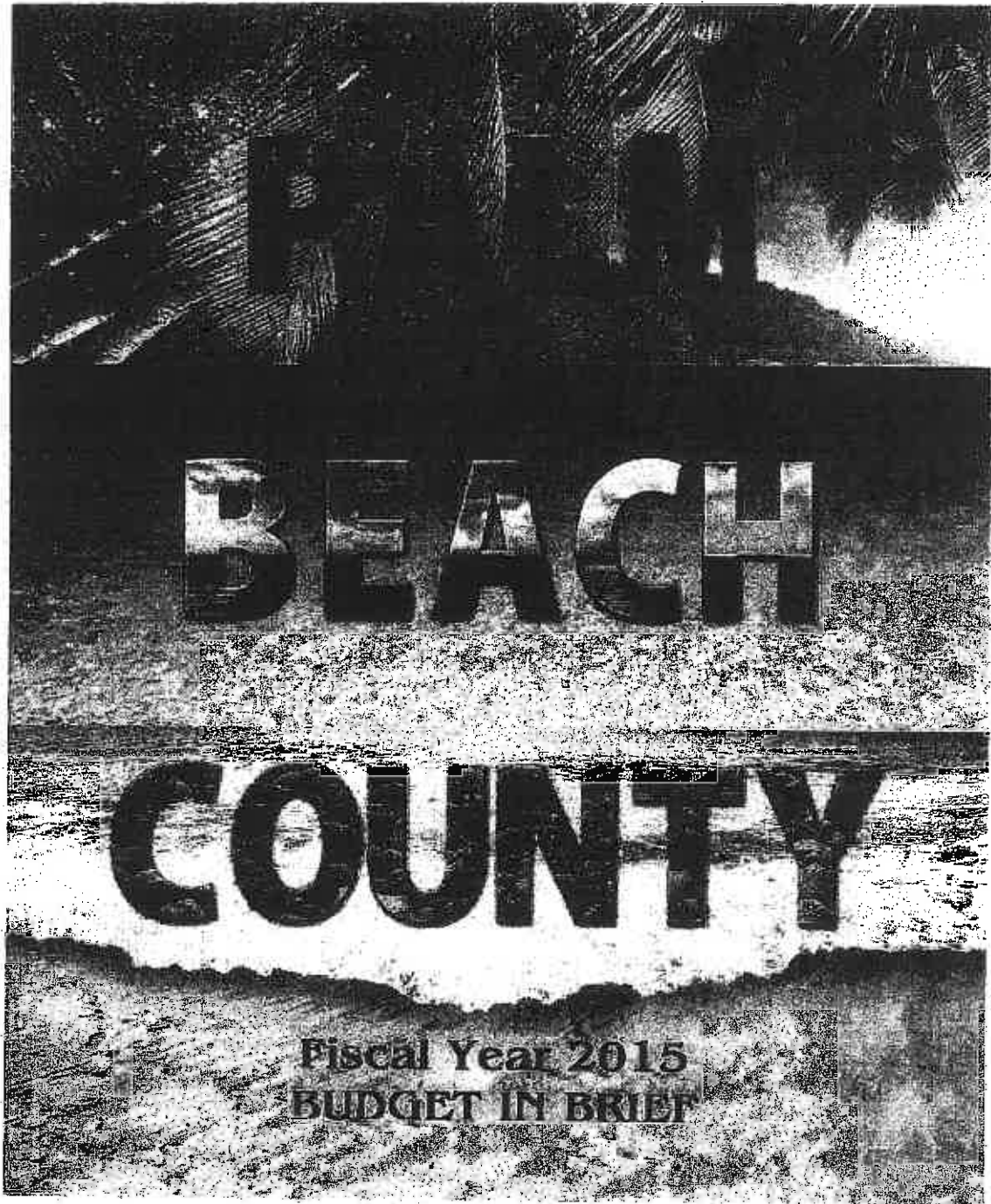
These Bylaws may be repealed or amended, and additional Bylaws may be adopted, by a majority vote of the full Commission.

I HEREBY CERTIFY that the foregoing is a true, correct, and complete copy of the Bylaws of the Palm Beach County Criminal Justice Commission, as in effect on this 28 day of November, 2011.

  
\_\_\_\_\_  
Chair, Barbara Cheives

  
\_\_\_\_\_  
Secretary, Carey Houghwout





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# Palm Beach County Principal Officials

## Board of County Commissioners:



Top row from left to right: Steven L. Abrams (District 4), Melissa McKinlay (District 6),  
Paulette Burdick (District 2), and Hal R. Valeche (District 1)

Bottom row from left to right: Priscilla A. Taylor (District 7), Shelley Vano (Mayor, District 3),  
and Mary Lou Berger (Vice Mayor, District 5)

## Constitutional Officers:

*Sharon R. Back,*  
Clerk & Comptroller

*Susan Bucher,*  
Supervisor of Elections

*Ric L. Bradshaw,*  
Sheriff

*Gary R. Nikoitis,*  
Property Appraiser

*Anne M. Gannon,*  
Tax Collector

## Appointed Officials:

*Robert Weisman, County Administrator*

*Denise Nieman, County Attorney*

*Joseph Bergeron, Internal Auditor*

## Office of Financial Management and Budget:

*Elizabeth Bloeser, OFMB Director*

*John Wilson, Budget Director*

*Marianela Diaz, Assistant Budget Director*

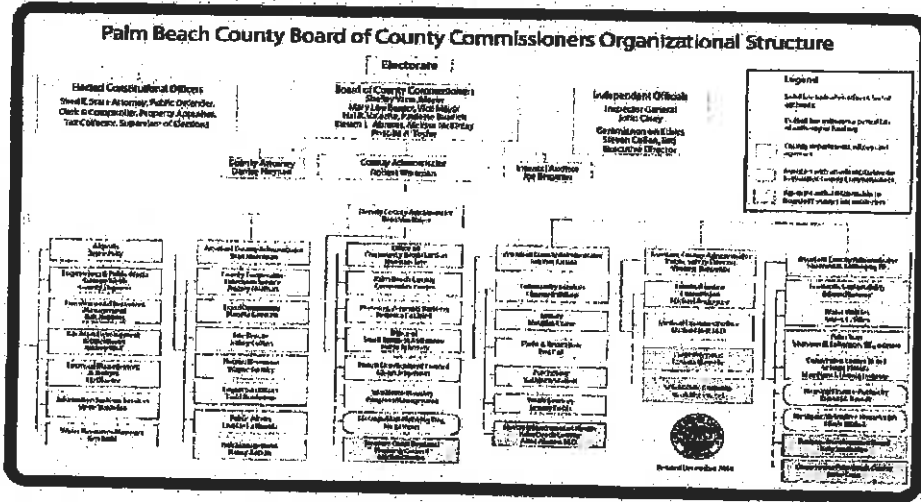
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Palm Beach County became a "Home Rule" Charter County on January 1, 1985. This "Home Rule" allows residents, through their elected commissioners, greater independence in determining how their County government will function and what services it will provide.

**Board of County Commissioners**

- \* Serve a four-year term; as elected by voters within the district they reside.
- \* Adopt ordinances and resolutions to establish programs that protect and maintain the health, safety, and welfare of County residents.
- \* Appoint the County Administrator, who implements Board-approved programs and manages the day-to-day operations of County government.



**Other County Officials**

- \* The Clerk and Comptroller, Property Appraiser, Sheriff, Supervisor of Elections, Public Defender, State Attorney, and Tax Collector are the County Officials other than the County Commissioners, who are elected by the voters.
- \* The Palm Beach County School System is governed by a non-partisan elected School Board and operates under the direction of a School Board-Appointed Superintendent. The County Commission has no jurisdiction over the School Board.
- \* The South Florida Water Management District, Children's Services Council, Health Care District, Drainage Districts, Inlet Districts, and municipalities within the County are also not under the authority of the Board of County Commissioners.

# Fact Sheet

## About Palm Beach County

- Largest in area of Florida's 67 counties.
- 70 miles north of Miami and 150 miles south of Orlando
- Population - 1,360,238
- Median Age - 44
- Median Household Income - \$51,804
- Average Household Size - 2.55
- Municipalities - 38
- Registered Voters - 849,984
- Form of Government - Commission - County Administrator



Sheriff's Office	
Law Enforcement Officers	1,510
Corrections Officers	689
Civilian Staff	1,783
Palm Beach County Sheriff's Office Headquarters	
Fire Protection	
Suppression Units	67
Advanced Life Support Units	101
Fire Stations	49
Employees (Certified Firefighters)	842,299
Employees (Non-Certified)	196
Total Fire Stations	15,871
EMTs	103,677
Average Response Time	8:35

Parks and Recreation Activities	
Golf Courses	5
Fitness Trails	10
Marinas	1
Playgrounds	99
Parks	81
Water / Splash Parks / Pools	11
Dog Parks	3
Museums	1
Community / Civic Centers	4
Rec Centers	4
Nature Centers	3
Ecological Parks	3
Beaches	16
Campgrounds	3
Amphitheaters	3
Okeechobee Golf Course	

## Budget Facts

<b>Budget</b>	The budget is a plan for the accomplishment of goals and objectives within programs identified as being necessary to the purpose of Palm Beach County government.
<b>Basis for Budgeting</b>	All funds are budgeted using the modified accrual basis of accounting, including proprietary funds. Revenues are recognized if they are measurable and available for use during the year and expenditures are recognized in the period the liabilities are incurred.
<b>Fiscal Year</b>	Palm Beach County's budget is based on a fiscal, rather than calendar year. Thus FY 2015 is from October 1, 2014 through September 30, 2015.
<b>Budget Development Strategy</b>	Maintain service levels while attempting not to increase expenses through the implementation of efficiencies and privatization efforts. Although not exclusive, the following is a list of priorities for FY 2015
<b>Short Term Goals</b>	<ul style="list-style-type: none"> <li>• Jobs</li> <li>• Water Quality</li> <li>• Public Safety</li> <li>• Poverty</li> <li>• Youth Services</li> <li>• Environmental Protection</li> <li>• Agricultural Protection</li> <li>• Program Effectiveness</li> <li>• Maintain Infrastructure</li> <li>• Fill Key Mgmt Positions</li> <li>• Transportation (PalmTran)</li> <li>• Housing in the Glades</li> <li>• Funding Road Repair</li> <li>• Homelessness</li> </ul>
<b>Long Term Goals &amp; Policies</b>	Please visit <a href="http://www.pbcgov.com/pzb/Planning/comprehensiveplan/tableofcontent.htm">http://www.pbcgov.com/pzb/Planning/comprehensiveplan/tableofcontent.htm</a> to view Palm Beach County's Comprehensive Plan.

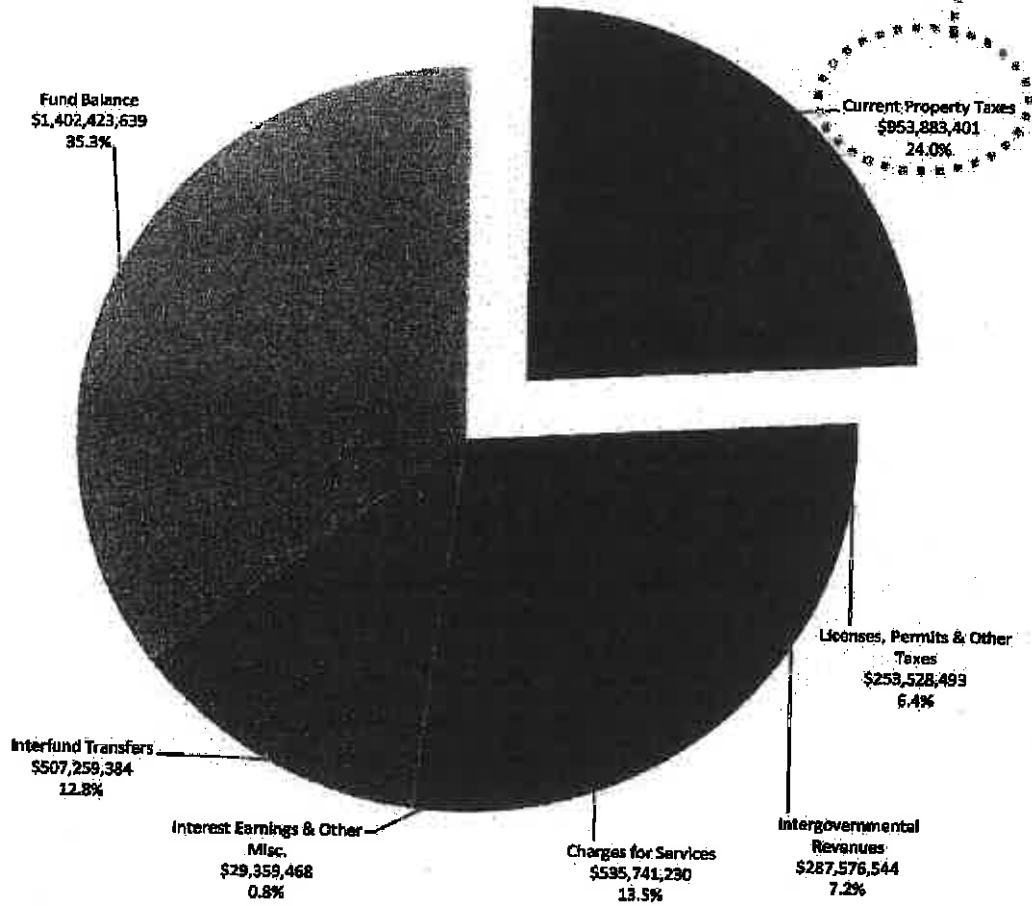
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# Revenues:

Where the Money Comes From

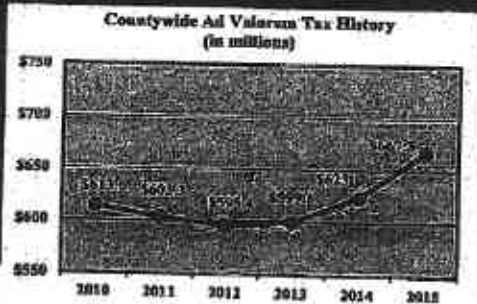
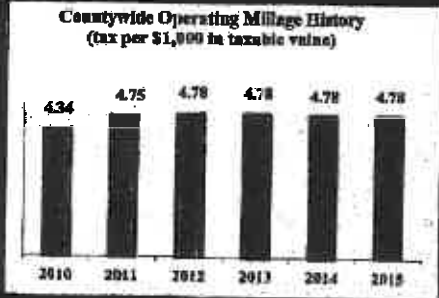
Total of all Sources: \$3,969,772,159



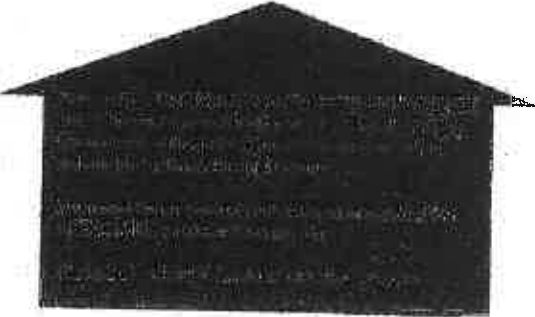
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# How Countywide Property Tax is Calculated



Taxing District	Millage Rate	Assessment
Countywide	4.78	~170
City of Jacksonville	~0.8	~10
City of St. Johns River Water Supply	~0.2	~5
City of Palm Bay	~0.2	~5
City of Titusville	~0.2	~5
City of Palm Bay Gardens	~0.2	~5
City of Palm Bay Lakeside	~0.2	~5
City of Palm Bay Shores	~0.2	~5
City of Palm Bay Woods	~0.2	~5
City of Palm Bay Woods II	~0.2	~5
City of Palm Bay Woods III	~0.2	~5
City of Palm Bay Woods IV	~0.2	~5
City of Palm Bay Woods V	~0.2	~5
City of Palm Bay Woods VI	~0.2	~5
City of Palm Bay Woods VII	~0.2	~5
City of Palm Bay Woods VIII	~0.2	~5
City of Palm Bay Woods IX	~0.2	~5
City of Palm Bay Woods X	~0.2	~5
City of Palm Bay Woods XI	~0.2	~5
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City of Palm Bay Woods XIV	~0.2	~5
City of Palm Bay Woods XV	~0.2	~5
City of Palm Bay Woods XVI	~0.2	~5
City of Palm Bay Woods XVII	~0.2	~5
City of Palm Bay Woods XVIII	~0.2	~5
City of Palm Bay Woods XIX	~0.2	~5
City of Palm Bay Woods XX	~0.2	~5
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City of Palm Bay Woods XXVIII	~0.2	~5
City of Palm Bay Woods XXIX	~0.2	~5
City of Palm Bay Woods XXX	~0.2	~5
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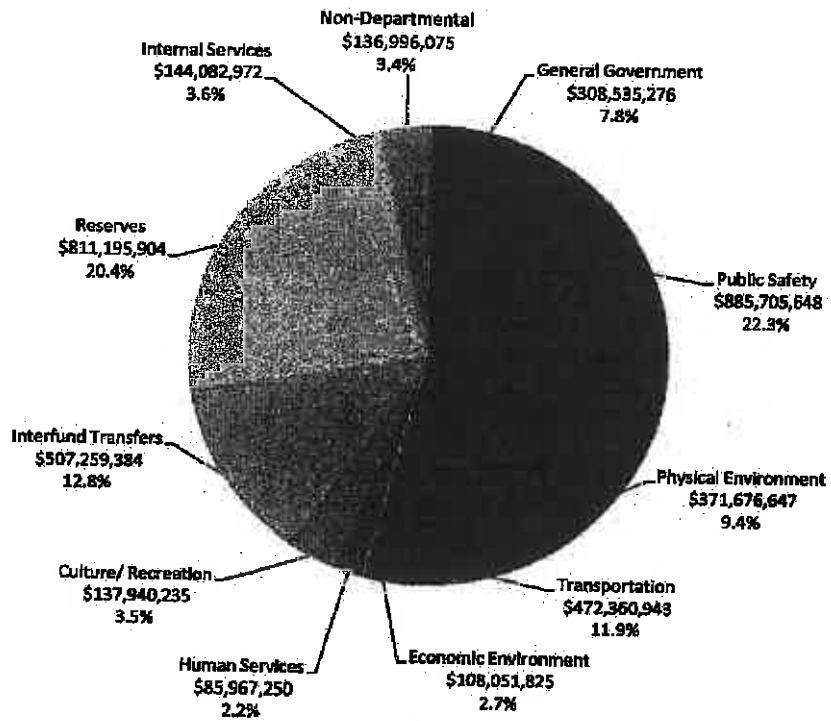


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# Expenses:

## By Type



- **General Government** - For the benefit of the public and governmental body
- **Public Safety** - For the safety and security of the public, includes transfer to the Sheriff's Office
- **Physical Environment** - To achieve a satisfactory living environment for the community
- **Transportation** - For developing and improving the flow of vehicles, travelers, and pedestrians
- **Economic Environment** - For the development and improvement of the economic condition
- **Human Services** - With the purpose of promoting the general health and well being of the community
- **Culture & Recreation** - To provide opportunities and facilities for cultural, recreational, and educational programs
- **Interfund Transfers** - Transferred from one County fund to another
- **Reserves** - To provide for unseen expenses, capital projects, fund balances, and payments of principal
- **Internal Services** - For services provided by one County agency to another
- **Non-Departmental** - Not attributable to a specific program

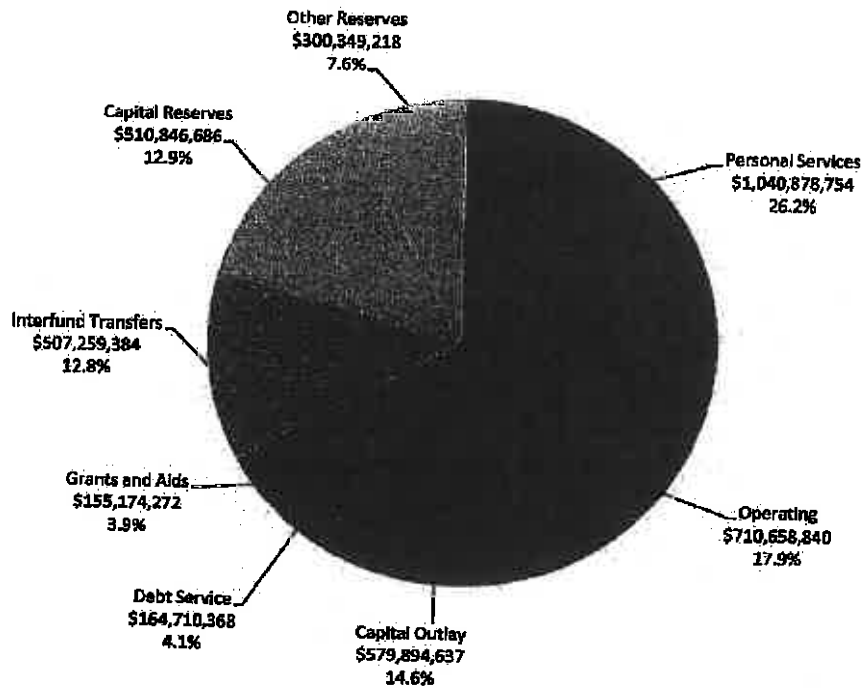
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Total of  
All Funds

**\$3,969,772,159**

## By Category



- **Personal Services** - for salaries, wages, and related employee benefits
- **Operating** - for goods and services which primarily benefit the current period
- **Capital** - for the acquisition of or addition to fixed assets
- **Debt** - Including principal, interest, and other debt services costs (except reserves for debt)
- **Grants & Aids** - Grants, subsidies, and contributions to governmental agencies / private organizations
- **Interfund Transfers** - Transferred from one County fund to another
- **Capital Reserves** - Set aside for the purpose of meeting future expenses for capital projects
- **Other Reserves** - For cash carry forward, contingencies, specific operations, and debt service

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**FY 2015**  
**Summary of Departmental Tax Equivalent Funding**

	Appropriation	Department Generated Revenue	Net Property Taxes	Positions
<b>Countywide Departments</b>				
Community Services	\$ 34,296,521	\$ 18,743,707	\$ 15,552,814	156
County Administration	2,132,320	448,550	1,683,770	12
County Attorney	5,656,569	1,742,500	3,914,069	42
County Commission	3,284,740		3,284,740	27
County Cooperative Extension Service	2,608,057	234,767	2,373,290	32
Economic Sustainability	48,906,982	46,040,600	2,866,382	51
Engineering & Public Works	56,898,884	13,444,532	43,454,352	424
Environmental Resources Management	38,654,927	28,442,855	10,212,072	126
Facilities Development & Operations	40,415,698	5,950,926	34,464,772	305
Fire Rescue-Dispatch/Drowning Prevention	8,716,111		8,716,111	62
Fleet Management	55,253,123	55,253,123		54
Human Resources	2,922,741		2,922,741	32
Information Systems Services	30,116,610	8,521,224	21,595,386	212
Internal Auditor	1,110,295		1,110,295	9
Legislative Affairs	520,063		520,063	3
Medical Examiner	2,744,874	325,000	2,419,874	19
Metropolitan Planning Organization	4,899,704	4,739,158	160,546	12
Office of Financial Management & Budget	3,285,022	407,312	2,877,710	31
Palm Tran	113,101,220	57,476,342	55,624,878	609
Parks & Recreation	66,453,022	17,601,441	48,851,581	571
Planning & Zoning	15,188,326	6,997,246	8,191,080	143
Public Affairs	5,487,103	1,489,206	3,947,897	42
Public Safety	34,110,887	19,477,405	14,633,482	252
Purchasing	3,695,841	9,310	3,686,531	44
Risk Management	111,072,520	110,686,545	385,975	30
Youth Services	12,617,839	2,237,994	10,379,845	77
<b>Non-Departmental:</b>				
Criminal Justice Commission	2,616,455	2,003,820	612,635	11
Office of Community Revitalization	2,144,481	1,508,681	635,800	6
Office of Equal Opportunity	1,159,554	412,992	746,622	12
Office of Small Business Assistance	868,185	35,000	833,185	7

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Other Agencies	Appropriation	Department Generated Revenue	Net Property Taxes	Positions
Airports	\$ 69,763,028	\$ 69,763,028	\$ -	148
Building Division - PZB	35,846,865	35,846,865	-	117
County Library	48,866,296	7,314,158	41,552,138	422
Fire Rescue - Main MSTU	306,884,295	110,247,221	196,637,074	1,292
Jupiter Fire Rescue MSTU	16,928,690	(657,530)	17,586,220	140
Tourist Development	65,013,542	65,013,542	-	5
Water Utilities	141,616,047	141,616,047	-	568
Commission on Ethics	577,753	-	577,753	5
Office of Inspector General	2,827,549	769,143	2,064,406	23
<b>Constitutional Officers</b>				
Clerk & Comptroller	\$ 13,009,506	\$ 500,000	\$ 12,509,506	138
Property Appraiser	17,671,398	-	17,671,398	266
Sheriff's Office	534,366,260	72,488,002	461,878,258	3,982
Supervisor of Elections	9,440,450	621,200	8,819,250	49
Tax Collector	4,374,300	-	4,374,300	315
<b>Judicial</b>				
Court Administration	\$ 1,467,298	\$ 448,005	\$ 1,019,293	10
Court Related Information Technology	4,067,535	2,042,500	2,025,035	12
Law Library	729,311	729,311	-	4
Public Defender	289,755	-	289,755	0
State Attorney	301,257	-	301,257	0
<b>Other</b>				
Community Redevelopment Agencies	\$ 25,761,874	\$ -	\$ 25,761,874	0
Financially Assisted Agencies/ County Sponsored	11,290,068	-	11,290,068	0
General Government	(2,970,905)	-	(2,970,905)	0
Health Care District	15,000,000	-	15,000,000	0
Other County Funded Programs**	8,335,000	-	8,335,000	0
Public Health Department	2,052,586	-	2,052,586	0
Value Adjustment Board	600,000	282,000	318,000	0

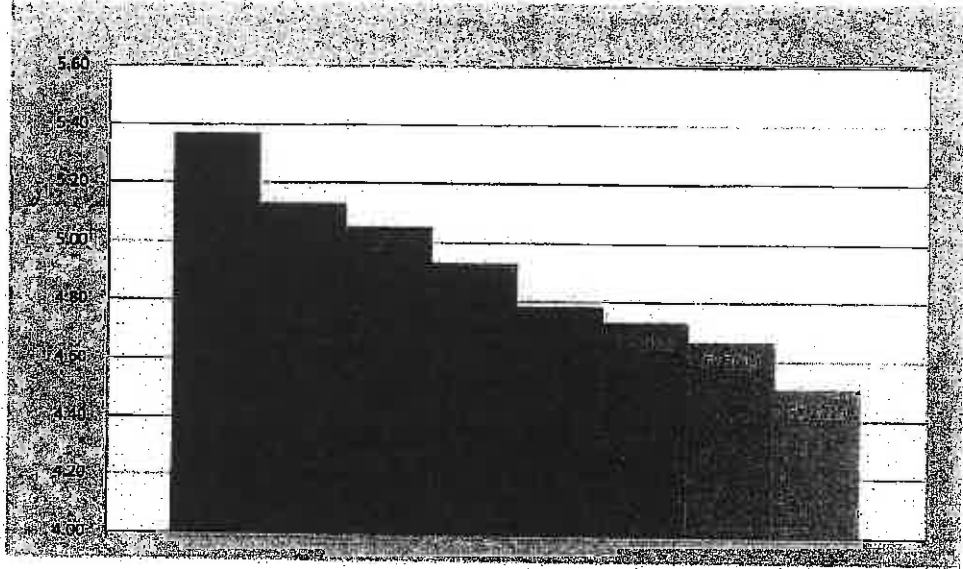
\*\* Other County Funded Programs includes the Tri-Rail extension operating deficit, RTA funding, County culture program, Pahokee recreation facility, and the Department of Juvenile Justice pre-disposition costs.

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# Employees <sup>per</sup> 1,000 Population

Because personnel costs are a major portion of the County's operating budget, changes in the number of employees per 1,000 population have a direct relationship to the cost of providing services. A decrease in employees per 1,000 population indicates the County is either becoming more efficient and/or service levels are decreasing.

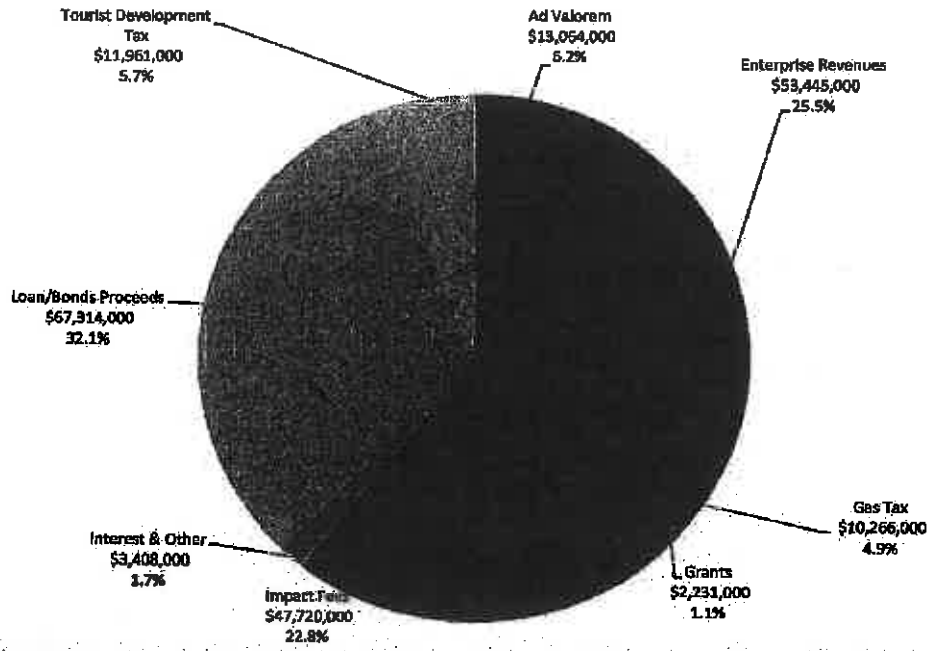


	Total Employees	County Population	Employees per 1,000 population
FY 2008	6,994	1,302,451	5.37
FY 2009	6,713	1,307,784	5.13
FY 2010	6,629	1,312,016	5.05
FY 2011	6,511	1,320,134	4.93
FY 2012	6,339	1,325,758	4.78
FY 2013	6,316	1,335,415	4.73
FY 2014	6,280	1,345,652	4.67
FY 2015	6,133	1,360,298	4.51

\* Information on this page regarding population is from Bureau of Economic and Business Research

# 2015 Capital Projects

**Funding Sources for Projects**



Project Funding by Department	
Facilities Development and Operations	\$ 84,219,000
Information Systems Services	3,900,000
Miscellaneous/ Non-Department	
<b>Total General Government Projects</b>	<b>\$ 88,119,000</b>
County Library	\$ 1,188,000
Environmental Resources Management	3,151,000
Five Year Road Program	53,840,000
Parks and Recreation	9,166,000
<b>Total Tax Supported Departments</b>	<b>\$ 67,345,000</b>
<b>Enterprise Funds:</b>	
Airports	\$ 6,245,000
Water Utilities	47,700,000
<b>Total Enterprise Funds</b>	<b>\$ 53,945,000</b>
<b>Total CIP</b>	<b>\$ 209,409,000</b>

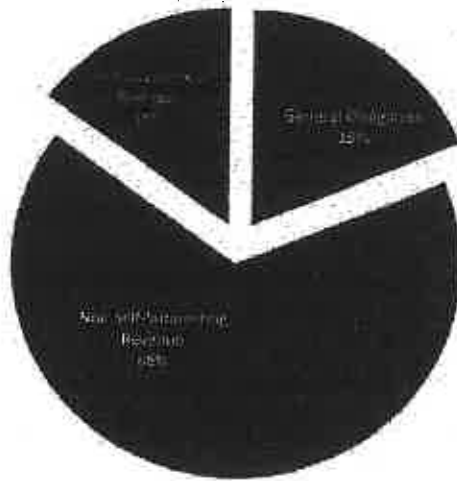
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# Debt Service

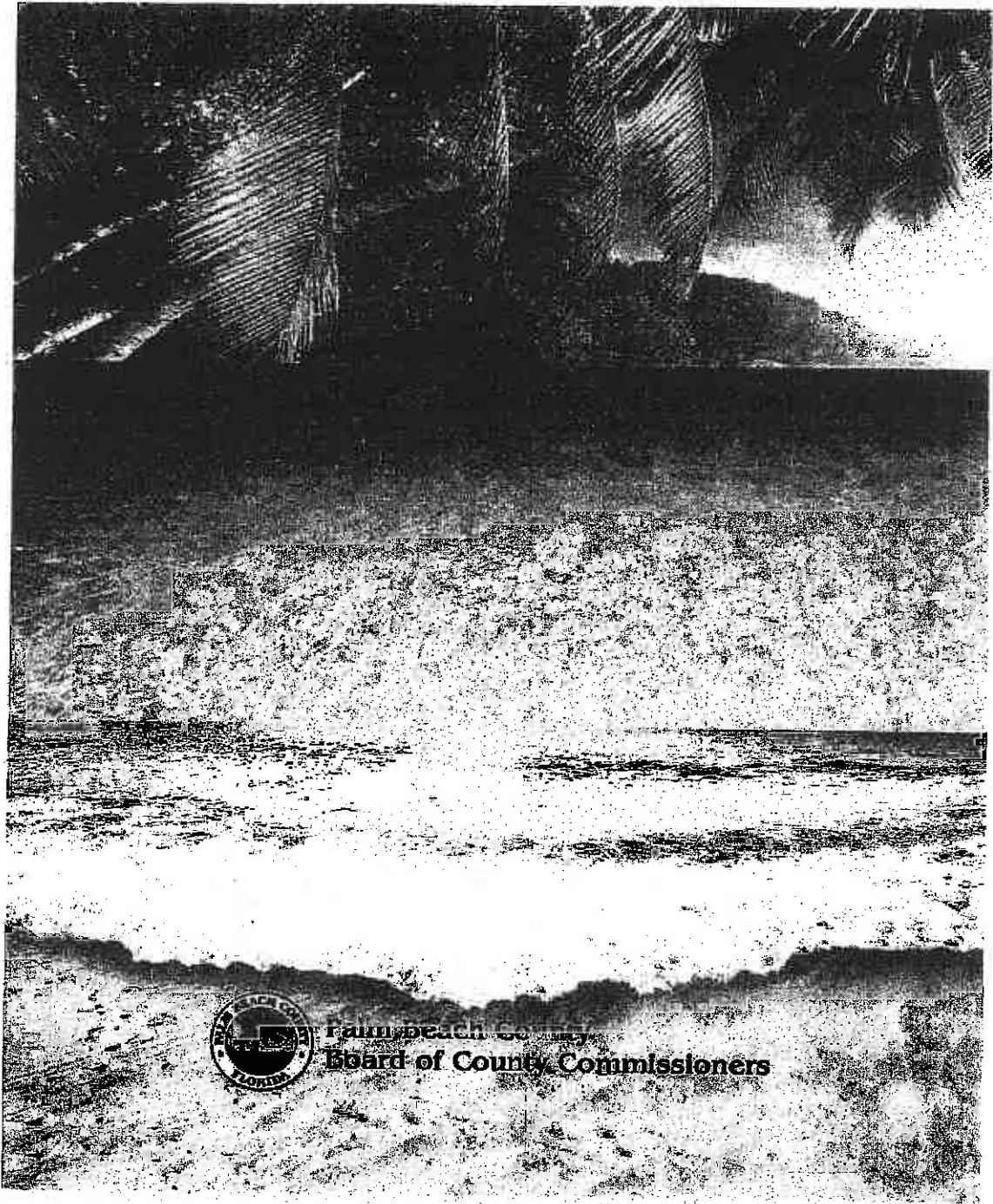
Fiscal Year	General Obligation	Non Self-Supporting Revenue	Self-Supporting Revenue	Total County Debt
2015	\$ 29,546,965	\$ 105,594,408	\$ 23,740,668	\$ 158,882,041
2016	25,327,716	79,166,705	23,761,501	128,255,922
2017	24,990,976	77,932,347	23,739,982	126,663,305
2018	24,979,853	72,237,370	20,674,204	117,891,427
2019	25,185,893	70,551,676	20,550,375	116,287,944
2020	18,687,775	64,630,696	19,954,550	103,273,021
Future	50,056,150	587,265,304	307,082,508	944,403,962

2015 Payments



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