

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

Meeting Date: November 3, 2015 [] Consent [X] Regular
 [] Ordinance [] Public Hearing

Department: County Administration
 Submitted By: County Administration

I. EXECUTIVE BRIEF

Motion and Title: Staff requests Board direction: on the mission, structure, duties and responsibilities of the Criminal Justice Commission (CJC).

Summary: On October 6, 2015, the Board requested staff to review the mission, structure and functions of the CJC. The current Ordinance 88-16 established the CJC as an advisory Commission, to serve as a catalyst to bring together criminal justice and related agencies in partnerships that cultivate and enrich local criminal justice practice, policy, and program development. Pursuant to the Ordinance, the Commission makes recommendations to the Board of County Commissioners (BCC) on policies and programs to provide overall coordination to law enforcement and crime prevention efforts; to provide an efficient, cost effective, and timely criminal justice system; and to effect the reduction of crime on a permanent basis in Palm Beach County.

The CJC has an Executive Director and staff to carry out their mission. A letter of agreement between the County Administrator and the Chairman of the CJC further delineates the responsibilities of the Executive Director and staff.

The Executive Director, pursuant to the letter of agreement, shall be selected by the CJC through a County approved hiring process subject to approval by the BCC, and is considered a County employee for all administrative purposes. Further, the CJC Executive Director's goals and performance evaluations are developed jointly by the County Administrator and the CJC. The goals and objectives include establishing task forces and subcommittees, adopting bylaws, entering into contracts, pursue grant funding and hiring personnel to pursue the mission and objectives of the Commission.

The Executive Director's primary responsibilities include implementing expectations and policies of the Commission, acting on behalf of the BCC and in consideration with other participating jurisdictions and agencies. **Countywide (JB)**

Background and Justification: Continued on page 3

Attachments

- 1) Criminal Justice Commission Powerpoint Presentation
- 2) Ordinance 88-16
- 3) Letter of Agreement
- 4) Criminal Justice Commission Members

Recommended by: Vincent Bonaventura 10/23/15
 Department Director Date

Approved By: Vincent Bonaventura 10/23/15
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

| Fiscal Years | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> | <u>2020</u> |
|--------------------------|-------------|-------------|-------------|-------------|-------------|
| Capital Expenditures | _____ | _____ | _____ | _____ | _____ |
| Operating Costs | _____ | _____ | _____ | _____ | _____ |
| External Revenues | _____ | _____ | _____ | _____ | _____ |
| Program Income (County) | _____ | _____ | _____ | _____ | _____ |
| In-Kind Match (County) | _____ | _____ | _____ | _____ | _____ |
| Net Fiscal Impact | <u>0</u> | _____ | _____ | _____ | _____ |

ADDITIONAL FTE

| | | | | | |
|------------------------|---|---|---|---|---|
| POSITIONS (Cumulative) | 0 | 0 | 0 | 0 | 0 |
|------------------------|---|---|---|---|---|

Is Item Included In Current Budget? Yes _____ No _____

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

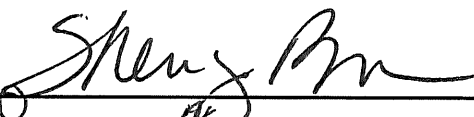
B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact associated with this agenda item.

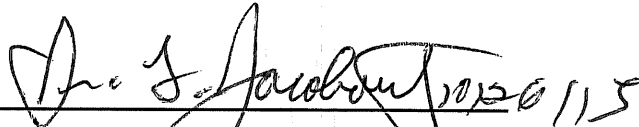
Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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



 HO 10/26/15 OFMB AK 10/26/15



 Contract Administration
 B. Wheeler 10-26-15

B. Legal Sufficiency:



 Assistant County Attorney

C. Other Department Review:

 Department Director

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

Background and Justification: Continued from page 1

In 1988, the BCC created the CJC by ordinance to develop innovative processes for addressing criminal justice issues. County government has a large stake in preventing crime, ensuring public safety, and controlling criminal justice system costs. The BCC reasoned that the most effective way to address these issues was through a collaborative criminal justice system. The CJC's role is to research current and emerging issues and advise the BCC of the most effective methods of addressing these issues. The CJC is organized into two parts: 1) CJC members; and 2) CJC staff. The first component, referred to as the Commission, was established by Ordinance on August 16, 1988 to coordinate all aspects of the criminal justice and crime prevention systems within the federal, state, county, municipal, and private agencies in Palm Beach County. The Commission is composed of 33 members, 21 from the public sector and 12 members from the private sector. The CJC shall make recommendations to the BCC on policies and programs to provide overall coordination to law enforcement and crime prevention efforts; to provide an efficient, cost effective, and timely criminal justice system; and to effect the reduction of crime on a permanent basis in Palm Beach County. These efforts have been accomplished by establishing task forces and subcommittees, adopting bylaws, enter into contracts, hiring personnel to pursue the mission and objectives of the CJC. The second component is the CJC department staff. The CJC is authorized to select an Executive Director which is ultimately approved by the BCC. The Executive Director is considered a County employee and Department Head. The Executive Director has the authority to hire additional administrative, professional, and clerical County employees to support the CJC subject to BCC approval. The Executive Director's primary responsibility is to implement the expectations and policies of the CJC, acting on behalf of the BCC and in consideration with other participating jurisdictions and agencies.

Mission, Structure, Duties and Responsibilities

Criminal Justice Commission

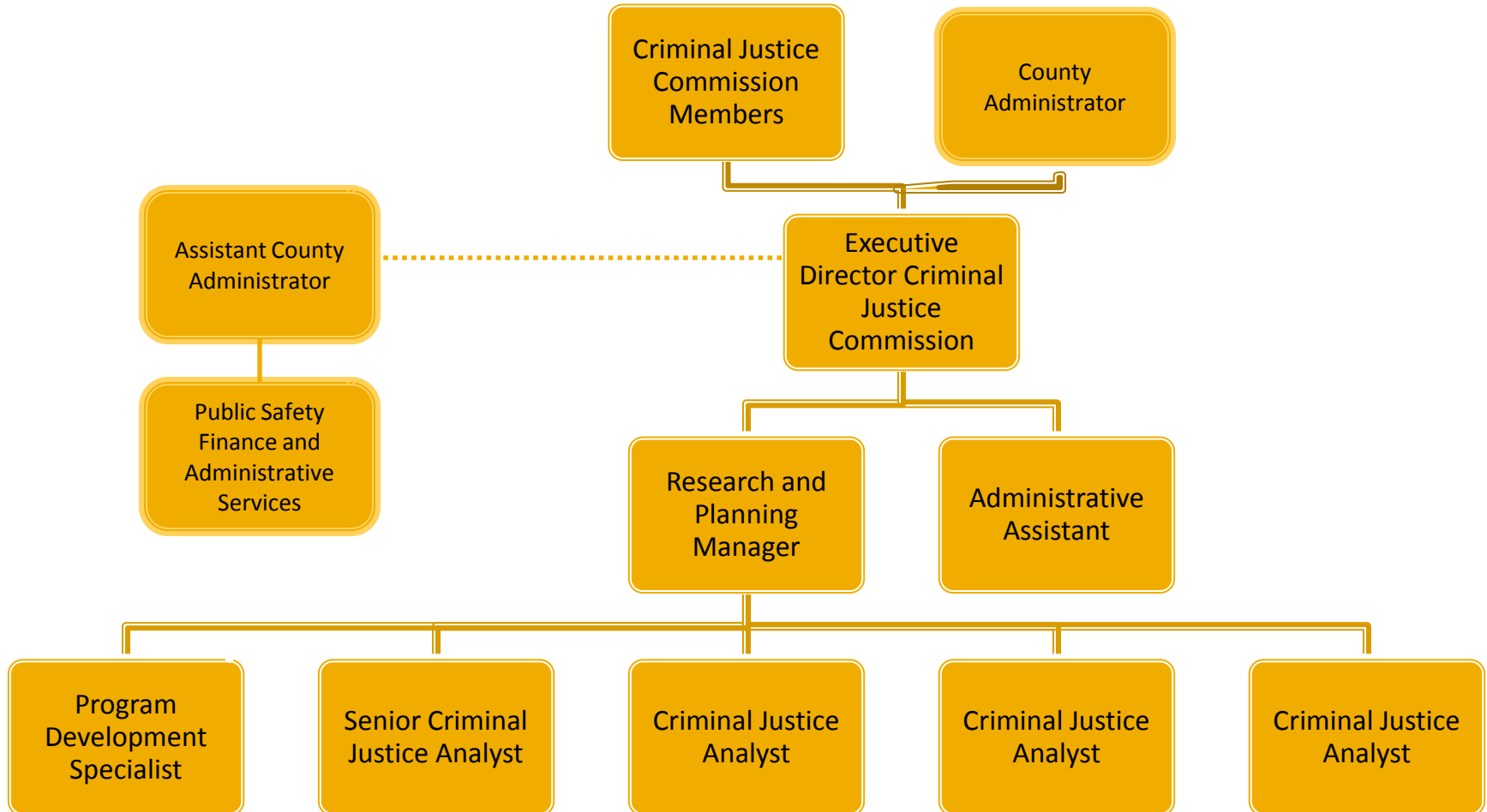


Criminal Justice Commission Structure

- 1) Criminal Justice Commission
 - 21 public sector members representing local, state, and federal criminal justice and governmental agencies
 - 12 private sector business leaders nominated by the Economic Council of Palm Beach County.

- 2) Criminal Justice Commission Department
 - 8 County staff

Criminal Justice Commission Organizational Chart



Criminal Justice Commission Mission

- To serve as a catalyst to bring together criminal justice and related agencies in partnerships that cultivate and enrich local criminal justice practice, policy, and program development.

Criminal Justice Commission Objectives

- Provide overall coordination to law enforcement and crime prevention efforts
- Provide an efficient, cost effective, and timely criminal justice system
- Affect the reduction of crime on a permanent basis.

Criminal Justice Commission

Department Services

- Administrative services - Public Safety Department provides oversight in managing agreements, contracts, revenues and expenditures for the Criminal Justice Commission.
- Research services include conducting research for issues that come up during the committee and task force meetings and is used to help with policy and program discussions.
- Program services provide the necessary vehicle to identify and implement pilot programs that help address challenges in different communities across the County.

Executive Director Functions

- Initiates, organizes and directs research and fact-finding projects to review and evaluate existing systems and programs within CJC.
- Coordinate and interacts with the task forces and subcommittees within CJC who analyze and evaluate programs and systems of the CJC.
- Assists in the coordination of systems and programs.
- Maintains interaction with the CJC to advise on political, social, and economic impact of crime.
- Reviews and comments on grant requests for CJC programs and systems.
- Makes recommendations on legislation and comprehensive plans.

Criminal Justice Commission Committees and Task Forces

Criminal Justice Commission Members

Executive Director Criminal Justice Commission

Criminal Justice Commission

Staff

Executive
Committee

Finance Sub-
Committee

Program
Monitoring
& Evaluation
Sub-
Committee

Law
Enforcement
Planning
Council
Committee

Law
Enforcement
Work Group

Probation
Advisory
Board
Committee

Corrections
Task Force

Court
Systems Task
Force

Behavioral
Health Task
Force

Criminal Justice Commission Department FY2016 Budget

| | |
|------------------------------|------------------|
| ■ CJC Staff | \$729,426 |
| ■ CJC Operating | \$132,049 |
| ■ Law Enforcement Exchange | \$100,000 |
| ■ Drug Court (Public Safety) | \$334,000 |
| ■ Reentry (Public Safety) | \$414,960 |
| ■ Unallocated Trust Funds* | <u>\$251,192</u> |
| Total | \$1,961,627 |

**Domestic Violence Trust Fund (\$249,603)*

**Crime Prevention Trust Fund (\$1,589)*

Criminal Justice Commission FY2016 Funding Sources

| | |
|--------------------------------|-------------------|
| ■ Trust Funds | \$807,127 |
| ■ Crime Prevention Trust Fund | \$490,091 |
| ■ Domestic Violence Trust Fund | \$249,603 |
| ■ Drug Abuse Trust Fund | \$67,433 |
| ■ Ad valorem | \$619,505 |
| ■ Grants | <u>\$534,995*</u> |
| Total | \$1,961,627 |

*The total CJC grant budget in FY2015 was over \$1.5 million. These additional funds were for the Reentry program, which was transferred to Public Safety in FY2016

Status of Executive Director Vacancy

- Pursuant to the letter of agreement, we are actively recruiting the Executive Director through the County's hiring process.
- October 9th – Position was advertised
- October 23rd - Position closed for advertising.
- October 9th – November 11th - County's Human Resources Department scored applications.
- November 12th - CJC Search Committee will review qualified applications.
- December 9th – Schedule interviews.
- December 14th - Selected candidate will be submitted to the CJC members for approval
- December 15th – Selected candidate will be submitted to BCC for approval.

Criminal Justice Commission Reporting Relationship

- Maintain current reporting structure of CJC
- Modify CJC Departments reporting relationship
 1. Move under County Administration
 2. Move under Public Safety Department

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, 15th Judicial Circuit
4. Public Defender, 15th Judicial Circuit

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5. Clerk of the Palm Beach County Circuit Court
6. Chief Judge, 15th Judicial Circuit
7. Administrative Judge, Juvenile Division, 15th 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 Chief's 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, 15th 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, 10-16-90; 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, 8-16-88)

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. 2-219. 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 work 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 16th day of August, 1988.

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

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

LETTER OF AGREEMENT

This Letter of Agreement is intended to more fully delineate responsibilities as described in Section 6 of the Criminal Justice Commission authorizing Ordinance, 88-16, as approved on August 16, 1988.

The Criminal Justice Commission shall select an Executive Director through a County approved hiring process. The Board of County Commissioners shall have the right of approval of the selection. The Executive Director shall be a County employee and shall be considered a Department Head for all administrative purposes and shall adhere to all applicable County policies and procedures. By standard County hiring processes, additional County employees, as authorized in the County budget and as selected by the Executive Director, will be hired to support the CJC.

Either the Criminal Justice Commission or County Administrator may periodically ~~initiate a review of goals and a performance evaluation of the Executive Director,~~ but such shall be accomplished jointly. It shall be the primary responsibility of the Executive Director to satisfy the expectations and policies of the CJC, acting on behalf of the Board of County Commissioners and in consideration with other participating jurisdictions and agencies.

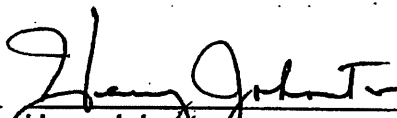
The starting salary of the Executive Director and annual salary adjustments will be in conformance with County salary policy. Special merit salary consideration may be granted by mutual agreement of the CJC and the County Administrator. Termination of the services of the Executive Director can be initiated by either the CJC or the County Administrator. If the CJC and the County Administrator cannot jointly agree on a course of action, the matter will be brought to the Board of County Commissioners for a decision.

Nothing in this Section shall be interpreted as to inhibit the Executive Director from representing the views of the CJC, establishing the agenda for the CJC and presenting any of their issues directly before the Board of County Commissioners.

Approved this 9 day of April, 2007.



Robert Weisman
County Administrator



Harry Johnston
Chairman of the Criminal
Justice Commission

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PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

| <u>Name</u> | <u>Seat #</u> | <u>Designation</u> |
|------------------------|---------------|---|
| Priscilla Taylor | 1 | MEMBER, PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS |
| Ric Bradshaw | 2 | PALM BEACH COUNTY SHERIFF |
| Dave Aronberg | 3 | STATE ATTORNEY, 15th JUDICIAL CIRCUIT |
| Carey Haughwout | 4 | PUBLIC DEFENDER, 15th JUDICIAL CIRCUIT |
| Sharon R. Bock | 5 | CLERK OF THE PALM BEACH COUNTY CIRCUIT COURT |
| Jeffrey Colbath | 6 | CHIEF JUDGE, 15th JUDICIAL CIRCUIT |
| Kathleen J. Kroll | 7 | ADMINISTRATIVE JUDGE, JUVENILE DIVISION |
| Michael D'Alonzo | 8 | SENIOR REPRESENTATIVE IN PALM BEACH COUNTY OF THE FEDERAL BUREAU OF INVESTIGATION |
| Chuck Shaw | 9 | PALM BEACH COUNTY SCHOOL BOARD MEMBER |
| Dave Kerner | 10 | MEMBER, LEGISLATIVE DELEGATION |
| Valentin Rodriguez Jr. | 11 | MEMBER, LEAGUE OF CITIES |
| Gregory Starling | 12 | CIRCUIT 15 MANAGER, DISTRICT 9, FLORIDA DEPARTMENT OF JUVENILE JUSTICE |
| Brian Smith | 13 | PRESIDENT, PALM BEACH COUNTY CHIEFS OF POLICE ASSOCIATION |
| Robert Shirley | 14 | SUPERVISORY SPECIAL AGENT, FEDERAL BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES* |
| Bryan Kummerlen | 15 | CHIEF, WEST PALM BEACH POLICE DEPARTMENT |
| Rosalyn Baker | 16 | CIRCUIT ADMINISTRATOR, FLA DEPT. OF CORRECTIONS, 15th JUDICIAL CIRCUIT* |
| Duane Little | 17 | SPECIAL AGENT SUPERVISOR, FLA DEPT. OF LAW ENFORCEMENT |
| John McKenna | 18 | RESIDENT AGENT IN CHARGE, PALM BEACH COUNTY OFFICE OF THE DRUG ENFORCEMENT ADMINISTRATION |

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PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

| <u>Name</u> | <u>Seat #</u> | <u>Designation</u> |
|--------------------------|---------------|--|
| Nelson Berrios | 19 | PRESIDENT, CRIME PREVENTION OFFICERS ASSOCIATION |
| George T. Elmore | 20 | PRIVATE SECTOR |
| Douglas Duncan | 21 | PRIVATE SECTOR |
| Vacant | 22 | PRIVATE SECTOR |
| Barbara Cheives | 23 | PRIVATE SECTOR |
| Barry Krischer | 24 | PRIVATE SECTOR |
| Lee Waring | 25 | PRIVATE SECTOR |
| Christina Morrison | 26 | PRIVATE SECTOR |
| Joseph Ianno, Jr. | 27 | PRIVATE SECTOR |
| Gerald F. Richman | 28 | PRIVATE SECTOR |
| Vacant | 29 | PRIVATE SECTOR |
| Nellie King | 30 | MEMBER, PALM BEACH COUNTY ASSOCIATION OF CRIMINAL DEFENSE LAWYERS |
| Randolph K. Johnson, Sr. | 31 | PRIVATE SECTOR |
| Rolando Garcia | 32 | ASSISTANT UNITED STATES ATTORNEY, WEST PALM BEACH |
| William L. Kramer | 33 | PRIVATE SECTOR |
| Robert Avossa | | EX-OFFICIO MEMBER OF EXECUTIVE COMMITTEE – SUPERINTENDENT OF SCHOOLS |

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