

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

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)

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;

- 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.

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.