

RESOLUTION NO. 2014 - 048

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF SARASOTA COUNTY, FLORIDA

RE: CONTINUATION OF THE SARASOTA COUNTY CRIMINAL JUSTICE COMMISSION

WHEREAS, the Sarasota County Criminal Justice Commission (the "CJC") was established in April 2004 for the purpose of assessing and planning public safety facilities and programs and to oversee the implementation of the legislative changes created by Revision 7 of Article V of the Florida constitution pertaining to the fiscal responsibilities of the court system; and

WHEREAS, Article V changes have been implemented and the focus of the CJC is now on providing recommendations to the Board of County Commissioners (the "Board") relating to legislation, ordinances and comprehensive plans dealing with programs and services in the criminal justice system; and

WHEREAS, pursuant to Section 951.26, Florida Statutes, each Board of County Commissioners shall establish a county Public Safety Coordinating Council (the "PSCC") for the purpose of assessing, recommending and planning public safety facilities and programs; and

WHEREAS, since April of 2004, the CJC has performed the duties of the PSCC and the resolution establishing the CJC is scheduled to sunset on April 27, 2014; and

WHEREAS, the Board desires to formally authorize the CJC to serve as the PSCC in compliance with Section 951.26, Florida Statutes, as amended, by the adoption of a resolution authorizing the continuation of the CJC and authorizing it to serve as the PSCC for Sarasota County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA in public meeting assembled:

SECTION 1. PURPOSE AND DUTIES

- A. The Sarasota County Criminal Justice Commission (the "CJC") is hereby continued with the following responsibilities and powers:
- (1) Serve as the PSCC.
 - (2) Provide recommendations to the Board on the utilization of the Edward Byrne Memorial Justice Assistance Grant, Local Law Enforcement Block Grant (LLEBG) Program, and other Federal and State grant funds available to the county for the criminal justice system.

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KAREL GUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

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- (3) Make recommendations to the Board regarding legislation, ordinances, and comprehensive plans dealing with programs and services in the criminal justice system.
 - (4) The CJC shall meet at the call of the Chair for the purpose of assessing the population status of all detention or correctional facilities owned or contracted by the county, or the county consortium, and formulating recommendations to ensure that the capacities of such facilities are not exceeded. Such recommendations shall include an assessment of the availability of pretrial intervention or probation programs, work-release programs, substance abuse programs, gain-time schedules, applicable bail bond schedules, and the confinement status of the inmates housed within each facility owned or contracted by the county, or the county consortium.
 - (5) The CJC may also develop a local public safety plan for future construction needs. The plan must cover at least a 5-year period. The plan may be submitted for consideration to the local planning agency for the county, or the planning agency for each county within the consortium, at least 120 days before the adoption of or amendment to the comprehensive plan for the county by the local planning agency pursuant to part II of chapter 163.
 - (6) Each county, or county consortium, that contracts to receive community corrections funds for its community corrections programs under Section 948.51, Florida Statutes shall require the CJC to develop a comprehensive public safety plan as described therein which includes the future public safety construction needs as described in Section I.A(5) herein.
 - (7) The CJC may also develop a comprehensive local reentry plan that is designed to assist offenders released from incarceration to successfully reenter the community. The plan should cover at least a 5-year period. In developing the plan, the council shall coordinate with public safety officials and local community organizations who can provide offenders with reentry services, such as assistance with housing, health care, education, substance abuse treatment, and employment.
- B. The Health and Human Services Department shall provide the necessary staff resources to support the CJC in fulfilling its mission.
 - C. The scope of the CJC's responsibility does not include operational issues of the individual CJC members that are discussed by the members on a daily basis in the normal course of business.
 - D. Nothing herein shall be interpreted in any way inconsistent with the powers and duties afforded by law to any Constitutional Officer. The CJC shall have no authority to interfere with, or impose upon, any duties, rights, or obligations upon a Constitutional Officer's discretionary or lawful and independent exercise of his/her Office.

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SECTION 2. COMPOSITION

The CJC shall be comprised of the following members:

- A. State Attorney, or an Assistant State Attorney designated by the State Attorney
- B. Public Defender, or an Assistant Public Defender designated by the Public Defender
- C. Chief Circuit Judge, or another Circuit Judge designated by the Chief Circuit Judge
- D. Chief County Judge, or another County Judge designated by the Chief County Judge
- E. Chief Correctional Officer
- F. Sheriff, or a member designated by the Sheriff, if the Sheriff is not the Chief Correctional Officer
- G. State Probation Circuit Administrator, or a member designated by the State Probation Circuit Administrator
- H. Chair of the Board of County Commissioners, or another County Commissioner as designee
- I. Director of any County Probation or Pretrial Intervention program, or a member designated by the Director. In the event that there is more than one County Probation or Pretrial Intervention program, the Board of County Commissioners shall select which program shall have a seat on the CJC.
- J. The Director of a local substance abuse treatment program, or a member designated by the Director. In the event that there is more than one local substance abuse treatment program, the Board of County Commissioners shall select which program shall have a seat on the CJC.
- K. A representative from a county or state jobs program, appointed by the Chair of the Board of County Commissioners upon recommendation by the Board
- L. A representative from community groups who work with offenders and victims, appointed by the Chair of the Board of County Commissioners upon recommendation by the Board
- M. Clerk of the Circuit Court for Sarasota County, or a member designated by the Clerk of the Circuit Court
- N. A representative of the Sarasota County Health and Human Services Department, recommended by the Director of the Health and Human Services Department and approved by the Board of County Commissioners

Since CJC membership is based on types of positions and agencies and not individuals, appointees are not required to be Sarasota County residents.

SECTION 3. TERMS OF MEMBERSHIP

- A. The following members of the CJC shall be appointed for a term of four (4) years:
 - (1) The State Probation Circuit Administrator or designee
 - (2) The Director of any County Probation or Pretrial Intervention program or designee
 - (3) The Director of a local substance abuse treatment program or designee
 - (4) Representative from a county or state jobs program
 - (5) Representative from a community group that works with offenders and victims
- B. All other members shall serve for the duration of their elected office.

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- C. Notwithstanding Section 3.A above, the initial term of the following members shall be for 5 years:
- (1) Director of the County Probation or Pretrial Intervention program or designee
 - (2) Representative from a county or state jobs program

SECTION 4. RULES OF PROCEDURE

- A. To the extent not otherwise addressed by this resolution of the CJC bylaws, The CJC shall comply with all applicable requirements of Florida's Sunshine Law, Public Records laws, the Code of Ethics for public officers, Sarasota County Advisory Council Rules of Procedure. In the absence of bylaws, Roberts Rules of Order will be the standard utilized.
- B. The CJC shall meet at such times and places as the Chair or his/her designee deems appropriate in order to fulfill the mission and duties of the Commission. The Chair or his/her designee shall conduct the meetings.
- C. The agenda for each meeting shall be prepared and distributed by the Chair of the CJC or his/her designee to the CJC members in advance of the scheduled meeting.
- D. A simple majority of the CJC members shall constitute a quorum.
- E. CJC members who are unable to attend a scheduled meeting may send a designee with a proxy.
- F. Subject to Section 286-01141, Florida Statutes, all meetings of the Commission, as well as its records, books, documents, and papers, are open and available to the public in accordance with Sections 119.07 and 286.011, Florida Statutes.
- G. In the event the CJC finds it necessary to appoint committees, those committees shall act as fact-finding bodies only, with their sole purpose to report research issues and/or report factual findings to the Commission.
- H. The CJC shall not incur any expense or obligation to be paid by Sarasota County Government without prior authorization by the Board.

SECTION 5. OFFICERS

The CJC shall annually select a Chair and Vice-Chair from among its members. Additional officers may be selected by the Commission as it deems necessary.

SECTION 6. REPEAL

This Resolution repeals and replaces Resolution No. 2013-200.

SECTION 7. EFFECTIVE DATE

This Resolution shall become effective immediately.

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SECTION 8. SUNSET PROVISION

This Resolution shall expire and be of no further force and effect as of April 8, 2024. Consequently, this Commission will cease to exist after this Sunset date unless re-approved by the Board.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, THIS 8th DAY OF APRIL 2014.

ATTEST:

KAREN E. RUSHING, Clerk of Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Sarasota County, Florida

By: Deborah Diakates
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By:


Chair

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