



**City of Jacksonville – The Jacksonville Journey**

**MINUTES**

**OF**

**STEERING COMMITTEE &**

**CHAIRS**

**February 27, 2008**

# The Jacksonville Journey – Steering Committee & Chairs Kick-Off

February 27, 2008

2:00 p.m.

PROCEEDINGS before the Jacksonville Journey - Steering Committee Kick-Off taken on Thursday, February 27, 2008, Ed Ball Building - 8<sup>th</sup> Floor; 214 N. Hogan Street; Jacksonville, Duval County, Florida commencing at approximately 2:10 p.m.

## Steering Committee & Committee Chairs

Betty Holzendorf - Steering Committee Co-Chair  
John Rood - Steering Committee Co-Chair  
John Coxwell - Intervention & Rehabilitation Chair  
W.C. Gentry - Education, Truancy, Dropout & Literacy Chair  
Paul Perez - Law Enforcement Deterrence Chair  
Tony Boselli - Neighborhood Safety & Stability Chair  
Tom Petway - Funding Chair  
Audrey Moran - Positive Youth Development Chair  
Will Ketchum - Public Relations Chair

Ed Austin - Member  
Mac Brunson - Member  
Toni Crawford - Member  
John Delaney - Member  
Nat Glover - Member  
Hugh Green - Member  
Steve Halverson - Member  
Dr. Adam Herbert - Member  
Pete Jackson - Member  
Rev. Rudolph McKissick, Sr.  
Jim McMillan - Member  
Pam Paul - Member  
Gertrude Peele - Member  
Steve Wallace - Member  
Cleve Warren - Member  
Wayne Weaver - Member

## APPEARANCES

### **COMMITTEE CHAIRS & MEMBERS:**

BETTY HOLZENDORF - Chair	NAT GLOVER – Member
JOHN ROOD - Chair	JIM MCMILLAN – Member
JOHN COXWELL – Chair	TONI CRAWFORD – Member
W.C. GENTRY – Chair	GERTRUDE PEELE – Member
PAUL PEREZ – Chair	STEVE WALLACE - Member
WILL KETCHUM – Chair	JOHN DELANEY – Member
TONY BOSELLI - Chair	HUGH GREEN – Member
ED AUSTIN – Member	PAM PAUL – Member

### **ABSENT COMMITTEE MEMBERS:**

Audrey Moran–Positive Youth Development Chair  
Tom Petway – Funding Chair  
Mac Brunson - Member  
Dr. Adam Herbert – Member  
Pete Jackson –Member  
Rev. Rudolph McKissick, Sr.- Member  
Cleve Warren - Member  
Wayne Weaver – Member  
Steve Halverson – Member

### **STAFF:**

SUSIE WILES	RACHEL DAVIS
KANDI BEGUE	GINNY WALTHOUR
MISTY SKIPPER	KRISTEN BEACH
HOWARD MALTZ	WES LESTER
RENEE BRUST	ROGER BOTTEMS
BRAD THOBURN	STEPHANIE BARNETT
KERRI STEWART	RACHELLE SUNDY
ROSLYN PHILLIPS	ANNA BRADLEY
LINDA LANIER	SUSAN MAIN
SUSAN PELTER	

### **OTHERS PRESENT:**

Ron Littlepage, Florida Times-Union  
Mary Kelli Palka, Florida Times-Union  
Times-Union Photographer  
Jim Piggott, Channel 4  
Channel 4 Photographer  
Joe Adams, Times-Union Editorial Writer  
David Hunt, Daily Record  
Scott Kim, WJCT News Director

**PROCEEDINGS**

February 27, 2008

Steering Committee & Committee Chairs

2:00 p.m.

**Call to Order and Comments.** Chairwoman Holzendorf called the meeting to order at approximately 2:15 p.m.

**Purpose of Meeting.** Discuss the Mayor's crime initiative - The Jacksonville Journey - Take a Step.

Chairwoman Holzendorf began the meeting at approximately 2:15 pm, by extending a welcome to the committee assembled, and noted that Chairman Rood is running a few minutes late. Before she turned the meeting over to Mr. Shorstein, she spoke to the group and thanked them for taking an interest in what the committees are attempting to accomplish - she noted all the committees are working well and have done several things; such as Eureka Gardens, the Assessment Center; and noted we're looking forward to a productive second half of this journey as it moves forward. At that point, Co-Chairman Rood came into the meeting and Chairwoman Holzendorf welcomed him and asked if he'd like to address the committee...Chairman Rood noted his apology for his late arrival. Chairwoman Holzendorf then asked State Attorney Harry Shorstein to begin his presentation and entertain questions at the end, noting that he has already been sent some of the questions from the committee.

**State Attorney Shorstein:**

Thank you very much for the opportunity to present to you today. Uh, as the Co-Chair explained, uh, I would like to make some uh, initial comments about my observations relative to the um...issues you're addressing. I then have a relatively short video and a PowerPoint presentation; hopefully, the presentation will answer most of the questions that you've presented to me, in writing, and then I will try to answer any other questions as best I can.

Unfortunately, as you all know, we do have a very, very serious problem. To date, in 2008, there have been 22 homicides compared to 21 at this time last year. Uh, I would like to, on behalf of the State Attorney's Office, commend all of you, I think it's unbelievably important that uh, the leading citizens of our community come together and try to help us.

In a way, I think that is the only answer, and as we've all discussed, any group that addresses the root causes of crime would all come to the same conclusion. I just read, the other day, Mike Hallett's discussion of poverty; jobs; all of which I agree. I think there can be a disadvantage, though, or a negative to total community participation, only in this sense; everyone likes to come up with an idea, uh, you know "I've heard that this works"; or "there's a magic bullet to end crime".

I've read about the thing where the noise goes off, and we can spot where the rounds are coming from and everybody has a high-tech explanation...I'm really not sure that's the answer. Let me use my office as an example; if we were trying to determine that prosecution was not going well in the City of Jacksonville, and we didn't know how to try cases; I'm not sure the answer would be the community. I am hired to be your State Attorney, uh...Mayor's is hired to be the Mayor; the Sheriff is hired to be the Sheriff...they are the experts; we are the experts, we are the people who should be primarily responsible for giving you the answers.

I'd like to talk about crime using medical terms; you've got a chronic problem, which of course are the root causes; and poverty is number one. We could talk about education, health care, housing, jobs, uh...lack of good paying jobs and go on and on and on; drugs. But you also have, in Jacksonville, the acute problem; and I really believe, with all due respect, that we have to deal with the acute problem, and that is the tremendous increase in crime over the last three or four years; uh, not in lieu of looking at the root causes, but it's almost like a medical problem; if you don't stop the bleeding, it's not going to do a whole lot of good trying to solve the problem, if the patient dies.

History, if you track crime in Jacksonville as I started doing very, very uh...comprehensively about 2 ½ years ago and I know I've reached out to a number of people at that time, uh...we were not

always the worst City in crime. Let me give you some examples: If you look at a period from 1991 to 1996; we were definitely not worse - we were pretty close to average, and even though it's great for a politician to get up and tell you, uh, I can tell you we'll become the safest city in the United States; that's ridiculous. Jacksonville has so many problems, that none of us, except for perhaps some of the younger people, will see the day when Jacksonville has no crime problems.

I was born and raised in Jacksonville, when you look at racism; when you look at poverty; when you look at what we've done to the inner-city of Jacksonville; we're not going to cure that problem overnight. But, we don't have to be where we are; and from 1991 to 1996, uh, we were well below Dade County in violent crime, in murders; if you go from 1997 to 2003 - we remained not "that bad at all"; and not that far below crime in the rest of the State. But if you look, excuse me, but if you look from 2003 and 2004, we've consistently gotten worse, and now we lead by a long-shot, and there just is no excuse for that or explanation.

A lot of people turn this into a political debate and say "well, aren't you a...aren't you blaming the Mayor; aren't you blaming the Sheriff"? I'm not blaming anyone, I'm point out the statistics that speak for themselves, and they do paint a very, very, very serious picture of a decreasing uh, plight, particularly in the inner-city. If you look at just murders, 1991 to 2002 - we were number one for part of that time; but never were we where we are today. From 2003 on, we are about 50% worse than the number two county in the State. If you look at murder trends, and I know a lot of the attention is drawn uh, to murder...but I think when you talk about murder and violent crime, you're really talking about the same thing.

In January, there was just a score of reports from every major newspaper; ABC National news had it in television; uh, major cities are doing very well in reducing murders; but not Jacksonville. The only two exceptions that I saw when I reviewed all of these articles, were cities that have unique problems, and the unique problems that some cities have that explain an increase in murders - it's the same thing that...I know Ed Austin, John Delaney, Jim McMillan and others can tell you about; uh, the explosion of the crack cocaine epidemic in the 80's. Well, there are cities that are experiencing increases in crime, but just about everyone will tell you the reasons they have - the meth-amphetamines and gangs, and we have neither.

Now don't say, "What is he talking about"? there is a meth case now and then, and there are some gangs. We do not have a comprehensive, significant meth problem, and I will tell you from the friends that I talk to throughout the Country, meth, today, is just about what crack cocaine was in the 80's; it's a little different, but equally dangerous uh, gangs are a tremendous problem in Los Angeles and Phoenix, and they seem to move across

the country and fortunately move North. We have gangs; Orlando has gangs, but nothing like these other cities have.

When you look at the articles that are talking about the decreases in the murder rates in large cities, almost every one...every article I've read contributes the decreases; the improvements to better policing. And let me just read you a very short AP article, but I think it sort of illustrates what I could quote from the whole, uh, very large number of articles that have been written on the homicide rate. Uh, it was a..an article from December 29<sup>th</sup>, it says "Chicago and New York are about to close out 2007 with the lowest number of homicides in more than 40 years. Uh, New York City reported 488 slayings as of Friday, versus 596 for all of 2006. The City is on track to have the lowest number of killings since reliable record keeping started in 1963."

Homicides in New York reached an all-time high of 2,245 in 1990; making the City the Nation's murder capital. Since then, the numbers have plummeted, and experts attribute the decline, in part, to computerized tracking of crime trends; and the practice of strategically flooding high crime...high crime areas with police officers instead of spreading them evenly throughout the precincts, and I want to talk more about that, a little bit later on.

You know, if you uh, and I know you have all followed the political debate; Rudy Giuliani took a lot of credit for that and deservedly so, because he was the Mayor of New York when they had these tremendous reductions in crime. Now his police commissioner, police chief; Bill Bratton...is generally credited with the tremendous reductions in crime in New York, and now in Los Angeles, because he is now, I think, the Chief of Police of Los Angeles; and their answer is just what was in that article; and that is trying to target where the crimes occur with computers, which you can do instantly now, and deploy your troops where the crimes are occurring.

In my opinion, policing issue, if you read a thousand articles, will conclude the same thing in every article, in that there are two major approaches to dealing with the acute crime problem. 1) The way you deploy your resources, and it's just like a war; if the enemy is coming through this front; that is where you send the Marines, so you put everything you can in the "hot spots". Jacksonville cries out for that solution because as all of you know, Council District 7, 8, 9 and 10 have a homicide rate that is unequalled in the United States, except for New Orleans.

So, you have a crime rate in the inner-city, which is arguably the worst in the United States, but a crime rate in the outer-city that's relatively low.

**John Delaney:**

Harry would...you're comparing though; 7, 8, 9, 10 to entire cities with high rates...

**Harry Shorstein:**

Yes...

**John Delaney:**

Couldn't you go to Orange County and pull out the equivalent of Council District 7, 8, 9, 10 and find a high rate of...

**Harry Shorstein:**

Now let's talk about Orange County, because they actually have a very similar problem. Orange County has almost the same problem that Jacksonville does, they've had a...an increase in crime and it's very concentrated, just like it is in 7, 8, 9 and 10. I don't have the figures with me, John, but I think the homicide rate in those four districts, which would be Jacksonville; you know, had we not consolidated...I think is something like 45 per 100,000, but don't hold me to it, because I don't have the figures in front of me.

Uh, Orlando did the same thing. Orlando actually copied Tampa, which had a problem like this many years ago. Tampa came up with the idea that uh, they call it Cops on Dots; and it's the same thing, because every time you see a diagram of a homicide, they'll put a dot for every homicide, so their idea was you put the cops where the dots are; the same thing as flooding the high crime areas uh, with police. What Orlando did, and they're doing it as we speak, uh, and I think their approach was better than Jacksonville - I met with law enforcement in Orlando, they were kind enough to put on a presentation for me, and they're...they really have a three-part to their presentation. First and foremost, was something Jacksonville didn't do two or three years ago as it should have, and that's recognize and acknowledge the problem.

Two, is defining the problem, as I said their problem is the same as ours, it's relatively concentrated in a county and a large county that has portions that are very low crime and portions that are very high crime.

Third and I think the most important is the Orlando uh, Orange County Sheriff's office working together with Orlando PD, because half of it is in the City and half of it is out in this concentrated area. They took ownership of the problem, and uh, what I, and I'm not saying - I don't care that I'm being critical or not, I'm just trying to point out the facts...I believe it cries

out for just what I said, and if you look at the Matrix report, which is a very, very favorable report that was just concluded, paid for by the Sheriff's Department, done by a company that reviews Sheriff Departments...just read the wording of the Matrix Report itself, and I'm going to quote just a very small portion, and urge you to read about 10 pages at your convenience of it.

**Betty Holzendorf:**

Mr. Shorstein, when you do that, would you please compare Jacksonville to the counties rather than to the major cities in those counties? Can you do that if the numbers are there?

**Harry Shorstein:**

No, I...uh, that's a great question...that is something I think, that Jacksonville is doing that was tremendously misleading for a long time. You cannot compare Jacksonville to cities. Jacksonville is a very large county, what I've done, and I did it in a presentation to uh, Mr. Perez's committee, is I compared Jacksonville to the six or seven large counties in Florida. I've already done it and it was in that presentation.

Let me just tell you what Matrix said, and I think it's critically important. Uh, and this is a quote that if Matrix is talking about Jacksonville using what is referred to as the per capita or per 1,000 ratio as an analytical approach to policing. It says, "Matrix group does not use a 'per-capita' or 'per 1,000 ratio' as an analytical tool for assessing field staffing needs for the following reasons:" and I'm not going to get into the details, that doesn't mean that you put the exact same number of police for every 100,000 people, but it does mean that population does drive your deployment more than crime.

What they say, what Matrix says, which to me is really common sense, is ratios do not consider the seriousness of the workload levels. For example, the crime rate should be considered; I thought that was sort of over-simplistic. Specifically, the number of serious crimes in the community such as murder, rape and robbery; then they go on to say, 'ratios do not consider the differences in service levels within a jurisdiction - community oriented or problem solving. A reactive versus a proactive philosophy, all of which added to the ability to compare the necessary number of field patrol, uh, officers needed'. It goes on to say - 'the recommended methods of handling calls for service free up,' what the Matrix is recommending Jacksonville do - uh, 'free-up time of professional officers from handling low priority calls, to calls requiring a high level of expertise and training.'

The level of service desired by communities varies, and that's particularly true in Jacksonville. For example, the amount of proactive time the community desires - proactive time for which an officer is available for preventative patrol, self-initiated

activity and other approaches for addressing crime, and quality of life issues. A concept of pro-activity is very important in law enforcement. Very simply, reactive, you wait for the crime to occur and then you make the arrest. And as we've heard debated over and over again, is arresting more people the answer. I think a very, very good argument could be made that reducing the amount of arrests could have a very beneficial uh, impact.

If you arrest a person for urinating on the street, or doing something relatively minor - and I'm sure Sheriff McMillan and others can articulate this much better than I - you're taking the police officer off the street for such a long time, you're filling the jail with a very, very minor offender, that police officers could be patrolling in the Moncrief area, rather than arresting somebody for a relatively minor offense.

Let me, if I can now, uh, go over the um...video um...many of the questions that were addressed to me were about our various programs in the State Attorney's office - the Juvenile programs, I think, are the most important and I want to talk about them more in length, but we're also in the uh, video and in the PowerPoint addressing the juvenile and the adult programs. Now...I need help when it comes to this part...this is about an 8 ½ minute video; its several years old, but it still illustrates the juvenile programs in Jacksonville.

**BEGAN VIDEO PRESENTATION: Juvenile Justice in Jacksonville**

**Harry Shorstein:**

Uh, I know Madam Chair, you asked about some statistics - I was told that you were given a transcript of my presentation to Mr. Perez's uh, committee, and that has all of those statistics - I didn't bring them with me because I didn't think that would be necessary.

**Betty Holzendorf:**

I have it, but it's only through 2006. I was looking for something...

**Harry Shorstein:**

Well - and that, as you can tell, is old - we would love to have uh, redone the video, but frankly - we can't afford it.

**Betty Holzendorf:**

I know, but you had said something about 2008, and I was about...through January 2008, and I thought that was...

**Harry Shorstein:**

Our murder statistics are up to date...

**Betty Holzendorf:**

Ok...

**Harry Shorstein:**

We keep the murder statistics with the...28 versus 27. Let me go through a PowerPoint that um, a lot of your questions address the uh, programs that are in the State Attorney's office and you'll see the most recent juvenile crime statistics.

If you look at murder, you almost wonder where Jacksonville's murder rate would be had we not instituted uh, juvenile programs - all of these figures, by the way, are from the Jacksonville Sheriff's office. Uh...you can see the number of murders preceding when we started our program, to the number of murders, even though they are increasing, uh...there were a couple of years when there were only one...there was only one.

Rape and other sex offenses, uh, are down...if you look at these figures you have to consider, and we'll show you in a minute, these are raw numbers, these do not take into consideration the population increase, so when you look at the reductions that were referred to in the video and the reductions you see here, you could probably add about 20% to the reduction if you took into consideration the uh, increase in number of children from 1990 to present. Aggravated assaults are down, robberies are down, uh, as bad as 2006 was, and I think that figure is 150something...you can see it's less than half of where it was in 1992, when we started our program.

This one I've always considered to be the most important statistic of all - and that's your vehicle theft - it's not something that you're considering, but it's generally considered to be the first felony of choice for any juvenile, so it's a great indicator of uh, future uh, juvenile behavior. There's only one indicator, in my judgment, that is much, much better and I'm going to get to it, uh, comprehensively in a minute, because I think it's arguably one of the most important things we can address. But, if you see the numbers of uh, juveniles arrested for vehicle theft from when we started, so you know we started our program in 1992 and was fully implemented in 1993. Burglaries are down - uh, this figure, uh, arguably is the most important figure in my mind. Uh, when we started in 1993, we very aggressively targeted serious juvenile offenders, because we think the answer to the problem is two-fold, as I've pointed out. It's not just a matter of being tough, but if you want to talk tough, we incarcerate more juveniles as adults than any jurisdiction in the United States, no one comes close to us.

But, if you look at the decrease in numbers that are even referred to adult court, from 483 in 1993 to 79 - and that even takes into consideration that the legislature has now mandated that a greater number of juveniles be tried as adults. So even with the increase placed upon us by the legislature, our numbers are still dramatically down.

Uh, this I'm almost sorry we have this uh, slide; is the number of juveniles since 1993 who have been sentenced to life with no possibility of parole, and in two cases were sentenced to death. Both of the death cases were set aside and I will tell you, well I don't have much longer, but I'll never seek the death penalty again for a juvenile, and the two...it was received were set aside, so no juvenile in Jacksonville has been sentenced to death.

Uh, there is a picture of the demographics, it doesn't go back to 1990, but as you can see, the juvenile population is projected to continue to increase, which again, cries out for what I've always preached, and that is the answer to crimes to address it at the earliest opportunity. Uh, this gives you a snapshot, and I'm going to go into all of these, or some of these in much more depth, just some of the juvenile justice programs we have within the State Attorney's office.

Uh, an evaluation of our juvenile program was done by three Economics Professors at Florida State University, and uh, in the mid-90's - not too long after we started - uh, of course we thought they were wonderful, because their report was very favorable - and I think it was very important because, uh, you better than those in law enforcement can understand that the fiscal impact of crime is critically important, and you have to understand the cost benefit uh, of expenditures and where your money has to go, particularly in these times of uh, very limited uh, resources. But their conclusion was that uh, our program just addressing a few crimes, uh, had saved over a three year period, over \$30 million dollars uh, in Jacksonville.

This is a uh, um...uh, compilation of, if you will, of uh, major crimes, you can't read it on the bottom - but on the left is murder, uh, the uh, five years just before and at the beginning of our program and the latest five years we have - and you can see the reductions in juvenile crime are monumental. Uh, this program, I guess, is the program we're most proud of, and I know that you're uh, co-chairman, who was a very important part of uh, mentoring process - will understand how important it is. We believe in being tough when appropriate, and what we will do is put a juvenile as an adult in jail for up to a year. But, people will say, well that's really wrong, you should never put a child - 13, 14, 15, 16-year old in an adult prison - and in many cases I agree with that, and the studies that have addressed that really come to that conclusion, but none of the studies that have seen our program come to that conclusion, because what we're doing to that 13-17 year old is incapacitating the criminal for a year,

during the criminal's most violent and prolific criminal period, and doing everything within our power to return that child to an environment different from what he uh, came. Uh, I know Mr. Coxwell talks about the importance of doing that with adults, um...we really haven't been involved in that, but we feel that we've set the stage for doing that for juveniles. Everything from the school you see in jail, which is a Duval County School, to Planned Parenthood, Cultural Council, uh, Boys and Girls Club - Toastmasters, everything we can do for that child, so when the child gets out of jail, hopefully, he'll return from an environment different from a criminal environment from which he came.

**John Rood:**

Harry, um...and let me remind anybody asking questions to state their name so we've got that on the record...um, the program, I know it was um, well supported several years ago, do you still get that kind of support from the community; for the mentoring of the youth in Jail?

**Harry Shorstein:**

Not as much as we'd like, uh, nothing could be more important than mentoring, you know I could speak for an hour - and I know you won't let me - on mentoring, so many of the, and I'm talking about the males now, but females also uh, have never had a male in his life and you can understand the importance of putting the male...we've reached out, we've started before, I'm going to talk about volunteers, and programs that uh, Ed and John started, uh, without our volunteers - they started it, I copied it and increased it - we couldn't survive.

Uh, let me jump though, because I want to get to that towards the end...uh, I always make this speech, and I...it's sort of an attention getter, "what do you think the most important um, they used to say what is the most important crime that exists"? And you know, the answer is "murder" - I said, no, no, it's really not - and I've changed the wording a little bit, what is the most important offense a juvenile can commit? And the answer is clear, and it's truancy, and truancy really has to be expanded to school attendance. We used to just say truancy, but I think you can talk about truancy, you talk about tardiness, you can talk about out of school suspensions and you can talk about dropouts; throw them, for the purposes of my presentation, if you will, under the category of truancy, because nothing, in my judgment, can be more important than that.

You know, I have the honor of making this presentation around the country with a gentlemen by the name of Ken Seeley, who is, I think, the world's leading expert on Truancy, in Colorado, and uh, he's done all these studies, and I love this one - where it says one high school dropout can be expected to cost the public an

excess of \$200,000 over the course of his life, so when you look at money, if you can keep one in, and then start multiplying them, just think of the cost benefit you can have of the...of dealing with uh, truancy.

What we do, and it's uh, it's a little controversial and some people disagree. We hold parents responsible for their children missing school, and I started this many years ago, it's been copied around the country and even though a lot of people disagree with it, and that is uh, now, often two or three times per year, with the media - and I don't believe in jail walks, and bringing the media over to show a criminal off and embarrass them, but I love to bring the media when we round up the parents who have failed to see that their children go to school - and the reason is, that gets the message out. And, uh, I hope the media will keep doing it, even though I know the story is old, and we do it under really two, somewhat archaic uh, uh, statutes, uh...truth is, I don't think any of them have ever gone to a jury trial and contested it, so uh, the legality - we may not be totally sure of, even though it stands um...we asked the schools to tell us who the most uh, chronic uh, uh, truants are - we have programs to try to intervene with the parents and the child and when the truancy continues, we arrest the parents. And, the media shows them going into jail, cuffed, and being booked in the jail.

Now people say, Mr. Shorstein, that's stupid - these parents are doing the best they can, and you're making things worse...well we have no goal of trying to put the parents in jail for any period of time - to my knowledge, I'm not sure any of them have ever been sentenced, I do remember one was sentenced to 60 days, and it got the headlines, it was actually Clay County, which is also mine - and I've also often thought that that sentence might have done more good than all the death penalties put together, if people looked at it and said "you know - he's going to put me in jail for 60 days, I'm going to see that my kid goes to school". I've always appreciated Judge Townsend doing that - the truth is, I think he did it because of a violation of probation, but I'd like to say he did it because he, because he thought our program was good.

Uh, we have only arrested 172 parents since 1995 and that represents only 8% of the people uh, in the program, and I'm going to talk about the program that we call TAP or Truancy Arbitration Program, in just a second. Uh, there was a study done by the Colorado Foundation, uh, that's uh, Dr. Seeley's foundation, and uh, in Jacksonville, and...and the uh, question in the poll was how many parents were motivated to uh, um...to see that their kids go to school as a result of the possibility of being arrested, and you could see the number is very, very large - that gets their attention. This is something that we started doing, and uh, the School Board helps us with - we send this warning letter, uh, out every year, sometimes twice a year - it's not really done to try to scare kids, and I want to talk about that for a minute, I don't

believe in scared straight films, even though that's um...something that law enforcement uses...I don't think you can scare these kids uh, in fact, when I talk about MAP in a minute, which is um...uh our program that deals or pass a program that deals with at risk students - I don't even talk to them anymore because uh, they don't get impressed seeing an old man in a suit who gets up and tells them how tough he is...or tells them, you know, I've put more people in juvenile in prison than anyone else - that means nothing. What does mean something is when they see it from the other juveniles that they've looked up to.

So, we send out this warning letter, usually before vacation - we say we want you to have a good time; we want you to enjoy yourself; we want you to stay out of trouble because we don't want you to end up like so many people in...who have uh, not followed our advise, as you see, you will go to jail and ...and it's not worth it.

Uh, this is a tragedy, in my opinion, and I'm not blaming the School Board, it's a unbelievable dilemma that I wish ya'll would address; I wish ya'll would consider, because I don't have the answer - and that is...uh, how do you deal with the disruptive student and whether you suspend a disruptive student or expel the disruptive student.

Um, I remember that I made a speech, I think, early on in my program, and I don't even remember what...who- what the audience was that I was talking, and I was saying something I said over and over again, I said, "you know, the most important crime fighters uh, in the community are the Teachers - and I think they're the most underpaid and in some respects have the most dangerous job", and I was talking about how that fits into my juvenile program. I didn't have any idea there were teachers present, and when I got through - about 30 women ran up and hugged me and everything - they were so excited, they said, "Mr. Shorstein, we really appreciate the great things you said, but you know, I'm not a cop like you are - I don't have a badge, and I didn't sign up to be a law enforcement officer - I signed up to train these children and to teach them, and I can't teach this good child with this disruptive child and tell me what to do?" And I've never been able to answer that question completely - I have some suggestions, I said, "well, I really don't know - I don't know everything and I'm not an educator - but I'm telling you this - as long as I'm State Attorney, I'm going to do everything within my power to stop you from just throwing that kid out on the street".

And, there are answers - and the answers are in-school suspensions; alternative schools; and other ideas. Doing in-school suspension, because just think of the common sense, if this child is already disruptive and school teachers are better able than those of us in law enforcement to spot the at risk child at an early age, and if that expert is telling you that this is an at-risk child, and you kick him or her out on the street - what do

you think they're going to do? And they come directly into our system, so I still, after all these years, cannot give you the answer, but I sure wish somebody would come up with it.

Getting back to that, arresting parents TAP - this is the components of TAP - TAP stands for Truancy Arbitration Program. And very simply, what it does, its one of the things that the New York Times article referred to - is to tea...the schools tell us who the most chronic truants are, and we subpoena the child and the parent into the State Attorney's office, uh, with our volunteers. And essentially what we do is sit down and explain to the child, "now son, you better go to school, we're telling you - you know I work for the State Attorney's Office, whether I'm a volunteer or not, and we also could tell the mother, unfortunately, it's usually only a mother, if you don't see that this child goes to school, we're going to put you in jail". And we enter into a contract with them, and they sign it, and I remember that the New York Times story said, I don't know where he gets the authority to do that, but who's going to stop him since he's State Attorney. Something like that, it was funny, but it was very, very serious because you saw from that earlier slide that generally it works, and only 172 parents have been arrested for failure to comply with the agreement that uh, that we made with them.

The other thing we do with the community, and I'm going to address in a minute the community participation, is we sit down with the parents and we say, do you have a problem that we can help you with? And many times, they do. They say, "I'm working as hard as I can and I don't have transportation", or "my child needs health care", or "we need this", and we direct them to the City service or the State service that can...to the, uh, best of our ability, that can respond to it. We started with the City of Jacksonville; the Jacksonville United Against Truancy program - uh, we've had conferences with business leaders, with the religious community, uh, with anyone who will join us in uh, in our efforts uh, to uh, deal with truancy and the truancy presentation today is very abbreviated.

Let me talk to you about the Adult State Attorney Diversion Programs, and uh, let me tell you the history. I became State Attorney in 1991; and Ed had uh, as I understand it, Ed and John and others probably long...I know long before I was State Attorney, but in the 80's and 70's; developed a tremendous number of very effective diversion programs, and uh, I don't want to speak for them, because I'm sure they can speak well for themselves. But, I know one of the driving factors that uh, they ...problems they had was prisons were so overcrowded, it really didn't pay to send someone to prison, because as soon as they got there, they had a cup of coffee and came back. But, they also, I believe, or at least I'll speak for myself; there are people you don't want to send to jail or prison, for a whole lot of reasons, even though we've got more prisons and jail space than ya'll had, we still don't have enough and the jail is busting at the seams right now.

So, with the use of volunteers, that you talked about as far as mentors, but volunteers, as arbitrators, mediators, uh, uh, counselors, consultants, which we could not do without. We have a luncheon every year for volunteers - they're probably tired of me saying the same thing every year, but the...message to them is "we couldn't operate without our volunteers". They started that, and all we've done is begged for people to come in and help us, and they do a tremendous service, to the community and to the State Attorney's Office; and you'll see some examples.

The purpose of diversion is, as I've said, the court systems is not an answer for everyone. And, uh, I have a belief, and I'll just speak for myself, that the serious violent criminal should go away for a very, very long time. The child and particularly the young adult, who hopefully can be saved, should be diverted if at all possible in the criminal justice system. Whether you agree or not, I will promise you this, you're never going to have enough money to do both, and that is to incarcerate the serious criminal and to incarcerate all the minor criminals.

California, you know, did that - California spent a fortune on prisons and they did it by taking a tremendous amount of money away from Education. And my sort of sarcastic response to that is they should have taken all the money away from Education, because is you're going to take money away from Education to build prisons, you're going to need all the money that Education has, because you're going to need that many prisons. California has done it and it hasn't worked. Texas did it, Florida's pretty close behind.

Here is an example of some of the Adult Diversion Programs; the Citizens Dispute Consumer Mediation Programs are invaluable. You can imagine, and John's probably smiling - how many calls you get that says, "You know, this guy's next door's dog is driving me crazy, and I want you to go out and arrest him". As if I really didn't have anything else to do and neither does the sheriff, and as if we would want to spend the time to send the State Attorney investigator or police officer out to do that. So, we have a program where we bring them in, and the uh, volunteer tries to talk to the man about seeing if his dog could bark a little less, and hopefully, they both leave - together. Restitution Reinforcement Program is very, very serious and I'm going to talk about that in a little while.

Felony Pre-Trial Intervention is simply for first time, and in some cases, second time offenders of minor crimes we believe that are dealt with best outside the criminal justice system. Of course, that's true on misdemeanor pretrial intervention; pre trail restitution is where we try to get victims who have been monetarily uh, damaged uh, some uh benefit that can probably be achieved better by us than the court, and Drug Court, which I'm

going to talk about in a lot more detail, is in my opinion, one of the most important courts anywhere in the country.

Uh, Citizens Dispute Consumer Mediation which I just talked about, if you just look at the bottom line, and you have this...and let me apologize, we intended for everybody to have a color copy, uh, but uh, we couldn't afford to send it out and make it, and our color copier didn't respond as well as it did because it's very old.

But, in 2007 alone, from the Citizens Dispute Consumer Mediation Program, uh, almost \$25,000 in restitution was collected by these volunteers, and uh, John and Ed know a lot of them because a lot of them that worked for you are still there. They love it. They think it's the greatest job in the world. And I know I work out at a gym with one of them, and every day he comes in and says, "Harry, let me tell you about the case I had yesterday", they love it and they do a tremendous amount of good for us.

Uh, Restitution um, Enforcement, is Jimmy Patrick's and you know, Ed and John, I know all of you remember, what a great person and a great, great asset to the State Attorney's office - he developed a program that has...was so good, and he was so good at it, that he got with Senator Wise and they've replicated it all over the state, so uh, what ya'll started now, is everywhere. And, and...uh, 2007, uh \$1.182Million dollars in restitution was paid to the victims. Now the victims in these cases, uh, the victim is usually the government. But it is money restored to the government, unfortunately, not to the State Attorney's office, but to, uh, to the Government. Uh, in some cases, as you can see, the program in that year alone; collected \$129,000 in restitution for the Jacksonville Housing Authority.

Uh, this is the Tax Collection Enforcement Diversion Program that uh, that uh, resulted from Jimmy Patrick's work and uh, I don't know how Hillsborough beat us, but we were only second in the State last year, uh, but they only beat us by \$8,000.

Uh, Felony Pre-trial Intervention, uh, as you see on the bottom of that, in addition to the uh, trying to unburden the courts with cases that might be better handled outside of court, in 2007 493 cases were accepted; uh, 25,000 community service hours were completed; and well over a quarter of a million dollars in restitution was ordered to be paid to the victims. So we, essentially, uh, in the program that was started, uh, by my predecessor, uh, are able to do uh, essentially the same thing the court can do, and in many cases, we can do it better and more efficiently than the court.

Misdemeanor Pre-Trial Intervention is the same thing, and you can see the figures there, uh, \$53,000 in restitution was collected for victims, the defendants who were put into these programs are required to pay fees, \$88,000 in fees, uh some of which we can keep, and use to defray the cost of the operation of some of the

programs.

**Betty Holzendorf:**

Mr. Shorstein, are you going to be much longer?

**Harry Shorstein:**

Well, I'm sorry, I thought you told me...

**Betty Holzendorf:**

An Hour - no we wanted to take questions, so and our meeting is from 2 - 4, so we're trying to make sure that everyone has an opportunity...

**Harry Shorstein:**

Well, I'm sorry...I'm sorry - I thought you said to make a presentation an hour, and the questions an hour...

**Betty Holzendorf:**

Right...you...you have five more minutes with your hour.

**Citizen in Back of Room:**

Are questions going to be entertained from the audience?

**John Rood:**

Not today.

**Harry Shorstein:**

I'll be through with the presentation in an hour...I started at 2:05, I can assure you that...

**Betty Holzendorf:**

OK...

**Harry Shorstein:**

And I'll stop any time that you want, I'm not arguing with you...if you have like, a red light, we know exactly when to stop...but I was told... (Laughter) You know that's the way the do it, sometimes you get stopped in mid-sentence; but that's what I was told, take an hour for the presentation, and if that's true, cause we started five minutes late, I will be through in six minutes. OK - is that alright; or I'll stop now.

**Betty Holzendorf:**

No...

**Harry Shorstein:**

Ok, let me just talk about Drug Court for a minute...uh, because the question that's asked everywhere is about recidivism. We started the Drug Court, uh, shortly after I became State Attorney - we copied it after Miami had a very, very good one, uh, Pensacola. Now we have all of our Drug Courts are what we call Mentor Drug Courts, we teach people all over the country - come to Jacksonville to see how the Drug Courts have been implemented. And, I give Chief Judge Moran a lot of credit because a lot of the judges didn't want to do it, and he's taken it over.

Just look at the bottom line...in the years of 2005 to 2007, only 6.9% of those in Drug Court received a subsequent felony conviction; and only 7.4% received a misdemeanor conviction. If you look at recidivism generally, they're usually in the 60% range.

Uh, the Juvenile Drug Court arguably is even more important, um, the program for at risk students, which you saw in the video - is a program where I said I don't speak to them anymore because they really don't pay attention to me. They come in, in the morning, and then they go to the jail, and the jail has been a tremendous partner in this. And, what they do is they interact with the Jail juveniles, and that has a greater impact on them than anything than any of us can do, because they see the truth rather than the speech.

Juvenile Arbitration is something that has always existed, IDDS is...is uh, is a program that we patterned after a study in Orange County, California. The study said, how can you address the juvenile and try to determine who will be come the serious habitual juvenile offenders, and very, very simply, of all children arrested; about 80% don't get in trouble again, 22% get in trouble 2-3 times and 8% become your serious habitual juvenile offenders, and ultimately your worst offenders.

The question was, how do you do it? The answer is, everything you know...you look at poverty, you look at housing, you look at violence, you look at drugs...the sad part is the last optimal opportunity to do it is at age 8.

Teen Court is something the City was running, and we suggested they weren't doing a very good job; we took over Teen Court, we've increased it tremendously at about half the price the City was paying to do it uh, before we did it.

We even have a Truancy Teen Court, the Truancy Arbitration program, I've talked about - the Juvenile Drug Court - if you look at the Juvenile Drug Court for the years 2005 to 2007; only 3.6% received a felony uh, conviction; and 25.9% received a misdemeanor conviction.

Focus on Females is the same thing that deals with uh, uh, juvenile females; uh, Volunteers I've talked about. This, one of the questions and I'm trying to answer some of the questions that you asked me during the presentation are how do we collaborate with other agencies in the City, and if you look in your handout, you'll see that Hubbard House; City of Jacksonville; Sheriff's Office; Children Crisis; so many are uh, part of programs that uh, we deal with.

This is something we're very proud of, since 1991, we've received \$13 million - plus in grants, which are more and more difficult from either the State of Florida, or the United States.

You've asked the question about Operation Safe Streets; which is a program that the Sheriff has, which we think is a very good program, and we have made a monumental commitment to OSS. I have given them two Division Chiefs - full-time; and I want to talk about my Budget, because you asked that question and I'd love the opportunity to address it, but as you can see, the success of the cases we've taken uh, we filed 188 the question is always asked, and I think you were given a presentation, or maybe Mr. Perez's was...by the Federal Government, they're a very small part of the OSS' serious cases, we took 188; they took 8. The cases that were sentenced in court, so far, 90 - the total of 725 years in prison; one person got life; uh, very, very few of the cases had been DN or dropped; as you can see, we filed 182 of them and we dropped 12 of them.

This is very hard to see, but it's a very...it's in your handout...what it shows you is what happens to criminals in the State system. And, I can't see it from here, but I urge you to look at it, we put more people in prison for longer periods of time than anyone, and there's no one close to it. You will see the four categories of sentencing; State Prison; the next two are Probation (which we're the lowest in the State of putting people on probation); and County Jail and uh, no one is close to us...except one time Orange County was close.

**Paul Perez:**

Can we pause on that one for a minute; can we maybe kind of play with some questions on that one?

**Harry Shorstein:**

Uh, yeah, ok...

**Paul Perez:**

Why is...Why is the felony sentencing important? If you could articulate why, why sentencing people to prison on a felony is important. You know, what that...I know the answer to it, but if you could articulate why...

**Harry Shorstein:**

Well, John, as you know and...uh, it's...the what's extremely important is for the community to know that the sentences are really what I think they've always been, uh...you know you all started uh, the repeat offender court, which I think is critical and a perfect example of what I've been trying to say, and that is you deal with your serious offenders, repeat offenders...habitual offenders; and then divert the less serious. And, we were the first, you were the first repeat offender court in the State of Florida in 1987...I'm guessing. We put the second one in, then what happened, we no longer lead, and there's sort of a good reason for it, you all did such a good job and once we got to the second one, all the other circuits came to us and asked us to show them how to do it, so now they're catching up with their, uh...but it's extremely important because public safety is the answer.

**John Delaney:**

And you focused on...I'm sorry, John...the next few questions will probably be John Delaney. Um...the...you mentioned the repeat offenders; um, which obviously a repeat offender has previous felony convictions and is entitled or has earned a longer sentence as a result, if you can convict them, right?

**Harry Shorstein:**

Right...

**John Delaney:**

Um, how do you define, I know that in...in the talk that you gave to the sub-committee, what's your definition of a conviction rate?

**Harry Shorstein:**

Uh, I wish I had it, because somebody tried to sabotage...my answer of a conviction rate is a number of cases...there's two answers; and I've done a handout...One are the actual jury trials, and of course, when you have a jury trial the jury comes back convicted, to conviction; or come back acquitted, or not guilty; that's an acquittal.

We had 11.8% acquittals, which was by far the lowest in the State.

The advantage to that is, the more convictions you have, actually the fewer number of trails you'll have, because people will know they'll have a greater possibility of a conviction.

The next page, though, talks about the whole 12,000 cases brought into you. And, our conviction rate, or the number there dismissed, is the high...should be the highest in the State for several reason. Most important, is worthless checks. As you all know, most State Attorney's or DA's around the country won't handle worthless checks, because all we are is a collection agency. We're a pretty good one, because we have a threat behind it. But we don't want to put anybody in jail...we'll let everybody go if they just pay their worthless check, so that accounts for it, and the other is our Drug Courts, because most DA's who have drug courts have what they call post-plea drug courts; that means if you want to go to drug court, you've got to plead guilty.

We didn't want to do it that way, we have a pre-plea...we will drop the case and put you in drug court. There's really two reasons. One, I'm not concerned about statistics, but I think it's greater incentive to the drug addict to know that his case was dropped, it's like I'm giving you a little bit of a bone to start with and then the judge continues on. So, between or among worthless checks, uh, drug court, and diversion generally, which we've discussed, we will divert more cases from the criminal justice system than any other jurisdiction.

**John Delaney:**

And that's pre-filing or post filing?

**Harry Shorstein:**

Uh, well...what I just talked about is post filing...

**John Delaney:**

Post filing...that you...that someone has been arrested, you file the case and then you divert it or dismiss it.

**Harry Shorstein:**

Uh, yeah...

**John Delaney:**

Um, ok...

**Harry Shorstein:**

I think statistically I've seen this, if you look nationwide at all cases that are arrested, something like 30-50% are never prosecuted, and there can be a lot of reasons. One of the biggest problems that we have now that you read a lot about, is the no snitching...you know a police officer will actually have probable cause that he did the robbery because, you know, we believe you when you said you saw him commit the robbery...and then the police officer arrests him and we bring you in and you say...I don't know anything about him, I'm not talking to you guys...That problem is worse than it's ever been, but I can't tell you that it accounts for that many cases. Because, with that, uh, problem, which exists and I can give you an example of one of the last cases I've tried...a woman just got on the stand and lied...I mean she we're mugging her dude, she's scared to death and I could have charged her with perjury for that, but I didn't. But, we are running into that problem.

**Paul Perez:**

John, if we can just get to the last couple of pages then we'll have some more questions...

**John Delaney:**

I just wanted to deal with the sentencing thing...I still have some more on that, but I'll wait then...

**Paul Perez:**

Um, we can get back to it in a second.

**John Delaney:**

OK...

**Harry Shorstein:**

Let me just...can I just finish the two last slides...uh, this

**Paul Perez:**

We'll give you another minute, because you guys you spent a minute on conversation.

**Harry Shorstein:**

I'll tell you the same thing I told the judge, the Judge told me I had a ½ hour; he spoke for 29 minutes...and actually that was 29 minutes of my ½ hour...not that John did that...(Laughter)

**Betty Holzendorf:**

If you were doing your budget before the State Legislature, you would have been through on time..

**Harry Shorstein:**

I just want to talk for a minute for our newest collaborative initiatives, which we think are very important. Operation Safe Streets, you've already heard about; we have two full time Division Chiefs who are really, in my opinion, outstanding; and 8 part-time Assistant State Attorney's, and let me make it perfectly clear, I can't afford it. Uh, but, we're doing everything within our power to help JSO, and everybody seems to think that it's working well. We created an expanded homicide prosecution - the Director is the highest position in my office; I have 3 Directors who supervise everyone in the office who handles homicides, and they're, in my opinion, doing a heck of a job. I think I heard the Sheriff say "I don't know how I can work like this; there are 120 people in jail awaiting trial for murder". That's not true, there are 85 awaiting trial; and about...125 is right if you count that, but you know something, that's actually a very good statistic. One thing, they can't be committing any crimes, because they're in jail with no bond...let me tell you about that 120 that he talked about...Orlando, which has many fewer murders than us has 128, and Broward, which has ½ the number of murders and 148; so we are moving murder cases through the system faster than any circuit in the State.

We revamped our civil division uh, I've got a real bull-dog in there now; she recovered \$2.2 million dollars for law enforcement in the last year, compared with uh, over 10-month period, \$589,000. We get very, very little of that, we also recovered 170 vehicles for law enforcement; we've expanded our jailed juvenile program, we have just implemented a new mental health court, which we could talk forever on; which hopefully will be implemented throughout the country.

We implemented, ticked this one off last week, we implemented a nationally recognized identify theft division to work hand in hand with the United States Secret Service; but, unfortunately, my expert quit and uh, went to work for the US Attorney, which is where Secret Service should have been taking their cases, instead of me in the first place, but anyway; that's the end of the slide presentation.

**Paul Perez:**

Ok, thank you.

**Harry Shorstein:**

Now I do have a list of your questions, if you want to ask, or if

you uh, want me to try to answer the list...

**Paul Perez:**

We have the list, why don't we ask questions on um, if there's points that we didn't, um, that we didn't feel that were covered. Um, I know, John, you've got one, um...anybody else - we're going to rotate around here a little bit...Ok, John?

**John Delaney:**

Ok, um, let me get to the conviction rate thing, um, you're saying that your conviction rate is low because after filing a case you divert those away.

**Harry Shorstein:**

I don't count...I'd rather use conviction in reference to trials...

**John Delaney:**

To trials, ok, but that's 80-100 cases...

**Harry Shorstein:**

Right, dismissal rate, not conviction...because our conviction rate...the acquittal rate was 11.6 and the next closest to us was 23.

**John Delaney:**

I think somebody was 11.1, um...

**Harry Shorstein:**

Not on that page 24.1, if you've got it...

**John Delaney:**

Yeah, um, Key West...

**Harry Shorstein:**

Oh, I only looked at the large, I'm sorry...I don't look at the small counties...

**John Delaney:**

OK...um, if we filed a low percentage of the arrests - compared to the rest of the State, and if we convict a lower percentage of those cases we file than the rest of the State; and if our sentences are average compared to the rest of the State, would

that be a problem?

**Harry Shorstein:**

No, because if you look at the hand out that uh, that uh, uh, the Chairman gave me, just...this hand out...I remember always remember Lacy Mahon saying "I'd plead my mother to probation". Anybody would plead to probation, people are afraid to go to prison. Look at, just look at the numbers on this...look at the raw numbers, we sent 1,206 uh, the latest...this is the handout, I can't tell you what page it's on...1,206 people to the State prison. So, even with that number, Broward sent 1,362, so that means we're sending about 15 or 20% more than Broward, because Broward is exactly twice the size of Duval.

So, when you put the number of people that we're sending, even with all of our programs, and even with worthless checks, and even with uh, all the diversion programs, we're sending more people to prison and to jail than anyone else. I mean, start with the death penalty; which I really don't like to talk about, nobody comes close to us in putting people...

**John Delaney:**

Well, I've got from the Department of Correction, a chart that says Broward sends the most to prison; Hillsborough second; then Miami-Dade; then Polk; then Pinellas; then Orange and then Duval.

If you do it per capita, Tampa or their county; Orlando, that county; St. Pete or that county; and Polk county send more people to prison based on the population, for example, Hillsborough sends twice as many people to prison in raw numbers, and they're only about 20% bigger.

**Harry Shorstein:**

I don't know what you're looking at - my...mine is information obtained from the Florida Department of Corrections; under the criminal punishment code, and it's I...I don't have...

**John Delaney:**

Well, even there your raw numbers are bigger than any other places; you're just going on the percentage of those that you file.

**Harry Shorstein:**

No sir, if...if you send 1,206 to prison, and Miami-Dade, which is 2 ½ times our size sends 949, then we're sending three times as many people to prison.

**John Delaney:**

Ok, so you're trying to do it per capita, then?

**Harry Shorstein:**

Yes Sir!

**John Delaney:**

Not raw term...not raw numbers?

**Harry Shorstein:**

Oh, of course...

**John Delaney:**

Ok, then where is Hillsborough?

**Harry Shorstein:**

I'm sorry...

**John Delaney:**

Hillsborough is about 20% bigger in population, but they send 33% more to prison - um, Pinellas County is about the same size, um, and on the sheet I have, Pinellas sends about 30% more people to prison...

**Harry Shorstein:**

Well, you've got a different sheet - the sheet I have, Pinellas sends 1,140; we send 1,206...

**John Delaney:**

Ok, is it relevant or not, then...is it...it's good to have sent more to prison per capita?

**Harry Shorstein:**

You can't really say that, because as you know, you could take a first degree murder case, and let me give you an example; if you're look at conviction rates and statistics, which, frankly the only statistic that counts is..."are you putting people in prison for long periods of time, when appropriate"?

In any case, what a lot of my cop...because we fight about this in our budget, a guy can have 10 armed robberies - what I will do is determine that he deserves 40 years in prison...I'm just making this

up - plead the guilty - means no appeal, sentence him to 40 years in prison, I'll drop the other nine...the other circuits, if they want a better conviction rate, let them plead to 10 years in prison, concurrent on all 10. They have a 10...100% conviction rate, I've got a 10% conviction rate, my prisoner is in prison for 40 years, his is in prison for ten.

**John Delaney:**

Ok, so wouldn't that show up as your county having a significantly longer average felony sentence?

**Harry Shorstein:**

I don't...I don't...

**John Delaney:**

I mean in that example? I know you're just using it rhetorically, it would be...

**Harry Shorstein:**

I don't know, I've never seen that picture

**John Delaney:**

Well, if you're right, it would have to be a longer sentence, wouldn't it?

**Harry Shorstein:**

Yes...

**John Delaney:**

Yeah...um, now let me go...

**Harry Shorstein:**

Let me give you an example of...if you're worried about conviction rates. I just...and I'll process seven first degree murder cases; um, Paul DeRosa...he's sentenced to death, and I wasn't going to let him try the other seven...

**John Delaney:**

But that's on counts...we're talking about on defendants, and if...if for example you are filing a lower percentage of those people arrested, you're obviously filing on the worst of the worst. It would make sense that...

**Harry Shorstein:**

If the evidence allows you to file on, I mean assuming the case is there - they could...

**John Delaney:**

Ok, we we're just doing raw numbers - we're doing averages. If Duval, for example, files, dismisses 60% of the arrests that the Sheriff's office bring in...and if Miami-Dade uh, files 60% of the cases that come in, the theory would be - you'd have a stronger batch of cases as compared to Miami-Dade.

**Harry Shorstein:**

Right...

**John Delaney:**

Right...um, and wouldn't we then assume that a bigger percentage of the cases that you're handling would go to prison? Because...

**Harry Shorstein:**

No, a bigger percentage of the people who are sentenced, and that's what this page is, that means if everyone standing in front of the judge...who he can sentence, obviously if he's not found guilty a judge can't sentence him...but of that number that the judge can sentence, we send the most to prison and the most to jail. That's what...that - the total number, if you look at the page in your handout, it's the total number of people standing before the judge, and if you look at Miami, there's 11,497 - they send 949 to prison; 5,000 or so to jail; 4,500 to probation.

In Duval County, we have 5,073 - we sent 1,206 to prison; 3,300 to jail and only a total of 500 to all of probation.

**John Rood:**

John, if I can interject...John Rood; I think what you're saying is, we bring fewer to court - and that is correct, right? We choose, because we've got various programs to bring a fewer number of cases, per capita, in front of a judge. Was that, Harry, a correct statement?

**Harry Shorstein:**

Of all the cases brought...oh it's definitely a correct statement because of worthless checks.

**John Rood:**

Ok, so but if...so if we are bringing a fewer percentage in, we're taking the better cases and that's why we're getting the higher number of cases that are prosecuted. Is that what you were saying, John?

**John Delaney:**

No...

**John Rood:**

Am I, uh...

**Harry Shorstein:**

I don't think so...

**John Rood:**

You're getting a 23% sentencing rate, of everyone who goes in front of a judge, 23% are...

**Harry Shorstein:**

Go to prison, 23%...

**John Rood:**

23% are sentenced to prison...and I thought John was...

**Harry Shorstein:**

You want to see the big difference is John, if you look at the next two categories - call community control, probation, because it really is. Uh, we send...nobody sends anywhere close to the small number we put on probation - and the reason is, they've been put into program, like Drug Court. So, we don't put people on probation, if we...take our juvenile, which is the best example. When we bring a juvenile into adult court, with almost no exception, he's going to go to jail for a year; otherwise, we wouldn't put him in adult court.

**Betty Holzendorf:**

So your chart does not reflect every one that was arrested? In other words, if you take them out of the system and put them in a diversion program, then they're not included on this chart at all?

**Harry Shorstein:**

Almost, entirely not; as I said, some people do drug courts; let's assume the defendant is arrested. Policeman comes in, and we determine he is a candidate for drug court. Most places uh, will file it...make him plead guilty, which he's happy to do to go to drug court; so they've got a conviction - what we'll do is we'll follow the case, because you have to do a lot of screening for drug court; then when we determine he is a candidate for drug court, we'll just dismiss it - so that is a case thrown out, because it's placed in drug court. We did it today, uh, I know you don't want to hear war stories, but I saw a guy in uniform and I said what can I do to help you - he says...fella had a drug problem and we put him in drug court.

**John Rood:**

Um, John, before I go back to you - I just wanted to comment on your opening point that you were making that you you're your responsibilities, the Mayor has his; the Sheriff has his; and it's your jobs to deal with this crime issue in Jacksonville, and then you went on to day, when the citizens get some...citizens get involved - I don't know exactly what you said...but, generally they come up with all sorts of ideas.

Well, I um, my initial response to that...it took me a while to start listening sincerely to what you were saying, was that...if everybody was doing their job, we all wouldn't be here, we don't want to be here. Um, so I think that really what we need to get at, is what can we all do differently - and sometimes, and I know in my business, sometimes I'm too close to things, I don't look at things from a different perspective. And really, what we're trying to do is look at things from a different perspective...and we spend time, you know, with the Mayor, with the Sheriff, with many, many other people; people involved in Education; people involved in Juvenile issues; I'm trying to look at different perspectives and trying to bring all these in to what we call a landing - where we can have something tangible, where we can put our collective support behind, and help you, help the sheriff, help the Mayor, help those involved, um, with truancy issues, with education, with early learning, help...help all those groups succeed in what we all collectively want.

Um, so I guess I wanted to kind of clear the air...to say that we're on the same team; and we're trying to help you - but sometimes to help you, and to help others that are...that have these issues, well we've got to ask questions to understand it, and then try to bring up better ways of dealing with it, because clearly, the way we've been dealing with it in the past, um, hasn't been successful. Well, with that said, John would you mind following up on what I was trying to understand...oh, ok... sure

**Harry Shorstein:**

I tried to address that at the beginning, and maybe I used the wrong terms, even though I think I didn't - when I talk about the acute problem and the chronic problem...by no means am I saying that the community's response is not important. The faith community; uh, truancy, housing, job training, uh, drugs, etc., etc. That is the answer to crime, we all agree, no one disagrees, that if you had a child born healthy to two good parents in a good community we'd all be out of business. We all understand that - and that is your responsibility.

There is an immediate problem, and that is the deterioration in the crime situation that has been exacerbated over the last, relatively recent period, that I think that must be addressed. And then the other question; is...that you have to deal with, is budgets. You know, uh, I can't tell you what Sheriff McMillan's budget was, but I think there was an article in the Times-Union, and Mayor Peyton, when he addressed uh, all of us at out the uh, at the Park, that we've given over \$100 million that he has, that the City has to JSO. Now, one of the questions is, let's just assume - hypothetically, we need 800 policemen, let's just assume that without discussing it. Can you afford it? And that's a very good question - and then you say, "Well, Harry, if you say we need it, no matter what the cost is, we'll afford it". That can be counter productive, because if you have new taxes, or new fees, and I don't want to get into politics, but many people believe that the recent taxes and fees were very regressive; to me that can have a counter uh, a negative impact on crime.

If the people, I don't know if you've heard of my Tale of Two Cities...if these people get further in despair, there's nothing in the world law enforcement is going to be able to do...in those areas of the City. And that; is a problem.

**John Rood:**

Right...

**Harry Shorstein:**

If you took money to close a park...I mean what Tony was trying to do was critically...

**John Rood:**

Harry...I think the important thing is that we focus, you know, in your area right now, and it's for other things that we can do differently; different ways we look at it, different ways that we can help you - that we can, you know, all work together to...to contribute to a reduction in the criminal activity. Um, we're debating the police issue; we're debating the, and that will be coming before us, and we'll be making some decisions. Um, but

right now, what we're trying to find, through this discussion, is alt...opportunities to collaborate, to work together, to support programs, um, and to understand, you know, what programs are working and what programs may not be working. Um, John, if you could, um, finish on what you were talking about before, and um, if I didn't quite get what the point you were trying to make, if you could restate that?

**John Delaney:**

Well, let me make sure I'm understanding this sheet correctly. Um, the sheet that I've got shows Hillsborough County, Broward County sending more people to State prison than Duval, correct?

**Harry Shorstein:**

Yes...

**John Delaney:**

Ok...so the statement that we're sending more people to prison than anybody else...in the State, is conditioned on what?

**Harry Shorstein:**

We're clearly sending more than Broward, Broward is twice our size, John...

**John Delaney:**

So you're saying, per capita...

**Harry Shorstein:**

Yeah, of course...

**John Delaney:**

Ok, you're going to go per capita...OK

**Harry Shorstein:**

And I assume New York City is sending more to prison than...

**John Delaney:**

And...and, you're assumption there also is, that your average sentence, because this just means that they go to prison, they could go there for a year and a day or they could go there for life...

**Harry Shorstein:**

I don't have that figure, but historically, because of rock courts, our average sentence has been higher, I just don't have the figures with me, I...I you have to tell me to bring them, they always did...it's not as much as it used to be because we've taught other people how to institute rock courts...

But you remember, I don't want to get into politics, but if my memory is correct, I remember when Ed had, uh, they had the same thing, and you know, you drop all of these cases. Well, I think it was the same thing then, it was worthless checks and diversion programs, from my recollection.

**John Delaney:**

If you drop out the worthless checks and the drug cases, from the cases you file...those that you drop to send to a diversionary program...how do you think the conviction rate stands compared to the rest of the State? What would your gut instinct be? Do you think you'd be ahead?

**Harry Shorstein:**

Oh yeah...

**John Delaney:**

Because I think you said, "We're convicting more people than anybody"...

**Harry Shorstein:**

Well, take homicides, because it's easier to do it...I mean all State Attorneys are different, some prioritize burglaries, some...but we all prioritize homicides, so I think that would be a good indicator. Uh, I don't know any DA that doesn't prosecute homicides. We tried, with our budget constraints, more homicide cases last year than ever, to my knowledge. I only go back 17 years as State Attorney, and...

**John Delaney:**

Now, I think you also said in the sub-committee, that you're trying more cases than you've ever tried before.

**Harry Shorstein:**

We tried more last year than we've tried in a number of years, I don't think, if I said ever, I don't know.

**John Delaney:**

And about how many was last year?

**Harry Shorstein:**

Total or homicides?

**John Delaney:**

Total...

**Harry Shorstein:**

I don't know, John...I counted the homicides, it was 27...I don't know, I'm trying to say 158, but...

**John Delaney:**

And one of the reasons the trials are important, is because in effect, that's going to move a sentence up - you're negotiating hard, and they're refusing to...

**Harry Shorstein:**

Yes, and No...I don't want to get into a long discussion, that I've always thought, when I was a young prosecutor, that uh, people plead guilty because they figured if they went to trial they'd be convicted. You know, I think that's true about all lawyers. The better chance you have of conviction, the better chance you have of someone pleading guilty.

**John Delaney:**

I've always viewed it as a trial to help make sure you get a more aggressive sentence in the appropriate case. What about 10-20-life filings? I notice that...

**Harry Shorstein:**

I don't know, but let...I do have the statistics that I have here, I didn't have that, I think I may have brought it to Paul's...if you go back, and I don't want to go back to your chart, but go to your Operation Safe Streets, which is supposed to be the worst of the worst. I mean, that is what the Sheriff has said, it's targeting, and I don't have it - you've got it in front of you.

Of all of those cases, and I'm not...I can't find them, I...I think there were 188 and 12 were dropped, whatever it was...that's a pretty...and my understanding was everybody was in agreement to drop the 12...there's no disagreement, those two division chiefs who prosecute everyone of those cases, as the same division chiefs who

are rejecting the cases that Operation...because you asked the question...is Operation Safe Streets good...the collaboration...of course it is, we just can't afford to continue to do it. Because, what my attorney is doing is helping the police officer make the case, that's the reason they're filing them all. That was the same person...people that were throwing them all out, because the case wasn't any good, now he's helping them, so the cases that are coming to use from Operation Safe Streets are good. They're being prosecuted, and as you see, they're getting monumental sentences. Didn't add it up, but its 700something...

**John Delaney:**

But can't you move that number by the filing dec...in other words; you can make that conviction rate dependent upon whether or not you're going to file the case in the first place?

**Harry Shorstein:**

No, they brought us, I think...

**John Delaney:**

No, I'm just talking about murders in general...I mean, if, if you decide..."ah, this isn't that strong a case, we're not going to file it",

**Harry Shorstein:**

Murder case???

**John Delaney:**

On a murder case, somebody is arrested or charged for murder, the police want to arrest someone and be charged for murder, if you don't let them arrest them; or you tell them "no...we're not going to file that case, I don't think it's strong enough"...You can dictate the end result, correct?

**Harry Shorstein:**

Yeah, well, probably not for very long, I don't think you stay around very long...I give you an example, uh I don't know if Jim...no Nat was the Sheriff...I remember about eight years ago, there's always a fight, we want you to file a murder case...and there were like 15 cases the Sheriff's office, uh, whoever is head of homicide wanted to discuss. And I said, ok, I'll go - and all my people says, you can't go - you don't know anything about...I didn't handle but one of the...We went over, spent two hours, went around the room, around the room for two hours and it was one case and we disagreed...and we disagreed as to who was right. My recollection is, they had the wrong person; their recollection is they had the

right. But forget it, I mean it was a close enough case - well you could take a Chad Heinz, if you want, I mean, there's disagreement, well we did the right thing.

**John Delaney:**

Um hmmm...just two broad areas, then I'll be quiet...

**Harry Shorstein:**

Well I do, ok...I mean, I'll answer all your questions, but you asked a question about the budget and I really want to answer that...

**John Delaney:**

What...you're office, do you think there's anything your office can do...change...adapt...do better...do more of, that would help address this issue? File more of the cases that are arrested, dismiss fewer; plead to more counts so that when they come back again, in the rock court, you've got felony convictions to be able to leverage; file more 10-20-life cases, or ask for a longer sentence on some of these cases? You're...you're...

**Harry Shorstein:**

You know, some judges will give longer sentences than others, even though I can't complain about the judges...I don't know how, if we tried most murder cases we've ever tried, we're getting longer sentences - I don't know what we can do. But let me digress for one second, and a lot of people don't know this statistic, and it doesn't apply to murders, but it applies to crime, and that is...of all the crimes committed, only half of all crime is ever reported to Police. And, JSO, today, their clearance rate, which is not the same as your arrest rate, but it's pretty close, it's different terms; is about 20%.

That means, of all the crimes, not murders, that come...that are committed in the whole 4<sup>th</sup> Judicial Circuit; only 10% ever come to my office, so if he was perfect, and had a perfect result, we're convicting 87%, what impact would it have? Now people say "you don't think you're important?" Yes we do think we're important, because of the integrity of the State Attorney and of the Judicial Systems critically important...

**John Delaney:**

Well, let's run with that for a minute...when the Times-Union did that series on murder, virtually every one of those people had been in the clutches of the criminal justice system within 12 months prior to the murder.

Now if they had...some were on probation, I think I read an article a couple of weeks ago; your office convicted two people of a murder that had been arrested 60 times or something between them. Um, if those people had been filed on, or a longer sentence, wouldn't some of those murder's had virtually been preventable?

**Harry Shorstein:**

Maybe...it's the same argument that people use for DUI - if you're arrested for DUI, I don't believe you should have a high bond...because all we're doing is putting poor people in jail. Judges put high bonds because they're scared to death that they're going to RORU, go out, get drunk again and kill somebody and then the Judge is going to be the headline. That happens, John...but if, and I remember Bob Butterworth as Attorney General, used to always love to kid me...he said, "Harry, you think you own the prison system, because you have so many people in it, you're 6.8% of the State...that's all you're entitled to, and you have significantly more of your people on death row, in prison and in jail, than the 6.8%". So, if we're doing that, and we're only dealing with a small portion, how could we be responsible for the crime problem?

I just, I just don't understand it...

**John Delaney:**

And I...this is the point we had earlier, but I just want to get it and re-look at the numbers...see, you submit that Duval County has a disproportionate percentage of people in prison...

**Harry Shorstein:**

Yes...

**John Delaney:**

Compared to...

**Harry Shorstein:**

I haven't seen that figure in a long time, because I...

**John Delaney:**

And you think that's number one in the State?

**Harry Shorstein:**

I don't know that it's number one in the State...

**John Delaney:**

Number one by percentage...

**Harry Shorstein:**

Yeah, well everything's got to be per capita...you have to take the population into consideration...

I haven't seen that figure...

**John Delaney:**

So is...but you don't think moving up the filing rate on the number of arrests, moving up the conviction rate on the number of felonies that are filed or moving up the average jail sentence would help at all?

**Harry Shorstein:**

It might, and it might not...let me explain it to you this way; if the United States incarcerates more than any country in the world; if Florida incarcerates more than any other State, and if we lead in Florida - how could getting tougher be the explanation for or the answer?

**John Delaney:**

Well, then why not let them loose?

**Harry Shorstein:**

Because they should be punished...and they are.

**John Delaney:**

But there's a group that aren't. I guess there's a group whose cases are...

**Harry Shorstein:**

You can argue all you want, but let me just tell you this, and I urge any police officer...now I know I've been very tough on...law enforcement and on any type of police corruption. I've had a policy from day one - and that is anybody, not the Sheriff, of course he can...any patrolman, his first day in the Academy, can appeal any decision made by anybody and it happens. I mean, I've had them walk into my office at 5:30, you know I can't do that to everybody, you know I'm pretty busy..."Mr. Shorstein, you assistant didn't think this was a legal search and seizure..." We review it, and we've done it and we did it with murders. So if you look at that, at the end of 17 years, I can remember 2 cases that we

disagree on...one is Lonnie Miller; and they believe that it was Presley Austin who killed him, Presley Austin is serving Death...I put him on death row...I don't really know whether he did...I wouldn't think it would make any difference to bring him back and try him again; the other was the case in the park that we talked about...

**John Delaney:**

Try to look at the system, though, Harry; if for example, here is Hillsborough County files a higher percentage of arrests than Jacksonville, and if they convict a higher percentage of those that they file; and if they have a longer average sentence than Jacksonville, wouldn't it make sense to look to see "are we doing it right, or not"?

**Harry Shorstein:**

I've been to Hillsborough County, I think that there's no comparison between the two. I don't know the statistics that you're look at, and I'm not sure it's really fair, you know, you can...

**John Delaney:**

You know, I really...I, I combed around some, but really it was your statement saying, you know..."We convict the most; we file the most; we have the most..."

**Harry Shorstein:**

No, I'm telling you that that's a statistic...it's a fact...it was 122 with whatever 14 comes to 11.6% acquittals, and that means that 88.4% convictions.

**John Delaney:**

Yeah, on the trials...Ok...

**Harry Shorstein:**

You know, I don't know what else to say...

**John Rood:**

John, did you have a question?

**John Coxwell:**

Well, I do yeah...in fact, you can call it a statement or question or whatever you like...about three different things and I'll just wrap them all up real quick...

**Betty Holzendorf:**

Give your name...

**John Coxwell:**

John Coxwell...um, now there was some mention about the Sheriff's budget and we know we've read the paper; we...in fact I have a copy of his budget, uh, hundre...I think \$107 million dollars more than what Sheriff Glover's was when he...

**Harry Shorstein:**

I think it's more, but there was a hundred, then there's five, three and twelve...but I think you're close...

**John Coxwell:**

I think I remember reading \$107 million above sometime, anyway...now does the money, and you've showed where forfeitures and grants...does add on to his budget?

**Harry Shorstein:**

Yes it does...I mean I don't have the...

**John Coxwell:**

Does that add dollars to his budget? That's what I'm trying to say...

**Harry Shorstein:**

Well, the Sheriff's going to have to answer that...

**John Coxwell:**

Well, I...

**Harry Shorstein:**

The slide, I don't remember it John, I think it said on the forfeitures we gave them 1.7...

**John Coxwell:**

I know, but he did have a lot of forfeitures and stuff...

**Harry Shorstein:**

Yes sir, yes sir...

**John Coxwell:**

That's not just what you did, I mean...

**Harry Shorstein:**

Yes sir...drugs and...yes...

**John Coxwell:**

Drug monies and everything, but that goes into his budget...

**Harry Shorstein:**

It goes into his budget, he I think he needs Council approval, it's his, so it...

**John Coxwell:**

It's just like new-found money...

**Harry Shorstein:**

He can't just hand it to you - he'd have to go to Council and Council would have to approve...

**John Coxwell:**

But it is new found money to his budget?

**Harry Shorstein:**

Yes sir...

**John Coxwell:**

Ok...and uh, the other thing, did you get a big budget increase in the year?

**Harry Shorstein:**

I don't want to be telling jokes here,

**John Coxwell:**

No, no...no...I'm just...

**Harry Shorstein:**

No, let me...no thank God for asking that question...We, this year, received...now let me

**John Coxwell:**

I'm not talking about this year...I'm talking about the last 2 or 3 years?

**Harry Shorstein:**

Over what...this year we have had a 6% cut...that's not a less increase, 6% - which to me; and Ed correct me if I'm wrong - is historically unprecedented...and I can tell you it's unprecedented in my 17 years. 6% cut - and what other State Attorney's are doing - furloughing people, laying off people - when they furlough, they mean uh, you don't have to come to work Friday, you can come if you want, but you're not getting paid and that's what I haven't done that yet; because I know how to manage my budget, but it is tough.

**John Coxwell:**

I know it is, but you know, and then on the other thing I wanted to make a statement on was...another one was, in our committee, we have already sent uh, our recommendation to...that out of school suspension be stopped, whatever, whoever has to pick up the tab. I mean, that's a must...there's no way those kids can be sent home to roam the streets; and I've had several, several Principals call me and tell me that was wrong, I shouldn't do that - I shouldn't have brought that up, I should retract it. I will never retract it, and I'm not telling them they need to keep them in the classrooms to disrupt that classroom, I don't care if they send them into a building and draw a circle on the wall and have somebody stand there with a stick and say "watch it all day"...it's better than putting them out on the street. You know, whatever they've got to do to get their attention; and uh, the other thing was...uh, another that I don't like about what the Sheriff's doing and I want someone to talk to him about is, sector - he's never convinced me that his sector system works. Where he's got his forces out on the sector system, I think there ought to be community police and put in the...

**Harry Shorstein:**

That is what I was addressing when I said proactive versus reactive...

**John Coxwell:**

I...I don't agree with that, but then I am not, in fact to your statements earlier, with Chairman Rood, I picked up on that earlier, and uh, you in my business I call people like you was addressing us Sidewalk Superintendents, when they call in and tell me how I ought to be building roads...uh...but uh, sometimes they do have a good idea, but uh, most of the time it's not. And I agree that with Chairman Rood that uh, you know that things...when a

budget is up by 1/3 and one of the departments and the prime is still going high, it's time for somebody to look at something...or whoever.

**Harry Shorstein:**

That's been my speech...Can I just mention the budget though, because it's critically important and it's something that a lot of people don't understand because uh, Florida's different.

In almost every state in the United States, the DA is a county officer; County Attorney, DA - whatever you want to call them, we all call each other DA's...Florida does it differently, not only are we State officials, not County officials, very unfortunately, that I have 3 counties - and that's horrible for this reason: If I were a regular DA, I would be going to the City of Jacksonville, just like the Sheriff does, and I'd be getting a blank check, because I would assume, uh, at least I know I could speak for Mr. Austin, why in the world would they give the Sheriff millions of dollars of increase and cut him.

Jacksonville is just different, it makes no sense...because while you've had that \$100 million increase, I've had a 6% decrease. John, I'll tell you something, I've been in the State Attorney's Office...I've been the State Attorney for 17 years, came in 1970 - I have never seen kids work as hard and be as efficient as they ever have. Now that is a point of personal privilege and I think I know a little bit about trying cases...but what is, what is absolutely crazy is just the way the State funds us. I don't know why they do it...tell me why there are two or three people in the General Counsel's office in the City of Jacksonville that make more than the Chief Justice of the Florida Supreme Court, now I don't know why...

**John Delaney:**

But Harry, you can pay your lawyers anything you want...correct?

**Harry Shorstein:**

Yeah...run out of money...!

**John Delaney:**

Yeah, yeah, but what I'm saying is you can set the salary, you just may have fewer lawyers...or you may not spend it on something else...

**Harry Shorstein:**

John, we have, we would like to have 106.5, we're down to about 100 and we're probably going to go down to about 95...Tampa, which is the exact same size has about 130 - and we do that because we

want them to work harder get them to pay a little more, but our pay is...it's disgraceful.

**John Delaney:**

But Harry, you don't have to pay \$40K to a starving lawyer do you?

**Harry Shorstein:**

No, but I wouldn't have any lawyers if I paid more...

**John Delaney:**

Well, but you hire how many, maybe a dozen a year; 10 to 20 per year?

**Harry Shorstein:**

No, we lose about well, this year it's going to be a whole lot more, but anywhere between 10 and 25 lawyers...

**John Delaney:**

Call it 20 and you could give them a \$10,000 increase for \$200,000.

**Harry Shorstein:**

Yeah, but we have cut so far, we cannot function. If you tell me that you want me to have 10 fewer lawyers, we're going to cut back significantly on some services, just can be done. I mean, I'm so sick of making this speech I make to them about how wonderful our job is, and we're serving our country and all that, all of which I believe, but it doesn't put bread on their table and it doesn't allow them to have children and get married. And, they're pretty tired of listening to it, it's disgraceful...

**John Delaney:**

That's always been...I mean it's...

**Harry Shorstein:**

No, I'm telling you its worse...It is, \$40,000 starting salary is a lot less than the \$12,000 I made in 1969 or '70.

**John Delaney:**

Well, I made (undistinguishable amount) in 1981 in that office...

**Harry Shorstein:**

Yeah, and these kids have over \$100,000 in student loans...

**John Delaney:**

I guess you didn't give any raises in the 1970's...(laughter)

**Betty Holzendorf:**

Ok, let me just...let me start referring the way of the State Attorney's...

**John Delaney:**

This doesn't have to be a war...

**Betty Holzendorf:**

Ok...a friendly discussion of the State Attorney's...we'd like Mr. Perez - he's going to ask a question, followed by Ms. Paul, and then by Mr. Boselli...and then I have some questions of my own, but Mr. Perez, you're recognized...

**Paul Perez:**

Thank you - Harry, this is more of an observation really, than a question, but uh, but you're of course, uh, you may take, may want to respond to it...Operation Safe Streets, you, you have mentioned it as a success, we've heard the Sheriff mention it as a success...I look at it as a success from my full vantage point myself as a US Attorney, and one of the main reasons is because I see it operating differently than the paradigm that currently exists between the Sheriff's office and the State Attorney's office. What you've got is basically, pretty much like the model in the US Attorney's office or the Department of Justice; you've got vertical prosecution there, you've got the same prosecutor working hand in hand with the police, with the investigator, not just making charge determinations, but then charging it and following it through to sentencing. And, the numbers, as you yourself have...have um, put up this afternoon on the slide and so forth, you know, make it a huge success in my mind, and...and I really would encourage you to, instead of, and I understand your, uh, your budgetary considerations and so forth, but rather than either trimming it back, or looking at it as something that you just can't keep up with, I would almost encourage you to look at it as a model for something to take in, perhaps into your rock unit and so forth, because I really do think that this is the way, you know, for at least for part of this criminal justice quagmire that we seem to be in because of the violent crime spike, I think this is a great success story and can be modeled that way.

**Harry Shorstein:**

And obviously, uh, Mr. Perez, I agree with you or I wouldn't be doing it. I cannot tell you how great a sacrifice it is. Orlando has the same thing, you know I went to Orlando and they put on a presentation for me because their crime problem is very similar to Jacksonville, it's all in one real small area, relatively small area. And they've got a task force, they had - the State Attorney there, has donated ½ of an Assistant State Attorney; I've given them 2 Division Chiefs; and 8 Attorney's. In return, he's cut back the people that are assigned to me. And, I don't care, it's wrong...that he's done that, but I'm not playing games, I'm doing just what you said, I don't care what - I'm going to continue to do that if it's at all possible, because you're right, it is effective, and it's not a matter of politics, it's not a matter of being friends, it works. And at some point, it's going to have to stop...

**John Rood:**

Pam, you had a question...

**Pam Paul:**

Yes, this is Pam Paul, it's real quick, Harry, I really just want your impressions...just seems to me that um, when we were all in this boat as we have been for years, um, there was a lot of State funding and Juvenile Justice Department for prevention programs, what in the world happened, and um, we're going to be looking under rocks for financing, um, I guess my que...I guess what really shook me was when the Juvenile Assessment Center was closed, which now we're going to work so hard to re-open it...but I guess the philosophy has changed, but would you just give a couple of sentences?

**Harry Shorstein:**

I'd love to give a couple days...Ms. Paul, you've been a great leader and a tremendous ally in helping juveniles and as I've said

**Pam Paul:**

Thank you...I think I closed my eyes for a couple of years and it disappeared!

**Harry Shorstein:**

Well, as I said a million times, the answer to crime is juvenile crime; the answer to everything you're doing is address crime at the earliest opportunity. I don't know what's happened, but it happened under Gov. Bush, and it happened under President Bush; and both have just decimated juvenile prevention. In Gov. Bush's

administration, he traded the prevention programs for more secure facilities. Uh, it sounds tough, I personally disagree with that, and President Bush just last week, I'm on the Board of the American Prosecutors Research Institute, and we have a juvenile justice division, they cut the entire funding - and I've had a call into Bob Flores who is the administrator of OJJDP; we had a long talk, he was very nice, but when he hit the money and I've called him 3 other times and he hasn't returned my call, so I got a sort of a feeling it's a bad...uh, he just doesn't want to tell me the answer.

I can't tell you why, I...I, it's because there's a lack of understanding, and if I can just use this one example...I remember Gov. Chiles appointed a task force, and looking at all crime. And their conclusion was, they were looking at crime through the wrong end of the telescope. If you look at crime from age 0-17, which is the juvenile; the crime goes straight up - and from 18 to death, the adult - it goes straight down. All of your money is going to the reducing problem instead of the accelerating problem, and I don't know - I've been preaching that to anyone who will listen to me since 1992, I'm more convinced now all we can do is beg before you need to tell your legislators and your congressman that, because both governments have severely reduced prevention programs; and it's looking worse..

**John Rood:**

Tony...

**Tony Boselli:**

Uh, piggyback a little bit on Mayor Delaney, a comment he made, I'd like to hear a solution or a recommendation because through the presentation, seeing a lot of programs; looking at the statistics - it's alarming how things have gotten worse. So obviously, what we're currently doing, uh, and without pointing the blame at any single office or person, is it working? But Chairman Rood said - when all of us want to try to help and none of us are experts, we're called to...because there is an issue.

I'd like to hear, instead of what the problems are, or who is at fault or what programs that we are currently doing that obviously aren't effective because the results aren't coming...what is...give us a recommendation of what needs to be done.

**Harry Shorstein:**

I can give you a couple that...that are very personal to you and John tried to jump me with some figures I don't know, but I will tell you something that I said...

**John Delaney:**

I don't think we're far off...I didn't mean...

**Harry Shorstein:**

No, I said about him...his administration he developed a program and I'm not good with names, Operation Intensive Streets...

**John Delaney:**

Intensive Care Neighborhoods...

**Harry Shorstein:**

Intensive Care Neighborhoods - that is critically important, I mean critically important because it's just what you're doing. If you go into 7, 8, 9 and 10; the high crime, where they're living in despair, I mean it's probably like inner-city Iraq - these people hear nothing but gunfire, they don't have role models, they're scared to death...and they, they're streets are pot-holed and everything else; every time that Mayor Delaney opened one up,

I remember he...and Sheriff Glover, and they...we were busy sometimes, it wasn't easy...we stood right next to him and he had a big press conference out there and he said, "We're going to tear down this house, we're going to build up this house"; that is critically important. Argue that that's much more important than COPS, what you did - I didn't know you other than by reputation - until I heard what you wanted to do and as you know, I picked up the phone and said, "Somebody put me in touch with Boselli", and they did, and we held a press conference. And I said, "What this man is trying to do is the answer to crime!" And you know, what I hear, and I can't speak for the Mayor and I really don't know this, but

I hear that there are other civic centers, and youth centers and parks - what Jake Godbold said brings back memories of when I was a kid - I didn't care about school, but I had to go to Willow Branch Park and play baseball every day, and if you told me I couldn't go and play ball - it would be the end of the world. And Mayor Godbold is saying we need parks like that - we need recreation centers, what you're doing, those are two examples, and I don't think they're two isolated examples; you've got to rebuild this City - you've got to rebuild this inner-city. Read my Tale of Two Cities speech - I worked so hard on that, these people are living in despair and this is not a liberal saying it, I mean they are living in hell.

Until you bring them up - you're not going to stop crime if you give them 100,000 more police officers.

**John Delaney:**

But your office, you don't think - because that's what the focus today is...you office, you don't think there's nothing that you...you

would propose that this task force recommend to the Mayor and the community, but your office, not...not...not...

**Harry Shorstein:**

Yes...so much of the...

**John Delaney:**

It's a very good speech, but uh, that's why I was kind of wanting to bore in on the numbers and your office - are there things that we can do there?

**Harry Shorstein:**

We're not allowed John, by statute to supplement our...I wish there were! I wish we were funded by the liberal City Council and not by the State Legislature, which uh, you know...we finally, I was on the phone with Jim King yesterday...I think after, in my case, 17 years and ya'll(s) case going back further; begging, pleading, threatening - we've done everything we can to our legislatures...Jim says, "You know, you're right, it is terrible what we're doing to the State Attorneys", but he said "This year, there isn't any money".

**John Delaney:**

Only...ask this...if you had a \$Million dollars more from wherever, what would you do with it?

**Harry Shorstein:**

Uh, I'd use it for salaries - you know my whole budget is salaries, uh, you know...it's amazing...

**John Delaney:**

So you'd...would you hire more, you'd increase salaries?

**Harry Shorstein:**

Well, I won't tell you exactly what I would...uh, it would be both. To me it wouldn't really go that far, but I'd take it. Uh,...

**John Delaney:**

And then on the hiring...

**Harry Shorstein:**

Well now let me give you an example: Uh, I...I don't like to make promises and not do it, I made a promise 4 years ago, or said that

I was going to open an Elderly's...Elderly Affairs Division, I just can't do it - I've been trying, and thank God nobody's shoved a microphone and said, "Shorstein, you said you were going to have one...you haven't done it." I haven't. I can't. Uh, there's some things I can't talk about right now...

**John Delaney:**

What Harry...um, and again, looking at the...regular felony...

**Harry Shorstein:**

I'd like to supplement those...all those programs, and I had to rush through them, uh, those...we beg, borrow and take whatever we can, we can get supplements to that. Let me give you a perfect example called Inside/Outside we just lost our funding for...and that's when these juveniles go to jail for a year and they're ready to go out, they don't have anywhere to go. And, you know, they don't have any chance, so we actually have an Inside/Outside house where they live, with counselors - we just lost our funding for that. So...

**John Delaney:**

One last question...it looks to me like the number of felonies are about the same as they were in 1991, roughly...a number of um, it looks to me like the murders peaked early 90's - late 80's, dropped down, now they've been escalating in the last few years, but they're still below the number of murders...

**Harry Shorstein:**

From '91 to 2003, we were doing pretty well, pretty well meaning bad, but not, not...

**John Delaney:**

Yeah, but I'm just saying - if you're looking at the system, the number of felonies that...the number of murders; um, but your office is...

**Harry Shorstein:**

Let me say, there is a problem though, John, as you know; and I'm not blaming anybody, they weren't reporting them for a long period of time, and that was an issue - we...what do you say...we have murders and we don't have any aggravated assault? You know...in when you guys left, ya'll reported 1,800 rapes, 2 or 3 years ago before they corrected it, they reported 122; I said, "We haven't ended rape in Jacksonville." My rape division is 3 times the size...there was something wrong with the reporting, so I can't exactly answer...

**John Delaney:**

Good Answer...

**Harry Shorstein:**

Uh, uh...the reporting, I think the Sheriff said there was some glitch in his, in his computer system or something.

**Betty Holzendorf:**

Harry, I think I'm going to ask the last question...When the Sheriff and his people go out, and I live in one of those areas, where you said it was depressed; deprived and all that other stuff. And, um, we do work hard out there trying to do something about that...but what happens is...when the Sheriff goes out and he arrests people in those areas, and he brings them to town, they have Raids...I've been out on the raids with them, drug arrests; robbery arrests. And, 2-3 weeks you see the same person back out on the street. Why isn't that person prosecuted? I mean, we've got one, I know his name...Zeek...I mean, he...we call every week and he's arrested, but nothing happens.

**Harry Shorstein:**

The answer really is...the best illustration is in Operation Safe Streets, where you have the attorney's working with, and we're never going to be able to do that unless you give me 2,400 attorneys'...they have made good cases, they're all prosecuted. We get a case, and it's not good enough for you to call me and say, prosecute him... you know, we've got certain standards like...

**Betty Holzendorf:**

Ok, hold that point, right there...Are there programs or would you suggest programs where when you pick these people up and arrest them, we know what they're doing; we know they need some kind of help. Are there programs that you can divert them to, or do you have...are your programs over saturated?

**Harry Shorstein:**

I've told you about...

**Betty Holzendorf:**

I know...but are they over saturated to the point that now we...when we arrest people, we're putting them back on the street?

**Harry Shorstein:**

No...Drug Court is always constantly fighting for

funding...constantly, and nothing is better than Drug Court, the Mental Health Court maybe something ultimately better than Drug Court. But, we can't put you in that program if we don't have strong enough evidence, now sometimes if the evidence is weak, rather than let you go; we'll try to talk you into the program. But you can say, Harry go to the devil, I'm not going to the program, we still can't prosecute you out of spite...I've got to have it...

**Betty Holzendorf:**

So do you have a referral assistance so you can refer them to the program that would be able to do that?

**Harry Shorstein:**

Yes...I wish you'd let me explain Drug Court. We go through a comprehensive screening program to determine whether somebody will benefit from Drug Court, and whether they're a proper candidate for Drug Court, and in many cases; even if the case is weak, we try to get them into Drug Court because we're trying to help the people. So let me just...

**Betty Holzendorf:**

Ok, now Harry, one thing...I'm not on the...I'm not on the Legislature, so I can't help your Budget at the State level. Now, with this committee and what we're attempting to do...where do you suggest we concentrate in terms of what we need to do to address what's happening in Jacksonville right now? Looking aside from the fact that you're supposed to prosecute them and put them in jail; the Sheriff is supposed to arrest them and you're supposed to prosecute them...

**Harry Shorstein:**

Now let me stop you for a second...

**Betty Holzendorf:**

That is what I have envisioned that you're supposed to do...you're not going to change my mind...

**Harry Shorstein:**

No...no, I disagree with the rest...that is not the primary responsibility. It's crime prevention, that's the whole difference between proactive and reactive. Rather than wait for him to commit a murder, we present a policing that will prevent him from committing murder.

**Betty Holzendorf:**

That's...that's true, Harry, but isn't that where we come in, in terms of the community effort; and the efforts of the City of Jacksonville, so that when you do get an arrest, that you can prosecute because we have those diversion programs to do what we need to do. And I think what I'm trying to get a feel for, is not so much how to get more prosecutors or police...how do we get this City to buy in to more intervention and prevention programs?

**Harry Shorstein:**

By spending the money...

**Betty Holzendorf:**

If, that...but if...

**Harry Shorstein:**

No, by spending the money more intelligently, than...

**Betty Holzendorf:**

But that won't happen if we don't get the ones that are being arrested and creating the problems if something isn't done with them. And I just want you to help us to understand how this presentation can help us get to where we're trying to get to with the *Journey*.

**Harry Shorstein:**

I've listed, I guess, 30 programs; all of them are successful - most of them are nationally renowned; they need to be replicated, increased. That is the answer to crime...you know, let me mention one last thing, because I've heard that as an explanation, because uh, somebody said, "well, the cases, the judges aren't doing their job". And I...I won't mind fussing with the judges and I fight with them all the time. Somebody said, well you know the judges case counts are too high, you've heard that? Well let me tell you a little statistic that in the Sheriff has said..."you know; it's taking you too long, too many people are in jail". Jacksonville the average court case count for the felony divisions, which is very high right now, is 351. Each judge has 351 cases. And you say, "Well that's terrible", and it is high; however, Orange County has 498; Hillsborough County has, your efficient County has 850 and some divisions have 1,100. I don't know what they're doing, whether they're taking people that should get 40 years and giving them 13 months in jail to try to impress you; and Dade has 695.

The other thing is they talk about our Jail being so overcrowded; our Jail has fewer people than Orange and Hillsborough County. So a lot of the explanations aren't there...I just urge ya'll to

consider that you have a finite amount of money, I wish you could give it to me and you can't, but uh, thinking about just putting it in law enforcement and not putting it in the programs and not putting it in the intensive care neighborhoods, in my opinion, is an anti-crime or anti-crime prevention initiative, and I urge ya'll to consider that.

**Betty Holzendorf:**

This meeting is adjourned.

**Harry Shorstein:**

(Speaking to an audience member..."I'll speak to you outside"). Are you through, Madam Chair?

**John Rood:**

Thanks, Harry.

**Harry Shorstein:**

Thank you very much.

The meeting adjourned at approximately 4:15 pm.