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## PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

### CORRECTIONS TASK FORCE/ Public Safety Coordinating Council

Palm Beach County Governmental Center  
301 N. Olive Avenue, 12<sup>th</sup> Floor McEaddy Conference Room  
West Palm Beach, Florida 33401

Wednesday, October 7, 2009; 12:00 P.M.

[HTTP://WWW.PBCGOV.COM/CRIMINALJUSTICE/TASK\\_FORCE/CORRECTIONS/](http://www.pbcgov.com/criminaljustice/task_force/corrections/)

### - SUMMARY MEETING MINUTES -

#### **MEMBERS PRESENT:**

**Chairman Douglas Duncan**, Roth and Duncan, P.A.  
**Vice-Chairman Chris Kneisley**, Major, Palm Beach Sheriff's Office  
**Rosalyn Baker**, Florida Department of Corrections  
**Ted Booras**, Judge, 15<sup>th</sup> Judicial Circuit  
**Maureen F. Brickous**, County Probation, PRIDE Integrated Services, Inc.  
**Patrick Cannan**, Workforce Alliance  
**Jeffrey Colbath**, Judge, 15<sup>th</sup> Judicial Circuit (*attended at 12:30pm*)  
**Roger M. Crane**, Police Chief, Palm Beach County Chiefs of Police Association  
**Krista Marx**, Judge, 15<sup>th</sup> Judicial Circuit  
**Jill Richstone**, State Attorney's Office  
**Alton Taylor**, Executive Director, Drug Abuse Foundation  
**Louis Tomeo**, Office of the Clerk and Comptroller, Director Criminal Court Services  
**Charles Trotta**, Manager, Palm Beach County Pretrial Services Agency

#### **MEMBERS ABSENT:**

**Bob Bozzone**, Executive Director, Comprehensive Alcohol Rehabilitation Program  
**Tommy Richards**, Palm Beach County Bail Bond Association  
**Shelley Vana**, Commissioner, Palm Beach County  
**Barbara White**, Public Defender's Office

#### **GUESTS PRESENT:**

**Reporter**, Palm Beach Post (*did not sign in*)  
**Paula Carvajal**, Court Administration  
**Barry Echols**, Palm Beach County Bail Bond Association  
**Barry Fondiller**, Jail Counselor, Palm Beach Sheriff's Office  
**David Gillert**, Palm Beach County Sheriff's Office  
**Ken Huxold**, Pride Integrated Services Inc.  
**Shelby King**, Palm Beach County Sheriff's Office  
**Bea Lovelace**, Office of the Clerk and Comptroller  
**Elizabeth Parker**, State Attorney's Office  
**Nicole Saunders**, Director, Palm Beach County Justice Services

#### **CJC STAFF PRESENT:**

**Jenise Link**, Sr. Criminal Justice Analyst  
**Michael Rodriguez**, Executive Director

- I. Chairman Duncan welcomed the members and guests of the task force.
- II. The agenda was approved without additions or deletions.
- III. The minutes of the September 2, 2009 meeting of the CTF/PSCC were approved.
- IV. Reports

**A. Jail Population Report**

Major Kneisley reported that the total population of the jail today is at 2,850. He added that the population is significantly higher than it has been in the last six months and that bookings were up while releases were down. He commented that the federal population has also increased recently.

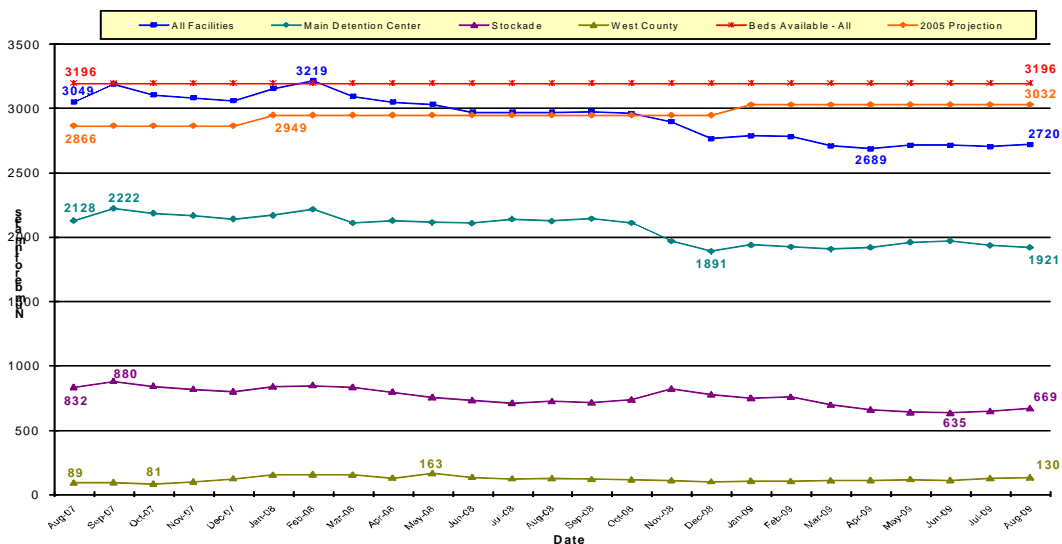
See charts/graphs following from previous month:

Palm Beach County Criminal Justice Commission  
 Corrections Task Force/Public Safety Coordinating Council  
**Palm Beach County Correctional Facilities Monthly Population Report**  
 January - August 2009  
 Data Source: Palm Beach County Sheriff's Office, Corrections Department

Facility	August Average Daily Population	Jan - Aug Average Daily Population	EXISTING CAPACITY			FUTURE CAPACITY	
			Number Beds*	August Percent Occupied (ADP/Capacity)	Jan - Aug Percent Occupied (ADP/Capacity)	Number Beds*	Jan - Aug Percent Occupied (ADP/Capacity)
Main Detention Center	1,921	1,935	2,114	91%	92%	2,114	92%
Stockade Detention Center (Including 96 bed Drug Farm)	669	682	944	71%	72%	944	72%
West County Detention Center	130	112	138	95%	81%	262	43%
<b>COUNTYWIDE TOTAL</b>	<b>2,720</b>	<b>2,729</b>	<b>3,196</b>	<b>85%</b>	<b>85%</b>	<b>3,320</b>	<b>82%</b>

\*Does not include 106 beds for medical.

Palm Beach County Criminal Justice Commission  
 Corrections Task Force/Public Safety Coordinating Council  
**Average Daily Populations by Date and Facility**  
 Data Source: Palm Beach County Sheriff's Office, Corrections Department



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**B. Jail Counselor Report**

The Jail Counselor, Mr. Fondiller, provided a report that showed the status of DCF transfers and misdemeanor booking averages. Mr. Fondiller reported that the total average of days misdemeanants spent in jail in September was 3.26 days. He added that the average number of days for misdemeanants between booking and sentencing was 4.31 days. Mr. Fondiller reported that no inmates were waiting to be transferred to the state hospitals and six inmates were transferred to the state hospitals in September. He also reported that no inmates were waiting to be returned from DCF and five inmates were returned from DCF last month. Judge Marx commented that the process for competency cases at Gun Club is making progress.

**C. Juvenile Detention**

Department of Juvenile Justice Superintendent, Mr. Flowers was not present at the meeting but forwarded a monthly report of the detention center's population which showed the monthly average in September was at 51 juveniles.

**D. Pretrial Services Report**

The Pretrial Services Manager, Mr. Trotta, provided members with a printed report detailing the Supervised Release Pretrial Services Program. The report notes that it is current as of October 5<sup>th</sup>. He reported that there are a total of 1,157 defendants on Supervised Own Recognizance (S.O.R.) and that 1,027 of these are out of custody. Nineteen individuals were on S.O.R. and were in custody for the following reasons:

Probation/Parole Violation	3
Hold for Other County	1
S.O.R. to Treatment	2
Bonds or No Bonds on Other Charges/Holds	13

Mr. Rodriguez asked if the average S.O.R. population was lower than past averages and Mr. Trotta commented that the population is lower; in past months it was up to 1,600 individuals on S.O.R.

**V. Updates**

**A. Bookings by Statute required by FDLE:**

Police Chief Crane noted that this issue is being reviewed by a statewide committee and Chairman Duncan suggested that the Task Force keep it on the agenda as an update. Chief Crane provided a brief update regarding the discrepancies in the booking statute requirements by the Florida Department of Law Enforcement. He stated that police agencies already have information management systems in place that will not be compatible with FDLE tables and the State Attorney's charge table. Ms. Richstone (SAO) mentioned that this is a problem area that has occurred for many years and has been analyzed for years.

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**B. Drug Court Expansion:**

Mr. Rodriguez provided the Task Force with an update of the operations subcommittee recommendations for revisions of drug court criteria. He stated that the recommendations were that:

1. Pending cases will not be a barrier for admission to Drug Court
2. Grand Theft, Dealing in Stolen Property, Burglary of an Unoccupied Structure, Forgery/Uttering, Sale of Drugs (not Trafficking) and Tampering with Evidence may be considered for Drug Court if Appropriate.
3. Persons charged with or convicted of prior misdemeanors with less than a 365 day sentence will not be excluded for admission to drug court.
4. Persons charged with or convicted of a prior non-violent Felony will not be excluded for admission to drug court

Mr. Rodriguez reported that the recommendations were not approved by the subcommittee and that subcommittee will continue to work on new issues to expand drug court. Judge Marx mentioned that the PTI numbers have increased while the drug court participation has decreased and expressed that the population in court-ordered PTI should be entered into the drug court program. Ms. Richstone reported that the committee is examining first time drug offenders to expand the program.

**C. Administrative Order on misdemeanor in-custody cases:**

Ms. Carvajal reported that on July 15, 2009 Administration Order (AO) #4.607-7/09 was established for misdemeanor in-custody cases that would provide for next day returns and/or failure to appear cases to be assigned to a divisional judge the next business day following their arrest. She explained that the AO also provides that with the exception of battery, domestic battery and driving under the influence VOP cases, all VOP misdemeanor in-custody hearings shall be heard at the Gun Club courthouse unless otherwise ordered by the Court. She further reported that from July 15<sup>th</sup> to August 30<sup>th</sup> there were 24 VOP cases were heard at Gun Club and 15 of those cases were resolved; 13 FTA cases were heard and 12 of those cases were resolved at Gun Club.

**D. Status of SAAP (Substance Abuse Awareness Program) in FY 2010:**

Ms. Link reported that the recommend letter, including the impact analysis report as an attachment, was sent, on behalf of the Task Force to the Sheriff and to the Board of County Commissioners in support of SAAP recommending that the County keep SAAP operational. She commented that the Board of County Commissioners decided at their subsequent budget hearing that the mileage rate would remain at the rollback rate and would therefore not require a further cut in the Sheriff's budget. She also explained that the budgetary outlook for next year is going to be more bleak than this past year and that programs will need to be re-examined for sustainable funding. Chairman Duncan recommended that a group from this Task Force identify alternative funding sources for Corrections programs and asked for

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volunteers. Major Kneisley stated that it is unclear if this is a good idea or not but concurred that the examination of alternative funding needed to be done prior to the next budget cycle due to the \$110 million shortfall that is expected.

**VI. Old Business**

**A. Draft Legislative Changes to F.S. 903.046 regarding Misdemeanor FTA bonds:**

This issue has been tabled due to a lack of an agreement between the State Attorney's Office and the Office of the Public Defender.

**VII. Additional member and guest comments**

Chairman Duncan informed members that the next meeting is scheduled for November 4<sup>th</sup> at noon.

**VIII. Adjournment**

JL, CJC 10/7/09