

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION



**CORRECTIONS TASK FORCE/
Public Safety Coordinating Council**

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

Wednesday, February 2, 2011; 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.
Maureen F. Brickous, CEO, County Probation, Pride Integrated Services, Inc.
Roger M. Crane, Police Chief, Palm Beach County Chiefs of Police Association
Vice-Chairman Chris Kneisley, Major, Palm Beach Sheriff's Office
Tommy Richards, Palm Beach County Bail Bond Association
Alton Taylor, Executive Director, Drug Abuse Foundation
Louis Tomeo, Director Criminal Court Services, Office of the Clerk and Comptroller
Charles Trotta, Manager, Palm Beach County Pretrial Services Agency
Shelley Vana, Commissioner, Palm Beach County
Barbara White, Public Defender's Office

MEMBERS ABSENT:

Rosalyn Baker, Florida Department of Corrections
August Bonavita, Administrative Judge, 15th Judicial Circuit
Ted Booras, Judge, 15th Judicial Circuit
Bob Bozzone, Executive Director, Comprehensive Alcohol Rehabilitation Program
Patrick Cannan, Workforce Alliance
Rev. Chaney, Clergy Representation
Jeffrey Colbath, Administrative Judge, 15th Judicial Circuit
Sharon D'Eusanio, Victims Rights Coalition/ Office of the Attorney General
Krista Marx, Judge, 15th Judicial Circuit
Jill Richstone, State Attorney's Office

GUESTS PRESENT:

Francene Adderley, Palm Beach County Bail Bond Association
Cristy Altaro, Court Administration
Barry Fondiller, Palm Beach County Sheriff's Office
Michael Gauger, Chief Deputy, Palm Beach County Sheriff's Office
Anthony Flowers, Superintendent, Department of Juvenile Justice
Jaime Gonzalez, TNT Bail Bonds
William Hutchings, Court Administration
Elise Johansen, Goodwill
Feirmon Johnson, Florida Department of Juvenile Justice
Shelby King, Palm Beach County Sheriff's Office
Lorraine Leslie, Goodwill

Donald Monroe, Florida Department of Corrections (for Rosalyn Baker)

Mike Nefzger, Bail Florida

Pat Sheffield, JDAI/DJJ

Michelle Spangenberg, Court Administration

CJC STAFF PRESENT:

Arlene Burton, Administrative Secretary

Michael Rodriguez, Executive Director

Candee Villapando, Criminal Justice Analyst

- 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 December 1, 2010 meeting of the CTF/PSCC were approved.
- IV. **Reports**

A. Jail Population Report

Vice-Chairman Kneisley reported that the average daily population for the year of 2010 was 2,843 showing a downward trend from 2008 at 3,016; in 2009 dipped at 2,783; and in December 2010 the average was 2,576. He said that the downward trend was mainly from the revised bond schedule and the OR release of misdemeanors at booking. Today's count is 2,613.

B. Jail Counselor Report

The Jail Counselor, Mr. Fondiller reported that 2 inmates were waiting to be transferred to the state hospitals due to problem with paper work/MRDP transfer, and 3 inmates were transferred to the state hospitals in January. He also reported that no inmates were waiting to be returned from DCF and 7 inmates were returned from DCF in January. He reported that there were a total of 34 mental health assessments ordered December 2010; 33 were completed (14 with court dates, 16 released, 3 released into treatment), and one inmate released before completion. Summing up the transfers and returns for 2010, Mr. Fondiller reported that 87 inmates were sent to state hospitals (18 to South Florida, 14 to Florida State, 50 to Treasure Coast, and 5 to North Florida evaluation); and 53 were returned from DCF (10 from South Florida, 13 from Florida State, and 30 from the Treasure Coast).

C. Juvenile Detention

Department of Juvenile Justice Superintendent, Mr. Flowers reported that the average population currently is 45; six of which are awaiting commitment program and 11 are awaiting direct file review. As requested from the previous meeting, he reported direct file numbers Palm Beach and other regions in the state. He indicated that in January, St. Lucie sent 8 kids to jail; none in the southwest region; 9 kids in Miami-Dade; 5 in Broward; and 14 in Palm Beach. In terms of kids currently waiting direct file review – none in the southwest; 37 in Miami-Dade, and 11 each for both Broward and Palm Beach.

And for the guests that may not understand the terminology awaiting direct file, Chairman Duncan explained that it is when the juveniles are picked up and brought to the juvenile detention center and the state attorney is deciding whether to file on them as an adult, and at which time they are brought to the Palm Beach County jail. Commissioner Vana asked if the data is available historically, and Ms. Barbara White responded that the Department of Juvenile Justice has statistics for the state broken down by circuit. Mr. Michael Rodriguez said that he will get the data and bring it at the next meeting. Ms. White said that Palm Beach County is high on the list, and Commissioner Vana said that this might be an indicator that we have a big problem with our young population if the number is high. Ms. White said not necessarily, that it might be philosophical decisions maybe structured by statutes. She said that there are mandatory direct files, but that there are also discretionary direct files and that in Palm Beach County, the State Attorney has the philosophy that if a child qualifies, he goes to adult court although he could be kept in juvenile court, and other jurisdictions do not have that same philosophy.

She added that there are mandatory and discretionary direct files data is available,

and provided a report that showed the average population count in November was 39. He said that of the 45 at the center currently, 6 are awaiting commitment program pending treatment placement and 11 are awaiting direct file review. Commissioner Vana commented that she would like to know what the status of the county’s direct files is compared to other counties. Mr. Flowers said that he will have that information at the next meeting.

D. Pretrial Services Report

The Pretrial Services Manager, Mr. Trotta, reported that as of November 29th, there were a total of 944 defendants on Supervised Own Recognizance (S.O.R.) and that 863 of these are out of custody; 717 defendants were on S.O.R. only and 227 defendants were on S.O.R. with an accompanying money bond. Sixteen individuals on S.O.R. only remain in custody for the following reasons:

Other Charges/Holds	15
S.O.R. to Treatment	1

V. Old Business

A. Discussion on In House Arrest Program expansion for pretrial populations and private company options:

Vice-Chairman Kneisley reported that the Sheriff's Office changed some of the criteria for pretrial population (e.g. not as stringent on the previous criminal history), but that the numbers have not reflected a significant increase from that process. He also mentioned about the private firm that had talked to them about their options that may be used in conjunction with the Sheriff's Office or pretrial release program. He shared Commissioner Aaronson's question yesterday (at the Board of County Commissioner workshop) in reference to how many people in jail can go out on in house arrest and he said that it depends on the particular day. He added that the Sheriff's Office does not have authority to put people out on pretrial; it has to come from the judges. In terms of getting individuals out of jail, Mr. Rodriguez agreed that they have exhausted the possibilities with the sentenced population, and that the only ones left are pretrial cases, which is a function of the judges, state attorneys, and public defenders. An extensive discussion followed about trying to determine how many of the inmates who are in jail that truly may be released on in house arrest. For the purposes of electronic monitoring, Vice-Chairman Kneisley suggested if the Sheriff's Office and CJC staff can work together to look at a snap shot of the jail inmates to identify the target population and report back in 60 to 90 days. Mr. Rodriguez agreed and said that he will give an update at the next meeting as to what can be done and an estimate of how long it will take.

B. Bond Schedule Review and Proposed Revisions:

Vice-Chairman Kneisley pointed to the other Florida counties' bond schedules attached to last month's meeting packet and additional information provided by Mr. Nefzger. He suggested reviewing the additional information from Mr. Nefzger and discussing it at the next meeting when Mr. Duncan is present, since he's the lead on the issue. There was a discussion about the people who are in jail "languishing" with \$3,000 bonds as brought up by Mr. Nefzger. He said that we do not have the actual numbers and Vice-Chairman Kneisley said that this will be part of the data mining that will be performed.

VI. New Business

Juvenile Detention Center Funding – discussion on fact finding study:

Mr. Rodriguez mentioned that some counties are looking at the idea of opting out of DJJ running their juvenile detention facilities and running them themselves; with the idea that it would be cheaper. He said that Judge Marx has asked that the CJC to look into this and that his suggestion was to do a "fact-finding" mission to get all the information together; the CJC agreed and assigned it to the Corrections Task Force. Mr. Rodriguez said that the Corrections Task Force can decide not to do the task and send it back to the CJC; or they can agree to look into the issue and CJC staff will begin the fact-finding and report back with those findings at some point. Commissioner Vana pointed out that the Florida Association of Counties has

a lot of information on this and that it would probably behoove us to look at the issue. She also said that there is a big discussion about failure to appear in juvenile court and that a lot of the kids that end up in detention centers are failures to appear, and asked if this was true in Palm Beach County. Superintendent Flowers brought up the Juvenile Detention Alternative Initiative and asked if he could invite Pat Sheffield, the Chair, to the next meeting. Commissioner Vana also expressed interest in wanting to see more coordination with the School District in terms of preventing the kids from ending up in detention centers. A last issue brought up by Commissioner Vana had to do with the possibility of issuing citations to kids rather than arrests so they would not have a permanent criminal record. And she reiterated about the importance of having the parents involved in the failure to appear issue.

VII. Additional member and guest comments

There were no additional comments. Vice-Chairman Kneisley wished everyone a good holiday season and will see everyone at the next meeting on January 5th 2011.

VIII. Adjournment

CV, CJC 12/29/10