



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, June 5, 2013; 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
Jeffrey Colbath, Administrative Judge, 15th Judicial Circuit
Brian Feld, Professional Probation Services
Jenise Link, Manager, Palm Beach County Pretrial Services Agency
Brandy Macaluso, Victims Rights Coalition
Tommy Richards, Palm Beach County Bail Bond Association
Caroline Shepherd, Judge, 15th Judicial Circuit
Louis Tomeo, Director Criminal Court Services, Office of the Clerk and Comptroller
Barbara White, Office of the Public Defender

MEMBERS ABSENT:

Rosalyn Baker, Florida Department of Corrections
August Bonavita, Administrative Judge, 15th Judicial Circuit
Bob Bozzone, Executive Director, Comprehensive Alcohol Rehabilitation Program
Rev. Chaney, Clergy Representation
Roger M. Crane, Police Chief, Palm Beach County Chiefs of Police Association
Michelle Dryer, Workforce Alliance
James Martz, Judge, 15th Judicial Circuit
Jill Richstone, Office of the State Attorney
Alton Taylor, Executive Director, Drug Abuse Foundation
Shelley Vana, Commissioner, Palm Beach County

GUESTS PRESENT:

Barry Echols, Palm Beach County Bail Bond Association
Colleen Farnsworth, DCF Legal
Allan Fuhrman, Captain, Palm Beach Sheriff's Office
John Kastrenakes, Judge, 15th Judicial Circuit
Gena Rowland, Palm Beach Sheriff's Office
Michelle Spangenberg, Court Administration
Alfonso Starling, Captain, Palm Beach Sheriff's Office

CJC STAFF PRESENT:

Michael Rodriguez, Executive Director
Shahzia Hashmi, Criminal Justice Analyst
Anand Daibee, Criminal Justice Intern
Becky Walker, Criminal Justice Manager

- I. Welcome, opening comments by Chairman, Douglas Duncan.
- II. The agenda was approved with addition. Michael Rodriguez requested to discuss the DCF Reinvestment Act Grant under new business. Tommy Richards asked how issues are included as new business, specifically the bond schedule, and Mr. Rodriguez clarified the process for him.
- III. The minutes of the April 3, 2013 meeting were approved.

IV. Reports

A. Jail Population Report

Major Chris Kneisley reported jail population of 2,186 for the month of May; previous month was 2,196; and 2,248 for March; continuing a downward trend. He explained the historical jail population chart included in the packet when Judge Colbath asked whether the trends are seasonal.

B. In-House Arrest Report

Major Kneisley reported that in house arrest population was 201; 88 pretrial, including 4 direct filed juveniles; 105 county sentenced; 4 probation; 4 DJJ Juvenile.

C. Pretrial Services Report

Jenise Link reported as of the beginning of this month there was a total of 823 defendants on SOR; 565 of these individuals were on SOR only, 257 were on SOR with a money bond. Of the 565 on SOR only, 12 remain in custody due to other charges or awaiting treatment. Total SOR population out of custody was 743. SOR is up by 200 in comparison to this time last year.

D. Juvenile Detention Center Report

No juvenile detention report.

V. Old Business

A. Inmates Awaiting Treatment Placement

Alton Taylor was not at the meeting but he sent a report for April and May. Captain Allan Fuhrman remarked that for the month of May, they (PBSO) identified inmates and the dates they received the court order and dates they were transported to treatment facilities. The average length of time was 5 to 7 days. They left the inmates in the facilities if bed is available. The issue will be discussed again next month with Mr. Taylor hopefully in attendance.

B. First Appearance Administrative Order

The First Appearance Subcommittee met twice to discuss the concern about the delay of felony VOP cases getting downtown. The subcommittee found that felony VOPs and misdemeanor VOPs are treated differently. For misdemeanor VOPs there is an Administrative Order (4.607) “provides that all VOP misdemeanor in-custody hearings shall be heard by the divisional judge on the next business day following the defendant’s arrest”; while felony VOPs go before the first appearance judge the next day. The first appearance subcommittee recommends that the committee recommend to the CJC to amend the AO which will read “all persons arrested on a felony violation of probation warrant, excluding Belle Glade cases, who are not released on bond or O.R., pursuant to said warrant shall be brought before the divisional judge on the next business day following the defendant’s arrest.”

Judge Jeffrey Colbath explained that technical felony VOPs were seen by first appearance judges because it was thought to be more efficient cases that could pleaded out. Judge Caroline Shepherd remarked that however they are not able to resolve these cases because some of the divisional judges want the defendants to be seen downtown. Everybody agreed that there should be uniformity in the procedures. Michelle Spangenberg stated that right now there is a survey sent out to the judges asking for feedback. Major Kneisley wanted to the AO amended to reflect proposed changes for the benefit of new people coming in, and will submit suggested language to Ms. Spangenberg. Chair Duncan congratulated the committee for solving the problem.

Tommy Richards brought up another issue concerning the bond surrender process. He claimed that in the last six to eight months the bond surrender they have been filing have not been honored at the Clerk’s Office. Louis Tomeo responded that they understand the process so he asked for specific instances. Judge Colbath suggested that Mr. Richards get together with Mr. Tomeo to resolve the issue.

VI. New Business

A. Subcommittee to review Bond Schedule

Mike Rodriguez stated that they have already met and discussed the problem and recognized the need to form a subcommittee to review the bond schedule. He added that it is actually part of the statute that created the Public Safety Coordinating Council to review the bond schedule on a regular basis. He emphasized, however, the importance of keeping Mr. Dave Aronberg (current State Attorney) informed to ensure that he is in agreement with the outcome of the subcommittee’s discussions. Judge Colbath recommended also reviewing the bond schedules of neighboring counties. Chair Duncan invited interested parties to be part of the committee.

VII. Updates

No updates.

VIII. Additional member and guest comments

Mike Rodriguez brought up a grant opportunity for the Criminal Justice and Mental Health and Substance Abuse Planning Council Youth Committee, requesting for a formal vote to apply for the grant. Becky Walker gave a brief overview of the grant due on July 9th – Criminal Justice Reinvestment Act Grant from the Department of Children and Families for \$400,000 for up to three years. Ms. Walker said that the idea is to look at kids at risk in going into the juvenile justice system by looking at kids in the school system who are being arrested or Baker Acted. The goal is to divert these kids out of residential treatment by using a different approach. A motion was carried to move forward with the grant.

And lastly, Chair Duncan welcomed Brandy Macalusso, new member from Victims Right Coalition.

IX. Adjournment

The committee agreed not to meet in July. Next meeting will be in August.