

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: July 11, 2017

[X] Consent [] Regular
[] Ordinance [] Public Hearing

Department: CRIMINAL JUSTICE COMMISSION
Submitted For: CRIMINAL JUSTICE COMMISSION

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: **A) receive and file** a grant application to become a Core Site for the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge Grant Program in the amount of \$2,000,000 for two years to fund five strategies to reduce Palm Beach County's jail by 16.7% by April 30, 2019 and address racial and ethnic disparities in the jail population; and **B) authorize** the County Administrator or her designee to execute the grant award, amendments, travel advances for non-county Core Team delegates to attend required MacArthur All Sites meetings, and all electronic reporting forms related to this grant on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County's Attorney's Office, and within budget allocations.

Summary: Palm Beach County was awarded \$150,000 from the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge (SJC) Grant Program on April 1, 2016 to be a Partner Site. The grant continued Palm Beach County's participation in the SJC Network of 20 national sites in order to continue the criminal justice system reform work started in 2015. This grant application to become a Core Site proposes to reduce the county's jail population of 2,210 by 16.7% by April 30, 2019 through five strategies identified by the McArthur Core Team of stakeholders including the Judiciary, State Attorney, Public Defender, Sheriff's Office, The Lord's Place, PBC Pretrial Services, Clerk's Office, State and County Probation, West Palm Beach Police Department, PBC Justice Services Division, and Court Administration. The five strategies include: 1) pretrial jail population reduction for low and medium risk defendants; 2) diversion and warrant reduction for low-level defendants; 3) case processing efficiencies for pretrial inmates; 4) racial and ethnic disparity identification and resolution; and 5) increased data capacity, analysis and evaluation. The second year Partner Site grant agreement was approved by the Board on May 3, 2016 and this third year grant renewal was submitted on June 1, 2017 on behalf of the Board by the Executive Director of the Criminal Justice Commission, Kristina Henson, in accordance with R2016-0577. **No County matching funds are required.** Countywide (DC)

Background and Justification: In May of 2015, Palm Beach County was one of 20 jurisdictions chosen by the MacArthur Foundation for initial grants and expert counsel to develop plans for reform after a highly competitive selection process that drew applications from nearly 200 jurisdictions in 45 states. During this initial grant period in 2015, the Criminal Justice Commission (CJC) led the effort to develop a reform plan focused on reforming the First Appearance Hearing process and diverting from jail those with mental illness, minor outstanding warrants, misdemeanor technical probation violations, and those charged with driving with suspended licenses. In 2016 the County received an additional \$150,000 to continue participation in the Challenge Network of 20 sites to continue to implement the strategies identified in 2015.

- Attachments:**
- 1) Summary of grant strategies and Grant Application
 - 2) Signature Delegation Authority

Recommended by: Kristina Henson 6-13-17
Department Director Date
Approved by: [Signature] 6-29-17
Deputy County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
Net Fiscal Impact	*				

ADDITIONAL FTE

POSITIONS (Cumulative) 0 0 0

Is Item Included In Current Budget? Yes ☐ No ☐

Budget Account Exp No: Fund _____ Department _____ Unit _____ Object _____
Rev No: Fund _____ Department _____ Unit _____ RevSc _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Fund:

Unit:

Grant:

- There is no fiscal impact at this time. If the grant is approved, the budget will be amended to recognize the \$2 Million grant award.

Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

John H. L. 6/19/17
OFMB 6/14/17 23 6/15/17 6/19/17

Joe J. Jant 6/27/17
Contract Administration
6/27/17

B. Legal Sufficiency:

Will C. C. 6/29/17
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

BASELINE Average Daily Population (ADP) = 2,210

TARGET = 16.7% Reduction (369) = 1,841 by April 30, 2019

CORE STRATEGIES

1) Reduce pretrial jail population for low/some medium risk defendants (ADP reduction 3.0% or 66)

- a) Risk Assessment Instrument and Risk Management Matrix
- b) Second Look Procedure
- c) Enhance Pretrial Services Program

2) Diversion and warrant reduction for low-level defendants (ADP Reduction 3.3% or 72)

- a) Frequent Users Systems Engagement Project (FUSE) (ADP Reduction .55% or 12)
- b) Court Date Notification System (ADP Reduction 2.7% or 60)
- c) Driving Under Suspension (DUS) Court
- d) Operation Fresh Start
- e) Administrative dismissal of warrants

3) Case processing efficiencies for pretrial inmates (ADP Reduction 10.4% or 231)

- a) Court Navigators for the State Attorney and Public Defender Offices to:
 - i) Identify and design release plans for low/some medium risk inmates in jail 3 days
 - ii) Access immediate resources for inmates waiting for behavioral health services in the community
- b) Enlist the support of Justice Management Institute (JMI) to:
 - i) Reduce average length of stay for the largest pretrial inmate populations who remain in jail and are ultimately sentenced to state prison, time served, and probation; and
 - ii) Analyze our case processing and recommend other efficiencies to reduce jail ALOS

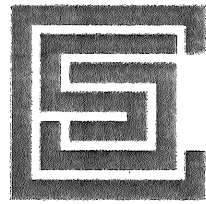
SUPPORTIVE STRATEGIES

1) Reduce Racial and Ethnic Disparities

- a) Community Engagement Task Force (CETF)
- b) Analyst Position to work with the Core Team and CETF to:
 - i) Identify drivers through data, observations, and interviews
 - ii) Develop recommendations
 - iii) Create specific goals and success measures
 - iv) Conduct periodic assessments
- c) Implicit Bias training for all system actors
- d) Create "Bench Cards" for judges to combat implicit bias
- e) Expand "Ban the Box" and employment opportunities for reentry clients
- f) Enlist support from W. Haywood Burns Institute

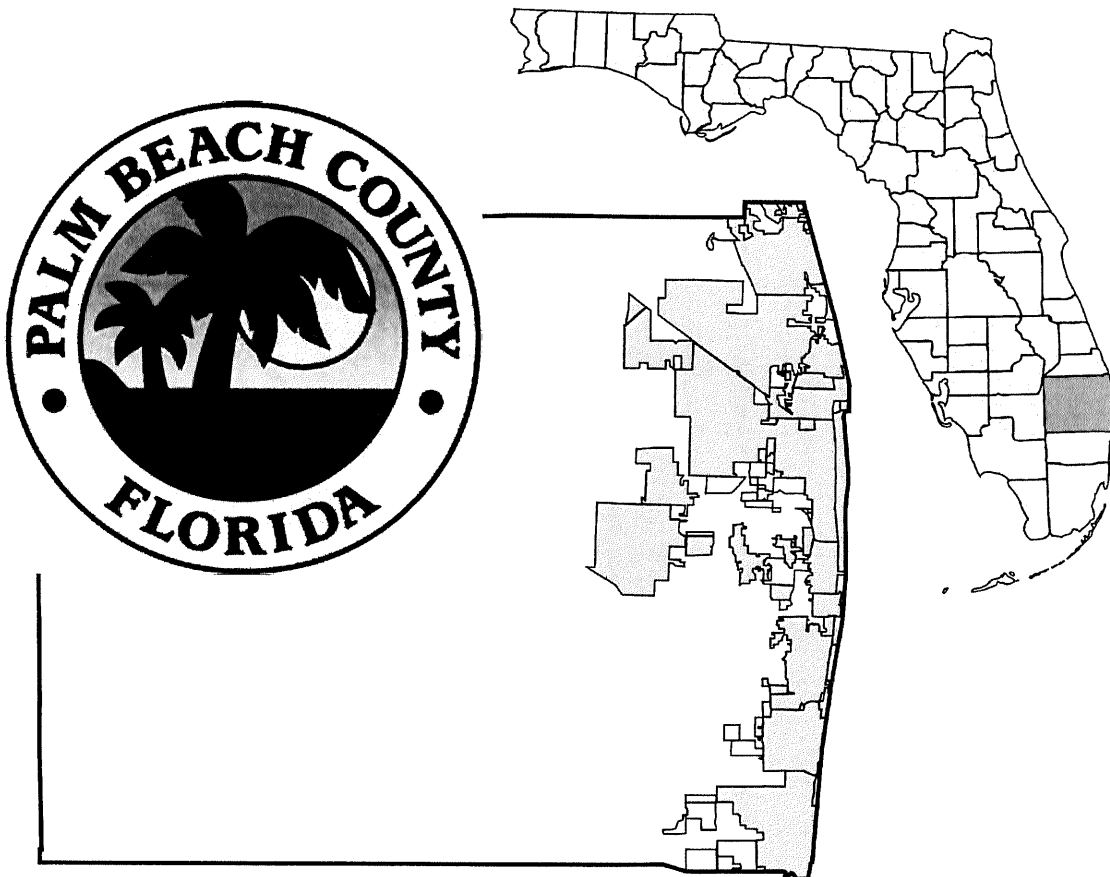
2) Data Capacity, Analysis and Evaluation

- a) Data Dashboard
- b) Data Use Agreement (CJC and ISLG)
- c) Jail data
- d) Court data
- e) Arrest and non-arrest police field contact data



SAFETY+JUSTICE CHALLENGE

Supported by the John D. and Catherine T.
MacArthur Foundation



Grant Application
Palm Beach County
June 1, 2017

TO: The MacArthur Foundation

FROM: Palm Beach County

DATE: June 1, 2017

SUBJECT: Safety and Justice Challenge

Palm Beach County (PBC) has examined the conditions contributing to overuse of the jail and the incarceration of a disproportionate number of persons of color. PBC proposes three core strategies and two supportive strategies to reduce the jail population by 15-19% over the next two years while addressing racial disparity and improving public safety through an innovative, well researched and realistic plan. Each of the strategies and their component parts are outlined below.

The three core strategies are:

- 1) **Reduction of pretrial jail population for low and some medium risk defendants:** A validated risk assessment instrument and risk management matrix will be implemented for use at first appearances. Our pretrial services program will be enhanced, and a "Second look" bond procedure for appropriate defendants will be implemented.
- 2) **Diversion and warrant prevention and dismissal:** The PBC FUSE (Frequent Users Systems Engagement) project will break the cycle of incarceration and homelessness for frequent low level offenders with complex behavioral health challenges. A Court Date Notification system, utilizing text messages to remind defendants of their court dates, will be implemented to reduce Failures To Appear. The Driving Under Suspended License (DUS) Diversion Docket will continue. Old misdemeanor warrants will continue to be vacated via administrative dismissal procedures.
- 3) **Reduction of length of stay:** New court navigators with the State Attorney and Public Defender offices will coordinate efforts to improve case processing efficiency and appropriate releases from jail. Additional resources will be provided for inmates needing treatment and services in order to be released.

The two supportive strategies are:

- 1) **Addressing racial and ethnic disparity:** The Community Engagement Task Force will continue its outreach and discussion. A new racial disparity analyst will work with the task force, the MacArthur Core Team and technical advisors to shape strategic solutions for disparities. Implicit bias education will be held for system actors. Judicial bench cards will be introduced. Funding will be used for staff and training.
- 2) **Improvement of data capacity and analysis:** A data dashboard will be created. DUAs will be implemented.

The Steering Committee members and stakeholders listed below have participated in the development of this plan and strongly support the proposal put forth:

JUDICIARY FOR THE FIFTEENTH JUDICIAL CIRCUIT:

By:  _____

Jeffrey Colbath, Chief Judge

PALM BEACH COUNTY SHERIFF'S OFFICE:

By:  _____

Ric Bradshaw, Sheriff

OFFICE OF THE STATE ATTORNEY FOR THE FIFTEENTH JUDICIAL CIRCUIT:

By:  _____

Dave Aronberg, State Attorney

OFFICE OF THE PUBLIC DEFENDER FOR THE FIFTEENTH JUDICIAL CIRCUIT:

By:  _____

Carey Haughwout, Public Defender

CITY OF WEST PALM BEACH POLICE DEPARTMENT:

By:  _____

Sarah Mooney, Chief of Police

PALM BEACH COUNTY:

By:  _____

Verdenia Baker, County Administrator

Section 1. GMS Application Questions (including report on past performance and future proposal)

1. Project or Funded activities summary (Abstract) (2,000-character limit – up to half a page):

a. Please summarize your reform plan for the next two years, and explain how you propose to use Foundation funds to effectively implement it.

Palm Beach County (PBC) has engaged in a comprehensive process to move forward on existing strategies and develop additional strategies that will address jail overuse and racial and ethnic disparities (RED).

Core strategies:

- 1) **Reduction of pretrial jail population for low/medium risk defendants:** A validated risk assessment instrument and risk management matrix will be implemented for use at first appearance. Pretrial services will be enhanced, and a “second look” bond procedure will begin. SJC funds will be used for staff and technology. Reductions in population and RED will result.
- 2) **Diversion/Dismissal:** The PBC FUSE (Frequent Users Systems Engagement) project will break the cycle of incarceration and homelessness for frequent low level offenders with behavioral health challenges. Funds will be used for supportive services and staff. A Court Date Notification System, utilizing text messages to remind defendants of their court dates, will be implemented to reduce FTAs. Funds will be used for implementing and sustaining the system. The Driving Under Suspended License (DUS) Court will continue. Old misdemeanor warrants will be vacated via administrative dismissal.
- 3) **Reduction in length of stay:** State Attorney and Public Defender court navigators will coordinate efforts to improve case processing efficiency and address RED. Additional resources will be provided for inmates needing supportive services. Funds will be used for staff and services.

Supportive Strategies:

- 1) **Reduction of racial and ethnic disparities:** The Community Engagement Task Force will continue outreach and discussion. A new racial disparity analyst will work with the task force and technical advisors to shape strategic solutions for disparities. Implicit bias education will be held for system actors. Judicial bench cards will be introduced. Funding will be used for staff and training.
- 2) **Improvement of data capacity and analysis:** A data dashboard will be created. DUAs will be implemented.

2. Goals (4,000 character limit – up to one page):

- a. What is your three-year jail population reduction target and the rationale behind it, keeping in mind the benchmark for reduction provided to you during the Planning Phase? Please note that the three-year period begins in May 2016, to account for progress made during the last year. Details of your impact calculations should be included in your implementation plan (see *Section 2. Required Uploads*).**
- b. How does your jurisdiction plan to address racial and ethnic disparities? Please be specific about your goals for reducing disparities, and how your implementation plan will achieve them.**

We will reduce our baseline average daily population (ADP) of 2,210 by at least 16.7% (369) by April 2019 through five strategies. The reduction target is ambitious given our incarceration rate is already 58% below the national average (146 to 231). Our target is achievable because: 1) PBC has a 30-year track-record of successful reform with stakeholder commitment; and 2) Our strategies are targeted to the drivers of our jail population.

Summary of impacts of PBC's strategies:

- 1) Reduce pretrial jail population for low/some medium risk defendants (3.0% or 66)
- 2) Diversion and warrant reduction for low-level defendants (3.3% or 72)
- 3) Case processing efficiency for pretrial inmates to reduce ALOS (10.4% or 231)
- 4) Reduce racial and ethnic disparities
- 5) Increase capacity for data analysis and sustained impact evaluation

PBC's system actors have collectively begun an exploration of racial and ethnic disparities. We have read scholarly articles, analyzed data, attended trainings, and engaged the community in "uncomfortable" discussions. We recognize this journey will evolve as our learning grows and believe meaningful impact will be realized in our system as we progress.

Blacks are significantly overrepresented in PBC jails, making up 19% of the county population but 50% of the jail population. Hispanics (black and white) represent 21% of the population and 17% of the jail population. Our analysis shows the ALOS for pretrial inmates overall at 28 days with black Hispanics averaging 50 days, blacks 37, white Hispanics 30, and whites 20. Our target approach to address disparity involves a variety of strategies.

First, we will **reduce the pretrial jail population** for low and some medium risk defendants by implementing the revised Virginia risk assessment instrument (RAI) because it has been repeatedly validated and revised in November of 2016 for gender and racial equity. The RAI will level the playing field for all people to be evaluated on the same characteristics, which will promote consistency in decision-making and combat disparity. A Second Look Procedure will identify pretrial inmates who remain in jail solely on a monetary bond after four days, and determine if a reduced bond or non-monetary option exists. This will also help with disparities as many defendants of color are poor and have difficulties posting bond. We will enhance our Pretrial Services Program by restructuring supervision from "one-size-fits-all" to three levels in order to concentrate more attention on high risk defendants, placing a person on-site during the weekends instead of doing interviews by phone for our predominately minority western community jail, and increase the number of defendants interviewed by using tablets.

Second, we will continue our efforts to divert low-level **Driving Under Suspended (DUS)** License cases to our DUS Court opened in May 2016. To date, 64% of the charges were dismissed or no filed, and 56% of these were black defendants, 34% white, and 9% Hispanic.

Third, we will hire an **analyst** to work full-time with our Core Team and Community Engagement Task Force (CETF) to: 1) identify drivers of disparity through data analysis, observations, and interviews; 2) craft remedies with specific goals and success measures; and 3) conduct periodic assessments. One immediate area of review will be the ALOS for the black pretrial population.

Fourth, we will continue our cross-departmental **network of teams** to combat disparities. These include our MacArthur Core Team, our Pretrial Team, our FUSE Team, and our CETF.

Fifth, we will build upon the training already done by our system actors on **implicit bias** by having a more focused message across all agencies.

Sixth, we will develop "**Judicial Bench Cards**" to combat implicit bias and enhance procedural justice.

Seventh, we will continue, to provide services to reduce recidivism and provide more opportunity for employment through our **reentry** efforts including expanding "Ban the Box".

3. Approach (8,000 character limit – up to two pages):

- a. Please provide a brief narrative description of your jurisdiction's Safety and Justice Challenge implementation plan. In addition, please upload your complete plan in GMS using the template provided (see Section 2. Required Uploads).**
- b. What have you learned over this past year about the drivers of your jurisdiction's jail population that augments what you already explored during the planning phase?**
- c. What is different about this implementation plan from the previous proposal your jurisdiction submitted in 2015? What information do you have to suggest that these strategies will meet the goals described in Question 2? If possible, present data to demonstrate that planned activities are likely to achieve your reduction target.**
- d. How does your jurisdiction plan to engage local communities? Which types of community representatives do you plan to involve (e.g., civic and business leaders, community-based organizations, faith organizations, etc.), and how will you integrate them into your decision-making and implementation work?**

To learn more about our jail drivers, we invited Dr. Austin to help us with our analysis. He conducted a jail stress test and case analysis with our Core Team, CCI and ISLG in March, 2017 which expanded on the learning that took place during last year's planning process and provided a framework for analyzing the system to identify where opportunities for improvement exist. We learned that 76% of our ADP is pretrial and 44% of that population is composed of individuals who were ultimately released on a sentence to state prison, time served, and probation. This led to a new awareness of the need to reduce ALOS in these populations through case processing efficiencies. In addition, we concluded that two other populations drive our jail: 1) those admitted with low-level warrants including failures to appear; and 2) low-level repeat defendants.

Our Implementation Plan includes three core and two supportive strategies. It continues strategies from our previous proposal, adds strategies based on our latest analysis of jail drivers, and has a targeted strategy for combating racial and ethnic disparities.

Our first core strategy will reduce our **pretrial jail population** for low and medium risk offenders by 3.0% or 66 people by implementing a **Risk Assessment Instrument (RAI)** and **Risk Management Matrix (RMM)** that will assess all individuals by the same criteria for release and risk management in the community. As the RAI levels the playing field, disparities will be reduced. We will also enact a **Second Look Procedure** to bring back before the First Appearance Court

those individuals who remain in jail solely on a bond after four days in order to explore other options for release. Finally, we will **strengthen our Pretrial Services Program** by reorganizing our one level of supervision to three levels to focus more attention on those deemed higher risk. We believe this will result in the reduction because it will give a realistic risk score based on science resulting in more incentive for the judge to craft release decisions that defendants can meet. We applied a proxy risk score to all 19,319 pretrial admissions in 2016 and found that 98% fell within an acceptable score that would result in release under the new risk management matrix.

Our second core strategy will **divert low-level offenders and reduce jail admissions for warrants** by 3.3% or 72 people by implementing a variety of strategies including, **PBC FUSE Project** to reduce repeat defendants, a court date notification system to reduce the number of warrants issued for FTA, continuing our **Driving Under Suspension (DUS) Court** that opened in May, 2016 to reinstate licenses, and continuing our efforts to reduce the number of outstanding warrants through **Operation Fresh Start** events and State Attorney and Clerk's Offices joint efforts to administratively dismiss old misdemeanor warrants. Our data analysis shows that there were 1,133 people admitted 4,182 times in 2016 with an ALOS of 3.69 days and that ½ of these people are homeless. Our FUSE Project targets these individuals and is expected to realize a jail reduction of .55% or 12 ADP. We plan to reduce FTA warrants through a court date notification system. We found that 15% of our jail admissions (4,152) are for FTA's with an ALOS of 11.22 days, these people account for 127.63 (5.7%) of our ADP. Through policy research and consultation with Dr. Austin, we believe a 50% reduction in these warrants will be realized resulting in a 2.7% ADP reduction or 60 people.

Our third core strategy will increase **case processing efficiency** for pretrial inmates to realize our greatest reduction in ADP of 10.4% or 231 individuals. We analyzed all 2016 jail releases by type and found that 44% of our ADP is composed of people ultimately released on a sentence of prison (14.8% or 328), time served (21.7% or 480), and probation (7.4% or 164). Through policy analysis and consultation with Dr. Austin, we believe a 25% reduction in the ALOS for these populations will realize our ADP reduction. The two court navigators for the State Attorney and Public Defender Offices will coordinate efforts to assist in this process. The Justice Management Institute will also conduct an analysis of our case processing system and suggest changes to help with efficiency. This strategy will also address disparities as ALOS is significantly higher for blacks.

Our first supporting strategy will identify and **combat racial and ethnic disparities** by utilizing our Core Team and our Community Engagement Task Force (CETF). The analyst position will work with the Core Team and CETF to: 1) identify drivers through data, observations, and interviews; 2) develop recommendations; 3) create specific goals and success measures; and 4) conduct periodic assessments. We also will build upon agency implicit bias trainings by crafting a more cohesive and ongoing effort for all system actors and create "Judicial Bench Cards" for judges to combat implicit bias. Finally, we will continue to seek support from the W. Haywood Burns Institute.

Our second supporting strategy will build **data capacity, analysis and evaluation** by finalizing the ongoing effort to embed a data dashboard on the CJC webpage with court, corrections, and arrest data for public use. We have also executed the DUA for aggregate data and are in the final stages of doing the same for case-level data. Feedback from the Foundation and expert reviewers following Phase 1 suggested that we needed stronger justifications that our strategies would support the projected reductions. In response to this critique, we have taken a local approach to analyzing data and projecting outcomes, led by the CJC Research and Planning Manager. His

work is supported by a variety of experts including our SJC technical advisors at CCI, ISLG, Dr. Austin, and FSU.

We will continue to **engage communities** through the CETF. Membership is balanced between criminal justice/government workers, including two police chiefs, sheriff's office, the U.S. Attorney's Office, local school district, defender and prosecutor offices, state probation and parole, and community representatives, including members from the faith community, community-based organizations, the LGBT community, among others. The CETF is the channel to our communities for ongoing and meaningful communication around our reform efforts to facilitate interactions intended to align our common goals and create a more equitable justice system. The CJC sees this as a long-term effort that will work toward knowledge and trust building with the goal of sustainable system reform. The CJC believes strongly in the same pillars of community engagement set forth in the SJC initiative: 1) authenticity; 2) accessibility and transparency; 3) respect for diversity; and 4) commitment to ongoing engagement.

In addition, the CJC has engaged the community since 1998 through its Citizens Criminal Justice Academy (CCJA) that is held three times a year. The CCJA is a free 10-week educational program held one evening each week that brings speakers from all aspects of the criminal justice system to engage up to 50 community members in open learning encounters. Participants receive a tour of our jail, engage in "shoot-don't-shoot" scenarios that officers use for training, and receive demonstrations of body worn cameras.

We plan to hire an analyst to focus full-time on racial and ethnic disparities. This analyst will strive to identify disparities through data analysis, observations of system events, and interviews with system actors. The CETF will be one of the groups for this analyst to share information, receive community suggestions on topics for research, and through the CETF co-chairs, engage in dialogue and garner feedback in order to enhance problem-solving and develop action plans to combat disparity.

4. Results (16,000 character limit – up to four pages):

- a. If awarded implementation funding, what is your vision for how your jurisdiction's criminal justice system will change, and in what time frame?**
- b. How will you know that this vision for change has been achieved?**
- c. What progress measures will you track along the way?**

The participation of Palm Beach County (PBC) in the Safety and Justice Challenge (SJC) has enabled us to rethink not only the use of our jails, but the functioning of our entire local criminal justice system. Understanding that criminal justice is predicated upon an adversarial system, it is nonetheless vitally important for respective system stakeholders to collaborate on an overall vision if meaningful change is to occur. Such collaboration requires that stakeholders recognize the unique perspectives of the others and realize those perspectives are driven by the roles that each play in the system. Every role is necessary for the system to function properly. With mutual understanding of and respect for those roles, we believe we've found common ground for the best strategies to reform our system.

Since 1988 the Criminal Justice Commission (CJC) has brought key system actors together regularly for meaningful dialogue on improving criminal justice. Task forces, such as those for corrections and courts, have facilitated positive changes. Evaluations and discussions on various aspects of the system have resulted in many reforms, including the establishment of our Pretrial

Services Program, Drug Court and Reentry Program, among others. These programs and additional efforts have helped reduce our jail population so that it was well below maximum capacity when we first applied to be part of the SJC. The accomplishments of the CJC have provided us with an excellent base upon which to build our SJC strategies.

As our Core Team developed the proposal, we began with our focus on the goals of safely reducing our local jail population and addressing racial and ethnic disparities by April 30, 2019. Those remain our immediate goals. But as we explored strategies through research and discussion, we came to the conclusion that our long-term vision is much more extensive. It is to enhance the system to make it as fair, effective and humane as possible. There are no quick fixes that will solve all the problems. Our work will not end when the funding for the grant expires or even when we meet our threshold for reducing the jail population.

In order to both safely reduce the jail population and achieve our long-term vision, we've come to the realization that we must reach a better understanding of our system and what drives it. We must be thorough and analytical. The best way to achieve this understanding is through the use of data. Criminal justice has followed other disciplines such as medicine and education in realizing the importance of analyzing data and creating evidence based practices. The CJC has an established history of utilizing data for analysis, but the SJC has caused us to expand our use of data and to make it more accessible to key stakeholders. As we move forward with implementation, we will evaluate our programs and projects with the assistance of Florida State University and Florida Atlantic University. For example, our new pretrial risk assessment instrument will be examined for predictive validity in our jurisdiction, and our PBC FUSE (Frequent Users Systems Engagement) project will be examined for its effectiveness. We understand that our projects and reforms need to be evidence based if we are to build effective and lasting change.

We will know that our immediate goal has been achieved when two factors are evident: 1) Our jail population has been safely reduced by 16.7% from its baseline number; and 2) Racial and ethnic disparities in that population have been recognized, analyzed and significantly reduced. If our proposed strategies are effective, the threshold population reduction should be accomplished by April 30, 2019.

Reductions in disparities will be more difficult to address, but we must we address them for they have been overlooked for too long. Tackling this issue cannot be an exercise in finger pointing. There is no single entity to blame. This is a system wide issue that has to be examined first with a wide lens and ultimately with a microscope. The question of race in the criminal justice system leads to a tough debate, but it's one we can win if we are dedicated. We will know we've achieved our immediate goal in this area when there is significant progress toward narrowing the gap between PBC's population of blacks (19%) and the jail population of blacks (approximately 50%).

Looking at our core strategies, here are the expected results which will contribute to our immediate goals and long-term vision:

- 1) **Reduction of pretrial jail population for low and some medium risk defendants**
PBC has administered a pretrial services program since 1992. Although interviewers provide background information to judges at first appearance hearings (FAH), a scored, validated risk assessment instrument has never been part of our pretrial program. Implementation is scheduled for July 18, 2017 for PBC's first risk assessment instrument. After careful study, we have selected the Revised Virginia Pretrial Risk Assessment Instrument (VPRAI). It has been validated as an accurate predictor of risk for failure to appear and pretrial recidivism and

maintains its accuracy across race and gender, according to a 2016 study. Each defendant at FAH will be scored on the instrument. Those scores, along with a pretrial interview, will be provided to the judge, state attorney and public defender.

We project the instrument will result in a 3.0% reduction in the average daily population (ADP), based on an estimated 7,047 releases to Supervised Own Recognizance (SOR) monitoring rather than setting a bond or a combination of bond and SOR. Our goal is to reduce the average length of stay (ALOS) for these releases to 1.5 days compared to the 2016 average of 7.9 days.

We anticipate judges will be more likely to reduce bond on these individuals based on their risk status. It also will help with disparities by evening the playing field for defendants so that release decisions are based primarily on risk rather than financial resources or other less relevant considerations.

The risk management matrix will provide guidance which we did not previously have on how to most effectively supervise individuals while on pretrial release. There will be more options for supervision than before which will help to create appropriate strategies for pretrial success. The current "one-size-fits-all" approach to our SOR program will be modified to better address individual risk levels. It is anticipated that we will see lower violation and re-arrest rates with better tailored supervision plans.

A "Second Look" bond hearing procedure will also begin on July 18, 2017. A study of relevant bond and charge data is nearing completion to determine the parameters of a pilot project. Defendants who have been granted bond at or below a certain level for specified charges but don't have the financial resources to post bond in that amount will return to court four days after their FAH to explore whether a lower bond and/or alternative conditions for release can be ordered.

These efforts, supported by the implementation of court navigators working in the State Attorney and Public Defender Offices, are anticipated to result in additional reductions in jail stays among our poorer, more racially diverse populations which are overrepresented in the jail.

To track our progress in this area, we will measure the reduction in the ADP of the jail, as well as, the reduction in ALOS for individuals. In both of these categories, we will track data by race and ethnicity. We will know that we are making progress when the ALOS decreases across the board and evens out in terms of racial and ethnic disparities.

2) Diversion and warrant prevention and dismissal

Although FUSE may not produce as great a reduction in the jail population as will other strategies, we feel this project is of equal importance because of four reasons which tie into our long-term vision. First, there has been outstanding participation and collaboration among our many community partners. Second, a successful project will bring significant cost savings to our jails, hospitals, homeless programs and behavioral health crisis centers. Third, law enforcement will see a reduction in encounters with frequent low-level offenders who have

complex behavioral health issues. Fourth, and most importantly, lives will be stabilized and improved.

This diversion project, grown to scale, will move us toward a system that is more effective, fair and humane by ending the cycle of incarceration and homelessness for the most vulnerable in our community. We will know we have achieved success with FUSE when at least one hundred participants have been housed, and we meet our thresholds of an 80% reduction in arrests and an 85% housing stabilization rate. The projected reduction in the ADP from PBC FUSE is 0.55%. It is scheduled for implementation on September 1, 2017. We will measure reductions in recidivism and use of crisis services, as well as, housing retention and cross-system costs. FUSE can also serve as impetus for the creation of additional diversion programs.

The implementation of a court date notification system will be another step to prevent arrest warrants from being issued. Research has demonstrated that contacting defendants who have been released pretrial to remind them of their upcoming court dates is the most effective strategy to reduce failures to appear (FTAs). Since the vast majority of FTAs result in the issuance of bench warrants, this new tool should prevent numerous warrants from being issued and therefore make a significant contribution to the ADP reduction. We have researched systems of this type and decided that a text messaging system would be preferable to a call notification system. People often fail to answer the phone or even retrieve messages from unknown numbers. Text messages are easily viewed and are becoming the preferred method of telephonic communication. PBC has participated in an interactive demonstration of such a system with Uptrust, a company specializing in this field. We are contemplating utilizing a two-way system housed with the Public Defender as their office represents approximately 70% of criminal defendants in PBC. A two-way system would permit defendants to easily contact their lawyers with an explanation if they would not be able to attend a court hearing. The System would be dependent upon SJC funding for implementation. The projected reduction in the ADP as a result of this program is 2.7%. We will know we have achieved success when warrants as a result of FTAs are decreased by 50%. We will measure the reduction in FTAs and in bench warrants issued for FTAs.

Although it is difficult to calculate accurate ADP reduction projections stemming from our Driving Under Suspended License (DUS) Court and the administrative dismissal of old misdemeanor warrants, those strategies will still contribute to the overall reduction of the jail population. Both programs will be ongoing. PBC is also studying the feasibility of another Operation Fresh Start event which would result in additional warrant dismissals and driver license reinstatements.

3) Case processing efficiency to reduce length of stay

Adding court navigator positions for the State Attorney and Public Defender will help reduce ALOS, both by increasing the number of defendants who are released pretrial and by improving the efficiency of case processing. Since our data demonstrates that ALOS is disproportionately longer for blacks, these positions will also aid our disparity efforts. Court navigators will review data provided by the CJC to identify defendants who remain incarcerated after 3-10 days and are unable to post relatively low bonds. The Public Defender navigator will interview defendants to address reasons why they have not been released

(finances, need for social services, inability to communicate with family, etc.) and follow-up on any necessary steps to effectuate release. The two navigators will coordinate efforts to seek resolutions leading to pretrial release and case resolution. Both navigators will serve as valuable resources to the attorneys in their respective offices. These positions will be evaluated for effectiveness after their implementation. Three segments of the jail population have been identified for reduction in ALOS: pretrial inmates whose cases are resolved by either time served, probation, or prison sentences. After analysis, Justice Management Institute will make a site visit to PBC to make recommendations on improving the efficiency of case processing. Using 2016 data, we project that by reducing the ALOS by 25% for the targeted expedited cases (e.g., time served, probation, and prison sentences), we can reduce the ADP by 10.4%. We will measure reduction in ALOS for each of these identified populations, including data on race and ethnicity, which we expect to reflect a reduction in disparities.

Additional resources will be provided for inmates who will require linkage to treatment and other social services in order to be released. These resources include in-patient treatment for inmates in our Drug Court as well as out-patient services and housing.

These are the supportive strategies which we intend to implement:

1) Addressing racial and ethnic disparity

Our Community Engagement Task Force (CETF) will continue outreach and discussions on racial and ethnic disparity with regular meetings and community events designed to facilitate the difficult but vital conversations that we must have if we are to truly improve our criminal justice system. We know there are disparities both in terms of ADP and ALOS. We need to determine why those disparities exist and how we can rectify them.

Assisting in those efforts will be a racial disparity analyst who will focus on the gathering and analyzing quantitative and qualitative information on race and ethnicity from the criminal justice system. This position will work with the Core Team and the CETF to develop trust, enhance collaborative partnerships and build consensus to achieve desired results.

PBC will utilize the technical assistance of the Burns Institute to examine our system and help develop strategies in this regard. Implicit bias education will take place for key stakeholders, and judicial bench cards will be instituted to encourage procedural justice. We will measure reduction in ADP and ALOS for minorities.

2) Improvement of data capacity and analysis

A data dashboard is being created for public viewing to better inform the residents of PBC on the criminal justice system and how it is being improved. Data use agreements (DUAs) are being implemented among key partners. We have recently been given direct access to case level information from the Clerk's Office. Success will be measured by our ability to access accurate data to inform decision-making.

If awarded implementation funding for our strategies, this jurisdiction's criminal justice system will strive to be collaborative and communal in its endeavors such that we will be more outreach-oriented, humane, and grounded in integrity. Our FUSE project will provide a framework centered around engaging individuals with the services this jurisdiction hopes to fund and support to

produce the desired results. Building trust in non-stigmatized treatment and accessible case management to assist with housing, employment, and education will have the desired impact of reducing the ADP and have the long-term effect of bettering the community. Release decisions will be based on risk assessment. Racial disparities will be reduced. Evidenced based strategies will be our guideposts for the future. Our goal of a 16.7% reduction in the ADP is attainable. PBC is ready for positive change.

5. Context/Opportunity (12,000 character limit – up to three pages):

- a. Reflecting on the past year, have there been changes in your jurisdiction's leadership or political landscape (e.g., new elected officials, previously reluctant partners now at the table, or new leaders stepping up)? If so, how have these changes impacted the reform context in your jurisdiction?**
- b. Are other leadership or political changes anticipated in the next two years that may impact progress?**
- c. Does your jurisdiction have the necessary stakeholder support to implement the desired reforms?**
- d. What challenges do you anticipate? How will you overcome them?**
- e. How does this proposal complement other ongoing work in your jurisdiction?**

The support for the SJC is strong across all necessary stakeholders in the criminal justice, government, and community agencies in Palm Beach County (PBC). Because all are accustomed to the Criminal Justice Commission's (CJC) history of consistent and focused system reform, the SJC is seen as having added value to our countywide efforts to enhance and maintain a strong, effective and fair system. PBC is in a unique position to capitalize on the SJC due to the existence of the CJC and its 30-year history serving as a catalyst to bring together criminal justice and related agencies in partnerships to research, study and reform our local criminal justice system. System reform is nothing new to the CJC, having led efforts in the past to create a Pretrial Services Agency, Drug Court, Weed and Seed, Community Court, Community Justice, Youth Violence Prevention Program with Youth Empowerment Centers, Reentry, and more systemic policy and process changes than can be listed here involving courts, law enforcement, juvenile justice, and corrections. To accomplish its mission, the Board of County Commissioners provides funding for a professional staff, currently nine, who conduct the research, data analysis, and do the work of the CJC. The CJC provides the framework in which the SJC can thrive and be resilient to changes in leadership. In the entire 30-year history of the CJC, the instances of officials in criminal justice and county government leadership positions opposing ongoing initiatives is extremely rare. This gives the CJC the courage and consistency to seek bold innovative approaches that produce remarkable results.

In the past year, there have been leadership and key personnel changes, but none have impacted the commitment or progress of PBC's SJC initiative as all are supportive of the project. These changes include: two new county commissioners in November, 2016, a new first appearance hearing (FAH) judge in January, 2017, and a new West Palm Beach chief of police in February, 2017. The new police chief is involved in the SJC as a member of the CJC's Community Engagement Task Force and attended the SJC International Association of Chiefs of Police leadership meeting last November.

In the next two years, we will see further changes in leadership and key personnel including a new chief judge on July 1, 2017 and a new CJC Chairman on January 1, 2018. The current chief judge has discussed his continued high level of commitment in the SJC with the incoming chief judge and both agreed it would be best for him to maintain his role for consistency. The incoming

chief judge is supportive of the SJC and will be invited to participate. As to the new CJC chair, this person is currently the CJC vice chair and is very supportive of the SJC initiative. We anticipate no negative issues resulting from these two upcoming leadership changes.

The MacArthur Core Team includes representatives from all aspects of the system and community partners that evaluate relevant data and decide on strategies through consensus. Therefore, collective support is present at all stages of the SJC project, providing a venue for all to have a voice in the strategies that are ultimately decided upon and implemented. CJC staff facilitate all of the work behind the scenes as the Team makes decisions on how to proceed. In addition to these agencies, the CJC is building community awareness and support for the SJC through media releases, targeted discussions with key community actors, and its Community Engagement Task Force.

The **challenges** we anticipate are few but important to think about so that we ensure continued progress in our SJC reform efforts. First, we need to ensure we balance the desire to reduce our jail population with public safety concerns. Anytime system reform involves reducing incarceration, it is expected that there will be concerns that victims and society in general are protected. Second, we will be challenged to provide access for defendants to needed systems of care and opportunity outside the criminal justice system, such as substance abuse and mental health treatment, housing, and employment. All of the systems designed in our society to address these issues are underfunded and overwhelmed which causes more people to land in the criminal justice system.

This proposal complements a multitude of initiatives already underway in PBC including:

1. **Implicit bias and procedural justice** training have been done and are ongoing within the 25 local law enforcement agencies, the Public Defender and State Attorney Offices, Court Administration, the judiciary, county commission and administration. Of particular note, the West Palm Beach Police Department has contracted with professors at the University of Central Florida to train their entire department on procedural justice along with their ongoing trainings by Dr. Laurie Friddell on Fair and Impartial Policing which includes a variety of targeted trainings for line officers, command, and community residents.

2. **Racial Equity Institute (REI)** training, led by the PBC School District began over 10 years ago, and targets local officials, professionals in various fields, and community residents. This past year, CJC staff, the chief judge, and the Florida Department of Juvenile Justice District Manager in PBC all attended this full two-day training. This training is free on an annual basis and alumni are encouraged to continue this conversation during the Racial Equity Workgroup that meets monthly and is facilitated by a School Board member.

3. **My Brother's Keeper** initiative under PBC's Youth Services Department released an action plan with the primary goal of examining local policies that affect young men of color. A task force for this initiative includes police, defenders, prosecutors, and judiciary. In February, 2017, MBK held a two-day national Race To Equity Summit with nationally recognized speakers to raise awareness and garner community participation.

4. **35 and Under Summit** was held in October, 2016 and brought together 12 police officers and 12 community residents all under the age of 35 in a facilitated closed-door two-day discussion that explored race and policing with open dialogue and problem-solving. This was hosted by the PBC Urban League and the Sheriff's Office and involved 5 municipal police departments. The

CJC assisted by organizing officer involvement. A list of recommendations were developed, and efforts to bring this group together and address the remedies proposed are ongoing.

5. **CJC's Body Worn Camera (BWC) Committee** was created at the end of 2016. No conversation about race and justice can exclude BWCs so members felt it important to first learn all they can about this topic. To that end, the CJC has created a BWC Clearinghouse on its webpage that offers studies of efficacy, reports on trends and technology, legal cases, news articles, policy considerations, lessons learned by local and national agencies when implementing and operating BWCs, and recommendations/tool kits from the U.S. Department of Justice, the IACP, and the Police Executive Research Forum. The Clearinghouse also has information tracking the status of deployment within the 25 local law enforcement agencies in PBC.

6. PBC is ground zero for the **opioid health and sober home crisis** in Florida having the highest number of overdose deaths and illegally operating sober homes in the state. The Florida Legislature provided funding to the PBC State Attorney to empanel a task force to investigate sober homes operations and make recommendations for regulatory changes that will prevent these homes from victimizing vulnerable addicts and their families. A Grand Jury report from January, 2017 provided a host of recommendations that were translated to law and passed recently by the legislature to regulate these homes and prevent patient brokering and manipulative marketing practices, among other recommendations. To date, close to 30 arrests have been made of sober home operators and providers. In April, the County Commission held a three-hour meeting on the opioid crisis and heard from a panel of leaders on the impact to law enforcement, the Sheriff's Office law enforcement and jail operations, the PBC Medical Examiner, PBC Fire Rescue, the criminal justice system in general, the judiciary, the Florida Health Department, behavioral health services, DEA, and the PBC Healthcare Taxing District. At the end, the Commission took a host of actions to provide resources and countywide leadership to combat this crisis, including urging the governor to declare a public health crisis, allocating \$1million in immediate funding for increased treatment capacity and coordination efforts, hiring a senior-level county staff person to lead this effort, and adoption of a host of recommendation by a behavioral health team who was contracted by the county to examine this issue. In May, these efforts led Governor Scott to declare a public health crisis in the state which will bring resources needed to combat this crisis.

7. **Affordable Housing and Homelessness** is a top priority of leaders in PBC. On May 31st the County hosted a Housing Summit to bring together a diverse group of community leaders, practitioners and stakeholders to identify and garner support for a framework that will make housing attainable to all income levels. The focus will be on reducing financial, policy and regulatory barriers while exploring innovative tools and models that will provide affordable housing options that will keep pace with growth in our community. The keynote speaker is former U.S. Housing and Urban Development Department Secretary Henry Cisneros. In addition, a recent referendum was adopted by the voters of PBC in November, 2016 for a penny cent sales tax increase to pay for necessary infrastructure costs to schools, cities, and the county. PBC has designated \$30-million of these funds for affordable housing and homeless center expansion.

8. **CJC's Corrections Task Force** chaired by a private sector CJC member and criminal defense attorney has monitored the jail population since 1991. The members target processes to streamline release of inmates and identify negative impacts to the jail of policies and change in laws or trends and to develop remedies to reduce the impact. This Task Force will continue to play a major role in the SJC moving forward.

9. **CJC's Reentry Task Force and Program** continue to lead the nation in reentry efforts. First, PBC was selected as a three-year pilot site in 2015 to implement an ex-offender employment project called Integrated Reentry Employment Strategies (IRES) by the Council of State Governments. Second, CareerSource, the County's workforce development board, has recently committed to assist the "hard to hire" by creating a new department. Third, the Task Force and its subcommittees (Data, Sustainability, Employment, Housing, and Sex Offenders) are comprised of over forty decision makers in PBC and have made it possible for meaningful reform. Finally, the Robert Wood Johnson Foundation just funded a successful four-year jail recidivism project in PBC, focusing on reentry.

10. The CJC has engaged the community since 1998 through its **Citizens Criminal Justice Academy (CCJA)** that is held three times a year. The CCJA is a free 10-week educational program held one evening each week that brings speakers from all aspects of the criminal justice system to engage up to 50 community members in open learning encounters. It includes topics such as the courts with judges, prosecutors, defenders and clerks, and local law enforcement with a variety of police chiefs and federal agencies including DEA, FBI, ATF, U.S. Attorney, and DHS. Participants receive a tour of our jail, engage in "shoot-don't-shoot" scenarios that officers use for training, and receive demonstrations of body worn cameras.

6. Leadership (4,000 character limit - up to one page):

a. Who will be the lead agency for this project and why is this agency best positioned to lead your jurisdiction through implementation? Is this a different agency from original proposal?

b. Have there been changes in your core team composition over the last year? If so, please briefly describe those changes.

c. What other agencies, organizations, or individuals will participate in implementation? How would you describe their level of commitment to the implementation of your jurisdiction's reform plan?

d. Are all of these entities committed to sharing case-level data as outlined in the Data Use Agreement (DUA)? What challenges do you foresee in data accessibility and sharing that is required by the DUA?

The Criminal Justice Commission (CJC) will continue to be the lead agency for the SJC, as it has been since the project's inception in 2015.

The CJC is the ideal agency to lead our jurisdiction through implementation. Its membership is comprised of 21 members from the public sector (including the chief judge, state attorney, public defender, sheriff and clerk of court) and 11 members from the private sector. Created by county ordinance in 1988 to facilitate and sustain an efficient, effective and fair criminal justice system, the CJC has a long history of fostering partnerships which have produced positive results. To that end, the following task forces and entities have been created and hold meetings on a monthly or quarterly basis: Court Systems Task Force, Corrections Task Force, Law Enforcement Planning Council, Behavioral Health Task Force, Probation Advisory Board, Reentry Task Force, Body Worn Camera Committee, Program Monitoring and Evaluation Committee, and Community Engagement Task Force. The CJC meets nine times per year to monitor developments in criminal justice and address issues of concern to the key stakeholders in the system.

Three CJC staff members have been integrally involved with this project over the past year. They include the executive director, who has 24 years of experience in the criminal justice field; the

research and planning manager, who is the lead individual for gathering and analyzing data for our proposals; and a criminal justice analyst with more than 30 years of experience in Palm Beach County courts as a criminal defense attorney.

All the key stakeholders have remained on the core team throughout our planning process as we prepare for implementation. The team includes our chief judge, representatives from the state attorney, public defender, PBC Sheriff, City of West Palm Beach Police, pretrial services, probation, court administration and a local non-profit service agency. To reflect our commitment to community involvement and diversity, we have added within the last year representatives from Palm Beach County District Schools and the private criminal defense bar. A new City of West Palm Beach Chief of Police was appointed in February of this year. She is strongly committed to our strategies as well as to the overall project and attended the SJC IACP meeting last November.

The chief judge for our jurisdiction has been an enthusiastic and committed proponent of the SJC from day one. His leadership and encouragement have been instrumental to the significant progress we have made. Although he is moving to another assignment on July 1, 2017, he will remain in his role as the judicial representative on our core team. This continuity will serve the project well.

In addition to the agencies, organizations and individuals on our core team, we will have significant involvement from additional entities during implementation. The clerk's office has already played a key role in implementation by providing the CJC with direct access to views in the clerk's information system, facilitating faster access to the type of detailed case-level data that is needed for a successful reform plan. The program allowing the access will continue to be refined for improvement as we move forward.

Multiple funders are anticipated to play significant parts as our FUSE project is implemented. These include Palm Beach County, the City of West Palm Beach, the Quantum Foundation and the Southeast Florida Behavioral Health Network.

The Community Engagement Task Force will work with residents, community organizations and a new racial and ethnic disparity analyst to implement policies designed to reduce disparities in our criminal justice system.

All of the aforementioned are fully committed to implementation. All relevant entities who possess case-level data are committed to sharing such data. Based upon DUAs and established collaboration, we do not foresee challenges in data accessibility and sharing.

7. Policy Implications (8,000 character limit – up to two pages):

a. As part of your Safety and Justice Challenge implementation plan, what local policy changes, if any, does your jurisdiction anticipate making?

PBC recognizes that the SJC is a reform initiative and, as such, will require changes to local policies in order to achieve real system change with sustainability. To this end we envision the following areas of policy reform.

First, we plan to make it a local policy that people who are deemed low-risk are not held in jail pending the outcome of their case. The American Bar Association, in ABA Standard 10-1.10, stated: "Every jurisdiction should establish a pretrial services agency or program to collect and present the necessary information, present risk assessments, and, consistent with court policy,

make release recommendations required by the judicial officer in making release decisions.” PBC does not currently utilize a validated **Risk Assessment Instrument (RAI)**, but this project has allowed partners to recognize the need and the benefits of consistent, fair and safe release decisions. PBC is committed to this change. The implementation of a RAI and a Risk Management Matrix (RMM), upon which to base release decisions, will require a major policy shift for the county. Training is crucial for pretrial staff, attorneys and the judiciary and was conducted by the Pretrial Justice Institute (PJI) over a two-day period in January 2017. Additional training for pretrial staff will be conducted on the particulars of administering the RAI. Two complementary initiatives to the RAI will be implemented, including a **Second Look Process** that will place some individuals who remain in jail solely due to an unpaid bond after four days on a special docket of the FAH Court to facilitate release and a reorganization of the **Pretrial Services Program supervision levels** from one to three in order to target supervision resources toward higher risk defendants. After a pilot period of time to test and refine all aspects of these initiatives, the chief judge will issue a new administrative order setting out the operations for FAH going forward.

Second, the implementation of the PBC **FUSE Project** to address individuals who frequently cycle through multiple systems (e.g., jail, homeless, behavioral health, and hospitals) will require a shift in how these systems operate. Law enforcement, social workers, hospital personnel and corrections staff will need to proactively search for the designated FUSE population in shelters, jails, hospitals and the community at large. This project will also require that social service agencies prioritize services, including housing, for the individuals that qualify. This will require a shift in the standard administrative policy of “first come, first served” among these agencies.

Third, combating **racial and ethnic disparities** will require not only shifts in operations but in thinking. We plan to identify, through data analysis, observations and interviews, areas where disparities may exist, and develop remedies. In this process, we will have to be open to conversations that will be uncomfortable. An environment of respect will be crucial for this process in order for stakeholders to share beliefs and perspectives without fear of accusation. Training on implicit bias and initiating judicial bench cards to combat disparities must be done with care to prevent alienating parties. This entire initiative will be an ongoing policy shift that is intended to lead to a recognition of potential disparate impacts that already exist, as well as, the prevention of new ones when changes are implemented in the local criminal justice system.

Fourth, our new strategy to **improve upon the efficiency of case processing** for pretrial inmates will require stakeholders to examine the time it takes to progress through each phase of a case, determine realistic time standards, and implement policy shifts to accomplish the goals. After Dr. Jim Austin conducted a jail stress test with our stakeholders in March, 2017, we recognized that we had several pretrial sub-populations who remain in jail for long average lengths of stay (ALOS). Specifically, those who are ultimately sentenced to state prison represent 328 (14.8%) of our ADP with an ALOS of 114 days; those sentenced to time served represent 480 (21.7%) of our ADP with an ALOS of 39 days; and those sentenced to probation represent 164(7.4%) of our ADP with an ALOS of 51 days. These populations will be the primary target for a quantitative evaluation by the Justice Management Institute. This is not a new process for PBC as the CJC led an effort in 1991 for differentiated case management. At that time, the CJC enlisted the American University for technical assistance to help examine and craft recommendations. Out of this effort came nine recommendations including a Criminal Justice Information System and the creation of our Pretrial Services Agency.

Fifth, our **Driving Under Suspension (DUS)** Court created in May, 2016 by administrative order of the chief judge created a shift in how these cases are handled. There are over 100 ways drivers to have their licenses suspended in Florida. In 2015, DUS was the most common charge with

over 38,000, representing 34% of all misdemeanor cases. These cases are problematic as individuals with suspended licenses cycle through the system for long periods of time because they find it difficult to navigate the processes to reinstate their licenses and/or they do not have the funds to pay the fees to do so. Our Clerk's Office has set up payment plans to help, and the Florida Department of Motor Vehicles is in the courtroom to assist defendants in reinstatement of their licenses.

Finally, while the CJC and system actors are accustomed to **data-driven policy making**, efforts in the past have been hampered by the lack of available data, partly due to limitations in technology and to the unwillingness to share data. Due to the SJC Project, we have made tremendous strides in overcoming these barriers. During the first grant period, in order to gather all of the data for the aggregate data template, we requested court-level data from our Clerk of Court. At that time, they required us to submit a public records request, as any citizen can do in the state, and pay a fee representing the value of staff time and resources needed to produce the data. It took weeks and thousands of dollars to accomplish this. In 2016, CJC staff met with the Clerk's Chief Information Officer and an agreement was reached to provide CJC staff with open access to clerk's data free of charge without need for a request. The Clerk setup a separate server where they deposit data on a weekly basis that CJC staff can access on their desktops as needed for the SJC project. Additionally, the CJC has executed the aggregate Data Use Agreement (DUA) with ISLG and is very close to executing the DUA for case-level data after our County Attorney and CJC staff have reviewed the draft and provided input to ISLG. Further, the CJC has two data sharing agreements with the Florida Department of Law Enforcement, which is the agency that collects all arrest records in the state and Uniform Crime Reporting data for the Federal Bureau of Information. One is for access to data to determine new arrests when reporting recidivism for Drug Court and Reentry Programs, and the second is specifically for SJC Project needs. Finally, the CJC has a data sharing agreement with the Southeast Florida Behavioral Health Network (SEFBHN), which is the managing entity for all state behavioral health public funding in PBC. This agreement helped us share data for the our PBC FUSE Project.

8. Learning (4,000 character limit – up to one page):

a. Do you believe any of your reform strategies have the potential to be held up as model programs and be replicated by other jurisdictions? Please explain.

We believe that PBC FUSE (Frequent Users Systems Engagement) has the potential to be a national model which is replicated by other jurisdictions. It is a unique program because it bridges four systems: criminal justice, homelessness, behavioral health and physical health.

FUSE is a model developed by the Corporation for Supportive Housing (CSH). The goal of FUSE is to break the cycle of incarceration and homelessness among individuals who are the highest users of jails, homeless shelters and other crisis system services in Palm Beach County. Implementation of FUSE will reduce our local jail population by decreasing recidivism among program participants. It will also produce an increase in housing stability and a decrease in reliance on multiple crisis services, resulting in significant public cost savings.

Participating agencies and organizations are enthusiastic about the project and committed to its success. They include: Criminal Justice Commission, The Lord's Place, Southeast Florida Behavioral Health Network (SEFBHN), PBC Human Services Department, City of West Palm Beach, Public Defender's Office, Salvation Army, PBC Homeless Coalition, PBC Sheriff, PBC Healthcare District, Quantum Foundation, Gulfstream Goodwill, Jerome Golden Center, Mental

Health Association of PBC, National Association of Mental Illness PBC, St. Mary's Hospital and JFK Hospital.

Planning was initiated by a conference with stakeholders in August, 2016. The conference was facilitated by technical advisors from CSH. A core team was created along with various subcommittees. To date, 30 meetings have taken place involving the core team or various sub-groups. A pilot project of 25 participants is scheduled for implementation on September 1 with a projected 100 participants within 2 years. Our plan is to grow to an even larger scale within 5 years and for FUSE to stimulate the creation of related programs locally.

FUSE utilizes a data driven approach. Through established MOUs for multi-system information sharing, potential participants are identified. This list is first generated by looking at those individuals booked into the jail 3 or more times within the past year. Those individuals are then compared to our local Homeless Management Information System's list of those who have been involved with homeless services within the past 2 years. Matches between these systems are next passed through SEFBHN's data to find the top users of behavioral health emergency services over the past 2 years. Through coordination of these systems, a list of participants is created. Next, through a combination of street outreach and jail, hospital and homeless shelter in-reach, they are located and engaged. Participants are then placed in permanent supportive housing with wraparound services. FUSE goals are to reduce recidivism by 80% and reach 85% in housing retention.

As participants move toward entering housing, policies and practices among stakeholders will be established to ensure continuity and uniformity. A policy committee has been established for that purpose. An operational committee has been formed to oversee housing, case management, services and income for the participants.

Beginning with housing the first participants, researchers from Florida Atlantic University will evaluate both program process and outcome measures as part of a 2-year project. Key variables and outreach methodologies will be collected for both evaluation and future replication.

PBC FUSE has already identified 50 potential participants. The first housing sites have been located. Committed and likely collaborative funders include Palm Beach County, the Quantum Foundation, SEFBHN and the City of West Palm Beach. Due the high potential of cost savings, we are engaging our local hospitals in discussions to enlist them as funding partners as well.

9. Sustainability/Next Stages (4,000 character limit – up to one page):

- a. How do you plan to sustain the strategies in your proposal over the long-term, after the grant concludes?**
- b. Please describe any other funding sources you have allocated toward these activities, including the source and proposed amount.**

Palm Beach County is proposing a comprehensive approach with multiple strategies to safely reduce our jail population. Woven within all of those strategies is an indispensable thread: sustainability. We realize that meaningful change to our local system will require more than the funding provided by the MacArthur Foundation.

To that end, we have incorporated sustainability planning into our strategies. Here are the key components we've identified for sustainability: 1) Establishing policy level changes, including reallocation of resources where appropriate; 2) Focusing on the goals of each particular project

when making decisions; 3) Establishing and enhancing strategic partnerships; 4) Identifying new funding sources as needed; and 5) Evaluating programs from a data driven approach.

Fortunately, Palm Beach County, through the leadership of the Criminal Justice Commission, has established a track record of successfully developing programs and then sustaining them with funding from a variety of sources. Felony Drug Court, the Youth Violence Prevention Project, Pretrial Services and the Ex-Offender Reentry Program all provide evidence of that approach.

We have learned a great deal from our Reentry Program, which has grown dramatically over the years and has become a national model for replication by other jurisdictions. In 2010, following the recognition by the CJC that reentry for ex-offenders should be a priority in our county in order to reduce recidivism and increase public safety, PBC was the recipient of a \$750,000 Second Chance Act Grant for adult reentry. A partnership was developed with Sago Palm Correctional Institution, and the RESTORE reentry program was created. In 2012 PBC received another \$750,000 Second Chance Act Grant for RESTORE. As reentry grew, additional funding sources were added, including the U.S. Department of Labor and the State of Florida. From 2012-13 data was carefully collected and evaluated by the University of South Florida which demonstrated the success of reentry in PBC. Recognizing this success, the PBC Commission designated ad valorem dollars to reentry (\$507,179) for the first time in 2015.

Our PBC FUSE project exemplifies our approach to sustainability. It has already fostered changes in policy by facilitating a shift in approach for stakeholders in four important systems that address the problems of the most vulnerable individuals in our community: criminal justice, homelessness, behavioral health and physical health. With the goals of reducing recidivism and stabilizing the lives of FUSE participants, stakeholders are partnering to determine their roles in the project. Florida Atlantic University will collect data and evaluate FUSE. In addition to the MacArthur Foundation, the following funding sources for FUSE have been identified: Criminal Justice Commission (from federal and local government): \$256,000, SEFBHN: \$200,000; Quantum Foundation: up to \$150,000; City of West Palm Beach: up to \$75,000. We plan to follow the example of reentry and move toward ad valorem funding.

If determined to be successful after a two-year study, the Court Date Notification System would be sustained through funding from court administration, county government, the public defender or a combination of those entities at the rate of \$60,000 annually. In addition, our IT departments will explore developing their own system.

It is expected that the court navigator positions, if deemed to be useful and cost effective, will be funded by the State Attorney and Public Defender after 2 years.

The racial disparity analyst will be evaluated for effectiveness. If deemed appropriate, it is anticipated that the CJC would fund that position on an ongoing basis after 2 years.

Community resources, including those of SEFBHN and others, will be reallocated to continue to provide treatment and services necessary for inmates to be released.

Our other strategies should not require additional funding after the grant concludes.

10. Past Performance (8,000 character limit – up to two pages):

- a. How has your jurisdiction's jail population changed since the baseline measurement, and why? Baseline is defined as the 6-month average of the confined jail population from November 2015 to April 2016, excluding contracted beds. Please include aggregate jail data to support your answer.**
- b. Which strategies have you been able to implement in the past year, and how have they impacted your local justice system?**
- c. What has your jurisdiction done to address racial and ethnic disparities? As applicable, please use data in response to this question.**
- d. What has your jurisdiction done to engage communities? How successful has your community engagement work been?**
- e. How has the work you have done over the past year influenced your proposed implementation plan?**

At the end of the first year, May 2016 through April 2017, the average daily population (ADP) was 2,232, relatively unchanged from our baseline of 2,210. Comparing the first year to the prior year, PBC's jail population saw a 4.38% reduction in admissions (29,679 to 28,380) and a 4.82% reduction in releases (29,698 to 28,267), but a 3.7% increase in the average length of stay (ALOS) from 27 to 28 days. The race and ethnic makeup of the jail population remained the same with admissions for whites at 47%, blacks 37%, white Hispanics 14%, and black Hispanics 1%. The race and ethnic makeup of the ADP also remained constant with blacks representing 49%, whites 34%, white Hispanics 16%, and black Hispanics 1%. PBC saw some imbalances in the increase in ALOS by race and ethnicity with whites down by 1 day (20 to 19); white Hispanics down by 3 days (33 to 30). However, blacks rose by 2 days (35 to 37), and black Hispanics realized the greatest increase of 5 days (45 to 50). This clearly shows we have to work to do to reduce racial and ethnic disparities in our ALOS. While we realized some minor variances in admissions, releases, ADP, and ALOS, we have essentially remained the same during our first year because our significant impact strategies have been the planning phase.

During this past year, PBC made significant progress in furthering the strategies developed by the Core Team. Woven throughout these strategies are targeted responses to combat racial and ethnic disparities as identified in statistics provided.

First, the work to implement a **Risk Assessment Instrument (RAI)** and **Risk Management Matrix (RMM)** is coming to fruition with a target implementation date of July, 2017. To accomplish this, we created a Pretrial Project Team that met 15 times in the last year to lead this effort. We also contracted with the Pretrial Justice Institute (PJI) to provide us with technical assistance and training. PJI's CEO and Vice President opened this initiative with a site visit in June. After evaluating three RAI's, our team chose the Revised Virginia RAI because it best fit the needs of our jurisdiction and has a strong validation history, including for gender and race. On January 17 and 18, PJI conducted RAI training for 27 judges, 3 prosecutors, 8 defenders, and 7 Pretrial Program staff. We have contracted with Florida State University to validate the tool locally. The RAI and RMM will level the playing field for all people to be evaluated on the same characteristics, providing for consistency in decision-making and combating disparity. In addition, three members of our Core Team attended the PJI Pi-CON conference in March 2017, adding to their learning and enhancing our efforts.

Second, our efforts for **diversion and warrant reduction** for low-level defendants made great strides through a variety of projects:

1) Diversion through our PBC **FUSE Project** was initiated with stakeholders in August, 2016. The FUSE Core Team met 30 times to craft an implementation plan. PBC identified targeted participants through a shared data initiative. A pilot project of 25 participants is scheduled for implementation on September 1. We plan to bring this to scale within 2 years to house 100 participants. The Team has created plans for outreach and jail, hospital, and homeless shelter in-reach, to locate and engage these individuals. We arranged for evaluation by researchers from Florida Atlantic University. We identified 50 potential participants and the first housing sites. The CJC has designated \$256,000 of funding to get the program started.

2) In May, 2016, PBC created a **Driving Under Suspension (DUS) Court** after data showed that 38,000 arrests were made for DUS, representing 34% of all misdemeanor cases. To date, 2,790 charges have been disposed of, representing 1,664 cases. Of these, 1,791 (64%) had their charges dismissed or no filed with 56% of these being black defendants, 34% white, and 9% Hispanic. The DUS Court will continue to operate with our goal to enhance the reinstatement of driver licenses to prevent these individuals from repeatedly cycling through our jail.

3) In April, 2016, PBC held its first **Operation Fresh Start** to resolve outstanding low-level cases and warrants. Outcome statistics were encouraging: 1) 387 defendants appeared; 2) 160 driver's licenses were reinstated; 3) 96 payment plans were established; 4) no one was remanded to jail; and 5) 379 warrants were dismissed, and of these, 50% were for black defendants, 44% for whites; and 6% for Hispanics.

4) The **administrative dismissal** of old misdemeanor and county/municipal ordinance cases with associated warrants, is an ongoing effort of our State Attorney and Clerk's Offices. Since July 2014, a total of 12,005 misdemeanor and 12,970 county/municipal ordinance cases with over 5,000 associated warrants have been dismissed. This initiative took on extra emphasis with the SJC Project in 2015.

5) Finally, PBC found that significant impact is made on the jail from Failures to Appear (FTA) for court with over 39,000 arrests in 2016. To address this, we researched strategies and decided to implement a **Court Date Notification System**. CJC staff reached out to a variety of locations to explore this strategy. In May, 2017, members of the Core Team took part in an interactive demonstration with a vendor in this field, UpTrust.

Third, PBC realized that **efficiency in case processing** for pretrial inmates would be crucial to meeting the targeted reduction after inviting Dr. James Austin to conduct an analysis of our jail population and a stress test with our Team. This endeavor was held in March 2017 and proved to be a tremendous learning experience. From this the Team drew two conclusions: 1) PBC's incarceration rate is 58% below the national average (146 compared to 231), making our efforts challenging; and 2) 44% of our pretrial jail ADP includes defendants who are ultimately sentenced to prison, time served, or probation. To that end, we began dialogue with Justice Management Institute (JMI) to assist us in this endeavor. Additionally, in May, 2017, the Chief Judge established by administrative order the creation of an additional felony trial division by reallocating judicial resources which will allow us to reduce the case size of the other six felony divisions, thereby reducing processing time.

Fourth, over the past year, the Core Team struggled with crafting a targeted strategy to combat **racial and ethnic disparities**. We attended local Racial Equity Institute (REI) training, held implicit bias training for all CJC members at our Annual Planning Meeting in February, and spent considerable effort to research methods to address this, including discussions with the W.

Haywood Burns Institute. We also began looking at disparity from different decision points in the system. From this we decided having a dedicated staff person in this area would greatly help us achieve our goals.

Fifth, we **engaged communities** through the CJC's Community Engagement Task Force (CETF). The CETF met 13 times last year and developed an action plan that includes community forums, public service announcements, lunch and learns, and media outreach. We engaged in very productive conversations and created an open environment to listening to and sharing with the community. We will host our first Community Conversation about the relationship between the criminal justice system and communities on June 22nd.

Finally, we made great strides in expanding our **data capacity**. In the past year CJC staff researched a variety of platforms to host a data dashboard on the CJC webpage and chose Tableau. We purchased a software license, and it is being installed. Also, we overcame a great barrier for the access to court-level data by working with the Clerk's Office on an agreement to provide CJC staff with open access to their data for free. Additionally, the CJC has executed the aggregate DUA with ISLG and is very close to executing the DUA for case-level data.

11. Budget/Financial information (to be uploaded through the portal):

- a. Please upload your proposed two-year grant budget.
- b. Please prepare and upload a budget narrative. If applicable, please include a list of other funders and a short explanation of the scope and objective of grants that relate to your Safety and Justice Challenge work.
- c. If indirect costs are expressed as a percentage, please upload information on your organization's current rate and review the Foundation's indirect cost policy statement.
- d. Please upload your organizational operating budget for the current year.
- e. Please upload a lobbying budget, if applicable, or a statement that MacArthur funds will not be used for lobbying purposes.

Section 2. Required Uploads

1. Using the template provided, please upload your jurisdiction's Safety and Justice Challenge implementation plan with jail population reduction calculations.
2. Please upload a draft of your jurisdiction's case-level data-sharing DUA and a short statement summarizing the progress made to date on signing the agreement, as a sign of good faith efforts to execute it in a timely manner. Please note that the DUA does not need to be finalized as part of this submission, but should reflect some degree of review by your jurisdiction's legal partners.
3. Please upload the items listed in *Question 11*.



Palm Beach County Safety and Justice Challenge Two Year Budget Narrative	
Personnel \$782,000 1 st Year: \$385,000 2 nd Year: \$397,000	<p>Pretrial Services Counselor x 2 (\$252,000) – This request will cover the annual salary and benefits for two (2) pretrial counselors to handle the anticipated additional work associated with the new pretrial supervision process.</p> <p>Pretrial Services Interviewer (\$108,000) - This request will cover the annual salary and benefits for a pretrial interviewer to handle the anticipated additional work associated with the new risk assessment process and Second Look Procedure.</p> <p>Senior Criminal Justice Analyst (\$162,000) – This request will cover the annual salary and benefits of a senior criminal justice analyst position within the CJC offices to lead the strategy on racial and ethnic disparities.</p> <p>Court Navigators x 2 (\$244,000) – This request will cover the annual salary and benefits of a two (2) paralegals within the Public Defender and State Attorney Offices to identify and work with appropriate defendants for case processing and pretrial release from jail.</p> <p>College Interns (\$16,000) – This request will cover the cost of fall and spring college interns from the Florida University system to assist with data collection, analysis, courtroom observation and evaluation of strategies.</p>
Professional Services \$990,000 1 st Year: \$501,000 2 nd Year: \$489,000	<p>FUSE Program (\$360,000) – This request will supplement funds already designated by the CJC as well as other anticipated funds from the Quantum Foundation, the City of West Palm Beach and Southeast Florida Behavioral Health Network. A total budget for FUSE for the next two years is \$1,430,000. Funds will be allocated pending a Request for Proposal for a community provider to deliver staffing and services.</p> <p>LOCAL FUNDS: CJC (\$256,000) - The CJC has committed \$256,000 toward the implementation of the FUSE Project. Additional funding is anticipated by the Quantum Foundation, the City of West Palm Beach and Southeast Florida Behavioral Health Network.</p> <p>Treatment Resources for Inmate Release (\$232,000) – This will cover the cost of substance abuse, mental health, and housing resources needed for the release of some pretrial jail inmates.</p> <p>Training on Implicit Bias and Procedural Justice (\$40,000) – training will be provided for judges, state attorneys, public defenders, probation officers and law enforcement.</p> <p>Bus Passes for Pretrial Services Supervision Clients (\$40,000) – This will cover the cost of 8,000 day bus passes for Pretrial Services supervision clients who have no means of transportation to attend their office visits.</p>



	<p>Drug Testing for Indigent Pretrial Services Supervision Clients (\$58,000) – This will cover some of the cost for drug testing of indigent clients court ordered to Pretrial Services supervision who will be violated and sent back to jail without submitting drug tests. This will pay \$45 per test for 12 clients per months for 52 weeks of drug testing.</p> <p>Florida State University Validation Study of Risk Assessment Instrument (\$160,000) – This will cover the cost to have an independent researcher validate the risk assessment instrument for our jurisdiction.</p> <p>Florida Atlantic University Evaluation of FUSE Program (\$100,000) – This will cover the cost to perform process and outcome evaluations of the FUSE Program.</p>
<p>Data Enhancements \$169,000</p> <p>1st Year: \$77,000 2nd Year: \$92,000</p>	<p>Development of Data Dashboard (\$12,000) – This will cover the cost associated with the software needed to embed and maintain the data dashboard on the CJC webpage</p> <p>Court Date Notification System (\$105,000) – This will cover the cost to implement a text-based system for notification and reminders of all criminal defendant court dates.</p> <p>Criminal History Checks for Outcome Measures (\$2,000) – This will cover the cost of having the Florida Department of Law Enforcement run criminal histories for persons involved in our strategies as needed for analysis, outcome or evaluation purposes.</p> <p>Data Enhancements to Existing Systems (\$50,000) – This is the anticipated cost to enhance existing systems to improve data collection.</p>
<p>Equipment and Hardware \$15,500</p> <p>1st Year: \$15,500 2nd Year: \$0</p>	<p>Tablets for Pretrial Services Interviews (\$7,500) – This is for the purchase of 5 tablets for Pretrial Services staff to conduct risk assessment interviews electronically.</p> <p>Computers (\$8,000) – This is for the purchase 4 computers at \$2,000 each for the CJC Analyst, the 2 Court Navigators, and 1 Pretrial Services Counselor.</p>
<p>Travel \$24,000</p> <p>1st Year: \$12,000 2nd Year: \$12,000</p>	<p>Travel (\$24,000) – This request will cover travel expenses for core planning team members and staff to attend MacArthur Foundation approved conferences and site visits.</p>
<p>Meeting Expense \$19,500</p> <p>1st Year: \$9,500 2nd Year: \$10,000</p>	<p>Community Engagement Task Force and Events (\$17,000) - This request will provide for food for community engagement events and meetings.</p> <p>Food for Team Meetings (\$2,500) – This request will provide for food for the various MacArthur Team meetings when they are needed during lunch hours.</p>
<p>Indirect Costs (\$0)</p>	



Annual Budget Summary Year One:

<u>Budget Category</u>	<u>Foundation</u>	<u>Local Funds</u>	<u>Total Budget</u>
A. Personnel	\$ 385,000	\$ 0	\$ 385,000
B. Professional Services	\$ 501,000	\$ 256,000	\$ 757,000
C. Data Enhancements	\$ 77,000	\$ 0	\$ 77,000
D. Equipment and Hardware	\$ 15,000	\$ 0	\$ 15,000
E. Travel	\$ 12,000	\$ 0	\$ 12,000
F. Meeting Expense	\$ 9,500	\$ 0	\$ 9,500
TOTAL PROJECT COSTS:	\$ 1,00,000	\$ 256,000	\$ 1,256,000

Annual Budget Summary Year Two:

<u>Budget Category</u>	<u>Foundation</u>	<u>Local Funds</u>	<u>Total Budget</u>
G. Personnel	\$ 397,000	\$ 0	\$ 397,000
H. Professional Services	\$ 489,000	\$ 400,000	\$ 889,000
I. Data Enhancements	\$ 92,000	\$ 0	\$ 92,000
J. Equipment and Hardware	\$ 0	\$ 0	\$ 0
K. Travel	\$ 12,000	\$ 0	\$ 12,000
L. Meeting Expense	\$ 10,000	\$ 0	\$ 10,000
TOTAL PROJECT COSTS:	\$ 1,00,000	\$ 400,000	\$ 1,400,000

Total Project Budget Summary:

Year 1 Foundation Request	\$1,000,000
Year 1 Local Funds	\$ 256,000
Year 2 Foundation Request	\$1,000,000
Year 2 Local Funds	\$ 400,000
TOTAL 2 Year Project Cost	\$2,656,000



Palm Beach County, Florida

Submitted June 1, 2017

Cost Category	Year 1	Year 2	Total
I. Personnel	\$ 385,000	\$ 397,000	\$ 782,000
1 Pretrial Services Counselor I for Intake	\$ 62,000	\$ 64,000	\$ 126,000
1 Pretrial Services Counselor I for Supervision	\$ 62,000	\$ 64,000	\$ 126,000
1 Pretrial Services Interviewer	\$ 53,000	\$ 55,000	\$ 108,000
1 Racial and Ethnic Disparity Position - CJC Offices	\$ 80,000	\$ 82,000	\$ 162,000
1 Court Navigator Position - Public Defender's Office	\$ 60,000	\$ 62,000	\$ 122,000
1 Court Navigator Position - State Attorney's Office	\$ 60,000	\$ 62,000	\$ 122,000
2 College Student Interns (1 for Fall; 1 for Spring) - CJC Offices	\$ 8,000	\$ 8,000	\$ 16,000
II. Professional Services	\$ 501,000	\$ 489,000	\$ 990,000
Frequent Users System Engagement (FUSE) Program	\$ 180,000	\$ 180,000	\$ 360,000
Treatment Resources for Inmate Release	\$ 122,000	\$ 110,000	\$ 232,000
Training on Implicit Bias and Procedural Justice	\$ 20,000	\$ 20,000	\$ 40,000
Bus Passes for Pretrial SOR Clients	\$ 20,000	\$ 20,000	\$ 40,000
Drug Testing for Indigent Pretrial SOR Clients	\$ 29,000	\$ 29,000	\$ 58,000
FSU Validation Study of Risk Assessment Instrument & Research	\$ 80,000	\$ 80,000	\$ 160,000
FAU Evaluation of FUSE Program	\$ 50,000	\$ 50,000	\$ 100,000
III. Data Enhancements (e.g., IT system improvements, technology, staff)	\$ 77,000	\$ 92,000	\$ 169,000
Data Dashboard	\$ 6,000	\$ 6,000	\$ 12,000
Court Date Notification System	\$ 45,000	\$ 60,000	\$ 105,000
Criminal History Checks for Outcome Measures	\$ 1,000	\$ 1,000	\$ 2,000
Data Enhancements to Existing Systems (inc., \$5,000 for Pretrial)	\$ 25,000	\$ 25,000	\$ 50,000
IV. Equipment and Hardware	\$ 15,500	\$ -	\$ 15,500
5 Tablets for Pretrial Services Interview Staff	\$ 7,500		\$ 7,500
Computers for 4 staff (Pretrial Intake, RED, 2 Court Navigators)	\$ 8,000		\$ 8,000
V. Travel (e.g. airfare, hotel accommodations, food and incidentals)	\$ 12,000	\$ 12,000	\$ 24,000
All Site Visits	\$ 12,000	\$ 12,000	\$ 24,000
VI. Meeting Expenses (e.g., meeting space, food and supplies)	\$ 9,500	\$ 10,000	\$ 19,500
Food, meeting space, and incidentals for Community Engagement Events	\$ 8,500	\$ 8,500	\$ 17,000
Food for MacArthur Planning Team meetings	\$ 1,000	\$ 1,500	\$ 2,500
VII. Indirect Costs (not-to-exceed 15%)	\$ -	\$ -	\$ -
Indirect Costs	\$ -	\$ -	\$ -
Total	\$ 1,000,000	\$ 1,000,000	\$ 2,000,000

FUNDING BY STRATEGY

	Year 1	Year 2	TOTAL
REDUCE PRETRIAL POPULATION	\$ 315,500	\$ 312,000	\$ 627,500
1 Pretrial Services Counselor I for Intake	\$ 62,000	\$ 64,000	
1 Pretrial Services Counselor I for Supervision	\$ 62,000	\$ 64,000	
1 Pretrial Services Interviewer	\$ 53,000	\$ 55,000	
5 Tablets for Pretrial Services Interview Staff	\$ 7,500	\$ -	
Computer for 1 Pretrial Intake staff	\$ 2,000	\$ -	
FSU Validation Study of Risk Assessment Instrument & Research	\$ 80,000	\$ 80,000	
Bus Passes for Pretrial SOR Clients	\$ 20,000	\$ 20,000	
Drug Testing for Indigent Pretrial SOR Clients	\$ 29,000	\$ 29,000	
DIVERSION AND WARRANT REDUCTION	\$ 275,000	\$ 290,000	\$ 565,000
Frequent Users System Engagement (FUSE) Program	\$ 180,000	\$ 180,000	
FAU Evaluation of FUSE Program	\$ 50,000	\$ 50,000	
Court Date Notification System	\$ 45,000	\$ 60,000	
COURT PROCESSING EFFICIENCIES	\$ 246,000	\$ 234,000	\$ 480,000
1 Court Navigator Position - Public Defender's Office	\$ 60,000	\$ 62,000	
1 Court Navigator Position - State Attorney's Office	\$ 60,000	\$ 62,000	
Treatment Resources for Inmate Release	\$ 122,000	\$ 110,000	
Computer for 2 Client Navigators	\$ 4,000		
RACIAL & ETHNIC DISPARITY	\$ 110,500	\$ 110,500	\$ 221,000
1 Racial and Ethnic Disparity Position - CJC Offices	\$ 80,000	\$ 82,000	
Training on Implicit Bias and Procedural Justice	\$ 20,000	\$ 20,000	
Computer for 1 CJC Analyst Position	\$ 2,000		
Food, meeting space, and incidentals for Community Engagement Events	\$ 8,500	\$ 8,500	
DATA CAPACITY AND EVALUATION	\$ 40,000	\$ 40,000	\$ 80,000
Data Dashboard	\$ 6,000	\$ 6,000	
2 College Student Interns (1 for Fall; 1 for Spring) - CJC Offices	\$ 8,000	\$ 8,000	
Criminal History Checks for Outcome Measures	\$ 1,000	\$ 1,000	
Data Enhancements to Existing Systems (inc., \$5,000 for Pretrial)	\$ 25,000	\$ 25,000	
MISCELLANEOUS	\$ 13,000	\$ 13,500	\$ 26,500
Food for MacArthur Planning Team meetings	\$ 1,000	\$ 1,500	
Travel	\$ 12,000	\$ 12,000	
TOTAL	\$ 1,000,000	\$ 1,000,000	\$ 2,000,000

TO: The MacArthur Foundation

FROM: Palm Beach County

DATE: June 1, 2017

SUBJECT: Safety and Justice Challenge Lobbying Statement

Palm Beach County (PBC) certifies that it will not use MacArthur Foundation funds for lobbying purposes



By: _____

Kristina Henson, Executive Director

Palm Beach County Criminal Justice Commission

TO: The MacArthur Foundation
FROM: Palm Beach County
DATE: June 1, 2017
SUBJECT: Data User Agreement (DUA)

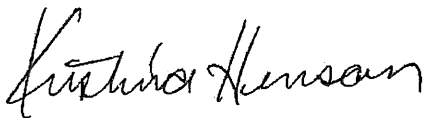
The purpose of this memorandum is to demonstrate good faith toward negotiating a new Data User Agreement (DUA) as a core site with the Institute of State and Local Government (ISLG), City New York University (CUNY) for the Safety and Justice Challenge.

The draft DUA for core sites has been circulated and reviewed by Criminal Justice Commission staff and by Palm Beach County's legal counsel. All comments and suggested revisions were sent to ISLG on April 28, 2017 for their consideration.

All necessary approvals in our jurisdiction are in place to implement the DUA once signed by Palm Beach County and ISLG. I have been designated by the Palm Beach County Administrator to sign all data sharing and user agreements.

We anticipate finalizing the DUA by the end of June 2017 with minor revisions, and we are ready to enact the agreement once we receive the award as a core site.

Sincerely



By: _____

Kristina Henson, Executive Director

Palm Beach County Criminal Justice Commission

Date: May 30, 2017

To: Bert Winkler, J.D., Criminal Justice Analyst, Palm Beach County Criminal Justice Commission

From: James Austin, JFA Institute

Subject: Summary of Jail Population Analysis and SJC Stress Test Completed by JFA

This memo is to summarize the SJC Stress Test that was jointly completed by the Palm Beach County SJC policy team and the JFA Institute. This work was requested by Palm Beach County and the Center for Court Innovation Site Coordinator, and ISLG to better formulate their SJC application to become a core site.

The work entailed Palm Beach County using its information system technologies and resources to quickly produce two extract data files that consisted of 1) people currently in the Palm Beach County jail and 2) all jail releases in 2016. These data files were forwarded to JFA which proceeded to analyze them to better identify the primary drivers of the current jail population. JFA also worked with the County to update the aggregate level based data that can be used to evaluate the county's incarceration rates.

Once the preliminary data analysis was completed by JFA, the key charts and tables were forwarded to the site to review its implications for the site visit and the SJC application. As shown in the incarceration rate chart (Figure 1), based on all the four measures of incarceration Palm Beach has a very low incarceration rate. As such it has already implemented several reforms that predate the SJC initiative. It also suggests that its plan to further reduce its current incarceration rates will need to be very aggressive and more difficult to achieve.

Currently, the jail population has been averaging approximately 2,300. Table 1 provides the summary statistics on the current jail population. Of note is the relatively high percentage of Black inmates, people in pretrial status and the relatively long time in custody to date (mean of 192 days and a median of 92 days) which is relatively low compared to other jails. There is also a longer time in custody to date for Black people.

Relative to jail admissions and releases, there are approximately 35,000 jail releases each year which are produced by about 26,000 people suggesting a significant number of people admitted and released from the jail multiple times in a year (Table 2). About two thirds of the people were released within three days of booking. The overall LOS is 25.5 days which is slightly above the national level of 22-23 days.

Table 3 shows the jail releases by the method of release and the associated average LOS for that method of release. Two major drivers of the jail population in terms of method of release are people being released to the DOC (having spent most of their time in pretrial status) and time served. This suggests that expediting the disposition of criminal cases will need to be a central part of the SJC plan.

Based on these analyses an on-site Stress Test exercise was scheduled and designed to focus on inmates who have spent lengthy periods of time prior to being transferred to state prison and other agencies, and, persons receiving a time-served disposition. Approximately 50 cases randomly selected by JFA from the snapshot data file to be reviewed by a high-level panel that consisted of a prosecutor, public defender, the sheriff’s office, law enforcement, pretrial services, and a judge. These cases were sorted by those booked for an FTA, had served a long period of time in custody, and potential pretrial release candidates who were still in custody. The review showed that considerable progress could be made on altering the time-frame for reaching dispositions of many of the sampled cases. Bookings for FTA could be lowered by enhancing the electronic process for contacting released pretrial detainees.

Based on the Stress Test it is JFA’s opinion that this site will exceed its target jail population reduction if the strategic plan as summarized below is implemented as designed. The key reforms and the associated estimated jail population impacts are summarized in the table below.

Summary of Impact of Palm Beach County SJC On Jail Population

	Current Policy			With Plan			Absolute Reduction	Strategy Discount N
Strategy	Annual Bookings	LOS Days	ADP	Annual Bookings	LOS Days	ADP		
								4.8%
	28,710	28.1	2210	24,197	27	1822	388	369
							17.60%	16.70%
Pretrial Risk Assessment Instrument	9,049	3.81	94.56	7,047	1.3	25.15	69.41	65.9
Released to SOR	2,782	3.24	24.67	2,782	1	7.62	17.05	16.2
Other Release Reasons	6,267	4.07	69.89	4,265	1.5	17.53	52.36	49.7
Frequent User System Engagement (FUSE)	2,091	3.69	21.15	1,656	2	9.07	12.07	12.1
Court Date Notification System	4,152	11.22	127.63	2,076	11.22	63.81	63.81	60.6
Expedited Case	6,693	53	971.84	6,693	39.75	728.88	242.96	230.8
Time Served	4467	39.24	480.23	4467	29.43	360.17	120.06	114.1
Probation	1177	50.78	163.75	1177	38.09	122.81	40.94	38.9
Released To DOC	1049	114.08	327.86	1049	85.56	245.9	81.97	77.9
Total	21,985	75.22	1,215.18	17,472	55.47	826.92	388	369

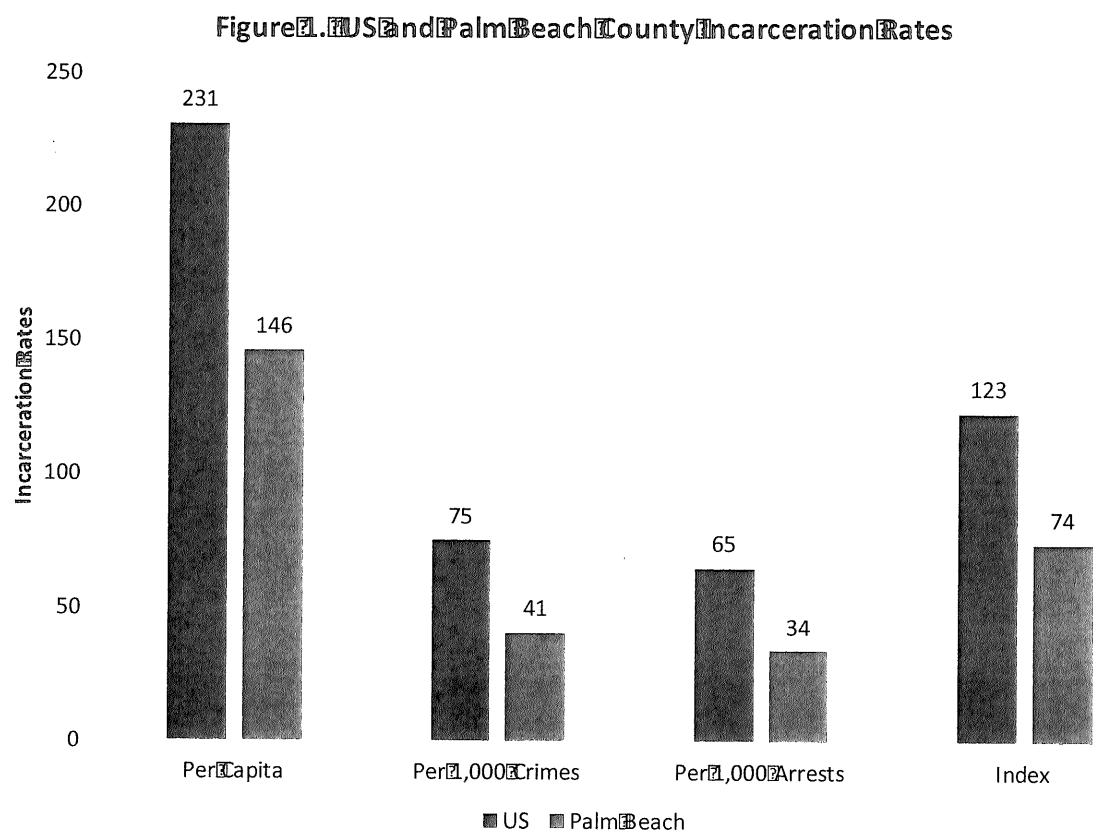


Table 1. Key Attributes of the Palm Beach Jail Population

Attribute	N	%
Total	2,318	100%
Gender		
Female	259	11%
Male	2,059	89%
Ethnicity		
Hispanic	414	18%
Race		
Black	1,116	48%
White	1,202	52%
Ave Age	34 years	
Classification		
Maximum	1,307	56%
Medium	572	25%
Minimum	350	15%
Unclassified	89	4%
Legal Status		
Pretrial	1,753	76%
Sentenced	410	18%
DOC Sentenced	69	3%
Mixed	86	4%
Time Served		
Average	192 days	
Median	92 days	
Ave. Blacks	216 days	
Ave. Whites	170 days	
Over 6 mos.,	724	32%

Table 2. Palm Beach Jail Releases and LOS

Total Releases	34,926
People	26,018
Overall LOS	25.5 days
White	21.5 days
Blacks	31.5 days
Hispanic	33.5 days
LOS 3 days or less	24,144

Table 3. Palm Beach County Releases, LOS and Estimated ADP

Release Reason	Releases	LOS (days)	ADP
Total	34,926	25.5	2,395
Surety Bond	7,059	4.9	94
Own Recognizance	6,439	1.6	28
Time Served	4,862	50.7	674
CR Registrant Book & Release	3,028	0.0	0
Released To SOR	2,970	4.0	32
Released To DOC	1,519	222.8	926
Court Order Release	1,341	27.3	100
Probation	1,295	72.1	255
JAC Release To DJJ	1,185	0.6	2
Released to Another County	940	26.0	67
Surety Bond & SOR	860	7.2	17
JAC Release to Home	817	0.3	1
Federal	784	57.3	123
Cash Bond	510	3.1	4
No File	315	21.7	19
Released to Another State	197	24.4	13
Released to Treatment Facility	118	51.1	17
Released Per TTY	115	15.6	5
Nolle Prose	108	56.4	17



Implementation Plan: Impact Calculations

In this section sites are asked to demonstrate, through the data and calculations outlined below, the projected impact of revised implementation plan strategies. For each item, a set of instructions is provided to help guide sites through the calculation, and explain its purpose. At the end of the template, sites will find a set of additional considerations to keep in mind when estimating the impact of implementation plan strategies. At each step along the way, there is a place to provide information related to these additional considerations (or other context that will make it easier to understand the assumptions behind the numbers). Additionally, the next tab (labeled Summary Worksheet) provides a place to summarize the key numbers related to each strategy. Sites can use this as needed to organize the information provided.

*****PLEASE NOTE that sites that 1) already provided these calculations (or some close approximation of them) in their Phase II application and 2) are not changing the implementation plan from the original submission do not need to redo them for this updated implementation plan. Instead, those sites are asked to either transfer the original numbers into this template or**

1. BASELINE JAIL POPULATION

1A. Estimate: 2,210

1B. Additional explanation/context:

We computed our baseline ADP using the monthly ADP between November 2015 and April 2015 (six months). We used the sherrif's inmate database to compute the ADP and baseline. Regrettably, the sheriff's inmate historical data does not contain information on where the inmate was held as this information is overwritten once the inmate is released. As such, we are unable to determine the actual number of inmates confined without using other sources to determine historical location (confined or not). As a result, we have discounted our estimates by approximately 5% to account for this limitation and other data errors after we have matched to others sources. We beleive this ADP best represents Palm Beach County's Baseline Jail Population.

Explanation/guiding instructions:

when Phase II (and progress tracking) officially begins. In the interest of consistency with the performance measurement baseline, sites are encouraged to use parameters for jail population baseline that are as close as possible to the following:

- Confined population only
- Contract beds excluded

phase (April 15)

If your site is not able to establish a baseline with these exact parameters, please use a number you feel is a close approximation to the population at this point and briefly explain the rationale.

2. PROJECTED 3-YEAR IMPACT FOR EACH STRATEGY

Strategy 1: Reduce Pretrial Jail Population - Pretrial Risk Assessmet Tool (VPRAI) and Pre-Trial Supervision (PRAXIS)

Target population: 9,049 Pretrail Jail Admissions

Projected impact: ADP Savings of 65.9

Additional explanation/context:

Specifically, we anticipate that this target population will have two subsets of pretrial admissions that will benefit from a pretrial risk assessment and pretrial monitoring regime that involves supervised own recognizance (in place of cash and surety bond or a combination of these two with SOR). The two groups are composed of nonviolent misdemeanors and nonviolent felonies--the vast majority of which will fall into an ROR or supervised release category according to our pretrial matrix. For both groups, the following admissions and LOS apply: $3.24 \text{ Average SOR LOS} \times 2,782 \text{ SOR Admissions} / 365 = 24.67 \text{ (ADP)}$ & $4.07 \text{ (LOS)} \times 6,267 \text{ Other Release Reasons} / 365 = 69.89 \text{ (ADP)}$. The other release reasons include pretrial releases reasons such as cash bond, surety bond, and the combination of these types with SOR. Both subsets include crime categories such as, misdemeanor (non-violent and violent), felony (non-violent and violent) and Driving Under the Influence (DUI).

Strategy 2: Diversion and Warrant Reduction: Frequent Users Systems Engagement Project

Target population: Homeless defendants with three or more bookings within 12 months for low-level offenses (reduce admissions of this population by 435)

Projected impact: ADP Savings of 12.1

Additional explanation/context:

This strategy addresses frequent users (new admissions into the county jail 3 times or more in a 12 month period) of the jail system for low level offense (e.g., trespass, open container, etc.) and that are homeless. Since the program will be voluntary, the program plans to recruit at least 100 people over the next two years. From the above criteria (2,091 admissions) we randomly select approximately 435 admissions or 117 individuals (approx. 20%) to simulate the voluntary nature of the program and potential challenge of program participant attrition/retention. As part of our strategy we are looking to reduce the LOS for similar homeless individuals who are admitted into the jail by way of our court case navigator from the Public Defender's Office.

Strategy 3: Diversion and Warrant Reduction: Court Notification System (Text Based)

Target population: 4,152 Failure to Appear (FTA) Admissions

Projected impact: ADP Savings of 60.6

Additional explanation/context:

This strategy will include the implementation of a text based court reminder and notification system to increase the likelihood that a defendant will show up for their court date - thus eliminating reducing the need to issue a bench warrant. Based on data from 2016, there were 4,152 FTA-related bookings, resulting in an ALOS of 11.22 days. While there is a paucity of case control studies examining the efficacy of such systems, there are pilot studies in Contra Costa County, California in that reduced the FTA rate by 80% (20% to 3.4%). In King County, Washington live phone call reminders reduced the FTA rate by 60% for misdemeanor defendants.

Strategy 4: Case Processing and Efficiencies

Target population: 6,693 defendants held in jail whose cases could be expedited (for release reasons including time served, released to probation, and released to DOC)

Projected impact: ADP Savings of 230.8

Additional explanation/context:

Dr. James Austin, JFA Institute, led Palm Beach county in an analysis and review of 2016 jail releases to identify jail population drivers. During this analysis and review, Dr. Austin identified three specific release reasons that significantly impacted the county's average daily jail population. These included release reason: time served, probation, and released to Department of Corrections (DOC). Through a strategy of hiring court case navigators to focus on high LOS cases and more in-depth analysis of processing inefficiencies in collaborating with JMI, we anticipate a 25% reduction in LOS across these categories, which include:

Time Served	39.24 (LOS) x 4,467 / 365	= 480.23 (ADP)
Probation	50.78 (LOS) x 1,177 / 365	= 163.75 (ADP)
Released to DOC	114.08 (LOS) x 1,049 / 365	= 327.86 (ADP)

Explanation/guiding instructions:

Here sites are asked to demonstrate how the jail population is expected to change (be reduced) as a result of each strategy, through the calculations outlined below. Note that impacts can be calculated a few different ways depending on the nature of each strategy and how it is expected to impact the jail population. Specifically:

If the strategy's impact will come from reducing admissions

Projected jail population saved for Strategy X = Projected admissions saved for Strategy X target population * Average LoS for Strategy X target population / 365

If the strategy's impact will come from reducing LoS

Projected jail population saved for Strategy X = Projected admissions for Strategy X target population * Projected LoS saved for Strategy X target population / 365

If the strategy's impact will come from both

Perform both of the calculations above, estimating jail population reductions from LoS reductions and jail population reductions from admissions reductions separately. Note that the admissions savings are expected to come before LoS savings, or vice versa, this should be factored into the calculations.

During this step it is critical that data reflect admissions and LoS among the target populations, not the overall jail population. Where these specific data are not available, sites should use data that are available to make logical estimates for the target populations (e.g. if the only available LoS data is for the total pretrial population and a strategy is targeting low risk misdemeanants who are cycling through the jail, the estimated length of stay should be lower for this population).

It is also critical to factor in how strategies (and projected impacts) will be phased in over time. For example, a strategy that is rolled out at the very beginning of implementation will have the full three years' worth of impact to take into account (and should be calculated using that time frame). A strategy that takes a year to implement, however, should be estimated using numbers that reflect a two-year period (in other words, the projected three-year impact should be based on what can be accomplished

3. TOTAL PROJECTED JAIL POPULATION SAVED ACROSS ALL STRATEGIES

3A. Estimate: Discounted Reduction of 369 (ADP)

3B. Additional explanation/context:

2,210 Baseline - Estimated Discounted ADP 1,841 = 369

Explanation/guiding instructions:

This involves adding up the impacts from Step 3.

Total projected jail population saved = Projected jail population saved for Strategy X + Projected jail population saved for Strategy Y +

Strategy 1 Pretrial Risk Assessment Instrument	Total ADP	65.94
Released to SOR		16.20
Other Release Reasons		49.75
Strategy 2 Frequent User System Engagement (FUSE)	Total ADP	12.07
Strategy 3 Court Date Notification System	Total ADP	60.62
Strategy 4 Expedited Case	Total ADP	230.81
Time Served		114.06
Probation		38.89
Released To DOC		77.87
Total Strategy	All Strategies	369.45

4. PROJECTED THREE YEAR JAIL POPULATION FOLLOWING IMPLEMENTATION OF

4A. Estimate: 1,841 (Discounted ADP)

4B. Additional explanation/context:

Baseline ADP 2,210 - Total Estimated Reduction ADP 369 (Discounted) = 1,841

Explanation/guiding instructions:

This involves subtracting the total jail population saved from Step 3 from the total jail population baseline established in Step 1.

Projected jail population = Baseline jail population – Total projected jail population saved

5. PROJECTED JAIL POPULATION REDUCTION AS A % OF BASELINE JAIL POPULATION

5A. Estimate: 16.7 % (Discounted)

5B. Additional explanation/context:

$((2,210 - 1,841 = 369) / 2,210) \times 100 = 16.7\% \text{ (Discounted)}$

Explanation/guiding instructions:

This will demonstrate how close the projected reduction is to the site’s original proposed target (e.g. how close to the proposed 21% reduction target)

*population * 100.*

6. PLEASE USE THIS SPACE TO PROVIDE ANY ADDITIONAL EXPLANATION/CONTEXT

We are continuing to improve our jail data quality in cooperation and assistance with the Sheriff's Office and the Clerk of the Court. In particular, we are improving our ability to historically identify the confinement records (specific inmate location) for inmates released from the county jail in order to improve the accuracy of our statistics. The Safety and Justice Challenge has provided us with the leverage needed to further develop and implement new and better reporting.

Additional considerations for impact calculations

other considerations, as relevant, and make explicit in their explanation of impact calculations how they were factored in.

1. Overlapping target populations across strategies, which may lead to double counting in impact estimates—this can be accounted for in one of two ways:
that the target population will be smaller or length of stay shorter as a result of another strategy rolled out at the same time or earlier)
overlapping strategies add up to a 29% reduction, so take 10% off at the end as a buffer—this is a less precise way to do it)
2. How clearly the target population is defined for each strategy: Sites are encouraged to define target populations as specifically as possible, using, as relevant, criteria such as charge, risk level, criminal history, behavioral health status, and exclusionary criteria.
3. How each strategy will account for unforeseen challenges (e.g. pretrial cases that result in rearrests)
4. Offsets to potential jail population reductions (e.g. in the case of mental health diversion programs, net-widening may occur)



Attachment # 2
Page 1 of 1

County Administration

P.O. Box 1989
West Palm Beach, FL 33402-1989
(561) 355-2030
FAX: (561) 355-3982
www.pbcgov.com

**Palm Beach County
Board of County
Commissioners**

Mary Lou Berger, Mayor
Hal R. Valeche, Vice Mayor
Paulette Burdick
Shelley Vana
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator

Verdenia C. Baker

May 5, 2016

John D. and Catherine T. MacArthur Foundation
Office of Grants Management
140 S. Dearborn Street, Chicago, IL 60603

Re: MacArthur Foundation's Safety and Justice Challenge
Grant No. 16-1601-150543-CJ


To Whom It May Concern:

I am writing to extend signature authority to Mrs. Kristina Henson, Executive Director of the Palm Beach County Criminal Justice Commission, to execute all documents for the MacArthur Foundations' Safety and Justice Challenge grant. This authorization includes submitting grant applications, grant adjustments and reports electronically. This also includes the authority to execute all necessary forms and documents related to this grant project.

If you have any questions, please feel free to call Mrs. Henson at (561) 355-4943.


Thank you for your cooperation and attention to this matter.

Sincerely,


Verdenia C. Baker
County Administrator

cc: Kristina Henson, Executive Director, CJC

"An Equal Opportunity
Affirmative Action Employer"

 printed on recycled paper