



PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

CORRECTIONS TASK FORCE/ Public Safety Coordinating Council

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

Wednesday, March 2, 2011; 12:00 P.M.

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

- SUMMARY MEETING MINUTES -

MEMBERS PRESENT:

Chairman Douglas Duncan, Roth and Duncan, P.A.
Rosalyn Baker, Florida Department of Corrections
August Bonavita, Administrative Judge, 15th Judicial Circuit
Ted Booras, Judge, 15th Judicial Circuit
Patrick Cannan, Workforce Alliance
Jeffrey Colbath, Administrative Judge, 15th Judicial Circuit
Sharon D'Eusanio, Victims Rights Coalition/ Office of the Attorney General
Jill Richstone, State Attorney's Office
Alton Taylor, Executive Director, Drug Abuse Foundation
Louis Tomeo, Director Criminal Court Services, Office of the Clerk and Comptroller
Charles Trotta, Manager, Palm Beach County Pretrial Services Agency
Shelley Vana, Commissioner, Palm Beach County
Barbara White, Public Defender's Office

MEMBERS ABSENT:

Bob Bozzone, Executive Director, Comprehensive Alcohol Rehabilitation Program
Maureen F. Brickous, CEO, County Probation, Pride Integrated Services, Inc.
Rev. Chaney, Clergy Representation
Vice-Chairman Chris Kneisley, Major, Palm Beach Sheriff's Office
Tommy Richards, Palm Beach County Bail Bond Association

GUESTS PRESENT:

Cristy Altaro, Court Administration
Ray D'Eusanio, Office of the Attorney General
Barry Echols, Palm Beach County Bail Bond Association
Colleen Farnsworth, Department of Children and Families Legal
Barry Fondiller, Palm Beach County Sheriff's Office
Michael Gauger, Chief Deputy, Palm Beach County Sheriff's Office
Shelby King, Palm Beach County Sheriff's Office
Mary Quinlan, Court Administration
Don Ross, Captain, Palm Beach County Sheriff's Office
David Sleeth, Captain, Palm Beach County Sheriff's Office

CJC STAFF PRESENT:

Michael Rodriguez, Executive Director
Candee Villapando, Criminal Justice Analyst

I. Chairman Duncan welcomed the members and guests of the task force, and reminded everyone that the meeting will be shortened to 12:45 p.m.

II. The agenda was approved without additions or deletions.

III. The minutes of the February 2, 2011 meeting of the CTF/PSCC were approved.

IV. Reports

A. Jail Population Report

Captain David Sleeth gave the report on behalf of Vice-Chairman Chris Kneisley who was not at the meeting. Capt. Sleeth reported that the population is still going down at 2,523 as of this morning.

B. Jail Counselor Report

The Jail Counselor, Mr. Fondiller reported that 2 inmates were waiting to be transferred to the state hospitals due to a problem with paper work, and 5 inmates were transferred to the state hospitals in February. He also reported that no inmates were waiting to be returned from DCF and 7 inmates were returned from DCF in January. He reported that there were a total of 29 mental health assessments ordered; all were completed (6 with court dates, 20 released, 3 released into treatment). Chairman Duncan recognized and thanked Mr. Fondiller in doing a great job in monitoring the transfers and mental health assessments.

C. Juvenile Detention

Chairman Duncan noted that Mr. Flowers is not at the meeting, but referred to the juvenile detention report on green paper included in the packet for everyone to review at their leisure.

D. Pretrial Services Report

The Pretrial Services Manager, Mr. Trotta, reported that as of February 25th, 2011 there were a total of 904 defendants on Supervised Own Recognizance (S.O.R.) and that 831 of these are out of custody; 666 defendants were on S.O.R. only and 238 defendants were on S.O.R. with an accompanying money bond. Nine individuals on S.O.R. only remain mainly due to other charges holding them. Chairman Duncan asked Mr. Trotta about the average total SOR in the last 6 months in relation to the 904 total in February, and whether there is a correlation with the jail population generally down. Mr. Trotta replied that they are going down, but that he believes that the ORs are going up.

V. Old Business

A. SB 372:

Mike Rodriguez explained that this bill relates to pretrial services programs. He stated that, in summary, it requires that an offender be indigent before he is allowed to be placed on pretrial services programs run by the county or private

agencies, as opposed to now when anyone regardless of indigency requirements can be placed on SOR if the judge orders it. Chairman Duncan directed everyone's attention to paragraph 6 on page 2 which states that "In lieu of using a governmental program to ensure the court appearance of a defendant, a county may reimburse a licensed surety agent for the premium costs of a surety bail bond..." Mr. Barry Echols stated that the bail bond agencies as a whole did not propose this. Mr. Rodriguez added that the only other piece of information he has regarding this issue is from an article from the 16th of February of this year from the Florida Surety Agents Association saying that they are actively moving forward and supported this bill and are looking for a house supporter for a similar bill. Chairman Duncan said for communication purposes, if it is moved, that this committee at least advise the CJC of the bill's possible existence and whether CJC wishes to notify the legislative representatives of the position that the committee will oppose it as it has done in the past. Commissioner Shelley Vana made the motion and was seconded to send a letter to the legislative delegation that the committee opposes this; utilizing public funds to pay premiums and eliminate the court's ability to use a pretrial release program. Before the vote, there was a discussion about the impact of the bill in terms of cost effectiveness and safety issues. All the members voted in favor of the motion, with Judge Jeffrey Colbath, Judge Ted Booras, and Judge August Bonavita abstaining.

B. SB 124:

Mr. Rodriguez said that to him the bill reads that every defendant on probation with the Department of Corrections shall have electronic monitoring as part of their conditions. Ms. Rosalyn Baker agreed with that reading and said that their agency has sent a letter to the legislature and an analysis showing the cost of about \$200 million to their agency to place every defendant on probation on electronic monitoring, and they do not see a reason for placing everyone under supervision on electronic monitoring. There was a discussion of whether the bill applies to defendants on probation or community control, or both. Ms. Baker handed out a copy of the bill analysis from their agency. A motion was made and seconded to send a letter opposing the legislation which was carried unanimously (with the three judges abstaining). Commissioner Vana added that a letter be sent to the members of our legislative delegation asking for their help; a motion was made and seconded, and the vote was carried unanimously.

VI. New Business

Palm Beach County Juvenile Justice Trends:

Mr. Rodriguez noted that this presentation will be given before the Board of County Commissioners as directed by Commission Vana, and has been given at the recent Criminal Justice Commission Annual Meeting, and would like to request for input or comments. In summary, Mr. Rodriguez reported that: over a 10-year period, there has been an overall significant downward trend in Department of Juvenile Justice (DJJ) referrals despite an increase in youth population with this trend occurring across similar counties; the number and ratio of youth direct filed in Palm Beach County has been dropping since DJJ FY08-09, although remaining higher when compared to other counties; the average daily population of youth in

PBC detention center has been dropping since DJJ FY06-07 and has remained low in comparison to other counties; the average number of youth in the county jail has had a recent downward trend - from 2008, juvenile ADP was reduced by 15.6%; and the ratio of youth diverted from court remains relatively high in comparison to other counties. Mr. Rodriguez mentioned about two alternatives to secure detention: one being funded by DJJ with very specific guideline and does not have many kids in it; and one sponsored by CJC federal grant dollars through Gulfstream Goodwill that has a lot more kids in it. Mr. Duncan requested to put the issue back on the agenda at the next meeting.

VII. Additional member and guest comments

Chairman Duncan reminded Chief Deputy Michael Gauger to bring the report containing information about the juveniles at the county which included their past, criminal history at the next meeting. Ms. Barbara White also mentioned about the article she has sent to Mr. Rodriguez about an objective study done by the state of Florida on whether direct filing is a deterrent and stops recidivism. Mr. Rodriguez said that he will email the article to everybody and include it as a handout at the next meeting.

VIII. Adjournment

CV, CJC 04/27/11