



PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

CORRECTIONS TASK FORCE/ Public Safety Coordinating Council

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

Wednesday, February 1, 2017; 12:00 P.M.

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

- MEETING MINUTES -

MEMBERS PRESENT:

Chairman Douglas Duncan, Roth and Duncan, P.A.
Rosalyn Baker, Florida Department of Corrections
Glenny Cueto, Professional Probation Services, Inc.
Rev. Clarence Ellington, Senior Chaplain, Palm Beach Sheriff's Office
Brian Fernandes, Office of the State Attorney
William Genem, Coalition for Independent Living Options, Inc.
Dave Kerner, Commissioner, Palm Beach County
Jenise Link, Manager, Palm Beach County Pretrial Services Agency
Tommy Richards, Palm Beach County Bail Bond Association
Caroline Shepherd, Judge, 15th Judicial Circuit
James Smigel, Captain, West Palm Beach Police Department
Alfonso Starling, Major, Palm Beach Sheriff's Office
Alton Taylor, Executive Director, Drug Abuse Foundation
David H. Talley, PBC CareerSource
Louis Tomeo, Director Criminal Court Services, Office of the Clerk and Comptroller
Barbara White, Public Defender's Office

MEMBERS ABSENT:

Marni Bryson, Administrative Judge, County Court, 15th Judicial Circuit
Jeffrey Colbath, Chief Judge, 15th Judicial Circuit
John Kastrenakes, Judge, 15th Judicial Circuit
Dina Kever, Judge, 15th Judicial Circuit

GUESTS PRESENT:

David Bernhardt, Board of County Commissioners, District 3
Mevsim Bocaksiz, Drug Abuse Foundation
Smita Chand, Jerome Golden Center
Rebecca DeLaRosa, Legislative Affairs
Mike Edmondson, Office of the State Attorney
Michael Gauger, Palm Beach Sheriff's Office
Christine Geraghty, Palm Beach Association of Criminal Defense Lawyers
Latronda Hayes, Palm Beach County Pretrial Services Agency
Jennifer Loyless, Public Defender's Office
Taruna Malhotra, Community Services

Darian Matos, Coalition for Independent Living Options, Inc.
Ryan Sancilio, Legislative Affairs
Michelle Spangenberg, Court Administration
Mark Strach, Florida Department of Corrections
John Viola, Palm Beach County Bail Bond Association
Becky Walker, Southeast Florida Behavioral Health Network

CJC STAFF PRESENT:

Kristina Henson, Executive Director
Damir Kukec, Research and Planning Manager
Candee Villapando, Criminal Justice Analyst

I. Welcome, Opening Comments by Chairman Douglas Duncan

II. Roll Call and Introduction of Guests by Damir Kukec

III. Approval and/or Additions to the agenda

The agenda was approved.

IV. Approval and/or Amendments to the January 11, 2017 Minutes of the Corrections Task Force/Public Safety Coordinating Council Meeting

The minutes of the January 11, 2017 meeting were approved without amendments.

V. Reports

A. Jail Population Report

Major Alfonso Startling reported that the the total inmate population as of that morning was 1,928.

B. In House Arrest Report

Total In-House Arrest population was at 206: 112 pretrial, with 2 direct filed juveniles; 90 county sentenced, 1 probation; 3 DJJ; 0 Administrative Order. Pay and gos for the month was 120.

C. Pretrial Services Report

Jenise Link reported that the report was very similar to last month, with a total of 929 defendants on SOR as of yesterday, and last month it was 952; 576 of these individuals were on SOR only, and 353 were on SOR with accompanying money bond. Of the 576 defendants on SOR only, 14 remained in custody for other holds or bonds, with 5 awaiting treatment beds. Of the 353 individuals on SOR with a money bond, 70 remained in custody with a hold. The total out-of-custody SOR population is 825.

D. Juvenile Detention Center Report

No report was presented.

E. Misdemeanor Probation Report

No report was presented.

VI. New Business

A. Nebbia requirements for bond at first appearance on drug sale charges – *Christine C. Geraghty, President, Palm Beach Association of Criminal Defense Lawyers*

Chair Duncan stated that he received an email from Ms. Geraghty regarding an issue on Nebbia requirements for bond at first appearances, and that he was aware that has been some communication between Ms. Geraghty and Judge Shepherd prior to the meeting today. Ms. Geraghty explained what Nebbia is and discussed their issue. Their concern was that even though some of their clients could satisfy requirements that their bonds were coming from a legitimate place with the State Attorney's Office, there were instances when a Judge was not immediately available to sign off and agree that the requirements have been met, delaying the individual's release. Ms. Geraghty also talked about a specific case that happened last year. Judge Caroline Shephard explained the process from the Judges' end, and clarified whether the issue was that a judge was not willing to sign off on the agreement, or they were unable to find a judge, which she said can be easily fixed. Ms. Geraghty said it was the latter. After further discussion with additional inputs from other members, it was determined that it was a process/procedure or routine issue, and solutions were suggested. Ms. Geraghty requested considering an AO that sets out a procedure to follow during after-hours. Judge Shepherd will take the request to the next criminal judges meeting, and will provide an update at the next task force meeting.

VII. Old Business / Updates

A. Palm Beach County Behavioral Health Transportation Plan – *Becky Walker, Director of Network Management, South East Florida Behavioral Health Network (SEFBHN)*

Becky Walker discussed the changes that were made on the transportation plan, and provided some data for 2015 on petitions filed for Baker Acts and Marchman Acts, and Mobile Crisis Team calls, to give an idea on volume. She also gave an update on the meetings that they have had with other agencies or groups, e.g., PBSO and the Baker Act Task Force.

Ms. Walker announced that the Baker Act Task Force Subcommittee will be meeting next week. They are still looking for input from everyone to help them

finalize the plan. She also gave an update on developments from the Heroin Overdose Task Force. Chief Deputy Gauger brought up the issue of law enforcement services being used in the past to transport individuals, e.g., geriatric patients, for which private transportation should be used, and wanted to make sure that they are not put in the same position again. Ms. Walker said they will address this in the Baker Act Subcommittee and include it in the plan.

Barbara White asked why the VA is not included in the list of facilities for Baker Act; Ms. Walker said that they will consider it. Alton Taylor asked about protective orders being given the same weight as Marchman Act in terms of qualifying for transportation; Ms. Walker said they will consider that also. Rebecca DeLaRosa suggested looking at the Orlando receiving system and transportation, which she said is being looked to as the model for the state. Commissioner Dave Kerner was interested in the Health Care District component, suggesting making the language broader to also include other governmental entities. There was also a discussion about individuals that might be considered for Baker Act and the list of Baker Act receiving facilities.

Kristina Henson remarked that they are on track, and that there will be one more opportunity to review the plan at the next meeting. The plan will also be presented to the Law Enforcement Planning Council at the end of this month. They also plan to hold a public forum for input, and then present it before the County Commission in May.

B. MacArthur Foundation Safety & Justice Challenge Project Update – Kristina Henson, CJC Executive Director

Ms. Henson reported that their core team had a meeting yesterday. They talked about the next grant application which will be coming in April and due in June, with the potential of up to \$2M for two years. Right now, they are just basically looking at a variety of issues that are already ongoing, e.g., pretrial risk assessment instrument, the FUSE program, and data capacity. Ms. Henson said they are making great progress and were told that as long as they show continued progress in their application that they will get the full funds that they applied for.

VIII. Additional Member and Guest Comments

IX. Adjournment

Next Meeting: March 1, 2017; 12:00 P.M.