



## **PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION**

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

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

Wednesday, December 2, 2020; 12:00 P.M.  
Virtual Meeting (Zoom)

### **- MEETING MINUTES -**

#### **MEMBERS PRESENT:**

**Douglas Duncan, Chair**, Roth and Duncan, P.A.  
**Alfonso Starling, Vice-Chair**, Major, Palm Beach Sheriff's Office  
**Cheryl Caracuzzo**, Judge, 15<sup>th</sup> Judicial Circuit  
**Sherri Collins**, Administrative Judge, County Court, 15<sup>th</sup> Judicial Circuit  
**Glenny Cueto**, Professional Probation Services, Inc.  
**Daniel Eisinger**, Public Defender's Office  
**Latronda Hayes**, Court Services  
**Michelle Johns**, Florida Department of Corrections  
**David H. Talley**, PBC CareerSource  
**Louis Tomeo**, Office of the Clerk and Comptroller

#### **MEMBERS ABSENT:**

**Ted Booras**, Judge, 15<sup>th</sup> Judicial Circuit  
**Brian Fernandes**, Office of the State Attorney  
**William Genem**, Coalition for Independent Living Options, Inc.  
**Dave Kerner**, Commissioner, Palm Beach County  
**Tommy Richards**, Palm Beach County Bail Agent Association  
**Alton Taylor**, Drug Abuse Foundation

#### **GUESTS PRESENT:**

**Mevsim Bacaksiz**, Drug Abuse Foundation  
**Capt. Butler**, Department of Juvenile Justice  
**Jerry Casal**, Palm Beach County Bail Agent Association  
**Colleen Farnsworth**, DCF Legal  
**Arlene Griffiths**, Public Safety Reentry  
**Felicia A. Scott**, Riviera Beach Civil Drug Court  
**Tyrell Siagi**, Court Administration  
**Tamara Starks**, Palm Beach Sheriff's Office  
**John Viola**, Palm Beach County Bail Agent Association  
**Craig Williams**, Office of the State Attorney

**CJC STAFF PRESENT:**

**Regenia Herring**, Executive Director  
**Damir Kukec**, Research and Planning Manager  
**Brad Allen**, Criminal Justice Commission  
**Jacqueline Jackson**, Criminal Justice Commission  
**Rosalind Murray**, Criminal Justice Commission  
**Allison Orr**, Criminal Justice Commission  
**Candee Villapando**, Criminal Justice Commission  
**Bert Winkler**, Criminal Justice Commission

**I. Welcome, Opening Comments by Chairman Douglas Duncan**

**II. Roll Call and Introduction of Guests by Damir Kukec**

Members were asked to sign in to the chat box in lieu of a roll call.

**III. Approval and/or Amendments to the Agenda**

The agenda was approved without amendments.

**IV. Approval and/or Amendments to the September 2 & November 4, 2020 Meeting Minutes.**

The minutes were approved without amendments.

**V. Old Business**

**A. Private attorneys' access to desktop video visitation with clients housed in the jail – Update**

Major Alfonso Starling gave a brief update: All kiosks are in; they are currently doing a test run with a couple of volunteer private attorneys; and they anticipates going live this month.

**B. Overall decline in jail ADP, but with widening disparities.**

Damir Kukec presented a chart showing the overall decline in the average daily jail population from May 2016 up to October 2020, and another chart with the racial breakdown. He also briefly highlighted the successes and accomplishments as a recipient of the Safety and Justice Challenge Grant from the MacArthur Foundation from 2014, which also resulted in collaborations with notable agencies/entities. Nevertheless, the decline in jail population, however, was accompanied by increasing racial disparity. Mr. Kukec and Chair Duncan encouraged comments from the committee members about possible explanations for this disparity and whether this is an issue the committee would want to study, so they can make a plan as necessary.

Daniel Eisinger asked if the charts include admissions information; he thinks the racial disparity in arrest data may not be as high as for those in jail pretrial. Mr.

Kukec agreed it may be worthwhile to look at data for pretrial and sentenced inmates. Mr. Eisinger raised the issue of the impact of monetary bonds as to who can afford them and thereby get out of jail sooner, versus those who cannot afford to pay the bond and therefore end up staying in jail longer. Ms. Murray asked whether Mr. Eisinger might know the history behind role of monetary bonds in pretrial release. John Viola from the Palm Beach County Bail Agent Association weighed in on the discussion. Mr. Viola also provided a brief history of bonds in Palm Beach County as requested by Mr. Kukec. Basically, bonds were used years ago, before pretrial services existed, to ensure the appearance of clients in court; and that bondsmen in a way served as a liaison between the court system and the criminal defendants. Chair Duncan also invited Judge Cheryl Caracuzzo and Judge Sherri Collins to share their thoughts and experiences on the issue. After an involved discussion, Ms. Herring made the proposal, seconded by Major Starling, to study the factors affecting the trends in jail population, including a racial breakdown, and the reason for the increasing racial disparity in the jail. The committee voted unanimously to proceed with the study. Lastly, Chair Duncan again reminded the committee to share with staff their thoughts or opinion on the reasons for the widening racial disparity.

## **VI. New Business**

No new business.

## **VII. Reports**

### **A. Jail Population and In House Arrest**

Major Alfonso Starling reported their population as of that morning was 1,852. Total In-House Arrest population as of October was 184: 146 pretrial, including 6 direct filed juveniles; 38 county sentenced, 1 probation; 0 DJJ; AO zero. Total Pay N Gos was 122. Major Starling also provided a breakdown of jail population by gender and race. He noted, however, that this number is higher than what he just reported because the individuals on in house arrest are included in this total. Questions that were raised were related to whether their data can be broken down by race as Hispanic or non-Hispanic; if they know how many are in the jail on a daily basis; how many are waiting to be transported to DOC, and what is their average length of stay in the jail while waiting. Major Starling said he will share this information at the next meeting. Regenia Herring offered to provide help in creating a report that would show the numbers in areas that they want to see information on a regular basis.

### **B. Pretrial Services**

Latrona Hayes reported that as of November 30<sup>th</sup>, there were a total of 1,115 defendants on SOR; 845 of those individuals were on SOR only, 275 were on SOR with a money bond. Of the 1,115 defendants on SOR only, 52 remained in custody, with 3 awaiting treatment, and 49 on bonds or no bonds on other charges/holds. Of the 275 individuals on SOR with a bond, 74 remained in custody due to other holds. The total out of custody SOR population was 949. Of

the 989 individuals out of custody, 9 failed to appear for court and 10 had new criminal activity. There was a total of 33 technical violations. Their SOR numbers were up when compared to this time last month, and when compared to last year. Ms. Hayes also provided a chart showing breakdown of defendants on SOR by race, as black or white.

**C. Juvenile Detention Center**

No report presented.

**D. Misdemeanor Probation**

Glenny Cueto reported they had a total of 93 new cases for the month of November; 1,646 total active cases; 76 successfully completed cases; 7 revoked; 39 on ICE hold. She said they hope to capture data by race as they move into a new system. Ms. Cueto remarked about the challenge of capturing Hispanic or non-Hispanic data.

**E. Felony Probation**

Michelle Johns reported their numbers overall have gone down, but anticipate it to go up with offenders reporting back to their offices, after having mostly reporting by phone due to Covid. The number of sex offenders and those on house arrest went down; offenders on electronic monitoring went up; while drug offender numbers remained the same. Rosalind Murray asked if it is possible to get data by race in the future; Ms. Johns said she would look into it.

**VIII. Additional Comments**

Chair Duncan suggested moving the meeting date to January 13<sup>th</sup>, from the 6<sup>th</sup>. He thanked everyone for their participation during the year, and wished happy holidays to all.

Major Starling shared that currently there are 184 inmates in the jail waiting to be transported to DOC, with 5 month average length of stay.

**IX. Adjournment**

**Next Meeting: Wednesday, January 13, 2021; 12:00 P.M.**