



Court Systems Task Force

301 N. Olive Ave., 7th Floor, OFMB Conference Room
West Palm Beach, FL 33401

MINUTES

Wednesday, April 24, 2024, 12:00 PM

MEMBERS PRESENT:

Judge April Bristow, Chair, 15th Judicial Circuit
Andrea Rocha, Manager, Clerk of the Circuit Court & Comptroller, Criminal Division
Judge Daliah Weiss, 15th Judicial Circuit
Cheo Reid, State Attorney’s Office, 15th Judicial Circuit
Derek Gibson, Circuit Administrator, Department of Corrections
James Snowden, Public Defender’s Office, 15th Judicial Circuit
Michelle Cruz, Court Administration, 15th Judicial Circuit
Shantel Drayton, Manager of Court Services, Public Safety

MEMBERS ABSENT:

Alfonso Starling, Colonel, Palm Beach County Sheriff’s Office
Barbara Dawicke, Trial Court Administrator, 15th Judicial Circuit
Judge Bradley Harper, 15th Judicial Circuit
Glenny Cueto, Assistant Director, PPS Inc.
Judge Ted Booras, 15th Judicial Circuit

CJC STAFF PRESENT:

Brad Allen, Criminal Justice Analyst
Christopher Slydell, Criminal Justice Analyst
Dawn Caveness-Davenport, Senior Criminal Justice Analyst
Katherine Shover, Criminal Justice Systems Manager
Stephanie Moliere, Senior Criminal Justice Analyst

GUEST PRESENT:

James Austin, PhD, JFA Institute

- I. **Welcome and Opening Comments** – *Judge April Bristow, Chair*
Chair, Judge Bristow, welcomed all members of the Task Force along with CJC Staff
- II. **Roll Call and Introduction of Guests** – *Christopher Slydell, Criminal Justice Analyst*
Mr. Slydell determined there was a quorum for the meeting.
- III. **Approval of and/or Additions to the Meeting Agenda**
Chair, Judge Bristow, made a motion for the Agenda to be approved, Michelle Cruz seconded the motion and it passed unanimously.
- IV. **Approval of Minutes for the May 10, 2022 & May 25, 2023, Meeting**



Chair, Judge Bristow, made a motion for the Minutes to be approved for May 10, 2022 & May 25, 2023. Judge Daliah Weiss seconded the motion, motion passed unanimously

V. Discussion Items

A. Brief introduction of Members - *Judge, April Bristow, Chair*

- All members introduced themselves, along with their backgrounds/expertise, in addition to CJC staff as well.

B. Review of Jail Stress Test - *James Austin, PhD, JFA Institute*

- **CJC Senior Analyst, Stephanie Moliere:** Provided a brief history on the Jail Stress Test that took place last September and its purpose to determine why our jail population was its size along with solutions to safely reduce the jail population (an attachment was provided to the members that provided guidance on the outcomes of the stress test along with seven (7) recommendations to address them, *attached*). The CSTF would look at cases provided by the PSCC to determine what policies can be reviewed regarding court events when it comes to continuances (ex. the Attorney's Office is looking at cases that are down filed from Felony to Misdemeanor to determine if those cases can be looked at along with probation cases).
- **Dr. Austin:** In a nutshell, the stress test looked at who's leaving the jail and for what reason(s) which provided information on the people or release groups that are driving the jail population (is there a pattern happening that needs to be address and if so, what can be done differently). We obtain our jail population by looking at the number of people coming into the jail in a year along with how long they stay in jail over that year (the average daily population is calculated by looking at the daily jail admission with the total time in jail aka length of stay). This task force has to determine if they want to work towards further reducing the jail population (on average 2-3 days) and also determine if they'd like to review cases provided to them by the Public Safety Coordinating Council (PSCC also coined the *Jail Management Review Team*) that could lead to the reduction in the jail population moving forward. The following types of cases present longer lengths of stay in jail:
 1. Individuals receiving credit for time served- average of **49** days in jail
 2. Court ordered releases - average of **58** days in jail
 3. Individuals released to probation - average of **72** days in jail
 4. Individuals waiting to be sentenced to state prison- average of **281** days in jail
*** 90% of the jail is populated by the above four (4) groups***
- Outside of the Jail Management Review Team, there was also a proposal for a "policy by the courts" which would be between relevant parties (Public Defender's Office, District Attorney, Judges, etc.) on a continuance policy of some sort as referenced by the National Center for State Courts (developed a model policy for continuances on cases with a basic premise of submitting a request for a continuance in writing in advance of a court hearing that is put into the courts data system for post evaluation purposes that can only be requested for certain reasons for a certain length of time). At this time, there tends to be a common number that is see with case continuances (21 days, 30 days, 45 days, 60 days; on average, can 2-3 days be shaved off, if so we can meet our goal).



Questions, Answers & Comments:

1. **Judge Weiss & Bristow:** Judges are working quite hard to move cases along and they're case processing time is above the standard (they have markers to meet and are above it). There are many factors that can factor into why a judge would allow for a continuance on a case and the data provided doesn't fully reflect those scenarios (working up the case, depositions, specialty court, competency, cases that go to mental health court, change of attorney, etc.).
 - We are at or above the national average based on standard provided by the National Center for State Courts. **Judge Bristow** would like to know how close or far off we are from the nationally recommended continuance policy standard to help determine what efforts should be made as well as information on the continuance policy.
 - Data is needed to move these efforts forward and to garner support from the judges to make changes (they like seeing data that justifies the means to an end or a significant impact on the system). The mechanisms on how this all works/is connected needs to be understood prior to requesting potential changes, such as granting less continuances). Realistically, looking at misdemeanor cases is not going to make a great impact, but there are cases that can take up to two and a half years (Special Victims Unit, Murder, etc.). If the court had data showing that reducing 30 day policies to 25 days would have a significant impact that would be incremental in impact to the case, further improvements could be discussed/implemented.
 - Organizing and viweing the cases by their type (taking out murder cases and looking at "general felony type" cases, per **Derek Gibson**, the Department of Corrections (DOC) sends letters out for technical violations like possession of marijuana instead of a violation of probation, but are asked to come to court). Probation cases are those that can possibly be moved along faster due to no jury being involved, but again it depends on the case.
2. **Mr. Gibson:** Everything depends on the case and judge. For example, for subject violations it depends on the charge. Some judges want a technical violation completed then come back to the decision of a full violation which DOC honors.
3. **Mr. Cheo Reid:** Is there any other jurisdiction similar to Palm Beach by size, population, etc. that's completed this portion of the work for us to view to determine what they endured/experienced along with their outcomes?

A: Ms. Moliere & Dawn Caveness-Davenport: There's a SJC site in Ohio that has gone through a stress test, created a Jail Management Review Team, worked towards reducing the population by reviewing cases and implementing policy to address certain case types. Ms. Shover and Caveness-Davenport will meet with partners in Houston at an all sites meeting hosted by MacArthur ([Social Justice Challenge](#)) in the next two weeks who will provide technical support on how to create a Jail Management Review Team and more.
4. **Michelle Cruz:** In March of 2022 the courts worked with the DOC to electronically submit the DOC packets in comparison to by hand previously. We should look at the most recent data on lengths of stay (LOS) to determine if those changes made any impact on case efficiency as it relates to DOC and commitments. A point was made to Mr. Austin last year at the Jail Stress Test regarding the "inflation" of numbers when it came to the data presented on the number of case continuances (when the case details are viewed, other possibilities like a cancelled hearing that was reset to a future data or individuals being transported to a mental health facility weren't taken into account as well).



5. **Judge Weiss:** Will the new bond schedule have an impact as well as it's already been a big adjustment in various ways? There's a great system in place that's helping judges work through the kinks of the bond schedule (*i.e. pretrial release hearings are hard to complete as the lawyers need time to gather/look over reports, contact witnesses, etc.*).

A: Ms. Moliere: There's a study taking place by Dr. Copp of Florida State University, funded by the National Institute of Justice (NIJ), to determine the new bond schedules impact. A preliminary report will be available sometime in the fall of this year, but full year worth of data is needed for a proper evaluation (there will be potential changes to the bond schedule as well which further proves why more data is needed for an evaluation on outcomes).

6. **James Snowden-** [*referred to one page handout provided by Jim Austin*] Would love to see the data on different charges, VOPs, etc. because the PD's Office looks at the data for the court order, taking different orders when clients are granted bond on a later date, something else that can be looked at in each Division to look at case processing & efficiency (*ex. some judges may take a day or two to hear the bond motion while others can take up to a week*).

Based on the overall discussion, the CSTF will look at the following:

The CSTF decided to look at this information from a local perspective (curating Palm Beach County's needs) with a data driven lens to produce potential recommendations/outcomes.

- 1) Number of case continuances by case type/type of case,
- 2) Current data on length of stay (by race as well),
- 3) Number of case continuances per Division,
- 4) Number of case continuances by request and granted,
- 5) Determine how reducing the average length of stay by "X" time (X=week, 5 days, 3 days, etc.) could impact the overall trajectory of the case,
- 6) Time that it takes time to hear bond motions (as they should be done expeditiously); and
- 7) Provide the findings to the judges for potential update in policy/ case processing.

This information will provide a current snapshot of what's taking place in judges courtrooms based on our data in Palm Beach County.

C. Update Adult Probation Work Group, **February 1, 2022** – Judge, Daliah Weiss

- Discussed the pilot program that uploads probation orders into JVS (electronic upload in the court room, Probation Officers (PO) are currently being trained and the program has expanded to Judge Willi's courtroom in the last week; the judge is unaware at this time if this may or may not affect our work in reducing the jail population. The beginning of this pilot was born around the time of Covid-19 as things slowed down and the realization for the need to conduct business differently was acknowledged; ensuring individuals were aware of what was expected of them by reducing barriers.
- **Mr. Gibson:** The program Judge Weiss mentioned started January 1st of this year and is going well... contributors are on board as well (Clerical Specialist, PPS Specialists, etc.). In the past, probation orders could arrive one to two months after the order was issued. As of now, Palm Beach County is the only county conducting this program, most PO's are receiving handwritten orders. To answer questions from the last Adult Probation Work Group, DOC does not have a definition for low risk, but cases that are down filed from felony to misdemeanor, or non-violent offender are considered minimum type risk cases.



Questions, Answers & Comments:

1. **Mr. Slydell:** May need to revisit the Probation Work Group from 2022 at some point to determine what action items need to be addressed or not.
2. **Judge Bristow:** The Probation Work Group will be discussed further at the next CSTF meeting (some individuals aren't around the table from before, determine what players need to be around the table next meeting, such as U.S. Probation, etc.). Any topic or issue members desire to bring to the table to discuss under the work of the CSTF are welcome. This is a great group for the CJC in assisting the court in their decision making. Looking at data on a regular basis as well to determine what steps should take place is important for this group as well.
3. **Michelle Cruz:** Some items from the Probation Work Group have been instituted, how are they going so far Mr. Gibson?
4. **Mr. Gibson:** The ability to terminate probation early is in effect and is determine by conducting monthly case reviews with PO's on computer generated responses which advise the team if a person can be early terminated or not (an icon appears that reads 'ER', from there the State Attorney is notified so they can complete their documentation, once approved by the SAO the case is sent to the judge...if the SAO or judge doesn't agree the offender stays on probation for monitoring). Offenders are also allowed to acquire time to attend a merit based activity (DOC grants four (4) hours per month to probationers to attend pro-social activities with family and the like).
 - D. Case Processing Study - *Damir Kukec, Research and Planning Manager*
 - Mr. Kukec will present this information at the next CSTF meeting.

VI. **Member Comments-** NONE

VII. **Guest Comments-** NONE

VIII. **Adjournment-** Meeting Adjourned

Next Meeting: Wednesday, May 29, 2024 - 12 PM

Robert Weisman Governmental Center

12th Floor, *McEaddy Conference Room*

301 N. Olive Avenue, West Palm Beach, FL 33401