



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, July 7, 2010; 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.
Patrick Cannan, Workforce Alliance
Rev. Chaney, Clergy Representation
Jeffrey Colbath, Administrative Judge, 15th Judicial Circuit
Roger M. Crane, Police Chief, Palm Beach County Chiefs of Police Association
Sharon D'Eusanio, Victims Rights Coalition/ Office of the Attorney General
Vice-Chairman Chris Kneisley, Major, Palm Beach Sheriff's Office
Tommy Richards, Palm Beach County Bail Bond Association
Jill Richstone, State Attorney's Office
Shelley Vana, Commissioner, Palm Beach County
Barbara White, Public Defender's Office

MEMBERS ABSENT:

Rosalyn Baker, Florida Department of Corrections
August Bonavita, Administrative Judge, 15th Judicial Circuit
Ted Booras, Judge, 15th Judicial Circuit
Bob Bozzone, Executive Director, Comprehensive Alcohol Rehabilitation Program
Maureen F. Brickous, CEO, County Probation, PRIDE Integrated Services, Inc.
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

GUESTS PRESENT:

Fran Adderly, Palm Beach County Bail Bond Association
Ray D'Eusanio, Victims Rights Coalition/ 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
David Gillert, Palm Beach County Sheriff's Office, SAAP Program Manager
Shelby King, Palm Beach County Sheriff's Office
Bea Lovelace, Office of the Clerk and Comptroller
Mike Nefzger, Palm Beach County Bail Bond Association
Michelle Spangenberg, Court Administration

CJC STAFF PRESENT:

Jenise Link, Sr. Criminal Justice Analyst

Michael Rodriguez, Executive Director
Candee Villapando, Criminal Justice Analyst

- I. Chairman Duncan welcomed the members and guests of the task force.
- II. The agenda was approved without additions or deletions.
- III. The minutes of the June 2, 2010 meeting of the CTF/PSCC were approved.
- IV. **Reports**

A. Jail Population Report

Major Kneisley reported that the average population of the jail last month was 2,853 which was slightly over the previous month's average population of 2,840.

He distributed a report outlining the systematic phasing-out of the Drug Farm and SAAP programs due to budgetary constraints. He explained that the systematic phasing-out of the program will be:

- Freelance Drug Education Services - already discontinued
- Intervention Program (Drug Dorms) - already discontinued
- Saturday Civil Drug Court- 60 day treatment beds will end with the Sept. 18, 2010 scheduled court date
- Treatment Release Program (TRP) - 60 day treatment beds will be accessible through court order through July 31, 2010
- STAR Program (Drug Farm)- the sentencing of defendants to the STAR Program was been suspended. Meetings have been scheduled to address the resentencing/modification of the approximate 160 individuals who are currently sentenced to the STAR Program.
- SAAP assessments for the STAR Program have been discontinued
- SAAP assessments for Saturday Civil Drug Court will continue through the Sept. 18, 2010 court date. Assessments for TRP will continue through July 31, 2010 and the assessments for Criminal Drug Court will continue up to the Sept. 30, 2010 program termination date.

Members noted that this will have an impact on the daily jail population. Mr. Rodriguez added that the Westgate community justice service center will possibly be closed at the end of this fiscal year also; however we are waiting to hear if the area will receive second chance act grant funding.

B. Jail Counselor Report

The Jail Counselor, Mr. Fondiller, provided a report that showed the status of DCF transfers and misdemeanor booking averages. Mr. Fondiller reported that the total average of days misdemeanants spent in jail in June was 3.41 days. He added that the average number of days for misdemeanants between booking and sentencing was 4.46 days. Mr. Fondiller reported that 4 inmates were waiting to be transferred to the state hospitals and 4 inmates were transferred to the state hospitals in June. He also reported that no inmates were waiting to be returned from DCF and 7 inmates were returned from

DCF last month. He reported that there were a total of 162 evaluations and assessments ordered for May 2010. There were 123 SAAP evaluations, 37 mental health assessments and 2 drug farm evaluations.

C. Juvenile Detention

Department of Juvenile Justice Superintendent, Mr. Flowers was not present at the meeting but forwarded a monthly report of the detention center's population which showed the monthly average in June was at 54 juveniles.

D. Pretrial Services Report

The Pretrial Services Manager, Mr. Trotta, was not present at the meeting but provided members with a printed report detailing the Supervised Release Pretrial Services Program. The report notes that it is current as of July 5th. The report showed that there are a total of 926 individuals on Supervised Own Recognizance (S.O.R.) and that 841 of these are out of custody; 706 defendants are on S.O.R. only; 220 defendants are on S.O.R. with a bond and 59 of those have not been released. Twenty-six individuals were on S.O.R. only and were in custody for the following reasons:

S.O.R. to Treatment	14
Bonds or No Bonds on Other Charges/Holds	12

V. New Business

A. Approval of recommended Bond Schedule Revision to the Criminal Justice Commission and to the Chief Judge

Members reviewed three documents for the discussion of this item (the current bond schedule, the minutes of the bond review subcommittee meeting on June 24, 2010, and the Book and Release program proposal).

The recommended bond schedule changes are:

- 1.) Change to statute number for Stalking/Aggravated from 784.041(3) to 784.048(3) *(page 5 of the current schedule) (unanimous in subcommittee)*
- 2.) 3rd degree felonies to include surrounding counties as same amount as Palm Beach County residents (Okeechobee, Martin, Broward, Dade, and St. Lucie Counties) *(unanimous in subcommittee)*
- 3.) 3rd degree felonies –bond amounts change from \$3,000 down to \$1,000 for PBC Residents and surrounding counties *(opposed by the State Attorney's Office in subcommittee)*
- 4.) Add FL Statute 943.0435 Failure to Register as Sex Offender to “no bond until first appearance” list *(opposed by the Public Defender's Office in subcommittee)*

Item #1 was moved for discussion and approval by Judge Colbath and seconded. The item passed with Mr. Richards, *Bail Bond Association*, in opposition.

Item #3 was moved for discussion and approval by Major Kneisley and seconded. Ms. Richstone discussed other jurisdictions bond schedules and noted that there were 2 circuits that detailed their 3rd degree felony schedules in more detail for specific crimes than our circuit does. Commissioner Vana requested more explanation on what other crimes constituted a 3rd degree felony and members provided her with several examples. Judge Colbath motioned to call the question. The motion was made to approve the recommendation to the Criminal Justice Commission that bond amounts change from \$3,000 to \$1,000 for Palm Beach County residents and surrounding counties for 3rd felonies.

The final vote was 6 to 5 in favor. This item passed. Voting roll call was as follows:

<u><i>Member & Agency</i></u>	<u><i>Vote</i></u>
Douglas Duncan , Economic Council, Private Attorney	Yea
Rosalyn Baker , FL Dept of Corrections	Absent
August Bonavita , County Judge	Absent
Robert Bozzone , Director of Local Substance Abuse Agency	Absent
Maureen F. Brickous , County Probation, Pride	Absent
Patrick Cannan , Workforce Alliance	Yea
Pastor Chaney , Clergy Representative	Yea
Judge Colbath , Circuit Judge	Against
Chief Roger M. Crane , PBC Chiefs of Police Association	Yea
Sharon D'Eusanio , Victims Advocacy Coalition	Against
Major Chris Kneisley , PBC Sheriff's Office	Yea
Judge Krista Marx or Ted Booras , First Appearance Judge	Absent
Tommy Richards , Bail Bond Association	Against
Jill Richstone , State Attorney's Office	Against
Alton Taylor , Director of Local Substance Abuse Agency	Absent
Louis Tomeo , Clerk and Comptroller's Office	Absent
Charlie Trotta , Pretrial Services Department	Absent
Commissioner Shelley Vana , County Commissioner	Against
Barbara White , Public Defender's Office	Yea

Item #2 was moved for discussion and approval by Major Kneisley and seconded. The final vote was 6 to 5 in favor. This item passed. Voting roll call was as follows:

<u><i>Member & Agency</i></u>	<u><i>Vote</i></u>
Douglas Duncan , Economic Council, Private Attorney	Yea
Rosalyn Baker , FL Dept of Corrections	Absent
August Bonavita , County Judge	Absent
Robert Bozzone , Director of Local Substance Abuse Agency	Absent
Maureen F. Brickous , County Probation, Pride	Absent
Patrick Cannan , Workforce Alliance	Yea
Pastor Chaney , Clergy Representative	Yea
Judge Colbath , Circuit Judge	Against
Chief Roger M. Crane , PBC Chiefs of Police Association	Yea
Sharon D'Eusanio , Victims Advocacy Coalition	Against
Major Chris Kneisley , PBC Sheriff's Office	Yea
Judge Krista Marx or Ted Booras , First Appearance Judge	Absent
Tommy Richards , Bail Bond Association	Against

Jill Richstone , State Attorney's Office	Against
Alton Taylor , Director of Local Substance Abuse Agency	Absent
Louis Tomeo , Clerk and Comptroller's Office	Absent
Charlie Trotta , Pretrial Services Department	Absent
Commissioner Shelley Vana , County Commissioner	Against
Barbara White , Public Defender's Office	Yea

Item #4 was moved for discussion and approval by Doug Duncan and seconded. The final vote was 11 in favor. This item passed unanimously. Voting roll call was as follows:

<u>Member & Agency</u>	<u>Vote</u>
Douglas Duncan , Economic Council, Private Attorney	Yea
Rosalyn Baker , FL Dept of Corrections	Absent
August Bonavita , County Judge	Absent
Robert Bozzone , Director of Local Substance Abuse Agency	Absent
Maureen F. Brickous , County Probation, Pride	Absent
Patrick Cannan , Workforce Alliance	Yea
Pastor Chaney , Clergy Representative	Yea
Judge Colbath , Circuit Judge	Yea
Chief Roger M. Crane , PBC Chiefs of Police Association	Yea
Sharon D'Eusanio , Victims Advocacy Coalition	Yea
Major Chris Kneisley , PBC Sheriff's Office	Yea
Judge Krista Marx or Ted Booras , First Appearance Judge	Absent
Tommy Richards , Bail Bond Association	Yea
Jill Richstone , State Attorney's Office	Yea
Alton Taylor , Director of Local Substance Abuse Agency	Absent
Louis Tomeo , Clerk and Comptroller's Office	Absent
Charlie Trotta , Pretrial Services Department	Absent
Commissioner Shelley Vana , County Commissioner	Yea
Barbara White , Public Defender's Office	Yea

Chairman Duncan noted that these recommendations will be presented to the Full Criminal Justice Commission in September and offered that if any members wished to be present during that meeting they were welcome to attend.

VI. Additional member and guest comments

Chairman Duncan informed members that the next meeting is scheduled for August 4th at noon.

VII. Adjournment

JL/CJC 7/7/10