



## 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, November 3, 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.  
**August Bonavita**, Administrative Judge, 15<sup>th</sup> Judicial Circuit  
**Rosalyn Baker**, Florida Department of Corrections  
**Ted Booras**, Judge, 15<sup>th</sup> Judicial Circuit  
**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  
**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  
**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.  
**Patrick Cannan**, Workforce Alliance  
**Rev. Chaney**, Clergy Representation  
**Jeffrey Colbath**, Administrative Judge, 15<sup>th</sup> Judicial Circuit  
**Roger M. Crane**, Police Chief, Palm Beach County Chiefs of Police Association  
**Jill Richstone**, State Attorney's Office  
**Shelley Vana**, Commissioner, Palm Beach County

#### **GUESTS PRESENT:**

**Francene Adderley**, Palm Beach County Bail Bond Association  
**Robin Akdeniz**, Court Administration Intern  
**Nicole Bishop**, Director, PBC Justice/Victim Services  
**Ray D'Eusanio**, Victims Rights Coalition/ Office of the Attorney General  
**Barry Fondiller**, Palm Beach County Sheriff's Office  
**David Gillert**, Palm Beach County Sheriff's Office, SAAP Program Manager  
**Anthony Flowers**, Superintendent, Department of Juvenile Justice  
**Shelby King**, Palm Beach County Sheriff's Office  
**Walter Lawrence**, Sergeant, Palm Beach County Sheriff's Office  
**Mike Nefzger**, Bail Florida  
**Kathy Peck**, Commissioner Vana's Office  
**Mary Quinlan**, Court Administration  
**David Sleeth**, Captain, Palm Beach County Sheriff's Office  
**Michelle Spangenberg**, Court Administration

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**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 October 6, 2010 meeting of the CTF/PSCC were approved.
- IV. Reports

- A. **Jail Population Report**

Major Kneisley reported that the average population of the jail for last month was 2,890. Chairman Duncan asked if all the drug farm participants had been placed and Captain Sleeth responded that all were transitioned out.

- B. **Jail Counselor Report**

The Jail Counselor, Mr. Fondiller, provided a report that showed the status of DCF transfers and mental health evaluations. Mr. Fondiller reported that 4 inmates were waiting to be transferred to the state hospitals and 7 inmates were transferred to the state hospitals in October. He also reported that no inmates were waiting to be returned from DCF and 5 inmates were returned from DCF last month. He reported that there were a total of 33 mental health assessments ordered and completed for September 2010. Chairman Duncan commended Mr. Fondiller as the long wait for transfers to the state hospitals has been resolved this past year.

- C. **Juvenile Detention**

Department of Juvenile Justice Superintendent, Mr. Flowers reported that the average population today is 47 and provided a report that showed the average population count in October was 44. He also stated that of the 47 at the center currently, 8 are pending a direct file review and 4 are pending treatment placement.

- D. **Pretrial Services Report**

The Pretrial Services Manager, Mr. Trotta, provided members with a printed report detailing the Supervised Release Pretrial Services Program. The report notes that it is current as of October 29<sup>th</sup>. He reported that there are a total of 918 individuals on Supervised Own Recognizance (S.O.R.) and that 847 of these are out of custody; 708 defendants are on S.O.R. only; 210 defendants are on S.O.R. with a bond and 56 of those have not been released. Fifteen individuals were on S.O.R. and were in custody for the following reasons:

|  |    |
|--|----|
| S.O.R. to Treatment                      | 4  |
| Bonds or No Bonds on Other Charges/Holds | 11 |

- V. **Old Business**

- A. Discussion on In House Arrest Program expansion for pretrial populations and

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private company options :

Sergeant Lawrence provided detailed information on the population identified as non-violent offenders in custody on a low bond. He reported that there were 52 persons in custody for a week to one month on a low bond for a non-violent felony, misdemeanor and traffic offenses. He noted that the Sheriff's office just began using a new data management system and that they are still developing queries for specific data.

Members discussed the population in the program and Sergeant Lawrence noted that the program currently has approximately 20 people less than the monthly average. Mr. Rodriguez discussed the concept of a bond review process. He stated that a bond review process would consist of having the court review a bond after a certain amount of days for a specific amount of a bond. The judge could reduce the bond amount or offer a program such as the in-house arrest program.

Chairman Duncan asked Sergeant Lawrence if they had reviewed the equipment that was presented last month from Court Programs Inc. and Secure Alert Inc. He reported that the equipment is similar to what they currently use; the more significant aspect was in the monitoring. He also stated that the equipment through the Sheriff's Office does not require a land line, it is an administrative decision to require the land line.

**B. Bond Schedule Review and Proposed Revisions:**

Chairman Duncan stated that the current bond schedule now reflects the provisions for the book and release program. He commented that any other revisions will be discussed today. He referred to the July meeting minutes where this task force recommended 3<sup>rd</sup> degree felonies to include surrounding counties as the same bond amount as Palm Beach County residents. Another item for recommendation was changing the 3<sup>rd</sup> degree felony bond amounts from \$3,000 to \$1,000 for Palm Beach County residents and the surrounding counties.

Members discussed the issue of reducing the 3<sup>rd</sup> degree felonies. Judge Booras noted that he was in favor of leaving the amount at \$3,000 as it gives the first appearance judges a chance to review the charge(s). It also allows them to request a mental health evaluation if needed. Ms. White noted that the current first appearance judges are very efficient and asked if the 52 identified offenders were seen by the weekend judges. She explained that this was one reason why the recommendation was voiced as the lower bond amount would be in writing for all of the judges.

Mr. Trotta suggested having another mechanism besides the duty handbook to educate the weekend judges. Major Kneisley discussed the issue of bonds and the purpose of having a bond. Mr. Taylor commented that reviewing surrounding counties bond schedules may be useful to this discussion.

Ms. Spangenberg asked for clarification when a crime is not eligible for release on bond before first appearance. She asked what law enforcement does when the warrant specifies a monetary bond amount for these crimes. Major Kneisley stated that they go by what is on the warrant.

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Ms. D'Eusanio suggested that Florida Statute 787.06 on human trafficking be added to the list of no bond release before first appearance. She explained that this is a fairly new offense that was formerly prosecuted through the federal system but now can also be filed by the State Attorney's office. A motion was made to move this issue. Members voted unanimously in favor of recommending that F.S. 787.06 be added to the list of non-bondable offenses before first appearance on the current Palm Beach County bond schedule.

A motion was made and seconded to table the vote on making a recommendation on lowering the 3<sup>rd</sup> degree felony bond amounts from \$3,000 to \$1,000 until the task force can review other county bond schedules for comparison. Members voted in favor of the motion (*opposed by Mr. Richards*).

A motion was made to add the misdemeanor first degree stalking offense to the list of crimes not eligible for bond prior to first appearance list. Members voted in favor of the motion (*opposed by Ms. White*).

**VI. New Business**

**A. Meeting schedule approval:**

Members approved the 2011 meeting schedule as follows.

Palm Beach County Governmental Center  
301 North Olive Ave.  
West Palm Beach, FL 33401

\*\*\*All meeting times are at 12:00 noon\*\*\*

|             |   |
|-------------|---|
| JAN 5, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |
| FEB 2, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |
| MAR 2, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |
| APR 6, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |
| MAY 4, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |
| JUN 1, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |
| JUL 6, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |
| AUG 3, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |
| SEP 7, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |
| OCT 5, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |
| NOV 2, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |
| DEC 7, 2011 | McEaddy Conference Room, 12 <sup>th</sup> floor |

**VII. Additional member and guest comments**

Mr. Nefzger mentioned that there is an issue with the selling of synthetic marijuana. Judge Booras commented that this could be an issue that the Criminal Justice Commission review for possible recommendation to the legislature to make this a controlled substance.

Judge Booras reported that the Veteran's Court will begin on November 18, 2010.

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Chairman Duncan informed members that the workshop update to the Palm Beach County Board of County Commissioners will be held on November 30<sup>th</sup> at 10:00 a.m. He also stated the next Task Force meeting is scheduled for December 1<sup>st</sup> at noon.

**VIII. Adjournment**

JL, CJC 11/3/10