



## **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 2, 2016; 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.  
**Rev. Clarence Ellington**, Senior Chaplain, Palm Beach Sheriff's Office  
**Glenny Cueto**, Professional Probation Services, Inc.  
**Brian Fernandes**, Office of the State Attorney  
**John Kastrenakes**, Judge, 15<sup>th</sup> Judicial Circuit  
**Tommy Richards**, Palm Beach County Bail Bond Association  
**Caroline Shepherd**, Judge, 15<sup>th</sup> 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  
**Louis Tomeo**, Director Criminal Court Services, Office of the Clerk and Comptroller  
**Barbara White**, Public Defender's Office

#### **MEMBERS ABSENT:**

**Rosalyn Baker**, Florida Department of Corrections  
**Paulette Burdick**, Commissioner, Palm Beach County  
**Jeffrey Colbath**, Chief Judge, 15<sup>th</sup> Judicial Circuit  
**Michelle Dyer**, Workforce Alliance  
**Leonard Hanser**, Administrative Judge, County Court, 15<sup>th</sup> Judicial Circuit  
**Jenise Link**, Manager, Palm Beach County Pretrial Services Agency  
**Brandy Macaluso**, Victims' Rights Coalition  
**Joseph Marx**, Judge, 15<sup>th</sup> Judicial Circuit

#### **GUESTS PRESENT:**

**Mevsim Bocaksiz**, Drug Abuse Foundation  
**Colleen Farnsworth**, DCF Legal  
**William Genem**, Coalition for Independent Living Options, Inc. (for Brandy Macaluso)  
**Latrona Hayes**, Palm Beach County Pretrial Services Agency  
**Devon Mugridge**, Court Administration (for Michelle Spangenberg)  
**Danielle Ouellette**, Southeast Florida Behavioral Health Network  
**Jennifer Sellars**, Southeast Florida Behavioral Health Network  
**Becky Walker**, Southeast Florida Behavioral Health Network

**CJC STAFF PRESENT:**

**Damir Kukec**, Research and Planning Manager  
**Jacqueline Esposito**, Criminal Justice Analyst  
**Candee Villapando**, Criminal Justice Analyst

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

**II. Roll Call and Introduction of Guests**

**III. Approval and/or Additions to the agenda**

The agenda was approved without changes.

**IV. Approval and/or Amendments to the September 7, 2016 Minutes of the Corrections Task Force/Public Safety Coordinating Council Meeting**

The minutes of the September 7, 2016 meeting were approved with some changes. On page 3, Chair Duncan requested that the phrase “blown away” be replaced with “extremely impressed and thankful” regarding the changes that were made at the Palm Beach Youth Academy. On page 4, under C.4. when Chair Duncan presented the 4<sup>th</sup> recommendation of the Bonds Subcommittee, he wanted to clarify that in pointing out that three (3) of the eight (8) subcommittee members who voted for the changes were bondsmen he was not picking on the bondsmen or suggesting anything improper, but that he takes responsibility in allowing three (3) individuals from the same representative body to have served on the subcommittee.

**V. Reports**

**A. Jail Population Report**

Major Alfonso Startling reported that the the total inmate population as of this morning was 2,054.

**B. In House Arrest Report**

Total In-House Arrest population has gone down to 216: 101 pretrial; 113 county sentenced 1 probation; 1 DJJ; 0 Administrative Order. Pay and go was at 150.

**C. Pretrial Services Report**

Ms. Latronda Hayes gave the report on behalf of Jenise Link. As of October 31<sup>st</sup> there were a total of 934 defendants on SOR; 556 of these individuals were on SOR only, and 378 were on SOR with accompanying money bond. Of the 556 defendants on SOR only, 17 remained in custody for other holds or bonds.

Compared to last year, 2015, these numbers were lower; and compared to last month, they were also a little bit lower. Ms. Hayes confirmed the total SOR violations signed warrants for September was 57, when Chair Duncan asked.

**D. Juvenile Detention Center Report**

No report was presented.

**E. Misdemeanor Probation Report**

Glenny Cueto reported that for the month of October they had a total of 131 new cases; total active cases of that morning was 2,103; 131 successfully completed cases; 48 cases were revoked; total cases terminated by order was 179.

**VI. Old Business**

**A. Southeast Florida Behavioral Health Network Initiatives and Heroin Overdose Task Force Updates – *Becky Walker, Director of Network Management***

Becky Walker first talked about the Heroin Overdose Task Force. She announced an upcoming meeting on Friday, November 4<sup>th</sup>, 10 AM -12 PM, at the PBC Fire Rescue on Pike Road. Ms. Walker gave an overview of the Task Force's goal and plan, and said that the main thing is to get the word out. She also gave some statistics on heroin related overdoses and deaths, and mentioned babies being born that are opiate addicted, to give an idea of the scope of the problem which is overwhelming. SEFBHN has been collaborating with the Drug Abuse Foundation, PBSO, PBC Fire Rescue, State Attorney's Office, etc., bringing all their efforts together to come up with a comprehensive plan to take before the Board of County Commissioners. Judge Caroline Shepherd also talked extensively about their efforts at drug court. Ms. Walker also mentioned about the grant that the PBC Health District applied with DCF, co-written by SEFBHN, for a centralized receiving center for Baker Act and Marchman Act.

**B. Drug Abuse Foundation Initiatives Update – *Alton Taylor, Executive Director, Drug Abuse Foundation***

DAF is also working with a number of different groups in Delray, and in the county as a whole in trying to address the heroin overdose issue. They also have an internal workgroup in terms of their own opiate response plan which they hope to be published in about a month. They are also addressing possible collateral issues, such as the increase in the homelessness as sober homes get closed. They have talked to Audrey Wolf about the availability of county properties that might be used for detox and residential services in central county; and the City of Riviera Beach for similar issues. Mr. Taylor emphasized that there simply are not enough detox beds, which also need to be centrally located. He also mentioned about the public hearing on the whole opiate and rehab issue in Delray Beach to be held by

Representative Frankel. Judge Shepherd asked about using the Stockade, and Ms. Walker said that they are still looking into it, and that it is still on the table.

**C. Bond Schedule Review Subcommittee Recommendations to the Full CJC, September 26, 2016 Meeting, Update – Chairman Douglas Duncan**

Chair Duncan reported that he presented to the Full CJC the recommendations of the Subcommittee on the changes to the bond schedule; the Full CJC rejected the recommendations and sent them back to the Corrections Task Force to re-evaluate, in particular the change in second degree felony bonds. They need to reconfigure the subcommittee as the full CJC questioned having three (3) bondsmen in the subcommittee, how that happened, and whether this posed a conflict of interest. Chair Duncan said that he assured the full CJC that he personally felt that the three bondsmen that were on the subcommittee were acting in complete good faith, and not for their own economic benefit. Chair Duncan said that he will review CJC's conflict of interest rules and regulations in terms of configuring subcommittees.

Judge John Kastrenakes asked whether the basis for the rejection was the perceived conflict of interest of the three bondsmen in the subcommittee. Chair Duncan said no. The Chair noted that the Chief Judge did not support the changes, and pointed out that it was his call, ultimately, to decide whether or not to make the changes. There was also a feeling amongst the CJC that the information presented to the subcommittee and the full committee in terms of statistics or verifiable information to justify the changes, may or may not be valid, and that more data or information are needed. Judge Kastrenakes also wanted to correct the text in the minutes that said that eight of the members of the subcommittee voting for the change were bondsmen, which should be three. Chair Duncan agreed and said that they have discussed this, and other changes, earlier prior to Judge Kastrenakes' arrival.

Barbara White brought up this other committee looking at risk assessments, and money bonds, and a lot of statistics coming out of that. Ms. White wondered if they can hold the bond review subcommittee until they find out the information that will come out from this other pilot project. Judge Kastrenakes asked if the full CJC also voted not to adopt the DUI change. Chair Duncan said that it all got blurred, so he suggested that they take back to the full CJC the two changes that they unanimously agreed upon, which can be considered by the Chief Judge to be implemented. Brian Fernandes disagreed on delaying or holding back the committee, that they should continue and receive and review whatever data or information is out there; and parse out the recommendations and take back to the full CJC the two changes that were unanimously agreed upon. Therefore, a motion was made by Mr. Fernandes to take back to the full CJC the DUI change and the addition of Second Degree Fleeing and Eluding to the bond schedule; the motion passed. Chair Duncan clarified with Ms. White whether she wanted to make a motion to table the bond schedule review; Ms.

White said that all she wanted was to be provided the information they need to review if the subcommittee will be meeting again.

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

Damir Kukec gave an update on behalf of Kristina Henson. They are currently halfway through their second year of funding as part of the planning grant they received. Mr. Kukec talked about the Pretrial Pilot Project wherein the committee has selected a risk assessment instrument, called the Virginia Risk Assessment Instrument which assess whether an individual is a high, medium, or low risk. They are working with the team to put in place the second phase of the risk assessment process which is establishing a risk assessment management matrix, on how to implement the instrument and how to monitor the individuals that are on supervised OR.

Mr. Kukec also talked about the FUSE (Frequent User System Engagement) program. They initially used jail data to identify individuals who are frequently in and out of our jails, and then matched the data against the homeless database. SEFBHN also ran an additional match for them to determine whether any of these frequent user individuals are also accessing mental health or substance abuse services.

In addition, they are also doing a great deal of work to try to monitor or track all the different points of interest and elements like the bond amount at release and what is the rate of failure to appear based on bond amount, which will also hopefully inform the bond subcommittee. It will probably be a good idea to talk more about how does this subcommittee would like to look at the data to answer the question whether bond amount matters, in terms of whether or not a person appears. They have also contracted with FSU for additional research support.

Lastly, Mr. Kukec announced the “Lightning Round” video, a three-minute video filmed by each site talking about what they are doing. The Palm Beach County video was done by Judge Jeffrey Colbath, and was played for the committee.

**VII. New Business –** No new business.

**VIII. Additional member and guest comments**

No additional member and guest comments.

**IX. Adjournment**

**Next Meeting: December 7, 2016; 12:00 P.M.**