



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, January 11, 2017; 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.
Glenny Cueto, Professional Probation Services, Inc.
Rev. Clarence Ellington, Senior Chaplain, Palm Beach Sheriff's Office
Brian Fernandes, Office of the State Attorney
William Genem, Coalition for Independent Living Options, Inc.
David Kerner, Commissioner, Palm Beach County
Jenise Link, Manager, Palm Beach County Pretrial Services Agency
John Kastrenakes, Judge, 15th Judicial Circuit
Tommy Richards, Palm Beach County Bail Bond Association
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
Jeffrey Colbath, Chief Judge, 15th Judicial Circuit
Leonard Hanser, Administrative Judge, County Court, 15th Judicial Circuit
Joseph Marx, Judge, 15th Judicial Circuit
Caroline Shepherd, Judge, 15th Judicial Circuit

GUESTS PRESENT:

Phil Barlage, Coalition of Boynton West Residential Association
Nancy Bolton, Assistant County Administrator
Mevsim Bocaksiz, Drug Abuse Foundation
Smita Chand, Jerome Golden Center
Darian Matos, Coalition for Independent Living Options, Inc.
Debbie Murphy, Palm Beach County Legal Affairs
Dwayne Perez, Southeast Florida Behavioral Health Network
Patrice Schroeder, 211 of Palm Beach County
Jennifer Sellars, Southeast Florida Behavioral Health Network
Joseph Sophie, Palm Beach County Legal Affairs (for Rebecca DeLaRosa)

Michelle Spangenberg, Court Administration
Becky Walker, Southeast Florida Behavioral Health Network

CJC STAFF PRESENT:

Kristina Henson, Executive Director
Damir Kukec, Research and Planning Manager
Rosalind Murray, Senior Criminal Justice Analyst
Jacquelyn Price, Criminal Justice Analyst
Candee Villapando, Criminal Justice Analyst

I. Welcome, Opening Comments by Chairman Douglas Duncan

Chair Duncan welcomed everyone to the first meeting for 2017. Special recognition to Commissioner Dave Kerner for joining the task force, and to the members joining to work on Senate Bill 12.

II. Roll Call and Introduction of Guests by Damir Kukec

III. Approval and/or Additions to the agenda

The agenda was approved.

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

The minutes of the December 7, 2016 meeting were approved without amendments.

V. Reports

A. Jail Population Report

Major Alfonso Startling reported that the the total inmate population as of that morning was 1,896.

B. In House Arrest Report

Total In-House Arrest population was at 206: 108 pretrial, with 3 direct filed juveniles; 96 county sentenced, 1 probation; 1 DJJ; 0 Administrative Order. Pay and gos for the month was 148.

Considering the jail population decline, Chair Duncan asked if there are still plans to build a new facility at the old Stockade grounds; Major Starling replied there are no plans at this time. Chair Duncan said they are all doing a great job and cannot recall a time, as a Chair of the committee, when the population was below 2,000. Major Starling concurred and said that the population was roughly at 3,000 for several years, but has been steadily going down since then.

C. Pretrial Services Report

Jenise Link reported that as of January 4th, there were a total of 952 defendants on SOR; 573 of these individuals were on SOR only, and 379 were on SOR with accompanying money bond. Of the 573 defendants on SOR only, 14 remained in custody for other holds or bonds, with 5 awaiting treatment beds and 9 for other holds and charges. The total out-of-custody SOR population is 867. The December SOR violations that ended up being a signed warrant by the judge was 81, which is about 9% of their out-of-custody population; 2% were for new charges, and about 4% were for failure to make their orientation or appointments.

D. Juvenile Detention Center Report

No report was presented.

E. Misdemeanor Probation Report

Glenny Cueto reported that for the month of December they received a total of 135 new cases; total active cases was 1,947; 150 successfully completed cases; 29 cases were revoked; total cases terminated by order was 179.

VI. New Business

A. Palm Beach County Behavioral Health Transportation Plan – *Becky Walker, Director of Network Management, South East Florida Behavioral Health Network (SEFBHN)*

Kristina Henson introduced the issue and noted that one of the requirements in the SB 12 bill is for counties to have a written and adopted transportation plan and how this relates to the committee, and also briefly explained how the committee currently sits as the Corrections Task Force, Public Safety Coordinating Council, and Criminal Justice Mental Health and Substance Abuse Planning Council. Ms. Henson noted that SB 12 also requires the county to work in collaboration with the local managing entity, which is Southeast Florida Behavioral Health Network (SEFBHN), and introduced Becky Walker from SEFBHN who prepared the transportation plan. Ms. Henson noted that this will be their first review of the plan and that there will be two other reviews by the committee if needed. The plan will also be presented to the Law Enforcement Planning council and other entities, and a public forum will be held to review the plan to get input and feedback. They plan to have it ready for the Board of County Commissioners by May.

Ms. Walker reminded the committee that the plan needs to be approved by the Board of County Commissioners, SEFBHN, and Department of Children and Families (DCF), so it will be sent up to the Secretary by July 1, 2017. She discussed the intent and purpose of the plan, which has to describe the method of transportation to get people from one facility to another, i.e. will it be done by law

enforcement or a private transportation company. There will be an oversight committee with two levels: the PSCC, at a higher level; and the Baker Act Task Force Acute Care Subcommittee that will deal with the more involved day to day issues, e.g., emergency room directors, the Baker Act receiving facilities, and detox centers.

Ms. Walker also talked about the bill's requirement for a central receiving system, but that there is no funding provided for it. They applied for the grant but did not get it, so they are working on finding ways to shore up the existing resources in the meantime to make sure that people SB 12 requires with the no wrong door policy are being served. They are currently developing memorandum of agreements between facilities on how this will be carried out. Ms. Walker remarked that they are combining the designated receiving system and transportation plans because they are intertwined, although they are treated separately in the bill.

Chair Duncan asked what the committee can anticipate in terms of the timetable for the plan. Ms. Walker said that they will be back with a solid plan in March, to be ready for approval by the BCC before July 1. Ms. Henson reiterated the importance of getting input or feedback to help get a draft ready for preliminary review by the BCC in May, work on the necessary changes and reviewed again by the BCC in June, and have the final plan ready by July 1st. Alton Taylor asked if there has been a general agreement from the Sheriff's Office to fulfill the transportation goals. Ms. Walker said not yet but that the next step will be meeting with law enforcement and that right law enforcement is already doing a lot of transporting for the Baker Act. And the question is whether they would expand that, or add a behavioral transport company.

Barbara White wanted the committee to look at transporting people from their homes where the families called for assistance for Baker Act or Marchman Act and emphasized the importance of having trained people handle these situations. Ms. Walker agreed that this is something that definitely needs to be considered and will be incorporated into the plan. Ms. Link asked if there are numbers on how many times this happens in a day in PBC; Ms. Walker said that she will bring information on the number of individuals on Baker Act and Marchman Act that are transported at the next meeting. Alton Taylor cautioned that majority of the hospitals' substance abuse cases are not under Marchman Act, so these said individuals would not necessarily fall into this transportation plan, and will be the hospitals' responsibility. Ms. White wondered about a similar scenario for Baker Acted people. Smita Chand concurred on the use of CIT officers in the transport of Baker Acted individuals. Ms. Walker agreed that they are more for the use of mobile crisis units first, than Baker Acting individuals. There are three mobile crisis teams in PBC, and one in Fort Pierce, and according to Ms. Walker, about 97% of the calls to mobile crisis teams do not result in a Baker Act. Patrice Schroeder of 211 PBC/Treasure Coast shared that they get an average number of about 6 calls a day which they try to de-escalate first to avoid getting a law enforcement officer involved.

Michelle Spangenberg asked if a General Magistrate sits on the Baker Act Task Force, and if not, suggested to have one. Ms. Walker said she will look into it. Ms. White wanted to discuss at the next meeting, the process mentioned on page 3, under the methods of transportation, where it talks about when any law enforcement officer has arrested a person for a felony and it appears that the person meets the statutory guidelines; and on page 4, under Marchman Act Transportation, she wanted to know “If the individual being detained by a Marchman Act order is combative or uncooperative, law enforcement transports the individual directly to the Palm Beach County Jail” – if this actually happens. Mr. Taylor thinks it happens usually only under the contempt of court. Ms. Walker said they will add under contempt in there. Mr. Taylor suggested looking into law enforcement initiating a protective custody on people in the hospital that need to be transported but are not under Marchman Act to see if we can get more substance abuse cases in this transportation plan. Mr. Taylor shared a statistic indicating that in 2016 they had about 4,500 visits to the emergency receiving center, less than 3% of which were Marchman Act, implying that this transportation plan would not affect the vast majority of substance abuse cases and will not give these needed resources to the hospitals. Ms. Walker remarked that the idea behind the changes proposed in SB 12 is to reach more individuals, so they are anticipating that more individuals under Marchman Act will increase.

Joseph Sophie asked about the reference on page 2 to youth under the age of 18 years on an involuntary Baker Act that will be going to the nearest receiving facility, either JFK Medical Center North Campus South County Mental Health Center. Ms. Walker said that the Jerome Golden Center has 2 beds, which she will add in the statement.

Chair Duncan said that this issue will be back in the February agenda, and encouraged everyone to review the draft and email comments or suggestions to Damir Kukec to be circulated prior to the next meeting. He thanked Ms. Walker for her presentation.

VII. Old Business / Updates

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

Ms. Henson reported that they have made significant progress. She announced on their implementation of the pretrial risk assessment and risk management matrix for first appearance hearings, next week they will be having the Pretrial Justice Institute will be coming to do separate trainings for the judges, attorneys, and the pretrial services staff as to how to actually use the tool and administer it. There will be another meeting and January to finalize the details and hope to actually implement the tool sometime in February. The idea is to do a pilot which will be evaluated by the Florida State University College of Criminology and Criminal Justice. And then they will look at the risk management matrix, used in Virginia statewide which was just validated in November for gender, race, and ethnicity.

Ms. Henson also reported that Damir and staff have been working hard on a data dashboard which is also a part of the MacArthur project. Ms. Henson thanked for full access to data from the jail and the courts. Lastly, Ms. Henson announced the changes in First Appearance judges – Judge Marx will be replaced by Judge Dina Keever. CJC will be doing an orientation for Judge Keever on this committee as well as the MacArthur Project.

VIII. Additional Member and Guest Comments

Chair Duncan briefly remarked on the Pay and Gos number for December at 148; that is a program which all of them worked on establishing. The Pay and Go is a program wherein someone who has a misdemeanor or certain offenses can go in and pay and leave, and not be booked in therefore cutting down on people in the jail that would otherwise be occupying and using the jail and staff time. Chair Duncan again congratulated Major Starling for a great job.

IX. Adjournment

Next Meeting: February 1, 2017; 12:00 P.M.