



## 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, January 6, 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.  
**Vice-Chairman Chris Kneisley**, Major, Palm Beach Sheriff's Office  
**Rosalyn Baker**, Florida Department of Corrections  
**Ted Booras**, Judge, 15<sup>th</sup> Judicial Circuit  
**Maureen F. Brickous**, County Probation, PRIDE Integrated Services, Inc.  
**Patrick Cannan**, Workforce Alliance  
**Roger M. Crane**, Police Chief, Palm Beach County Chiefs of Police Association  
**Charles Trotta**, Manager, Palm Beach County Pretrial Services Agency  
**Barbara White**, Public Defender's Office

#### **MEMBERS ABSENT:**

**August Bonavita**, Judge, 15<sup>th</sup> Judicial Circuit  
**Bob Bozzone**, Executive Director, Comprehensive Alcohol Rehabilitation Program  
**Jeffrey Colbath**, Judge, 15<sup>th</sup> Judicial Circuit  
**Tommy Richards**, Palm Beach County Bail Bond Association  
**Jill Richstone**, State Attorney's Office  
**Alton Taylor**, Executive Director, Drug Abuse Foundation  
**Louis Tomeo**, Office of the Clerk and Comptroller, Director Criminal Court Services  
**Shelley Vana**, Commissioner, Palm Beach County

#### **GUESTS PRESENT:**

**Debra Coltun**, State Attorney's Office  
**Barry Echols**, Palm Beach County Bail Bond Association  
**Barry Fondiller**, Jail Counselor, Palm Beach Sheriff's Office  
**Anthony Flowers**, Superintendent, Dept. of Juvenile Justice  
**David Gillert**, Palm Beach County Sheriff's Office, SAAP  
**Wanda Joiner**, PRIDE Integrated Services, Inc.  
**Shelby King**, Palm Beach County Sheriff's Office  
**Walter Lawrence**, Sgt., Palm Beach County Sheriff's Office  
**Bea Lovelace**, Office of the Clerk and Comptroller  
**Lynn Powell**, State Attorney's Office  
**Elizabeth Parker**, State Attorney's Office  
**Michelle Spangenberg**, Court Administration

#### **CJC STAFF PRESENT:**

**Jenise Link**, Sr. Criminal Justice Analyst  
**Michael Rodriguez**, Executive Director

- 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 December 2, 2009 meeting of the CTF/PSCC were approved.
- IV. Michelle Spangenberg introduced two new court administration employees that are being funded through federal stimulus dollars: Stewart Saalfied as the County Criminal Case Manager and David Simmons as the new Court Analyst. Ms. Spangenberg thanked the Criminal Justice Commission for funding these positions under the federal award allocations.

V. **Reports**

A. **Jail Population Report**

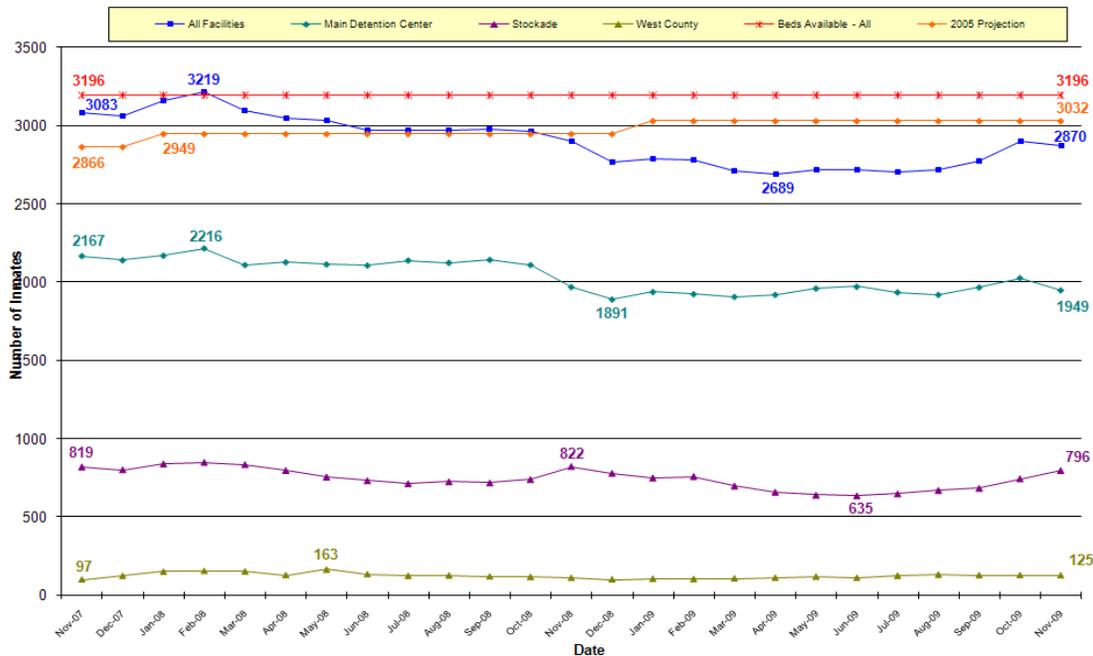
Major Kneisley reported that the total population of the jail today is approximately 2,731 which is under the current capacity and is lower than last month. Historically during the holiday season the population does decline somewhat. Mr. Rodriguez asked if the jail expansion plan had been adjusted due to budgetary issues. Major Kneisley commented that West County is proceeding and that they are currently looking at alternatives to what will be done with the Stockade.

See charts/graphs following from previous month:

Palm Beach County Criminal Justice Commission Corrections Task Force/Public Safety Coordinating Council							
Palm Beach County Correctional Facilities Monthly Population Report January - November 2009							
Data Source: Palm Beach County Sheriff's Office, Corrections Department							
Facility	November Average Daily Population	Jan - Nov Average Daily Population	EXISTING CAPACITY			FUTURE CAPACITY	
			Number Beds*	November Percent Occupied (ADP/Capacity)	Jan - Nov Percent Occupied (ADP/Capacity)	Number Beds*	Jan - Nov Percent Occupied (ADP/Capacity)
Main Detention Center	1,949	1,948	2,114	92%	92%	2,114	92%
Stockade Detention Center (Including 96 bed Drug Farm)	796	698	944	84%	74%	944	74%
West County Detention Center	125	116	138	91%	84%	262	44%
<b>COUNTYWIDE TOTAL</b>	<b>2,870</b>	<b>2,762</b>	<b>3,196</b>	<b>90%</b>	<b>86%</b>	<b>3,320</b>	<b>83%</b>

\*Does not include 106 beds for medical.

Palm Beach County Criminal Justice Commission  
 Corrections Task Force/Public Safety Coordinating Council  
**Average Daily Populations by Date and Facility**  
 Data Source: Palm Beach County Sheriff's Office, Corrections Department



**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 December was 3.20 days. He added that the average number of days for misdemeanants between booking and sentencing was 4.76 days. Mr. Fondiller reported that no inmates were waiting to be transferred to the state hospitals and ten inmates were transferred to the state hospitals in December. He also reported that nine inmates were waiting to be returned from DCF and nine inmates were returned from DCF last month. He also reported that there were a total of 137 evaluations and assessments ordered for November 2009. There were 102 SAAP evaluations, 30 mental health assessments and 5 drug farm evaluations.

**C. Juvenile Detention**

Department of Juvenile Justice Superintendent, Mr. Flowers reported that the current population count is 67 which is less than the previous month as expected during the holiday season. Superintendent Flowers noted that the department has received funding through the juvenile detention alternatives initiative program. One part of this program will consist of having a tracker or monitor for approximately 15 of the juveniles that can serve their time at home. The other part is a \$100,000 stimulus project out for bid now that will address juveniles in both the western and eastern communities of the county.

**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 January 4<sup>th</sup>. He reported that there are a total of

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1,218 defendants on Supervised Own Recognizance (S.O.R.) and that 1,069 of these are out of custody; 890 defendants are on S.O.R. only; 328 defendants are on S.O.R. with a bond. Twenty-three individuals were on S.O.R. and were in custody for the following reasons:

Violation of Probation	2
S.O.R. to Treatment	5
Refused S.O.R. to Treatment	1
Bonds or No Bonds on Other Charges/Holds	15

Ms. Link commented that the task force letter regarding HB 445 / SB 782 was presented to the CJC. The CJC approved opposing the legislation however, directed staff to wait until the bills were assigned to committee before addressing letters on the CJC's behalf. She also noted that since that time, the House bill had been assigned to three committees. Ms. Link reported that the issue was going to be brought before the Law Enforcement Planning Council tomorrow for their discussion. Ms. Brickous noted that the Florida Association of Community Corrections is also opposing this legislation.

## **VI. Old Business**

### **A. House Arrest Program expansion**

Members reviewed a report prepared by the Alternative Custody Unit that provided information on 6 months of denials into the in house arrest program. Sergeant Lawrence explained that this report is for post sentenced offenders only.

Members briefly reviewed the weekend and holiday packet that Pretrial Services sends out for a judge which was recommend at the last meeting as a source for information to judges that they can order the in house arrest program. Chairman Duncan asked if Judge Booras and Judge Marx could update the packet as it was dated January 2003.

## **VII. New Business**

### **A. Housing of juveniles adjudicated as adults at the jail**

Members reviewed a letter from Chief Judge Blanc dated December 21, 2009 that addressed his concern regarding the housing of juveniles charged as adults in the Palm Beach County jail.

Ms. White volunteered her services to explore and research this issue. She explained that there is also an issue with the school district being able to access juveniles up to age 21 that are in the education system. Ms. Coltun commented that a concern of the State Attorney's office is per State and Federal law, once a juvenile has been charged as an adult she stated that they are not permitted to be housed with juveniles awaiting trial at that point. Chairman Duncan noted that in reading the policy description by Lt. Manley, it was not clear what the process was.

Major Kneisley noted that the operation of the jail is under the purview of the Sheriff. He commented that Florida Statutes 985 and 951 reference the housing of inmates. He also stated that the Florida model jail standards outline processes for

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jails. The language from the jail standards contains words such as “may” and this lends to interpretation. Major Kneisley said that he has surveyed other counties in the state and some house juveniles with adults and some do not. He explained that the Sheriff’s office is very cognizant of liability issues. If a juvenile is under the age of 18 he/she will remain housed in the juvenile unit with the only caveat being that if the juvenile request for gain time other provisions have to be made. The Sheriff’s office legal unit is currently reviewing the policy pertaining to those juveniles that come back in after being sentenced as an adult. He said that he would provide an update on this legal review at the next meeting.

Chairman Duncan asked Ms. White to clarify this issue with Lt. Manley and Ms. Powell before the next meeting so that the task force can provide the Chief Judge with a response to his inquiry.

**B. 2010 CTF/PSCC Workplan**

Chairman Duncan referred members to a drafted annual workplan for 2010. Ms. Link commented that the main objectives will be to:

- Monitor the population of the county jail facilities
- Develop recommendations on alternatives to incarceration
- Complete 2009 year-end data analysis of jail population
- Develop Fact Sheet on Palm Beach County Jail growth

After review, the plan was approved.

**VIII. Additional member and guest comments**

Chairman Duncan informed members that the next meeting is scheduled for February 3<sup>rd</sup> at noon.

**IX. Adjournment**

JL, CJC 1/6/10