



## **PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION**

### **CORRECTIONS TASK FORCE/ Public Safety Coordinating Council**

Palm Beach County Governmental Center  
301 N. Olive Avenue, 10<sup>th</sup> Floor, Criminal Justice Commission  
West Palm Beach, Florida 33401

Wednesday, December 3, 2014; 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.  
**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  
**Glenny Cueto**, Professional Probation Services, Inc.  
**John Kastrenakes**, Judge, 15<sup>th</sup> Judicial Circuit  
**Brandy Macaluso**, Victims Rights Coalition  
**Tommy Richards**, Palm Beach County Bail Bond Association  
**Louis Tomeo**, Director Criminal Court Services, Office of the Clerk and Comptroller  
**Barbara White**, Public Defender's Office

#### **MEMBERS ABSENT:**

**Rev. Chaney**, Clergy Representation  
**Jeffrey Colbath**, Administrative Judge, 15<sup>th</sup> Judicial Circuit  
**Michelle Dryer**, Workforce Alliance  
**Brian Fernandes**, Office of the State Attorney  
**Leonard Hanser**, Administrative Judge, 15<sup>th</sup> Judicial Circuit  
**Dan Lacey**, Executive Director, Comprehensive Alcohol Rehabilitation Program  
**Jenise Link**, Manager, Palm Beach County Pretrial Services Agency  
**Joseph Marx**, Judge, 15<sup>th</sup> Judicial Circuit  
**John Pruitt**, Chief, Jupiter Inlet Colony Police Department  
**Caroline Shepherd**, Judge, 15<sup>th</sup> Judicial Circuit  
**Alton Taylor**, Executive Director, Drug Abuse Foundation  
**Shelley Vana**, Commissioner, Palm Beach County

#### **GUESTS PRESENT:**

**Cornelia Burden**, Department of Juvenile Justice  
**Mike Edmondson**, Office of the State Attorney  
**Colleen Farnsworth**, DCF Legal  
**Michelle Gearty**, Intern, Coalition for Independent Living Options, Inc.  
**Jeanne Howard**, Office of the State Attorney  
**Douglas Kane**, Superintendent, Department of Juvenile Justice

**Yasmin Rivera**, Florida Department of Corrections  
**Steve Sessa**, Private Attorney  
**Michelle Spangenberg**, Court Administration

**CJC STAFF PRESENT:**

**Michael L. Rodriguez**, Executive Director  
**Damir Kukec**, Research and Planning Manager  
**Katherine Hatos**, Senior Criminal Justice Analyst  
**Craig Spatara**, Criminal Justice Programs Manager  
**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 with the additions of an update on the 12th floor jail population study by Michael Rodriguez; and an issue for discussion from Tommy Richards.

**IV. Approval and/or Amendments to the November 5, 2014 Minutes of the Corrections Task Force/Public Safety Coordinating Council Meeting**

The minutes of the November 5, 2014 meeting were approved.

**V. Reports**

**A. Jail Population Report**

Major Chris Kneisley reported that the average jail population for November was 2,212; down by 12 from the previous month.

**B. In House Arrest Report**

Total In-House Arrest population was 238: 118 pretrial, including 1 direct filed juvenile; 110 county sentenced – 5 misdemeanor probation and 5 DJJ.

**C. Pretrial Services Report**

No oral report was presented, but a handout on the monthly report was included in the packet.

## **D. Juvenile Detention Center Report**

DJJ Superintendent Douglas Kane reported that they are currently housing 42 youths; 36 males, 6 females. He said they are working on many ongoing issues. They received 2 additional grants: one to continue their environmental and facility changes; and the other is an extension for their culinary arts program until the end of next year.

## **E. Misdemeanor Probation Report**

Ms. Glenny Cueto reported that they received 232 new cases for the month of October. Total active cases were 2,252. They closed out 154 cases successfully; and 82 cases were revoked. Chairman Duncan mentioned it has been discussed in a previous meeting if PPS can have more people on their 9th floor on busy days. Ms. Cueto said their busy days are Mondays and Fridays, and it has been slow the last two weeks; but that they have implanted another intake officer for this purpose. Chairman Duncan thanked PPS.

## **VI. Old Business**

No old business.

## **VII. New Business**

### **A. Review of Corrections Task Force's Purpose**

Mr. Rodriguez said it might be a good idea to revisit the committee's mission, especially for new members. He gave a history of the committee noting that the Public Safety Coordinating Council (PSCC) was first created as mandated by FS 951.26 which outlines the membership and the mission. Later, it was determined that additional members from agencies impacting corrections, after which the Corrections Task Force was created. The committee meets once a month and he noted that some may be a member of the PSCC, and some of the CTF, or both. Mr. Rodriguez referred to a copy of the statute included in the packet for further details. He commented that the committee through the years has looked at various issues that have impacted the jail population, such as reviewing the bond schedule, pretrial services, in-house monitoring, transfer of inmates from the jail to mental health facilities, etc. Also, that is why they also conduct jail population reports such as the one Mr. Damir Kukec is working on to see who are in the jail, what charges, the length of time they have been in the jail, etc., which is critical to the kind of work the committee does. Chairman Duncan added that the success of the committee lies in the fact that the members come in from various jobs or entities, putting aside selfish interests and work together as a collaborative group for the better group of the system; and that the committee has done a lot of great things over the years. He commended and thanked the Sheriff's Office, State Attorney's Office, Public Defender's Office, Courts and Court Administration, Pretrial Services, probation, and all the other entities for their contribution. Mr.

Rodriguez also reminded the committee about the statistic presented on the report at the CJC annual meeting that Palm Beach County easily has the lowest rate of incarceration per capita.

**B. Pretrial Administrative Order No. 4.206**

Mr. Damir Kukec requested Michelle Spangenberg to give some information on the AO in the absence of Ms. Jenise Link. Ms. Spangenberg noted that Court Administration was approached by Pretrial Services to request for their assistance in getting the Chief Judge to sign off on the AO. Chairman Duncan asked how does this AO differ from the old one; Ms. Spangenberg replied that this is a new AO, and that there has not been one like it before. She referred to a draft included in the packet and said Ms. Link will be able to explain and give more details at the next meeting. Chairman Duncan remarked that the committee will give whatever the Chief Judge needs in getting the AO signed.

**C. 12th Floor Jail Population Update (Added item)**

Mr. Rodriguez reminded the committee about the 12th floor jail population subcommittee that was formed at the request of the CJC and the Corrections Task Force to study the 12th floor population with the original objectives to: a) determine if there has been an increase in this population; and b) determine if direct files impact this population. After several meetings, several related issues came up which the subcommittee also were interested to look at such as mental health and behavioral services, visitation, educational needs, etc. Mr. Rodriguez asked if the committee will allow the subcommittee to change its mission to include these issues, to avoid forming another subcommittee. He emphasized that the subcommittee's interest is only to look at these other issues to gain a better understanding of how things work on the 12th floor, but not to change anything.

Major Kneisley requested that a separate workgroup out of the Sheriff's Office be formed outside of this committee. He expressed that issues relating to programming services be addressed directly by their agency; that operational issues (what they provide and what they don't provide) are the prevue of the SO. Mr. Rodriguez reiterated that the issues arose from confusion and that the subcommittee just needed clarification or understanding about the SO's programming services; that there were no allegations regarding how the SO's operations. Chairman Duncan suggested getting a list of the issues from the subcommittee that they want information, set up a meeting, and then determine where to go from there. He said he did not want the SO thinking that there are any allegations being made. Major Kneisley said that they can take care of the meeting and can include the School Board, mental health providers, SO medical services, etc. Mr. Rodriguez said they already have an idea of the issues from the subcommittee; he will coordinate with Major Kneisley on setting up the meeting. The committee agreed.

#### **D. FS 907.041 Pretrial Detention and Release (Added item)**

Mr. Tommy Richards handed out a copy of the statute, which he says was left out when FS 951.26 was discussed. He wanted to discuss the implications of the release of individuals on nonmonetary conditions [(3)(a) and (3)(b)]. His concern was that he believes more individuals charged of some of the crimes listed that are being released on pretrial program or SOR, without evidence that these individuals have been investigated. Judge John Kastrenakes disagreed and expressed that he has great faith in SOR and pretrial service. He said that pretrial services notify the judges well in advance of a court date whether a defendant is reporting or not. He speaks highly of SOR especially in the case of indigents who cannot post a bond; as a contrast to bondsmen who do not provide information on their clients until the court date itself. Mr. Richards argued about the bondsmen's accountability because they will have to pay the county if their client has gone missing, and claims that there has been more cases of OR and SOR recently. Ms. Barbara White agreed with Judge Kastrenakes that pretrial services are required to report to court if a defendant does not report in person once a week, so there is more supervision, along with other things with SOR does that creates reliability of supervising and keeping track of the defendants.

Chair Duncan also clarified with Mr. Richards that he did not mean that this item was intentionally left out during the earlier agenda item discussion. Mr. Richards agreed and said he merely wanted to say that he did the research on his own and share the information with the committee. Also, Chairman Duncan noted that when Mike (Nefzger) was the representative of the bail bondsmen association, he had suggested that the bondsmen association will take on added responsibilities in terms of what Judge Kastrenakes had discussed, and he wanted to know what the status of this and whether Mr. Richards can give an update; Mr. Richards agreed.

#### **VIII. Additional member and guest comments**

Mr. Mike Edmondson brought to the committee's attention that Pastor Chaney, the clergy representative, is deceased. Chairman Duncan remarked that the committee will need to look for a replacement.

#### **IX. Adjournment**

As the members were adjourning, Chairman Duncan called them back to announce that Vice Chairman Kneisley had just handed him a letter of resignation, as he will be retiring next year. Chair Duncan said they cannot let him go without letting them express to him the committee's appreciation and sincere thanks. The members gave Major Kneisley a warm and loud round of applause

**Next Meeting: January 7, 2015; 12:00 P.M.**