



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, August 5, 2015; 12:00 P.M.

http://www.pbcgov.com/criminaljustice/task_force/corrections/

- MEETING MINUTES -

MEMBERS PRESENT:

Glenny Cueto, Professional Probation Services, Inc.
Brian Fernandes, Office of the State Attorney
Leonard Hanser, Administrative Judge, 15th Judicial Circuit
Janise Link, Manager, Palm Beach County Pretrial Services Agency
Tommy Richards, Palm Beach County Bail Bond Association
James Smigel, Captain, West Palm Beach Police Department
Alfonso Starling, Major, Palm Beach Sheriff's Office
Louis Tomeo, Director Criminal Court Services, Office of the Clerk and Comptroller

MEMBERS ABSENT:

Rosalyn Baker, Florida Department of Corrections
Paulette Burdick, Commissioner, Palm Beach County
Jeffrey Colbath, Administrative Judge, 15th Judicial Circuit
Michelle Dryer, Workforce Alliance
Chairman Douglas Duncan, Roth and Duncan, P.A.
John Kastrenakes, Judge, 15th Judicial Circuit
Brandy Macaluso, Victims Rights Coalition
Joseph Marx, Judge, 15th Judicial Circuit
Caroline Shepherd, Judge, 15th Judicial Circuit
Alton Taylor, Executive Director, Drug Abuse Foundation
Barbara White, Public Defender's Office (PD Carey Haughwout & Schnelle Tong for Barbara White)

GUESTS PRESENT:

Manny Alvarez, Palm Beach Juvenile Correctional Facility
Mevsim Bocaksiz, Drug Abuse Foundation
Ted Booras, Judge, 15th Judicial Circuit
Todd Bonlarron, Legislative Affairs
Stephen Brown, Department of Juvenile Justice
Kelley Burke, District 6, Board of County Commissioners
Cornelia Burton, Department of Juvenile Justice, PBRJDC
Scott Shelly, Florida Association of Counties

Christina K. Daly, Secretary, Department of Juvenile Justice
Douglas Kane, Superintendent, Department of Juvenile Justice
Colleen Farnsworth, DCF Legal
Leo Fisher, Department of Juvenile Justice
Alan Fuhrman, Captain, Palm Beach Sheriff's Office
Tania Galloni, Southern Poverty Law Center
Barbara Gerlock, Juvenile Justice Advisory Board, Circuit 15
Miriam Haskell, Southern Poverty Law Center
Carey Haughwout, Public Defender's Office (for Barbara White)
Latronda Hayes, Palm Beach County Pretrial Services Agency
Michael A. Hoffman, A Child Is Missing
Lisa Hurley, Florida Association of Counties
K. Jacobs, Department of Juvenile Justice, PBRJDC
E. Jones, Captain, Beach County Sheriff's Office
Walter Lawrence, Sergeant, Palm Beach County Sheriff's Office
Melissa McKinlay, Commissioner, Palm Beach County
Tanya Meade, Coalition for Independent Living Options
Patrick Morse, Department of Juvenile Justice, MQI
Dr. Negrón, Department of Juvenile Justice
Brenda Oakes, PBC Youth Services Division
Kathy Peck, Board of County Commissioners Office
Lynn Powell, Office of the State Attorney
Richard Radcliffe, PBC League of Cities
Meagan Rappatta, Magellan Complete Care
Yasmin Rivera, Florida Department of Corrections (for Rosalyn Baker)
Michelle Spangenberg, County Administration
Greg Starling, Department of Juvenile Justice
Priscilla Taylor, Commissioner, Palm Beach County
Schnelle Tonge, Public Defender's Office (for Barbara White)
Shelley Vana, Mayor, Board of County Commissioners
T. Vassalotti, Lieutenant, Palm Beach County Sheriff's Office
Two WPEC-TV CBS 12 News Crew

CJC STAFF PRESENT:

Michael L. Rodriguez, Executive Director
Damir Kukec, Research and Planning Manager
Jacquelyn Esposito, Criminal Justice Analyst
Katherine Hatos, Senior Criminal Justice Analyst
Shahzia Jackson, Senior Criminal Justice Analyst
Allison Orr, Administrative Assistant
Candee Villapando, Criminal Justice Analyst
Bert Winkler, Temporary Professional

I. Welcome, Opening Comments by Michael L. Rodriguez, CJC Executive Director

Michael Rodriguez chaired the meeting at the direction of the Chair since Douglas Duncan was in court and was unable to chair the meeting.

II. Roll Call and Introduction of Guests

Damir Kukec did the roll call. Mr. Rodriguez welcomed and thanked the special guests for coming - Secretary Christina Daly, Department of Juvenile Justice (DJJ); Stephen Brown, South Regional Director, Residential Services, DJJ; Patrick Morse, Regional Director, Quality Assurance, DJJ; and Manny Alvarez, Facility Administrator, Palm Beach Juvenile Correctional Facility/Palm Beach JCF Substance Abuse. Mr. Rodriguez then asked guests to introduce themselves.

III. Approval and/or Additions to the agenda

In consideration of the DJJ Secretary and the Commissioners present, Mr. Rodriguez suggested moving the Palm Beach County Juvenile Facility issue to the top of the agenda. The agenda was approved with the amendment.

IV. Approval and/or Amendments to the May 6, 2015 Minutes of the Corrections Task Force/Public Safety Coordinating Council Meeting

The minutes of the May 6, 2015 meeting were approved.

V. Reports

No reports were presented.

VI. New Business

A. Palm Beach Juvenile Correctional Facility

Mr. Rodriguez reminded everybody of the letter sent by Chair Duncan to Secretary Daly wherein he offered any assistance that the task force can provide in regards to the current issues of concern with the Palm Beach Juvenile Correctional Facility, emphasizing the task force's long history of collaborating to solve critical, time-sensitive justice issues in an efficient, cost effective manner. He then asked Secretary Daly to address the task force.

Secretary Daly first gave an overview of where Florida is as a state in terms of the juvenile justice system. She said that in 2011, they initiated tremendous reform efforts. She felt that the state is leading the nation in terms of what "we are doing with our juvenile population." The aggressive reforms had been based on decades

of research of what works, and they are using validated assessment tools. There has been a tremendous decrease in the number of kids going into residential commitment. Seven to eight years ago, they had close to 8,000 residential beds in the state, which now hovers around 2,100. What this means though, is that the kids that are going into the deeper end of the system have greater needs, higher risk kids who are more likely to reoffend, and that comes with a lot of challenges. In restructuring the deep end of the system, they developed programs that can be specialized to meet the needs of this population, and normalize the environment they will be going into as much as possible. Secretary Daly emphasized their collaborative relationship with the school district that has shown positive academic gains in the youth.

Secretary Daly recognized the challenges that come with the youth that go into their programs, therefore in their procurement process they really try to make sure that they focus on evidence-based practices and monitor the services that they provide. She expressed appreciation for the attention the juvenile correctional facility receives from the community because she believes that a community needs to be involved with programs in order for them to be successful. She remarked that she takes reported incidents seriously and expects the IG to conduct thorough and objective/independent reviews. She noted that Mr. Alvarez, the YSI Director of the PBJCF, has 15 years of experience in the area of residential placement. They try to recruit quality staff and make sure that they have what they need to fulfill their obligations. Culture takes time to change, but she said the facility has made some progress. Secretary Daly then asked Mr. Alvarez to comment on his work at the facility.

Mr. Alvarez thanked the task force for the opportunity to speak his work at the facility, and to articulate how the task force can work collaboratively with them in better serving the needs of the youth. The facility is a 118-bed high-risk residential treatment facility; unique in terms of the type of offenders that they have. They house 73 intensive mental health clients, and 45 substance abuse clients. Unfortunately, about 90% of these kids are classified under the dual-diagnosis umbrella with co-existing mental health and substance abuse issues, in addition to criminal deviant behavior. As a treatment facility, this entails the delivery of evidence-based practices to their clients by a diverse collection of professionals e.g., educators, mental health counselors, case workers, doctors, nurses, licensed psychologists and psychiatrists, etc., who work collaboratively to meet the identified needs of the youth. Three of the primary evidence-based programs they use focus on: 1) cognitive behavioral – Thinking for a Change curriculum; 2) restorative justice – Impact of Crime curriculum; and 3) aggression and anger/ emotion related issues – Aggression Replacement Therapy (ART). In addition to these three primary services, they provide a wealth of services and programs. Mr. Alvarez reiterated their collaborative relationship with the school district, as previously mentioned by Secretary Daly. As a result, last month they graduated 13 youth from high school; kids some have not started high school, or were not in the proper grade level. Not reflected in this number are the kids who

got proper grade levels, and participated in credit recovery programs that will be able to return to proper classes and will have to go to alternative educational programs. As previously mentioned, they are trying to create and normalize the living and working environment for the youth. Mr. Alvarez acknowledged their operational shortcomings in the last two years, which he came in to rectify. He appreciated the support of organizations such as the CTF and Circuit 15 Juvenile Justice Board which provided them a forum to work with other agencies, and he shared some of their accomplishments. Mr. Alvarez suggested three ways the CTF could help the CTF: 1) member would attend their community advisory board. He invited everyone to attend their quarterly meetings; 2) volunteer opportunities, e.g. faith-based level, mentoring, etc., serviced they do not get a lot of; and 3) reentry opportunities, especially for residents of Circuit 15, to assist the kids in successfully reentering the community.

Brian Fernandes asked Mr. Alvarez what concerns he had and what he has done to assuage or correct those concerns since he first joined the facility in January 2015.

Mr. Alvarez discussed two main issues: 1) Staff culture – Diversify the labor pool to help prevent high turnover, which starts from hiring individuals with skill sets, and successful use of the Diana Screen to hire the most qualified candidates. Enhancing activities in reference to improving staff morale to retain staff. Mr. Alvarez believes there is a direct correlation between staff morale and their level of satisfaction with their employment. And 2) Youth culture – Their goal is to provide structured daily activities for youth; provide strong behavioral motivation system; and creating a sense of hope for the youth. Mr. Fernandes asked if Mr. Alvarez is satisfied at the level of basic care the kids receive, e.g. in terms of food, clothing, etc. Is there a need to increase the level of care, and if yes, what has he done. Mr. Alvarez gave examples of how they have enhanced the living conditions and delivery of services for the kids, and that they have given them a more proactive role in the process as part of motivating them.

Jenise Link asked if they always operate at capacity, or is there a waiting list to get to a residential bed. Secretary Daly said right now they have roughly 30-35 youth statewide that are awaiting placement; and the wait varies depending on the type of program the youth are waiting for, sometimes 30-60 days. Public Defender Carey Haughwout asked about special needs clients, what challenges they have in providing the services; are they able to provide the services on a timely basis. What is the status of mental health clients? Mr. Alvarez noted that they have a team of 13 mental health professionals, including two licensed individuals designated as clinical mental health authority. The director of their mental health services oversees the program, so they have a very small caseload. Counseling services, therapy, etc. are offered seven days a week. As a result, they are starting to see a decrease in their length of stay ratio, and an increase in the manner in which they are transitioning the kids in and out of their programs. He believes this is has a direct correlation to the success reported by the staff of therapists.

Mayor Shelley Vana asked Mr. Alvarez how they know how many people they have working at different shifts; what is their required number of corrections staff per child. Mr. Alvarez replied they have an operating ratio of 1 to 8 during daytime hours, and 1 to 12 other periods. They use visual counts, time-keeping records, shift reports. Mayor Vana asked why her request to see the shift records was denied at the time she visited the facility. Mr. Alvarez said that it is an internal document that can be obtained by filing a public records request. Mayor Vana alleged that they do not have the correct number of people working according to an inside source. Mr. Alvarez questioned the source of that information. Mayor Vana also asked for explanation of pictures of youth she received doing “things” they should not be doing and having money inside. Mr. Alvarez replied that is part of an ongoing investigation being conducted by the facility, local FDLE, and IG and that he was not at liberty to discuss. Lastly, Mayor Vana asked about the medicines that were reportedly missing. Mr. Alvarez responded that there have been no reports of missing medication during calendar year 2015, and that he was not at liberty to discuss incidents during previous years, which he deferred to the department. Secretary Daly shared that when she received the email with the pictures from Mayor Vana, she immediately sent it to their IG and asked them to share the information with the local FDLE, and that it was added to their investigation. Secretary Daly reminded everyone that the department has a very robust incident reporting system wherein anyone can call in a complaint anonymously. She encouraged everyone to use the system and emphasized its importance, because they cannot investigate incidents that they have no knowledge about. She said staff are expected to use the incident reporting system.

Father Leo Fisher recognized the good things Mr. Alvarez has been doing. But added that it should not take an elected official or county staff to pay an expected visit to learn about the poor conditions youth face in the facility. He is concerned about the dignity of the youth living in the facility. Secretary Daly agreed that it should not take a member of community to bring these issues to their attention, and acknowledged their responsibility in providing a level of care that gives dignity to the youth. She admitted that she was disappointed by this finding, but noted that the situation had been rectified. Again, she emphasized the importance of their staff to have the necessary skill sets to intervene and respond properly to the needs of the youth in their care. Looking forward, Secretary Daly said their focus is in hiring quality staff and keeping them, which has been a challenge. She also has been focusing on professionalizing their workforce, not just in Palm Beach, but statewide. She wants to improve the culture of the staff and youth, and recognized this as an opportunity for the community to work together.

Commissioner Priscilla Taylor asked Mr. Alvarez how they house the low, moderate, high risk kids. Mr. Alvarez clarified that they specialize in high risk youth only, so all of the 118 beds are high risk, broken down to 73 mental health beds and 45 substance abuse beds. A member from the audience¹ asked Secretary

¹ Guest did not identify herself.

Daly if they have considered shrinking the size of the facility, because in terms of best practices and evidence-based programming, a facility with 118 beds is on the large side; that they need to shrink the size in order for the youth to be safe. She also asked how many youth in the last year had been sent out for medical treatment related to an injury sustained while inside the facility. Secretary Daly agreed, and that they know that the smaller the size of the population in the facility, the more therapeutic it is for the kids, and that the optimal number of kids in each program is 50. Unfortunately, the reality is that these are high risk kids, and there are not a lot of buildings where they can be housed, and they are not out building new facilities. But they are continuing to pay attention to this issue.

Commissioner Melissa McKinlay expressed grave concerns as the commissioner of the district where the facility is located. In her opinion, the severity of injuries has escalated, with the last injury sending the young man to ICU. She asked a two-fold question: 1) Regarding staff training – with the escalation of injuries, what specific type of staff training have they implemented to address these concerns; and 2) at what point do they look at who is providing the services and start considering making changes to the service provider. Secretary Daly's answers were: 1) Currently their staff, both at the provider and probation and detention level, are trained on the Protective Action Response (PAR) which is a method with different levels, starting from verbal de-escalation all the way to being hands on with the young person. Having considered that the population they serve are high-need, high-risk, she thought that the training their staff have is not adequate. So they have established a workgroup which is reviewing different models that are used in correctional facilities. They want to be able to determine if they can tweak an existing model, or do they need to bring in a completely different model. And 2) they have a very robust contracts and programs monitor. Secretary Daly expressed that cancelling a contract is not necessarily always the best solution. There are things they need to do first, including working collaboratively with the provider making sure that they have the resources to fulfill their obligation in providing quality services; they have their quality improvement process; general contract monitoring and management; etc. Secretary Daly said that things that were needed had been put in place, and if these things are sustainable, she believes the program will have a good outcome for youth.

Mayor Vana presented a letter to Secretary Daly from the Commission, voted on August 3, 2015, asking her to replace YSI. Mayor Vana invited the Secretary to come before the BCC and talk with the Commission. Brenda Oakes asked Secretary Daly if she would be willing to allocate some of her facility staff to meet with PBC facility staff to look at the possibility of splitting the facility into two to three separate facilities in a way that may better serve the kids and the programs. Secretary Daly agreed absolutely. PD Haughwout noted that about 9-10 of the 118 youth that are in the facility are sentenced from PBC. They are very grateful for having a local facility to come to. She recognized that what Ms. Oakes had suggested is a nice idea, but said that what is even more important for these high-need, high-risk youth, is to be close to home for family support. PD Haughwout

similarly acknowledged the challenges with both the population and the facility, but she thanked Mr. Alvarez on the work he has been doing. They have interviewed all youth from PBC with their safety concerns. She appreciated that problems were recognized. And in particular, the kids themselves noticed the change in the culture of the staff.

Mr. Rodriguez encouraged greater transparency and flow of information, and to the extent that they can work with DJJ, the juvenile correctional facility, and the provider (YSI), and have regular reporting or dialog with the CTF. In closing, Secretary Daly again thanked everyone for the opportunity to meet and expressed appreciation for the attention given to the facility. She stated that she is committed and her expectation of her staff and the provider that they are going to do everything that they can to ensure that this program is the best program that has the best outcomes for the youth. She is committed to continuing her collaborative work in our area. She also mentioned that Mr. Brown will be working closely with Mr. Alvarez, and others. Secretary Daly said she will be back and is looking forward to working with everybody.

VII. Old Business

VIII. Additional member and guest comment

Mr. Rodriguez suggested holding off on the usual updates until the meeting next month.

IX. Adjournment

Next Meeting: September 2, 2015; 12:00 P.M.