

CORRECTIONS TASK FORCE



Also sits as the Public Safety Coordinating Council and
Criminal Justice Mental Health and Substance Abuse Planning Council

In person and Virtual (Zoom)
Robert Weisman Governmental Center
301 N. Olive Avenue, 12th Floor, McEaddy Conference Room
West Palm Beach, Florida 33401
Wednesday, December 1, 2021; 12:00 PM

- M I N U T E -

MEMBERS PRESENT (Via Zoom):

Douglas Duncan, Chair, Roth and Duncan, P.A.
Alfonso Starling, Vice-Chair, Colonel, Palm Beach Sheriff's Office
Sherri Collins, Administrative Judge, County Court, 15th Judicial Circuit
Caitlin Fehrs, Coalition for Independent Living Options
Latronda Hayes, Court Services
David H. Talley, PBC CareerSource
Alton Taylor, Drug Abuse Foundation
Craig Williams, Office of the State Attorney

MEMBERS PRESENT (In person):

Daniel Eisinger, Public Defender's Office
Tommy Richards, Palm Beach County Bail Agent Association
Louis Tomeo, Office of the Clerk and Comptroller

MEMBERS ABSENT:

Ted Booras, Judge, 15th Judicial Circuit
Charles Burton, Judge, 15th Judicial Circuit
Cheryl Caracuzzo, Administrative Judge, Criminal Court, 15th Judicial Circuit
Glenny Cueto, Professional Probation Services, Inc.
Michelle Johns, Florida Department of Corrections
Dave Kerner, Commissioner, Palm Beach County

GUESTS PRESENT (Via Zoom):

Josh Choomack, South County Bail Bonds
Michelle Cruz, County Administration
Olivia Dana, Center for Court Innovation
Colleen Farnsworth, DCF Regional Counsel
FCA Bail Bonds
Marc Freeman, State Attorney's Office
Collin Jackson, Associate Counsel

GUESTS PRESENT (Via Zoom): (continued)

Oscar _,
George Pesta, Florida State University
Agent Sevilla, _
Daniel Svec, Court Administration

GUESTS PRESENT (In Person):

Amy Borman, Office of the Clerk and Comptroller
Jerry Casal, Palm Beach County Bail Agent Association
Jennifer Copp, Florida State University
John Viola, Palm Beach County Bail Agent Association

CJC STAFF PRESENT (Via Zoom):

Katherine Shover, Senior Criminal Justice Analyst
Bert Winkler, Criminal Justice Programs Manager

CJC STAFF PRESENT (In person):

Regenia Herring, Executive Director
Damir Kukec, Research and Planning Manager
Rosalind Murray, Senior Criminal Justice Analyst
Candee Villapando, Criminal Justice Analyst

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

II. Roll Call and Introduction of Guests

In-person attendees signed on the sign-in sheet; and virtual participants signed the chat box in lieu of roll call and introductions of guests.

III. Approval of Meeting Agenda

Agenda was approved without changes.

IV. Approval of November 3, 2021 Meeting Minutes

November 3, 2021 minutes were approved without amendments.

V. **Old Business and Updates**

A. **Review of Bond Forfeiture Data**

Mr. Damir Kukec first acknowledged and thanked Mr. Louis Tomeo and Ms. Andrea Rocha of the Clerk's Office for their invaluable help in providing the data for the review. Mr. Kukec reminded the committee of the discussion at the last meeting, and then introduced Ms. Amy Borman (Chief Operating Officer, PBC Courts and Official Records at Clerk & Comptroller), who provided additional vital information. Ms. Borman gave an overview and briefly discussed the bond forfeiture process, which she said essentially is done statutorily. Executive Director Regenia Herring reminded that the purpose of the review is to look at the data in terms of how the forfeiture process is being managed. Chair Douglas Duncan added that his understanding of the task given to the Corrections Task Force by the CJC Executive Committee, as was raised by Mayor Kerner, was to review the effectiveness of bail bonds process; whether the bail bonds forfeiture are easily being set aside, and whether the bail bonds system really work in terms of ensuring that defendants show up in court. Mr. Louis Tomeo and Ms. Borman recognized that the challenge is that the data needed to do the review is in qualitative format which is quite cumbersome to review. At the end of the discussion, the committee decided that bond forfeiture is indeed statutorily determined, and the question regarding the effectiveness of the bail bonds system has been satisfactorily answered in Mr. Kukec's review. The committee agreed to forward the issue to the CJC Executive Committee for final action, or direction for further review.

B. **Final Report - Examining the Implementation and Impact of Administrative Order No.: 12.510-04/2020.9 on Felony Bond, Pretrial Release, Court Appearance, and New Criminal Activity**

Dr. Jennifer Copp of Florida State University, presented their final report. Executive Director Herring thanked Dr. Copp and FSU for collaborating on the study. The purpose of the report is to review whether the objective of the AO reducing the bond amounts for certain third-degree felonies from \$3,000 to \$1,000 to facilitate the release of defendants pretrial had been achieved, and whether these changes had an impact on court appearances and new criminal filings. The study reported that as expected, the AO reduced overall amounts for individuals booked on eligible third degree felonies and these reductions led to shorter detention lengths and higher rates of pretrial release. In summary, the findings suggest that the two main objectives of the AO were achieved, as bond amounts were reduced which facilitated pretrial release for a greater share of individuals, and that these releases occurred, on average, more expeditiously. In conclusion, the study stated that although the initial focus of the AO was lowering bonds to facilitate releases in light of the COVID-19 epidemic, an important question is whether the AO impacted levels of non-appearance and arrest. The findings suggest that the AO did not result in increases in either non-appearance or new criminal activity; in fact the share of individuals who fail to appear in court or were rebooked on a new crime actually declined following the implementation of the

AO. After an in-depth discussion, Chair Duncan proposed, and committee agreed to review the issue further, before making final recommendations to the CJC Executive Committee.

VI. New Business

- **Experimental design project to pilot the use of unsecured money bonds**

Executive Director Herring noted that they are moving forward with the contract to do follow up research that will be brought back to the committee for discussion and review. Dr. Copp briefly explained that the project proposes to look at the effectiveness across the board of different release mechanisms, e.g., the effectiveness of surety vs. other types of release mechanisms, and focus on a longer period of time and not just specifically during the period of COVID.

VII. Reports

A. Jail Population and In-House Arrest – *Colonel Alfonso Starling, PBSO*

Col. Starling reported their total population as of that morning was 1,867. The breakdown for the month was: 1,264 blacks; 935 whites. In-house arrest was 177; 132 adults; 64 juveniles; 41 county sentenced; 4 Probation; 0 DJJ; 0 AO. Pay n Go for November was 117. Individuals awaiting transport to prison was 151; individuals in custody for another jurisdiction was 5 for another county, and 9 for the state.

B. Pretrial Services – *Latronda Hayes, Palm Beach County Justice Services*

Ms. Latronda Hayes reported that as of November 30th there were a total of 766 defendants on SOR; 567 of these individuals were on SOR only; 199 were on SOR with a money bond. Of the 766 individuals on SOR, 77 remained in custody. The total out of custody SOR population was 689; of which 10 (1%) failed to appear for court and 12 (2%) had new criminal activity. They had a total of 50 technical violations. For population that remained in custody: 33 were white, 44 black. For those granted supervised release by race: 426 were white, 340 black. Mr. John Viola asked whether monthly pretrial report could include those successfully and unsuccessfully completed.

C. Juvenile Detention Center, *Major John Johnson, Dept. of Juvenile Justice*

No report was presented.

D. Misdemeanor Probation, *Glenny Cueto, Professional Probation Services*

No report was presented.

E. Felony Probation, *Michelle Johns, Florida Department of Corrections*

No report was presented.

VIII. Additional Comments

Judge Sherri Collins mentioned that they had an issue in the last couple of months where there were a lot of people on medical quarantine that were not able to be transported to the courthouse for pleas. In response, Judge Collins and Judge Caracuzzo instituted a program where pleas were heard in the jail at noon, which they did on a rotating basis. As a result, they cleared a lot of people who could not be transported and therefore, otherwise would still be in custody. Judge Collins thanked PBSO and the defense bar for working with them. Chair Duncan added that the Public Defender's Office also worked on this. Judge Collins remarked that it is her understanding that there is currently no one in jail due to medical quarantine, but they intend to reinstitute the program if there is a need in the future.

Chair Duncan thanked Judge Collins for this effort, and thanked everyone for their participation this year, and wished all a great holiday.

IX. Adjournment

Next Meeting: Wednesday, January 5, 2021, 12:00 PM.