

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION
Full CJC Committee Meeting
Mounts Botanical Garden
531 North Military Trail
West Palm Beach, Florida 33415

MINUTES

Monday, December 18, 2023 – 8:00 a.m.

Members Present

Carey Haughwout, Public Defender, 15th Judicial Circuit
Derek Gibson, Circuit Administrator, Florida Department of Corrections
Earnie Ellison, Managing Partner, Ellison Consulting Group, LLC
Glenn Kelley, Chief Judge, 15th Judicial Circuit
Gregory Starling, Chief Probation Officer, Circuit 15, Florida Department of Juvenile Justice
Kathleen Kroll, Administrative Judge, Juvenile Division
Reverend Kevin Jones, Clergy, and CJC Chair
Lawrence Gordon, Palm Beach County League of Cities
Maria Antuna, Hispanic Chamber of Commerce
Marcia Andrews, Palm Beach County School Board Member
Matt Pawlowski, Next Era Energy, and CJC Treasurer
Michael Barnett, County Commissioner
Michelle Suskauer, Attorney, Diamond Kaplan & Rothstein, P.A.
Dr. Rachel Docekal, CEO, Hanley Foundation, and CJC Vice-Chair
Randolph K. Johnson, Sr., CEO of Communications by Johnson

Members Absent

Anthony LaCosta, Asst. US Attorney, WPB
Carmen Mattox, Representative, PBC Chiefs of Police Association
Darcy Davis, CEO, Healthcare District of Palm Beach County
Dave Aronberg, State Attorney, 15th Judicial Circuit
Demetrios Thomas, Special Agent Supervisor at Florida Department of Law Enforcement
Frank Adderley, Chief, West Palm Beach Police Department
Joseph Abruzzo, Clerk of the PBC Circuit Court & Comptroller
Julia Dattolo, President/CEO, CareerSource PBC
Katherine Waldron, State Representative, District 92
Lauren Whetstone, Greenberg Traurig, LLP
Marty Perry, CEO, Perry & Taylor, P.A.
Nellie King, Attorney, PBC Association of Criminal Defense Lawyers
Ric Bradshaw, Palm Beach County Sheriff

Guests Attending

Andrea Rocha, Clerk and Comptroller's Office
Ariana Ciancio, Delray Beach Police Department
Jessica Hidalgo, Manager Criminal Justice Programs, Public Safety

Jen Loyless, Public Defender's Office
Dr. Jennifer Copp, Assoc. Prof. College of Criminology & Criminal Justice, Florida State University
Jonathan Gerber, Judge, 4th District Court of Appeal
Keelie Hanley, Commissioner Barnett's Office
Laura Hanley, Commissioner Barnett's Office
Nicole Bishop, Director of Victim and Justice Services
Randi Taylor, PBC Public Safety
Shantel Drayton, Manager of Court Services, Public Safety
Stephanie Sejnoha, Director II, Public Safety
Todd Bonlarron, PBC Assistant County Administrator
William Freeman, People of Purpose

CJC Staff Present

Regenia Herring, Executive Director
Katherine Shover, Criminal Justice Systems Manager
Damir Kukec, Manager, Research & Planning
Rosalind Murray, Community Engagement Coordinator
Dawn Caveness- Davenport, Senior Criminal Justice Analyst
Stephanie Moliere, Senior Criminal Justice Analyst
Margo Smith, Criminal Justice Analyst
Christopher Slydell, Criminal Justice Analyst

- I. **Meeting called to order – Rev. Kevin Jones, Chair**
Chair Rev. Kevin Jones called the meeting to order.

- II. **Roll Call – Regenia Herring, CJC Executive Director**
Director Herring called the roll, determined there was a quorum, and let the record reflect the presence of Marcia Andrews.

- III. **Approval and/or corrections to Agenda**
Chair Jones opened the floor for a motion to approve the Agenda. Carey Haughwout requested the Chair switch the order of the presentations as she was due in court. The Chair placed a vote on the floor and all agreed to unanimously move the Mental Health Court presentation from item B. to A. on the Agenda. The Chair entertained a motion to approve the Minutes from November 28, 2023. The minutes were approved unanimously. A motion was made by Michelle Suskauer and was seconded by Judge Kathleen Kroll. The motion passed unanimously.

- IV. **Approval and/or corrections to Minutes dated December 18, 2023**
Chair Jones opened the floor for a motion to approve the Minutes. A motion was made by Michelle Suskauer and the motion was seconded by Judge Kathleen Kroll; the motion passed unanimously.

V. **Chair's Comments**

- A. Mentioned new CJC Member, Marty Perry, as nominated by the Economic Council to fill the unexpired term of past Chair, Joe Ianno, and has been appointed to serve an additional three-year term.
- B. On December 19, 2023, Dr. Jennifer Copp of Florida State University (FSU) will present an evaluation report on the efficacy of Pre-Trial changes intended to reduce the jail population through Pre-Trial Services to the Board of County Commissioners (BOCC); the Full CJC Committee received this presentation two meetings ago at which time the CJC agreed to have the findings presented to the BOCC.
- C. The advertisement for the CJC Executive Director is live and will close on December 22nd. Please share the information with any candidate who may be a good fit.
- D. On December 20, 2023, the CJC Staff will celebrate Regenia's retirement from 3pm-5:30pm in the CJC Conference Room with an outing afterwards. All are welcome to wish her well on her future endeavors.

VI. **Presentations**

- A. Mental Health Court Update- *Carey Haughwout, Public Defender*

Carey Haughwout- Discussed how the Public Defender's Office started a Misdemeanor Health Court along with how they can replicate Felony Mental Health Court for Misdemeanors; restricted to competency issues with the potential for expansion. This effort has been a collaboration of the courts, State Attorney, Public Defender, Clerk of the Court, Sheriff, and a number of mental health providers to address the day in and out drivers in the criminal justice system pertaining to mental health, such as timely access to proper housing, as it's one of the strongest barriers participants face.

Dan Eisinger- Stated how per the law, there are not many provisions for competency restoration nor conditional release if a client is in custody as it relates to a misdemeanor mental health and competency, unlike felony court where if an individual is deemed incompetent there are services to link them to. Currently in misdemeanor court, if found incompetent the individual is released, and in six (6) months a determination as to if they are in the same position as when they were found incompetent is made. These individuals are the lowest level of non-violent offenders (i.e. trespassing, resisting arrest without violence, disorderly conduct, etc.). The goal, through collaboration, was to link individuals to services instead of using jail time combined with the effort and high cost of competency evaluations. Mental health providers throughout the county agreed to participate in the court and hosted meetings the week prior to the individual's case to determine services available for the

participant with no focus on adjudication or guilt of an alleged crime. The State Attorney's Office (SAO) has been typically dismissing these cases with no fines or fees associated and data shows it's been successful thus far with a major reduction in rearrests.

- Having Judge Bristow preside over the cases has been a benefit in comparison to the previous process. There is one (1) other Public Defender working alongside one (1) Prosecutor on these cases every other week, allowing for proper maintenance of the level of attention and care being currently provided. People with misdemeanor mental health cases also have felony mental health cases with Judge Hafele in Division T at Gun Club and those cases are being tracked in one place. The hope is to reach a point where the test or measure for these cases will be but for their mental health the arrest would not have taken place; these individuals should be viewed as patients instead of criminals.

Questions & Statements on Presentation:

1. Dr. Docekal- How does the PD Office know which client is appropriate?

A: Carey Haughwout- It started out with clients who needed help to raise their competency, participants who due to their mental illness were unable to sit with their lawyer or participate in the court system or process...this is looking to be expanded. For those whose mental health brought them into the criminal system, a decision was made to complete abbreviated evaluations which is a more inexpensive plan of action.

2. Committee Member- What steps are being taken to provide a higher level of service to participants you recognize are becoming worse (mental health) while engaged in care?

A: Carey Haughwout- There is a significant gap between participants' needs and available services. The PD's Office is working with clients who are voluntarily Baker Acted with hopes they will connect and follow through with services.

3. Gregory Starling- You mentioned Southeast Florida Behavioral Health Network (SEFBHN), could you elaborate on their role? I'm thinking you have uninsured participants in need of services, so what's being done to close the gap and meet their needs.

A: Carey Haughwout- SEFBHN and Health Care District (HCD) are addressing some of the uninsured in terms of access to services, but there is still a gap in available services. There are peer mentors to support the participants through the process and ensure participants follow up with the services. The biggest challenge continues to be housing participants because if they don't have housing then following up with services becomes more difficult and rearrests more probable.

A: Dan Eisinger- As an example, if a participant is in custody and Homeless, they will be transported to South County Mental Health (SCMH) or the HCD with an immediate appointment and assigned a case worker, but if their homeless once they leave they revert back to where they started and can be lost track of easily. Emergency or temporary housing would be ideal until an agency or program, such as The Lord's Place, becomes available.

4. Marcia Andrews- I am really happy with what you're doing with the juvenile Piece. Is there a possibility of getting a pilot in conjunction with the school board, as many of them are homeless and/or on the streets?

A: Carey Haughwout- There hasn't been any conversation, but there is room to as a number of children are deemed incompetent.

Chair- Moved on to the next presentation on the Agenda. Juvenile Reentry was placed before item B. from the original Agenda.

B. Juvenile Reentry Update- Judge Kathleen Kroll

Judge Kroll- Introduced the Youth Reentry Program Coordinator, Randi Taylor, and provided an overview on how commitment for kids (the juvenile process of sending kids to jails/institutions) works; **1.** You can be sentenced there by being an adult in adult court and charged as an adult even though you're a juvenile or **2.** Through the juvenile system. Presentation was handed over to Randi Taylor.

Randi Taylor- Provided a slide on basic demographics of the youth population with a racial-ethnic breakdown of youth in our county. There was a decline over the five (5) year span of data, an attribution of Covid-19, with a slight increase in this last fiscal year.

- There has been a sharp decrease, again due to Covid-19, in residential commitments over the past five (5) years. There is also a disproportionate amount of contact with black youth. Residential commitments have three (3) levels of commitment:
 - 1.** Non-secure program (6-9 months in length),
 - 2.** High risk program (9-12 months in length), or
 - 3.** A maximum risk program (15-18+ months in length) depending on their history, whether they have been in a residential commitment program before, etc. Typically the highest number of youth go to non-secure programs with high risk as the second highest.

- A three (3) year analysis was completed in a 2017 cohort measuring re-arrest, re-incarceration, reconviction, adult system re-arrest, and adult system re-incarceration. Findings:
 - 85% of re-arrests were within three (3) years, but 65% within the first year.
 - The majority of youth were re-arrested within one (1) year, identifying a need to surround them with services in the first year.
 - 66% of youth were re-incarcerated, 71% were re-convicted, whether adult or juvenile, with a high prevalence of juveniles going into the adult system.

People asked, "Why is this happening," so the Reentry Task Force conducted workgroups focused on analyzing that question. Some of the barriers identified were:

1. Family Support/Parental Involvement
2. Continuum of coordinated care
3. Educational/Vocational opportunities were lacking
4. Staffing turnover was very high
5. Youth engagement was low
6. Data tracking was not implemented well and pervasive
7. Having a strength based programming with an incentivized model

Taking information from the Reentry Task Force findings, Palm Beach County (PBC) implemented components of programming to address those factors (referring to numbers 1-7 directly above). PBC focused on:

1. Utilizing funding to support case management to reduce turnover.
2. Solidifying memorandums with our juvenile system and community providers to institutionalize support.
3. Focused on pre-release engagement with evidence-based Programming.
4. Leverage local partnerships and build a continuum of care at the local level.
5. We need youth local and accessible for us to implement this model.

Judge Kroll- Other models were researched for comparison, Texas Closer to Home Model and the Missouri Model, along with their similar factors to PBC as mentioned above. The juveniles are at home as well as in their community meaning you cannot work solely with the kid; you have to work with the entire

family, school system, job market, and more. Both models above incorporate these elements and found success. There is a currently proposed PBC Closer to Home Model at this time.

Randi Taylor- Palm Beach County Youth Academy (PBCYA) is our local facility that is a high risk commitment facility with very few of our youth going there because of the number of high risk commitments. The change in plan is to surround the facility with local programming to serve youth here, a dual approach of having more youth come in locally for more access to them. The Youth Reentry Program under PBC Public Safety connects families to support services and resources (housing/utility assistance, employment/job training, mental health, etc.).

Judge Kroll- There is one commitment program in PBC which is PBCYA located at the Fairgrounds and as Chief Starling has confirmed, there are only three (3) kids there currently. The other kids are sent to Jacksonville, Tallahassee, or Orlando. While there is confinement, which may be conducive to the juvenile thriving, they face whatever brought them there upon release back into their home and community. There needs to more done to support the juveniles outside influences/impacts/barriers that help determine their success; across the country, more than 50% of juveniles are entering the Department of Corrections (DOC).

Next steps: The request for a Letter of Support from the Department of Juvenile Justice (DJJ), state and county expressing the desire for a pilot project in PBC, similar to Sago Palm Reentry Center. They also want the Reentry Task Force and PBC Public Safety to continue working with the juvenile justice leaders to create something similar to Sago Palm for adults.

Questions & Statements on Presentation:

1. Dr. Docekal- Why are the kids sent to other facilities outside of Palm Beach County?

A: Judge Kroll- Our facilities have been closed due to issues surrounding inappropriate behavior(s) along with how DJJ looks at kids and their needs. For example, if a juvenile's main problem is surrounding substance abuse/misuse, they will be sent to a substance abuse program, whether they also have mental health issues or not, no matter the severity. Economics are a factor along with the thought that since the juveniles can't get along with other juveniles in their community, it would be best to send them to a facility further away to

avoid danger/fighting. The main issue with this is that months later the juvenile is released into the same house/community and nothing has been done to address or redress the core issues while they have been incarcerated.

A: Gregory Starling- There's a risk classification to identify the severity of a kid's needs with a high concern about victimization (some of the high level kids can be mixed with other kids by placing them on the same property. There were at least nine (9) programs in this county at one point with more than 10,000 kids to service in comparison to the current number of 1,300 being served, things evolved as Judge Kroll mentioned and kids are no longer being housed throughout the state. The highest level kids are being committed at this time due to this factor. The Closer to Home Model allows for high level commitment kids to avoid being placed with DOC.

2. Matt Pawlowski- Made a motion in support of the letter for Judge Kroll, and asked if there's a state that stands out as doing much better than anyone else, a state to model?

A: Judge Kroll- Native American court functions a bit differently from state court in such the community is at the core; making choices for the betterment of the child and rarely incarcerating them.

Carey Haughwout- Seconded the motion for the support letter.

Chair- The motion passed unanimously.

3. Marcia Andrews- Would a letter of support from the Palm Beach County School District be desired?

A: Judge Kroll- Confirmed a letter of support would be appreciated.

C. Evaluation of City of Delray Beach Community Outreach Team (COT)- Year 1-
Dr. Cassandra A. Atkin-Plunk, Florida Atlantic University and Dr. Vaughn J. Crichlow, University of Connecticut

Chair- Moved to the evaluation of the City of Delray Beach Community Outreach Team.

Regenia Herring- The CJC evaluated this program as it corresponded with two issues identified by law enforcement (1) how to deal with mental health and (2) homelessness. The Delray Beach Police Department (DBPD) created an outreach team to address these issues. The CJC contracted with Florida Atlantic University (FAU) and they completed their first year analysis on the outreach team to determine next steps.

Dr. Atkin-Plunk- Provided an overview of the number of individuals experiencing homelessness in 2023 with an increase last year with the highest numbers of people experiencing homelessness in Riviera Beach, West Palm Beach, and Belle Glade. There are also a large number of people experiencing homelessness in Delray Beach and Lake Worth as well.

- With homelessness there is a large number of individuals battling substance use and dually experience mental health challenges. The Florida Department of Health (DOH) reported an increase in drug overdose deaths between 2018 and 2020, about 50 per 100,000 people died due to drug overdose. To combat this, the county has had several responses to homelessness, substance use, and mental health crises (i.e. The Homelessness and Drug Addiction Task Forces, and the Community Recovery Hub in Palm Beach County), which provides a limited response to the issues.
- **Dr. Crichlow**- Within the DBPD, in order to respond to the issues they were facing, the Chief at the time thought it would be a good opportunity to build a unit and hired Population Advocate Ariana Cianco to help with these issues; the team has grown over the year to four (4) individuals who are dedicated to community response (a population advocate manager, population advocate, and two (2) sworn officers with backgrounds in Crisis Intervention Team (CIT) training and social work.
- Extensive interviews were conducted and a great deal was learned, primarily surrounding the proactivity of this program. An example of this co-respondent model is that of a really large agency, like PBSO, which has embedded clinicians within the agency to respond to calls. In particular, staff taking referrals and making sure that individuals who agree to obtain services get linked to those needed services and follow up with next steps. The difference, aside from the fact that DBPD is a much smaller agency, is a very proactive response. You have the presence of population advocates in the community (i.e. officers at the shower truck or food drive providing opportunities to engage with the public... meeting them where they are). Next year they will delve into outcomes. **In terms of the objectives of the Community Outreach Program, it is designed to connect and provide alternative and diversion services to help people who have homelessness issues dealing with mental illness and battling addiction.**
 1. Identifying individuals who are in crisis in the community, responding to calls for service,
 2. Coordinating training across agencies in the county, including SCMH and mobile response team members, and
 3. Partnering with non-profits, an important part in terms of DBPD having a presence at meetings around the county (including a task force on homelessness, a drug abuse task force, and figuring out ways in which they can better serve their communities and working closely with neighboring jurisdictions, such as Broward County).
- The relationship between advocates and officers is stronger. There has been a shift with officers and how they view community members and

their needs, as they don't go to an academy to learn how to be community outreach team members. This shift is partly due to the leadership of the DBPD, their successive chiefs, and now the current Chief Mager by way of supporting the COT. One of the highest barriers is a lack of access to readily available shelters, yet officers acknowledge that advocates do a great job of realizing the issue and addressing it by finding innovative ways to support these individuals in getting needed services.

- Next year will be focused on:
 1. Outcomes and how many individuals have been referred as a result of the COT?
 2. How many of these people are actually being connected to services?
 3. What is their quality of life?
 4. What types of services they've received and the impact of those services on the participants (this is on the micro level)?
 5. On the macro level, has the program reduced overall calls for service and interaction with law enforcement, as this program should assist the police to do a better job by making policing more efficient?
 6. The impact on homelessness and drug overdoses, as we've seen drug overdoses and opioid abuse in Delray as well as across PBC and the State of Florida?
 7. How this program helped to reduce crime and disorder in Delray Beach.

Questions & Statements on Presentation:

1. Assistant Chief Hunter- There is much excitement surrounding the research that's being completed in regards to the effectiveness of the program and there's a great value in it; there's constant contact with agencies reaching out throughout the county and state trying to benchmark the DBPD and explore their programming. Research will help other municipalities see the value in the program along with takeaways on how to implement it in their jurisdiction. Ariana and her team are doing an outstanding job and the partnership is appreciated as they move into 2024.

Chair- Recognized Ariana in the crowd and thanked her for her leadership.

Regenia Herring- Thanked FAU for their continued commitment in helping the CJC look into how we can improve Palm Beach County's criminal justice system.

VII. New Business

- A. Installation of 2024 CJC Officers- *Chief Judge Glenn Kelley*
Chief Judge Kelley swore in the following CJC Officers:
 - New incoming Chair-Dr. Rachel Docekal
 - New Treasurer-Marcia Andrews

- New Secretary- Matt Pawlowski

B. Recognition of 2023 CJC Officers- *Regenia Herring*

Mentioned her appreciation to the CJC Officers for working with the CJC and provided an award in recognition of their leadership, dedication, and commitment to improving PBC's criminal justice system.

- Rev. Kevin Jones- Chair
- Dr. Rachel Docekal- Vice-Chair
- Matt Pawlowski- Treasurer
- Marcia Andrews- Secretary

C. Annual Prison Tour Request- *Judge Jonathan Gerber*

Judge Gerber- Acknowledged the CJC for providing transportation in the past and requested support in obtaining a bus for the upcoming Annual Prison Tour, around \$3,800.00. Discussed where the tour will take place, asked if anyone was interested in attending and provided dates of travel (March 27th and 28th of 2024). If interested, individuals were instructed to contact Virginia (3 positions are committed to CJC members or staff).

Dr. Docekal- Moved to approve the request, motion seconded by Matt Pawlowski. Passed unanimously.

VIII. Old Business- NONE

IX. Taskforce Reports- NONE

X. Director's Update- *Regenia Herring*

A. Partnership with Public Safety

Regenia Herring - Acknowledged Nicole Bishop and Stephanie Sejnoha as partners with the CJC.

Stephanie Sejnoha- Introduced the new Manager of Court Services under Public Safety, Shantel Drayton and provided a brief history of her experience, expertise, and new role.

Regenia Herring- Welcomed Shantel and stated she will be contacted as her position would sit on a number of committees with the CJC

B. Review 2023-2025 Draft Work Plan

Regenia Herring- Discussed projects the CJC is working on via a Work Plan provided to the Members, along with a guide on current projects and those proposed for the future.

C. 2023 Attendance Tracking

Regenia Herring- Discussed the attendance tracking sheet and reminded Private Sector Members that if they miss three (3) meetings they are automatically removed, as a county rule.

D. 35-Year Historical Snapshot into the CJC.

Regenia Herring- The document was updated for tomorrow's Board of County Commissioners (BOCC) meeting. This information will be presented to the BOCC along with the Pretrial Release Evaluation completed by FSU with recommendations.

E. 2024 Meeting Schedule

Regenia Herring- Referred to it as a guide for future meeting dates, times, and locations.

XI. Adjournment- Meeting adjourned.

Next Meeting: Monday, January 22, 2024- 8:00 a.m.
Mounts Botanical Garden Auditorium
(Note: building in front of the AG Center on Military Trail)
531 North Military Trail,
West Palm Beach, FL 33415