



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

**Virtual Meeting (Zoom)  
Wednesday, June 2, 2021; 12:00 PM**

**- M I N U T E S -**

**MEMBERS PRESENT:**

**Douglas Duncan, Chair**, Roth and Duncan, P.A.  
**Alfonso Starling, Vice-Chair**, Colonel, Palm Beach Sheriff's Office  
**Ted Booras**, Judge, 15<sup>th</sup> Judicial Circuit  
**Cheryl Caracuzzo**, Administrative Judge, Criminal Court, 15<sup>th</sup> Judicial Circuit  
**Sherri Collins**, Administrative Judge, County Court, 15<sup>th</sup> Judicial Circuit  
**Glenny Cueto**, Professional Probation Services, Inc.  
**Daniel Eisinger**, Public Defender's Office  
**Caitlin Fehrs**, Coalition for Independent Living Options  
**Latronda Hayes**, Court Services  
**Tommy Richards**, Palm Beach County Bail Agent Association  
**David H. Talley**, PBC CareerSource  
**Alton Taylor**, Drug Abuse Foundation  
**Louis Tomeo**, Office of the Clerk and Comptroller  
**Craig Williams**, Office of the State Attorney

**MEMBERS ABSENT:**

**Charles Burton**, Judge, 15<sup>th</sup> Judicial Circuit  
**Michelle Johns**, Florida Department of Corrections  
**Dave Kerner**, Commissioner, Palm Beach County

**GUESTS PRESENT:**

**Michelle Cruz**, County Administration  
**Carey Haughwout**, Public Defender's Office  
**Colleen Farnsworth**, DCF Legal  
**Arlene Griffiths**, Reentry, Public Safety Department  
**Jessica Hidalgo**, Reentry, Public Safety Department  
**John Johnson**, Major, Superintendent, Department of Juvenile Justice  
**Josh \_**, South County Bail Bonds  
**Richard Riffard**, Palm Beach County Bail Agent Association  
**Felicia A. Scott**, Riviera Beach Civil Drug Court  
**Carlos Sevilla**, \_  
**John Viola**, Palm Beach County Bail Agent Association

***CJC STAFF PRESENT:***

**Regenia Herring**, Executive Director  
**Damir Kukec**, Research and Planning Manager  
**Jacqueline Jackson**, FUSE Program Coordinator  
**Rosalind Murray**, Senior Criminal Justice Analyst  
**Katherine Shover**, Senior Criminal Justice Analyst  
**Candee Villapando**, Criminal Justice Analyst  
**Bert Winkler**, Criminal Justice Programs Manager

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

**II. Roll Call and Introduction of Guests**

Participants signed in the chat box for attendance in lieu of roll call and introductions of guests.

**III. Approval of Meeting Agenda**

The meeting agenda was approved without any changes.

**IV. Approval of May 5, 2021 Meeting Minutes**

The meeting minutes were approved without amendments.

**V. Old Business**

**A. Review of Administrative Order No 12.510: Mitigating Measures In Response To Covid-19**

The issue came up from the previous month's meeting primarily in regards to the AO mitigating certain third degree felonies from \$3,000 to \$1,000 bond; whether this temporary or is it going to continue. Chair Duncan noted that Chief Judge Krista Marx, State Attorney Dave Aronberg, and Public Defender Carey Haughwout were invited to participate in the discussion. He added that Chief Judge Marx sent a letter indicating that the order was temporary and will no longer apply when things return to "normal."

Mr. Damir Kukec prepared a briefing note based on issues raised and previous discussions at the last meeting looking at the data more closely; basically looking at how individuals with third degree felonies enter the jail, what impact did COVID have on third degree felonies, and the dealings with the bail bond industry.

PD Carey Haughwout wanted to look at data when individuals were booked and when are the bonds posted, especially at night, and whether people are staying in jail longer because of the lower bond. Mr. Alton Taylor added that it might be important to not just look at how many more people were able to get out of the jail sooner, but to look at how many people would've gotten out of the jail system if the bail bonds process was fully implemented. Additionally, Ms. Haughwout remarked that data should really be in hours, not days, so it is that time period between booking and first appearance, whether this has that gotten longer with the reduction in bond from \$3000 to \$1000.

Mr. Kucek wondered about researching the possibility/feasibility of posting bonds electronically. Mr. Taylor also believed that they should be able to process things electronically; Chair Duncan concurred and suggested contacting our legislators if this requires legislation. Col. Starling weighed in and said he was not sure if there is a way of completely getting away from the paper form of the posting of a bond because of paper work assigned that has to be associated it. Mr. John Viola remarked that there is severe concern about fraud in filing bonds electronically and that posting of a bond has to be witnessed by a deputy.

There was general consensus to review the bond schedule whether \$1,000 or even less is sufficient for third degree felonies, and make recommendations to Judge Kelley, the new administrative judge. Furthermore, Ms. Regenia Herring wanted to know if it is in the best interest for the individuals concerned to go back to \$3,000. She wanted to look at other options available, and asked the committee for opinions on the direction where they should go. She wanted to look at how the system works, what is working and what is not, and come up with recommendations how to improve the system.

Chair Duncan referred to Chapter 648 and asked if John Viola would be willing to work with Damir and identify what is really required. John Viola said Polk, Pinellas, and Hillsborough counties made the same arguments just recently, and would love to work with Damir. Josh (bondsman) said Polk County is already taking electronic bonds according to one of his agents over there.

Ms. Herring wanted to look at the disparities; noting why the Latino population are not represented in one of the slides presented. She wanted to know how this really falls in terms of the surety bond, i.e., who are getting released, and who's not, at first appearance, and wanted consistency in how they are entering the data. Mr. Taylor asked if the CJC or CTF ever looked at bail data across racial lines, just to see its impact, e.g., days in jail analysis, based on bond schedule by race and gender breakdown.

Mr. Daniel Eisinger wanted data on success rates for people who are on monetary release vs. non-monetary release. Are people doing better on monetary bond in terms of not being rearrested and showing up in court? Maybe have related data/report available at the next meeting in September.

Ms. Haughwout said that this is a great opportunity to look at the difference between releases on monetary bond and releases without monetary bond. There is this whole movement to do away with monetary bond, but at the same time the data is what should tell us if that is where we should go. Are we safer or less safe without monetary bond? Do we have a better show up rate or not? We can take any 3-month period, we don't even have to look at the whole year. She added that it is not what the jail says; it is not bookings on FTAs, but actual FTAs. We need the data on actual FTAs which we can get from the Clerk's FTA reports. How do actual FTAs compare to the monetary bail releases?

Ms. Herring suggested maybe working with FSU to help us get deeper analysis into the data. Mr. Viola referred to the U. of Tampa study which also specifically looked at the same issues. Judge Caracuzzo suggested that the time frame they implement, e.g., a snapshot of a 3-month period, to be closer to normal as we can, than not, and not like last year when we were in lock down during that pandemic which may have different results than this year when we're kind of getting back to normal. She feels like she is getting a lot more motions to revoke bonds, where people have committed new crimes... and some of them, when they come in, they post a \$1000 bond, which probably, due to their history, if they went to first appearance, it would've probably been upped. So she would be interested to know, too, just how many of those not only failed to appear, but also got rearrested. Chair Duncan thought this is a very important issue in terms of public safety, and so needed to be included in the analysis.

Mr. Kukec invited everyone to send emails and call him at their leisure for further discussion.

## **VI. New Business**

*(No new business.)*

## **VII. Reports**

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

Col. Starling reported their total population as of that morning was 1,810. The breakdown for the month of May was: 1,224 blacks; 960 whites. In-house arrest was 201: 160 adults; 5 juveniles; 40 county sentenced; 1 Probation. Pay n Go for May was 160. Individuals awaiting transport to prison was 30; individuals in custody for another jurisdiction was 32. Col. Starling also provided an update on the current vaccination status of inmates in the jail, and COVID outbreak situation (if any), as requested by Chair Duncan. Lastly, Chair Duncan told Col. Starling that he and Ms. Haughwout will give him a call to discuss a couple of issues that have come up regarding video visitation.

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

Ms. Latronda Hayes reported that as of May 28th there were a total of 1,070 defendants on SOR; 793 of these individuals were on SOR only; 277 were on SOR with a money bond. Of the 1,070 individuals on SOR, 90 remained in custody; due to 2 awaiting in-patient treatment. There were 88 individuals had bonds or no bonds on other charges or holds. Of the 277 individuals on SOR with accompanying money bond, 42 remained in custody.

The total out of custody SOR population was 938; of which 10 (1%) failed to appear for court and 25 (3%) had new criminal activity. They had a total of 56 technical violations. For population that remained in custody: 76 were white, 56 black. For those granted supervised release by race: 650 were white, 420 black. Their numbers were down when compared to last month.

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

Major John Johnson reported they currently have a total of 26 juveniles in secure detention, and one on direct file review.

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

Ms. Glenny Cueto reported they had a total of 213 new cases for the month of May; 1824 total active cases; 54 successfully completed cases; 20 revoked; 15 on ICE hold. Total active cases broken down by race: 571 black; 388 white, 519 black/Latino, 346 white/Latino.

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

No report was presented.

**VIII. Additional Comments**

Chair Duncan announced that the committee will take the summer off. Staff will be looking at data and hopefully have a report or update at the next meeting in September.

**IX. Adjournment**

**Next Meeting:** Wednesday, September 1, 2021 at 12 PM.