

Public Safety Coordinating Council

February 28, 2023 Meeting Minutes

Council Members (or designee) in Attendance:

Bill Proctor	County Commission
Judge Augustus Aikens	Judiciary
Chad Cutkomp	Florida Department of Corrections
Owen McCaul	State Attorney's Office
Jessica Yeary	Public Defender
Steve Harrelson	Leon County Sheriff's Office
Rebecca Kelly-Manders	REfire Culinary Program
Anne Meisenzahl	Big Bend AFTER Reentry Coalition
Teresa Broxton	Intervention and Detention Alternatives

Also, in attendance:

Jason Laursen	Tallahassee Police Department
Kendra Brown	Court Administration
Ina Hawkins	Court Administration

The meeting was called to order at 4:00 PM

Issues Discussed

I. Approval of the January 17, 2023 Meeting Minutes

Judge Aikens motioned and was seconded by Jessica Yeary to approve the January 17, 2023 meeting minutes. The Council voted unanimously in support.

II. LCDF Population Update – Capt. Craig Carroll, Leon County Sheriff's Office

Ms. Broxton distributed the Leon County Detention Facility Population Review report (Attachment #1) and Asst. Sheriff Harrelson provided an overview.

Commissioner Proctor inquired how the LCDF's population compares to other like size counties (i.e. Alachua County). Asst. Sheriff Harrelson advised that staff could look at the data from other jurisdictions.

The Council discussed the data regarding the types of offenses individuals detained in the LCDF are charged with and noted that there are currently 128 defendants in custody for murder which has increased annually since 2019 (60) to present. Additionally, the Council recognized that drug related offenses have consistently remained on of the highest categories with approximately 171 defendants currently in custody of felony drug charges. Asst. Sheriff Harrelson confirmed that drugs are the number one offense people are arrested for. Commissioner Proctor inquired how many of the drug related offenses were due to marijuana possession. Asst. Sheriff Harrelson and Ms. Broxton both responded that few are due to marijuana possession and that misdemeanor possession of marijuana offenses are often accompanied by more serious charges.

The Council discussed the consistent trends related to felony drug offenses in custody in the LCDF since 2019 and discussed factors contributing to the trend such as individuals released on supervision and returned to custody for violating the terms of their release, substance use disorder and treatment, and possession versus distribution of illegal drugs. Commissioner Proctor inquired what other jurisdictions are doing regarding drug related offenses such as public awareness campaigns. Asst. Sheriff Harrelson advised the Council that Sheriff McNeil had Leon County designated as a high drug intensity area making the County eligible for federal funding.

Ms. Yeary explained that arrest for drug offenses are a symptom of the addiction and the PSCC and community could funnel more funding to substance abuse treatment the numbers would decrease. She stated that she believes the benefits of treatment can be seen in the outcomes from Felony Drug and Veterans Treatment Court allowing individuals to receive treatment in the community versus being incarcerated and result in lower recidivism rates.

The Council discussed the complexity of being able to look deeper in to the data to determine the extent to which drugs are contributing to other types of offenses including the more serious offenses such as murder. Anne Meisenzahl inquired if the data could be broken down into possession which would likely be a substance use disorder.

Commissioner Proctor commented on the discussions surrounding the expansion of the LCDF and inquired when the facility is considered full. Asst. Sheriff Harrelson advised that the facility is consider full by Florida Model Jail Standards (FMJS) when it reaches 80% of its maximum capacity. He advised the Council that if the detention facility's population were reduced to 950 it

would be right at 80% capacity. In response to Commissioner Proctor's inquiry, Ms. Broxton advised there are two primary factors that contribute to the facility's population: 1) the number of bookings and 2) the length of stay.

The Council discussed the 'Defendants In Custody with Less than \$1,000 bond' report and options to address individuals who remain in custody for low bond amounts for extended periods and the fiscal impacts of housing defendants for low level offenses. The Council discussed solutions ranging from eliminating the cash bond system, statutory requirements for cash bond, expediting case resolutions through plea agreements, eligibility for problem-solving courts such as Felony Drug Court, and a fund to post bond for individuals who cannot afford the set bond.

Ms. Yeary commented that we cannot look at this issue solely from the perspective of the detention facility's population but the underlying causes for the individuals being in custody (i.e. homelessness, substance use addiction, etc.) which are bigger social issues. The Council discussed the services available through the Kearney Center which has reserved 10 beds for law enforcement to utilize as an alternative to arrest. Deputy Chief of Police Laursen confirmed that officers do contact the Kearney Center to identify an alternative to arrest, but many times Kearney Center is at capacity including the reserved beds. He advised that the officers are arresting as a last option after the individual refuses to leave and they cannot go to the Kearney Center.

The Council discussed the multitude of factors involved when resolving a criminal case including community human services resources to address mental health services, affordable housing, and reentry services. With regard to expediting case process, Ms. Yeary commented that we cannot fix the detention facility population by pleas without reviewing discovery, evidence, potential defenses, discussing with the defendant their mental health status, and trying to get a plan for them following their release.

Anne Meisenzahl shared with the Council that the Tallahassee Bail Fund which is a local non-profit that posts bonds for individuals who cannot afford it themselves. In addition, the program has case managers to help individuals after they are released to find housing, employment, and making sure they report for scheduled court appearances. Commissioner Proctor advised he was going to call on local religious organizations to donate to the Tallahassee Bail Fund.

Commissioner Proctor inquired of the recidivism rate for Leon County and Asst. Sheriff Harrelson advised that is approximately 22% for individuals booked into the Leon County Detention Facility and that the rate only factors individuals with subsequent bookings into the LCDF and not new arrests in other jurisdictions.

Anne Meisenzahl commented the criminal justice involved individuals should be included in the discussion during the Board's Workshop on homelessness and inquired of the number of people who leave the LCDF without housing. Ms. Broxton advised that multiple agencies (LCSO, the Public Defender's Office, OIDA, etc.) are coordinating with the Kearney Center to ensure individuals released from custody can go to the Kearney Center if they elect to.

Commissioner Proctor expressed kudos to Sheriff McNeil on the six-month report on the work of the Homeless Outreach Street Team (HOST) Deputies at the last County Commission Meeting. Commenting that the Sheriff's approach is humane and demonstrates their commitment to diverting individuals from arrest and the detention facility.

Commissioner Proctor commented that we need to expedite our process for identifying solutions to address the population of the LCDF as the Florida Chamber of Commerce and the Office of

Economic Vitality report that by 2030 Leon County's population will grow by 30,000. And that it is unrealistic to anticipate this growth will not impact the detention facility's population. Commissioner Proctor stated that while he does not want to call for an expansion of the facility, he does want to ensure that the facility makes since for the population being detained (i.e. mental health, sexual offenders, murderers, etc.).

III. FY 2022/2023 Funding Allocation – Teresa Broxton, IDA Director

Ms. Broxton reminded the Council that the Board approved \$100,000 in the Jail Diversion Account for recommendations from the PSCC to assist in managing the detention facility's population through programs or initiatives to reduce recidivism or preventive measure to reduces arrests. If the Council has a funding recommendation, an agenda item outlining the recommendations will be presented to the County Commission for final approval.

Rebecca Kelly-Manders inquired of the status of the Landlord Risk Mitigation Program. Ms. Broxton advised that staff from the Office of Intervention and Detention Alternatives and Human Services and Community Partnerships are working to identify other ways to enhance the program utilizing the approved funds to address the housing issues for those returning citizens.

IV. Court Administration Reports – Ina Hawkins, Criminal Court Manager

Veterans Treatment Court

There are currently 18 individuals identified in the LCDF for participation in VTC. There are 44 participants currently enrolled in the program. There are 10 participants scheduled for the next graduation on 3/23/2023. Staff is working to recruit new mentors. The Tallahassee Veterans Legal Clinic is assisting with some of the cases.

Mental Health Court

Currently, there are a total of 25 participants on the Misdemeanor Mental Health Docket. In addition, the Criminal Court Management Unit (CCMU) staff is tracking 232 individuals with mental health diagnoses through the criminal justice system. There are 104 defendants waiting to receive competency evaluations. The CCMU is continually working to identify solutions to expand the number of experts to conduct evaluations.

Ms. Yeary inquired of the average wait time for an evaluation to be completed. Ms. Brown advised that prior to COVID evaluations were typically completed within 14 to 21 days but now it could take up to 3 to 4 months for a court ordered evaluation to be completed. This is primarily due to the reduction in the number of mental health experts available. Ms. Brown advised that prior to COVID, the 2nd Judicial Circuit had between 11 to 15 experts in rotation but now there are no experts available. The issue is occurring statewide because the Supreme Court changed the fee rate and surrounding states pay more for the evaluations. Court Administration is conducting searches statewide for experts.

Felony Drug Court

There are currently 40 participants in Felony Drug Court. Felony Drug Court activities including treatment sessions, court hearings, and staffings continue via Zoom. Court Administration has contracted with DISC Village to provide treatment for the circuit wide drug court program. The program continues to graduate eligible participants every two weeks.

Detention Review

Ms. Hawkins advised that she compared the Violations of Probation (VOP) for February 2022 (24) to February of 2023 (32) and there was a 25% change. Currently, there are 199 males and 35 females in custody for VOP charges.

Ms. Brown shared that in considering bringing in additional judges to assist with case processing for VOP cases the CCMU reviewed the VOPs because it appeared that the VOP cases were sitting in custody but were not. The cases were being resolved and additional cases were entering the system. Ms. Yeary commented that the stand-alone VOPS are an issue of community resources because the violations are not based on new charges but rather technical reasons such as positive drug tests, curfew violations, missed probation appointments, etc.

V. Electronic Monitoring Reports – Teresa Broxton, IDA Director

The January 2023 electronic monitoring reports is included in the minutes as Attachment #2.

VI. Other Business

Next Meeting: *Tuesday, March 28, 2023*
4:00 PM
Commission Chambers, 5th Floor, Leon County Courthouse