

Public Safety Coordinating Council

July 18, 2023 Meeting Minutes

Council Members (or designee) in Attendance:

Chief Judge Allman	Judiciary
Bill Proctor	County Commission
Chad Cutkomp	Florida Department of Corrections
Owen McCaul	State Attorney's Office
Chief Norman Mack	Leon County Sheriff's Office
Jessica Yeary	Public Defender's Office
Nancy O'Farrell	National Alliance on Mental Illness - Tallahassee
Rebecca Kelly-Manders	REfire Culinary
Teresa Broxton	Intervention and Detention Alternatives

Also, in attendance:

Kendra Brown	Court Administration
Ina Hawkins	Court Administration

The meeting was called to order at 4:00 PM

Issues Discussed

I. Approval of the April 18, 2023 and May 16, 2023 Meeting Minutes

The Council voted unanimously to approve the meeting minutes.

II. Leon County Detention Population Updates and Discussion – Chief Norman Mack, Leon County Sheriff’s Office

Chief Mack presented the Leon County Detention Facility Status Report for 7/17/2023 (Attachment #1). He shared the population is currently at 1,035 which is good because there are two construction projects occurring: sliders and remodeling the officer stations. Chief Mack explained the later would require them to close housing areas while the projects are being completed reducing capacity by approximately 80 beds.

Chief Mack shared that Jefferson County is currently housing 6 juveniles for Leon County and Leon is housing 8 females for Jefferson. He added that this partnership works because it provides for more space to house male detainees which is the facility’s largest population.

Commissioner Proctor inquired if sex offenses increase when school resumes. Chief Mack advised the number of sex offenses remains consistent; however, the overall arrests typically increases when students return not because they are committing the offenses but are often the victims of crimes.

Commissioner Proctor inquired of the 171 drug cases, how many were related to marijuana. Chief Mack stated in reviewing the cases they do not have any misdemeanor marijuana possession cases in custody. Ms. Broxton advised the 171 are all felony related drug cases.

III. House Bill 1349 – Changes to Florida Statute 916.13(2)(c) – Kendra Brown, Criminal Court Manager, Court Administration

Ms. Brown advised that HB 1349 passed and goes into effect on July 1, 2023. The legislation contains several changes impacting court procedures in two key areas and will likely impact the detention facility’s population. The first requires that local detention facilities administer medications to individuals committed to the Department of Children and Families (DCF) while they are waiting admission to a state bed or allow DCF personnel to enter the facility to administer medication. Court Administration staff is working with the Sheriff’s Offices in the 2nd Judicial Circuit to determine how they will facilitate this requirement.

The second and more significant modification is the reduction in time, from 30 to 7 days, the courts must transport individuals from Florida State Hospital to the originating jurisdiction after there is a finding the defendant is competent to proceed or that they no longer meet criteria for admission. Additionally, a hearing and finding of competency must occur within a 30-day period. Prior to this modification, the courts would schedule a defendant to return to the detention facility as close to the scheduled court date as possible to decrease the probability of decompensation while at the detention facility. One of the biggest issues is the change eliminates the opportunity for the prosecution, defense, or court to receive updated evaluations if there is a concern with FSH’s competency findings. Additionally, the detention facility’s

population may increase as defendants are being returned from FSH at a quicker rate and remaining in custody for longer periods of time.

Commissioner Proctor inquired which finding of competency, the federal or state, carries the greatest weight. Ms. Brown explained that 99% of the cases are at the state level so the courts follow the state standards for competency which are established under Florida Statute. She further advised there have been recent changes to the evaluation requirements which is another aspect that the courts are reviewing to ensure they are fully compliant with statute.

Commissioner Proctor inquired if Ms. Yeary felt that the rights of the detainee would not be compromised based on the legislative changes. Ms. Yeary shared that this law was created in response to the long wait times experienced after a defendant was found incompetent to proceed before being transported to FSH and conversely, shorten the time for transport back to the detention facility after FSH makes a finding of competency. Further, the reduction in the time lines is an attempt to accelerate the process so that people do not languish as they had previously.

Ms. Broxton inquired if there is any data on the number of individuals transported to FSH. Ms. Brown explained that is a difficult statistic because of the time frames and basis for a defendant being transported to FSH. A defendant can be transported for three reasons: developmental disabilities, not guilty by reason of insanity, and those found incompetent to proceed. According to Ms. Brown, most individuals transported to FSH for competency restoration are there an average of 3 to 6 months. Additionally, she advised that the statistics for commitments each year is increasing and is currently in the hundreds throughout the circuit.

IV. Court Administration Reports – Ina Hawkins, Detention Review Coordinator

Veterans Treatment Court:

There are currently 18 veterans in the detention facility (12 scheduled for court hearings, 3 disposed and waiting on release dates or DOC transfer; 1 pending placement in treatment program; 1 transferred from DOC for a motion hearing; 1 arrested by capias and a treatment plan is being developed). Of those, 16 are not currently VTC participants.

The current VTC caseload is 37 and 2 are in the LCDF. The next graduation will be held in September. The VTC court is working to identify new mentors. Additionally, VTC participants and their families were invited to attend Family Fun Night hosted by VTC, Felony Drug Court, and the Juvenile Drug Court.

Misdemeanor Mental Health Docket:

There are currently 24 defendants assigned to the Misdemeanor Mental Health Docket, of those 5 are in LCDF custody (2 with felony cases and 3 with release/treatment plans being developed). There are 211 total active mental health cases of which 88 need evaluations and 8 defendants pending placement in DCF or APD. Ms. Hawkins advised the CCMU has added four new evaluators to the rotation and will assist with the backlog.

Felony Drug Court:

There are currently 46 participants in FDC with 2 defendants in custody serving sanctions; 4 pending referrals; and 2 pending transfer requests. All treatment sessions, multi-disciplinary team meetings; and hearings continue via Zoom or in person. The next graduation ceremony is scheduled for August 4, 2023 with 2 participants graduating.

Detention Review:

Ms. Hawkins advised she compared the in-custody violations of probation for July 2022 (43 defendants) to July 2023 (48 defendants) representing a slight increase. Ms. Hawkins provided the following statistics related to violations of probation:

- 267 in custody with VOP charges
 - 29 sentenced
 - 106 with VOP only charges
 - 181 with felony VOP charges (146 males and 35 females)
- *defendants with stand-alone felony VOP charges are captured in both categories*
- Disposition rate for non-VOP cases is 3.61 for 2.46 for VOP Re-Open cases

The Criminal Case Management Unit continues to monitor the detention facility population with special emphasize on the female population, stand-alone VOPs, and out-of-county holds.

Commissioner Proctor inquired what is the root cause of VOPs. The council discussed the complexities surrounding violations of probation from competing obligations such as employment and family, financial hardships, etc.

Ms. Broxton explained a key component to an individual's success on pre- or post-sentence community supervision is communication with their supervising officer/agency. Mr. Cutkomp agreed communication is the key and utilization of alternative sanctions and technical violations also assist in reducing the number of individuals returned to custody. Ms. Broxton inquired of future discussions to expand alternative sanctions to county probation and/or supervised pretrial release. Ms. Yearly added that her office is working to automatically build in early termination to probation sentences.

Ms. Kelly-Manders discussed SP752 which allows 60 days credit toward a probation sentence to individuals on who complete vocational training, earn their GED or any educational certification. Additionally, individuals can receive 30 days credit toward their sentence for every 6 months of successful full-time (32 hours/weekly) employment.

The Council discussed programs/resources available to assist individuals on probation with navigating the requirements of community supervision including the FIRST Program to assist with bus passes, bicycles, utility assistance, etc.

V. Electronic Monitoring Reports – Teresa Broxton, IDA Director

Ms. Broxton shared that the OIDA began the month of June with 118 defendants on electronic monitoring. There were 20 defendants ordered to GPS and 1 to SCRAM; 19 defendants were released from custody and enrolled on GPS and 1 on SCRAM monitor. As of June 31st, there were 92 defendants on active GPS and 19 defendants on SCRAM. During the month of June, a total of 27 cases were disposed; of those, 14 (52%) closed successfully and 13 (47%) closed unsuccessfully.

VI. Other Business

Ms. Broxton advised that FY 2022/2023 will end September 30, 2023 and the \$100,000 funding allocation is still available. If the Council has any recommendations for programs and/or initiatives to assist with managing the detention facility population, an agenda item will need to be presented for the Board's consideration and approval at the October 10, 2023

meeting. Additionally, Ms. Broxton advised that any remaining funds will be returned to the general revenue. The Council agreed to review funding proposals for programs/initiatives at the September 19, 2023. PSCC members may submit written proposal(s) no later than August 31, 2023 for review and consideration at the next meeting.

Commissioner Proctor requested at a future meeting that we provide updates on current service providers in the areas of electronic monitoring, mental health evaluators, etc.

Deputy Circuit Administrator Cutkomp announced DOC will host a Reentry Simulator on August 2, 2023 from 2PM to 5PM at the Tallahassee Community College. The event is designed for probation staff and stakeholders to better understand the challenges of being on community supervision.

Ms. Yeary announced this evening from 5PM to 7PM, the Joseph House will be recognized as the Non-Profit of the Month at Hearth and Soul. The Joseph House partners with the Equal Justice Initiative in Alabama to assist individuals returning from lengthy sentences to reacclimate to society and navigate probation.

Next Meeting: *September Tuesday, September 19, 2023*
 4:00 PM
 Commission Chambers, 5th Floor, Leon County Courthouse