

Public Safety Coordinating Council

March 28, 2023 Meeting Minutes

Council Members (or designee) in Attendance:

Bill Proctor	County Commission
Judge Augustus Aikens	Judiciary
Brylan Jacobs	Florida Department of Corrections
Jack Campbell	State Attorney's Office
Jessica Yeary	Public Defender
Rebecca Kelly-Manders	REfire Culinary Program
Anne Meisenzahl	Big Bend AFTER Reentry Coalition
Nancy O'Farrell	National Alliance on Mental Illness - Tallahassee
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 February 28, 2023 Meeting Minutes

Judge Aikens requested a correction to the February 2023 minutes to reflect the VTC Graduation occurring on March 20, 2023 as opposed to March 23, 2023. Jack Campbell motioned and was seconded by Jessica Yeary to approve the February 28, 2023 meeting minutes as amended. The Council voted unanimously in support.

II. LCDF Population Update – Asst. Sheriff Harrelson, Leon County Sheriff's Office

Ms. Broxton distributed the "Public Safety Coordinating Council: Weekly Status Report for 3/28/2023" (Attachment #1). Ms. Broxton recapped that staff was working to develop a dashboard for the PSCC but in speaking with the Office of Information Technology staff they proposed developing a PDF report to be distributed via e-mail on a reoccurring basis. Ms. Broxton advised that the Council could modify the data components to the report as it was still in the development stages. She advised the idea was to provide weekly updates on the detention facility population and more in-depth reports containing trend data at the PSCC meetings at monthly or quarterly intervals.

Ms. Broxton presented the LCDF Population Update in Asst. Sheriff Harrelson's absence. The current population is 1,168 or 89% capacity for the facility. Ms. Broxton advised some of the data in the report such as population demographics, case status (pretrial and post-sentence), offense types, violations of probation were available in the distributed report.

Rebecca Kelly-Manders inquired on the availability of mental health data. Ms. Broxton advised that that information was not provided for today's meeting.

Judge Aikens inquired of the range for the data as the report indicates weekly status update. Ms. Broxton advised that the report will be based on point-in-time data as the detention facility population changes constantly and the title could be modified to reflect a more accurate description of the report's contents.

Commissioner Proctor commented that the LCDF has been consistently full, in his observation what is contributing to the increased population is mental health issues and not criminality. He reflected that its not criminal activity but rather the spread of mental health which contributes to issues of homelessness in the community. Commissioner Proctor stated that the PSCC members should take a tour of the LCDF to observe how the Sheriff maintains order within the facility through classification for special populations such as juveniles, females, mental health population, etc. He commented that the big issue is that the detention facility is out of space and that Leon County's population is expected to increase by 2030. Commissioner Proctor stated that statutorily the PSCC's assignment is to identify solutions to reduce the detention facility population, but another consideration is the ability to house individuals while maintaining their dignity and safety for those in custody and the correctional facility staff.

Ms. Broxton updated the Council and advised that staff is coordinating with Asst. Sheriff Harrelson for a tour of the detention facility for the May 2023 meeting. Additionally, Ms. Broxton reminded the Council that at the March 2022 workshop on managing the detention facility population, the Board approved \$200K to hire a consultant to identify alternatives to incarceration and complete

an assessment on the future capacity needs for the detention facility. She advised that County staff is working to finalize a contract with a consultant.

Rebecca Kelly-Manders commented reducing the current population by 108 individuals would reduce the facility to 80% of its capacity. She reflected that there are 109 individuals detained for violations of probation with no additional charges, 77 individuals in custody for misdemeanors, and 30 individuals detained on bond amounts less than \$1,000 which are realistic ways to achieve 80% capacity by working through current statutes to get these individuals out of the detention facility as quickly as possible using the tools that we already have.

Commissioner Proctor agreed with Ms. Kelly-Manders on which appears on paper to be achievable but each of those cases requires a level of communication which we are not obtaining, and possibly if we had that communication it would be possible. He commented that perhaps the consultant could identify options to address these issues.

Ms. Jessica Yeary advised that her office identified two clients who had bond amounts set but were unable to afford them and they partnered with the ACLU and challenged the cases in the district court which ruled that the clients were essentially being held. The PD's Office took the cases back to court and the State Attorney's Office filed pretrial detention motions to hold the defendants in custody, but the courts ruled in the defendant's favor and they were released. She added that her office is trying to challenge when clients are in custody for no reason other than they cannot afford the bond amounts. Jack Campbell followed up on one of the cases referenced by Ms. Yeary, sharing that the defendant was charged with trafficking in fentanyl and following her release overdosed. The State Attorney's Office has filed a subsequent motion for pretrial detention. Ms. Kelly-Manders commented that we cannot hold people for what we think they might do as opposed to what they are currently charged with. She stated that unfortunately we have massive substance abuse, mental health, and homelessness problems that we need social services to assist with but incarceration before sentencing is not necessarily the solution.

Ms. Kelly-Manders stated if we are looking at ways to reduce the LCDF population safely than by looking at individuals with non-violent misdemeanors or violations of probation without new charges we must be able to work within the system.

Commissioner Proctor commented on someone being held on a \$1K bond and Ms. Kelly-Manders inquired as to why are we still operating on a cash bond system. Commissioner Proctor asked Judge Aikens how we modify the current process, through citizen referendum, so that lack of money does not keep an individual from being released from custody.

Judge Aikens responded that the process works very well and commented that of the people arrested for misdemeanors are not remaining in custody but the LCDF population primarily consists of individuals charged with felonies. Judge Aikens shared that defendants who are initially released but are repeatedly re-arrested or fail to appear for court dates may be assigned a bond amount. Commissioner Proctor commented that the data does not always reflect the full picture which may be a factor for the court setting a monetary bond.

Ms. Yeary stated we must look at why defendants are returning such as mental health or substance abuse issues and that the Council needs to work toward creating community resources versus incarceration, and that individuals need community-based care and resources to receive treatment instead of remaining incarcerated.

Nancy O'Farrell inquired if the State Attorney's or the Public Defender's Offices are seeing more people being referred for treatment and diverted from arrest since the implementation of LCSO's Mental Health Unit, TPD's TEAMS, and the LCDF mental health ombudsman and if anyone was tracking the data for the programs. Mr. Campbell responded that his office sees when it doesn't work as they end up in the criminal justice system. He commented that he would like to see a regional mental health facility for the underserved population who is between crisis stabilization and a long-term mental health residential program.

Ms. Brown commented that from the perspective of the Criminal Case Management Unit the primary issues is the lack of affordable housing in the community and until we address the housing issue, we will continue to have a mental health concerns in the community.

Commissioner Proctor introduced Dr. Randy Nelson, Ph.D., who is a criminologist and Director of Bethune-Cookman University's Center for Law & Social Justice to the Council and asked Dr. Nelson to weigh in on any best practices he would recommend to the Council. Dr. Nelson commented that having these discussions is important but what he always leaves communities with three things for measuring success: 1) How much do we do in terms of the services (i.e. mental health, substance use treatment, etc.), 2) How well do we do it, and 3) Is anyone better off. He stated that reviewing the data is beneficial, but he would be more interested in the outcomes. Specifically, how many individuals do not return and how do we duplicate those successes.

Dr. Nelson also invited the PSCC members to the Law Enforcement Round Table being hosted at FAMU on Tuesday, April 18, 2023 at 6:00 PM. The Round Table is an opportunity for Bethune-Cookman, FAMU, and Edward Waters students to have a conversation with law enforcement professionals because in the current social climate everyone is better if they have a seat at the table to be heard. He explained that attendees including law enforcement professionals, students, community faith leaders, elected officials, business owners, returning citizens, etc. will participate in solution-based discussions on various issues. Dr. Nelson expressed that space is limited for the event. Ms. Broxton will coordinate with Dr. Nelson to share the event information with the Council members (Attachment #2).

III. 800 Tele-Mental Health Project – Barney Bishop and Former Lt. Governor Jeffrey Kottkamp

Mr. Bishop was unavailable to attend the meeting; however, Ms. Broxton will distribute information regarding the 800 Tele-Mental Health Project to the Council members via e-mail. Staff will coordinate with Mr. Bishop to attend a future meeting (Attachment #3).

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

Veterans Treatment Court

There are currently 16 individuals identified in the LCDF for participation in VTC with the following case statuses: 1 pending court hearing scheduling, 14 scheduled for next court hearing, and 1 pending placement in the state hospital. There are 36 participants currently enrolled in the program. Eleven individuals graduated from VTC on March 20, 2023 and the next graduation is scheduled for June 2023. Staff continues their efforts to identify new mentors.

Mental Health Court

Currently, there are a total of 31 participants on the Misdemeanor Mental Health Docket with 5 individuals in custody in the LCDF (3 felony cases and 2 new assignments). In addition, the active mental health caseload is 229 and 92 defendants are waiting competency evaluations. There are

eight individuals pending placement with DCF and 3 defendants pending return to LCDF from FSH.

Felony Drug Court

There are currently 45 participants in Felony Drug Court. The next Felony Drug Court graduation is scheduled for April 21, 2023. There are currently 4 pending referrals, 1 pending transfer request to Orange County, 1 participant in the LCDF pending transport to NPI.

Detention Review

Ms. Hawkins advised that she compared the Violations of Probation (VOP) for March 2022 (291) to March 2023 (195) and there was a 65% decrease. Currently, there are 157 males and 38 females in custody for felony VOP charges. The current disposition rate for non-VOPs is 4.47% but for VOP is the rate is 5.62%. There are 26 individuals in custody in the LCDF that are sentenced with VOPs, 307 individuals with open VOPs only, 105 with only VOP charges. The average length of stay is 242 days.

As the Detention Review Coordinator, Ms. Hawkins continues to focus on in custody populations such as females, individuals with VOPs, in and out of county holds/warrants.

Ms. Kelly-Manders inquired if there was any progress with identifying competency evaluators. Ms. Brown advised that there are currently no evaluators in the rotation; however, Court Administration has two contracts in progress, is working with a company to add another 3 psychologists and has negotiated with providers to not take on additional jurisdictions but to take additional cases for 2nd Judicial Circuit.

Commissioner Proctor requested at a future meeting(s) the Council receive presentations/information on the following topics:

- Wrap around services available in the community as the landscape for providers has likely changed post the COVID Pandemic.
- Best practices implemented by other jurisdictions on reducing the detention facility population.

V. Electronic Monitoring Reports – Teresa Broxton, IDA Director

The February 2023 electronic monitoring reports is included in the minutes as Attachment #4.

VI. Other Business

Ms. Broxton shared that the FSU class from the Askew School of Public Administration & Policy have completed their Capstone project on Legislative and Judicial Implications on Leon County's Incarcerated Population and will be presenting their report at the April 18, 2023 meeting.

Next Meeting: *Tuesday, April 18, 2023*
4:00 PM
Commission Chambers, 5th Floor, Leon County Courthouse