

MINUTES

PUBLIC SAFETY COORDINATING COUNCIL ADVISORY BOARD

NOVEMBER 15, 2018

- MEMBERS** Raul Fernandez, Florida DOC Probation
PRESENT: Brenda Forman, Clerk of Courts
Maria Schneider, State Attorney's Office
Adam Goldberg, Public Defender's Office
David Scharf, BSO Department of Community Programs
Kathleen Pugh, Court Administrator
Wayne Spath, Chair, Bail Bond Industry
Chief Rick Maglione, Police Chief's Association
- MEMBERS** Commissioner Michael Udine, Broward County Commission
ABSENT: Chief Judge Jack Tuter
Lieutenant Colonel James Reyes, BSO Department of Detention
William Card, BARC
Alan Levy, Broward Workshop
Dr. Steve Ronik, Henderson, Mental Health Treatment
- Also Present:** Alphonso Jefferson, Broward County Administration
Darren Sieger, Broward Sheriff's Office
Tamica Gaynor, Human Services Department
Michelle Johns, Florida Department of Corrections
Angela Wallace, Broward County Attorney's Office
Greg Lauer, Broward County Bar Association
Dian Diaz, Clerk of Court's Office
Nancy Cavender, The Laws Group

A meeting of the Broward County Public Safety Coordinating Council Advisory Board of Broward County, Florida, was held in the Public Defender's Conference Room, North Wing, 3rd Floor, 201 Southeast 6th Street, Fort Lauderdale, Florida at 3:00 p.m., Thursday, November 15, 2018.

(The following is a near-verbatim transcript of the meeting.)

AGENDA ITEM 1 - CALL TO ORDER

CHAIR SPATH: If everybody'd please be seated, we're going to call this meeting to order.

UNIDENTIFIED SPEAKERS: (Inaudible.)

AGENDA ITEM 3 - SELF INTRODUCTIONS

CHAIR SPATH: I'd like to have an introduction, and I'll start right over there.

MR. FERNANDEZ: Raul Fernandez, Florida Department of Corrections.

MS. JOHNS: Michelle Johns, Florida Department of Corrections.

MS. PUGH: Kathy Pugh, Trial Court Administrator.

MS. FORMAN: Brenda Forman, Broward County Clerk of Courts.

MR. SCHARF: Dave Scharf from the Sheriff's Office.

MR. GOLDBERG: Adam Goldberg, Public Defender.

MS. SCHNEIDER: Maria Schneider, State Attorney's Office.

MR. SIEGER: Darren Sieger, Broward Sheriff's Office.

MS. DIAZ: Dian Diaz, Clerk of Court's Office.

MR. JEFFERSON: Alphonso Jefferson, County Administration.

MS. WALLACE: Angela Wallace, County Attorney's Office.

MR. LAUER: Greg Lauer, (Inaudible).

MR. SINCLAIR: Boyd Sinclair, Clerk of Courts.

UNIDENTIFIED SPEAKER: (Inaudible.)

CHAIR SPATH: I'm Wayne Spath, representing the bail bond industry.

AGENDA ITEM 2 - MOMENT OF COMMEMORATIVE SILENCE

CHAIR SPATH: Take a moment of silence. A moment of commemorative silence.

(Moment of silence.)

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CHAIR SPATH: I see where I jumped off. In my haste, I jumped over self-introductions. I got a little bit ahead of myself.

AGENDA ITEM 4 - NOMINATION FOR CATEGORIES IN COMMUNITY REPRESENTATIVE AND BROWARD BAR

CHAIR SPATH: Okay. Nomination for category community representative and the Broward Bar. Everybody has a little bit of history here on the nomination. Greg Lauer, who is from the Bar Association. Take a look at it. I have known Greg probably for 15 years when he was a State Attorney and a defense attorney. Now he's doing civil work. I can tell you that I like Greg, and I think he'd outstanding addition to this board.

MS. PUGH: Do you need a motion?

CHAIR SPATH: I need a motion.

MS. PUGH: I make a **motion** to approve.

MR. SCHARF: Second.

UNIDENTIFIED SPEAKER: Second.

CHAIR SPATH: Are there any questions? Any more nominations? I'll call the question. All in favor, signify by saying aye. Ayes have it. There you go, Greg.

MR. LAUER: Thank you. (Inaudible.)

(Laughter.)

VOTE PASSES UNANIMOUSLY.

CHAIR SPATH: We've got the minutes. Has everybody --

UNIDENTIFIED SPEAKER: Congratulations.

CHAIR SPATH: -- has everybody read the minutes?

MR. JEFFERSON: Mr. Chair, just very quickly, Mr. Chair. We still have a vacant position as far as community representative to basically replace, unfortunately, Dr. Mack. I know there's a representative that may be coming to be nominated by the Public Defender's Office, Marcia -- I don't know --

CHAIR SPATH: Yeah.

MR. JEFFERSON: -- but I haven't received her resume or anything, so I can't present it

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today to this Council. As soon as I get that information, I'll forward it for your consideration.

CHAIR SPATH: Thank you.

AGENDA ITEM 5 - APPROVAL OF MINUTES - SEPTEMBER 6, 2018

CHAIR SPATH: Now, on the minutes, has everybody read the minutes? Do I have a motion for the minutes?

MR. SCHARF: I'll make it.

CHAIR SPATH: Do I have a second?

MS. PUGH: Second.

CHAIR SPATH: All those in favor, please signify by saying aye. Opposed? Ayes have it.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 6 - STATUS UPDATE

A. JAIL POPULATION MANAGEMENT DASHBOARD - PHASE 1 AND II - DARREN SIEGER, CLASSIFICATION MANAGER, BSO

CHAIR SPATH: Status update, jail population management dashboard, Darren Sieger.

MR. SIEGER: Okay. Good afternoon, everybody. Happy to report our connectivity issues with our Phase 1 of the dashboard has been rectified. I want to thank Adam and the Public Defender's Office for helping us with testing, and Mr. Jefferson's office. We're back online.

I need to touch base with a couple of users, the State Attorney's Office and the Clerk's Office and Judge Tuter, just to make sure that they're fully connected. So that's good. And Phase 2, we're still in testing of our Phase 2 of the dashboard.

CHAIR SPATH: Are there any questions?

AGENDA ITEM 7 - REPORT OUTS

A. REPORT - CURRENT JAIL POPULATION, ALPHONSO JEFFERSON, JR., ASSISTANT COUNTY ADMINISTRATOR

CHAIR SPATH: Reports. Current jail population, Alphonso Jefferson.

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MR. JEFFERSON: For this advisory board, I did send out a couple of slides on the jail population. I apologize, that's all I could do today, because I'm dealing with other stuff right now. So I will definitely have that after this meeting. I will send all the reports out to you. Actually, reports are actually coming directly from the jail population dashboard, so hopefully, when many of you get access to it, a lot of that information will just be readily at your -- at your disposal. And maybe if Darren, hopefully, at the next meeting, maybe we can just bring it back up, because we're making a lot of changes to it. Maybe we can bring it back up so that the entire advisory board can see the entire dashboard.

MR. SIEGER: Sure. We can do a short, like a five-minute demo.

MR. JEFFERSON: Okay.

B. 750 REPORT - DARREN SIEGER, CLASSIFICATION MANAGER, BSO

CHAIR SPATH: 750-day report, Darren Sieger.

MR. SIEGER: Good afternoon again, everybody. We track -- for you that are new to the meeting, we do track inmates that are unsentenced 750 days or longer. You should have a packet in front of you. Last month we had -- flip to the first graph -- last month, we had 239 inmates on the list.

Just to show movement, 16 inmates were removed from the list last month, meaning their cases were resolved. However, 13 new cases were added to the list. So we went from 239 to 236.

The second graph tracks how many total incarceration days all the inmates total up to. So we're up to 284,886 incarceration days. And then behind that graph is the list of inmates pretty much set up in a way that it lists the individual, their most serious offense that they're in custody on, how long they've been in custody, and some of the judicial information related to their case. That's all I have, Mr. Chair.

C. REPORTS ON CIVIL CITATION AND JUVENILE PREDISPOSITION SERVICES PROGRAM - TAMICA GAYNOR, ADMINISTRATOR BROWARD COUNTY HUMAN SERVICE DEPARTMENT

CHAIR SPATH: Reports on civil citation and juvenile predisposition services, Tamika Gaynor.

MS. GAYNOR: Yes, Tamika Gaynor, Justice Services. For juvenile civil citation last month, we had 66 new referrals. We had 41 children discharged and 37 of which were successful. For JPS we had 14 enrolled, and two discharges. Both were successful.

MINUTES SECRETARY: Both what?

MS. GAYNOR: Both --

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CHAIR SPATH: Were successful.

MS. GAYNOR: -- were successful.

MINUTES SECRETARY: Thank you.

MS. GAYNOR: And for the adult civil citation program, we have tentative training dates for law enforcement as early as next week.

AGENDA ITEM 9 - AGENCY REPORTS

A. JUDICIARY

CHAIR SPATH: Agency reports. We don't the judiciary report today. I don't see any of the Judges.

B. CLERK OF THE COURT

CHAIR SPATH: Clerk of the Court.

MS. FORMAN: There's no changes. In reference to the adult citation, we haven't had any movement from the -- the statute in reference to tell us what we can and cannot do with joining in with the adult citation. So until we can get some clarification, there's nothing we can do at this moment.

C. STATE ATTORNEY

CHAIR SPATH: Okay. State Attorney.

MS. SCHNEIDER: Our numbers are pretty steady. You know, they've steadily been decreasing in terms of cases coming in. We have increased our number of referrals to both the PTI and to mental health diversion programs. They have slowly been increasing. And we're holding steady just about everywhere else.

CHAIR SPATH: Thank you.

D. PUBLIC DEFENDER

CHAIR SPATH: Public Defender.

MR. GOLDBERG: I've got nothing to report. I just wanted to let everyone know, in the new year, you can expect an email from us to the various stakeholders. We've got some concerns about some technology issues that I think affect all of our offices, so we'd like to set a meeting with the different stakeholders talking about data sharing and a couple of other issues. So just look forward to speaking with you next year.

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E. BSO DETENTION

CHAIR SPATH: All right. I was advised that Colonel Reyes is not going to be here for the BSO detention.

F. BSO DEPARTMENT OF COMMUNITY PROGRAMS

CHAIR SPATH: BSO Department of Community Programs, Dave Scharf.

MR. SCHARF: Just a couple of -- couple of things. Tamika, in regards to the juveniles, we have been part of the Governor's Executive Order Task Force, reference to the Marjory Stoneman Douglas Act. And we are, as a group -- there's a bunch of people who are working on trying to identify and earmark some triggers as a result of the many incidents we've had in the last couple of months, threats at school. So that's moving forward well. It's been a -- it's been a good exercise so far.

We were talking earlier about the Community Response Team. I just want to bring you guys up to date in regards to the opioid epidemic. We're down to about 1.5 deaths per day. We were at five about this time last year. Part of the -- part of the success of this has been this Community Response Team's comprehensive approach to the issue. Our latest -- to update you on our latest initiative, Broward Health, which encompasses Broward General and North Broward, two of the biggest hospitals in the County, have agreed to get on board with a peer specialist program.

So if someone's brought in to one of those major hospitals suffering from an overdose, non-fatal, what's happening is peer specialists, in conjunction with Henderson Behavioral Health and a couple other people, are dispatched to that hospital to greet and meet with that patient in hopes of reducing the overdose rate. We were seeing a tremendous amount of repeat overdoses, and we're going to be tracking that right now, now that we have this program. We did a pilot project with Holy Cross Hospital that was successful. So hopefully this final initiative will have some impact on the amount of overdoses that we are experiencing.

I will tell you that the drug flakka, Alpha-PVP, is back on the streets of Broward County. We're going to see more cases of that. We're seeing some of the synthetic marijuana K2 with spice being spiked with what are called cathinones. That's a -- those are the -- the drugs that are -- are found in flakka and some of the others. (Inaudible) and all that stuff. But expect that to make a comeback in the very near future because of the price of it. So we'll be seeing some of that. Other than that, that's it.

CHAIR SPATH: Thank you.

G. BOND INDUSTRY

CHAIR SPATH: I don't have a report from the bond industry.

H. BARC

CHAIR SPATH: BARC, anybody here? Nobody is here from BARC?

I. BROWARD POLICE CHIEF'S ASSOCIATION

CHAIR SPATH: Broward County Police Chief's Association?

CHIEF MAGLIONE: Rick Maglione from the Broward Chiefs. I don't have a report update other than their stance on the adult civil citation, which I know we're not quite ready to roll it out, but you just have mixed reviews from it. There's about half the agencies that support it fully, like Fort Lauderdale. You have some that already have their own type of program and are hesitant to switch over. And there's others that do not support it. That's why there hasn't been a letter of support or any type of organization support, in general, for the program. But the agencies that don't support it know it's a tool that's available. They can use it if they want to when it's -- or not.

And I've also emphasized to them, you know, this is what's available, but your policy and your directives on how to use it can be more restrictive. If you don't agree with certain things as qualifying offenses, then eliminate those qualifying offenses in your policy, and then you still have that tool to use. So lukewarm response to it, but I think you're going to see at least a majority of the agencies use it in some form or fashion.

I think one of the biggest sticking points is, you know, they're looking at it like juvenile civil citation, where it's going to prevent someone from being entered into the criminal justice system. And I think some of the issues that some of the agencies had was you just don't have to have a felony in three years. And they feel that wasn't the purpose of this. It would be more for the person who makes a mistake, minor offense, and doesn't have to be entered at all, as opposed to someone who already has maybe an extensive criminal record. Why go back into the citation program if they've already established a criminal record?

You know, and I said, listen, don't look at it that way. What about the 18-year-old or 19-year-old who gets caught with a beer or some marijuana? It's more for that than the 40-year-old who did 30 years in prison in three different stints. This isn't really to benefit them. So I think they're coming around, but we'll see when it -- when it rolls out. But I don't think you're going to see the, you know, unified support like you have with the juvenile civil citation.

CHAIR SPATH: I have one question I'd like to ask. How can you track it? Is there a

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way that you could track it? Go ahead, Dave, if you can answer it.

MR. SCHARF: (Inaudible), but there -- there -- I don't want to -- go ahead.

MS. GAYNOR: Yeah, so part of the thing -- and part of the thing with the Statute is that there's a statewide system designated to be manned by the Clerk, which they're still working on, as she stated. However, in the interim, the County is also in the process, and pretty far in the process of procuring a sole source software -- software system where we can track it.

And we'll be doing some manual tracking, but we'll only be able to have the local data. So it will be tracked in a software system that the County is purchasing. It's a case management software, but it allows us to track and do the other case management type things. And with that software, one of the things that we requested from the vendor is basically an ATI (Phonetic.) I'm not a technical person, but it allows law enforcement to search and to see that a person had a citation previously, and if it was successful or not.

J. BROWARD WORKSHOP

CHAIR SPATH: Broward Workshop. Broward County Bar.

MR. SCHARF: Hold on, Wayne. Alphonso, have you reached out to them to see if they want to switch members?

MR. JEFFERSON: I can. I haven't heard anything that they --

MR. SCHARF: Yeah, I --

MR. JEFFERSON: -- they want to change.

MR. SCHARF: -- I haven't seen Alan for a while, but I do appear before that Workshop, and they've expressed an interest in it as being part of this. So if you want me to do it, I can do it, or --

MR. JEFFERSON: No. If that's the will of this board I --

MR. SCHARF: Well, you know --

MR. JEFFERSON: -- I'll go ahead and do it. That's -- that's not an issue. I can reach out to them.

K. BROWARD COUNTY BAR ASSOCIATION

CHAIR SPATH: Broward County Bar Association.

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MR. LAUER: Nothing from me. Next time.

(Laughter.)

L. MENTAL HEALTH TREATMENT

CHAIR SPATH: Mental health treatment. Not here.

M. FLORIDA DOC PROBATION

CHAIR SPATH: Florida DOC Probation.

MR. FERNANDEZ: We have nothing to report.

N. COUNTY COMMISSIONER

CHAIR SPATH: County Commission?

O. CHAIR OF THE PUBLIC SAFETY COORDINATING COUNCIL

CHAIR SPATH: Nothing from the Chair.

AGENDA ITEM 10 - OPEN FORUM

CHAIR SPATH: Open forum? Nothing open forum?

AGENDA ITEM 11 - PUBLIC COMMENTS

CHAIR SPATH: Public comments?

AGENDA ITEM 12 - FUTURE MEETING DATES

- A. **JANUARY 3, 2019**
- B. **MARCH 7, 2019**
- C. **MAY 2, 2019**
- D. **JULY 11, 2019**
- E. **SEPTEMBER 5, 2019**
- F. **NOVEMBER 7, 2019**

AGENDA ITEM 13 - ADJOURN

CHAIR SPATH: The Chair will entertain a motion to close. Do I have a motion?

MS. SCHNEIDER: So **moved**.

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MR. SCHARF: Second.

CHAIR SPATH: All those in favor?

(Inaudible). Thank you.

(The meeting concluded at 3:20 p.m.)