

Special Committee for JSO Facilities

Working Group Name: Adjudication, Intake, and Rehabilitation

Date of Meeting: 1-12-24

Chair: CM Jimmy Peluso

Co-Chair: Charlie Cofer

I. Meeting Summary

• Update from Committee Chair

- The 'Improvements to the Existing Facility' Working Group has completed its work. As a result of the Working Group, CM Boylan has introduced a bill to City Council to get funding for \$9 million of critical maintenance needs at the Pre-Trial Detention Facility
- The 'Housing and Custody' Working Group is wrapping up its work and finalizing its recommendations.
- The 'Healthcare and Mental Health' Working Group is planning on having additional meetings and will wrap up soon.
- The 'Administrative Services' Working Group has completed its work; their work has resulted in JSO determining that finding a space to lease for its new Headquarters would be in their best interest.
- The full committee will be reconvening in mid-February.

• Recap of the Montgomery Correctional Center

- There is the potential to expand services at the MCC, however staff and space are limited.
- The Working Group asked if it would be possible to build a new jail on the vacant property. They were advised not to due to flooding in the area.
- Travel from the MCC for hospital and court visits can be lengthy; can take up to 20 minutes for first-responders to arrive at MCC in the case of an emergency.

• Comments from Nashville Jail Tour

- The Jail has a Mental Health step down unit designed for inmates that are due to be released within the next 30 days or have received plea deals with the District Attorney's office to voluntarily enter the facility. This unit is medically based and offers a variety of therapeutic programs.
 - Staff in this area are counselors and therapists.
- The intake area of the facility is "open and spacious"
- The Sallyport was large, but the JSO one will need to be bigger.
- The recreation areas at the facilities were designed to be open air
- In the facility there are no restrictions on video calls and inmates can have up to 3 phone calls per day.
- The facility is a 768-bed facility and is a 4 story tall building.

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- The facility is staffed by 30 correctional officers and 12 sergeants per shift.
 - The facility is connected to the courthouse, and it's located downtown.
 - First appearance court hearings are not connected onsite.
 - Attorney Zoom call areas are located on every wing.
 - The medical services contract out to Wellpath
 - Onsite they have a very large infirmary, two dental offices and an abundance of medical exam rooms.
 - The medical services are staffed by seven nurses, 1-2 doctors, 1 physician assistant and 2 dentists.
 - Inmates are provided with Ipads and tablets.
 - The facility employs intentional strategies aimed at lowering tensions
 - Many corrections officers wear more "plain-clothed" uniforms
 - More color and natural light
- Presentation on Adult Civil Citations by the 5th Judicial Circuit
 - The diversion program was created to allow Law Enforcement the discretion to issue civil citations for small offenses in certain scenarios
 - If an individual receives a civil citation they are not arrested, and no file is created. However, they are responsible for contacting the State Attorney's Office to resolve the citation.
 - The program is being discontinued due to staffing and the lack of the utilization by JSO officers.
 - An analysis of the program was conducted, and it was determined that the reason the program did not succeed was due to there being too many departments and not enough outreach conducted prior to the program's launch. Officers may not have enough education on the program.
 - Once an individual has a record, they are only able to have a charge expunged once in their lifetime. Additionally, just because someone has a charge expunged it does not mean their entire record is cleaned.

II. Special Issues Addressed During the Meeting

- The 4th Judicial Circuit does have a Civil Citation program. They use a Notice to Appear. The difference is when someone receives a Notice to Appear, they are required to appear in Court and a record is started.
 - The 4th judicial circuit has seen an 85% increase in notice to appear orders.
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- If an individual does not appear in court an administrative capias warrant is issued for their arrest.

There used to be 30 Polycoms located in the Pre-Trial Detention facility, 10 of which have been dedicated to the courts. Additional units are needed.

III. Actions for Next Meeting

- Would like further information on the Miami Jail behavioral and mental health model.
- Peluso brought up the potential for digital bail payments and suspending JSO prosecution of small quantity drug charges (to reduce stress on jail)
- Cost estimate on retrofitting/remodeling Police Memorial Building to host first-appearance hearings?
- Request data from FCCC and Nashville (on recidivism, etc)

IV. Important Information to be used in Final Report

- Having a Transition Center/Rapid Resource Center located at a new jail facility is vital to reintegrating inmates to the population and it can serve as a resource center with the goal of connecting inmates with services provided throughout the city.
- A large population of the individuals in the Pre-Trial Detention facility suffer from mental and behavioral health issues. A new facility needs to be built with these individuals in mind.
- Attorney-client access through technology and meeting space needs to be built into the new facility. This is vital to the justice system. Due to the process of conversations between clients, their attorneys and the State Attorney's Office. Court cases can be delayed if clients aren't able to meet with their attorneys in a timely manner.
- A mental health resource center/unit could be beneficial to limit the number of people that have to enter the facility as an inmate.

Summary

Recommendations from the Adjudication, Intake, and Rehabilitation Working Group for the Special Committee for JSO Facilities Final Report:

General Recommendations

- Pre-trial Detention facility should contain television sets in designated areas. ⁹⁻²²⁻²⁰²³
- New facilities will need to have immediate access to a JTA Bus Route. ⁹⁻²²⁻²⁰²³
- New facilities will need to enlarge the access in sally ports to increase ease of egress and ingress for larger transportation vehicles. ⁹⁻²²⁻²⁰²³
- The Pre-trial Detention Facility will need more space for additional mental health personnel, additional space for the medical screening area, and spaces for detox. ¹⁰⁻¹³⁻²⁰²³
- An infirmary strategically located within the Pre-trial Detention facility is needed; hospital waiting room style is the preferred design. ^{10-13-2023, 11-17-2023}
- The new facility will need a Behavioral Unit and Mental Health Resource Center to benefit the population of the individuals in the Pre-trial Detention facility suffer from mental and behavioral health issues. ⁰¹⁻¹²⁻²⁰²⁴
- The new Pre-trial Detention Facility will need at least **XX** isolation cells. ¹⁰⁻¹³⁻²⁰²³
- Pre-Trial Detention Facility windows will need to be rated for major hurricanes. ¹⁰⁻²⁷⁻²⁰²³
- The Jacksonville Re-entry center will need to move with the new Pre-trial Detention Facility. See Franklin County Corrections Center (FCCC) in Columbus, Ohio Rapid Resource Center for reference. ¹⁰⁻²⁷⁻²⁰²³
- A Transition Center/Rapid Resource Center will be necessary in proximity to the new facilities; services need to include ID and Birth Certificate assistance. ⁰¹⁻¹²⁻²⁰²⁴
- Facilities are needed to house those who are incompetent to stand trial but are not relocated to a state hospital, such as **XX**. ¹⁰⁻²⁷⁻²⁰²³
- New facilities will require mobile communications technologies for inmates to communicate with friends and families. It is recommended the Nashville Model be considered which involves mobile tablets in pod. ¹¹⁻¹⁷⁻²⁰²³
- New facilities will require space for inmates to communicate confidentially and virtually with attorneys. ^{11-17-2023, 01-12-2024}
- The New Pre-trial Detention Facility, and any other new facility, needs to be built on land that does not flood and is in proximity to existing judicial services. ¹²⁻¹⁹⁻²⁰²³

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Policy Recommendations

- Software is needed to assist corrections officers in the “Classification area” 9-22-2023
- Software and system is needed to allow digital paperwork to flow from the Pre-trial Detention facility, Clerk of Courts, State Attorney’s Office, Judges and Public Defenders. 9-22-2023, 10-13-2023, 12-15-2023
- J1 Calendars need to be simplified 9-22-2023
- A digital payment system should be implemented to increase the speed of eligible inmates being released. The court system in Duval County only allows for Cashier Checks to post bond. 12-15-2023
- The Montgomery Correctional Center rehabilitation programs need additional staff members to scale up their successful programs. 12-19-2023
- A mental health professional needs to be permanently embedded in the Pre-trial Detention Facility to identify inmates in need of services and to assist with connecting them.
- Pre-arrest and diversion programs need to be reviewed and expanded to reduce the numbers of individuals going through the adjudication process, reduce JSO burden, and address underlying problems that led to committing the crime. Program fees should cover program expenses.

Informational Considerations for Recommendations

- Due to the delay in paperwork, the State Attorney’s Office is delayed by days in opening cases. This delays the entire process or even the amount of time one may spend in jail. Additionally, once a case is resolved there could be a 6-8hr delay in the inmate being released due to paperwork processing. 10-13-2023
- Space for inmates to have confidential appointments with their attorneys reduces the burden of transporting inmates unnecessarily to and from varying facilities. Due to the process of conversations between clients, their attorneys and the State Attorney’s Office. Court cases can be delayed if clients aren’t able to meet with their attorneys in a timely manner 11-17-2023, 01-12-2024

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Informational Points & Special Issues Addressed at Meetings

9-22-2023

- Currently all Dockets are completed electronically, then printed by the clerk just to be reprinted, scanned, and then entered manually. Additionally, paper documents are also completed after the proceedings by the Clerk and Bailiffs.
- Paper documents allow the possibility of human error due to the fast-paced nature of the proceedings.
- Televisions were once removed from the Pre-Trial Detention Facility, these serve a valuable purpose.
- There are three rooms for 1st hearing as the Pre-Detention Facility
 - a. J1- Where virtual 1st hearing proceedings occur. All 1st hearing defendants are here at once.
 - b. J2 is for observers, and members of the public.
 - c. Courtroom 501
- Staffing for the correctional offices are 200 officers short.
- There are security needs for the intake areas for the safety of officers and defendants.
 - a. Cameras (city contract)
 - b. Emergency Buttons
 - c. Speaker boxes

10-13-2023

- Individuals with mental illnesses stay in jail 8 times and cost 7 times more than individuals without a mental illness.
- In an analysis conducted during Sheriff John Rutherford's term. The estimated cost incurred by JSO from making an arrest to the inmate's 1st appearance hearing was \$850 per arrest. This cost is likely higher today.
- Sulzbacher has identified roughly 300 individuals that could benefit from MHOP Services. The true number could be higher.
- The current medical screening area is not sufficient for the needs of the Pre-Trial Detention Facility.
- Currently, a major bottleneck in the intake process occurs due to the medical screening area. This is caused by inadequate space and staff.

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- Currently, the Pre-Trial Detention Facility has 19 isolation cells, this does not meet demand.

10-27-2023

- The Rapid Resource Center located at the Franklin County Corrections Center (FCCC) in Columbus, Ohio offers those released from jail with several services and warm handoff opportunities to non-profit community organizations. In addition to the services listed below, this area can be accessed by the releasees and their families.
 - Mental Health and Substance Use Disorder Services
 - ID and Birth Certificate access
 - Phone Charging stations
 - Snacks
- The facility located in Nashville has a Severe Perpetuating Illness area for those with mental health issues. The facility currently has 30 beds and will soon be expanded to 60 beds.
- Due to a recent change in state law, individuals that are ruled to be incompetent to stand trial aren't automatically transferred to a state hospital. They can now be housed in the local jail. These individuals are reevaluated every 6 months but can remain at the local jail for an indefinite period.
- In St. Johns County, there is a partnership between the Sheriff's Office and the Tax Collector's Office that allows releases to receive a state issued ID at no cost. A similar program would be beneficial for Duval County.

11-17-2023

- Due to the conditions at the MCC and Pre-Trial Detention Facility, JSO is experiencing shortfalls in staffing levels.

12-15-2023

- The paperwork system limits JSO's and the court's ability to process inmates throughout the criminal justice system.

12-19-2023

- Due to over capacity at the Pre-Trial Detention Facility 373 individuals at the MCC are unsentenced. This facility is intended only for sentenced individuals.

01-12-2024

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**Civil Citation
Diversion & Deflection
Network**

Tom Olk, Founder and CEO
Mark Fontaine, Senior Consultant

The Civil Citation Diversion & Deflection Network helps communities and local leaders identify, design, implement and measure pre-arrest diversion programs for adults and juveniles – an effective, modern criminal justice solution.

www.civilcitation.com

Deflection – Pre-Arrest Diversion – Civil Citation

Deflection, including pre-arrest diversion, is an innovative front-end community response on how to manage individuals involved in low-level, non-violent offenses. In a pre-arrest diversion program, the law enforcement officer has the discretion to issue a citation rather than arresting the individual. This model ensures accountability for one's behavior and provides the opportunity to link these individuals with needed services, including substance use disorder treatment and mental health care. The goal of the program is to provide an alternative to an arrest record while promoting accountability and a connection to needed services.

Florida Statute 901.41

- (1) The Legislature encourages local communities and public or private educational institutions to implement prearrest diversion programs that afford certain adults who fulfill specified intervention and community service obligations the opportunity to avoid an arrest record.
- (2) Model Prearrest Diversion Program – Local communities may adopt a prearrest diversion program in which:
 - a. Law enforcement officers, at their sole discretion, may issue a civil citation or similar prearrest diversion notice to certain adults who commit a qualifying misdemeanor offense. A civil citation may be issued if the adult who commits the offense admits that he or she committed the offense and has not previously been arrested and has not received an adult civil citation or similar prearrest diversion program notice. The local adult prearrest diversion program shall establish a limit on the number of times an eligible adult may participate in the program.
 - b. An adult who receives a civil citation shall report for intake and must be provided appropriate assessment, intervention, education, and behavioral health care services. The adult shall perform community services and pay restitution due to the victim.
- (3) Program Development, Implementation, and Operation
 - a. Representatives of law enforcement agencies, service providers, the public defender, the state attorney, and the clerk of the circuit court shall create the prearrest diversion program including eligibility criteria, misdemeanor offenses that qualify for participation in the program, policies and procedures, and the determination of a fee, if any.
 - b. The program may be operated by an entity such as law enforcement or a county or municipality or other entity selected by the county or municipality.

Benefits of Pre-Arrest Diversion Programs

For Participants:

- Avoidance of arrest record if program is completed
- No jail booking experience
- An opportunity to address behavioral health and other service needs
- Provides early intervention
- Incentivizes behavior change

For Law Enforcement Officers:

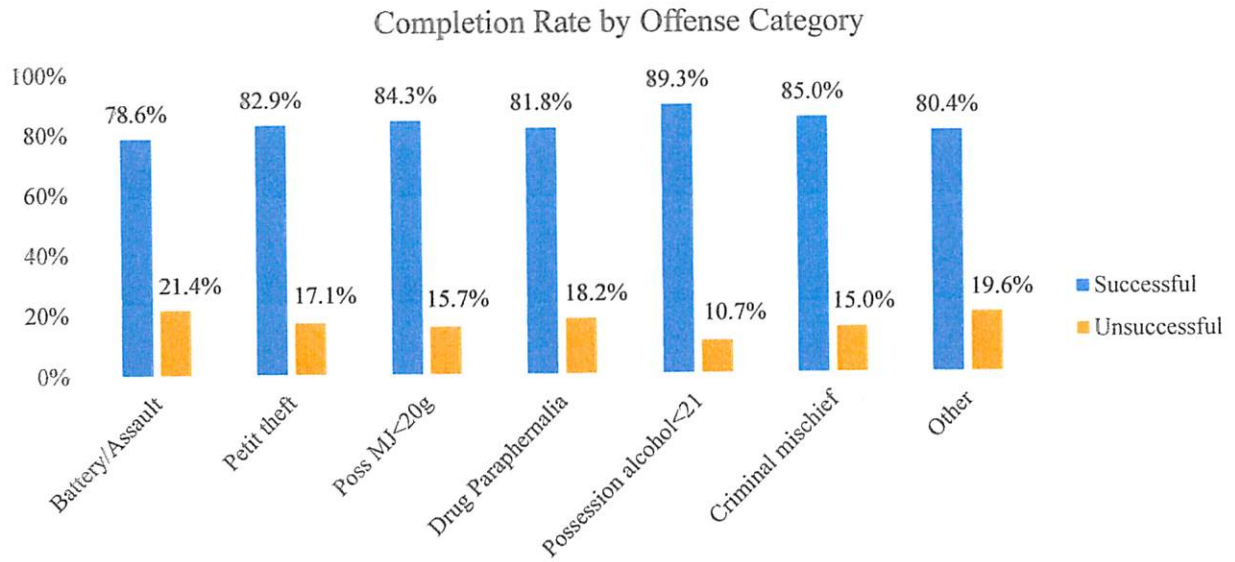
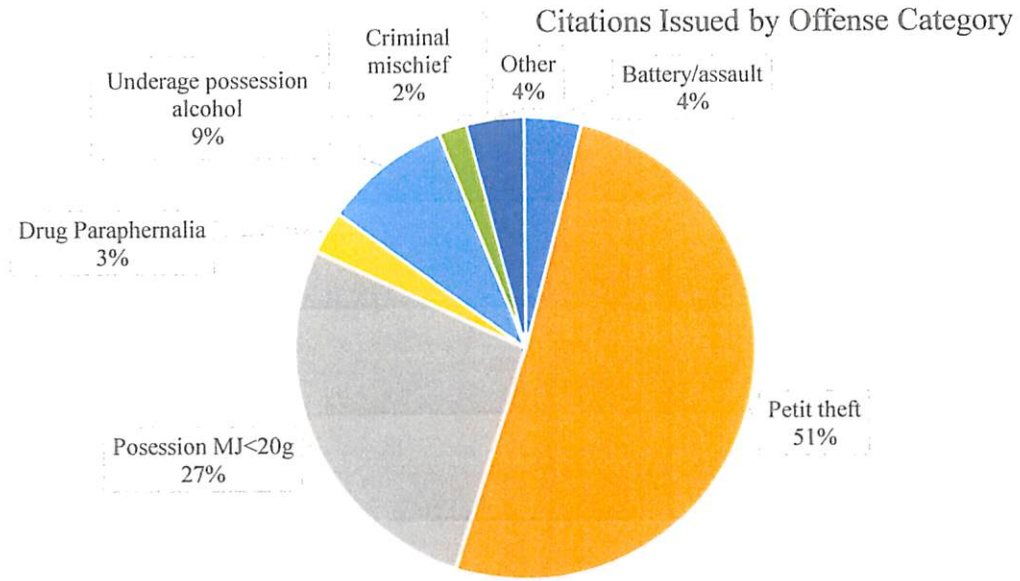
- A method to apply the law without an arrest
- Reduces impact on jails
- Promotes positive perceptions of police
- Less time processing an arrest; more time policing
- Improved community relations

For Political and Community Leaders:

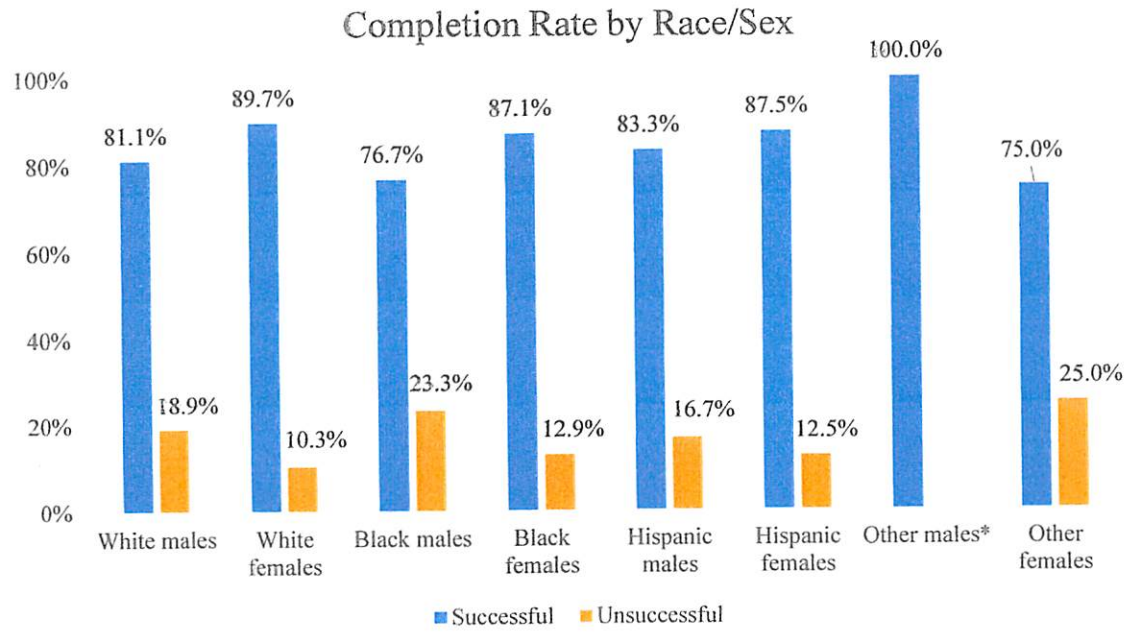
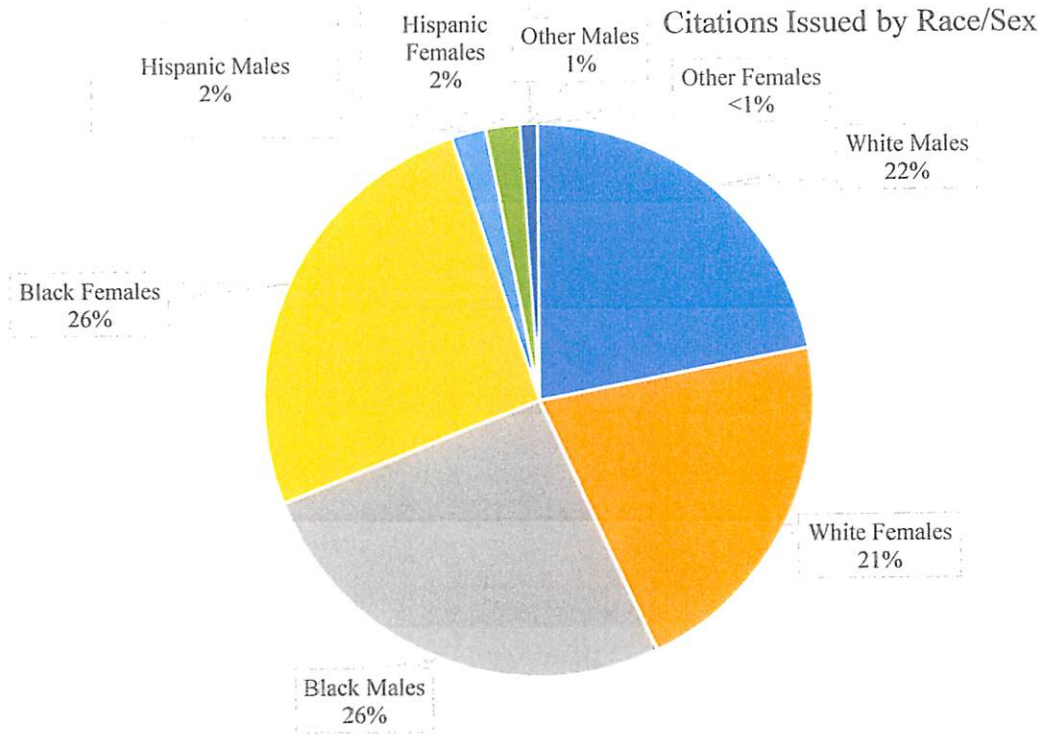
- Serves as a community-oriented approach to criminal justice practices
- Crime control and reduction remain the primary goals
- Long-term performance can be recorded and reviewed
- Lower recidivism rates
- Cost savings in arrest, booking, prosecution and court costs
- Enhanced accountability

Steps to Establishing Prearrest Diversion Program

- Key Community Leaders Agree to Implement
- Determine Program Design
- Eligibility Criteria Including Eligible Misdemeanor Offenses Determined
- Agency Selected to Operate the Program
- Community Service Providers including Mental Health & Substance Use Become Partners
- Policies and Procedures Developed
- Memorandum of Agreements Signed
- Law enforcement Officers Trained on How to Utilize the Program
- Data Collection Protocols put in Place
- Quarterly Meetings with Key Partners to Facilitate Communication and to Review and Adjust Program
- Data Utilized to Improve Program, Maximize Use, and Ensure Justice Equity and to Provide On-going Evaluation
- Program Results Shared with the Community

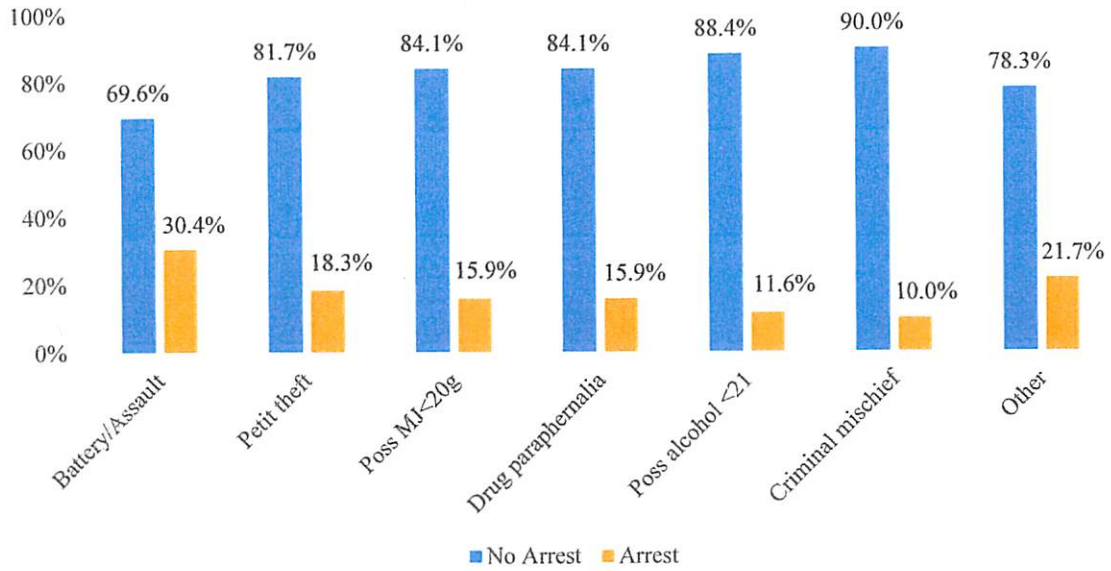


Leon County – 1300 Participants over four years

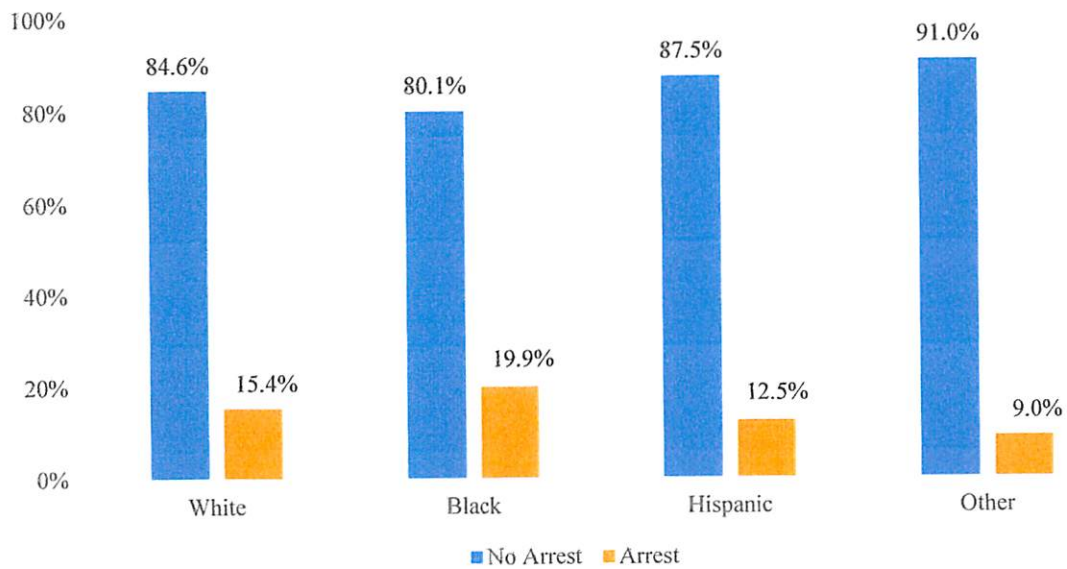


*There were 13 participants in this group.

Overall Rearrest Rate by Offense Type



Overall Rearrest Rate by Race



Benefits of Deflection (Pre-Arrest Diversion) for Criminal Justice and Communities

There are many benefits to deflection/pre-arrest diversion (PAD) programs and initiatives including improved public safety, greater accountability for deflection program participants, connection to community-based service providers, and avoidance of an arrest record.¹ This approach, a fundamental and long overdue shift in the criminal justice system, provides targeted prevention and intervention, and an array of services to promote positive outcomes.

As deflection is a collaborative effort, each of the partners want to know how it will benefit them and how they can leverage their existing resources. There are overall benefits as well as those that are specific to each of the partnering agencies involved in a deflection program or initiative. Deflection offers cost savings for the criminal justice system through less processing time involved for law enforcement, no jail bookings and incarceration, and no court costs. Community-based service providers connect with participants, and those who engage with the program have an opportunity to explore some of the potential factors associated with their involvement in criminal activity. Reduced recidivism and increased opportunities for success can support long-term cost savings.²

For law enforcement agencies, some of the advantages of a deflection program includes less time processing an arrest, allowing them to become more efficient, such as by getting back in the field more quickly. Many programs are designed so that an officer or deputy can immediately determine eligibility by making a call or accessing a database. Participants can then be directly referred to the lead agency for program intake. For example, in many counties throughout Florida in the juvenile justice system, including Leon County, the officer determines if the offense meets internal police policies and state statutes and calls the Juvenile Assessment Center (JAC) to see if the youth is eligible for the Civil Citation program. With minimal paperwork, the officer drops the eligible youth off at the JAC where the process takes place and the officer is available to respond to additional calls for service.³

Another important advantage for law enforcement is improved community relations. Deflection tends to involve a less confrontational approach when compared to traditional arrest practices. Clear communication guided by a better understanding of behavioral health and social service principles can be helpful to this process. Law enforcement officers are viewed more positively for their insight and

¹ Frost, G. (2015, Sept.) Police Chief Magazine. *Adult Civil Citations: A Practical Tool in the Sea of Reform*. Police Chief Magazine.
<https://civilcitation.net/assets/research/Tab%2015%20Adult%20Civil%20Citations;%20A%20Practical%20Tool%20i%20the%20Sea%20of%20Reform.pdf>

² Washington State Institute for Public Policy. (2019, Dec.) *Police Diversion for Low-Severity Offenses (Pre-Arrest)*.
<https://www.wsipp.wa.gov/BenefitCost/Program/726>

³ Tallahassee Police Department General Orders. *Juvenile Civil Citation Program*. (2018).
<https://www.talgov.com/uploads/public/documents/tpd/policies/go-71.pdf>

judgement when using a response other than arrest. Additionally, law enforcement can provide program participants a connection to community resources which can assist them with better life choices and opportunities.⁴

The reduced amount of time required to process a deflection participation can allow officers to focus on more serious public safety matters. Partnerships with community organizations introduces the opportunity to address the underlying causes of criminal activity, such as cases of mental health and substance use disorder, through a therapeutic approach. Law enforcement officers can maintain a strong focus and training on public safety, while behavioral health and social service staff concentrate on de-escalation, assessments, resource connection and case management to help prevent recidivism.⁵

6

Another benefit is the enhancement of criminal justice and behavioral health services through the integration of these systems as a much needed front-end/zero intercept practice. As corrections administrators struggle to adequately staff their facilities, and maintain safety and facility protocols, deflection provides some relief by reducing the number of people admitted to local jails. Expanding these facilities is also costly, and these front-end practices have the potential to alleviate this expense. Diverting these funds to deflection programs and mental health and substance use disorder treatment makes sense, and is a more effective and efficient way to spend tax-payer dollars.

There are several other cross-representative benefits such as increased community knowledge of one another's resources and collaboration. Oftentimes, communities are not aware of all of their own resources and how they connect and can work together. Deflection provides an opportunity for on-going and inclusive communication, a chance to understand one another's programs better, and a chance to system map community resources for positive change. Collectively identifying gaps in existing services can result in beneficial changes. Working together provides opportunities to leverage resources such as co-locations, reducing duplication of services, partnering on grant-funded projects, accessing technical assistance, and providing individualized services with a better continuum of care.

Benefits for the community also include the potential for increased collaborative opportunities with other community agencies, often using an effective wraparound approach. Deflection allows providers

⁴ Charlier, J. (2017) Deflection: A Powerful Crime-Fighting Tool That Improves Community Relations. <https://www.policechiefmagazine.org/deflection-a-powerful-crime-fighting-tool-that-improves-community-relations/>

⁵, Police Chief Magazine. *Spotlight: A New Approach to a Growing Crisis*. (2022, Sept.) <https://www.policechiefmagazine.org/spotlight-a-new-approach-to-a-growing-crisis/?ref=fa5914a21b9cb7c2141456422811ec73>

⁶ Department of Florida Juvenile Justice. (2016-2017.) <https://www.djj.state.fl.us/content/download/23875/file/public-safety-commission-presentation-%28june-7-2018%29.pdf>

to work with participants by preventing entry or further processing into the overburdened justice system while addressing the risk factors associated with a repeat offense. There are also training opportunities for first responders and other community partners, such as with the National Alliance on Mental Illness's (NAMI) Crisis Intervention Team (CIT) which emphasizes partnerships between stakeholders.

When more individuals are able to obtain employment, education and housing due to not having an arrest record, the community stands to benefit in a number of ways. Local organizations, agencies, businesses and the military can better staff their programs. One successful deflection program participant is currently an attorney working for a state court of appeals. She would most likely not be there now if she had been arrested instead of deflected. When people are gainfully employed and connected to treatment and other resources, there can also be a reduction in homelessness, less hospitalizations, and healthier and safer communities. ⁷

Deflection initiatives and programs are growing exponentially both nationally, and more recently, internationally. Law enforcement agencies and communities are realizing the potential of these programs. Although it is limited, there is more data continually being collected and analyzed as the use of deflection grows. Preliminary data has shown positive results for a number of deflection programs, highlighting this approach as a good way of doing business and an excellent alternative to arrest. ⁸

Duncan, Perla Oct 14, 2022

⁷ National Alliance to End Homelessness. (2022, Sept.) *Employed and Experiencing Homelessness: What the Numbers Show*. <https://endhomelessness.org/blog/employed-and-experiencing-homelessness-what-the-numbers-show/>

⁸ Nadel, M., Bales, W., Pesta, G. (2019, Dec.) *An Assessment of the Effectiveness of Civil Citation as an Alternative to Arrest among Youth Apprehended by Law Enforcement*. National Institute of Justice.

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- Request data from FCCC and Nashville (on recidivism, etc)

IV. Important Information to be used in Final Report

- Having a Transition Center/Rapid Resource Center located at a new jail facility is vital to reintegrating inmates to the population and it can serve as a resource center with the goal of connecting inmates with services provided throughout the city.
- A large population of the individuals in the Pre-Trial Detention facility suffer from mental and behavioral health issues. A new facility needs to be built with these individuals in mind.
- Attorney-client access through technology and meeting space needs to be built into the new facility. This is vital to the justice system. Due to the process of conversations between clients, their attorneys and the State Attorney's Office. Court cases can be delayed if clients aren't able to meet with their attorneys in a timely manner.
- A mental health resource center/unit could be beneficial to limit the number of people that have to enter the facility as an inmate.