

Annual Report

October 1, 2008- September 30, 2009

Lee County Pretrial Services Department

The Lee County Pretrial Services Annual Report is a comprehensive end of the fiscal year annual report from data collected. The report includes trend analysis of annual statistical data collected, major developments and achievements, special projects and caseload/personnel ratio, demonstrating full compliance with accreditation standards.



The Lee County Pretrial Services Department provides case management support to the 13 judges assigned to the criminal division in Lee County, along with the Chief Judge and Administrative Circuit Judge, as well as support with weekend Polycom hearings for all Lee County judges. The department is composed of four units, which include the Intake and Investigation Unit, the Pretrial Supervision Unit, the Case Management Unit and the Diversion Unit. Each unit has their own core functions, but work collaboratively with the other units to achieve common goals. The management team includes the deputy criminal justice director who oversees the entire department operations, the administrative services supervisor who oversees program development, training and accreditation, an administrative assistant who provides direct managerial support and supervises office management clerical staff, and pretrial supervisors assigned to specific units within the department.

The Lee County Pretrial Services Department completed the 2008/2009 fiscal year with a strong sense of accomplishment and a renewed dedication in continuing to provide the most professional and efficient services to its stakeholders. The department went through a rigorous assessment of operations during this fiscal year. The Florida Corrections Accreditation program evaluated the department's operations against standards developed by the Florida Corrections Accreditation Commission and Association of Pretrial Professionals of Florida. This process allowed administrative staff to enhance processes and upgrade the quality of the department's programs and services. This also ensured practice was in line with policy and increased consistency and uniformity.

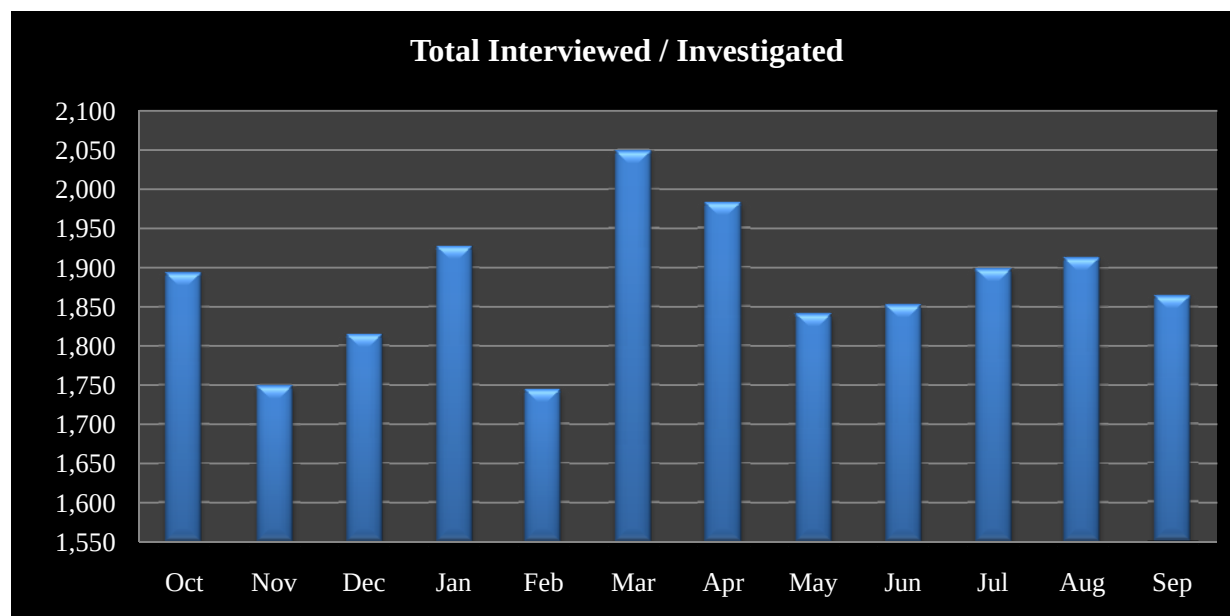
The mission of the Lee County Pretrial Services Department is to provide comprehensive case management services to the courts, from case inception through case closure, via professional staff committed to the highest standards of excellence.

In May of 2009, the assessment team applauded staff for their professionalism, courtesy and dedication to the profession and accreditation process. It was clear to the team that "accreditation is part of the culture of the department for all the employees of Lee County Pretrial Services. Throughout the chain of command, a commitment to the process was clearly evident by their openness, cooperation, and receptiveness to suggestions and comments from the assessment team". Lee County Pretrial Services was accredited before the commission on June 30th, 2009.



The Intake and Investigation Unit interviews and investigates all defendants booked into the Lee County Jail. The primary functions of the Intake and Investigation Unit include the collection, verification and investigation of demographic and criminal history information, the assessment of risk and need for every booked defendant, the determination of indigence for appointment of counsel and the presentation of this compiled information to the First Appearance Judge to aid in the release decision. This information is entered into the Criminal Justice Information System (CJIS) and generated into a summarized Defendant Summary Report. With the E-First Appearance initiative approved by the Supreme Court during this fiscal year, the First Appearance Judge is able to view the Defendant Summary Report electronically prior to and during court proceedings. Additionally, the Pretrial Supervision Order was incorporated with the First Appearance Court Order, which allows the release process at the jail with the signed court order received electronically.

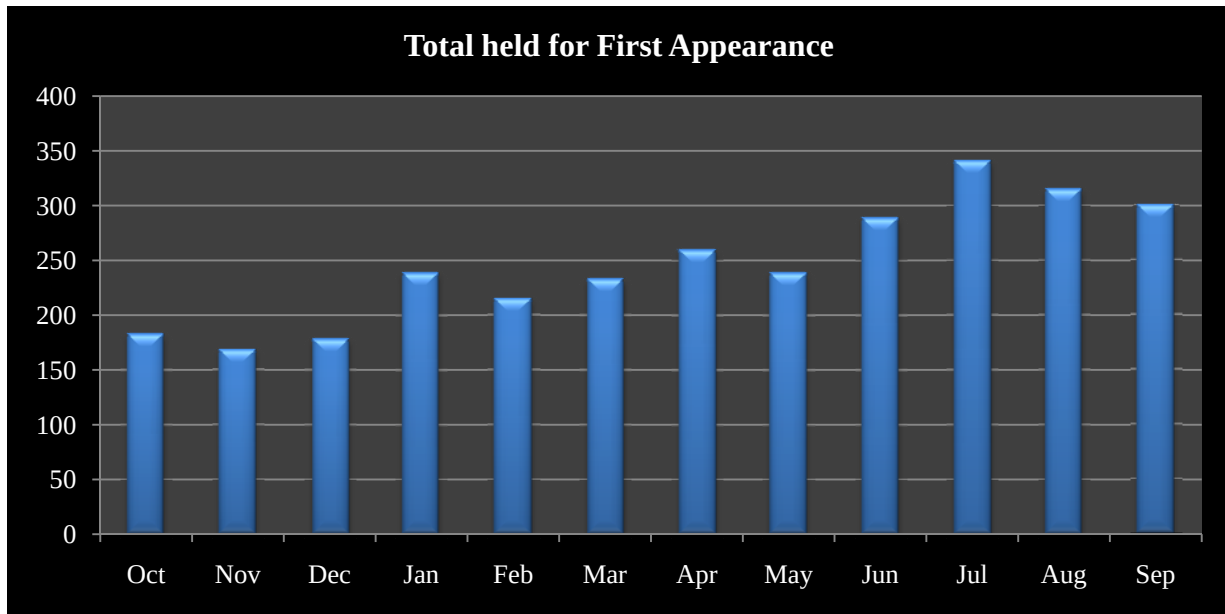
There were a total number of 22,525 defendants interviewed/investigated prior to First Appearance during this fiscal year. Currently, eleven pretrial officers and two pretrial supervisors are assigned to the Intake and Investigation Unit, operating twenty-four hours a day, seven days a week.



The Intake and Investigation Unit transitioned to running full criminal history records for all defendants booked into the Lee County Jail. This allowed for a more thorough immediate review of defendants at the time of booking and provided for better utilization of clerical support staff throughout the week. Pretrial officers and clerical support handle all Applications for Criminal Indigent Status for defendants facing criminal charges in Lee County via an inter-local agreement with the Clerk of Court. Many defendants are screened while still in custody, but screenings also occur in court and at the Pretrial Services offices.

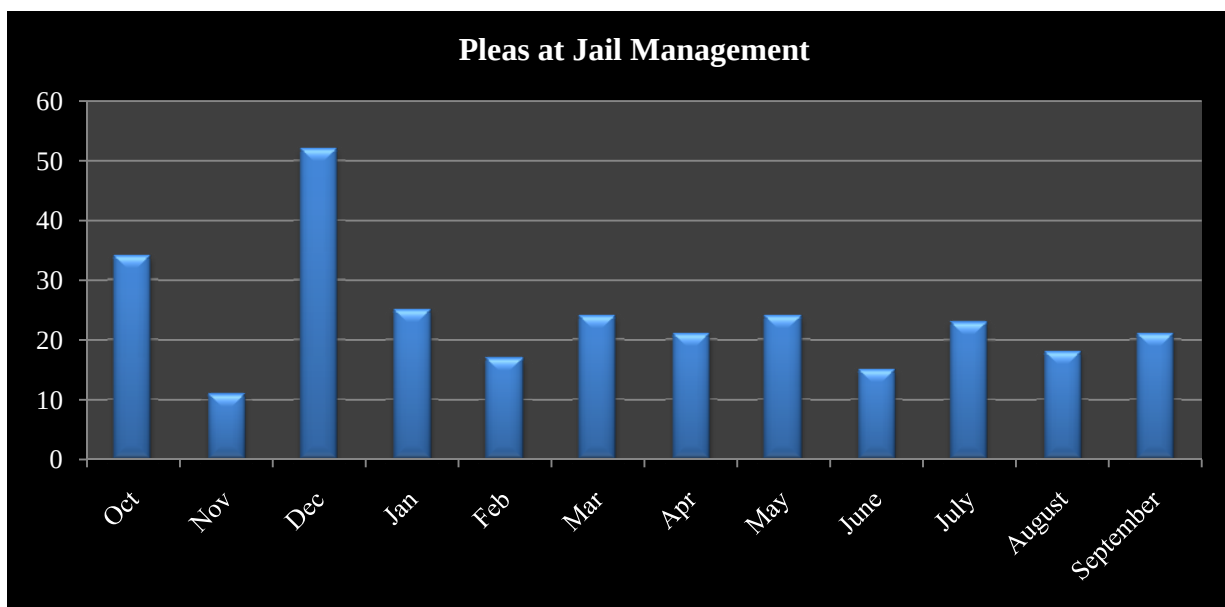
The Lee County Pretrial Services Department entered into an inter-local agreement with the Lee County Sheriff's Office as a result of the Jessica Lunsford and Anti- Murder Acts. In accordance with Administrative Order 3.9, pretrial officers research criminal history on all defendants booked into the Lee County Jail facility, researching pending charge status, probation status, high risk status and criminal history. Defendants identified as a High Risk Sex Offender or Violent Felony Offender of Special Concern, and defendants who pose a flight risk or danger to the community, are held for First Appearance.

There were a total number of 2,960 defendants held in custody, as opposed to bonding out on the monetary bond schedule, and required to appear before a First Appearance Judge due to being classified with a high risk status under the Jessica Lunsford Act and/or Anti-Murder Act and/or posing a flight risk or danger to the community, according to data captured by Pretrial Services. This allowed for the First Appearance Judge to make informed decisions on release conditions for these defendants.

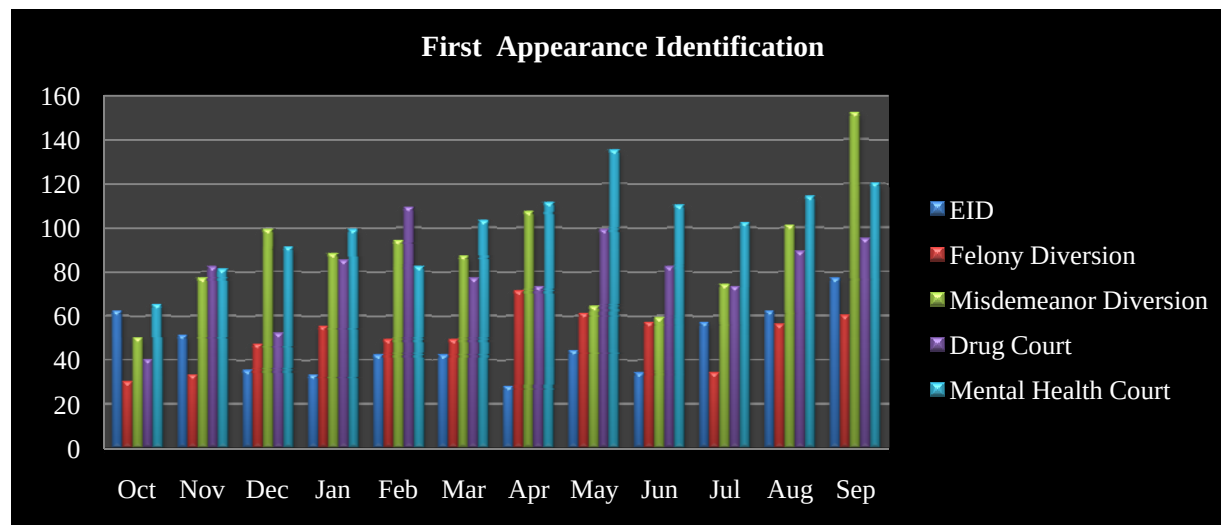


The Intake and Investigation Unit continues to review all non-sentenced incarcerated defendants, prior to arraignment, so that appropriate, non-violent misdemeanor cases are placed on a Jail Management Docket for potential release from custody or early resolution of the case.

There were a total of 380 cases reviewed and a total number of 10 pretrial supervision releases and 285 pleas facilitated during this fiscal year via the Jail Management Docket, according to data captured by Pretrial Services.



The Intake and Investigation Unit identifies defendants in custody who have a substance abuse or mental health need and that appear to qualify for diversionary programs in an effort to expedite referrals and case flow with early case identification. There were a total number of 567 defendants identified for the Early Intervention Docket, 602 defendants identified for Felony Diversion, 1,052 defendants identified for Misdemeanor Diversion, 956 defendants identified with substance abuse needs and 1,213 defendants identified with mental health needs out of defendants during this fiscal year, according to data captured by Pretrial Services.



The Pretrial Supervision Unit supervises defendants released on pretrial supervision, monitoring these cases from arrest to disposition. Court ordered conditions such as no contact orders, random drug and alcohol screens and counseling are enforced. Defendants may be referred to diversionary programs as well as outside agencies, when appropriate. Violations are reported to the courts regularly. Court date notifications are made, illustrating success with an average 95.77% successful court appearance rate for defendants on pretrial supervision during this fiscal year.

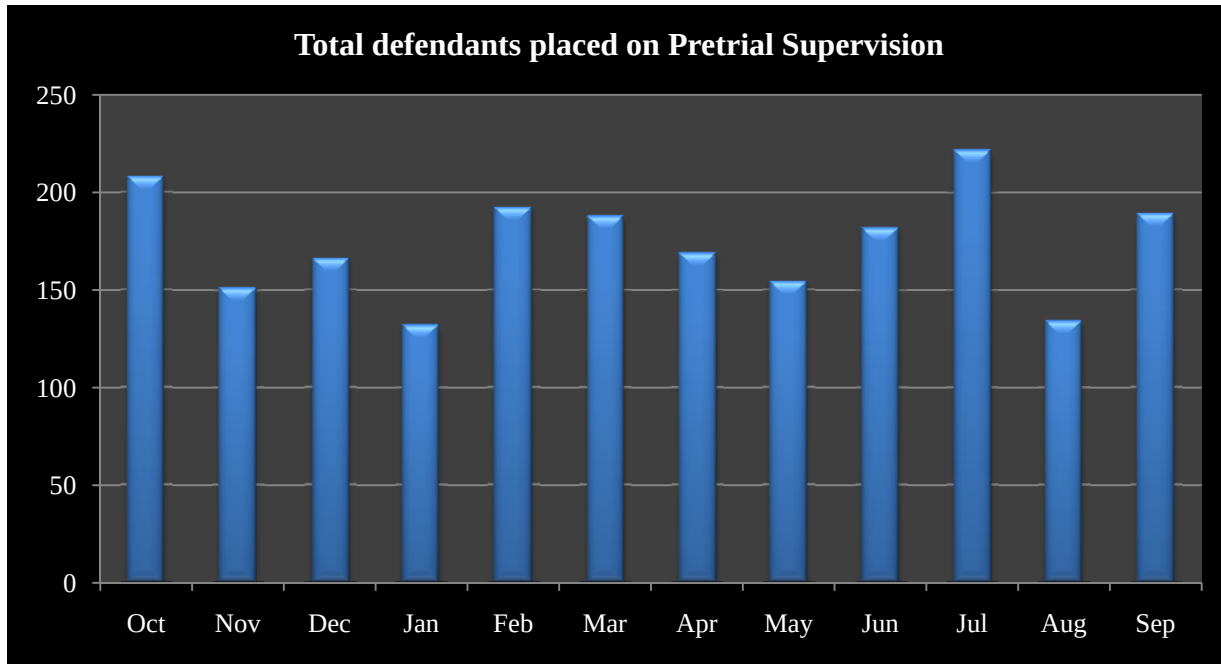
Pretrial officers utilize a differentiated case supervision approach, determining risk factors based on needs assessments, special conditions and current charges. Pretrial officers began to utilize a violation report in lieu of a warrant in specified circumstances. Pretrial officers also began to conduct drug screens in the office when ordered as a condition of pretrial supervision and the defendant is unable to obtain a test elsewhere due to financial hardship, when the defendant appears to be untruthful and/or is circumventing taking a test or appears to be under the influence of drugs while in the office, during a random sweep, in court or when the judge orders such.

A pretrial supervisor handles all electronic monitoring cases, coordinates equipment installation at the Lee County Jail prior to release and conducts initial orientations with each defendant. Orientation includes review of specified conditions, consequences for failing to abide by conditions and review of the supervision reporting plan. This pretrial supervisor sends status updates to the assigned judge regularly, ensuring compliance with all conditions of the court.

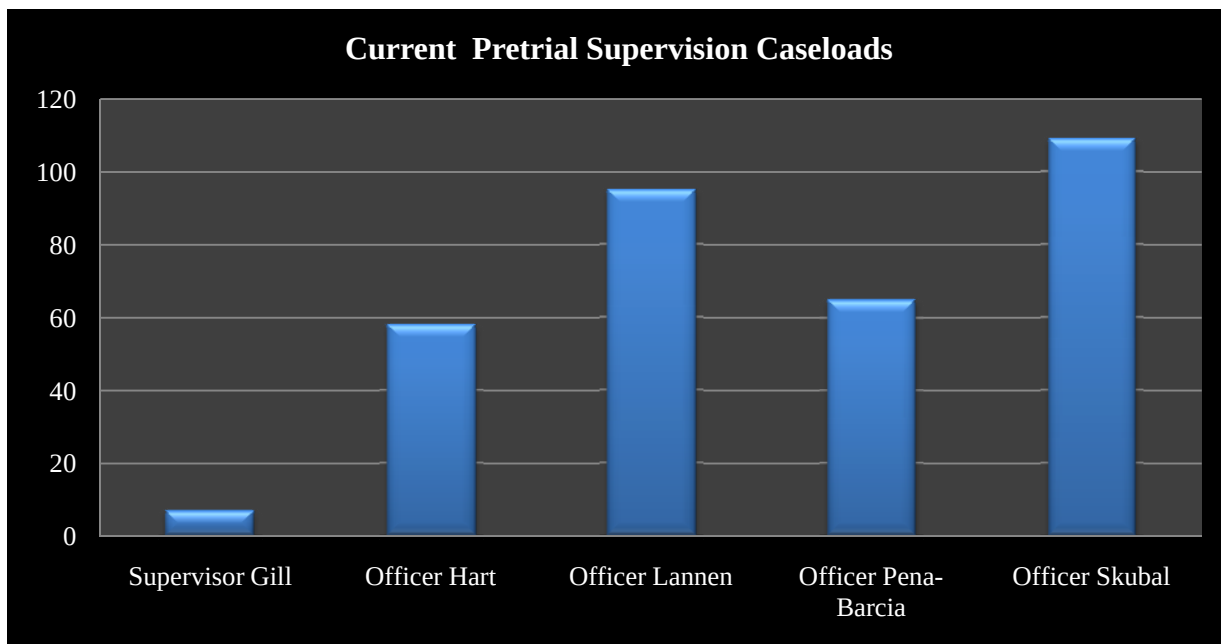
Standard Pretrial Supervision conditions include:

1. Reporting to the assigned pretrial officer as directed.
2. Remaining at liberty without violating any laws.
3. Must not produce any positive or diluted drug or alcohol screens.
4. Notifying the assigned officer prior to changing a name, residence, telephone number or employment.
5. Notifying the assigned officer prior to leaving the county overnight for any reason.
6. Promptly and truthfully answering all inquiries.
7. Complying with special conditions ordered.

There were a total number of 2,086 defendants placed on pretrial supervision during this fiscal year, according to the Criminal Justice Information System (CJIS) Case Configuration Report. Figures include releases from all court events.



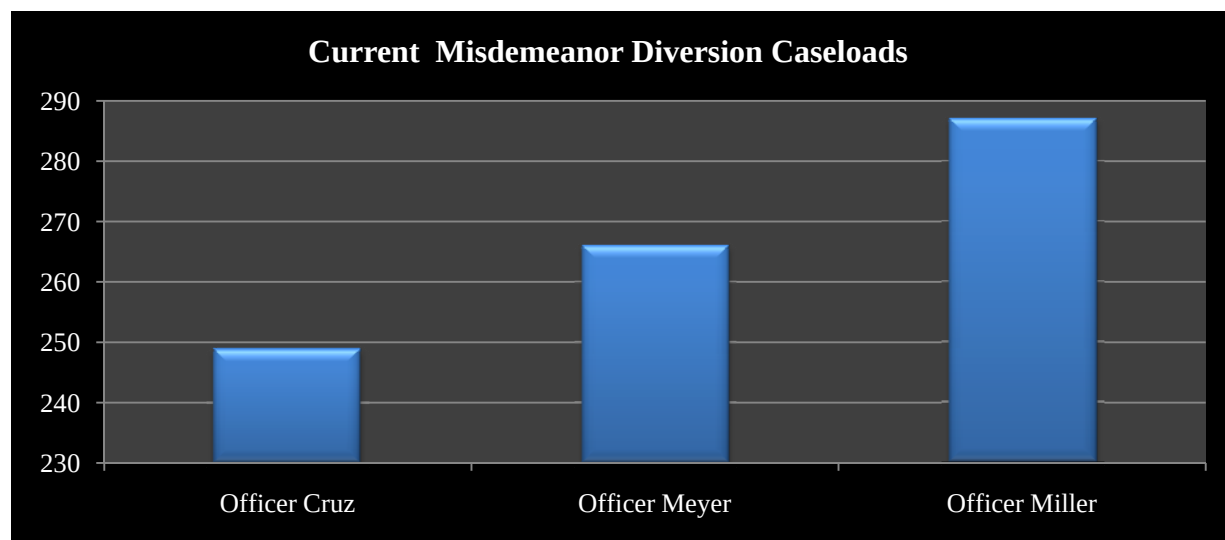
The pretrial supervision team consists of four officers who supervise all defendants released on pretrial supervision, a pretrial supervisor who handles all electronic monitoring cases and a pretrial secretary. Current caseload ratios are illustrated below, according to the Criminal Justice Information System (CJIS) Active Caseload Report on 10/21/09.



The Diversion Unit supervises all defendants who enter the Misdemeanor Diversion Program. Misdemeanor Diversion was established to allow first time offenders an opportunity to have their case dropped if specified conditions, set forth by the State Attorney's Office, are met. Pretrial officers meet with defendants to review Deferred Prosecution Agreements and explain conditions and consequences of success or failure, after ensuring eligibility for the program. Each case is monitored continuously, encouraging success through mandatory appointments, reminder letters and utilizing a community service option in lieu of costs of supervision when appropriate. If successful, the State Attorney's Office is notified, dismisses the case(s) and discontinues further court proceedings. There was an approximate caseload increase of 3,000 defendants during the last fiscal year.

Pretrial officers have been capturing failure to appear statistics for those approved for Misdemeanor Diversion in an effort to propose ways for defendants to turn themselves in and alleviate the need for re-arrest and help avoid the cost of booking and incarceration. Pretrial officers have also been pursuing the use of a Violation Report in specified circumstances, to avoid minor offenses being placed back on the docket. Pretrial officers continue to improve case management functions to increase success rates.

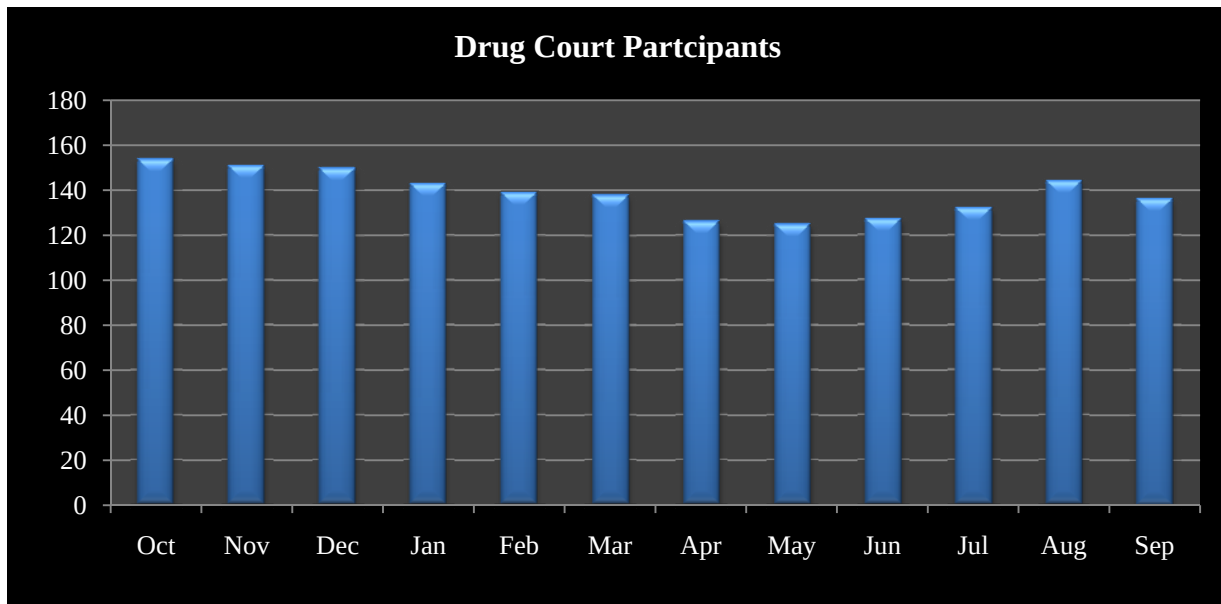
The misdemeanor diversion team consists of three officers who supervise defendants in the misdemeanor diversion program and a pretrial secretary. Current caseload ratios are outlined below, according to the Odyssey Supervision/Active Caseload Report on 10/21/09.



The Diversion Unit serves as the main point of contact for all referrals into the Felony Drug Court Program. An assigned pretrial officers reviews booking reports, researches criminal history to ensure eligibility criteria is met and facilitates early screening by an addictions specialist. Drug Court focuses on the individual adult offender charged with non-violent felony crimes. The goal is to break the cycle of addiction, reduce the rate of recidivism, improve life management skills and restore the individual to be a productive member of society. The pretrial officer attends staffing and court regularly to inform the court of defendants' progress, compliance and previous court outcomes.

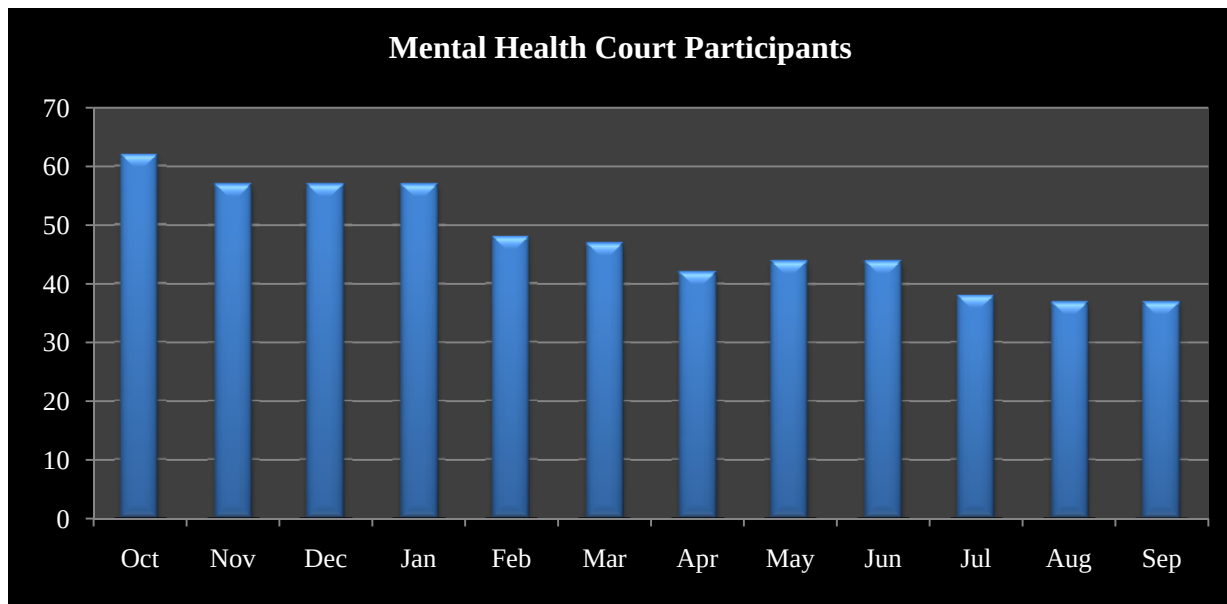
The pretrial officer continues to work with the drug court team in refining operational and participant handbooks and sanctions and rewards guidelines in an effort to clarify roles and expectations, more consistently serve the population, increase success rates and reduce recidivism.

There was an average of 139 defendants enrolled in the Felony Drug Court Program during each month throughout this fiscal year, according to data captured by Pretrial Services.



The Diversion Unit facilitates referrals by researching pending charges and criminal history and monitors participants' compliance in the Mental Health Court Program. Mental Health Court represents an effort to identify and address the unique needs of people living with a mental illness who have entered into the criminal justice system. Key goals of the program are to assist these defendants in participating in alternatives to incarceration, obtain mental health treatment with improved access to services, reduce time to process charges through the system, reduce recidivism through education and improve the quality of life for these individuals.

There was an average of 48 defendants enrolled in the Mental Health Court Program during each month throughout this fiscal year, according to data captured by Pretrial Services.



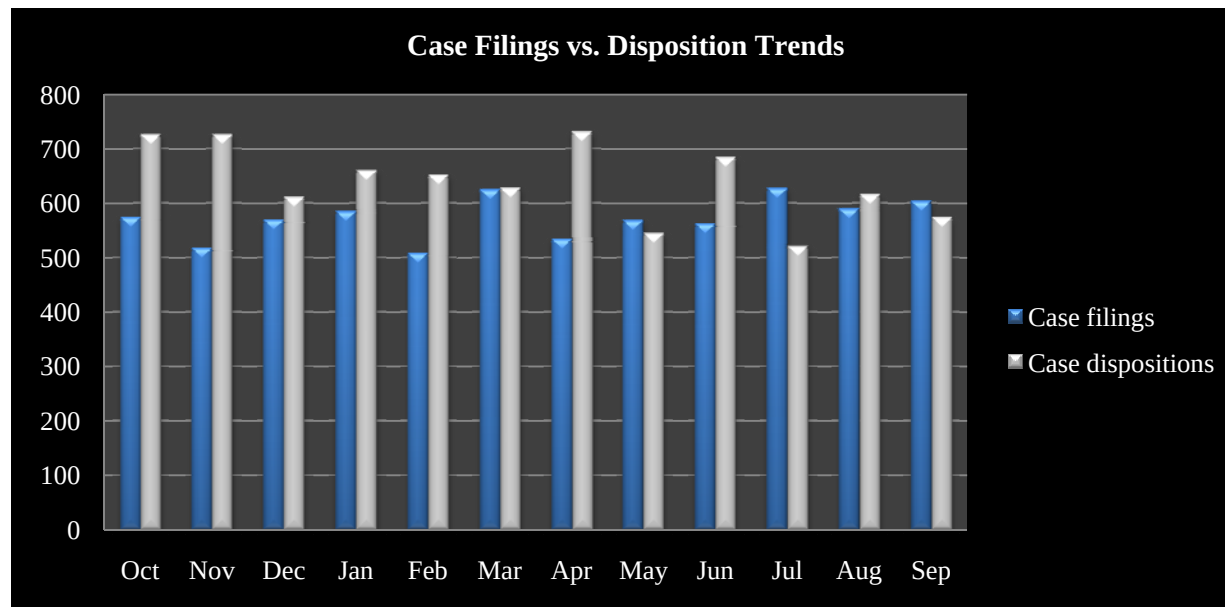
The Felony Case Management Unit consists of four pretrial officers and a pretrial supervisor, each assigned to a specific judge presiding over felony cases, and a pretrial secretary. Pretrial officers facilitate case movement through each stage of the case through disposition, helping to ensure meaningful court events. Felony case management procedures were developed in Lee County in January of 2008, with the intent to expand best practices to other counties to promote uniformity in practice throughout the 20th Judicial Circuit. Procedures were established to improve predictability, efficiency and timely disposition of felony criminal cases in the circuit court and to ensure compliance with provisions and aims of the Florida Rules of Criminal Procedure.

Differentiated Case Management techniques allow courts to tailor the case flow process to the requirements of individual cases. The main concepts of Differentiated Case Management are: (1) Setting case tracks based on criteria that determines the necessary case events and time goals (2) Enhanced organization of court events by using a Pretrial Scheduling Order (3) Close case monitoring to ensure that the case progresses in the most efficient manner.

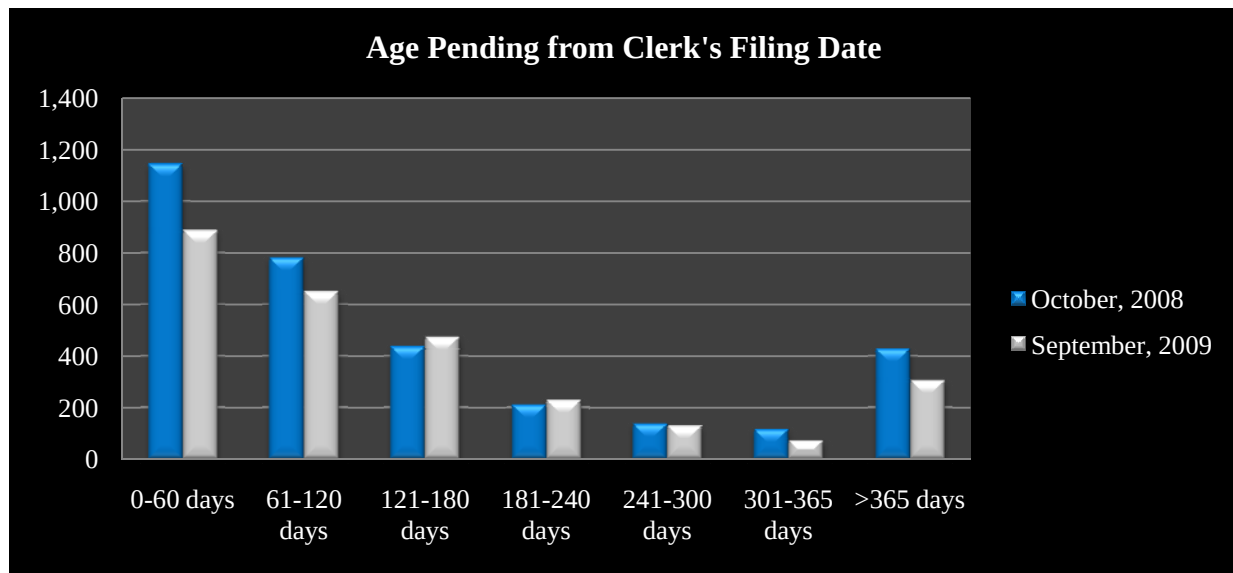
Prior to or at felony arraignment, the State Attorney's Office assigns all new felony cases opened by the Clerk of Court a "track" designation. The assistant state attorney or judge can assign standard track cases to an "Early Intervention Docket". Those cases not assigned an EID date are given a case management conference date. Prior to this Case Management Conference, the State Attorney's Office provides the defense with a score sheet, discovery and plea offer. At the case management conference, the Judge determines whether the court will accept an agreed upon plea offer. If no agreement is reached, the Judge sets time goals for any additional discovery and depositions. The Judge will set a plea date, a trial date or a pretrial conference hearing date 120 to 240 days from the date of arrest, as the next court event.

At the Pretrial Conference, the judge determines the status of the case. A plea can be accepted at this hearing; a plea date can be scheduled, a trial date can be scheduled approximately 30 to 60 days out, or for those cases determined as complex by the Judge, an additional Pretrial Conference can be scheduled. Since inception, the Court, the State Attorney, the Public Defender and the defense bar have collaborated with a view towards a just and efficient disposition of criminal cases.

The number of dispositions, totaling 7,674, was higher than the number of case filings, totaling 6,861, illustrating a successful clearance rate, according to Odyssey/Lee Clerk of Court data.



The average number of cases pending reduced from 3,254 cases on October 1st of 2008 to 2,745 cases on September 30th of 2009, according to Odyssey/Lee Clerk of Court data.



Additional department accomplishments during this fiscal year-

- The office management team consists of three pretrial secretaries and a clerical supervisor. Pretrial secretaries track all First Appearance court recommendations and outcomes, as well as defendants' compliance when released on recognizance. Court date notifications are mailed in an effort to reduce failure to appear rates.
- The department initiated the "PTS Challenge" in an effort to increase office conservation and reduce the amount of office supplies required.
- The department conducted an employee survey to gauge and increase overall employee satisfaction.
- The department has transitioned to the use of numerous automated reports. Reports have dramatically reduced manual effort and time.
- The department is committed to improving its responsiveness to clients who have limited proficiency in English. The department accomplishes this by recruiting bilingual staff, having reference documents in the Spanish language and offering opportunities for staff to become more knowledgeable in the Spanish language.
- The department has partnered with various agencies for criminal justice collaboration.
- The department has implemented an "officer of the day" concept to ensure smooth operations.
- The department has developed a complete Policy and Procedure manual. Policies and procedures documented in writing ensure uniformity and consistency throughout the business and are defensible. Policies and procedures increase the integrity of the criminal justice process and the department's role, and also provides for a reduction in department liability. Standards foster education resulting in improvements for all parties affected, to include the defendant, the department and the public.

The Lee County Pretrial Services Department would like to recognize all agencies that were key contributors to our overall operational success throughout this fiscal year, to include the Court Administrator, Criminal Division Director, Human Resources and Information Technology Divisions under the Administrative Office of the Courts, the Judiciary, the Criminal Justice Information System (CJIS) Group, the offices of the State Attorney and Public Defender, the Lee County Clerk of Court and the Lee County Sheriff's Office.

Most importantly, the management team would like to thank all staff involved in enhancing day-to-day processes and professionalizing the department as a whole. Teamwork is defined as collaboration by a group of people to achieve a common purpose. Without the teamwork proven by all members of the Lee County Pretrial Services Department, our significant achievements during this fiscal year could not have been possible.



***"In Recognition of"
Lee County Pretrial Services
Achieving FCAC Accreditation
Twentieth Judicial Circuit
State of Florida***



This achievement was made possible through the collaborative efforts of all staff.



Front row- Anne Donohue, Niquinya Street, Alice Colon, Katrina Perez, Marlene (Faye) Miller, Mercedes Pena-Barcia, Paulette Rinehart, Andrea Wolfe, Amy Kinsey, Angelina Foster, Ismael Herrera, Liza Maldonado and Mariem Ibrahim

Middle row- Scott Peckham, Ashley Gregory, Elizabeth Khin, Kimberly Skubal, Melissa Whittington, Ashley Burruss, Michelle Meyer, Jennifer Medrano, Bridget Henken, Ervin Gill, Christine Thompson, Yazmin Rivera and Scott Wilsker

Back row- Ed Wisniewski, Scott Leland, Ray Lannen, John Calderone, Keith McGovern, Nicholas Stevens, Edgar Cruz, John Rhoads and Jim Sullivan

Not pictured- Luceal Curry, Kirsten Ball, Kimberly Hart, Elizabeth Robideau