

**Governor-Elect Rick Scott  
Law and Order Transition Team**

**DEPARTMENT AND POLICY REVIEW  
Florida Department of Corrections**

**Executive Summary, Review and Report**

Henree Martin  
Linda Mills  
Robert Woody  
Paula Hoisington

**List of Exhibits**

1. Proposed DOC Organizational Chart
2. Current DOC Organizational Charts
3. PRIDE Materials
  - a. Inmate Workstations Count / Annual Revenues, 1984 – 2010
  - b. Employees Paid \$50,000 per year or more
  - c. Consultancy (Lobbying) Contract A
  - d. Consultancy (Lobbying) Contract B
  - e. Correctional Industries Development Plan
4. Current Department Divisions and Bureaus
5. Total number of physical offices and locations by city
6. Final Report of the Governor's Ex-Offender Task Force, November 2006
7. Key Findings and Recommendations Based on the Governor's Executive Order Requiring an Inventory of Florida's Employment Restrictions, January 2007
8. Smart Justice, February 2010
9. Florida TaxWatch Government Cost-Saving Task Force Report, December 2010
10. Right on Crime Statement of Principles, December 2010

**INTRODUCTION**

The transition team assigned to the Department of Corrections submits the attached report for your consideration. This report reflects our findings and recommendations based on our interviews of more than twenty people in senior management positions, as well as our review of scores of documents and reports.

Our team had the distinct advantage of those who have gone before us and alongside us in seeking reform of criminal justice and corrections policies and practices over the last six years. We endorse and recommend the recommendations made by Governor Bush's Ex-Offender Task Force, the Department of Corrections Reentry Advisory Council, the Smart Justice Report of the Collins Center for Public Policy, and the report of Florida TaxWatch's Government Cost-Savings Task Force, which was released this month. (Exhibits 6 through 9)

Each of the reports of these groups builds upon that of the others and sounds the same theme: We are spending billions of tax dollars locking people up and getting very little value on the dollar. Sixty-six percent of those incarcerated will be back within three years and we will have to pay for that, too.

This, too, is the theme be sounded by the ***Right on Crime*** campaign launched this month.

Conservatives, many of whom were instrumental in passing the laws that have led to filling our prisons at great cost, are re-evaluating such policies and calling for criminal justice reforms that reduce crime *and* reduce costs.

*Right on Crime* is lifting up the examples of states across the country where conservatives have led criminal justice reforms. Those states, including Texas, South Carolina and Mississippi, have each been assessing what has been driving their prison growth and then enacted new laws and policies to reverse that growth. Florida, however, has not.



Significantly, Florida is not painted red. There are no reforms to in Florida for the website's (<http://www.rightoncrime.com/>) visitors to find about. It's time to do the work necessary get Florida painted red.

### ***Right on Crime***

Conservatives are known for being tough on crime, but we must also be tough on criminal justice spending. That means demanding more cost-effective approaches that enhance public safety. A clear example is our reliance on prisons, which serve a critical role by incapacitating dangerous offenders and career criminals but are not the solution for every type of offender. And in some instances, they have the unintended consequence of hardening nonviolent, low-risk offenders—making them a greater risk to the public than when they entered.

Newt Gingrich, [American Solutions for Winning the Future](#)

Grover Norquist, [Americans for Tax Reform](#)

Edwin Meese, III, Former U.S. Attorney General

William J. Bennett, Former U.S. Secretary of Education and Federal "Drug Czar"

Asa Hutchinson, Former U.S. Attorney and Federal "Drug Czar"

Pat Nolan, [Justice Fellowship](#)

David Keene, [American Conservative Union](#)

Richard Viguerie, [ConservativeHQ.com](#)

Chuck Colson, [Prison Fellowship Ministries](#)

Brooke Rollins, [Texas Public Policy Foundation](#)

Paul Gessing, [Rio Grande Foundation](#)

Tony Perkins, [Family Research Council](#)

George Liebmann, [Calvert Institute for Policy Research](#)

Rabbi Daniel Lapin, American Alliance of Jews and Christians

Kelly McCutchen, [Georgia Public Policy Foundation](#)

Penny Nance, [Concerned Women for America](#)

Ward Connerly, [American Civil Rights Institute](#) and former Regent of the University of California

John J. Dilulio, Jr., University of Pennsylvania

Kevin Kane, [Pelican Institute for Public Policy](#)

Bob Williams, [State Budget Solutions](#)

J. Robert McClure, III, [James Madison Institute](#)

Gary Palmer, [Alabama Policy Institute](#)

Matt Mayer, [Buckeye Institute for Public Policy Solutions](#)

Viet Dinh, Georgetown University Law Center and former U.S. Assistant Attorney General

John S. McCollister, [Platte Institute](#)

Michael Carnuccio, [Oklahoma Council of Public Affairs](#)

Ronald F. Scheberle, [American Legislative Exchange Council](#)

Eli Lehrer, [Heartland Institute](#)

David Barton, [WallBuilders](#)

Full *Right on Crime* Statement of Principles attached as Exhibit 11.

There is no better illustration of Florida's failure to move into the 21<sup>st</sup> Century on criminal justice and corrections reform than the *Right on Crime's* map on this page.

## EXECUTIVE SUMMARY

Our team found that DOC is broken. It is lacking leadership, vision and courage. Its organizational structure currently is confusing, diminishes accountability and is not cost-effective. We found that the existing performance measures and standards adopted by the Legislature are inadequate and do not align with critical functions of the agency. (See Recommendation #1 Governor Bush's Ex-Offender Task Force at Exhibit 6) We found that a pattern of promoting from within has created an entrenched culture resistant to creativity and innovation. We further found this culture discourages and even intimidates those who want to see progress rather than continued calcification.

That said, while DOC is flawed as an organization and its leaders may not lead all that well, it also boasts many very hard working employees dedicated to their mission. If it were not for those people in middle management and at staff levels, this organization would have collapsed long ago. The mere fact they still manage to maintain custody of more than 100,000 inmates and to supervise over 180,000 people in the community with minimal major incidents is a tribute to those in the trenches. Note, too, that this has been accomplished even as the Legislature has ignored pleas for modernization and reform.

DOC does not exist in a vacuum; its ever-growing prison population, now more than 102,000 prisoners at a cost of over \$2.4 billion to taxpayers, is the direct result of policy choices the state has made and retained over the last thirty years.

1. **Top-Down Review of Criminal Justice and Corrections:** We encourage the new administration to continue to study the policies driving correctional costs by creating a commission to do a top to bottom review of corrections and the criminal justice system, as recommended by Florida TaxWatch. This is long overdue and essential to long-term cost savings.
2. **Decentralization:** We concluded that the agency and the state of Florida would be best served with a more decentralized agency, one in which decision-making is not confined to a few senior Central Office staff, but rather where authority is moved down to the regional level. It is our recommendation that the total number of Regional Directors be reduced from four Institutional Regional Directors and four Community Corrections Directors to a total of three Regional Directors. Each Regional Director would have dual responsibility of both Institutions and Community Corrections and empowered to take care of key operating decisions and the day-to-day problem solving of his/her Region. It is our opinion that this change will smooth operations by promoting more flexibility in managing the daily operations thus allowing faster decisions, greater efficiency and improved response times to operational functions. (See proposed organizational chart, Exhibit 1)

The new organization chart that we prepared reflects our suggested changes; it reduces numerous senior management positions and places new responsibility in the deputy

secretary and the three regional directors. These four individuals will be the foundation of the culture change and must be highly qualified, not simply promoted. In the past the regional directors were often the next person up for a promotion. We are asking and expecting these people to manage their budget, be responsible for all the institutions in their region and also manage the community corrections duties in the region. Also, we recommend aligning the regions for institutions and community corrections.

3. **External oversight.**

- a. The Corrections Inspector General currently reports to the Secretary. We recommend that IG be made independent of the agency and be moved outside the Department. Instead of reporting to the Secretary, the IG would report to the Governor, Legislature and a Corrections and Juvenile Justice advisory council.
  - b. An advisory council overseeing the Departments of Corrections and Juvenile Justice should be created.
  - c. The Governor should also appoint a Special Advisor or Deputy Chief of Staff for Public Safety to coordinate with the advisory council and oversee criminal justice and corrections. This person should have a track record in working to reform the criminal justice system with an emphasis on reentry and should also have a good working relationship with the legislature as well as with local governments and reentry networks throughout the state. This person will act as a liaison for the Governor with all executive agencies, commissions, task forces and oversight boards as well as the legislature as it pertains to public safety issues.
4. **Ombudsman.** We recommend that an ombudsman be appointed to resolve problems with families and members of the community, including DOC's community partners.
5. **The PBA contracts:** These agreements encourage stagnation and insure that no culture change can occur when officers are promoted regardless of their qualifications and suitability for the position. This also does not allow the wardens to insure that the officers have accepted the modified mission statement of corrections which now includes successful reentry of the offenders into their community. The current contract is due to expire in June 2011 and needs immediate attention. The current contract and DOC procedures gives too much weight to tenure and too little to performance, education, training and other mission-critical factors.
6. **The PRIDE Agreement:** PRIDE is making a few people very wealthy while operating Florida prison industries in a manner entirely inconsistent with its mission.

PRIDE is a nonprofit authorized by the Legislature to manage prison industries and has a statutory monopoly to do so; under its governing law, no other entity can compete with PRIDE in the operation of prison industries. Its primary statutory mission is "To provide a joint effort between the department, the correctional work programs, and other vocational



training programs to reinforce relevant education, training, and *post-release job placement and help reduce recommitment,*" 946.501, F.S., yet nearly every year a smaller percent of the prison population is able to secure PRIDE jobs or job training (See Exhibit 3.a.) and most PRIDE workers will either never be released from prison or will not for many years to come (See below).

The PRIDE annual report states that 1,655 inmates completed PRIDE training programs – out of an inmate population of 102,203, which amounts to **1.6 percent of prisoners completing training.** Contrast this with the percent of inmates working in prison industries in other states in 2007.

	Inmates	Population	Percentage
Alabama	1,500	29,148	5.15%
Arizona	1,882	35,795	5.26%
Arkansas	500	12,643	3.95%
California	5,900	172,561	3.42%
Connecticut	336	18,568	1.81%
Georgia	1,400	47,304	2.96%
Illinois	950	44,669	2.13%
Kansas	1,100	9,316	11.81%
Maryland	1,608	22,736	7.07%
North Carolina	2,000	37,352	5.35%
South Carolina	2,233	23,375	9.55%
Tennessee	711	19,341	3.68%
Texas	4,314	135,283	3.19%

**Further, 16% of the inmates working for PRIDE are serving life sentences; the average sentence for the remaining workers is 15.1 years; and 28% of the PRIDE workforce has 10 years or more to serve before being released.** This means that few in the PRIDE workforce are being rehabilitated for purposes of reducing recommitment to prison because these workers are not being released to Florida communities at all or any time soon.

*Inmates in PRIDE assignment on 11-30-2010*

PRIOFF(PRIMARY OFFENSE)	Life Sentence

CODE)	No	Yes	Total	Avg Sentence of Non-Lifers
<b>1 -MURDER/MANSLAUGHTER</b>	177	216	393	25.5
<b>2 -SEXUAL/LEWD BEHAVIOR</b>	287	75	362	21.3
<b>3 -ROBBERY</b>	226	25	251	21
<b>4 -VIOLENT, OTHER</b>	196	8	204	12.4
<b>5 -BURGLARY</b>	302	13	315	14.1
<b>6 -PROPERTY THEFT/FRAUD/DAMAGE</b>	129	0	129	6.8
<b>7 -DRUGS</b>	356	1	357	8.5
<b>8 -WEAPONS</b>	55	0	55	10.9
<b>9 -OTHER</b>	84	0	84	8.7
<b>Total</b>	1812	338	2150	15.1

Moreover, the average sentence length of those in Florida’s prisons is 4.7 years, which means that the vast majority of inmates do not fit the profile of a PRIDE employee. We recommend that PRIDE (or any successor organization) be forbidden from hiring any workers with life sentences and forbidden from hiring any worker with fewer than 5 years left of their sentence to serve.

**This year, PRIDE is paying its President and their two lobbyists more than \$521,000, plus all expenses, including telephone, copying, travel and entertainment.** (See Exhibits 3.b., c. and d.) The President has also been paid \$38,846 in bonus pay over the last three years. One of the lobbying contracts also authorizes additional payments at the rate of \$350 per hour if hours per month exceed 57 (13 hours per week); that individual is also on the PRIDE board. Additionally, PRIDE pays 56 employees more than \$50,000 per year.

Contrast PRIDE’s salaries and compensation to that of the state employees:

Governor	\$130,273
Secretary of Corrections	129,245
Average State Career Service	\$34,651
Average All State Personnel	\$38,540

Source: DMS 2009-2010 Annual Workforce Report and the General Appropriations Act of 2010

The transition team is not the first entity seeking a major overhaul or PRIDE or replacement of PRIDE as the prison industries manager. At least four reports on PRIDE, one by Florida's Corrections Commission in 2002, two by OPPAGA in December 2003 and again in October 2006, and a fourth, an audit by the Auditor General in 1997 were very critical of PRIDE. The studies come to the same key conclusion. PRIDE has not increased prison industry jobs in Florida and has actually radically decreased the percentage of employed prisoners.

In 2007, a major overhaul plan was developed by DOC, the primary features of which were to transfer authority of prison industries to DOC. (See Exhibit 3.e.) Unfortunately, PRIDE has been able to obstruct and quell all legislative efforts at reforming or replacing PRIDE. We endorse the approach recommended in 2007 and encourage the Governor to start the process by having the Chief Inspector General conduct a top to bottom review of this entity.

We also must question the controlled purchase of certain goods and services through PRIDE without competitive bidding. The purpose of PRIDE was to train inmates in job skills that would translate into jobs upon release. We feel strongly that we need to reassess this long term agreement and consider putting these services out for a national competitive bid. We recommend that the state should control the PIE Certificate and it should not be handed over to one provider.

7. **Sentencing laws:** It is clear that the current criminal laws do not allow for the judiciary to use prudent judgment in sentencing recommendations that could and would reduce the ballooning population of corrections. Best practice standards show that innovative sentencing, especially split sentencing, is more effective and certainly more cost efficient. The state has taken away post release supervision by eliminating parole and therefore most inmates exit at the end of their sentences with no supervision. This is a major contributor to recidivism. We strongly recommend a thorough examination of the 85% rule and the impact it has had on the radical increase in the number of people released with no supervision whatever. We also recommend seeking diversionary sentences alternatives that have proven themselves in other states.
8. **Borrowing to Pay for Prisons:** Lawmakers can face prison growth with vision and courage and address the underlying causes, as they are in the majority of states, or they can borrow the problem away. Thus far, in Florida, the solution has been to borrow – by floating bonds for the construction and expansion of prisons. At this point the state's prison debt exceeds \$1 billion. This is precisely the wrong way to address prison growth.

Bonding is popular because it *appears* to provide an easy way out of a complex problem. But it does nothing but build debt. It does not build a more accountable and responsible criminal justice system.

As noted above, "Conservatives are known for being tough on crime, but we must also be tough on criminal justice spending. That means demanding more cost-effective approaches that enhance public safety." Bonding prisons is not being tough on criminal justice spending.

Florida avoided borrowing to build state prisons until the early nineties and instead built and expanded scores of prisons with fixed capital appropriations of general funds.

In 1993, the Legislature created the Correctional Privatization Commission “for the purpose of entering into contracts for the design, construction, and operation of private prisons in Florida.”<sup>1</sup> Bonding to finance private prisons followed. The specific financing mechanism that is used is Certificates of Participation (COPs), which is a form of lease revenue bond that permits the investor to participate in a stream of lease payments relating to the acquisition or construction of specific equipment, land or facilities, and which is commonly used to finance schools. Fourteen prisons have been constructed through COPs since 1993 or a mix of COPs and capital appropriations. The most recent issuance of these bonds was authorized by the Legislature in 2009 and added \$337 million to the state’s debt.

Because bonding adds to the state’s long term debt and because bonding provides a relatively easy tool to avoid addressing the factors driving prison growth, Florida should pledge to stop bond financing prisons and prison expansions.

- 9. Mission-focused prisons.** We strongly support the creation of a position overseeing specialty institutions, by which we mean mission-focused institutions. This position is critical to the goal of reducing recidivism. Currently, the department has faith and character-based and reentry institutions. This is the area where innovations and proven ideas will be implemented and expanded upon. We recommend converting some prisons to institutions that focus on chemical dependency (therapeutic communities), literacy and voc-tech. We further recommend putting greater emphasis on community outreach. A culture change cannot occur without engaging the communities where these facilities are located. In past periods the communities provided valuable assistance to the facilities through volunteers and mentoring. The department has not encouraged those relationships and each regional director, warden and other staff should be encouraged and rewarded for community involvement. We must have our communities understand that 88 percent of the population will be going home to someone’s neighborhood and disengagement is not an option.

We are excited and encouraged about the vision of the new administration.

## **Department of Corrections Overview**

### **2010-2011 Department budget**

### **2010-2011 Division budget**

---

<sup>1</sup> OPPAGA, Report 02-27, Correctional Privatization Commission Improved Management of South Bay Contract; More Savings Possible; Chapter 93-406, Laws of Florida.

We understand the administration has this information and providing it here would be redundant.

**List each Division of the Department;** and provide a 5-7 sentence summary of each. (see attached, Exhibit 4)

**Total personnel:** 29,340 FTEs, which includes 16,000 institutional staff for the incarcerated population of 102,203; 3,185 in community corrections supervising 180,000 people on probation and other forms of supervision. (See Proposed Organizational Chart and Current Organizational Charts, Exhibits 1 and 2)

**Total number of physical offices and locations by city: 154 offices** (list attached; Exhibit 5)

**Overlapping with other agencies** (include other State departments, Sheriff's offices and police departments)

- Health care shared with Correctional Medical Authority, Agency for Health Care Administration, DCF, DOH.
- Legal services shared with AG, FDLE, and outside contract counsel.
- Inspector General shared with FDLE, Chief IG, local law enforcement and FBI.

**Identify private sector overlap for areas under review:**

- GEO, CCA and MTC building and operating private prisons.
- PRIDE – prison industries
- Health care contracts – e.g., kidney dialysis

**Short term issues** (likely to be faced in the first 6 months) - List in bullet format to include a 3-4 sentence explanation

- **Close the Sumter male youth boot camp and the Lowell female boot camp (with a staff of 14 and 3 inmates)**
- **Substantial senior management changes**  
The review team found a lack of chain of command from the top and permeating throughout the entire organization, which leads to inertia, a lack of focus on mission, and a failure to adhere to mission. It also found that individuals in certain areas far exceeded the parameters of their jobs and had undue influence over blocking new initiatives and the close adherence to

mission. It further found that the lines of authority are regularly breached in order to avoid those who would either not respond or would try to block getting the job done. Many have been promoted from within to jobs for which they are not nearly qualified and there is a lack of recruitment from outside the agency, let alone the state. There is little accountability to mission or to outcomes. Most failure is blamed on two to three people in leadership.

- **Organizational change**

The review team found that the organizational structure is based on personalities and undue influence exerted from within and outside the agency and fails to establish meaningful lines of authority or accountability. Moreover, it is not a structure conducive to adherence to mission, to innovation or to change.

- **Contract renegotiation: PRIDE, PBA, health care**

The review team found that the contracts with PBA, PRIDE (indirect cost to the state by virtue of failure to train sufficient numbers of inmates as opposed to direct outlays) and perhaps certain health care providers are such that they not only cost the state way too much money, but undermine mission and thus warrant review and renegotiation.

- **Administrative changes in DOC gain-time policies**

DOC can cut costs by revising two policies that do not need changes in state law in awarding gain time. The first is that which fails to count the period of time spent in jails after sentencing while awaiting transfer to a DOC facility. The second is that practice which virtually automatically imposes the maximum gain-time loss as a sanction for a prison disciplinary violation. It can also cut costs by allowing prisoners to recover previous gain-time forfeitures.

- **In-depth departmental review.**

Order a full departmental operations, policy and management audit by a consulting firm that understand the principles of lean government, e.g., McKinsey & Co.

- **Independent IG**



Immediately move the IG out of DOC and reestablish it as an independent entity with a citizen oversight board accountable to the Governor and Legislature.

- **Criminal Justice Review Commission**

The costs of Corrections are primarily driven by laws, policies and practices adopted over many years and they have never been comprehensively reviewed to determine more cost-effective alternatives that improve public safety. We recommend that the Governor organize a commission to do a top-to-bottom data-driven assessment of Florida's corrections and criminal justice system -- from sentencing to reintegration -- with a focus on cost-effective ways to improve public safety while slowing prison growth. This commission should be required to produce comprehensive, actionable reforms in time for consideration by the legislature in 2012.

- **Adopt and implement the attached recidivism-reduction proposals as adopted by the Governor Bush's Ex-Offender Task Force, the DOC Reentry Advisory Council and the Collins Center for Public Policy. (Exhibits 6,7, 8 and 9)**

**Long term issues** (likely to be faced beyond 6 months) - List in bullet format to include a 3-4 sentence explanation

- **Adopt TaxWatch Cost-Saving Task Force sentencing reform recommendations (Exhibit 9)**
- **Make changes in organization and operations pursuant to comprehensive agency audit (see above)**
- **Close prisons**
- **Assess program efficiency, effectiveness and duplication**
- **Allow prisoners to use secured virtual education programming**

### **Proposals and Outlook for the Department**

**New Organizational Chart** - Describe your changes, why they are beneficial and how this will create efficiency and effectiveness (See attached Exhibits 1 and 2)

**Cost Saving Opportunities and Department Recommendations** - Include consolidation measures (if possible) to create efficiency and effectiveness, list in bullet format (**see above – short and long term objectives**)

**Summary of Budget** (Legislative Budget Review) **See OPB recommendations**

**Summary of Legislative Priorities** (Legislative Review Policy Programs)

- Award PIE certificate to DOC
- Florida TaxWatch criminal justice reforms (Exhibit 9)
- Mandate convening of local Public Safety Coordinating Councils

## **Policy Proposals Related to Recidivism Reduction**

### **A. Establish Institutions with Defined Missions and Goals (e.g., basic education, chemical dependency, vocational training, veterans).**

#### **Key Elements of Proposal**

- With 50% of the inmate population reading below a 6<sup>th</sup> grade level we need to establish Education Institutions where all activity and programming is directed to GED completions.
- With major chemical dependency issues, we must establish therapeutic institutions where all activity is focused on the substance issues. This type of facility could allow an inmate a period of three to six months upon admission to address perhaps their most critical inhibitor to success.
- With job training and skills being a major deterrent to a successful re-entry we can devise criteria for an inmate to go to an urban institution and through a joint agreement have vocational training taught by the local Voc-tech school.

**Fiscal Impact:** There would be no difference in cost that disbursing such programming throughout various institutions.

**Operational Impact:** Relocation of personal would be necessary in some instances. Careful selection of the Administrative staff would be essential. The major obstacle to overcome would be the current classification policy. This policy does not allow flexibility or creativity in inmate placement but mandates strict standards based on the offenders charges, time of sentence, violent or not violent classification and institutional convenience. Clearly some offenders would not fit into these programs but historically we let the exception become the rule.

**Legislative Requirements:** Again, budget concerns would be considered. This plan would require broader inter-agency agreements that could need legislative approvals.

**Legislative Opposition:** This approach is innovative and requires the legislator to understand that public safety will not be compromised. The population of these targeted institutions will be required to meet certain criteria and all of these institution's beds should go to those who desire change and strict adherence to rules and policies will be required.

**Pros and Cons:**

Pro: Address the individual inmate's needs to elevate their chance of not recidivating

Cons: The public perception that the inmate is getting free education, job training, substance abuse intervention and any other advantages.

**B. Expand the Faith and Character-Based Institutions.** Florida has operated Faith and Character Based Facilities since early 2000. The original units were dorms within an Institution and later the complete Institution was converted. These reduced recidivism because of the large volunteer base that integrates prisoners with people in the community. No one has even considered raising First Amendment objections to these facilities because they were carefully planned with no government money being provided for faith-related activities. Wakulla F & C Institution consistently shows a 15% reduction in recidivism.

**Key Elements of Proposal**

- Establish an operational model with clear curriculum, programming and measurable performance standards.
- Appoint a faith and character-based coordinator to ensure compliance with programming standards and the thoughtful expansion of the model.
- Establish a goal of providing F & C beds for all inmates who meet the prescribed criteria. These individuals should have exhibited by their actions an unquestionable desire for change in their lives.
- Work with DOC classification standards to remove barriers to expansion of these institutions.

**Fiscal Impact:** The fiscal impacts are exhibited by the 15% lower recidivism rate:

Average sentence: 4.7 years

Cost averaging \$20,000 annual x 4.7 = \$94,000 annual

15% of current recidivism annual class equals 4, 900 inmates

$$4,900 \times \$94,000 = \$4,606,000.00$$

F & C Institutions are revenue neutral. The only extra staff required is an outside/volunteer coordinator. This often falls to the Chaplain but this is an unrealistic burden and diminishes effectiveness.

Expanded programming, locations and times could require evening staffing increases.

**Legislative Requirements:** No legislative action is required if this becomes an Executive mandate.

**Pros and Cons:**

Pros: Increasing the availability of a proven program exhibits an attitude of approaches and a culture shift at DOC.

Cons: We must be careful to honor inmate preference.

Future Research:

OPPAGA Report for Faith and Character Based Facilities in Florida.

<http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/0938rpt.pdf>

## **C. Mandate that the Local Public Safety Coordinating Councils Establish Reentry Coalitions within Their Area.**

### **Key Elements of Proposal**

- Over 88% of the inmate population will return to the community. The local Public Safety Councils are the obvious legislated body to assist the inmate in successful re-entry.
- The Council Re-Entry Coalition must be required to inventory, publish and annually update a local re-entry guides that provide the name, address, phone number and contact information for all government, social service or private provider of re-entry services.
- The Coalition should be responsive to inmates 60 days prior to release when seeking information to facilitate their reentry.
- The implementation of the services component would be done in conjunction with existing state and county community corrections offices and the regional outreach coordinators.

**Fiscal Impact:** Minimal fiscal impact outweighed by reduced costs due to reduced recidivism. The impacts to the inmate and the community are immeasurable.

**Operational Impact:** The Councils should currently exist under a legislative mandate. In fact some counties have not constituted their councils. Staffing would be required to publish the guide and provide an office for the inmates to seek guidance and education.

**Legislative Requirements:** Mandate the creation of the Re-Entry Coalitions. Some of these currently exist such as the Broward County Coalition. Their examples of success stories are convincing and could serve as models.

**Legislative Opposition:** This will be viewed by the Florida Association of Counties as an unfunded mandate and many legislators will concur. Funding to minimum standards would be advised.

#### **Pros and Cons:**

Pros: Inmates would come home or to a community with the ability to connect and find the survival services necessary.

Cons: There are no cons. These agencies operate within every community and yet the returning inmate has no transportation, no knowledge of the interworking of each group and no one to direct them unless they are one of the few who have transition housing, a helpful parole officer or family.

### **D. Individualized Inmate Reentry Plans**

**A key to reduced recidivism is using the time of incarceration for positive change for the inmate by diagnostically identifying the inmate's individual needs, creating an Inmate Re-entry Plan and providing the services and supports in the plan.**

#### **Key Elements of Proposal**

- The core of this proposal rests on having inmate success upon reentry trump “institutional convenience” in placing and keeping inmates in facilities that have programs commensurate with their needs.
- At reception, through testing, DOC can identify needs and design an Inmate Re-Entry Plan. This plan should be reviewed and modified when needed and assessed annually.

- The inmate should be assigned to the facility that best meets his/her needs such as education, job training, or chemical dependency. With 50% of our inmate population testing below a 6<sup>th</sup> grade reading level inmates often take years to obtain a GED. This is often because of their placement at or in an Institution.
- The goal would be to structure this plan to have a realistic change of completion and success.

**Operational Impact:** The major impact would be providing more front end personal for testing and assisting the inmate in plan development. Existing personnel made need to be augmented within a facility for annual evaluation. No inmate should be released without his file containing the necessary documentation for success such as a Social Security card, Drivers Licenses or State Identification. Training Certificates, GED Diplomas and should be provided if possible.

**Legislative Requirements:** Provide adequate budgeting for the positions needed for this vital policy whether through new or reallocated funds.

**Legislative Opposition:** It could also be argued by FDC that this is occurring currently. It is not occurring consistently and with no clear policy or plan.

**Pros and Cons:**

Pros: Inmate idleness is rampant in today's system and it can strongly be argued that a large number of inmates became part of the system because of lack of direction and this system will teach that.

Cons: Some inmates will reject adhering to any plan and current State and Federal guidelines may limit enforcing this. The tendency to let that control this action is to allow the minority to limit our determinate for change.

## **E. Review and Revise Florida's Employment Restrictions for Ex-Offenders**

### **Key Elements of Proposal**

- There is no consistency or predictability in the rules, laws or policies that impose these restrictions.
- Most restrictions are not closely related to the safety, trust and responsibly required of the job.



**Fiscal Impact:** Gainful employment is essential to any strategy to reduce recidivism, and thus to reduce crime save costs for taxpayers.

**Legislative Requirements:** Legislative actions are needed to repeal/preempt existing statutory requirements and policy based bans that do not allow a consideration of rehabilitation.

**Legislative Opposition:** Through proper education this concept should be embraced by the legislature. A case must be built that these restrictions are major contributors to recidivism and have no impact on public safety. Clearly certain restrictions are essential but must be correlated with a public safety purpose.

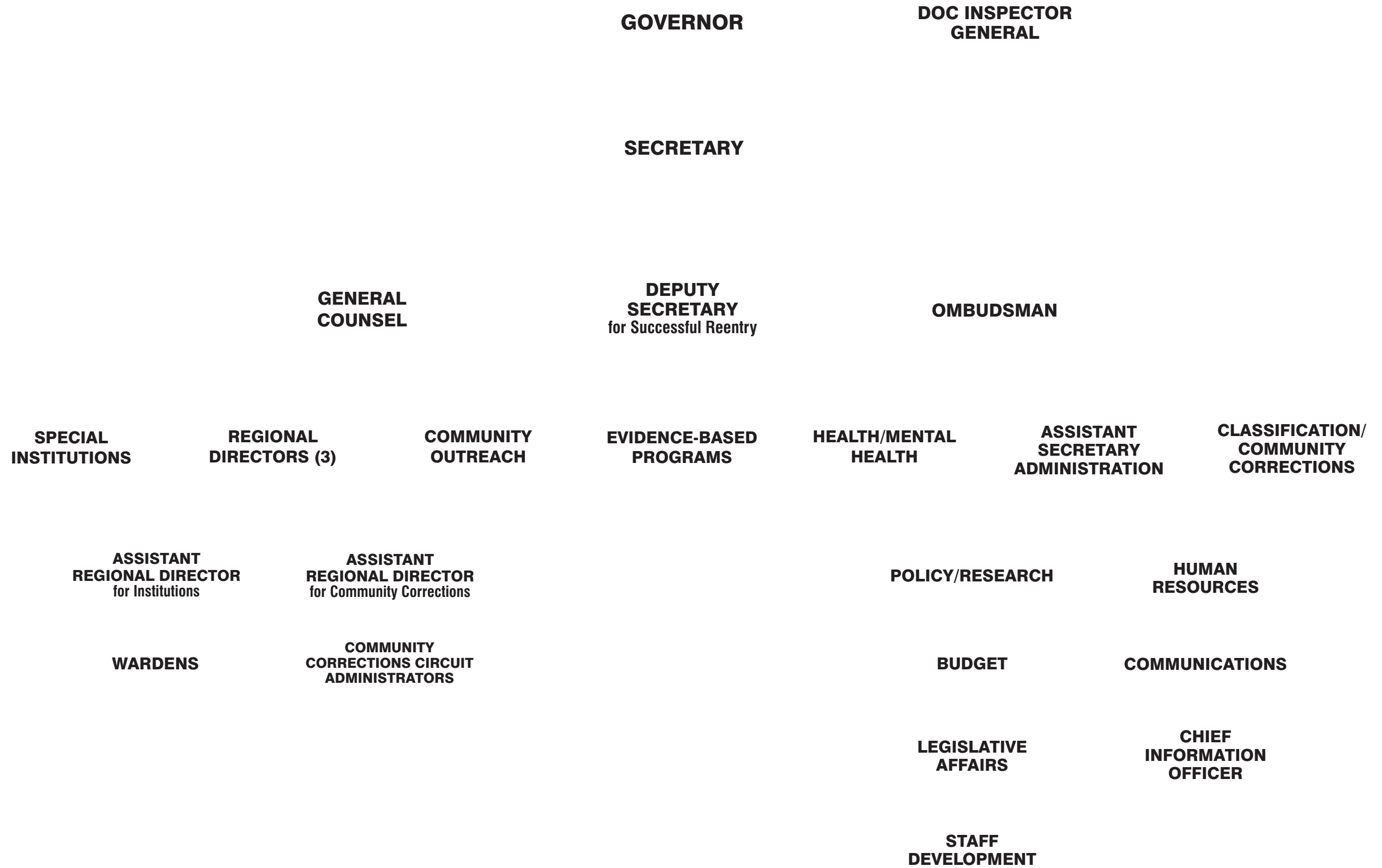
**Pros and Cons:**

Pros: Reduced recidivism increases the chances of stronger family structure and therefore reduces generational incarceration.

Cons: With proper implementation there should be no negative effects.

Please refer to the Florida Employment restrictions report dated January, 2007 (Exhibit 7).

# Proposed Organizational Chart Florida Department of Corrections



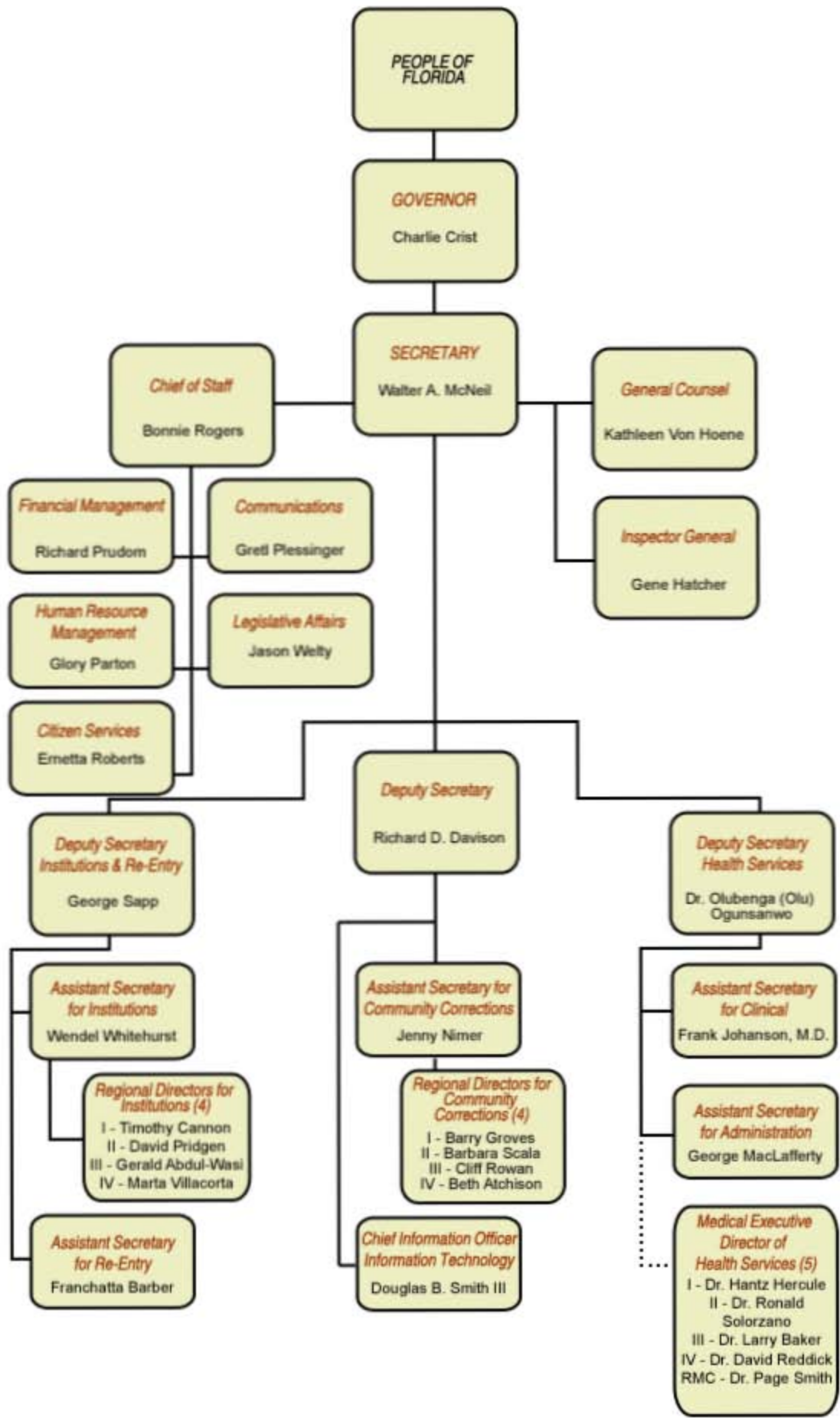


Exhibit 2

PRIDE Inmate Worker SNAPSHOT 1984 - 2010

Year	DC inmate population	# PRIDE workstations	Percent workstations to population	Sales Revenue	# inmates engaged in PRIDE labor
1984	26,471	1295	5%	\$12,712,055	
1985	28,310	1626	6%	\$36,167,749	1735
1986	29,712	1900	6%	\$39,776,805	
1987	32,764	2194	7%	\$46,980,191	2521
1988	33,681	2516	7%	\$57,369,802	
1989	38,059	2600	7%	\$67,384,216	4470
1990	42,733	2887	7%	\$75,724,404	6433
1991	46,233	2437	5%	\$75,731,338	6507
1992	47,012	2397	5%	\$67,835,677	5722
1993	50,603	2660	5%	\$71,181,068	5434
1994	56,052	2630	5%	\$77,617,583	5035
1995	61,992	2721	4%	\$84,732,580	5571
1996	64,333	2659	4%	\$72,846,749	4293
1997	64,713	2487	4%	\$83,208,233	4637
1998	66,280	2481	4%	\$81,220,930	4870
1999	68,599	2659	4%	\$78,452,030	4909
2000	71,233	2637	4%	\$93,677,025	4916
2001	72,007	2616	4%	\$62,093,958	4160
2002	73,553	1946	3%	\$60,930,006	3346
2003	77,316	2043	3%	\$64,714,397	3718
2004	81,974	1990	2%	\$66,346,840	3794
2005	84,901	2117	2%	\$72,756,795	3502
2006	88,576	2093	2%	\$79,020,703	3440
2007	92,844	2241	2%	\$79,973,171	3640
2008	98,192	2368	2%	\$76,042,792	3961
2009	100,894	2261	2%	\$74,887,872	4140
YTD103110	102397	2268	2%	\$54,953,014	3744

Exhibit 3.a.

PRIDE ENTERPRISES EMPLOYEES WHO MAKE OVER \$50,000 ANNUALLY

12/8/2010

EMPLOYEE NAME	JOB TITLE	SALARY	Incentive/Bonus Paid to Employees Over \$75,000 Over Last 3 Years
EDGEMON, JACK	PRESIDENT	\$207,725	\$38,846
RADANOVICH, PETE	CHIEF FINANCIAL OFFICER	\$139,190	\$14,374
HORNE, ROD	GENERAL MANAGER, AGRIC & SERVICES	\$125,836	\$6,810
ROSE, VIRGINIA	GENERAL MANAGER, SEWN PRODUCTS	\$111,243	\$7,537
FISHER, RANDY	DEVELOPMENT MANAGER	\$107,140	\$6,367
ROBERTS, DAVE	GENERAL MANAGER, GRAPHICS SBU	\$105,000	\$0
HINKLE, MARY	CHIEF AUDIT EXECUTIVE	\$103,000	\$7,974
KIMINKI, DEE	CHIEF ADMINISTRATIVE OFFICER	\$100,783	\$7,864
MORQUEZ, DAVID	INFRASTRUCTURE MANAGER	\$85,000	\$0
LUDEHUS, RON	OPTICAL INDUSTRY MGR	\$81,986	\$3,157
WIGNALL, BOB	DIRECTOR, HR & TNG	\$81,783	\$6,391
TORTARELLI, CAROL	DIRECTOR MISSION PROGRAMS	\$81,608	\$6,876
BURKHOLDER, CARL	MANUFACTURING MGR	\$80,797	\$6,867
DAVID, STAN	METAL & WOOD PRODUCTS SALES ENGINEER	\$80,000	\$3,000
SUBA, BOB	OPERATIONS MGR	\$78,776	\$2,967
RUSSELL, JERRY	DIRECTOR, ENGINEERING & FACILITIES	\$75,311	\$4,504
HIELSBERG, GREG	DIRECTOR OF SALES	\$75,000	\$0
YAX, RYAN	INDUSTRY MGR	\$72,669	
ALBALA, GEORGE	OPERATIONS MGR, SEWN PRODUCTS	\$71,630	
HOFFMANN, NORRIS	SR BUSINESS ANALYST	\$71,325	
PARR, DARWIN	OPERATIONS MGR	\$70,756	
TRINER, BOB	OPERATIONS MANAGER, GENERAL MGR	\$70,700	
WEYER, BRYAN	INDUSTRIAL ENGINEER	\$70,520	
TORRES, LEO	ACCOUNTING MGR	\$67,238	
TIEW, TOMMY	OPERATIONS MANAGER, AGRICULTURE	\$66,497	
TECKNO, ROCCO	MGR, COST ACCOUNTING	\$65,853	
TURNER, KAY	INDUSTRY MGR	\$65,593	
BLUNNIS, BRUCE	MGR, PRODUCT ENGINEERING	\$65,120	
LAWSON, MARY	SR STAFF ACCOUNTANT	\$62,029	

Staff names redacted by the DOC  
Transition Team

12/8/2010

EMPLOYEE NAME	JOB TITLE	SALARY	Incentive/Bonus Paid to Employees Over \$75,000 Over Last 3 Years
HELLETT, PAT	DENTAL LAB MGR	\$62,012	
HICKS, GREGG	INDUSTRY MANAGER	\$60,000	
WOOD, RAY	SR DESIGN ENGINEER	\$60,000	
WISHER, KIP	MGR OF SAFETY & ENVIRONMENTAL SCIENCES	\$59,759	
WAINLY, SHEL	SALES/NEW BUSINESS DEVELOPMENT REP	\$59,676	
BROWN, JAMES	ADMINISTRATIVE/CUST SVC MGR	\$57,201	
FLAYA, NEL	FINISHING SUPV	\$56,650	
PARKS, RAY	FACILITIES MGR	\$56,374	
KIEN, GARY	MGR, SALES SUPPORT CENTER	\$56,342	
RAWFORD, LAWREN	SUPV/ FORESTRY TECH	\$55,998	
WAMINS, TOM	PRODUCTION MGR	\$55,998	
MEDINA, MARICEL	PRODUCTION MGR	\$55,897	
FEDERICO, ALVIN	MAILING SUPERVISOR	\$55,365	
LEFFERS, RICH	INDUSTRY MANAGER	\$55,120	
MOGSTEN, DIANA	INDUSTRY MGR	\$55,008	
JACOBS, KENT	INDUSTRY MGR	\$54,356	
ADAMS, RUDY	PRODUCTION MGR	\$54,238	
PARKER, ROY	INDUSTRY MGR	\$54,050	
JONES, KEVIN	INDUSTRY MGR	\$53,697	
LARK, HERB	ECOMMERCE GRAPHIC DESIGNER	\$52,000	
MCDONALD, LORI	CUSTOMER SERVICE MGR	\$51,723	
GLESSINGER, CHRIS	PRODUCTION SUPV, DATA ENTRY	\$51,381	
PAULSON, TOM	PRODUCTION MGR	\$50,907	
MELLEN, HARVEY	NETWORK ADMINISTRATOR	\$50,000	
BENNETT, JEFF	PRODUCTION MANAGER	\$50,000	
CHADWICK, TYNN	PRODUCTION MANAGER	\$50,000	
MINIANT, SIR, LEU	PRODUCTION MGR	\$50,000	



# BREWTON PLANTE P.A.

PROFESSIONAL ASSOCIATION  
ATTORNEYS AT LAW  
SUITE 250  
225 SOUTH ADAMS STREET

**TALLAHASSEE, FL 32301**

TELEPHONE 850-222-7718  
FAX 850-222-8222

MAILING ADDRESS:  
POST OFFICE BOX 10369  
TALLAHASSEE, FL 32302-2369

E-MAIL ADDRESS:  
WILBUR E. BREWTON, ESQUIRE  
wbrewton@bplawfirm.net

July 1, 2010

Jack Edgemon, President  
Prison Rehabilitative Industries  
& Diversified Enterprises, Inc.  
12425 North 28<sup>th</sup> Street  
Suite 300  
St. Petersburg, Florida 33716

Re: Our Files 125002.all matters

Dear Jack:

You asked that we represent Prison Rehabilitative Industries & Diversified Enterprises, Inc. d/b/a PRIDE Enterprises, (the "Company"), in connection with various consulting services, lobbying representation and related and necessary legal representation for the period of July 1, 2010 to and including June 30, 2011.

Over the years, it has been our experience that things go more smoothly if we have a clear understanding of the Company's needs and the role we need to play. The purpose of this engagement letter is to confirm an agreement concerning representation and the payment of our fees and expenses. This engagement letter will govern all subsequent matters in which we may become involved on the Company's behalf unless a separate arrangement is made.

We will do our very best to meet the Company's needs in any matters we undertake for the Company, but as you know, we cannot and do not make any representations or warranties concerning the outcome. We will give the Company

Jack Edgemon, President  
Re: Legal Representation  
July 1, 2010  
Page 2 of 8

our best advice, render opinions, and seek to obtain the desired result. In this regard, it is most important that we communicate regularly.

We have attached a copy of the Firm's Policy Regarding Fees and Expenses. All conditions in that document are incorporated by reference as part of this engagement letter. As we are sure the Company recognizes, we have a legitimate business concern in being paid in a timely fashion.

In the event that the Company disagrees with or questions any amount due under an invoice, the Company agrees to pay the amount not in disagreement, and communicate such disagreement to us, in writing, within thirty (30) days of the invoice date. Any claim not made within that period shall be deemed waived.

(1) This will confirm our Agreement whereby the undersigned will provide the Company with consulting services, lobbying representation and related and necessary legal representation in the State of Florida, for the period of July 1, 2010 through June 30, 2011. It is understood and agreed that either party may terminate this Agreement by the giving of sixty (60) days written notice to the other party, provided that if the Company shall terminate this Agreement, it shall at all times be liable for the yearly retainer through the term of this Agreement, regardless of the reasons for such termination.

(2) For services of the undersigned and the Firm, the Company agrees to pay a minimum annual retainer in the amount of Two Hundred Forty Thousand Dollars (\$240,000.00), payable at the rate of Twenty Thousand Dollars (\$20,000.00) per month:

(a) The undersigned will submit monthly time records detailing all time expended for the period July 1, 2010 through June 30, 2011; and

(b) Annually, the Company and the undersigned will review the previous twelve (12) months statements and to the extent the time records demonstrate more time expended than the minimum annual retainer, the Company shall pay the difference; likewise in the event the time records demonstrate



Jack Edgemon, President  
Re: Legal Representation  
July 1, 2010  
Page 3 of 8

less time expended, than the minimum annual retainer then the Company shall receive a credit.

(c) The Firm, may at its option, forego the monthly retainer of \$20,000.00 and bill monthly for its services, which will be paid by the Company. The provisions of this paragraph 2(b)(c) do not apply to the circumstances under paragraph (5) of this Agreement.

(3) In addition, the Company shall reimburse the undersigned for reasonable and necessary out-of-pocket expenses on behalf of the Company, included but not limited to telephone calls, copying costs, facsimile costs, lobbying registration fees, travel, entertainment and other expenses which are normal and usual in carrying out the representation of the Company. Any unusual or extraordinary expenditures must be cleared with the Company, in advance.

(4) The minimum annual retainer, coupled with the hourly rate fee schedule set forth on Exhibit A, is to be paid by the Company for services rendered or to be rendered in legislative and regulatory activities relating to the preparation, introduction and/or surveillance of legislation pertaining to the Company and related activities as well as representation before any Executive agency. The undersigned will keep the Company informed of activities at the legislative and Executive level as is feasible, and shall report directly to the President and Chairman of the Company in a manner similar to such activities over the past years. The undersigned agrees to properly register as a lobbyist representing the Company in the Legislature of Florida, as well as all Departments of state government as may be required, and to forward all necessary reports required of such lobbyist to the appropriate authorities.

(5) In the event the Company shall give notice of intent to terminate this Agreement pursuant to paragraph (1), the Company shall be required to make the minimum annual retainer payments, monthly, from the date of termination through the end of the term of this Agreement, to the undersigned. Such payment shall operate to extinguish any and all liability of the Company to the undersigned; provided that the undersigned shall not be required to provide any representation

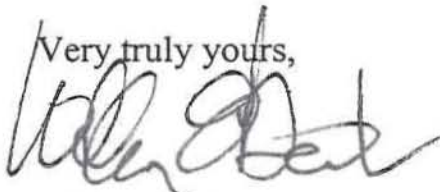
Jack Edgemon, President  
Re: Legal Representation  
July 1, 2010  
Page 4 of 8

from the date of the receipt of the notice of intent to terminate until the end of the term of this Agreement.

If this meets with the Company's approval, please indicate by having the extra copy of this letter signed in the space provided below, and return it to our offices. The Company's approval of this letter will include agreement regarding the fees and costs arrangement, and Exhibits A and B.

When our representation is concluded, the firm has a file retention policy. If at the conclusion of this representation, you desire to have the file(s) rather than having it go to storage, please affirmatively notify us in writing of that choice at the time you execute the engagement letter or at the time that representation is closed.

We appreciate the confidence and trust the Company has reposed in us in asking us to represent it and encourage the Company to communicate with me if at any time you have questions on the status or progress of your matters. I look forward to working with the Company and staff on any matters it deems appropriate. If there are any questions, please do not hesitate to contact me at (850) 222-7718.

Very truly yours,  


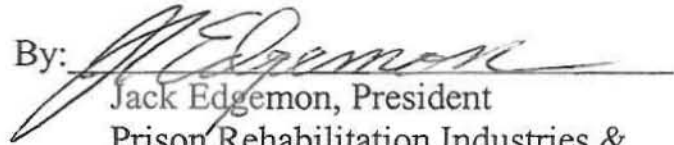
Wilbur E. Brewton  
Individually and on behalf  
of the Firm

WEB/art  
Enclosures

Jack Edgemon, President  
Re: Legal Representation  
July 1, 2010  
Page 5 of 8

The terms of this representation are accepted this 1<sup>st</sup> day of July, 2010.

By:

A handwritten signature in black ink, appearing to read "J. Edgemon", written over a horizontal line.

Jack Edgemon, President  
Prison Rehabilitation Industries &  
Diversified Enterprises, Inc.  
12425 North 28<sup>th</sup> Street  
3<sup>rd</sup> Floor  
St. Petersburg, Florida 33716

Jack Edgemon, President  
Re: Legal Representation  
July 1, 2010  
Page 6 of 8

EXHIBIT A

HOURLY RATES

Wilbur E. Brewton	\$350.00
Kelly B. Plante	\$350.00
Kenneth J. Plante	\$300.00
Tana D. Storey	\$300.00
Paralegal/Law Clerk	\$ 85.00
Other	TBD



Jack Edgemon, President  
Re: Legal Representation  
July 1, 2010  
Page 7 of 8

## EXHIBIT B

### POLICY REGARDING FEES AND EXPENSES

#### FEES:

Quality legal services and good results require ability and effort. These are our "stock in trade." Generally, our fees are based on our skill, the time expended, the responsibility involved, and the results obtained. While our fee in most cases will be based mainly on the time devoted to the matter and the professional skill involved, the Supreme Court of Florida has ruled that where a favorable result has been obtained for a client, a reasonable attorney's fee may include consideration of that favorable result and may result in a fee greater than one based solely on a normal hourly rate. We will charge such a fee where we believe it is justified and in accordance with the Supreme Court's guidelines. Those guidelines involve factors other than the amount of time required, such as the uniqueness and complexity of the questions involved, the skill required to provide proper legal representation, familiarity with the specific area of law involved, the preclusion of other engagements caused by the acceptance of this engagement, the magnitude of the matter, the results achieved, customary fees for similar legal services, and the nature and length of our relationship. All these factors have a significant bearing on the reasonable value of the services performed.

#### EXPENSES:

You will be charged a reasonable rate for computerized document production, postage, reproduction, telecopies, couriers, express mail, long-distance telephone, travel costs and other costs. We may also use computerized research services to assist in handling your matters. This service will be used when we believe that it will save you money to do so. Expenses incurred or advanced on your behalf will be itemized on the statement.

Jack Edgemon, President  
Re: Legal Representation  
July 1, 2010  
Page 8 of 8

## BILLING

You will be billed periodically, usually monthly. There will be a service charge of 1-1/2% per month on all accounts not paid within 30 days of the date the statement is mailed to you. Interest charges will be added on to any outstanding balance and will be reflected in subsequent statements.

In the event you should disagree with or question any amount due under an invoice, you agree to communicate such disagreement to us, in writing, within thirty (30) days of the invoice date. Any disagreement you may have with a bill that is not communicated to us within that period shall be deemed waived.

## COMMENCEMENT OF REPRESENTATION:

Our representation will not commence until we receive a signed copy of the letter to which this statement is attached, together with payment of any retainer specified therein.

## WITHDRAWAL FROM REPRESENTATION:

We reserve the right to withdraw as your counsel in the event you fail to honor your agreement with respect to our legal fees or for any just reason as permitted or required under the Florida Code of Professional Responsibility or as permitted by the rules of courts of the State of Florida. In the event of our withdrawal, you will promptly pay for all services rendered by us in accordance with paragraphs (1) through (6).

# BREWTON PLANTE P.A.

PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

SUITE 250

225 SOUTH ADAMS STREET

TALLAHASSEE, FL 32301

TELEPHONE 850-222-7718

FAX 850-222-8222

MAILING ADDRESS:

POST OFFICE BOX 10369

TALLAHASSEE, FL 32302-2369

E-MAIL ADDRESS:

WILBUR E. BREWTON, ESQUIRE

wbrewton@bplawfirm.net

July 1, 2009

Jack Edgemon, President  
Prison Rehabilitative Industries  
& Diversified Enterprises, Inc.  
12425 North 28<sup>th</sup> Street  
3<sup>rd</sup> Floor  
St. Petersburg, Florida 33716

Re: Our Files 125002.all matters

Dear Jack:

You asked that we represent Prison Rehabilitative Industries & Diversified Enterprises, Inc. d/b/a PRIDE Enterprises, (the "Company"), in connection with various consulting services, lobbying representation and related and necessary legal representation for the period of July 1, 2009 to and including June 30, 2010.

Over the years, it has been our experience that things go more smoothly if we have a clear understanding of the Company's needs and the role we need to play. The purpose of this engagement letter is to confirm an agreement concerning representation and the payment of our fees and expenses. This engagement letter will govern all subsequent matters in which we may become involved on the Company's behalf unless a separate arrangement is made.

We will do our very best to meet the Company's needs in any matters we undertake for the Company, but as you know, we cannot and do not make any representations or warranties concerning the outcome. We will give the Company



Jack Edgemon, President  
Re: Legal Representation  
July 1, 2009  
Page 2 of 8

our best advice, render opinions, and seek to obtain the desired result. In this regard, it is most important that we communicate regularly.

We have attached a copy of the Firm's Policy Regarding Fees and Expenses. All conditions in that document are incorporated by reference as part of this engagement letter. As we are sure the Company recognizes, we have a legitimate business concern in being paid in a timely fashion.

In the event that the Company disagrees with or questions any amount due under an invoice, the Company agrees to pay the amount not in disagreement, and communicate such disagreement to us, in writing, within thirty (30) days of the invoice date. Any claim not made within that period shall be deemed waived.

(1) This will confirm our Agreement whereby the undersigned will provide the Company with consulting services, lobbying representation and related and necessary legal representation in the State of Florida, for the period of July 1, 2009 through June 30, 2010. It is understood and agreed that either party may terminate this Agreement by the giving of sixty (60) days written notice to the other party, provided that if the Company shall terminate this Agreement, it shall at all times be liable for the yearly retainer through the term of this Agreement, regardless of the reasons for such termination.

(2) For services of the undersigned and the Firm, the Company agrees to pay a minimum annual retainer in the amount of Two Hundred Forty Thousand Dollars (\$240,000.00), payable at the rate of Twenty Thousand Dollars (\$20,000.00) per month:

(a) The undersigned will submit monthly time records detailing all time expended for the period July 1, 2009 through June 30, 2010; and

(b) Annually, the Company and the undersigned will review the previous twelve (12) months statements and to the extent the time records demonstrate more time expended than the minimum annual retainer, the Company shall pay the difference; likewise in the event the time records demonstrate

Jack Edgemon, President  
Re: Legal Representation  
July 1, 2009  
Page 3 of 8

less time expended, than the minimum annual retainer then the Company shall receive a credit. The provisions of this paragraph 2(b) do not apply to the circumstances under paragraph (5) of this Agreement.

(3) In addition, the Company shall reimburse the undersigned for reasonable and necessary out-of-pocket expenses on behalf of the Company, included but not limited to telephone calls, copying costs, facsimile costs, lobbying registration fees, travel, entertainment and other expenses which are normal and usual in carrying out the representation of the Company. Any unusual or extraordinary expenditures must be cleared with the Company, in advance.

(4) The minimum annual retainer, coupled with the hourly rate fee schedule set forth on Exhibit A, is to be paid by the Company for services rendered or to be rendered in legislative and regulatory activities relating to the preparation, introduction and/or surveillance of legislation pertaining to the Company and related activities as well as representation before any Executive agency. The undersigned will keep the Company informed of activities at the legislative and Executive level as is feasible, and shall report directly to the President and Chairman of the Company in a manner similar to such activities over the past years. The undersigned agrees to properly register as a lobbyist representing the Company in the Legislature of Florida, as well as all Departments of state government as may be required, and to forward all necessary reports required of such lobbyist to the appropriate authorities.

(5) In the event the Company shall give notice of intent to terminate this Agreement pursuant to paragraph (1), the Company shall be required to make the minimum annual retainer payments, monthly, from the date of termination through the end of the term of this Agreement, to the undersigned. Such payment shall operate to extinguish any and all liability of the Company to the undersigned; provided that the undersigned shall not be required to provide any representation from the date of the receipt of the notice of intent to terminate until the end of the term of this Agreement.

If this meets with the Company's approval, please indicate by having the extra copy of this letter signed in the space provided below, and return it to our



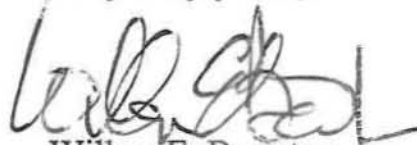
Jack Edgemon, President  
Re: Legal Representation  
July 1, 2009  
Page 4 of 8

offices. The Company's approval of this letter will include agreement regarding the fees and costs arrangement, and Exhibits A and B.

When our representation is concluded, the firm has a file retention policy. If at the conclusion of this representation, you desire to have the file(s) rather than having it go to storage, please affirmatively notify us in writing of that choice at the time you execute the engagement letter or at the time that representation is closed.

We appreciate the confidence and trust the Company has reposed in us in asking us to represent it and encourage the Company to communicate with me if at any time you have questions on the status or progress of your matters. I look forward to working with the Company and staff on any matters it deems appropriate. If there are any questions, please do not hesitate to contact me at (850) 222-7718.

Very truly yours,

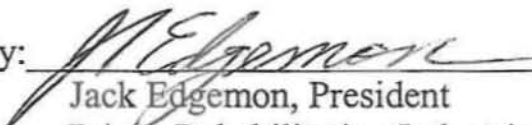
A handwritten signature in black ink, appearing to read 'Wilbur E. Brewton', written over a horizontal line.

Wilbur E. Brewton  
Individually and on behalf  
of the Firm

WEB/art  
Enclosures

Jack Edgemon, President  
Re: Legal Representation  
July 1, 2009  
Page 5 of 8

The terms of this representation are accepted this 1<sup>st</sup> day of July, 2009.

By:   
Jack Edgemon, President  
Prison Rehabilitation Industries &  
Diversified Enterprises, Inc.  
12425 North 28<sup>th</sup> Street  
3<sup>rd</sup> Floor  
St. Petersburg, Florida 33716

Jack Edgemon, President  
Re: Legal Representation  
July 1, 2009  
Page 6 of 8

## EXHIBIT A

### HOURLY RATES

Wilbur E. Brewton	\$350.00
Kelly B. Plante	\$350.00
Kenneth J. Plante	\$300.00
Tana D. Storey	\$275.00
Paralegal/Law Clerk	\$ 85.00
Other	TBD



## EXHIBIT B

### POLICY REGARDING FEES AND EXPENSES

#### FEES:

Quality legal services and good results require ability and effort. These are our "stock in trade." Generally, our fees are based on our skill, the time expended, the responsibility involved, and the results obtained. While our fee in most cases will be based mainly on the time devoted to the matter and the professional skill involved, the Supreme Court of Florida has ruled that where a favorable result has been obtained for a client, a reasonable attorney's fee may include consideration of that favorable result and may result in a fee greater than one based solely on a normal hourly rate. We will charge such a fee where we believe it is justified and in accordance with the Supreme Court's guidelines. Those guidelines involve factors other than the amount of time required, such as the uniqueness and complexity of the questions involved, the skill required to provide proper legal representation, familiarity with the specific area of law involved, the preclusion of other engagements caused by the acceptance of this engagement, the magnitude of the matter, the results achieved, customary fees for similar legal services, and the nature and length of our relationship. All these factors have a significant bearing on the reasonable value of the services performed.

#### EXPENSES:

You will be charged a reasonable rate for computerized document production, postage, reproduction, telecopies, couriers, express mail, long-distance telephone, travel costs and other costs. We may also use computerized research services to assist in handling your matters. This service will be used when we believe that it will save you money to do so. Expenses incurred or advanced on your behalf will be itemized on the statement.

Jack Edgemon, President  
Re: Legal Representation  
July 1, 2009  
Page 8 of 8

## BILLING

You will be billed periodically, usually monthly. There will be a service charge of 1-1/2% per month on all accounts not paid within 30 days of the date the statement is mailed to you. Interest charges will be added on to any outstanding balance and will be reflected in subsequent statements.

In the event you should disagree with or question any amount due under an invoice, you agree to communicate such disagreement to us, in writing, within thirty (30) days of the invoice date. Any disagreement you may have with a bill that is not communicated to us within that period shall be deemed waived.

## COMMENCEMENT OF REPRESENTATION:

Our representation will not commence until we receive a signed copy of the letter to which this statement is attached, together with payment of any retainer specified therein.

## WITHDRAWAL FROM REPRESENTATION:

We reserve the right to withdraw as your counsel in the event you fail to honor your agreement with respect to our legal fees or for any just reason as permitted or required under the Florida Code of Professional Responsibility or as permitted by the rules of courts of the State of Florida. In the event of our withdrawal, you will promptly pay for all services rendered by us in accordance with paragraphs (1) through (6).

# BREWTON PLANTE P.A.

PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

SUITE 250

225 SOUTH ADAMS STREET

TALLAHASSEE, FL 32301

TELEPHONE 850-222-7718

FAX 850-222-8222

MAILING ADDRESS:  
POST OFFICE BOX 10369  
TALLAHASSEE, FL 32302-2369

E-MAIL ADDRESS:  
[INSERT NAME], ESQUIRE  
[INSERT E-MAIL]

July 1, 2008

Jack Edgemon, President  
Prison Rehabilitative Industries  
& Diversified Enterprises, Inc.  
12425 North 28<sup>th</sup> Street  
3<sup>rd</sup> Floor  
St. Petersburg, Florida 33716

Re: Our Files 125002.all matters

Dear Jack:

You asked that we represent Prison Rehabilitative Industries & Diversified Enterprises, Inc. d/b/a PRIDE Enterprises, (the "Company"), in connection with various consulting services, lobbying representation and related and necessary legal representation for the period of July 1, 2008 to and including June 30, 2009.

Over the years, it has been our experience that things go more smoothly if we have a clear understanding of the Company's needs and the role we need to play. The purpose of this engagement letter is to confirm an agreement concerning representation and the payment of our fees and expenses. This engagement letter will govern all subsequent matters in which we may become involved on the Company's behalf unless a separate arrangement is made.

We will do our very best to meet the Company's needs in any matters we undertake for the Company, but as you know, we cannot and do not make any representations or warranties concerning the outcome. We will give the Company

W



Jack Edgemon, President  
Re: Legal Representation  
July 1, 2008  
Page 2 of 8

our best advice, render opinions, and seek to obtain the desired result. In this regard, it is most important that we communicate regularly.

We have attached a copy of the Firm's Policy Regarding Fees and Expenses. All conditions in that document are incorporated by reference as part of this engagement letter. We are sure the Company recognizes that we have a legitimate business concern in being paid in a timely fashion.

In the event that the Company disagrees with or questions any amount due under an invoice, the Company agrees to pay the amount not in disagreement, and communicate such disagreement to us, in writing, within thirty (30) days of the invoice date. Any claim not made within that period shall be deemed waived.

(1) This will confirm our Agreement whereby the undersigned will provide the Company with consulting services, lobbying representation and related and necessary legal representation in the State of Florida, for the period of July 1, 2008 through June 30, 2009. It is understood and agreed that either party may terminate this Agreement by the giving of sixty (60) days written notice to the other party, provided that if the Company shall terminate this Agreement, it shall at all times be liable for the yearly retainer through the term of this Agreement, regardless of the reasons for such termination.

(2) For services of the undersigned and the Firm, the Company agrees to pay a minimum annual retainer in the amount of Three Hundred Thousand Dollars (\$300,000.00), payable at the rate of Twenty-five Thousand Dollars (\$25,000.00) per month:

(a) The undersigned will submit monthly time records detailing all time expended for the period July 1, 2008 through June 30, 2009; and

(b) Annually, the Company and the undersigned will review the previous twelve (12) months statements and to the extent the time records demonstrate more time expended than the minimum annual retainer, the Company shall pay the difference; likewise in the event the time records demonstrate

W

Jack Edgemon, President  
Re: Legal Representation  
July 1, 2008  
Page 3 of 8

less time expended than the minimum annual retainer, then the Company shall receive a credit. The provisions of this paragraph 2(b) do not apply to the circumstances under paragraph (5) of this Agreement.

(3) In addition, the Company shall reimburse the undersigned for reasonable and necessary out-of-pocket expenses on behalf of the Company, included but not limited to telephone calls, copying costs, facsimile costs, lobbying registration fees, travel, entertainment and other expenses which are normal and usual in carrying out the representation of the Company. Any unusual or extraordinary expenditure must be cleared with the Company, in advance.

(4) The minimum annual retainer, coupled with the hourly rate fee schedule set forth on Exhibit A, is to be paid by the Company for services rendered or to be rendered in legislative and regulatory activities relating to the preparation, introduction and/or surveillance of legislation pertaining to the Company and related activities as well as representation before any Executive agency. The undersigned will keep the Company informed of activities at the legislative and Executive level as is feasible, and shall report directly to the President and Chairman of the Company in a manner similar to such activities over the past years. The undersigned agrees to properly register as a lobbyist representing the Company in the Legislature of Florida, as well as all Departments of state government as may be required, and to forward all necessary reports required of such lobbyist to the appropriate authorities.

(5) In the event the Company shall give notice of intent to terminate this Agreement pursuant to paragraph (1), the Company shall be required to make the minimum annual retainer payments, monthly, from the date of termination through the end of the term of this Agreement, to the undersigned. Such payment shall operate to extinguish any and all liability of the Company to the undersigned; provided that the undersigned shall not be required to provide any representation from the date of the receipt of the notice of intent to terminate until the end of the term of this Agreement.

If this meets with the Company's approval, please indicate by having the extra copy of this letter signed in the space provided below, and return it to our

W

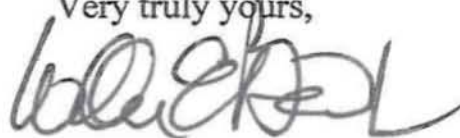
Jack Edgemon, President  
Re: Legal Representation  
July 1, 2008  
Page 4 of 8

offices. The Company's approval of this letter will include agreement regarding the fees and costs arrangement, and Exhibits A and B.

When our representation is concluded, the firm has a file retention policy. If at the conclusion of this representation, you desire to have the file(s) rather than having it go to storage, please affirmatively notify us in writing of that choice at the time you execute the engagement letter or at the time that representation is closed.

We appreciate the confidence and trust the Company has reposed in us in asking us to represent it and encourage the Company to communicate with me if at any time you have questions on the status or progress of your matters. I look forward to working with the Company and staff on any matters it deems appropriate. If there are any questions, please do not hesitate to contact me at (850) 222-7718.

Very truly yours,



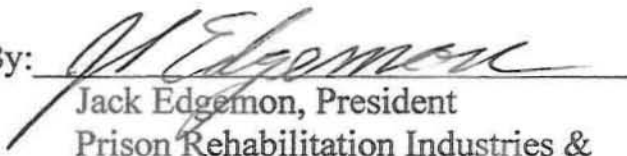
Wilbur E. Brewton  
Individually and on behalf  
of the Firm

WEB/art  
Enclosures



Jack Edgemon, President  
Re: Legal Representation  
July 1, 2008  
Page 5 of 8

The terms of this representation are accepted this 1<sup>st</sup> day of July, 2008.

By:   
Jack Edgemon, President  
Prison Rehabilitation Industries &  
Diversified Enterprises, Inc.  
12425 North 28<sup>th</sup> Street  
3<sup>rd</sup> Floor  
St. Petersburg, Florida 33716

6

Jack Edgemon, President  
Re: Legal Representation  
July 1, 2008  
Page 6 of 8

EXHIBIT A

HOURLY RATES

Wilbur E. Brewton	\$350.00
Kelly B. Plante	\$300.00
Kenneth J. Plante	\$300.00
Tana D. Storey	\$275.00
Paralegal/Law Clerk	\$ 85.00
Other	TBD

W



Jack Edgemon, President  
Re: Legal Representation  
July 1, 2008  
Page 7 of 8

## EXHIBIT B

### POLICY REGARDING FEES AND EXPENSES

#### FEES:

Quality legal services and good results require ability and effort. These are our "stock in trade." Generally, our fees are based on our skill, the time expended, the responsibility involved, and the results obtained. While our fee in most cases will be based mainly on the time devoted to the matter and the professional skill involved, the Supreme Court of Florida has ruled that where a favorable result has been obtained for a client, a reasonable attorney's fee may include consideration of that favorable result and may result in a fee greater than one based solely on a normal hourly rate. We will charge such a fee where we believe it is justified and in accordance with the Supreme Court's guidelines. Those guidelines involve factors other than the amount of time required, such as the uniqueness and complexity of the questions involved, the skill required to provide proper legal representation, familiarity with the specific area of law involved, the preclusion of other engagements caused by the acceptance of this engagement, the magnitude of the matter, the results achieved, customary fees for similar legal services, and the nature and length of our relationship. All these factors have a significant bearing on the reasonable value of the services performed.

#### EXPENSES:

You will be charged a reasonable rate for computerized document production, postage, reproduction, telecopies, couriers, express mail, long-distance telephone, travel costs and other costs. We may also use computerized research services to assist in handling your matters. This service will be used when we believe that it will save you money to do so. Expenses incurred or advanced on your behalf will be itemized on the statement.

Jack Edgemon, President  
Re: Legal Representation  
July 1, 2008  
Page 8 of 8

## BILLING

You will be billed periodically, usually monthly. There will be a service charge of 1-1/2% per month on all accounts not paid within 30 days of the date the statement is mailed to you. Interest charges will be added on to any outstanding balance and will be reflected in subsequent statements.

In the event you should disagree with or question any amount due under an invoice, you agree to communicate such disagreement to us, in writing, within thirty (30) days of the invoice date. Any disagreement you may have with a bill that is not communicated to us within that period shall be deemed waived.

## COMMENCEMENT OF REPRESENTATION:

Our representation will not commence until we receive a signed copy of the letter to which this statement is attached, together with payment of any retainer specified therein.

## WITHDRAWAL FROM REPRESENTATION:

We reserve the right to withdraw as your counsel in the event you fail to honor your agreement with respect to our legal fees or for any just reason as permitted or required under the Florida Code of Professional Responsibility or as permitted by the rules of courts of the State of Florida. In the event of our withdrawal, you will promptly pay for all services rendered by us in accordance with paragraphs (1) through (5).

W



# SPEARMAN MANAGEMENT, INC.

516 Delannoy Avenue • Cocoa, FL 32922 • (321) 631-2750 • Fax (321) 632-2334

June 29, 2010

Mrs. Dee Kiminki  
PRIDE Enterprises  
12425 28<sup>th</sup> Street, N  
Suite 300  
St. Petersburg, FL 33716

Dear *Dee*

Attached please find an executed copy.

With Warm Personal Regards,

Sincerely,

Guy M. Spearman III

GMS III/dcs  
Attach

**GUY M. SPEARMAN III**  
President

Exhibit 3.d.



# **SPEARMAN MANAGEMENT, INC.**

516 Delannoy Avenue, Cocoa, FL 32922 • (321) 631-2750 • Fax (321) 632-2334

July 1, 2010

Jack Edgemon, President  
Prison Rehabilitative Industries  
& Diversified Enterprises, Inc.  
12425 North 28<sup>th</sup> Street  
Suite 300  
St. Petersburg, Florida 33716

Re: 2010 - 2011 Legislative Issues and Appropriations

Dear Jack:

This will confirm our agreement whereby the undersigned (the "Firm"), will provide Prison Rehabilitative Industries & Diversified Enterprises, Inc. (the "Client") with consulting services and representation in the State of Florida before the Florida Legislature for the period July 1, 2010 through June 30, 2011.

It is understood by both the Client and the Firm that Florida Law strictly prohibits contingency fees in reference to the passage or defeat of Legislation. For our services, the Client agrees to pay the retainer sum of Seventy-Four Thousand Dollars (\$74,000.00), payable monthly at Six Thousand One Hundred Sixty-Six Dollars and Sixty-Six Cents (\$6,166.66) per month.

The Client agrees to reimburse the Firm for reasonable and necessary out-of-pocket expenses on your behalf, such as telephone calls, copies, lobbying registration fees, local travel and things of that nature, upon presentation of the Firm's itemized statement. Any expenditures which the Firm judges may be necessary, including those involving entertainment, must be approved in advance, provided that entertainment or travel costs are not in excess of \$2,500 during the term of this Agreement shall be deemed to be approved.

Documented charges for itemized expense statements with supporting receipts must be submitted to qualify for payment. State lobbying costs are not deductible for purposes of the Client's federal income taxes. Lobbying is defined as follows:

1. Meetings, telephone conversations and correspondence with the governor, members of the Legislature, their staffs or committee staffs in an attempt to advocate the passage or defeat of legislation.
2. Testimony before legislative committees, unless compelled by subpoena.

**GUY M. SPEARMAN, III**  
President

3. Distribution to the governor, members of the Legislature, their staffs or committee staffs, of reports or studies in an attempt to advocate the passage or defeat of legislation.
4. Monitoring the progress of legislation does not constitute lobbying, provided the Client never advocates their passage or defeat.
5. Efforts to comply with existing legislation or regulations and efforts to sell to government agencies are not lobbying.
6. Activity with state executive agencies may not be considered lobbying. Communications with certain high level, federal executive agency officials is lobbying.
7. Lobbying of cities or counties is not considered lobbying for these purposes.

The above retainer will be paid by the Client for services rendered or to be rendered in legislative activities relating to preparation, introduction and/or surveillance of legislation relating to Corrections.

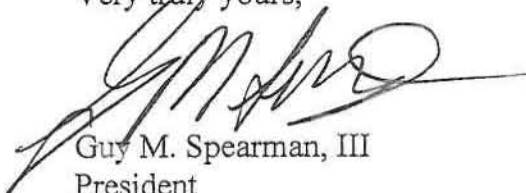
I understand that policy prohibits using the Client's corporate funds paid to my Firm to make political contributions of any kind to political parties or candidates running for local, state or federal office. All of the compensation to be paid to my Firm is for services to be rendered and is not paid pursuant to any agreement or understanding between my Firm and the Client that I will make any contribution to a political party or candidate.

I agree to properly register all employees of my Firm, if necessary, as a lobbyist(s) representing the Client in the Legislature in the State of Florida, and to make all necessary reports in a timely manner to the proper authorities, forwarding a copy of same to your attention.

This Agreement is subject to termination by either party upon sixty (60) days prior written notice to the other party provided, however, that termination by the Client shall not relieve the Client of the obligation to pay the retainer in full.

If the foregoing reflects the Client's understanding of our agreement, please sign the duplicate copy in the space indicated below and return to my attention.

Very truly yours,



Guy M. Spearman, III  
President

GMS/tbm

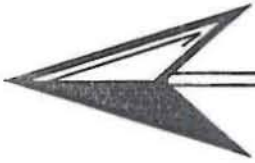
IT IS UNDERSTOOD AND AGREED that the undersigned accepts this Agreement, and that this Agreement constitutes an Agreement for the rendering of Lobby Services.

Prison Rehabilitative Industries & Diversified Enterprises, Inc.

  
\_\_\_\_\_  
Jack Edgemon, President

Date: 7-6-10





# SPEARMAN MANAGEMENT, INC.

516 Delannoy Avenue • Cocoa, FL 32922 • (321) 631-2750 • Fax (321) 632-2334

July 22, 2009

Mrs. Dee Kiminki  
PRIDE Enterprises  
12425 28<sup>th</sup> Street, N  
Suite 300  
St. Petersburg, FL 33716

Dear *Dee*

Attached please find my reduced fee contract for 2009-2010.

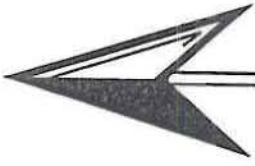
With Warm Personal Regards,

Sincerely,

Guy M. Spearman III

GMS III/dcs  
Attach

**GUY M. SPEARMAN III**  
President



# SPEARMAN MANAGEMENT, INC.

516 Delannoy Avenue • Cocoa, FL 32922 • (321) 631-2750 • Fax (321) 632-2334

July 22, 2009

Jack Edgemon, President  
Prison Rehabilitative Industries  
& Diversified Enterprises, Inc.  
12425 North 28<sup>th</sup> Street  
3<sup>rd</sup> Floor  
St. Petersburg, Florida 33716

Re: 2009 - 2010 Legislative Issues and Appropriations

Dear Jack:

This will confirm our agreement whereby the undersigned (the "Firm"), will provide Prison Rehabilitative Industries & Diversified Enterprises, Inc. (the "Client") with consulting services and representation in the State of Florida before the Florida Legislature for the period July 1, 2009 through June 30, 2010.

It is understood by both the Client and the Firm that Florida Law strictly prohibits contingency fees in reference to the passage or defeat of Legislation. For our services, the Client agrees to pay the retainer sum of Seventy-four Thousand Dollars (\$74,000.00), payable monthly at Six Thousand One Hundred Sixty-Six Dollars and 66/100 (\$6,166.66) per month.

The Client agrees to reimburse the Firm for reasonable and necessary out-of-pocket expenses on your behalf, such as telephone calls, copies, lobbying registration fees, local travel and things of that nature, upon presentation of the Firm's itemized statement. Any expenditures which the Firm judges may be necessary, including those involving entertainment, must be approved in advance, provided that entertainment or travel costs are not in excess of \$2,500 during the term of this Agreement shall be deemed to be approved.

Documented charges for itemized expense statements with supporting receipts must be submitted to qualify for payment. State lobbying costs are not deductible for purposes of the Client's federal income taxes. Lobbying is defined as follows:

1. Meetings, telephone conversations and correspondence with the governor, members of the Legislature, their staffs or committee staffs in an attempt to advocate the passage or defeat of legislation.

**GUY M. SPEARMAN III**  
President

2. Testimony before legislative committees, unless compelled by subpoena.
3. Distribution to the governor, members of the Legislature, their staffs or committee staffs, of reports or studies in an attempt to advocate the passage or defeat of legislation.
4. Monitoring the progress of legislation does not constitute lobbying, provided the Client never advocates their passage or defeat.
5. Efforts to comply with existing legislation or regulations and efforts to sell to government agencies are not lobbying.
6. Activity with state executive agencies may not be considered lobbying. Communications with certain high level, federal executive agency officials is lobbying.
7. Lobbying of cities or counties is not considered lobbying for these purposes.

The above retainer will be paid by the Client for services rendered or to be rendered in legislative activities relating to preparation, introduction and/or surveillance of legislation relating to Corrections.

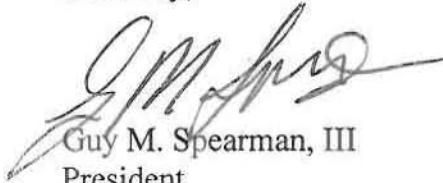
I understand that policy prohibits using the Client's corporate funds paid to my Firm to make political contributions of any kind to political parties or candidates running for local, state or federal office. All of the compensation to be paid to my Firm is for services to be rendered and is not paid pursuant to any agreement or understanding between my Firm and the Client that I will make any contribution to a political party or candidate.

I agree to properly register all employees of my Firm, if necessary, as a lobbyist(s) representing the Client in the Legislature in the State of Florida, and to make all necessary reports in a timely manner to the proper authorities, forwarding a copy of same to your attention.

This Agreement is subject to termination by either party upon sixty (60) days prior written notice to the other party provided, however, that termination by the Client shall not relieve the Client of the obligation to pay the retainer in full.

If the foregoing reflects the Client's understanding of our agreement, please sign the duplicate copy in the space indicated below and return to my attention.

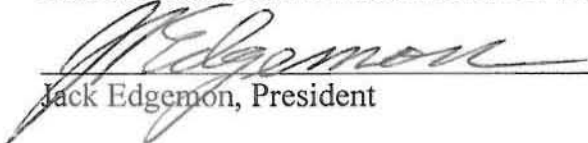
With Warm Personal Regards,  
Sincerely,



Guy M. Spearman, III  
President  
GMS/dcs

IT IS UNDERSTOOD AND AGREED that the undersigned accepts this Agreement,  
and that this Agreement constitutes an Agreement for the rendering of Lobby  
Services.

Prison Rehabilitative Industries & Diversified Enterprises, Inc.

  
Jack Edgemon, President

Date: 8/5/09



# **SPEARMAN MANAGEMENT, INC.**

516 Delannoy Avenue, Cocoa, FL 32922 • (321) 631-2750 • Fax (321) 632-2334

July 1, 2008

Jack Edgemon, President  
Prison Rehabilitative Industries  
& Diversified Enterprises, Inc.  
12425 North 28<sup>th</sup> Street  
3<sup>rd</sup> Floor  
St. Petersburg, Florida 33716

Re: 2008 - 2009 Legislative Issues and Appropriations

Dear Jack:

This will confirm our agreement whereby the undersigned (the "Firm"), will provide Prison Rehabilitative Industries & Diversified Enterprises, Inc. (the "Client") with consulting services and representation in the State of Florida before the Florida Legislature for the period July 1, 2008 through June 30, 2009.

It is understood by both the Client and the Firm that Florida Law strictly prohibits contingency fees in reference to the passage or defeat of Legislation. For our services, the Client agrees to pay the retainer sum of Seventy-five Thousand Dollars (\$75,000.00), payable monthly at Six Thousand Two Hundred Fifty Dollars (\$6,250.00) per month.

The Client agrees to reimburse the Firm for reasonable and necessary out-of-pocket expenses on your behalf, such as telephone calls, copies, lobbying registration fees, local travel and things of that nature, upon presentation of the Firm's itemized statement. Any expenditure which the Firm judges may be necessary, including those involving entertainment, must be approved in advance, provided that entertainment or travel costs are not in excess of \$2,500 during the term of this Agreement shall be deemed to be approved.

Documented charges for itemized expense statements with supporting receipts must be submitted to qualify for payment. State lobbying costs are not deductible for purposes of the Client's federal income taxes. Lobbying is defined as follows:

1. Meetings, telephone conversations and correspondence with the governor, members of the Legislature, their staffs or committee staffs in an attempt to advocate the passage or defeat of legislation.
2. Testimony before legislative committees, unless compelled by subpoena.

**GUY M. SPEARMAN, III**  
President

3. Distribution to the governor, members of the Legislature, their staffs or committee staffs, of reports or studies in an attempt to advocate the passage or defeat of legislation.
4. Monitoring the progress of legislation does not constitute lobbying, provided the Client never advocates their passage or defeat.
5. Efforts to comply with existing legislation or regulations and efforts to sell to government agencies are not lobbying.
6. Activity with state executive agencies may not be considered lobbying. Communications with certain high level, federal executive agency officials is lobbying.
7. Lobbying of cities or counties is not considered lobbying for these purposes.

The above retainer will be paid by the Client for services rendered or to be rendered in legislative activities relating to preparation, introduction and/or surveillance of legislation relating to Corrections.


I understand that policy prohibits using the Client's corporate funds paid to my Firm to make political contributions of any kind to political parties or candidates running for local, state or federal office. All of the compensation to be paid to my Firm is for services to be rendered and is not paid pursuant to any agreement or understanding between my Firm and the Client that I will make any contribution to a political party or candidate.

I agree to properly register all employees of my Firm, if necessary, as a lobbyist(s) representing the Client in the Legislature in the State of Florida, and to make all necessary reports in a timely manner to the proper authorities, forwarding a copy of same to your attention.

This Agreement is subject to termination by either party upon sixty (60) days prior written notice to the other party provided, however, that termination by the Client shall not relieve the Client of the obligation to pay the retainer in full.

If the foregoing reflects the Client's understanding of our agreement, please sign the duplicate copy in the space indicated below and return to my attention.

Very truly yours,

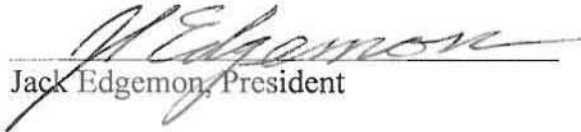
  
Guy M. Spearman, III  
President

GMS/tbm



IT IS UNDERSTOOD AND AGREED that the undersigned accepts this Agreement, and that this Agreement constitutes an Agreement for the rendering of Lobby Services.

Prison Rehabilitative Industries & Diversified Enterprises, Inc.

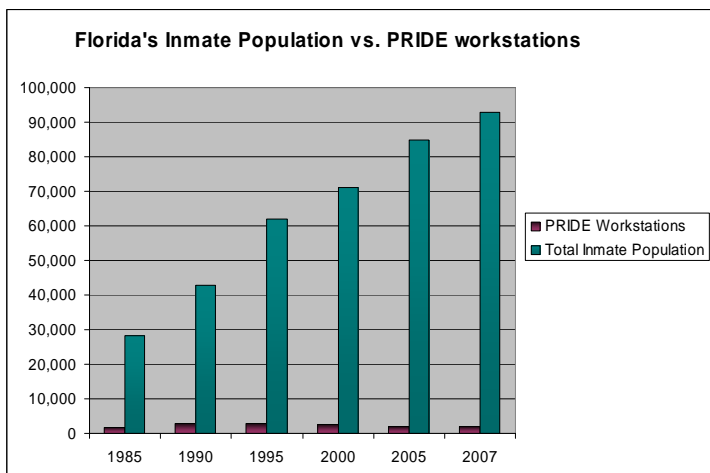
  
Jack Edgemon, President

Date: 7-1-08

# Correctional Industries Development Plan

## I. EXECUTIVE SUMMARY

**Problem:** PRIDE employs only 2% of the inmate population, a percentage that has existed for over 25 years while Florida's prison population has steadily increased.



**Solution:** Increase the percentage of inmates working by expanding opportunities of prison industry through private sector competition.

**Vision:** Employ at least 10% of inmates in paid inmate labor programs no later than 2012.

### Objectives:

- 1) Train inmates for a successful reentry into society.
- 2) Reduce the future occurrence of crime.
- 3) Reduce future victimization by criminals.
- 4) Reduce inmate idleness.
- 5) Increase the contributions to victim restitution.
- 6) Prevent the reoccurrence of financial risks to Florida's taxpayers.
- 7) Enable competition through true, free-market correctional industries.

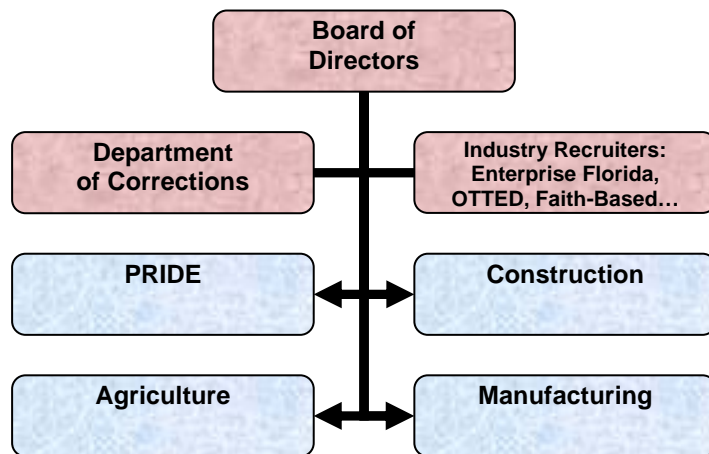
### Means:

In order to see out this vision, the following statutory changes must be made:

- 1) The Department is given the authority to lease correctional work programs to more than one organization.
- 2) The preferential purchasing entitlement (section 946.515(2)) be repealed.
- 3) Establish a Board of Directors, separate from the PRIDE's existing board, to maintain transparency and accountability.
- 4) The Department of Corrections receives the federal Prison Industry Enhancement (PIE) certificate.

### Organization:

Under the proposed plan, the structure of correctional industries would consist of four components: (1) The Department of Corrections, (2) a Board of Directors, (3) industry recruiters, and (4) contractor(s).



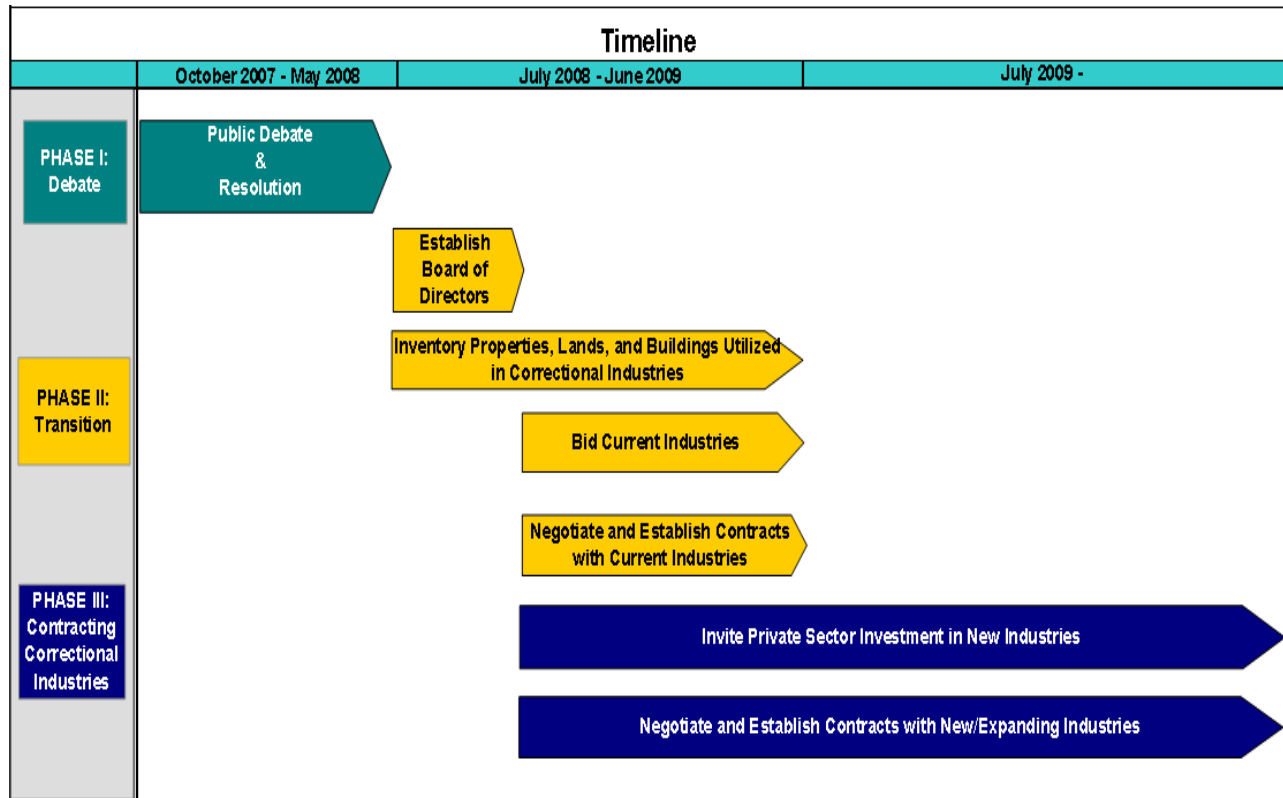
The Department of Corrections would act as the contract manager, providing the personnel to secure contracts, and assist the Board of Directors in the oversight process. The Board of Directors would be the authorizing agent for the Department to enter into contracts with the private sector for the operation of correctional industries. In addition, organizations such as Enterprise Florida and the Governor's Office of Tourism, Trade and Economic Development (OTTED), would assist the Board of

Directors and the Department in attracting business enterprises in order to open new industries and increase inmate workstations.

**Timeline:**

The transition from the existing correctional industry structure to the proposed would consist of a three-phased plan. Phase I would consist of the

public debate concerning correctional industries and, expectantly, a subsequent resolution. Assuming the proposed plan is enacted, Phase II would consist of a year transition period to form a Board of Directors, and to bid and establish contracts for current correctional industry operations. Finally, Phase III would be a continual phase for the expansion of and creation of correctional industries.



## II. FLORIDA DEPARTMENT OF CORRECTIONS

### A. Introduction

The Department of Corrections protects the public by operating a safe, secure, humane and efficient corrections system. The goals of the agency are to protect the public, staff and inmates, develop staff committed to professionalism and fiscal responsibility, ensure victims and stakeholders are treated with dignity, sensitivity and respect in making and executing administrative and operational decisions, and to prepare offenders for reentry and release into society.

### B. Organization

The Florida Department of Corrections is the third largest state prison system in the country with a recurring budget of \$2.3 billion, almost 95,000 inmates incarcerated and another 153,000 offenders on some type of community supervision.

The Department has 137 facilities statewide, including 60 prisons, 41 work/forestry camps, one treatment center, 30 work release centers and five road prisons. About three quarters of its staff of more than 27,000 employees are either certified correctional officers or probation officers.

Prisons are generally managed by state government, but Florida does have six privately run prisons. Inmates in Florida's prisons have sentences of more than a year for serious felony offenses.

In Fiscal Year 2006-07, about 37,000 inmates were admitted into Florida prisons and another 35,000 were released; while more than 107,000 offenders were placed on community supervision and another 104,000 were released from supervision. Given the fact that most of those who serve time in prison and on supervision will eventually be free, the Department must focus on equipping its inmates and offenders with the tools they will need to become productive citizens.

### C. Recidivism

This year, as in other recent years, America's prisons will release more than 600,000 inmates back

into their communities. In Florida alone, 33,348 people were released from state prison last year.<sup>1</sup> Unfortunately, many of these "ex-cons" leave Florida's prison system only to return a short time later. With the current recommitment rate (those returning to prison after 3 years) at 33%, the Department estimates that over 10,000 of the inmates released in fiscal year 2005-2006 will return to Florida's prison system.

Consequently based on this estimate, 10,000 more crimes will be committed and thousands more will be made victims of new crimes. Every crime has at least one victim, thus recidivism has a negative impact on the safety of Florida's citizens. While public safety is strained with recidivism, the Department of Corrections is placed under great pressure not only to construct new prisons (at a price of approximately \$100 million), but also provide an infrastructure (at an annual operating cost of \$40 million per year per prison) to meet the mission of public safety. Current construction plans along with a prison population which is estimated to exceed 100,000 by November 2008 presents a grave financial predicament for managing prisons in Florida.

In response to the staggering statistics in the projected inmate population, the Department of Corrections has made reducing recidivism a major focus. In May of 2007, the Department of Corrections changed its mission to state, "To protect the public, ensure the safety of Department personnel, and provide for the proper care and supervision of all offenders under our jurisdiction **while assisting, as appropriate, their reentry into society.**" Coupled with this change to the mission statement, the Department set a goal to "Bring the recidivism rate down from its present rate of 32% to 20% or less by 2012." The Department envisions that, if accomplished, the criminal justice system will see a significant reduction in the demands that repeat offenders exert and provide safer communities for the citizens of Florida and those who visit the state.

### D. Vocational Education

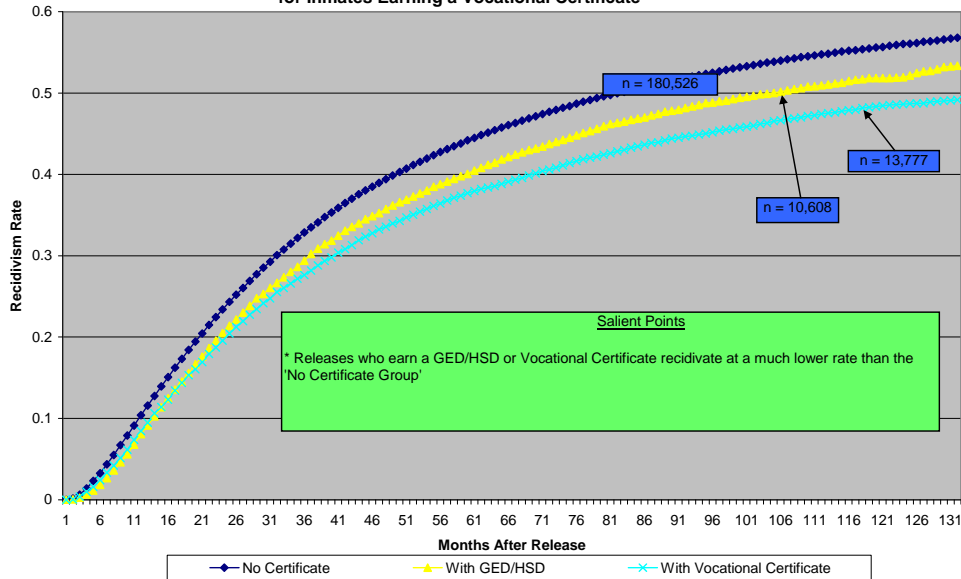
A key tool in reducing recidivism is equipping offenders with marketable skills enabling them to be productively employed. An offender's ability to

find employment upon release is closely related to reducing the likelihood that an offender will commit a crime. Research has shown that higher levels of job instability lead to higher arrest rates.<sup>2</sup> Furthermore, the Urban Institute indicates that former prisoners who have legitimate work after

they return to the community are less likely to commit new crimes.<sup>3</sup> Within the Department, statistics show that inmates who earn a vocational certificate are 16% less likely to recidivate than those who do not complete a program (Figure 1).

**Figure 1**

**CERTIFICATE (GED-HIGH SCHOOL DIPLOMA-VOCATIONAL) RECIDIVISM**  
 (Recidivism = Return to Prison for New Offense or Technical Violation)  
 Chart Reflects 15.8% Reduction in Recidivism Rate w/in 36 Months of Release  
 for Inmates Earning a Vocational Certificate



The chart provided reflects recidivism rates (percent returned to prison for a new offense or technical violation, within a specified time period after release) for releases from 1/1/1995 through 12/31/2005 (over an 11-year period).

## E. Correctional Industries

As part of vocational education, correctional industries serve as an excellent opportunity for reducing recidivism by providing inmates desirable job skills, decreasing inmate idleness by offering work, and offsetting the cost of state government by utilizing inmate labor.

### History

Although the use of inmate labor in Florida dates back to more than 100 years, correctional industries were not officially established until 1957.<sup>4</sup> In that year, the Department of Corrections' Correctional Industries Program was authorized with an appropriation of \$250,000 along with the creation of an Industrial Trust Fund.<sup>5</sup> Under this authorization, statute dictated the products and services that could be sold as well as the customers to whom the products and services may be sold.<sup>6</sup>

In 1976, the Legislature appropriated \$11 million to expand the correctional industries with a projected completion date of 1983.<sup>7</sup> By 1981, this funding resulted in the Department establishing a total of:

- 62 industry programs at 16 correctional institutions.
- 2,000 inmate workstations, representing 9.7 percent of the total inmate population (19,722).
- \$23 million annual gross income from sales.<sup>8</sup>

During that same year, significant changes were made to correctional industries in Florida. Senate Bill 97 was signed into law providing for the establishment of an incorporated, private, non-profit business organization to operate the prison industries program. As a result, by June 30<sup>th</sup>, 1985, the Department of Corrections transferred virtually all industrial facilities and related-land to this corporation, Prison Rehabilitative Industries and



Diversified Enterprises, Inc. (PRIDE). As part of this transfer, PRIDE was given specific duties by the Legislature (listed in priority):

- To provide a joint effort between the department, the correctional work programs, and other vocational training programs to reinforce relevant education, training, and post-release job placement and help reduce recommitment.
- To serve the security goals of the state through the reduction of idleness of inmates and the provision of an incentive for good behavior in prison.
- To reduce the cost of state government by operating enterprises primarily with inmate labor, which enterprises do not seek to unreasonably compete with private enterprise.
- To serve the rehabilitative goals of the state by duplicating, as nearly as possible, the operating activities of a free-enterprise type of profit making enterprise.

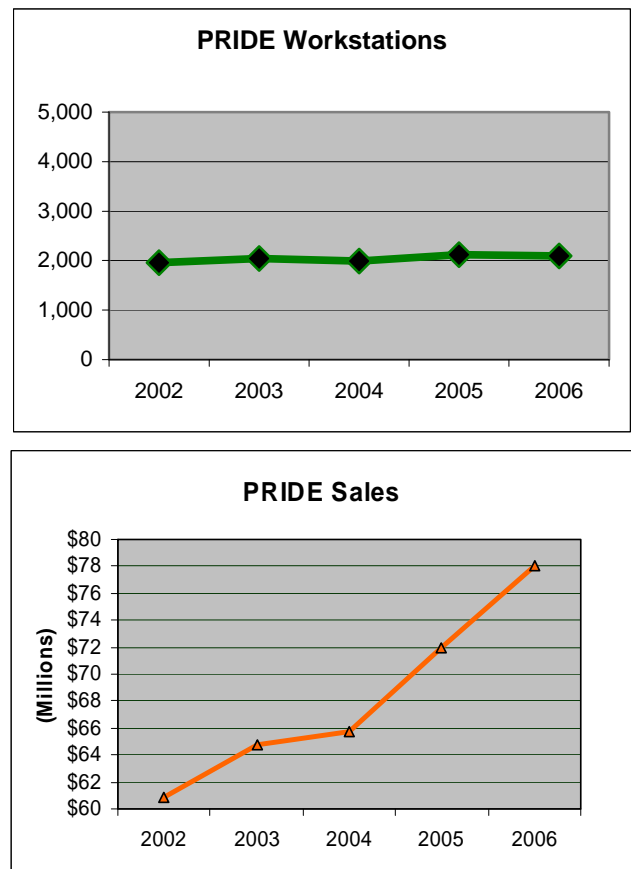
In 1999, significant changes to law were again made to correctional industries. Section 946.006, F.S., which allowed the Department to put into effect an agricultural and industrial production and marketing programs for inmates, was repealed. Section 946.519, F.S., was also repealed. This statute allowed, “Any service or item manufactured, processed, grown, or produced by the Department of Corrections in its present programs or in its future programs and not required for use therein may be furnished or sold to any legislative, executive, or judicial branch agency, department, or institution of the state; political subdivision of the state; other state; or agency of the Federal Government.” In addition, section 946.008, F.S., which allowed the Department to explore new financing arrangements, including the involvement of private industry and expertise in order to finance correctional work programs, was eliminated.

While the Department of Corrections lost many of its opportunities for correctional industry expansion, PRIDE saw many additional benefits to the change

in Florida Statutes. PRIDE, in that year, received the PIE certificate (formerly in the Department’s possession).<sup>9</sup> Consequently, PRIDE was given the privilege to operate correctional industries and to sell commodities across state lines according to federal law and while not resulting in the significant displacement of employed workers in the community.

With all of the opportunities afforded to PRIDE over the past 26 years, PRIDE now operates 37 diverse industrial training programs in 20 correctional institutions (see Section V.). However, only 2% of Florida’s prison population is employed by PRIDE and the number of jobs has remained utterly stagnate for years. Furthermore, according to a 2003 and 2006 OPPAGA report, between 1996 and 2005 PRIDE actually reduced the number of inmate workstations by almost 500.<sup>10</sup> Consequently, with the increase in Florida’s prison population since 1996, the percentage of the inmate population employed by PRIDE has decreased proportionately by 40 percent. The non-existence growth in inmate workstations occurred even while the PRIDE sales have increased (Figure 2).

Figure 2



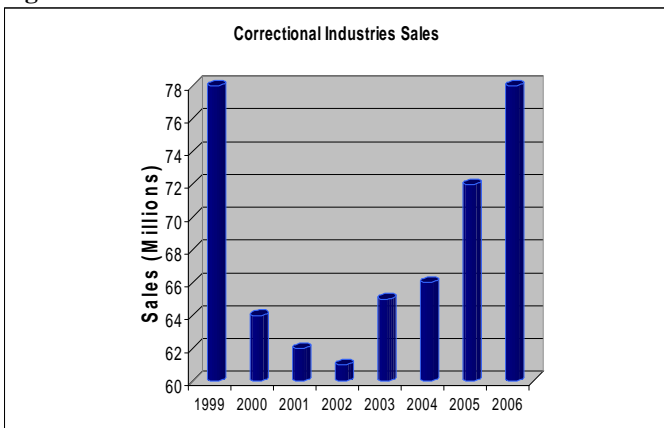
### III. MARKET ANALYSIS

Since 1999, PRIDE sales had seen a decline and subsequent rebound (Figure 3). Much of the early decline in sales can be attributed to the dependency on a single market sector for revenue. Consequently, as stated in PRIDE’s 2006 Annual Report, “continued state government budget constraints and outsourcing trends, coupled recently with declining tax revenues, has prompted PRIDE Enterprises to focus on a balanced market sector sales approach.” These market sectors can be categorized into three markets, state, non-state and private.

#### A. State Sector

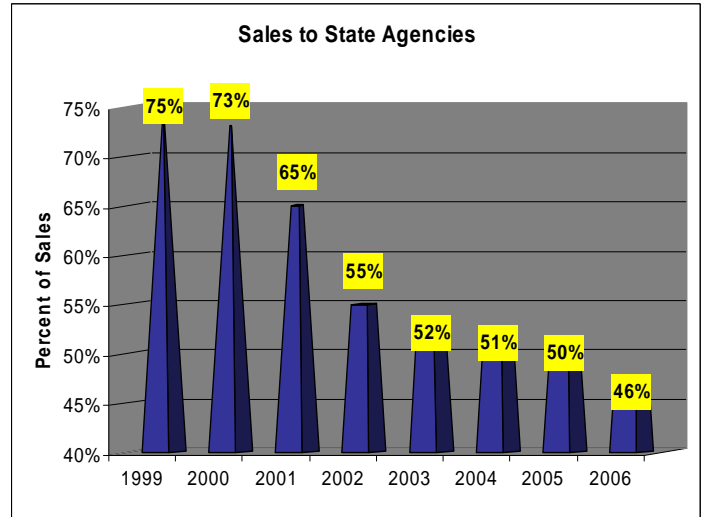
Over the years, the bulk of sales for correctional industries have come from state agencies. In 2006, over \$34 million dollars or roughly 46% of PRIDE sales were made to state agencies. A major advantage given to correctional industries within the state market is that under Florida law, no similar product or service of comparable price and quality found necessary for use by any state agency may be purchased from any source other than correctional industries if the industry certifies that product (s. 946.515(2)). An *unintended consequence* of this statute is that state purchasing agents are not pushed to compare prices before buying PRIDE products; furthermore, often purchases are made at a reduced hassle rather than always a reduced price. Consequently, PRIDE has cornered the market on many products/services consumed by state agencies.

Figure 3



Looking at the past 7 years, correctional industries have seen a decline in sales within the state market (Figure 4). Issues such as constrained budgets and privatization have contributed to a decrease in sales; however, efforts could be made to resolve purchasing disputes through the Department of Management Services and to initiate a more competitive nature in state sales.

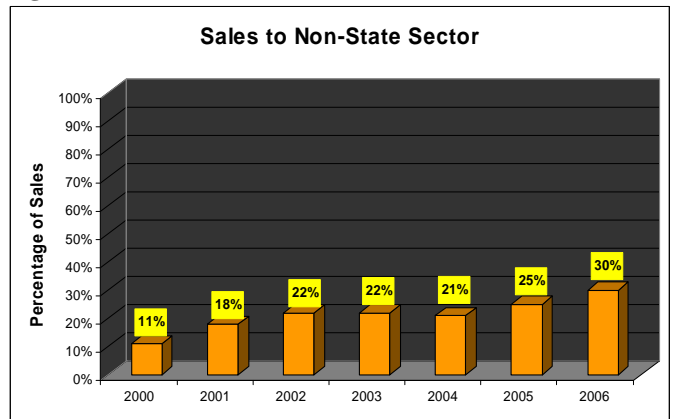
Figure 4



#### B. Non-State Sector

In the past 7 years, correctional industries have seen a slight increase in the percentage of sales within this market sector (Figure 5). Major contributors to this market are counties and municipalities. While county and municipalities are not subject to the same statutory regulations for purchasing as with state agencies, sufficiency of the product/service at less expensive prices are attractive to financially constrained local governments.

Figure 5



## C. Private Sector

Under section 946.523, F.S., PRIDE may operate or contract with the private sector for substantial involvement in a prison industry enhancement (PIE) program that includes, but is not limited to, contracts for the operation of a direct private sector business within a prison and the hiring of inmates. Since 1999, PRIDE has been given the ability to operate such programs, yet compared to other states employs substantially less. At the end of June 30, 2007, PRIDE was employing fewer inmates than South Carolina, Kansas, and Nevada and employing similar numbers as Indiana, Iowa, Minnesota, Utah, and Idaho – all smaller states with significantly smaller inmate populations.

## IV. A NEW APPROACH

*The greatest opportunities occur when conventional wisdom and reality fail to align.*

### A. Reason, Need, and Means

Florida's rising prison population is an issue beyond the control of policy makers and budgetary personnel. However, an examination of the facts paints the reality that there is a reason, a need and a means to use correctional industries to help overcome larger policy questions.

#### *The Reason*

First, we need to establish one key fact – Florida's taxpayers are already the ultimate investor in correctional industries. The taxpayers pay both when an inmate fails to successfully reenter society (\$19,000 per inmate per year), and when current operations fail to produce savings for governmental entities that purchase commodities through correctional industries. Therefore, Florida's taxpayers deserve a substantial return on their investment.

#### *The Need*

Second, there is a massive growth in our prison population, causing impacts in the way of both recurring and nonrecurring costs. Recent projections show that by 2011-2012, Florida will have 120,283 inmates. In total, prison population estimates will

require a commitment of more than \$1.73 billion (*in construction costs alone*) through fiscal year 2011-2012. In the near term, the Department's 2008 Legislative Budget Request contains a \$650 million request for new prison construction. We must be cognizant that every new prison creates an additional \$40 million recurring in operational costs to run it. The reality is capital expenditures (non-recurring costs) create operational commitments (recurring costs).

#### *The Means*

If we are going to build more prisons, we must be equally prepared to consider any means by which we can reduce the rate of growth in the prison population. Data demonstrates that Florida's prison population, as a labor force, is an opportunity to address the very problems that enabled its abundant supply.<sup>11</sup> In addition the Department has land available to house current and future correctional industries.

### B. Proposal

The Department of Corrections consists of a potential workforce of over 72,000 inmates. Yet, everyday, thousands remain idle in state prisons, ready and willing to learn desirable job skills, gain job experience while in prison, and pay their debt to society.

It is important that these inmates be given the opportunity to learn job skills. Studies verify that offenders who leave prison with marketable, desirable job skills are much less likely to re-offend. Less recidivism means fewer victims and less tax dollars spent on the criminal justice system. Correctional work programs provide the opportunity for inmates to obtain desirable job skills.

For over a quarter of a century, correctional industries have been given to one entity, Prison Rehabilitative and Diversified Enterprises, Inc. (PRIDE), to manage inmate labor and operate these industries without the benefit of open competition. When created in 1981, PRIDE held an ambitious vision with every intention to help reduce recidivism and inmate idleness through vocational training and employment. However, the

organization has created an era of stagnation and a lack of innovation in increasing inmate labor. The lack of persistence by PRIDE to fulfill its statutory obligations demonstrates the need for change.

The Department of Corrections proposes it be given the statutory authority to contract with more than one organization to operate the various correctional industries across Florida. The Department is determined to elevate Florida's correctional industries to a degree in scale and scope hoped for but so far not realized. Its vision is to **employ at least 10% of inmates in paid inmate labor programs no later than 2012**. The Department believes that in order for correctional industries to be successful and meet the needs of its mission, industries must:

- 1) Train inmates for a successful reentry into society.
- 2) Reduce the future occurrence of crime.
- 3) Reduce future victimization by criminals.
- 4) Reduce inmate idleness.
- 5) Increase the contributions to victim restitution.
- 6) Prevent the reoccurrence of financial risks to Florida's taxpayers.
- 7) Enable competition through true, free-market correctional industries.

The proposed plan is rooted in the founding principles of capitalism. Under the proposed plan, each correctional industry would function like any normal business activity, but organizations (including PRIDE) would compete for the operating privileges. If given the contract, these organizations would also be forced to compete in markets that demand efficiency resulting in innovative ideas and practices. The Department of Corrections and a Board of Directors would oversee the industries in order to meet the mission of public safety and in order to protect the workers (inmates) and stakeholders (taxpayers) in these correctional industries. Under this structure more inmate

workstations will be created at a cost savings to Florida's taxpayer.

### *Financial Stability*

A major advantage to correctional industries under this proposed structure is financial stability. Under the current structure providing PRIDE sole access to employing inmates and operating correctional industries presents a financial risk to the taxpayers of Florida. If this corporation were to go bankrupt, the state of Florida could incur a significant cost in order to rectify the financial losses and to resurrect a defunct correctional industry. Under current budgetary times, correctional industries could thus be terminated or suspended resulting in an increase to inmate idleness and a detriment to anti-recidivism efforts.

Unfortunately, this risk almost turned into reality between 2003 and 2005. According to a 2005 audit of PRIDE conducted by the Office of the Chief Inspector General, PRIDE's system of internal controls were inadequate to ensure effective, efficient, and proper use of resources. As a result, PRIDE incurred a loss of approximately \$19.2 million in resources that would have otherwise benefited the state. Consequently, PRIDE "initiated its own clean-up" to resolve its near bankruptcy.<sup>12</sup> This near-missed disaster clearly demonstrates the potential financial risk with one entity running all correctional industries.

### *Victim Restitution*

Inmates serve their sentence in state prison in order to pay their debt to society. Yet, many are not paying their debt to the person(s) their crime has hurt the most: the victim. Victim restitution contributions over the past four years have been less than \$400,000 per year. By increasing the number of inmate workstations, expanding industries, and opening new industries, more victims will be paid.

While victim contributions will increase, so will the chances for inmates to have their civil rights restored. By October 18<sup>th</sup>, 2007 the Department of Corrections had conducted 286,146 historical case reviews for the new civil rights restoration process. Of those reviews, 112,879 were deemed ineligible for automatic rights restoration. Thirty-six percent

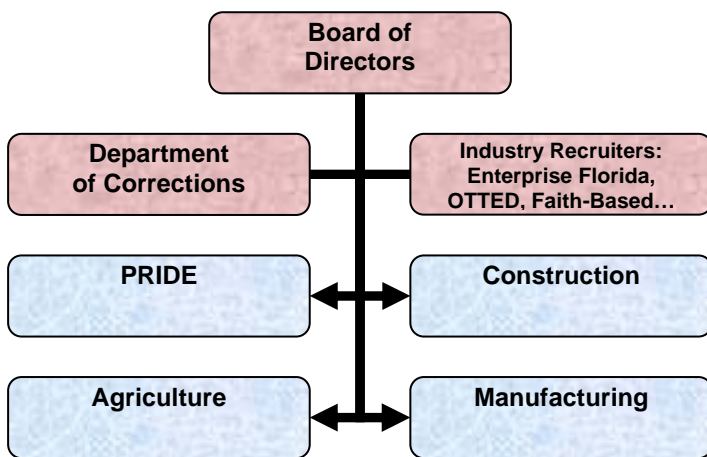
of those cases were considered ineligible due partly or wholly because the person owed restitution. By providing more inmate workstations and preparing inmates in job skills for long-term, stable employment, civil rights may be restored to thousands that pay their debt.

### C. Organizational Structure

Under the proposed plan, the structure of correctional industries would consist of four components: (1) The Department of Corrections, (2) a Board of Directors, (3) industry recruiters and (4) contractor(s) (Figure 6).

The Department of Corrections would act as the contract manager, providing the personnel to secure contracts, and staff assistance to the Board of Directors in the oversight process.

Figure 6



The Department of Corrections would contract with the private sector (including PRIDE) for the operation of a correctional industry. Any contract in a PIE industry authorized by the Board of Directors would be in compliance with federal law governing inmate work programs and would be mindful of the displacement of employed workers in the community.

Under this proposal, the Board of Directors would consist of a 6-person panel. Four members would be appointed by the Governor and confirmed by the Senate. These four members would consist of members of Florida enterprises and/or members in

the field of vocational training. The other two members would be the Secretary of Corrections and the Assistant Secretary of Institutions. The Board of Directors would have the following specific duties:

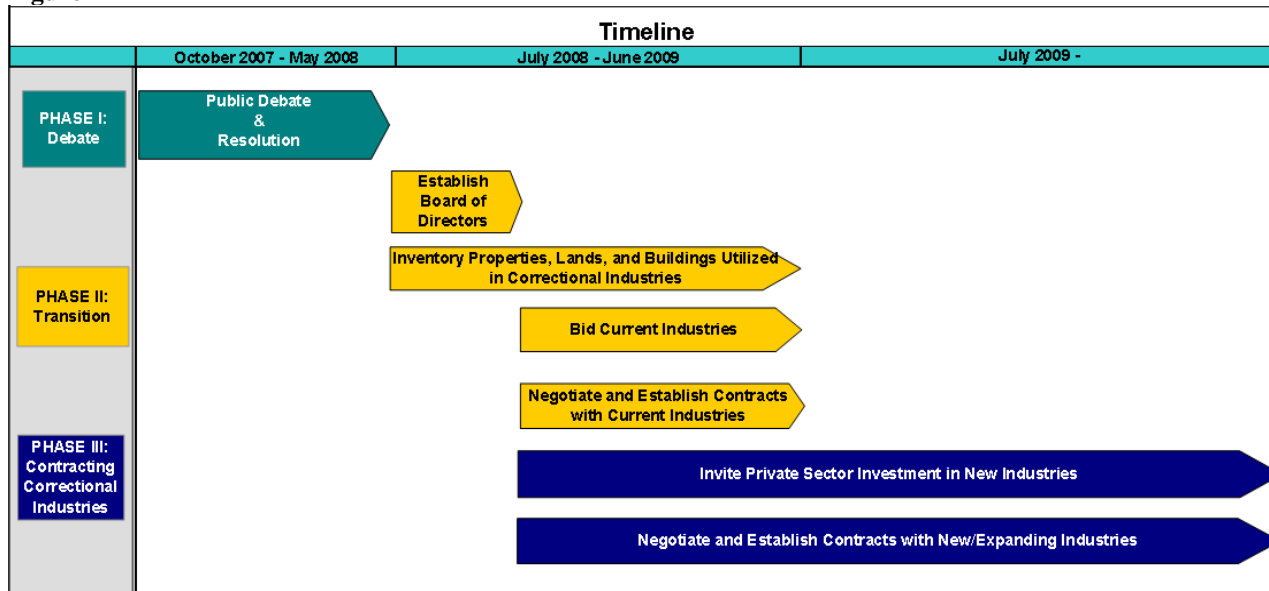
1. Coordinate a correctional work program which follows the objectives and guidelines set forth by Florida Statutes.
2. Provide direct oversight and approval for all contracted correctional work programs.
3. Provide an annual report to the Governor and the Legislature prior to July 1 of each year.

Industry recruiters, organizations such as Enterprise Florida and the Governor’s Office for Tourism, Trade and Economic Development (OTTED), would lend a hand to the Board of Directors and the Department in attracting business enterprises in order to open new industries and increase inmate workstations. Industry recruiters represent an important part in expanding correctional industries.

The Contractor would provide, under the terms of the contract, the managing of operations within an industry. As an incentive to the contractor, the Department would not remove an inmate once assigned to the contractor, except upon request of or consent of the contractor or for the purposes of population management. As standard for every contract, the Department would establish a compensation plan that provides for a specific amount to be credited to the account for an inmate performing labor and a portion to be used to make any court-ordered payments, including restitution to the victim, and a specific amount to be paid to the Prison Industries Trust Fund. The contractor would be liable for inmate injury to the extent specified in section 768.28, F.S.; however, the members of the Board of Directors would not be individually liable to any inmate for any injury sustained in any correctional work program operated by the contractor.



Figure 7



#### D. Timeline

The transition from the existing correctional industry structure to the proposed would consist of a three-phased plan (Figure 7). Phase I would consist of the public debate concerning correctional industries and, expectantly, a subsequent resolution.

Assuming, the Department’s proposed plan is enacted July 1<sup>st</sup>, 2008, the transition phase (Phase II) would be initiated and continue until July 1<sup>st</sup>, 2009. During Phase II, the Board of Directors would be formed. Once the board is formed, contract bidding and establishment of contracts for current correctional industries would begin. Also in between this time, the Department of Corrections and PRIDE would conduct a thorough inventory of all property relating to correctional work programs including all buildings, land, furnishings, equipment, and other chattels. This inventory would provide the basis for defining which items revert to whom (the Department, PRIDE, Board of Trustees). For those industries that do not result in a contract between PRIDE and the Department, the Department would exert its best efforts to ensure personnel in those industries have employment opportunities under the new industry operator.

Overlapping Phase II, Phase III (Contracting) would begin after the Board of Directors is formed. In Phase III, the Department and Board of Directors would begin negotiating and securing contracts between the Department and the private sector

(including PRIDE) for operating new/expanding industries. After July 1<sup>st</sup>, 2009, the new correctional industry structure would be in place.

#### E. Competition

To reaffirm the competitiveness of an industry, under this proposed structure, Florida section 946.515(2), F.S., would be repealed. Through the repeal of this language, current industries which have historically cornered the market on state sales would now be open to competition; furthermore, these industries would be forced to provide quality products at competitive prices.

#### F. Contracts

Under the proposed plan, the Department of Corrections would be exempt from requirements of Chapter 287 (Florida Statutes) when entering into contracts or leases with private business for the operation of correctional work programs. Where prudent and at the approval of the Board of Directors, revenue generating contracts would be established between the Department and organizations for the operation of correctional industries. Under these contracts, a percentage of sales generated by the industry would be deposited into the Prison Industries Trust Fund and would be limited to reimbursing the Department for room and board, compensating crime victims, paying for the support of inmate’s families, and enhancing and

expanding correctional industry programs. These monies would represent a key component in attracting new and current investors. Looking at correctional industry sales in 2006, a 3% deduction would result in over \$2 million deposited into the trust fund. Based on current construction estimates and utilizing inmate labor to assist in construction, the Department could offer approximately a 1/3 of the construction costs for a 100,000 square foot facility.

## G. New Industries

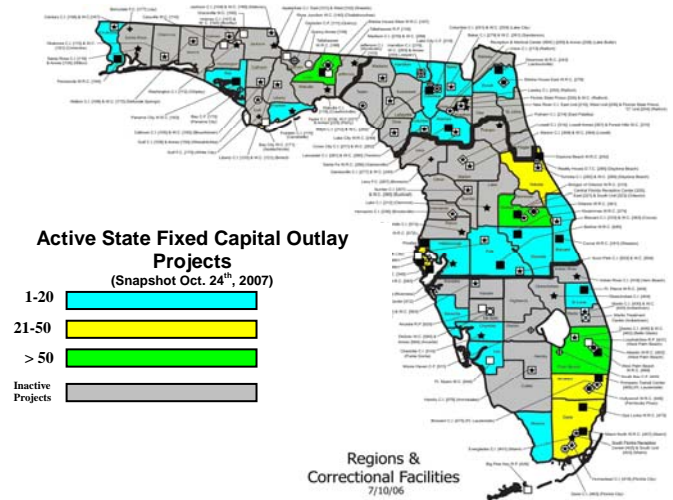
While the Department of Corrections would contract existing industries, the Department and the Board of Directors, with the assistance of Enterprise Florida, the Office of Tourism, Trade and Economic Development and other organizations, would pursue business enterprises in order to open new industries and increase inmate workstations. The following represent some of the ideas for potential industries. It is important to note that due to current statute and structure of correctional industries, the Department of Corrections remains in a premature stage in identifying new markets for correctional industries. Assuming the proposed concept is implemented, more defined markets with specific investors along with precise projections would be realized.

### *General Construction*

According the Department of Management Services, in an October 24<sup>th</sup>, 2007 snapshot, there were 568 active fixed capital outlay projects statewide out of a total of 5,151 projects in existence (Figure 8). Many of these projects consist of roof repairs, heating and air condition repairs, and electrical repairs to state facilities. At the same time, almost 24,000 job vacancies in Florida's construction industry exist in 165 occupations.<sup>13</sup> The top four construction vacancies in Florida last year were in carpentry, construction labor, electrical, and heating and air conditioning.<sup>14</sup> By reaching out to interested and experienced construction companies, the Department of Corrections could contract with an organization to establish a general contracting industry. By harnessing experienced inmates in construction and by training inmates in construction trades, a general contracting industry would consist of a strong labor force to help meet the construction needs of state

and local governments and, most importantly, do so at a reduced cost. Last but not least, with the current funding for active state fixed capital outlay projects just over \$300 million, there is a particularly attractive incentive for potential investors.

**Figure 8**



### *Manufacturing*

Another potential industry in the construction field is modular home building. Companies have shown interest in the building a facility adjacent or within an institution in order to employ inmate roofers, framers, and plumbers. Consequently, this potential industry could employ over 200 inmates at a single institution.

## V. CURRENT INDUSTRY OVERVIEW

Correctional industries operate 37 industrial training programs located at 20 correctional facilities. These programs can be classified into several categories: Agriculture, Imaging, Graphics, Furniture, Services, and Sewn Products. The following is an overview of the current correctional work industries. They represent just a small portion of the type of industry and service that the Department contemplates it could undertake by entering into contracts with other entities under this proposal.

### A. Agriculture

Agricultural industries operate in 5 correctional institutions across the State of Florida.

### *Sugarcane*

Located in heart of Florida's sugarcane industry, Glades C.I. hosts a sugarcane production industry working on approximately 3,878 acres of land employing approximately 50 inmates.

### *Citrus*

A well-known Florida crop, citrus, is grown on approximately 1000-acres and harvested at Hendry C.I. This industry employs some 35-40 inmates off-season and 56 inmates during the picking season.

### *Forestry*

In the areas surrounding Union C.I., Florida State Prison, and New River C.I. timber is harvested, cut, and treated employing close to 100 inmates.

### *Cattle*

From Apalachee C.I. in the Panhandle, to Union C.I. in Central Florida, and Hendry C.I. in South Florida, beef cattle are raised and tended to by approximately 10 inmates.

## **B. Services**

The Services Industry employs over 500 inmates in a variety of business located at 7 correctional facilities

### *ACI Business Services*

Located outside of Apalachee's West Unit, this warehouse hosts a defacing and repackaging operation employing approximately 11 inmates.

### *Avon Park Tire*

The tire program offers tire retreading, disposal, recapping, mounting, dismounting, rim cleaning, rim painting, and nail hole and section repair. 66 inmates are approximately employed in this program.

### *Avon Park Sanitary Maintenance*

The sanitary maintenance program offers a host of products and services. Sanitary maintenance sells

several products including bleach products, carpet care products, floor care products, food service products, cleaners/polishers, laundry products, personal care products, restroom care products, brooms and brushes, and wood care products. At the same time, sanitary maintenance also offers coin laundry, equipment inspection, and equipment installation. 36 inmates are approximately employed in this program.

### *Baker Paint*

The paint industry produces traffic paint goods employing approximately 10 inmates.

### *Broward Optical*

Operating at one of the six female state correctional facilities, the optical industry manufactures adult and children frames in many styles and fashions. 46 inmates are approximately employed in this program.

### *Tomoka Heavy Vehicle Renovation*

The heavy vehicle renovation industry offers O.E.M. and custom body fabrication, command center fabrication, bus repair and renovation, E.V.T. certified technical support and custom work. 87 inmates are approximately employed in this program.

### *Union Dental*

The dental industry provides an array of products and services to include orthodontics, partials, complete dentures, crowns, and repairs. The dental program employs approximately 50 inmates.

### *New River Food Processing*

This USDA certified and inspected industry employs approximately 73 inmates.

### *Union Tag*

The tag plant produces license plates for the State of Florida and also to a few foreign countries. The tag plant also produces vanity plates for fundraising events, school support, and more. Approximately 105 inmates are employed at the tag plant.

## C. Sewn Products

The sewn product industry is divided among 6 institutions around the State of Florida. Many products are made to include: mattresses, pillow and pillow cases, sheets and blankets, laundry bags, towels, recreational clothing, work apparel, work gloves, jail sets, coveralls, dresses, shirts and t-shirts, sweatshirts, jackets, pants, undergarments, hats, belts, bags, footwear, socks, and uniforms. In addition, the sewn product industry offers screen printing and embroidery. This industry combined employs approximately 450 inmates statewide.

## D. Furniture

The furniture industry offers an array of products and services. These products include office furniture, park furniture, metal detention furniture, case goods, tables, benches, desks, beds, barbecue grills, conference tables, lockers, tables, panel systems, shelving, trash receptacles, office seating, fire and rescue lockers, dormitory furniture, lounge seating, hose racks, and school lockers. The furniture industry also offers custom products, refurbishing, design and installation. Located at Polk C.I., Sumter C.I., and Union C.I., the furniture industry employs some 360 inmates.

## E. Graphics

The graphics industry is located at 5 institutions including the recent addition of a printing program at South Bay Correctional Facility. The graphics industry itself consists of two businesses, printing and boxes. Printing services offer specialty printing (signage, vehicle graphics, bookmarks, etc.) and full service printing (pocket folders, books, brochures, etc.). In addition, the printing program offers an array of services to include bindery, design services, screen printing, and foil stamping. The box manufacturing program, located at Marion C.I., produces standard slotted, shipping, record storage boxes as well as customized corrugated paperboard boxes and logo printing. Boxes are available in wax or water-based emulsion coating, stapled or glued, and can be made of recycled material to fit the customer's needs. The graphics industry employs over 450 inmates statewide.

## F. Digital Services

The digital service business, located at Liberty C.I. offers services in the imaging, conversion, capturing and indexing of data. Approximately 80 inmates are employed in the program currently.

---

<sup>1</sup> 2005-2006 *Annual Report*. The Florida Department of Corrections.

<sup>2</sup> Laub, John H., and Robert J. Sampson. "Turning points in the life course: Why change matters to the study of crime," *Criminology* 31 (1993): 301-325.

<sup>3</sup> Solomon, Amy L., Johnson, Kelly Dedel, Travis, Jeremy, and Elizabeth C. McBride, "From Prison to Work: The Employment Dimensions of Prisoner Reentry," Urban Institute Justice Policy Center(2004): 4

<sup>4</sup> *Florida Corrections Commission 2002 Annual Report*. Florida Corrections Commission

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> The Prison Industry Enhancement (PIE) certificate is issued by the federal government and monitored by the Bureau of Justice Assistance (BJA). The BJA certifies the certificate holder that local or state prison industry programs meet all the necessary requirements to be exempt from federal restrictions on prisoner-made goods in interstate commerce. The program places inmates in realistic work environments, and pays them prevailing wages. More information is available at: <http://www.ojp.usdoj.gov/BJA/grant/piecp.html>

<sup>10</sup> *Florida Corrections Commission 2002 Annual Report*. Florida Corrections Commission

<sup>11</sup> Visit <http://edr.state.fl.us/conferences.htm> and <http://www.dc.state.fl.us/pub/index.html>.

<sup>12</sup> Prison chief wants control of inmate training program," *Gainesville Sun*, 9 Oct., 2007.

<sup>13</sup> "Help Wanted results from Florida 2006 Construction Job Vacancy/ Hiring Needs Survey." Agency for Workforce Innovation.

<sup>14</sup> Ibid.

## Office of Institutions Key Contacts/Responsibilities

Deputy Secretary of Institutions and Re-Entry

***George Sapp***

(850) 488-4757

Sapp.George@mail.dc.state.fl.us

Assistant Secretary of Institutions

***Wendel Whitehurst***

(850) 410-4570

Whitehurst.Wendel@mail.dc.state.fl.us

Deputy Assistant Secretary of Institutions

***John Hancock***

(850) 410-4379

Hancock.John@mail.dc.state.fl.us

### **Security Operations**

***James Upchurch***

(850) 410-4390

Upchurch.James@mail.dc.state.fl.us

Provides oversight of security practices and procedures at all prisons through security audits and security consulting.

Assists in the establishment of standards by which security and operational management of all Department facilities are monitored.

Identifies critical security deficiencies and proposal of budget recommendations for correction of deficiencies.

Tracks the levels of illicit contraband and weapons entering or being manufactured in institutions.

Reports any unusual occurrence and provides fugitive verification to all facilities, law enforcement agencies, and the general public on a twenty-four hour basis.

Monitors the daily utilization of security staff through continual review of existing and proposed post charts, quarterly rosters, etc.

Coordinates disaster preparedness and coordination of relief efforts, etc., for the Office of Institutions. The Department has established a Disaster Preparedness Plan and made provisions to activate an Emergency Operations Center when a disaster threatens. Coordinating issues, such as preparing facilities for a potential threat of disaster, possible evacuation of facilities, and recovery efforts, are the main functions of this operation.

Manages the response team operations for the Rapid Response Teams (RRT) consisting of baton, munitions squads, CERT, and crisis negotiation teams.



## **Classification & Central Records**

***Rusty McLaughlin***

(850) 488-9859

McLaughlin.Rusty@mail.dc.state.fl.us

Provides case management of each inmate from reception through release and the record keeping of documents resulting from all classification processes as well as some processes from other bureaus and entities. Inmate case management covers a wide variety of areas including, but not limited to, the application of gain time, visitation, transfers, work release and transition center placements, reentry facility placements and the assessment of inmates to determine their internal and external security requirements, program and work assignments.

Develops and administers the Corrections Integrated Needs Assessment System (CINAS) which identifies the inmate's likelihood to recidivate and determines each inmate's program and criminogenic needs. The focal point of this system is to target the right group of inmates with the right amount of programming to reduce the overall recidivism rate for the Florida Department of Corrections.

Classification, in concert with the Department's Information Technology team, is at the forefront of state-of-the-art developments in inmate assessment and case management systems. Case management is a continuous process throughout an inmate's incarceration and classification staff plays a major role in an inmate's appropriate and timely release and their successful reentry to the community.

## **Facility Services**

***Steve Grizzard***

(850) 410-4111

Grizzard.Stephen@mail.dc.state.fl.us

Manages the construction of new institutions, annexes, work camps, and buildings by both outside contractors and inmate laborers.

Designs new institutions and buildings using in-house architects and engineers.

Coordinates environmental permitting and site design for new institutions and renews existing environmental permits.

Selects sites for constructions of new prison facilities.

Coordinates the design and operations of the department's wastewater, water treatment facilities, and preventive maintenance and energy conservation programs.

Oversees the repair and renovation of existing facilities using inmate labor.

Assists institutions and service centers regarding construction and maintenance issues; and provides construction services to other state agencies.

## **Institutional Support Services**

***Charlie Terrell***

(850) 410-4278

Terrell.Charlie@mail.dc.state.fl.us

Provides contract management expertise and monitoring of statewide contracts

managed by the bureau including the inmate telephone system, inmate canteens, fire safety, and prime vendor food services contracts. Provide specific monitoring reports, and verify invoices for payment pursuant to the provisions of the contract. Fleet Management monitors the statewide fleet activities; supervise acquisitions, disposals, distribution, and maintenance of the fleet; supervise the department's EMIS system, issue fuel credit and toll pass cards, and submit LBR requests. Monitors the inmate work programs and provide contracts to various agencies and municipalities requesting inmate labor. Provides statewide guidance and expertise for Environmental Health, Safety and Risk Management in the scheduling of Fire Marshal inspections. Acts as the liaison with the Department of Management Services and the Department of Insurance in areas of safety and risk management. Oversee statewide records management training of staff to ensure proper retention and storage of records. Maintain the Records Management Access Database to easily identify and track storage and disposition within each region. Issues Central Office Identification Badges, oversight of mailroom operations, copy and printing operations, inmate janitorial operations, and interaction with the owner's representative for maintenance and repairs. Provides central oversight of food service operations at 140 kitchens throughout the state for the management of food service operations and programs provided to the inmate population ensuring compliance with Department policy and procedures as well as state and federal guidelines.

## Institutions Regions

The Department's major institutions (seven privately run) are geographically grouped into four regions. The Tallahassee Central Office provides direction, policy, and operational and program oversight through the regional directors and their staff to all the facilities. These facilities incarcerate felons convicted and sentenced to more than a year.

### **Region I**

*Randall Bryant*

2015 West Unit Dr.

Sneads, Florida

32460

(850) 482-1381

Institutions 19

Work Camp,

Forestry Camp &

Road prisons 16

Work Release

Centers 4

**Region 2**

*Timothy Cannon*

7765 South County

Road 231

Lake Butler, Florida

32054

(386) 496-6000

Institutions 16

Work Camp,

Forestry Camp &

Road prisons 11

Work Release

Centers 5

**Region 3**

*Gerald Abdul-Wasi*

19225 U.S. Hwy 27

Clermont, Florida

34715

(352) 989-9111

Institutions 14

Work Camp,

Forestry Camp &

Road prisons 10

Work Release

**Region 4**

*Marta Villacorta*

20421 Sheridan St.

Pembroke Pines,

Florida 33029

(954) 252-6509/10

Institutions 15

Work Camp,

Forestry Camp &

Road prisons 9

Work Release

Centers 9

## **Program: Community Corrections**

The Office of Community Corrections assists the administration in carrying out its mission for public safety by providing appropriate supervision to offenders placed on community supervision programs including pre-trial intervention, probation, community control, drug offender probation, sex offender probation, and post release supervision. Correctional Probation Officers provide referrals to resources necessary to assist offenders in successfully completing the conditions of supervision.

### **Bureau of Probation and Parole Field Services**

The Bureau of Probation and Parole Field Services is responsible for developing, implementing, revising and monitoring supervision programs in the areas of probation, post release supervision, community control, drug offender probation, career offenders, sexual offenders/predators, and pretrial intervention. This bureau is responsible for other field supervision operations including sentencing guidelines, probation databases, and court-ordered payments. Employees in this bureau are also responsible for developing statewide policy for 3,300 staff members, including over 2500 correctional probation officers and supervisors, monitoring and coordinating operational review and ACA accreditation, grant reporting and development, analysis, formulation, and preparation of legislative proposals relating to probation and parole.

### **Bureau of Interstate Compact**

The Bureau of Interstate Compact is responsible for the statewide administration of the Interstate Compact for Adult Offender Supervision. Reciprocal agreements between all 50 states, the District of Columbia, Puerto Rico, and the U. S. Virgin Islands, allow for the controlled movement and transfer of adult probationers and parolees across state lines for reasons of employment, education and reunification with family in accordance with uniform rules promulgated by the Interstate Commission for Adult offender Supervision. Currently, Florida supervises approximately 5800 other state probationers and parolees. Approximately 4900 Florida probationers and parolees are supervised by other states.

### **Bureau of Community Programs**

The Bureau of Community Programs is responsible for developing, implementing, revising and monitoring programs within the Office of Community Corrections. Bureau staff provide technical assistance and oversight for professional development, in service certification and re-certification for active and auxiliary CPO and staff. Staff provide information and liaison with local, state and federal law enforcement agencies in an effort to clear pending warrants (absconders) for offenders on community supervision. Bureau staff provide management and oversight of the electronic monitoring program, and provide statewide emergency operations management for the Office of Community Corrections.

# **PROBATION AND PAROLE SERVICES**

## **Region I**

### **Region I Office**

Barry Groves, Regional Director  
Susan Bissett-Dotson, Operations Manager  
14107 US Hwy 441, Suite 300  
Alachua, FL 32615-6392  
(386) 418-3451  
Fax: (386) 418-3450

#### **010 - PENSACOLA - CIRCUIT**

3101 North Davis Highway  
Pensacola, Florida 32503-3558  
(850) 595-8953  
Fax: (850) 595-8864

#### **012 - CRESTVIEW**

250 Pine Avenue, Suite A  
Crestview, Florida 32536  
(850) 689-7804  
Fax: (850) 689-7874

#### **014 - DEFUNIAK SPRINGS**

2338 Hwy 90 West  
Defuniak Springs, Florida 32433  
(850) 892-8075  
Fax: (850) 892-8084

#### **016 - PENSACOLA NORTH**

3101 N. Davis Hwy.  
Pensacola, FL 32503  
(850) 595-8845  
Fax: (850) 595-8860

#### **018 - PENSACOLA CENTRAL**

3101 North Davis Hwy.  
Pensacola, Florida 32503-4945  
(850) 595-8845  
Fax: (850) 595-8860

#### **021 - CRAWFORDVILLE**

3278 Crawfordville Highway  
Unit A-2, Mill Creek Plaza  
Crawfordville, FL 32327-3139  
(850) 926-0052  
Fax: (850) 926-0044

#### **023 - MONTICELLO**

260 West Washington Street  
Monticello, Florida 32344-1442  
(850) 342-0272  
Fax: (850) 342-0274

#### **025 - TALLAHASSEE SOUTH**

1815 South Gadsden Street  
Tallahassee, Florida 32301-5507

#### **011 - MILTON**

6738 Caroline Street, S.E.  
Milton, Florida 32570-4974  
(850) 983-5300  
Fax: (850) 983-5306

#### **013 - SHALIMAR**

74-3rd Street  
Shalimar, Florida 32579-1377  
(850) 833-9132  
Fax: (850) 833-9148

#### **015 - PENSACOLA WEST**

3100 West Fairfield Drive  
Pensacola, Florida 32505-4966  
(850) 595-8900  
Fax: (850) 595-8671

#### **017 - PENSACOLA BAYSIDE**

315 South "A" Street  
Pensacola, Florida 32502  
(850) 595-8460  
Fax: (850) 595-8469

#### **020 - TALLAHASSEE MAIN / INTAKE**

1240-A Blountstown Highway  
Tallahassee, Florida 32304-2715  
(850) 488-3596  
Fax: (850) 922-6299

#### **022 - QUINCY**

305-G West Crawford Street  
Quincy, Florida 32351-3121  
(850) 875-9644  
Fax: (850) 875-8993

#### **024 - TALLAHASSEE NORTH**

2700 Blair Stone Road, Suite C & E  
Tallahassee, Florida 32301  
(850) 487-6509  
Fax: (850) 488-2809

#### **026 - TALLAHASSEE CIRCUIT**

1250-H Blountstown Hwy.  
Tallahassee, Florida 32304-2762



(850) 414-7224  
Fax: (850) 414-7231

**03C - LAKE CITY CIRCUIT**

1106 S.W. Main Blvd.  
Lake City, Florida 32025  
(386) 758-0448  
Fax: (386) 758-0677

**031 - LIVE OAK**

506 N.W. Houston Avenue, Suite B  
Live Oak, Florida 32064-1630  
(386) 362-2869  
Fax: (386) 364-4936

**033 - PERRY**

121 North Jefferson Street  
Perry, Florida 32347-0540  
(850) 223-4555  
Fax: (850) 223-4566

**035 - JASPER**

Intersection of US 41 & US 129  
1632 US Hwy 41 NW  
Jasper, Florida 32052-1558  
(386) 792-3447  
Fax: (386) 792-2053

**041 - JACKSONVILLE NORTH**

10646 Haverford Road, Suite 5  
Jacksonville, Florida 32218-6203  
(904) 696-5970  
Fax: (904) 696-5979

**044 - YULEE**

86058 Pages Dairy Road  
Yulee, FL 32097  
(904) 548-9380  
Fax: (904) 548-9393

**046 - JACKSONVILLE S.W.**

1945 Lane Avenue South  
Jacksonville, Florida 32210-2781  
(904) 693-5000  
Fax: (904) 693-5034

**070 - DAYTONA BEACH - MAIN**

1023 Mason Avenue  
Daytona Beach, Florida 32117-4611  
(386) 947-3520  
Fax: (386) 947-3556

**072 - DAYTONA BEACH - CIRCUIT**

9 West Granada Boulevard  
Ormond Beach, Florida 32174  
(386) 615-6330  
Fax: (386) 615-6333

**074 - ST. AUGUSTINE**

(850) 922-3623  
Fax: (850) 488-4790

**030 - LAKE CITY MAIN**

1435 US Highway 90 West, Suite 120  
Lake City, FL 32055  
(386) 754-1000  
Fax: (386) 754-1002

**032 - MADISON**

126 SW Sumatra Avenue, Suite C  
Madison, Florida 32340  
(850) 973-5096  
Fax (850) 973-5098

**034 - OLD TOWN**

25815 SE Hwy 19  
Old Town, FL 32680  
(352) 542-0286  
Fax: (352) 542-0695

**040 - JACKSONVILLE - CIRCUIT / MAIN**

592 Ellis Road, Suite 114  
Jacksonville, Florida 32254-3574  
(904) 695-4045  
Fax: (904) 695-4019

**042 - JACKSONVILLE SOUTH**

4613 Phillips Highway, Suite 221  
Jacksonville, Florida 32207-9502  
(904) 448-4373  
Fax (904) 448-4395

**045 - ORANGE PARK**

302 College Drive  
P.O. Box 65355  
Orange Park, Florida 32065-0006  
(904) 213-2930  
Fax (904) 213-3095

**047 - JACKSONVILLE WEST**

580 Ellis Road, Suite 118  
Jacksonville, Florida 32254-3553  
(904) 695-4180  
Fax: (904) 695-4187

**071 - DELAND**

334 E. New York Ave.  
DeLand, Florida 32724-5510  
(386) 740-2693  
Fax: (386) 740-6976

**073 - PALATKA**

423 St. Johns Avenue  
Palatka, Florida 32177-4724  
(386) 329-3757  
Fax: (386) 329-3755

**075 - BUNNELL**

Lightner Museum Bldg.  
75 King Street, Suite 310  
St. Augustine, Florida 32084-4377  
(904) 825-5038  
Fax: (904) 825-6804

2405 East Moody Blvd., Ste 301  
Bunnell, Florida 32110  
(386) 437-7575  
Fax: (386) 437-8211

**076 - DAYTONA BEACH - NORTH**

9 West Granada Boulevard  
Ormond Beach, Florida 32174  
(386) 676-4020  
Fax: (386) 676-4029

**080 - GAINESVILLE MAIN**

110 S.E. First Street, Second Floor  
Gainesville, Florida 32601-6925  
(352) 955-2023  
Fax: (352) 955-3042

**082 STARKE**

1200 Andrews Circle Drive, North  
Starke, Florida 32091-2132  
(904) 368-3600  
Fax: (904) 368-3075

**085 - GAINESVILLE - CIRCUIT**

7020 N.W. 11th Place  
Gainesville, FL 32605-2144  
(352) 333-3677  
FAX: (352) 333-3676

**141 - MARIANNA**

2863 Green Street  
Marianna, Florida 32446  
(850) 482-9524  
Fax: (850) 482-9686

**143 - CHIPLEY**

713 3rd Street  
Chipley, Florida 32428-1822  
(850) 638-6234  
Fax: (850) 638-6213

**145 - PANAMA CITY - CIRCUIT**

3621 West Highway 390  
Panama City, Florida 32405-2723  
(850) 872-7590  
Fax: (850) 872-7594

**077 - DAYTONA BEACH - CENTRAL**

1051 Mason Avenue  
Daytona Beach, Florida 32117  
(386) 226-7868  
Fax: (386) 226-7876

**081 CHIEFLAND**

224 N. Main Street, Suite 1  
Chiefland, Florida 32626-0802  
(352) 493-6760  
Fax: (352) 493-6764

**083 GAINESVILLE WEST**

7020 N.W. 11th Place  
Gainesville, Florida 32605-2144  
(352) 333-3640  
Fax: (352) 333-3644

**140 - PANAMA CITY WEST / INTAKE**

1013 Beck Avenue  
Panama City, Florida 32401-1454  
(850) 872-4139  
FAX: (850) 747-5167

**142 - PORT ST. JOE**

504 3rd Street  
Port St. Joe, Florida 32456-1736  
(850) 227-1132  
Fax: (850) 227-3592

**144 - PANAMA CITY EAST**

204 N. Tyndall Pkwy.  
Panama City, Florida 32404-6432  
(850) 872-7375  
Fax: (850) 872-7382

**Region II**

**Region II Office**

Barbara Scala, Regional Director  
Patrice Bryant, Operations Manager  
2301 Meeting Place  
Orlando, FL 32814  
(407) 623-1026  
FAX: (407) 623-1292

**050 - OCALA EAST**

24 NE 1st ST

**051 - TAVARES-CIRCUIT / MAIN**

105 S Rockingham Ave.

Ocala, Florida 34470-6651  
(352) 732-1215  
Fax: (352) 732-1720

**052 - BUSHNELL**  
4420 S Hwy 301  
Bushnell, Florida 33513-3624  
(352) 793-2131  
Fax: (352) 793-5033

**054 - BROOKSVILLE**  
20144 Cortez Blvd  
Brooksville, Florida 34601-3832  
(352) 754-6710  
Fax: (352) 544-2305

**056 - OCALA WEST**  
5640 SW 6th Place, Suite 100  
Ocala, Florida 34474-9321  
(352) 732-1324  
Fax: (352) 732-1312

**09A - ORLANDO SOUTHWEST**  
31 Coburn Avenue  
Orlando, Florida 32805-2137  
(407) 245-0854  
Fax: (407) 245-0922

**090 - ORLANDO CIRCUIT**  
400 W. Robinson Street  
Suite 709S  
Orlando, Florida 32801  
(407) 245-0267  
Fax: (407) 245-0270

**092 - ORLANDO WEST**  
3201-B W. Colonial Drive  
Orlando, Florida 32808  
(407) 578-3500  
Fax: (407) 445-5261

**094 - KISSIMMEE**  
1605 North John Young Parkway  
Kissimmee, Florida 34741  
(407) 846-5215  
Fax: (407) 846-5248

**097 - ORLANDO SOUTH**  
3201-A West Colonial Drive  
Orlando, Florida 32808  
(407) 445-5305  
Fax: (407) 445-5313

**10A - LAKELAND - CIRCUIT ADMIN**  
200 North Kentucky Avenue, Suite 516  
Lakeland, Florida 33801  
(863) 413-3305  
Fax: (863) 413-3309

Tavares, Florida 32778-3819  
(352) 742-6242  
Fax: Circuit--(352) 742-6163  
Main--(352) 742-6469

**053 - INVERNESS**  
601 US HWY 41S  
Inverness, Florida 34450-6074  
(352) 560-6000  
Fax: (352) 860-5155

**055 - BELLEVIEW**  
4785 SE 102 Place  
Bellevue, FL 34420-2914  
(352) 307-9582  
Fax: (352) 307-9587

**057 - LEESBURG**  
3330 W. Main ST  
Leesburg, Florida 34748-9712  
(352) 360-6564  
Fax: (352) 360-6726

**09B - ORLANDO METRO**  
3201-C West Colonial Drive  
Orlando, Florida 32808-8009  
(407) 297-2000  
Fax: (407) 297-2069

**091 - ORLANDO NORTH**  
27 Coburn Avenue  
Orlando, Florida 32805  
(407) 245-0770  
Fax: (407) 245-0840

**093 - ORLANDO MIDTOWN**  
400 W. Robinson Street  
Suite 709S  
Orlando, Florida 32801  
(407) 245-0274  
Fax: (407) 245-0585

**096 - ORLANDO CENTRAL**  
29 Coburn Avenue  
Orlando, Florida 32805  
(407) 245-0701  
Fax: (407) 245-0751

**100 - BARTOW - MAIN / INTAKE**  
970 East Main Street  
Bartow, Florida 33830-4905  
(863) 534-7010  
Fax: (863) 534-7247

**101 - LAKELAND NORTH**  
200 North Kentucky Avenue  
Suite 506  
Lakeland, Florida 33801-4978  
(863) 413-2242

- Fax: (863) 413-2070
- 102 - WINTER HAVEN**  
1289 First Street South  
Winter Haven, Florida 33880  
(863) 298-5570  
Fax: (863) 298-5597
- 104 - SEBRING**  
171 U.S. Highway 27 North  
Sebring, Florida 33870-2100  
(863) 386-6018  
Fax: (863) 386-6023
- 106 - LAKELAND SOUTH**  
3939 US Highway 98 South  
Suite 105  
Lakeland, Florida 33812  
(863) 668-3000  
Fax: (863) 614-9181
- 180 - TITUSVILLE**  
1431 Chaffee Drive, Suite 5  
Titusville, Florida 32780  
Phone: (321) 264-4073  
Fax: (321) 264-4081
- 182 - COCOA**  
801 Dixon Blvd, Ste 1104  
Cocoa, Florida 32922  
(321) 634-3570  
Fax: (321)634-3559
- 184 - CASSELBERRY**  
101 Sunnyside Road, Suite #103  
Casselberry, Florida 32707-3862  
(407) 262-7400  
Fax: (407) 262-7405
- 186 - SANFORD MAIN**  
Seminole County Intake  
2688 Orlando Drive  
Sanford, Florida 32773-5339  
(407) 330-6737  
Fax: (407) 330-6924
- 191 - STUART**  
2015 S. Kanner Hwy  
Stuart, Florida 34994-2237  
(772) 221-4010  
Fax: (772) 221-4999
- 193 - OKEECHOBEE**  
127 Northwest 36th Street  
Okeechobee, Florida 34972-1701  
or: P.O. Box 1803  
Okeechobee, Florida 34973-9408  
(863) 462-5304  
Fax: (863) 462-5176
- 103 - LAKE WALES**  
608 State Road 60  
Lake Wales, Florida 33853-4419  
(863) 679-4366  
Fax: (863) 679-4382
- 105 - WAUCHULA**  
124 S. 9th Ave. Suite 200  
Wauchula, Florida 33873-2832  
(863) 773-4777  
Fax: (863) 773-9783
- 107 - HAINES CITY**  
233 North 9th Street  
Haines City, Florida 33844  
(863) 419-3344  
Fax: (863) 419-3359
- 181 - MELBOURNE**  
1500 West Eau Gallie Blvd., Suite B  
Melbourne, Florida 32935-5367  
(321) 752-3145  
Fax: (321) 752-3153
- 183 - PALM BAY**  
4031 US Hwy 1, South  
Palm Bay, Florida 32905  
(321) 726-2825  
Fax: (321) 726-2835
- 185 - SANFORD - CIRCUIT**  
2698 Orlando Drive  
Sanford, Florida 32773  
(407) 302-3811  
Fax: (407) 302-3819
- 190 FT. PIERCE- CIRCUIT / INTAKE**  
3552 Okeechobee Road  
Ft. Pierce, Florida 34947-4597  
(772) 468-3933  
Fax: (772) 595-1310 (Intake)  
Fax: (772) 467-4115 (C.A.)
- 192 - VERO BEACH**  
1470 Old Dixie Highway  
Vero Beach, Florida 32960-3773  
(772) 778-5015  
Fax: (772) 778-5076
- 194 - FT. PIERCE EAST**  
3214 South U.S. Highway 1, Suite 7  
Ft. Pierce, Florida 34982-8113  
(772) 468-4064  
Fax: (772) 467-3150

## Region III

### Region III Office

Cliff Rowan, Regional Director  
David Rice, Operations Manager  
1313 N. Tampa Street  
Suite 813  
Tampa, Florida 33602-3330  
(813) 233-2572  
FAX: (813) 272-3810

#### 06A - PINELLAS PARK

6655 - 66th Street North, Suite 1  
Pinellas Park, Florida 33781-5047  
(727) 547-7670  
Fax: (727) 547-7694

#### 06E - HUDSON

12370 U.S. Highway 19  
Hudson, FL 34667-1948  
(727) 861-5200  
Fax: (727) 861-5224

#### 06G - PINELLAS CO. COURT UNIT

14250 49th Street North, Rm. 1930  
Clearwater, Florida 33762-2800  
(727) 464-6349  
Fax: (727) 464-6450

#### 061 - CLEARWATER

634 Park Street  
Clearwater, Florida 33756-5404  
(727) 469-5900  
Fax: (727) 469-5909

#### 063 - DADE CITY

14450 7th Street  
Dade City, Florida 33523-3404  
(352) 521-1214  
Fax: (352) 523-5017

#### 066 - TARPON SPRINGS

1501 S. Pinellas Ave., Suite L  
Tarpon Springs, Florida 34689-1951  
(727) 942-5411  
Fax: (727) 942-5415

#### 120 SARASOTA - CIRCUIT

2074 Ringling Boulevard, Suite 23  
Sarasota, Florida 34237-7008  
(941) 361-6322  
Fax: (941) 373-3718

#### 122 - ARCADIA

301 North Brevard Avenue  
Suite F  
Arcadia, Florida 34266-4550  
(863) 993-4631

#### 06C - PINELLAS / PASCO INTAKE

11351 Ulmerton Road, Suite 232  
Largo, Florida 33778  
(727) 518-3532  
Fax: (727) 518-3540

#### 06F - CLEARWATER - CIRCUIT

11351 Ulmerton Road, Suite 237  
Largo, Florida 33778  
(727) 518-3571  
Fax: (727) 518-3520

#### 060 - ST. PETERSBURG

525 Mirror Lake Drive, #117  
St. Petersburg, FL 33701  
(727)552-2583  
Fax: (727)552-2598

#### 062 - NEW PORT RICHEY

7619 Little Road, Suite C150  
New Port Richey, Florida 34654-5533  
(727) 841-4131  
Fax: (727) 841-4129

#### 064 - LARGO

11351 Ulmerton Road, Suite 200  
Largo, Florida 33778-1631  
(727) 588-3583  
Fax: (727) 588-4013

#### 067 - ST. PETERSBURG SOUTH

525 Mirror Lake Drive, #116  
St. Petersburg, FL 33701  
(727)552-2603  
Fax: (727)552-2611

#### 121 - BRADENTON

399 6th Avenue, West  
Bradenton, Florida 34205-8820  
(941) 741-3066  
Fax: (941) 741-3073

#### 123 - HOLIDAY HARBOR

658 South Tamiami Trail  
Osprey, Florida 34229-9209  
(941) 918-2780  
Fax: (941) 918-2784



Fax: (863) 993-4652

**124 - BAYSHORE GARDENS**

6416A Parkland Drive  
Sarasota, Florida 34243-4038  
(941) 751-7611  
Fax: (941) 751-7616

**13A - TAMPA EAST**

4510 Oakfair Boulevard, Suite 250  
Tampa, Florida 33610-7371  
(813) 744-6313  
Fax: (813) 744-6323

**13D - TAMPA HILLDALE**

7829 N. Dale Mabry Highway, Suite 108  
Tampa, Florida 33614-3267  
(813) 975-6511  
Fax: (813) 975-6522

**130 - TAMPA-CIRCUIT  
ADMINISTRATION**

1313 Tampa Street, Suite 809  
Tampa, Florida 33602-3330  
(813) 233-2382  
Fax: (813) 272-3291

**132 - RIVERVIEW**

11112 US Hwy 41 South  
Gibsonton, Florida 33534  
(813) 672-5670  
Fax: (813) 672-5678

**134 - TAMPA NORTH**

12421 North Florida Avenue,  
Suite A-110  
Tampa, Florida 33612-4220  
(813) 975-6542  
Fax: (813) 975-6543

**136 - TAMPA NORTHWEST**

1313 N. Tampa Street, #219S  
Tampa, Florida 33602-3337  
(813) 233-3480  
Fax: (813) 233-3485

**200 FT. MYERS-CIRCUIT**

4415 Metro Parkway, Suite 310  
Ft. Myers, Florida 33916-9408  
(239) 278-7240  
Fax: (239) 278-7243

**202 - LABELLE**

90 North Main St., P.O. Box 117  
LaBelle, Florida 33975-0117  
(863) 674-4017  
Fax: (863) 674-4654

**125 - SARASOTA NORTH**

4123 North Tamiami Trail, Ste. 101  
Sarasota, Florida 34234-3587  
(941) 359-5610  
Fax: (941) 359-5629

**13C - TAMPA INTAKE**

1313 N. Tampa Street  
Suite 124 Annex  
Tampa, FL 33602-3328  
(813) 233-3450  
Fax: (813) 233-3487

**13F - TAMPA - EASTLAKE**

7402 North 56th Street  
Building 100, Suite 100  
Tampa, Florida 33617-7735  
(813) 987-6846  
Fax: (813) 987-6854

**131 - PLANT CITY**

712 West MLK Jr. Blvd.  
Plant City, Florida 33563-5158  
(813) 757-9080  
Fax: (813) 757-9084

**133 - TAMPA NORTHEAST**

7402 North 56th Street  
Corporate Square, Suite 750  
Tampa, Florida 33617-7731  
(813) 987-6717  
Fax: (813) 987-6730

**135 - TAMPA CENTRAL**

1313 N. Tampa St. Suite 207  
Tampa, Florida 33602-3329  
(813) 233-3747  
Fax: (813) 233-3761

**138 - TAMPA GULF SOUTH**

7825 N. Dale Mabry Avenue, Suite 200  
Tampa, Florida 33614-3267  
(813) 975-6524  
Fax: (813) 975-6532

**201 - NAPLES SOUTH**

2500 Airport Road, Suite 114  
Naples, Florida 34112-2884  
(239) 417-6300  
Fax: (239) 417-6309

**203 - PUNTA GORDA**

121 E. Marion Avenue, Suite 125  
Punta Gorda, Florida 33950-3635  
(941) 575-5740  
Fax: (941) 575-5743

**204 - FT. MYERS SOUTH**

1943 Maravilla Avenue  
 Ft. Myers, Florida 33901  
 (239) 938-1900  
 Fax: (239) 938-1835

**205 - FT. MYERS CENTRAL**

1943 Maravilla Avenue  
 Ft. Myers, Florida 33901  
 (239) 938-1900  
 Fax: (239) 938-1835

**207 - LEE COUNTY INTAKE**

2234 Cleveland Avenue  
 Ft. Myers, FL 33901  
 (239) 338-2349  
 FAX (239) 338-2453

**Region IV****Region IV Office**

Beth Atchison, Regional Director  
 Karla Felton, Operations Manager  
 189 SE 3rd Avenue Ste 5  
 Delray Beach, Florida 33483-4531  
 (561) 279-1937  
 Fax: (561) 279-1943

**11B - MIAMI - INTAKE**

7900 N.W. 27 Avenue  
 149 N Court, Suite D-6  
 Miami, Florida 33130  
 (305) 693-2320  
 Fax: (305) 693-2324

**11C - COCONUT GROVE**

7900 N.W. 27 Avenue  
 149 N Court, Suite D-6  
 Miami, Florida 33130  
 (305) 693-2325  
 Fax: (305) 693-2329

**110 MIAMI-CIRCUIT**

1150 N.W 72nd Avenue, Suite 200  
 Miami, Florida 33126  
 (305) 470-6840

**111 - MIAMI NORTHWEST**

3601 Northwest 167th Street  
 Miami, Florida 33056-4102  
 (305) 628-6805  
 Fax: (305) 628-6848

**112 - MIAMI EAST**

401 Northwest 2nd Avenue -S607  
 Miami, Florida 33128-1789  
 (305) 377-5270  
 Fax: (305) 377-5576

**113 - MIAMI SOUTH**

12295 Southwest 133rd Court  
 Miami, Florida 33186-6427  
 (305) 252-4400  
 Fax: (305) 252-4485

**114 - MIAMI NORTH**

3601 Northwest 167th Street  
 Miami, Florida 33056-4102  
 (305) 626-4960  
 Fax: (305) 626-4888

**115 - HOMESTEAD**

1448 North Krome Avenue #102  
 Florida City, Florida 33034-2402  
 (305) 246-6326  
 Fax: (305) 246-6392

**116 - BISCAYNE**

7900 N.W. 27 Avenue  
 149 N Court, Suite D-6  
 Miami, Florida 33130  
 (305) 693-2330  
 Fax: (305) 693-2334

**117 - MIAMI - HIALEAH**

3601 Northwest 167th Street  
 Miami, Florida 33056-4102  
 (305) 626-4900  
 Fax: (305) 626-4956

**118 - MIAMI LAKES**

3601 Northwest 167th Street  
 Miami, Florida 33056-4102  
 (305) 626-4905  
 Fax: (305) 626-4996

**150 - WEST PALM BEACH - CIRCUIT**

423 Fern Street, Suite 100  
 West Palm Beach, Florida 33401-5939  
 (561) 837-5175  
 Fax: (561) 837-5278

**151 - BELLE GLADE**  
2976 State Road 15  
Belle Glade, Florida 33430-5308  
(561) 996-4860  
Fax: (561) 992-2048

**153 - WEST PALM BEACH CENTRAL**  
4480 South Tiffany Drive,  
Suite 1001  
Magnolia Park, Florida 33407  
(561) 881-5001  
Fax: (561) 840-4884

**160 - KEY WEST**  
Professional Building  
1111 12th Street, Suite 402  
Key West, Florida 33040-4086  
(305) 292-6742  
Fax: (305) 292-6767

**162 - TAVERNIER**  
88005 Overseas Highway  
Islamorada, Florida 33036-3067  
(305) 853-3262  
Fax: (305) 853-3260

**170 - FT. LAUDERDALE-INTAKE /  
CIRCUIT**  
3708A West Oakland Park Blvd.  
Lauderdale Lakes, Florida 33311-1134  
Circuit: (954) 677-5913  
Fax: (954) 677-5918  
Intake: (954) 677-5595  
Fax: (954) 677-5672

**172 - PEMBROKE PARK**  
1050 North Federal Highway  
Hollywood, Florida 33020  
(954) 924-3800  
Fax: (954) 924-3809

**175 - SUNRISE EAST**  
2928 North State Road 7  
Ft. Lauderdale, Florida 33313-1912  
(954) 677-5900  
Fax: (954) 677-5912

**178 - HOLLYWOOD**  
1050 North Federal Highway  
Hollywood, Florida 33020-3540  
(954) 924-3800  
Fax: (954) 924-3809

**152 - DELRAY BEACH**  
189 Southeast 3rd Avenue,  
Suite 2  
Delray Beach, Florida 33483-4541  
(561) 279-1650  
Fax: (561) 279-1614

**154 - LAKE WORTH**  
3444 South Congress Avenue  
Lake Worth, Florida 33461-3022  
(561) 434-3960  
Fax: (561) 434-3972

**161 - MARATHON - CIRCUIT**  
5192 Overseas Highway, Second Floor  
Marathon Shores, Florida 33050  
(305) 289-2340  
Fax: (305) 289-2379

**17A - TAMARAC**  
4200 Northwest 16th St., 4th Floor  
Lauderhill, Florida 33313-5879  
(954) 497-4121  
Fax: (954) 497-4133

**171 - POMPANO BEACH**  
140 East McNab Road  
Pompano Beach, Florida 33060-9240  
(954) 786-5466  
Fax: (954) 784-4535

**174 - CYPRESS**  
1700 Northwest 64th Street, Suite 500  
Ft. Lauderdale, Florida 33309-1836  
(954) 267-4948  
Fax: (954) 267-4967

**177 - PLANTATION**  
3520 West Broward Boulevard  
Kingston Building, Second Floor  
Ft. Lauderdale, Florida 33312-1038  
(954) 797-1762  
Fax: (954) 797-1795

**17A - TAMARAC**  
4200 n.w. 16TH Street, 4th Floor  
Lauderhill, FL 33313  
(954) 497-4121  
Fax: (954) 497-4133

# Office of Re-Entry

Assistant Secretary for Re-Entry

**Franchatta Barber**

(850) 410-4250

[Barber.Franchatta@mail.dc.state.fl.us](mailto:Barber.Franchatta@mail.dc.state.fl.us)

Deputy Assistant Secretary for Re-entry

**Pam Denmark**

(850) 488-5602

[Denmark.Pam@mail.dc.state.fl.us](mailto:Denmark.Pam@mail.dc.state.fl.us)

## ***Admission and Release***

**Hugh "Buddy" Ferguson**

(850) 922-4610

[Ferguson.Hugh@mail.dc.state.fl.us](mailto:Ferguson.Hugh@mail.dc.state.fl.us)

Admission and Release is comprised of two major operational units, Admission and Release Management and Specialized Sentence Structure Applications. Admission and Release ensures that each commitment to prison is served in full pursuant to the order of the sentencing court and applicable statutes and case law decisions. The bureau also performs a final audit of the inmate record prior to release. Specific responsibilities include:

Testing, maintaining and updating the automated release date calculator to ensure the general availability of an accurate release date for decisions relating to risk, program assignment, security, and post-release planning. Auditing the Uniform Commitment to Custody. This centralized process ensures that the Department detains only lawfully committed persons whose legal sentence of incarceration has not expired. *Commitments - 42,516 audits of*

*116,174 individual sentences*

Re-calculation of release dates and sentence structure updates in accordance with court orders modifying the original commitment. *Court orders processed -*

*5,767 processes with 26,011 individual sentences*

Re-calculation of release dates based on orders issued by the Parole Commission. *Parole Commission Actions FY 09/10- 2,213 Orders Processed*

Protection of the Department's interest in prisoners committed to state custody but not received in a state facility by filing of detainers and monitoring inmate movement. *Not in Department Custody Tracking - 368 inmates.*

Prepare affidavits for litigation and respond to inmate administrative appeals.

Assist field staff in understanding and responding to inquires about complex sentence structure and release date calculation issues. *Affidavits/appeals completed - 994*

Calculate release dates and update the automated record in accordance with court decisions, legal advice, and policy decisions by executive staff.

*Structures/Reviews Pursuant to Case Law - 6,490*

Conduct a final, pre-release review of the inmate record to ensure compliance with numerous statutory requirements, resolve questions or problems, and coordinate release issues between facility staff and community interests. This includes issues relating to supervision status and notice to law enforcement and the community. *Pre-release reviews - 35,151*

Place, withdraw and cancel detainers to protect the interests of other agencies and provide an accurate risk assessment record for use by Department staff.

Also, coordinate release pick-up between DOC facility staff and the detaining authority. *Detainer actions - 9,462*

Review and coordinate referral of inmates with convictions for sexually violent offenses to Children and Families for review under the Ryce Act. *Referrals - 3,279*

Develop user profiles, provide user access, and ensure maintenance of security standards for 6 data systems used by Department staff, and provide access to the DOC data base by external users. *Currently approximately 20,000 total users.*

Serve as the liaison between other states, central office and the housing facility to coordinate transfers under the interstate agreement on detainers.

### ***Office of Education and Initiatives***

***Eric Gaines***

(850) 922-3621

Gaines.Eric@mail.dc.state.fl.us

Manages and oversees education, library, wellness and chaplaincy services programs, and for administration of the department's victims and citizens services offices.

***Education Services*** provides quality programs to inmates, equipping them with the competencies necessary to become productive, crime-free members of society. Education Services includes: academic and special education, vocational education, library services and wellness programs. Education Services also coordinates Teacher Certification activities for the department's correctional educators.

***Chaplaincy Services*** organizes and manages the provision of religious services for inmates and a wide variety of religious volunteer support programs. The department's Chaplaincy Services is actively involved in defining and maintaining the personal religious freedoms of every inmate.

***Victim Services*** provides statutorily required information and notification to all victims or their families in an effort to empower and protect and provide community linkages for assistance and services, while also assisting the law enforcement community.

***VINE*** (Victim Information Notification Everyday) –The VINE system is a 24-hour-a-day toll-free automated notification and information line, enabling victims to access information regarding an inmate's location, transfer, release, escape, or death. Victims may also request assistance via the Department's public web site or via telephonic contact with program staff that responds to more than 1,200 calls a month.



*Citizens Services* provide professional, courteous and accurate customer-related services on issues relative to the Department. These services are conducted with an effort to provide responses to questions and requests in a prompt and efficient manner.

### ***Substance Abuse***

***Kim Riley***

(850) 488-9169

Riley.Kim@mail.dc.state.fl.us

The Bureau of Substance Abuse Program Services is responsible for contract and grant management, coordination, implementation, and delivery of re-entry services for offenders under community supervision and inmates that are under the care and custody of the Department of Corrections.

Program oversight and contract management responsibilities for over 135 contracts. This oversight includes –

- Institutional substance abuse treatment programs including contracted and Department operated - 24 sites with 2,393 treatment slots
- Statewide offender drug testing program - 1 contract
- Residential Substance Abuse; Nonsecure (Short Term) and Secure Substance Drug Treatment Programs - 26 contracts with a total of 1,061 funded beds
- Prison diversion programs - 1 contract, 1 RFP Pending
- Residential probation and restitution programs (PRC) – 4 contracts with a total of 130 beds
- Post-release faith-based transitional housing programs – 18 contracts with a total of 195 funded beds
- Outpatient mental health and sex offender treatment contracts that provide services to offenders on community supervision – 58 contracts
- Statewide offender drug testing program – 566 *All contracted and Department operated substance abuse programs are licensed by the Department of Children and Families.*

One of the Bureau's accomplishments in FY 2009-10 was the implementation of the Prison Diversion Pilot Program in Hillsborough County. The Prison Diversion Program provides programming and an alternative to prison sanction for eligible felony offenders who would otherwise be incarcerated. The program increases the continuum of supervision options available to the judiciary and offers a variety of adult corrections programs that have a demonstrated ability to achieve reductions in recidivism. It is customized to address each individual „risk & needs“. Services are primarily offered in a nonresidential setting, but may include brief residential/housing services. The goal of the program is to refocus the offender's attitudes and behaviors, and provide skill building training to assist them to successfully complete supervision.

### ***Inmate Transition***

***Shila Salem***

(850) 414-2781

Salem.Shila@mail.dc.state.fl.us

Forge and cultivate partnerships with local communities and public safety agencies statewide. Through these partnerships, the Bureau serves as the primary source for

community educational outreach to enhance citizens' awareness of services available through the Department.

Develops and operates several programs that seek to provide inmates with the knowledge and skills necessary for a successful return to society. These partnerships and programs create pathways for the Department to effectively operate a safe and secure correctional system while providing support to communities throughout the state.

One of the Bureau's most high-profile accomplishments is the 2009 Second Chance Grant award. By design, this project serves 500 inmates releasing to Duval County, Florida by connecting them with the Jacksonville Reentry Center (JREC). The Department has contracted with the City of Jacksonville to provide post-release services to inmates upon release. The critical design strategies of this project are comprehensive assessment and planning, prerelease program services, individualized transition planning, and linkage to community services.

Operates the statutorily mandated (944.7065) 100-Hour Transitional Skills Program which every inmate receives prior to release. The program covers job readiness and life management skills.

Manages all contracted work release centers.

- o Three Federal Grants

## **HUMAN RESOURCES OVERVIEW**

### **Background**

Human Resources (HR) currently comprises the Director's Office including Labor and Employee Relations and the Central Office Bureau of Personnel. In addition, the department has oversight responsibility for 4 Regional Personnel Offices (RPO's) which provide personnel services statewide. The RPO's fall under the authority of Institutions.

### **Current Status**

- 98 personnel positions provide services to over 28,000 employees, resulting in a staffing ratio of .003 per 100 employees. The industry standard is 1 per 100 employees.
- Current staffing consists of 72 positions in the RPO's (for which HR has oversight responsibility but no direct authority), and 26 positions in Central Office Personnel.

### **Director's Office**

Glory Parton, Director  
Angela Hunter, Executive Secretary

### **Employee & Labor Relations**

Cathy Leggett, HR/Labor Relations Consultant

### **Labor Relations**

Michael Lewis, Human Resource Analyst

**Function:** Coordinates department's collective bargaining initiatives and responsibilities, such as grievances and negotiations. In concert with Office of the General Counsel, approves consistent, fair and defensible actions to suspend, demote or dismiss employees statewide for just cause (approximately 1200 actions annually).

## **Employee Relations**

Allen Chapman, Human Resource Analyst  
Pat Linn, Human Resource Analyst

**Function:** Administers the statewide employee relations program (all complaints of discrimination statewide), as well as the Equal Employment Opportunity program, liaise with EEOC, FCHR, and legal advisers representing the agency. Responds to all Requests for Productions/Interrogatories and provides required documents to attorneys representing DC in Title VII lawsuits.

## **Bureau of Personnel -**

Gail Thompson, Bureau Chief  
Rena Gilliam, Personnel Technician I

## **Section Functions/Staffing**

### **Recruitment and Payroll**

Mary Huff, Assistant Chief of Personnel, Payroll and Recruitment

### **Recruitment**

Gwen Colston, Human Resource Analyst, Recruitment  
Jack Howdeshell, Human Resource Analyst (Statewide Recruiter – housed at Region II Personnel Office – Mayo Correctional Institution)  
Eugenia Burns, Personnel Tech III  
Javar Cross, Personnel Tech II  
Paula Scott, Personnel Tech I (overlapped with Stephanie Lilly, Payroll & Benefits)

**Function:** Coordinates with People First to advertise vacancies and print applications. Coordinates with supervisors to ensure that selection modules, and recruitment and selection packets are complete. Assists supervisors with eligibility determination and processes Personnel Action Requests (PAR's). Provides guidance and assists with the background investigation using FCIC/NCIC, employment references, educational verification, and other appropriate documentation.

### **Payroll and Benefits**

Dolores Alcorn, Human Resource Analyst  
Winton McClendon, Personnel Tech III  
Stephanie Lilly, Personnel Tech I (overlapped with Paula Scott, Recruitment)

**Function:** Processes payroll for over 1,000 Central Office employees in addition to providing guidance to field staff. Maintains and updates personnel files and employee records. Updates and maintains all employee data in People First.

Administers employee benefit programs including but not limited to; insurance, retirement, attendance and leave, and workers compensation. Additional responsibilities include performance evaluations, fingerprinting, officer certification, service pins and tuition waivers.

### **Management Services and Employee Programs**

Libby Wilkerson, Assistant Chief of Personnel, Management Services & Employee Programs

### **Employee Programs**

Sarah Terrell, Human Resource Analyst  
Kim Kirkland, Human Resource Specialist  
Pat Finan, Correctional Program Consultant

**Function:** Develops, implements, administers, and monitors employee programs and procedures including statewide employee and applicant drug testing and physical examinations and the Post Trauma Staff Support, Domestic Violence, Employee Assistance, and Mentoring Programs. Coordinates the agency's Florida State Employees Charitable Campaign. Manages agency service awards, and other agency supported initiatives. Evaluates requests to campaign or hold public office.

### **Management Services**

Celena Grant, Human Resource Analyst  
Grace Griffin, Human Resource Specialist

**Function:** Develops, and ensures the accuracy, consistency and maintenance, of all Bureau of Personnel procedures, policies, and forms. Reviews, analyzes, and reports on human resource related legislation and coordinates actions responsive to legislation. Coordinates human resource related special projects. Analyzes recommendations for cost savings/avoidances and coordinates implementation. Prepares management analyses of, and processes, rehire requests, criminal records reviews, tuition waivers and PAR exceptions. Assist with production of documents response to litigation and union grievances when excessive workloads require.

### **Classification and Pay**

Helen Reese, Assistant Chief of Personnel, Classification and Pay

*(All classification section functions are performed out of Central Office.  
There are no staff in the RPO's with classification duties.)*

Christie Green, Human Resource Analyst  
Brenda Williams, Human Resource Analyst  
Lillie McGriff, Personnel Services Specialist  
Pam Mills, Personnel Technician III - SES



**Function:** This section is responsible for the statewide functions of administering, analyzing, and processing all classification activities and component activities for 28,425 FTE positions and 1,154 OPS positions in the department. This includes establishing and maintaining all position descriptions; 1,100 organizational charts; maintaining the position side of the People First system; agency reorganizations; agency codes/structure; establishing and maintaining timekeeper groups (646 groups); producing Personnel Information Memorandums and providing technical assistance to staff and management at all levels; DMS liaison for Classification and Pay issues; pay administration pertaining to pay grades, broad bands, pay additives; production of ad-hoc reports.

Service Centers	EMP_TYPE		All
	OPS	Regular	
	N	N	N
ADMINISTRATIVE SERVICE CENTER-REGION I	7	124	131
ADMINISTRATIVE SERVICE CENTER-REGION II	11	136	147
ADMINISTRATIVE SERVICE CENTER-REGION III	8	136	144
ADMINISTRATIVE SERVICE CENTER-REGION IV	5	110	115

		EMP
		OPS
REGION I-INSTITUTIONS	APALACHEE CORRECTIONAL INSTITUTION	20
	BAY COUNTY CORRECTIONAL FACILITY	0
	BLACKWATER CORRECTIONAL FACILITY	0
	CALHOUN CORRECTIONAL INSTITUTION	8
	CENTURY CORRECTIONAL INSTITUTION	13
	FRANKLIN CORRECTIONAL INSTITUTION	6
	GADSDEN CORRECTIONAL FACILITY	0
	GULF CORRECTIONAL INSTITUTION	18
	HOLMES CORRECTIONAL INSTITUTION	3
	JACKSON CORRECTIONAL INSTITUTION	10
	JEFFERSON CORRECTIONAL INSTITUTION	16
	LIBERTY CORRECTIONAL INSTITUTION	17
	GRACEVILLE CORRECTIONAL FACILITY	0
	NORTHWEST FLORIDA RECEPTION CENTER	32
	OKALOOSA CORRECTIONAL INSTITUTION	3
	SANTA ROSA CORRECTIONAL INSTITUTION	19
	WAKULLA CORRECTIONAL INSTITUTION	17
WALTON CORRECTIONAL INSTITUTION	7	
REGION II-INSTITUTIONS	BAKER CORRECTIONAL INSTITUTION	7
	COLUMBIA CORRECTIONAL INSTITUTION	28
	CROSS CITY CORRECTIONAL INSTITUTION	9
	FLORIDA STATE PRISON	27
	GAINESVILLE CORRECTIONAL INSTITUTION	8
	HAMILTON CORRECTIONAL INSTITUTION	21
	LAKE CITY CORRECTIONAL FACILITY-PRIVATE	0
	LANCASTER CORRECTIONAL INSTITUTION	10
	LAWTEY CORRECTIONAL INSTITUTION	5
	MADISON CORRECTIONAL INSTITUTION	9
	MAYO CORRECTIONAL INSTITUTION	15
	NEW RIVER CORRECTIONAL INSTITUTION	9
	RECEPTION AND MEDICAL CENTER	67
	SUWANNEE CORRECTIONAL INSTITUTION	15
	TAYLOR CORRECTIONAL INSTITUTION	11
UNION CORRECTIONAL INSTITUTION	30	

		EMP
		OPS
REGION I-INSTITUTIONS	APALACHEE CORRECTIONAL INSTITUTION	20
REGION III-INSTITUTIONS	AVON PARK CORRECTIONAL INSTITUTION	16
	BREVARD CORRECTIONAL INSTITUTION	16
	CENTRAL FLORIDA RECEPTION CENTER	35
	DEMILLY CORRECTIONAL INSTITUTION	2
	HERNANDO CORRECTIONAL INSTITUTION	12
	HILLSBOROUGH CORRECTIONAL INSTITUTION	13
	LAKE CORRECTIONAL INSTITUTION	28
	LOWELL CORRECTIONAL INSTITUTION	44
	LOWELL RECEPTION CENTER	6
	MARION CORRECTIONAL INSTITUTION	15
	POLK CORRECTIONAL INSTITUTION	10
	PUTNAM CORRECTIONAL INSTITUTION	5
	SUMTER CORRECTIONAL INSTITUTION	12
	TOMOKA CORRECTIONAL INSTITUTION	17
ZEPHYRHILLS CORRECTIONAL INSTITUTION	28	
REGION IV-INSTITUTIONS	BROWARD CORRECTIONAL INSTITUTION	4
	CHARLOTTE CORRECTIONAL INSTITUTION	5
	DADE CORRECTIONAL INSTITUTION	4
	DESOTO CORRECTIONAL INSTITUTION	6
	EVERGLADES CORRECTIONAL INSTITUTION	4
	GLADES CORRECTIONAL INSTITUTION	9
	HARDEE CORRECTIONAL INSTITUTION	6
	HENDRY CORRECTIONAL INSTITUTION	7
	HOMESTEAD CORRECTIONAL INSTITUTION	3
	INDIAN RIVER CORRECTIONAL INSTITUTION	7
	MARTIN CORRECTIONAL INSTITUTION	3
	MOORE HAVEN CORRECTIONAL FACILITY	0
	OKEECHOBEE CORRECTIONAL INSTITUTION	1
	SOUTH BAY CORRECTIONAL FACILITY	0
SOUTH FLORIDA RECEPTION CENTER	8	

<b>TYPE</b>	<b>All</b>
Regular	
595	615
1	1
1	1
342	350
397	410
334	340
10	10
594	612
327	330
395	405
288	304
419	436
1	1
664	696
289	292
765	784
619	636
340	347
322	329
609	637
315	324
762	789
222	230
554	575
1	1
340	350
233	238
325	334
359	374
342	351
1008	1075
723	738
592	603
718	748



<b>TYPE</b>	<b>All</b>
<b>Regular</b>	
595	615
327	343
377	393
738	773
152	154
135	147
154	167
347	375
820	864
0	6
332	347
380	390
145	150
410	422
386	403
263	291
275	279
407	412
409	413
412	418
297	301
440	449
370	376
316	323
198	201
187	194
364	367
1	1
275	276
1	1
760	768

		EMP_TYPE		All
		OPS	REG	
COMMUNITY CORRECTIONS REGION I	DAYTONA BEACH CIR 7 OFFICE	0	145	145
	GAINESVILLE CIR 8 OFFICE	0	71	71
	JACKSONVILLE CIR 4 OFFICE	0	129	129
	LAKE CITY CIR 3 OFFICE	0	72	72
	PANAMA CITY CIR 14 OFFICE	0	95	95
	PENSACOLA CIR 1 OFFICE	0	153	153
	TALLAHASSEE CIR 2 OFFICE	0	96	96
COMMUNITY CORRECTIONS REGION II	FT PIERCE CIR 19 OFFICE	0	92	92
	LAKELAND CIR 10 OFFICE	0	145	145
	ORLANDO CIR 9 OFFICE	0	212	212
	SANFORD CIR 18 OFFICE	2	148	150
	TAVARES CIR 5 OFFICE	0	166	166
COMMUNITY CORRECTIONS REGION III	CLEARWATER CIR 6 OFFICE	0	234	234
	FT MYERS CIR 20 OFFICE	0	119	119
	SARASOTA CIR 12 OFFICE	0	90	90
	TAMPA CIR 13 OFFICE	0	255	255
COMMUNITY CORRECTIONS REGION IV	FT LAUDERDALE CIR 17 OFFICE	0	288	288
	KEY WEST CIR 16 OFFICE	0	25	25
	MIAMI CIR 11 OFFICE	0	296	296
	WEST PALM BCH CIR 15 OFFICE	1	136	137

	EMP_TYPE	All
	Regular	
COMMUNITY CORRECTIONS REGION I	10	10
COMMUNITY CORRECTIONS REGION II	9	9
COMMUNITY CORRECTIONS REGION III	10	10
COMMUNITY CORRECTIONS REGION IV	9	9
INSTITUTIONS REGION I	6	6
INSTITUTIONS REGION II	9	9
INSTITUTIONS REGION III	8	8
INSTITUTIONS REGION IV	7	7

	ORG_NAME_LVL4	EMP_TYPE		All
		OPS	Regular	
ADMINISTRATION	BUDGET & MGMT EVALUATION	0	13	13
	FACILITIES SERVICES	2	41	43
	FIELD SUPPORT SERVICES	0	23	23
	FINANCE & ACCOUNTING	14	79	93
	FOOD SERVICE	0	23	23
	STAFF DEVELOPMENT	0	17	17
	INFORMATION TECHNOLOGY	0	182	182
	HUMAN RESOURCES/PERSONNEL	0	26	26
	PURCHASING	2	43	45
COMMUNITY CORRECTIONS	ABSCONDER'S UNIT	0	4	4
	COMMUNITY PROGRAMS	0	5	5
	INTERSTATE COMPACT	0	12	12
	PROBATION & PAROLE FIELD SERVICES	0	10	10
HEALTH SERVICES	CONTRACTS	1	11	12
	DENTAL SERVICES	0	1	1
	MEDICAL ECONOMICS & DECISION SUPPORT	0	5	5
	MEDICAL SERVICES-AIDS	1	5	6
	MENTAL HEALTH SERVICES	0	4	4
	NURSING SERVICES	0	4	4
	PHARMACEUTICAL SERVICES	0	3	3
	QUALITY MANAGEMENT	0	3	3
PROGRAM SERVICES	RECRUITMENT	0	4	4
	CHAPLAINCY SERVICES	0	4	4
	EDUCATION SERVICES	3	19	22
	PROGRAMS, TRANS, POST RELEASE - GRANTS	1	0	1
SECRETARY'S OFFICE	SUBSTANCE ABUSE	1	13	14
	CORRECTIONS INTELLIGENCE	0	2	2
	CORRESPONDENCE CONTROL	0	6	6
	DRUG INTERDICTION & INTELLIGENCE	0	26	26
	INMATE GRIEVANCE APPEALS	0	25	25
	INTERNAL AUDIT	0	12	12
	LEGAL SERVICES	0	34	34
	LEGISLATIVE AFFAIRS	0	4	4
	POLICY DEVELOPMENT	0	4	4
	PUBLIC AFFAIRS	0	4	4
	RESEARCH & DATA ANALYSIS	0	17	17
	STATE INVESTIGATIONS	4	131	135
VICTIM'S ASSISTANCE	2	6	8	

		EMP_TYPE		All
		OPS	Regular	
	ORG_NAME_LVL4			
SECURITY & INSTITUTIONAL OPERATIONS	CLASSIFICATION & CENTRAL RECORDS	39	58	97
	INSTITUTION OPERATIONS (ACA)	0	2	2
	SECURITY OPERATIONS	0	18	18
	SENTENCE STRUCTURE & TRANSPORTATION	5	52	57

Department of Corrections  
Institutions Offices

**Central Office**

2601 Blirstone Rd  
Tallahassee FL 32399-2500

**Park House**

Inspector General  
1126 East Park Ave.  
Tallahassee FL 32301

**Bureau of Finance and Accounting**

Mahan Station  
1711 Mahan Drive  
Tallahassee FL 32399

**Region I - Personnel**

**Former Marianna WRC**

2980 State Correctional Road  
Marianna, FL 32447  
(850) 482-9532  
Fax: (850) 482-9074

**Region I Training Center at Vernon**

3242 Mosshill Road  
Vernon, FL 32462

**Region II Florida Corrections Academy**

P.O. Box 128 - Raiford, FL 32083  
7071 N.W. 237th St.  
Raiford, FL 32083

**Regional Personnel Office -- Region II**

7819 Northwest 228th Street  
Raiford, FL 32026  
(386) 431-2603

**Regional Distribution Center - Region II**

7819 Northwest 228th Street  
Raiford, FL 32026

**Region III - Personnel,**

**Former Pine Hills WRC**

7504 Laurel Hills Road



Orlando, FL 32818  
1-877-545-6903  
(407) 521-2526

**Region III Florida Corrections Academy at Orlando**

2301 Meeting Place  
Orlando, FL 32814  
(904) 368-3703

**Region IV - Personnel**

**Former Pompano WRC**

5610 N.W. 9th Avenue (*Powerline Road*)  
Ft. Lauderdale, FL 33309-3752  
(954) 202-3924

**Region IV Florida Corrections Academy South**

31101 Nafi Drive  
Immokalee, FL 34142

## Region I Facility List as of 11-29-10

### Apalachee Correctional Institution (Male)

#### East Unit

35 Apalachee Drive  
Sneads, Florida 32460-4166  
(850) 718-0688  
Fax: (850) 593-6445

#### West Unit

52 West Unit Drive  
Sneads Florida 32460-4165  
(850) 718-0577  
Fax: (850) 593-6445

#### River Junction Work Camp

300 Pecan Lane  
Chattahoochee, FL 32324-3700  
(850) 663-3366  
Fax: (850) 663-4773

### Calhoun Correctional Institution (Male)

#### Main Unit

19562 SE Institution Drive  
Blountstown, Florida 32424-5156  
(850) 237-6500  
Fax: (850) 237-6508

#### Work Camp

19564 SE Inst. Drive  
Blountstown, Florida 32424  
(850) 674-5901  
Fax: (850) 674-2503

### Franklin Correctional Institution (Male)

#### Main Unit

1760 Highway 67 North  
Carrabelle, Florida 32322  
(850) 697-1100  
Fax: (850) 697-1108

#### Annex

1760 Highway 67 North  
Carrabelle, Florida 32322  
(850) 697-1100  
Fax: (850) 697-1108

#### Bay City Work Camp

1001 West Highway 98  
Apalachicola, Florida 32320-1272  
(850) 653-1020  
Fax: (850) 653-2592

### Gulf Correctional Institution (Male)

#### Main Unit

500 Ike Steele Road  
Wewahitchka, Florida 32465-0010  
(850) 639-1000  
Fax: (850) 639-1182

#### Annex

699 Ike Steele Road  
Wewahitchka, Florida 32465-0010  
(850) 639-1000  
(850) 639-1508

#### Gulf Forestry Camp

3222 DOC Whitfield Road  
White City, Florida 32465  
(850) 827-4000  
Fax: (850) 827-2986

### Century Correctional Institution (Male)

#### Main Unit

400 Tedder Road  
Century, Florida 32535-3659  
(850) 256-2600  
Fax: (850) 256-2335

#### Work Camp

400 Tedder Road  
Century, Florida 32535  
(850) 256-2600  
Fax: (850) 256-5005

#### Berrydale Forestry Camp

6920 Highway 4  
Jay, Florida 32565-2204  
(850) 675-4564  
Fax: (850) 675-0801

#### Pensacola WRC

3050 North L. Street  
Pensacola, Florida 32501  
(850) 595-8920  
Fax (850) 595-8919

## Region I Facility List as of 11-29-10

### Holmes Correctional Institution (Male)

#### Main Unit

3142 Thomas Drive  
Bonifay, Florida 32425-0190  
(850) 547-8700  
Fax: (850) 547-0522

#### Work Camp

3182 Thomas Drive  
Bonifay, Florida 32425-4238  
(850) 547-8553  
Fax: (850) 547-3169

### Jackson Correctional Institution (Male)

#### Main Unit

5563 10th Street  
Malone, Florida 32445-3144  
(850) 569-5260  
Fax: (850) 569-5996

#### Work Camp

5607 10th Street  
Hwy 71 North  
Malone, Florida 32445-9998  
(850) 569-5260  
Fax: (850) 569-1266

#### Graceville Work Camp

5230 Ezell Street  
Graceville, FL 32440  
(850) 263-9230  
Fax: (850) 263-9235

### Jefferson Correctional Institution (Male)

#### Main Unit

1050 Big Joe Road  
Monticello, Florida 32344-0430  
(850) 342-0500  
Fax: (850) 997-0973

#### Tallahassee Road Prison

2628 Springhill Road  
Tallahassee, Florida 32310  
(850) 488-8340  
Fax: (850) 414-9032

#### Tallahassee WRC

2616A Springhill Road  
Tallahassee, Florida 32310  
(850) 488-2478  
Fax (850) 922-6240

### Santa Rosa Correctional Institution (Male)

#### Main Unit

5850 East Milton Rd.  
Milton, Florida 32583-7914  
(850) 983-5800  
Fax (850) 983-5907

#### Annex

5850 East Milton Rd.  
Milton, Florida 32583-7914  
(850) 983-5800  
Fax (850) 983-5907

#### Work Camp (No Inmates)

5850 East Milton Rd.  
Milton, Florida 32583-7914  
(850) 983-5800  
Fax (850) 983-5907

### Liberty Correctional Institution (Male)

#### Main Unit

11064 N.W. Dempsey Barron Road  
Bristol, Florida 32321-9711  
(850) 643-9400  
Fax: (850) 643-9412

#### Work Camp

11064 NW Dempsey Barron Road  
Bristol, Florida 32321  
(850) 643-9542  
Fax: (850) 643-9412

#### Quincy Annex

2225 Pat Thomas Parkway  
Quincy, Florida 32351  
(850) 627-5400  
Fax: (850) 875-3572

### Wakulla Correctional Institution (Male)

#### Main Unit

110 Melaleuca Drive  
Crawfordville, Florida 32327-4963  
(850) 410-1895  
Fax: (850) 410-0203

#### Annex

110 Melaleuca Drive  
Crawfordville, Florida 32327-4963  
(850) 487-4341  
Fax: (850) 410-0203

#### Work Camp

110 Melaleuca Drive  
Crawfordville, FL 32327  
(850) 413-9663  
Fax: (850) 421-1261

## Region I Facility List as of 11-29-10

### **Okaloosa Correctional Institution (Male)**

#### **Main Unit**

3189 Little Silver Rd.  
Crestview, Florida 32539-6708  
(850) 682-0931  
Fax: (850) 689-7803

#### **Work Camp**

3189 Little Silver Road  
Crestview, Florida 32539  
(850) 682-0931  
Fax: (850) 682-4578

### **Walton Correctional Institution (Male)**

#### **Main Unit**

691 Institutional Road  
DeFuniak Springs, Florida 32433-1831  
(850) 951-1300  
Fax: (850) 951-1750

#### **Work Camp**

301 Institutional Road  
De Funiak Springs, Florida 32433  
(850) 951-1355  
Fax: (850) 951-1766

### **NW Florida Reception Center (Male)**

#### **Main Unit**

4455 Sam Mitchell Drive  
Chipley, Florida 32428-3501  
(850) 773-6100  
Fax: (850) 773-6252

#### **Annex**

4455 Sam Mitchell Drive  
Chipley, Florida 32428-3501  
(850) 773-6100  
Fax: (850) 773-6252

### **Caryville Work Camp**

P.O. Box 129  
1005 Waits Ave  
Caryville, Florida 32427  
(850) 548-5321  
Fax: (850) 548-5305

### **Panama City WRC**

3609 Highway 390  
Panama City, Florida 32405  
(850) 872-4178  
Fax (850) 747-5739

**Region II Facility List  
as of 11-29-10**

**Baker Correctional Institution (Male)**

**Main Unit**

20706 US 90 W.  
Sanderson, Florida 32087-0500  
(386) 719-4500  
Fax: (386) 758-5759

**Work Camp**

P.O. Box 500  
US 90 E.  
Sanderson, Florida 32087  
(386) 719-4500  
Fax: (386) 758-5759

**Florida State Prison (Male)**

**Main Unit**

7819 N.W. 228th Street  
Raiford, Florida 32026-1000  
(904) 368-2500  
Fax: (904) 368-2732

**West Unit**

7819 N.W. 228th Street  
Raiford, Florida 32026-3000  
(904) 368-3000  
Fax: (904) 368-3205

**Hamilton Correctional Institution (Male)**

**Main Unit**

10650 SW 46th Street  
Jasper, Florida 32052-1360  
(386) 792-5151  
Fax: (386) 792-5159

**Annex**

10650 SW 46th Street  
Jasper, Florida 32052-1360  
(386) 792-5151  
Fax: (386) 792-5159

**Work Camp**

10650 SW 46th Street  
Jasper, Florida 32052-3732  
(904) 792-5409  
Fax: (904) 904-5159

**Columbia Correctional Institution (Male)**

**Main Unit**

216 S.E. Corrections Way  
Lake City, Florida 32025-2013  
(386) 754-7600  
Fax: (386) 754-7602

**Annex**

216 S.E. Corrections Way  
Lake City, Florida 32025-2013  
(386) 466-3000  
Fax: (386) 754-7602

**Work Camp**

216 S.E. Corrections Way  
Lake City, Florida 32025  
(386) 754-7688  
Fax: (386) 719-2770

**Lake City WRC**

1099 N.W. Dot Gln  
Lake City, Florida 32055  
(386) 758-0535  
Fax: (386) 758-1559

**Lancaster Correctional Institution (Male)**

**Main Unit**

3449 S.W. State Road 26  
Trenton, Florida 32693-5641  
(352) 463-4100  
Fax: (352) 463-3476

**Work Camp**

3449 SW SR 26  
Trenton, Florida 32693  
(352) 463-4100  
Fax: (352) 463-3476

**Cross City Correctional Institution (Male)**

**Main Unit**

568 NE 255<sup>th</sup> Street  
Cross City, Florida 32628  
(352) 498-4444  
Fax: (352) 498-4333 or 4334

**Work Camp**

568 NE 255<sup>th</sup> Street  
Cross City, Florida 32628-1500  
(352) 498-4330  
Fax: (352) 498-4338

**Gainesville Correctional Institution (Male)**

**Main Unit**

2845 NE 39th Avenue  
Gainesville, Florida 32609-2668  
(352) 955-2001  
Fax: (352) 334-1675

**Work Camp**

1000 NE 55th Blvd.  
Gainesville, Florida 32609  
(352) 955-2045  
Fax: (352) 955-3119

**Santa Fe WRC (Male)**

2901 Northeast 39th Avenue  
Gainesville, Florida 32602  
(352) 955-2070  
Fax: (352) 955-3162

**Madison Correctional Institution (Male)**

**Main Unit**

382 Southwest MCI Way  
Madison, Florida 32340  
(850) 973-5300  
Fax: (850) 973-5339

**Work Camp**

382 SW MCI Way  
Madison, Florida 32340  
(850) 973-5302  
Fax: (850) 973-5358

**Region II Facility List  
as of 11-29-10**

**Lawtey Correctional Institution (Male)**

**Main Unit**

7819 N.W. 228th Street  
Raiford, Florida 32026-2000  
(904) 782-2000  
Fax: (904) 782-2005

**Dinsmore WRC**

13200 Old Kings Road  
Jacksonville, Florida 32219  
(904) 924-1700  
Fax: (904) 924-1704

**Regional Medical Center (Male)**

**Main Unit**

7765 S. CR 231  
P.O. Box 628  
Lake Butler, Florida 32054-0628  
(386) 496-6000  
Fax: (386) 496-3287

**West Unit**

8183 SW 152<sup>nd</sup> Loop  
P.O. Box 628  
Lake Butler, FL 32054-0628  
(386) 496-4689  
Fax: (386) 496-4689

**Work Camp**

7765 S. CR 231  
P.O. Box 628  
Lake Butler, Florida 32054-0628  
(386) 496-6000  
Fax: (386) 496-3287

**Mayo Correctional Institution (Male)**

**Main Unit**

8784 US Highway 27 West  
Mayo, Florida 32066-3458  
(386) 294-4500  
Fax: (386) 294-4534

**Annex (No Inmates)**

8784 US Highway 27 West  
Mayo, Florida 32066-3458  
(386) 294-4500  
Fax: (386) 294-4534

**Work Camp**

8976 US 27 West  
Mayo, FL 32066  
(386) 294-4752  
Fax: (386) 294-4532

**Taylor Correctional Institution (Male)**

**Main Unit**

8501 Hampton Springs Road  
Perry, Florida 32348-8747  
(850) 838-4000  
Fax: (850) 838-4024

**Annex**

8501 Hampton Springs Road  
Perry, Florida 32348-8747  
(850) 838-4002  
Fax: (850) 838-4024

**Work Camp**

8501 Hampton Springs Road  
Perry, Florida 32348-0000  
(850) 223-4501  
Fax: (850) 838-4024

**New River Correctional Institution (Male)**

**East Unit**

7819 N.W. 228th Street  
Raiford, Florida 32026-3000  
(904) 368-3000  
Fax: (904) 368-3205

**West Unit**

7819 N.W. 228th Street  
Raiford, Florida 32026-1000  
(904) 368-2500  
Fax: (904) 368-2732

**Union Correctional Institution (Male)**

**Main Unit**

7819 N.W. 228th Street  
Raiford, Florida 32026-4000  
(386) 431-2000  
Fax: (386) 431-2016

**Suwannee Correctional Institution (Male)**

**Main Unit**

5964 US Hwy 90  
Live Oak, FL 32060  
(386) 963-6100  
Fax: (386) 963-6103

**Annex**

5964 US Hwy 90  
Live Oak, FL 32060  
(386) 963-6100  
Fax: (386) 963-6103

**Work Camp**

5964 US HWY 90  
Live Oak, FL 32060  
(386) 963-6100  
Fax: (386) 963-6103



**Region III Facility List  
as of 11-29-10**

**Avon Park Correctional Institution (Male)**

**Main Unit**

P.O. Box 1100  
County Road 64 East  
Avon Park, Florida 33826-1100  
(863) 453-3174  
Fax: (863) 453-1511

**Work Camp**

Post Office Box 1100  
County Road 64 East  
Avon Park, Florida 33826-1100  
(863) 453-3174  
Fax: (863) 453-1511

**Central Florida Reception Center (Male)**

**Main Unit**

7000 H C Kelley Rd  
Orlando, FL 32831-2518  
(407) 207-7777  
Fax: (407) 249-6570

**East Unit**

7000 H C Kelley Rd  
Orlando, FL 32831-2518  
(407) 207-7777  
Fax: (407) 249-6570

**South Unit**

7000 H C Kelley Rd  
Orlando, FL 32831-2518  
(407) 207-7777  
Fax: (407) 249-6570

**Kissimmee WRC**

2925 Michigan Avenue  
Kissimmee, Florida 34744  
(407) 846-5210  
Fax: (407) 846-5368

**Orlando WRC (Female)**

7300 Laurel Hill Road  
Orlando, Florida 32818  
(407) 578-3510  
Fax: (407) 578-3509

**Brevard Correctional Institution (Male)**

**Main Unit**

855 Camp Road  
Cocoa, Florida 32927-3709  
(321) 634-6000  
Fax: (321) 637-7728

**Work Camp**

855 Camp Road  
Cocoa, FL 32927-3700  
(321) 634-6130  
Fax: (321) 634-6051

**Cocoa WRC**

585 Camp Road  
Cocoa, Florida 32927  
(321) 690-3210  
Fax: (321) 634-6002

**Hernando Correctional Instituiton (Female)**

**Main Unit**

16415 Springhill Drive  
Brooksville, Florida 34604-8167  
(352) 754-6715  
Fax: (352) 797-5794

**Brooksville Road Prison**

16415 Spring Hill Dr.  
Brooksville, FL 34609  
(904) 754-6715  
Fax: (904) 754-6715

**Hillsborough Correctional Instituiton (Male)**

**Main Unit**

11150 Highway 672  
Riverview, Florida 33569-8402  
(813) 671-5022  
Fax: (813) 671-5037

**Demilly Correctional Institution (Male)**

**Main Unit**

10980 Demilly Road  
Polk City, FL 33868  
(863) 984-9170  
Fax: (863) 984-9176

**Bartow WRC**

550 N. Restwood Avenue  
Bartow, Florida 33830  
(863) 534-7037  
Fax (863) 534-0016

**St. Petersburg WRC (Male)**

4237 8th Avenue, South  
St. Petersburg, Florida 33711-2000  
(727) 893-2289  
Fax: (813) 893-1182

**Tarpon Springs WRC**

566 Brady Road  
Tarpon Springs, Florida 34689  
(727) 942-5420  
Fax (727) 942-5469

**Lake Correctional Instituiton (Male)**

**Main Unit**

19225 U.S. Highway 27  
Clermont, Florida 34715-9025  
(352) 394-6146  
Fax: (352) 394-3504

**Region III Facility List  
as of 11-29-10**

**Marion Correctional Instituion (Male)**

**Main Unit**

3269 NW 105th Street  
Lowell, Florida 32663-0158  
(352) 401-6400  
Fax: (352) 840-5657

**Work Camp**

Post Office Box 158  
3269 NW 105th Street  
Lowell, Florida 32663-0158  
(352) 401-6865  
Fax: (352) 401-6443

**Sumter Correctional Instituion (Male)**

**Main Unit and BTU**

9544 County Road 476B  
Bushnell, Florida 33513-0667  
(352) 569-6100  
Fax: (352) 569-6196

**Work Camp**

9544 County Road 476B  
Bushnell, Florida 33513-  
(352) 569-6106  
Fax: (352) 569-6196

**Tomoka Correctional Instituion (Male)**

**Main Unit**

3950 Tiger Bay Road  
Daytona Beach, Florida 32124-1098  
(386) 323-1070  
Fax: (386) 323-1006

**Work Camp**

3950 Tiger Bay Road  
Daytona Beach, FL 32124  
(386) 323-1220  
Fax: (386) 323-1227

**Daytona Beach WRC**

3601 U.S. Highway 92  
Daytona Beach, Florida 32124  
(386) 238-3171  
Fax: (386) 947-4058

**Polk Correctional Instituion (Male)**

**Main Unit**

10800 Evans Road  
Polk City, Florida 33868-6925  
(863) 984-2273  
Fax: (863) 984-3072

**Work Camp**

10800 Evans Road  
Polk City, Florida 33868-6925  
(941) 984-2273  
Fax: (941) 984-3072

**Largo Road Prison**

5201 Ulmerton Road  
Clearwater, Florida 33760-4091  
(727) 570-5135  
Fax: (727) 570-3201

**Pinellas WRC (Female)**

5205 Ulmerton Road  
Clearwater, Florida 33760  
(727) 570-5138  
Fax: (727) 570-3187

**Putnam Correctional Instituion (Male)**

**Main Unit**

128 Yelvington Road  
East Palatka, Florida 32131  
(386) 326-6800  
Fax: (386) 312-2219

**Zephyrhills Correctional Instituion (Male)**

**Main Unit**

2739 Gall Boulevard  
Zephyrhills, Florida 33541-9701  
(813) 782-5521  
Fax: (813) 780-0134

**Lowell Correctional Instituion (Female)**

**Main Unit**

11120 NW Gainesville Rd  
Ocala, Florida 34482-1479  
(352) 401-5359  
Fax: (352) 401-5331

**Annex**

11120 NW Gainesville Rd  
Ocala, Florida 34482-1479  
(352) 401-5359  
Fax: (352) 401-5331

**Work Camp**

11120 NW Gainesville Rd  
Ocala, Florida 34482-1479  
(352) 401-5359  
Fax: (352) 401-5331

**BTU**

11120 NW Gainesville Rd  
Ocala, Florida 34482-1479  
(352) 401-5359  
Fax: (352) 401-5331

**Levy Forestry Camp**

1251 NE CR 343  
Bronson, Florida 32621-6934  
(352) 486-5331  
Fax: (352) 486-5335

**Tri County Work Camp**

4055 NW 105th Street  
Lowell, FL 32663

**Region IV Facility List  
as of 11-29-10**

**Broward Correctional Instituion (Female)**

**Main Unit**

20421 Sheridan Street  
Ft. Lauderdale, Florida 33332-2300  
(954) 252-6400  
Fax: (954) 680-4168

**Everglades Correctional Instituion (Male)**

**Main Unit**

1601 S.W. 187th Ave.  
Miami, Florida 33185-3701  
(305) 228-2000  
Fax: (305) 228-2039

**Glades Correctional Instituion (Male)**

**Main Unit**

500 Orange Ave. Circle  
Belle Glade, Florida 33430-5222  
(561) 829-1400  
Fax: (561) 992-1355

**Work Camp**

2600 State Road 15  
Belle Glade, Florida 33430  
(561) 829-1800  
Fax: (561) 992-1355

**Loxahatchee Road Prison**

230 Sunshine Road  
West Palm Beach, Florida 33411-3616  
(561) 791-4760  
Fax: (561) 791-4763

**Atlantic WRC (Female)**

263 Fairgrounds Road  
West Palm Beach, Florida 33411  
(561) 791-4187  
Fax: (561) 791-4749

**West Palm Beach WRC**

261 West Fairgrounds Road  
West Palm Beach, Florida 33411  
(561) 791-4750  
Fax: (561) 791-4018

**Sago Palm Work Camp**

15500 Bay Bottom Rd  
Pahokee FL 33476  
(561) 924-4300

**Hendry Correctional Instituion (Male)**

**Main Unit**

12551 Wainwright Drive  
Immokalee, Florida 34142-4797  
(239) 867-2100  
Fax: (239) 867-2255

**Work Camp**

11569 Wainwright Drive  
Immokalee, Florida 34142  
(239) 867-2251  
Fax: (239) 867-2256

**Ft. Myers Work Camp**

P.O. Box 51107  
2575 Ortiz Avenue  
Fort Myers, Florida 33994-1107  
(239) 332-6915  
Fax: (239) 332-6992

**Copeland Road Prison**

20201 State Road 29  
P.O. Box 97  
Copeland, FL 33926  
(941) 695-2401  
Fax: (941) 695-3095

**Indian River Correctional Instituion (Male)**

**Main Unit**

7625 17th Street, S.W.  
Vero Beach, Florida 32968-9405  
(772) 564-2814  
Fax: (772) 564-2880

**Okeechobee Correctional Instituion (Male)**

**Main Unit**

3420 N.E. 168th St.  
Okeechobee, Florida 34972-4824  
(863) 462-5474  
Fax: (863) 462-5402

**Work Camp (No Inmates)**

3420 N.E. 168th St.  
Okeechobee, Florida 34972-4824  
(863) 462-5474  
Fax: (863) 462-5402

**Dade Correctional Instituion (Male)**

**Main Unit**

19000 S. W. 377th Street  
Florida City, Florida 33034-6409  
(305) 242-1900  
Fax: (305) 242-1881

**Big Pine Key Road Prison**

P.O. Box 430509  
Big Pine Key, Florida 33043  
(305) 872-2231  
Fax: (305) 872-9417

**Homestead Correctional Instituion (Female)**

**Main Unit**

19000 S. W. 377th Street  
Florida City, Florida 33034-6409  
(305) 242-1700  
Fax: (305) 242-2424

**Hardee Correctional Instituion (Male)**

**Main Unit**

6901 State Road 62  
Bowling Green, Florida 33834-9505  
(863) 767-4500  
Fax: (863) 767-4504

**Work Camp**

6899 State Road 62  
Bowling Green, Florida 33834-9810  
(863) 767-4500  
Fax: (863) 767-4743

**Charlotte Correctional Instituion (Male)**

**Main Unit**

33123 Oil Well Road  
Punta Gorda, Florida 33955-9701  
(941) 833-2300  
Fax: (941) 575-5747

**Region IV Facility List  
as of 11-29-10**

**South Florida Reception Center (Male)**

**Main Unit**

14000 NW 41st Street  
Doral, Florida 33178-3003  
(305) 592-9567  
Fax: (305) 470-5628

**South Unit**

13910 NW 41st Street  
Doral, Florida 33178-3014  
(305) 592-9567  
Fax: (305) 470-5628

**Hollywood WRC (Female)**

8501 W. Cypress Drive  
Pembroke Pines, Florida 33025  
(954) 985-4720  
Fax: (954) 967-1251

**Miami North WRC**

7090 Northwest 41st Street  
Miami, Florida 33166  
(305) 470-5580  
Fax (305) 470-5584

**Opa Locka WRC**

5400 Northwest 135th Street  
Opa Locka, Florida 33054  
(305) 827-4057  
Fax: (305) 364-3188

**Desoto Correctional (Male) (No Inmates)**

**Main Unit**

13617 S.E. Highway 70  
Arcadia, Florida 34266-7800  
(863) 494-3727  
Fax: (863) 494-1740

**Annex**

13617 S.E. Highway 70  
Arcadia, Florida 34266-7800  
(863) 494-3727  
Fax: (863) 494-1740

**Work Camp**

13617 S.E. Highway 70  
Arcadia, Florida 34266-7800  
(863) 494-3727  
Fax: (863) 494-1740

**Arcadia Road Prison**

2961 N.W. County Road 661  
Arcadia, Florida 34266  
(863) 993-4628  
Fax: (863) 993-4630

**Martin Correctional Instituiton (Male)**

**Main Unit**

1150 S.W. Allapattah Road  
Indiantown, Florida 34956-4397  
(772) 597-3705  
Fax: (772) 597-3742

**Work Camp**

100 SW Allapattah Road  
Indiantown, Florida 34956  
(772) 597-3705  
Fax: (772) 597-3547

**Ft. Pierce WRC**

1203 Bell Avenue  
Ft. Pierce, Florida 34982-6599  
(772) 468-3929  
Fax: (772) 467-3140

**Region IV Facility List  
as of 11-29-10**

**Region I Office**

Barry Groves, Regional Director  
Susan Bissett-Dotson, Operations Manager  
14107 US Hwy 441, Suite 300  
Alachua, FL 32615-6392  
(386) 418-3451  
Fax: (386) 418-3450

**010 - PENSACOLA - CIRCUIT**

3101 North Davis Highway  
Pensacola, Florida 32503-3558  
(850) 595-8953  
Fax: (850) 595-8864

**012 - CRESTVIEW**

250 Pine Avenue, Suite A  
Crestview, Florida 32536  
(850) 689-7804  
Fax: (850) 689-7874

**014 - DEFUNIAK SPRINGS**

2338 Hwy 90 West  
Defuniak Springs, Florida 32433  
(850) 892-8075  
Fax: (850) 892-8084

**016 - PENSACOLA NORTH**

3101 N. Davis Hwy.  
Pensacola, FL 32503  
(850) 595-8845  
Fax: (850) 595-8860

**018 - PENSACOLA CENTRAL**

3101 North Davis Hwy.  
Pensacola, Florida 32503-4945  
(850) 595-8845  
Fax: (850) 595-8860

**021 - CRAWFORDVILLE**

3278 Crawfordville Highway  
Unit A-2, Mill Creek Plaza  
Crawfordville, FL 32327-3139  
(850) 926-0052  
Fax: (850) 926-0044

**023 - MONTICELLO**

260 West Washington Street  
Monticello, Florida 32344-1442  
(850) 342-0272  
Fax: (850) 342-0274

**025 - TALLAHASSEE SOUTH**

1815 South Gadsden Street  
Tallahassee, Florida 32301-5507  
(850) 414-7224  
Fax: (850) 414-7231

**03C - LAKE CITY CIRCUIT**

1106 S.W. Main Blvd.  
Lake City, Florida 32025  
(386) 758-0448  
Fax: (386) 758-0677

**011 - MILTON**

6738 Caroline Street, S.E.  
Milton, Florida 32570-4974  
(850) 983-5300  
Fax: (850) 983-5306

**013 - SHALIMAR**

74-3rd Street  
Shalimar, Florida 32579-1377  
(850) 833-9132  
Fax: (850) 833-9148

**015 - PENSACOLA WEST**

3100 West Fairfield Drive  
Pensacola, Florida 32505-4966  
(850) 595-8900  
Fax: (850) 595-8671

**017 - PENSACOLA BAYSIDE**

315 South "A" Street  
Pensacola, Florida 32502  
(850) 595-8460  
Fax: (850) 595-8469

**020 - TALLAHASSEE MAIN / INTAKE**

1240-A Blountstown Highway  
Tallahassee, Florida 32304-2715  
(850) 488-3596  
Fax: (850) 922-6299

**022 - QUINCY**

305-C West Crawford Street  
Quincy, Florida 32351-3121  
(850) 875-9644  
Fax: (850) 875-8993

**024 - TALLAHASSEE NORTH**

2700 Blair Stone Road, Suite C & E  
Tallahassee, Florida 32301  
(850) 487-6509  
Fax: (850) 488-2809

**026 - TALLAHASSEE CIRCUIT**

1250-H Blountstown Hwy.  
Tallahassee, Florida 32304-2762  
(850) 922-3623  
Fax: (850) 488-4790

**030 - LAKE CITY MAIN**

1435 US Highway 90 West, Suite 120  
Lake City, FL 32055  
(386) 754-1000  
Fax: (386) 754-1002

**031 - LIVE OAK**

506 N.W.Houston Avenue, Suite B  
Live Oak, Florida 32064-1630  
(386) 362-2869  
Fax: (386) 364-4936

**033 - PERRY**

121 North Jefferson Street  
Perry, Florida 32347-0540  
(850) 223-4555  
Fax: (850) 223-4566

**035 - JASPER**

Intersection of US 41 & US 129  
1632 US Hwy 41 NW  
Jasper, Florida 32052-1558  
(386) 792-3447  
Fax: (386) 792-2053

**041 - JACKSONVILLE NORTH**

10646 Haverford Road, Suite 5  
Jacksonville, Florida 32218-6203  
(904) 696-5970  
Fax: (904) 696-5979

**044 - YULEE**

86058 Pages Dairy Road  
Yulee, FL 32097  
(904) 548-9380  
Fax: (904) 548-9393

**046 - JACKSONVILLE S.W.**

1945 Lane Avenue South  
Jacksonville, Florida 32210-2781  
(904) 693-5000  
Fax: (904) 693-5034

**070 - DAYTONA BEACH - MAIN**

1023 Mason Avenue  
Daytona Beach, Florida 32117-4611  
(386) 947-3520  
Fax: (386) 947-3556

**072 - DAYTONA BEACH - CIRCUIT**

9 West Granada Boulevard  
Ormond Beach, Florida 32174  
(386) 615-6330  
Fax: (386) 615-6333

**074 - ST. AUGUSTINE**

Lightner Museum Bldg.  
75 King Street, Suite 310  
St. Augustine, Florida 32084-4377  
(904) 825-5038  
Fax: (904) 825-6804

**076 - DAYTONA BEACH - NORTH**

9 West Granada Boulevard  
Ormond Beach, Florida 32174  
(386) 676-4020  
Fax: (386) 676-4029

**032 - MADISON**

126 SW Sumatra Avenue, Suite C  
Madison, Florida 32340  
(850) 973-5096  
Fax (850) 973-5098

**034 - OLD TOWN**

25815 SE Hwy 19  
Old Town, FL 32680  
(352) 542-0286  
Fax:(352) 542-0695

**040 - JACKSONVILLE - CIRCUIT / MAIN**

592 Ellis Road, Suite 114  
Jacksonville, Florida 32254-3574  
(904) 695-4045  
Fax: (904) 695-4019

**042 - JACKSONVILLE SOUTH**

4613 Phillips Highway, Suite 221  
Jacksonville, Florida 32207-9502  
(904) 448-4373  
Fax (904) 448-4395

**045 - ORANGE PARK**

302 College Drive  
P.O. Box 65355  
Orange Park, Florida 32065-0006  
(904) 213-2930  
Fax (904) 213-3095

**047 - JACKSONVILLE WEST**

580 Ellis Road, Suite 118  
Jacksonville, Florida 32254-3553  
(904) 695-4180  
Fax: (904) 695-4187

**071 - DELAND**

334 E. New York Ave.  
DeLand, Florida 32724-5510  
(386) 740-2693  
Fax: (386) 740-6976

**073 - PALATKA**

423 St. Johns Avenue  
Palatka, Florida 32177-4724  
(386) 329-3757  
Fax: (386) 329-3755

**075 - BUNNELL**

2405 East Moody Blvd., Ste 301  
Bunnell, Florida 32110  
(386) 437-7575  
Fax: (386) 437-8211

**077 - DAYTONA BEACH - CENTRAL**

1051 Mason Avenue  
Daytona Beach, Florida 32117  
(386) 226-7868  
Fax: (386) 226-7876



**080 - GAINESVILLE MAIN**

110 S.E. First Street, Second Floor  
Gainesville, Florida 32601-6925  
(352) 955-2023  
Fax: (352) 955-3042

**082 STARKE**

1200 Andrews Circle Drive, North  
Starke, Florida 32091-2132  
(904) 368-3600  
Fax: (904) 368-3075

**085 - GAINESVILLE - CIRCUIT**

7020 N.W. 11th Place  
Gainesville, FL 32605-2144  
(352) 333-3677  
FAX: (352) 333-3676

**141 - MARIANNA**

2863 Green Street  
Marianna, Florida 32446  
(850) 482-9524  
Fax: (850) 482-9686

**143 - CHIPLEY**

713 3rd Street  
Chipley, Florida 32428-1822  
(850) 638-6234  
Fax: (850) 638-6213

**145 - PANAMA CITY - CIRCUIT**

3621 West Highway 390  
Panama City, Florida 32405-2723  
(850) 872-7590  
Fax: (850) 872-7594

**081 CHIEFLAND**

224 N. Main Street, Suite 1  
Chiefland, Florida 32626-0802  
(352) 493-6760  
Fax: (352) 493-6764

**083 GAINESVILLE WEST**

7020 N.W. 11th Place  
Gainesville, Florida 32605-2144  
(352) 333-3640  
Fax: (352) 333-3644

**140 - PANAMA CITY WEST / INTAKE**

1013 Beck Avenue  
Panama City, Florida 32401-1454  
(850) 872-4139  
FAX: (850) 747-5167

**142 - PORT ST. JOE**

504 3rd Street  
Port St. Joe, Florida 32456-1736  
(850) 227-1132  
Fax: (850) 227-3592

**144 - PANAMA CITY EAST**

204 N. Tyndall Pkwy.  
Panama City, Florida 32404-6432  
(850) 872-7375  
Fax: (850) 872-7382

**Region II Office**

Barbara Scala, Regional Director  
Patrice Bryant, Operations Manager  
2301 Meeting Place  
Orlando, FL 32814  
(407) 623-1026  
FAX: (407) 623-1292

**050 - OCALA EAST**

24 N. E. 1st Street  
Ocala, Florida 34470-6660  
(352) 732-1215  
Fax: (352) 732-1720

**052 - BUSHNELL**

4420 South Hwy 301  
Bushnell, Florida 33513  
(352) 793-2131  
Fax: (352) 793-5033

**054 - BROOKSVILLE**

20144 Cortez Boulevard  
Brooksville, Florida 34601-2503  
(352) 754-6710  
Fax: (352) 544-2305

**051 - TAVARES-CIRCUIT / MAIN**

105 S. Rockingham Ave.  
Tavares, Florida 32778-3876  
(352) 742-6242  
Fax: Circuit--(352) 742-6163  
Main--(352) 742-6469

**053 - INVERNESS**

601 Highway 41 South  
Inverness, Florida 34450-6029  
(352) 560-6000  
Fax: (352) 860-5155

**055 - BELLEVIEW**

4785 S.E. 102 Pl.  
Bellevue, FL 34420-2914  
(352) 307-9582  
Fax: (352) 307-9587

**056 - OCALA WEST**

5640 S.W. 6th Place, Suite 100  
Ocala, Florida 34474-9378  
(352) 732-1324  
Fax: (352) 732-1312

**09A - ORLANDO SOUTHWEST**

31 Coburn Avenue  
Orlando, Florida 32805-2137  
(407) 245-0854  
Fax: (407) 245-0922

**090 - ORLANDO CIRCUIT**

400 W. Robinson Street  
Suite 709S  
Orlando, Florida 32801  
(407) 245-0267  
Fax: (407) 245-0270

**092 - ORLANDO WEST**

3201-B W. Colonial Drive  
Orlando, Florida 32808  
(407) 578-3500  
Fax: (407) 445-5261

**094 - KISSIMMEE**

1605 North John Young Parkway  
Kissimmee, Florida 34741  
(407) 846-5215  
Fax: (407) 846-5248

**097 - ORLANDO SOUTH**

3201-A West Colonial Drive  
Orlando, Florida 32808  
(407) 445-5305  
Fax: (407) 445-5313

**10A - LAKELAND - CIRCUIT ADMIN**

200 North Kentucky Avenue, Suite 516  
Lakeland, Florida 33801  
(863) 413-3305  
Fax: (863) 413-3309

**102 - WINTER HAVEN**

1289 First Street South  
Winter Haven, Florida 33880  
(863) 298-5570  
Fax: (863) 298-5597

**104 - SEBRING**

171 U.S. Highway 27 North  
Sebring, Florida 33870-2100  
(863) 386-6018  
Fax: (863) 386-6023

**106 - LAKELAND SOUTH**

3939 US Highway 98 South  
Suite 105  
Lakeland, Florida 33812  
(863) 668-3000  
Fax: (863) 614-9181

**057 - LEESBURG**

3330 W. Main Street  
Leesburg, Florida 34748  
(352) 360-6564  
Fax: (352) 360-6726

**09B - ORLANDO METRO**

3201-C West Colonial Drive  
Orlando, Florida 32808-8009  
(407) 297-2000  
Fax: (407) 297-2069

**091 - ORLANDO NORTH**

27 Coburn Avenue  
Orlando, Florida 32805  
(407) 245-0770  
Fax: (407) 245-0840

**093 - ORLANDO MIDTOWN**

400 W. Robinson Street  
Suite 709S  
Orlando, Florida 32801  
(407) 245-0274  
Fax: (407) 245-0585

**096 - ORLANDO CENTRAL**

29 Coburn Avenue  
Orlando, Florida 32805  
(407) 245-0701  
Fax: (407) 245-0751

**100 - BARTOW - MAIN / INTAKE**

970 East Main Street  
Bartow, Florida 33830-4905  
(863) 534-7010  
Fax: (863) 534-7247

**101 - LAKELAND NORTH / CIRCUIT**

200 North Kentucky Avenue  
Box #5, Suite 506  
Lakeland, Florida 33801-4978  
(863) 413-2242  
Fax: (863) 413-2070

**103 - LAKE WALES**

608 State Road 60 Westt  
Lake Wales, Florida 33853-4419  
(863) 679-4366  
Fax: (863) 679-4382

**105 - WAUCHULA**

124 S. 9th Ave. Suite 200  
Wauchula, Florida 33873-2832  
(863) 773-4777  
Fax: (863) 773-9783

**107 - HAINES CITY**

620 East Main Street  
Haines City, Florida 33844-4344  
(863) 419-3344  
Fax: (863) 419-3359

**180 - TITUSVILLE**

1431 Chaffee Drive, Suite 5  
 Titusville, Florida 32780  
 Phone: (321) 264-4073  
 Fax: (321) 264-4081

**182 - COCOA**

801 Dixon Blvd, Ste 1104  
 Cocoa, Florida 32922  
 (321) 634-3570  
 Fax: (321)634-3559

**184 - CASSELBERRY**

101 Sunnytown Road, Suite #103  
 Casselberry, Florida 32707-3862  
 (407) 262-7400  
 Fax: (407) 262-7405

**186 - SANFORD MAIN**

Seminole County Intake  
 2688 Orlando Drive  
 Sanford, Florida 32773-5339  
 (407) 330-6737  
 Fax: (407) 330-6924

**191 - STUART**

2015 S. Kanner Hwy  
 Stuart, Florida 34994-2237  
 (772) 221-4010  
 Fax: (772) 221-4999

**193 - OKEECHOBEE**

127 Northwest 36th Street  
 Okeechobee, Florida 34972-1701  
 or: P.O. Box 1803  
 Okeechobee, Florida 34973-9408  
 (863) 462-5304  
 Fax: (863) 462-5176

**181 - MELBOURNE**

1500 West Eau Gallie Blvd., Suite B  
 Melbourne, Florida 32935-5367  
 (321) 752-3145  
 Fax: (321) 752-3153

**183 - PALM BAY**

4031 US Hwy 1, South  
 Palm Bay, Florida 32905  
 (321) 726-2825  
 Fax: (321) 726-2835

**185 - SANFORD - CIRCUIT**

2698 Orlando Drive  
 Sanford, Florida 32773  
 (407) 302-3811  
 Fax: (407) 302-3819

**190 FT. PIERCE- CIRCUIT / INTAKE**

3552 Okeechobee Road  
 Ft. Pierce, Florida 34947-4597  
 (772) 468-3933  
 Fax: (772) 595-1310 (Intake)  
 Fax: (772) 467-4115 (C.A.)

**192 - VERO BEACH**

1470 Old Dixie Highway  
 Vero Beach, Florida 32960-3773  
 (772) 778-5015  
 Fax: (772) 778-5076

**194 - FT. PIERCE EAST**

3214 South U.S. Highway 1, Suite 7  
 Ft. Pierce, Florida 34982-8113  
 (772) 468-4064  
 Fax: (772) 467-3150

**Region III Office**

Cliff Rowan, Regional Director  
 David Rice, Operations Manager  
 1313 N. Tampa Street  
 Suite 813  
 Tampa, Florida 33602-3330  
 (813) 233-2572  
 FAX: (813) 272-3810

**06A - PINELLAS PARK**

6655 - 66th Street North, Suite 1  
 Pinellas Park, Florida 33781-5047  
 (727) 547-7670  
 Fax: (727) 547-7694

**06E - HUDSON**

12370 U.S. Highway 19  
 Hudson, FL 34667-1948  
 (727) 861-5200  
 Fax: (727) 861-5224

**06C - PINELLAS / PASCO INTAKE**

11351 Ulmerton Road, Suite 232  
 Largo, Florida 33778  
 (727) 518-3532  
 Fax: (727) 518-3540

**06F - CLEARWATER -CIRCUIT**

11351 Ulmerton Road, Suite 237  
 Largo, Florida 33778  
 (727) 518-3571  
 Fax: (727) 518-3520

**06G - PINELLAS CO. COURT UNIT**

14250 49th Street North, Rm. 1930  
Clearwater, Florida 33762-2800  
(727) 464-6349  
Fax: (727) 464-6450

**061 - CLEARWATER**

634 Park Street  
Clearwater, Florida 33756-5404  
(727) 469-5900  
Fax: (727) 469-5909

**063 - DADE CITY**

14450 7th Street  
Dade City, Florida 33523-3404  
(352) 521-1214  
Fax: (352) 523-5017

**066 - TARPON SPRINGS**

1501 S. Pinellas Ave., Suite L  
Tarpon Springs, Florida 34689-1951  
(727) 942-5411  
Fax: (727) 942-5415

**120 SARASOTA - CIRCUIT**

2074 Ringling Boulevard, Suite 23  
Sarasota, Florida 34237-7008  
(941) 361-6322  
Fax: (941) 373-3718

**122 - ARCADIA**

301 North Brevard Avenue  
Suite F  
Arcadia, Florida 34266-4550  
(863) 993-4631  
Fax: (863) 993-4652

**124 - BAYSHORE GARDENS**

6416A Parkland Drive  
Sarasota, Florida 34243-4038  
(941) 751-7611  
Fax: (941) 751-7616

**13A - TAMPA EAST**

4510 Oakfair Boulevard, Suite 250  
Tampa, Florida 33610-7371  
(813) 744-6313  
Fax: (813) 744-6323

**13D - TAMPA HILLDALE**

7829 N. Dale Mabry Highway, Suite 108  
Tampa, Florida 33614-3267  
(813) 975-6511  
Fax: (813) 975-6522

**130 - TAMPA-CIRCUIT ADMINISTRATION**

1313 Tampa Street, Suite 809  
Tampa, Florida 33602-3330  
(813) 233-2382  
Fax: (813) 272-3291

**060 - ST. PETERSBURG**

525 Mirror Lake Drive, #117  
St. Petersburg, FL 33701  
(727)552-2583  
Fax: (727)552-2598

**062 - NEW PORT RICHEY**

7619 Little Road, Suite C150  
New Port Richey, Florida 34654-5533  
(727) 841-4131  
Fax: (727) 841-4129

**064 - LARGO**

11351 Ulmerton Road, Suite 200  
Largo, Florida 33778-1631  
(727) 588-3583  
Fax: (727) 588-4013

**067 - ST. PETERSBURG SOUTH**

525 Mirror Lake Drive, #116  
St. Petersburg, FL 33701  
(727)552-2603  
Fax: (727)552-2611

**121 - BRADENTON**

399 6th Avenue, West  
Bradenton, Florida 34205-8820  
(941) 741-3066  
Fax: (941) 741-3073

**123 - HOLIDAY HARBOR**

658 South Tamiami Trail  
Osprey, Florida 34229-9209  
(941) 918-2780  
Fax: (941) 918-2784

**125 - SARASOTA NORTH**

4123 North Tamiami Trail, Ste. 101  
Sarasota, Florida 34234-3587  
(941) 359-5610  
Fax: (941) 359-5629

**13C - TAMPA INTAKE**

1313 N. Tampa Street  
Suite 124 Annex  
Tampa, FL 33602-3328  
(813) 233-3450  
Fax: (813) 233-3487

**13F - TAMPA - EASTLAKE**

7402 North 56th Street  
Building 100, Suite 100  
Tampa, Florida 33617-7735  
(813) 987-6846  
Fax: (813) 987-6854

**131 - PLANT CITY**

712 West MLK Jr. Blvd.  
Plant City, Florida 33563-5158  
(813) 757-9080  
Fax: (813) 757-9084

**132 - RIVERVIEW**  
11112 US Hwy 41 South  
Gibson, Florida 33534  
(813) 672-5670  
Fax: (813) 672-5678

**134 - TAMPA NORTH**  
12421 North Florida Avenue,  
Suite A-110  
Tampa, Florida 33612-4220  
(813) 975-6542  
Fax: (813) 975-6543

**136 - TAMPA NORTHWEST**  
1313 N. Tampa Street, #219S  
Tampa, Florida 33602-3337  
(813) 233-3480  
Fax: (813) 233-3485

**200 FT. MYERS-CIRCUIT**  
4415 Metro Parkway, Suite 310  
Ft. Myers, Florida 33916-9408  
(239) 278-7240  
Fax: (239) 278-7243

**202 - LABELLE**  
90 North Main St., P.O. Box 117  
LaBelle, Florida 33975-0117  
(863) 674-4017  
Fax: (863) 674-4654

**204 - FT. MYERS SOUTH**  
1943 Maravilla Avenue  
Ft. Myers, Florida 33901  
(239) 938-1900  
Fax: (239) 938-1835

**207 - LEE COUNTY INTAKE**  
2234 Cleveland Avenue  
Ft. Myers, FL 33901  
(239) 338-2349  
FAX (239) 338-2453

**133 - TAMPA NORTHEAST**  
7402 North 56th Street  
Corporate Square, Suite 750  
Tampa, Florida 33617-7731  
(813) 987-6717  
Fax: (813) 987-6730

**135 - TAMPA CENTRAL**  
1313 N. Tampa St. Suite 207  
Tampa, Florida 33602-3329  
(813) 233-3747  
Fax: (813) 233-3761

**138 - TAMPA GULF SOUTH**  
7825 N. Dale Mabry Avenue, Suite 200  
Tampa, Florida 33614-3267  
(813) 975-6524  
Fax: (813) 975-6532

**201 - NAPLES SOUTH**  
2500 Airport Road, Suite 114  
Naples, Florida 34112-2884  
(239) 417-6300  
Fax: (239) 417-6309

**203 - PUNTA GORDA**  
121 E. Marion Avenue, Suite 125  
Punta Gorda, Florida 33950-3635  
(941) 575-5740  
Fax: (941) 575-5743

**205 - FT. MYERS CENTRAL**  
1943 Maravilla Avenue  
Ft. Myers, Florida 33901  
(239) 938-1900  
Fax: (239) 938-1835

**Region IV Office**

Beth Atchison, Regional Director  
Karla Felton, Operations Manager  
189 SE 3rd Avenue Ste 5  
Delray Beach, Florida 33483-4531  
(561) 279-1937  
Fax: (561) 279-1943

**11B - MIAMI - INTAKE**  
7900 N.W. 27 Avenue  
149 N Court, Suite D-6  
Miami, Florida 33130  
(305) 693-2320  
Fax: (305) 693-2324

**11C - COCONUT GROVE**  
7900 N.W. 27 Avenue  
149 N Court, Suite D-6  
Miami, Florida 33130  
(305) 693-2325  
Fax: (305) 693-2329

**110 MIAMI-CIRCUIT**

1150 N.W 72nd Avenue, Suite 200  
Miami, Florida 33126  
(305) 470-6840

**112 - MIAMI EAST**

401 Northwest 2nd Avenue -S607  
Miami, Florida 33128-1789  
(305) 377-5270  
Fax: (305) 377-5576

**114 - MIAMI NORTH**

3601 Northwest 167th Street  
Miami, Florida 33056-4102  
(305) 626-4960  
Fax: (305) 626-4888

**116 - BISCAYNE**

7900 N.W. 27 Avenue  
149 N Court, Suite D-6  
Miami, Florida 33130  
(305) 693-2330  
Fax: (305) 693-2334

**118 - MIAMI LAKES**

3601 Northwest 167th Street  
Miami, Florida 33056-4102  
(305) 626-4905  
Fax: (305) 626-4996

**151 - BELLE GLADE**

2976 State Road 15  
Belle Glade, Florida 33430-5308  
(561) 996-4860  
Fax: (561) 992-2048

**153 - WEST PALM BEACH CENTRAL**

4480 South Tiffany Drive,  
Suite 1001  
Magnonia Park, Florida 33407  
(561) 881-5001  
Fax: (561) 840-4884

**160 - KEY WEST**

Professional Building  
1111 12th Street, Suite 402  
Key West, Florida 33040-4086  
(305) 292-6742  
Fax: (305) 292-6767

**162 - TAVERNIER**

88005 Overseas Highway  
Islamorada, Florida 33036-3067  
(305) 853-3262  
Fax: (305) 853-3260

**170 - FT. LAUDERDALE-INTAKE / CIRCUIT**

3708A West Oakland Park Blvd.  
Lauderdale Lakes, Florida 33311-1134  
Circuit: (954) 677-5913  
Fax: (954) 677-5918  
Intake: (954) 677-5595  
Fax: (954) 677-5672

**111 - MIAMI NORTHWEST**

3601 Northwest 167th Street  
Miami, Florida 33056-4102  
(305) 628-6805  
Fax: (305) 628-6848

**113 - MIAMI SOUTH**

12295 Southwest 133rd Court  
Miami, Florida 33186-6427  
(305) 252-4400  
Fax: (305) 252-4485

**115 - HOMESTEAD**

1448 North Krome Avenue #102  
Florida City, Florida 33034-2402  
(305) 246-6326  
Fax: (305) 246-6392

**117 - MIAMI - HIALEAH**

3601 Northwest 167th Street  
Miami, Florida 33056-4102  
(305) 626-4900  
Fax: (305) 626-4956

**150 - WEST PALM BEACH - CIRCUIT**

423 Fern Street, Suite 100  
West Palm Beach, Florida 33401-5939  
(561) 837-5175  
Fax: (561) 837-5278

**152 - DELRAY BEACH**

189 Southeast 3rd Avenue, Suite 2  
Delray Beach, Florida 33483-4541  
(561) 279-1650  
Fax: (561) 279-1614

**154 - LAKE WORTH**

3444 South Congress Avenue  
Lake Worth, Florida 33461-3022  
(561) 434-3960  
Fax: (561) 434-3972

**161 - MARATHON - CIRCUIT**

5192 Overseas Highway, Second Floor  
Marathon Shores, Florida 33050  
(305) 289-2340  
Fax: (305) 289-2379

**17A - TAMARAC**

4200 Northwest 16th St., 4th Floor  
Lauderhill, Florida 33313-5879  
(954) 497-4121  
Fax: (954) 497-4133

**171 - POMPANO BEACH**

140 East McNab Road  
Pompano Beach, Florida 33060-9240  
(954) 786-5466  
Fax: (954) 784-4535

**172 - PEMBROKE PARK**

1050 North Federal Highway  
Hollywood, Florida 33020  
(954) 924-3800  
Fax: (954) 924-3809

**175 - SUNRISE EAST**

2928 North State Road 7  
Ft. Lauderdale, Florida 33313-1912  
(954) 677-5900  
Fax: (954) 677-5912

**178 - HOLLYWOOD**

1050 North Federal Highway  
Hollywood, Florida 33020-3540  
(954) 924-3800  
Fax: (954) 924-3809

**174 - CYPRESS**

1700 Northwest 64th Street, Suite 500  
Ft. Lauderdale, Florida 33309-1836  
(954) 267-4948  
Fax: (954) 267-4967

**177 - PLANTATION**

3520 West Broward Boulevard  
Kingston Building, Second Floor  
Ft. Lauderdale, Florida 33312-1038  
(954) 797-1762  
Fax: (954) 797-1795

**17A - TAMARAC**

4200 n.w. 16TH Street, 4th Floor  
Lauderhill, FL 33313  
(954) 497-4121  
Fax: (954) 497-4133



# GOVERNOR'S EX-OFFENDER TASK FORCE

---

Vicki Lopez Lukis, Chairman

## Final Report to the Governor

**November 2006**

This report may be accessed on the website of the Task Force at  
<http://exoffender.myflorida.com/>

Task Force Chairman Vicki Lopez Lukis may be contacted at [vickilukis@mac.com](mailto:vickilukis@mac.com).

**Vicki Lopez Lukis**  
**836 Madrid Street**  
**Coral Gables, FL 33134**

---

November 30, 2006

Dear Governor Bush,

On behalf of the Governor's Ex-Offender Task Force, I am proud to present to you our final report, which was adopted unanimously at our meeting on November 14, 2006. Our recommendations are the result of your exemplary leadership in focusing on prisoner reentry and its impact on public safety.

We began our work by studying the magnitude of the challenge of making reentry successful and quickly learned that Florida has the third largest prison population in America and over 30,000 people returning home from prison each year. The continual growth of imprisonment in our State has created an unprecedented challenge for our State and for the local communities who must absorb these individuals upon their return home.

We found that, under the current conditions, most ex-offenders will fail at leading law-abiding lives when they return home. This will result in new crimes being committed with new victims unnecessarily traumatized at a huge cost of hundreds of millions of dollars to the taxpayers and their communities. Accordingly, we concentrated much of our work in studying what it will take to keep people coming home from prison from committing another crime.

How, we asked, might prisoners be best prepared for their foreseeable return home? To answer this, we identified and referenced many promising programs, innovative practices and ongoing interventions that are working both in Florida and elsewhere. These examples have guided our recommendations and assisted us in establishing a formal reentry framework for our State that can reduce recidivism.

Most importantly, we found that there is an urgent need for the corrections community to adopt reentry as part of their broader public safety mission. Therefore, many of our recommendation concern the steps that should be taken by the Department of Corrections to improve the prospects of prisoners succeeding in living law abiding lives upon release

We also found that after release, ex-offenders must be reconnected to positive and productive activities in their communities.

Successful reentry depends on the development and execution of a safety plan for each ex-offender to provide a safe transition. Implementing these safety plans must begin in prison, but must also involve other state agencies, local governments, law enforcement agencies, the ex-offender's families, community organizations, service providers and faith-based institutions. The Task Force has begun to cultivate relationships with many such partners in the local communities to which most ex-offenders return. But this is just the beginning. There are scores of other issues that must be studied as we have just scraped the surface of addressing this very complex and complicated issue.

We must seize this opportunity to rethink the relationship between prisoner reentry and public safety assuring we meet our goal of crime reduction. We believe the implementation of our recommendations will represent a major step in achieving the goal of making Florida's communities safer, stronger and more productive.

Sincerely,

Vicki Lopez Lukis

Chairman

## TASK FORCE MEMBERS

**Chairman Vicki Lopez Lukis**

**Vice Chairman Robert P. Blount III**

**Ira L. Barbell, PhD**

**Franchatta J. Barber (designee of FDC  
Secretary James McDonough)**

**Michael A. Bernstein**

**Monica A. David**

**Bernard "Bernie" DeCastro**

**Diamond Litty**

**Henree D. Martin**

**Ralph P. Martin**

**Annette R. Martinez**

**Wayne E. Rawlins**

**Anthony J. Schembri**

**Mike Switzer**

**Jason L. Welty (for DJJ Secretary  
Schembri)**

**James L. Williams**

## FORMER TASK FORCE MEMBERS

**The Hon. T. Edward Austin**

**Jose M. Boscan**

**Carol Law**

**Stephen R. MacNamara, Esq.**

**Susan E. Pareigis**

## STAFF

**Jean Maynard Gonzalez**

Executive Director

**Latrese King**

Administrative Assistant

## CONSULTANTS

**Linda Mills, Esq.**

Annie E. Casey Foundation

**Katherine Burns**

Community Partnerships Initiative

**Nancy LaVigne, PhD**

**Amy Soloman, PhD**

Urban Institute Justice Policy Center

**Rod Petrey, Esq.**

**April Young, PhD**

Collins Center for Public Policy

**Randall Berg, Esq.**

**Cullin O'Brien, Esq.**

Florida Justice Institute

**Cathie Hawke, Esq.**

Annie E. Casey Foundation

## PRO BONO ATTORNEYS

**Holland and Knight:** Julie Tappendorf, Andrea Briski, Andrew Fiske, Hal Flowers, Grant McCorkill, Kevin Packman, Joe Seely, David Shahoulian, Connie Shivers, Matt Singer

## FUNDING

**The Annie E. Casey Foundation**

# Table of Contents

Executive Summary of the Task Force's Recommendations	1
Introduction	4
Chapter One The Prison Experience: Successful Reentry Must Start at Prison Entry	7
Chapter Two Coming Home: Reentry at the Community Level 19	
Chapter Three Organizing Reentry Reform Work in 2007 and Beyond 23	
Acknowledgements	28
Appendix	
A. Background on Task Force members	34
B. Executive Order 05-28 establishing the Task Force	36
C. Executive Order 06-89 on employment restrictions	39
D. Executive Order 06-237 extending the term of the Task Force 43	
Final Words, Governor Jeb Bush	44

# Executive Summary of the Task Force's Recommendations

**ALMOST NINETY PERCENT OF THE PEOPLE NOW IN FLORIDA'S PRISONS WILL ONE DAY BE RELEASED. Within three years of release, over a quarter of those people will go back to prison for a new crime. This rate of recidivism is unacceptably high and unacceptably expensive. For each new crime, there is a new victim, and new costs to Florida communities. This trend must be reversed.**

This Executive Summary distills the recommendations that have been unanimously adopted by the Task Force, each of which is designed to address this problem and make our communities safer.

The recommendations reflect a paradigm shift from what we once expected from the correctional system and what we and others across the country are coming to expect of it. We cannot continue to release people from prison who are unprepared to return home and succeed in living a crime-free life. And we cannot continue to fail our communities by leaving them unprepared to help them succeed.

The recommendations are arranged in three categories: Recommendations related to the state's prison system; recommendations related to reentry at the community level; and recommendations related to continuing the work of reform in 2007 and beyond.

The recommendations that are italicized and in bold print are the Task Force's highest priorities.

The Task Force embraces the Florida Department of Corrections' (FDC) new commitment to reducing recidivism and recognizes that a good deal of money can be saved by achieving this goal. Still, the Task Force acknowledges that making this commitment is not, at the start, a budget neutral proposition. Thus, some of its recommendations are made with the understanding that they will require the reallocation and reinvestment of state resources, and present opportunities to invest additional resources.

## I. The Prison Experience:



## Successful Reentry Must Start at Prison Entry

1. *The FDC mission statement should be revised to explicitly address successful reentry. To assess performance in achieving the goal of successful reentry, performance measures should be adopted for FDC, its facilities, and wardens and staff.*
2. *A minimum of six more facilities should be transformed into faith and character-based facilities with three completed by December 31, 2007 and three more by December 31, 2008.*
3. FDC should use a validated instrument for evaluation and assessment at reception for both security classification and reentry programming needs and develop an inmate program handbook describing available FDC inmate programs, and the rules and guidelines governing selection and eligibility and termination from programs.
4. FDC's capacity for basic and functional literacy, GED preparedness and vocational education should be expanded.
5. FDC's capacity for the treatment of substance abuse and of co-occurring disorders should be expanded.
6. *FDC should improve and expand job training through the maximization of third-party resources.*
7. FDC should help inmates increase family contact and reduce financial strain on inmates' families.
8. FDC should expand work release by outsourcing additional work release facilities.
9. *FDC should begin pre-release planning with inmates starting on their first day of incarceration and develop individualized reentry plan for each inmates, and:*
  - *Assist inmates being released from prison in obtaining Social Security cards and state identification cards or driver licenses.*
  - *Assist disabled inmates in applying for disability and Medicaid benefits prior to their release.*
  - *Develop an inmate discharge handbook that contains the inmate's individualized reentry plan and the programs and services available in his home community.*
10. FDC should transform existing facilities in the communities to which the most inmates will be released into transition release centers that comprehensively prepare inmates for release; and as prisoners near the end of their sentence, FDC should transfer prisoners to facilities close to their homes.

## II. Coming home: Reentry at the Community Level

11. *The State should create a “transition authority” that coordinates a seamless planning process and a continuum of services from FDC custody to the community to facilitate the successful reentry of people leaving FDC custody; it would develop policies and interagency agreements that spell out the roles of state agencies in this process and help coordinate the work of reentry at the community level.*
12. *The State should support the development and work of reentry at the community level to help local reentry planning and service delivery, test new ideas and approaches, and promote and replicate what is found to work in producing measurable outcomes, such as reduced recidivism, by:*
  - *Partnering and collaborating with Florida communities in the development of local reentry councils to coordinate reentry planning and services at the local level.*
  - *The Governor's Office appointing a reentry point-person charged with coordinating, with the transition authority and relevant state agencies, the continuum of services from FDC facilities through release to the community.*
13. *The Legislature should prohibit the requirement that one have their civil rights restored as a condition for employment or licensing and instead create a single background check law, such as Chapter 435, with lists of disqualifying offenses relevant to the occupation, license or place of employment.*

## III. Organizing Reentry Reform Work in 2007 and Beyond

14. *The Legislature or Governor should re-commission the Governor's Ex-Offender Task Force to continue the work it began in 2005.*
15. *The re-commissioned Task Force should study critical populations such as sex offenders female, juvenile and mentally ill inmates and ex-offenders and additional issues such as community supervision, graduated sanctions, the loss of civil rights upon conviction of a felony, and the over-representation of African Americans among the inmate population with the aim of additional reform recommendations.*

# Introduction to the Report

Successful reentry and reintegration in one's community is a matter of critical import to the public's safety.

Without successful re-entry into one's community, recidivism is likely to occur, to the great detriment to the public safety, Florida's communities, families, taxpayers, and individual ex-offenders.

Governor Bush, Executive Order 05-28

## Issuance of Executive Order and Appointment of the Task Force

ON FEBRUARY 7, 2005, GOVERNOR JEB BUSH ISSUED EXECUTIVE ORDER 05-28 CREATING THE GOVERNOR'S EX-OFFENDER TASK FORCE for the purpose of helping to "improve the effectiveness of the State of Florida in facilitating the re-entry of ex-offenders into their communities so as to reduce the incidence of recidivism."

The basis of the Order was expressed in the preamble, which states that "successful reentry and reintegration in one's community is a matter of critical import to the public's safety; but reentry is often not a success due to the barriers ex-offenders face upon their release" and that "without successful re-entry into one's community, recidivism is likely to occur, to the great detriment to the public safety, Florida's communities, families, taxpayers, and individual ex-offenders."

The Governor also emphasized the critical link between employment and successful reentry. "The ability of ex-offenders to obtain employment after incarceration and become productive members of their communities is essential to reducing recidivism rates, but due to employers' concerns about liability, the honest completion of job applications often results in ex-offenders being unable to find work."

In April, he appointed the first seventeen members of the Task Force; with resignations, three more members were added in 2006. This diverse group has included five business people; three ex-offenders; three tireless prison volunteers; four people who run programs for offenders and ex-offenders, a former mayor and prosecutor, a public defender, a law professor; officials representing the Florida Department of Corrections (FDC), Department of Juvenile Justice, the Florida Parole Commission, and the Agency for Workforce Innovation; and a representative of the Annie E. Casey Foundation, which has been supporting the work of the Task Force.

## The Work of the Task Force

The Governor spelled out his charge to the Task Force in the Executive Order establishing the Task Force as follows:

1. Identification of legal, policy, structural, organizational, and practical barriers to successful reentry;
2. Provide recommendations regarding such reforms that will eliminate barriers to successful reentry, including, but not limited to, reforms that may offer employers greater flexibility and confidence in hiring ex-offenders;
3. Provide recommendations regarding implementation of the reforms; and
4. Provide recommendations regarding measuring the effectiveness of the reforms, such as through reduced recidivism; increased attachment to the workforce and earnings; increased family attachment; and savings to the state from incarceration cost avoidance.

Eighteen months have passed since the Governor's Ex-Offender Task Force first convened in June 2005. During that time, the Task Force has held weekly conference calls, and has formally met fourteen times. It has heard testimony from state and local experts, reviewed scores of reports and studies, deliberated with state and local political and agency officials, held focus groups with ex-offenders and with inmates, and conducted site visits to prisons and a work release facility.

The Task Force hewed closely to its charge. It identified scores of barriers to successful reentry; the findings in this report reflect many of those barriers. And it has developed a set of comprehensive recommendations, including recommendations as to implementation and measurement of their effectiveness; these, too, are detailed in this report.

## The Key Recommendation: Reform the Mission of Corrections

Of its fifteen recommendations, one stands front and center. The Task Force members agreed that this recommendation was the predicate for all the rest. It is simply this: **Successful reentry and the rehabilitation of inmates must be made an explicit part of the mission of the Department of Corrections. And FDC's performance should be measured on how well it adheres to this mission, as gauged by such factors as reduced recidivism.**

Focusing only on custody and control does not reduce recidivism. This focus protects the public safety by segregating people who have committed crimes from the public for a period of time and by preventing escapes, but those are not the only public safety concerns. After all, 88.5% of the inmates in Florida's facilities eventually will be released. The Task Force has been concerned, since its first convening, with what happens upon release.

Accordingly, the Task Force has focused on protecting the public safety in the larger sense of preparing the inmate for a successful, crime-free return to the community.

The Task Force recognizes that moving from a mission of care, custody and control to one of successful reentry will require changes at many levels – from shifting priorities, to changing the culture of the department and its institutions, and to reallocating state resources and to collaborating with other state and local agencies to operate the programs recommended in this report, . FDC recognizes this, too, and has already begun some of these changes. The Task Force endorses those changes.

## Organization of the Report

The report contains the Task Force's key findings; its endorsements of policy changes already being made by FDC or recommended by its consultant, MGT of America; and its reform recommendations. The findings are footnoted, so that the reader can look to the sources, especially for the data in the report.

The report is divided into three sections. The first concerns "behind the fence" issues under the jurisdiction of FDC. This section contains the bulk of the recommendations for two reasons. First, the Task Force focused on what FDC should be doing to reduce recidivism because this has not been its priority in recent years. Second, the state's role is more limited after release. Almost two-thirds of prisoners are released without subsequent state supervision and the state has no formal role in relation to those former inmates.

The second chapter concerns what happens upon release; and here the Task Force addresses the lack of a coordinated release-to-community system and the absence of a state role after release. Its recommendations address that problem and other barriers to successful reentry at the community level.

The third chapter concerns what is to happen to this work that has barely begun but is now set to expire on February 28, 2007. In addition to recommending the re-commissioning of this work, the Task Force has outlined a significant number of issues it did not have time to address but that it finds to be critical.

In the Appendix, the reader will find the background statements on each Task Force member, the Executive Order establishing the Task Force, the Executive Order on employment restrictions, and the Executive Order extending the term of the Task Force to February 28, 2007.

# Chapter One

## The Prison Experience: Successful Reentry Must Start at Prison Entry

**ALMOST NINETY PERCENT OF THE PEOPLE NOW IN FLORIDA'S PRISONS WILL ONE DAY BE RELEASED. Within three years of release, over a quarter of those people will go back to prison for a new crime. This rate of recidivism is unacceptably high and unacceptably expensive. For each new crime, there is a new victim, and new costs to Florida communities. This trend must be reversed.**

From the first day of the Task Force's deliberations, the members recognized that for reentry and reintegration to be successful for the more than 30,000 people who are released from Florida's state prisons each year, the work toward that success upon discharge had to begin upon arriving at the prison gate.

The Task Force embraces the Florida Department of Corrections' new commitment to reducing recidivism and recognizes that a good deal of money can be saved by achieving this goal. Still, the Task Force acknowledges that making this commitment is not, at the start, a budget neutral proposition. Thus, some of its recommendations are made with the understanding that they will involve expenditures not currently being made. The actual costs have not been stated in this report because the Task Force has not undertaken a detailed fiscal analysis of each its recommendations.

### I. REDUCING RECIDIVISM AS CENTRAL TO THE FDC MISSION

#### THE TASK FORCE FINDS:

**88.5%<sup>1</sup> of the 89,513<sup>2</sup> people now in Florida's state prisons will one day be released.**

---

<sup>1</sup> FDC Annual Report 2004-2005, *Inmate Population*, at 31. The Task Force is aware that the often-cited national percent of prisoners that will one day be released is 97%. The Florida figure is lower due to its stricter sentencing laws. However, of the inmates *admitted* in 2004-05, 98.5% have sentences shorter than natural life (or death). *Id.*, Inmate Admissions, at 11.

<sup>2</sup> September 2006 Total of FDC Inmate Population by Facility Fiscal Year 2006-2007, prepared by FDC on October 6, 2006.

**44% of the people in Florida's prisons have been there before.**<sup>3</sup>

**Over a quarter of those released from prison are coming back to prison within three years.** If the current pattern holds, within three years of release from state prisons in Florida, of the 31,537<sup>4</sup> released in 2004-05, 39.5% (12,457 people) will be convicted for a new crime and 25.7% (8,105 people) of those released will be re-imprisoned for a new crime.<sup>5</sup>

**Still others come back to prison on technical violations of the conditions of community supervision.** In FY 2004-05, of the 9,994 people on probation sent to prison for a technical violation of the conditions of supervision, 1,887 were returned to prison (the remaining 8,107 had not initially been given a sentence of imprisonment).<sup>6</sup> These 1,887 individuals are *not* among the 25.7% who would be predicted to return to prison because the reimprisonment of these 1,887 people is not based on their being convicted of *new crime*.

**Those returning inmates will cost Florida taxpayers \$147,765,340<sup>7</sup> for their first year of reconfinement.** This is based on the cost of \$18,108 per year to house an inmate<sup>8</sup> (excluding capital costs; this also does not include the cost of those reimprisoned for technical violations.)

**If these repeat offenders are sentenced to the current 4.6 year average length of sentence for new admissions,<sup>9</sup> the cost of these repeat offenses will total \$670 million.**<sup>10</sup>

**FDC's mission ("The Department of Corrections protects the public by operating a safe, secure, humane, and efficient corrections system.") does not address recidivism or reentry.** At least fourteen other states have amended their mission statements in recent years to address recidivism, successful reentry and/or rehabilitation.<sup>11</sup> The mission of a department of corrections impacts both the work

---

<sup>3</sup> FDC Annual Report 2004-2005, *Inmate Admission*, at 15.

<sup>4</sup> FDC Annual Report 2004-2005, *Inmate Releases*, at 38.

<sup>5</sup> FDC *Recidivism Report*, (Inmates Released from Florida Prisons July 1995 to June 2001), July 2003.

<sup>6</sup> Email correspondence to the Task Force from FDC Research & Data Analysis, 10/26/06.

<sup>7</sup> 8,105 (25.7% of 31,537) x \$18,108 = \$147,765,340.

<sup>8</sup> FDC Annual Report 2004-2005, *Budget Summary*, at 19.

<sup>9</sup> FDC 2004-05 Annual Report, *Inmate Admissions*, at 11.

<sup>10</sup> \$147,765,340 x 4.6 = \$679,720,564. This cost does not include associated costs both to victims and to taxpayers that these new crimes will create.

<sup>11</sup> *E.g., Texas*: "The mission of the Texas Department of Criminal Justice is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime;" and *Nevada*: "It is the mission of the



and the culture of correctional institutions. It sets the tone for the operation of the agency and its facilities.

**FDC is not measured on its effectiveness in reducing recidivism.** This is arguably the most important goal of the system after inmate and public safety. FDC reports this data, but facilities and staff are not rated or ranked according to their performance. Nor is FDC measured on critical related measures.

#### THE TASK FORCE ENDORSES:

- a. FDC's anti-crime strategies, including its targets of reduction in the rate of recidivism initially by 10% and then by an additional 10% for a total of 20%. The savings that would be realized from 10% of the predicted 8,105 people released going back to prison in FY 2004-05 not committing new crimes and being sent back to prison would be \$14.7 million; if 20% don't go back to prison, the savings would be \$28.4 million. With 20% of each year's releasees not going back to prison, the savings mount.

#### THE TASK FORCE RECOMMENDS:

1. **That FDC revise its mission statement to explicitly address successful reentry.** The mission of a department of corrections impacts both the work and the culture of correctional institutions. It sets the tone for the operation of the agency and its facilities. **To assess performance in achieving the goal of successful reentry, performance measures should be adopted for FDC, its facilities and wardens and staff.**

The measures should include, but not be limited to, reductions in recidivism; disciplinary reports; incidents of violence; staff and inmate injuries; use of force; number of days on lock-down; contagious diseases; contraband; and increases in comprehensive assessments at reception; inmates' educational attainment; issuance of state photo IDs and Social Security cards prior to release; and, upon release, longitudinal success as measured by job retention, earnings gains, educational credentials and other positive outcomes reported by the Florida Education and Placement Information Program (FETPIP). Staff promotions and transfers should be based on these indicators. **[By Agency, Executive or Legislative Action]**

## II. PRISON CULTURE

#### THE TASK FORCE FINDS:

---

Department to provide professional staff to protect the community through safe, humane, and efficient confinement of offenders; provide opportunities for offenders to successfully reenter the community through: education, training, treatment, work, and spiritual development; and be sensitive to the rights and needs of victims."

**The transformation of the prison culture in faith and character-based prisons shows promise for prisons across the state.** Much of the change in these prisons is due to leadership changes, increased mutual respect among staff, inmates and volunteers, the increased engagement of volunteers, and a focused emphasis on rehabilitation.

**State prisons can better serve all Floridians when they are safe environments characterized by a culture of respect, responsibility, and rehabilitation.**

**Prisons such as Lawtey CI, where such a culture has been cultivated, are able to maintain security** to protect against immediate threats to public safety (i.e., escapes), while also providing a supportive and non-violent atmosphere in which prisoners can prepare for release.

**Faith and character-based institutional transformations are budget-neutral and appear to be achieving some good outcomes.** Although it is too soon to measure recidivism rates of the people leaving the transformed facilities, the disciplinary rates of these facilities are about half of similar profiles of inmates in other facilities.

#### THE TASK FORCE ENDORSES:

- b. MGT of America's<sup>12</sup> recommendation and FDC's plans to transform additional facilities into faith and character based institutions.
- c. The reform efforts that FDC began in 2006, including adding "civility" to the Code of Conduct, rooting out corruption, setting new programming priorities, and the work being done to transform the culture at Lowell CI (the facility that MGT of America identified as needing the most attention), to improve its physical plant and to tap the local community to bring in needed programming.

#### THE TASK FORCE RECOMMENDS:

2. **That a minimum of six more facilities be transformed into faith and character-based facilities with three completed by December 31, 2007, and three more by December 31, 2008,** with the highest priority given to facilities in the counties to which the largest number of inmates return home. These facilities should also serve as transition facilities, which prepare inmates for release. FDC should document the steps involved in faith and character-based facility transformations to facilitate the transition of additional facilities and report quarterly on reaching the target. Facility transformation should not be limited to minimum and medium security institutions,

---

<sup>12</sup> MGT of America MGT is a national consulting firm that did an operational analysis of the Department of Corrections that was completed in July, 2006. *Agency-Wide Operational Analysis Summary*, at 3-8.

but include all facility security levels. **[By Agency, Executive or Legislative Action]**

### III. PRISON PROGRAMMING

#### THE TASK FORCE FINDS:

**Reallocation of resources has the potential for improved outcomes.** Of the \$1.9 billion Corrections budget for FY 2004-05, less than 2% (\$32.4 million) is allocated for inmate programs.

**Inmate idleness has sharply increased over time.** In 2004, OPPAGA reported that “Since 2000, inmate idleness has doubled from 18% to 33%.”<sup>13</sup> In 2006, MGT of America reported that “The assessment teams found an extremely high level of inactivity and idleness within the institutions of the FDOC. The elimination of most of the education, vocational, and recreational funding has left the institutions with an absence of constructive activities to occupy inmates. The elimination of the practice of using canteen profits for the purchase of recreational equipment has impaired the institutions’ ability to provide adequate recreational activities. The assessment teams believe idleness is directly connected to the safety and security of the institutions and the potential for instability within the inmate population.”<sup>14</sup>

#### **Primary programming needs are education and substance abuse:**

**Inmates are reading at the 6<sup>th</sup> grade level.** As reported by FDC<sup>15</sup>, based on literacy testing of inmates being admitted to its facilities, 69.5% of inmates admitted that year tested below the level necessary to begin studying for a GED (which is the 9<sup>th</sup> grade). 28.9% tested below the fifth grade level. 55.3% of all new inmates tested at the sixth grade level or below. In FY 2004-05, 740 inmates obtained GEDs.<sup>16</sup>

---

<sup>13</sup> OPPAGA *Progress Report: Corrections Program Still Challenged by Inmate Idleness, Prison Planning, and Fleet Maintenance*, Report No. 04-60, August 2004

<sup>14</sup> MGT of America, *Agency-Wide Operational Analysis Summary*, at 3-8.

<sup>15</sup> FDC 2004-05 Annual Report, *Inmate Admissions*, at 18.

<sup>16</sup> FDC 2004-05 Annual Report, *Education* at M-23.

**“Over half of the inmates have substance abuse issues,”** reported OPAGGA in October 2004. It also reported that “Since 2000, due to major state revenue shortfalls, correctional substance abuse program funding has been reduced by nearly 47% and about 71% of substance abuse program sites have been eliminated. This was a reduction from 4,554 to 1,880 treatment slots.” OPPAGA also found that 25 of the 123 FDC facilities have treatment programs.<sup>17</sup> According to FDC, the current capacity is 2,117 treatment slots. In FY 2005-06, of the 32,654 people released, 24,284 (74.4%) needed treatment and 19,724 (81% of those needing it) did not receive it.<sup>18</sup>

**Inmates are not always able to complete programs. In 2004, OPPAGA reported that in 2000 it had noted** “that approximately half the number of inmates who are placed in correctional education and rehabilitation programs do not successfully complete the courses because they are transferred or released before graduating.” In the 2004 report, in discussing the less than ten percent of inmates in programs, it found that “in Fiscal Year 2002-03, 51% of inmates exited mandatory literacy programs before completion, 88% did not complete GED courses, and 59% exited vocational courses before completing them.”<sup>19</sup>

**Over time, prison programming has been cut.** Education, job training, work experience, substance abuse and mental health treatment have been cut in recent years, as shown in chart on the next page.

<b>Appropriations</b>	<b>FY 2000-01</b>	<b>FY 2004-05</b>	<b>Percent change</b>
Substance Abuse Treatment	\$14,761,833	\$7,830,618	- 47%
Basic education skills (academic, vocational, special education and library services)	\$36,749,036	\$24,555,358	- 33%
Total Treatment and Education	\$51,510,869	\$32,385,976	- 37%
Total for FDC	\$1,634,173,161	\$1,898,232,425	+ 13%
Percent of FDC budget for	3.2%	1.7%	- 47%

<sup>17</sup> OPPAGA *Information Brief: Correctional Substance Abuse Programs, While Few, Are Reasonably Efficient and Effective*, Report No. 04-69, October 2004.

<sup>18</sup> Data provided to the Task Force by the FDC Office of Community Corrections, 10/24/06.

<sup>19</sup> OPPAGA *Progress Report: Corrections Education and Rehabilitative Programs Significantly Reduced*, Report No. 04-59, August 2004.

## Final Report of the Governor's Ex-Offender Task Force

---

Treatment and Education			
<b>Inmate population</b>	72,007	84,901	+ 18%
Annual Treatment and Education Dollars per Inmate	\$715	\$381	- 47%

**Research shows that such programming has proven to enhance safety and security and to reduce recidivism.<sup>20</sup>**

**As OPPAGA reported, Florida TaxWatch found that for every dollar invested in inmate programs, there was a return of \$1.66 in the first year and \$3.20 in the second year.<sup>21</sup>**

### THE TASK FORCE ENDORSES:

d. MGT of America's recommendation that "the Office of Institutions needs to develop a strategic approach to reduce idleness throughout the institutions" and its

---

<sup>20</sup> See, e.g., Florida Corrections Commission 1999 Annual Report, which found, based on FDC data:

- **Lower Major Disciplinary Report Rate for inmates who completed vocational, transition, or life skills training.** For FY 1995-96, 719 major disciplinary reports were issued per 1,000 inmates who completed these programs as compared to 1,025 major disciplinary reports per 1,000 of the remaining inmate population.
- **Fewer Major Disciplinary Reports for inmates who were enrolled in educational courses.** For FY 1995-96, 684 major disciplinary reports were issued per 1,000 inmates who were enrolled in educational courses as compared to 917 major disciplinary reports per 1,000 of the remaining inmate population.

And see also: FDC Recidivism Report: Inmates Released from Florida Prisons, July 1995 to June 2001; July 2003:

**“Academic Programs (GED):** The recidivism rate for the 1,788 inmates who received a GED was 29.8% compared to 35.4% for those who did not complete a program. This reduction in recidivism (5.6%) translates into approximately 100 inmates not returning to prison. Avoiding the cost of their re-incarceration for one year would amount to cost savings of approximately \$1.9 million.

**Vocational Programs:** The recidivism rate for the 1,793 inmates who earned a vocational certificate was 26.0% compared to 35.4% for those who did not complete a program. This reduction in recidivism (9.4%) translates into approximately 169 inmates not returning to prison. Avoiding the cost of their re-incarceration for one year would amount to cost savings of approximately \$3.2 million.

**Substance Abuse Programs:** The recidivism rate for the 3,129 inmates who completed a substance abuse program was 31.4% compared to 35.4% for those who did not complete a program. This reduction in recidivism (4.0%) translates into approximately 125 inmates not returning to prison. Avoiding the cost of their re-incarceration for one year would amount to cost savings of approximately \$2.4 million.

<sup>21</sup> OPPAGA Review of the Department of Corrections, Report No. 00-23 December 2000, Revised April 2001, at 48.

recommendations regarding job training in furtherance of the objective of reducing idleness.

- e. FDC's plans to expand educational opportunity with the goal of teaching 20,000 inmates to read.
- f. FDC's objective of reducing the rate of recidivism by deploying evidence-based substance abuse, health, and mental health treatment; and educational, vocational and reentry-preparedness services and programming.
- g. Reinvestment of the cost-of-incarceration savings, including the avoidance of the additional capital costs of new prison beds, into additional evidence-based programs that will further reduce recidivism.
- h. The findings of OPPAGA, the Corrections Commission and the Auditor General that PRIDE has not adhered to its mission of providing work opportunities for inmates<sup>22</sup> and FDC's target of increasing the number of work stations from the current 2,117, which allows work opportunity for 2% of inmates, to work stations sufficient to provide work opportunities to 30% of the inmates within 10 years.
- i. Given Florida's construction boom and its need for construction workers to repair or replace storm-damaged properties, FDC's efforts to partner with Habitat for Humanity to build prefab homes and to teach marketable construction skills to inmates.
- j. The recommendations contained in the 1998 Florida House of Representatives report, *Maintaining Family Contact When a Family Member Goes to Prison*.

#### THE TASK FORCE RECOMMENDS:

- 3. That FDC use a validated instrument for evaluation and assessment at reception for both security classification and reentry programming needs,** including identifying the need for ID and benefits upon release; compiling all relevant reports on the inmate to facilitate accurate and comprehensive assessments. Annual inmate re-assessments also be required and that re-assignments be made, if indicated by the re-assessment; and that transition plan programming changes, as indicated; and step-down be based on the assessments. **[By Agency Action]**

---

<sup>22</sup> Florida Corrections Commission 2002 Annual Report, Section 3; OPPAGA Report No. 12228, *Performance Audit of the Prison Industries Program*, January 1994; OPPAGA Special Report: *PRIDE Benefits the State But Needs to Improve Transparency in Operations*, Report No. 03-68, December 2003; Florida Auditor General *Operational Audit of the Prison Rehabilitative Industries and Diversified Enterprises, Inc, for the Period July 1, 1994, Through February 29, 1996, Dated December 12, 1996*.

4. **That FDC's capacity for basic and functional literacy, GED preparedness and vocational education be expanded. [By Agency and Legislative Action]**
5. **That FDC's capacity for the treatment of substance abuse and of co-occurring disorders be expanded. [By Agency and Legislative Action]**
6. **That FDC maximize the use of outside resources for expanded job training by:**
  - **Leveraging funds and resources from the private sector and from publicly funded workforce programs** to expand job training and work experience in the prisons in order for inmates to learn marketable skills.
  - **Ensuring that job training be demand-driven and focus on jobs in growth industries** such as construction and that FDC's Memorandum of Understanding with the Agency for Workforce Innovation be revised to reflect this focus.
  - **Partnering with business associations and businesses willing to do "behind the fence" job training** within their industries and then employing the former inmates upon their release.
  - **Coordinating training with transition assessment / planning** and the post-release community/workforce linkage recommendations in this report.
  - **Tracking employment, earnings, continuing education and other post-release outcomes**, and reporting and evaluating outcomes with the help of the Florida Education, Training and Placement Information Program (FETPIP).  
**[All by Agency Action]**
7. **That FDC increase family contact and reduce financial strain on inmates' families through:**
  - Promotion of the maintenance of or restoration of family ties.
  - Development and implementation of family-friendly prison policies, including visitation, telephone calls, and physical plant issues.
  - Include families, as appropriate, in the preparation for release.
  - Development and implementation of forms and procedures that allow for modification of child support at reception or shortly thereafter to reflect the inability to pay while incarcerated and to avoid the accumulation of unpayable arrears.
  - Use of inmate calling cards as used in federal prisons.
  - Development of an inmate email system as is in place in federal prisons.
  - Distribution of a family handbook specifying the rules governing inmate contact and other matters of concern to families.  
**[All by Agency Action]**



**That FDC develop an inmate program handbook** describing (1) available FDC inmate programs, (2) the rules and guidelines governing selection and eligibility and termination from programs. **[By Agency Action]**

#### IV. WORK RELEASE

##### THE TASK FORCE FINDS:

**With a prison population of over 88,000, 88.5% of whom will be released one day, there are 2,997 work release beds**, which is enough to place 3.4% FDC inmates in work release prior to release. FDC's practice is to allow no more than 4% of the FDC population to be assigned to work release; this is based on its assessment of its ability to absorb inmates back into the institutions if problems arise in work release facilities.

**Work release is cost-effective and supports the goal of successful reentry.** According to FDC, its institutional per diem is \$48.23. The FDC work release per diem is \$26.16 for its own 2,616 beds. The outsourced work release per diem is \$19.74, for 864 beds, of which 360 are located in FDC facilities and 504 are located in vendor-owned facilities. Work release is substantially cheaper than prison confinement and it facilitates the successful transition from prison to the community, while reducing recidivism.

**Eligibility criteria based on the length of time left on the sentence and a lack of work release beds make work release unavailable to most inmates who are about to be released.** Today, according to FDC, 3,834 inmates are currently in community custody status and meet the eligibility requirements for work release but are not in work release. Of those, approximately 1,000 inmates have been found qualified by FDC and are waiting for a work release bed. The current assignments of those 3,834 are: 40% are in work squads outside prison grounds or in the community; 30% are doing institutional maintenance within the facilities; 22% are not assigned at this time; and 14% are in some kind of programming.

##### THE TASK FORCE ENDORSES:

- k. MGT of America's recommendation that "the Department should aggressively pursue expansion of the Work Release Program."

##### THE TASK FORCE RECOMMENDS:

- 8. **That FDC expand work release by outsourcing additional work release facilities through:**

- **Setting specific targets on the expansion**, with the first target being creating enough new work release beds to accommodate the 3,000 now eligible for work release but still confined in a prison.
  - **Adjusting the criteria for admission to work release so that more prisoners are eligible.**
  - **And reporting on the number of additional beds to be created**, the time line for their creation, and reporting quarterly on reaching the targets.
- [All by Agency Action]

## V. DISCHARGE PLANNING

### THE TASK FORCE FINDS:

**Inmates are not equipped upon release to succeed.** They leave prison with \$100; sometimes, but not always, 30-days of medication; and a bus ticket. They often do not have necessary identification cards, they do not always have a residence lined up, and often do not know how to find a job or have the skills to get a job.

### THE TASK FORCE ENDORSES:

- l. FDC's plans to ensure that prior to release, inmates are schooled in basic life skills, money management and banking.
- m. FDC's efforts to get inmates the proper identification documents they will need to secure housing, employment, bank accounts and care upon release.
- n. MGT of America's findings and recommendation concerning restoration of transition officers: "The elimination of the transition officers have significantly impacted the release programming within the institutions. . . [and] the mechanics and processes of the release function have fallen solely on the lap of the release officers. This has adversely impacted release preparation and also stretched the workload of the designated release officers. It also has limited contacts with the community corrections representatives who provide the post-release supervision of the inmates. . . . The Department should consider restoring transition officers to those institutions with the highest percentage of releases."

### THE TASK FORCE RECOMMENDS:

9. **That pre-release planning begin on the first day of incarceration and include the development of an individualized reentry plan** that addresses education; employment, including resume preparation, job seeking and interviewing; health, mental health and substance abuse challenges; managing family conflict; mentoring;

and strategies to develop pro-social behavior and desistance from crime. In furtherance of developing and implementing the plan:

- **FDC should assist inmates being released from prison in obtaining Social Security cards and state identification cards or driver licenses.**
- **In instances when inmates are determined to be disabled, the FDC medical staff should provide the clinical diagnostic reports** needed by the Social Security Administration to award disability benefits upon release, which then also establishes eligibility for Medicaid benefits.
- **FDC should develop an inmate discharge handbook** that contains the inmate's individualized reentry plan and the programs and services available in his home community.  
**[All by Agency Action]**

**10. That FDC transform existing prison facilities in the communities to which the most inmates will be released into transition release centers that comprehensively prepare inmates for release; and that as prisoners near the end of their sentence, that FDC transfer prisoners to facilities close to their homes.**  
**[By Agency Action]**

## Chapter Two

# Coming home: Reentry at the Community Level

**THE TASK FORCE** HAS STUDIED BEST PRACTICES IN OTHER STATES AND BASED ON THAT RESEARCH HAS DEVELOPED A COMMUNITY PARTNERSHIPS INITIATIVE, WHICH IS A PROMISING EFFORT TO DEVELOP LOCAL REENTRY COUNCILS AND LOCAL REENTRY PLANS TO ADDRESS THESE CHALLENGES.

### THE TASK FORCE FINDS:

**In FY 2004-05, FDC released 33,464 inmates from its facilities.**<sup>23</sup>

**44% of the people being released from prison go home to 7 counties.** These counties are, in order of number of people returning home, Hillsborough, Broward, Dade, Orange, Duval, Pinellas and Polk. Next are Volusia and Palm Beach.<sup>24</sup>

**No Florida community has a comprehensive system responding to the challenges of people coming home from prison.** Some Florida communities have established task forces, councils or committees to address the barriers to successful reentry and the need to reduce recidivism among returning prisoners, but the services coordinated by these entities are still fragmented.

**The State's investment in its delivery of services to ex-offenders at the community level is significant.** The state has oversight authority over many of the services that ex-offenders need such as job training and workforce services, substance abuse, health and mental health care, and public benefits.

---

<sup>23</sup> FDC 2005-06 Annual Report.

<sup>24</sup> FDC 2005-06 Annual Report.

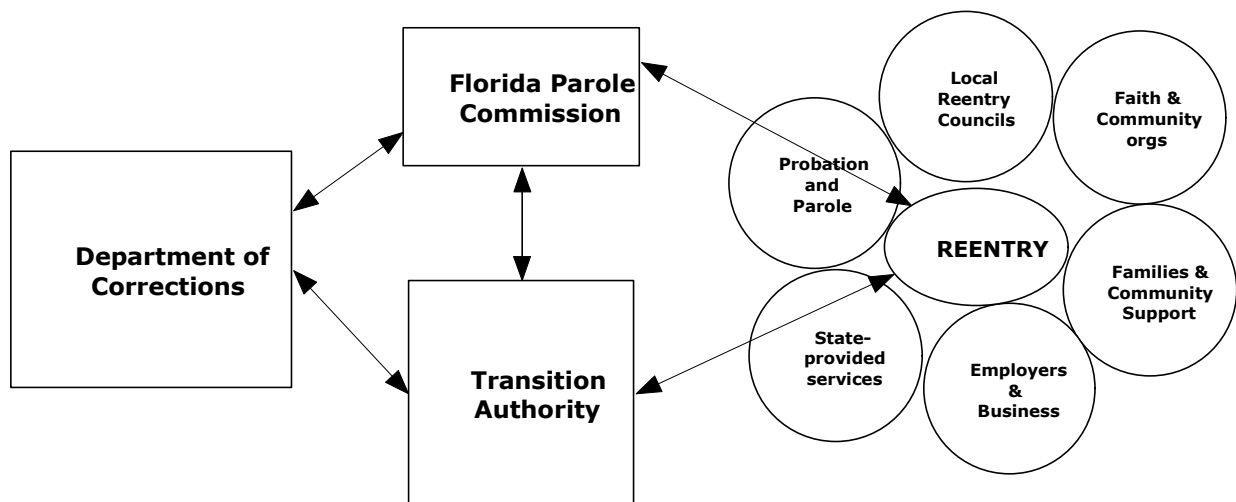
**THE TASK FORCE ENDORSES:**

- o. The Parole Commission's efforts to help in the transition process through its proposed "Post Release Offender Re-entry Initiative."

**THE TASK FORCE RECOMMENDS:**

**That the state create a "transition authority," by statute, that coordinates a seamless planning process and a continuum of services from FDC custody to the community to facilitate the successful reentry of people leaving FDC custody; it would develop policies and interagency agreements that spell out the roles of state agencies in this process and help coordinate the work of reentry at the community level.<sup>25</sup>**

**The relationship of the transition authority to other entities is illustrated in the diagram below.**



**11. That the state support the development and work of reentry at the community level to help local reentry planning and service delivery, test new ideas and approaches, and promote and replicate what is found to work in producing measurable outcomes, such as reduced recidivism, by:**

- Partnering and collaborating with Florida local governments and faith and community-based organizations in supporting local reentry councils by putting in place a reentry coordinator in each of Duval, Miami-Dade, Broward, Hillsborough and Palm Beach Counties; and the Nineteenth Judicial

---

<sup>25</sup> The Task Force considered the idea of reconstituting the Parole Commission to become the transition authority.

Circuit (Okeechobee, Martin, St. Lucie, and Indian River Counties), with a five-year target of developing such councils in every major community starting with Orange, Pinellas, Polk and Volusia Counties. **[By Legislative Action]**

- The Governor's Office appointing a reentry point-person charged with coordinating, with the transition authority and relevant state agencies, the continuum of services from FDC facilities through release to the community. **[All by Executive Action]**

## THE TASK FORCE FINDS:

**People coming home from prison face many barriers to employment. Many jobs in the Florida economy are affected by formal restrictions based on criminal records.** There are state-created restrictions on state jobs; on jobs in places and facilities that the state licenses, funds or regulates; and on occupations that the state licenses.

**In order of severity, based on the responses from the agencies to Executive Order 06-89, the Task Force found the following types of employment restrictions:**

- Lifetime bars for any felony.
- Lifetime bars unless civil rights are restored for any felony.
- Lifetime bar for certain felonies.
- Lifetime bar unless civil rights are restored for certain felonies.
- Time-limited bars for any felony.
- Time-limited bars for certain felonies.
- Lifetime bars for certain felonies, with exemptions possible after 3 years from the date of offense.
- Time-limited bars for certain felonies, and waiver of the bar possible.

**Jobs with similar kinds of trust and responsibility often have widely varying types of restrictions.**

**Among the restrictions is that which requires restoration of rights. It has the effect of putting jobs off-limits for many years for the hundreds of thousands of people in Florida who have not had their civil rights restored, which may affect their ability to seek employment.**

## THE TASK FORCE RECOMMENDS:

- 12. That state laws, rules and policies that require a person to have his or her civil rights restored as a condition of employment or licensing be repealed and that employment restrictions for those occupations currently subject to restoration of civil rights requirements instead be built into a single background check law, such as Chapter 435.**

**[By Legislative Action]**



# Chapter Three

## Organizing Reentry Reform Work in 2007 and Beyond

ON OCTOBER 26, 2006, THE GOVERNOR EXTENDED THE TERM OF THE TASK FORCE, WHICH WAS SET TO EXPIRE ON JANUARY 1, 2007, TO FEBRUARY 28, 2007.

### THE TASK FORCE FINDS:

**Reforms that will measurably prevent crime, reduce recidivism and improve public safety by making reentry successful for the men and women leaving prison is a multi-year project.**

### THE TASK FORCE RECOMMENDS:

**13. The re-commissioning of the Governor's Ex-Offender Task Force to continue the work it began in 2005 with structures that address the following goals and core results:**

#### **Goals:**

- Further identification of barriers to reentry and recommend system, policy and practices reforms to make reentry more successful for more people coming home from prison.
- Coordination with the transition authority and help to cohere a rational delivery system of federal, state and local resources to maximize the effectiveness of existing resources.
- Further identification of best practices and promote their adoption at the state and local levels.
- Support for the efforts of local reentry councils to develop local reentry plans, the seeding promising new approaches, replicating them, and coordinating the delivery of services.

- Addressing the additional items of unfinished business as set forth in the next recommendation.

**Core results:**

- Performance outcomes against which this work will be measured, including, but not limited to, reduced recidivism; increased prison programming, indicia of transformation of prisons; and, upon release, employment, job retention, and increased earnings.

**[All by Executive or Legislative Action]**

**THE TASK FORCE FINDS:**

**Both special populations and certain complex issues warrant further study.** Such study was beyond the time limitations of the Task Force, and they require additional partners to do a proper job of making findings and recommendations.

**THE TASK FORCE RECOMMENDS:**

**14. Further study with the aim of additional reform recommendations on the following issues and populations:**

**Prison culture and conditions of confinement:** The culture of a prison and the conditions of confinement impact programming success within prison and success upon reentry, including recidivism.

**Study and address:** The Task Force has seen models of transformed prisons that have demonstrated their success with improved outcomes, but more needs to be learned both about the conditions of other prisons not yet visited and about how to transform prisons that need help.

**Sex-Offenders' lack of viable housing and employment options upon release from prison.** With an increasing array of employment and housing restrictions, sex-offenders are often either sent back to prison because they cannot find a legal housing or employment, or they disappear and do not register.

**Study and address:** A thoughtful re-examination of employment and housing restrictions that are leading to some sex-offenders unnecessarily going back to prison or failing to identify their residence and to register, thus putting communities at risk.

**Women:** Both MGT of America and the Task Force's own prison site visits and focus groups with prisoners found that women prisoners face unique challenges, and have unique needs.

**Study and address: The challenges faced by women in prison and upon release, and promising models that achieve good results for system changes and successful reentry.**

**Mentally ill prisoners and ex-offenders:** Although not designed to be a mental health system, prisons have become the default provider of mental health services and of housing for people with mental illness. The correctional system's assumption of the responsibility for confining a growing percentage of mentally ill inmates impacts both the kind of care that the mentally ill obtain and the environment of other inmates.

**Study and address: The challenge of providing proper mental health care in a correctional environment and in insuring an uninterrupted continuum care upon release.**

**Step-down:** Increasing attention has turned to the importance of decreasing restrictions on movement and personal choices and increasing personal responsibility with the passage of time (called "step-down") in correctional facilities. Those who urge this approach are demonstrating that moving from a highly restricted environment to the community makes recidivism more likely.

**Study and address: Formalizing step-down policies including increased reliance on work release prior to release.**

**Supervision:** Most prisoners are released without subsequent supervision. 19,839 (62.9%) of the inmates were released pursuant to the completion of their sentence; none of these former inmates are under any kind of state or local supervision. Supervised release is limited: 5,198 (16.5%) were released on conditional release; 4,767 (15%) were released to community control; 50 people (0.2%) were paroled.<sup>26</sup>

**Study and address: The impact of the fact that since repeal of parole in 1983, 68.3% of people leaving prison are under no form of continued supervision.**

**Zero tolerance community supervision policies.** People under community supervisions, such as probation or community control, are often sent to prison or back to prison for technical violations at a cost of \$18,108 per year per person incarcerated.

**Study and address: The impact of zero tolerance policies and alternatives to incarceration for technical violators.**

---

<sup>26</sup> FDC 2004-05 Annual Report, *Inmate Releases*, at 36, 38.

**Juveniles:** Juveniles face obstacles and challenges that are similar to those experienced by the adult population, such as difficulty with documentation, lack of employment readiness skills, and lack of housing options. However, the complexities and unique characteristics of youth facing these challenges and others require tailored recommendations. Also, the additional and distinct challenges of subpopulations of youth, such as girls and juveniles with mental health problems, also must be addressed.

**Study and address:** The challenges faced by youth considering age, maturity level, gender, mental health, physical health, familial circumstances, educational levels, and operational structure of the juvenile justice system.

**Over-representation of African Americans.** Blacks make-up 15.7% of Florida's total population<sup>27</sup> yet makeup 51.0% of the inmate population in Florida's prisons.<sup>28</sup>

**Study and Address:** African Americans in prisons, and the impact of their prison experience and their reentry experiences on them, their families and their communities.

**County jails and federal prisons.** Not all ex-offenders are coming home from state prisons. The majority is coming home from county jails, and they face much the same challenges as those being released from prisons. Many others come home from federal prisons.

**Study and address:** Customized strategies to improve transition and re-entry outcomes for the very large number of ex-offenders incarcerated at county-level jails and released to the community that are not later sentenced to "state time" and look at collaborative strategies for former federal prisoners.

**Loss of civil rights upon conviction of a felony.** Hundreds of thousands of people in Florida have lost their civil rights, which has an impact on their range of employment opportunities, as well as voting, jury service, seeking public office and other matters.

**Study and address:** The constitutional, statutory and regulatory barriers to the restoration of civil rights.

**Employment restrictions.** From the agencies' responses to Executive Order 06-89, the Task Force has learned that in addition to the requirement for some occupations

---

<sup>27</sup> U.S. Census Bureau, State and County QuickFacts.

<sup>28</sup> FDC 2004-05 Annual Report, *Inmate Admissions*, at 11.

that civil rights be restored, there are many other types of employment restrictions based on criminal records.

**Study and address: The feasibility of a single background check act that would streamline, organize and cohere employment restrictions based on the nature of the job or place and employment its type of trust and responsibility.**

**Other collateral sanctions.** People returning home from prison face new and additional kinds of sanctions related to their criminal convictions. Neither the Task Force nor any other entity has systematically inventoried all of these sanctions, but they include both public and private restrictions on housing, driver licenses, credit, public service and service on boards and commissions, civic life, including voting, and access to public benefits.

**Study and address: Using the employment restrictions inventory done pursuant to Executive Order 06-89 as a model, identify the other collateral sanctions associated with criminal records, other than employment, such as housing, driver licenses, and public benefits, that serve as unnecessary barriers to successful reentry.**

# Acknowledgements

THE TASK FORCE IS PROUD THAT ITS MEMBERS PUT IN WHAT MAY BE AN UNPRECEDENTED NUMBER OF VOLUNTEER HOURS IN FURTHERANCE OF THE CHARGE GOVERNOR BUSH HANDED THE GROUP. In addition, many individuals and organizations helped inform and illuminate the work of the Task Force.

The Task Force first wants to thank Governor Jeb Bush for his leadership and vision in addressing the issue of prisoner reentry and appointing the Task Force.

The Governor's Office has provided tremendous support to the Task Force. Chief of Staff Mark Kaplan, Former Deputy Chief of Staff William Large, Deputy Chief of Staff Carol Gormley, Public Safety Policy Coordinator Randy Ball, Mike Manguso, Policy Chief Analyst, Renee Harris, Assistant to the Director of Administration, and others working in the Governor's Administrative Office all were supportive and went out of their way to help make the work of the Task Force successful.

Senator Stephen Wise, his legislative aide Steven Richardson, Dee Alexander, Senior Legislative Aid, and Amanda Cannon, Staff Director of the Senate Criminal Justice Committee have been deeply engaged in the issues the Task Force addressed and provided very helpful insight and guidance.

From the first Task Force meeting forward, the Department of Corrections has provided the Task Force with research, data and staff support. Franchatta Barber, serving on the Task Force as the designee of the Secretary coordinated this work. In addition, the Task Force has been aided by Dr. Laura Bedard, Deputy Secretary; Paula Hoisington, Former Deputy Assistant Secretary, Community Corrections; Pam Denmark, Deputy Assistant Secretary, Community Corrections – Programs; Kim Riley, Bureau Chief, Community Corrections – Substance Abuse; Bernard Cohen, Chief, Bureau of Research, Planning and Support – Staff Development; Allen Overstreet, Chief, Bureau of Institutional Programs; Sirene Johnson, Senior Management Analyst Supervisor, Bureau of Institutional Programs; Kerensa N. Pate, Correctional Programs Consultant, Bureau of Institutional Programs; Fred Roesel, Chief, Bureau of Classification, Central Records; Rusty McLaughlin, Assistant Bureau Chief, Bureau of Classification; Lee Adams, Correctional Programs Administrator, Bureau of Classification; and David Ensley, John L. Lewis and Neal Fitch from the Bureau of Data Research. Secretary McDonough not only has made his staff available to the Task Force, he has personally met with the Task Force a number of times and his leadership served as an inspiration to the Task Force.

Lawtey CI's Former Warden Max Denson hosted a Task Force meeting with the help of Brad Carter, Former Region II Director, Former Assistant Warden John Hancock (Current Warden at Wakulla CI), the head of Lawtey security, Major Wailon Haston, and Senior Pastor Steve McCoy, Beaches Chapel Church, who did a presentation for the Task Force about his congregation's volunteer services at Lawtey. Thanks to them, the Task Force was able to see how a faith and character-based facility operated.

The Department of Juvenile Justice's Secretary Schembri provided the Task Force with research and data and his experiences from his long history in corrections. Agency staff from, including Steve Chapman, Coordinator, DJJ What Works Initiative, and Jason L. Welty, Senior Legislative Analyst, who served at the behest of Secretary Schembri have also been a constant source of insight and information for the Task Force.

The Parole Commission has been represented by its Chairman, Monica David. She and her staff, including Fred Schuknecht, Director of Administration; Janet Keels, Coordinator, Office of Executive Clemency, Gina Giacomo, Director of Operations, and Kim Fluharty, General Counsel helped the Task Force enormously.

The Governor made it clear from his Executive Order creating the Task Force that employment was a key to successful reentry. Accordingly, the Agency for Workforce Innovation's then-Secretary Susan Pareigis was appointed to the Task Force. She and Workforce Florida's Chairman, Curtis Austin, and the later-appointed Task Force member Mike Switzer, Vice President for Programs and Performance at Workforce Florida, gave the Task Force the tools and data it needed so it could focus on getting ex-offenders jobs in high-demand occupations. David Bryson of Workforce Florida, and George Foster, Bill Dobson, and Director Rebecca Rust of AWI Labor Market Statistics also made invaluable contributions.

OPPAGA's reports were a source of good, solid background for the Task Force and Senior Legislative Analyst Sabrina Hartley did an excellent job of summarizing and synthesizing the findings from those reports in a presentation to the Task Force.

When the Task Force turned to the issue of child support arrears accruing while people were in prison and had no means to pay support, Katherine Pennington, who is responsible for the coordination and administration of child support education and outreach programs for the Department of Revenue's Child Support Enforcement Program helped the Task Force understand this challenge.

Steven Fielder, from the Department of Highway Safety & Motor Vehicles, helped the Task Force understand the challenges involved in securing driver licenses and state ID cards prior to release from prison.

Cynthia Holland, MSW, with the Department of Children and Families' Mental Health Program helped the Task Force in its work related to the needs of mentally ill prisoners and ex-offenders.

Maria Bello and Sandra Rothman with the Social Security Administration, and Bernita Kincaid with the Office of Disability Benefits Eligibility, helped the Task Force understand disability benefits and what it would take to have eligibility determined prior to release from prison.

At the first meeting, Chief Tim Ryan, the head of the Orange County Department of Corrections (and recently named to head The Department of Corrections and Rehabilitation in Miami-Dade County), presented on behalf of the Council of State Government's (CSG) Reentry Policy Council, on which he served. CSG staffers Mike Thompson and Katherine Brown also provided tremendous assistance to the work of the Task Force.

Nancy LaVigne of the Urban Institute provided an overview of FDC data, which was made possible through the cooperation of FDC research and data staff.

The Collins Center for Public Policy was contracted to help the Task Force with focus groups of inmates and ex-offenders and in inventorying the resources available to ex-offenders in the communities to which the largest numbers of people are returning home from prison. Its President, Rod Petrey, directed this effort, and its Director of Community Development, April Young, was responsible for this work.

The Florida Justice Institute was contracted to do a preliminary inventory of the state-created restrictions on employment. Randy Berg, the director of FJI, and staff attorney Cullin O'Brien were responsible for this work.

Warden Carlyle Holder, of Coleman Federal Correctional Institution, graciously hosted one of the Task Force meetings, gave the Task Force a tour of his facilities, introduced the members to inmates and staff, and shared an evening with the Task Force and inmates celebrating Hispanic Heritage Month at a lively inmate dance performance and party. This experience allowed the Task Force to see promising reentry approaches in place in this facility.

Leslie Neal, Artistic Director for ArtSpring, Inc., Raeanne Hance, of Prison Fellowship Ministries, John Andrews with Transition, Inc., Hugh MacMillan, of Kairos Horizons, and Cindy Schwartz, Program Director for the 11<sup>th</sup> Judicial



Circuit Criminal Mental Health Project Jail Diversion Program all served to deepen the Task Force's understanding of the issues it was addressing.

Two men who served time in Florida correctional facilities, Ralph Waccary and John Maxwell shared their stories with the Task Force and helped the group better understand the challenge of succeeding upon being released, as well as what helps make success within reach.

Jean Maynard Gonzalez, the Task Force's Executive Director helped the Task Force by making meeting and conference call arrangements, posting notices of the meetings, facilitating the Task Force's communications and travel, and serving as a liaison with the Governor's Office. Her assistant, Latrese King, managed the minutes and also helped with communications.

Katherine Burns has helped to coordinate the work of the Community Partnerships Initiative, which has been led by Chairman Vicki Lopez Lukis and Vice Chairman Robert P. Blount III, with partners in Duval, Miami-Dade, Broward, Hillsborough and Palm Beach Counties; and the Nineteenth Judicial Circuit (Okeechobee, Martin, St. Lucie, and Indian River Counties). In each of these communities, scores of people have come together to form reentry councils and develop a reentry planning process that will seamlessly weave services and supports for people coming home from prison. In a number of these jurisdictions, planning efforts had already been underway, and from those leaders and organizers, the Task Force learned a great deal.

In Broward County, Newton Sanon, Executive Director of OIC Broward; Mason Jackson, Executive Director, Workforce One; Thomas Lanahan, Community Job Development Coordinator; members of the Broward County Sheriff's Office; and the members of the Broward Re-entry Coalition have been leading the effort to bring people together to address reentry.

In Duval County, Kevin Gay, Executive Director of Operation New Hope, a prisoner reentry program in Jacksonville, served as an inspiration for the White House in developing the Ready4Work Program and for the Task Force in developing its Community Partnerships Initiative. Kevin, along with Senator Wise and his staff; Task Force member, Jim Williams; Gordon Bass, Director Department of Corrections; and Stephanie J. Sloan-Butler, Chief Prisons Division, Office of the Sheriff Consolidated City of Jacksonville continue to provide strong and determined leadership to make reentry successful in their community.

In Hillsborough County, Task Force member Robert Blount; Paul I. Perez, U.S. Attorney for the Middle District of Florida; his staffers Donna Schultz, Law Enforcement Coordination Manager; William Daniels, Law Enforcement Coordinator and Erio Alvarez, Criminal Justice Specialist; The Hillsborough County Administrator Office; and the members of the Hillsborough Ex-Offender

Re-entry Network (HERN) have been coming together to provide leadership and support on the issue of reentry for a number of years. The Task Force was able to learn a lot from them. Although Pinellas County was not included in this initiative, the Pinellas Ex-Offender Reentry Coalition (PERC), under the leadership of Frank Kopczynski, lent much expertise and assistance to the Hillsborough County initiative.

In Miami-Dade County, Miami-Dade Mayor, Carlos Alvarez, and his Chief of Staff, Denis Morales and Legal Counsel, Luis Gazitua; Mayor Manny Diaz, City of Miami and his Chief of Staff, Jose Mallea, and Chante Sweet, staffing his Faith & Community Based Initiative; David Lawrence, President of the Early Childhood Initiative Foundation and Chairman of the Children's Trust; Mark Buckbinder, Executive Director, Lisa Pittman Ph.D., Coordinator of Evaluations and Cross Systems Planning from the Alliance For Human Services; the Children's Trust, the Donor's Forum of South Florida; Daniella Levine, CEO of the Human Services Coalition of Miami Dade and her staff; Task Force members Wayne Rawlins and Ralph Martin; and Rod Petrey and April Young, Ph.D. from the Collins Center have all come together to address the complex challenge of coordinating and cohering the reentry process in this diverse county.

In Palm Beach County, West Palm Beach Mayor Lois Frankel, Public Defender Judicial Circuit 15, Carey Haughwout and staff Jennifer Loyless; Palm Beach County Criminal Justice Commission member Max Davis and Executive Director Diana Cunningham, Becky Walker, Youth Violence Prevention Planning Coordinator are leading the effort in developing a reentry planning process.

In the Treasure Coast, Task Force member Diamond Litty, 19th Judicial Circuit Public Defender, and Program Coordinator Kristen Webster, who acted as Ms. Litty's designee at some Task Force meetings, are providing the leadership to develop a reentry council. In addition, Chief Judge, William L. Roby; St. Lucie County Sheriff Ken Mascara; Martin County Sheriff, Robert L. Crowder; Okeechobee County Sheriff, Paul C. May; Indian River County Sheriff, Roy Raymond; St. Lucie County Criminal Justice Coordinator, Mark Godwin; Florida Department of Correction, Circuit Administrator Thomas Mark; Vero Beach, Chief of Police Don Dappen; Sebastian Chief of Police Jim George Woodley Davis; Ft. Pierce Chief of Police Sean Baldwin; Stuart Chief of Police Edward M. Morley; and Dr. George Woodley from Department of Children and Family Services, District 9, and the staff of each of these leaders are strong supporters and partners in this work.

Since its inception, the work of the Task Force has been supported by the Annie E. Casey Foundation, which funded its work with a grant to the Office of the Governor. Gary MacDougal, Foundation Trustee, brought the idea of the Task Force to Governor Bush and continued his interest in the work of the Task Force by providing guidance in its deliberations. Ira Barbell, a Senior Associate at the

Foundation who served on the Task Force, coordinated Casey's relationship with the Governor's Office and with the Task Force. Linda Mills, a consulting attorney to the Foundation, provided the Task Force with legal and policy research and analysis and wrote its reports. Jim Dickinson, a Casey consultant, provided research support to the Task Force.

And the remaining Task Force members, not previously mentioned herein, Michael A. Bernstein, Bernard "Bernie" DeCastro, Henree D. Martin, Annette R. Martinez, and former Task Force members, T. Edward Austin, Jose M. Boscan, Carol Law, and Stephen R. MacNamara must be saluted. Many of them, in addition to attending meetings spent thousands of hours advancing the work of the Task Force.

## Appendix A

# Task Force Members

**Chairman Vicki Lopez Lukis**, 48, of Coral Gables, community volunteer.

**Ira L. Barbell**, 59, of Columbia, Maryland, Senior Associate with Annie E. Casey Foundation.

**Franchatta J. Barber**, 45, of Tallahassee, Deputy Assistant Secretary of Institution Programs with the Florida Department of Corrections. [Designee of Secretary McDonough].

**Michael A. Bernstein**, 52, of Seminole, President and Chief Executive Officer of Gulf Coast Jewish Family Services, Inc.

**Robert P. Blount, III**, 32, of Tampa, President of Abe Brown Ministries, Inc. and Program Coordinator with Hillsborough Community College.

**Monica A. David**, 45, of Tallahassee, Chairman of the Florida Parole Commission.

**Bernard "Bernie" DeCastro, 60**, of Ocala, Executive Director of Time for Freedom, Inc.

**Diamond Litty**, 49, of Ft. Pierce, the 19th Judicial Circuit's Public Defender since 1992, composed of 4 offices in Ft. Pierce, Stuart, Vero Beach and Okeechobee; served as Asst. State Attorney for the 19th Judicial Circuit for 6 years.

**Henree D. Martin**, 59, of Tallahassee, owner of Developers Realty and Investment Properties, Inc.

**Ralph P. Martin**, 29, of Miami, paralegal with Duane Morris, LLP.

**Annette R. Martinez**, 40, of Lakeland, Fire Operations Manager with State Farm Insurance Companies.

**Wayne E. Rawlins**, 45, of Pembroke Pines, community justice consultant.

**Anthony J. Schembri**, 62, of Tallahassee, Secretary of the Florida Department of Juvenile Justice.

**Mike Switzer**, 62, of Tallahassee, VP, Performance and Programs of Workforce Florida, the Workforce Policy Board that oversees 24 Regional Workforce Boards; Attorney; current member of the FL Homelessness Council, state worker for 24 years.

**Jason L. Welty**, 27, of Tallahassee, Senior Legislative Analyst of the Florida Department of Juvenile Justice [designee for Secretary Schembri].

**James L. Williams**, 69, of Jacksonville, Chairman, Allstate Electrical Contractors; FL Dept. of Corrections volunteer for 31 years and DOC Volunteer of the Year for faith-based work in prisons.

#### **Former Task Force Members**

**T. Edward Austin**, 78, of Jacksonville, former state attorney, public defender and mayor of the City of Jacksonville.

**Jose M. Boscan**, 35, of Winter Garden, Manager with Walt Disney World Company.

**Carol Law**, 64, of Pensacola, president of Drug Free Workplace, Inc.

**Stephen R. MacNamara**, 52, of Tallahassee, Former Associate Vice President for Academic Affairs and Associate Professor with Florida State University.

**Susan E. Pareigis**, 45, of Tallahassee, Former Director of the Agency for Workforce Innovation.

Appendix B

**STATE OF FLORIDA**  
**OFFICE OF THE GOVERNOR**  
**EXECUTIVE ORDER NO. 05-28**

**WHEREAS**, according to the Department of Corrections, there are currently 86,000 inmates in Florida's prisons, of which over 26,000 are expected to be released within the coming year; and

**WHEREAS**, Florida is committed to the ideal of America being the land of second chance, as expressed by the President of the United States who declared: "When the gates of the prison open, the path ahead should lead to a better life;" and

**WHEREAS**, successful reentry and reintegration in one's community is a matter of critical import to the public's safety; but reentry is often not a success due to the barriers ex-offenders face upon their release, including, but not limited to, a lack of education and job skills, employment discrimination, mental health and substance abuse problems, access to drivers licenses, child support enforcement regulations, access to public housing and other public benefits, and frayed or fragile family and community ties; and

**WHEREAS**, the ability of ex-offenders to obtain employment after incarceration and become productive members of their communities is essential to reducing recidivism rates, but due to employers' concerns about liability, the honest completion of job applications often results in ex-offenders being unable to find work; and

**WHEREAS**, without successful re-entry into one's community, recidivism is likely to occur, to the great detriment to the public safety, Florida's communities, families, taxpayers, and individual ex-offenders;

**NOW THEREFORE, I, JEB BUSH**, Governor of the State of Florida, by the powers vested in me by the Constitution and Laws of the State of Florida, do hereby promulgate the following Executive Order, effective immediately:

Section 1.

A. There is hereby created the Governor's Ex-Offender Task Force ("Task Force"), formed to help improve the effectiveness of the State of Florida in facilitating the re-entry of ex-offenders into their communities so as to reduce the incidence of recidivism.

B. The Task Force shall be advisory in nature and is created for the following purposes:

1. Identification of legal, policy, structural, organizational, and practical barriers to successful reentry;
2. Provide recommendations regarding such reforms that will eliminate barriers to successful reentry, including, but not limited to, reforms that may offer employers greater flexibility and confidence in hiring ex-offenders;
3. Provide recommendations regarding implementation of the reforms; and
4. Provide recommendations regarding measuring the effectiveness of the reforms, such as through reduced recidivism; increased attachment to the workforce and earnings; increased family attachment; and savings to the state from incarceration cost avoidance.

Section 2.

A. The Task Force shall be comprised of no more than eleven (11) members, and shall include, but not be limited to, the Executive Director of the Agency for Workforce Innovation, or her designee, the Secretary of the Department of Corrections, or his designee, and preferably at least one representative from the law enforcement, business, education, insurance/risk management, and legal professions; each of whom shall be appointed by and serve at the pleasure of the Governor. I will also appoint a Chair of the Task Force.

B. The Task Force shall be staffed by an Executive Director, appointed by the Governor, and housed administratively within the Agency for Workforce Innovation.

C. Each executive agency is directed, and all other agencies are requested, to render assistance and cooperation to the Task Force so that the purpose of this Executive Order may be accomplished.

D. Task Force members shall receive no compensation, but shall be entitled to per diem and travel expenses while attending meetings of the Task Force to the extent allowed by Section 112.061, Florida Statutes. Invited guests and speakers shall also be entitled to per diem and travel expenses while participating in meetings of the Task Force to the extent allowed by Section 112.061, Florida Statutes.

E. The Task Force shall meet at the call of the chairperson. The Task Force shall act by a vote of the majority of its members present, either in person or via communication technology. No member may grant a proxy for his or her vote to any other member or member designee, except with the prior approval of the chairperson. I will fill by appointment any vacancy that occurs on the Task Force.

Section 3.

A. To aid its study of the issues and the development of its recommendations, the Task Force may take public testimony from experts and stakeholders. In addition, the Task Force is encouraged to take whatever other steps are necessary to gain a full understanding of legal, policy, practical, structural, organizational, insurance and related issues involved in reducing the barriers to successful reentry.

B. The Task Force shall take whatever steps are necessary to ensure effective liaison with the Florida Legislature and with providers of relevant services to ex-offenders.

Section 4.

A. The Task Force shall provide a preliminary report to the Governor by December 30, 2005 and a final report setting forth its recommendations, including any recommendations for legislative action, to the Governor no later than December 29, 2006.

B. The Task Force shall continue in existence until January 1, 2007, unless extended by further Executive Order.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this

<sup>th</sup>  
7 day of February, 2005.

ATTEST:

---

SECRETARY OF STATE



Appendix C

**STATE OF FLORIDA**  
**OFFICE OF THE GOVERNOR**  
**EXECUTIVE ORDER NUMBER 06-89**

**WHEREAS**, on February 7, 2005, I issued Executive Order 05-28 establishing the Governor's Ex-Offender Task Force (Task Force) to improve the effectiveness of the State of Florida in facilitating the reentry of ex-offenders into our communities and reduce the incidence of recidivism; and

**WHEREAS**, the Task Force has found that gainful employment after release from prison is one of the critical elements necessary to achieve successful reentry after prison and that employment has been shown to reduce recidivism and, thus, to make our communities safer; and

**WHEREAS**, the Task Force has found many state laws and policies that impose restrictions on the employment of people who have been to prison and has estimated that these restrictions may affect more than one-third of Florida's 7.9 million non-farm jobs, including state and local government jobs, jobs in state-licensed, regulated and funded entities, and jobs requiring state certification; and

**WHEREAS**, the Task Force has further found that no comprehensive review of these restrictions has been undertaken to evaluate whether the restrictions are related to the safety, trust and responsibility required of the job or to determine whether a less restrictive approach could protect the public while preserving employment opportunities; and

**WHEREAS**, the Task Force has further found that the disqualifications for many kinds of jobs can be lifted through exemptions and other mechanisms that allow a case-

by-case showing of rehabilitation, yet the disqualifications for many other jobs requiring a similar level of safety, trust and responsibility cannot be lifted, exempted or relieved; and

**WHEREAS**, the State's executive agencies can assume a leadership role in providing employment opportunities to ex-offenders by reviewing their employment policies and practices and identifying barriers to employment that can safely be removed to enable ex-offenders to demonstrate their rehabilitation;

**NOW THEREFORE, I, JEB BUSH**, as Governor of the State of Florida, by virtue of the authority vested in me by the Constitution and Laws of the State of Florida, do hereby promulgate the following Executive Order, effective immediately:

Section 1. Terms of Employment Disqualifications.

A. All executive agencies shall produce a report for the Task Force that describes the employment restrictions and disqualifications that are based on criminal records for each occupation under the agency's jurisdiction and that of its boards, if any, including, but not limited to, employment within the agency; employment in facilities licensed, regulated, supervised, or funded by the agency; employment pursuant to contracts with the agency; and employment in occupations that the agency licenses or provides certifications to practice. For each occupation subject to an ex-offender restriction or disqualification, the agency shall set forth the following:

1. The job title, occupation or job classification;
2. The cause of the disqualification (statutory, regulatory, policy or practice) and the substance and terms of the disqualification, including a listing of the disqualifying offenses, the recency of the disqualifying offenses, and the duration of the disqualification;
3. The year the disqualification was adopted and its rationale;
4. In instances where the disqualification is based upon conviction of any offense "related to" the practice of a given profession, the criteria the agency has adopted to apply the disqualification to individual cases;
5. The source of any requirement (statute, rule, policy, or practice) for an individual convicted of a felony to have his civil rights restored to become qualified for the job; and
6. The exemption, waiver, or review mechanisms available to seek relief from the disqualification, based on a showing of rehabilitation or otherwise. This should include the terms of the exemption, waiver or review, the nature of the

relief it affords, and whether an administrative and judicial appeal is authorized.

B. The agency shall also describe, for each occupation subject to ex-offender disqualification, the procedures used to determine and review the disqualification, and shall provide to the Executive Office of the Governor copies of the forms, rules, and procedures that it employs to provide notice of disqualification, to review applications subject to disqualification, and to provide for exemptions and appeals of disqualification.

C. Agencies are strongly encouraged to adopt such policy reforms and changes as will achieve the goals of this Order. Agencies shall report to the Executive Office of the Governor reform efforts including eliminated or modified ex-offender employment disqualifications, draft legislation for a case-by-case exemption or review mechanism, and modified criteria and procedures used in relation to ex-offender employment restrictions.

Section 2. Data.

The second part of the review involves the collection of data to determine the impact of the disqualifications on employment opportunities for ex-offenders in Florida and the effectiveness of existing case-by-case review mechanisms that list the disqualifications. For each occupation under the jurisdiction of the agency for which there are employment disqualifications based on criminal records, the agency must provide, for the previous two-year period, the number and percentage of individuals who underwent a criminal history background check, the number who were merely required to disclose their criminal history without a criminal history background check, the number and percentage found disqualified based on criminal records; the number and percentage found disqualified because their civil rights had not been restored; the number and percentage who sought review and exemption from or reversal of the disqualification, the number and percentage that were found qualified for the initial review, and the number and percentage that were found qualified for any subsequent level of review. If the agency maintains records of active licenses or certifications, the agency shall provide the total number of employees in occupations subject to criminal history restrictions.

Section 3. Time Frame for Provision of Information.

The terms of each of the agency's employment disqualifications described in Section 1 of this Order shall be provided to the Executive Office of the Governor no later than 60 days from the issuance of this Order. The data described in Section 2 shall be provided no later than 90 days from the issuance of this Order.

Section 4. Other State Agencies and Private Sector.

I strongly encourage all other state agencies, counties, municipalities and political subdivisions of the State to likewise conduct an inventory of employment disqualifications as described herein, to eliminate or modify such disqualifications that are not tailored to protect the public safety, and to create case-by-case review mechanisms to provide individuals the opportunity to make a showing of their

rehabilitation and their qualifications for employment. I encourage private employers, to the extent they are able, to take similar actions to review their own employment policies and provide employment opportunities to individuals with criminal records.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this

25th of April, 2006.

---

GOVERNOR  
ATTEST:

---

SECRETARY OF STATE

Appendix D

**STATE OF FLORIDA**  
**OFFICE OF THE GOVERNOR**  
**EXECUTIVE ORDER NUMBER 06-237**

(Extension of Executive Order 05-28, as Amended by Executive Order 05-81)

WHEREAS, by Executive Order 05-28, as amended by Executive Order 05-81, the Governor created the Governor's Ex-Offender Task Force to help improve the effectiveness of the State of Florida in facilitating the re-entry of ex-offenders into their communities so as to reduce the incidence of recidivism;

NOW THEREFORE, I, JEB BUSH, Governor of Florida, by virtue of the authority vested in me by the Constitution and laws of the State of Florida, do hereby promulgate the following executive order:

Section 1.

Executive Order 05-28, as amended by Executive Order 05-81, is hereby amended to provide that the Governor's Ex-Offender Task Force shall continue in existence until February 28, 2007, or until such earlier time as this Executive Order is amended or rescinded by further executive order.

Section 2.

Except as amended herein, Executive Order 05-28, as amended by Executive Order 05-81, is hereby ratified and reaffirmed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 26th day of October, 2006.

# Final Report of the Governor's Ex-Offender Task Force

---

---

GOVERNOR  
ATTEST:

---

SECRETARY OF STATE

*Florida is committed to the ideal of America being the land of second chance, as expressed by the President of the United States who declared: “When the gates of the prison open, the path ahead should lead to a better life.”*

Governor Bush, Executive Order 05-28

**Key Findings and Recommendations**  
**Based on the Task Force's Analysis of the**  
**State Agency Responses to Executive Order 06-89<sup>1</sup>**  
**Governor's Ex-Offender Task Force**  
Vicki Lopez Lukis, Chairman  
January 18, 2007

**KEY FINDINGS**

- A complete and accurate inventory of all restrictions may be impossible because the restrictions are found not just in the laws, but in rules, formal and informal policies and on applications.
- The restrictions, adopted over time, vary widely – from lifetime restrictions to restrictions that can be lifted upon a showing of rehabilitation.
- Jobs with similar characteristics and types of trust and responsibility often have very different restrictions.
- Some restrictions, like those requiring good moral character or not having committed crimes of moral turpitude, are not clear to either applicants or administering officials.

**REFORM RECOMMENDATIONS**

**Preemptions and Repeals:**

- Enacting a law that repeals / preempts existing statutory requirements and authority for imposing restoration of rights requirements for employment and licensing and that prohibits state agencies and boards from requiring the restoration of rights for employment or licensing. (Task Force Recommendation in Final Report).
- Enacting a law that preempts and repeals statutory, regulatory and policy-based bans that do not allow a showing of rehabilitation to lift the ban.
- Enacting a law that, for purposes of weighing criminal backgrounds, preempts and repeals laws and policies using standards of “good moral character,” crimes or acts of “moral turpitude,” and crimes “related to” the occupation.

**In Lieu of Such Laws:**

- Require agencies that employ and license people who deal with vulnerable populations to use the Chapter 435 Background Screening Act as their review mechanism for past crimes.

---

<sup>1</sup> See Appendix A.



- Create, for other agencies and occupational classifications, additional chapters in the Florida Labor Law that mirror Chapter 435, with each such chapter listing disqualifying offenses related to particular occupational groups (e.g. finance, consumer, law enforcement).

### **Due Process / Transparency**

- Add a section to the Background Screening Act (and the new / additional Labor Law chapters) that requires agencies to provide people, at the time of initial application for employment and licensure, and to post on their websites:
  - A list of the disqualifying offenses;
  - An explanation of the exemption process, including the fact that an exemption may be sought after three years have passed from the date of the offense;
  - A statement explaining the criteria used to grant an exemption;
  - A list of the materials that should be included with an exemption application; and
  - A statement that an appeal of a denial of the exemption may be filed.

## **OVERVIEW OF THE EXECUTIVE ORDER AND THE FINDINGS**

The Governor's Ex-Offender Task Force recommended that the Governor "issue an Executive Order for a justification review of state agencies' laws, policies and practices that disqualify individuals from employment." Underlying this recommendation were certain key findings and goals:

- Recidivism can be reduced and the public safety enhanced by increasing employment opportunity for ex-offenders.
- Sound state policies can set an example for the private sector, thus further increasing employment opportunities.
- No comprehensive inventory of employment restrictions had ever been undertaken.
- No evaluation of the restrictions had ever been undertaken to determine whether the restrictions are closely related to the safety, trust and responsibility required of the job or whether a less restrictive approach could protect the public while also creating employment opportunities.
- Opening up employment opportunities to ex-offenders who can establish that they are living law-abiding lives, have been rehabilitated, and thus are appropriate candidates for employment, provides an incentive to succeed after release from prison.

All Executive Agencies responded to the Executive Order and the Task Force independently inventoried the restrictions administered by Agriculture and Consumer Services, Financial Services, and Highway Safety and Motor Vehicles.

## The Scope of the Impact of Employment Restrictions on Floridians

The Florida Department of Law Enforcement reported that its Computerized Criminal History database contains **records on 5,104,618 individuals**, representing 28.7% of the 17.8 million people currently residing in Florida. The database, which began being built in 1971, however, does not *include* people convicted of federal crimes, crimes committed out-of-state or outside the U.S.; and it does not *exclude* people who have left the state or died.

- 1,673,797 individuals in the database have criminal convictions identified as either a felony or misdemeanors, broken down as follows:
  - **804,554 people with felony convictions**, including people with both felony and misdemeanor convictions.
  - 869,243 people with misdemeanor convictions and no felony convictions.
  - The convictions of 261,228 individuals in the database are for an “Unknown Charge Level” only; these cannot be identified as felonies or misdemeanors.
- The remaining 3,169,593 people have a disposition *other than conviction* (e.g., adjudication withheld, acquitted), a mixture of unknown levels and misdemeanor convictions; or no disposition reflected in the criminal history file.

## Number of Jobs Affected by State-created Restrictions

The Task Force attempted a rough count of restricted jobs. Rather than look at all restricted jobs, this effort concentrated on certain occupational groups that have large numbers of jobs in Florida. However, it could not count the occupations with place-based restrictions, e.g., unlicensed direct-patient-contact positions at, e.g., health facilities, Jessica Lunsford school vendor jobs, or jobs at seaports.

Even with so many occupations excluded from the count, the Task Force has estimated that of the 7.6 million jobs in the Florida economy, **at least 39.2% of the jobs in Florida appear to be subject to state-created criminal background checks or restrictions based on criminal history.**

## Official State Employment Policy

*It is the policy of the State of Florida to encourage and contribute to the rehabilitation of felons and to assist them in the assumption of the responsibilities of citizenship.*

*The opportunity to secure employment or to pursue, practice or engage in a meaningful and profitable trade, occupation, vocation, profession or business is an essential ingredient to the assumption of the responsibilities of citizenship.*

Preamble to Ch. 71-115, at 304, Laws of Fla., now Section 112.011, F.S.

## Findings

### Three types of job restrictions:

- Based on the occupation -- both licensed and unlicensed occupations, e.g., bar tenders, security guards, real estate agents.
- Based on the place of employment – e.g., seaports, schools, nursing homes.
- Based on both, e.g., nurses, teachers.

### Source of the restrictions.

- The Legislature:
  - Enacted as state statutes (both mandatory and providing discretionary authority)
- State agencies and state licensing boards:
  - Promulgated through rulemaking
  - Adopted as a matter of agency / board policy
  - Adopted by putting them on application forms and instructions

### Range of severity of the restrictions:

- Lifetime bans for any felony.
- Lifetime bans unless civil rights are restored for any felony.
- Lifetime bans for certain felonies.
- Lifetime bans -- unless civil rights are restored for certain felonies.
- Good Moral Character and Crimes of Moral Turpitude restrictions.
- Time-limited bans for any felony.
- Time-limited bans for certain felonies.
- Lifetime bans for certain felonies, but may seek an exemption after 3 years from the date of offense.
- Time-limited bans for certain felonies, but may seek waiver of the ban.

### *Lifetime bans.*

One example of a lifetime ban applies to pilots of watercraft. If the person has ever been convicted of felony drug sales or trafficking, he is barred from piloting certification for life. By contrast, even after the federal Aviation & Transportation Security Act amendments enacted by Congress and signed on November 19, 2001, just two months after September 11, airline pilots and airport personnel are only prohibited from employment if the disqualifying offense (including drug trafficking) occurred within the prior ten years.

### *Occupations requiring restoration of civil rights for employment or licensing.*

The Task Force found quite a few license applications that state:

*If you have been convicted of a felony,  
you must submit proof of reinstatement of civil rights.*

Sometimes, but not often, this requirement has been mandated by the Legislature. Some examples are as follows:

- Private investigator, private security and repossession services
- Notary Public
- Labor union business agent license
- Horseracing or dog racing permit or jai alai fronton permit holders and employees
- Permit for ether distribution or manufacture

In other instances, the Legislature has given state agencies and licensing boards the authority and discretion to impose this requirement, and the agencies or boards have chosen to impose it. Some examples are as follows:

Dept of Health

Registered Nurse

Licensed practical Nurse

Certified Nursing Assistant

Dept. of Agriculture

Pest control operators

Highway Safety and Motor Vehicles

Dealers of motor vehicles, mobile homes, recreational vehicles

In still other instances, agencies, without legislative authority, impose the restoration of rights requirement on certain occupations.

DBPR

- Construction, electrical and asbestos abatement contractor licenses<sup>2</sup>
- Auctioneer<sup>3</sup>

Department of Highway Safety & MV

- Wrecker Operators

Dept. of Financial Services

- Licensure for mortgage broker
- Mortgage broker business Mortgage lender
- Correspondent mortgage lender
- Title loan lender
- Motor vehicle retail installment seller
- Retailer installment seller
- Sales finance company
- Home improvement finance seller
- Consumer finance
- Fire Equipment and Protection System Contractors

---

<sup>2</sup> Despite recent court rulings requiring the boards' rescission of this policy, the applications for licensure, as of 1/16/07, "If you have been convicted of a felony, you must submit proof of reinstatement of civil rights". See, e.g., *Yeoman v. Construction Industry Licensing Board, State of Florida Department of Business and Professional Regulation*, 919 So. 2d 542 (Fla. 1st DCA 2005); *Vetter v. Department of Business and Professional Regulation, Electrical Contractors Licensing Board*, 920 So. 2d 44 (Fla. 1st DCA 2005); *Daniel Scherer v. Department of Business and Professional, Etc.*, 919 So. 2d 662 (Fla. 5th DCA 2006).

<sup>3</sup> In this case, Board minutes, e.g., 3/9/04, indicate civil rights restoration is required.

■ Explosives License

The requirement that civil rights be restored poses a significant barrier to employment, in part because of the difficulty in securing restoration. The Parole Commission provided data to the Task Force on the disposition of restoration of rights cases over the last five years:

**Restoration of rights (FY '01 – '06):**

- 324,855 cases processed
- Of those, 65,472 people (20%) granted restoration of civil rights.
- 13,284 who were required to seek a Clemency Board hearing and did so.
- Of those, 1,519 people (11.4%) were granted restoration.

*Proven less restrictive approaches*

**The Background Check Act, Chapter 435, F.S.:**

- Lists disqualifying offenses relevant to care of vulnerable populations;
- 2 levels of screening; (Level 1 – fewer offenses, FDLE check only; Level 2 – More offenses, FDLE and FBI check);
- After 3 years have passed since the disqualifying offense, allows a disqualified person to seek an exemption based on rehabilitation; and
- Authorizes appeals of denials of exemptions.

**Examples of Chapter 435 Implementation:**

- Employees of DJJ and their providers' staff
- School personnel
- Direct care workers at health care facilities
- Child care workers

However, agencies do not always use the Background Check Act, even when the occupation involves the vulnerable populations that the Act seeks to protect, especially for licensing of professions.

Thus while policies and licensing applications for some health care occupations use Level One or Level Two background checks under the Act, and allow applications for exemption from disqualification, others require restoration of civil rights; still others are subject to case-by-case reviews without requiring restoration; and some are not subject to any state-created restrictions because the neither the jobs nor the facilities are licensed.

<p><b>Restoration of Rights</b></p> <p>Registered Nurse, LPN, CNA  Dental Hygienists  Optician  Mental Health Counselors and Clinical Social Workers  Physical and Occupational Therapists &amp; Assistants  Hearing Aid Specialists  Orthotist &amp; Prosthetist  Electrologist</p>	<p><b>“Case by case” Review + Evidence of Rehab</b></p> <p>Physicians Assistant  Midwifery  Optometrist  Psychologist; School Psychologist  Speech Language Pathologists &amp; Audiologists  Acupuncturist  Massage Therapists  Respiratory Therapist  Anesthesiologist Assistants</p>
<p><b>Ch. 435 Background Check</b></p> <p>Home Health Aid  Unlicensed Nursing Home staff w/ patient contact  Child Care Workers  Substance Abuse Counselors  Psychiatric Aids  Owners, CEOs, CFOs of licensed health facilities  Early Learning Staff  School personnel and vendor employees  DOH &amp; DJJ staff</p>	<p><b>Unrestricted</b></p> <p>Dental Assistants in dentists' offices  Medical Assistants in doctors' offices  Optometric Assistant  Pharmacy Technician  Recreational Therapist</p>

*Widely varying restrictions for similar occupations.*

Other occupational groups have varying approaches similar to those in the health care field. For example, **law enforcement and security-related positions** are also subject to very different requirements.

<p><b>Barred for any felony unless civil rights are restored</b></p> <p>Private investigator, private security and repossession services  Alarm system contractor  Lawyers &amp; therefore judges, etc.</p>	<p><b>Barred for life, but <u>only</u> if convicted of perjury or false statements</b></p> <p>Law enforcement, probation, and correctional officers &amp; bailiffs</p>
---	--

**Financial and brokerage services** occupations have equally diverse restrictions:

<p><b>Restoration of rights - by rule</b></p> <p>Licensure for mortgage broker  Mortgage broker business Mortgage lender  Correspondent mortgage lender  Title loan lender  Motor vehicle retail installment seller  Retailer installment seller  Sales finance company  Home improvement finance seller  Consumer finance</p>	<p><b>Barred for life for any felony- by law</b></p> <p>Bail bond agents and employees</p> <p><b>Time-Limited</b></p> <p>Telemarketers – by rule  Pawnshop dealers - law</p> <p><b><u>May deny for financial crimes – by law</u></b></p> <p>Real Estate</p>
<p><b>Good Moral Character – by law</b></p> <p>Certified Public Accountants</p>	

## *Other Less Restrictive Approaches.*

### **Time-limited restrictions.**

The Legislature listed offenses that *may* disqualify a person from being a **telemarketer**. Administered by the Dept. of Agriculture and Consumer Services, the agency put *time limits* on the disqualifications:

- Must complete sentence and supervision if convicted of listed crime, then, disqualification lifted after:
  - 5 years for racketeering, fraud, theft, embezzlement, fraudulent conversion, or misappropriation of property, or any other crime involving moral turpitude.
  - 7 years for felony racketeering, etc.– above.
  - 10 years for a capital offense

### **Other time-limited restrictions – by law.**

#### **These restrictions apply to *any felony*:**

- Beverage law licenses – 15 years
- People who serve or sell liquor (*e.g.*, hotels, restaurants, bars, convenience stores)– 5 years
- Florida Lottery employees, vendors and retailers – 10 years (Can be lifted with restoration of civil rights)
- Boxing-related jobs – 10 years

#### **These restrictions apply only to *some felonies* – by law:**

- Electrical or Alarm System Employee – 3 years
- Lodging and Restaurant Licenses – 5 years
- Seaport employment – 7 years
- Pawnshop Dealers – 10 years

### ***Restrictions based on “Good Moral Character” or acts or crimes of “Moral Turpitude.”***

Often, Florida laws state, in addition to other restrictions, that one must have “good moral character” or not have committed crimes of “moral turpitude.”

#### ***What is “good moral character?”***

- Not defined by statute.
- Up to agencies and courts to determine case-by-case.
- Florida courts’ attempts to define:
  - “Not only the ability to distinguish between right and wrong, but the character to observe the difference; the observance of the rules of right conduct, and conduct which indicates and establishes the qualities generally acceptable to the populace for positions of trust and confidence.”

- "Lack of good moral character requires an inclusion of acts and conduct which would cause a reasonable man to have substantial doubts about an individual's honesty, fairness, and respect for the rights of others and for the laws of the state and nation."
- Prior criminal act is not proof of lack of good moral character but one factor to be considered.

**Factors considered:**

- Circumstances surrounding the criminal offense;
- Time elapsed since the commission of the crime;
- Nexus between the offense and the occupation sought.
  - History of the applicant since the criminal offense.
  - Disclosure of details of past offense(s) to character witnesses.

***Can a lack of "good moral character" be used to deny a license when the crime is not disqualifying?***

Not according to the Attorney General. The Florida employment law (112.011, F.S.) says that once one's civil rights have been restored, the person can only be denied a license when the crime is "related to" the licensed occupation.

Therefore, "licensing agencies may not disqualify such an applicant due to a lack of moral character and base such disqualification solely upon such prior conviction. To decide otherwise would allow licensing authorities to do indirectly what they are clearly prohibited by the statute, Ch. 73-109, from doing directly." 1973 *Op. Atty Gen. Fla.* 596.

***What Is Moral Turpitude?***

It is not defined in Florida laws and crimes of moral turpitude are not listed, but 66 Florida employment-related laws create restrictions or penalties based on acts or crimes of moral turpitude.

"Moral turpitude' is an elusive, vague and troublesome concept in the law, incapable of precise definition; such is evidenced by the myriad of definitions and interpretations in judicial opinions." Wilson, *The Definitional Problems with "Moral Turpitude,"* 16 J. Legal Prof. 261 (1991).

"Time has only confirmed Justice Jackson's powerful dissent in the *De George* case, in which he called "moral turpitude" an "undefined and undefinable standard." 341 U.S. at 235. The term may well have outlived its usefulness." *Mei v. United States*, 393 F.3d 737, 741 (7<sup>th</sup> Cir. 2005).

Still many have tried to define it:

"Moral turpitude refers generally to conduct that shocks the public conscience as being inherently base, vile, or depraved." *Omagah v. Ashcroft*, 288 F. 3d 254, 259 (CA5 2002)



“Unless the offense is one which its very commission implies a base and depraved nature, the question of moral turpitude depends not only on the nature of the offense, but also on the attendant circumstances; the standard is public sentiment, which changes as the moral opinions of the public change.” Opinion of the Florida Attorney General, AGO 75-201.

### *What crimes involve moral turpitude?*

Examples of crimes of moral turpitude per Florida courts:

- ❑ Sale by a physician of fraudulent licenses and diplomas
- ❑ Bookmaking (gambling),
- ❑ Manslaughter by culpable negligence
- ❑ Aggravated battery
- ❑ Aggravated sexual abuse
- ❑ Embezzlement

Not moral turpitude per Florida courts:

- ❑ Issuing a worthless check without the intent to defraud
- ❑ Possession of a controlled substance,
- ❑ Misdemeanor battery
- ❑ Criminal mischief
- ❑ Possession of lottery tickets
- ❑ Setting off a smoke bomb as part of a political protest

### **Crimes “related to” an occupation.**

Quite a number of occupations have restrictions that prohibit employment if the person has been convicted of a crime “related to” that occupation. Typically, the related crimes are not enumerated. Some of the occupations with statutory restrictions of this nature are architecture, funeral directing, and fire protection equipment dealers.

These restrictions are, like those requiring no convictions of crimes evincing a lack of good moral character or crimes of moral turpitude, give the potential applicant little notice of what is and is not a bar to employment.

Appendix A

**STATE OF FLORIDA**  
**OFFICE OF THE GOVERNOR**  
**EXECUTIVE ORDER NUMBER 06-89**

**WHEREAS**, on February 7, 2005, I issued Executive Order 05-28 establishing the Governor's Ex-Offender Task Force (Task Force) to improve the effectiveness of the State of Florida in facilitating the reentry of ex-offenders into our communities and reduce the incidence of recidivism; and

**WHEREAS**, the Task Force has found that gainful employment after release from prison is one of the critical elements necessary to achieve successful reentry after prison and that employment has been shown to reduce recidivism and, thus, to make our communities safer; and

**WHEREAS**, the Task Force has found many state laws and policies that impose restrictions on the employment of people who have been to prison and has estimated that these restrictions may affect more than one-third of Florida's 7.9 million non-farm jobs, including state and local government jobs, jobs in state-licensed, regulated and funded entities, and jobs requiring state certification; and

**WHEREAS**, the Task Force has further found that no comprehensive review of these restrictions has been undertaken to evaluate whether the restrictions are related to the safety, trust and responsibility required of the job or to determine whether a less restrictive approach could protect the public while preserving employment opportunities; and

**WHEREAS**, the Task Force has further found that the disqualifications for many kinds of jobs can be lifted through exemptions and other mechanisms that allow a case-by-case showing of rehabilitation, yet the disqualifications for many other jobs requiring a similar level of safety, trust and responsibility cannot be lifted, exempted or relieved; and

**WHEREAS**, the State's executive agencies can assume a leadership role in providing employment opportunities to ex-offenders by reviewing their employment policies and practices and identifying barriers to employment that can safely be removed to enable ex-offenders to demonstrate their rehabilitation;

**NOW THEREFORE, I, JEB BUSH**, as Governor of the State of Florida, by virtue of the authority vested in me by the Constitution and Laws of the State of Florida, do hereby promulgate the following Executive Order, effective immediately:

Section 1. Terms of Employment Disqualifications.

A. All executive agencies shall produce a report for the Task Force that describes the employment restrictions and disqualifications that are based on criminal records for each occupation under the agency's jurisdiction and that of its boards, if any, including, but not limited to, employment within the agency; employment in facilities licensed, regulated, supervised, or funded by the agency; employment pursuant to contracts with the agency; and employment in occupations that the agency licenses or provides certifications to practice. For each occupation subject to an ex-offender restriction or disqualification, the agency shall set forth the following:

1. The job title, occupation or job classification;
2. The cause of the disqualification (statutory, regulatory, policy or practice) and the substance and terms of the disqualification, including a listing of the disqualifying offenses, the recency of the disqualifying offenses, and the duration of the disqualification;
3. The year the disqualification was adopted and its rationale;
4. In instances where the disqualification is based upon conviction of any offense "related to" the practice of a given profession, the criteria the agency has adopted to apply the disqualification to individual cases;
5. The source of any requirement (statute, rule, policy, or practice) for an individual convicted of a felony to have his civil rights restored to become qualified for the job; and
6. The exemption, waiver, or review mechanisms available to seek relief from the disqualification, based on a showing of rehabilitation or otherwise. This should include the terms of the exemption, waiver or review, the nature of the relief it affords, and whether an administrative and judicial appeal is authorized.

B. The agency shall also describe, for each occupation subject to ex-offender disqualification, the procedures used to determine and review the disqualification, and shall provide to the Executive Office of the Governor copies of the forms, rules, and procedures that it employs to provide notice of disqualification, to review applications subject to disqualification, and to provide for exemptions and appeals of disqualification.

C. Agencies are strongly encouraged to adopt such policy reforms and changes as will achieve the goals of this Order. Agencies shall report to the Executive Office of the Governor reform efforts including eliminated or modified ex-offender employment disqualifications, draft legislation for a case-by-case exemption or review mechanism, and modified criteria and procedures used in relation to ex-offender employment restrictions.

#### Section 2. Data.

The second part of the review involves the collection of data to determine the impact of the disqualifications on employment opportunities for ex-offenders in Florida and the effectiveness of existing case-by-case review mechanisms that list the disqualifications. For each occupation under the jurisdiction of the agency for which there are employment disqualifications based on

criminal records, the agency must provide, for the previous two-year period, the number and percentage of individuals who underwent a criminal history background check, the number who were merely required to disclose their criminal history without a criminal history background check, the number and percentage found disqualified based on criminal records; the number and percentage found disqualified because their civil rights had not been restored; the number and percentage who sought review and exemption from or reversal of the disqualification, the number and percentage that were found qualified for the initial review, and the number and percentage that were found qualified for any subsequent level of review. If the agency maintains records of active licenses or certifications, the agency shall provide the total number of employees in occupations subject to criminal history restrictions.

Section 3. Time Frame for Provision of Information.

The terms of each of the agency's employment disqualifications described in Section 1 of this Order shall be provided to the Executive Office of the Governor no later than 60 days from the issuance of this Order. The data described in Section 2 shall be provided no later than 90 days from the issuance of this Order.

Section 4. Other State Agencies and Private Sector.

I strongly encourage all other state agencies, counties, municipalities and political subdivisions of the State to likewise conduct an inventory of employment disqualifications as described herein, to eliminate or modify such disqualifications that are not tailored to protect the public safety, and to create case-by-case review mechanisms to provide individuals the opportunity to make a showing of their rehabilitation and their qualifications for employment. I encourage private employers, to the extent they are able, to take similar actions to review their own employment policies and provide employment opportunities to individuals with criminal records.

IN TESTIMONY WHEREOF, I have  
hereunto set my hand and have caused the  
Great Seal of the State of Florida to be  
affixed at Tallahassee, the Capitol, this

25th of April, 2006.

---

GOVERNOR  
ATTEST:

---

SECRETARY OF STATE





**COLLINS CENTER**  
FOR PUBLIC POLICY  
Thinking. Doing. For Florida.

[www.CollinsCenter.org](http://www.CollinsCenter.org)

### **About the Collins Center for Public Policy**

Former Florida Governor LeRoy Collins' legacy of uncompromising integrity in government and business continues at the Collins Center for Public Policy. Established in 1988 by distinguished Floridians who envisioned the need for an independent entity to find impartial solutions to controversial problems, the Collins Center is known as a Think Tank with muddy boots. With offices in Miami, Tallahassee, St. Petersburg and Sarasota, our mission is to find smart solutions to important issues facing the people of Florida and the nation. We are independent, nonpartisan, nonprofit and passionately committed to lasting results.

The Coalition for Smart Justice ([www.smartjusticeflorida.org](http://www.smartjusticeflorida.org)) is a partnership created by the Collins Center with key public and private organizations. In the interest of public safety, fiscal responsibility, and criminal justice effectiveness, the coalition has opened a public conversation to explore better ways to achieve a safer, more just, and more effective criminal justice system that will have the desired outcomes of less crime, less public costs, and greater rehabilitative effect on offenders. Learn more by visiting our web site or by contacting:

**Dr. April Young**

Vice President of Criminal Justice Initiatives  
[ayoung@collinscenter.org](mailto:ayoung@collinscenter.org)

**Steven Seibert**

Senior Vice President and Director of Policy  
[sseibert@collinscenter.org](mailto:sseibert@collinscenter.org)

## TABLE OF CONTENTS

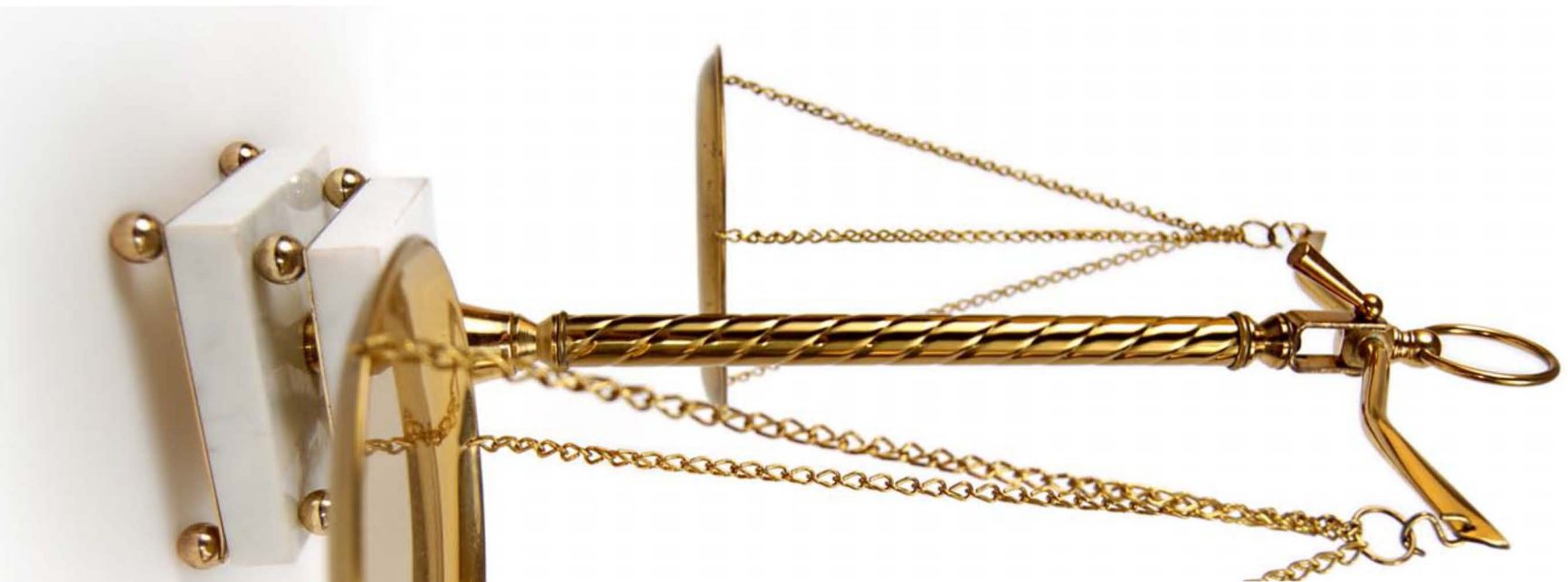
	Page
1. The call for reform.....	5
2. Justice Summit 2009 .....	6
3. Florida's ever-growing prisons.....	8
4. At what cost? \$2.6 billion and growing .....	8
5. The emerging reform agenda .....	10
6. Case Study: The case of the unexpected prisoners .....	11
7. We know more about what works: Building on success.....	12
8. Progress thus far .....	12
9. Findings and Recommendations.....	12
10. The time for change is now .....	13
11. Looking to the future .....	18
11. Acknowledgements .....	20
12. Endnotes .....	23



### About the Author

**Linda Mills, Esq.**, President of Policy Catalysts, LLC, is the author of this report. She serves as the criminal justice consultant to the Collins Center for Public Policy and the Annie E. Casey Foundation, among others. She has been consulting on Florida justice reform issues since 2005, when she did the research and writing for the Casey-supported Governor's Ex-Offender Task Force. The report was written under the direction of Steve Seibert, Senior Vice President and Director of Statewide Policy at the Collins Center, with feedback provided by Roderick Petrey, President of the Center, and April Young, PhD, Vice President for Justice Initiatives. She can be reached at [LMillsEsq@comcast.net](mailto:LMillsEsq@comcast.net).

Editorial assistance was provided by **Jay Goley**, a journalist who retired after a lengthy career at the Sarasota Herald-Tribune.





## EXECUTIVE SUMMARY

With Florida's prison population now surpassing the 100,000 mark, powerful voices, a growing number from the business community, are speaking out about the alarming rate of prison growth and the unsustainable spending necessary to maintain it. They are striking a chord of urgency, saying we cannot continue on this path. We must find better ways to achieve a safer, more rational and more cost-effective criminal justice system.

Over the past year, in response to this growing crisis, the Collins Center for Public Policy worked closely with the state's business community as it became a new and vital voice for justice reform. Together, we issued an "Open Letter to the Legislature, Governor and People of Florida," outlining the urgent need for change, and we convened the November 2009 Justice Summit, which brought together major players throughout the state to form a consensus on how to make that change.

The Smart Justice report reflects the work undertaken to analyze the growth of Florida's corrections system and the policies driving that growth. Based on that analysis, the following reform recommendations are made to chart a course for a sustainable criminal justice system that costs less, in some cases immediately and in others, after the passage of a short period of time, and achieves better outcomes:

1. Tallahassee must ensure that the Correctional Policy Advisory Council and its Justice Reinvestment Subcommittee are up and running and receive the support they need. The people attending the Justice Summit were unanimous on this point.

We must assess Florida's criminal justice system as other states have done, and we must open our doors to the Council of State Governments and the Pew Public Safety Performance Project to steer us toward successful evidence-based solutions and models.

2. The Legislature should build on the kind of cost-saving sentencing reforms it enacted in 2008 and 2009.

This includes diverting nonviolent offenders from prison and requiring courts to show justification for imprisoning defendants with 22 or fewer points under the Criminal Punishment Code. These measures have already had a significant impact and should be expanded.

The Legislature should also revise prison penalties for low-level drug offenses and theft offenses. Those in place now trigger state incarceration for relatively small quantities of drugs and low dollar amounts. Lawmakers should also revisit mandatory minimums and gain time, through which prisoners can earn up to 10 days per month off their sentences. Under current law, a prisoner must serve no less than 85 percent of his sentence, no matter how much gain time he would have earned.

3. Address the significant county-by-county sentencing disparities reported by the Legislature's Office of Economic and Demographic Research, especially those involving people convicted of low-level offenses. The Legislature should consider shifting the financial incentives currently in place for state incarceration toward local supervision and treatment. (*Immediate cost-savings*)



4. The Legislature should support the expansion of drug courts and split sentencing, in which drug treatment commences in prison and continues upon release under drug court supervision. (*Intermediate cost-savings*)
5. The Legislature should increase the number of work release and other less costly non-institutional prison beds and decrease the number of more costly institutional beds. It should also overrule the DOC policies of holding one prison bed in reserve for every work release bed and capping work release at 4 percent of the inmate population. (*Immediate cost-savings*)
6. Faith and character-based prisons, proven to reduce recidivism at no greater cost, should be expanded to accommodate the 10,000 inmates on the waiting list. (*Intermediate cost-savings*)
7. The Legislature should enact legislation that will divert mentally ill and addicted individuals from the criminal justice system to community-based treatment. (*Intermediate cost-savings*)
8. The Legislature should require the Department of Corrections and the Department of Management Services, as appropriate, to provide essential information on each prison and prison facility (both private and public) that is planned or under construction.

It is time for our state to rethink thirty-year-old policies that may have served the state well in their time. But their time has passed. We know more now. We must be evidence-driven and fiscally conservative. Continuing to pour money into a bloated prison system in a time of fiscal austerity is not only unsustainable, it confounds common sense.





## The Call For Reform

With Florida's prison population now surpassing the 100,000 mark, powerful voices, a growing number from the business community, are speaking out about the alarming rate of prison growth and the unsustainable spending necessary to maintain it. They are striking a chord of urgency, saying we cannot continue on this path. We must find better ways to achieve a safer, more rational and more cost-effective criminal justice system.

Over the past year, with financial support from the Annie E. Casey Foundation and the Florida Bar Foundation, the Collins Center for Public Policy has spearheaded an effort that has fashioned an unprecedented coalition of voices.

Last summer, these new voices issued an "Open Letter to the Legislature, Governor and People of Florida." In it they called for action to "quickly and comprehensively reform the state prison system and corrections policies."

Organized by the Collins Center and the Steering Committee of the "Coalition for Smart Justice," the letter was signed by leaders of Florida TaxWatch, Associated Industries of Florida, the Florida Chamber Foundation, the Police Benevolent Association, the Florida Association of Counties, social services and prisoner re-entry groups, three former attorneys general, former legislative leaders, a former governor and other government officials. The letter expressed their consternation over the policy choice to continually expand the prison system at the expense of other state priorities.

"At a time when Florida is in serious recession," they wrote, "and facing a deep state budget crisis, the \$2+ billion budget of the Florida Department of Corrections has grown larger; and without reform, that budget will continue to grow at a pace that crowds out other mission-critical state services such as education, human service needs, and environmental protection."

The press took note. Across the state, editorials and columnists noted the uniqueness of this new coalition and lent their own endorsements of fundamental criminal justice reform.

### Course Correction

Florida's politicians have remained wary of reform efforts, equating reform with being soft on crime. But a new voice is calling for an overhaul of the system over the next few years: the state's business community.

Leaders at the Florida Chamber of Commerce and Associated Industries (say) the idea is to focus not solely on today, but on developing policies that will allow Florida to prosper in the future.

They imagine a future of lower spending on prisons; a single-digit recidivism rate; the job-training for inmates targeted at the needs of Florida businesses in 2020, 2030 and beyond.

"In the heyday, if we had \$100 million, it was easier to build a new prison than it was to work on this problem," says Tony Carvajal, executive vice president of the Florida Chamber Foundation, the research arm of the Chamber of Commerce.

"We don't have that option anymore. But at the end of this, we don't just want to balance the budget. We want to build a better state."

*Florida Trend, May 2009*



Seeing the need for a statewide conversation about reform, the Collins Center hosted a two-day Justice Summit in Tampa in November that brought together nearly 300 public officials and private professionals. In attendance were leaders from the state's most powerful business organizations, state and national criminal justice experts, prosecutors, judges, legislators and officials from corrections, juvenile justice and human services.

Summit participants discussed the progress being made in and out of Florida, ideas to save money and achieve better outcomes. They also recognized the miles to go before we reverse present trends and restrict spending to what is necessary and wise to protect and improve public safety.

#### They agreed on the following core recommendations:

- **Establish a council to analyze all of the criminal justice and corrections policies and make recommendations for reforms.** Fully implement Senate Bill 2000, passed in 2008, establishing the Correctional Policy Advisory Council.
- **Focus on securely locking up the most dangerous criminals rather than nonviolent offenders** who can be turned around with treatment and services.
- **Beef up existing drug, alcohol and mental health services, both in and out of prisons, and create solid education and job training programs, especially for young offenders.**
- **Enact other reforms that slow prison growth.** Find opportunities for concrete changes that can reduce the numbers we lock up and how often they return to prison.

This report reflects those core reform recommendations, the work undertaken over the past year to analyze the growth of Florida's corrections system, the policies driving that growth, and the specific reforms we believe can reverse course.

Generally reflecting the insights, perspectives and objectives of those who attended the Summit, it provides a snapshot of the criminal justice and corrections systems as they are today in Florida and of how we got where we are. It takes note of the reforms made thus far and sets forth its findings and reform recommendations. It seeks to chart a course for a sustainable criminal justice system that costs less and does more.

Tony Carvajal, Executive Vice President of the Florida Chamber Foundation, summed up the sentiments of the conference and particularly the business community this way, "*Tough on crime is one thing – irrational is another.* There's a lot of waste in this system. When one in ten dollars is going into corrections out of our general fund, that's a problem — when we could be making those investments in something else like education. And imagine the loss from over 100,000 people not participating in our economy!"

"Corrections remains one of Florida's few 'growth industries,' but it is ultimately an unsustainable one. The fact that the state has now given itself the option of exporting surplus prisoners elsewhere is a damning admission that the state's 'lock-em-up-and-throw-away-the-key' mind-set toward criminal justice is doomed to failure.

"The Coalition for Smart Justice has challenged Gov. Crist and the Florida Legislature to find another way. Will Tallahassee accept that challenge?"

*Editorial: For Smart Justice, Gainesville Sun, Jun. 26, 2009*



# Justice Summit 2009



## Less crime is better than more prisons



Howard Troxler of the *St. Petersburg Times* epitomized the response by the press to the letter. He looked at what the letter was calling for and wrote, "Old stuff, really. Corrections experts have been saying this for years. But this was signed by three former Florida attorney generals, the directors of Florida TaxWatch, the Florida Police Benevolent Association, the Florida Chamber Foundation, Associated Industries of Florida, the Florida Association of

Counties. Not a bunch of bleeding-heart egghead academics, but conservative leaders who can't stand frittering away billions on bad prison policy."

### Howard Troxler

*Less crime is better than more prisons, St. Petersburg Times, Jul. 15, 2009*

## Better solutions than to build new prisons



In the past legislative session, in an effort to bring the business community into this effort, the Collins Center worked with Associated Industries of Florida, with Florida TaxWatch and with the Chamber of Commerce in an attempt to stop the building of prisons, which, at least in that session registered. With a cost of a hundred million dollars for each new prison and \$25-45 million a year to operate them, it would seem we could come up with

better solutions than to build new prisons, which I think most everyone can see are the most expensive and the least effective way of dealing with offenders.

### Parker Thomson

*Board Chairman of the Collins Center for Public Policy speaking at the Summit*

# Florida's ever-growing prisons



In 1980, there were 21,579 people in our state prisons. By October 2009, the number had reached 101,497.

The growth in the state's population does not nearly account for the prison growth. While Florida's general population is not quite double what it was in 1980, the prison population is five times larger

Yet the crime rate is down. In 1980, the number of reported serious crimes, also called index crimes, (murder, rape, robbery and aggravated assault, and the property crimes of burglary, larceny, and motor vehicle theft)

per 100,000 residents was 8,074; today it is 4,700. That is a drop of 42 percent over the past thirty years.

It is tempting to credit the increase in prison population with the reduction in the crime rate, but that cause-and-effect scenario goes just so far.

Research shows that while some decrease in crime is attributable to incapacitating dangerous criminals, after a point, increased rates of incarceration offer diminishing returns and a negative benefit-to-cost ratio. This is especially true when we increasingly incarcerate people for nonviolent drug offenses and other low-level crimes.

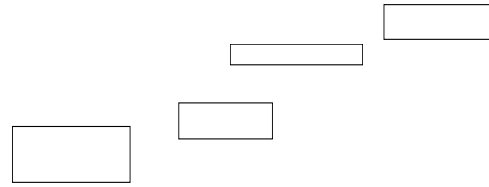
The Vera Institute for Justice examined the key studies on this issue and found that **“Analysts are nearly unanimous in their conclusion that continued growth in incarceration will prevent considerably fewer, if any, crimes — and at substantially greater cost to taxpayers.”**

Yet, instead of focusing our resources on dangerous people who need to be locked up, where the cost is well worth the public safety benefits, we are more and more filling Florida's prisons with nonviolent offenders.

Over the past thirteen years, the share of violent offenses accounting for prison admissions decreased by 28 percent. During that same period, the share of admissions for “other” offenses, i.e., offenses that are nonviolent, are not property crimes, and are not drug crimes increased by 189 percent. One of those offenses was driving with a suspended license — the very charge that recently landed a 78-year-old grandmother in the Broward County jail for 15 days.

Florida is not alone in grappling with an explosion of prison growth corresponding with neither increases in population nor crime. In the 1970s the nation incarcerated about 250,000 people; the figure is now 2.4 million.

In response to this disturbing trend, Senator Jim Webb of Virginia introduced the National Criminal Justice Commission Act last



Source: Criminal Justice Trends, Criminal Justice Estimating Conference, 9/29/09, Office of Economic and Demographic Research, The Florida Legislature

spring to address, as he puts it the “situation that has evolved over time where we are putting far too many of the wrong people into prison and we are still not feeling safer in our neighborhoods, we’re still not putting in prison or bringing to justice those people who are perpetrating violence and criminality as a way of life.”

Senator Webb's analysis of the problem starts with this basic premise, “We have 5% of the world's population; yet we have 25% of the world's known prison population. We have an incarceration rate in the United States, the world's greatest democracy, that is five times as high as the average incarceration rate of the rest of the world. There are only two possibilities here: either we have the most evil people on earth living in the United States; or we are doing something dramatically wrong in terms of how we approach the issue of criminal justice.”

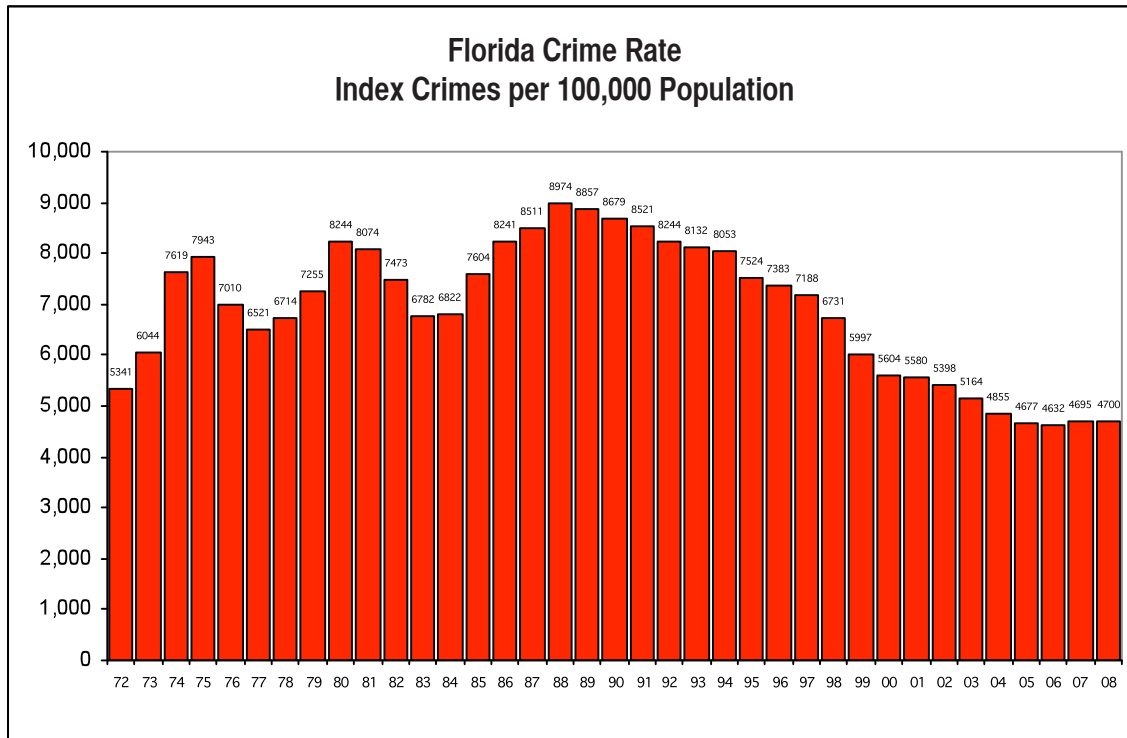
Of course we don't have the most evil people in the world, but we have made policy choices that have led to skyrocketing incarceration rates. As the Pew Public Safety Project has noted, “The remark-

Some of the policymakers who enacted laws that caused the exploding growth are revising their opinions. Mark Earley, the president of Prison Fellowship, served in the Virginia Legislature in the late eighties and early nineties. He says, “I spent most of my time in the Legislature working on how to put more people in jail and keeping them there longer.” But now he says, “I was wrong. I repent!”

**Chris Suellentrop**

*“The Right Has a Jailhouse Conversion, NY Times Magazine, Dec. 24, 2006.”*

# Florida's ever-growing prisons



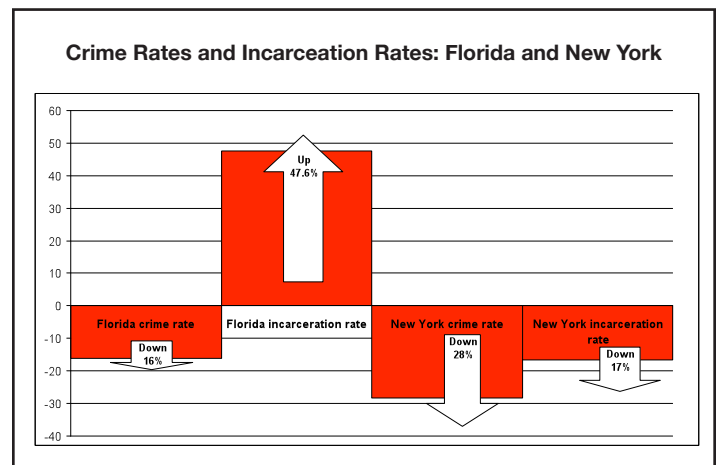
Source: Criminal Justice Trends, Criminal Justice Estimating Conference, 9/29/09, Office of Economic and Demographic Research, The Florida Legislature

able rise in corrections spending wasn't fate or even the natural consequence of spikes in crime. It was the result of state policy choices that sent more people to prison and kept them there longer."

Pat Nolan, once the minority leader of the California Assembly and a former prison inmate, echoes this sentiment. "One of the mistakes I made as a legislator was that I thought we could put them in prison and forget about them. But I forgot that 95 percent come back. What kind of neighbors will they be?"

Increasingly, states are changing their policies to reverse this trend. New York has been a national leader in reducing its crime rate, but as it did so, it cut its incarceration rate, too, and has been closing prisons. Florida has not been nearly as aggressive in examining and revising former policy choices. While many states have responded to explosions in prison growth and prison spending by changing policies and practices to reverse the tide, in recent years Florida has added more prisoners than any state in the nation.

The states reversing their prison growth are looking at whom they incarcerate, for how long and for what offenses. And they are looking at ways to reduce the number of people who are released from prison and then continue to commit crimes. Now Floridians have come together to urge the state's lawmakers to do the same.



"We really needed to do a much better job of taking away the symptom of locking 'em up and throwing away the key," Dominic Calabro, CEO of Florida TaxWatch, said this week during the conference, sponsored by the Collins Center.

"Because it became unsustainably expensive and increasingly a training ground for prisoners to become better convicts, better perpetrators of harm and evil against the people of Florida."

*The News Service of Florida, Nov. 18, 2009*

## At what cost? \$2.6 billion and growing

To maintain our spending on prisons, we must either increase revenue (taxes) or spend less on other priorities. In 2008, we slashed education funding by \$332 million and added \$308 million to the Corrections budget.

The increased spending built two state prisons and one private prison for a total of 10,200 new beds.

But it is not just the state's school system that absorbs cuts in favor of prison construction. Within the Corrections budget, funds for education, treatment and job training are cut as well, reducing efforts to shut down the revolving door that leads many back to their prison cells.

Florida is third in the nation in the share of state general funds (10 percent) spent on corrections. And while the national average of state employees in the correctional workforce is 11 percent, in Florida it is 15.1 percent.

If we were making a good return on the amount spent on Corrections (and focused that spending on confining and rehabilitating serious offenders), it would be money well spent. But the return is not good. Within three years, 40.5 percent of the men released from prison will offend again, and 26.7 percent will be re-imprisoned for a new offense.

Dominic Calabro, President and CEO of Florida TaxWatch, says that instead of accepting prison growth and recidivism as a given, we should "find those prisoners who can be rehabilitated, particularly nonviolent offenders, those that are not sexual predators, and find ways to help them re-entering from the system or even preventing them from going in."



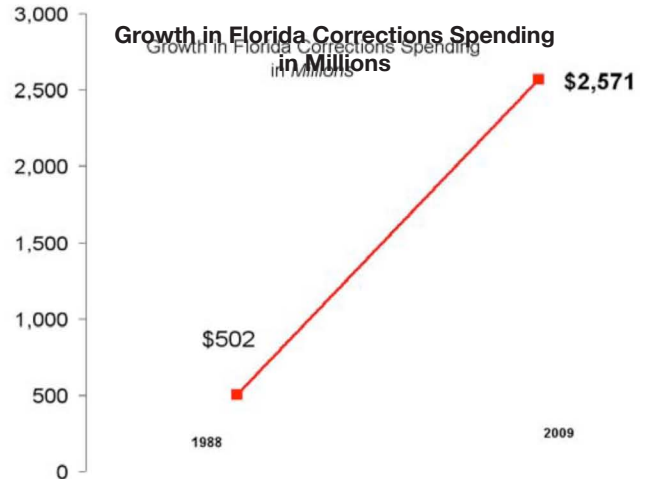
Bob Butterworth, a former Broward sheriff, prosecutor and 20-year attorney general, said his two-year stint as secretary of the Department of Children & Families reinforced his belief in the value of prevention dollars — which are typically the first to be cut during lean years.

**"Sometimes the worst dollar we spend," Butterworth said, "pays for bricks and mortar."**

Florida still will need prisons for violent felons, Butterworth said. But spending \$1 billion over the next decade to build new prisons for drug addicts and people with mental illness, he added, is "nuts."

"There's just got to be a better way."

*Miami Herald, Jun. 24, 2009*



We are spending our taxpayers' money to lock up an increasing percentage of non-violent offenders, but we are doing little to rehabilitate them. Meanwhile, our violent prisoners are seeing even less effort at rehabilitation, but most of those, too, will be released. Last year a quarter of the inmates leaving our prisons had been convicted of violent offenses.

Without changes in the laws and policies driving prison growth, the \$2.6 billion we spend on Corrections will only go up. AIF's Barney Bishop is concerned that business will have to furnish the money. At the Smart Justice Summit, he explained: "We don't have an income tax in Florida, so the business community is going to have to pay for this investment."

Bishop says, "In addition to the extraordinary costs, the business community knows this is an important issue because we're going to need these kids and adults coming out of the juvenile justice system and adult prison system in order to create a thriving economy in this state. To the extent that we change the way that we're doing business, spend less money with a better outcome, that's in the business community's interest."

For a full list of presenters and their topics please visit our Web site at [www.collinscenter.org/?page=CSJSummit](http://www.collinscenter.org/?page=CSJSummit).



# The emerging reform agenda

**F**lorida must look at whom we incarcerate, for how long and for what offenses; and we must address what we are doing to reduce the number of people who return to prison after release.

The costs are too great and the consequences are too dear to take off the table any sound idea that can reduce costs and increase public safety.

Such reforms are not unknown to the Florida Legislature, which has made some progress in improving the justice system. In 2008, for example, it responded to data showing an increase in incarceration for low-level crimes by changing the law.

Consider the following example:

## The case of the unexpected prisoners

It was a mystery. Not the Sherlock Holmes sort of mystery that ends, after careful, insightful deduction, with the culprit's unveiling and swift incarceration. This mystery began after the bad guy was sentenced and the heavy, barred door had clanged shut behind him.

We just didn't know who he was. Or why there were so many just like him.

He cropped up in 2003, and again in 2004. For a while he had the state of Florida stumped.

The state's prison population had been relatively stable, but started zooming upward, and the numbers made no sense. The increase in 2001 had been really small — 1.1 percent — and 2002 had been similar — 2.1 percent. Now the number was 10.8 percent, 3,700 more criminals than last year. Where did they come from?

The researchers first checked the crime rate, but it had gone down 2.1 percent. Fewer crimes and more criminals? It made no sense. But wait. Crime rates are calculated by counting "index crimes": murder, sexual offenses, robbery, aggravated assault, burglary, larceny and motor vehicle theft.

It is commonly thought that prison time — "hard time" — is reserved for people who have committed that sort of crime, the kind that gets the headlines. While it's true that only a felony conviction buys a ticket to state prison, what's less well known is the wide range of activities the Legislature has made into felonies.

The researchers who count the state's prison inmates for the Legislature suddenly realized why the numbers were going up.

The steep increases fell in a category that had been so insignificant in the past that it had been called "other." The people filling the prisons — the mystery man and his cohorts — were in prison for having committed "other."



"Other" offenses as a percent of all offenses increased from 10 percent in 2002 to 11.3 percent in 2004. In 1996, only 7.6 percent of the people sent off to prison had committed these "other" offenses.

The new criminals, it turned out, didn't rape, murder or steal. The team drilled down further. What offenses in this category called "other" were driving the growth? They discovered that a significant increase was due to the "other" offense of driving with a suspended license. Mystery solved.

As one of these researchers, Kathleen McCharen, explained at the Justice Summit, the Legislature had made changes in the law that made the failure to meet various financial obligations (for instance, court fines and child support) cause to suspend a driver's license. With more such failures punishable by license suspension, there were more felony convictions for driving a third time with a suspended license. In 2003 the increase was 10.8 percent; in 2004, it was another 10.4 percent.

The Legislature quickly responded, passing a law that changed what had been a felony for repeated convictions for driving with a suspended license to a misdemeanor for many whose convictions resulted from the inability to make payments on obligations.

# We know more about what works: Building on success

The Legislature's thoughtful probing of data underlying the "other" spike in incarceration and its taking action to address the problem are precisely what is needed across the board. A policy choice that seems wise at the time sometimes produces unintended consequences and unanticipated costs emerge.

The choice to make "driving with a suspended license" a felony was probably intended to deter and punish such driving, but when lawmakers realized the cost to taxpayers and to drivers who could not afford the obligations they had incurred, they took a second look. Upon assessing the costs, they realized state prison time was not the best answer to the problem. They then set out to make a needed course correction and accomplished it quickly.

The importance of this kind of analysis is clear; it is not an analysis that is limited to sentencing.

In 2008 and 2009, the Florida Legislature passed laws designed to slow the rate of admissions for low-level offenders such as offenders driving on suspended driver's licenses. If Florida wants to continue to reduce prison admissions by reducing recidivism and diverting non-violent offenders from prison, then more systemic policy changes are needed.



*Senate Committee on Criminal Justice, Interim Report 2010-312, Sept. 2009, "Simple Purchase or Possession of Cocaine and Cannabis: Other States' Sentencing Alternatives to Incarceration"*

## Progress thus far

What follows are other examples of reforms that have had an impact and that were illuminated at the Justice Summit. Some were legislative changes, some were policy changes and some may have been simply the result of changes in the political winds.

Over the past few years Florida has started to re-examine its correctional policies, and more broadly, its criminal justice policies. At the urging of Governor Jeb Bush's Ex-Offender Task Force, which was appointed in 2005 to facilitate effective re-entry from prison and thus reduce recidivism, the Department of Corrections revised its mission from one of exclusively "custody and control" to address re-entry as well, with strategies that we hope will help to reduce recidivism.

The Legislature, DOC and local courts have made adjustments in sentencing laws, policies and practices in addition to the one noted in the case study above. Florida, the first state to create a drug court, has expanded its use and developed other specialized courts as well.

Last session, the Legislature addressed the problem of nonviolent offenders being sent to prison even though they scored only half the Criminal Punishment Code's recommended score for state incarceration. It also created more diversion options for the courts.

At the county level, without any change in the law, there has been a decline in the use of year-and-a-day sentences that shift corrections costs from the counties to the state. (A one-year sentence or less is served in a county jail; those with longer sentences are sent to state prisons.) Last year, year-and-a-day sentencing was down by 29.5 percent, but one county's decline was largely due to its having switched from a year and a day to a year and a month. And over the

### New Florida Corrections Mission

To protect the public safety, to ensure the safety of Department personnel, and to provide proper care and supervision of all offenders under our jurisdiction **while assisting, as appropriate, their re-entry into society.**

past two years, we saw a reduction in prison admissions for technical probation violations – down last year by 19.4 percent.

Faith- and character-based prisons have been developed and expanded.

Bush's Ex-Offender Task Force found that more than 40 percent of the jobs in the Florida economy carried state-created employment restrictions based on criminal histories. For example, the state had required people with felony convictions to first get their civil rights restored to work at a number of jobs and places of employment. The Legislature and state agencies have revised some of these policies. But many other types of restrictions persist.

Florida has not gone as far in making changes as states like Texas, which averted the construction of prison beds by investing in treatment and diversion programs. By partnering with the Pew Public Safety Performance Project and the Council of State Government's Justice Reinvestment Initiative, Texas found a way to avoid \$523 million in prison construction costs with a \$241 million investment in diversion strategies.



# Finding and Recommendations

**FINDING: Florida has not done a comprehensive review of the laws and policies driving prison growth and leading to poor outcomes such as high rates of recidivism, probation violations, and juveniles graduating to the adult system.**

States like Texas, Alabama, Mississippi, Nevada and Nebraska are performing top-to-bottom analyses of the policies and practices that have driven prison growth. They are designing policies to manage that growth, improve accountability, and reinvest a portion of the resultant savings.

**1 Recommendation (intermediate and long-term cost-savings): Ensure that the Correctional Policy Advisory Council and its Justice Reinvestment Subcommittee are up and running and receive the support they need. The people attending the Justice Summit were unanimous on this point.**

We must assess Florida's criminal justice system as other states have done, and we must open our doors to the Council of State Governments and the Pew Public Safety Performance Project to steer us toward successful evidence-based solutions and models.

**FINDING: Florida has met with success in making sentencing and diversion reforms that have had an impact on reducing the prison population.**

But states such as Colorado, Iowa, Arkansas, Alabama, Ohio, Kansas, Pennsylvania, Washington and Massachusetts have redefined and reclassified criminal offenses and changed sentence lengths in a manner that has not undermined public safety and has reduced correctional spending. The National Conference of State Legislatures recently reported that, "In 2009, at least 12 states eliminated or decreased prison sentences for theft or drug offenses." Florida was not among them. Both the Legislature's Office of Program Policy Analysis and Government Accountability and the Senate staff have developed reform recommendations over the last few years that align with this approach.

Last month, a coalition of business leaders and law enforcement professionals called on the Legislature to find ways to avoid adding still more prison beds to Florida's \$2.2 billion and growing correctional system.

Certainly sentencing reform and parole restoration must be high up on the agenda if lawmakers want to get a handle on runaway correctional costs.

Otherwise, the day will come when Florida taxpayers will find themselves footing the bill for a system of geriatric prisons to support aging inmates who pose little or no danger to society.

*Editorial: Geriatric jails  
Gainesville Sun, Jun. 29, 2009*

## Correctional Policy Advisory Council

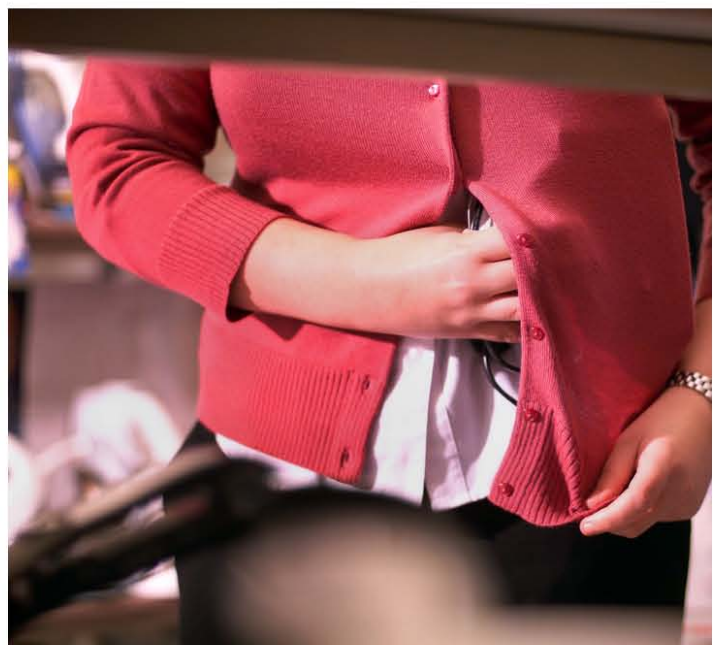
The Correctional Policy Advisory Council is created within the Legislature for the purpose of evaluating correctional policies, justice reinvestment initiatives, and laws affecting or applicable to corrections, and for the purpose of making findings and recommendations on changes to such policy, reinvestment initiatives, and laws.

*921,0019, F.S.; SB 2000 (2008)*

**2 Recommendation (intermediate and long-term cost-savings): The Legislature should build on the kind of immediate cost-saving sentencing reforms it enacted in 2008 and 2009.**

This includes diverting nonviolent offenders from prison and requiring courts to justify imprisonment of defendants with 22 points or fewer under the Criminal Punishment Code. These measures have already had a significant impact and should be expanded.

The Legislature should also revise prison penalties for low-level drug offenses and theft offenses. Those in place now trigger state incarceration for relatively small quantities of drugs and low dollar amounts. Lawmakers should also revisit mandatory minimums and gain time, through which prisoners can earn up to 10 days per month off their sentences for good behavior. Under current law, a prisoner must serve no less than 85 percent of his sentence, no matter how much gain time he would have earned.



# Finding and Recommendations

**FINDING: Drug courts and other specialized non-adversarial courts for people with addictions, mental illness and other disorders, along with other diversion strategies, reduce correctional costs in the near term and, through reduced recidivism, in the long term.**

Such strategies, however, must rely largely on local funding and federal grants. Counties have a financial incentive to avoid local costs by steering low-level offenders to the state prison system. To correct this, states such as Pennsylvania, California, Wisconsin, Ohio, and Illinois have reversed this trend by providing financial incentives to local governments that handle these offenders locally, thus reducing prison admissions.

**3 Recommendation (intermediate cost-savings): Address the significant county-by-county sentencing disparities reported by the Legislature's Office of Economic and Demographic Research, especially those involving people convicted of low-level offenses. Consider shifting the financial incentives currently in place for state incarceration toward local supervision and treatment.**

**4 Recommendation (intermediate cost-savings): The Legislature should support the expansion of drug courts and split sentencing, in which drug treatment commences in prison and continues upon release under drug court supervision.**

**FINDING: Work release costs far less than institutional incarceration, but its use is far too limited.**

It costs just \$26.16 per day to house an inmate at a state work release center and \$20.13 per day at a contracted center. By contrast, the average cost of "hard beds" in prison facilities is \$52 per day. The 50 percent savings of work release is enhanced by a DOC policy requiring that 45 percent of the inmate's earnings go to reimbursing the center.

Despite the cost savings and recommendations to expand work release, the Department of Corrections, by policy, requires a "hard" prison bed for every work release bed. It also has a policy that no more than 4 percent of the prison population can be in work release. Corrections officials are concerned that if a major incident occurs,

Florida needs better rehabilitation programs for offenders before they leave prison, and support afterwards. Too many inmates are discharged abruptly, lacking the education and life skills to lead successful, crime-free lives.

The state's criminal-justice policy has become too costly, in ruined lives and strained budgets alike. Reform should focus attention on incarcerating truly dangerous criminals, providing meaningful rehabilitation for the 90 percent of inmates who will eventually be released and diverting people who don't belong in prison.

*A rising voice for change  
Daytona Beach News-Journal, Jun. 28, 2009*

the Legislature will order all work release inmates back to prison. They also argue that if more than 4 percent of inmates are in work release centers, the risk to public safety increases.

In FY 07-08, 64.5 percent of inmates were released upon the expiration of their sentences and received no supervision in the community. By contrast, all inmates on work release in the final months of their sentences are supervised.

The risk to the community during the few months of supervised work release is actually less than it would be upon release with no supervision.

**5 Recommendation (intermediate cost-savings): The Legislature should increase the number of work release and other less costly non-institutional prison beds and decrease the number of more costly institutional beds. It should also overrule the DOC policies of holding one prison bed in reserve for every work release beds and capping work release at 4 percent of the inmate population.**

The Legislature needs to consider alternatives to building prison after prison. It might save money. It might save some of us from being future victims of crime. It might even salvage some lives.

**Howard Troxler**  
*Less crime is better than more prisons,  
St. Petersburg Times, Jul. 15, 2009*

# Finding and Recommendations

**FINDING: OPPAGA has found that faith and character-based prisons improve institutional safety, achieve lower recidivism rates and attract more volunteers.**

Wakulla's rate, for example, is 15 percent lower. Yet these more effective prisons have a waiting list of 8,890 inmates for the institution-based programs and 1,600 for the dorm-based programs.

**6 Recommendation (intermediate cost-savings): Faith and character-based prisons, proven to reduce recidivism at no greater cost, should be expanded to accommodate more of the 10,000 inmates on the waiting list.**

**FINDING: Corrections does not have the ability to provide sufficient substance abuse or mental health treatment to meet the needs of inmates.**

In 2008, of the 160,000 drug arrests made, 69,000 were for felony drug crimes. 58,045 of those defendants were found guilty and 10,735 of those found guilty were sent to state prison. Drug crime convictions accounted for 30 percent of the 41,054 sent to prison in FY07-08. But the percent of the prison population needing drug treatment is much higher because many needing treatment were convicted of other types of offenses. Over two-thirds of Florida's inmates need substance abuse treatment but there are drug treatment slots for only 2 percent of the inmates.

In Florida, about 18.1 percent of the inmates receive ongoing mental health care. As Judge Steven Leifman (Chair of the Eleventh Judicial Circuit of Florida's Mental Health Committee) has pointed out, "We have 125,000 people who are arrested every year in this state who have such a severe mental illness that at the time of their arrest they need acute mental health treatment.



The Legislature should "put more dollars on the front end of the system in diverting people. If we can divert some of the people on the front end that don't really need to be going to prison but need mental health, substance abuse, or other services, we could save money and produce better results. Unlike several decades ago, we actually know now what works, and if we implement programs that the research proves are effective, we can spend fewer dollars to get a better result. The people that we ought to be putting into prison are those that are the most dangerous to society. For those that are not a danger and their crime is not significant, we ought to divert them and address the issues that they have."

**Barney T. Bishop, III**  
President of Associated Industries of Florida

"The fastest growing mental health dollar is not in our community mental health system, it's in our forensic state hospital, which has seen a dollar growth of 72 percent over the last eight years while our community and we spend a quarter billion dollars a year on forensic hospitals for the purpose of restoring competency so they can take a plea."

**7 Recommendation (intermediate cost-savings): Enact legislation that will divert mentally ill and addicted individuals from the criminal justice system to community-based treatment.**

**FINDING: We are not clear about what prisons are being built right now which are underway? Under what contracts?**

With enactment and implementation of the reforms suggested in this report and recommended by the Correctional Policy Advisory Council that will be made later, we can reverse the course of prison growth while improving public safety. Slowing prison growth may result in mothballing prisons or not completing the construction of prisons in the pipeline. However, current reporting does not provide the information the Legislature needs to take appropriate action.

**8 Recommendation (intermediate cost-savings): The Legislature should require the Department of Corrections and the Department of Management Services, as appropriate, to report on each prison and prison facility (both private and public) that is in the pipeline.**

The reports should include such meaningful information as the total cost, whether it will be paid for by general funds or bonds, the stage of construction (e.g., site selection, architectural drawings, water and sewage plans, groundbreaking, construction, staffing), contracts let and anticipated, and the expected dates of completion and operation.

# The time for change is now



The Justice Summit taught us that we must move beyond the simplistic descriptions of “hard on crime” and “soft on crime.” It is time to be smart about crime:

- Smart by being cost-efficient.
- Smart by adopting policies and practices that are supported by sound evidence.
- Smart by putting our resources into protecting public safety by focusing on those who have done us real harm and those at great risk of harming again.
- Smart by recognizing that the great majority of ex-offenders return to their communities; we must support and fund the key programs that lead to success upon release from prison.

This discussion is fundamentally about public safety, about the wise use of limited taxpayer dollars and about the long-term sustainability of Florida and our communities. This is not an entirely new set of ideas. Many reading this document have toiled in the fields of justice for decades and it is upon their shoulders we stand. What is different is that the cast of those calling for reform has broadened significantly, including many from the business community and more politically conservative ranks. What has also changed is the urgency – now magnified by Florida’s severe fiscal challenges.



“It used to be that the only issue for state policymakers was, ‘How do I demonstrate that I’m tough on crime?’” Gelb said. “They’re starting to ask a very different question, which is, ‘How do I get taxpayers a better return on their investment in public safety?’”

He said state leaders across the country are recognizing that prisons are a government spending program. As such, they should be subject to a

cost-benefit test.

“When you can put together a package of policy options that’s a win/win; less crime and lower costs. It’s not a slam dunk,” Gelb said, but “it’s very hard to ignore, especially when the economy is in such trouble.”

#### **Adam Gelb**

Project Director of the Pew Public Safety and Performance Project, speaking at the Justice Summit

*The News Service of Florida, Nov. 18, 2009*



# The time for change is now

Kevin Hassett of the American Enterprise Institute recently said “that Florida is one of the states facing difficulty going forward following a 20-month national recession that wreaked ‘an astonishing period of economic misery.’”

We can no longer rely on gathering revenue from people moving to the state or the resulting construction booms. An aging population will put greater demands on state services. The point? There are no funds in the coffers to build \$100 million prisons, and citizen priorities are shifting.

Public opinion polling reflects this shift. In a late 2008 Quinnipiac poll of Florida voters, only 2 percent of the people queried named crime as the most important issue facing Florida. And that was a 60 percent drop from two years before. Nationally, the picture is the same.

That is why getting “smart” on crime and using criminal justice resources more judiciously is gaining such traction, particularly among Republicans, who provided significant leadership support for the passage of the Second Chance Act in Congress.

More than three years ago, the New York Times Magazine wrote about this shift in public opinion and the new leadership emerging on criminal justice reform, in a piece called, “The Right Has a Jailhouse Conversion.”

“Increasingly,” the author noted, “Republicans are talking about helping ex-prisoners find housing, drug treatment, mental-health counseling, job training and education.

“They’re also reconsidering some of the more punitive sentencing laws for drug possession. The members of this nascent movement include a number of politicians not previously known for their attention to prisoners’ rights ... Referring to mandatory-minimum sentences, Representative Bob Inglis of South Carolina, whose district is home to Bob Jones University, declared on the floor of the House: “I voted for them in the past. I will not do it again.”

For Florida, it is time to rethink thirty-year-old policies that may have served the state well in their time. But their time has passed. We know more now. We must be evidence-driven and fiscally conservative. Adding prisons in a time of fiscal austerity is not only unsustainable, it confounds common sense.



I’m a conservative Republican, I work with Prison Fellowship. Chuck Colson, our founder, is a conservative republican. Mark Earley, our president, was a former attorney general of Virginia. All of us have great law and order credentials.

We’re trying to change the whole political ballgame. You haven’t seen it yet, but Richard Viguerie, the godfather of the conservative movement and direct mail; David Keene, of the American Conservative Union, Gene Meyer of the Federalist Society; Tony Blankley former editorial page editor of the Washington Times, are all working with me to mobilize conservative support for these types of reforms and basically saying ‘we’ve made a mistake, we’ve fed this iron triangle of building prisons that is eating our budgets alive and frankly is not conservative.

Prisons are for people we’re afraid of, and it is a waste to fill them with people we’re merely mad at.

**Pat Nolan**  
Vice President of Prison Fellowship, speaking at the Justice Summit



## Looking to the future



America has always been the refuge of people seeking second chances. Whether they were fleeing discrimination and abuse, were victims of dictators or were simply idealists, people coming to America have shared the vision of John Winthrop as he expressed it in his 1630 sermon to fellow dreamers sailing toward Massachusetts — “We shall be as a city upon a hill,” he said. “The eyes of all people are upon us.”

He called on his fellow passengers to realize this vision with a simple injunction: “There are two rules whereby we are to walk one towards another: Justice and Mercy.”

Because of the fiscal crisis facing the state, the focus of this Report is on short-term, pragmatic, common sense solutions that can immediately save the state money and improve public safety. We do not discuss justice or mercy in this report. Not directly.

But just as they guided Winthrop’s passengers, the two rules of justice and mercy have guided this work – not just here in Florida, but across the nation.

Once the nation’s prisons and jails filled up with about two million people, once we started seeing more than 650,000 Americans coming home unprepared from prison each year, and once we noticed that almost a quarter of the U.S. population has a criminal record, Winthrop’s two rules began to get some attention. Justice, yes. Mercy, yes. That’s what the second chance is all about.

Among our recommendations, none is more important than the first, which calls for the Correctional Policy Advisory Council and its Justice Reinvestment Subcommittee to be established, as set forth in Senate Bill 2000, passed in 2008. This Council will provide a forum for the larger, broader discussion of the policies driving growth and the policies that advance or deter successful reintegration after prison. And we will ask, do our policies adhere to Winthrop’s two rules?

And as we urge the convening of that Council, we will also work to expand further the coalition that will champion the recommendations contained in this report, which are aimed at these same objectives.

Such ambitious reforms won’t be easy to accomplish, but today’s fragmented system is not doing the job, and its costs are incalculable as the revolving door never stops.

Switching the emphasis from incarceration to rehabilitation of nonviolent offenders makes financial and humane good sense. That is what smart public policy is all about.

*Our Opinion: Try again  
Mental health, prison reforms are a must;  
Tallahassee Democrat, Jul. 12, 2009*

# Looking to the future

Going forward, we will address Florida's myriad challenges. We are still struggling with adult corrections and the reintegration of people coming home from prison, which was much-discussed at the Summit.

We will address the barriers to re-entry examined by Bush's Ex-Offender Task Force and later, the Department of Corrections' Re-entry Advisory Council. We will especially address the employment barriers that would be lifted through the law and policy changes these groups have recommended.

We will look at juvenile justice policies and practices that often lead to the evisceration of youthful promise and then later, to adult crime, to incarceration and to further cost to taxpayers.

We recognize that strategic planning and reform are seldom coordinated across this "corrections arc" — the continuum from juvenile issues in schools and communities to adult re-entry issues. We must address the entire continuum if transformative change is to occur.

We are impressed and encouraged by the fact of business assuming leadership in making the case for justice reform. Business leadership has made the case more compelling. We will work to deepen and broaden its engagement. We will also continue to convene the Coalition for Smart Justice Steering Committee and host its website.

This year, we have made much progress. From engaging the business community in this work to the issuance of the Letter to the Legislature, Governor and People of Florida, to the Justice Summit, and now this report, we have hit our stride. But there is much yet to be done.

There is no issue being debated in Congress or statehouses across the country that has bridged partisan and ideological divides the way criminal justice reform has over the past six years. This presents an unprecedented opportunity for us. We can rethink failed criminal justice policies and correct them and enact reforms that will not only make our communities safer by finally becoming smart on crime, but we can work to make the ideal of the second chance real. And we can create a system that reflects the justice and mercy that John Winthrop promised almost five hundred years ago.

## Two Conservatives Converse on Criminal Justice Reform



**Ross Douthat:** The violent crime rate has been cut by nearly 40 percent since its early-1990s peak. The murder rate is at its lowest point since Lyndon Johnson was president.

Yet the costs of this success have been significant: 2.3 million Americans are behind bars. Our prison system tolerates gross abuses, including rape on a disgraceful scale. Poor communities are warped by the absence of so many fathers and brothers. And every American community is burdened by the expense of building and staffing enough prisons to keep up with our swelling convict population.

Mass incarceration was a successful public-policy tourniquet. But now that we've stopped the bleeding, it can't be a permanent solution.

Above all, it requires conservatives to take ownership of prison reform, and correct the system they helped build. Any successful reform requires the support of the law-and-order party.



**Eli Lehrer:** We can't go back to the "bad old days" of sky-high crime rates and short sentences for heinous crimes, but the country would be equally wrong to believe that the current policies of locking 2.3 million people in poorly run prisons is copacetic. **In fact, most people who have given serious thought to the problems of America's current prison system agree on roughly the same new set of policies: work to monitor some offenders more closely in the community rather than locking them up, fund drug treatment, keep prisons themselves safe, and encourage prisoners to work and get educated.**

**community rather than locking them up, fund drug treatment, keep prisons themselves safe, and encourage prisoners to work and get educated.**

The problem is that politicians across the political spectrum just want to be seen as "tough on crime" and are unwilling to bend at all even when they know that other policies might be better for the public.

Ross Douthat, writing for the New York Times, is the columnist who recently replaced Bill Kristol as the paper's resident conservative. Ross also writes for, among others, the National Review, the Wall Street Journal and the Weekly Standard. His comments are followed by a response by Lehrer published in the National Review. Lehrer is a fellow at the Competitive Enterprise Institute. He has been with the Heritage Foundation and was Bill Frist's speechwriter.

*Dec. 14, 2009*



## ACKNOWLEDGEMENTS

---

The Collins Center for Public Policy's Board of Trustees, in particular its **Chairman, Parker Thomson**, and its **President, Rod Petrey** have sustained Collins' commitment to justice reform, backed by a history of more than twenty years of leadership on this issue.

To each of the additional Trustees, tremendous appreciation and gratitude is extended to:

- **Jeffrey Bartel**, Florida Power and Light
- **Jane Collins Aurell**
- **Peter L. Bermont**, Morgan Keegan
- **Barney T. Bishop III**, President & Chief Executive Officer, Associated Industries of Florida
- **Betty Castor**, Dr. Kiran C. Patel Center for Global Solutions
- **LeRoy Collins, Jr.**, Executive Director, Florida Department of Veterans' Affairs
- **LeRoy Collins, III**, Daniel Risk Mitigation
- **J. Allison DeFoor, II**, Prison Chaplain
- **Katherine Fernandez Rundle**, State Attorney, Eleventh Judicial Circuit of Florida
- **Jose Greer, MD**, Physician and Assistant Dean, University of Miami School of Medicine
- **Dr. William (Bill) Law**, President, Tallahassee Community College
- **Clarence McKee**, Ruden McCloskey Consulting
- **Eduardo J. Padron Ph.D.**, President, Miami-Dade Community College
- **E. Thom Rumberger**, Rumberger, Kirk & Caldwell

Trustees Emeritus

- **J. Clint Brown**, Esq., Of Counsel, Fowler White Boggs Banker P.A.
- **Charles J. Zwick**
- **Honorable Bob Martinez**, Senior Policy Advisor, Holland & Knight LLP

Board Vice Chairman, **Allison DeFoor**, and member **Barney T. Bishop III** are thanked for their vision and their success in bringing the voice of business to this work and for providing unwavering support and leadership in advocating for justice reform.

**Steve Seibert**, Senior Vice President and Director of Statewide Policy at the Collins Center, has been leading the work at Collins and the Coalition for Smart Justice and organized the 2009 Justice Summit. Vice President for Justice Initiatives, **April Young, PhD** has deepened Collins' vision for reform and leads all the Collins Center's initiatives dealing with justice reform. **Esther Widener**, executive assistant to Mr. Seibert, added her graphics work and organizational abilities to the summit. **Mark Fontaine**, the Executive Director of the Florida Alcohol and Drug Abuse Association, and his excellent staff, provided superb meeting management for the Justice Summit. **Florence Snyder**, attorney and counselor at law provided strategic guidance.

The Annie E. Casey Foundation and Senior Associate **Ira Barbell** have been supporting prisoner reentry and criminal justice reform work in Florida since 2005 when Casey first funded Governor Bush's Ex-Offender Task Force. Barbell's faith in the possibilities of reform in Florida has been remarkable.

**The Smart Justice Coalition Steering Committee**, formed in early 2009, was a loosely-knit but highly committed group of advocates for rational justice reform. This Committee proposed and helped write the Open Letter, the Strategic Objectives document and helped plan and implement the Justice Summit. The gifts of their time and talents are greatly appreciated. Its members include:

- **Barney T. Bishop III**, President and CEO, Associated Industries of Florida
- **Tony Carvajal**, Executive Vice President, Florida Chamber Foundation
- **Gail D. Cordial**, Executive Director, Florida Partners in Crisis, Inc.
- **Allison DeFoor, II**, Prison chaplain
- **Mark P. Fontaine**, Executive Director, Florida Alcohol and Drug Abuse Association
- **Vicki Lopez Lukis**, Vice Chair, Florida Department of Corrections Reentry Advisory Council and former Chairman of the Governor's Ex-Offender Task Force
- **James R. McDonough**, former Secretary, Florida Department of Corrections
- **Ellen Piekalkiewicz**, Executive Director, Florida Substance Abuse and Mental Health Corporation



## ACKNOWLEDGEMENTS

---

- **Steven M. Seibert**, Senior VP and Director of Policy, Collins Center for Public Policy
- **Florence Snyder**, Attorney and Counselor at Law
- **April Young, PhD**, Vice President, Justice Initiatives, Collins Center for Public Policy

**The Open Letter to the Governor, Legislature and People of Florida** set the stage for rethinking Florida's criminal justice system, stating, "At a time when Florida is in serious recession and facing a deep state budget crisis, the \$2+ billion budget of the Florida Department of Corrections has grown larger; and without reform, that budget will continue to grow at a pace that crowds out other mission-critical state services such as education, human service needs, and environmental protection..." In addition to the members of Smart Justice Coalition Steering Committee signing it, the Collins Center wishes to thank the other leaders who signed it and for their support:

- **S. Curtis Kiser**, Chairman, LeRoy Collins Institute
- **Chris Holley**, Executive Director, Florida Association of Counties
- **D. Michael McCarron**, Executive Director, Florida Catholic Conference
- **David Murrell**, Executive Director, Florida Police Benevolent Association
- **Richard Doran**, Former Florida Attorney General, 2002-2003
- **Bernie DeCastro**, CEO, Florida Ex-Offender Reentry Coalition
- **Nathaniel P. Reed**, Founder, 1000 Friends of Florida
- **Tom Lee**, Former President, Florida Senate, 2004-2006
- **Judith A. Evans**, Executive Director, National Alliance on Mental Illness, Inc. (NAMI Florida, Inc.)
- **Jim Smith**, Former Florida Attorney General, 1979-1987
- **Tom Slade**, Past Chairman, Republican Party of Florida, 1993-1999
- **Allan G. Bense**, Former Speaker, Florida House of Representatives, 2004-2006
- **Kenneth "Buddy" MacKay**, Governor, State of Florida, 1998; Lt. Governor, 1991-1998
- **Michael Sittig**, Executive Director, Florida League of Cities
- **Andrew J. Vissicchio, Jr. K.M.**, The Sovereign Military Order of Malta, American Association
- **Robert Butterworth**, Former Florida Attorney General, 1987-2002
- **Martha W. Barnett**, Partner, Holland & Knight
- **John M. McKay**, Former President, Florida Senate, 2000-2002

The 2009 Justice Summit's success is largely due to the incredible roster of presenters we were able to bring together in Tampa. **Parker Thomson** and **Steve Seibert** set out the context of the event – exploding costs and a new set of players seeking to rein in those costs.

Former Secretary of Corrections **Jim McDonough** introduced, the Vice President of Prison Fellowship, **Pat Nolan**, who came to Tampa from his home in Virginia to provide an overview of the reform efforts across the country. We not only appreciate the great sacrifice Pat made to come but his sustained passion for justice reform. We also want to thank Secretary McDonough for continuing his commitment to a just and humane corrections system that he worked so hard to achieve during his tenure as Secretary.

Our thanks go out to **Representative Nick Thompson** (R-Fort Myers) for introducing fellow member of the Board of Directors of the Council of State Government's Justice Center, Texas' **Representative Jerry Madden** (R-Plano), who shared how Texas was able to dramatically slow prison growth, save money and improve outcomes. Thanks, Jerry, for showing us both how essential reform is and how to get it done.

The author of this report, **Linda Mills**, told the story of Florida's prison growth and successful efforts to tame that growth, along with **Allison DeFoor** and **Kathleen O. McCharen**, Criminal Justice Estimating Conference, Office of Economic and Demographic Research. Kathleen's research proved invaluable to this report. The author deeply appreciates her cooperative and collaborative spirit and the time she spent providing data and analysis prior to and after the summit.

We thank **Gail Cordial** for her introduction of **Adam Gelb**, Director of Public Safety Performance Project at the Pew Center on the States, who presented a revealing picture of how Florida's justice system was performing compared to other states. Thank you Adam for your powerful work and we wish you continued success in transforming justice systems across the nation. We also thank **Brian Elderbroom**, Senior Associate at the Center on the States, with whom we collaborated on Summit presentations.

Thank you to **Philip Bacon**, Collins' Vice President for Neighborhood & Regional Initiatives, who has brought neighborhood rebuilding perspective to our justice work. Phil introduced **April Young, PhD**, who put the current justice reform agenda into the larger context of the continuum from childhood poverty, to the juvenile justice system, to the adult corrections system to reentry.

We thank **Hon. Irene Sullivan**, Circuit Judge, 6th Judicial Circuit (Juvenile Judge, United Family Court) for her introduction of Department of Juvenile Justice Secretary **Frank Peterman**, who we thank for sharing his department's initiatives with the summit participants.

## ACKNOWLEDGEMENTS

We thank long-time prison volunteer, **Henree Martin**, Owner, Developers Realty & Investment Properties, Inc., and member of the Florida Department of Corrections' Re-Entry Advisory Council, for her introduction of Department of Corrections **Secretary Walt McNeil** and Department of Children and Families **Secretary George Sheldon**. Thank you Secretary McNeil and Secretary Sheldon for your informative presentations.

The business panel was a highlight of the Summit. With **Allison DeFoor** moderating, **Barney Bishop**, President and CEO, Associated Industries of Florida, **Tony Carvajal**, Executive Vice President, Florida Chamber Foundation; **Dominic Calabro**, President and CEO, Florida TaxWatch; **John McKibbon**, CEO and Chairman, McKibbon Hotel Group, Inc.; and **Joseph Capitano**, President, Radiant Oil Company of Tampa, Inc. delighted Summit participants with a candid conversation about why business wants to reform the justice system. Thanks so much to each of you.

Thank you to **Ellen Piekalkiewicz** for introducing and to **Hon. Janet Ferris** for moderating the panel on the view of the justice system from the courts. To **Hon. Melanie May**, Judge, 4th District Court of Appeal, **Hon. Bernie McCabe**, State Attorney, 6th Judicial Circuit; **Hon. Nancy Daniels**, Public Defender, 2nd Judicial Circuit; and **Hon. Steve Leifman**, Judge, Special Advisor on Criminal Justice and Mental Health, we extend our sincere appreciation for your own reform efforts over the years and for illuminating the challenges we still face.

**Ralph Martin**, JD, drew a standing ovation after his luncheon speech. Ralph has been working on surmounting the many barriers to success that people with criminal records face even before he was appointed to Governor Bush's Ex-Offender Task Force. Thank you, Ralph, for your determination and for sharing your deeply personal and inspirational story.

Thanks go to **Emery Gainey**, Director, Law Enforcement Relations, Victim Services, and Criminal Justice Programs, Florida Office of the Attorney General, and moderator **Mark Fontaine** for your panel of people working in the field to improve the system and achieve better reentry outcomes. Thank you to **Chet Bell**, CEO, Stewart-Marchman-Act Behavioral Healthcare; **Hon. R. J. Larizza**, State Attorney, 7th Judicial Circuit; **Donna Wyche**, Orlando Central Receiving Facility; **Captain Miguel Pagan**, Orange County Sheriff's Office; and **Gordon Bass**, Director, Jacksonville Sheriff's Office Department of Corrections, for your work and for sharing your achievements at the Summit.

Thank you, **Kevin Gay**, President, Operation New Hope, Inc., for your spirited introduction of your friend, **Vicki Lopez Lukis**, Vice Chairman of DOC Reentry Advisory Council and former Chairman of Governor Bush's Ex-Offender Task Force, who gave the last presentation of the Summit – a rousing call for everyone to move together in unison to support our new allies and partners in the business community in leading our new effort in securing meaningful justice reform. Thank you, Vicki, for your passion, zeal and commitment to reform.

Special thanks go out to **Senator Paula Dockery** (R-Lakeland), **Senator Arthenia Joyner** (D-Tampa), **Representative Audrey Gibson** (D-Jacksonville), **Representative Perry Thurston** (D-Plantation) and **Trina Kramer**, Staff Director, House Committee on Homeland and Public Safety for attending the Summit and sharing their insights.

We also thank The Florida Channel for filming and streaming the summit, allowing many more Floridians to see the proceedings.

This report would look nothing like it does without the help of all the people who provided and discussed their data and research with the author. Among them are **Amanda Cannon**, Staff Director, Senate Committee on Criminal Justice; **Scott Clodfelter**, Staff, Senate Committee on Criminal Justice; **Tim Sadberry**, Staff Director Senate Committee on Criminal and Civil Justice Appropriations; **Rashada Houston**, staff at Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA). Thanks so much to each of you.

TaxWatch played a critical role as well. We thank President & CEO **Dominic Calabro** and his staff **Deborah Harris**, Chief of Staff, **Robert Weissert**, JD, Director of Communications & External Relations and Special Counsel to the President & CEO, and **Balazs Khoor**, Research Analyst for the many lively hours of productive policy discussions that contributed to this report.



## ENDNOTES

---

- <sup>1</sup> CS for SB 1722 (2009)
- <sup>2</sup> Criminal Justice Estimating Conference, 9/29/09, Office of Economic and Demographic Research, The Florida Legislature; Spreadsheets provided to the author from Criminal Justice Trends.
- <sup>3</sup> Florida Dept. of Corrections, End-of-Month Florida Prison Populations by Facility, October 2009.
- <sup>4</sup> Florida Demographic Estimating Conference, February 2009 and the Florida Demographic Database, August 2009; Florida Census Day Population: 1970-2030; Office of Economic and Demographic Research, The Florida Legislature.
- <sup>5</sup> Supra at fn 1.
- <sup>6</sup> Pew Center on the States, One in 31: The Long Reach of American Corrections, March 2009, at 17-21.
- <sup>7</sup> Stemen, Don, Reconsidering Incarceration, New Directions for Reducing Crime, Vera Institute of Justice, January 2007.
- <sup>8</sup> Florida Dept. of Corrections Annual Reports, 1995-96 and 2007-08.
- <sup>9</sup> Christensen, Dan, "Hallandale Beach grandma sent to jail — and forgotten," Miami Herald, January 12, 2010.
- <sup>10</sup> Senator Jim Webb's Floor Speech to Introduce "The National Criminal Justice Commission Act of 2009," March 26, 2009.
- <sup>11</sup> Pew Center on the States, One in 31: The Long Reach of American Corrections, March 2009, at 1.
- <sup>12</sup> Florida Times Union, 5/1/08; DOC Press Release, 6/11/08.
- <sup>13</sup> Pew Center on the States, One in 100: Behind Bars in America 2008, February 2008, at 8.
- <sup>14</sup> Florida Dept. of Corrections Annual Report, 2007-2008.
- <sup>15</sup> Criminal Justice Estimating Conference, 9/29/09, Office of Economic and Demographic Research, The Florida Legislature; Spreadsheets provided to the author from Criminal Justice Trends. In 2001, prisons had grown by fewer than 800 inmates in 2001 (1.1%), and by just over 1,500 inmates in 2002 (2.1%).
- <sup>16</sup> Id. From 2002, the crime rate fell from nearly 5,400 index crimes per 100,000 Floridians in 2002 to 4,855 in 2004.
- <sup>17</sup> CS/SB 1988.
- <sup>18</sup> Hillsborough County started sending a significant number of people to prison with year and a month sentences in November 2007; by January 2008, the County had more than halved its year and day sentences, but quadrupled its year and a month sentences. Criminal Justice Estimating Conference, 9/29/09, Office of Economic and Demographic Research, The Florida Legislature.
- <sup>19</sup> Id.
- <sup>20</sup> National Conference of State Legislatures, "Top 10 issues of 2010: Third year that fiscal conditions will dominate legislative sessions," December 17, 2009.
- <sup>21</sup> Criminal Justice Estimating Conference, 9/29/09, Office of Economic and Demographic Research, The Florida Legislature; Spreadsheets provided to the author from Criminal Justice Trends.
- <sup>22</sup> OPPAGA, Higher Priority Should Be Given to Transition Services to Reduce Inmate Recidivism, February 2007.
- <sup>23</sup> Florida Dept. of Corrections Annual Report, 2007-2008.
- <sup>24</sup> OPPAGA, Faith- and Character-Based Prison Initiative Yields Institutional Benefits; Effect on Recidivism Modest, Report No. 09-38, October 2009.
- <sup>25</sup> Criminal Justice Estimating Conference, 9/29/09, Office of Economic and Demographic Research, The Florida Legislature; Spreadsheets provided to the author from Criminal Justice Trends.
- <sup>26</sup> Florida Dept. of Corrections Annual Report, 2007-2008.
- <sup>27</sup> Remarks of Pam Denmark, Deputy Assistance Secretary of Reentry, Florida Dept. of Corrections, CMCJ / Pew Advanced Journalism Seminar, 10/31/09.
- <sup>28</sup> Id.
- <sup>29</sup> Kallestad, Brent, "Recession over, but not to some Florida lawmakers," The Associated Press, January 15, 2010.
- <sup>30</sup> Suellentrop, Chris, "The Right Has a Jailhouse Conversion, NY Times Magazine, December 24, 2006.



**COLLINS CENTER**  
FOR PUBLIC POLICY  
Thinking. Doing. For Florida.

For more information contact:

**Thomas M. Arthur**

Director of Collins News and Information Services  
727-420-2301

Miami | Tallahassee | Sarasota | St. Petersburg

[www.collinscenter.org](http://www.collinscenter.org)

## Report and Recommendations of the Florida TaxWatch Government Cost Savings Task Force on Criminal and Juvenile Justice Reform

### Introduction<sup>1</sup>

For the last year, Florida TaxWatch and the Government Cost Savings Task Force have given special attention to the rising costs of Florida's criminal justice system, especially the state Department of Corrections.

With a prison population of over a hundred thousand costing taxpayers \$2.4 billion this year, we can no longer afford the broken policy choices that have led to this out of control growth without making our communities any safer or offenders more accountable.

We recognize that a myriad of factors are driving these rising costs and thus a multi-pronged approach is essential. It is not enough to home in on reducing recidivism through new prisoner reentry strategies. It is not enough to reform probation and reduce the number of people sent to prison on technical probation violations. It is not enough to address the growing share of the prison population doing very short-term sentences. It is not enough to look at sentence length or scale back some crimes from felonies to misdemeanors. And it is not enough to revisit our release policies.

Furthermore, Florida spent more \$400 million on the Department of Juvenile Justice in FY2010-11. In total, the FY 2010-11 Florida state budget appropriated more than \$2.7 billion to the Departments of Corrections and Juvenile Justice and authorized more than 34,000 FTEs.

All of these policies – and many more – must be addressed if we are to succeed in saving tax dollars, improving public safety and holding offenders more accountable.

We know that the 24 cost-saving recommendations set forth here do not exhaust all the possibilities. That is why Florida needs the contributions that an expert, data-driven criminal justice and corrections commission could add to the deliberations about justice reform. And that is why creating such a body is our first recommendation.

<sup>1</sup> This Florida TaxWatch Research Report was originally published as Chapter 2 of the *Report and Recommendations of the Florida TaxWatch Government Cost Savings Task Force for Fiscal Year 2011-12*, December 2010. The primary author of this Research Report is **Linda Mills, Esq.**, Florida TaxWatch consultant and President of Policy Catalysts LLC (Chicago, IL), with assistance and direction from **Robert Weissert, Esq.**, Florida TaxWatch Vice President for Research and General Counsel. The publisher and editor of this report is **Dominic M. Calabro**, President and CEO of Florida TaxWatch.



## Table of Contents

**Report**.....p. 29 - 44

**Recommendations**.....p. 45

### ***Section I: Big Picture Recommendations***

1. Create a commission to do a top-to-bottom review of the Criminal Justice System and Corrections ..... 18
2. Establish an independent oversight body over the Departments of Corrections and Juvenile Justice ..... 19
3. Develop risk / needs assessment and cost-analysis tools to be used at the time of sentencing (Missouri model)..... 21

### ***Section II: Recommendations Related to Sentencing People Convicted of Low-level/Short-term Sentences***

4. Require written justification for state prison sentences given to individuals with low sentencing scores – 44 or less (currently 22 or less)..... 23
5. Incentivize localities for reducing their rates of state incarceration and increasing local alternatives ..... 24
6. Align Florida’s marijuana and cocaine possession laws with other Texas and other similar states ..... 26
7. Update value thresholds for property felonies..... 27
8. Amend the driving with a suspended license law to reduce the penalty from felony to misdemeanor when the reason for the suspension is inability to pay a financial obligation ..... 28
9. Expand electronic monitoring as an alternative to state prison sentences..... 29
10. Expand adult post-adjudicatory drug courts ..... 30

### ***Section III: Recommendations Related to Incarceration, Release, Supervision, and Reducing Recidivism***

11. Institute adult post-incarceration drug courts ..... 31
12. Increase the maximum gain time accrual allowed..... 32
13. Authorize the possibility of parole for certain elderly offenders..... 33
14. Expand prison work release programs..... 35

15. Expand evidence-based prison-based programs that reduce recidivism .....	36
A. Expand evidence-based substance abuse treatment.....	37
B. Expand evidence-based mental health treatment.....	37
C. Expand evidence-based literacy, education and vocational training .....	38
D. Expand life management skills training.....	38
E. Expand faith- and character-based prisons .....	39
F. Help inmates apply for Medicaid, Social Security Income, and Veterans benefits prior to release.....	39
16. Review and revise state-created employment restrictions based on criminal records .....	39
17. Expand the Florida Accountability Initiative for Responsible (FAIR) Probation.....	41
18. Expand Veterans Courts .....	42
19. Reduce costs of inmate hospitalization (in non-DOC hospitals).....	42

***Section IV: Recommendations Related to Juveniles in the Justice System***

20. Comprehensively review and implement Blueprint Commission recommendations .....	43
21. Study the effects of barring commitment of misdemeanants to state custody .....	44
22. Expand the Redirection program to avoid custodial care of juveniles .....	44
23. Expand the use of juvenile civil citations.....	45
24. Increase operational efficiencies and public safety by aligning the average length of stay by delinquents with best practices in residential facilities.....	46

**Background – Florida’s stunning corrections growth**

Over the last forty years, Florida, like states across the nation, made a series of policy decisions that have driven a dramatic increase in its prison population, which reached 102,440 inmates on September 30, 2010,<sup>2</sup> up from 33,681 on June 30, 1988.<sup>3</sup> Inevitably, the costs associated with incarceration have increased just as dramatically. In 1988, the Corrections budget was \$502 million; in FY2010-11 it had jumped to nearly \$2.4 billion.

---

<sup>2</sup> Criminal Justice Estimating Conference, 10/19/09, Office of Economic and Demographic Research, The Florida Legislature

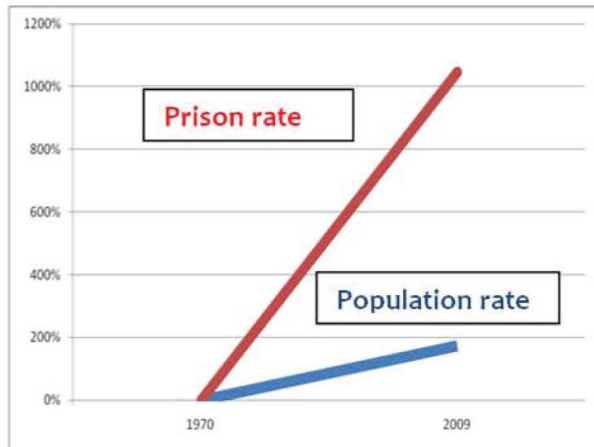
<sup>3</sup> Florida Department of Corrections. Available at: [www.dc.state.fl.us/oth/timeline/1988-1990.html](http://www.dc.state.fl.us/oth/timeline/1988-1990.html) (last retrieved December 6, 2010).

Florida Population growth and prison population growth						
	1970	1980	1990	2000	2009	
Florida Population	6,791,418	9,746,961	12,938,071	15,982,824	18,537,969	
		1970-1980	1980-1990	1990-2000	2000-2009	1970-2009
Percent Increase		43.5	32.7	23.5	15.9	172.9
		1970-1980	1980-1990	1990-2000	2000-2009	1970-2009
FL Prison Population	8793	19722	46223	71223	100894	
Percent Increase		124.3	134.3	54.1	41.7	1047.4

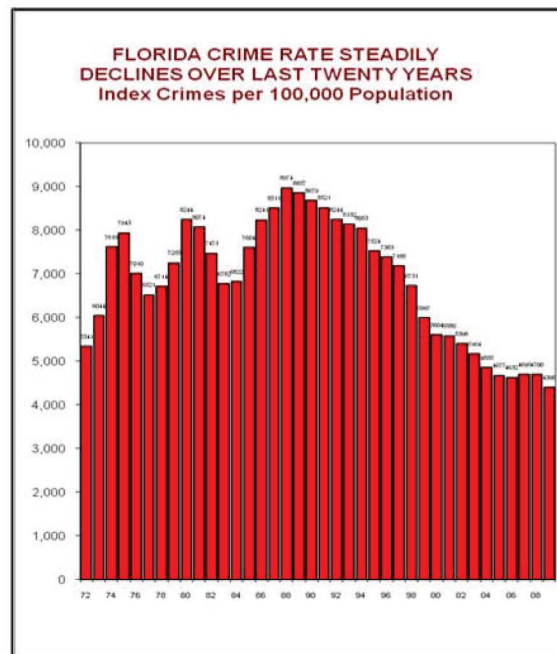
The growth in the prison population is not attributable to Florida's overall population growth. From 1970 through 2009, Florida experienced significant growth – a 2.7-fold growth in its population. But during that same period, the prisons grew *11.4-fold*.

Crime rates do not explain the growth either. Crime rates fluctuated up and down during the seventies and eighties, but starting in 1988, the crime rate has declined steadily each year but one. The crime rate certainly did not increase more than 11-fold as the prison population has.

**1970 – 2009 Growth Rates  
Florida population vs. prison population**



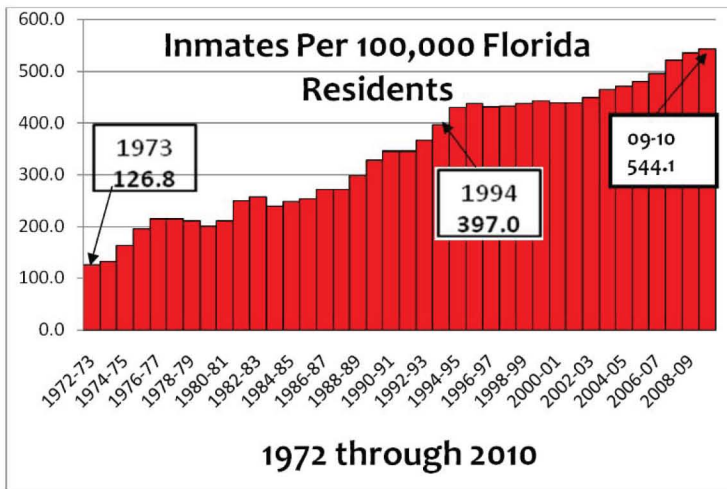
**Sources:** Legislative Committee on Intergovernmental Relations (LCIR) and Office of Economic and Demographic Research



**Source:** Office of Economic and Demographic Research

The increase in the prison population was achieved by increasing the *rate* of incarceration. Policy choices dictated that result. The rate of incarceration is the percent of people that Florida locks up in prison. It has jumped from .13 percent to .54 percent. Forty years ago the rate of incarceration was one quarter of what it is today.





Source: Florida Office of Economic and Demographic Research

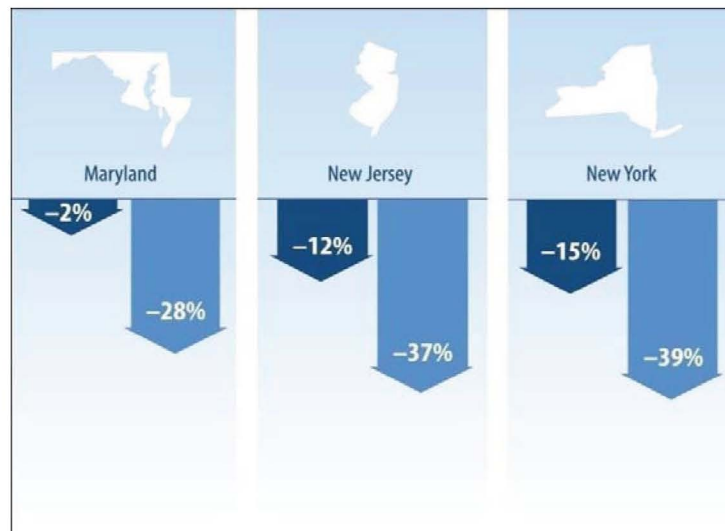
If Florida incarcerated people today at the same rate as in FY1972-73 (126.8 per 100,000), the prison population would be 23,848, at a cost of \$446 million instead of the \$2.4 billion Florida spent in FY2009-10.

It is tempting to credit the decline in crime to the increase in the rate of incarceration. Some have tried hard to make such a case, but research shows that while some decrease in crime is attributable to

incarcerating dangerous criminals, after a point, increased rates of incarceration offer diminishing returns and a negative benefit-to-cost ratio. This is especially true when we increasingly incarcerate people for nonviolent drug offenses and other low-level crimes.<sup>4</sup>

The Vera Institute for Justice examined the key studies on this issue and found that; “**Analysts are nearly unanimous in their conclusion that continued growth in incarceration will prevent considerably fewer, if any, crimes – and at substantially greater cost to taxpayers.**”<sup>5</sup> Indeed,

several states are finding that they can decrease their crime rates while simultaneously decreasing their incarceration rates, as demonstrated in the figure below.

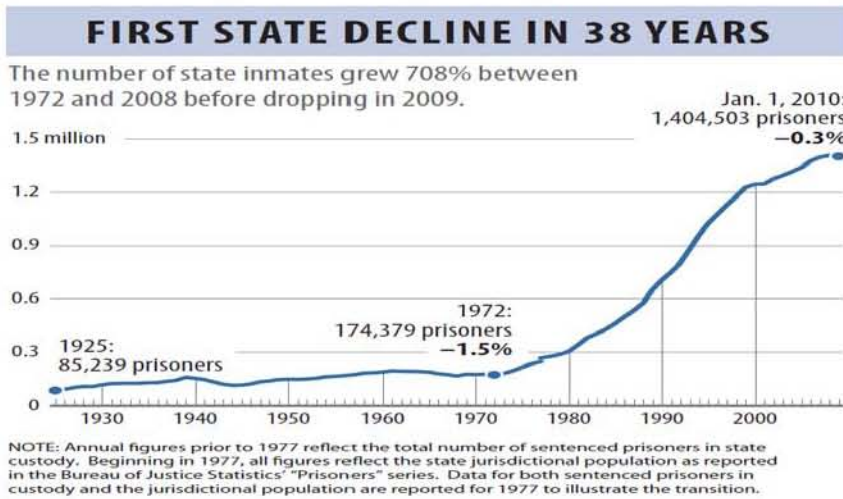


Source: Pew Center on the States

<sup>4</sup> Pew Center on the States, Public Safety Performance Project, *One in 31: The Long Reach of American Corrections*, March 2009, at 17-21.

<sup>5</sup> Stemen, Don, *Reconsidering Incarceration, New Directions for Reducing Crime*, Vera Institute of Justice, January 2007.

How has this been achieved? By data-driven strategies designed both to improve public safety and save taxpayers money.



Source:  
Pew Center on  
the States

Source: Pew Center on the States

States are now reexamining and revising the policy choices that led to such spectacular prison growth. As a result, in 2009, the United States prison population declined for the first time in 38 years.<sup>6</sup> Twenty-six states reduced their prison rolls in 2009, including some of the toughest on crime states such as Texas, Mississippi and South Carolina, which have enacted reforms to stem the tide of growing prison populations.

Unfortunately, Florida was not among them. While modest policy changes over the last couple of years have caused Florida's prison admissions to decline (by 5.6 percent in FY2009-10 over the previous year, and by 5.3 percent in FY2008-09 – after increases in each of the previous 11 years), Florida's prison population nonetheless grew by 1,527 inmates in 2009, making it the state with the second largest uptick in its prison population last year.<sup>7</sup> And on October 19, 2010, the Legislature's Criminal Justice Estimating Conference predicts that Florida's prisons will continue to grow – reaching 109,178 by FY2015-16.

### The four main drivers of prison population growth

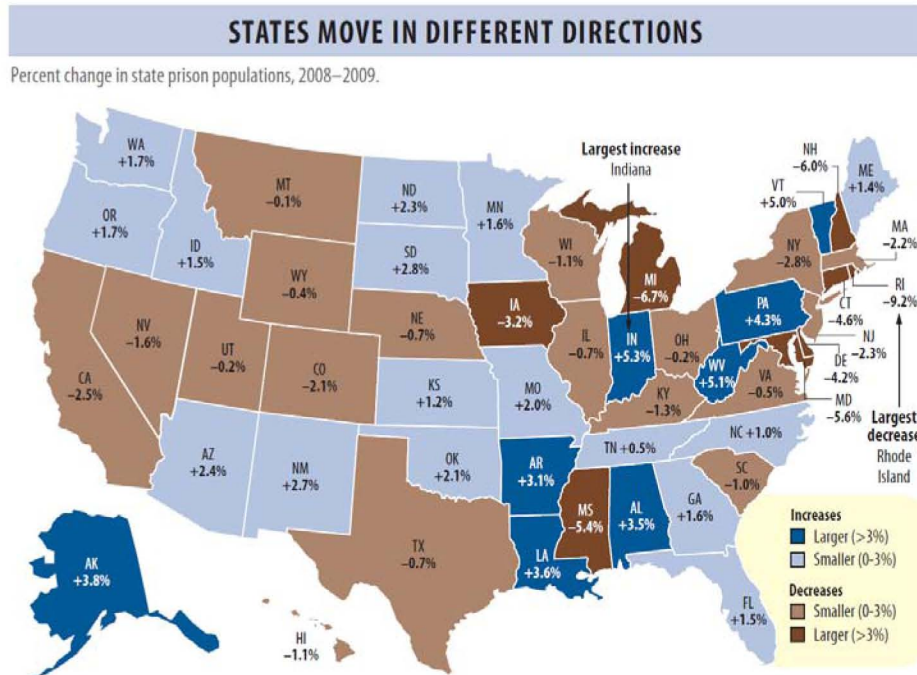
The policy changes Florida has made over the last thirty years are still very much being felt. Reviewing patterns of growth over the past thirty years, the Florida TaxWatch Government Cost Savings Task Force has identified four primary drivers of growth:

- **The elimination of parole and the adoption of policies lengthening both sentences and the period of incarceration**

<sup>6</sup> Pew Center on the States, *Prison Count 2010*, April 2010.

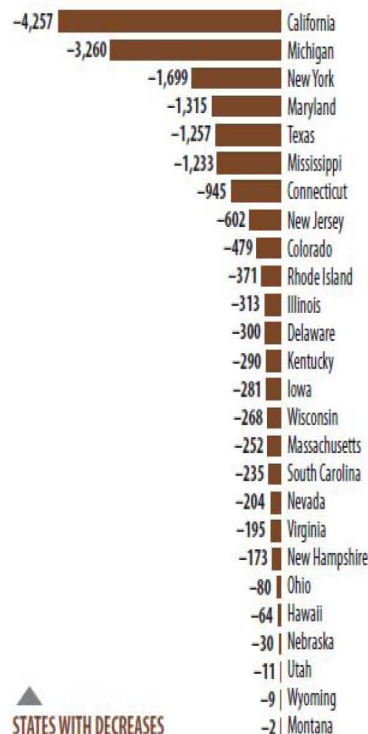
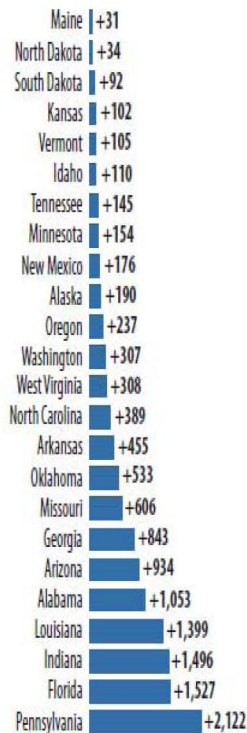
<sup>7</sup> Pennsylvania had the largest increase.

- Widespread use of very short state prison sentences in lieu of community-based alternatives (e.g., jail, probation, treatment, electronic monitoring)
- State prison incarceration for technical probation violations
- Recidivism – people *returning* to prison for new crimes or violations



NOTE: Percent change is from December 31, 2008 to January 1, 2010 unless otherwise noted in the jurisdictional notes.  
 SOURCE: Pew Center on the States, Public Safety Performance Project

#### STATES WITH INCREASES



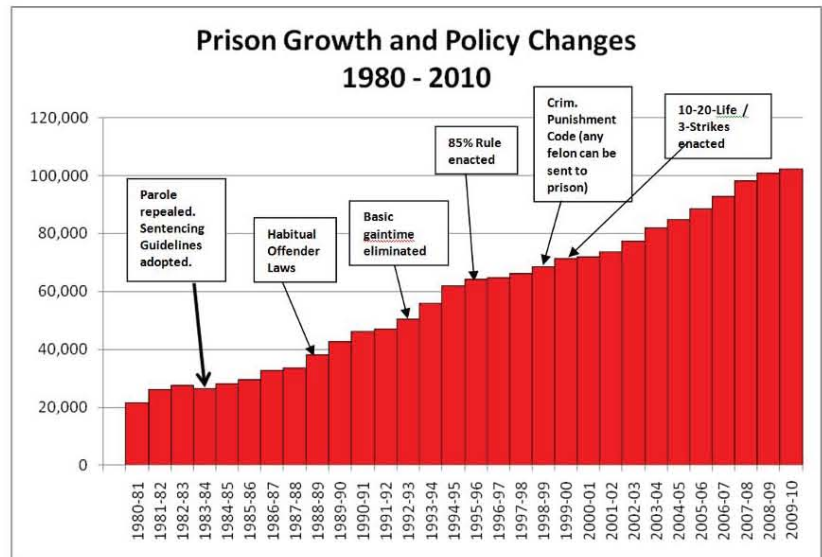
NOTE: Change is from December 31, 2008 to January 1, 2010 unless otherwise noted in the jurisdictional notes.

SOURCE: Pew Center on the States, Public Safety Performance Project

Florida's policy changes affected both sentencing and the period of actual incarceration in cases both of people convicted of minor nonviolent offenses (who after 1998 could be sent to prison for any felony) and those convicted of serious violent offenses (whose sentences were lengthened).

**The elimination of parole and the adoption of policies lengthening sentences and incarceration have driven prison growth.**

Parole was eliminated in 1983, which, in 1980, had been the method of release for 62% of the state's prisoners. In eliminating parole, Florida followed the national "truth in sentencing" trend. Instead of the state evaluating whether an individual is appropriate for release under supervision, the majority of prisoners are not assessed for readiness or fitness. Nor are they supervised upon release.



Source: Florida Office of Economic and Demographic Research

In FY2009-10, 64 percent of prisoners (23,909) were released upon the expiration of their sentence, completely reversing the practice prior to 1983.

Approximately 5,000 are still eligible for parole; they were sentenced before 1983. But in FY 2008-9, 0.1 percent -- just 42 of the **37,391** inmates released -- were paroled.<sup>8</sup>

When parole was eliminated, basic gain time (which reduced the number of days of incarceration without regard to the inmate's conduct) came to be used as a tool in the eighties and early nineties to reduce prison overcrowding.

In 1995, in response to the use of gain time simply to decrease overcrowding and the resulting relatively low percentage of sentenced time actually served, and in response to certain high profile crimes, the Legislature enacted a law [944.275 (4)(b)(3), F.S.] requiring prisoners to serve 85 percent of their sentences and eliminated basic (non-merit) gain time, though it preserved incentive gain time.

<sup>8</sup> Florida Dept. of Corrections Annual Report, 2008-09.

With the elimination of basic gain time and the restrictions placed on incentive gain time (based on good conduct) pursuant to the law mandating serving 85 percent of one’s sentence, inmates began serving significantly higher percentages of their sentences.

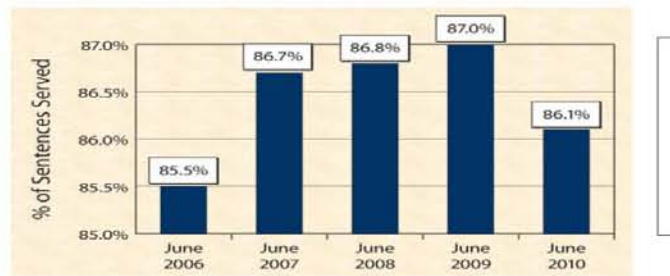
## Time Served is Lengthening: Truth in Sentencing (85% rule – Gain-time slashed)

In 1995, the Legislature enacted a requirement that individuals sentenced to prison must serve a minimum of 85% of their court-imposed sentence. Since imposition of 85% requirement, average time served in state prison has increased.

Average time served

FY 1994-95  
27.3 months

FY 2008-00  
35.5 months

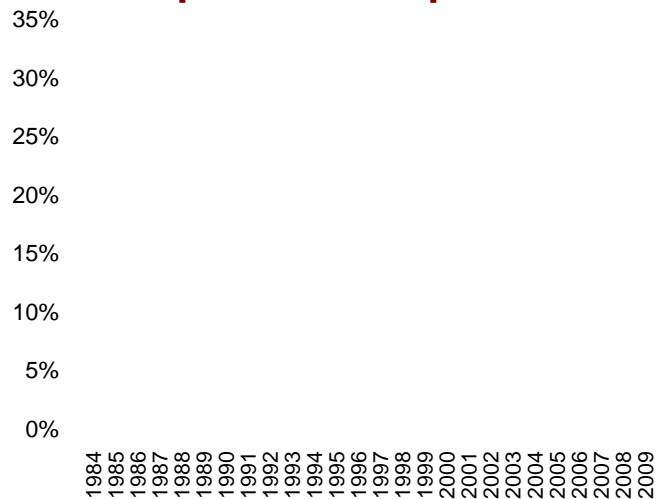


Incentive gain-time is limited to up to 10 days per month. When the inmate's tentative release date becomes equivalent to the 85% minimum service date, the inmate is prohibited from earning further gain-time awards.

In 1995, the Legislature also reduced the sentencing discretion of judges by creating presumptive minimum sentences through the establishment of sentencing guidelines, which were modified in 1994, and then again in 1995, 1996 and 1997, each time increasing the penalties. In 1998, the guidelines were prospectively repealed and replaced by the Criminal Punishment Code [921.002, et seq., F.S.] which maintains the basic structure of presumptive minimum sentences, while preserving upward discretion.

The Criminal Punishment Code allows a judge to sentence any person convicted of a felony to prison, whereas under the repealed Guidelines, people convicted of low-level felonies and without much in the way of a criminal history could not be sentenced to prison.

## Percent of Guilty Dispositions Imprisoned



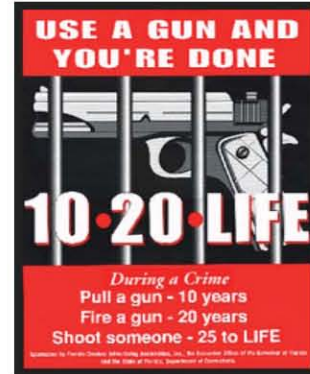
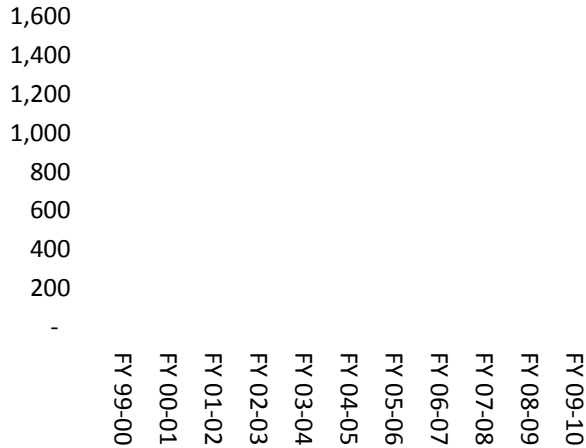
Source: Florida Office of Economic and Demographic Research



Presumptive sentencing generally serves to increase the percentage of people who are convicted being sent to prison, as has happened in Florida.

In 1999, the Legislature also increased the instances in which longer sentences and life sentences could be meted out. The law, officially 3-10-20-Life but colloquially called 10-20-Life, mandates stiff sentences for gun crimes. Incarceration under this law has increased by more than 145% since 2000, the first year of implementation.

**Incarceration under 3-10-20-Life**

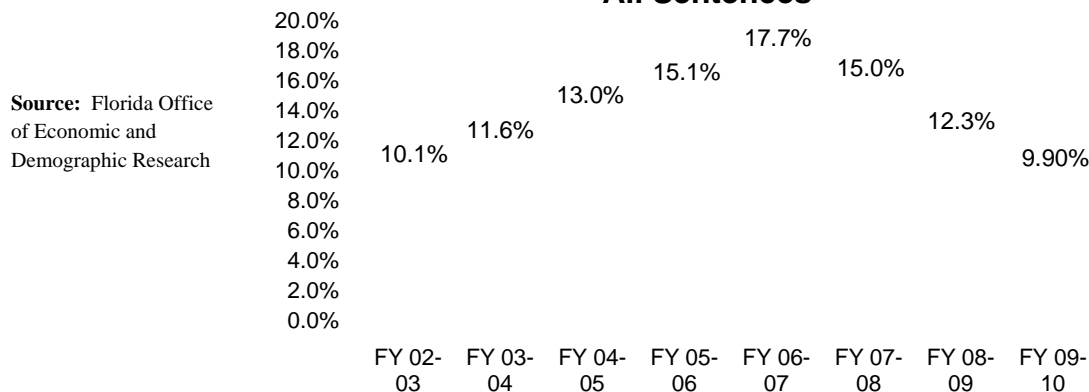


**Source:**  
Florida Office of Economic and Demographic Research

**Widespread use of very short sentences drives growth.**

While stiffer sentences for serious crimes became the norm over the last few decades, another trend emerged as well. When judges were given the discretion to sentence people to prison who were convicted of the very least serious felonies (and as increasing numbers of felonies were created), that discretion came to be exercised in many counties to hand out sentences just long enough (one year and a day) that it would be served in state prisons (at state cost) rather than in local jails or community alternatives (at county cost). Such sentencing varies widely among the counties.

**Year- and-a-Day Sentences as Percent of All Sentences**



**Source:** Florida Office of Economic and Demographic Research

Clearly, the practice of year and a day sentences is not as widespread as just a few years ago, but the wide variations in its use are as prevalent as ever.

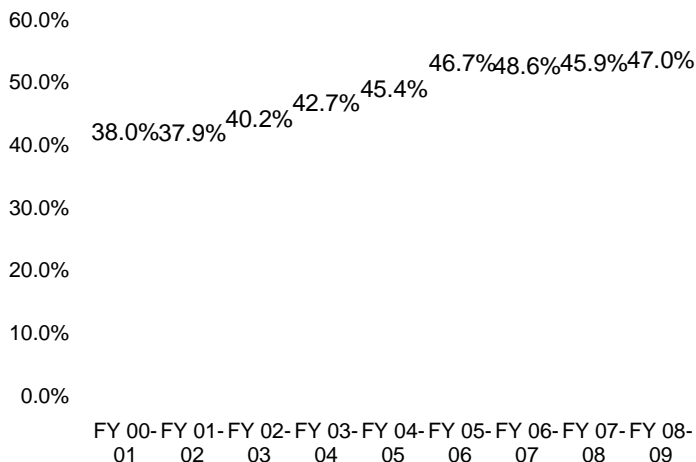
**New Commitments and Change in New Commitments by County**

Counties Decreasing Use of Year and A Day Sentences				
County	FY 2007-08	FY 2008-09	Change	Change %
<b>Hillsborough</b>	<b>3,846</b>	<b>3,090</b>	<b>(756)</b>	<b>-19.7%</b>
Broward	3,734	3,170	(564)	-15.1%
Polk	2,429	2,049	(381)	-15.7%
Pinellas	2,674	2,310	(364)	-13.6%
Alachua	821	634	(187)	-22.8%
Marion	1,349	1,173	(177)	-13.1%
Miami-Dade	2,575	2,449	(126)	-4.9%
Seminole	478	363	(115)	-24.1%
Bay	1,146	1,039	(107)	-9.3%
Volusia	1,157	1,054	(103)	-8.9%
Okaloosa	519	426	(94)	-18.0%
Sub-total	20,729	17,756	(2,973)	-14.3%
Counties Increasing Use of Year and A Day Sentences				
Santa Rosa	239	321	82	34.3%
Pasco	782	864	83	10.6%
Martin	340	439	98	28.9%
Escambia	1,136	1,275	138	12.2%
Brevard	1,194	1,340	145	12.2%
Saint Lucie	720	959	239	33.1%
Orange	1,649	2,025	376	22.8%
Duval	1,694	2,113	419	24.7%
Sub-total	7,754	9,335	1,581	20.4%
All other counties	12,008	11,641	(367)	-3.1%
<b>Total</b>	<b>40,491</b>	<b>38,732</b>	<b>(1,759)</b>	<b>-4.3%</b>

**Source:**  
Florida Office of  
Economic and  
Demographic  
Research

What is also apparent from analysis of the data is that there is no correlation among the counties regarding their relative population sizes, crime rates, felony filings, and prison admissions. For example, Miami-Dade County, with the largest population and the most felony filings sends *fewer* people to prison than Broward or Hillsborough County.

**Third Degree Felonies as Percent of New Commitments**



Contrary to common wisdom (and common sense), the majority of prison inmates have not been sentenced for serious or violent offenses.

In fact, Chart X shows that an increasing high percentage of Florida inmates are serving prison sentences for non-violent third-degree felonies (which is the lowest level of felony in Florida), which is largely due to the discretion granted to judges in 1995 to sentences such low level offenders to

**Source:** Florida Office of Economic and demographic Research

state incarceration (instead of jail sentences of less than 365 days). This situation also contributes to the growing share of inmates sentenced to short stents in prison.

Further contributing to the large share of short sentences is the percent of prisoners sentenced for crimes denominated “other.”

Over the past thirteen years, the share of violent offenses accounting for prison admissions decreased by 28 percent. During that same period, the share of admissions for “other” offenses, i.e., offenses that are nonviolent, are not property crimes, and are not drug crimes increased by 189 percent.<sup>9</sup>

One of the “other” offenses is driving with a suspended license -- the charge that landed a 78-year-old grandmother in the Broward County jail for 15 days in January 2010.<sup>10</sup>

**FLORIDA NEW COMMITMENTS FOR OTHER OFFENSES**

	Time period		Percent		Change	Percent Change
	FY 2008-09	FY 2009-10	FY 2008-09	FY 2009-10		
Drive with license suspended/revoked	1,311	769	31.6%	23.9%	(542)	-41.3%
Felony DUI (3rd or 4th conviction)	462	350	11.1%	10.9%	(112)	-24.2%
Fleeing/eluding LEO offenses	1,072	918	25.8%	28.6%	(154)	-14.4%
Sex offender registration offenses	567	512	13.7%	15.9%	(55)	-9.7%
Remainder of offenses in "Other" category	741	666	17.8%	20.7%	(75)	-10.1%
<b>Total</b>	<b>4,153</b>	<b>3,215</b>	<b>100.0%</b>	<b>100.0%</b>	<b>(938)</b>	<b>-22.6%</b>

Some efforts have been made to address this problem, and fewer offenders were committed for “other” offenses in FY2009-10 than in FY2008-09, but even so 3,215 people were sentenced in FY 2009-10 to prison for “other” offenses, including 769 (accounting for 24% of all “other” offenses) for driving with a suspended or revoked license.

A final factor driving growth for low-level crimes – here drug and property offenses – is that the core definitions have not been revised in many years. When the dollar threshold making it a third-degree felony to steal \$300 in property was enacted, and when possession of less than an ounce of marijuana was made a felony, judges could not sentence most first-time third-degree felony offenders to prison.

<sup>9</sup> Florida Dept. of Corrections Annual Reports, 1995-96 and 2007-08.

<sup>10</sup> Christensen, Dan, “Hallandale Beach grandma sent to jail -- and forgotten,” *Miami Herald*, January 12, 2010.

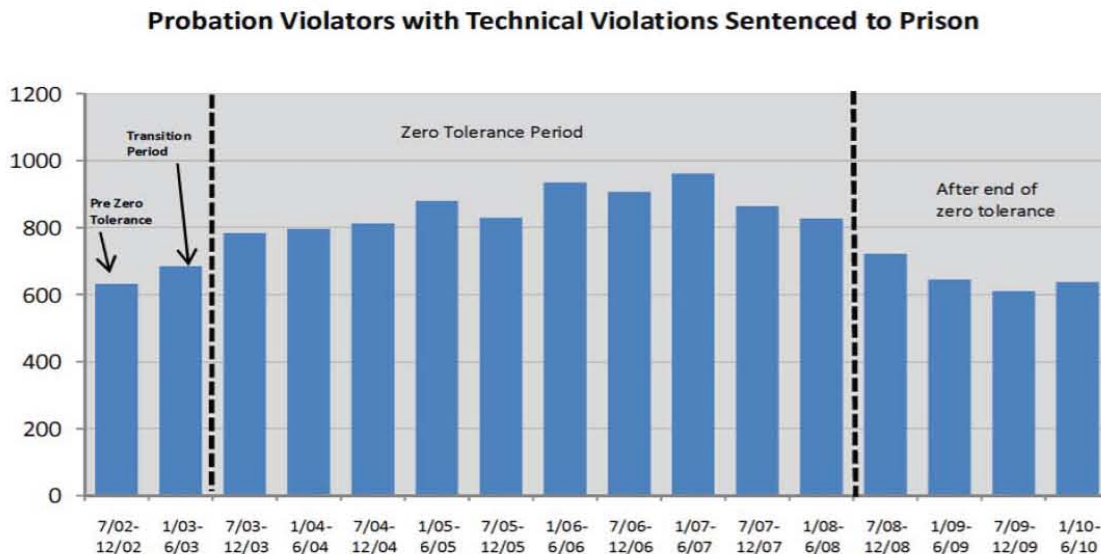


## Incarcerating people for technical probation violations drives growth, too

The terms of probation are set by the court at sentencing and typically include: reporting to the probation officer; permitting home visits by the probation officer; obtaining and maintaining employment; abiding by travel restrictions; paying restitution, fines and child support; complying with restrictions on living arrangements, associations, and contact with the victim; and submitting to required drug testing. Violating any of these terms can result in a technical probation violation, which can result in the implementation of a prison sentence by a judge.

Under the Criminal Punishment Code, judges have retained a measure of discretion in sentencing those convicted of low-level offenses (e.g., third-degree felonies) and may sentence those with fewer than 44 points on the required score sheet to a non-prison sentence. Often, this means placing the individual on probation. If the person sentenced to supervision violates the terms of supervision, the offender can be sent to prison *at the discretion of a judge*.

In 2003, the DOC implemented a “zero tolerance” approach to probation violations in the wake of a couple of high profile crimes committed by individuals under state supervision. Although the zero tolerance policy has since been rescinded and a more flexible approach relying on a judge’s discretion has been implemented, probation violations and subsequent revocations are still driving growth. In fact, in FY 2009-10, 7,479 people were sent to prison not for committing a new crime but for technical probation violations.

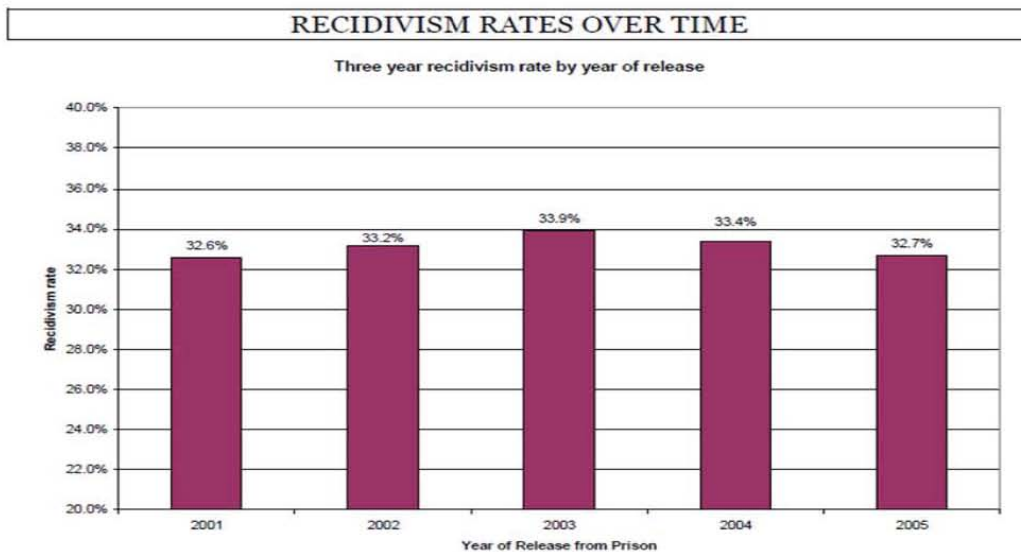


## Finally, recidivism drives growth

While the Department of Corrections has revised its mission statement to include “reentry” [defined as “to protect the public safety, to ensure the safety of Department personnel, and to provide proper care and supervision of all offenders under our jurisdiction while assisting, as

appropriate, their re-entry into society”], and has committed to focusing on reducing recidivism, **recidivism (as measured by returning to prison for a new crime or a probation violation) continues to drive prison growth.**

## Recidivism: Return to prison for a new offense or a technical violation



Florida DOC 2010 Recidivism Study

### **Other important issues in the growth of the criminal justice system**

In addition to the four main drivers of prison population, people with mental illnesses in the criminal justice system raise important challenges because they are poorly addressed by the current system and add to the overall population levels. Likewise, the lack of intervention programs for juvenile delinquents and the failure of the current system to deter those delinquents from becoming tomorrow’s prison inmates will continue to result in a more costly corrections system for Florida’s taxpayers.

### **People with mental illnesses involved in the criminal justice system**

Approximately 125,000 people experiencing serious mental illnesses (e.g., schizophrenia, bipolar disorder, major depression) are arrested and booked into Florida jails annually. On any given day, there are nearly 18,000 state prison inmates, 15,000 local jail detainees, and 40,000 individuals under correctional supervision in communities around the state who suffer from

serious mental illnesses. Although about half of these individuals are charged with low-level, non-violent offenses, many languish in prisons, jails and state-funded forensic treatment facilities for months or years because more cost effective placement alternatives do not exist.

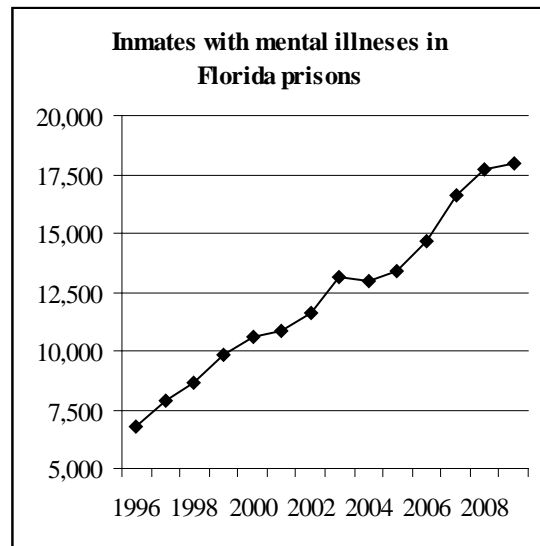
<b>Population on June 30th</b>	<b>Total prison population</b>	<b>Number of inmates with mental illnesses</b>	<b>Inmates with mental illness as a percentage of total inmate population</b>
1996	64,333	6,777	10.5%
2009	100,894	17,957	17.8%
Growth:	56.8%	165.0%	69.0%

People with mental illnesses represent the fastest growing sub-population within Florida’s prison system. Between 1996 and 2009, the overall inmate population in Florida prisons increased by 57 percent, but the number of inmates suffering from mental illness increased almost three times more over the same period.<sup>11</sup>

**Expand evidence-based mental health treatment.**

Florida currently spends exorbitant amounts of money to provide mental health treatment services in prisons and other institutional settings; however the policies and practices that drive this investment are based on an outdated system of care that does little to prevent individuals from becoming involved in the justice system or to break cycles of crime and recidivism. In addition, the current system of care fails to account for the unique treatment needs and life experiences of people with justice system involvement.

Over the past several years, a task force convened by the Supreme Court of Florida has been working with leaders from all three branches of government, as well as the state’s leading experts on mental health and criminal justice, to address issues relating to the disproportionate representation of people with mental illnesses involved in the justice system. This body developed a report titled “Transforming Florida’s Mental Health System,” which details comprehensive recommendations for planning, leadership, financing, and service development. The recommendations made target evidence-based and sustainable approaches to treatment and service delivery that will help divert people with mental illnesses from the justice system into



<sup>11</sup> From 1996 – 2009 (the same time period), the number of prison inmates receiving ongoing mental health treatment in state prison increased by 165 percent. It is important to note that at least some of the increase in the number of people with mental health problems in prison is due to an increase in assessments and diagnosis of such conditions.

more appropriate community-based treatment and support services, while at the same time helping to ensure public safety. The report also outlines steps to begin shifting investment of state dollars from costly, deep-end services provided in institutional settings into more effective, efficient, and sustainable front-end services provided in the community. The Community Mental Health and Substance Abuse Treatment and Crime Reduction Act, which would implement many of the task force's recommendations, has been considered during past legislative sessions.

Recently, the Florida Senate released an interim project report reviewing preliminary outcomes of a pilot program implemented in Miami-Dade County which is based on recommendations made by the Supreme Court task force and targeted toward diversion of individuals from state forensic hospitals into community-based treatment and support services. The report identifies key systems level features necessary to ensure continuity of care and to effectively divert people away from the justice system including cross systems collaboration, effective communication, and leadership. In addition, the report identifies essential treatment elements necessary to ensure successful outcomes among justice system-involved individuals. Based on the early success of the program in Miami-Dade County, the Senate report suggests that the legislature may wish to expand the pilot program to other communities around the state. In addition, the Senate report recommends authorizing county court judges to order involuntary outpatient treatment as a condition of release for defendants re-entering the community who meet statutory criteria.

### **Florida's juvenile justice system – criminalizing youth instead of offenses**

In Florida, prevention, diversion and progressive sanctions policies have resulted in safely implementing a significant reduction in commitments to DJJ between FY2005-06 and FY2009-10.<sup>12</sup> More than \$85 million was saved in FY2008-09 alone as a result of these policies. These outcomes are notable, but reform was long overdue in Florida. In 2006, Florida incarcerated children at a rate 50% higher than the national average.

Recently, much work has been done focused on improving Florida's juvenile justice system. One important example of the progress toward a smarter juvenile justice system is the creation of the Florida Department of Juvenile Justice's Blueprint Commission. The 25-member Blueprint Commission addressed key concerns in the juvenile justice system such as repeat offenders, overrepresentation of minorities, and a growing female population.

In January 2008, the Blueprint Commission published *Getting Smart About Juvenile Justice*, which focuses rehabilitating youth offenders and reducing the use of restrictive sanctions for low-risk and misdemeanor offenders while reserving those restrictive sanctions for serious and habitual offenders. The report offers numerous suggestions for reforming Florida's juvenile justice system in ways that will rehabilitate and improve the lives of juvenile offenders, increase

---

<sup>12</sup> From FY2005-06 to FY 2009-10, the number of DJJ commitments decreased by 28%. During the same period the overall crime rate also fell, which undoubtedly accounts for some portion of the decrease.

public safety, and produce significant savings for the state. Some of the recommendations have been implemented, but many have not yet been.

In spite of determined efforts and substantial progress over the past five years, there is still significant room for improvement.

Florida has adopted a practice of criminalizing youth offenders instead of criminalizing the offenses. From 2000 to 2008, the average length of stay for juveniles in residential facilities increased by 30%, a trend that cost nearly \$20 million last year alone.<sup>13</sup> Not only is the average length of stay too long, the number of incarcerated youth is too high.

DJJ continues to incarcerate large numbers of relatively low-risk youth. Nearly half (44%) of all children admitted to DJJ facilities in FY2008-09 were committed for misdemeanors and violations of probation.

Florida will spend more than \$50 million on children committed to non-secure residential facilities on misdemeanors and probation violations this year. Most of these youth are housed in large, congregate-care detention centers awaiting court hearings and are held in custody at costs ranging from \$100 to more than \$300 per day.

Few of these youth offenders are confined for serious offenses. Most are charged with non-violent property or drug crimes and 40% of all children are committed for technical violations of probation or misdemeanors, including non-violent property offenses and public order violations.

Reforms, such as prevention, intervention, diversion, and treatment, cost less than commitment. They are also better at holding youth accountable and reducing recidivism. While Florida must continue to incarcerate youth who pose serious risks to public safety, detention and incarceration of young people should be an option of last resort.

Tools such as risk assessment and sentencing guidelines let jurisdictions distinguish between youth who pose risks to public safety and those who would be better and more cost effectively served in less-restrictive settings.

Many juvenile justice systems have embraced community-based alternatives to institutionalization. These systems improve the life chances of juveniles in the justice system and reduce unwarranted costs while enhancing public safety.

Getting smart on crime requires efficient and effective use of limited resources in prevention, diversion, and intervention programs, especially when it comes to juvenile justice.

### **Conclusion**

As we have seen, Florida's 11.4-fold rate of prison population growth is simply unsustainable. There are more effective, less costly policy choices we can make to protect and improve public

---

<sup>13</sup> Analysis by the Southern Poverty Law Center (unpublished report).

safety. The recommendations below address each of the policy choices that have led to these drivers of prison growth:

- **The elimination of parole and the adoption of policies lengthening sentences and incarceration**
- **Widespread use of very short sentences**
- **Incarcerating people for technical probation violations**
- **Recidivism – people *returning* to prison for new crimes or violations**
- **The lack of alternatives for people with mental illnesses**
- **The juvenile justice’s failure to rehabilitate system (i.e., criminalizing youth instead of offenses)**

## **Justice Reform Recommendations**

### **Section I: Big Picture Recommendations**

The first four recommendations will not result in immediate (i.e., July 1, 2011) cost savings, but are essential to long-term cost containment and the improvement of public safety.

#### **1. Create a commission to do a top-to-bottom review of the Criminal Justice System and Corrections**

Florida has not conducted a comprehensive review of the laws and policies that have been driving its prison growth, nor does it have an entity charged with the responsibility of doing so.

Senate Bill 2000, passed in 2008 (Chapter No. 2008-54), established the Correctional Policy Advisory Council, which was to evaluate “correctional policies, justice reinvestment initiatives, and laws affecting or applicable to corrections, and for the purpose of making findings and recommendations on changes to such policy, reinvestment initiatives, and laws,” and to advise the Legislature and Governor on such matters. Members were appointed but the Council never met; and the enabling legislation provides that the Council shall be abolished on July 1, 2011.

Such a body, but expanded in both scope and membership, is essential to the deliberative process necessary for meaningful, sustainable, cost-effective justice reforms. Virtually every state that has made the substantive policy changes that have succeeded in reducing the size of their corrections population has accomplished this through a bipartisan deliberative body engaging all three branches of government. Indeed, the Pew Center on the States’ Public Safety Performance Project requires such a cooperative effort for it to provide technical assistance in identifying the key drivers of prison growth and developing a menu of options to reverse the trend.

While this report contains many recommendations that can save tax dollars and improve public safety, we know it does not address all of the possibilities. Florida needs the contributions that such a deliberative body could add to justice reform.

**Recommendation:** *The Governor, with the bipartisan, bicameral cooperation of the legislature and judiciary, create a commission composed of members of the executive, legislative and judicial branches along with experts in criminology, sentencing, corrections, veterans affairs, mental health, substance abuse, reentry, and community supervision to do a top-to-bottom data-driven assessment of Florida's corrections and criminal justice system with a focus on cost-effective ways to improve public safety while slowing prison growth. This commission should be required to produce comprehensive, actionable reforms in time for consideration by the legislature in 2012.*

## **2. Establish an independent oversight body over the Departments of Corrections and Juvenile Justice**

As the bipartisan Commission on Safety and Abuse in America's Prisons found in 2006, "All public institutions, from hospitals to schools, need and benefit from strong oversight. Citizens demand it because they understand what is at stake if these institutions fail. Prisons and jails should be no exception. They are directly responsible for the health and safety of millions of people every year, and what happens in correctional facilities has a significant impact on the health and safety of our communities. Corrections leaders work hard to oversee their own institutions and hold themselves accountable, but their vital efforts are not sufficient and cannot substitute for external forms of oversight."

As the March 2010 Florida TaxWatch report<sup>14</sup> and *Florida Trend* reported in July 2009, the critical component of any such oversight is the entity's independence. Under current law, the Corrections and Juvenile Justice inspectors general are appointed by the agency's secretary and may be removed without cause by the secretary. Indeed, in 2003, the Secretary of DOC fired the Inspector General who was uncovering the misconduct of a DOC employee who was a friend of the Secretary. Later, both the Secretary and the employee who was being investigated were indicted and incarcerated by the federal government – but by then, correctional oversight had already been compromised.

No scandal involving the Florida DOC inspector general's office has emerged since that time, but structurally, with the IG responsible to no one but the Secretary and able to be fired at will, there simply is not the independence needed. Nor is there adequate transparency. The IG's very brief annual report (most of it lays out its duties and authority rather than what has been accomplished) provides data on the number and types of investigation, but nothing whatever about their disposition, except how many cases are referred for prosecution.

There are a number of models for independent corrections oversight. California, for instance, created an independent inspector general's office, which has broad oversight -- investigatory,

---

<sup>14</sup> Bragg, Cecil T., CPA, "How Independent Are Florida Inspectors General?," March 2010

monitoring and inspecting, along with a requirement that each warden be audited one year after appointment and each prison audited every four years.

Currently, Florida has oversight of medical and mental healthcare established through the Correctional Medical Authority (CMA) and this could serve as a model for general oversight.

The American Bar Association has studied the various types of oversight of corrections agencies in place among the states and in other nations and has developed a set of key requirements of effective correctional monitoring. Among these requirements are:

- Independence from corrections
- Headed by a person appointed for a fixed term by an elected official, subject to legislative confirmation, and subject to removal only for just cause
- Sufficient expert and trained staff
- Duty to conduct regular inspections of the facilities, as well as the authority to examine, and issue reports on, a particular problem at one or more facilities.
- Authorization to inspect or examine all aspects of a facility's operations and conditions including, but not limited to: staff recruitment, training, supervision, and discipline; inmate deaths; medical and mental health care; use of force; inmate violence; conditions of confinement; inmate disciplinary processes; inmate grievance processes; substance-abuse treatment; educational, vocational, and other programming; and reentry planning.
- Authority to conduct both scheduled and unannounced inspections
- Authority to obtain and inspect any and all records, including inmate and personnel records, bearing on the facility's operations or conditions.
- Authority to conduct confidential interviews with any person, including line staff and inmates, concerning the facility's operations and conditions; to hold public hearings; to subpoena witnesses and documents; and to require that witnesses testify under oath.
- Requirement of an annual report of its findings and activities that is public, accessible through the Internet, and distributed to the media, the jurisdiction's legislative body, and its top elected official.<sup>15</sup>

***Recommendation:*** *An independent entity, accountable to the governor, legislature and the people of Florida, should be established with oversight, investigating, inspecting, monitoring and reporting authority over state corrections and juvenile justice and their facilities. It should also establish performance measures and review and report on the data collected pursuant to such measures.*

---

<sup>15</sup> American Bar Association, "Key Requirements for the Effective Monitoring of Correctional and Detention Facilities", August 2008.



### **3. Develop risk / needs assessment and cost-analysis tools to be used at the time of sentencing (Missouri model)**

Since Florida first enacted its Sentencing Guidelines in 1983, Florida's sentencing policy has explicitly rejected rehabilitation as a primary purpose of sentencing. Today, under the Criminal Punishment Code, adopted in 1998, the policy reads: "The primary purpose of sentencing is to punish the offender. Rehabilitation is a desired goal of the criminal justice system but is subordinate to the goal of punishment."<sup>16</sup>

Thus, the calculation used to determine the sentence focuses not on risk or needs, or the likelihood of reoffending, but on the appropriate dose of punishment, based on static risk factors such as the nature of the primary offense and any additional offenses, prior criminal history, and injury to the victim. These are factors that cannot change and thus cannot be addressed through targeted interventions.

Florida's sentencing policy is consistent with the trend across the U.S. that began in the late seventies with determinant sentencing, focusing on punishment (called "just deserts"), deterrence and incapacitation. (It must be said that all states did not move in this direction. For instance, Article 1, Section 12 of the Alaska constitution provides that "Criminal administration shall be based upon the following: the need for protecting the public, community condemnation of the offender, the rights of victims of crimes, restitution from the offender, and the principle of reformation.")

Yet, as a 2006 National Conference of State Courts survey found, "the top concerns of state trial judges hearing felony cases included the high rates of recidivism among felony offenders, the ineffectiveness of traditional probation supervision and other criminal sanctions in reducing recidivism, restrictions on judicial discretion that limited the ability of judges to sentence more fairly and effectively, and the absence of effective community corrections programs. The survey also found that the state chief justices believed that the most important sentencing reform objective facing the state courts was to improve public safety and reduce recidivism through expanded use of evidence-based practices and programs, including offender risk and needs assessment tools."<sup>17</sup>

While evidence-based approaches to rehabilitation have been most commonly associated with prison and community-based programs, states, in response to this frustration and stubborn recidivism rates, have been developing policies and practices that address risk at the time of

---

<sup>16</sup> 921.002 (b), The Criminal Punishment Code

<sup>17</sup> Warren, Roger K., Evidence-Based Practice to Reduce Recidivism: Implications for State Judiciaries, for the Crime and Justice Institute, National Institute of Corrections, and National Center for State Courts, The Crime and Justice Institute and the National Institute of Corrections, Community Corrections Division, 2007.

sentencing so that the sentence is most appropriate to the individual defendant's risks of recidivating.<sup>18</sup>

Accordingly, states are moving away from policies that barely consider the public safety objective of reducing recidivism (and thus reducing crime) and are instead embracing sentencing policies and practices based on what research has demonstrated and which helps to rehabilitate people convicted of crimes and to reduce recidivism. This is at the heart of drug courts and other treatment-oriented courts (also called problem-solving courts), regardless of whether the official state policy favors or eschews rehabilitation.

Among the practices being adopted are:

- **Establishing recidivism reduction as an explicit sentencing goal.** The Oregon Judicial Conference, for example, requires judges to consider the sentence's potential impact on reducing future criminal conduct.
- **Building flexibility into the sentencing laws so that judges can mete out sentences that are aimed at reducing recidivism.** As the Pew Center on the States has found, "The research indicates that whether a particular offender is an appropriate candidate for recidivism reduction cannot accurately be assessed relying solely on the type of offense committed and the offender's prior criminal history. Individual offender characteristics must also be taken into consideration. This means shorter or probationary sentences for some offenders, and perhaps longer prison terms for others."<sup>19</sup>
- **Using risk and needs assessments in formulating a sentence.** Rather than focusing only on the unchangeable static factors (nature of the crime, criminal history, etc.) a validated tool that assesses "dynamic" risks and criminogenic needs (e.g. low self-control, substance abuse, antisocial attitudes, criminal thinking) can guide sentencing so that it results in effective treatment.

Missouri's Sentencing Commission has developed a web-based tool for judges to use in sentencing that provides them extensive information about sentencing options and the risks and costs associated with each alternative. The tool is available for use by judges, prosecution, defendants and their attorneys, and the public. The user simply types in the code number for the highest level offense upon which the defendant has been (or will be) convicted, along with demographic, criminal history, substance abuse involvement, education and other information about the defendant, and the tool provides the user with the recommended sentences, the risk assessment, recidivism projections and the costs of incarceration, supervision, and community alternatives, including treatment where warranted.

---

<sup>18</sup> See. e.g., Pew Center on the States, Public Safety Policy Brief, "Arming the Courts with Research: 10 Evidence-Based Sentencing Initiatives to Control Crime and Reduce Cost," May 2009.

<sup>19</sup> *Id.*

**Recommendation:** *The commission appointed pursuant to Recommendation #12 should lead the development of a similar web-based tool for purposes of illuminating sentencing options, defendant risk reduction and sentencing costs.*

## **Section II: Cost-saving Recommendations Related to Sentencing People Convicted of Low-level Offenses /Short-term Sentences**

As DOC reports in its annual sentencing report,<sup>20</sup> one of the notable impacts of the 1998 repeal of the Sentencing Guidelines and the enactment of the Criminal Punishment Code is that “all felony offenders have the potential to receive a prison sentence, whereas many under the guidelines were, by policy, excluded from such a possibility.” In FY2008-09, only 28.2 percent of the new admissions to prison were incarcerated for violent crimes; the rest were admitted for drug, property or “other” offenses. Sentencing practices vary considerably from county to county, but all counties send increasing numbers of nonviolent low-level offenders to prison.

### **4. Require written justification for state prison sentences given to individuals with low sentencing scores – 44 or less (currently 22 or less)**

Under Florida law, a person who has been convicted of a felony in the third-degree may be punished by a term of imprisonment not exceeding 5 years.<sup>21</sup> The discretion provided judges is limited, however, by the Criminal Punishment Code, which essentially establishes minimum sentences.<sup>22</sup> Under the Code, sentencing scores are used to calculate the *lowest* permissible sentence. Offenses are ranked under this law according to the seriousness of the most serious offense from one to ten. Calculation of the total sentence points includes multiple factors, such as secondary offenses, injury to the victim, and prior record.

If the total number of sentence points equals or is less than 44 points, the *lowest* permissible sentence is a non-state prison sanction,<sup>23</sup> but the non-state sanction is still within the discretion of judge to impose or not. Until 2009, a judge had unfettered discretion to sentence any person convicted of a third-degree felony for up to five years in prison, regardless of the total sentence score calculated under the Criminal Punishment Code. That year, the Legislature had discovered that thousands of defendants with point scores less than the 44-point threshold recommended for a prison sanction were nonetheless sentenced to state prison.

Effective July 1, 2009, 775.082, F.S., (SB 1722) was amended to require the court to sentence those with 22 points or less (and that have not been convicted of a forcible felony) to a non-state

---

<sup>20</sup> Florida Department of Corrections, Florida's Criminal Punishment Code: A Comparative Assessment, September 2009.

<sup>21</sup> Section 775.082, F.S., specifies the penalty structure for the different felony classifications.

<sup>22</sup> (Chapter 921, the Criminal Punishment Code applies to defendants whose non-capital felony offenses were committed on or after October 1, 1998.)

<sup>23</sup> Section 775.082, F.S., specifies the penalty structure for the different felony classifications.

prison sanction unless the court makes written findings that a non-state prison sanction could present a danger to the public.

Still, as OPPAGA reported in October 2010, in FY2009-10, 11.5% of defendants with sentencing scores between 22 and 44 were sent to prison (1,470 individuals), and 2.6% (364 people) of those with scores of 22 and below were sent to prison.<sup>24</sup> This is a reduction over the

Sanction Imposed	Recommended Sanction Category							
	FY 2007-2008 Sentence Dates <sup>1</sup>				FY 2008-2009 Sentence Dates <sup>2</sup>			
	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	Total	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	Total
State Prison	1,230	5,150	13,530	<b>19,910</b>	1,204	5,145	13,325	<b>19,674</b>
	3.4%	13.2%	60.7%	<b>20.4%</b>	3.9%	13.8%	61.2%	<b>21.8%</b>
Community Control	997	2,234	1,203	<b>4,434</b>	872	2,152	1,273	<b>4,297</b>
	2.8%	5.7%	5.4%	<b>4.6%</b>	2.8%	5.8%	5.8%	<b>4.8%</b>
Probation	23,160	18,009	4,507	<b>45,676</b>	19,914	17,625	4,491	<b>42,030</b>
	64.1%	46.3%	20.2%	<b>46.9%</b>	63.9%	47.4%	20.6%	<b>46.7%</b>
County Jail	10,416	13,022	2,903	<b>26,341</b>	8,910	11,911	2,551	<b>23,372</b>
	28.8%	33.4%	13.0%	<b>27.1%</b>	28.6%	32.0%	11.7%	<b>25.9%</b>
Other	336	520	154	<b>1,010</b>	245	338	124	<b>707</b>
	0.9%	1.3%	0.7%	<b>1.0%</b>	0.8%	0.9%	0.6%	<b>0.8%</b>
<b>Total</b>	<b>36,139</b>	<b>38,935</b>	<b>22,297</b>	<b>97,371</b>	<b>31,145</b>	<b>37,171</b>	<b>21,764</b>	<b>90,080</b>
	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

\*Total points greater than 44.  
<sup>1</sup> Offense dates on or after October 1, 2006.  
<sup>2</sup> Offense dates on or after October 1, 2007.

**Sentencing Scores and Sentences FY 2007-08 and FY 2008-09**

previous fiscal years, but it is not sufficient.

According to the data provided in the above figure, a 10% diversion of individuals with 44 or less points would save \$1.6 million, annually. If half of these individuals could be successfully diverted from prison, the state could realize an annual savings of \$31.4 million.<sup>25</sup>

**Recommendation: 775.082, Fl. Statutes should be further revised to require written justification for sentencing individuals with 44 or fewer points to state prisons.**

**5. Incentivize localities for reducing their rates of state incarceration and increasing local alternatives**

Florida, like many other states, has been tracking and wrestling with the increasing phenomenon of local courts sentencing individuals to state prison under circumstances that would have equally warranted, under existing law, local jail sentences or community-based alternatives.

<sup>24</sup> OPPAGA, *Without Changes, Expansion Drug Courts Unlikely to Realize Expected Cost Savings*, Report No. 10-54, October 2010

<sup>25</sup> The average daily cost of \$44.03 per inmate was used in calculations (weighted average that excludes the daily cost of reception centers based on the Florida Department of Corrections FY08-09 Budget Report.) These estimates accounted for \$5,000 in assumed diversion program costs per diverted offender.

In some states, the cost of local incarceration is borne by local governments (in Florida, it is the counties), while the cost of state prisons is borne wholly by the state. In Florida, this may be one of the reasons behind the common use of year-and-a-day sentences (and year-and-a-month in one county), which, by law, send individuals to state prison at state cost. A sentence of just one day less and the costs would inure to the county.

In many cases, the state prison sentence actually served is just a few months because the majority of the sentence has already been served (and credited against the total) in jail, pending disposition of the case. Significantly, on a per-bed basis, the first six weeks of the sentence are the most costly because every new prisoner begins the sentence at a reception center and the per-diem at such facilities ( \$85.94) is more than twice the cost of a bed, for instance, in a typical male facility (\$42.31). Thus, the cost of a short-term sentence can be far greater per day than that of a longer term sentence.

In light of this phenomenon, some states are looking to reverse or lessen the incentives to impose state prison sentences on people who would be equally or better served in the local community – or specifically incentivize counties for keeping low-level offenders out of state prison.

In Illinois, for example, the Crime Reduction Act (Public Act 96-0761) established the Adult Redeploy Illinois program (based on its successful Juvenile Redeploy program), which provides financial incentives to local jurisdictions for designing community-based programs to treat offenders in the community instead of sending them to state prisons.

In states such as California, Colorado, Arizona, Kansas and Alabama, incentive funds are also being made available to localities to reduce recidivism and to reduce the number of probation revocations that land people back in prison. Indeed, in 1968, when Ronald Reagan was governor of California, one of the strategies employed to reduce the prison population by 34 percent over the course of his governorship was to provide counties incentives to keep individuals from being sent to prison.<sup>26</sup>

There are many possible approaches to incentivizing local sentences. If, for example, the state reimbursed counties 50 percent of the savings achieved when counties reduce the number of offenders sent to state prison that are instead sentenced to local options (jail or community-based alternatives, including electronic monitoring), taxpayers would save 50% of the cost of diverting each such person from state prison, and the localities would reap the benefit of funds they would not have otherwise. Of course, critical to such an approach is assurance that these are true diversions and not local sentences of people who would have been locally sentenced anyway. Therefore, counties would be able to access state funds only if they materially reduce the number of low-level offenders sent to state prison, which would be measured against a baseline rate of offenders that each county sent to state prison in previous years.

From FY 2005-FY 2009, an average of 14% of all new commitments has been sentenced under the year-and-a-day practice. This is an average decline of approximately 9% in year-and-a-day

---

<sup>26</sup> Palta, Rena, Prison Overcrowding: What Would Reagan Do?: San Francisco Chronicle, Oct. 4, 2010

sentencing over the previous five years.<sup>27</sup> Assuming that many of the individuals sentenced to a year and a day would be the ones that would avoid prison if proper incentives were provided to the counties, and assuming the percent of new commitments sentenced to a year-and-a-day remains constant at 14%, it is **estimated that expanding state prison diversion would result in \$4.7 million to \$93 million savings over the next three years.** Assuming the percent of inmates sentenced to a year-and-a-day continues to decline 9% annually, it is estimated that Florida would save between \$2.6 million and \$51.3 million.

**Estimated Cost Savings**

<b>Scenario 1- Approximately 14% of new commitments sentenced year-and-a-day</b>				
	<b>Number of Eligible New Entrants</b>	<b>50% Diverted</b>	<b>25% Diverted</b>	<b>10% Diverted</b>
<b>FY2011-12</b>	4,934	\$30,930,877.98	\$15,465,438.99	\$1,546,543.90
<b>FY2012-13</b>	5,008	\$31,395,152.71	\$15,697,576.36	\$1,569,757.64
<b>FY2013-14</b>	5,108	\$32,022,669.60	\$16,011,334.80	\$1,601,133.48
<b>Scenario 2 - Average 9% annual decline in number of new commitments with year-and-a-day sentences</b>				
	<b>Number of Eligible New Entrants</b>	<b>50% Diverted</b>	<b>25% Diverted</b>	<b>10% Diverted</b>
<b>FY2011-12</b>	2,986	\$18,718,286.51	\$9,359,143.25	\$935,914.33
<b>FY2012-13</b>	2,719	\$17,047,166.95	\$8,523,583.47	\$852,358.35
<b>FY2013-14</b>	2,477	\$15,525,240.56	\$7,762,620.28	\$776,262.03

**Recommendation:** *Florida should reverse the incentives counties now have to send people convicted of low-level nonviolent crimes to state prisons and reward them for sentencing them to community-based alternatives.*

**6. Align Florida’s marijuana and cocaine possession laws with other Texas and other similar states**

Florida laws authorize the incarceration in state prisons for the possession of very low quantities of drugs. Possession without intent to deliver or distribute of over 20 grams (7/10th of an ounce) of marijuana in Florida is a felony punishable by up to five years in prison. By contrast, in Kentucky and New York to reach felony level, the accused must have possessed 8 ounces or more (11 times the Florida felony amount); in Texas, it’s 4 ounces.

---

<sup>27</sup> Calculations use prison data and projected new commitments from the Justice Estimating Conference. The average daily cost of \$44.03 per inmate was used in calculations (weighted average that excludes the daily cost of reception centers based on the Florida Department of Corrections FY08-09 Budget Report). These estimates accounted for \$5,000 in assumed diversion program cost per diverted offender.

**Possession of *any* amount of cocaine is also a felony in Florida and this offense has been a major driver of prison growth.**

People convicted of drug offenses make up 19.8% of the prison population; those convicted of simple possession of cocaine made up 19% of new commitments (1,938 people) for drug offenses in 2009. According to OPPAGA, “1,265 drug possession inmates currently in prison scored fewer than 5 prior record points (likely no significant prior offenses). If half were diverted, the state would save \$10.4 million annually.”<sup>28</sup>

Across the country, states are making changes in their drug laws to reduce penalties from felonies to misdemeanors.<sup>29</sup> For instance, in 2010, the Colorado legislature amended its drug possession laws to make possession of most drugs (e.g., cocaine and heroin) a misdemeanor rather than a felony (and marijuana possession is decriminalized in Colorado). Colorado is reinvesting the money saved in treatment programs.<sup>30</sup>

As of July 1, 2010, there were 2,260 inmates in custody of the Florida Department of Corrections due to charges of illegal possession of marijuana or cocaine. One third of these inmates were first-time offenders. The average maximum sentence for illegal possession is 2.9 years with an average of 2.17 years for first time offenders. **If half of the first-time offenders were diverted from prison, the state could save approximately \$6.7 million, annually.**<sup>31</sup> **A 50% reduction in all current drug offenders serving time for cocaine or marijuana possession would constitute a savings of \$21.2 million.**

**Recommendation: *The Florida Legislature should amend 893.13(6)(b), Florida Statutes, to reclassify low-level marijuana and/or cocaine possession as a misdemeanor.***

## **7. Update value thresholds for property felonies**

In Florida, most theft, fraud and other property offense laws establish the dollar threshold that makes the crime a felony at \$300; other thresholds are even lower. For instance, for food stamp fraud it is \$200. For fraud through issuing a worthless check or stopping payment on a check, it is \$150. And for removal of a from rental property if a landlord’s lien has been placed on it, it is \$50. Florida also makes the theft of specific objects (e.g., pigs) a felonious theft regardless of value.

As with the changes other states are making to their drug laws by raising the weight level thresholds that make drug possession crimes a felony, other states are also raising the dollar value thresholds that make property crimes felonies.

---

<sup>28</sup> OPPAGA, Research Memorandum, Options for Reducing Prison Costs, March 3, 2009.

<sup>29</sup> See, e.g., Vera Institute of Justice, Criminal Justice Trends; Key Legislative Changes in Sentencing Policy, 2001–2010; September 2010.

<sup>30</sup> Colorado Criminal Justice Reform Coalition, 2010 Legislative Summary.

<sup>31</sup> As of July 1, 2010, 712 were first-time offenders. Estimates assume an average per diem cost of \$52.00 for public institutions and \$45.53 for private institutions.

Among the states that have raised their thresholds for felony property crimes are South Carolina (increasing the threshold for felony malicious injury to animal or property from \$5,000 to \$10,000); Delaware (Class G felony computer crimes from \$500 to \$1,500); Montana (increased threshold dollar amounts for a number of felony property crimes from \$1,000 to \$1,500); Washington (increased minimum threshold of Class C felony property crimes from \$250 to \$750).<sup>32</sup>

As of July 1, 2010 there were 1,581 inmates in custody of the Florida Department of Corrections with carrying charges of grand theft between \$300 and \$5,000. The average maximum sentence for all of these individuals is 2.93 years. **For every 1% inmates with grand theft charges diverted from prison, the state could save approximately \$296,000 annually.**<sup>33</sup>

***Recommendation:*** *The Florida Legislature should increase the dollar thresholds that make property offenses a felony and reexamine offenses made felonious based solely on the type of property stolen.*

**8. Amend the driving with a suspended license law to reduce the penalty from felony to misdemeanor when the reason for the suspension is inability to pay a financial obligation**

Just a few years ago there was a spike in the number of people being sent to state prison for driving with a suspended license. This happened as a result of the Legislature having made a number of changes in the law over the years that made the failure to meet an increasing list of financial obligations (for instance, court fines and child support) cause to suspend a driver's license.

With more such failures punishable by license suspension, there were more felony convictions for driving a third time with a suspended license. In 2003, the increase was 10.8 percent; in 2004, it was another 10.4 percent.

The Legislature responded, passing a law<sup>34</sup> that changed what had been a felony for repeated convictions for driving with a suspended license to a misdemeanor for the many offenders whose convictions had resulted from the inability to make payments on obligations. However, a qualifier was put in the law, namely that this change did not apply "if a person does not have a prior forcible felony conviction as defined in s. [776.08](#), F.S" – no matter how long ago.

As of July 1, 2010, there were 1,023 inmates in custody of the Florida Department of Corrections held on charges of driving with a suspended license with an average maximum sentence of 4.79

---

<sup>32</sup> *Id.*

<sup>33</sup> This assumes that this prison population represents an accurate sample of relevant offenders incarcerated by Florida at any given time. Estimates assume an average per diem cost of \$52.00 for public institutions and \$45.53 for private institutions.

<sup>34</sup> CS/SB 1988.



years. For every 1% of these individuals diverted from prison, the state could save approximately \$179,000 annually.<sup>35</sup>

***Recommendation:*** *The Legislature should rescind this qualifying language and that driving with a suspended license, when the suspension was due to failure to pay a financial obligation, be recast as a misdemeanor offense in all instances.*

## **9. Expand electronic monitoring as an alternative to state prison sentences**

In January of 2010, a significant study prepared for the National Institute of Justice and produced by Florida State University Center for Criminology and Public Policy Research looked at the impact of Florida's electronic monitoring (EM) policies and practices. It found that "EM reduces the likelihood of failure under community supervision. The reduction in the risk of failure is about 31%, relative to offenders placed on other forms of community supervision."<sup>36</sup>

The findings of this study show that EM is effective for offenders under a variety of different types of supervision and that involve varying levels of control and conditions, and across crime types and age groups.

The research team recommended that "there needs to be a reevaluation of the criteria the judiciary uses in EM placement, as well as laws which unilaterally mandate EM for specified offender types, regardless of whether the research indicates that it will make a difference in behavior."

Cost savings can be realized through the release of nonviolent inmates at different levels of their incarceration and utilize EM throughout the remainder of the sentence versus keeping them until they serve 85% of their sentences. Given varying rates of success, the state could save between \$1.14 million and \$11.4 million for FY2011-2012 if EM is used for the last 20% of the sentence. If that sentence percentage is increased, the state could save between \$4.4 and \$43.8 million if EM is used for the remaining 35% of the sentence, given various success rates.<sup>37</sup>

---

<sup>35</sup> An average per diem cost of \$52.00 is used for inmates housed in a public institution and an average per diem cost of \$45.53 is used for inmates housed in a private institutions.

<sup>36</sup> Bales, Bill, et al., A Quantitative and Qualitative Assessment of Electronic Monitoring, Report Submitted to the Office of Justice Programs, National Institute of Justice, U.S. Department of Justice, The Florida State University College of Criminology and Criminal Justice, Center for Criminology and Public Policy Research, January 2010

<sup>37</sup> The savings are calculated for the period between July 1, 2011 and June 30, 2012, using a cross section of the inmate population in custody of the FDOC as of July 1, 2010. An average per diem cost of \$52.00 is used for inmates housed in a public institution and an average per diem cost of \$45.53 is used for inmates housed in a private institution. An average per diem cost of \$8.94 is used for EM.

**Estimated Cost savings<sup>38</sup> FY2011-12**  
(Monitoring the remaining sentence via EM)

<b>Success Rate</b>	<b>Final 20% of Maximum Sentence</b>	<b>Final 25% of Maximum Sentence</b>	<b>Final 30% of Maximum Sentence</b>	<b>Final 35% of Maximum Sentence</b>
<b>100%</b>	\$11,417,106	\$22,655,389	\$33,462,449	\$43,778,758
<b>50%</b>	\$5,708,553	\$11,327,694	\$16,731,224	\$21,889,379
<b>25%</b>	\$2,854,276	\$5,663,847	\$8,365,612	\$10,944,689
<b>10%</b>	\$1,141,711	\$2,265,539	\$3,346,245	\$4,377,876

**Recommendation:** *The Legislature should expand authority for the use of electronic monitoring as an alternative to incarceration either at sentencing or as part of a reentry program at the end of a prison sentence.*

**10. Expand adult post-adjudicatory drug courts**

In 2009, with federal funds, the Legislature established eight post-adjudicatory drug courts with the goal of diverting otherwise prison-bound offenders and saving corrections costs. At the same time, the legislature directed OPPAGA to evaluate these courts' effectiveness.

In October 2010, OPPAGA released its report, finding that while the drug courts were operating as directed, the cost savings anticipated were not realized because "initial admissions targets overestimated the potential population of offenders who would qualify for the programs and strict eligibility criteria limited admissions. Some programs also appear to be serving offenders who would be unlikely to be sentenced to prison in the absence of drug court."<sup>39</sup>

The 2009 legislation was expected to divert 4,000 people from prison and thereby save \$95 million in Corrections costs. The 2010 midyear target was 900 diversions; instead, the courts served 324 people.

Those admitted met the statutory criteria that they "had no prior or current violent felony offenses, had committed third-degree nonviolent felony offenses or received technical violations of probation, and had sentencing scores of 52 points or fewer." But most participants scored below 44 points.

Significantly, according to OPPAGA, "Judges in six of the eight expansion counties are certifying that the offenders admitted to drug court with sentencing scores below 44 points would have been sentenced to prison in the absence of drug court. [See Recommendation #5 above]

---

<sup>38</sup> Estimates based on release of nonviolent inmates without any prior commitment to the state prison system. Estimates do not include costs to administer the EM program, which could potentially be off-set through fees to individual offenders (dependent on successful collection of such fees), or any potential increase of workload for DOC patrol officers or other law enforcement officers, if necessary.

<sup>39</sup> Without Changes, Expansion Drug Courts Unlikely to Realize Expected Cost Savings, Report No. 10-54, October 2010

However, in Polk and Orange counties it appears that drug court participants would *not* have been sentenced to prison in the absence of this alternative.

OPPAGA found that 92% of offenders in these counties scored below 44 points. (The Legislature's Office of Economic and Demographic Research has found that Polk has recently cut its (related) year-and-a-day commitments by 40%.)

***Recommendation:*** *The Legislature should enact legislation adopting the recommendations made by OPPAGA related to expanding drug court criteria by: 1) Authorizing drug courts to serve offenders who are cited for technical violations of probation other than a failed substance abuse test, if substance abuse was the main factor at the time of their violation; and 2) Giving judges discretion to allow offenders with prior violent offenses who are appropriate for treatment and do not present a risk to public safety to participate in expansion drug court.*

### **Section III: Recommendations relating to incarceration, release, supervision and reducing recidivism.**

Florida must not only address the front-end drivers of prison growth, but also the policy choices that maintain the large numbers of people in prison and that fail to address recidivism reduction.

#### **11. Institute adult post-incarceration drug courts**

While 26.7 percent of those entering Florida prisons in 2009-10 were sentenced for drug crimes, over 50 percent need substance abuse treatment.<sup>40</sup> Approximately 60 percent of all arrests in Florida are for crimes committed either under the influence of drugs and alcohol or are committed to acquire drugs or alcohol.<sup>41</sup>

As of December 31, 2009, there were 23,463 inmates serving time for property crimes (e.g., any burglary, theft or fraud).<sup>42</sup> If at least 30 percent of these inmates committed their crime for drug related reasons, then there are more than 7,040 individuals in Florida's prisons who committed property crimes and are in need of drug rehabilitation.

Concurrently, there are 19,723 drug offenders (e.g., possession, trafficking, and manufacturing) serving in Florida's prison system. Although drug rehabilitation programs exist within state facilities, they serve a fraction of those needing treatment. DOC established a goal of increasing the number of inmates participating in substance abuse treatment programs by 10 percent annually, but it started from a baseline of just 4,902 inmates receiving primary treatment (while 39,361 receive screening assessments) during FY2008-09.

---

<sup>40</sup> OPPAGA Report No. 04-69

<sup>41</sup> Supreme Court Task Force on Treatment-Based Drug Courts, "Report on Florida's Drug Courts," July 2009.

<sup>42</sup> Data provided by the Department of Corrections Bureau of Research and Data Analysis. "Property Crime" as defined by the White House ONDCP, [www.whitehousedrugpolicy.gov/publications/factsht/crime/index.htm](http://www.whitehousedrugpolicy.gov/publications/factsht/crime/index.htm).

Significant savings could be achieved if certain offenders were allowed to receive treatment outside of the confines of prison during the last portion of their prison sentence, and research shows that programs in the community produce twice the impact on recidivism as the same program behind the walls. Allowing some nonviolent offenders to participate in drug court programs after serving 60 percent of their sentence would ensure that they continue to be monitored but receive treatment at a significantly lower cost to the state and with potentially greater outcomes.

Florida TaxWatch identified approximately 15,000 nonviolent<sup>43</sup> offenders currently in the state prison system, many of which could be directed towards post-incarceration drug courts

***Recommendation:*** *The Legislature should authorize the Florida Parole Commission to permit incarcerated drug-involved offenders who have served at least 60 percent of their original prison sentence to complete the remaining portion of their term as a participant in a community-based drug court program.*

## **12. Increase the maximum gain time accrual allowed**

The notion of incentive gain time, that is, days subtracted from one's sentence for good behavior behind bars, has been in effect in Florida since 1989. Gain time is currently discretionary and may be awarded by DOC when "an inmate works diligently, participates in training, uses time constructively, or otherwise engages in positive activities."

In 1995, the Legislature limited the reach of gain time and enacted a law that provides: "for sentences imposed for offenses committed on or after October 1, 1995, the department may grant up to 10 days per month of incentive gain time, *except that no prisoner is eligible to earn any type of gain time in an amount that would cause a sentence to expire, end, or terminate, or that would result in a prisoner's release, prior to serving a minimum of 85 percent of the sentence imposed.*" [Emphasis added] 944.275, F.S.

Accordingly, during the last fifteen percent of an inmate's term in prison, DOC has no discretion to reward good behavior, and inmates have no gain time incentive to comply with reentry planning efforts or participate in programs that are designed to reduce recidivism upon release.

Adjusting the cap on accumulated gain time would provide critically needed incentives for prisoners to engage in constructive behavior and reentry programming and would result in considerable cost savings for the state, with no risk to public safety.

Significant cost savings can be realized by allowing nonviolent inmates to be released at different points of maximum gain time as opposed to preventing release before reaching the 85% threshold of the sentence.<sup>44</sup> Based on a range of maximum gain time levels and percentage of

---

<sup>43</sup> See Appendix on page 55.

<sup>44</sup> Estimates are based on inmates who have reached maximum gain time and have had no prior commitment to the state prison system. An average per diem cost of \$52.00 is used for inmates housed in a public institution and an average per diem cost of \$45.53 is used for inmates housed in a private institutions. The savings are calculated for

inmates released with maximum gain time, **flexibility to the 85% rule could save Florida \$1.4 million to \$53 million in FY2011-12.**

**Estimated Cost Savings FY2011-12**

<b>Percent of Nonviolent Inmates Released with Maximum Gain Time</b>	<b>20% Maximum Gain Time</b>	<b>25% Maximum Gain Time</b>	<b>30% Maximum Gain Time</b>	<b>35% Maximum Gain Time</b>
<b>100%</b>	\$13,819,336	\$27,423,455	\$40,506,339	\$52,995,892
<b>50%</b>	\$6,909,668	\$13,711,727	\$20,253,169	\$26,497,946
<b>25%</b>	\$3,454,834	\$6,855,864	\$10,126,585	\$13,248,973
<b>10%</b>	\$1,381,933.61	\$2,742,345.47	\$4,050,633.85	\$5,299,589.25

**Recommendation:** *The legislature should revisit its 1995 amendments to the gain time law, or include consideration of the gain time laws as part of the top-to-bottom commission review (from Recommendation 11).*

**13. Authorize the possibility of parole for certain elderly offenders**

While the literature shows that most offenders age out of their crime-committing years, the nation’s prison population is graying; nationally 10 percent of the U.S. prison population is 50 years old or older.<sup>45</sup> In Florida, it is far higher and surging. As of June of 2010, 16.1 percent (16,483 people) of the Florida prison population were 50 years or older. In 1996, 5.7 percent of Florida’s prisoners were elderly; in 2000, 8.0 percent were 50 years or older.

According to Florida Senate staff research, the cost of incarcerating a person over the age of 50 is three times greater than that of incarcerating younger people, primarily due to medical costs. Individuals in the community or nursing homes who are disabled or elderly are eligible for federally funded Medicaid (with state match) and/or Medicare, but people who are incarcerated are not eligible for such federal health care support, nor are the prisons.

Thus, Florida is increasingly saddled with the medical costs of an elderly prison population when some of these offenders would pose little, if any, risk to the public out of prison.

Many elderly prisoners were sentenced prior to 1983 when Florida abolished parole and thus are parole eligible. However, while approximately 5,000 inmates in Florida’s prisons are parole eligible, only 42 of the 37,391 inmates released from prison in FY2008-09 were actually paroled.

Alteration of parole standards for inmates over the age of 65 would save the state a significant amount without compromising public safety. Although determination should likely be made based on level of disability and potential risk, and must be made by the Florida Parole

---

the period between July 1, 2011 and June 30, 2012, using a cross section of the inmate population in custody of the FDOC as of July 1, 2010.

<sup>45</sup> BJS, Prisoners in 2008.

Commission or other appropriate body based on the individual offender, assuming only prisoners over 65 further limits the total number of prisoners eligible under such a program.

Assuming only inmates who have minimally served 20 to 25 years of their maximum sentence prior to the age of 65 and have not committed capital murder,<sup>46</sup> but without specific consideration of level of disability, **Florida could save between \$263,000 and \$2.6 million in FY2011-12 if elderly inmates were released after 20 years** – considering varying levels of approval by the Florida Parole Commission based on level of disability and individual offenders potential risk. Assuming the same factors, **Florida could save between \$172,500 and \$1.7 million if varying levels of elderly inmates were granted parole after commuting 25 years of their sentences.**

#### Estimated Cost Savings

<b>Percent of eligible inmates approved for parole by Parole Commission after 20 years of sentence</b>				
	<b>100% Approved</b>	<b>50% Approved</b>	<b>25% Approved</b>	<b>10% Approved</b>
<b>FY2011-12</b>	\$2,632,387	\$1,316,194	\$658,097	\$263,239
<b>FY2012-13</b>	\$3,404,545	\$1,702,272	\$851,136	\$340,454
<b>FY2013-14</b>	\$4,176,702	\$2,088,351	\$1,044,176	\$417,670
<b>Percent of eligible inmates approved for parole by Parole Commission after 25 years of sentence</b>				
	<b>100% Approved</b>	<b>50% Approved</b>	<b>25% Approved</b>	<b>10% Approved</b>
<b>FY2011-12</b>	\$1,724,793	\$862,396	\$431,198	\$172,479
<b>FY2012-13</b>	\$1,949,363	\$974,681	\$487,341	\$194,936
<b>FY2013-14</b>	\$2,597,975	\$1,298,988	\$649,494	\$259,798

**Recommendation:** *The Florida Legislature should pursue strategies that allow for release of elderly prisoners who do not pose a risk to public safety.*

<sup>46</sup> FDOC cross section of inmate population in custody data report on July 1, 2010 was used for these estimates. An average per diem cost of \$52.00 is used for inmates housed in a public institution and an average per diem cost of \$45.53 is used for inmates housed in a private institution.

#### **14. Expand prison work release programs**

Florida's work release programs allow selected (i.e., pre-screened as low-risk) inmates to work at paid employment in the community and live at work release centers outside of prison during the last 15 months of their sentence.

Housing inmates at work release centers is significantly cheaper than housing them in a regular prison facility. The average cost of housing an inmate at a work release center is \$25.84 less per day than housing them at a regular prison facility.<sup>47</sup> Expanding the work release program to include additional individuals who are currently on the waiting list could produce significant savings for Florida.

The key step to achieve such savings is to incorporate more eligible inmates into the program. DOC should rescind the informal policy of holding one prison bed in reserve for every work release bed and capping work release at 4 percent of the inmate population.

Allowing nonviolent inmates to carry out the remaining portion of their maximum sentence in a work release program is more cost effective than mandating inmates carry out 85% of the sentence in a regular prison facility. Given varying rates of success, **the state could save \$536,000 to \$5.4 million annually if 20% of the maximum sentence is completed in work release programs. With 35% of the maximum sentence completed in work release programs, the state would save between \$2.1 million and \$20.9 million in cost savings.**<sup>48</sup>

**Estimated Cost Savings for FY2011-12**  
(% of final sentences served in work release programs)

<b>Success Rate</b>	<b>Final 20% of Maximum Sentence</b>	<b>Final 25% of Maximum Sentence</b>	<b>Final 30% of Maximum Sentence</b>	<b>Final 35% of Maximum Sentence</b>
<b>100%</b>	\$5,359,818	\$10,717,792	\$15,915,608	\$20,893,834
<b>50%</b>	\$2,679,909	\$5,358,896	\$7,957,804	\$10,446,917
<b>25%</b>	\$1,339,955	\$2,679,448	\$3,978,902	\$5,223,458
<b>10%</b>	\$535,982	\$1,071,779	\$1,591,561	\$2,089,383

<sup>47</sup> Collins Center for Public Policy Report, "Smart Justice: Findings and Recommendations for Florida Criminal Justice Reform," February 2010. According to the report the average cost of housing an inmate at a work release center is \$26.16, the average cost of housing an inmate in a prison facility is about \$52.00 (even when work release centers are excluded from the calculation).

<sup>48</sup> The estimates are calculated for the period between July 1, 2011 and June 30, 2012, using a cross section of the inmate population in custody of the FDOC as of July 1, 2010. An average per diem cost of \$52.00 is used for inmates housed in a public institution and an average per diem cost of \$45.53 is used for inmates housed in a private institution. An average per diem cost of \$30.80 is used for work release facilities. Those individuals who are already housed in work release facilities are not included in the analysis and additional upfront costs of expanding work release are not factored into cost savings.

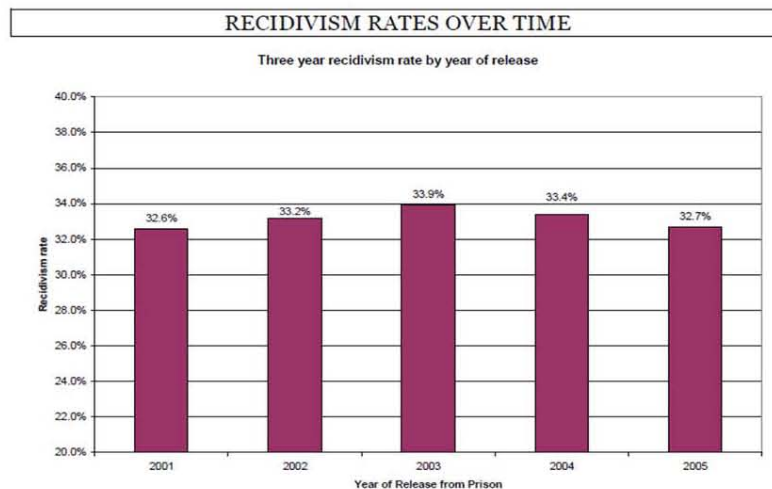
**Recommendation:** *The legislature should require that DOC establish a process that immediately: 1) expands the current capacity of the work release program to include those eligible individuals who are currently on waiting lists to join; 2) ensures that the capacity of the program is set at the maximum sustainable level and reevaluated on a regular basis; and 3) expedites the movement of individuals into work release so that the average participating population in each program is maintained as close to full capacity as possible.*

### 15. Expand evidence-based prison-based programs that reduce recidivism

Florida allocates about one percent of the Corrections budget to prison-based programming (substance abuse treatment, education, vocational training, release planning, etc.) aimed at improving the chances that the inmates will not return to prison.

While DOC has a goal of reducing recidivism, about one third of the inmates nevertheless do come back within three years of release. Florida has not focused sufficient resources in preparing them during their previous stints in prison to succeed upon being released.

## Recidivism: Return to prison for a new offense or a technical violation



Florida DOC 2010 Recidivism Study

In December 2009, OPPAGA reported DOC was concentrating its rehabilitative programming on evidence-based approaches, which have “four basic components: assessing inmates using validated risk and needs assessment instruments; addressing offender attributes that directly relate to criminal behavior; developing release plans to facilitate offender reentry into society; and evaluating program effectiveness.” This is important, especially due to the extremely limited resources available for programming.



At the same time, community-based programs are also in short supply, and research shows that programs in the community produce twice the impact on recidivism as the same program behind the walls.

**Recommendation:** *the Legislature should reinvest a portion of the savings realized from front-end reforms that slow prison growth into expanding prison and community-based programming to reduce recidivism, thereby slowing prison growth further. In the meantime, these programs could be expanded at no additional cost to the state through the use of “trusties” (i.e., inmates who have earned trust through good behavior) and volunteers.*

**A. Expand evidence-based substance abuse treatment**

While 65.1 percent of DOC inmates (65,706 individuals) were in need of treatment, there were only 4,902 treatment slots available in FY2008-09 (before the \$10 million cut in DOC programming), making treatment available to only 7.4 percent of those who need it.

**Recommendation:** *The legislature should restore the \$10 million in DOC programming and target it to in-prison and community-based treatment*

**B. Expand evidence-based mental health treatment**

In Florida, about 17,957 inmates (17.8% of the total) receive ongoing mental health care; the number of those incarcerated who suffer from mental illness and are not being treated is not known. Compare that to the total forensic and civil commitment state psychiatric beds: 2,723. Prisons and jails are the default mental health system in Florida. Texas enacted an information sharing law that makes it easy to share information on individuals with mental illnesses who are accessing so many deep end services including those in the criminal justice system. It allows them to track individuals with Serious Mental Illness (SMI) to assure case management, consistent medication and re-entry. It has also helped them tremendously to keep people with SMI out of jail and prison.

**Recommendation:** *The Legislature should review and amend statutes to facilitate more effective collaboration among stakeholders involved in the delivery of mental health services, particularly as they relate to continuity of care for individuals involved in or at risk of becoming involved in the justice system. This should include consideration of opportunities to improve information exchange among state and county agencies, as well contracted entities, that provide mental health and/or substance abuse treatment services. Consideration of such information sharing should be for the purposes of facilitating continuity of care only and should not be used as evidence in any criminal proceeding. The Legislature may wish to review chapter 614.017 of the Texas Health and Safety Code as an example of such cross systems collaboration.*

*The Legislature should pass the Community Mental Health and Substance Abuse Treatment and Crime Reduction Act.*

*The Legislature should authorize county court judges to order involuntary outpatient treatment as a condition of release for defendants with mental illnesses when appropriate.*

**C. Expand evidence-based literacy, education and vocational training**

DOC reported that 50.5 percent of DOC inmates (44,786 total) in FY2008-09 were tested as reading at or below the 6th grade level and that “for every education level an inmate gains, that person is 3% to 4% less likely to come back to prison. Inmates with a vocational certificate at release recidivate 14% less than inmates overall.”

That year DOC was able to award 1,953 GED certificates and 1,881 vocational certificates. As demonstrated below in DOC’s annual report, the completion rates in the literacy, adult basic education, and vocational programs are quite low.

**Recommendation: The DOC should continue to aggressively look for innovative ways to partner with community colleges and public and private workforce development entities to improve skill levels of inmates.**

*Participation in Correctional Education Classes in FY 2008-09*

Enrollments*	Mandatory Literacy	Adult Basic Education	ITA <sup>1</sup>	GED	Vocational	Total
Number of Courses	1,700	8,086	6,201	2,064	5,034	23,085
Number of Inmates	1,700	8,086	6,201	2,064	4,789	***22,840
Completions**						
Number of Courses	412	557		1,953	1,881	4,803
Number of Inmates	412	557		1,953	1,562	***4,484

\* "Enrollments" includes inmates enrolled as of 7/1/08 and new enrollments through 6/30/09.  
 \*\* "Completions" are from 7/1/08 through 6/30/09.  
 \*\*\* Inmates who participated in Mandatory Literacy, Adult Basic Education, GED and Vocational courses get counted for participation in all four programs.  
 "Number of Courses" and "Number of Inmates" are different for vocational counts since it is possible for a given inmate to be involved in more than one course in this program year.  
 For greater detail, Adult Basic Education (course "9900004") is shown in a separate column from the GED (course "9900026").  
 "Completions" are defined as a CMP, ATT or CXS code on the DC32 screen for MLP and ABE participants, a GED certificate for course "9900026" participants, and a vocational certificate for vocational program participants.  
<sup>1</sup>ITA=Inmate Teaching Assistant Program.  
 Note that none of the counts in the above tables include program participation or certificates earned at private facilities.

**D. Expand life management skills training**

OPPAGA notes that there was a lack of programming addressing criminal thinking.<sup>49</sup> This component was to be added to DOC’s 100-hour transition / release program; however, during FY2008-09, 8,850 inmates (26.9% of all released inmates who completed the course) took the course via self-study. This is less than optimal not only because of the low literacy rate of the inmates but because without the interaction with a facilitator, the results can be negligible.

<sup>49</sup> Department of Corrections Should Maximize Use of Best Practices in Inmate Rehabilitation Efforts, Report No. 09-44, December 2009.

Expanding currently available rehabilitative and training programs to those offenders who are on waiting lists, or are otherwise eligible to participate in them, could curb the rising inmate population and eliminate the need for the continued expansion of state prisons.

**Recommendation:** *The DOC should continue its efforts to provide evidence-based programming to address criminal thinking and to provide release programming through facilitators rather than relying on self-study.*

**E. Expand faith- and character-based prisons**

OPPAGA has found that faith- and character-based prisons improve institutional safety, achieve lower recidivism rates and attract more volunteers. Wakulla County's recidivism rate, for example, is 15 percent lower than that of comparable prisons. Yet these more effective prisons had a waiting list of 8,890 inmates for the institution-based programs and 1,600 for the dorm-based programs at the time of October 2009 study.<sup>50</sup>

**Recommendation:** *The DOC should expand its faith- and character-based prisons.*

**F. Help inmates apply for Medicaid, Social Security Income, and Veterans benefits prior to release**

Receiving the benefits of social programs to which they are entitled upon release will help those ex-offenders succeed in the community and reduce the likelihood that those individuals will return to prison. Helping inmates apply for those social benefits before release can improve their chances of successful reentry.

**Recommendation:** *The legislature should expand programs that help reentering inmates apply for government benefits for which they are qualified.*

**16. Review and revise state-created employment restrictions based on criminal records**

Gainful employment is essential to any strategy to reduce recidivism, and thus to reduce crime and make communities safer.<sup>51</sup> However, among the many hurdles facing people coming home

---

<sup>50</sup> OPPAGA, *Faith- and Character-Based Prison Initiative Yields Institutional Benefits; Effect on Recidivism Modest*, Report No. 09-38, October 2009.

<sup>51</sup> "Finding and maintaining a job is a critical dimension of successful prisoner reentry. Research has shown that employment is associated with lower rates of reoffending, and higher wages are associated with lower rates of criminal activity. However, former prisoners face tremendous challenges in finding and maintaining legitimate job opportunities. . ."Baer, et al. *Understanding the Challenges of Prisoner Reentry: Research Findings from the Urban Institute's Prisoner Reentry Portfolio*, Urban Institute, January 2006, citing, Jared Bernstein and Ellen Houston, *Crime and Work: What We Can Learn from the Low-Wage Labor Market* (Washington, DC: Economic Policy Institute, 2000); Bruce Western and Becky Petit, "Incarceration and Racial Inequality in Men's Employment," *Industrial and Labor Relations Review* 54, no. 3 (2000): 3-16. A Canadian study found that "Offenders who were employed were convicted of less than half the convictions (22.2% versus 42.9%) and one quarter of the new violent convictions (5.6% versus 20.6%) of offenders who did not obtain employment in the first six months of release." Gillis, et al., *Prison Work Program (CORCAN) Participation: Post-Release Employment and Recidivism*, Research Branch, Correctional Service Canada, March 1998.

from prisons and jails is in successfully reintegrating into society, getting a good job is often one of the most daunting challenges.

Equally daunting, for both the person with the record and for workforce staff who might attempt to help him search for jobs, is figuring out what occupations and places of employment are possibly open to people with criminal records.

Recognizing this challenge, Governor Jeb Bush, on the advice of the Governor's Ex-Offender Task Force, and concerned about Florida's stubborn recidivism rate, and understanding that gainful employment reduces recidivism, issued an executive order in 2006 requiring his state agencies to inventory the employment restrictions they administer, provide data on their impact and recommend reforms. Bush was the first governor to order such a review, which was hailed as a "landmark" in the Washington Post.

The Florida inventory, the findings of which were laid out in the Task Force's report to the Governor,<sup>52</sup> revealed a vast, bewildering and unwieldy patchwork of hundreds of state-created restrictions of widely varying severity, often regardless of the trust and responsibility required of the job, affecting over 40% of Florida's public and private sector jobs.

The Task Force reported that sometimes the restrictions offer the employer a measure of hiring discretion after reviewing a background check. Sometimes they give the employer the right to assess the relevance of the past crime to the job. Sometimes they provide the job seeker with an opportunity to demonstrate their rehabilitation. But often the restrictions offer little flexibility to either employers or people looking for work.

Each restriction has its own nuances. Some restrictions put jobs or places of employment off-limits to anyone with a record of a criminal conviction. Some put them off-limits only for those convicted of certain crimes. Sometimes the restriction creates a lifetime ban. Sometimes the restriction is time-limited. Sometimes the time limits depend on the crime.

For employers, it's a minefield. Hiring in violation of the restrictions can lead to a loss of a business license and other harsh penalties.

For job seekers with a criminal record, the impact of restrictions are often both unknown and unknowable until after incurring the costs of a course of study, tests, and fees and the application for a job or license is finally reviewed.

Despite this strong effort to understand the restrictions and the Task Force's reform recommendations, few reforms have been adopted.

***Recommendation: The Legislature and the Governor revisit and adopt the Task Force's common sense employment restrictions reform recommendations.***

---

<sup>52</sup> [Key Findings and Recommendations](#) Based on the Task Force's Analysis of the State Agency Responses to Executive Order 06-89.

## **17. Expand the Florida Accountability Initiative for Responsible (FAIR) Probation**

Despite, as OPPAGA reported in April 2010, rescission by DOC of its zero-tolerance policy on probation violations adopted in 2003 and a concomitant decrease in the number of technical violators sent to prison, in the 2009-10 fiscal year, 7,479 people were sent to prison on technical probation violations.<sup>53</sup>

FAIR, modeled after Project HOPE, designed by Judge Steven Alm in Hawaii, is a model that challenges what is often in actuality and in perception a kind of “randomized severity” of sanctions, that is, sometimes the violation will be punished harshly, sometimes mildly, sometimes not at all.

A program evaluation of HOPE commissioned by the National Institute of Justice was completed in 2009 and found that among HOPE participants, compared to the control groups: positive drug tests were reduced by 86%; missed probation appointments were reduced by 80%; revocations of probation were reduced by more than 50%; and arrests for new crimes reduced by more than 50%.<sup>54</sup>

Like HOPE, FAIR targets probationers who are at the highest risk of reoffending and discourages such offending with swift, predictable, and immediate sanctions – typically resulting in several days in jail – for each detected violation, such as detected drug use or missed appointments with a probation officer.

A strong nexus exists between drugs, crime and incarceration. FAIR Probation works to lower heavy drug consumption and improve public safety. FAIR Probation is a way to support Florida’s drug courts by maximizing limited treatment space. In order to lower incarceration costs and improve public safety, community supervision must be strengthened in order for judges to view it as a viable alternative. FAIR Probation works to make community supervision a cost-effective alternative by instituting swift and certain consequences for non-compliance. The keystone of the project is creating personal responsibility on the part of the offender.

FAIR Probation has not yet been initiated in Florida. FAIR Probation is close to being piloted in Circuit 9 (Orlando). All stakeholders (judge, county jail, prosecutors, public defenders, and probation) have been briefed and are close to starting after January 1. Alachua County (Gainesville Circuit 8) has also been in early discussions about starting the project.

***Recommendation: The Department of Corrections should work with the state courts to implement FIAR as a pilot and expand the program if it proves effective. Strengthen community supervision as a viable alternative to costly incarceration by creating and expanding the Florida Accountability Initiative for Responsible (FAIR) Probation.***

---

<sup>53</sup> Zero Tolerance Policy Rescinded and Alternatives Implemented to Address Technical Violations, Report No. 10-39, April 2010.

<sup>54</sup> *The Pew Center on the States, The Impact of Hawaii’s HOPE Program on Drug Use, Crime and Recidivism, January 2010.*

## **18. Expand Veterans Courts**

Studies have found that anywhere from 20% to 50% of veterans returning from Iraq and Afghanistan suffer from Post Traumatic Stress Disorder (PTSD). Furthermore, about half of these individuals do not seek treatment. PTSD and other mental health disorders are strongly linked to drug use and related criminal behavior. It is estimated that approximately 10% of all individuals with criminal records are veterans.<sup>55</sup>

Many state and local governments across the U.S. have instituted veterans courts to offer treatment and diversion for non-violent offenders in this group, with promising results. For example, a veterans court in Buffalo has a 90% graduation rate and no incidence of recidivism. According to Florida Senate research, 10 states have or are in process of passing legislation to expand veterans courts.

The momentum to initiate such programs in Florida is also growing. Palm Beach County implemented a veterans court in 2010.<sup>56</sup> Given the success rate of existing veterans courts targeting non-violent offenders in other states, instituting and expanding similar programs in Florida could help reduce recidivism and save valuable tax dollars. Such programs are also eligible for Federal grants, saving additional state funds.

**Recommendation:** *The Governor should convene a task force of veterans' affairs and criminal justice leaders to identify and resolve issues of veterans' encounters with the criminal justice system and to establish a framework for expanding veterans' courts.*

## **19. Reduce costs of inmate hospitalization (in non-DOC hospitals)**

Inmates requiring hospitalization in non-DOC facilities cost the state million each year. Estimates of the total cost of hospitalization put the total cost at approximately \$50 million annually. Paying these costs through Medicaid would lower the total cost to the state because Medicaid is majority funded by the federal government and often pays lower hospitalization rates. While Medicaid will not pay for care provided in DOC facilities, the state should ensure that all potential costs of hospitalization at non-DOC facilities (i.e., when prisoners have to be taken to community hospitals) are shifted to Medicaid.

**Recommendation:** *The legislature should ensure that inmates remain Medicaid-eligible during incarceration so that Medicaid can cover hospitalization costs when inmates receive care in non-DOC settings.*

*Alternative: set state reimbursement rate at the Medicaid rate instead of 110% of Medicare rate.*

---

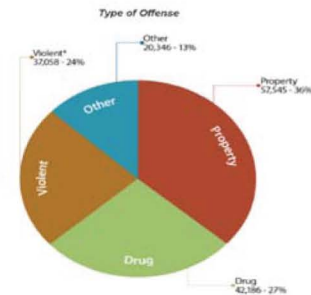
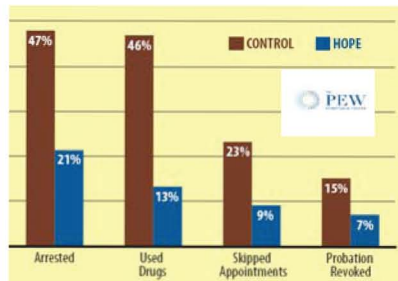
<sup>55</sup> <http://www.slate.com/toolbar.aspx?action=print&id=2244158>

<sup>56</sup> <http://www.chicagotribune.com/topic/fl-palm-new-veterans-court-20101120,0,6995203.story?track=rss-topicgallery>

## Recidivism-reduction strategy of Project Hope

Floridians under community supervision  
(mostly probation)

Project HOPE outcomes



\* One of the following conditions must occur for a crime to be defined as violent under this definition: actual physical harm or threat of physical harm, or a reasonable probability existed that individual criminal acts could have resulted in unprovoked physical harm or the threat of physical harm.

Data Unavailable-09

Florida DOC Annual Report 08-09

### Section IV: Recommendations related to juveniles in the justice system

Getting smart on crime requires efficient and effective use of limited resources in prevention, diversion, and intervention programs, especially when it comes to juvenile justice.

#### 20. Comprehensively review and implement Blueprint Commission recommendations

Although some of the recommendations of the 2008 report have been adopted and implemented, the overwhelming majority of them have not. One key recommendation, the revision of zero-tolerance policies in public schools to ensure that students who are expelled or referred to law enforcement pose a serious threat to school safety and are not expelled or arrested for petty misconduct, was implemented in 2009. Although this measure will reduce costs by removing unnecessary cases from the juvenile justice system, there is still much progress to be made.

Adopting the Blueprint Commission's recommendations will help Florida set out in a new direction that focuses on utilizing community resources and evidence-based approaches to juvenile offender rehabilitation, and increasing public safety while simultaneously producing savings to the state and taxpayers.

**Recommendation:** *The Legislature should conduct a full review of the 2008 Blueprint Commission report and explore the implementation of all cost savings recommendations that have not yet been implemented.*

## **21. Study the effects of barring commitment of misdemeanants to state custody**

Texas, North Carolina, and Virginia have adopted legislation to keep misdemeanants out of state custody and have reduced commitment rates substantially. In all three states, the state not only realized significant cost-savings as a result of the legislation, but also saw improvements in public safety. In Texas, youth cannot be committed to residential facilities for misdemeanor offenses unless adjudicated for four or more prior offenses. This resulted in a 36% reduction in commitments in the past three years. At the same time, juvenile arrests for violent offenses dropped. North Carolina has adopted similar legislation that bars youth from being committed to residential facilities for misdemeanor offenses or violations of misdemeanor probation. This had the effect of reducing commitments by 61% from 1998 to 2008. Over the same time period, juvenile arrests for violent offenses dropped by 20%. Legislation in Virginia bars youth from commitment to residential facilities unless the youth has been previously adjudicated for a felony of three or more Class 1 misdemeanors on separate occasions. Virginia saw a 50% drop in commitments from 1999 to 2009, and a 36% drop in juvenile arrests for violent offenses.

More than 2,500 children were admitted to DJJ residential facilities for misdemeanors or violations of probation in FY2008-09. If Florida had a statute barring the commitment of misdemeanants to state custody, DJJ would have reduced admissions by 1,273, or 21% during that period, which could have saved approximately \$30 million (\$25,668,000 for 1,183 children in non-secure residential beds and \$4,421,000 for 90 children in secure residential beds).<sup>57</sup> While Florida must continue to incarcerate youth who pose serious risks to public safety, detention and incarceration of young people should be an option of last resort.

**Recommendation:** *The Legislature should examine the potential savings produced by limiting the commitment of juvenile misdemeanants.*

## **22. Expand the Redirection program to avoid custodial care of juveniles**

The Redirection program is a community-based, family-centered alternative to residential juvenile justice commitments. According to a 2009 program evaluation, youth who successfully completed the Redirection Program were 31 percent less likely to be subsequently arrested than similar youth who successfully completed residential commitment programs.

An April 2010 OPPAGA study found that the Redirection Program has achieved \$51.2 million in cost savings for the state since it began five years ago, due to its lower operating costs when compared to residential delinquency programs.<sup>58</sup>

Redirection began as a way to redirect juvenile offenders with non-law probation violations from residential commitment to lower cost, therapy-based community programs and has expanded to

---

<sup>57</sup> Southern Poverty Law Center, *Opportunities to Strengthen Florida's Juvenile Justice System*, September 17, 2010.

<sup>58</sup> Redirection Saves \$51.2 Million and Continues to Reduce Recidivism, Report No. 10-38, April 2010.



serve additional youth, such as nonviolent offenders being considered for commitment due to misdemeanors and third-degree felonies.

The contracted project director estimates the program could serve 10 percent more juveniles under the current framework. Expanding the program could result in much greater savings in the first year.

***Recommendation:*** *The legislature should expand the Redirection Program and we endorse the specific OPPAGA recommendations to expand the program (a) into underserved counties; (b) to serve gang-involved youth; and (c) to implement a program to serve youth who commit certain sex offenses. Additionally, the Legislature should examine potential savings from expanding the program to include youth who have committed certain third- degree felonies.*

### **23. Expand the use of juvenile civil citations**

Civil citation programs are an alternative to arresting and taking children who commit misdemeanors into custody. Civil Citation emerged as a way to replace the existing practices of the current arrest model and incorporate early intervention and effective diversion programs for juveniles who commit minor crimes. As stated in Florida Statutes, the Civil Citation process was established “for the purpose of providing an efficient and innovative alternative to the custody by the Department of Juvenile Justice of children who commit non-serious delinquent acts and to ensure swift and appropriate consequences.”

The program allows juveniles who have committed a misdemeanor to complete community service hours or participate in intervention programs as an alternative to being arrested and taken into custody by the Department of Juvenile Justice (DJJ). The program is implemented at the local level in coordination with the chief judge of the circuit, state attorney, public defender, and the head of each local law enforcement agency involved.

Authorized by 985.301, F.S., the program allows “any law enforcement officer, upon making contact with a juvenile who admits having committed a misdemeanor [to] issue a civil citation assessing not more than 50 community service hours, and may require participation in intervention services appropriate to identify the needs of the juvenile.”

According to a 2010 Senate analysis<sup>59</sup> of a bill related to the citation program, “the programs exist at the local level with the concurrence of the chief judge of the circuit, state attorney, public defender, and the head of each local law enforcement agency involved. Currently, there are nine civil citation programs funded by the DJJ and seven programs that are funded locally.”

Based on data from two major Civil Citation programs in Leon County and Miami-Dade County, a statewide implementation of the Civil Citation program is estimated to reduce the number of

---

<sup>59</sup> SB 2544 (2010)

youth referred for delinquency by 40%.<sup>60</sup> This would be an equivalent of 30,153 juveniles according to the most recent data. The cost saving per civil citation would be \$4,614 according to a recent study by Florida Juvenile Justice Foundation or \$1,467 according to the 2009 Hillsborough County Study.<sup>61</sup> Using the number from the first study for Scenario 1 and the second study for Scenario 2, the annual cost savings of implementing statewide Civil Citation programs is estimated to range from \$44 million to \$139 million.

Given the estimated short-term annual savings of \$44 to \$139 million, it makes perfect sense to implement Civil Citation programs throughout the state. Keeping juveniles away from prisons will also generate long-term economic benefits in the form of increased output and employment.

***Recommendation:*** *The Legislature, state and local governments, business and community organizations should work together to design and implement statewide Civil Citation programs that give a second chance to all children who commit non-serious delinquent acts.*

#### **24. Increase operational efficiencies and public safety by aligning the average length of stay by delinquents with best practices in residential facilities**

Over the past eight years, the average length of stay for delinquents in residential facilities has been steadily increasing, even as the number of commitments has fallen. This increase cannot be explained in the change of profile of youth committed to DJJ. In fact, the percentage of youth committed for misdemeanors or probation violations was approximately the same in FY 2008-09 as it was in FY 1999-2000.<sup>62</sup> Increases in the average length of stay have significant cost implications for the state, almost \$20 million per year. Furthermore, there is evidence that increased lengths of stay may actually reduce public safety.

The Florida Department of Juvenile Justice's 2008 Blueprint Commission Report concluded from the best available research: "...youth who are kept in programs for prolonged length of stays after treatment goals are achieved often begin to deteriorate and may be more likely to re-offend once release is finally achieved."<sup>63</sup>

The Blueprint Commission recommends the creation of small, community-based programs that use a continuum of care and the implementation of an "offender review" process that systematically identifies and reviews non-violent and non-serious offenders as well as those who

---

<sup>60</sup> Florida Juvenile Justice Foundation, "Getting Smart on Juvenile Crime in Florida: Taking It to the Next Level," August 2010.

<sup>61</sup> Dewey & Associates Inc., "Civil Citation of Hillsborough County, Cost Savings Analysis," July 2009.

<sup>62</sup> Office of Program Policy Analysis and Government Accountability. 2001. Misdemeanant and Non-Law Violation Youth in Juvenile Justice Commitment Beds, Report No. 01-49.

<sup>63,9,&10</sup> Florida Department of Juvenile Justice. "Report of the Blueprint Commission: Getting Smart About Juvenile Justice," January 2008, p. 69. Available at: [www.djj.state.fl.us/blueprint/documents/Report\\_of\\_the\\_Blueprint\\_Commission.pdf](http://www.djj.state.fl.us/blueprint/documents/Report_of_the_Blueprint_Commission.pdf).

have made significant progress in their treatment programs. Suitable candidates would be referred to the courts for early release or “step down” into community-based programs.<sup>64</sup>

Another way to reduce the length of stay is to count services and education received in detention towards the completion of the youth’s treatment plan, per the Blueprint Print Commission’s recommendation. The Commission also suggests counting these services in competency restoration.<sup>65</sup> This recommendation reduces cost by eliminating the duplication of services.

***Recommendation:*** *Florida should examine the increasing average lengths of stay by youth offenders in residential facilities. One possible option is that length of stay be limited to the completion of treatment goals, and enact the Blueprint Commission’s specific recommendations to (1) implement an offender review process that would allow for the early release of suitable candidates or a “step-down” to less restrictive, community-based care; (2) count education and services received in detention towards the completion of the youth’s treatment plan.*

For more information about the Florida TaxWatch Government Cost Savings Task Force or to view the full Report and Recommendations of the Florida TaxWatch Government Cost Savings Task Force for FY 2011-12 (December 2010), please visit [www.FloridaTaxWatch.org](http://www.FloridaTaxWatch.org) or contact Florida TaxWatch at 850-222-5052.

---

<sup>64</sup> *Id.* at 41.

<sup>65</sup> *Id.* at 42.

---

## *About Florida TaxWatch*

---

Florida TaxWatch is a statewide, non-profit, non-partisan taxpayer research institute and government watchdog that over its 31-year history has become widely recognized as the watchdog of citizens' hard-earned tax dollars. Its mission is to provide the citizens of Florida and public officials with high quality, independent research and education on government revenues, expenditures, taxation, public policies, and programs, and to increase the productivity and accountability of Florida Government.

Florida TaxWatch's research recommends productivity enhancements and explains the statewide impact of economic and tax and spend policies and practices on citizens and businesses. Florida TaxWatch has worked diligently and effectively to help state government shape responsible fiscal and public policy that adds value and benefit to taxpayers.

This diligence has yielded impressive results: in its first two decades alone, policymakers and government employees implemented three-fourths of Florida TaxWatch's cost-saving recommendations, saving the taxpayers of Florida more than \$6.2 billion -- approximately \$1,067 in added value for every Florida family, according to an independent assessment by Florida State University.

Florida TaxWatch has a historical understanding of state government, public policy issues, and the battles fought in the past necessary to structure effective solutions for today and the future. It is the only statewide organization devoted entirely to Florida taxing and spending issues. Its research and recommendations are reported on regularly by the statewide news media.

Supported by voluntary, tax-deductible memberships and grants, Florida TaxWatch is open to any organization or individual interested in helping to make Florida competitive, healthy and economically prosperous by supporting a credible research effort that promotes constructive taxpayer improvements. Members, through their loyal support, help Florida TaxWatch bring about a more effective, responsive government that is accountable to the citizens it serves.

Florida TaxWatch is supported by all types of taxpayers -- homeowners, small businesses, large corporations, philanthropic foundations, professionals, associations, labor organizations, retirees -- simply stated, the taxpayers of Florida. The officers, Board of Trustees and members of Florida TaxWatch are respected leaders and citizens from across Florida, committed to improving the health and prosperity of Florida.

With your help, Florida TaxWatch will continue its diligence to make certain your tax investments are fair and beneficial to you, the taxpaying customer, who supports Florida's government. Florida TaxWatch is ever present to ensure that taxes are equitable, not excessive, that their public benefits and costs are weighed, and government agencies are more responsive and productive in the use of your hard-earned tax dollars.

*The Florida TaxWatch Board of Trustees is responsible for the general direction and oversight of the research institute and safeguarding the independence of the organization's work. In his capacity as chief executive officer, the president is responsible for formulating and coordinating policies, projects, publications, and selecting professional staff. As an independent research institute and taxpayer watchdog, Florida TaxWatch does not accept money from Florida state and local governments. The research findings and recommendations of Florida TaxWatch do not necessarily reflect the view of its members, staff, distinguished Board of Trustees, or Executive Committee, and are not influenced by the positions of the individuals or organizations who directly or indirectly support the research.*

*Florida TaxWatch Values:*

◆ Integrity ◆ Productivity ◆ Accountability ◆ Independence ◆ Quality Research

# STATEMENT OF PRINCIPLES

**Newt Gingrich***American Solutions for Winning the Future***Grover Norquist***Americans for Tax Reform***Edwin Meese III***Former U.S. Attorney General***William J. Bennett***Former Secretary of Education and Federal "Drug Czar"***Asa Hutchinson***Former U.S. Attorney and Federal "Drug Czar"***Pat Nolan***Justice Fellowship***David Keene***American Conservative Union***Richard Viguerie***ConservativeHQ.com***Chuck Colson***Prison Fellowship Ministries***Brooke Rollins***Texas Public Policy Foundation***Paul Gessing***Rio Grande Foundation***Tony Perkins***Family Research Council***George Liebmann***Calvert Institute for Policy Research, Inc.***Rabbi Daniel Lapin***American Alliance of Jews and Christians***Kelly McCutchen***Georgia Public Policy Foundation***Penny Nance***Concerned Women for America***Ward Connerly***American Civil Rights Institute & former Regent of University of California***John J. DiIulio, Jr.***University of Pennsylvania***Kevin Kane***Pelican Institute for Public Policy***Bob Williams***State Budget Solutions***J. Robert McClure III***James Madison Institute***Gary Palmer***Alabama Policy Institute***Matt Mayer***Buckeye Institute for Public Policy Solutions***Viet Dinh***Georgetown University Law Center & former U.S. Assistant Attorney General***John McCollister***Platte Institute***Michael Carnuccio***Oklahoma Council of Public Affairs***Ronald F. Scheberle***American Legislative Exchange Council***Eli Lehrer***Heartland Institute***David Barton***WallBuilders*

As members of the nation's conservative movement, we strongly support constitutionally limited government, transparency, individual liberty, personal responsibility, and free enterprise. We believe public safety is a core responsibility of government because the establishment of a well-functioning criminal justice system enforces order and respect for every person's right to property and life, and ensures that liberty does not lead to license.

Conservatives correctly insist that government services be evaluated on whether they produce the best possible results at the lowest possible cost, but too often this lens of accountability has not focused as much on public safety policies as other areas of government. As such, corrections spending has expanded to become the second fastest growing area of state budgets—trailing only Medicaid.

Conservatives are known for being tough on crime, but we must also be tough on criminal justice spending. That means demanding more cost-effective approaches that enhance public safety. A clear example is our reliance on prisons, which serve a critical role by incapacitating dangerous offenders and career criminals but are not the solution for every type of offender. And in some instances, they have the unintended consequence of hardening nonviolent, low-risk offenders—making them a greater risk to the public than when they entered.

Applying the following conservative principles to criminal justice policy is vital to achieving a cost-effective system that protects citizens, restores victims, and reforms wrongdoers.

1. As with any government program, the criminal justice system must be transparent and include performance measures that hold it accountable for its results in protecting the public, lowering crime rates, reducing re-offending, collecting victim restitution and conserving taxpayers' money.
2. Crime victims, along with the public and taxpayers, are among the key "consumers" of the criminal justice system; the victim's conception of justice, public safety, and the offender's risk for future criminal conduct should be prioritized when determining an appropriate punishment.
3. The corrections system should emphasize public safety, personal responsibility, work, restitution, community service, and treatment—both in probation and parole, which supervise most offenders, and in prisons.
4. An ideal criminal justice system works to reform amenable offenders who will return to society through harnessing the power of families, charities, faith-based groups, and communities.
5. Because incentives affect human behavior, policies for both offenders and the corrections system must align incentives with our goals of public safety, victim restitution and satisfaction, and cost-effectiveness, thereby moving from a system that grows when it fails to one that rewards results.
6. Criminal law should be reserved for conduct that is either blameworthy or threatens public safety, not wielded to grow government and undermine economic freedom.

These principles are grounded in time-tested conservative truths—constitutionally limited government, transparency, individual liberty, personal responsibility, free enterprise, and the centrality of the family and community. All of these are critical to addressing today's criminal justice challenges. It is time to apply these principles to the task of delivering a better return on taxpayers' investments in public safety. Our security, prosperity, and freedom depend on it.

## Right on Crime

The Conservative case for reform: Fighting Crime, Prioritizing Victims, and Protecting Taxpayers.

### What Conservatives are Saying

“I believe we can take an approach to crime that is both tough and smart. ... [T]here are thousands of non-violent offenders in the system whose future we cannot ignore. Let’s focus more resources on rehabilitating those offenders so we can ultimately spend less money locking them up again.” — **Rick Perry, Governor of Texas**

“Without education, job skills, and other basic services, offenders are likely to repeat the same steps that brought them to jail in the first place. This not only affects the offender, but families and our communities as well. This is a problem that needs to be addressed head-on. We cannot say we are doing everything we can to keep our communities and our families safe if we are not addressing the high rate at which offenders are becoming repeat criminals. By implementing this reentry program, we can curb the cycle of repeat offenders and thereby reduce the burden on our prisons and help offenders create a place in society that adds value to their lives while keeping our communities safe for our families.” — **Bobby Jindal, Governor of Louisiana**

“The restitution principle should be much more than an ideal we rarely meet. It should be a reality that we routinely enforce for the benefit of crime victims in Georgia.” — **Sonny Perdue, Governor of Georgia**

“We should not be resigned to allowing generation after generation to return to prison because they don’t have the tools to break the cycle. I personally favor a number of these faith-based approaches. But if there are other approaches, let’s try them. This is an enormous problem, and since the ’70s, we have basically just said we’ll lock people up.” — **Sam Brownback, Governor-elect of Kansas**

“We are closing a prison because of a decline in the inmate population, the agency’s success with a number of post-release programs, and the need to find savings and efficiencies in state government ... Any decision such as this must always be made with public safety foremost in our minds ... We face an extraordinarily difficult budget situation—a challenge unlike any we have known in modern memory ... While other states—including states facing even more severe budget problems than our own—are being forced to build new prisons, we can make the most of our successes by building on these achievements.” — **Jodi Rell, former Governor of Connecticut**

“I think mandatory minimum sentences for drug offenders ought to be reviewed. We have to see who has been incarcerated and what has come from it.” — **Ed Meese,**

**former U.S. Attorney General under President Reagan and Senior Fellow at the Heritage Foundation**

“Have you been prosecuted by the Feds? If not, consider yourself lucky. The U.S. Criminal Code has now reached 27,000 pages. Thanks to Congress, there is an ever-expanding number of laws for us to break. ... There are now more than 4,000 federal crimes, spread out through some 27,000 pages of the U.S. Code. ... You can serve federal time for interstate transport of water hyacinths, trafficking in unlicensed dentures, or misappropriating the likeness of Woodsy Owl and his associated slogan, ‘Give a hoot, don’t pollute.’ Some years ago, analysts at the Congressional Research Service tried to count the number of separate offenses on the books, and gave up. If teams of legal researchers can’t make sense of the federal criminal code, obviously, ordinary citizens don’t stand a chance. It’s for good reason that our Constitution mentions only three federal crimes (treason, piracy, and counterfeiting). The Founders viewed the criminal sanction as a last resort, reserved for serious offenses, clearly defined, so ordinary citizens would know whether they were violating the law.” – **John Stossel, Fox News and Fox Business commentator**

“As a physician, I believe that we ought to be doing drug treatment rather than incarceration” – **Tom Coburn, United States Senator from Oklahoma**

“What, over the last thirty years, has the ‘system’ produced? An endless temptation to spend money. The image of a system induces us to try to create a fiscal balance between the parts. More police mean more criminals arrested, more arrestees mean more prosecutors and judges to convict, more convicts mean more prisons and more parole and probation offices. But perhaps that idea is wrong. Perhaps instead of spreading resources evenly over a system to process criminals, we need to concentrate them on the agencies that prevent crime. Perhaps, to put it bluntly, we need fewer prisons and far more cops—not cops who will feed the system, but cops who will starve it by helping communities protect themselves.” – **George Kelling, The Manhattan Institute**

“We know from long experience that if [former prisoners] can’t find work, or a home, or help, they are much more likely to commit more crimes and return to prison. ... America is the land of the second chance, and when the gates of the prison open, the path ahead should lead to a better life.” – **President George W. Bush**

“Conservatives should support four policies: improved follow-up, better drug treatment, in-prison work programs, and faith-based rehabilitation.” – **Eli Lehrer, The Heritage Foundation**

“The biggest problem from the perspective of the taxpayer, however, is that mandatory minimum sentencing policies have proven prohibitively expensive. In 2008, American taxpayers spent over \$5.4 billion on federal prisons, a 925 percent increase since 1982. This explosion in costs is driven by the expanded use of prison sentences for drug crimes and longer sentences required by mandatory minimums. Drug offenders are the

largest category of offenders entering federal prisons each year. One third of all individuals sentenced in federal courts each year are drug offenders. And these convicts are getting long sentences. In 2008, more than two-thirds of all drug offenders receive a mandatory minimum sentence, with most receiving a ten-year minimum. ... The benefits, if any, of mandatory minimum sentences do not justify this burden to taxpayers. Illegal drug use rates are relatively stable, not shrinking. It appears that mandatory minimums have become a sort of poor man's Prohibition: a grossly simplistic and ineffectual government response to a problem that has been around longer than our government itself. Viewed through the skeptical eye I train on all other government programs, I have concluded that mandatory minimum sentencing policies are not worth the high cost to America's taxpayers." – **Grover Norquist, *Americans for Tax Reform***

"The ability of ex-offenders to obtain employment after incarceration and become productive members of their communities is essential to reducing recidivism rates, but due to employers' concerns about liability, the honest completion of job applications often results in ex-offenders being unable to find work." – **Jeb Bush, former Governor of Florida**

"Congress needs to rein in the continuing proliferation of criminal regulatory offenses. Regulatory agencies routinely promulgate rules that impose criminal penalties that are not enacted by Congress. Indeed, criminalization of new regulatory provisions has become seemingly mechanical. One estimate is that there are a staggering 300,000 criminal regulatory offenses created by agencies." – **Dick Thornburgh, Former U.S. Attorney General under Presidents Reagan and Gorge H.W. Bush and Pennsylvania Governor**

"I was a prosecutor in Los Angeles for eight years in the 1970s and even then, which was by comparison a more innocent time, I was shocked at the power that we had and the ease of abusing it, and the system that was slowly getting out of control. So, even if you had good faith and you intended to be an honorable prosecutor, the very process by which you exercised discretion [was strained by] the increasing ambiguity of the law. It was harder and harder for people to know what was a crime. The criminal law used to be a series of oak trees that reached up into the sky and you would see them and behold them and contemplate on it—and they were usually descriptions of the Ten Commandments—don't kill, don't rape, don't steal, don't give false witnesses. Now, the law is like the blades of grass in a meadow—you can't see them, you don't identify with them and yet they have poisonous tips. If you just innocently walk along the field, you can end up legally poisoned—put in a cage." – **Tony Blankley, Washington Times**

"I still embrace the theory of locking the cell door if an offender has been convicted of a crime. But I don't say throw the key away. I say, keep the key handy, so the same key that locked that door can also unlock it." – **Howard Coble, U.S. Representative, North Carolina**



“In this whole thing, nobody is being soft on crime. ... The system has a very strong tendency to change them [offenders] for the worse. Everybody knows that, I think. Our current system is fundamentally immoral.” – **Chris Cannon, U.S. Representative, Utah**