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# **Criminal Justice Subcommittee**

**Tuesday January 11, 2011**

**9:00 am**

**404 HOB**

**Dean Cannon  
Speaker**

**Dennis Baxley  
Chair**

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Criminal Justice Subcommittee

**Start Date and Time:** Tuesday, January 11, 2011 09:00 am  
**End Date and Time:** Tuesday, January 11, 2011 11:00 am  
**Location:** 404 HOB  
**Duration:** 2.00 hrs

Member and staff introductions.

Overview of subcommittee jurisdiction.

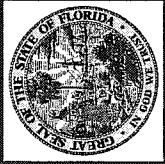
**Agency Overviews:**

Florida Department of Law Enforcement  
Florida Department of Juvenile Justice  
Florida Department of Corrections  
Florida Parole Commission

Presentation by the Office of Economic and Demographic Research on prison population and trends related to prison admissions.

**NOTICE FINALIZED on 01/04/2011 16:16 by hudson.jessica**





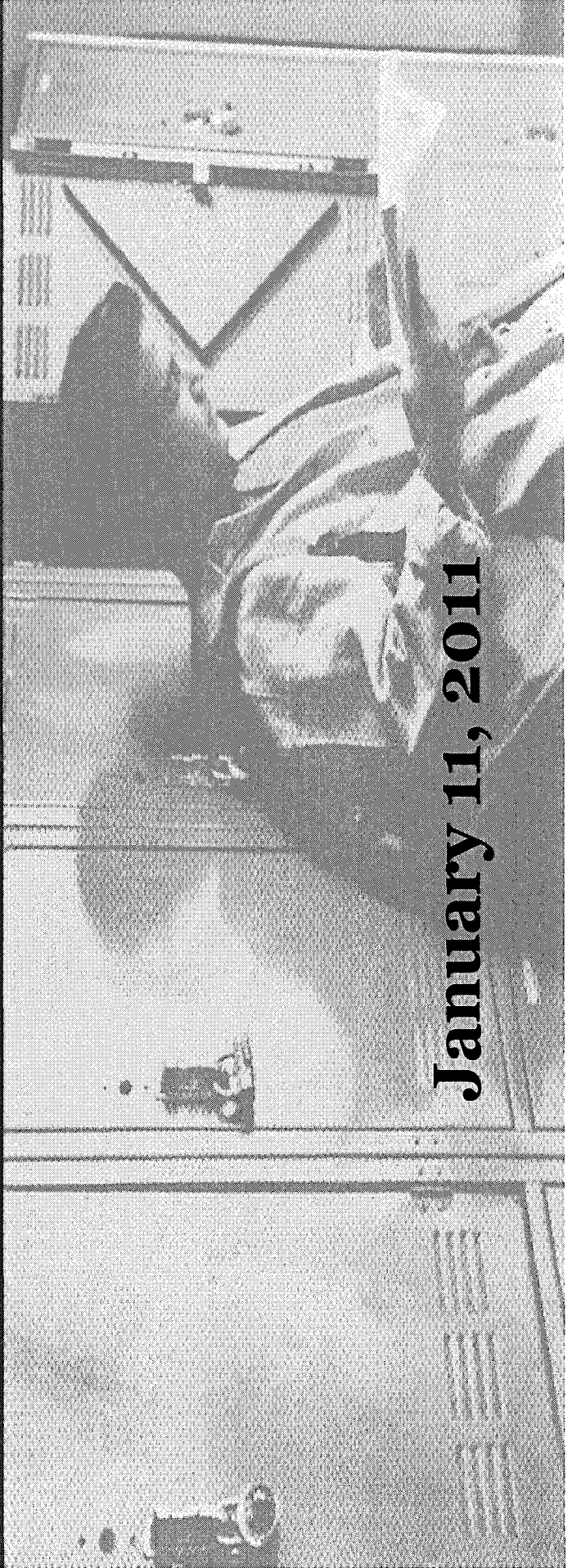
Rick Scott  
Governor



Wansley Walters  
Secretary

# FLORIDA DEPARTMENT OF JUVENILE JUSTICE OVERVIEW

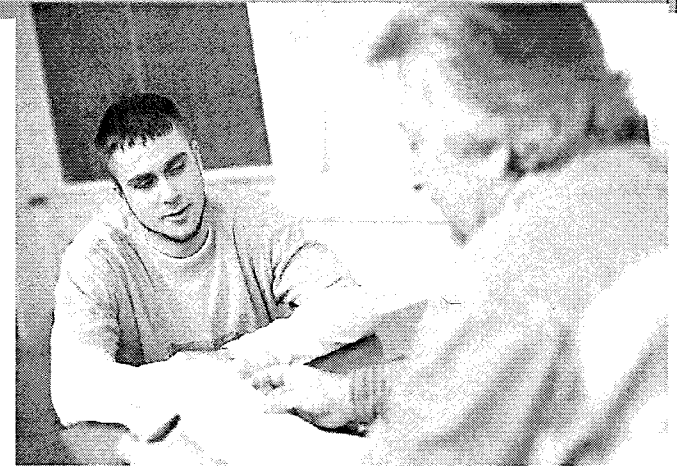
Criminal Justice Subcommittee



**January 11, 2011**

# Our Mission

To increase public safety by reducing juvenile delinquency through effective prevention, intervention and treatment services that strengthen families and turn around the lives of troubled youth



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## Our Core Values:

Prevention and education are paramount

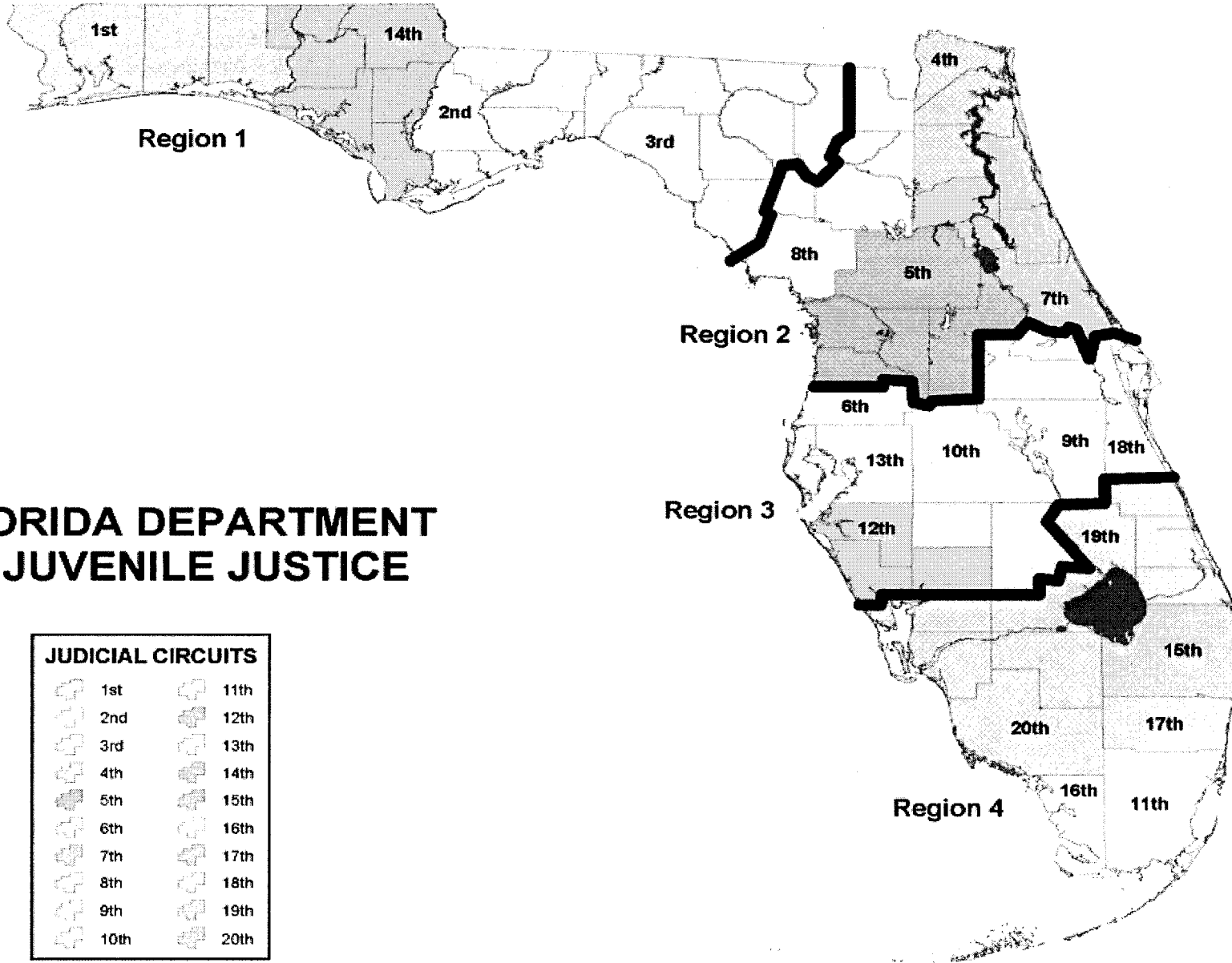
Strengthen partnerships with judicial, legislative and community stakeholders

Promote public safety through effective intervention

Provide a safe and nurturing environment for our children

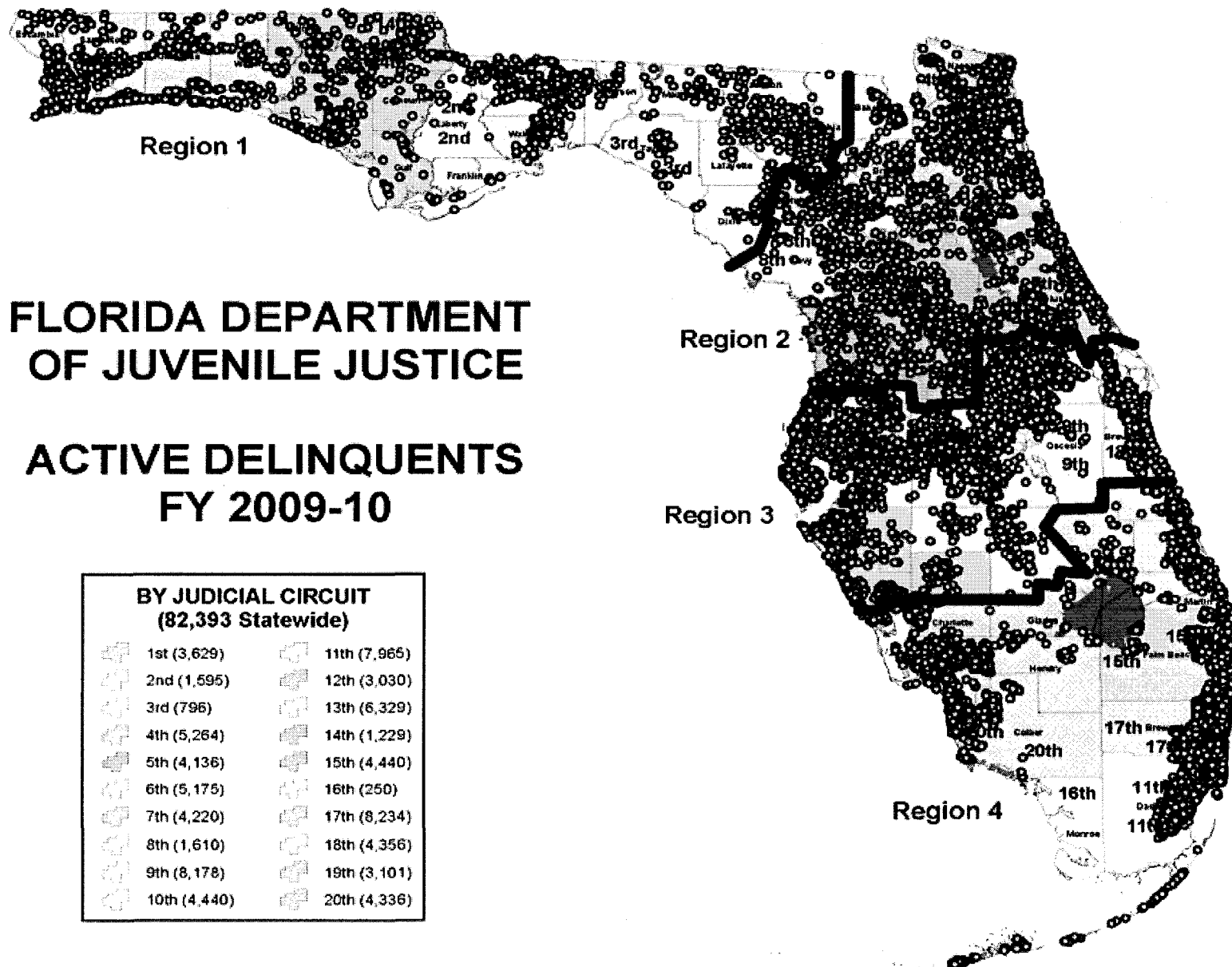
Preserve and restore physical and mental health

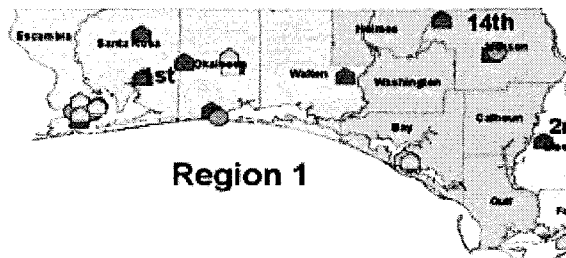
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# FLORIDA DEPARTMENT OF JUVENILE JUSTICE

JUDICIAL CIRCUITS	
1st	11th
2nd	12th
3rd	13th
4th	14th
5th	15th
6th	16th
7th	17th
8th	18th
9th	19th
10th	20th

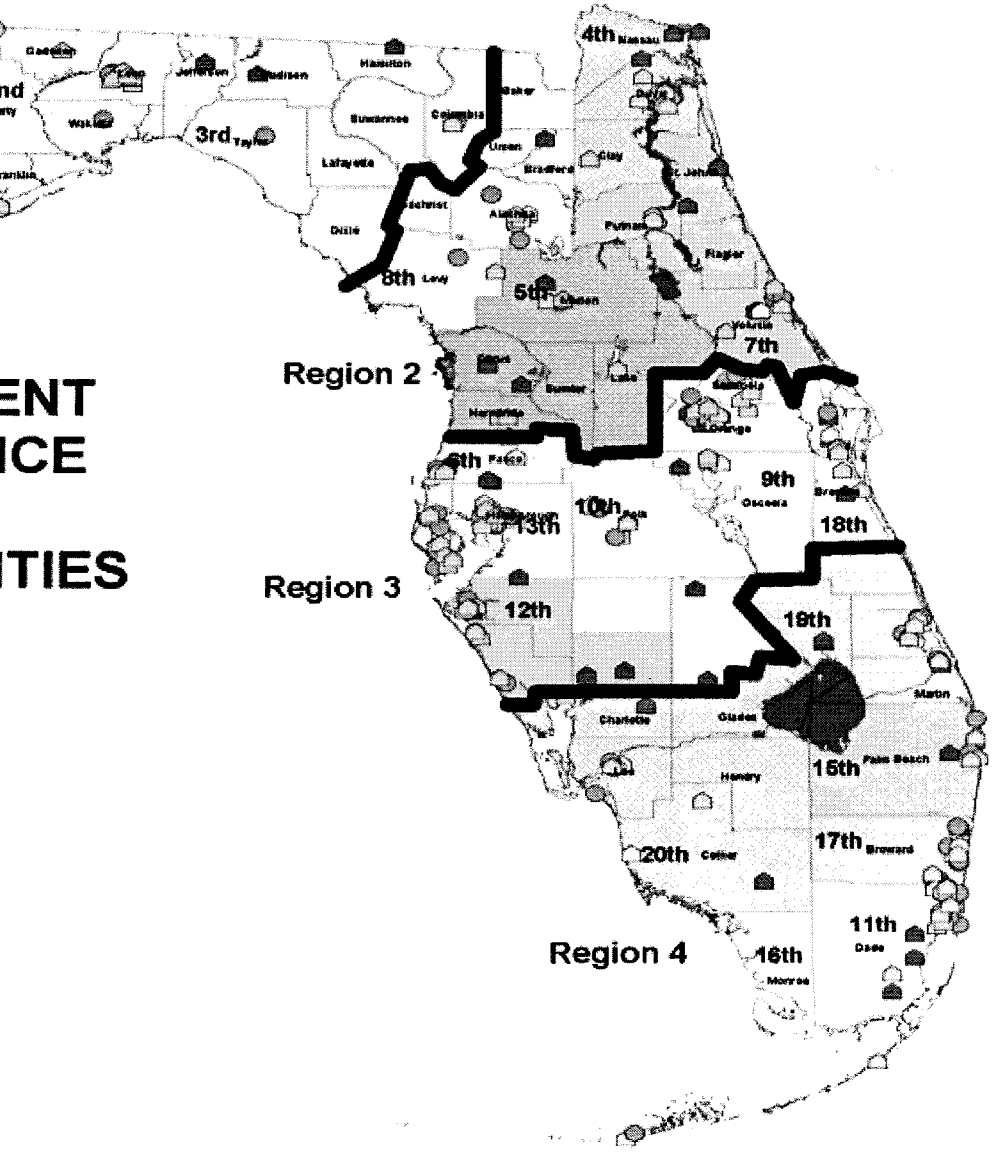




Region 1

# FLORIDA DEPARTMENT OF JUVENILE JUSTICE PROGRAMS & FACILITIES

- |  |                      |
|--|----------------------|
|  | Prevention Programs  |
|  | Probation Offices    |
|  | Detention Centers    |
|  | Residential Programs |



Region 2

Region 3

Region 4



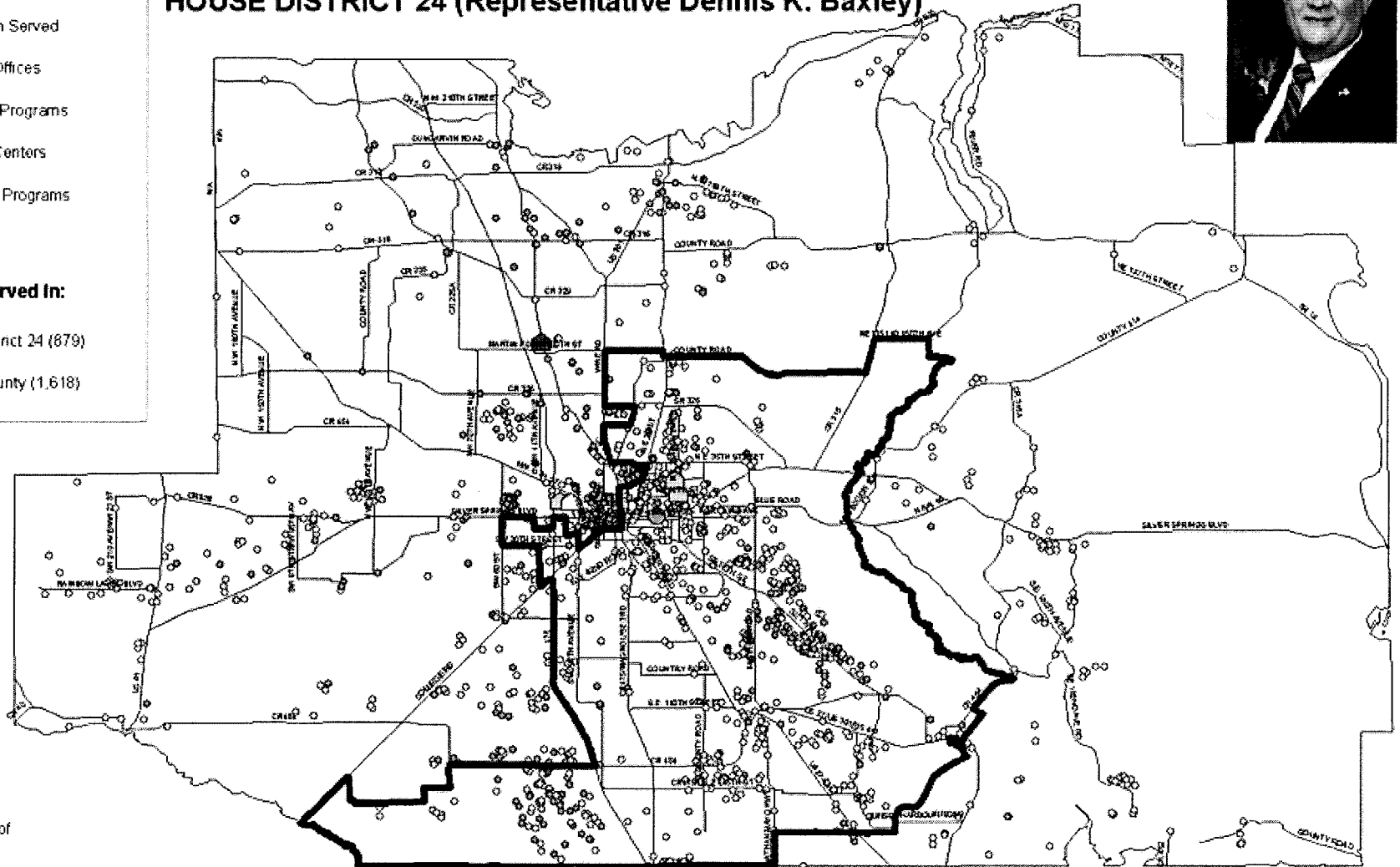
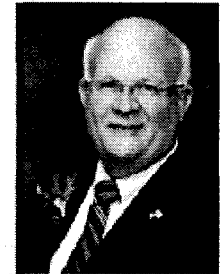
**2009-10 Active Delinquents \***

- ◊ Minority Youth Served
- White Youth Served
- Probation Offices
- 🏠 Prevention Programs
- 🏠 Detention Centers
- 🏠 Residential Programs

**Total Youth Served In:**

- 🗺️ House District 24 (879)
- 🗺️ Marion County (1,618)

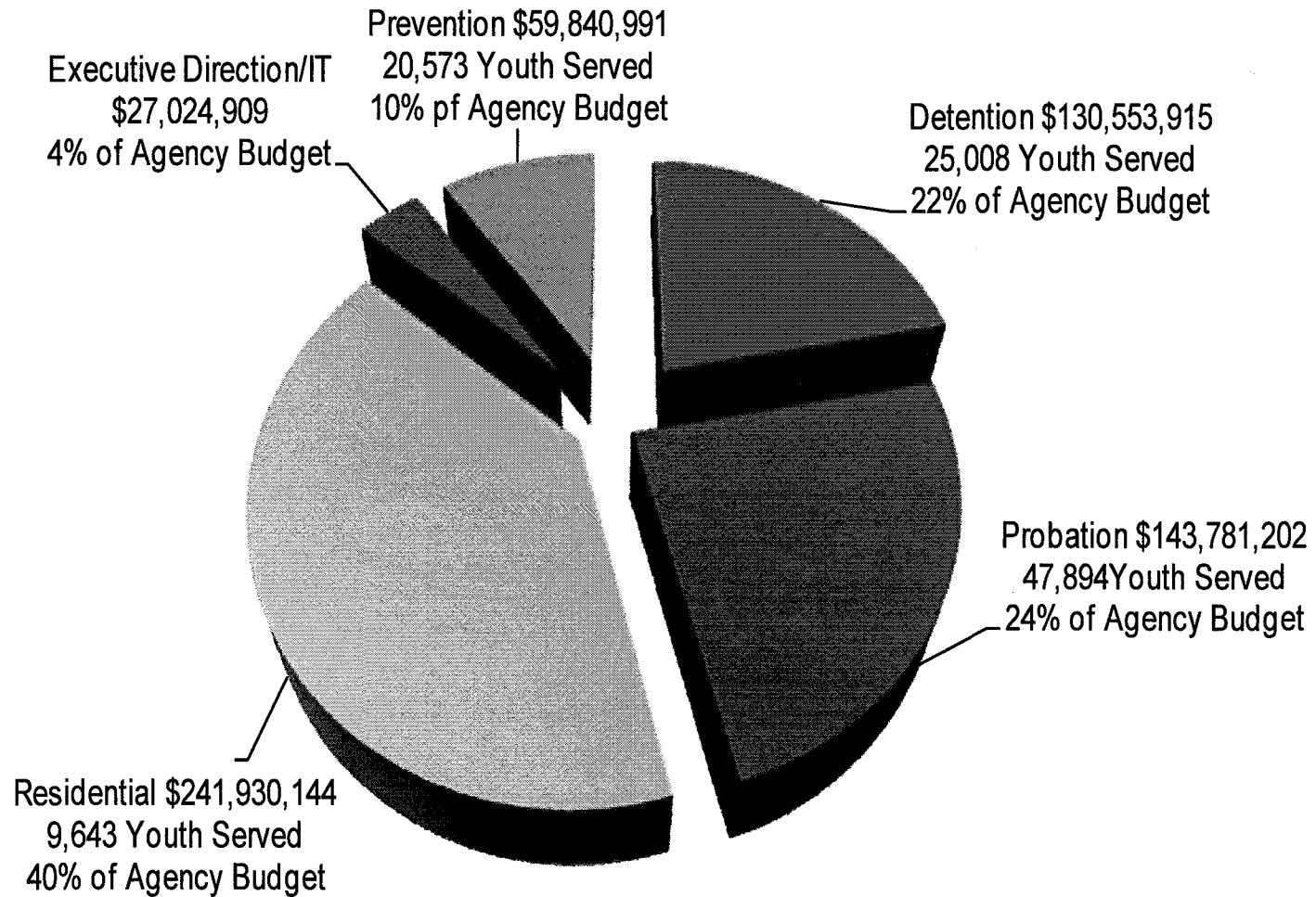
**DEPARTMENT OF JUVENILE JUSTICE  
2009-10 DELINQUENTS\* & PROGRAMS  
HOUSE DISTRICT 24 (Representative Dennis K. Baxley)**



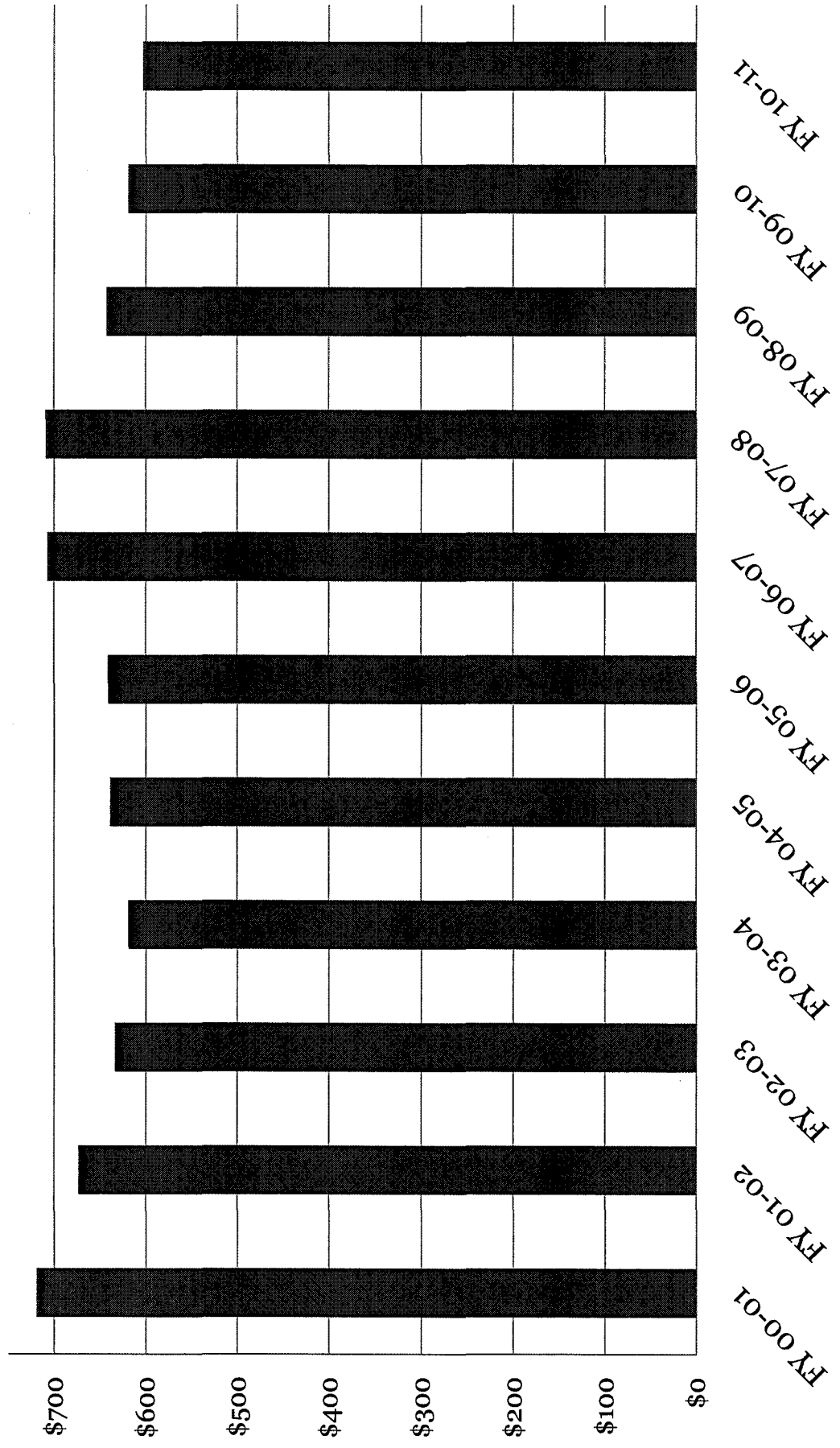
Florida Department of  
Juvenile Justice  
Bureau of Research  
& Planning  
December 2010

\* A delinquent is defined here as any juvenile under supervision at the beginning of the fiscal year (July 1, 2009) or a new referral from law enforcement during the year. Of the 86,406 active delinquents statewide in FY 2009-10, a total of 82,393 (96%) had addresses that could be successfully mapped and are shown here.

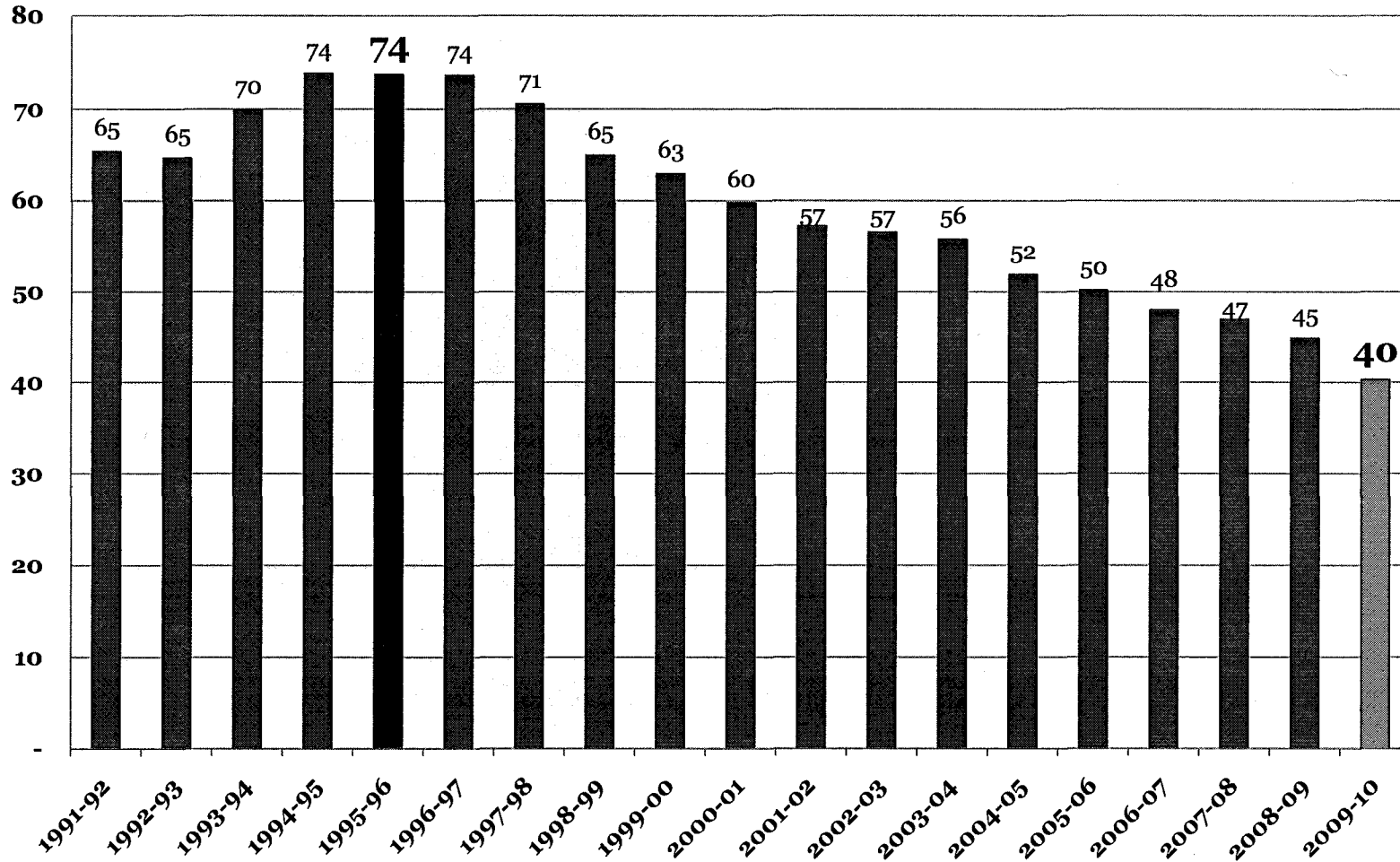
# FY 2010-2011 Budget - \$603.1 M



# 10-Year Budget History (in millions)

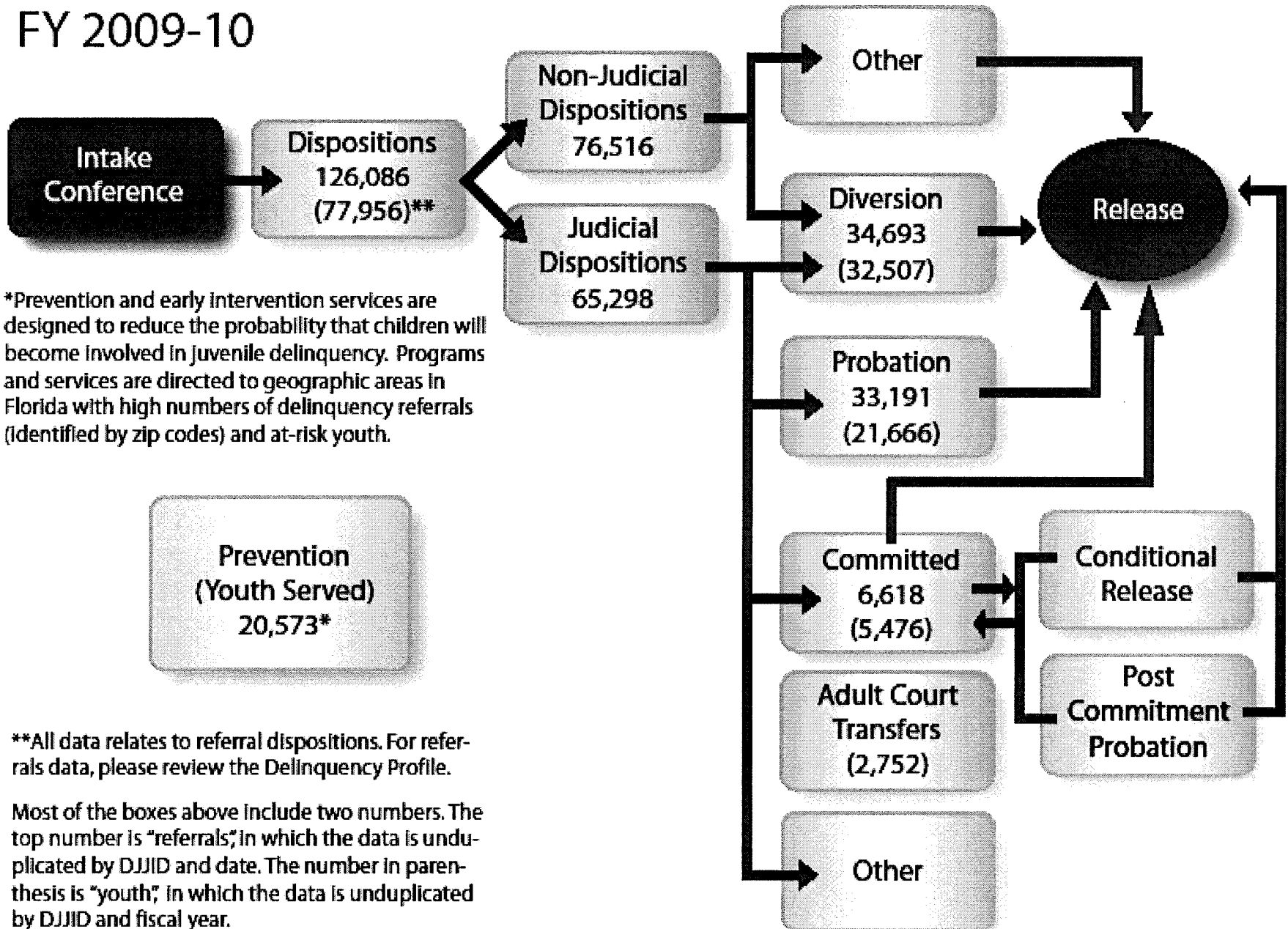


## Youth Referred to DJJ in Florida per 1,000 Population Age 10-17 (1991-92 through 2009-10)



Source: Florida Department of Juvenile Justice Bureau of Research & Planning

# Florida Juvenile Justice System Disposition Flowchart FY 2009-10




\*Prevention and early intervention services are designed to reduce the probability that children will become involved in juvenile delinquency. Programs and services are directed to geographic areas in Florida with high numbers of delinquency referrals (identified by zip codes) and at-risk youth.

Prevention  
(Youth Served)  
20,573\*

\*\*All data relates to referral dispositions. For referrals data, please review the Delinquency Profile.

Most of the boxes above include two numbers. The top number is "referrals"; in which the data is unduplicated by DJJID and date. The number in parenthesis is "youth"; in which the data is unduplicated by DJJID and fiscal year.



## Prevention Services: 100% Private Providers, Community -based

- Prevention and early intervention of delinquency is the first step toward a safer community. The DJJ provides a number of prevention services designed to be community-based and keep at-risk youth out of the juvenile justice system
  - CIN/FINS (Children/Families in Need of Services)
  - PACE Center for Girls
  - Juvenile Boards and Councils
  - Delinquency Prevention Grants
  - Faith and Community Network Programs



## Residential Services: State and Private Operated

- Residential Services provides a continuum of care for youth committed to the care and custody of the department.
- Once the youth is committed, the department provides programming and security to address the supervision, custody, care , and treatment needs of youth.
- Specialized treatment services are based upon individual need of the youth and include:
  - Intensive Mental Health
  - Substance Abuse
  - Sex Offender
  - Gender-Specific Programming
  - Vocational Training
  - Educational Services



## Detention Services: State and Private Operated

- Detention services provide short-term, physically secure facilities for youth who have been assessed as risks to public safety and must remain in a physically secure detention center while awaiting court. While in secure detention, youth receive:
  - Medical Screening
  - Mental Health Services
  - Crisis Intervention and Stabilization
  - Substance Abuse
  - Educational Assessment and Services



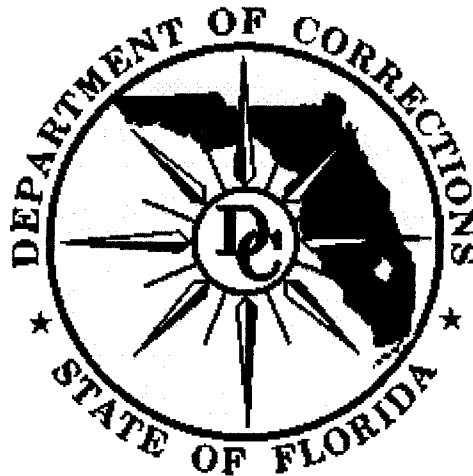
## Probation and Community Corrections: State and Private

- Every youth under the age of 18 charged with a crime in Florida is referred to the department. Probation is responsible for conducting assessments and screenings, preparing pre-disposition reports for the court, making referrals to diversion services, and providing follow-up services, supervision of youth and case plan for services
- Probation program types include:
  - Juvenile Assessment Centers (JAC)
  - Day Treatment (AMI Kids, PACE)
  - Aftercare
  - Conditional Release
  - Evidence-Based Programming
  - Intensive Delinquency Diversion Services (IDDS)
  - Re-direction

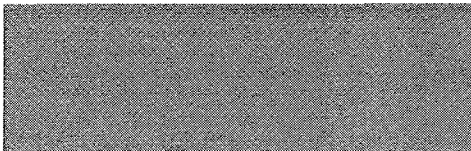


# **Criminal Justice Subcommittee**

**January 11, 2010**



**Florida Department of Corrections**



# Department of Corrections

## □ Mission:

To protect 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.

## □ Key facts:

- 102,000+ inmates housed in 144 correctional facilities
- 152,000+ active offenders reporting to 160 probation offices
- 30,300+ positions (75% are certified officers)
- \$2.3 billion operating budget

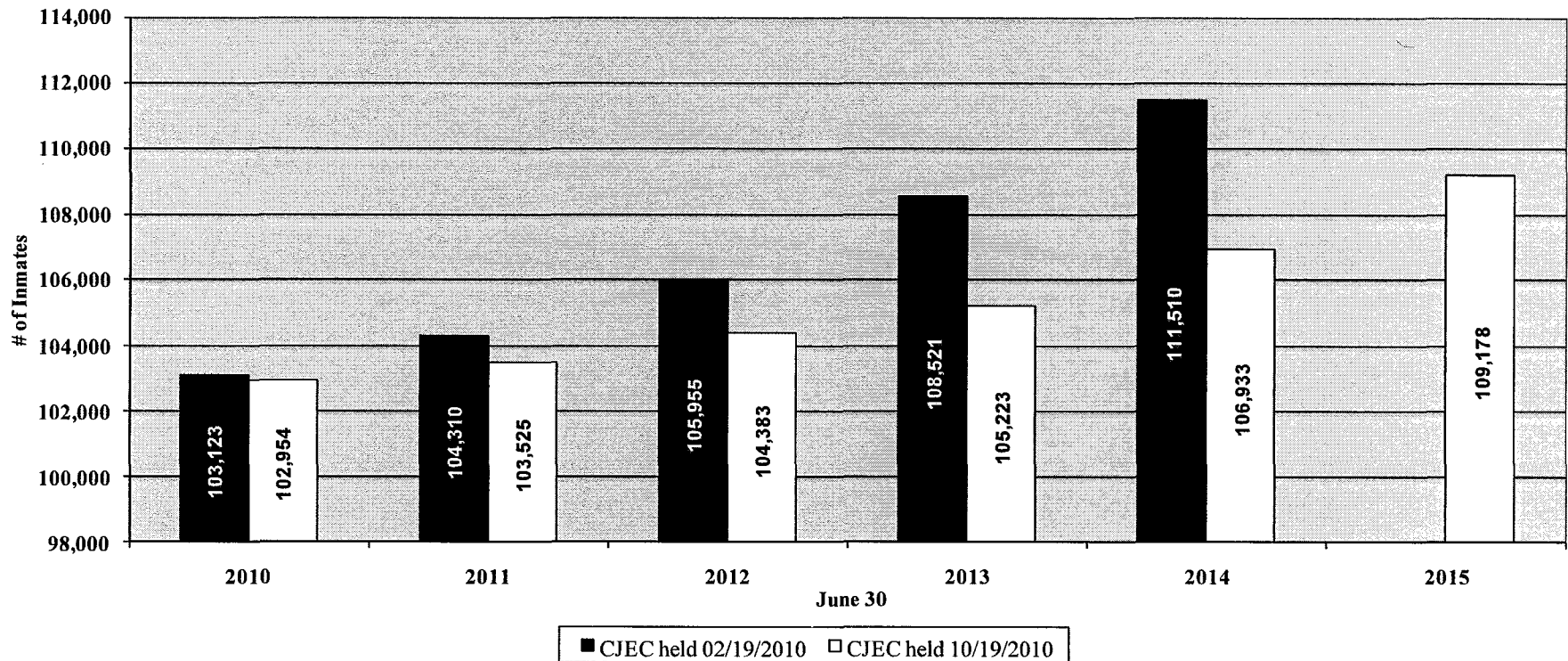
# Legal Framework

The purpose of the Department of Corrections is to protect the public through the incarceration and supervision of offenders and to rehabilitate offenders through the application of work, programs, and services.

- Section 20.315, Florida Statutes
  - Establishes the Department of Corrections
  
- Chapters 944 and 945, Florida Statutes
  - Custody and Care of Inmates
  
- Chapter 948, Florida Statutes
  - Community Corrections

# Funding for prison beds is based on prison population forecasts created by the Criminal Justice Estimating Conference.

4



**Average Cost to build 1,335 bed prison:**

**≈ \$78 Million**

**Annual Operating Cost:**

**\$26 Million\***

\*Excluding indirect costs

# Institutions

□ 22,042 FTE

□ 144 Correctional Facilities

- 62 major prisons
- 43 work or forestry camps
- 34 work release centers
- 5 road prisons

□ Bureaus:

- Classification & Central Records
- Facility Services
- Institutional Support Services
- Security Operations

# Community Corrections

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□ 3,179 FTE

## □ Total Population Breakdown

- 114,332 Active (on the street under supervision)
- 37,755 Active Suspense (temporarily in custody)
- 6,512 Out of State (sentenced in FL, transferred to another state)
- 24,125 Absconder (unknown location, warrant issued)
- **182,724 Total**

\*NOTE: The combined active and active suspense population (152,087) number is used when reporting Community Corrections active population number.

## □ Top 3 Offender Populated Counties (as of 1/4/11)

- Miami-Dade (14,019)
- Broward (13,172)
- Hillsborough (10,298)



# Re-Entry

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## □ 4 Mission-Specific Facilities/Re-Entry

- Baker CI (Region 2)
- Demilly CI (Region 3)
- Polk CI (Region 3)
- Sago Palm Re-Entry Facility (Region 4)

## □ Bureaus:

- Admission & Release
- Education & Initiatives
- Substance Abuse
- Inmate Transition





**The Florida Parole Commission**

Program Policy Overview  
for  
**THE FLORIDA HOUSE OF REPRESENTATIVES**  
House Subcommittee on Criminal Justice  
Representative Dennis Baxley, Chair  
Representative Charles E. Van Zant, Vice Chair

Tuesday, January 11, 2011  
9:00 a.m. – 11:00 a.m. Room 404H

Tena M. Pate, Chair

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To ensure Public Safety and provide Victim Assistance through the post prison release process

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**The Florida Parole Commission**

- A Governor and Cabinet Agency created in 1941  
- Art. IV, s. 8(3), Fla. Constitution; and Chapter 947, Florida Statutes
- Composed of three (3) full time Commissioners appointed by the Governor & Cabinet
- Commissioners may serve no more than two (2) consecutive six-year terms
- Commission meets approximately 36 times annually
- Commission has 128 FTEs and a budget of \$8.2 million for FY 10-11
- Commission is almost 100% funded by General Revenue

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To ensure Public Safety and provide Victim Assistance through the post prison release process

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**The Florida Parole Commission**

**CORE MISSION:**  
To Ensure Public Safety by:

- Select through careful consideration persons to be transitioned back into society
- Locating victims/ victims' families to afford an opportunity to provide input in the process
- Setting terms and conditions of supervision
- Quickly returning offenders to incarceration when conditions are violated
- Providing accurate information to the Clemency Board
- Investigating applicants for seaport employment

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To ensure Public Safety and provide Victim Assistance through the post prison release process

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**The Florida Parole Commission**

Statutorily Mandated Time Frames

- Parole Determinations – Art. IV, s. 8, Fla. Constitution.; s. 947.16, F.S.
- Conditional Release – s. 947.1405, F.S.
- Addiction Recovery – s. 944.4731, F.S.
- Control Release Authority – s. 947.146, F.S.
- Arrest Warrants – s. 947.141, F.S.
- Offender Revocations – s. 947.141, F.S.
- Seaport Security Waiver Investigations – s. 311.12, F.S.

No Statutorily Mandated Time Frames

- Clemency/RCR – Art. IV, S. 8 (3), Fla. Const.; Chapters 940 & 947

*To ensure Public Safety and provide Victim Assistance through the post prison release process*

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**The Florida Parole Commission**

FY 2009-2010 Workload Hours  
by Program

Program	Percentage
Clemency Services	41%
Conditional Release	31%
Parole	13%
Addiction Recovery Release	5%
Victim Services	9%
Seaport Investigations	1%

*To ensure Public Safety and provide Victim Assistance through the post prison release process*

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**The Florida Parole Commission**

PROGRAM: CONDITIONAL RELEASE

- Represents 31% of FPC Program Workload  
- Article IV, S. 8(3), Fla. Constitution and s. 947.1405, s. 947.141, F.S.
- Is a mandatory *non-discretionary* release program
- Offenders are: violent, habitual offenders, sexual predators
- Releasees are subject to strict conditions of supervision
- When a violation occurs, warrants are issued, quasi-judicial hearings are held, and a Final Commission Action is taken

*To ensure Public Safety and provide Victim Assistance through the post prison release process*

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**The Florida Parole Commission**

**PROGRAM: ADDICTION RECOVERY SUPERVISION**

- Represents 5% of FPC Program Workload  
- Article IV, S. 8(3), Fla. Constitution; s. 947.1405, s. 944.4731, F.S.

Mandatory *non-discretionary* release program

- Offenders: non-violent, non-sexual predators
- Releasees are subject to strict conditions of supervision
- When a violation occurs, warrants are issued, quasi-judicial hearings are held, and a final Commission Action is taken

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*To ensure Public Safety and provide Victim Assistance through the post prison release process*

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**The Florida Parole Commission**

**Parole & Conditional Medical Release**

**PAROLE:**

- 13% of FPC Program Workload  
- Art. IV, S. 8(3), Fla. Constitution; and Chapters 947, 948, and 949, F.S.
- A *discretionary* prison release
- Commission sets term and conditions of supervision
- Parolee may be returned to prison if VOP (violation) occurs; warrants are issued; quasi-judicial hearings are held; and, a final Commission Action is taken
- Parole (a discretionary release) abolished for most offenders sentenced for crimes committed on or after October 1, 1983
- Approximately 5,526 inmates are still eligible for parole consideration  
- 448 offenders currently are under parole supervision
- Conditional Medical Release is for "terminally ill" or "permanently incapacitated" inmates

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*To ensure Public Safety and provide Victim Assistance through the post prison release process*

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**The Florida Parole Commission**

**PROGRAM: VICTIMS' SERVICES**

- Art. I, S. 16(b), Fla. Constitution and s. 947.06, s. 960.001, F.S.

- Represents 9% of FPC Program Workload
- Provides direct, personal assistance to crime victims and their families
- Victims provide input in Parole, Conditional Medical Release, Revocations, and Clemency case considerations. Victim input is also received in Conditional Release cases but through the Department of Corrections.
- Reduces victimization through education and by fostering an environment of caring concern, compassion, dignity, and respect
- In FY 09-10, Victims' Services logged 20,559 victim assists

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*To ensure Public Safety and provide Victim Assistance through the post prison release process*

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**The Florida Parole Commission**

**PROGRAM: CONTROL RELEASE**

- Created in 1989 as a prison population management tool  
- Article IV, S. 8(3), Fla. Constitution and s. 947.146, F.S.
- Administered by the Commission to keep the prison population between 99 and 100% of its total capacity
- Commission not currently reviewing the inmate population for release under this authority as there are sufficient prison beds for the current prison population

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*To ensure Public Safety and provide Victim Assistance through the post prison release process*

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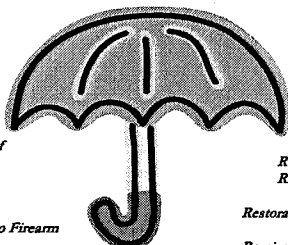
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**The Florida Parole Commission**  
**Clemency Services Umbrella**



*Commutation of Sentences*  
*Full Pardon*  
*Pardon w/o Firearm Authority*

*Firearm Authority*  
*Restoration of Civil Rights*  
*Restoration of Alien Status*  
*Remission of Fines*

11

*To ensure Public Safety and provide Victim Assistance through the post prison release process*

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**The Florida Parole Commission**

**PROGRAM: CLEMENCY SERVICES**

- Art. IV, S. 8(3), Florida Constitution
- Chapters 925, 940, 944, 947, and 960, F.S.
- 18 U.S.C. § 921(a)(20) and § 922(g)(1)

- Represents 41% of the Commission's Workload (includes Seaport Waiver Investigations)
- Acts as the Administrative and Investigative arm of the Clemency Board

**Forms of Clemency:**

- Seaport Security Waiver Investigations (for FDLE) (1% of FPC Program Workload)
- Processed over 320,581 RCR cases between 4/5/2007 and 11/30/2010
- 154,110 RCRs granted since 4/5/07 as of 11/30/2010

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*To ensure Public Safety and provide Victim Assistance through the post prison release process*

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**The Florida Parole Commission**

**Questions?**

**Contact:**  
Tena M. Pate, Chair  
Florida Parole Commission  
4070 Esplanade Way  
Tallahassee, Florida 32399-2450  
850-488-0476  
or  
Jane C. Tillman  
Legislative Affairs Director  
janetillman@fpc.state.fl.us  
850-921-2816

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*To ensure Public Safety and provide Victim Assistance through the post prison release process*

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# Criminal Justice Estimating Conference Results and Trends

Florida Legislature, Office of Economic and Demographic Research, January 11, 2011

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Criminal Justice Estimating Conference will typically meet three times a year to "develop official information relating to the criminal justice system, including forecasts of prison admissions and population...for the state planning and budgeting system."

Projections are usually based on current law/current administration.

Principals include staff from the House and Senate, the Governor's Office of Planning and Budgeting, and the Legislature's Office of Economic and Demographic Research.

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In addition, the Criminal Justice Impact Conference meets to determine the prison bed impact of proposed legislation.

Proposed legislation which creates new felony offenses or increases the penalty for existing offenses may impact the number of prison beds that are needed.

Alternatively, proposed legislation which creates diversion programs or reduces the penalty for existing offenses may impact the number of prison beds that are needed (fewer beds).

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**Going into the October CJEC, it appeared that admissions needed to be adjusted downward from the February CJEC.**

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October's CJEC projected prison **admissions** compared to February 2010 CJEC :

- **1,010 for FY 10-11**
- **1,376 for FY 11-12**
- **1,741 for FY 12-13**

FY 10-11 admissions now projected to be **36,394**

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October's CJEC projected prison population compared to February's CJEC:

June 30<sup>th</sup> prison population:

- **169 for FY 10-11**
- **785 for FY 11-12**
- **1,572 for FY 12-13**

June 30, 2011 prison population projection **102,954**

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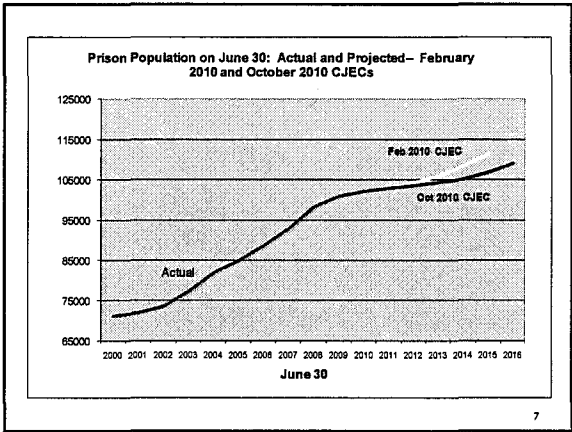
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**Why were projections lowered?**

**Review of criminal justice indicators suggested that trends first observed in 2008 were continuing.**

**These trends will result in smaller numbers of new commitments coming to prison than previously anticipated.**

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- Indicators**
- **Crime Trends**
  - **Judicial System Trends**
  - **New Commitments to Prison**
  - **Technical Violators**
  - **Year-and-a Day Sentences**

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**Indicator 1—Crime Trends**  
**Six-Month Uniform Crime Report – January through June**

**TOTAL INDEX CRIMES**

		Change from prior year
2002	442,604	0.7%
2003	436,882	-1.3%
2004	426,702	-2.3%
2005	412,743	-3.3%
2006	411,608	-0.3%
2007	427,646	3.9%
2008	434,563	1.6%
2009	400,065	-7.9%
2010	381,050	-4.8%

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**Crime Trends by Type of Crime**  
**Six Month Uniform Crime Report: January - June**

	VIOLENT CRIME		NON-VIOLENT CRIME	
		Change from prior year		Change from prior year
2002	62,770	-1.6%	379,834	1.1%
2003	61,699	-1.7%	375,183	-1.2%
2004	61,345	-0.6%	365,357	-2.8%
2005	61,737	0.6%	351,006	-3.9%
2006	63,712	3.2%	347,896	-0.9%
2007	65,011	2.0%	362,635	4.2%
2008	63,421	-2.4%	371,142	2.3%
2009	57,253	-9.7%	342,814	-7.6%
2010	51,113	-10.7%	329,937	-3.8%

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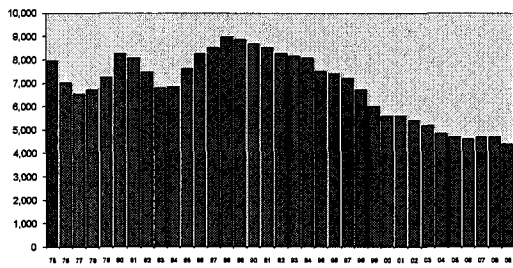
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**CRIME RATE**

Index Crimes per 100,000 Population



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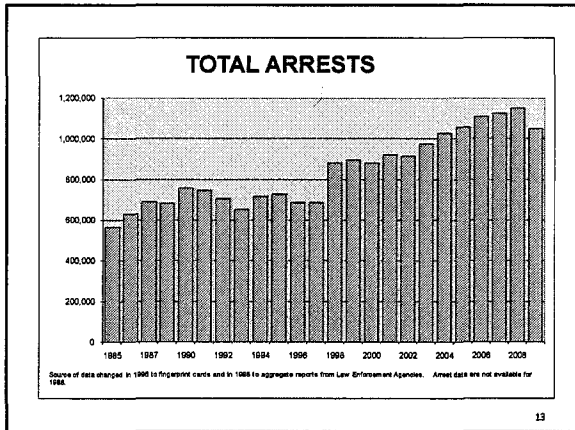
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## Indicator 2 Judicial System Trends

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### RECENT TRENDS IN FELONY FILINGS AND GUILTY DISPOSITIONS

	Felony Filings		Guilty Dispositions	
	Number	Percent Change	Number	Percent Change
2001	184,571	-0.8%	142,907	2.9%
2002	184,295	-0.1%	143,253	0.2%
2003	187,379	1.7%	147,707	3.1%
2004	194,863	4.0%	151,544	2.6%
2005	208,540	7.0%	159,007	4.9%
2006	220,757	5.9%	171,072	7.6%
2007	230,886	4.6%	184,112	7.6%
2008	224,743	-2.7%	186,130	1.1%
2009	205,407	-8.6%	160,435	-13.8%

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## Indicator 3 New Commitments

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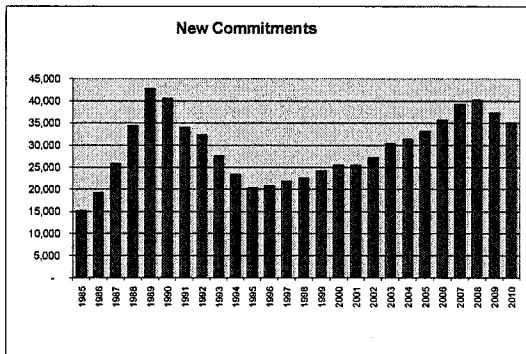
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## Indicator 4 Technical Violators

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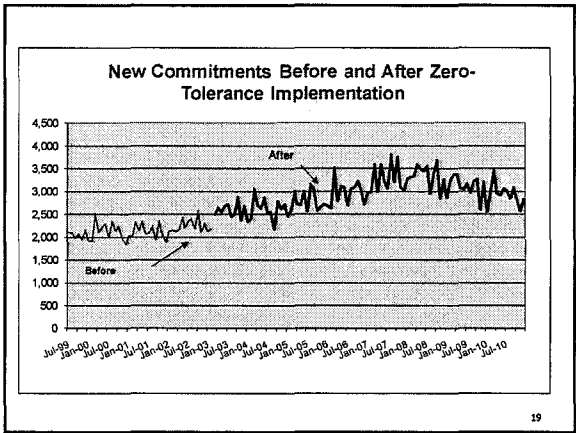
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### Technical Violators to Prison

		% change	Technical violators as % of all new commitments
2003	8,805		
2004	9,648	9.6%	30.7%
2005	10,246	6.2%	30.8%
2006	11,045	7.8%	30.9%
2007	10,953	-0.8%	27.8%
2008	9,291	-15.2%	23.1%
2009	7,530	-19.0%	20.1%
Jan-Nov 2009	6,970		20.3%
Jan-Nov 2010	7,010	0.6%	21.7%

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## Indicator 5 – Year-and-a-Day Sentences

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### Year-and-a-day New Commitments to Prison

	Number	Change	% Change
2000	2,257		
2001	2,393	126	5.6%
2002	2,385	(8)	-0.3%
2003	3,396	1,011	42.4%
2004	3,866	470	13.8%
2005	4,538	672	17.4%
2006	6,015	1,477	32.5%
2007	6,817	802	13.3%
2008	5,235	(1,582)	-23.2%
2009	4,130	(1,105)	-21.1%
2010	3,180	(950)	-23.0%

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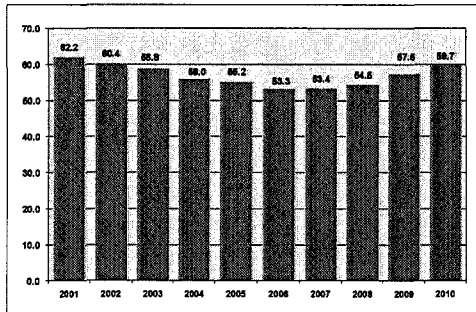
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### Sentence Length of New Commitments



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- Crime Trends
- Judicial System Trends
- New Commitments to Prison
- Technical Violators
- Year-and-a Day Sentences

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MONITORING PRISON ADMISSIONS TO THE DEPARTMENT OF CORRECTIONS  
SINCE THE CRIMINAL JUSTICE ESTIMATING CONFERENCE HELD 10/19/2010

MONTH	ADMISSIONS		MONTHLY CUMULATIVE	
	ESTIMATE	ACTUAL	OVER/ (UNDER)	OVER/ (UNDER)
October 2010	3,132	2,935	-197	-197
November 2010	2,692	2,668	-24	-221
December 2010 *	3,173	2,959	-214	-435
<b>Total</b>	<b>8,997</b>	<b>8,562</b>	<b>% Error:</b>	<b>-4.8%</b>

\* Preliminary

MONITORING PRISON POPULATION IN THE DEPARTMENT OF CORRECTIONS  
SINCE THE CRIMINAL JUSTICE ESTIMATING CONFERENCE HELD 10/19/2010

MONTH	POPULATION		CUMULATIVE OVER/ (UNDER)
	ESTIMATE	ACTUAL	
October 2010	102,569	102,397	-172
November 2010	102,375	102,220	-155
December 2010	102,437	102,138	-299
	<b>-0.3%</b>	<b>Error</b>	

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**For Additional Information**

Florida Legislature, Office of Economic and Demographic  
Research

[edr.state.fl.us](http://edr.state.fl.us)

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Results of the  
October 19, 2010  
Criminal Justice Estimating  
Conference

Florida Legislature, Office of Economic and Demographic Research, MMM DD, 20YY

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**CJEC met on February 19<sup>th</sup> and on October 19<sup>th</sup> .**

**February had projected that FY 09-10 admissions would decline by 6.6% from FY 08-09.**

**Actual admissions were 5.6% lower than in FY 08-09.**

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**For the CURRENT fiscal year (FY 10-11)**

**February CJEC had projected that admissions would remain the same as in FY 09-10.**

**In first three months of this fiscal year, admissions were 5.1% lower than in the same period in FY 09-10.**

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