



Justice Appropriations Subcommittee

Meeting Packet

**November 5, 2013
1:00 p.m. – 3:00 p.m.
Morris Hall**



The Florida House of Representatives
APPROPRIATION COMMITTEE

Justice Appropriations Subcommittee

Will Weatherford
Speaker

Charles McBurney
Chair

MEETING AGENDA

Morris Hall

November 5, 2013

- I.** Meeting Called To Order
- II.** Opening Remarks by Chair
- III.** Presentation by State Courts
Problem-Solving Courts
- IV.** Fiscal Year 2014-15 Priority Listing of Request and Possible Reductions
 - A. Attorney General
 - B. Department of Juvenile Justice
 - C. Florida Department of Law Enforcement
 - D. Parole Commission
 - E. State Courts
- V.** Closing Remarks
- VI.** Meeting Adjourned

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House Justice Appropriations Subcommittee



Problem-Solving Courts

Judge Joseph Will

November 5, 2013

Mental Illness and the Criminal Justice System

- More than 170,000 people with serious mental illnesses are arrested and booked into Florida jails annually

Sources: FDLE (2012) and Steadman et al (2009)

- On any given day in Florida, there are roughly 18,000 state prison inmates, 10,000 local jail detainees, and 25,000 to 40,000 individuals under correctional supervision in the community who experience serious mental illness

Sources: FL Dept of Corr (2012a, 2012b), Steadman et al (2009), Ditton (1999) & Crilly (2009)

Mental Health Costs

Cost to house people with mental illnesses in Florida's jails, prisons, and forensic treatment facilities:

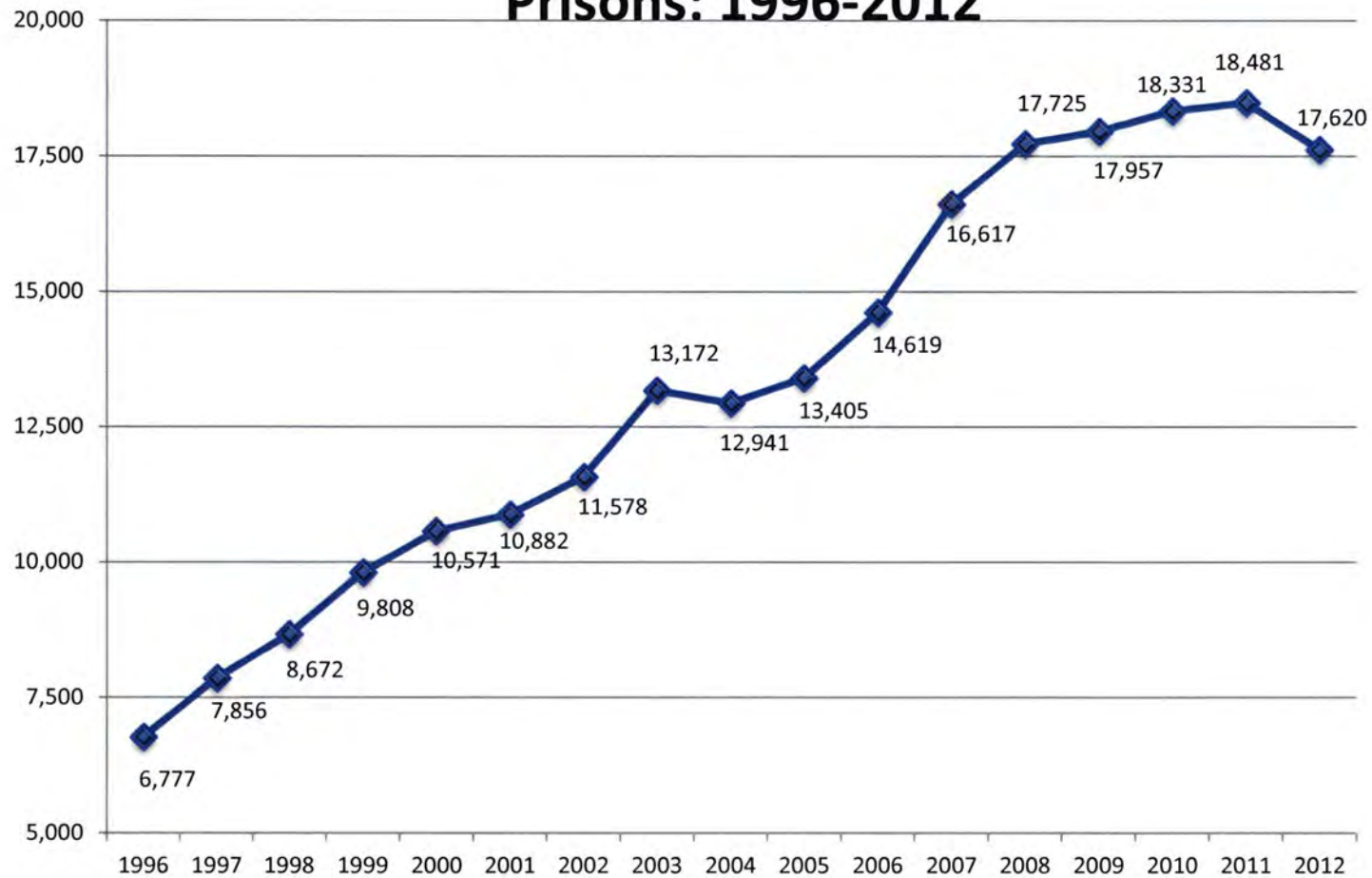
- Jails = \$409 million annually, or \$1.1 million per day
- Prisons = \$416 million annually, or \$1.1 million per day
- Forensic treatment facilities = \$200 million annually, or \$544 thousand per day

Total Cost = \$1 billion annually, or \$2.7 million per day

Cost estimates are based on average per diem costs multiplied by total number of mental health beds (including 10,000 jail beds, 18,000 prison beds, and 1,500 forensic commitment beds):

- Jail per diem based on average cost reported across all jail beds in Miami-Dade, Monroe, Osceola, Palm Beach, Sarasota, and St. Lucie counties in 2010
- Prison per diem based on average cost across all prison beds, plus average mental health cost per inmate between FY2006 and 2008 as reported in personal communication with DOC staff.
- Forensic treatment facility per diem based on rates provided by DCF

Growth of Inmates with Mental Illnesses in Florida Prisons: 1996-2012



Source: Based on data published in Florida Department of Corrections annual reports

Substance Use and the Criminal Justice System

- Approximately 65% (66,341) of the inmate population (102,232) was identified as being in need of substance abuse treatment services on June 30, 2010
- In FY 2009-2010, 35,810 inmates were assessed for substance abuse treatment. Of those, 27,717 inmates (77%) were identified as having a substance abuse problem with 86% of them released without receiving substance abuse treatment.

Source: Florida Department of Corrections Office of Re-Entry, FY2009-10 Prison Substance Abuse Treatment Programs, updated 6/10/11

Problem-Solving Courts

Problem-solving courts are dockets within the court system designed to provide treatment for individuals with substance abuse and/or mental health disorders and provide the additional tools needed to change lives. They utilize a team-based approach with the court/judge as the leader, intensive judicial monitoring, frequent and random drug testing, and immediate responses to behavior through the use of sanctions and incentives.

Problem-Solving Courts

- Most common types:
 - Drug Courts (Adult, Juvenile, Family, DUI)
 - Mental Health Courts
 - Veterans Courts
- First drug court was developed in Miami-Dade County in 1989

Problem-Solving Courts

- Over 2,700 drug courts in the U.S.
 - 101 drug courts in Florida (52 adult felony/misdemeanor drug courts, 24 juvenile, 21 family dependency, 4 DUI)
- Over 1,200 other problem-solving courts in U.S.
 - 19 mental health courts in Florida
 - 14 veterans courts in Florida

Adult Drug Courts

- In 2012, there were approximately 8,000 total admissions into Florida's drug courts with approximately 6,300 (79%) of these admissions in adult drug courts
- In 2012, there were over 5,700 participants who successfully completed drug court, including more than 4,700 (82%) adult drug court completions

Adult Drug Courts


- A March 2009 report from OPPAGA showed that offenders who complete adult post-adjudicatory drug courts in Florida are 80% less likely to go to prison than the matched comparison group

Source: OPPAGA, "State's Drug Courts Could Expand to Target Prison-Bound Adult Offenders,"
March 2009

Adult Drug Courts

- Adult Post-Adjudicatory Drug Court Expansion Program
 - Implemented in October 2009
 - Eight participating counties
 - Over 2,400 admissions to date
 - Federal funding October 2009-June 2013
 - Non-recurring state funding for FY 2013-2014
 - Costs \$20 per person/day (on average) compared to \$49 for prison
 - OPPAGA study due January 2014

Adult Drug Courts

- Target Population  High Risk/High Need Offenders
- Importance of fidelity of the drug court model and 10 key components
- Implementation of best and promising practices

Veterans Courts

- Veterans courts growing at a rapid pace in the U.S. and Florida
- T. Patt Maney Veterans' Treatment Intervention Act (2012)
- FY 2013-2014 state veterans court appropriation to five counties (Alachua, Clay, Okaloosa, Pasco, Pinellas)
- In May 2013, there were 336 total admissions in eight veterans courts (excludes Palm Beach County)

Veterans Courts

Opportunities for Enhancement:

Consider expanding eligibility criteria in existing statute to allow for the following:

- 1) Persons discharged from the military under a less than honorable discharge
- 2) Civilian contractors that were in war zones
- 3) United States allied veterans

Risk-Need-Responsivity Model

- Research suggests this is the best model for identifying and prioritizing individuals to receive appropriate interventions
 - Florida Department of Corrections already utilizing this model for state prison population
- Use of Risk and Needs Assessments for diversion programs
- Need to prioritize programming for individuals at moderate to high risk of reoffending

Risk-Need-Responsivity Model

- Supreme Court Task Force on Substance Abuse and Mental Health Issues in the Courts currently examining this model for Florida (model being implemented in other states)
- Need to prioritize limited and scarce resources for offenders that have the greatest risk and need to have biggest impact on recidivism and cost

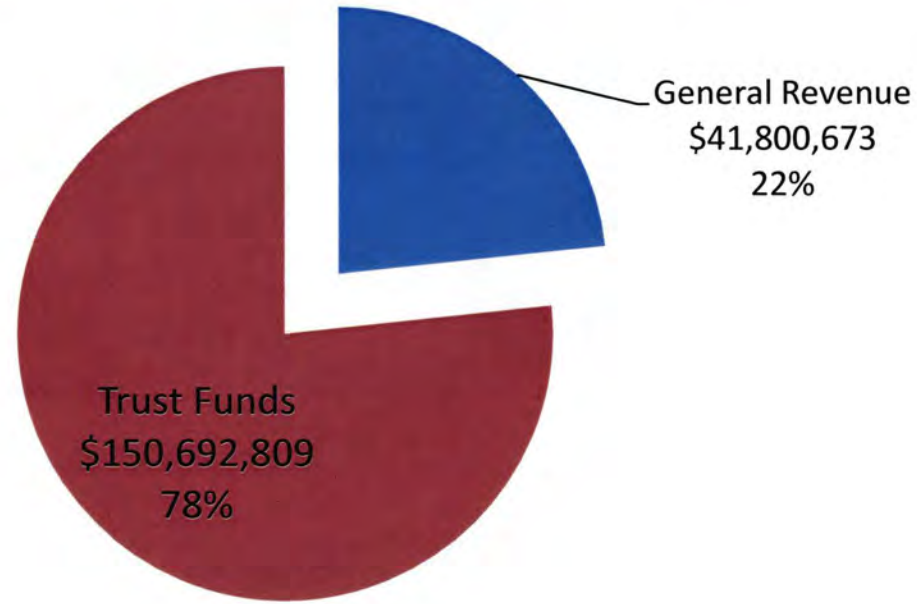
Questions?



Department of Legal Affairs

Department of Legal Affairs

Total Budget for FY 2013-14 \$192,493,482



FY 2013-14 Appropriations by Program Area	FTE	General Revenue	Trust Funds	Total
Office of the Attorney General	1,215.00	\$36,240,330	\$148,379,016	\$184,619,346
Statewide Prosecution	65.50	\$5,560,343	\$838,805	\$6,399,148
Florida Elections Commission	15.00		\$1,474,988	\$1,474,988
Grand Total	<u>1,295.50</u>	<u>\$41,800,673</u>	<u>\$150,692,809</u>	<u>\$192,493,482</u>

Department of Legal Affairs / Attorney General

Fiscal Year 2014-15 Budget Request

Issue	FTE	General Revenue	Trust Fund	Total Funds
Criminal Appeals Workload	5.00	\$ 440,609		\$ 440,609
Statewide Prosecution	5.00	\$ 522,288		\$ 522,288
E-Discovery and Agencywide Data Management	2.00	\$ 390,240	\$ 602,500	\$ 992,740
Victim Compensation Bureau Staffing	3.00		\$ 166,148	\$ 166,148
Crime Stopper Grant Program Staffing	1.00		\$ 55,382	\$ 55,382
Library Budget		\$ 150,000		\$ 150,000
IT Disaster Recovery		\$ 245,000		\$ 245,000
Total	16.00	\$1,748,137	\$ 824,030	\$2,572,167

**Department of Legal Affairs / Attorney General
 Fiscal Year 2014-15 Budget Request
 Florida Elections Commission**

Issue	General Revenue	Trust Fund	Total Funds
Merit Salary Increase		\$ 25,000	\$ 25,000
	<u>Total Request</u>	<u>\$ 25,000</u>	<u>\$ 25,000</u>

Schedule VIII B Target Reductions for FY 2014-15
5% reductions
\$2,024,379 General Revenue and
\$4,707,921 Trust Fund

- Adults Mankind Organization, Inc. \$403,157 GR proposed reduction. The current funding level is \$950,000.
- Community Coalition, Inc. \$403,157 GR proposed reduction. The current funding level is \$950,000.
- The Urban League Consortium \$1,218,064 GR proposed reduction. The current funding level is \$2,870,247.
- \$4,707,921 reduction in the Crimes Compensation Trust Fund. This reduction would decrease authority to approximately \$20.1 million, or 18.9 percent.



Rick Scott,
Governor

Wansley Walters,
Secretary



DEPARTMENT OF JUVENILE JUSTICE FY 2014-15 LEGISLATIVE BUDGET REQUEST HOUSE JUSTICE APPROPRIATIONS



November 5, 2013

DJJ's Roadmap to System Excellence

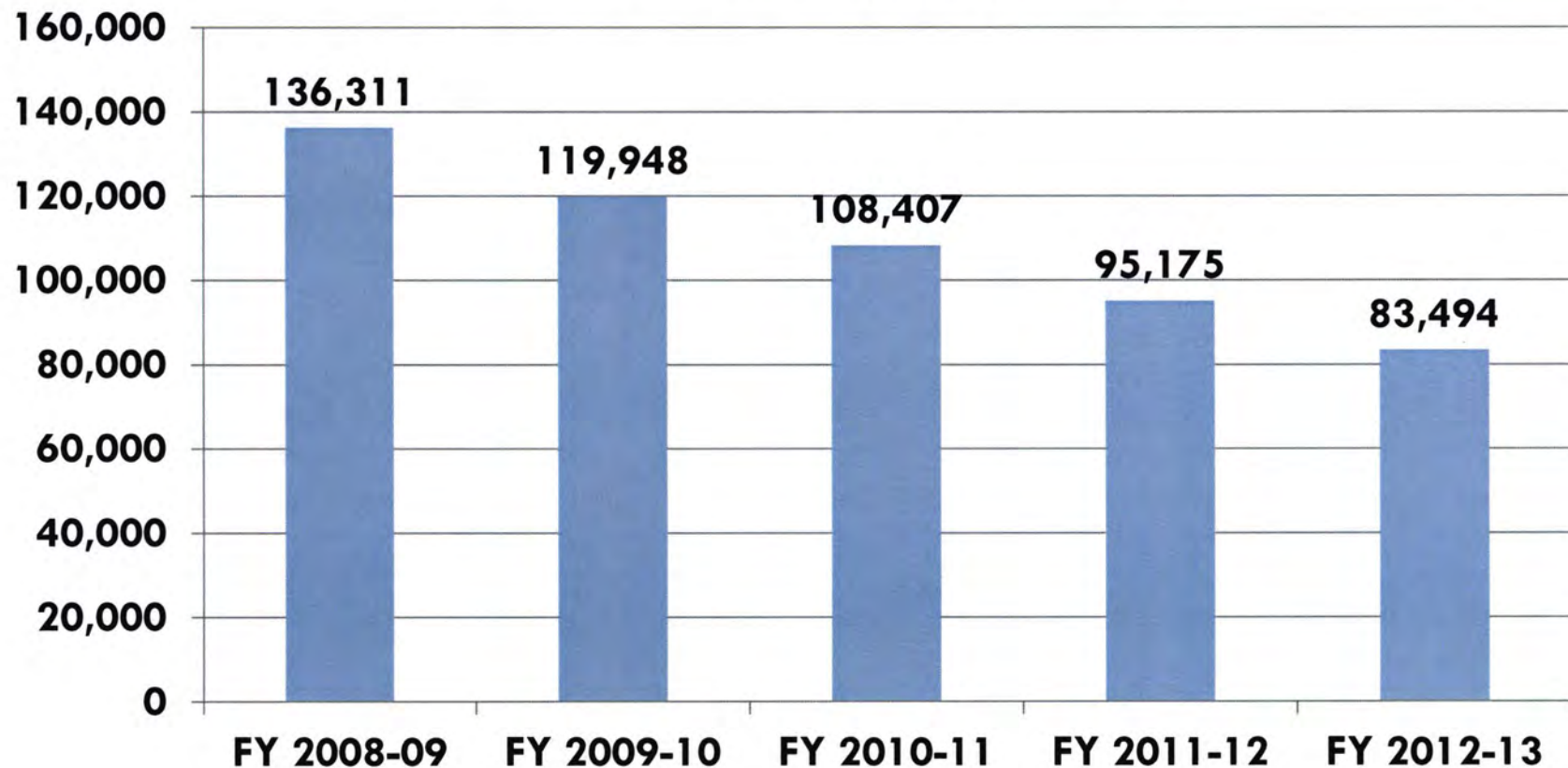
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- Prevent and divert more youth from entering the juvenile justice system.
- Provide appropriate, less restrictive, community-based sanctions and services.
- Reserve serious sanctions for youth who pose the greatest risk to public safety.
- Redesign existing resources to increase availability of transitional services (vocational education; employment, transition housing, etc.
- Strengthening procurement, contract monitoring, and quality improvement.

Management of the At-Risk Youth Population

3

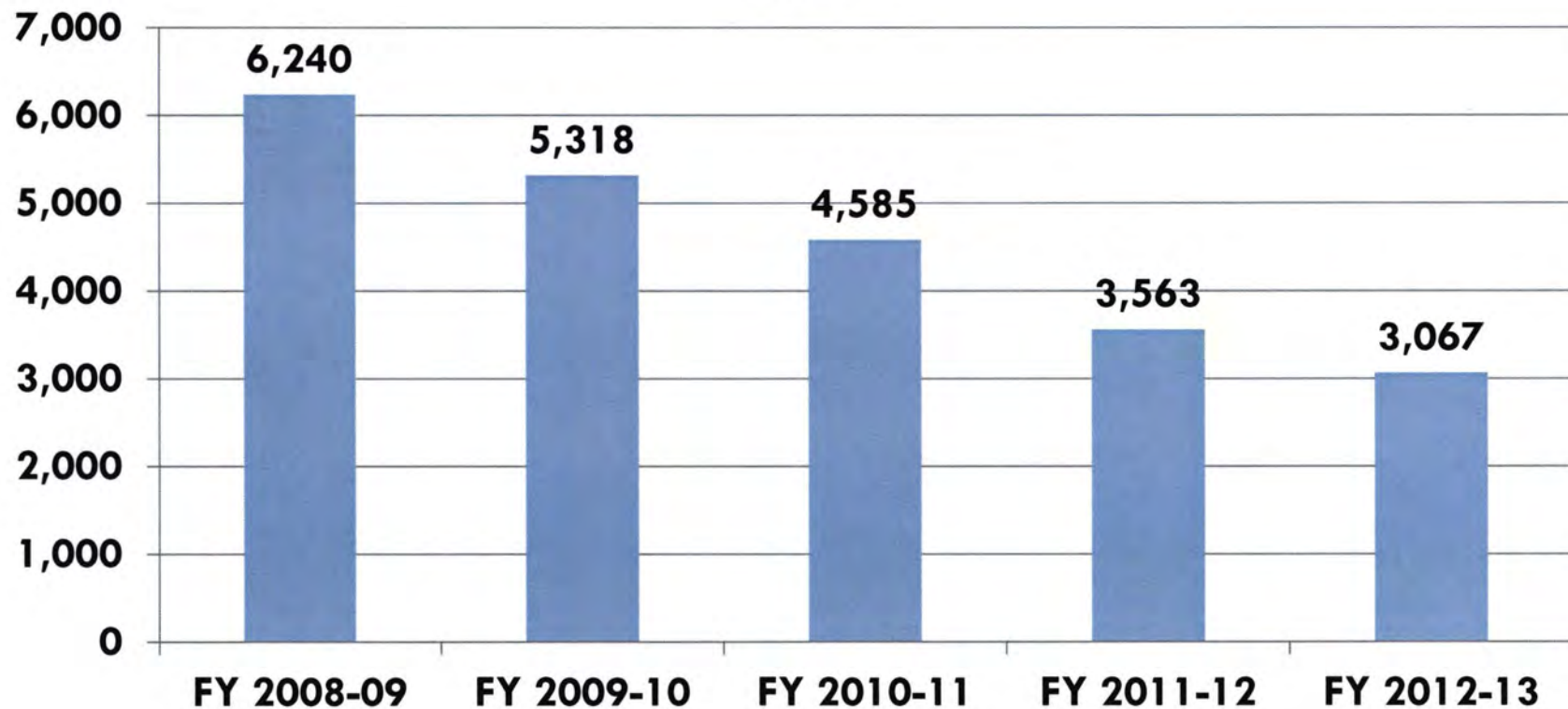
5-Year Trend: Delinquency Arrests



Management of the At-Risk Youth Population

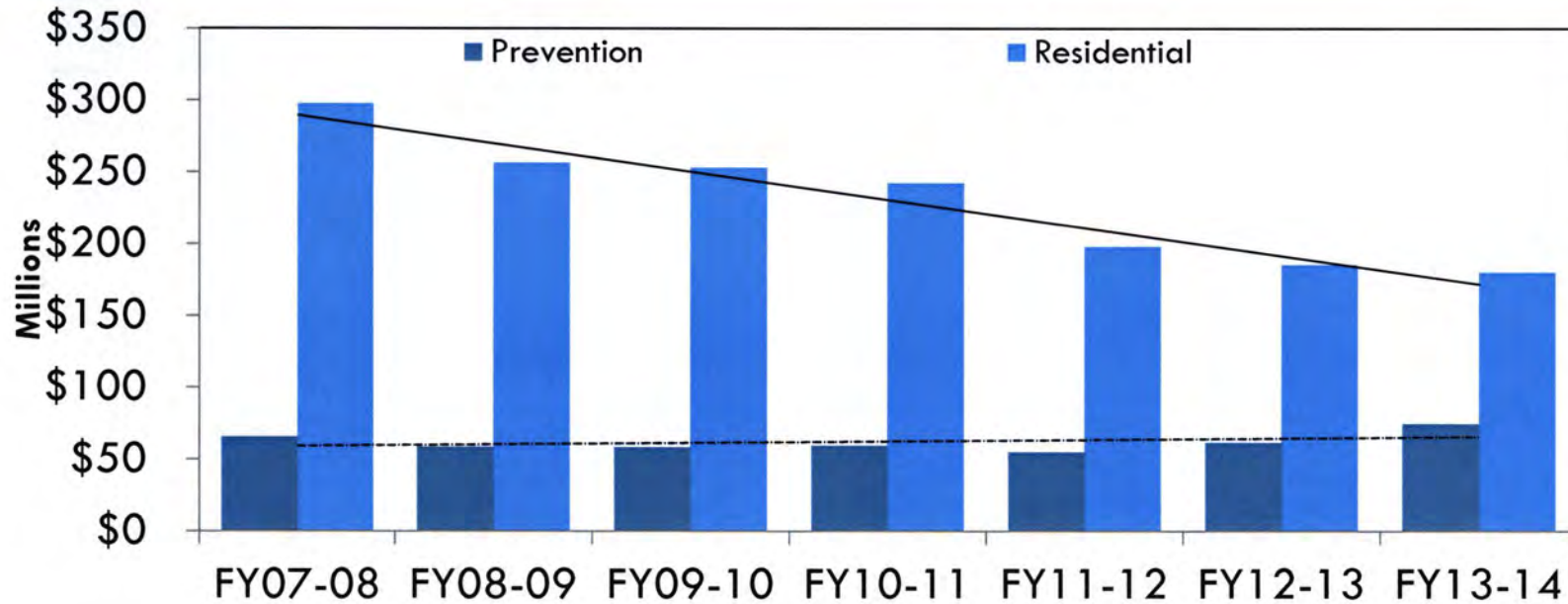
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5-Year Trend: Youth Committed to DJJ Residential Program



Prevention and Residential Appropriations

5



	Prevention GAA	Residential GAA
FY07-08	66,002,354	297,898,327
FY08-09	58,949,216	256,579,867
FY09-10	58,700,427	253,293,887
FY10-11	59,851,153	242,528,526
FY11-12	55,432,441	198,107,299
FY12-13	61,914,962	185,625,246
FY13-14	75,051,842	180,389,805

Legislative Budget Request

6

FY 2014-2015 Funding Request

\$417.4 million – General Revenue

\$127.1 million – Trust Fund

Total Request - \$544.5 million; 3,326.50 FTEs

FY 2014-2015 Schedule VIIIA Priorities

7

1. Required Fund Shifts Due to Recent Court & Federal Decisions
2. Federal PREA Standards
3. Strengthen Front-End Services
4. Funding to Maintain Safe and Healthy Facilities

Required Fund Shifts Due to Recent Court and Federal Decisions

8

- ▣ Adjust Funding for Detention Cost Share- \$39.3 million (GR)
- ▣ Adjust Funding for Non-Secure Medicaid Services- \$18.2 million (GR)
 - \$10.7 million (GR) to replace federal dollars
 - State match: \$7.5 million(GR) to be transferred from AHCA

Total Fund Shifts: **\$57.5 million (GR)**

□ **Federal PREA Standards:**

- Provides Funding to Implement Prison Rape Elimination Act (PREA) Standards of U.S. Department of Justice:
 - Adequate staffing ratios - **65 FTE's and \$3.4 million**
 - Audit requirements - **\$70,000**

□ **Strengthen Front-End Services:**

- Funding would be used to open a PACE center in Clay County to serve (50) at-risk middle age high school aged girls.
- New PACE Center will provide gender specific life management curriculum, counseling, and transition services in a non-traditional educational setting.

\$637K (GR)

Capital Improvement Plan

10

Fixed Capital Outlay

Basic Repair/Maintenance and Code Corrections \$3.7 million

- Detention
- Community Supervision
- Non-Secure
- Secure

Debt Service \$1.8million

\$5,532,909

General Revenue

Total Priority Funding Request

11

General Revenue:

\$ 56,948,360 - Priority Issues

Trust Funds:

(\$ 38,284,826) - Priority Issues

Net New Funding:

\$ 18,663,534 - Total
(156.00)FTEs

Schedule VIIB Reductions

1. Reduce Detention Bed Capacity - Closure of Six (6) Detention Centers – \$7M GR & \$4.8M TF
2. Reduce Non-Secure Bed Capacity within the Residential Program – \$7.4M GR
3. Reduce Community Supervision and Intervention Services – \$2.7M GR
4. Reduce Secure Bed Capacity within the Residential Program – \$2.5M TF

Florida Department of Law Enforcement



House Justice Appropriations Subcommittee

November 5, 2013

Legislative Budget Request

FY 2014-15

	Issue	FTE	GR	TF	Total
1	Additional Spending Authority for Deferred Payment Contracts			\$335,400	\$335,400
2	Biometric Identification System Upgrade			\$1,880,000	\$1,880,000
3	Crime Laboratory Equipment Maintenance		\$880,000		\$880,000
4	Criminal Justice Standards and Training Trust Fund Solvency		\$6,400,000		\$6,400,000
5	Firearm Purchase Program – New Workload	18		\$1,134,206	\$1,134,206

Legislative Budget Request FY 2014-15 (continued)

	Issue	FTE	GR	TF	Total
6	Firearm Purchase Program – Workload Continuation	18		\$1,049,169	\$1,049,169
7	Improve Government Accountability and Support for Law Enforcement Operations	11		\$702,036	\$702,036
8	Expand Cyber Crime Capacity and Capability	9	\$1,046,630		\$1,046,630
9	Support Critical Information Systems			\$1,598,000	\$1,598,000
10	Federal Fingerprint Retention Program Participation	3		\$374,485	\$374,485

Legislative Budget Request FY 2014-15 (continued)

	Issue	FTE	GR	TF	Total
11	Replace Computerized Criminal History System			\$2,873,237	\$2,873,237
12	Increase Information Technology Salaries			\$284,323	\$284,323
13	Fund Violent Crime and Drug Control Council Support of Local Investigations		\$600,000	\$150,000	\$750,000
	Total	59	\$8,926,630	\$10,380,856	\$19,307,486

Potential Reductions

FY 2014-15 Schedule VIII-B

	Issue	FTE	GR	TF	Total
1	Eliminate Pass-Through Funding for A Child is Missing		(\$232,461)		(\$232,461)
2	Eliminate Missing & Endangered Persons Information Clearinghouse	(17)		(\$1,048,162)	(\$1,048,162)
3	Eliminate Alcohol Testing Program	(10)		(\$675,370)	(\$675,370)
4	Eliminate Pass-Through Funding for Local Laboratories			(\$2,379,702)	(\$2,379,702)

Potential Reductions FY 2014-15 Schedule VIII-B (continued)

Issue	FTE	GR	TF	Total
5 Eliminate FDLE Role in Prescription Drug Investigations	(12)	(\$1,041,320)		(\$1,041,320)
6 Eliminate FDLE Role in Organized Retail and Identity Theft	(23)	(\$1,997,634)		(\$1,997,634)
7 Eliminate FDLE Role in Police Use of Force / In Custody Deaths	(14)	(\$1,211,343)		(\$1,211,343)
Total	(76)	(\$4,482,758)	(\$4,103,234)	(\$8,585,992)



FLORIDA PAROLE COMMISSION

SERVING THE CITIZENS OF FLORIDA SINCE 1941

Legislative Budget Request Fiscal Year 2014-15

House Justice Appropriations Subcommittee

Representative McBurney, Chair
Representative Cummings, Vice Chair

Tena M. Pate, Chair



FLORIDA PAROLE COMMISSION

SERVING THE CITIZENS OF FLORIDA SINCE 1941

The Florida Parole Commission

A constitutionally authorized (Article IV, Section 8 of the Florida Constitution), quasi-judicial, decision making body created by law (s. 20.32, F.S.), that has been serving and protecting the citizens of Florida since 1941.

Mission Statement:

To ensure public safety and provide victim assistance through the post prison release process.



FLORIDA PAROLE COMMISSION

SERVING THE CITIZENS OF FLORIDA SINCE 1941

PROGRAM

POST INCARCERATION ENFORCEMENT AND VICTIMS' RIGHTS

ACTIVITIES:

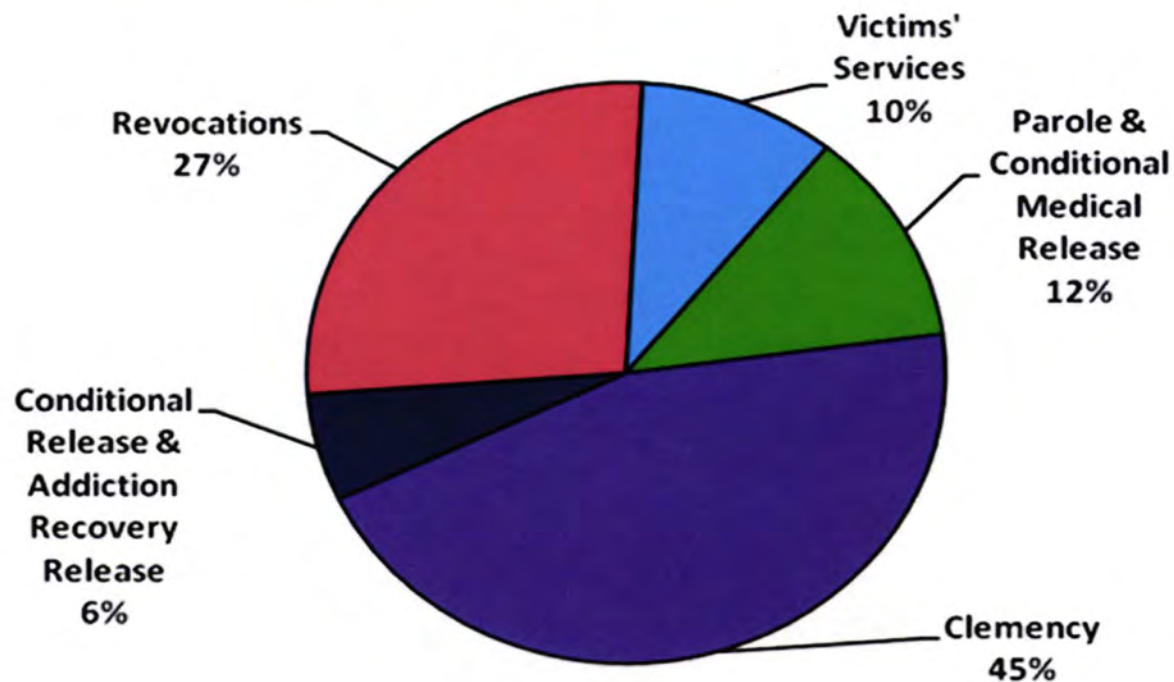
1. Parole & Conditional Medical Release
2. Victims' Services
3. Conditional Release & Addiction Recovery Release
4. Revocations
5. Clemency Services



FLORIDA PAROLE COMMISSION

SERVING THE CITIZENS OF FLORIDA SINCE 1941

Workload Hours by Activity





FLORIDA PAROLE COMMISSION

SERVING THE CITIZENS OF FLORIDA SINCE 1941

BUDGET ISSUES IN PRIORITY ORDER:

CLEMENCY INVESTIGATION POSITIONS (11 FTEs)

\$758,894

CLEMENCY PHONE OPERATORS (2 Full Time OPS)

\$46,500

TOTAL BUDGET REQUEST: \$9,608,826 & 133 FTEs



FLORIDA PAROLE COMMISSION

SERVING THE CITIZENS OF FLORIDA SINCE 1941

PRIORITY 1

CLEMENCY INVESTIGATION POSITIONS (11 FTEs)

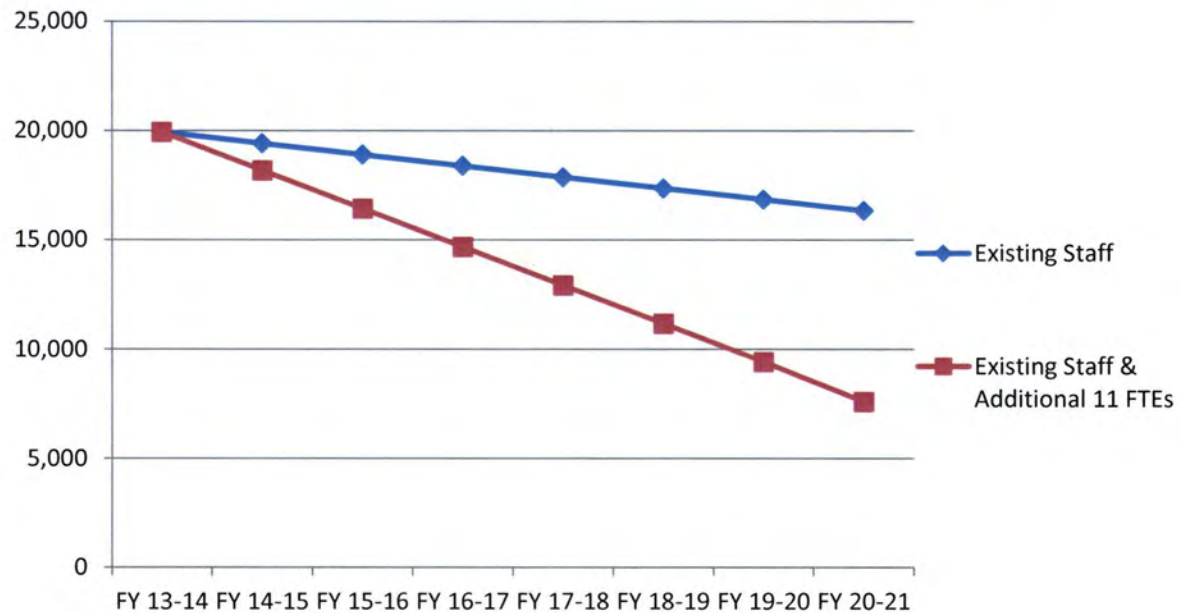
- 21,641 pending clemency cases as of July 1, 2013
- 6,626 additional cases are projected to be received by June 2014



FLORIDA PAROLE COMMISSION

SERVING THE CITIZENS OF FLORIDA SINCE 1941

PROJECTED CLEMENCY CASES





FLORIDA PAROLE COMMISSION

SERVING THE CITIZENS OF FLORIDA SINCE 1941

PRIORITY 2

CLEMENCY TOLL FREE PHONE OPERATORS (2 full time OPS)

- Staff who answer the Office of Executive Clemency toll free phone line are at the Commission's front line of customer service.
- The clemency staff received 150,428 calls the last three fiscal years
- Positions were previously funded from non-recurring appropriations



FLORIDA PAROLE COMMISSION

SERVING THE CITIZENS OF FLORIDA SINCE 1941

BUDGET REDUCTION EXERCISE

5% Reduction in Clemency services: \$425,939

- All Commission programs have statutorily mandated timeframes, except for Clemency
- 5% reduction in the Clemency activity would result in a total of 11 FTEs
- The reduction of 11 FTE's would result in 1,239 clemency cases not being completed annually and impact services to the Clemency Board and public



FLORIDA PAROLE COMMISSION

SERVING THE CITIZENS OF FLORIDA SINCE 1941

Contact:

Tena M. Pate, Chair

850-487-1980

or

Kevin Reilly

Legislative Affairs Director

kevinreilly@fpc.state.fl.us

850-921-2804

Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399

**Legislative Budget Request Priorities
and
Schedule VIII-B Reductions**



FLORIDA STATE COURTS

**House Justice Appropriations
Subcommittee
November 5, 2013**

State Courts System FY 2014-15 Legislative Budget Request Priorities

State Courts System Pay Issues – Judicial Branch #1 Priority

- **Competitive Pay Adjustment:** Request State Courts System (SCS) employees be included in any general competitive salary increase as may be provided to other state employees. The SCS would request the increase be 3.5%, at a minimum.

- **Equity and Retention Pay:** Request \$9,866,302 in recurring salary dollars branch wide, effective July 1, 2014, to address critical salary issues uniquely impacting the recruitment and retention of State Courts System employees and to bring salaries inline with other state government employees.
 - Trial Courts - \$7,662,013
 - District Courts of Appeal - \$1,268,710
 - OSCA - \$610,719
 - Supreme Court - \$324,860


FLORIDA STATE COURTS

State Courts System

FY 2014-2015 Legislative Budget Request Priorities

“Case Processing/Management, Security Enhancements, and Building Maintenance”

SUPREME COURT:

	FTE	GENERAL REVENUE	GENERAL REVENUE (NONRECURRING)
Death Penalty Case Processing	1.0	\$59,717	\$3,818
Case Management Support	1.0	\$76,331	\$3,818
Supreme Court – Meet Acceptable Security Standards	3.0	\$254,310	\$11,454
Law Library – Legal Research		\$17,069	
Interior Space Refurbishing		\$237,360	
Total Supreme Court Priority Issues:	5.0	\$644,787	\$19,090

State Courts System
FY 2014-2015 Legislative Budget Request Priorities

“Building Improvements and On-going Facility Maintenance”

DISTRICT COURTS OF APPEAL (DCA):	GENERAL REVENUE	GENERAL REVENUE (NONRECURRING)
3rd DCA Building Remodeling for Security and Building System Upgrades	\$2,137,505	\$2,137,505
4th DCA Building Remodeling for Security and Building System Upgrades	\$3,052,327	\$3,052,327
3rd DCA Emergency Generator System	\$212,814	\$212,814
5th DCA Heating, Ventilation, and Air Conditioning Replacement	\$724,389	\$724,389


FLORIDA STATE COURTS

State Courts System

FY 2014-2015 Legislative Budget Request Priorities

“Building Improvements and On-going Facility Maintenance”

DISTRICT COURTS OF APPEAL (DCA) (Continued):	GENERAL REVENUE	GENERAL REVENUE (NONRECURRING)
Statewide Facilities Maintenance Fund	\$400,000	
OR		
2nd DCA Driveway Expansion	\$30,450	\$30,450
3rd DCA Entrance Door Replacement	64,023	\$64,023
3rd DCA Hurricane Storm Shutters	\$88,294	\$88,294
5th DCA Security Enhancements	\$125,000	\$125,000
2nd DCA Roof Repairs and Parking Lot Maintenance	\$19,750	\$19,750
3rd DCA Office Workstation Replacements	\$48,889	\$48,889
Total DCA Priority Issues:	\$6,903,441	\$6,503,441

State Courts System
FY 2014-2015 Legislative Budget Request Priorities
“Improving Case Processing and Due Process Technology”

TRIAL COURTS:	FTE	GENERAL REVENUE	GENERAL REVENUE (NONRECURRING)
Due Process Costs for Criminal Conflict Counsel Payments Over the Flat Fee		\$1,211,877	
Court Reporting Equipment Refresh and Maintenance		\$4,806,925	\$2,223,562
Court Reporting Equipment Expansion		\$1,446,114	\$1,446,114
Death Penalty Case Processing	27.0	\$1,918,731	\$76,160
Funding for Backlog of Foreclosure Cases		\$3,837,624	\$3,837,624


FLORIDA STATE COURTS

State Courts System
FY 2014-2015 Legislative Budget Request Priorities
“Improving Case Processing and Due Process Technology”

TRIAL COURT (Continued):	FTE	GENERAL REVENUE	GENERAL REVENUE (NONRECURRING)	TRUST FUNDS
Trial Courts General Counsel Support	10.0	\$1,181,043	\$23,800	
Fund Shift Cost Sharing from Justice Administrative Commission (JAC) to State Courts System – SCRTF to GR		\$3,695,347		(\$3,695,347)
Courthouse Furnishings – Nonpublic Areas		\$116,607	\$116,607	
Post Adjudicatory Drug Court Continuation		\$544,013		
Total Trial Court Priority Issues:		\$18,758,281	\$7,723,867	(\$3,695,347)


FLORIDA STATE COURTS

State Courts System

FY 2014-2015 Legislative Budget Request Priorities

“Improving Effectiveness and Efficiencies in Processing of Cases “

EXECUTIVE DIRECTION/SUPPORT SERVICES (Office of the State Courts Administrator):	GENERAL REVENUE	GENERAL REVENUE (NONRECURRING)
eFACTS Productivity Support	\$172,834	\$125,164
Judicial Data Management	\$502,086	\$107,887
Legal Research Support (Court KM)	\$91,840	\$40,000
Total Executive Direction/Support Services (OSCA) Priority Issues:	\$766,760	\$273,051

State Courts System

FY 2014-2015 Schedule VIII-B Impact of 5% Target Reductions

- Due to the size of the requested target cut, the only choice to meet the reduction targets is in the salary and benefits category, which would mean eliminating a substantial number of FTE.
- Over 51% of the courts' salary budget is appropriated to pay judicial salaries and benefits, meaning cuts would come from staff positions.
- The total number of 371.5 FTE (12% of staff) to be reduced would critically impair court efficiency and cause delay in resolving cases for businesses and families.
- The courts have participated with the rest of state government in the budget reductions that were necessary; and have sustained an on-going reduction of 244 staff positions.