

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
APPROPRIATIONS SUBCOMMITTEE ON CRIMINAL AND
CIVIL JUSTICE
Senator Brandes, Chair
Senator Bracy, Vice Chair

MEETING DATE: Wednesday, October 11, 2017
TIME: 10:00 a.m.—12:30 p.m.
PLACE: *Mallory Horne Committee Room, 37 Senate Office Building*

MEMBERS: Senator Brandes, Chair; Senator Bracy, Vice Chair; Senators Baxley, Bean, Clemens, Flores, Perry, and Rodriguez

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Update from the Crime and Justice Institute on an Examination of Florida's Prison Population Trends		Presented
2	Update on the Department of Juvenile Justice Prevention and Intervention Programs		Presented
3	Update on the Department of Corrections Litigation		Presented
Other Related Meeting Documents			

Florida Adult Criminal Justice System Assessment

Findings Review

May 2017

Introduction

- Specific Appropriations 2654 and 2655 in Ch. 2016-66 of the *Laws of Florida* require the legislature to appropriate funding for a review of its criminal justice system.
- To fulfill this obligation, in November of last year the legislature released an *Invitation to Negotiate* seeking an independent contractor to make such an assessment.

Introduction

- The Crime and Justice Institute (CJI) was selected and began its analysis in February of 2017.
- The required appropriations called for “a **comprehensive review of the criminal justice system that included, but was not limited to, criminal law and procedure, law enforcement, prosecution and defense of criminal offenses, the judicial and courts system, sentencing, and corrections.**”
- CJI completed its report on May 1, 2017.

What data CJ looked at?

- **Florida Department of Corrections (FDC)**
 - Prison admissions, CY 2007-2016 period
 - Prison releases, CY 2007-2016 period
 - Snapshots of inmates in prison from December 31 of each year, 2007-2016
 - Community supervision populations and admissions by year
- **Florida Office of the State Courts Administrator (OSCA)**
 - Drug Court admissions and population by year
 - Trial Court statistics for circuit criminal courts and defendants by month and year
- **Florida Department of Law Enforcement**
 - Uniform Crime Report data on arrests and arrest rates by year

Who CJJ talked to?

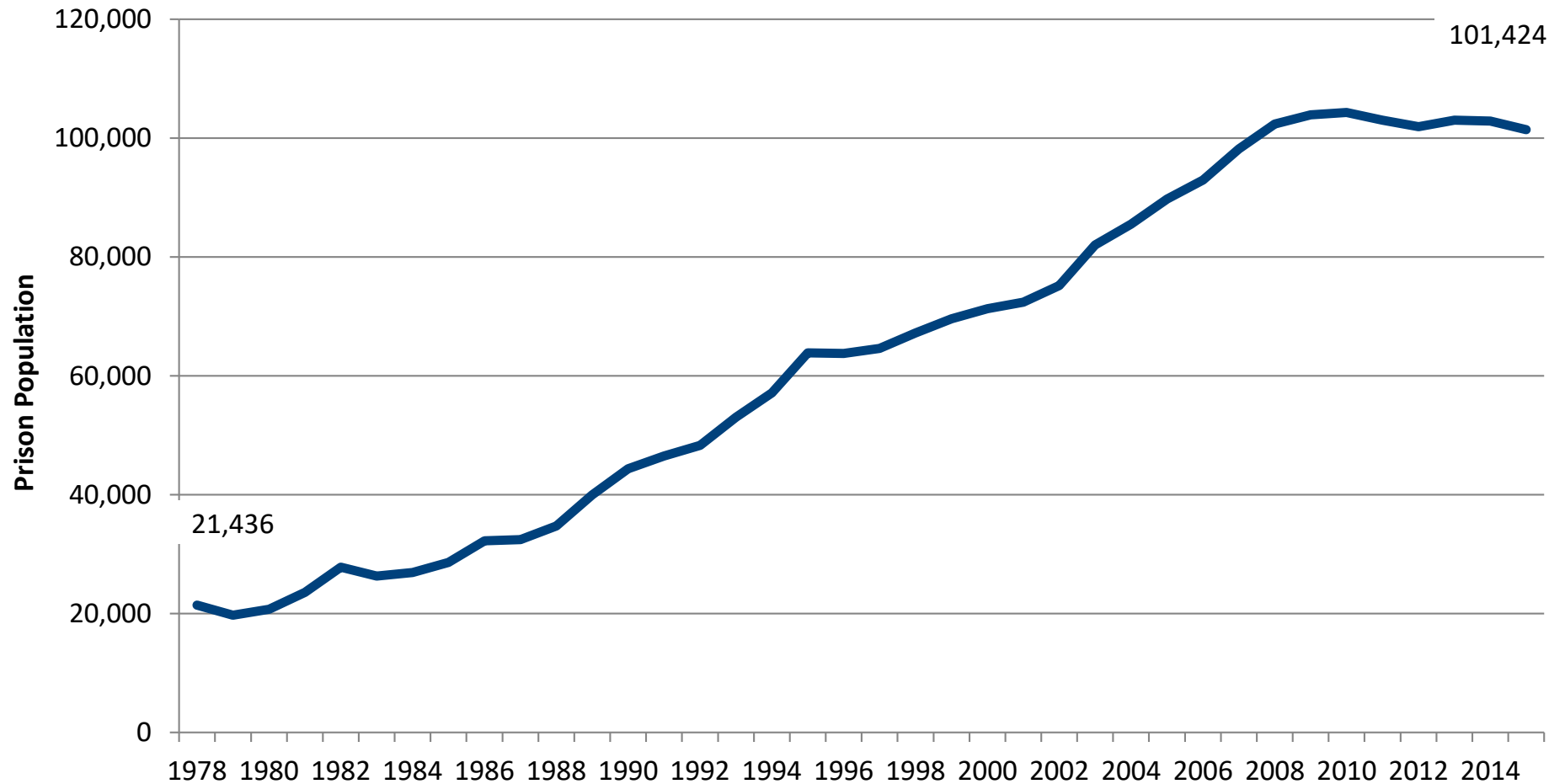
- CJJ interviewed agency staff and other stakeholders across the state to identify policy and practices that impact the criminal justice system.
- These include the:
 - Florida Department of Corrections
 - Office of Program Policy Analysis and Government Accountability
 - Florida Public Defender's Association
 - Chief Judge of Thirteenth Judicial Circuit
 - Florida Commission on Offender Review
 - Office of the State Courts Administrator

Presentation Outline

- Florida's prison population
- Crime and incarceration in Florida
- Prison admissions in Florida
- What accounts for Florida's prison population?
- Summary takeaways

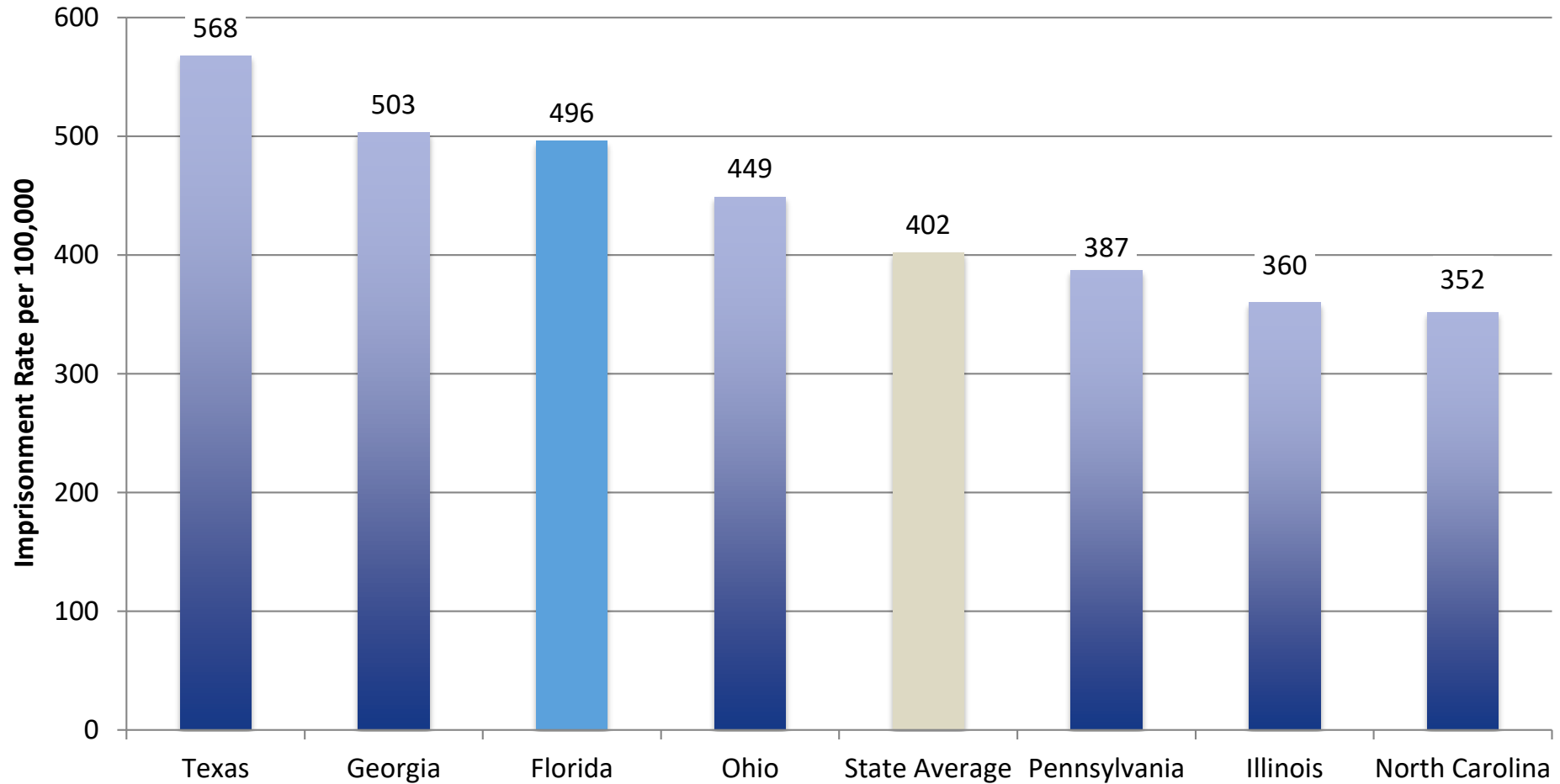
Florida's Prison Population Grew 373% Since 1978

Florida Prison Population, 1978-2015



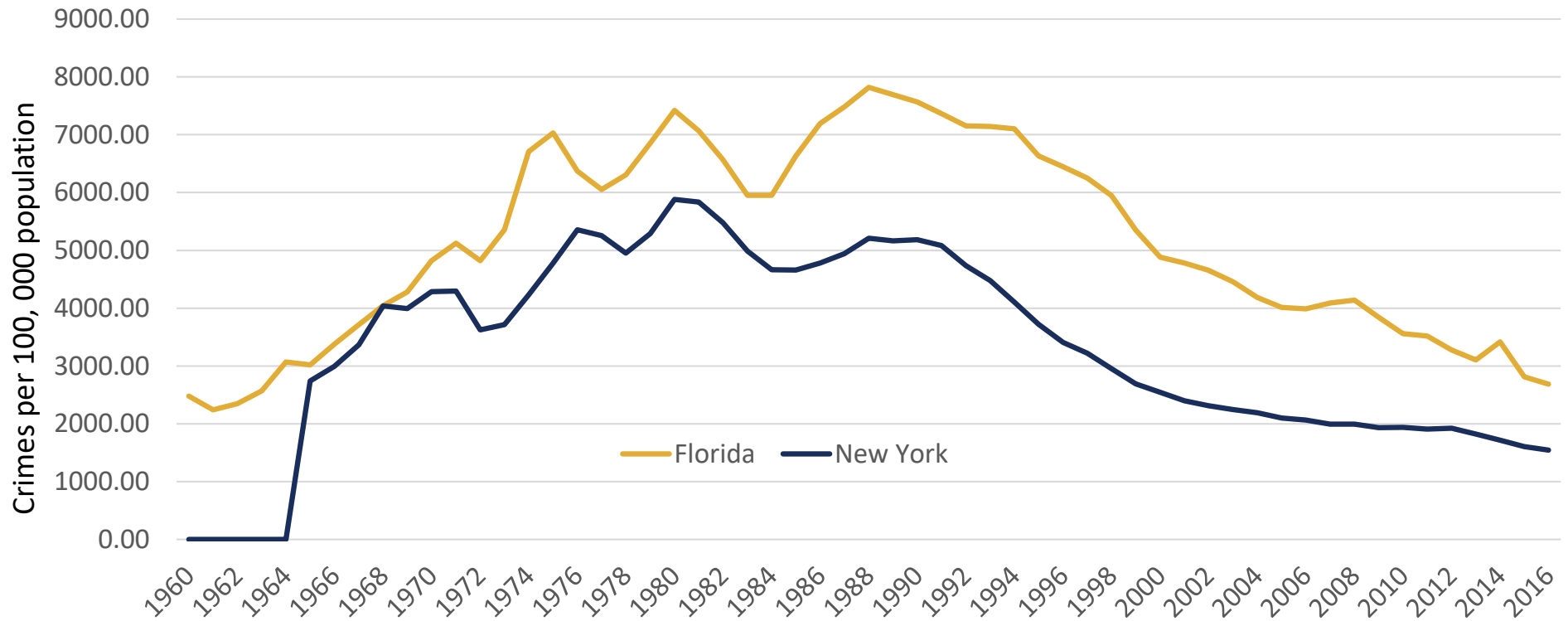
FL imprisonment rate 23% higher than average

Imprisonment Rate in High Population States, 2015



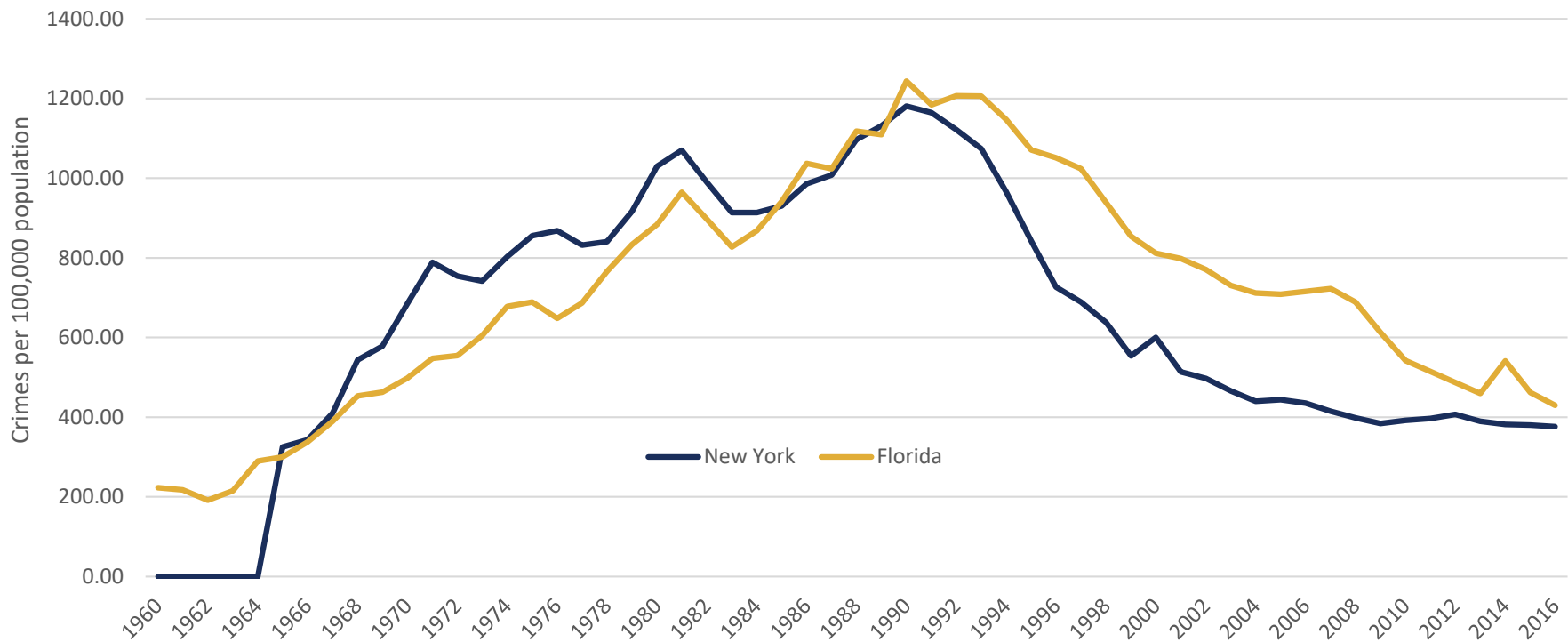
Florida Property Crime Rate Compared

Property Crime Rate Comparison



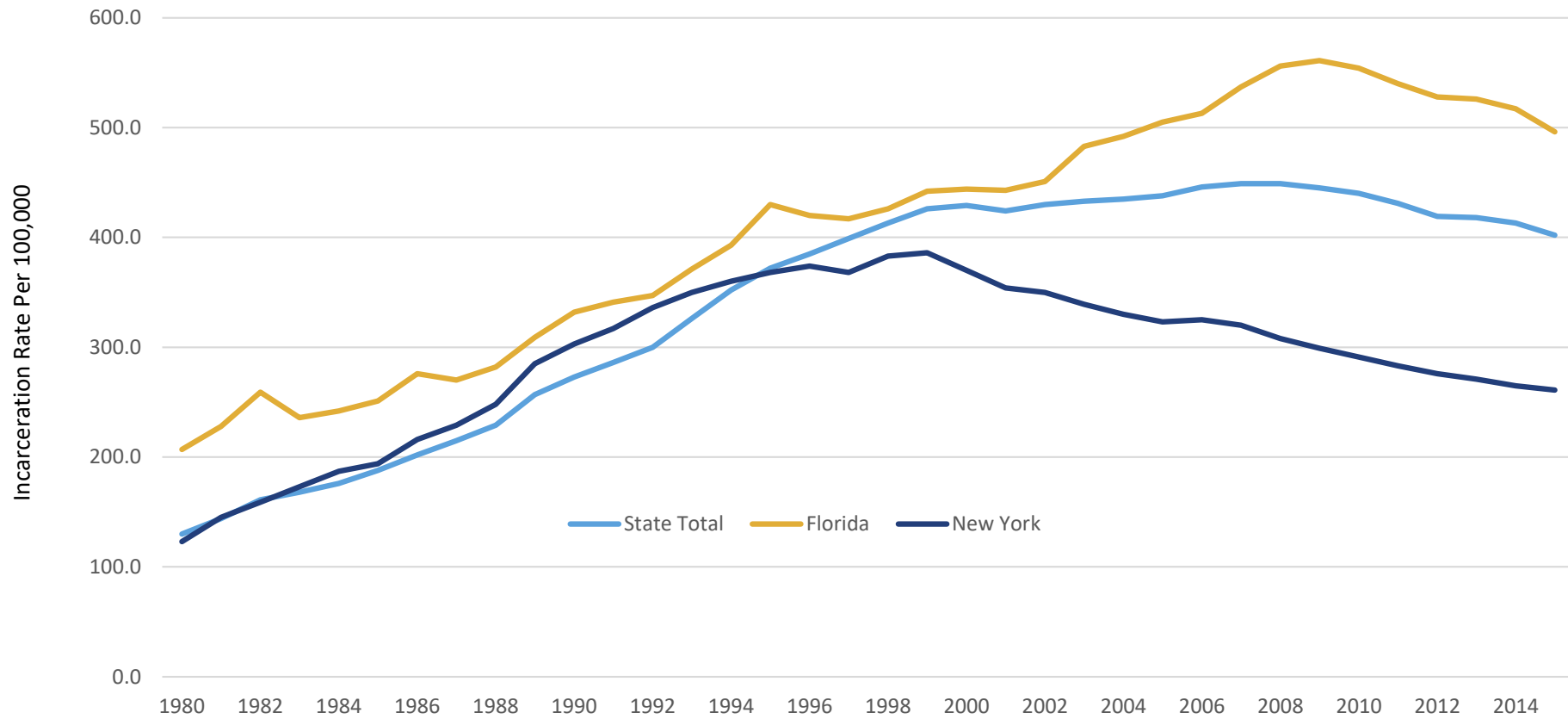
Florida Violent Crime Rate Compared

Violent Crime Rate Comparison



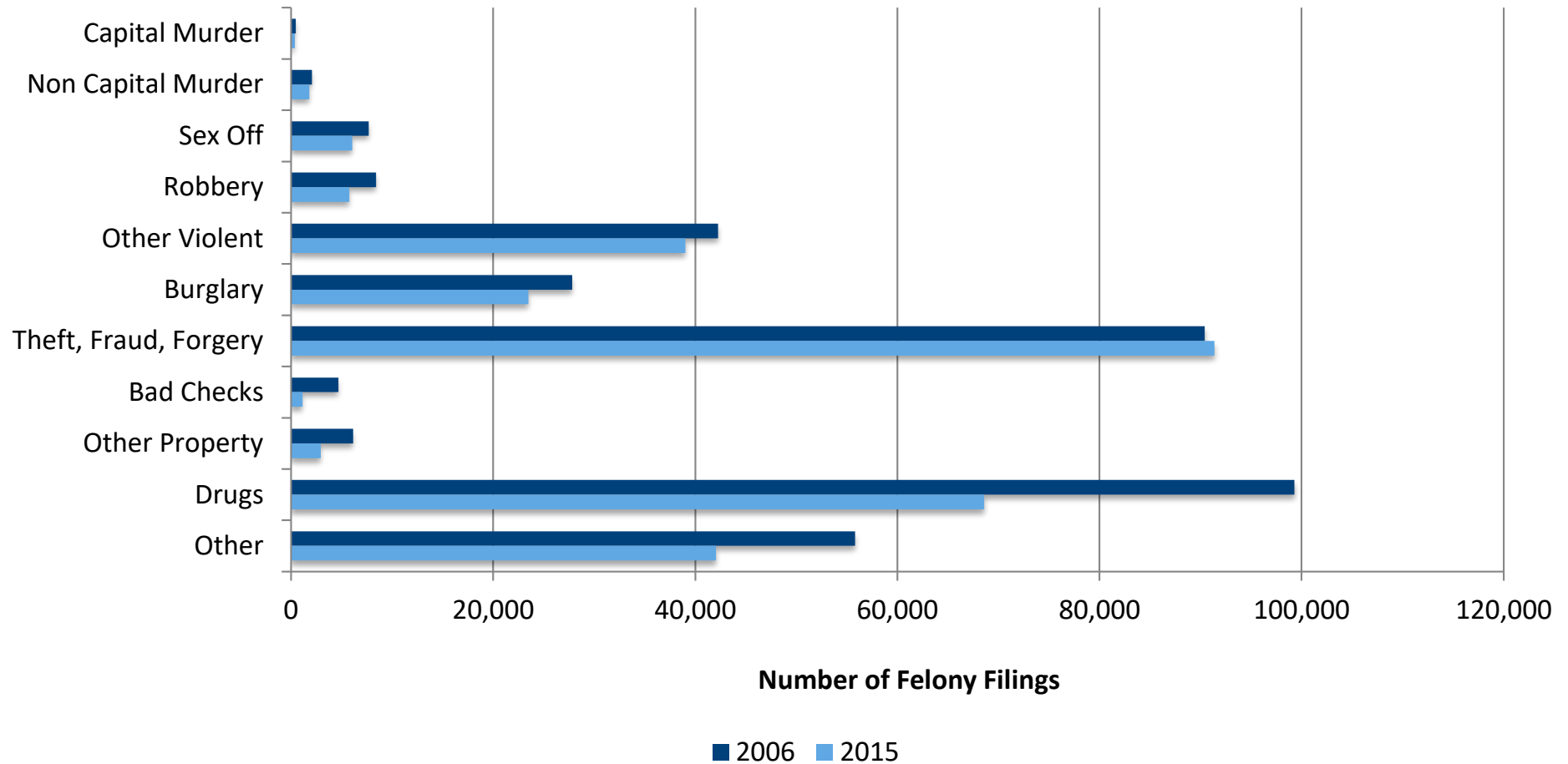
Florida Prison Rates Compared

Prison Incarceration Rate Comparison



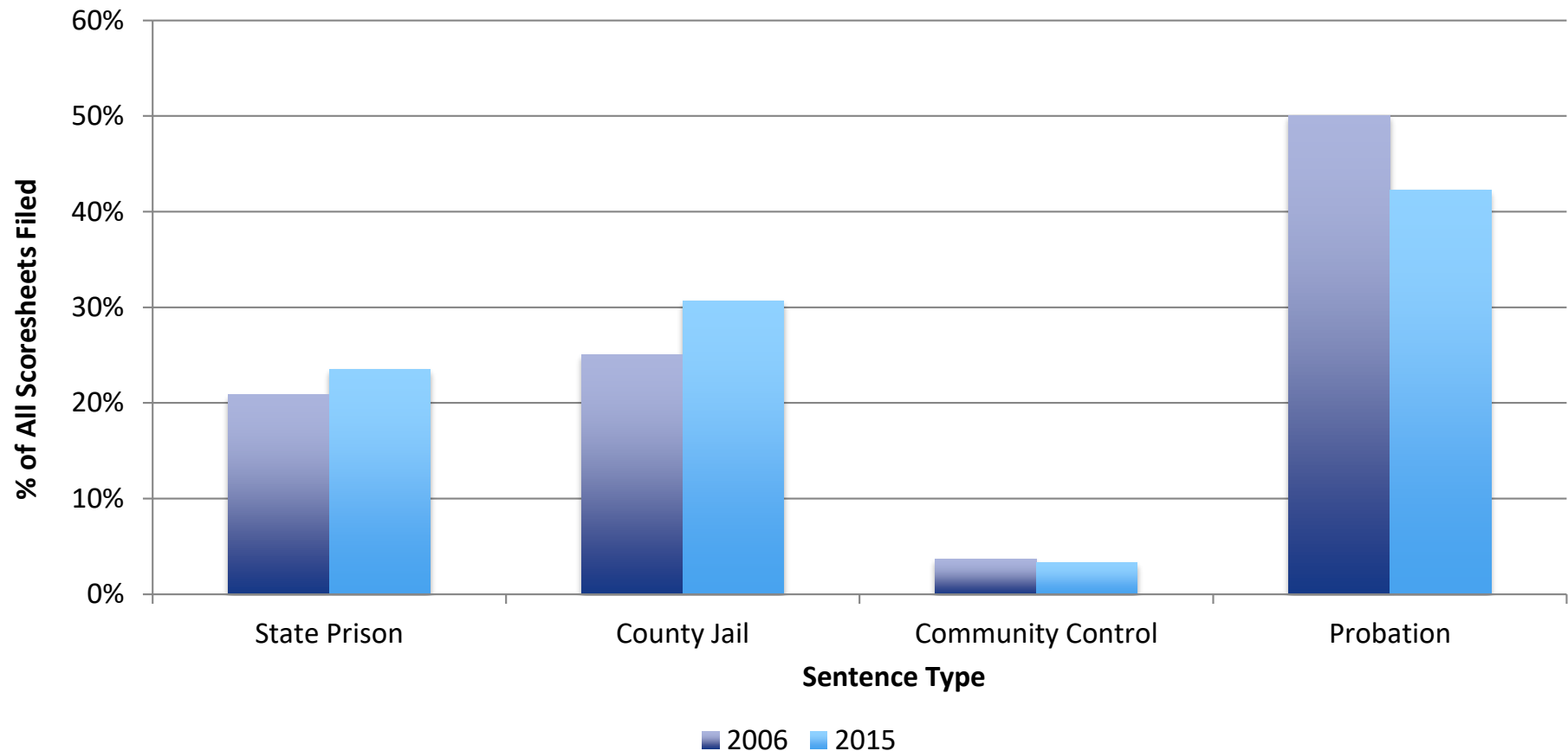
Felony Filings Declined 18%, Driven by 31% Decline in Drug Charges Filed

Criminal Charges Filed in Circuit Court, 2006 vs 2015



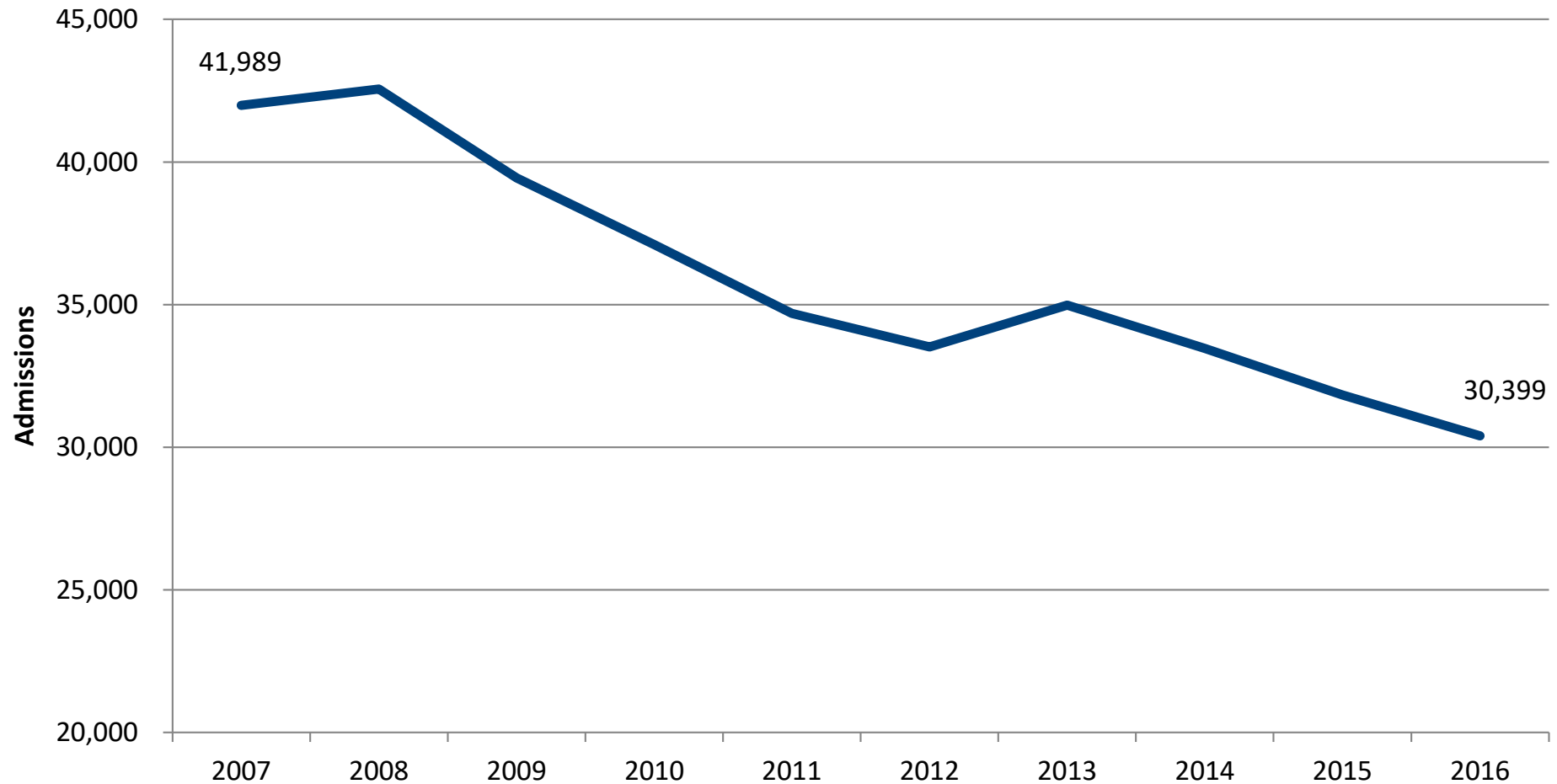
New Felony Cases Today More Likely to Result in Incarceration Sentence

Sentence Type, New Sentences Only, 2006 vs 2015



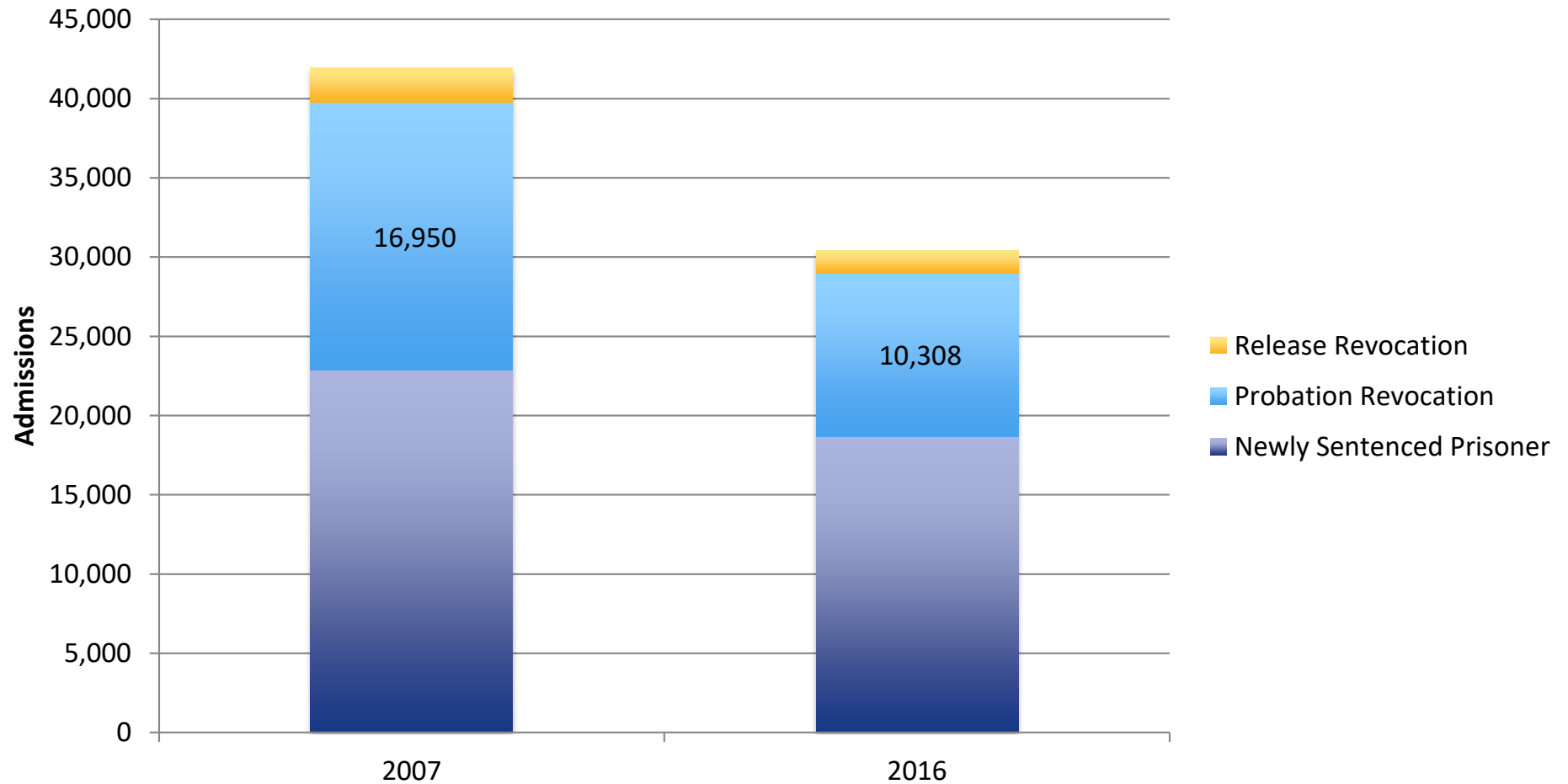
Prison Admissions Declined 28% in Last Decade

Prison Admissions by Year, 2007-2016



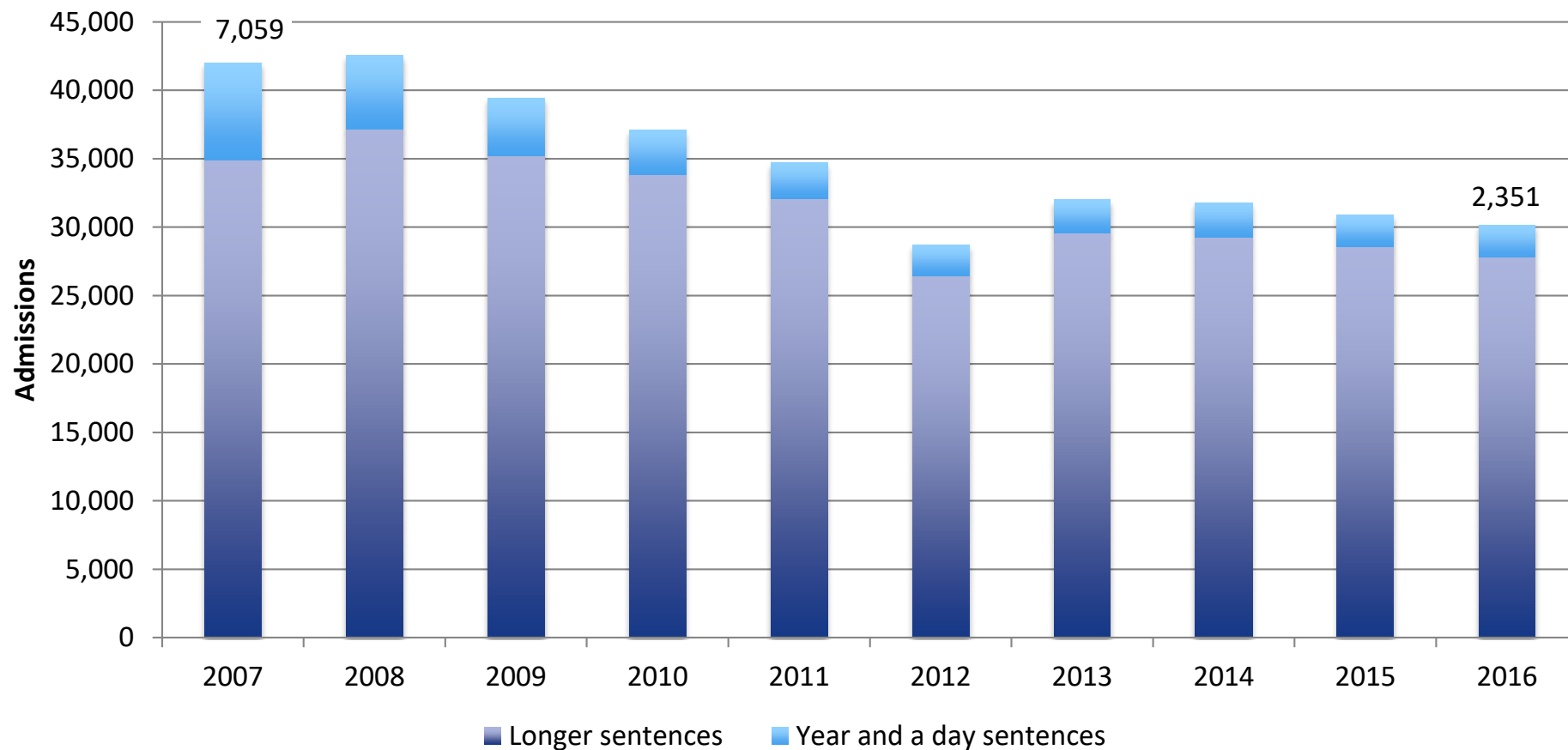
Decline Driven by 39% Reduction in Probation Revocations

Prison Admissions by Type, 2007 vs 2016

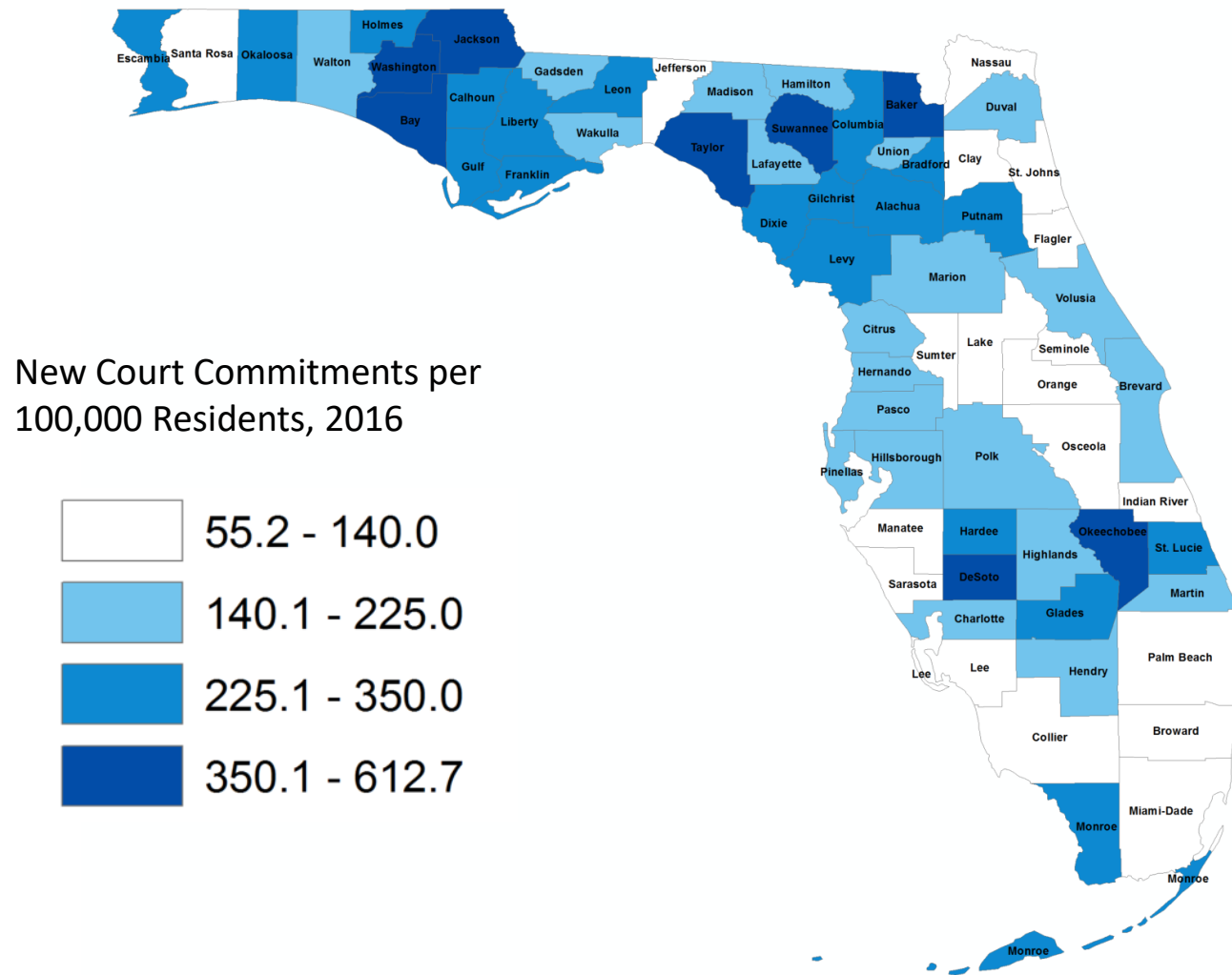


67% Drop in 366 Day Sentences Drove Significant Portion of Admissions Decline

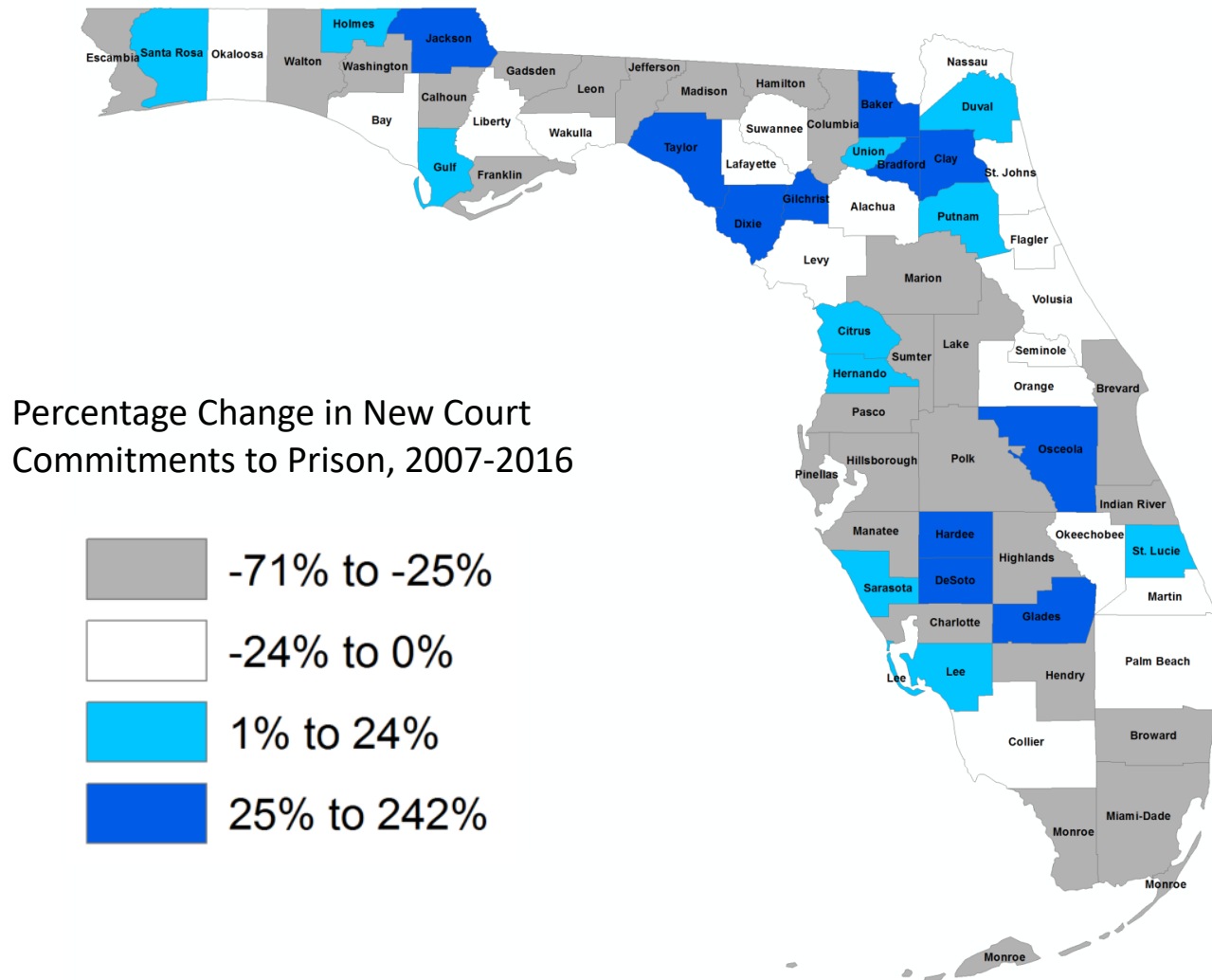
Prison Admissions by Year-and-a-day Sentences, 2007-2016



The Rate of Prison New Court Commitments per Resident Varies Widely Across the State

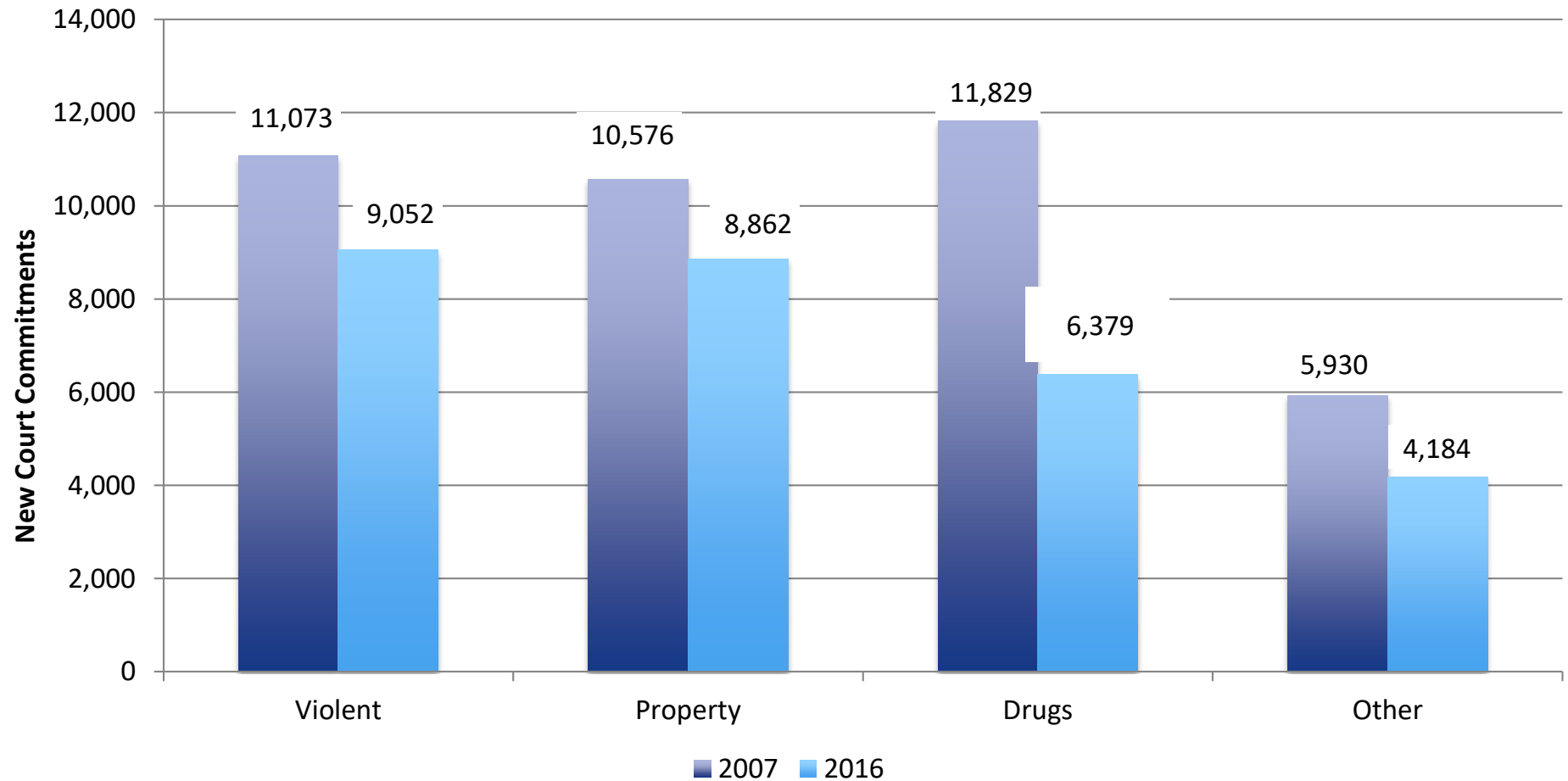


70% of Florida Counties Showed Decline in Admissions in Last Decade



46% Decline in Drug New Court Commitments

New Court Commitments by Offense Type, 2007 vs 2016



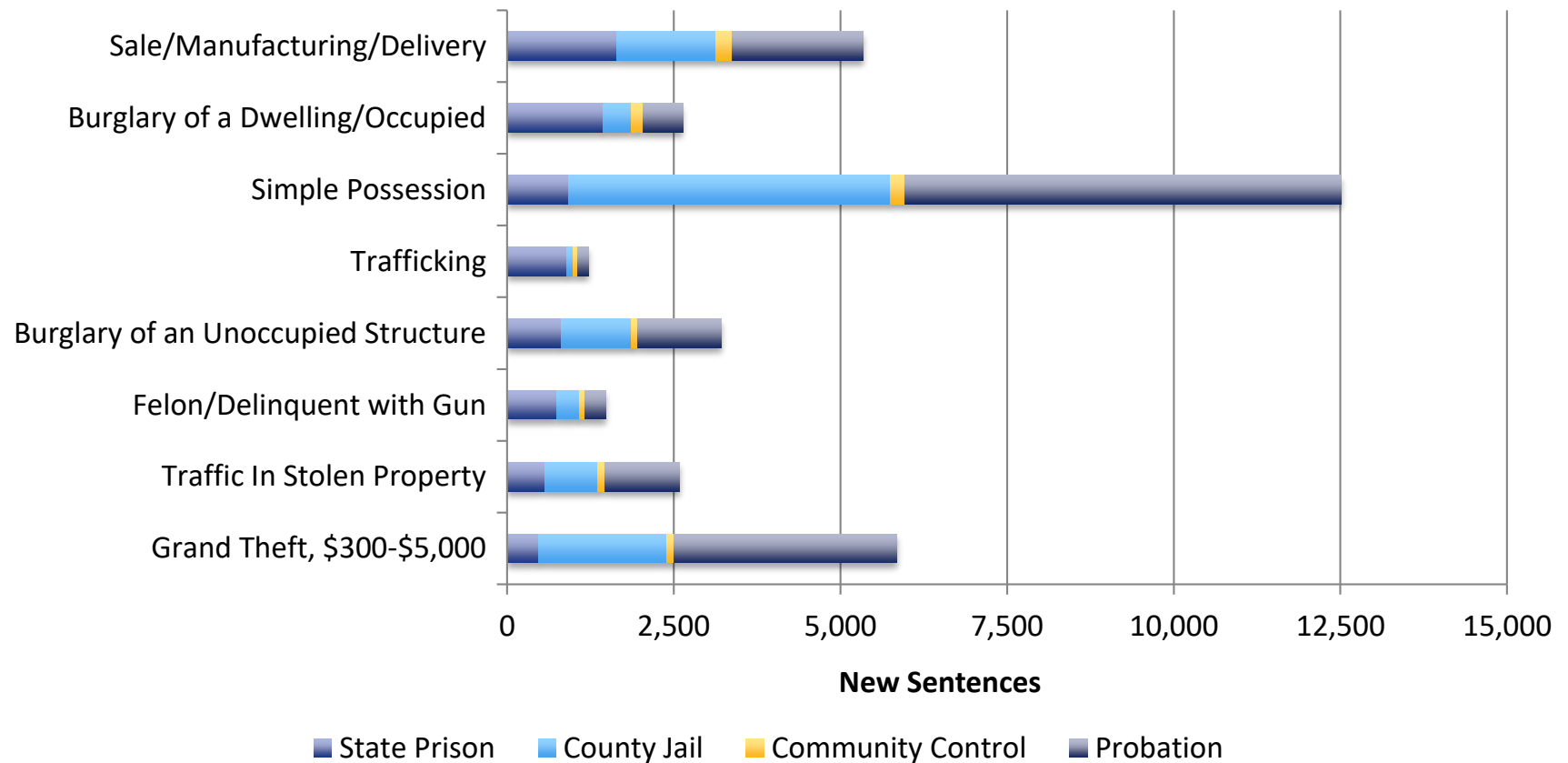
8 of Top 10 Crimes at Admission

Nonviolent

Offense	2007	2016	Change
Burglary of a Dwelling/Occupied Structure/Conveyance	2,171	2,352	8%
Possession of Controlled Substance (3rd Degree)	4,417	1,965	-56%
Sale/Manufacturing/Delivery of Controlled Substance (2nd Degree)	3,842	1,958	-49%
Traffic In Stolen Property	1,327	1,507	14%
Felon/Delinquent with Gun/Concealed Weapon/Ammunition	1,037	1,500	45%
Burglary of an Unoccupied Structure/Conveyance-or Attempted	1,953	1,194	-39%
Trafficking in Controlled Substance (1st Degree)	1,560	1,190	-24%
Grand Theft, \$300-\$5,000	1,389	973	-30%
Robbery with a Deadly Weapon	986	832	-16%
Robbery	919	608	-34%

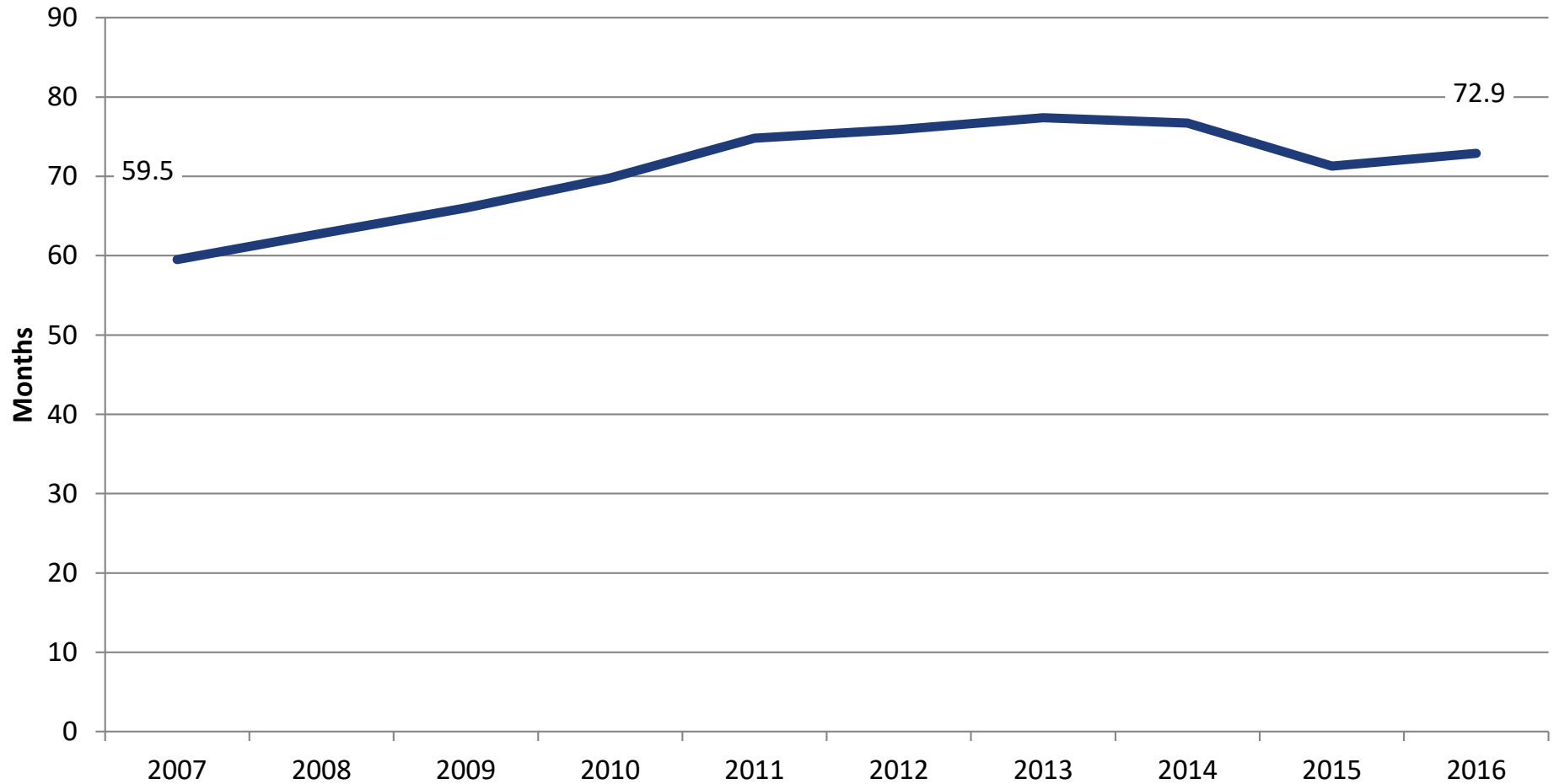
Crimes with a Low Rate of Prison Sentences Can Still Impact the Population

Sentence Types by Offense, New Sentences Only, 2015



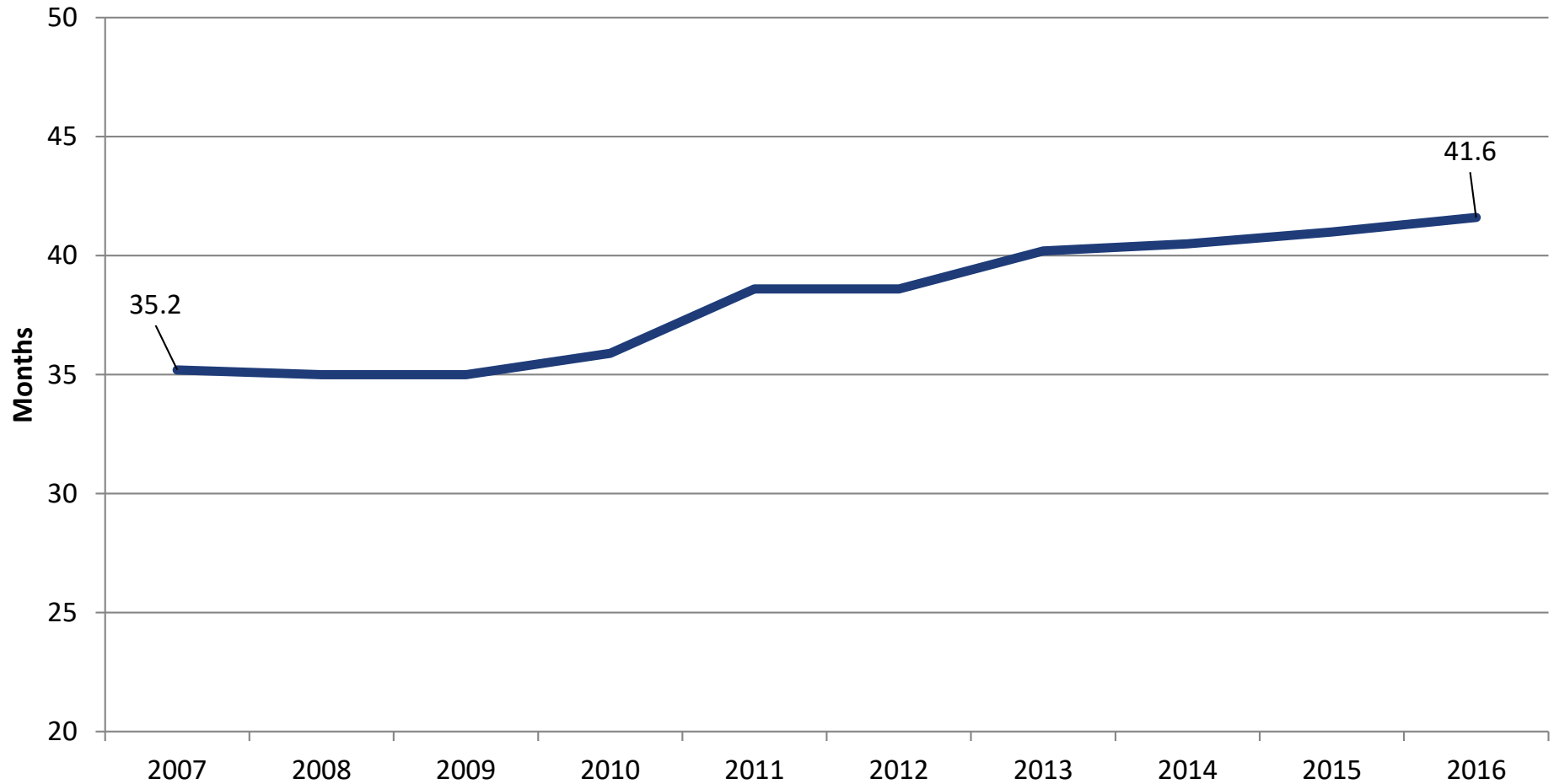
For Those Sentenced to Prison, the Average Length of Sentence Increased 22% in Last Decade

Mean Total Sentence for New Court Commitments to Prison, 2007-2016



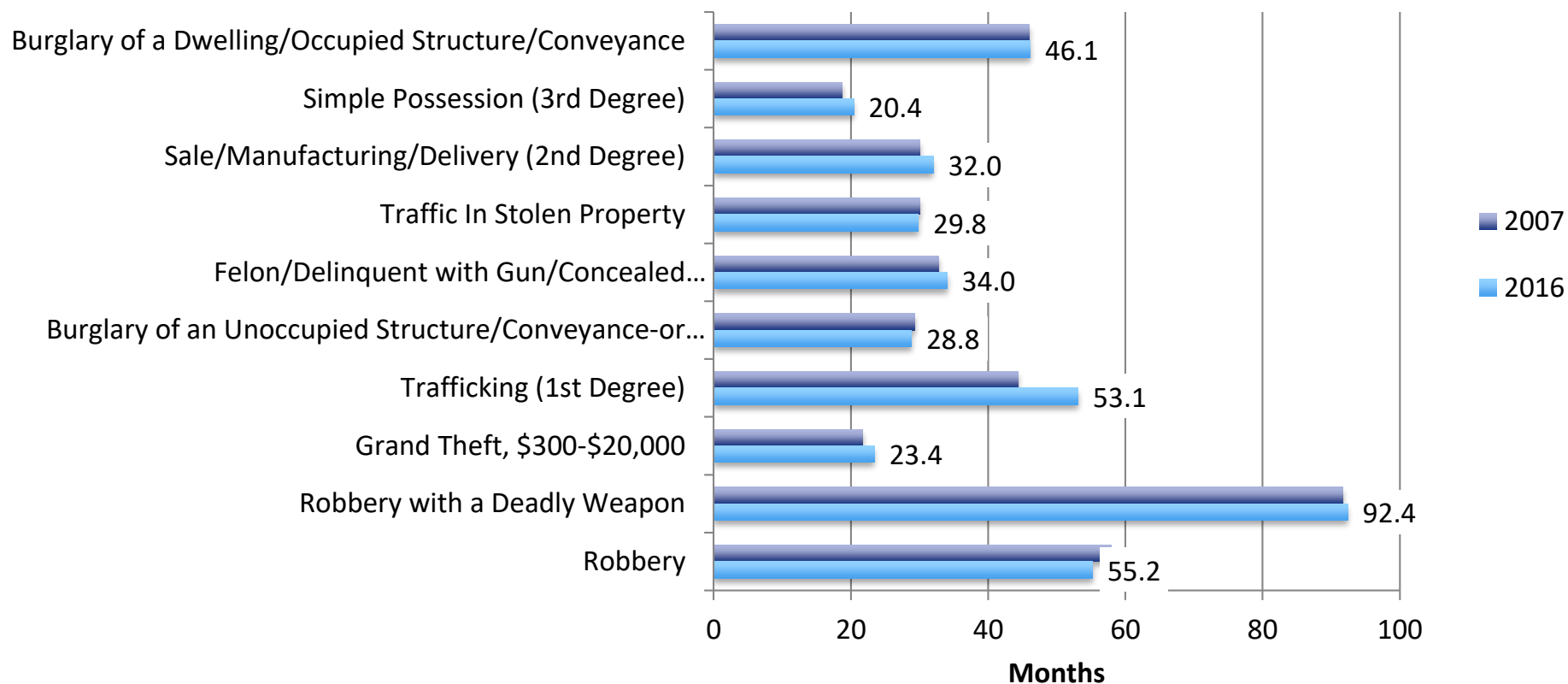
Time Served Has Increased 18% in Last Decade

Mean Time Served by First Releases, 2007-2016 (Months)



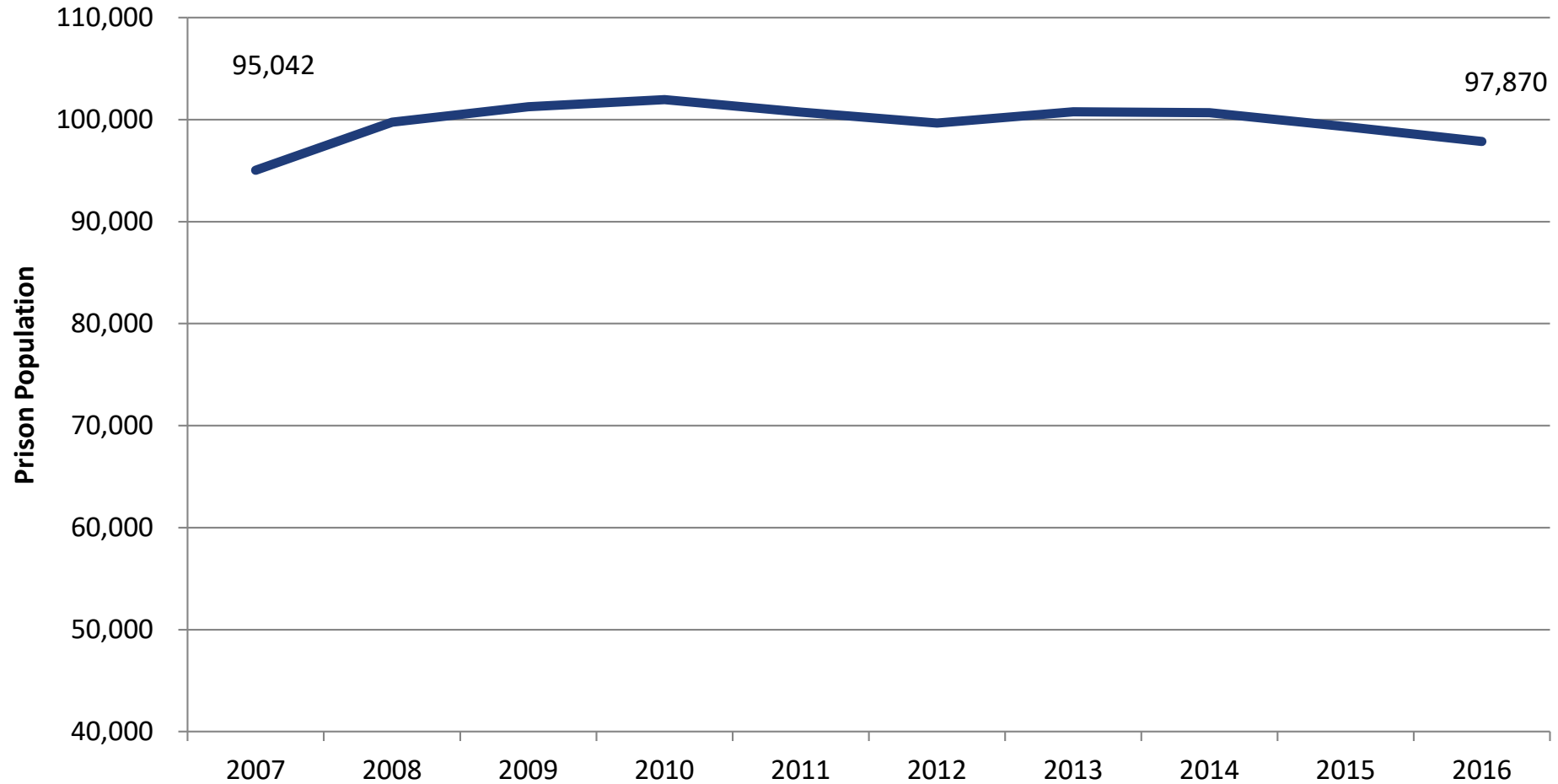
Trafficking Offenders Serve 53 Months on Average, Up 20 Percent from 2007

Mean Time Served Among First Releases for Top 10 Offenses at Admission, 2007 vs 2016

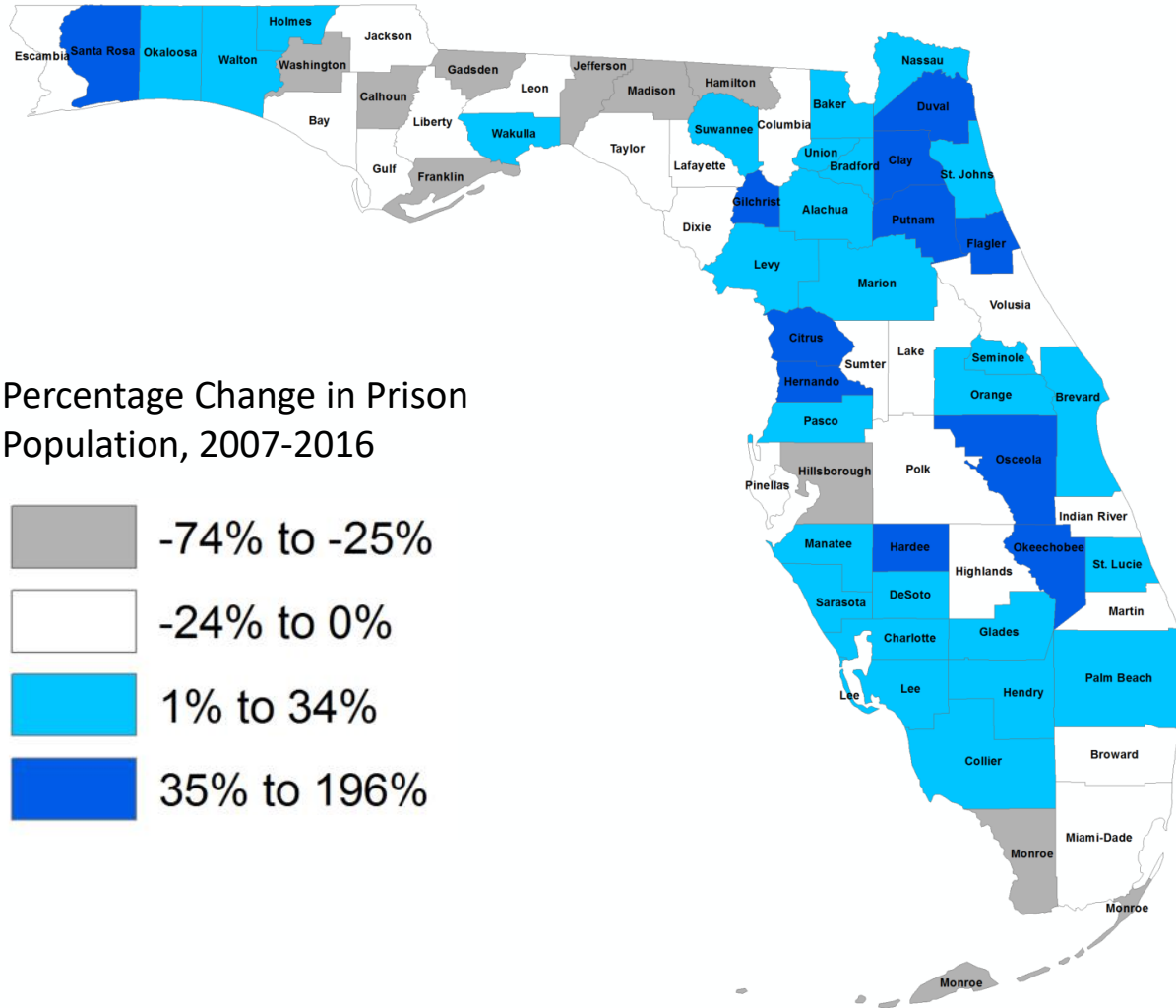


Florida Prison Population Mostly Steady Over Last Decade

Florida Prison Population, 2007-2016

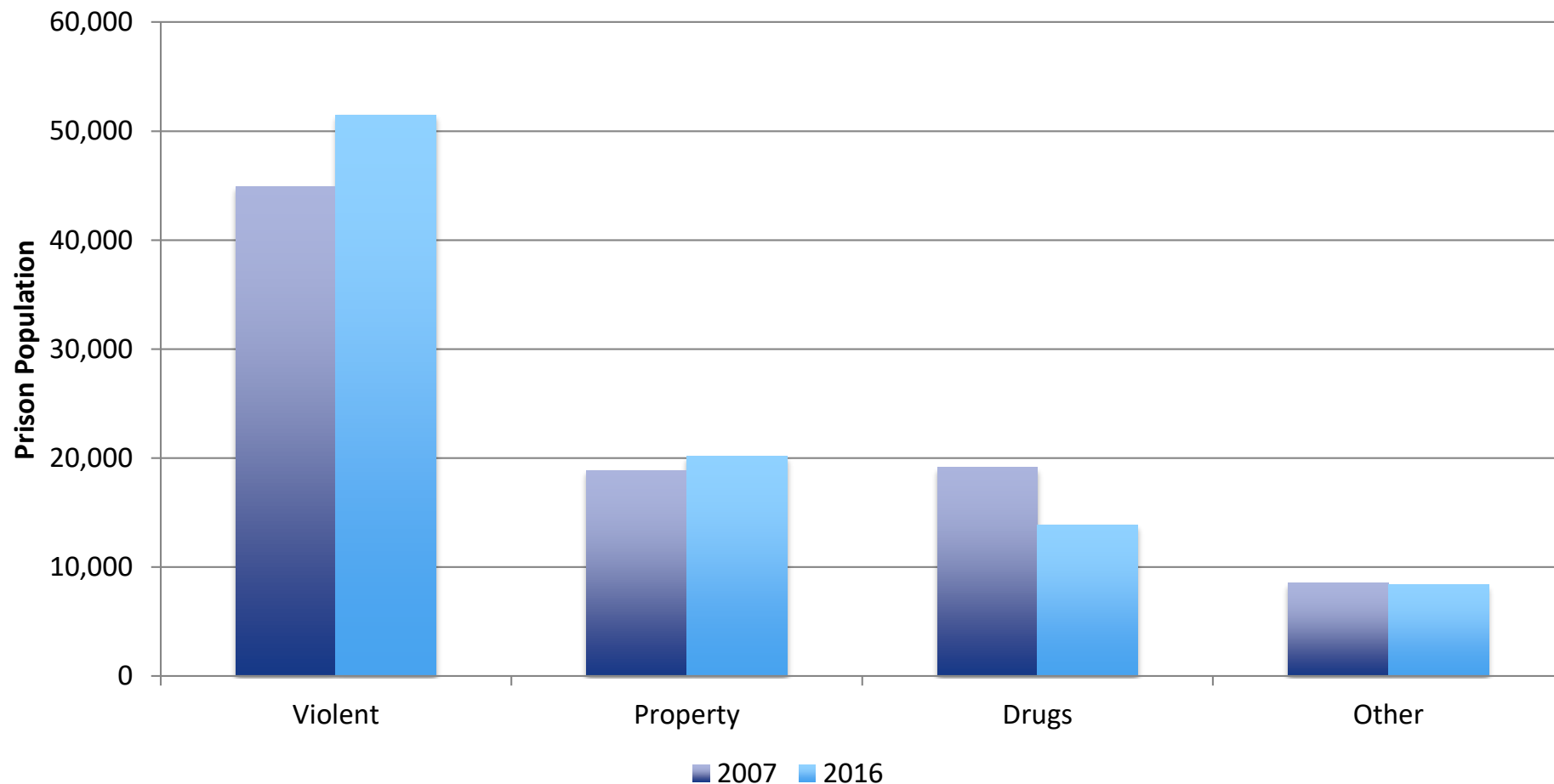


Fewer than Half of Counties Reduced Prison Bed Use



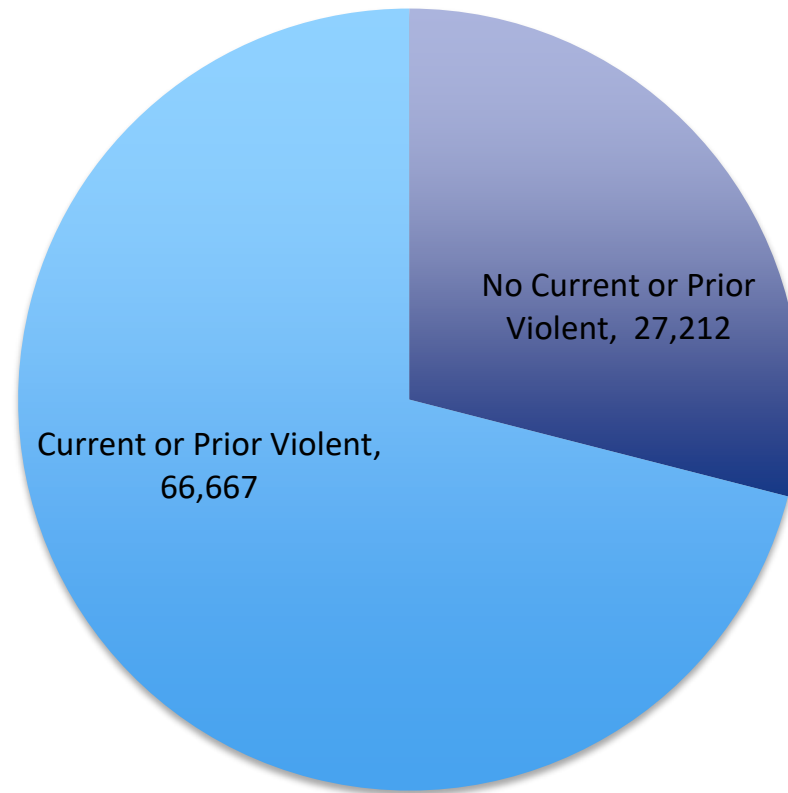
Number of Property and Violent Offenders in Prison Grew

Prison Population by Primary Offense Type, 2007 vs 2016



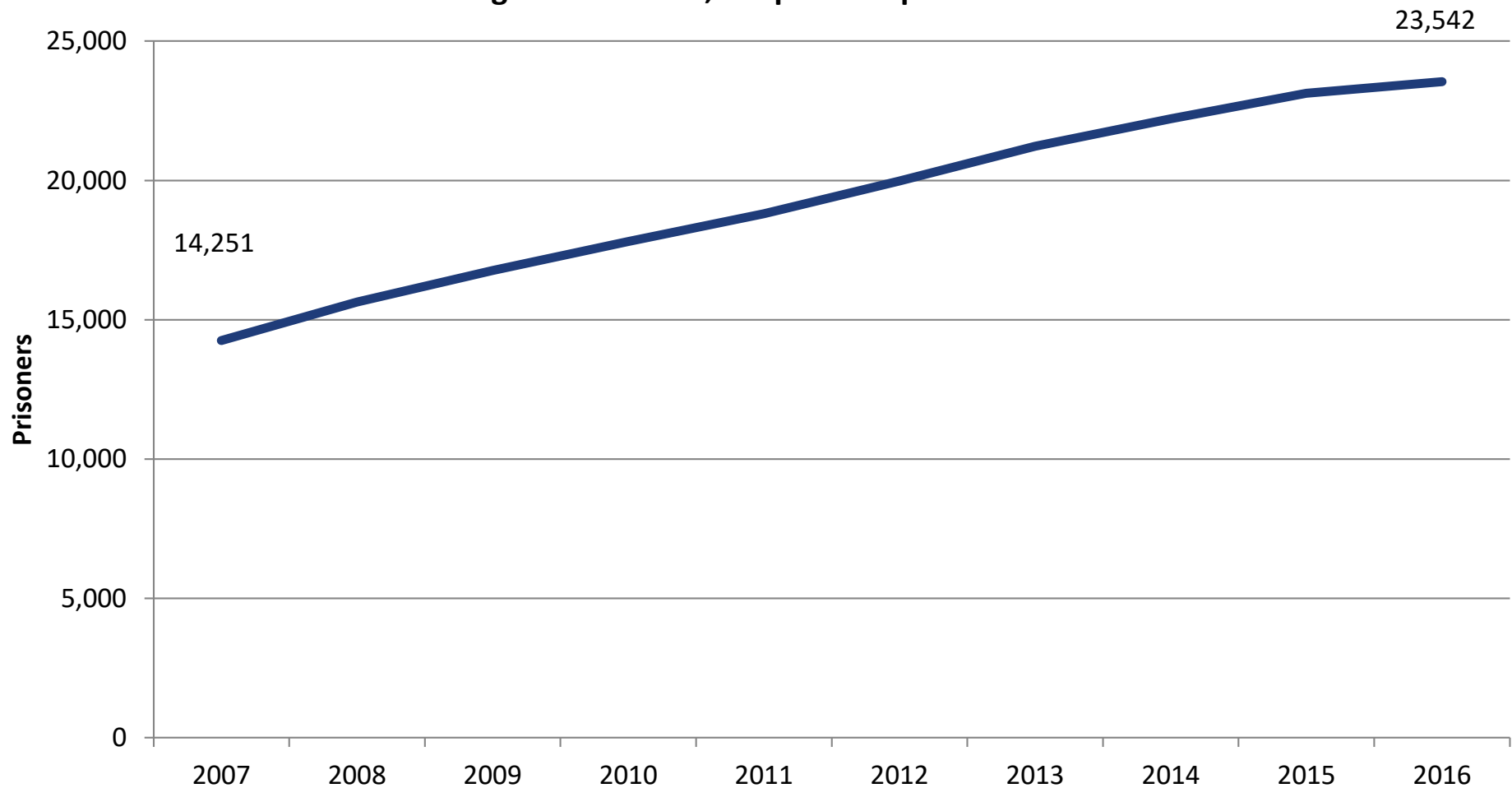
29% of Prison Population Has No Current or Prior Violent

Prison Population by Current and Prior Violent, Dec 31 2016



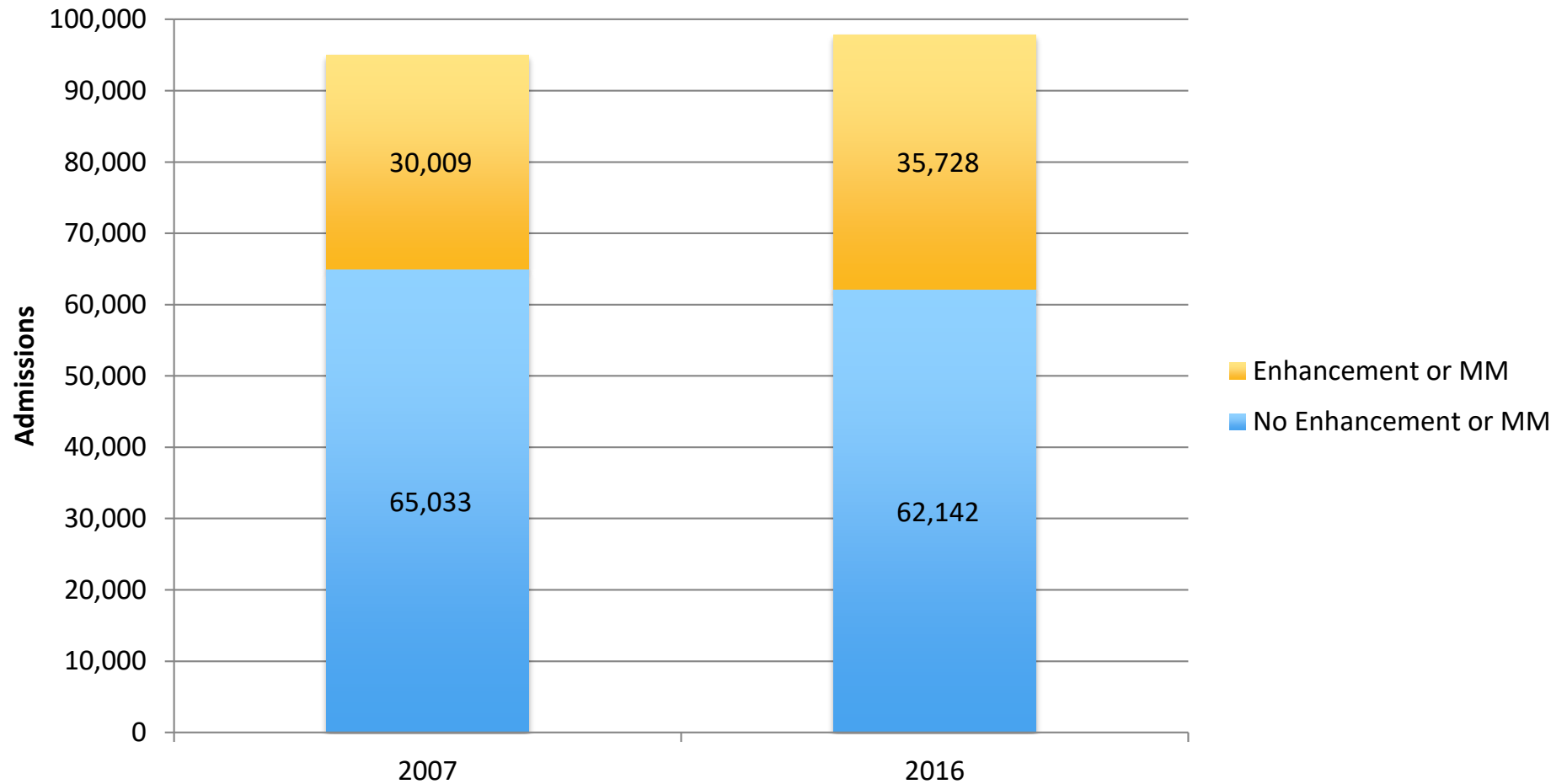
Number of Prisoners Age 50+ Grew 65% in Last Decade

Prisoners Age 50 and Over, Snapshot Population 2007-2016



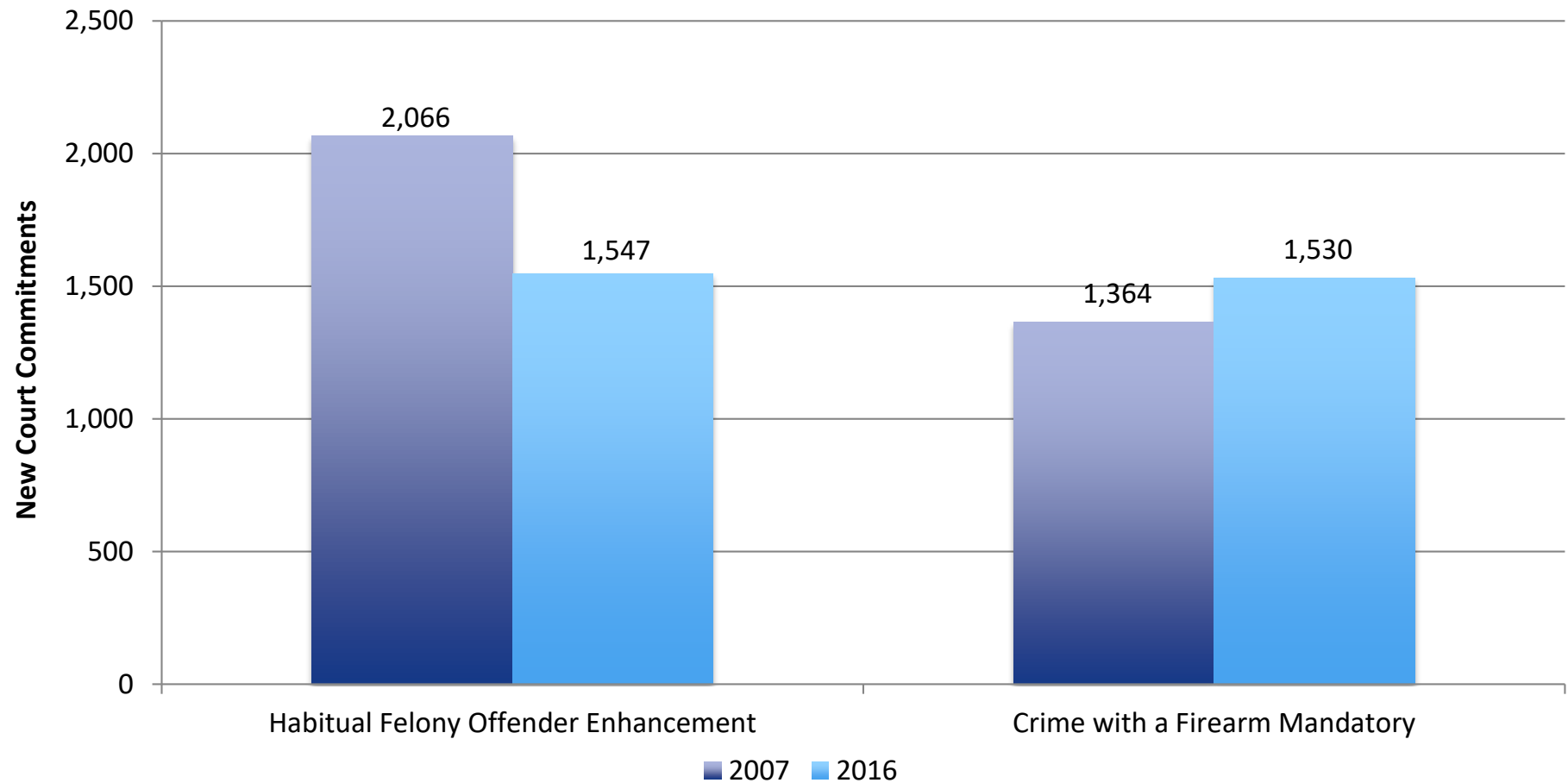
37 Percent of Offenders in Florida's Prisons Were Sentenced Under a Mandatory Minimum or Enhancement

Prison Population by Enhancement or Mandatory Minimum, 2007 vs 2016



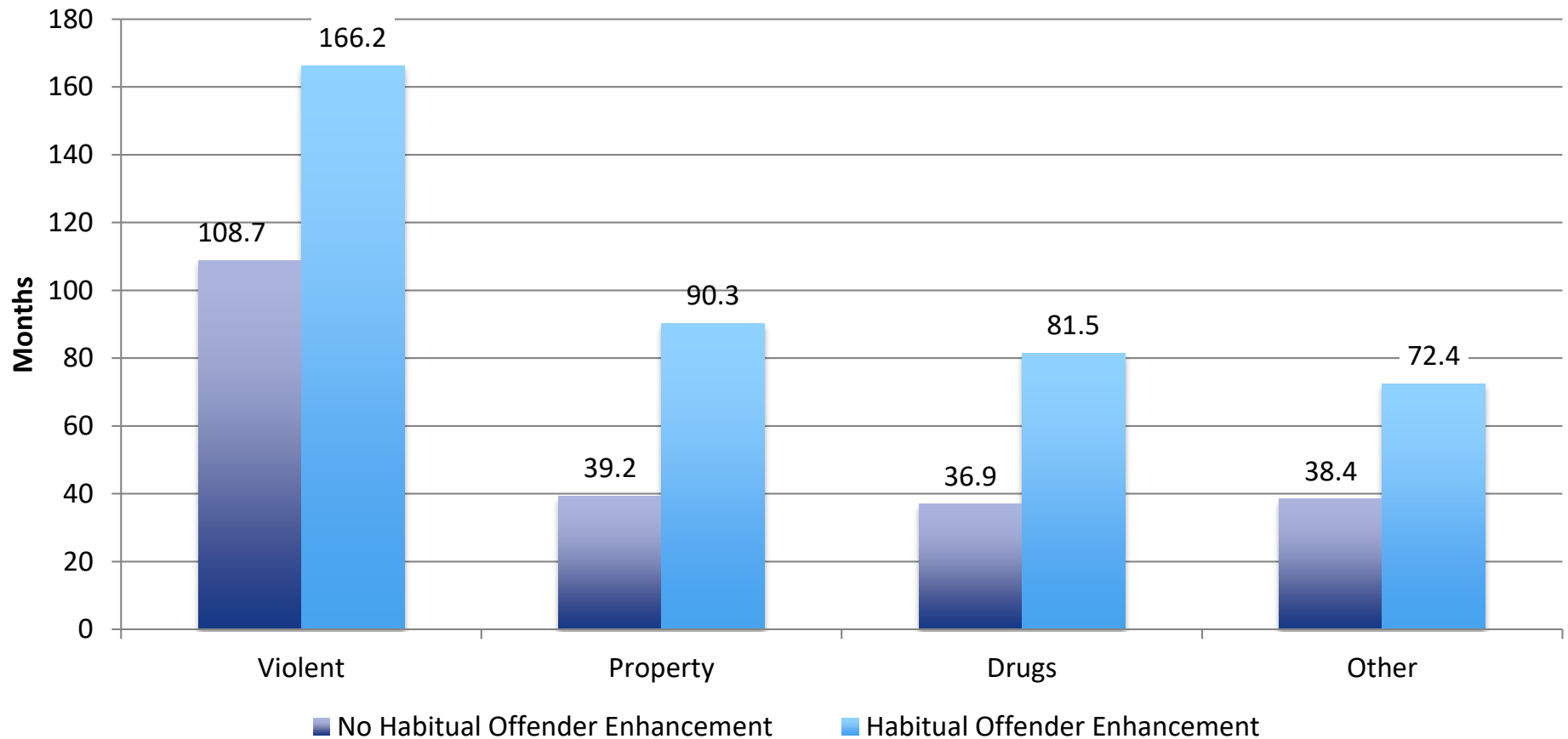
Habitual Offender and 10-20-Life Most Common Enhancements at Admission to Prison

New Court Commitments for Common Enhancements



Felony Habitual Property Offenders Receive 90 Month Average Sentence Compared to 39 Month for Non-Habitual

Mean Total Sentence by Habitual Felony Offender Enhancement and Offense Type, 2016



Key Findings

- Since 1990, Florida's crime rate has declined by 65 percent.
- The decline in reported crimes and arrests led to commensurate declines in felony charges, particularly among third degree felonies.
- Prison admissions dropped 28 percent, driven by a 39 percent decline in probation revocations.
- 18 percent growth in length of stay balanced out the effect of the admissions decline on the prison population, leading to an overall stable prison population in the last decade.

Thank you

- For further information:

Len Engel

Crime and Justice Institute

508-740-2143

lengel@crj.org

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Bill Number (if applicable)

Topic Crime and Justice Institute Presentation

Amendment Barcode (if applicable)

Name Len Engel

Job Title Senior ^{Managing} Associate

Address 355 Boylston Street

Phone 508-740-2143

Boston MA 02116

Email lengel@crj.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Crime and Justice Institute

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/11/17

Meeting Date

Bill Number (if applicable)

Topic Data Overview

Amendment Barcode (if applicable)

Name Mike Wilson

Job Title Economist & Criminal Justice Research Consultant

Address 11500 Wolf Rd

Phone 503 949 8702

Street

Grass Valley CA

95949

Email mike@m-w-consulting.or

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.



FLORIDA DEPARTMENT OF JUVENILE JUSTICE

PART OF THE COMMUNITY, PART OF THE SOLUTION

Prevention Programs

**Senate Appropriations Subcommittee on Criminal
and Civil Justice**

October 11, 2017

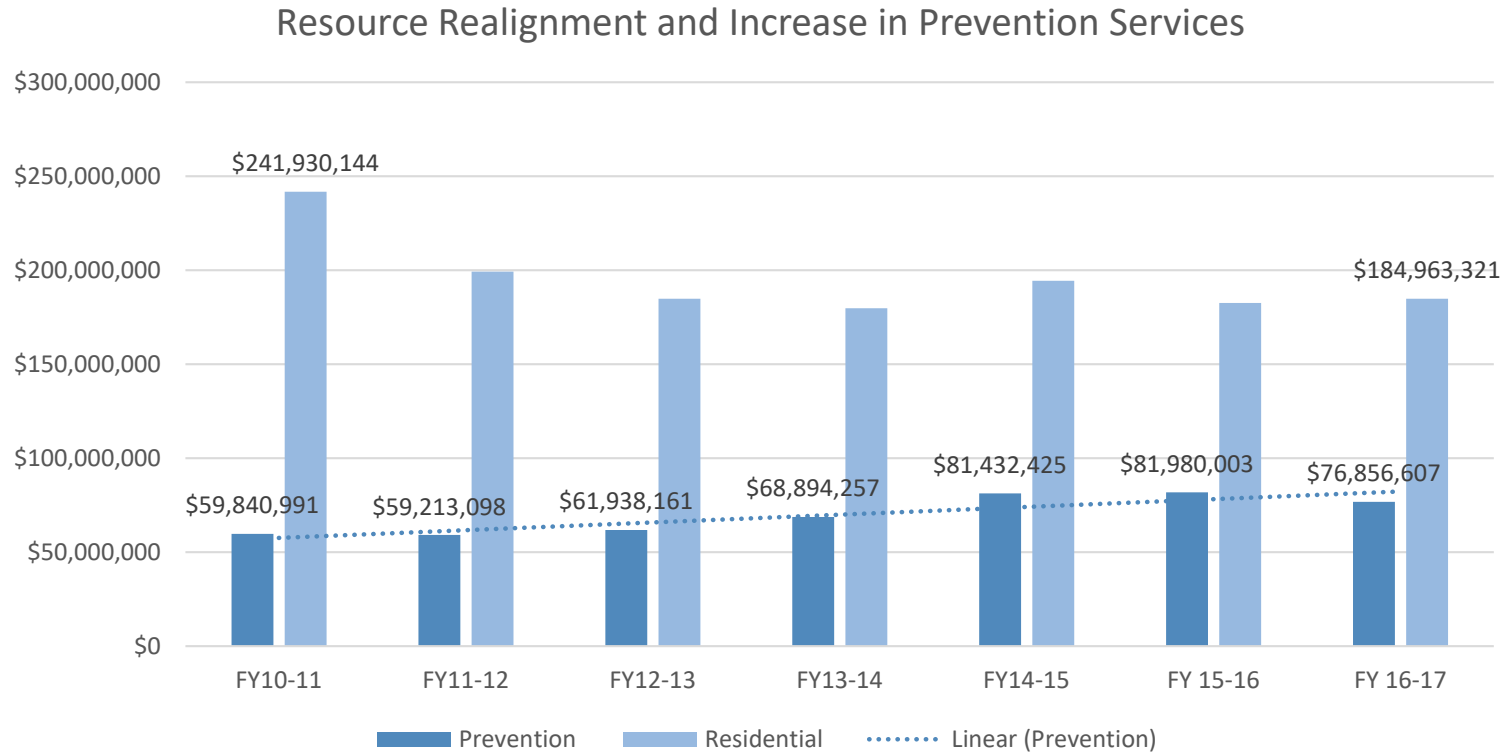
Rick Scott, Governor

Christina K. Daly, Secretary



Office of Prevention and Victim Services

- During FY 2015-16 the Office of Prevention and Victim Services served **44,046 youth**





Prevention Programs

- Partnerships at the Local Level
 - Schools & School Boards
 - Law Enforcement
 - Faith Community
 - Local Circuit Advisory Boards
 - State Advisory Group
 - Local Service Providers



Prevention Programs

Statewide Program Funding (FY 17-18): **\$61 Million**

- CINS/FINS- \$35.6 million
- PACE Center for Girls- \$19.6 million (\$2.8 million non-recurring)
- Stop Now and Plan (SNAP)- \$2.6 million (\$1.1 million non-recurring)
- Outward Bound- \$1.1 million (\$200,000 non-recurring)
- Big Brother Big Sisters- \$1 million non-recurring
- Prodigy Cultural Arts Programs- \$1 million non-recurring
- Boys and Girls Clubs- \$500,000 non-recurring



Prevention Programs

Local Program Funding (FY 17-18): **\$1.2 Million**

- Delores Barr Weaver Policy Center- \$375,000
- Clay County Youth Alternative SWEAT Program- \$250,000
- City of West Park- \$250,000
- Wayman Community Development At-Risk Service Program- \$150,000
- Youth Advocate Program in Pinellas County- \$150,000



Questions?

Christina K. Daly, Secretary

850-413-7313, Office

850-251-6668, Cell

Christy.Daly@djj.state.fl.us

Rachel Moscoso, Legislative Affairs Director

850-717-2716, Office

850-322-9572, Cell

Rachel.Moscoso@djj.state.fl.us

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/11/17
Meeting Date

Bill Number (if applicable)

Topic Prevention Programs

Amendment Barcode (if applicable)

Name Christina Daly

Job Title Secretary

Address 2737 Centerview Dr.
Street

Phone 850-717-2716

Tallahassee FL 32399
City State Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing DJJ

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

No Meeting
Materials
Available

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/11/17

Meeting Date

Bill Number (if applicable)

Topic FDC litigation

Amendment Barcode (if applicable)

Name Kenneth Stealy

Job Title General Counsel

Address 501 South Calhoun St

Phone 850-717-3589

Street

Tallahassee

FL

State

32399

Zip

Email Kenneth.Stealy@fdc.myfloridale.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FDC

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

CourtSmart Tag Report

Room: LL 37

Case No.:

Type:

Caption: Senate Appropriations Subcommittee on Criminal and Civil Justice

Judge:

Started: 10/11/2017 10:04:22 AM

Ends: 10/11/2017 11:35:24 AM Length: 01:31:03

10:05:22 AM Chair Brandes
10:06:27 AM Tab 2 - Update on the Department of Juvenile Justice Prevention and Intervention Programs
10:06:31 AM Christina K. Daly, Secretary, The Department of Juvenile Justice
10:13:06 AM Senator Rodriguez
10:13:46 AM C. Daly
10:15:13 AM Sen. Clemens
10:15:47 AM C. Daly
10:16:10 AM Sen. Clemens
10:16:59 AM C. Daly
10:18:03 AM Sen. Clemens
10:18:20 AM C. Daly
10:18:29 AM Sen. Clemens
10:18:57 AM C. Daly
10:19:44 AM Sen. Clemens
10:19:49 AM C. Daly
10:20:07 AM Sen. Baxley
10:21:21 AM C. Daly
10:23:39 AM Sen. Baxley
10:24:05 AM C. Daly
10:25:15 AM Sen. Baxley
10:25:34 AM C. Daly
10:25:43 AM Sen. Bracy
10:26:13 AM C. Daly
10:27:17 AM Sen. Brandes
10:28:12 AM TAB 3 - Update on the Department of Corrections Litigation
10:28:21 AM Kenneth Steely, Department of Corrections, General Counsel
10:33:42 AM Sen. Brandes
10:33:52 AM K. Steely
10:34:25 AM Sen. Brandes
10:34:30 AM K. Steely
10:34:35 AM Sen. Brandes
10:35:08 AM TAB 1 - Update from the Crime and Justice Institute on an Examination of Florida's Prison Population
Trends
10:35:22 AM Sen. Brandes
10:36:29 AM Leonard W. Engel, Esq., Managing Associate for Policy, Crime and Justice Institute (CJI)
10:40:11 AM Michael Wilson, Economist and Criminal Justice Research Consultant, MW Consulting
10:42:15 AM Sen. Clemens
10:42:22 AM M. Wilson
10:55:56 AM Sen. Brandes
10:56:18 AM M. Wilson
11:04:22 AM Sen. Brandes
11:04:52 AM M. Wilson
11:06:10 AM Sen. Brandes
11:06:25 AM M. Wilson
11:06:34 AM Sen. Brandes
11:07:14 AM L. Engel
11:09:39 AM Sen. Clemens
11:10:39 AM M. Wilson
11:10:53 AM Sen. Clemens
11:12:34 AM M. Wilson
11:14:50 AM Sen. Clemens
11:15:03 AM L. Engel

11:17:01 AM	Sen. Baxley
11:17:49 AM	M. Wilson
11:18:51 AM	Sen. Perry
11:19:09 AM	M. Wilson
11:19:21 AM	Sen. Perry
11:19:30 AM	M. Wilson
11:19:38 AM	Sen. Perry
11:19:43 AM	M. Wilson
11:19:55 AM	Sen. Perry
11:20:59 AM	M. Wilson
11:21:44 AM	Sen. Brandes
11:21:51 AM	L. Engel
11:24:13 AM	M. Wilson
11:24:59 AM	Sen. Brandes
11:25:10 AM	M. Wilson
11:25:19 AM	Sen. Bracy
11:25:52 AM	M. Wilson
11:27:10 AM	L. Engel
11:27:18 AM	Sen. Bracy
11:27:46 AM	L. Engel
11:29:33 AM	Sen. Baxley
11:30:15 AM	L. Engel
11:31:55 AM	Sen. Clemens
11:32:21 AM	Sen. Brandes
11:33:38 AM	Sen. Clemens
11:34:25 AM	Sen. Perry