

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

**MEETING DATE:** Wednesday, December 12, 2018  
**TIME:** 1:30—3:00 p.m.  
**PLACE:** 37S, Senate Office Building

**MEMBERS:** Senator Brandes, Chair; Senator Bracy, Vice Chair; Senators Gainer, Gruters, Harrell, Perry, Rouson, and Taddeo

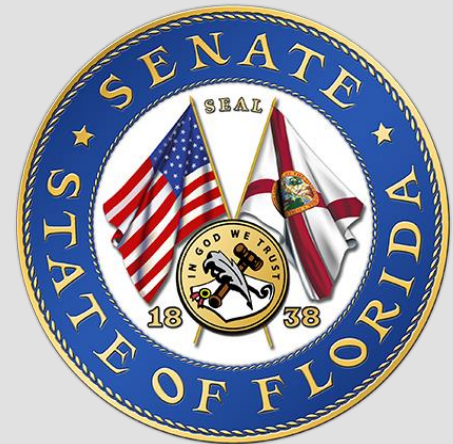
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Subcommittee Overview		Presented
2	Presentation on current litigation and other operational issues, by Department of Corrections		Presented
3	Presentation on current litigation and other operational issues, by Department of Juvenile Justice		Presented
4	Member Discussion		Discussed
Other Related Meeting Documents			

# Senate Criminal and Civil Justice Appropriations Overview

December 2018

Senator Jeff Brandes, Chair

Senator Randolph Bracy, Vice Chair



# Subcommittee Members – 2019 Session

- Senator Jeff Brandes, Chair
- Senator Randolph Bracy, Vice Chair
- Senator George Gainer
- Senator Joe Gruters
- Senator Gayle Harrell
- Senator Keith Perry
- Senator Darryl Rouson
- Senator Annette Taddeo

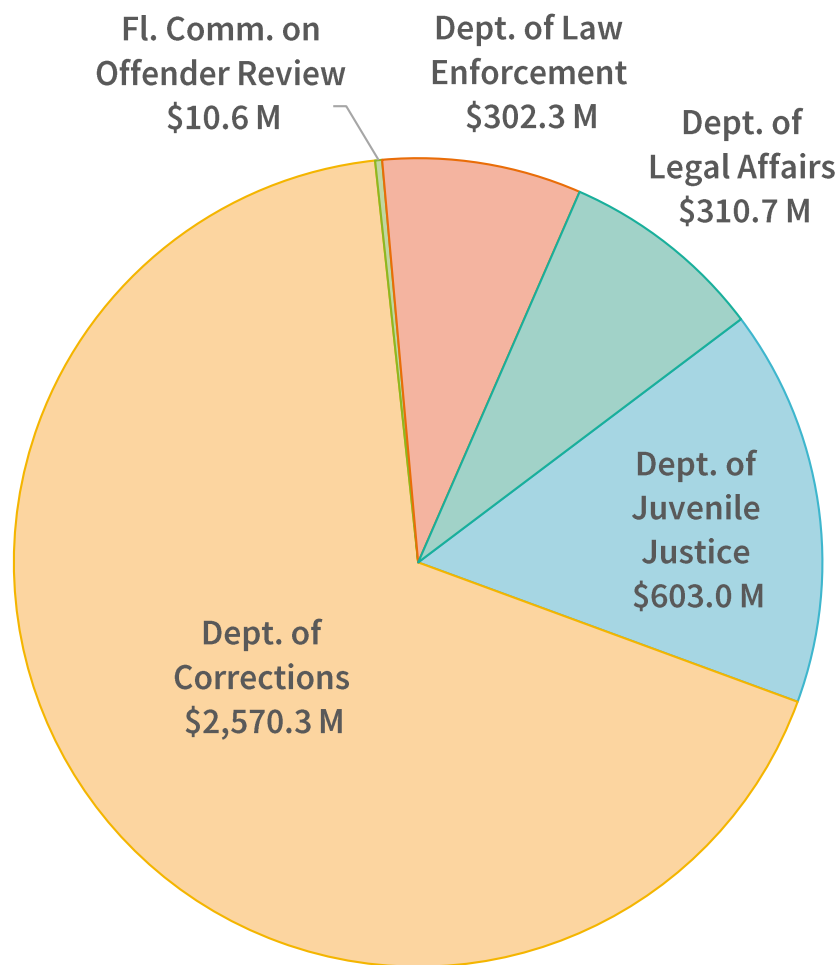
# Funding History

Criminal and Civil Justice Appropriations

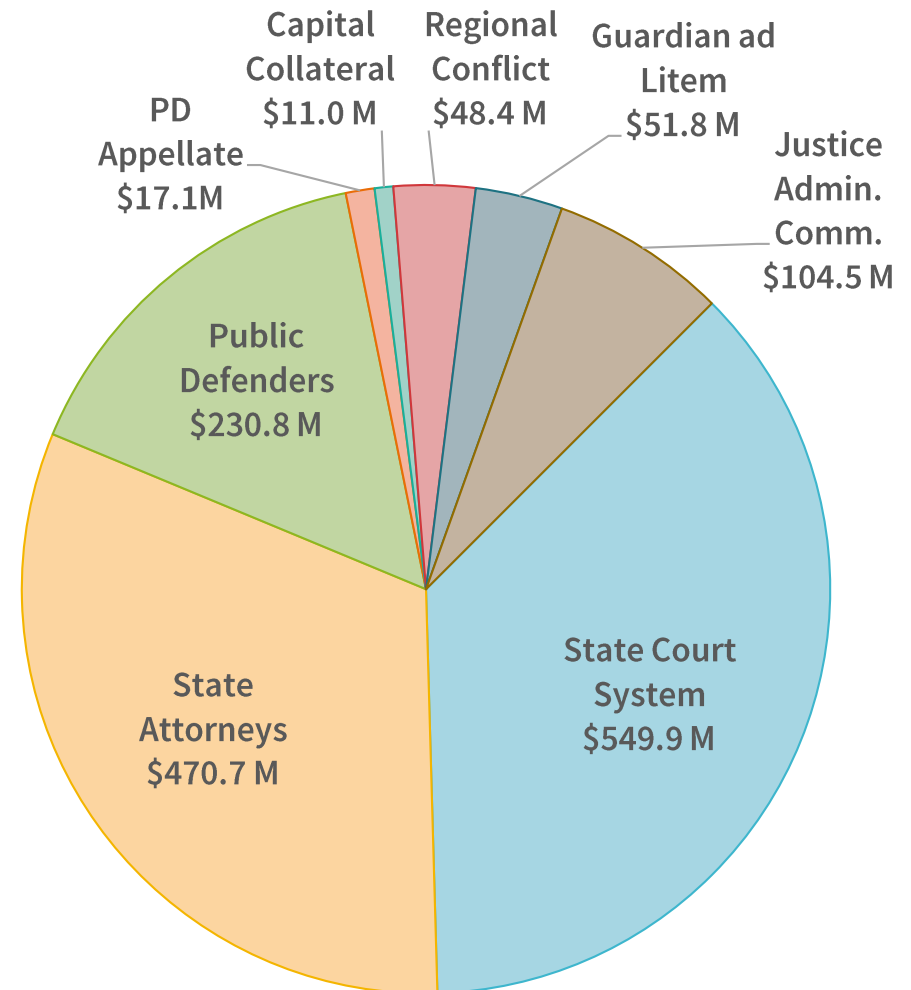
1

# The Legislature Appropriated \$5.28 Billion to Criminal and Civil Justice for Fiscal Year 2018-19

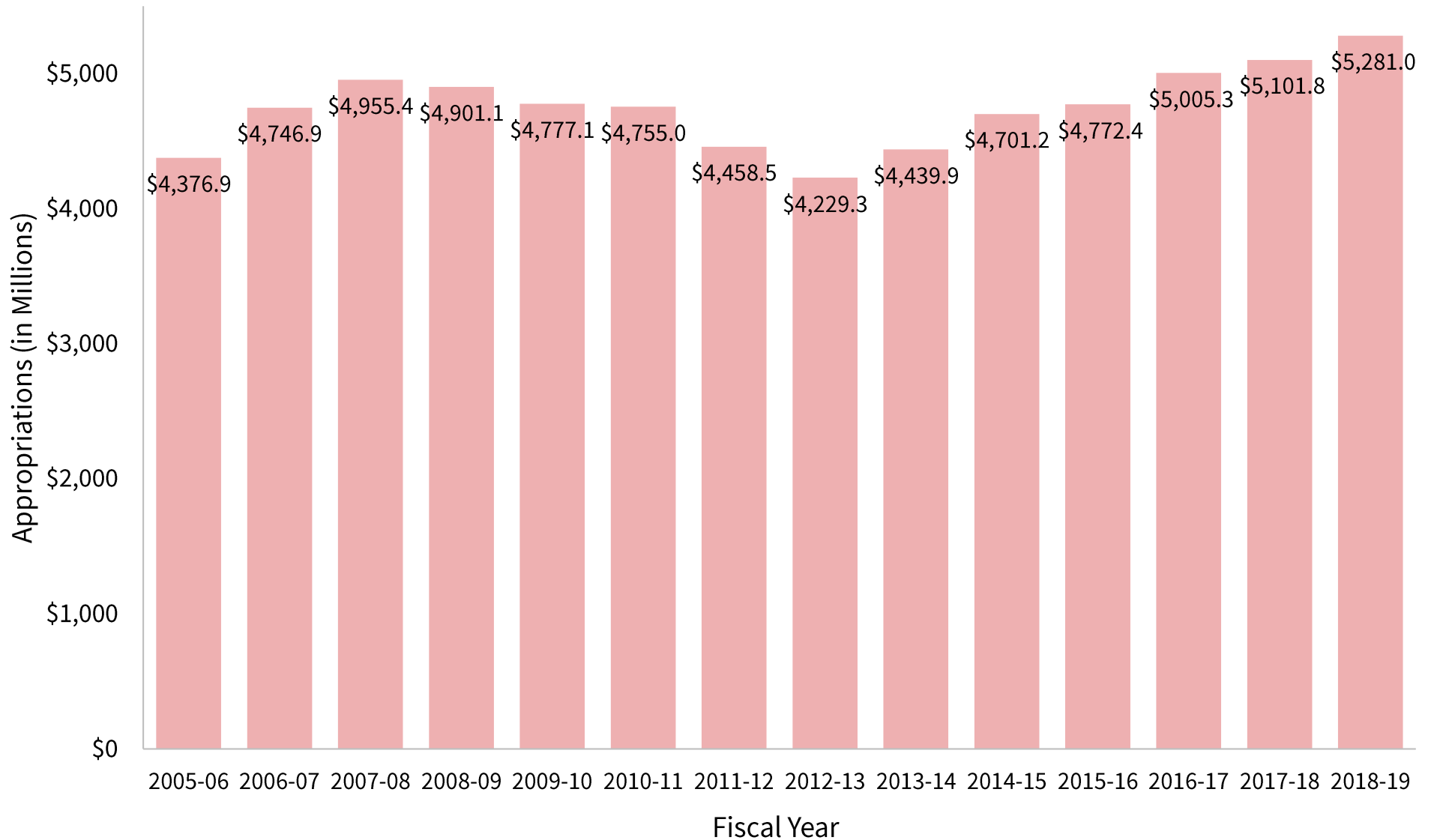
## Criminal Justice Agencies - \$3,796.9 million



## Judicial System - \$1,484.2 million

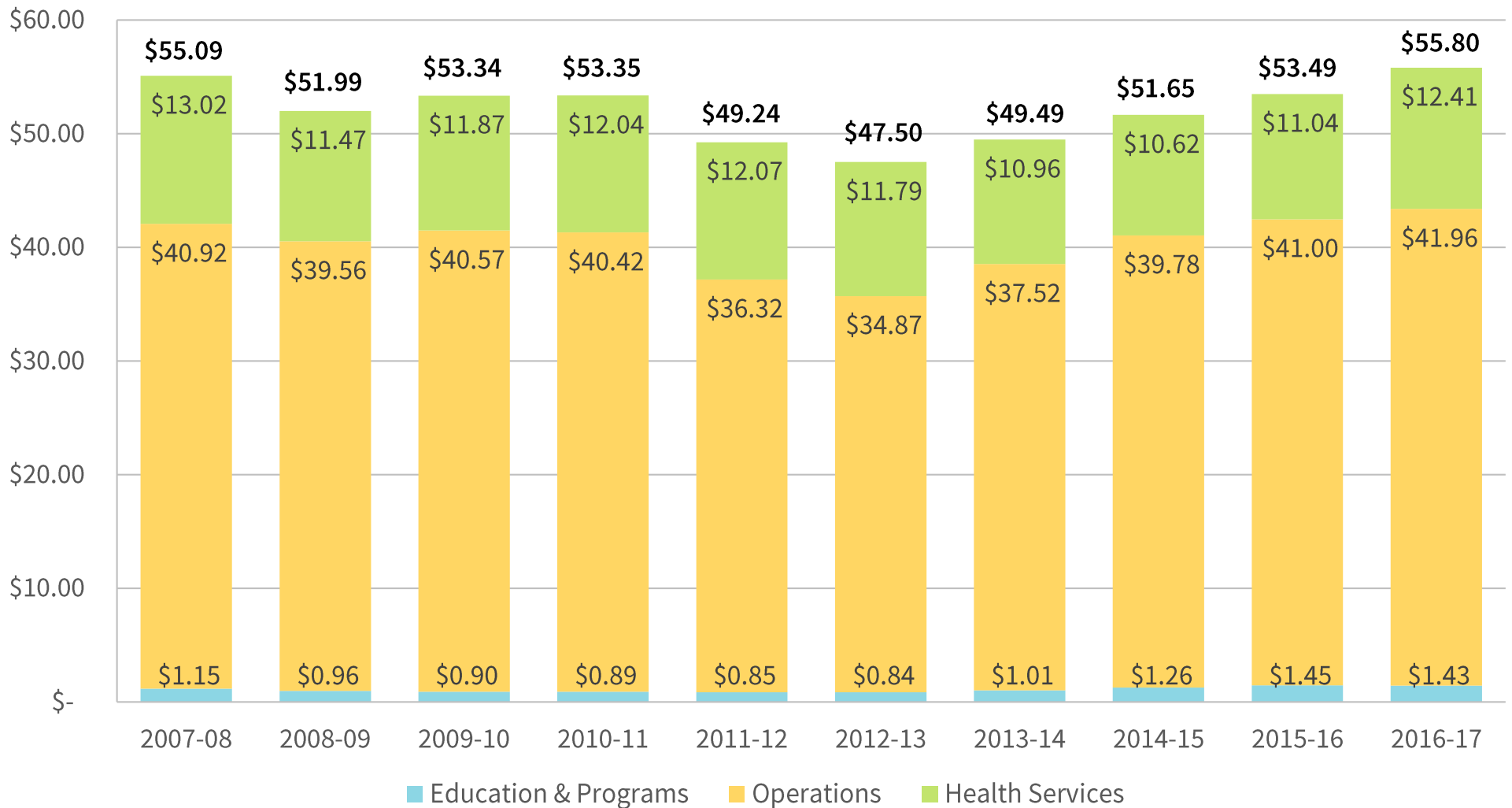


# Criminal and Civil Justice Appropriations



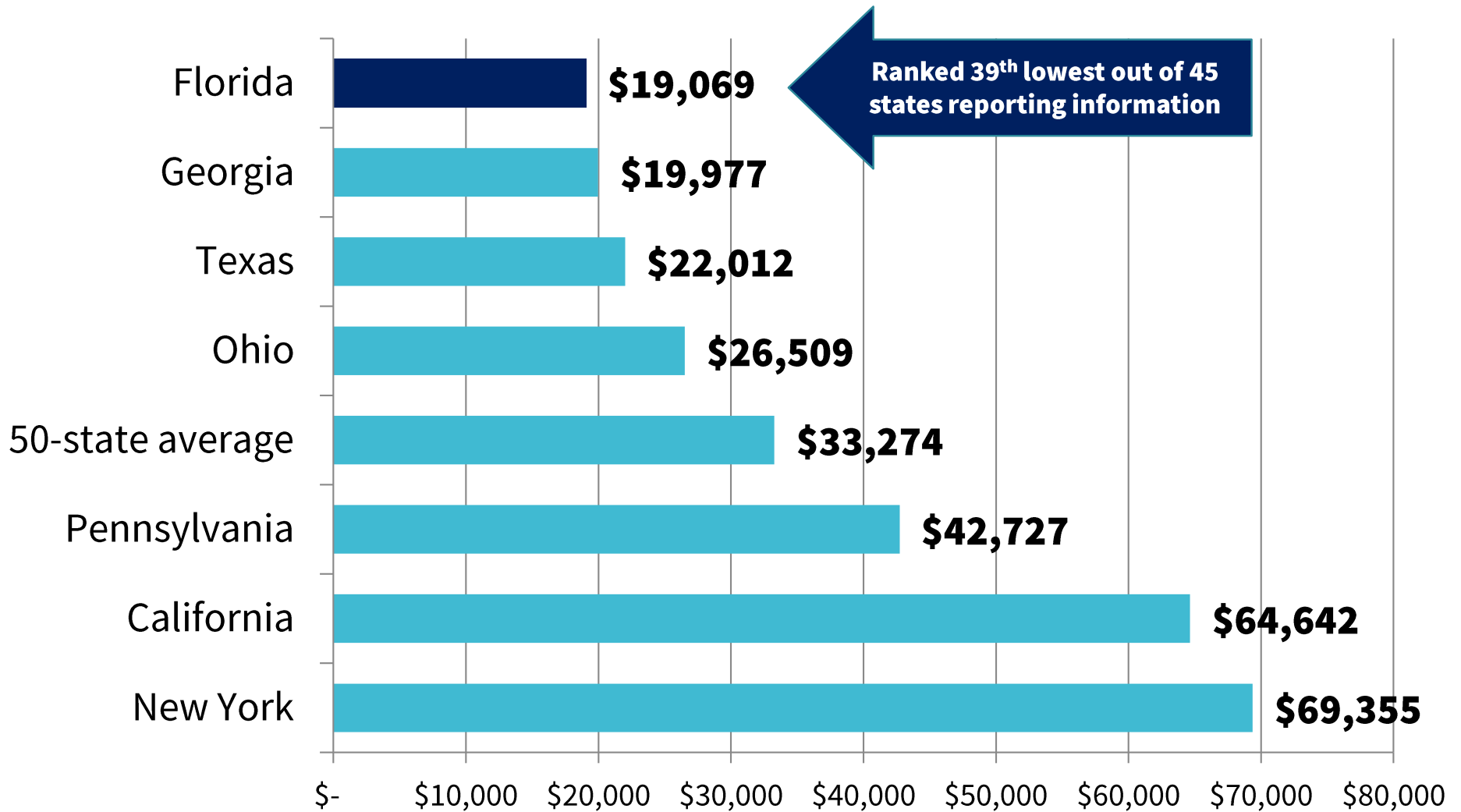
Note: Does not include the Clerks of Court appropriations when the clerks were in the GAA from FY 2009-10 through FY 2012-13.

# Corrections Per Diem Costs Have Gradually Increased Since Fiscal Year 2012-13



Source: Department of Corrections

# Florida's Average Annual Prison Bed Cost Compares Favorably to Other States' Costs (2010 to 2015)



Source: Vera Institute of Justice, *The Price of Prisons: Examining State Spending Trends 2010-2015*.



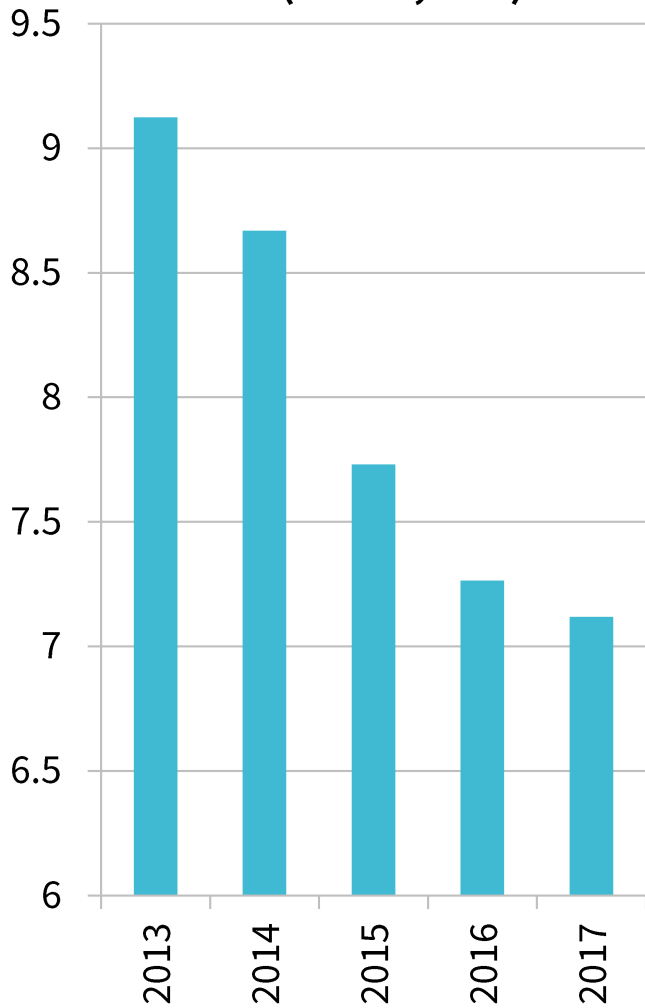
# Crime Statistics & Emerging Issues

Criminal and Civil Justice Appropriations

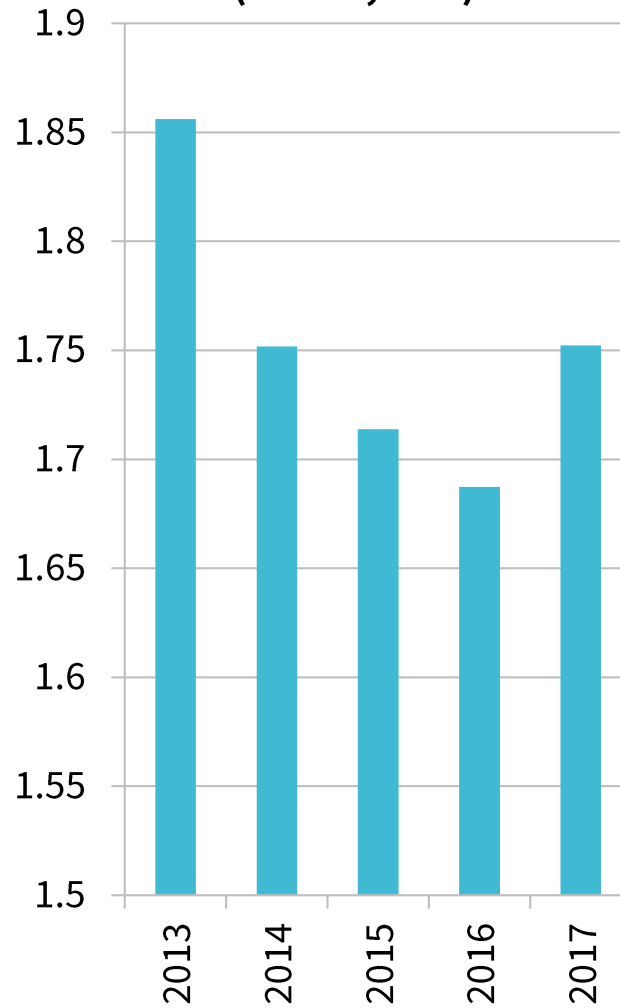
# 2

# Major Crime Indicators Are Generally Falling

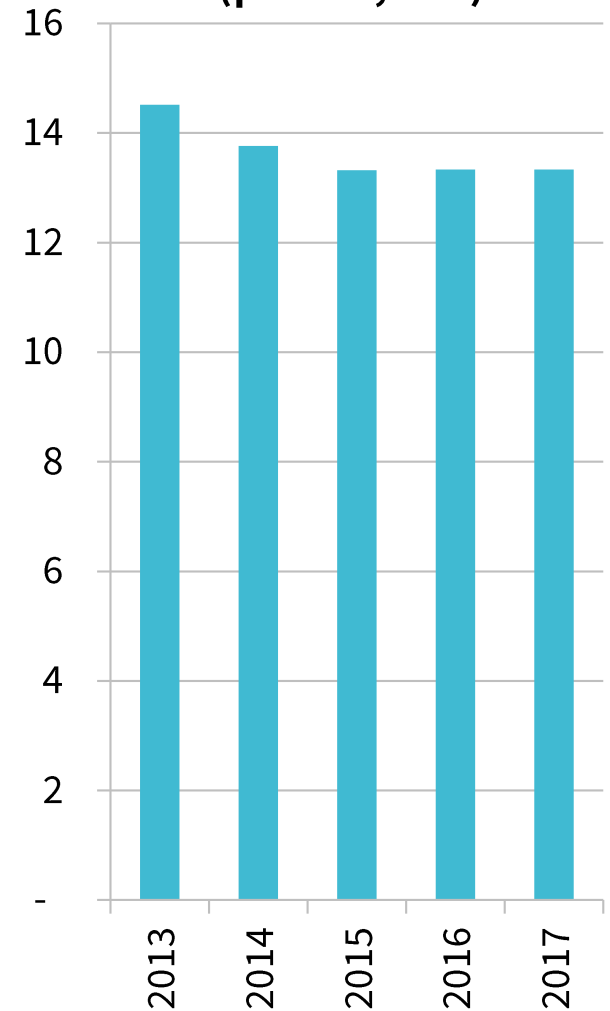
## Total Arrests (x 100,000)



## Felony Filings (x 100,000)



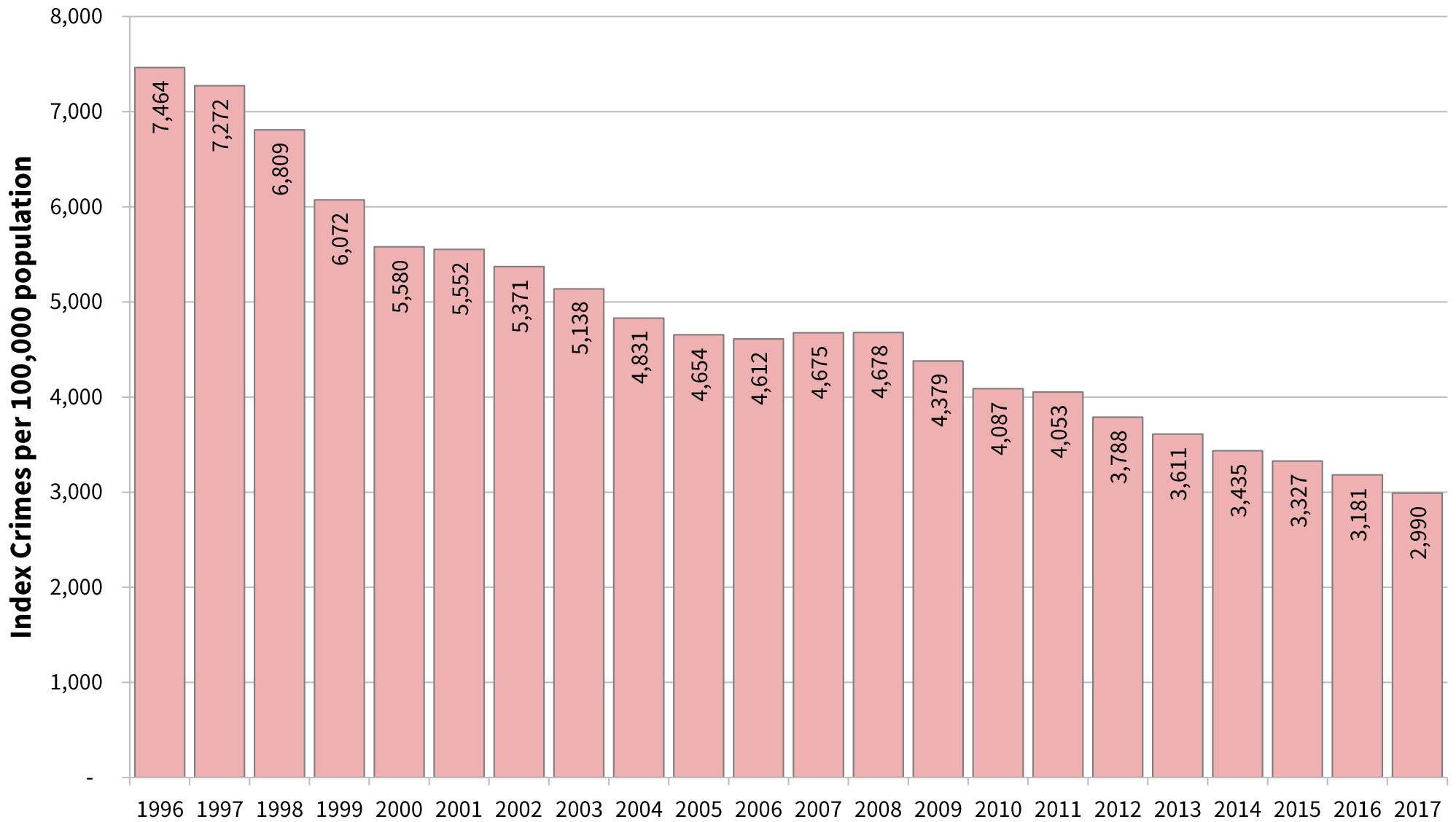
## Guilty Dispositions (per 10,000)



Source: Florida Office of Economic and Demographic Research (EDR), Criminal Justice Trends, 11/28/18

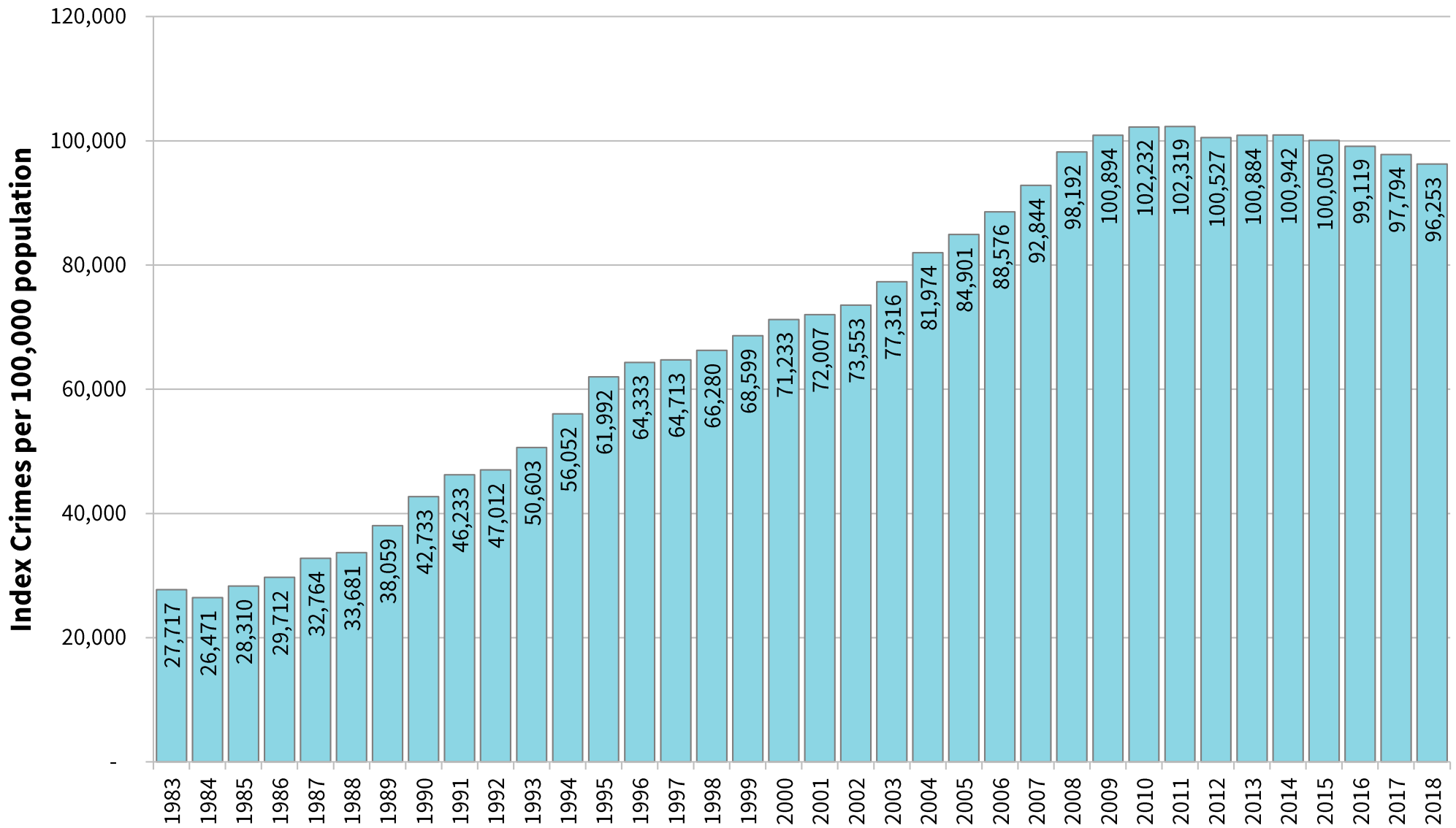
# Florida's Crime Rate

## Index Crimes per 100,000 Population



Source: Florida Office of Economic and Demographic Research (EDR), Criminal Justice Trends, 11/28/18

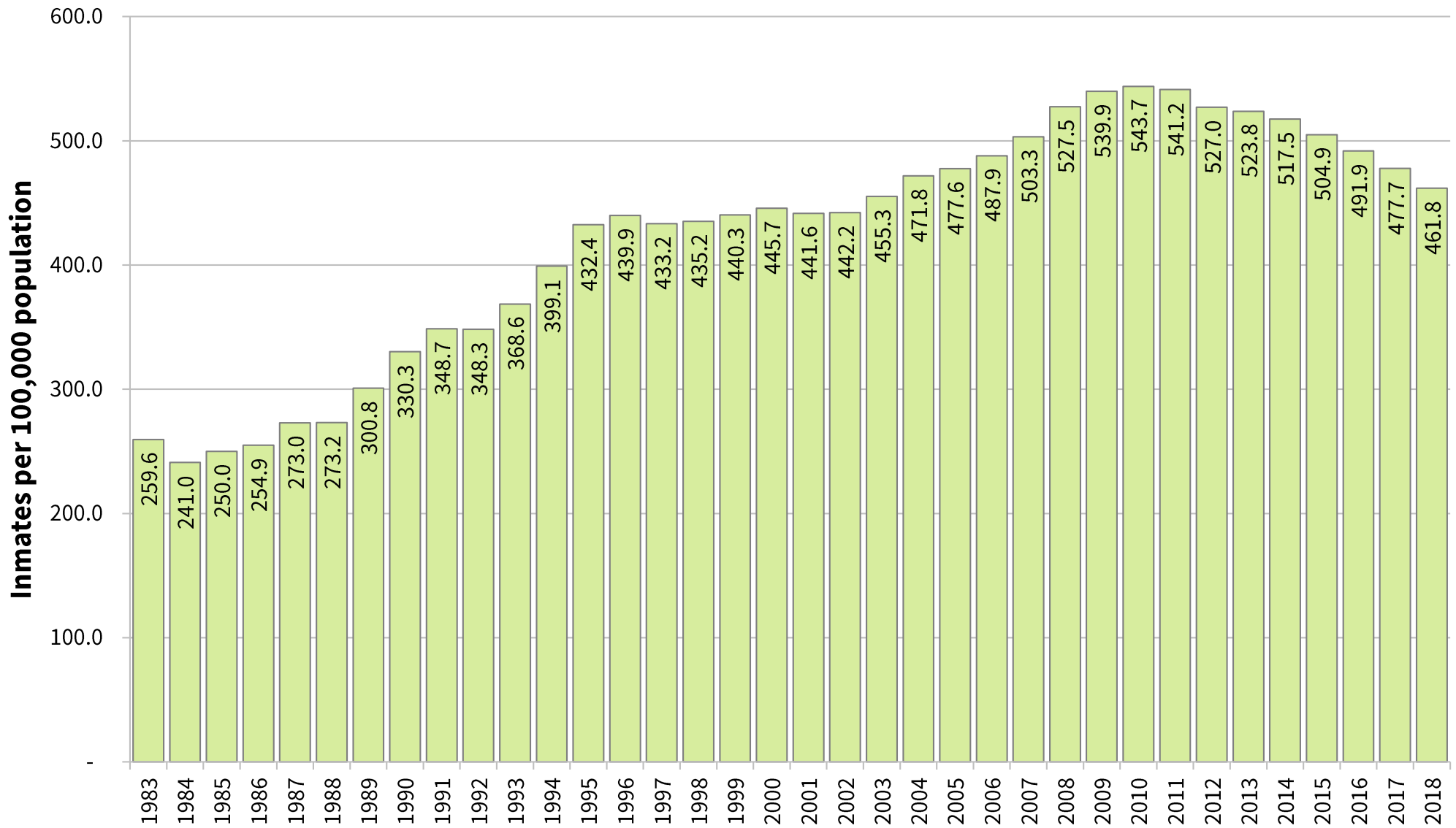
# Florida's Prison Population (June 30 Population)



Source: Florida Office of Economic and Demographic Research (EDR), Criminal Justice Trends, 11/28/18

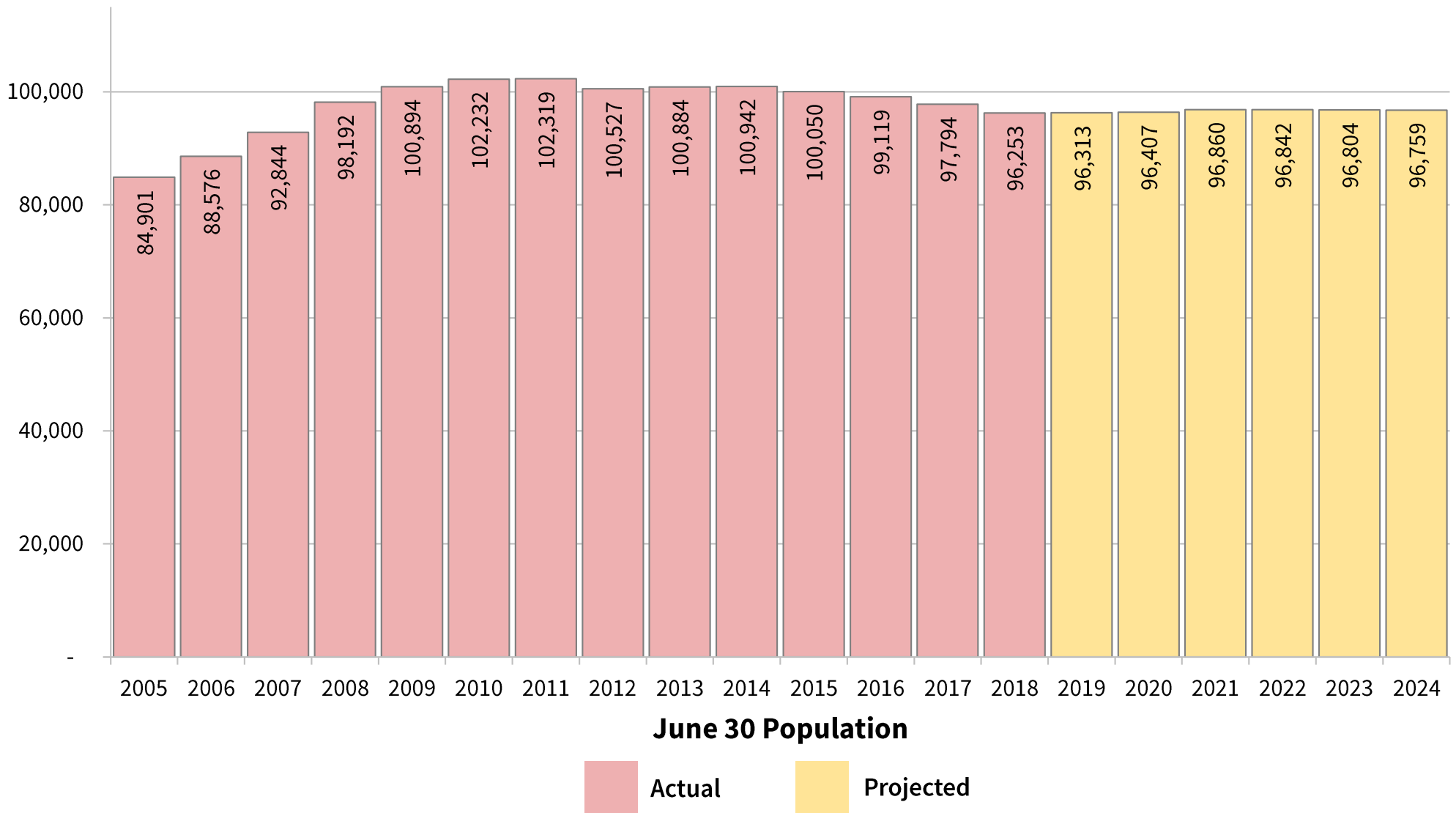
# Florida's Incarceration Rate

(Inmates per 100,000 Population)



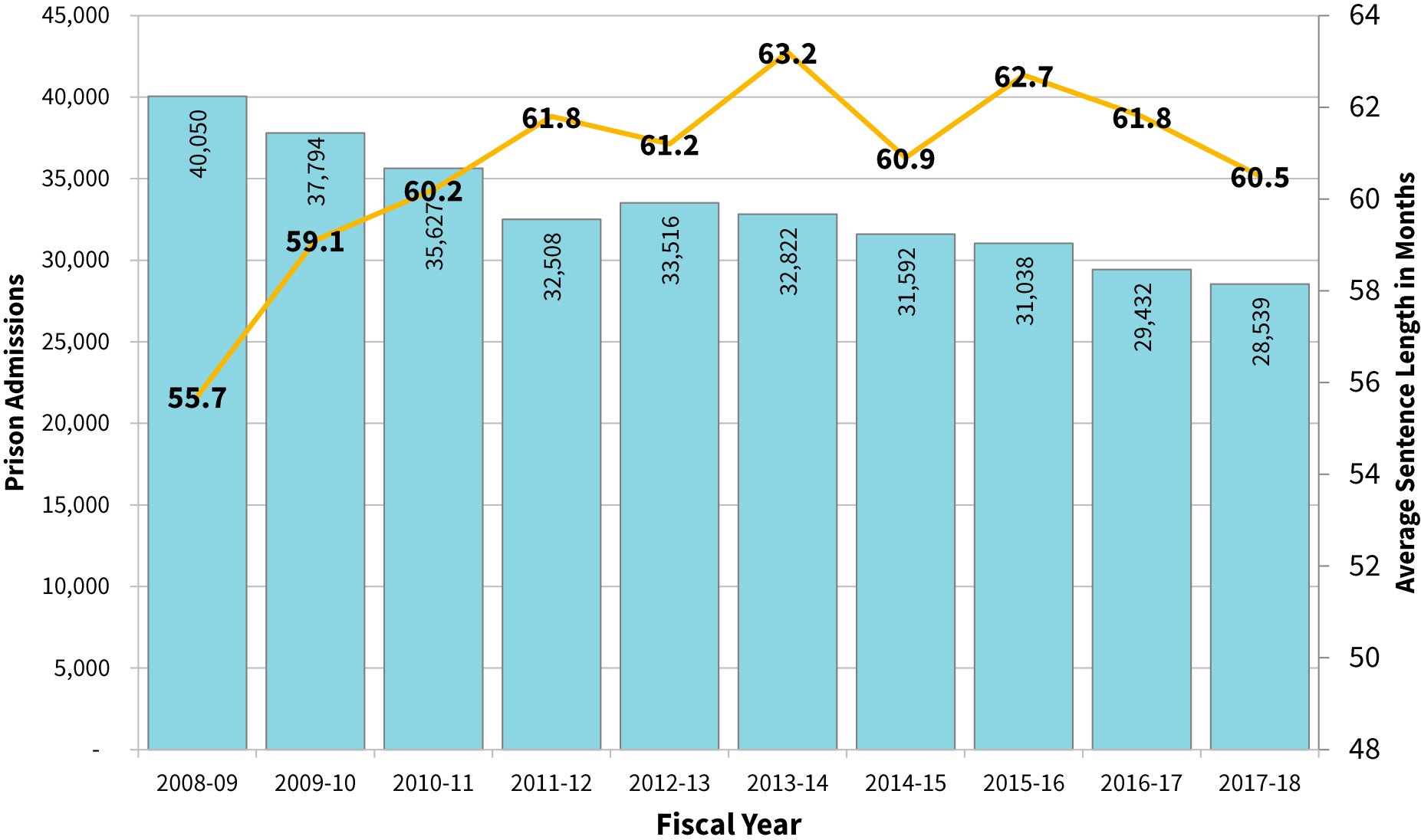
Source: Florida Office of Economic and Demographic Research (EDR), Criminal Justice Trends, 11/28/18

# State Prison Population is Not Expected to Change Significantly Over the Next Five Years



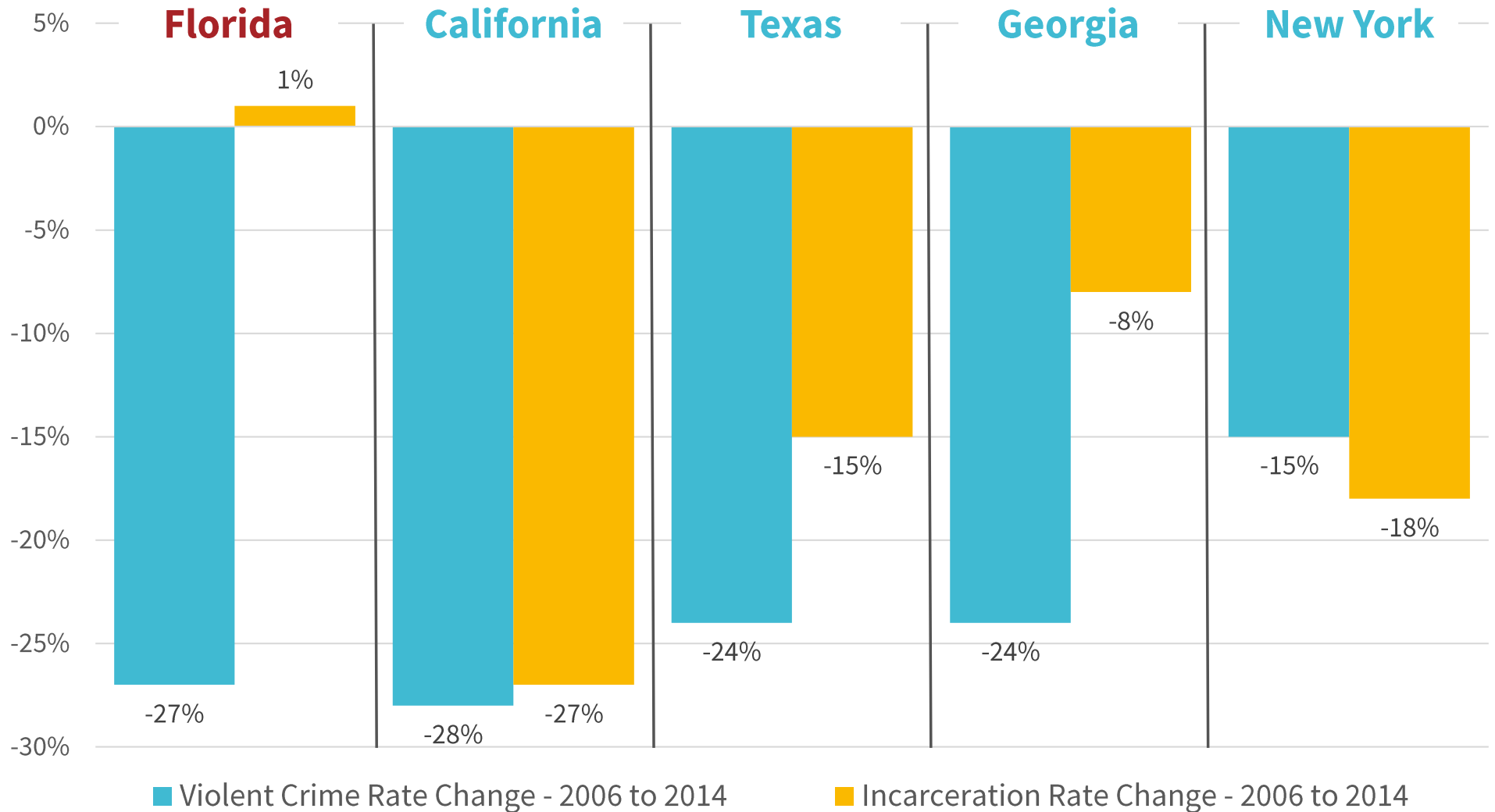
Source: Florida Office of Economic and Demographic Research (EDR), November 28, 2018

# Florida's Prison Admissions and Average Sentence Length



Source: Florida Office of Economic and Demographic Research (EDR), Criminal Justice Trends, 11/28/18

# Violent Crime Rates and Incarceration Rates 2006-2014 Florida vs. Comparable States



Source: Brennan Center for Justice. *Update: Changes in State Imprisonment*. Data from the U.S. Bureau of Justice Statistics and the F.B.I. Uniform Crime Reports.



# Agency Profiles

Criminal and Civil Justice Appropriations

3

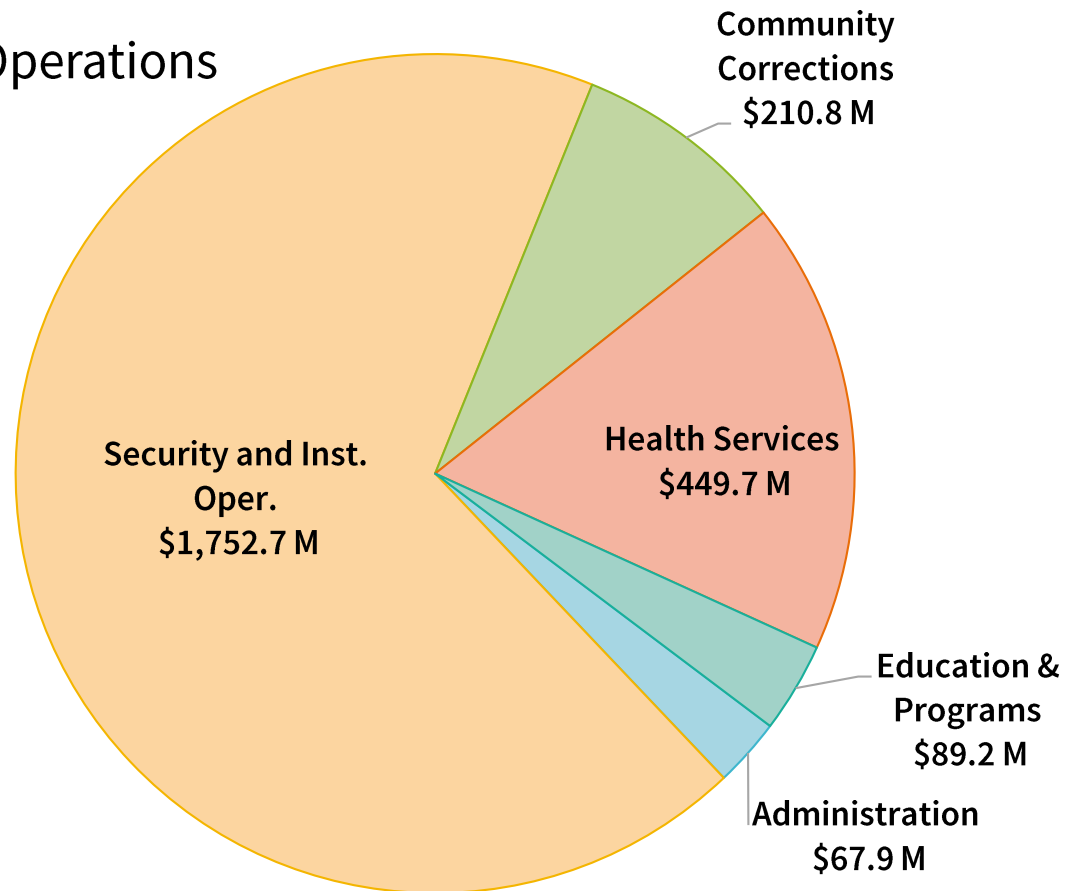
# Department of Corrections

*\$2,570.3 million / 24,539.00 FTEs*

The Department of Corrections protects the public through the incarceration and supervision of offenders and rehabilitates offenders through work, programs and services.

Programs include:

- Security and Institutional Operations
- Community Corrections
- Health Services
- Inmate Programs



# Department of Law Enforcement

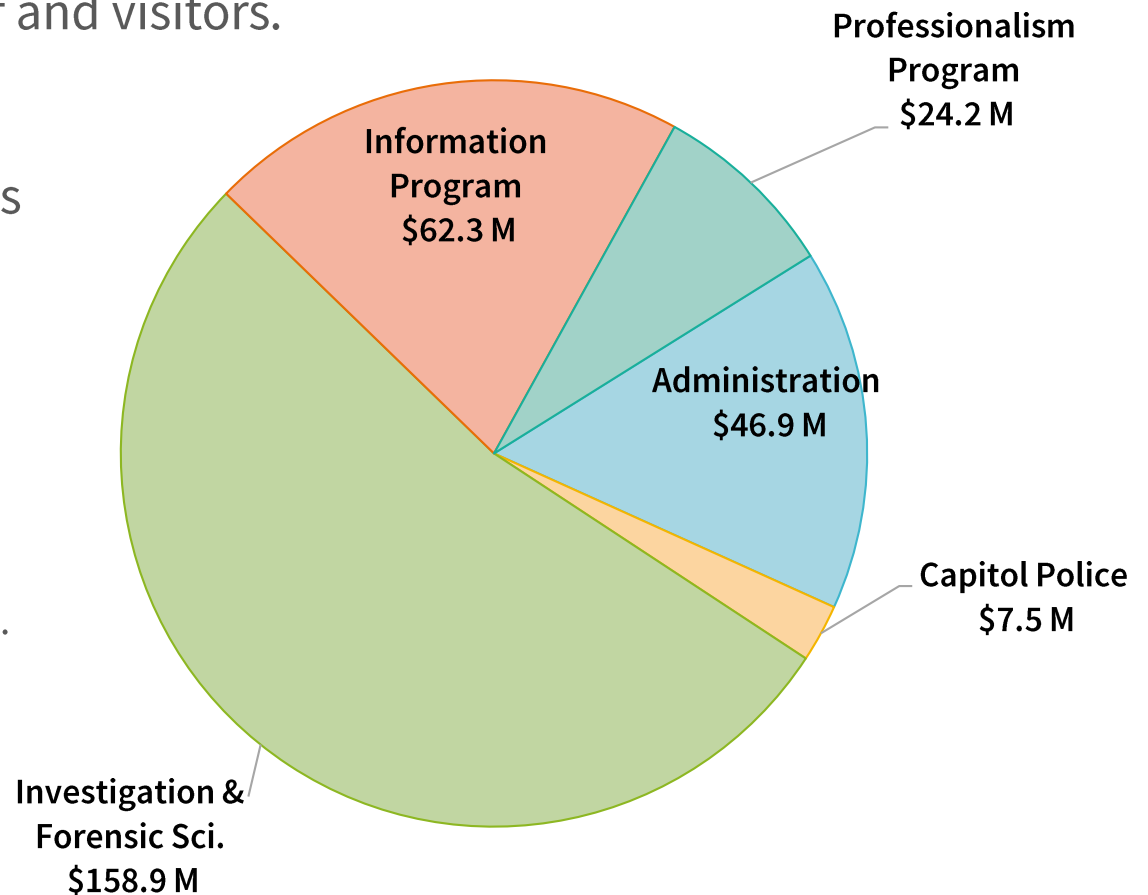
\$302.3 million / 1,905.00 FTEs

The Florida Department of Law Enforcement (FDLE) serves as the state's foremost law enforcement organization by providing services in partnership with local, state, and federal criminal justice agencies to prevent, investigate and solve crimes to protect Florida's citizens and visitors; regulating criminal justice professionals; and providing capitol police services for the Governor, Lt. Governor, Cabinet members, Legislature and capitol complex staff and visitors.

Major programs include :

- Investigation and Forensic Sciences
- Criminal Justice Information
- Criminal Justice Professionalism
- Florida Capitol Police

Note: Administration category includes pass-through funding to local law enforcement.



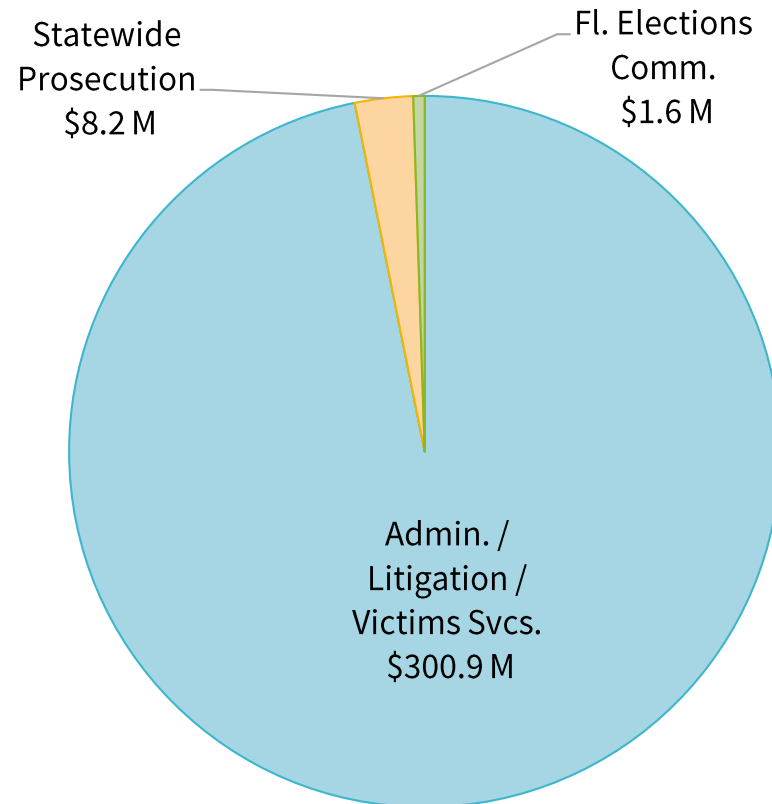
# Department of Legal Affairs (Attorney General)

\$310.7 million / 1,352.5 FTEs

The Department of Legal Affairs serves as the state's law firm and is led by an elected Attorney General. The department provides legal services on behalf of the state; investigates and prosecutes cybercrimes, multi-jurisdictional crime and antitrust violations; enforces consumer protection; investigates Medicaid fraud and other antifraud laws; and investigates and reports alleged violations of elections law.

Major programs include :

- Criminal and Civil Litigation
- Statewide Prosecution
- Victim Services
- Florida Election Commission



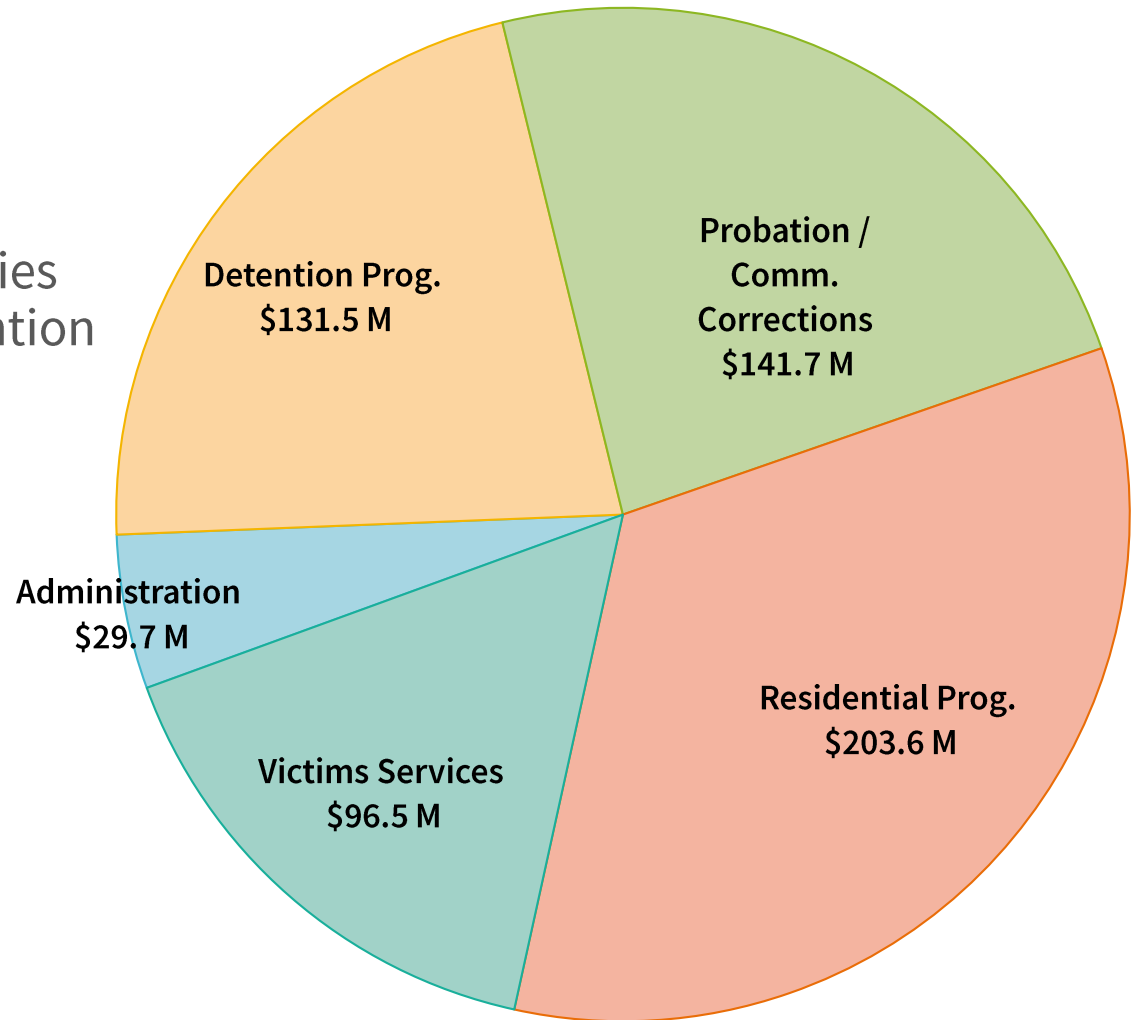
# Department of Juvenile Justice

*\$603.0 million / 3,269.50 FTEs*

The Department of Juvenile Justice protects the public by reducing juvenile crime and delinquency in Florida.

Major programs include:

- Prevention and Victim Services
- Juvenile Detention
- Residential and Correctional Facilities
- Probation and Community Intervention



# Florida Commission on Offender Review

*\$10.6 million / 132.00 FTEs*

The Florida Commission on Offender Review (formerly the Florida Parole Commission) acts as the investigative body that supports the Board of Executive Clemency in considering clemency petitions and protects public safety administering post-incarceration services.

Services include:

- Clemency investigation
- Setting terms and conditions for post-release supervision (e.g., parole, conditional release, conditional medical release)
- Offender revocation for post-release supervision
- Parole determination
- Victims assistance

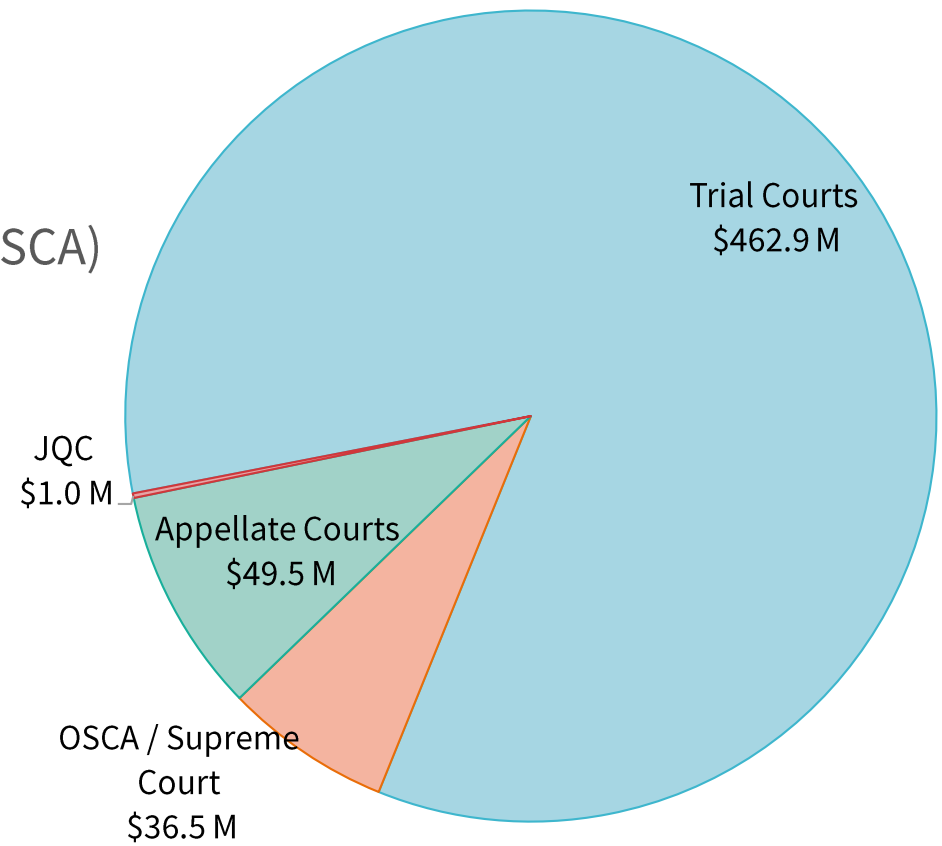
# State Court System

\$549.9 million / 4,304.50 FTEs

Florida courts protect rights and liberties, uphold and interpret the law, and provide a forum for dispute resolution.

The court system consists of the following:

- Supreme Court
- Trial Courts (Circuit and County Courts)
- District Courts of Appeal
- Judicial Qualification Commission (JQC)
- Office of the State Courts Administrator (OSCA)

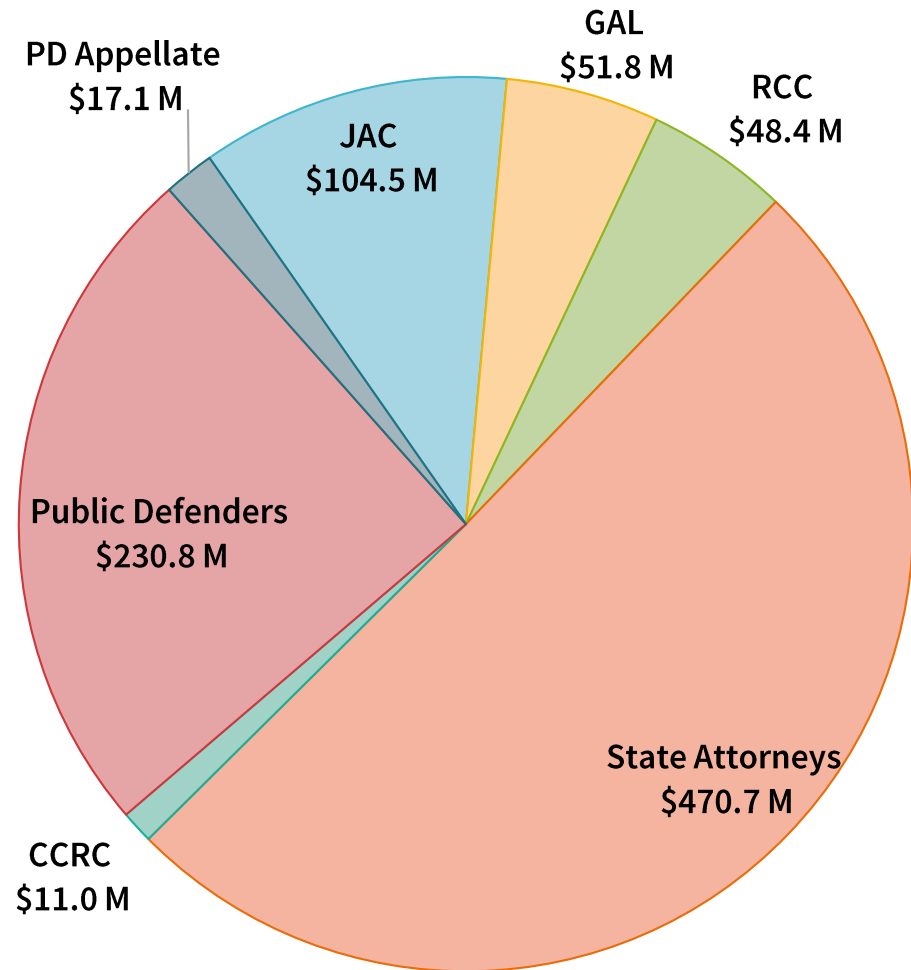


# Justice Administration

\$934.2 million / 10,478.75 FTEs

Justice Administration includes all of the other entities in the judicial system:

- Justice Administrative Commission
- State Attorneys
- Public Defenders
- Public Defender Appellate
- Regional Conflict Counsels (RCC)
- Capital Collateral Regional Counsels (CCRC)
- Guardian ad Litem (GAL)





**No  
Materials  
Available**





# FLORIDA DEPARTMENT OF JUVENILE JUSTICE

PART OF THE COMMUNITY, PART OF THE SOLUTION

## Juvenile Justice in Florida

An Overview...

Past, Present and Future

Appropriations Subcommittee on Criminal and Civil Justice

December 12<sup>th</sup>

1:30pm - 3:00pm

**Rick Scott, Governor**

**Timothy Niermann, Interim Secretary**



# 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.



# DJJ Overview

Florida is the largest, centralized, most comprehensive system.

## Continuum of Services

Prevention

Diversion/Probation/Community Services

Secure Detention

Residential Commitment

Re-entry and Aftercare

In the past decade, **502,123** youth have been served throughout the continuum.



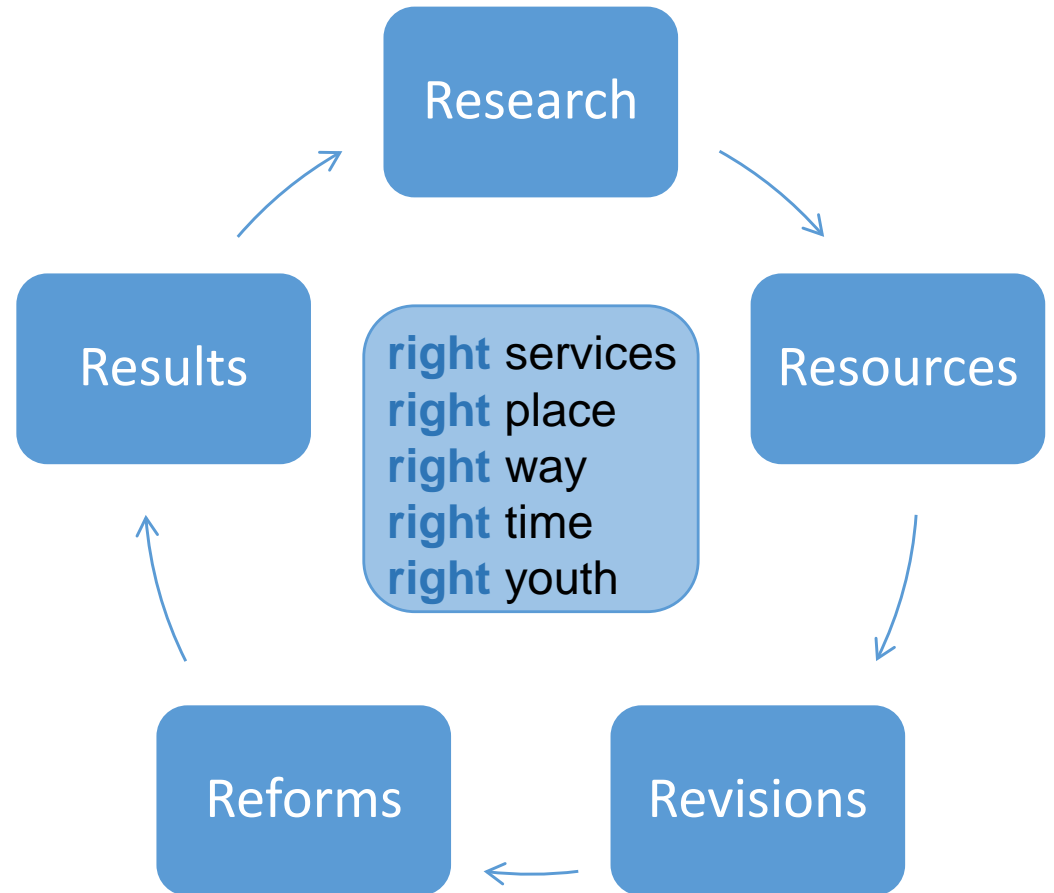
# Roadmap to System Excellence

**Involve only as necessary  
(prevent, divert).**

**Appropriately place.**

**Optimally serve.**

**Realign Resources.**

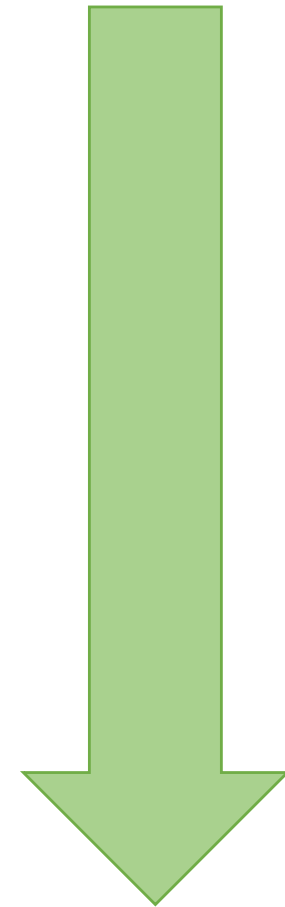




# Results: Delinquency Trends

## Florida FY 2010-11 to FY 2017-18

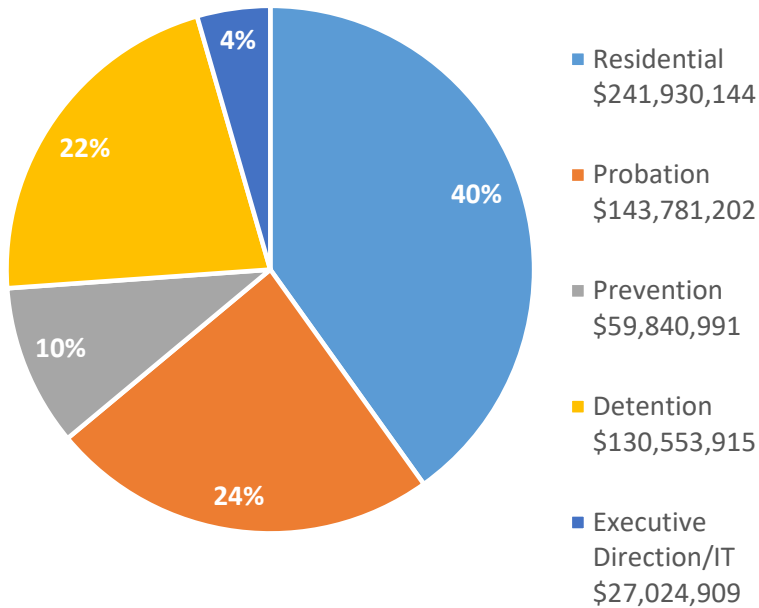
- Total Delinquency: **-46%**  
110,287 to 59,428 total arrests
- Felonies: **-27%**
- Misdemeanors: **-60%**
- “Other” Offenses: **-41%**



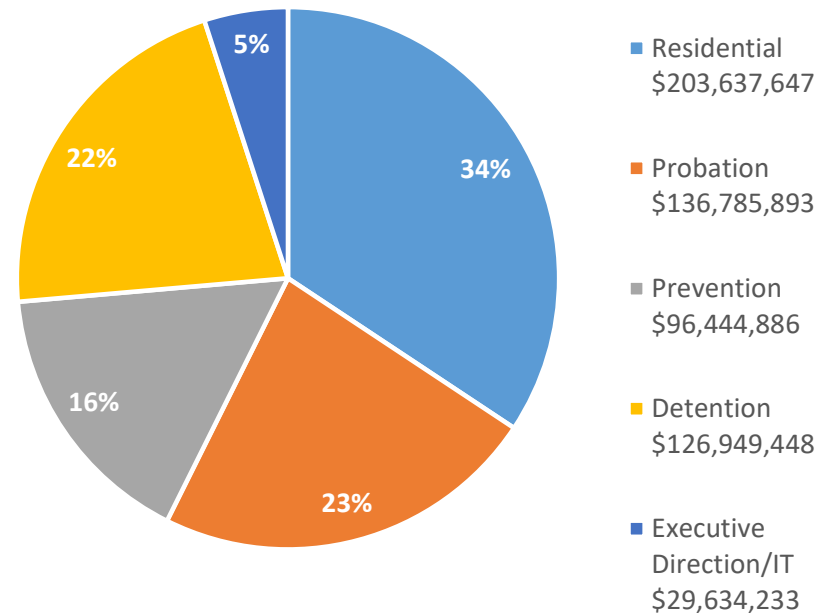


# Resource Realignment

## FY 2010-11 Appropriations as of 7/1/2010: \$603,131,161



## FY 2018-19 Appropriations as of 7/1/2018: \$593,452,107



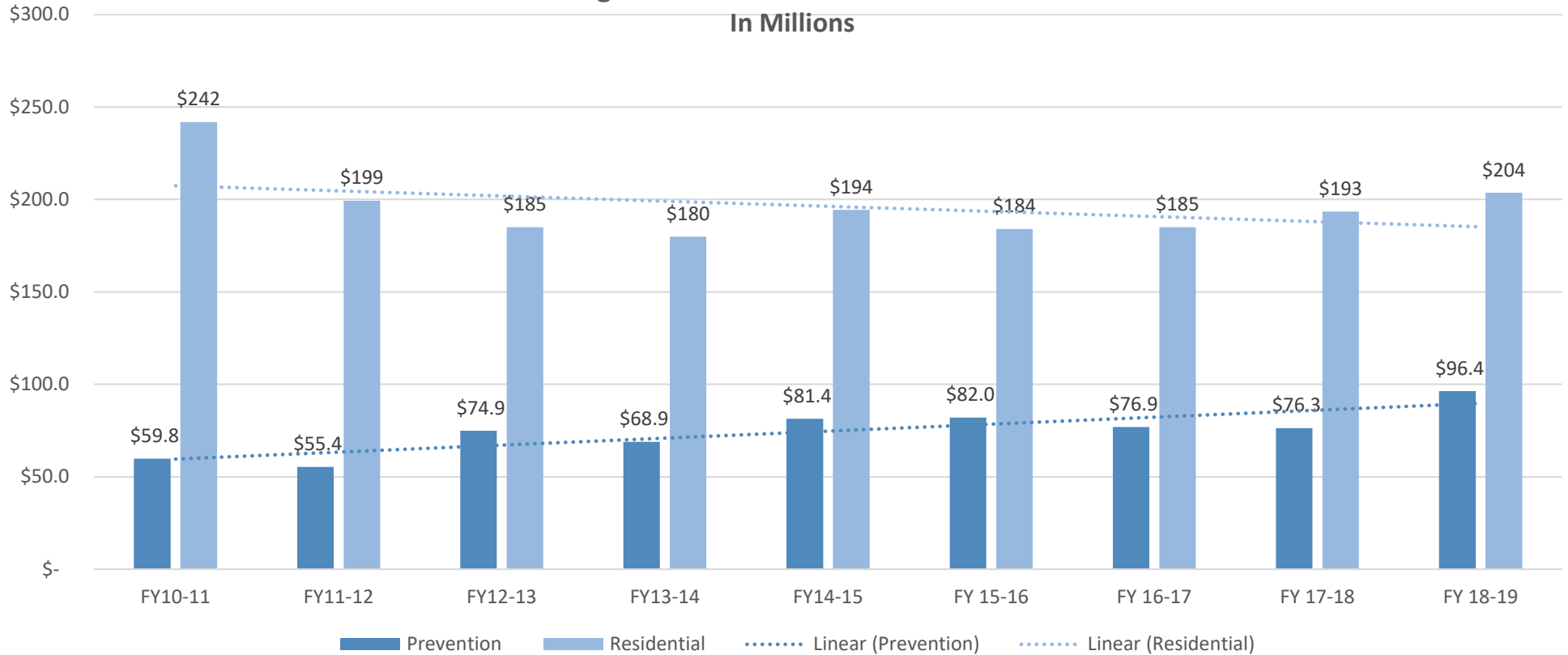




# Office of Prevention and Victim Services

The Office of Prevention and Victim Services served **25,507 youth** in FY 2017-18

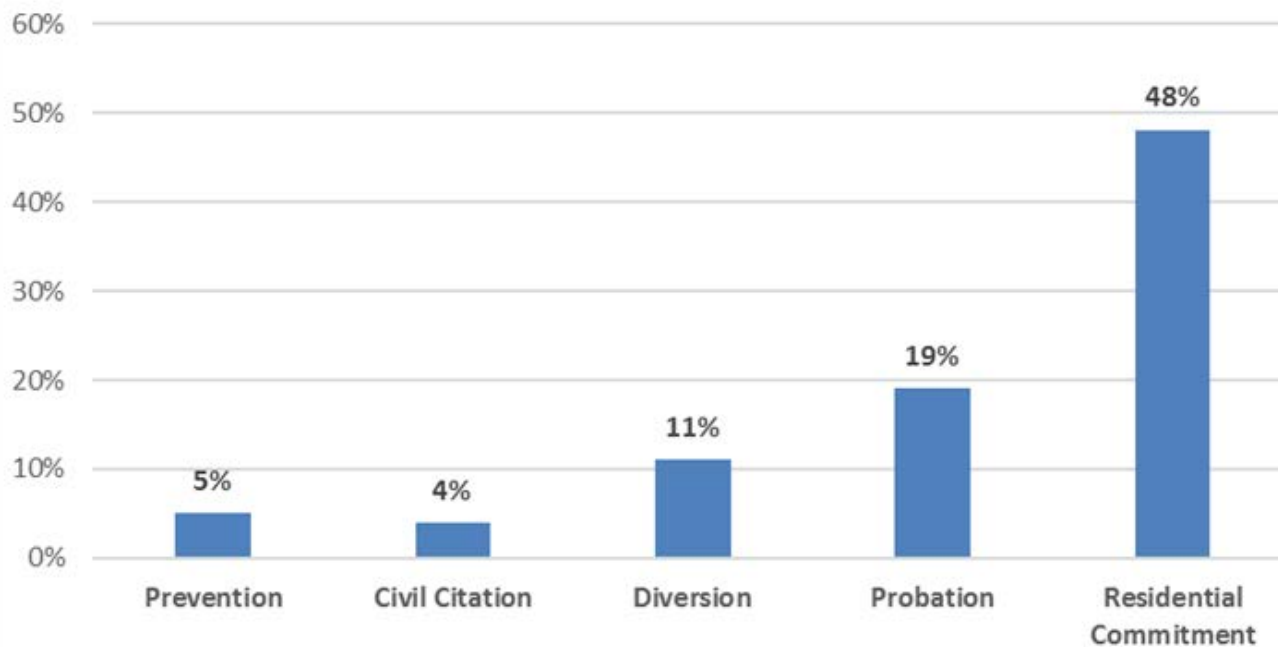
Resource Realignment and Increase in Prevention Services  
In Millions





# Civil Citation Process

Recidivism Rates (FY 2015-16 Program Completers)



## Civil Citation Programs

Active:

60 counties

No Civil Citation:

Taylor, Calhoun, Hardee, Washington, Dixie, Bradford, and Gulf

Civil Citation programs increased from **14** to **60** counties since 2011 and more than **63,000** juvenile arrests have been avoided.



# Detention

- The Department operates 21 Secure Detention Facilities
- Youth are held in Secure Detention if they are arrested and score for detention or after they have been adjudicated (found Guilty) and disposed (sentenced) to residential commitment
- In FY 2017-18, 14,010 youth were served in secure detention



# Office of Probation and Community Intervention

- Every youth referred to the Department is assigned a juvenile probation officer (JPO)
- JPOs provide a recommendation based on comprehensive evaluations and staffings to the judge on the best course for the youth
- JPOs will oversee home visits, urinalysis screens, curfews, and other such sanction that the judge imposes
- Probation also contracts for aftercare when youth are released from residential

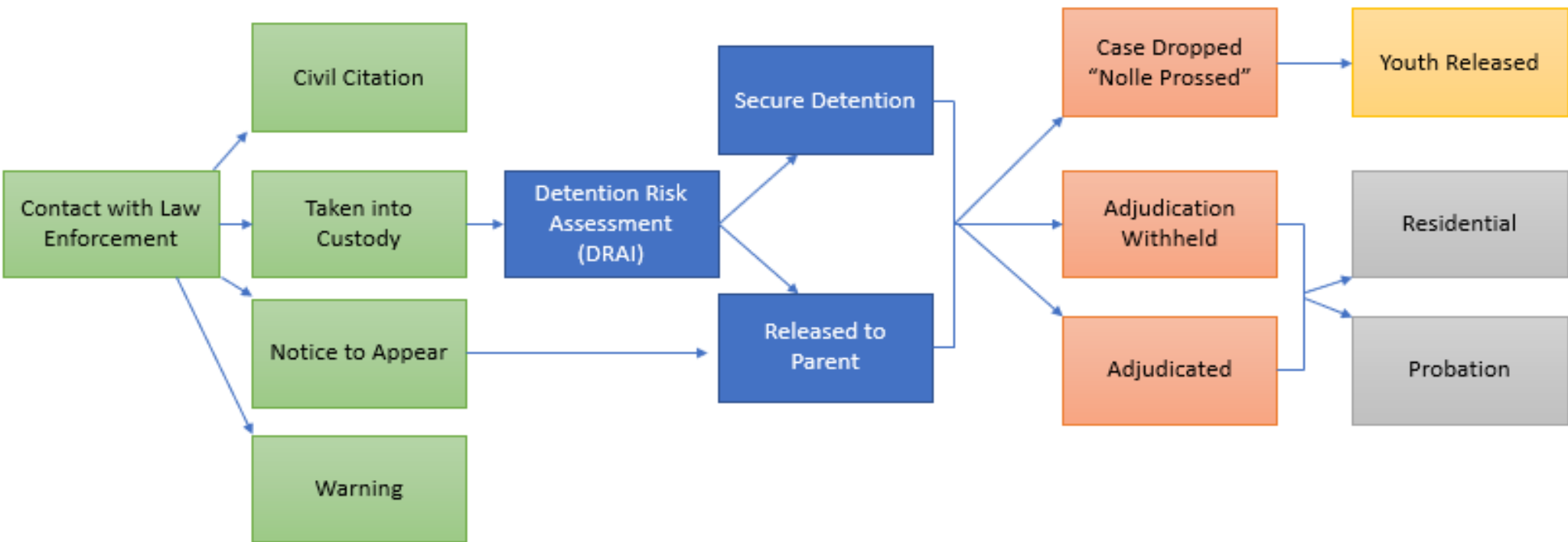


# Office of Residential Service

- There are currently 2,081 beds which are 100% specialized and run by private contracted providers
- Residential youth have been deemed a risk to public safety and are kept in a rehabilitative program where they receive education, counseling and job training, until they complete their treatment plan
- In FY 2017-18, a total of 4,261 youth received treatment services through the Department's Office of Residential Services

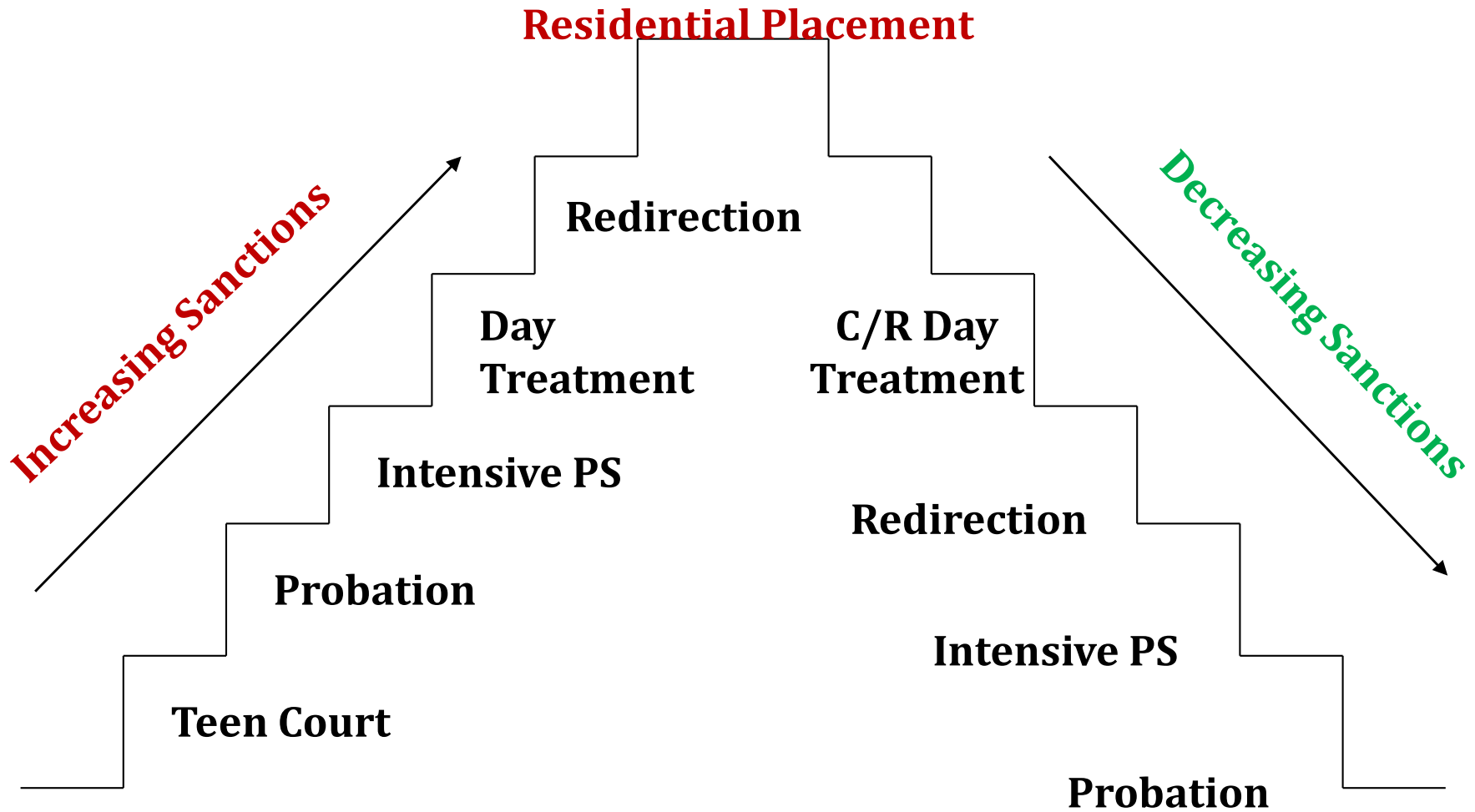


# How a Youth Proceeds Through the Department





# JJSIP: Graduated Sanctions Model



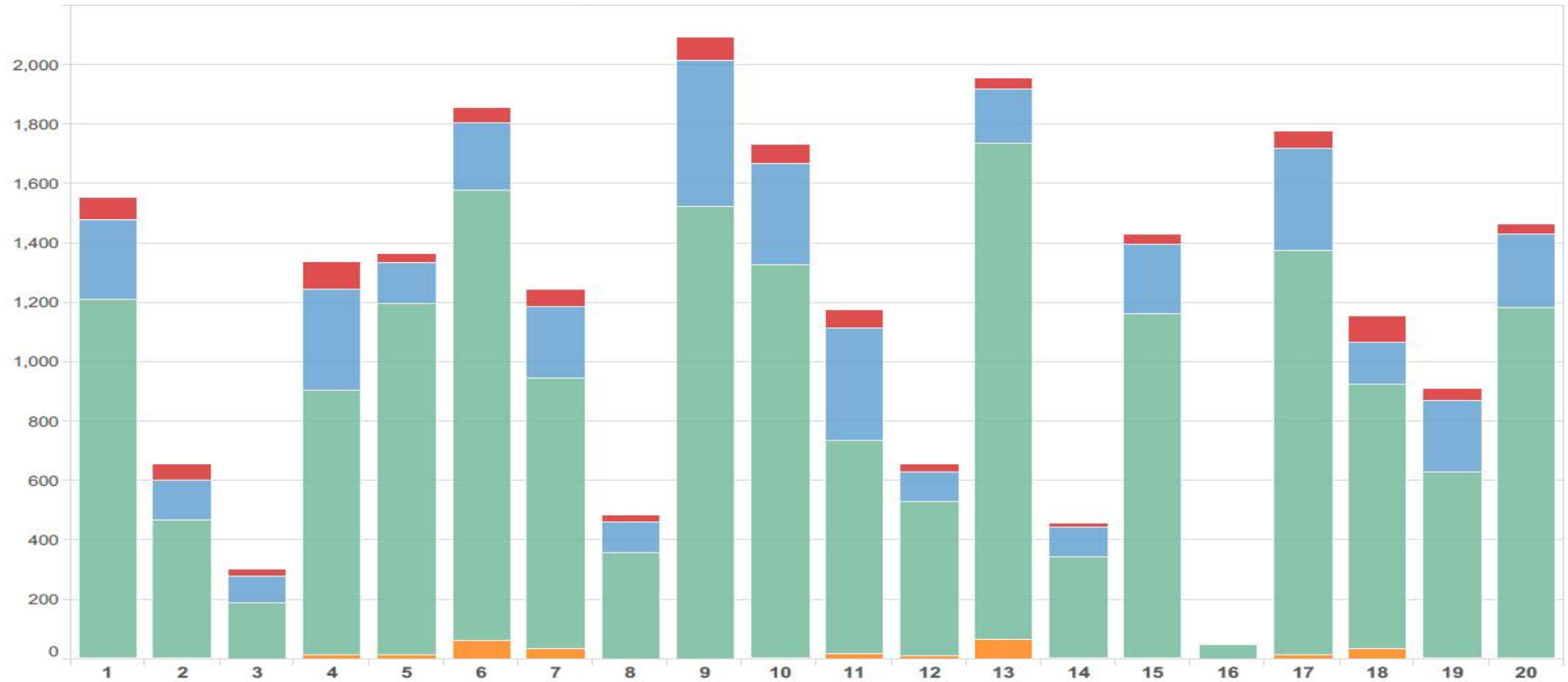


# JJSIP: Dispositional Matrix Report

■ Above Guidelines   
 ■ Appropriate Placement   
 ■ Optimum Placement   
 ■ Below Guidelines

● Youth #  
 ○ Youth %

**Placements by Circuit November 2017 - October 2018**



<b>Optimum Placement</b>	1,203	465	188	890	1,181	1,517	911	356	1,523	1,322	716	517	1,670	342	1,153	47	1,363	891	628	1,177
<b>Appropriate Placement</b>	270	131	88	339	135	228	242	103	487	340	378	102	181	97	234	2	345	139	238	246
<b>Above Guidelines</b>	77	55	24	94	34	49	57	24	84	64	62	26	40	11	37	1	57	90	43	35
<b>Below Guidelines</b>	3	3	1	11	14	59	32	1		5	19	9	65	4	6	1	12	32	3	6





# Budget Highlights FY 2018-19

- \$8M to provide 10% pay increase for Juvenile Probation and Detention Officers
- \$6.1M for 58 residential treatment beds
- \$6.3M of Fixed Capital Outlay for building maintenance
  - Including \$1M earmarked for security video cameras
- \$9.2 M to fund the continuation and expansion of early intervention programs, such as PACE, Boys and Girls Club, Big Brothers Big Sisters, and Outward Bound



# Questions?

**Rachel Moscoso, Legislative Affairs Director**

850-717-2716, Office

850-322-9572, Cell

[Rachel.Moscoso@djj.state.fl.us](mailto: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)

12/12/18

Meeting Date

Bill Number (if applicable)

Topic DJJ Litigation

Amendment Barcode (if applicable)

Name Brian Berkowitz

Job Title General Counsel

Address 2737 Centerview Dr

Phone 850-717-2716

Street

TLH

FL

32308

Email \_\_\_\_\_

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.

S-001 (10/14/14)

**No  
Materials  
Available**

# CourtSmart Tag Report

Room: LL 37

Case No.:

Type:

Caption: Appropriations Subcommittee on Criminal and Civil Justice

Judge:

Started: 12/12/2018 1:30:41 PM

Ends: 12/12/2018 2:40:42 PM

Length: 01:10:02

1:30:54 PM Meeting called to order - roll call  
1:31:14 PM Tab 1 - Subcommittee Overview (Marti Harkness, Chief Leg. Analyst)  
1:35:11 PM Senator Brandes - trends question on slide  
1:37:40 PM Senator Rouson question regarding justice reinvestment other states have done we have not done  
1:39:20 PM Senator Perry question on per inmate cost  
1:40:30 PM Senator Perry question - are there any cost of living adjustments on chart  
1:41:48 PM Senator Perry question regarding 8 year cycle, are there studies that show much longer as we look at sentencing guidelines, any data out there?  
1:42:44 PM Senator Bracy question regarding table on pg. 15, reducing incarceration rates  
1:44:03 PM Senator Bracy, does research bear out across country  
1:44:48 PM Senator Harrell question regarding overall budget. Do you have chart that breaks out between criminal justice and civil justice as well as programs being cut?  
1:47:24 PM Senator Brandes makes comments regarding Senator Harrell's question  
1:47:45 PM Senator Perry, is there data we can look at as to benefit cost and reduction  
1:48:35 PM Senator Taddeo question regarding recidivism rate  
1:49:19 PM Senator Bracy question - have we achieved parity between staff of state atty office and public defender office  
1:51:30 PM Tab 3 - Presentation on current litigation and other operation issues by the DJJ  
1:52:00 PM Fred Schuknecht, Director of Special Projects presenting  
1:54:08 PM Delinquency trends  
1:54:59 PM Budget Comparison (Resource Realignment)  
1:56:05 PM Civil Citation Process  
1:56:32 PM Detention  
1:57:09 PM Probation and Community Intervention  
1:58:06 PM Bed Capacity  
1:59:18 PM How youth go through the system  
2:00:29 PM JJSIP - JJ Improvement project  
2:01:53 PM Budget Highlights  
2:03:11 PM Senator Brandes question about video cameras  
2:03:45 PM Senator Harrell question on residential programs - mental health and substance abuse follow program?  
2:04:50 PM Senator Harrell who pays for services  
2:05:15 PM Senator Harrell question regarding youth coming out of DCF  
2:06:23 PM Senator Rouson question regarding subset of youth committing crimes  
2:07:16 PM Senator Rouson - Pinellas County deaths stealing cars and pilot program funded  
2:08:39 PM Senator Bracy question about group of juveniles committed but time didn't start?  
2:10:01 PM Senator Bracy will time they do waiting on bed contribute to their time served  
2:10:44 PM Senator Taddeo questions on departments failure to respond to litigation  
2:11:36 PM Brian Berkowitz, General Counsel, DJJ to respond to Sen. Taddeo's questions regarding litigation  
2:14:20 PM Senator Bracy, why there was not a timely response to the lawsuit  
2:15:07 PM Fred Schuknecht speaking on one more incident of litigation  
2:16:54 PM Tab 2 - Presentaion on current litigation and other operational issues by DOC  
2:17:38 PM Kenneth Steely, General Counsel presenting  
2:18:17 PM Litigation issues  
2:22:39 PM Senator Brandes question over Dept. of Justice Investigation  
2:23:16 PM Senator Brandes question regarding costs of litigation  
2:24:46 PM Senator Brandes comment to committee regarding treatment cost per individual  
2:26:58 PM Senator Brandes comments  
2:32:04 PM Senator Bracy comments regarding state atty and pub defenders parody  
2:33:56 PM Senator Brandes responds to Senator Bracy  
2:34:23 PM Senator Rouson question regarding speaking with Gov. Office regarding any plan  
2:35:12 PM Senator Rouson, Amend. 4  
2:37:08 PM Senator Brandes responds to Sen. Rouson

**2:37:36 PM** Senator Harrell would like DOC to get a detailed list of Medical Costs  
**2:38:24 PM** Senator Perry comments regarding juvenile justice system  
**2:39:58 PM** Senator Perry response to Sen. Rouson regarding Amend. 4  
**2:40:33 PM** Move to Adjourn, Sen. Gruters