

**COMMITTEE MEETING EXPANDED AGENDA**

**BUDGET SUBCOMMITTEE ON CRIMINAL AND CIVIL  
JUSTICE APPROPRIATIONS**

**Senator Fasano, Chair  
Senator Joyner, Vice Chair**

**MEETING DATE:** Wednesday, February 23, 2011  
**TIME:** 1:00 —6:00 p.m.  
**PLACE:** *Mallory Horne Committee Room, 37 Senate Office Building*

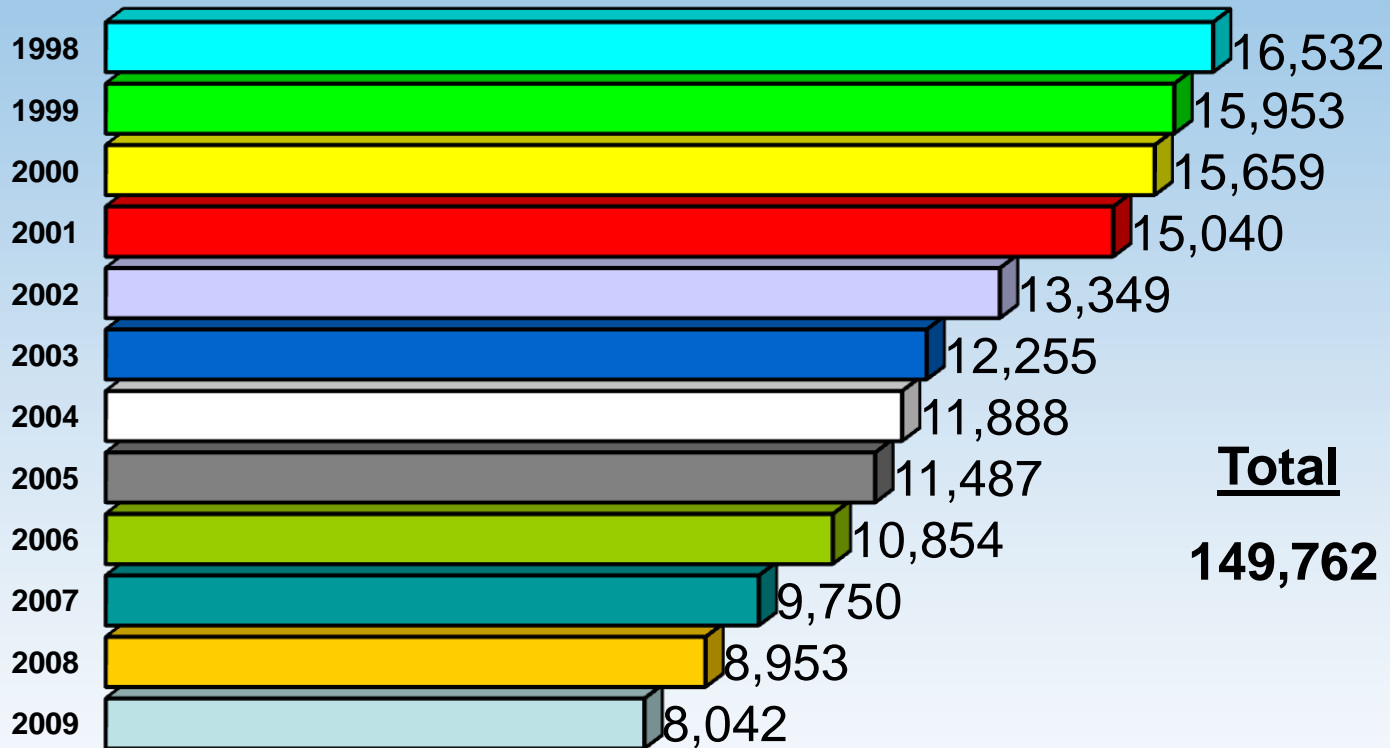
**MEMBERS:** Senator Fasano, Chair; Senator Joyner, Vice Chair; Senators Bennett, Evers, Smith, Storms, and Thrasher

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Budget Work Session	Including the following items:  1) Department of Corrections: Update by Edwin Buss, Secretary  2) Department of Juvenile Justice: Update by Wansley Walters, Secretary  3) Parole Commission: Update by Tena Pate, Chair  4) Update on State Court System budget issues Presented by: - The Honorable John Laurent, Chair, Trial Court Budget Commission - Lisa Goodner, State Court Administrator  5) Update on February 21 Criminal Justice Estimating Conference (CJEC) numbers Presented by Kathleen O. McCharen, Office of Economic and Demographic Research	Presented

## Overview of Accomplishments (1998-2009)

- Reduced juvenile arrests by 51%  
(from 16,532 in 1998 to 8,042 in 2009)
- Reduced the number of first time offenders that repeat each year by 80%
  - 1998- 67% of arrested juveniles were repeat offenders
  - 2008- 27% of arrested juveniles were repeat offenders
- Reduced juvenile detention population from 300 a day to less than 100 per day
- Generate a \$33 million dollar gross systemic savings each year, and a \$20.2 million dollar net savings each year

**Total Arrests  
1998 - 2009**



**Data Source: Miami-Dade Juvenile Services Department/Data Warehouse**

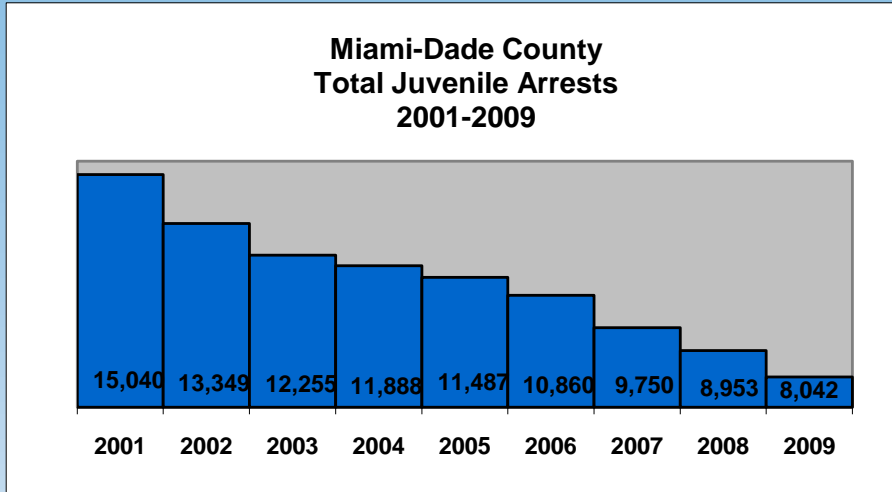
**All reported statistics are subject to a 2% margin of error.**



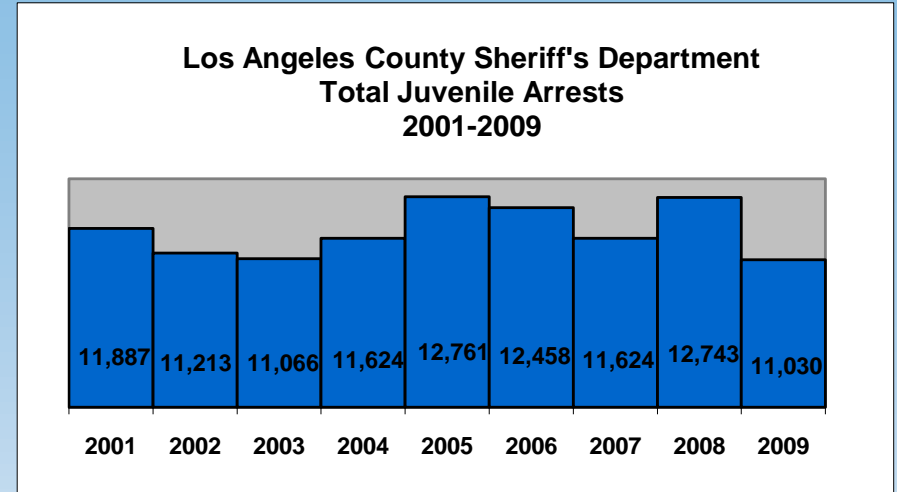
*Delivering Excellence Every Day*

# National Juvenile Arrests

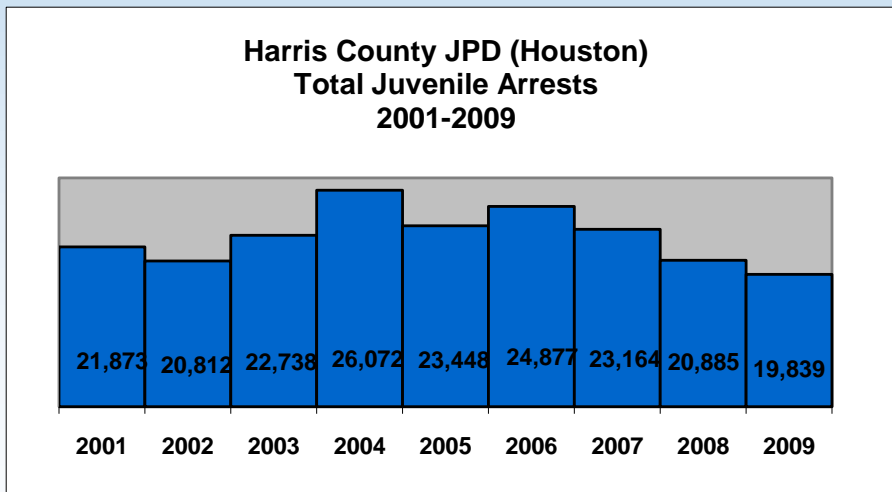
## Miami-Dade Juvenile Services Department



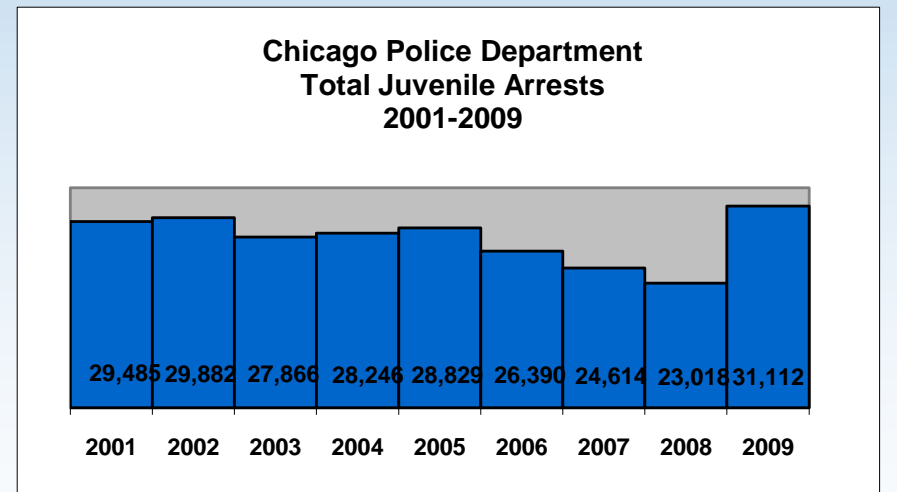
2001-2009 -47%



2001-2009 -7%



2001-2008 -9%

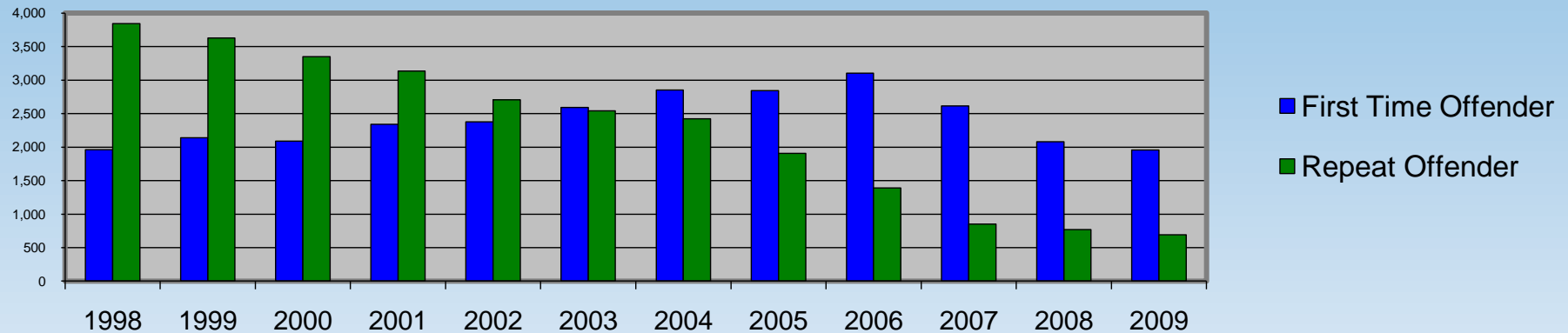


2001-2009 +6%



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## First-Time Offenders that Repeat 1998-2009



**First Time Offenders that Repeat each year ↓80% (1998-2009)**

- 1998- 67% of first-time juveniles later repeated
- 2009- 26% of first-time juveniles later repeated

# Civil Citation Initiative

Miami-Dade Juvenile Services Department

## Represents true systemic change

- No arrest record
- Addresses Issues
  - Assessment, service referrals, case management
- Participation from all 37 arresting agencies



## RESULTS

- Over 8,000 participants since April 2007
- Reduced Arrests 21%
- 95% of participants are minorities
- 82% Successful Completion Rate
- 3% Recidivism (April 2007 – July 2008)
- 29% Offsite Referrals (15% increase since inception)



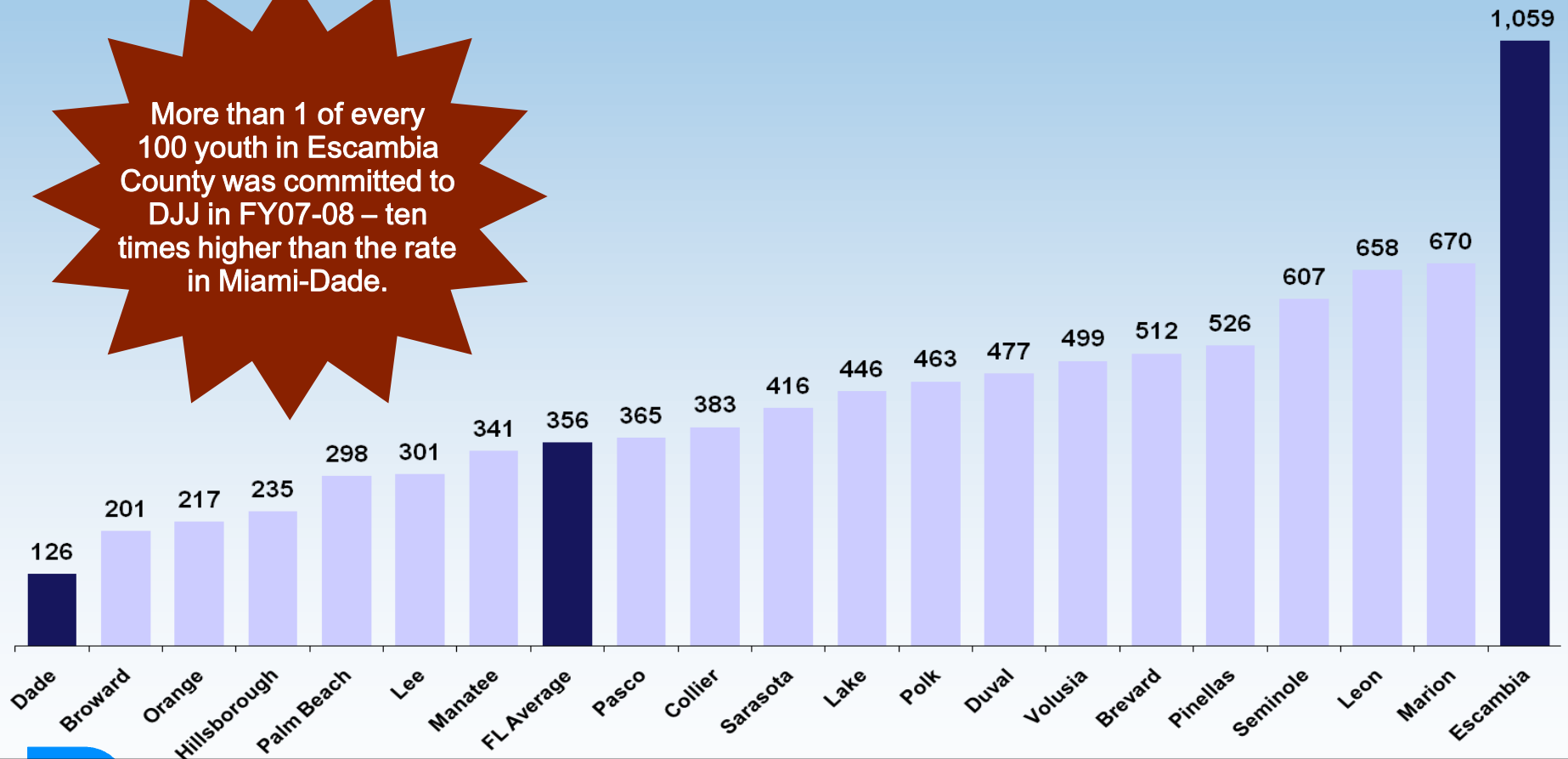
*Delivering Excellence Every Day*

## Miami-Dade Juvenile Services Department

Commitment rates vary significantly between counties – suggesting that where a child lives matters more than what he or she has done.

COMMITMENT RATES PER 100,000 YOUTH AGED 10-17 IN POPULATION, TWENTY MOST POPULOUS COUNTIES

More than 1 of every 100 youth in Escambia County was committed to DJJ in FY07-08 – ten times higher than the rate in Miami-Dade.





# The Florida Parole Commission

Presentation

for

**THE FLORIDA SENATE**

Subcommittee on

**Criminal and Civil Justice Appropriations**

Senator Mike Fasano, Chair

Senator Arthenia Joyner, Vice Chair

Wednesday, February 23, 2011

1:00 p.m. – 3:00 p.m.

Room 37 Senate

Tena M. Pate, Chair





# The Florida Parole Commission



**4070 Esplanade Way, 1<sup>st</sup> Floor**

**Moved to State-owned Facilities 8/17/10 at Direction of Florida Senate;  
Moved Using Existing Funds Saving \$800,000 over a 10 Year Period**



# The Florida Parole Commission

- **A Governor and Cabinet Agency Created in 1941\***
- **3 Full-time Commissioners appointed by the Cabinet**
- **Commissioners may Serve no More Than 2 Consecutive 6 Year Terms**
- **Meets approximately 36 times annually**
- **Has 128 FTEs and a Budget of \$8.2 million for FY 10-11**
- **Almost 100% funded by General Revenue (Small Trust Funded VOCA Grant)**

**\* - Art. IV, s. 8(3), Fla. Const.; Chapter 947, F.S.**



# The Florida Parole Commission

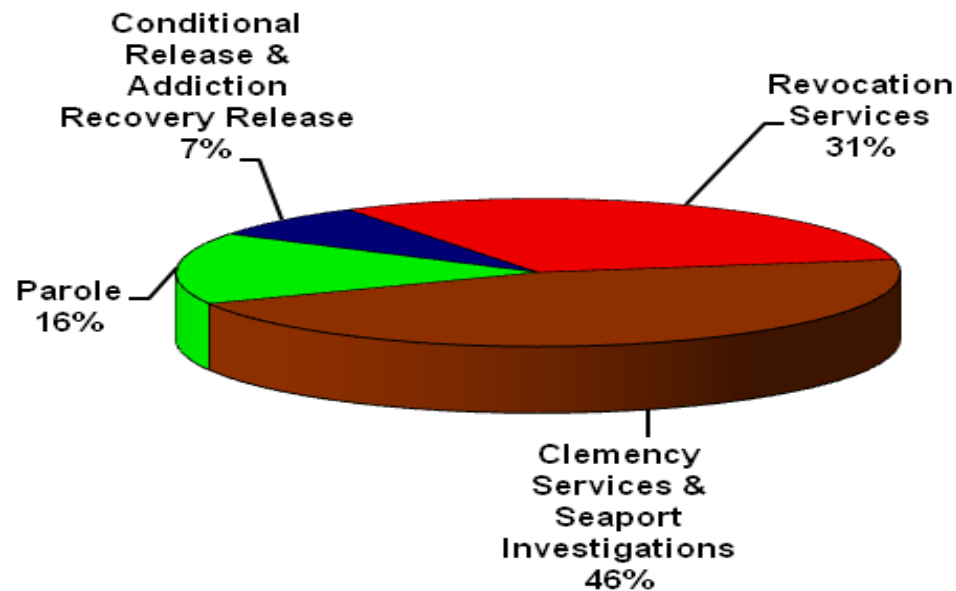
## Ensures Public Safety by:

- **Selecting Through Careful Consideration Persons to be Transitioned Back Into Society**
- **Setting Terms and Conditions of Supervision**
- **Holding Offenders Accountable**
- **Providing Accurate Information to the Clemency Board**
- **Locating Victims/Victims' Families to Afford Them an Opportunity to Provide Input into the Process**
- **Investigating Applicants for Seaport Employment**



## AGENCY OVERVIEW/CORE MISSION

- **FOUR ACTIVITIES:** (1) **CONDITIONAL RELEASE/ADDICTION RECOVERY RELEASE;** (2) **REVOCAION SERVICES;** (3) **CLEMENCY SERVICES/SEAPORT INVESTIGATIONS;** AND (4) **PAROLE/CONDITIONAL MEDICAL RELEASE.**





# The Florida Parole Commission

## 1<sup>st</sup> Activity: Conditional Release (CRS) & Addiction Recovery Release (ARS)

- Conditional Release Supervision (CRS) is a Mandatory *Non-Discretionary* Release Program
- Conditional Releasees are Violent, Habitual Offenders, Sexual Predators
- Conditional Releasees are Subject to Strict Conditions of Supervision Set by the Commission
- Activity Also Includes Addiction Recovery Supervision (ARS)/Offenders Having No Prior Prison Incarceration but Evidencing a Substance Abuse Issue
- If a Violation Occurs, Warrants are Issued, Quasi-Judicial Hearings are Held, and a Final Commission Action is Taken

Number of Cases Handled in FY 09-10: 7,958



# The Florida Parole Commission

## 2<sup>nd</sup> Activity: OFFENDER REVOCATIONS

- Staff Investigates Violations
- Commissioners Issue Warrants for Arrests
  - Over 2,000 Issued in FY 09-10
- Examiners Hold Quasi-Judicial Hearings
- Ensure Offender is Afforded Due Process
- Commissioners Make Final Determinations
  - Number of Cases Heard/Reviewed in FY 09-10: 1,776





# The Florida Parole Commission

## 3rd Activity: Clemency Services' Umbrella



*Commutation  
of Sentence*

*Full Pardon*

*Pardon w/o Firearm  
Authority*

*Restoration of Civil Rights*

*Firearm Authority*

*Restoration of Alien Status*

*Remission of Fines*



# The Florida Parole Commission

## 3<sup>rd</sup> Activity: Clemency Services

- Acts as the Administrative and Investigative Arm of the Clemency Board
- When Convicted of a Felony, Offenders Lose: the Right to Vote/Sit on a Jury/Hold Public Office/and Possess a Firearm
- Also, Falling Under the Clemency Functions:
  - Seaport Security Waiver Investigations for FDLE/1% of FPC Program Workload/completed 24 in FY 09-10
  - Capital Cases/Conduct Death Row Interviews/Conducted 3 in FY 09-10
- Addressing the Backlog Utilizing Qualified Interns & Volunteers





# The Florida Parole Commission

## 3<sup>rd</sup> Activity: Clemency Services: FY 09-10

- **Number of Cases Received:** 59,039
- **Number of Cases Completed:** 36,946
- **Number of Cases Pending on June 30, 2010:** 78,887
- **Number of Cases Pending as of February 1, 2011:** 100,654



# The Florida Parole Commission

## 4<sup>th</sup> Activity: Parole and Conditional Medical Release (CMR)

- A Discretionary Prison Release - parole is NOT a Right
- Commission sets Term and Conditions of Supervision
- Parolee may be Returned to Prison if Violation Occurs
- Abolished for Most Offenders Sentenced After October 1, 1983
- 5,526 inmates are still eligible for parole consideration/448 offenders currently are under parole supervision
- Conditional Medical Release (CMR) is for “terminally ill” or “permanently incapacitated” inmates



# The Florida Parole Commission

## OTHER COMMISSION DUTIES: VICTIMS' SERVICES

- Provides Direct, Personal Assistance to Crime Victims and Their Families
- Victims Provide Input in Parole, Conditional Medical Release, Revocations, and Clemency Case Considerations
- 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

## CONTROL RELEASE AUTHORITY

- Created in 1989 as a Prison Population Management Tool
- Currently Inactive/a Small Number of Inmates are Still Under Control Release Supervision
- Administered by the Commission to Keep the Prison Population between 99 and 100% of its Total Capacity



# The Florida Parole Commission

## Questions?

### Contact:

Tena M. Pate, Chair  
Florida Parole Commission  
4070 Esplanade Way  
Tallahassee, Florida 32399-2450  
850-487-1980

or

Jane C. Tillman  
Legislative Affairs Director  
[janetillman@fpc.state.fl.us](mailto:janetillman@fpc.state.fl.us)  
850-921-2816



# Results of the February 2011 Criminal Justice Estimating Conference

Prepared by the Florida Legislature, Office of Economic and Demographic Research for  
the Senate Budget Subcommittee on Criminal and Civil Justice Appropriations ,

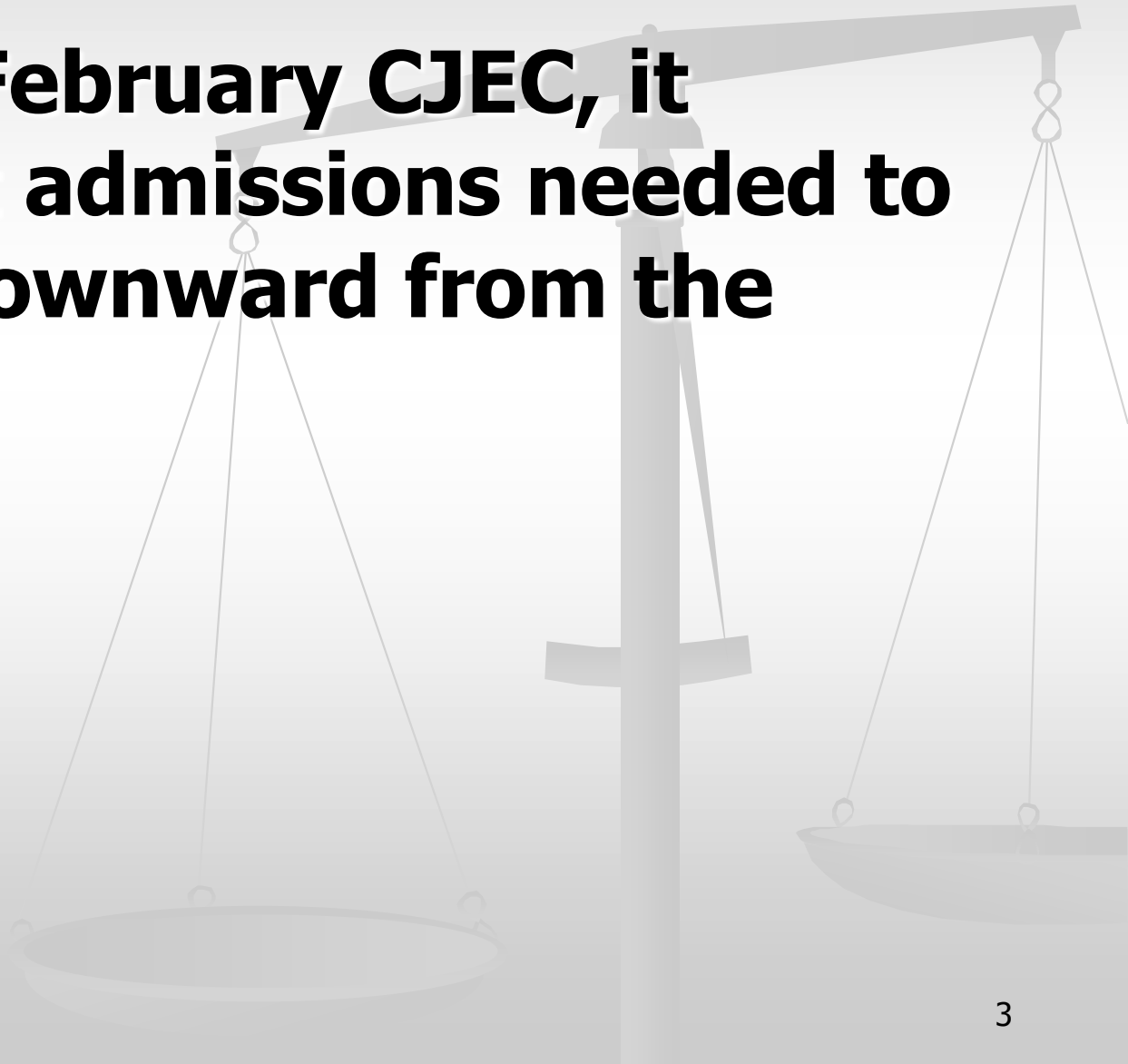
February 23, 2011

**CJEC met on October 19, 2010 and again on February 21, 2011.**

**In October, CJEC had projected that FY 10-11 admissions would decline by 3.7% from FY 09-10.**

**In first seven months of this fiscal year, admissions were 6.1% lower than in the same period in FY 09-10.**

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



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

- **937 for FY 10-11**
- **2,395 for FY 11-12**
- **2,751 for FY 12-13**

FY 10-11 admissions now projected to be  
**35,457 -- 6.2% below FY 09-10**



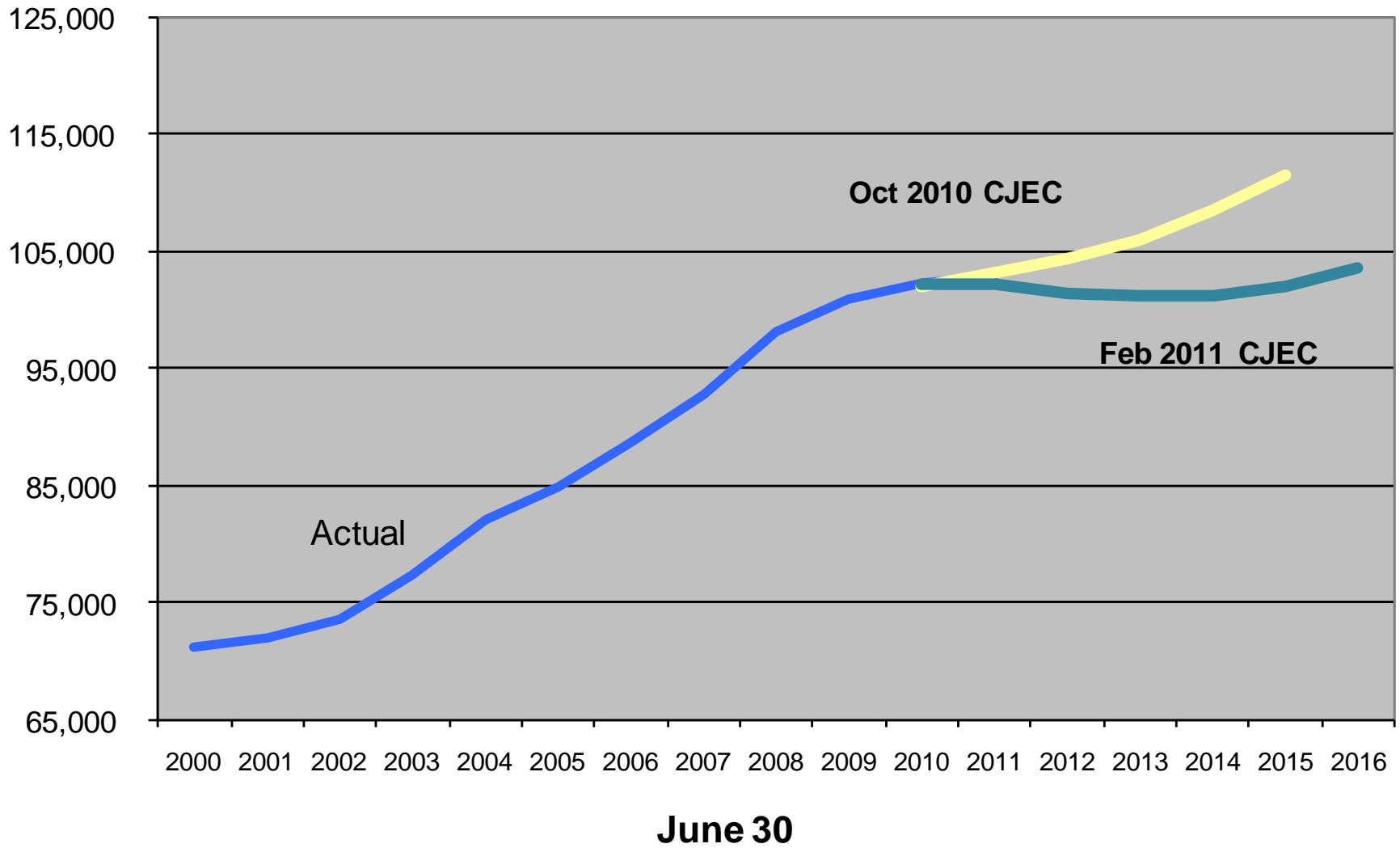
# February's CJEC projected prison population compared to October's CJEC:

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

- **718 for FY 10-11**
- **2,156 for FY 11-12**
- **3,230 for FY 12-13**

June 30, 2011 prison population projection  
**102,236**

# Prison Population on June 30: Actual and Projected-- October 2010 and February 2011 CJECs



# Why were projections lowered in February?

**Review of criminal justice indicators suggest that trends first observed in 2008 are continuing.**

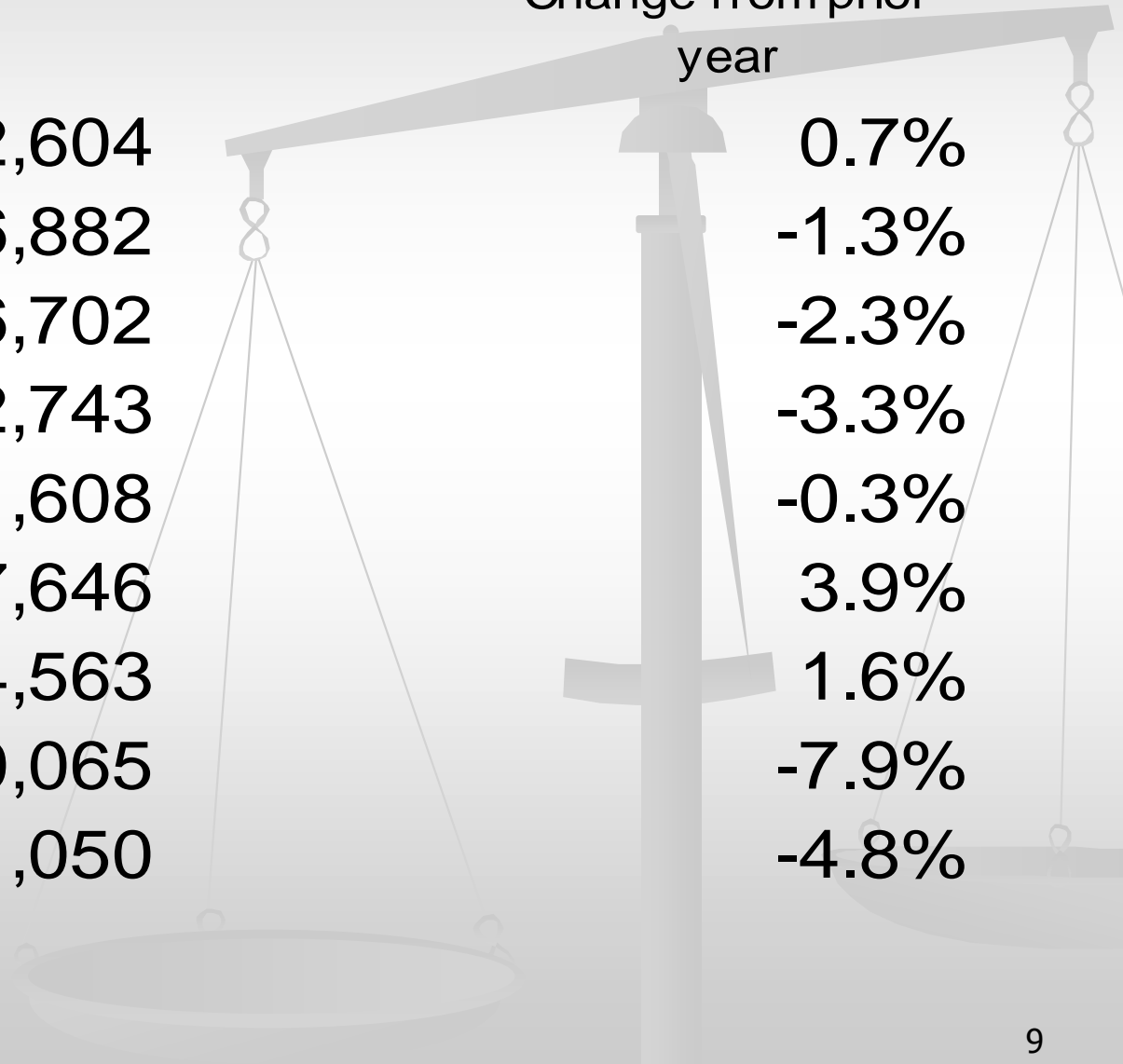
**These trends will result in smaller numbers of new commitments coming to prison than previously anticipated.**

# Indicators

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



# 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%

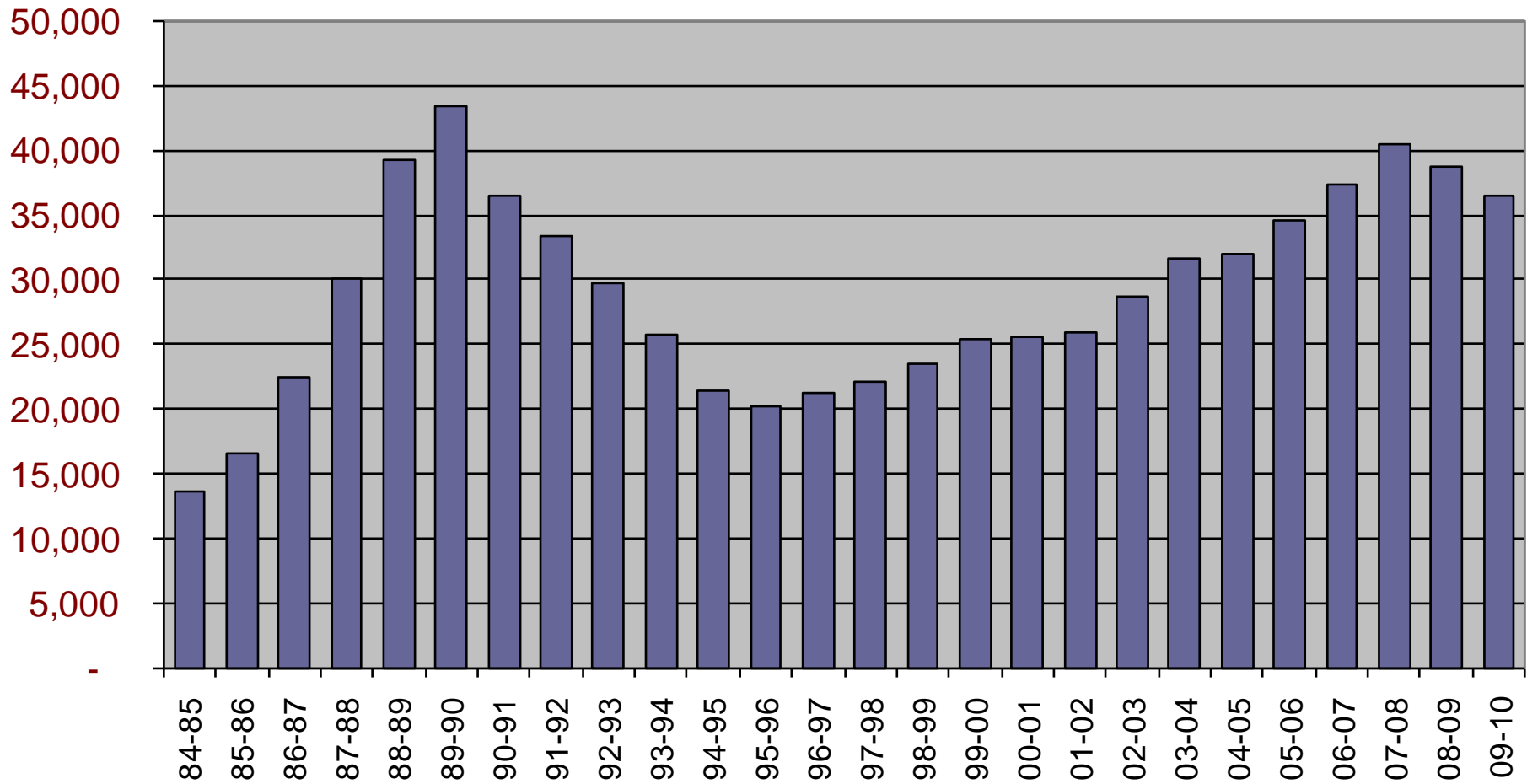
# RECENT TRENDS IN FELONY FILINGS AND GUILTY DISPOSITIONS

Felony Filings	
Number	Percent Change

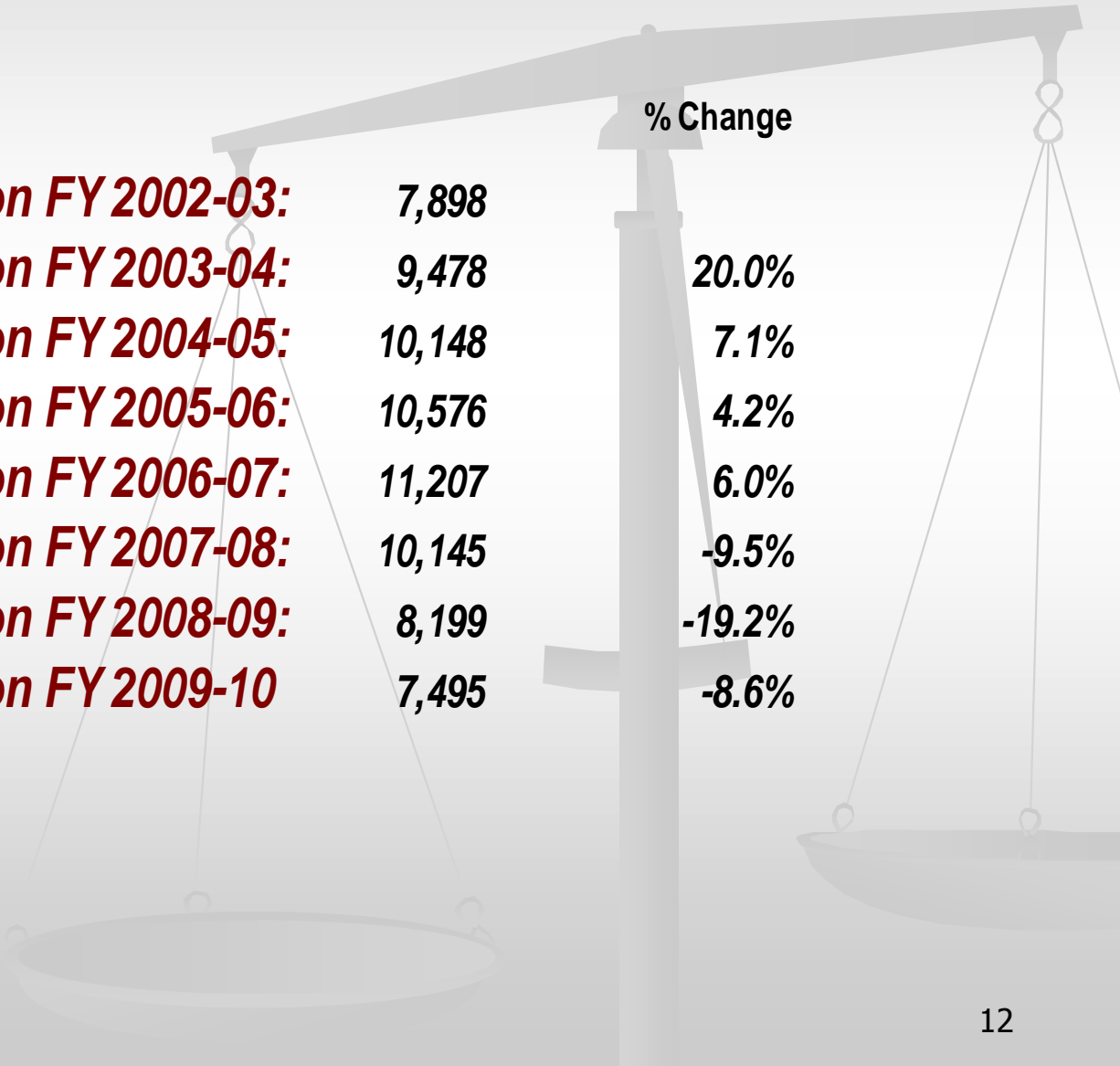
Guilty Dispositions	
Number	Percent Change

2005	208,540	7.0%	159,007	4.9%
2006	220,757	5.9%	171,072	7.6%
2007	230,832	4.6%	184,091	7.6%
2008	224,567	-2.7%	186,081	1.1%
2009	204,695	-8.8%	159,932	-14.1%
2010	197,527	-3.5%	145,749	-8.9%

# New Commitments



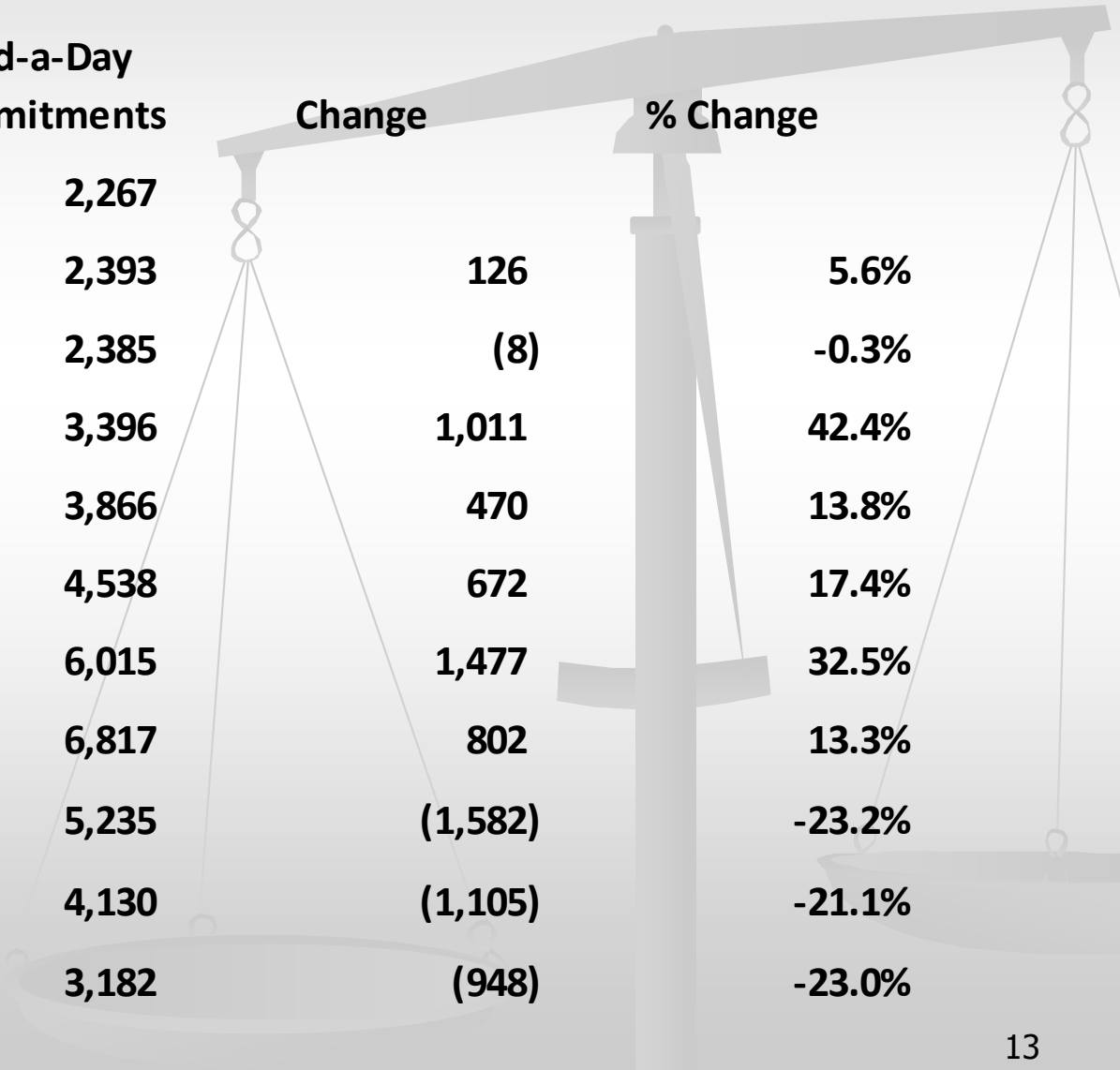
# Technical Violators Sentenced to Prison



		% Change
<i>Technical violators to prison FY 2002-03:</i>	<b>7,898</b>	
<i>Technical violators to prison FY 2003-04:</i>	<b>9,478</b>	<b>20.0%</b>
<i>Technical violators to prison FY 2004-05:</i>	<b>10,148</b>	<b>7.1%</b>
<i>Technical violators to prison FY 2005-06:</i>	<b>10,576</b>	<b>4.2%</b>
<i>Technical violators to prison FY 2006-07:</i>	<b>11,207</b>	<b>6.0%</b>
<i>Technical violators to prison FY 2007-08:</i>	<b>10,145</b>	<b>-9.5%</b>
<i>Technical violators to prison FY 2008-09:</i>	<b>8,199</b>	<b>-19.2%</b>
<i>Technical violators to prison FY 2009-10</i>	<b>7,495</b>	<b>-8.6%</b>



## Year-and-a-Day New Commitments by Calendar Year



	<b>Total New Commitments</b>	<b>Year-and-a-Day New Commitments</b>	<b>Change</b>	<b>% Change</b>
<b>2000</b>	<b>25,541</b>	<b>2,267</b>		
<b>2001</b>	<b>25,571</b>	<b>2,393</b>	<b>126</b>	<b>5.6%</b>
<b>2002</b>	<b>27,176</b>	<b>2,385</b>	<b>(8)</b>	<b>-0.3%</b>
<b>2003</b>	<b>30,340</b>	<b>3,396</b>	<b>1,011</b>	<b>42.4%</b>
<b>2004</b>	<b>31,445</b>	<b>3,866</b>	<b>470</b>	<b>13.8%</b>
<b>2005</b>	<b>33,249</b>	<b>4,538</b>	<b>672</b>	<b>17.4%</b>
<b>2006</b>	<b>35,724</b>	<b>6,015</b>	<b>1,477</b>	<b>32.5%</b>
<b>2007</b>	<b>39,376</b>	<b>6,817</b>	<b>802</b>	<b>13.3%</b>
<b>2008</b>	<b>40,274</b>	<b>5,235</b>	<b>(1,582)</b>	<b>-23.2%</b>
<b>2009</b>	<b>37,480</b>	<b>4,130</b>	<b>(1,105)</b>	<b>-21.1%</b>
<b>2010</b>	<b>35,181</b>	<b>3,182</b>	<b>(948)</b>	<b>-23.0%</b>

# For Additional Information

Florida Legislature, Office of Economic and Demographic  
Research

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

**STATE COURTS SYSTEM  
LEGISLATIVE BUDGET REQUEST PRIORITIES  
FISCAL YEAR 2011-12**

**Supreme Court**

- **Building, Facilities Maintenance and Operational Upkeep: \$99,654 (Issue Code: 7000210)**
  - Increases for maintenance of HVAC, access control/CCTV operating systems, fire safety system and elevators - \$73,000
  - Emergency Generator Fuel Increases - \$5,000
  - Other Personal Services for custodial and preventative maintenance services - \$21,654

**Total Supreme Court: \$99,654 General Revenue**

**Office of the State Courts Administrator (OSCA)**

- **Innocence Commission (continuation): \$247,056 (N/R Mediation and Arbitration Trust Fund) (Issue Code: 3000600)**
  - Non-recurring funding was authorized by the Legislature for Fiscal Year 2010-2011. In order for the Commission to complete its work in accordance with Supreme Court Administrative Order No. AOSC10-39, *In re: Florida Innocence Commission*, second year funding is needed.
- **Judicial Inquiry System: \$179,679 (N/R General Revenue) (Issue Code: 36220C0)**
  - Implementation of virtualized servers necessitates replacement of 3 application servers and 2 database servers including software licenses and migration services (eliminates need to purchase 16 replacement servers currently supporting JIS)

**Total OSCA: \$426,735 (N/R)**  
General Revenue: \$179,679 (N/R)  
Mediation and Arbitration Trust Fund: \$247,056 (N/R)

**District Courts of Appeal (DCA)**

- **2<sup>nd</sup> DCA Appellate Court Security: \$43,750 (Issue Code: 3000150)**
  - Contracted security services for Tampa Branch for increased coverage
- **4<sup>th</sup> DCA Air Conditioning System Remediation: \$78,500 (\$70,000 N/R) (Issue Code: 7000330)**
  - HVAC Upgrade; Re-piping of chilled and condenser water lines; install new correctly sized pumps, adequate piping, insulation, etc. - \$70,000 (N/R)
  - HVAC Maintenance for the service warranty - \$8,500

**STATE COURTS SYSTEM  
LEGISLATIVE BUDGET REQUEST PRIORITIES  
FISCAL YEAR 2011-12**

**District Courts of Appeal (continued)**

- **4<sup>th</sup> DCA Building, Facilities Maintenance and Operational Upkeep: \$50,000 (N/R)**  
(Issue Code: 7000210)
  - Security glazing necessary to prevent unlawful entry
- **3<sup>rd</sup> DCA Acquisition of Replacement Telephone System: \$57,250 (N/R)**  
(Issue Code: 4600600)
  - Phone system is 15 years old and cannot be upgraded or supported due to software obsolescence

**Total DCAs: \$229,500 (\$177,250 N/R) General Revenue**

**Trial Courts**

- **Due Process Court Interpreting: \$484,696 (N/R) (Issue Code: 5303000)**
  - Implementation of new integrated audio/video interpreting systems and refresh needs in the 9<sup>th</sup> and 11<sup>th</sup> Judicial Circuits
- **New/Renovated Courthouse Furnishings Non-Public Areas: \$2,194,669 (N/R)**  
(Issue Code: 5402000)
  - 1<sup>st</sup> Judicial Circuit - \$170,840; 2<sup>nd</sup> Judicial Circuit - \$28,764; 4<sup>th</sup> Judicial Circuit - \$1,525,832;  
5<sup>th</sup> Judicial Circuit - \$268,037; 13<sup>th</sup> Judicial Circuit - \$67,016; 15<sup>th</sup> Judicial Circuit - \$64,456;  
20<sup>th</sup> Judicial Circuit - \$69,724

**Total Trial Courts: \$2,679,365 (\$2,679,365 N/R) General Revenue**

**Foreclosure and Economic Recovery: \$6,000,000 (N/R) (Issue Code: 3005010)**

- Non-recurring funding was authorized by the Legislature for Fiscal Year 2010-11. These funds are requested to continue to eliminate the majority of the civil and foreclosure backlog in FY 2011-12 through the continuation of the \$5,955,606 for temporary (non-recurring) personnel resources in the Trial Courts and \$44,394 for oversight and tracking of the progress of the cases in Executive Direction.

**Summary**

- **Total Legislative Budget Request Priorities: \$9,435,254 (\$9,283,350 N/R)**
  - General Revenue: \$9,188,198 (\$9,036,294 N/R)
  - Mediation and Arbitration Trust Fund: \$247,056 (N/R)