

Tab 2	SB 930 by Evers ; (Similar to H 0757) Trust Funds/State-Operated Institutions Inmate Welfare Trust Fund/DOC
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Tab 3	SB 932 by Evers ; (Compare to H 0755) Inmate Welfare and Employee Benefit Trust Funds
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

CRIMINAL JUSTICE
Senator Evers, Chair
Senator Gibson, Vice Chair

MEETING DATE: Monday, January 11, 2016
TIME: 1:30—3:30 p.m.
PLACE: *Mallory Horne Committee Room, 37 Senate Office Building*

MEMBERS: Senator Evers, Chair; Senator Gibson, Vice Chair; Senators Bradley, Brandes, and Clemens

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentation on the Study of the Operations of the Florida Department of Corrections produced by Carter Goble Associates, LLC in accordance with specific appropriations 2667 and 2668.		Presented
2	SB 930 Evers (Similar H 757, Compare H 755, Linked S 932)	Trust Funds/State-Operated Institutions Inmate Welfare Trust Fund/DOC; Creating the State-Operated Institutions Inmate Welfare Trust Fund within the Department of Corrections; providing a purpose; providing for the termination of the trust fund, etc. CJ 01/11/2016 Not Considered ACJ AP	Not Considered
3	SB 932 Evers (Compare H 755, H 757, Linked S 930)	Inmate Welfare and Employee Benefit Trust Funds; Requiring that specified proceeds and funds be deposited in the State-Operated Institutions Inmate Welfare Trust Fund or the General Revenue Fund, rather than only the General Revenue Fund; requiring that the State-Operated Institutions Inmate Welfare Trust Fund be a trust held by the Department of Corrections for the benefit and welfare of certain inmates; requiring that deposits in excess of that amount be deposited in the General Revenue Fund; requiring that funds from the trust fund be used exclusively for specified purposes at correctional facilities operated by the department; prohibiting the funds from the trust fund or any other fund from being used for the purchase of weight training equipment, etc. CJ 01/11/2016 Not Considered ACJ AP	Not Considered
4	Workshop - Discussion and testimony on ideas for draft proposals relating to sentencing.		Discussed

Other Related Meeting Documents

A World of Solutions

Planning | Design | Program Management | Facility Management | Development & Finance

Study of the Operations of the Florida Department of Corrections

January 11, 2016

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Project Background

This project was initiated to fulfill the requirements of Chapter 2015-232, Laws of Florida (also known as Senate Bill 2500-A) passed during a special 2015 session of the Legislature.

The legislation required the Office of Program Policy Analysis and Government Accountability to contract with an independent consultant to study the operations of the Department of Corrections with regard to the incarceration of inmates.

CGL was selected to complete the project scope as outlined in the solicitation that was issued in August 2015.

Required Scope of Project

- Correctional Officer Staffing
- Security Operations
- Inmate Risk and Needs Assessment
- Inmate Programs
- A comparison to national best practices was completed on each of the above function
- Did not include detailed staffing study, analysis of use of force practices or review of medical/mental health services

Project Approach

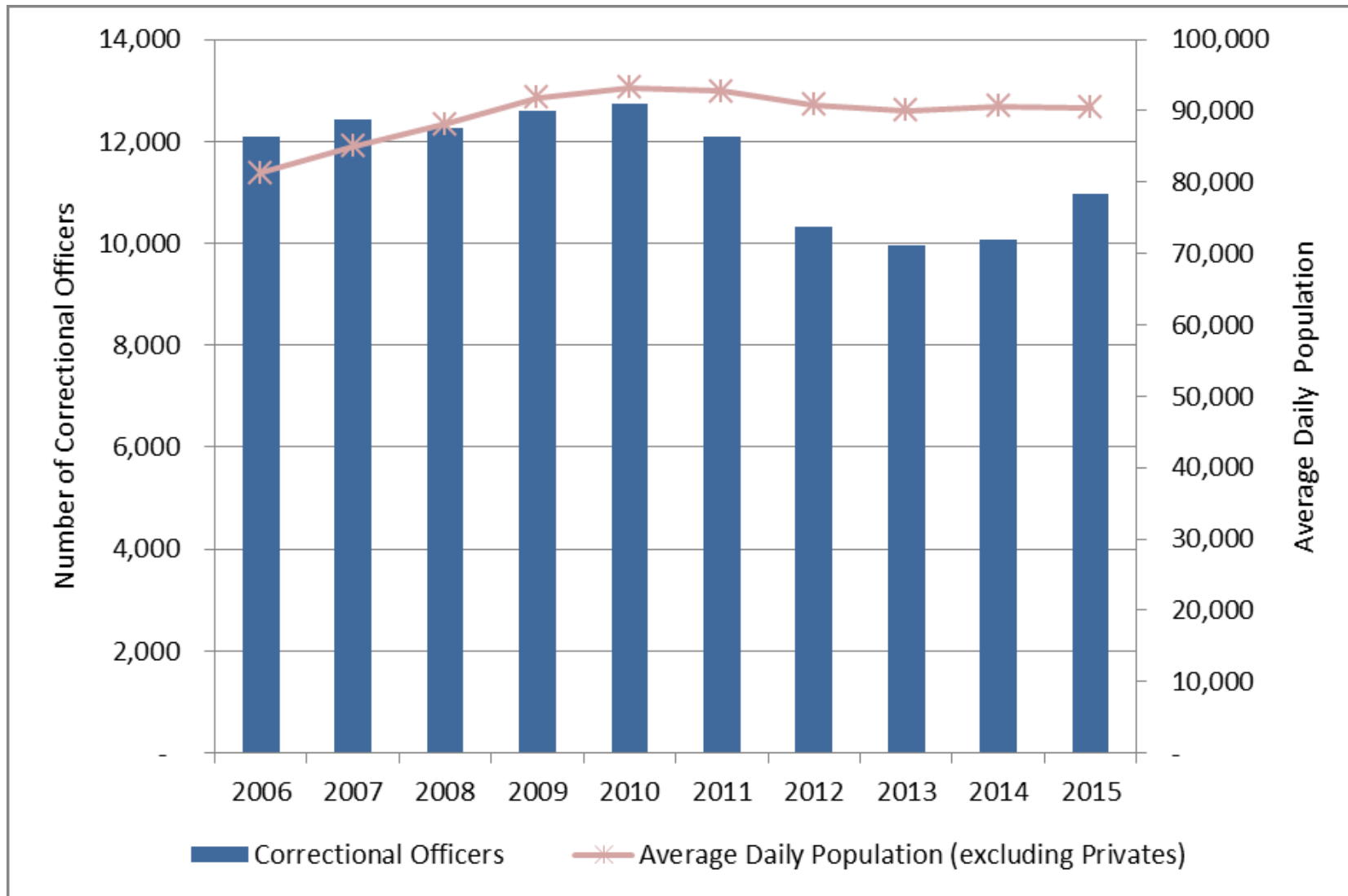
- Project Schedule: September 1 – November 7, 2015
- Site Visits: Required site visits to a representative sample of the FDC's facilities which were to include the following:
 - Central office in Tallahassee
 - At least one of the three FDC regional offices
 - At least one reception center
 - At least five major institutions, including one in each of the FDC's regions
- Site visits were conducted at 11 facilities and included interviews with 284 staff, large number of inmate interviews, and central office and regional office staff and managers

Correctional Officer Staffing

Correctional Officer Staffing has been Reduced

- Despite an uptick in correctional officer staffing in Calendar Year (CY) 2015, the FDC today manages an inmate population that has been largely stable over the last six years with significantly fewer correctional officers than it has used to manage its facilities in the past.
- As of June 30, 2015, the FDC had 10,973 filled correctional officer positions and 720 vacancies. This compares with 12,099 filled correctional officer positions and 554 vacancies on June 30, 2006.

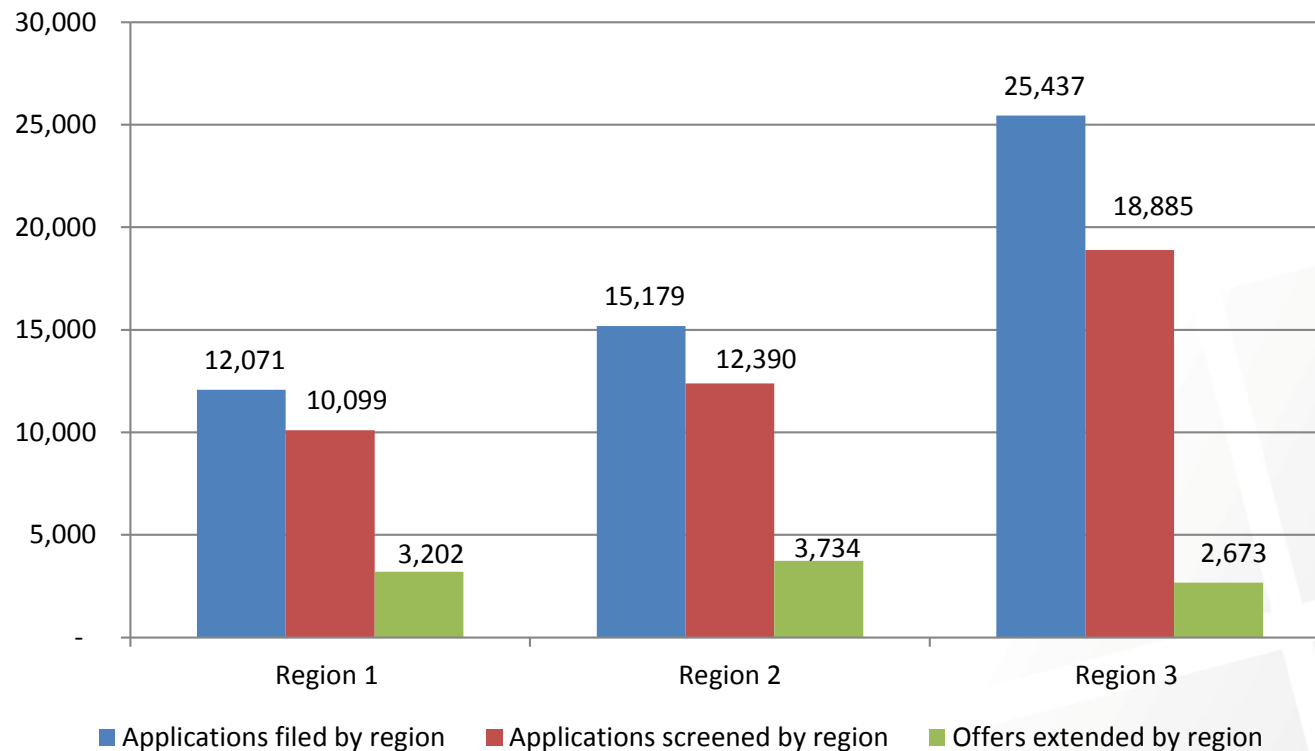
Correctional Officer Staffing has been Reduced



Recruitment and Hiring Practices

Recruitment and hiring practices have been successful

Employment Application Processing Per Region, CY 2012-2015



Recruitment and Hiring Practices

- The department has streamlined its human resource and screening process to expedite the hiring process. In 2015 the average amount of time required to process correctional officer applications from initial pre-screening to actual starting date on the job was 101 days.
- In 2014, the FDC hired 2,908 new correctional officers. This barely kept pace with the 2,897 correctional officer separations experienced by the department that same year.
- The FDC set a goal for FY 2015/16 to accelerate hiring to net an increase of 1,400 correctional officers. This will require processing 23,560 applications for correctional officer positions in 2015. Meeting this target without completely depleting the pipeline of applicants available to fill vacancies in the coming year is a significant challenge.

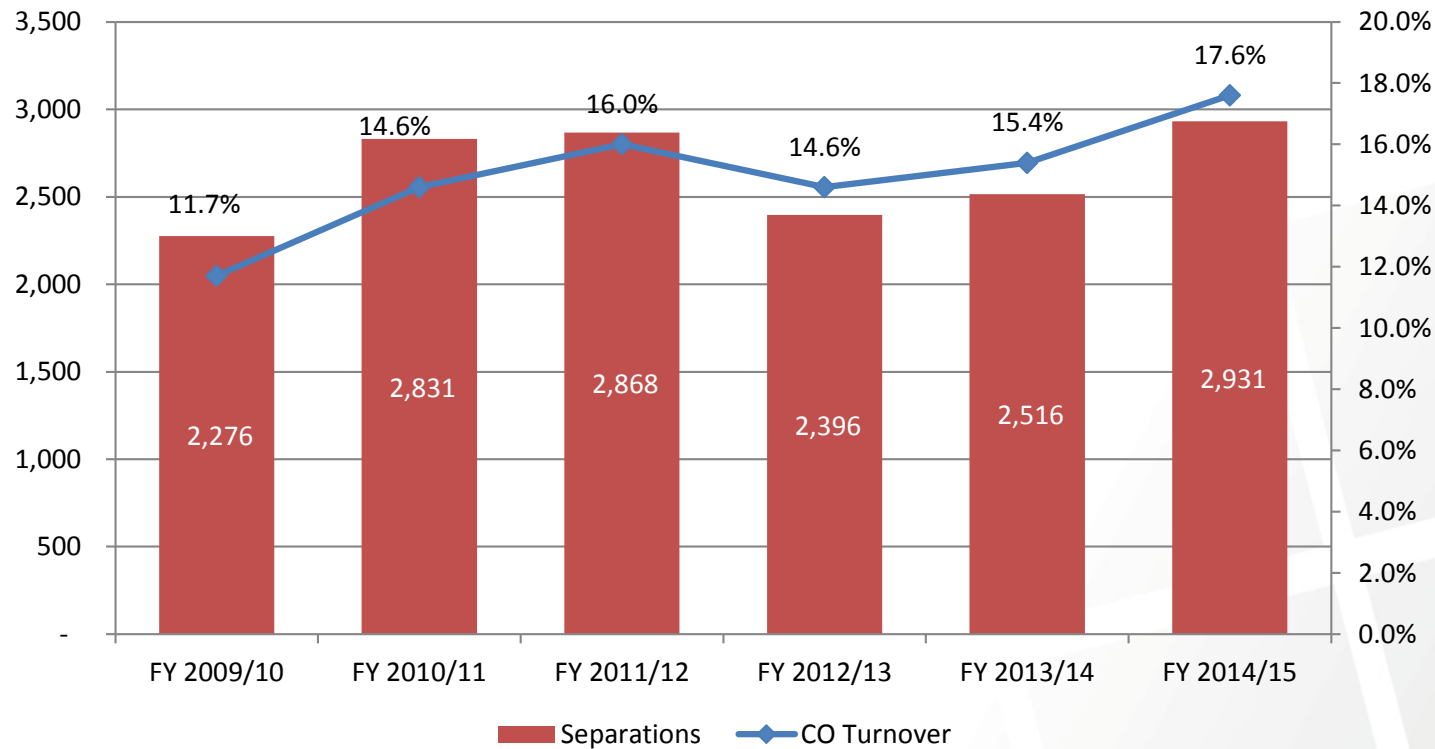
Recruitment and Hiring Practices

- The southern most regions must process a substantially greater number of applications to generate the number of applicants required to keep pace with vacancies. This is a function of both greater staff turnover in the southern based facilities and the fact that only 10.5% of the 25,437 applications filed in this region resulted in job offers.
- Recruitment and hiring is a strength of the FDC. Several managers commented that the department does not have a recruitment problem; it has a retention problem. We concur.

Staff Retention is a Major Issue

- FDC has a staff retention problem:
 - 32% of correctional officers leave within 2 years of hiring
 - Correctional Officer turnover rates have grown 50.4% over last 6 years

FDC Turnover Rates and Separations, FY 2009/10 – FY 2014/15



Retention Impacts Experience Levels

- Staff experience levels are low:
 - Half of all COs have less than 3.1 years of work experience
 - At some large facilities average correctional officer experience levels are less than 1.5 years

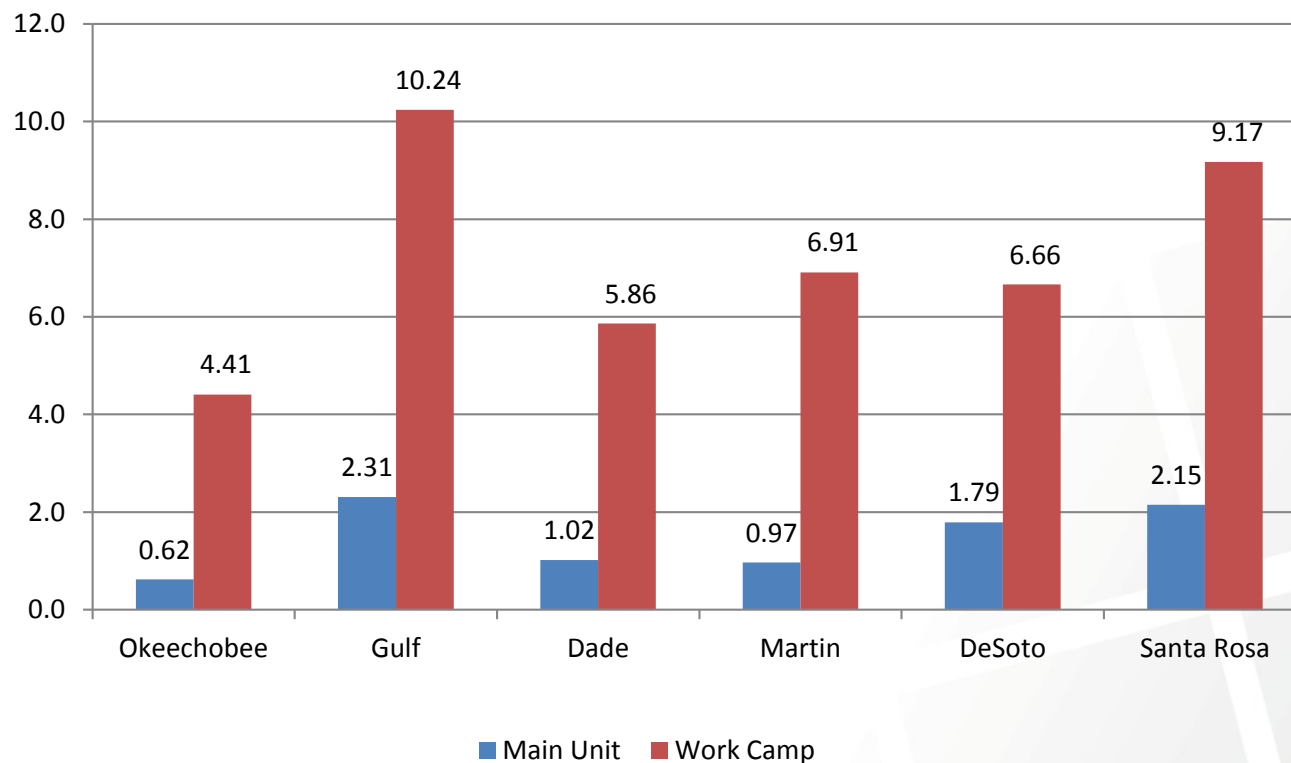
	Median Years of CO Experience	09/15/2015 Inmate Count
Okeechobee	0.77	1,616
Columbia Annex	1.92	1,550
Gulf	3.09	1,535
Gadsden	1.67	1,532
Wakulla Annex	2.15	1,496
Dade	1.35	1,478
Martin	2.35	1,460
Everglades	0.97	1,448
DeSoto	2.81	1,428
Santa Rosa	2.76	1,389

- Approximately 25% of all new correctional officers terminate their employment within 12 months. Within two years, the attrition rate climbs to 32%

FDC Staff Assignment Practices

- FDC staff work assignment practices contribute to inexperience in major facilities

Correctional Officer Years of Experience – Prisons Compared to Work Camps

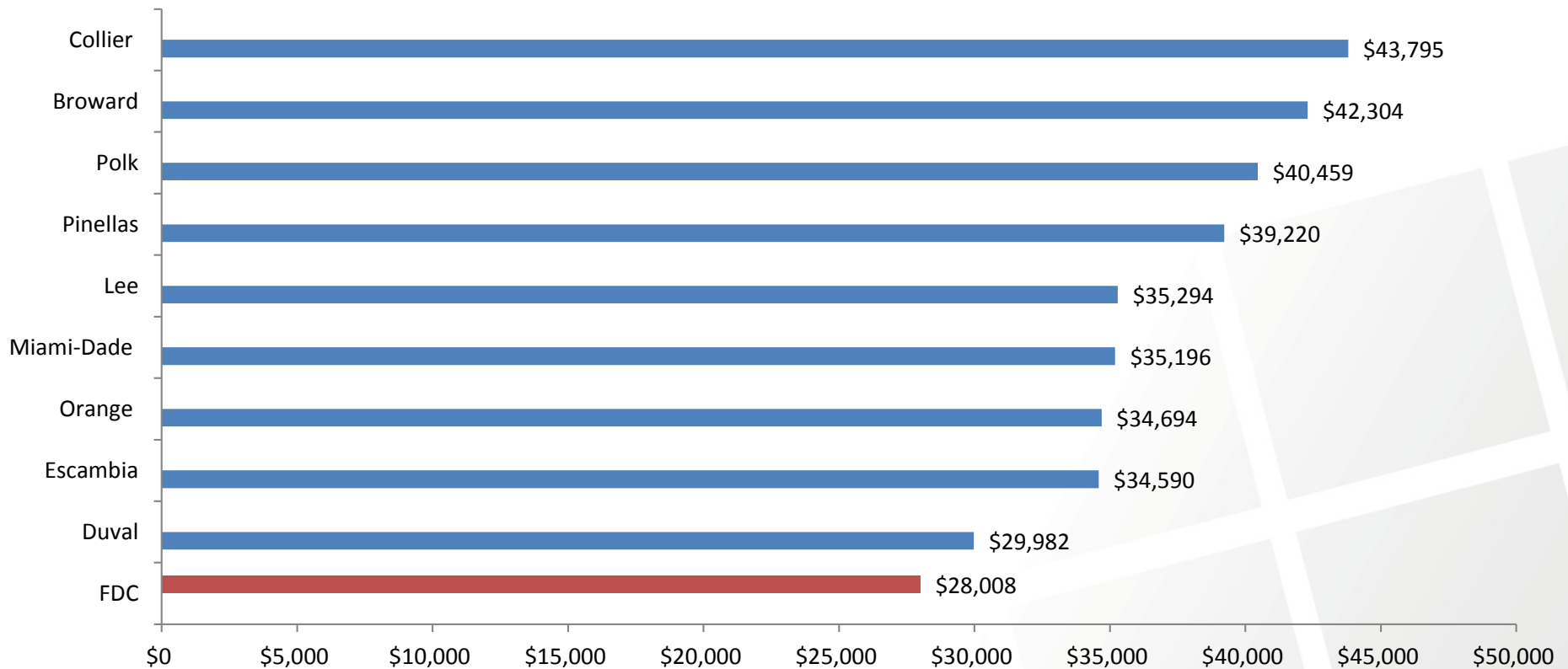


Salary Levels

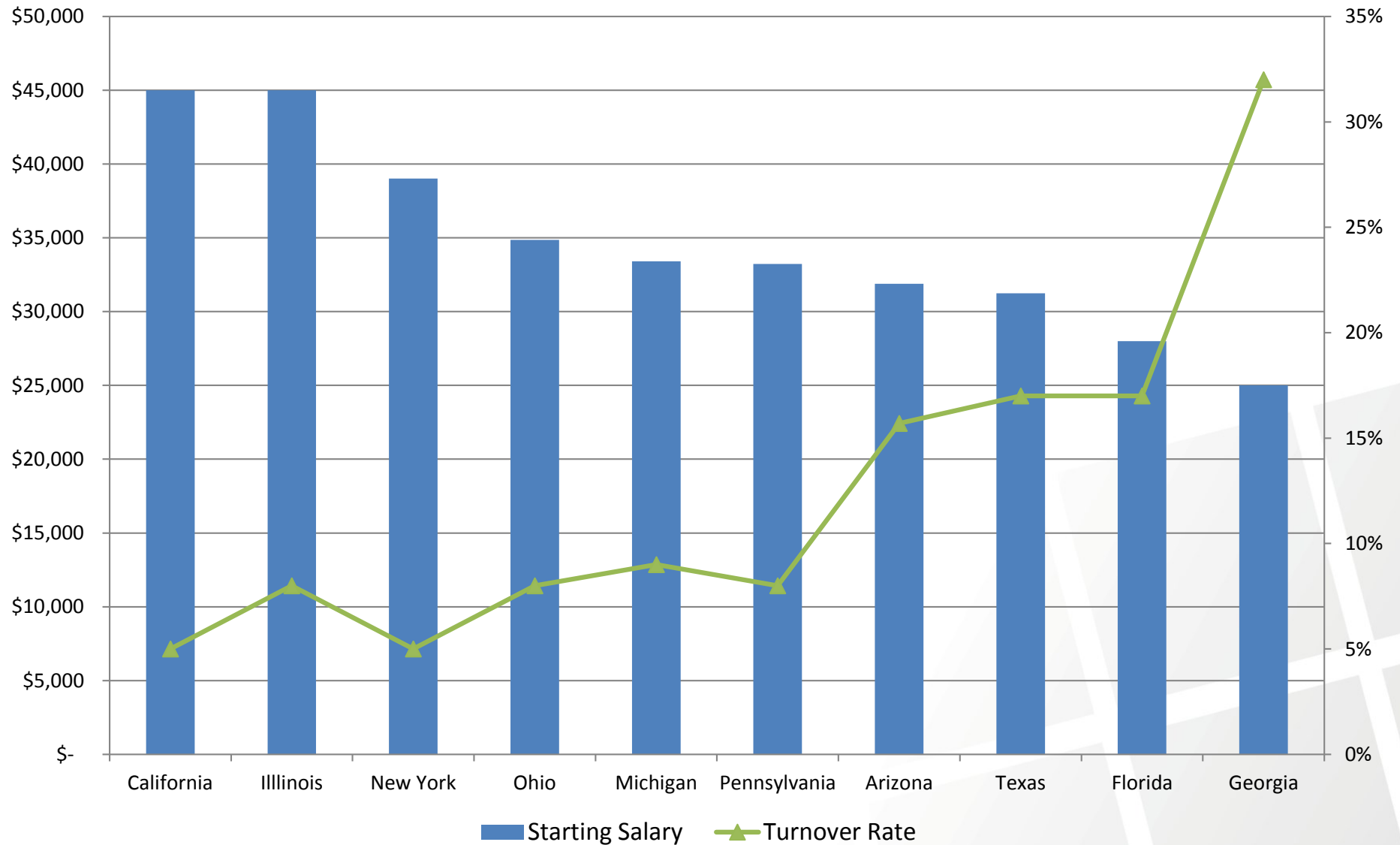
Major factor affecting retention appears to be salary levels:

- There have been no step increases or cost of living adjustments to the salary scale over the last eight years.
- FDC starting CO salary much lower than competing counties

FDC vs. Major Counties



Low Salary Levels = High Staff Turnover



Training

- The basic recruit curriculum addresses all key subject matter areas, including officer safety, communications, inmate supervision, use of special equipment, intake and release procedures, management of special populations, defensive tactics, firearms, first aid, and wellness.
- Newly hired employees must complete 40 hours of online orientation training within 30 days of hire. Correctional officer trainees then proceed to basic recruit training, which consists of 420 hours of certified officer training.
- The new recruit training process has a dropout rate of approximately 18%

Training: TEA

- Virtually all new hires are non-certified and are hired under a category known as temporary employment authorization (TEA) status.
- Officers remain on TEA status until completing the basic recruit training program and passing a Florida Department of Law Enforcement-administered certification examination.
- TEA officers normally work in the institutions while awaiting assignment to the training program. This can take up to six months, but in most cases averages three months.
- 1 of 10 correctional officers working in facilities are TEAs.
- TEAs often are assigned to posts without adequate supervision. This practice is in opposition to recognized best practices for training and represents a risk to operational security and performance.

Security Operations

Security Adversely Impacted by Low Staffing Levels

- Existing FDC staffing levels impact facility security.
 - Facilities often begin shifts with less than mandatory staffing levels
 - Staff are regularly pulled off of mandatory assignments to fill unfunded special assignment positions
 - Limits the number of searches being conducted
 - Results in insufficient supervision of inmates in key areas including housing units
 - Contributes to a significant amount of contraband being introduced and found in institutions

Aging Physical Plant

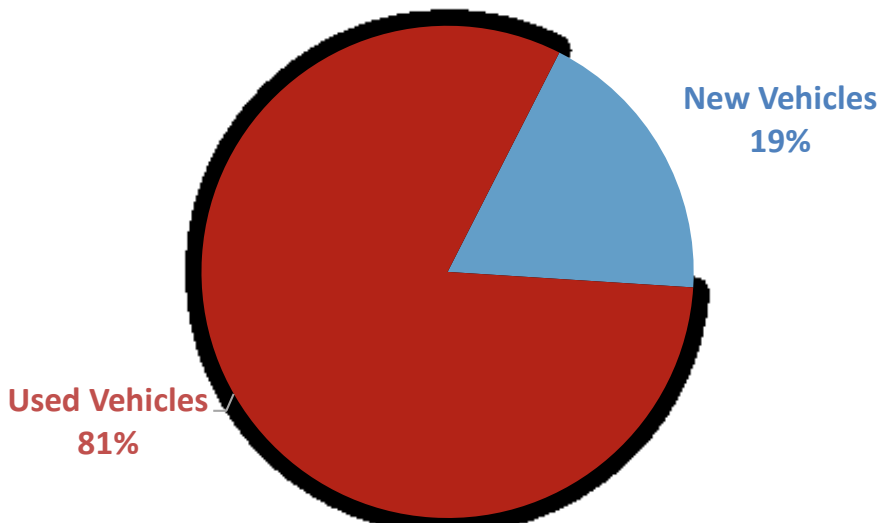
- Recent funding has had an impact on physical plant improvements, however,
 - Many interior leaks in buildings - roofs patched and re-patched and need replaced
 - At one facility 22 roofs are in need of major repair
 - Perimeter fences are deteriorating and need repair
 - Medical Unit at one facility unusable due to mold from leaks
 - Main electrical feed to one institution was on brink of failure

Vehicle Fleet is Aging

- Vehicle fleet is old and needs updated.
 - 43 buses average 16 years of age and over 300,000 miles
 - Other vehicles average over 16 years of age and over 160,000 miles



CONDITION OF FDC REPLACEMENT VEHICLES FY 2010-11 THROUGH FY 2014-15



- Most of vehicles added to fleet in last 5 years were used

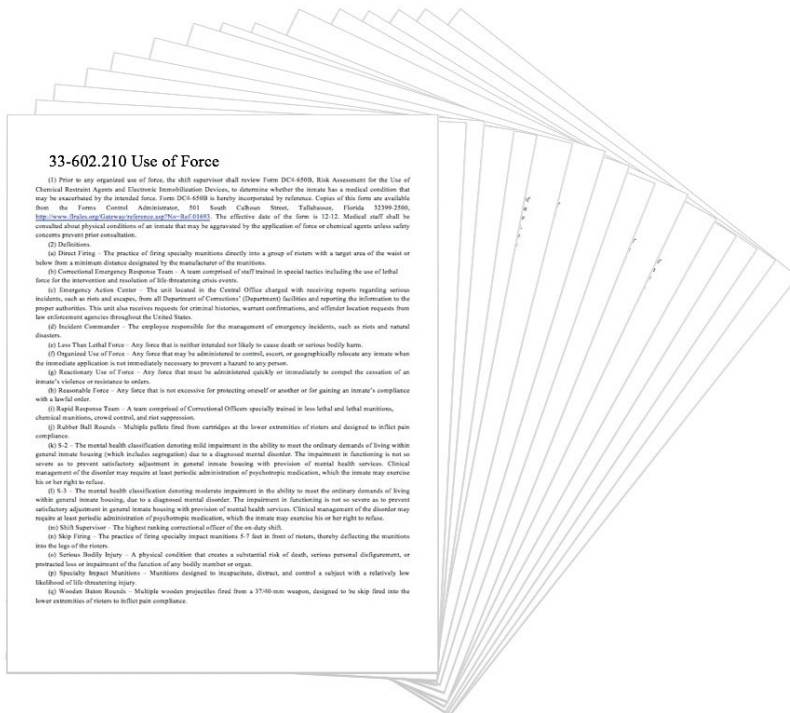
Technology

- Technology used to improve security needs upgraded
 - Recent camera system upgrade/expansion should continue and must be networked
 - Many fence detection systems are failing
 - Metal detectors are ineffective for preventing the introduction of contraband
 - Man-down alarms worn by staff aging and difficult to repair
- Initial steps have been taken to implement electronic timekeeping



Other Security Findings

- Tobacco policy creates major security and contraband



- Use of Force policy is complicated and confusing

- Audit and inspection process is effective

Independent Staffing Study

- FDC would benefit from an independent staffing study completed that will set a roadmap for present and future staffing needs. It is recommended that the study include the following elements at a minimum:
 - Identify real workloads of security staff
 - Conduct post-by-post analysis at each facility to determine the number of posts needed to complete workload
 - Determine what posts must be constantly staffed and are critical to operations
 - Assess current use of secondary assignments and whether are necessary
 - Identify technology that can improve staff efficiency
 - Develop a relief factor based on actual leave/training data

Inmate Risk and Needs Assessment

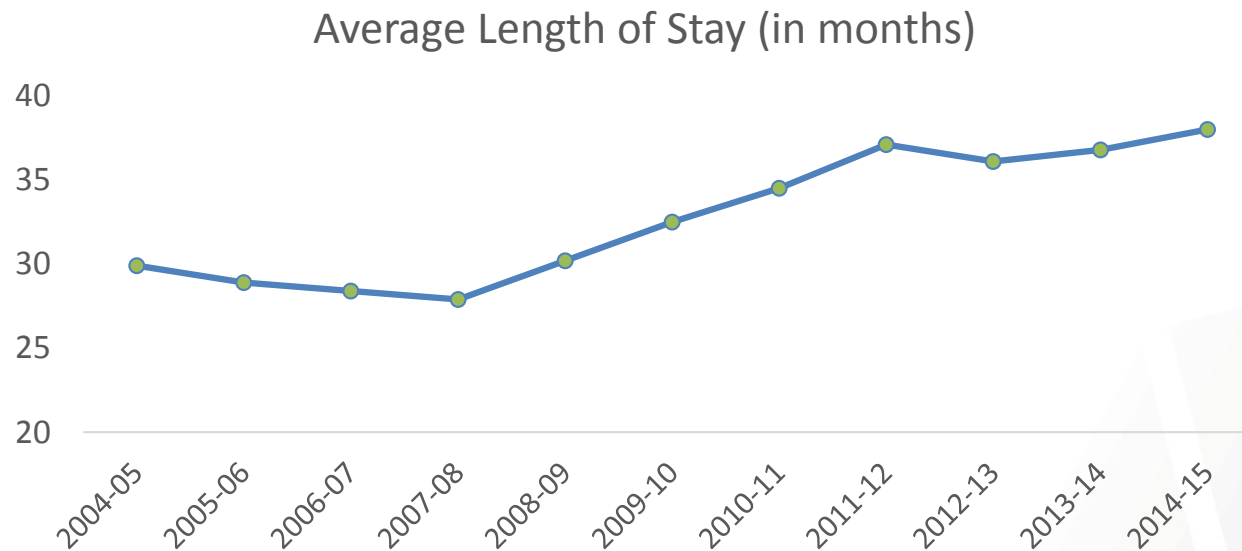
Inmate Population

- Inmate Population:
 - Has grown by average 1.7% over last 10 years
 - In last 5 years has averaged 0.4% decrease
- Inmate Admissions have declined since 2008
- The average length of stay (LOS) has increased by 8 months which has increased the inmate population even as admissions have declined.

June Each Year	Population	Yearly Percent Change
2005	84,901	
2006	88,576	4.3%
2007	92,844	4.8%
2008	98,192	5.8%
2009	100,894	2.8%
2010	102,232	1.3%
2011	102,319	0.1%
2012	100,537	-1.7%
2013	100,884	0.3%
2014	100,942	0.1%
2015	100,050	-0.9%
10-Year Change		1.7%
5-Year Change		-0.4%

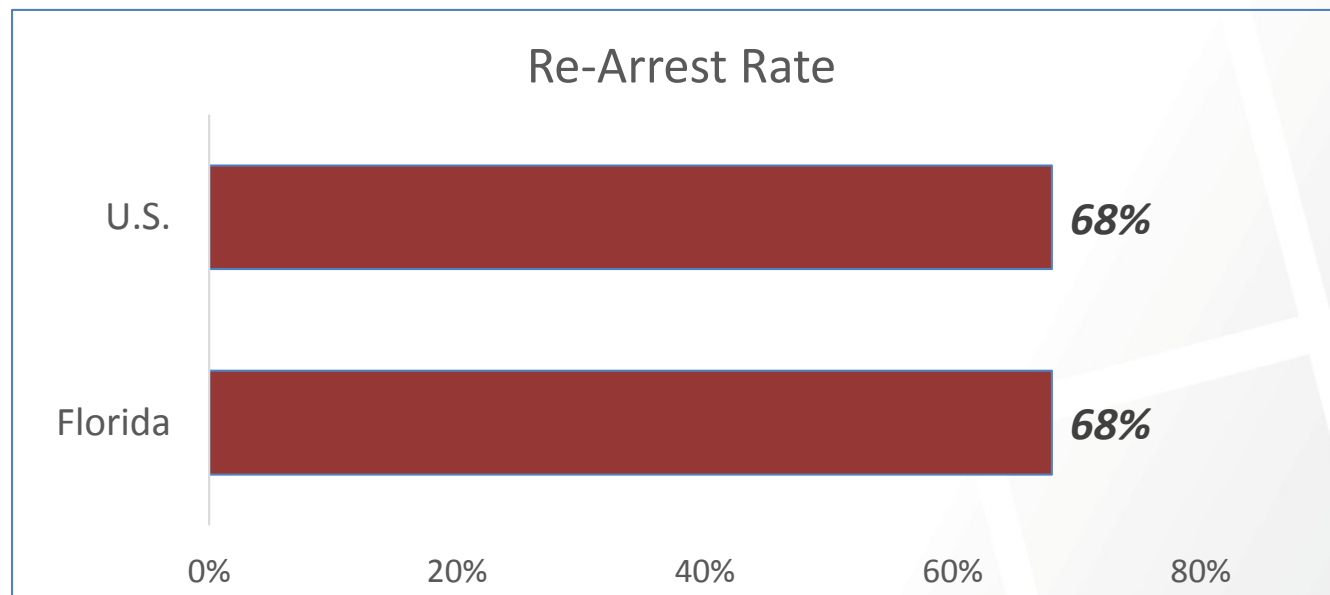
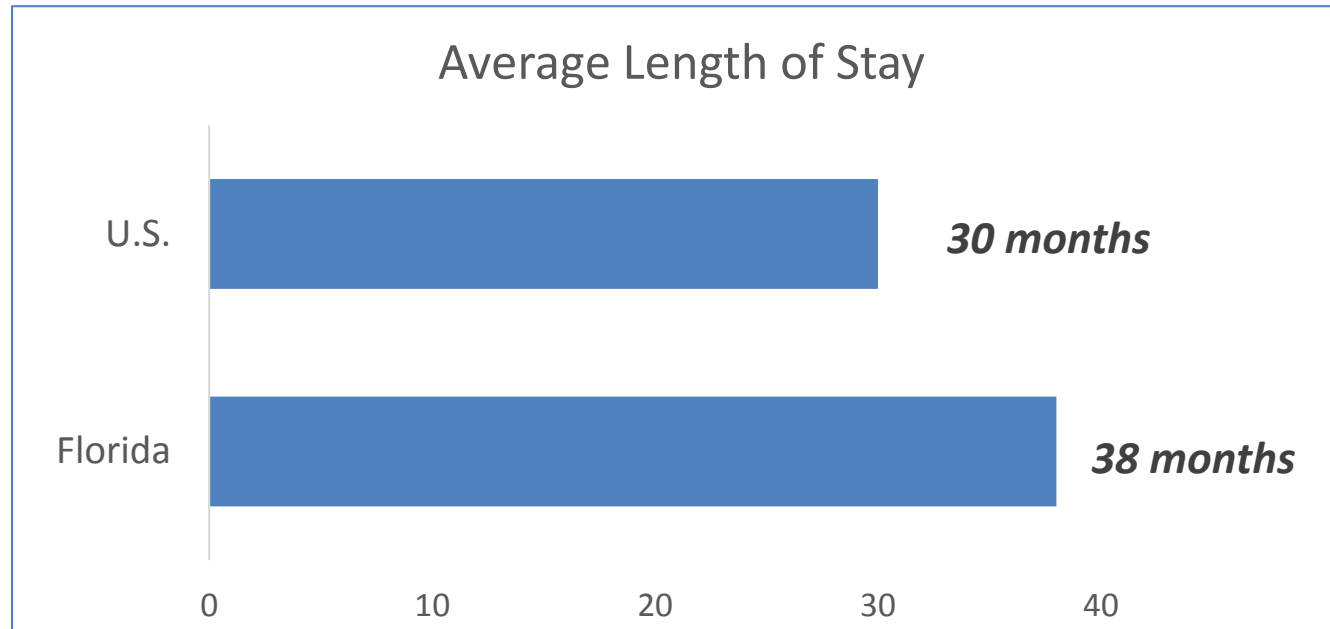
Length of Stay

- Length of Stay (LOS) has increased from 27.9 months to 38.0 months since FY 2007-08. The national average is about 30 months



- This additional 10 months LOS adds approximately 20,000 inmates onto the FDC population

Longer Length of Stay Does Not Reduce Recidivism



Recidivism

- FDC's lower recidivism rate is due to the lack of supervision on parole (no technical violations)
- FDC post release three year “re-arrest rate” of 68% is equivalent to the national average and is not declining despite the increase in the LOS
- FDC should incorporate the use of the re-arrest rate to measure recidivism and more intensively evaluate the effectiveness of its programs
- Providing inmates some gain time incentive to participate in programs would help reduce the inmate population, alleviate some of the staffing issues, reduce costs, and lower recidivism rates.

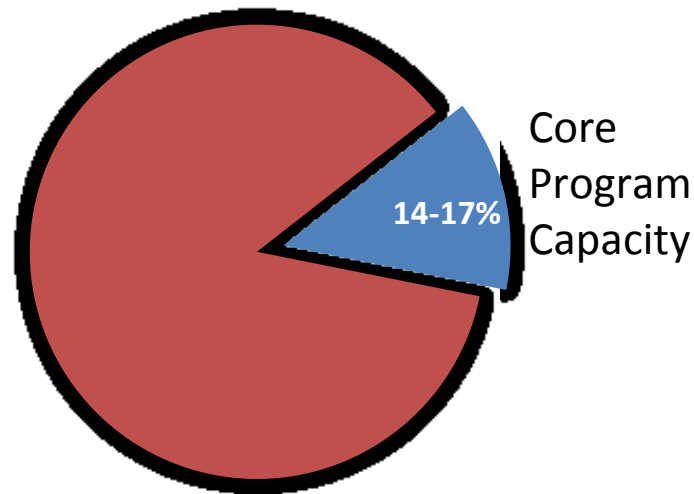
Classification, Risk and Needs Assessment

- The intake process for inmate custody classification is well designed and efficient
- Initial custody and reception assessment is completed in 14 days but inmates are not permanently placed for 6 weeks.
- Risk and needs is not currently conducted at reception – this results in some level of unnecessary institutional transfers
- The custody classification system (CARS) needs to be redesigned to account for significant differences in male and female inmate behavior.
- Risk and Needs Assessment (CINAS) has been evaluated and has some deficiencies in terms of its reliability and validity attributes. The FDC is in the process of modifying the current system this year (Spectrum).
- Prior to implementing the new system a reliability study should be performed and the new system must account for differences in male and female recidivism rates.

Inmate Programs

Programs

CORE PROGRAM CAPACITY AS % OF POPULATION



- Core programming only available for 14 -17% of population on any given day
- Many are ineligible to participate as they have very short time to serve
- However, 60-70% of the prison releases who have been in custody for at least 6 months have participated in at least one core program
- FDC has established large number of betterment programs to offset limited funded programs

Programs (continued)

- Programming often cut short by security issues. Observations across facilities found security procedures often negatively impacted inmate access to scheduled programs
 - At many of the facilities visited, delayed inmate counts, lack of security staff, and the staging of inmates for movement to programs consistently delays program start times and impacts inmate access to meaningful programming
- Inmate idleness is an issue, but difficult to measure since nearly every inmate is assigned. In effect, many of the job assignments are just “paper assignments” for the purpose of awarding gain time.
- Re-Entry Centers have potential to be a national model
- Visiting hours need to expand as visiting has been found to be effective in reducing recidivism - a 2011 Minnesota study found that access to regular visits can reduce recidivism rates by up to 13 percent.

Programs (continued)

- The department undertakes considerable effort to identify inmates risk to reoffend and programming needs, but there are few program slots available to accommodate the identified needs
- FDC needs more rigorous evaluation of the impact of education, vocational and substance abuse programs using control or comparison groups

Summary

Summary

- Insufficient and inexperienced security staff at many facilities has impacted the quality of security
- Aging physical plant that needs ongoing and continuous efforts to repair and/or replacement
- Security and Operational Policies and Procedures are consistent with national standards
- The prison population would have declined by about 20,000 if the average LOS has not increased by about ten months
- Increasing the LOS has not improved recidivism rates
- The current system requires substantial investment in staffing and operational support to operate effectively
- Program slots accommodate 14 – 17% of the population
- Implementing a program based gain time policy (used by most other states) would lower the prison population, costs, staffing needs, and increase safety for staff and inmates

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Questions and Answers

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STUDY OF OPERATIONS OF THE FLORIDA DEPARTMENT OF CORRECTIONS

Summary of Findings and Recommendations

November 2015

Prepared by:
CGL

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1. Correctional Officer Staffing

Findings

- 1-1 Establishment of a statewide office responsible for recruitment and screening has played a major role in improving Florida Department of Corrections (FDC) hiring efficiency.
- 1-2 The FDC correctional officer recruitment and applicant screening process successfully generates sufficient numbers of applicants to fill system vacancies.
- 1-3 Correctional officer salary levels have remained stagnant for a number of years.
- 1-4 FDC correctional officer salary levels are substantially below salary levels in other large state correctional systems.
- 1-5 FDC correctional officer salary levels are below salary levels for correctional officers employed by large Florida counties.
- 1-6 The correctional officer turnover rate has grown by 50.4 percent over the last six years.
- 1-7 Turnover rates are higher in central and southern Florida.
- 1-8 Turnover is disproportionately high among new correctional officers.
- 1-9 The work assignment practices of the FDC contribute to the assignment of inexperienced staff in the most challenging post assignments.
- 1-10 High turnover rates are correlated with low salary levels.
- 1-11 Training for new officers meets recommended professional requirements.
- 1-12 Training for experienced officers is being provided consistent with established procedures.
- 1-13 Not all facilities have an officially recognized training position.
- 1-14 Staff records reflect specialized training is provided to experienced correctional officers based on work assignments.
- 1-15 The training policies and procedures governing the training provided to experienced correctional officers is consistent with state and nationally recognized best practices.
- 1-16 Supervision and assignment of temporary employment authorizations (TEAs) in institutions is a concern.
- 1-17 The department has a significant number of staff on non-inmate contact status.
- 1-18 The chief of security (COS) of each institution is responsible for allocating positions based upon available personnel. The roster management system (RMS) and associated processes are consistent with national best practices.
- 1-19 The span of control of shift supervisors at the larger facilities is excessive.
- 1-20 FDC policies and procedures establish guidelines for the appropriate and efficient use of correctional officers.
- 1-21 Current policies, procedures, and department manuals in place consistently incorporated safety features for correctional officers.
- 1-22 Facilities generally have only enough staff to fill Level I positions in each facility for the 12 hour shifts. (Level I posts are those posts considered “critical” for the daily operation of a shift. They are the top priority and are required to be filled even if it requires the use of overtime.)
- 1-23 All of the facilities inspected by the project team had at least intermittent issues of operating at or below minimum staffing levels.
- 1-24 Level I posts are often vacated during the shift, due in part to the level of secondary responsibilities assigned to correctional officers and the number of cases where staff are reassigned to special assignments.
- 1-25 Lack of civilian personnel exacerbates security staffing needs.

Recommendations

- 1 Establish a policy to balance the assignment of senior correctional officers and less experienced staff consistent with operational needs.
- 2 Eliminate the use of classifying facility training responsibilities as “special assignments.”
- 3 The department should cease the practice of placing untrained officers on posts in the institution without proper orientation, familiarization, and training.
- 4 The department should not allow staff to work in institutions on noninmate contact when they are under investigation for serious violations.
- 5 Conduct an on-site review of the current operational responsibilities of the shift supervisor (OIC) in relation to the overall shift responsibilities.
- 6 Based on the results of the review, establish an assistant shift supervisor at recognized facilities either on all four 12-hour shifts or strictly during the 12-hour day shifts.
- 7 To determine the number of security staff needed, the department should conduct a comprehensive staffing analysis that includes:
 - Security post analysis: The first step in any security staffing analysis is to conduct an analysis of each security post to determine whether it should exist and the frequency and duration that it should be filled. The solution calls for conducting an analysis of the posts that need to be staffed to provide appropriate security and a task analysis that examines tasks that need to be performed by correctional officers throughout the institution, hour by hour. A post analysis should address the following areas.
 - Creation of sufficient post assignments to supervise inmates in recreation, work and common areas without relying on pulling housing unit officers off of their posts.
 - Limiting secondary duties for those posts that have responsibility for the supervision of inmate housing units and critical areas of the institution.
 - Creating posts for important specialized duties that must be performed, including tool control officer, key and lock officer, security threat group officer, canine officer, and disciplinary officer.
 - Limiting the number of special assignments to those posts and functions critical to operational effectiveness.
 - Identifying civilian functions that need to be performed and creating civilian positions to perform those duties. Clerical positions, administrative positions, and maintenance positions are better suited for civilian personnel skilled in those areas. This also will increase the use of certified staff in safety and security posts in the institution.
 - Develop accurate relief factor: Once all correctional officer positions are identified and their assignments, tour of duty, and days off are established, FDC should recalculate the relief factor to ensure coverage of seven-day and five-day posts, etc. The relief factor must account for days off, discharge of benefit leave, military leave, vacancies, and time on the job lost due to training.
 - Develop consistent and complete master roster for each facility: The FDC Bureau of Security Operations should lead the effort to develop a master roster for each facility, and combine staffing rosters that allow for a visual display of personnel assignments by shift and post, thus accounting for the deployment of all personnel in the institution. The master roster should list all approved posts and personnel assigned to each shift. This document should be updated monthly. All listed posts should account for all assignments in the institution, and personnel should not be assigned to functions inconsistent with their post assignment unless special circumstances exist.

2. Security Operations

Findings

- 2-1 Perimeter security systems are outdated, in poor operational condition, and fencing is in disrepair.
- 2-2 The procedure relating to inmate counts was found to be consistent with national standards and best correctional practice. Count records reviewed at the facilities are properly maintained, and there were no violations of the count procedure observed.
- 2-3 The tool control practices observed were found to be generally compliant with department procedure and consistent with national standards and best practices.
- 2-4 Departmental approval of the emergency management plans had not occurred in all cases.
- 2-5 The facilities reviewed have a designated environmental health and safety officer (EHSO) as required by department policy.
- 2-6 The project team's review of recent incidents indicated that the incident report procedure operating pursuant to Procedure 602.008 is being complied with and incident reports are a critical component of the facility communication system. (FDC Procedure 602.008, Incident Reports-Institutions, requires the documentation of information that is important to the safety and operation of correctional facilities.)
- 2-7 The post order policy and process is consistent with national standards, and the post orders themselves reviewed at the institutions are descriptive of duties and responsibilities of the various positions and provide proper guidance for correctional officers.
- 2-8 While the FDC does not have complete contraband data, observations, staff reports, and the limited data available show that contraband is a major issue.
- 2-9 While searches are being conducted, the amount is insufficient to control or deter the introduction of contraband.
- 2-10 Staff and visitors entering the facilities are being searched consistent with procedural requirements, and attempts are made to search employee possessions. However, the volume of personal items entering the institution is too great, and the time allotted for the search is insufficient to ensure that the search process is thorough and effective.
- 2-11 Staff reported in interviews and observation of the project team confirmed that insufficient searching is conducted due to the lack of available staff.
- 2-12 FDC policy on tobacco use has created a secondary market for the trafficking of tobacco products and for staff to violate policies and become complicit in the supply of contraband.
- 2-13 The facilities lack modern scanning technology that permits the identification of potential contraband through a close examination of individuals that are entering the institution and the possessions that they carry.
- 2-14 The FDC's use of force policy provides confusing and disparate guidelines for when and how force can be used.
- 2-15 The allocation of part-time institutional staff to security threat group (STG) responsibilities is inadequate to ensure that gang identification and management strategies are in place to reduce gang influence and provide for inmates' safety in the institutions.
- 2-16 Historically, FDC has deployed a very limited amount of technology to support its security needs. The use of technology in FDC is minimal and has only recently begun to be upgraded.
- 2-17 The extremely small size of the vestibule creates a number of issues for the facilities.

- 2-18 Duty Warden Procedure 605.002 is vague and does not specifically require comprehensive facility tours by duty warden staff, nor does it require documentation of duty warden tours. (The duty warden procedure provides guidelines for “designation, responsibilities, and training of Duty Wardens.” This review found the required responsibilities of duty wardens limited, especially in regard to their tours and presence in the facility.)
- 2-19 Movement control center gate procedures result in extended waiting periods for inmates and create potential safety concerns as a result of increased idleness and the mixing of diverse populations. Our observations found procedures at the center gate frequently resulted in delayed access to program services.
- 2-20 Many facilities are in poor condition. The correctional facilities reviewed have experienced years of neglect, and the Legislature has recently appropriated funding to begin repairs.
- 2-21 The comprehensive inspection process devised by FDC represents a best practice, and the department should be commended for its thoroughness and staff’s commitment to correcting findings.
- 2-22 The department’s vehicle fleet is aging and unreliable.

Recommendations

- 8 The department should conduct a perimeter security audit of its institutions and develop an improvement and replacement plan to upgrade perimeter security fencing and intrusion detection systems, which are found to be in need of attention throughout the FDC.
- 9 The department should formally review and approve facility emergency plans and further ensure that proper training is taking place with local law enforcement and agencies providing mutual aid assistance at each site throughout the department.
- 10 The high number of sexual misconduct cases at this facility and others, including both inmate-on-inmate and inmate-on-staff, should be examined more closely going forward, as it appears that the number of complaints/reports are increasing and prevention and prosecution efforts do not appear to be effective in controlling and deterring the misconduct. Investigators should also carefully review and investigate, where appropriate, inmate complaints regarding sexual assault to ensure that the procedures designed to protect inmates are not being abused as manipulation to receive a transfer to a more desirable location.
- 11 Increase security staffing above current minimum levels to ensure that sufficient staff are available to conduct thorough searches of inmates entering the facility, their property, and their living areas.
- 12 The FDC should conduct a review of contraband flow at all facilities and develop an action plan for increased searches, more effective search procedures, improved supervision of inmates during contact visitation, and the strengthening of entry points where vulnerability is detected.
- 13 Consider revising the list of allowable items to enter the institution with staff, and reduce the volume of items to make the search process more effective. Limitations and control should be placed on the amount and type of food staff are permitted to bring into the facilities in order to improve the control of contraband.
- 14 A comprehensive staffing study should be initiated in order to ensure that sufficient staff are available to conduct thorough searches of inmates entering and moving within the facility, along with their property and their living areas.
- 15 FDC facilities should become tobacco-free institutions. The presence of tobacco in the institutions presents an unnecessary opportunity for trafficking a prohibited product.
- 16 The FDC should obtain modern scanners that will more effectively detect and prevent unauthorized items from entering the facility. Use of this type of equipment at entry points and locations within the facility will reduce contraband and improve security. This equipment will likely be an effective deterrent, especially at the minimum-security units where large groups of inmates exit the facility on a daily basis for work details and are likely candidates to introduce contraband into the facility because of their access to the community.
- 17 The FDC should develop a system to track contraband on a monthly basis by facility.

- 18 The department should request to revise the current administrative use of force rule or develop its own additional guidance that provides clear and complete direction to department staff. The policy should be organized in a manner that makes it coherent and understandable. The practice of using policy documents to further clarify and implement the requirement of a rule is a commonplace practice in correctional systems nationally. Sample use of force policies are available from several sources. One firm, LETRA, Inc., has developed a comprehensive model use of force policy that may be available upon request.
- 19 The “boot camp” style interactions with inmates, while subtle, are unnecessary and should be ceased as they support a negative culture and environment that can lead to increased safety issues.
- 20 Additional resources dedicated to STG management are needed at the institutions. STG coordinators should be appointed full-time to monitor gang activity, collect/analyze gang intelligence, and identify STG members. In the larger institutions that are experiencing gang issues, a single STG coordinator will not be sufficient to manage this process, but will likely require appointing a team of STG coordinators.
- 21 Continue the installation of the video surveillance systems at the facilities, and ensure that authorized supervisory staff will be able to access the cameras and recordings from remote locations.
- 22 Purchase and pilot-test enhanced scanning technology at select facilities to replace the use of metal detectors.
- 23 As part of a perimeter security review, develop a comprehensive assessment of the functionality of current fence detection systems, and begin replacement of those that are no longer effective or unable to be repaired.
- 24 The legislature should consider funding to begin replacing aging body alarms. Also, continue with plans to pilot-test body cameras.
- 25 Develop an electronic timekeeping implementation plan with Kronos, the firm contracted to install and implement the electronic timekeeping system.
- 26 The department should develop plans to modify the physical plant facilities to improve the space associated with security screening of staff and visitors. The enhanced space and process should clearly separate non-sterile and sterile areas of the procedure. Additionally, the department should pilot the use of more advanced scanning technology in its facilities in an effort to reduce the introduction of contraband.
- 27 The department should develop a more prescriptive duty warden policy that identifies the frequency with which each building should be inspected and that creates a requirement for a more detailed log documenting these inspections.
- 28 Evaluate the appropriateness of increasing the number of recognized post assignments at the center gate during peak movement periods.
- 29 Enhance the coordination of movement through the center gate by reviewing existing activity schedules for possible adjustments and re-evaluating the current efficiency levels of delivery of services.
- 30 The Legislature should consider appropriating additional funds to continue efforts begun during the last year to fully repair and maintain its correctional facilities.
- 31 While the inspection process appears to thoroughly document FDC facility compliance with policy, some additional tasks should be implemented. These include:
- Findings that cannot be corrected without additional funding need to be followed up with a request for funding to the appropriate authority.
 - Notations on how compliance was achieved should be documented.
 - The department should establish an action committee to confront major facility issues that are not addressed as part of the inspection process.
- 32 The Legislature should consider appropriating additional funds to replace aging buses and transport vehicles.

3. Population Management and Inmate Risk and Needs Assessment

Findings

- 3-1 The FDC does produce a high-quality report on FDC's recidivism rates based on a three-year return-to-prison measure. That measure is incomplete (does not incorporate re-arrest rates) for assessing trends in the FDC recidivism rates over time and with other states. Previous reports were unable to use a three-year re-arrest rate which can now be used to make a more complete assessment of trends in the FDC recidivism rates over time and with other states.
- 3-2 Using the recently implemented re-arrest rate suggests that the FDC recidivism rate is comparable to other states and is not declining.
- 3-3 There is considerable research validated by the FDC (and others) that the length of imprisonment has no impact on recidivism rates.
- 3-4 The primary incarceration factors that reduce recidivism are the number of family visits and low custody at release.
- 3-5 The Custody Assessment and Reclassification System (CARS) classification system has been validated and meets national standards. Nonetheless, there is evidence that it is over-classifying inmates into the close- and medium-custody levels.
- 3-6 The intake process that determines inmate classification levels is well designed and efficient.
- 3-7 Where an inmate is to be transferred and housed is largely determined by the internal management (IM) and housing level (HO) systems.
- 3-8 There is a sizeable number of HO4 inmates (internal management Level 4, escape flags, close management, high-severity crime) assigned to either a cell or open bay dorm for no reason other than bed availability.
- 3-9 The Corrections Integrated Needs Assessment System (CINAS) risk/needs assessment system has potential reliability scoring deficiencies that may be impairing the assessment of the inmates' service needs.
- 3-10 The lack of meaningful programs coupled with the absence of good time incentives serves to significantly diminish the value utility of a risk/needs assessment system in reducing recidivism rates.

Recommendations

- 33 The FDC should incorporate the use of the re-arrest measure in subsequent studies of recidivism and their evaluations of programs.
- 34 FDC is piloting administering CINAS at reception centers. Currently, the CINAS is not administered until an inmate is transferred from reception and placed in their permanent facility. If the CINAS determines an inmate needs programming not provided by the permanent facility, then they would have to be transferred a second time. In our opinion, the benefit of administering CINAS at reception can yield increased efficiencies in the department and reduce the number of inmate transfers needed while placing inmates closer to their needed resources.
- 35 It is recommended that the department determine whether an extended reception process or improvement in the steps taken to make inmates aware of the importance of the intake process will ultimately enhance the reliability of the recidivism indexes generated by CINAS.

- 36 This review found that in the current system the intake process is typically completed within 14 days, but inmates stay at the reception facility for up to six weeks. If the reception process is not ultimately extended (as being currently piloted), we recommend the department more quickly transfer inmates to their permanent facilities.
- 37 Adjustments should be made to the CARS cut-off levels as recommended by Professor William Bales. It is also recommend that the age factor be modified and transformed from a dichotomous to an interval level variable.
- 38 The CARS custody scale should also be modified based on the differing rates for males and females.
- 39 The department should develop some valid means to adequately discriminate between which HO4 inmates are better qualified for dormitory placement and which are better suited for housing in cells.
- 40 The CINAS or its replacement (Spectrum) should undergo an interrater reliability study with a special focus on the dynamic risk assessment factors.
- 41 To enhance the potential for CINAS to have an impact on recidivism rates, gain time incentives are needed to reward inmates who participate and complete risk-reducing programs.

4. Inmate Programs

Findings

- 4-1 Observations across facilities found security procedures often negatively impacted inmate access to scheduled programs.
- 4-2 The inmate visitation schedule allows only a restricted number of hours per week for inmate visits.
- 4-3 Inmate idleness is a significant issue in the FDC.
- 4-4 Re-Entry centers have the potential for reducing recidivism. Outcomes from participation in the program should be tracked and formal recidivism rates for the program developed after a sufficient period of time after release.
- 4-5 The capacity of inmate programs is insufficient, as it does not come close to meeting the needs of the inmate population.
- 4-6 FDC needs to conduct more rigorous evaluations of its education, vocational, and substance abuse programs. The current studies cannot be used to make any conclusions about their impact on recidivism.
- 4-7 Most of the evaluations are at least 10 years old and need to be updated using more rigorous research designs. Such an opportunity may exist with the current researcher-practitioner partnership with FSU.
- 4-8 The FDC is properly focused on the three core programs that have been shown to have some modest effect (reductions of 5-10 percent) on recidivism rates.
- 4-9 The research on the faith and character-based programs institutions (FCBI) has been stronger than the research on the core FDC program areas.
- 4-10 The results for FCBI are mixed. Inmates who participate in and complete FCBI programming have modestly lower recidivism rates, but one cannot conclude it is due to the program.
- 4-11 As funding for programs decreased in the past decade, the use of volunteers increased, creating a large number of volunteer-supported “betterment” programs to help offset the minimal level of funded programming.

Recommendations

- 42 FDC should promote the benefits of inmate visitation by increasing inmate access to visitation throughout the week.
- 43 Idleness would be reduced if FDC had more core programs that would provide meaningful training and skills to offenders. We recommend the Legislature consider appropriating increased funds to expand the capacity of education, vocational, and substance abuse programs.
- 44 The Legislature should consider appropriating additional funds to increase the capacities of education, vocational, and substance abuse treatment programs. Providing more core programming would provide meaningful training and skills to a greater number of offenders, improve their chances of successful re-entry upon release, and reduce idleness while incarcerated.
- 45 The FDC should evaluate statements of program effectiveness for studies that did not include a pooled recidivism rate that included program completers and non-completers or did not have a control group. The FDC needs to conduct far more rigorous studies of program effectiveness using appropriate evaluation designs. Given the number of inmates eligible for core programs who cannot participate due to lack of program slots, there is a great opportunity to conduct rigorous experimental studies on program effectiveness using random assignment. Priority for such studies should be for the education, vocational training, and substance abuse program needs.

STUDY OF OPERATIONS OF THE FLORIDA DEPARTMENT OF CORRECTIONS

NOVEMBER 2015

Florida Legislature
Office of Program Policy Analysis and Government Accountability
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STUDY OF OPERATIONS OF THE FLORIDA DEPARTMENT OF CORRECTIONS

November 2015



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- A: Florida Documents Tracking
- B: Listing of Inmate Programs Offered
- C: Demographics and Success Measures for Substance Abuse Programming
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BACKGROUND AND INTRODUCTION

The Office of Program Policy Analysis and Government Accountability (OPPAGA), a joint entity of the Florida Legislature (Legislature), solicited competitive bids in order to award a contract with an independent consultant for a Study of Operations of the Florida Department of Corrections (FDC).

The goal of the solicitation process was to fulfill the requirements of Chapter 2015-232, Laws of Florida (also known as Senate Bill 2500-A) passed during a special 2015 session of the Legislature. The bill states:

“From the funds in Specific Appropriations 2667 and 2668, \$300,000 in nonrecurring general revenue funds is appropriated for the Office of Program Policy Analysis and Government Accountability to contract with an independent consultant to study the operations of the Department of Corrections with regard to the incarceration of inmates. The contractor shall identify both positive and negative aspects of the department's operations and shall prepare a report of its findings, including recommendations for improvements. The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than December 1, 2015.”

The solicitation sought a consultant to conduct an immediate, thorough, and detailed study of the operations of the FDC with reference to applicable best management practices in the corrections industry. Consistent with the time requirements contained in Senate Bill 2500-A, the final report for this study was required to be submitted no later than November 30, 2015. The following specific operational areas were designated for review:

Correctional Officer Staffing

- Use of best practices identified for the corrections industry, especially those related to correctional officer screening and recruitment, training, retention, turnover, compensation, officer/inmate interaction, minimum staffing levels, and the use of double shifts and overtime
- Content and implementation of FDC policies and practices for correctional officer screening and recruitment
- Content and implementation of FDC policies and practices for training new correctional officers
- Content and implementation of FDC policies and practices related to correctional officer retention
- FDC correctional officer turnover rates and reasons for turnover by FDC region



- Comparison of FDC correctional officer compensation as compared to compensation for county jail correctional officers in Florida
- Content and implementation of FDC policies and procedures for correctional officer/inmate interactions, including the use of force and incident reporting
- Content and implementation of training provided to experienced correctional officers, including training on officer/inmate interactions and the use of force and incident reporting
- Content and implementation of FDC policies and practices related to the use of minimum staffing levels, including frequency of occurrence by institution
- Content and implementation of FDC policies and practices related to the use of overtime and double shifts, including the amount of overtime paid annually by the FDC for Fiscal Years (FY) 2010/11 through 2014/15
- Any other issues identified as meeting or failing to meet best practices identified for the corrections industry related to correctional officer staffing, with notations of positive and negative findings and recommendations for improvement in needed areas across all correctional officer staffing components

Security Operations

- Use of best practices identified for the corrections industry, especially those related to security operations
- Organization and structure of security at the institutional level at FDC facilities
- Content and implementation of FDC policies and practices that are designed to ensure correctional officer safety
- Content and implementation of FDC policies and practices that are designed to ensure inmate safety
- Content and implementation of FDC policies and practices related to correctional officer-to-inmate ratios, both in terms of overall ratios and in terms of supervision standards
- Content and implementation of FDC policies and practices related to correctional officer assignments within the FDC institutions
- Any other issues identified as meeting or failing to meet best practices identified for the corrections industry related to security operations, with notations of positive and negative findings and recommendations for improvement in needed areas across all security operations components



Risk and Needs Assessment

- Use of best practices identified for the corrections industry, especially those related to risk and needs assessment
- Content and implementation of FDC policies and practices related to the use of the risk and needs assessment for inmate security classification during the reception process
- Content and implementation of FDC policies and practices related to the use of the risk and needs assessment for institutional placement decisions
- Content and implementation of FDC policies and practices related to the use of the risk and needs assessment for developing a re-entry plan and making program placement decisions
- Any other issues identified as meeting or failing to meet best practices identified for the corrections industry related to risk and needs assessment, with notations of positive and negative findings and recommendations for improvement in needed areas across all risk and needs assessment components

Inmate Programs

- Use of best practices identified for the corrections industry, especially those related to inmate programming
- Content and implementation of FDC policies and practices related to the provision of inmate programming
- Inventory and descriptions of all inmate programs addressing inmate rehabilitation (including substance abuse treatment), academic and vocational education, and re-entry, including for each location the program capacity, inmate participation rates, and demographic characteristics of participating inmates
- Program performance information, including completion rates by location and an evaluation of the impacts program participation has on recidivism
- Description of current inmate program funding sources and alternatives
- Any other issues identified as meeting or failing to meet best practices identified for the corrections industry related to inmate programs, with notations of positive and negative findings and recommendations for improvement in needed areas across all inmate program components



On August 20, 2015, a contract was executed between the Florida Legislature, through the Office of Program Policy Analysis and Government Accountability (OPPAGA), and Carter Goble Associates, LLC (CGL) to complete the scope of work as specified in the ITN (intent to negotiate), the addendums to the ITN, and the clarifications reached through the subsequent negotiations. Consistent with the requirements of Senate Bill 2500-A, the draft final report was required to be delivered not later than November 9, 2015, with the final report delivered not later than November 30, 2015. This compressed time schedule for this review determined to a great degree the scope of work and approach that CGL developed to achieve the project objectives.

CGL Project Approach

Project Team

The members of the CGL team assigned to complete the scope of work for this review included six former administrators of major state correctional systems. Their experience includes directing a number of other comparable engagements—including operational analysis for state correctional systems such as Alaska, Ohio, Montana, Maryland, Florida, Virginia, Oklahoma, Colorado, North Dakota, and Massachusetts.

To assist in completion of the tasks required to achieve the objectives of this project, CGL teamed with MGT of America (MGT) of Tallahassee, Florida, and the JFA Institute of Washington, D.C. (JFA).

Selection of Site Visits

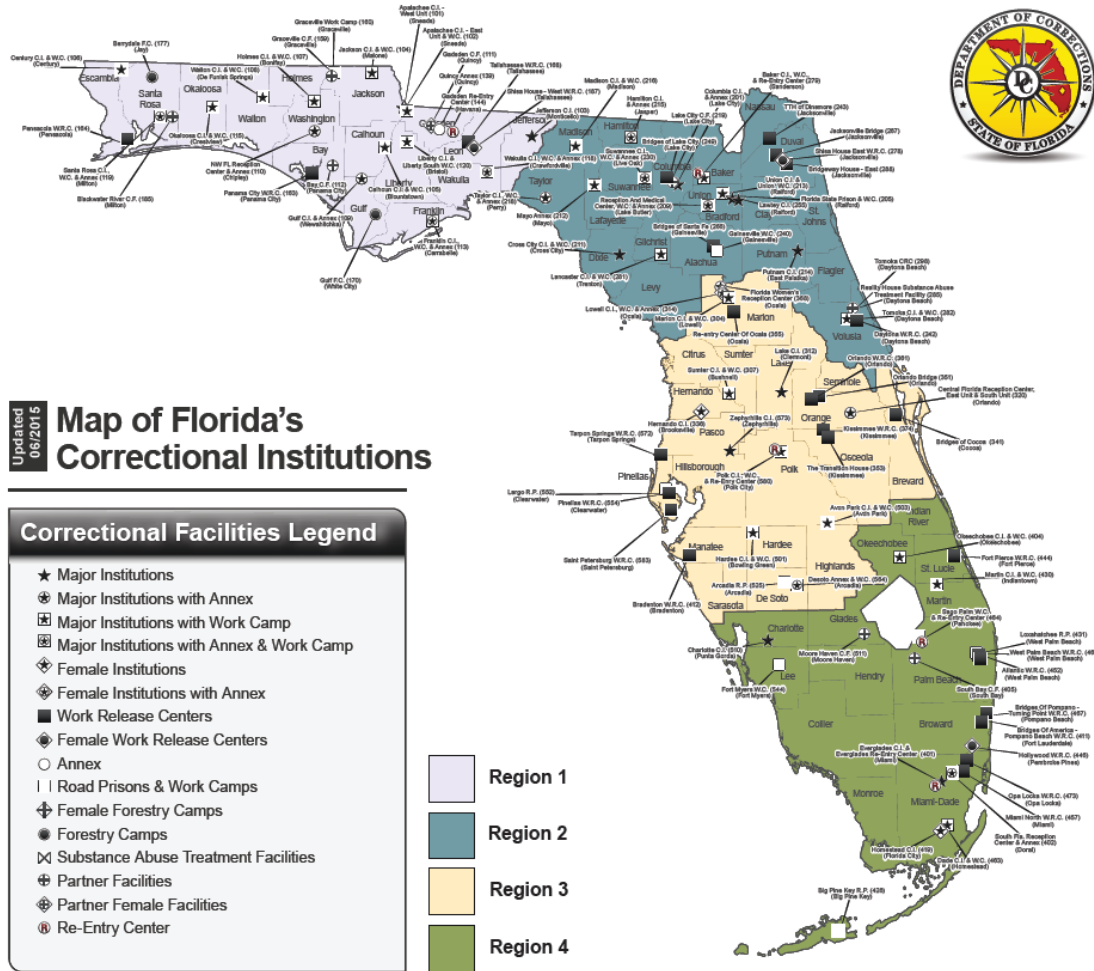
As specified in the ITN, the project team conducted site visits at a representative sample of the FDC's facilities. Due to the short length of the project schedule, it was critical that a balanced and representative sample of the system as a whole be selected for site visits. The sample included a cross section of facilities from all of the FDC's administrative regions, security levels, and special purpose facilities.

The contract required that CGL propose a plan and tentative schedule for site visits to a representative sample of facilities that, at a minimum, included the following FDC locations:

- Central office in Tallahassee
- At least one of the three FDC regional offices
- At least one reception center
- At least five major institutions, including one in each of the FDC's three regions. (At the inception of this project, the correctional facilities in Florida were divided into three

regions, with each region having a regional director and support staff providing oversight of between 17 and 20 facilities. Per Governor’s Executive Order 15-102, the secretary of corrections was directed to increase the number of regions from three to four, and the fourth region was in the process of being fully implemented at the time of issuance of this report.)

Figure 1: FDC 4-Region Map



Per the contract, CGL developed and reached consensus with OPPAGA on the specific facilities selected for site visits by the project team. The project team reviewed preliminary data made available by the FDC on the present mission, operational status, and demographics of each facility within the department. Based on this information and discussion with OPPAGA, CGL selected a pool of facilities for review that was also consistent with the requirements noted in the above listing.



The final institutional sites reviewed were as follows:

- Central office in Tallahassee
- Region II regional office in Lake Butler
- Apalachee Correctional Institution
- Northwest Florida Reception Center
- Dade Correctional Institution
- Homestead Correctional Institution
- Everglades Correctional Institution
- Baker Correctional Institution
- Union Correctional Institution
- Lowell Correctional Institution
- Florida Women's Reception Center
- Everglades Re-Entry Center
- Baker Re-Entry Center

In addition to the above, key staff at the Lake Butler Medical and Reception Facility were interviewed.

Site Visit Protocol

CGL developed a site visit protocol to assure consistency and standardization of operational analysis. The key elements of the protocol are summarized in the following:

- Review and inspect physical security systems, including an assessment of perimeter fences, intrusion detection systems, lighting, surveillance systems, contraband interdiction systems, and use of "officer alert" technology.
- Determine the effectiveness of the emergency response procedures and protocols in response to critical incidents, including the reporting and follow-up.
- Observe the operational practices of the facility in order to determine how operational policies impact security staffing needs.
- Examine chain of command, reporting relationships, and decision-making authority as it relates to managing effective and efficient facility operations.
- Assess the organization and structure of security at the institutional level at FDC facilities.
- Conduct an efficiency and effectiveness analysis of building custodial services, grounds keeping, and building and grounds maintenance to assess overall facility condition and sanitation.



- Examine the level and content of staff training.
- Review budget management and resource utilization.
- Assess the level of departmental and institutional operational compliance policies and procedures, as well as the overall effectiveness of current policies and practices in assuring effective security.
- Assess the content and implementation of FDC policies and practices that are designed to ensure correctional officer safety.
- Assess the content and implementation of FDC policies and practices that are designed to ensure inmate safety.
- Assess the content and implementation of FDC policies and practices related to correctional officer-to-inmate ratios, both in terms of overall ratios and in terms of supervision standards. This review took into account the implementation of the federally mandated Prison Rape Elimination Act (PREA) standards. PREA was enacted in 2003 to address the sexual assault of inmates while incarcerated. A set of specific PREA-related standards that prisons are required to follow were issued in 2012.
- Assess the content and implementation of FDC policies and practices related to correctional officer assignments within the FDC institutions.
- Review and assess any other issues identified as meeting or failing to meet best practices identified for the corrections industry related to security operations, with notations of positive and negative findings and recommendations for improvement in needed areas across all security operations components.

The overall objective of the site visits was to identify the strengths and weaknesses of FDC institutional operations and security and develop specific recommendations for improving the efficiency and effectiveness of the department's performance.

In concert with the site visits, the project team also conducted an assessment of the program offerings within the department to document the FDC's program resources, use of needs assessment tools, participation levels, and performance, with an emphasis on re-entry programming. Appendices B, C, and D detail the inventory of programs offered in the FDC and provide the following information concerning each program. We note that FDC does not maintain this complete listing of information on all of its funded programs.

- Comprehensive listing of all funded inmate programs offered
- Brief description of each program, including identification of the target population
- Category of program (educational, vocational, treatment, re-entry, etc.)
- Program capacity
- Program location



- Funding source
- Average participation level over past year and identification of whether program is under or over utilized (where available)
- Demographics of participating inmates (where available)
- Completion rates (where available)
- Recidivism statistics relative to program (where available)
- Other comments and/or findings

The project team also reviewed policies and procedures related to re-entry. The review focused on the adequacy and thoroughness of current policies, comparing them with nationally accepted standards and best practices.

An attempt was also made to describe the gap between current program capacities and the initial needs assessments conducted on newly admitted inmates to determine and identify whether the availability of programming slots adequately aligns with inmate needs.

Interviews

A key element of the assessment included the interviews of staff at all levels of the FDC in order to understand the operational and managerial issues facing the department. A total of 284 central office managers, regional, institutional, and program staff were interviewed to obtain a broad perspective of the operational approach of the department, the principles and philosophy on which the operational approach is based, and the challenges that staff face in achieving the objectives of the department at all levels. Of this total, 125 correctional officers and sergeants were interviewed along with 24 institutional administrators and 19 central office staff. Staff representing all the major institutional and operational functions at the institutional level were interviewed.

These interviews were supplemented with staff focus group sessions conducted at each facility visited and included institutional officers, civilians, and command staff. These focus groups were designed to identify morale issues and to capture the perceptions of management policies and support of staff.

We also interviewed a large contingent of inmates at every facility we visited. These interviews covered a wide range of topics including access to programming and services, facility operations, and inmate safety and security. Some of the comments and input provided by those interviewed underscored our observations or directed us to issues that needed further review.



Analysis of Documents and Data

Analysis of documents and data related to the key issues reviewed was critical to the analysis contained in this report. CGL submitted an initial request of pertinent data, reports, and background materials related to each specific department and facility under review. This initial request included:

- Authorized, budgeted, filled, and vacant positions by facility and position title
- Overtime utilization and expenditures by pay period, function, and shift
- Current and prior year budget and expenditures for each institution by line item and detail object
- Average daily facility population and capacity numbers for the last 12 months
- Demographic data on the present facility population, including offense profile, classification level, age, health status, and other relevant information
- Facility capacity by housing unit classification (segregation, protective custody, witness protection, special needs, satellite facilities, reception, etc.)
- Facility academic, vocational, and treatment programs with current enrollment and staffing
- Number of inmates with no job or program assignment
- Critical incidents (assaults, escapes, disciplinary transfers, etc.) occurring within the last 12 months
- Current master roster
- Current daily rosters for a one-week cycle
- Institutional directives or policies
- Facility physical plant layout and any schematics
- Planned capital projects relating to facility security or capacity
- Training documentation for facility staff
- Facility accreditation reports
- Facility table of organization and command structure, identifying all supervisory positions
- Audits and performance data
- Maintenance expenditures and work order tracking data

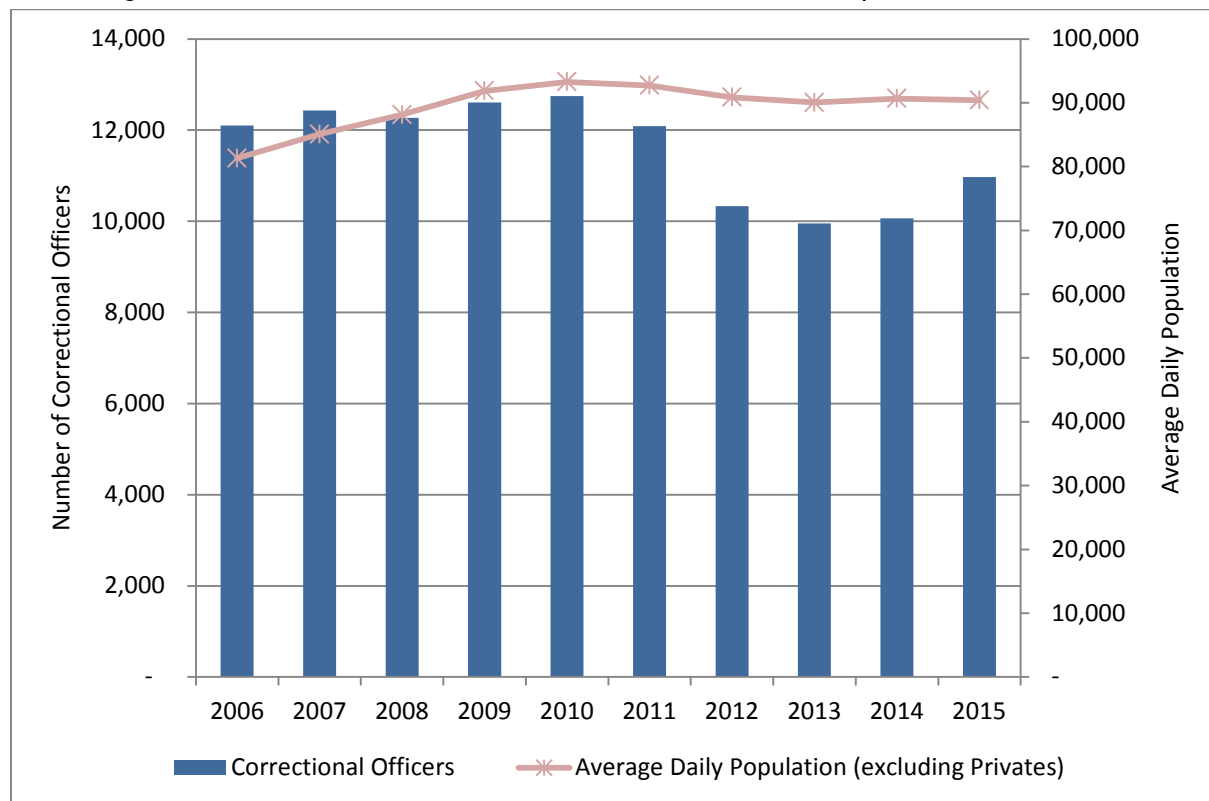
The initial request was supplemented through additional document requests as the project review proceeded and additional needs were identified. Appendix A contains a listing of documents reviewed during the course of the review.

1. CORRECTIONAL OFFICER STAFFING

This section of the report examines issues related to the staffing of FDC facilities. This wide range of topics, which includes recruitment, salaries, and staff deployment, are all interconnected to a degree, which makes it difficult to understand them in isolation from each other. For example, salary levels affect turnover, which in turn has an impact on recruitment, which has a direct bearing on training. The common thread, however, through many of the department's staffing issues, is the adequacy of available staffing resources to meet the operational needs of facilities.

The simple fact, as shown in Figure 2, is that despite an uptick in correctional officer staffing in Calendar Year (CY) 2015, the FDC today manages an inmate population that has been largely stable over the last six years with significantly fewer correctional officers than it has used to manage its facilities in the past. As of June 30, 2015, the FDC had 10,973 filled correctional officer positions and 720 vacancies. This compares with 12,099 filled correctional officer positions and 554 vacancies on June 30, 2006. Significant budget reductions beginning in FY 2010/2011 resulted in lower system staffing levels.

Figure 2: FDC Correctional Officer Headcount and Inmate Population, CY 2006-2015





The issue of the adequacy of current facility staffing is outlined through the issues presented in the following.

Officer Screening and Recruitment

Correctional officer recruitment and screening is a top-level priority for the FDC. The magnitude of hiring requirements, the dispersion of facilities around the state with widely varying economic and employment environments, and the operational impact of failing to meet facility staffing requirements all combine to make the efficient hiring of new correctional officers a major issue.

FINDING 1-1: Establishment of a statewide office responsible for recruitment and screening has played a major role in improving FDC hiring efficiency.

Over the last four years, the FDC has gradually moved to centralize the correctional officer application process. Historically, each institution has been responsible for recruiting and screening applicants that would ultimately be assigned to work at that institution. Under this system, institutions would post advertisements for correctional officer positions, and applicants would apply directly to every institution at which they wanted to work. This resulted in multiple applications by individuals willing to work at different institutions, all of which were processed in parallel tracks at each facility. The system also required significant administrative work by correctional officers and facility managers in the recruitment and screening process.

Problems with the system include duplicate applications, interviews, employment verifications, and processing among neighboring institutions, redundant administrative activities at multiple facilities, and disparate hiring workloads among facilities related to local issues and needs.¹ Centralized authority for recruiting, screening, and hiring correctional officers is a recognized best practice among state correctional systems for the consistency and efficiency provided by this approach.

While facilities still receive applications and conduct initial screening, the FDC has now established a parallel, centralized hiring office. The revised application process utilizes statewide correctional officer pool advertisements on the state human resources website, People First, one each for certified and non-certified applicants. Use of People First eliminates duplicate applications, as the system only allows one application per advertisement. The advertisement directs the applicant to a prescreening form that includes an initial background review and allows the applicant to indicate a preference of work locations.

¹ Per Statewide Recruitment Center, September 16, 2015



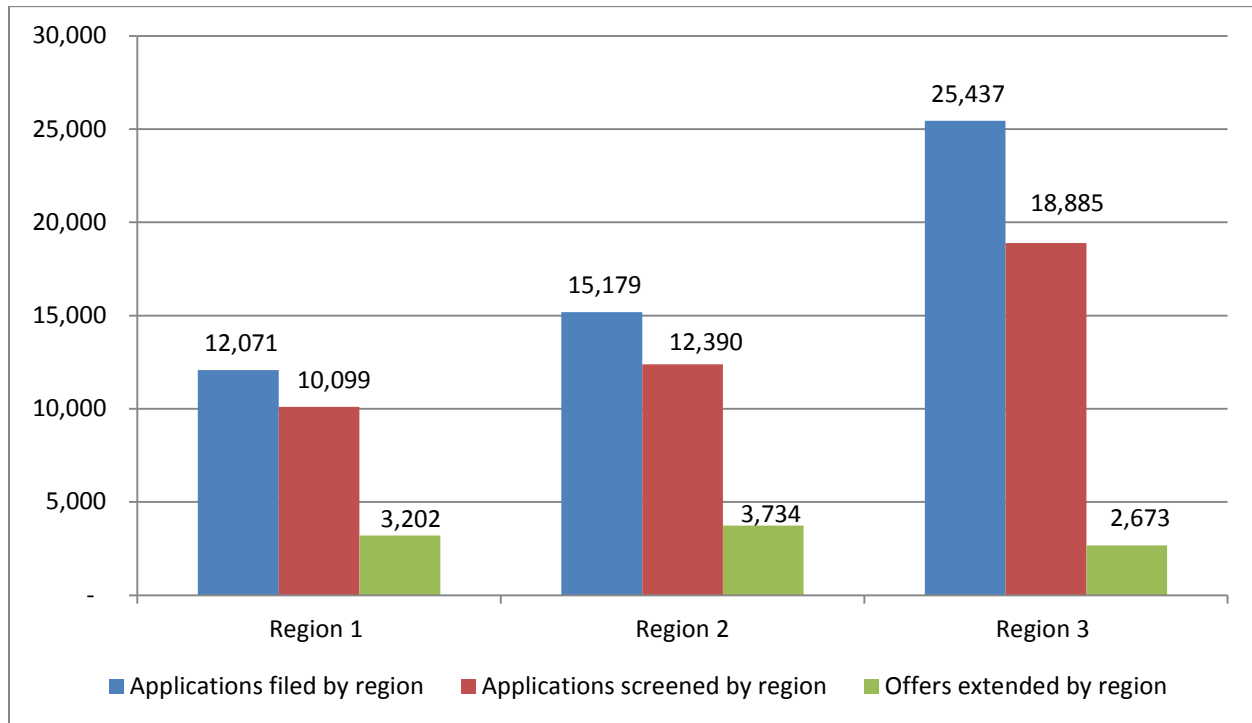
With this information, personnel conducts the initial background investigation, and if the applicant passes, requests submission of supporting documents and a full employment application. Upon verification of these materials, applicants are scheduled for screening at regional sites that include physical abilities testing and oral interviews. Applicants that pass this stage move on to drug testing and physical exam. Following these actions, FDC central office personnel conduct a final review of the applicant file to assure all documents are present, all pre-employment requirements are met, and set a start date. Institutional placement is based on an established priority system that takes into account specific facility hiring needs.

Since adopting this system in 2012, through September 9, 2015, the FDC has processed 52,687 correctional officer applications. Out of this total, the department screened 41,374 applicants and made 9,609 offers of employment for correctional officer positions. Of these offers, 9,595 were accepted.² In aggregate, 18 percent of applications resulted in employment offers. Most recently in 2014, the statewide recruiting office prescreened and processed 7,611 correctional officer applications that were sent to institutions. Virtually all of the correctional officer applicants hired are not certified and require training.

Figure 3 shows the level of application processing, screening, and hiring by region. Region 3 must process a substantially greater number of applications to generate the number of applicants required to keep pace with vacancies. This is a function of both greater staff turnover in region 3 facilities and the fact that only 10.5 percent of the 25,437 applications filed in region 3 resulted in job offers.

² FDC Office of Human Resources Management

Figure 3: Employment Application Processing Per Region, CY 2012-2015



Source: FDC Office of Human Resources Management

FINDING 1-2: The FDC correctional officer recruitment and applicant screening process successfully generates sufficient numbers of applicants to fill system vacancies.

Maintaining an adequate pipeline of new hires and expediting the hiring process are key objectives of the centralized applicant hiring screening system. To this end, the department has streamlined its human resource and screening process to expedite the hiring process. In 2015, the average amount of time required to process the applications of the 2,072 correctional officers hired to date, from initial prescreening to actual starting date on the job, was 101 days.³ Expediting the hiring process to this degree, given this scale of hiring, is exceptional. We are unaware of any large state correctional system that has achieved this level of efficiency in the correctional officer recruitment, screening, and hiring process.

In 2014, the FDC hired 2,908 new correctional officers. This barely kept pace with the 2,897 correctional officer separations experienced by the department that same year. In order to maintain this rate of hiring, the FDC attempts to maintain a pipeline of approved applicants ready for hire. In reviewing snapshot reports of vacancies and screened applicants pending

³ FDC Office of Humans Resources Management



final personnel action prior to hire during calendar year 2014, it appears that Region 3 maintains a pool of 3.8 screened applicants per vacancy approved to fill and that Regions 1 and 2 maintain hiring pools of approximately 1.2 screened applicants per vacancy approved to fill.

In managing this pipeline, the department closely tracks institutional vacancies through the personnel applicant tracking system (PATS). PATS provides correctional officer applicant tracking details and various management reports for personnel, regional directors, regional recruiters, and wardens. Bi-weekly reports document the current number of vacancies in each institution, as well as the number of approved applicants in each stage of the final hiring process (hire date committed, drug test/physical scheduled, human resources documents processed), and highlights those facilities with high vacancy rates and insufficient numbers of applicants in the hiring pipeline. Department management uses the report as an alert to focus recruitment and hiring activity at facilities that are falling behind in filling vacancies.

The department has set a goal for 2015 to accelerate hiring to net an increase of 1,400 correctional officers. Assuming constant attrition levels and the same ratio of applicants-to-job-offers that has existed since 2012, this will require that the department process 23,560 applications for correctional officer positions in 2015. The challenge of meeting this target without completely depleting the pipeline of applicants available to fill vacancies in 2016 is significant.

Recruitment and hiring are strengths of the FDC. Several managers commented that the department does not have a recruitment problem; it has a retention problem. The department has chosen to refine and improve the recruitment and hiring process as the most effective means to maintain authorized staffing levels, despite nearly 3,000 correctional officers leaving the FDC every year. The policies and procedures established by the FDC are sound and well implemented.

Correctional Officer Compensation

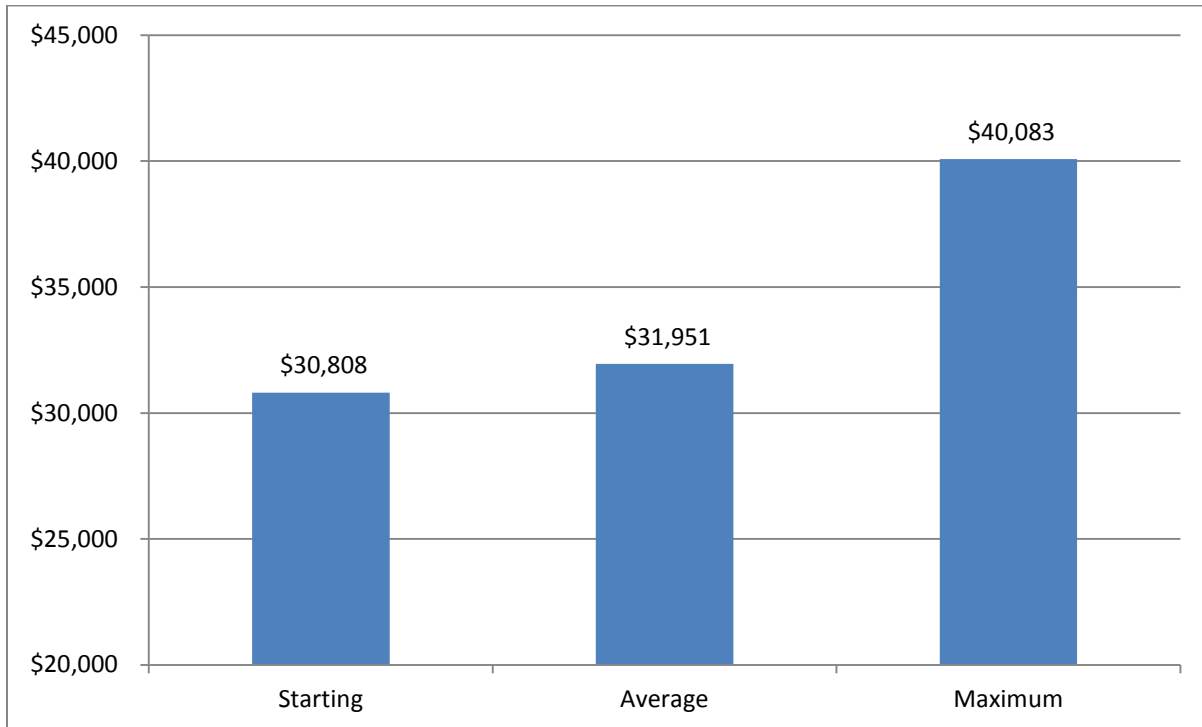
The average salary of a correctional officer in the FDC is \$31,951. New correctional officer trainees start at \$2,334 per month (\$28,008 annual salary). Upon completion of training and full certification as a correctional officer, they receive an increase in salary of 10 percent, to \$30,808 annually. Officers employed in Indian River, Martin, Okeechobee, and St. Lucie Counties receive an additional \$1,200, and officers working in Palm Beach, Broward, Dade, and Monroe Counties receive an additional \$2,500 for the increased cost of living in these areas. By comparison, Florida Highway Patrol staff receive a \$5,000 additional salary differential for employment in these same counties.



FINDING 1-3: Correctional officer salary levels have remained stagnant for a number of years.

The system has no means for automatic step increases, absent the automatic increase a trainee receives upon certification as a correctional officer. Officers have not received a general increase in pay in eight years. As shown in Figure 4, although the official salary range for a certified correctional officer extends from \$30,808 to \$40,803, the average salary for all FDC correctional officers is only \$31,951, or 3.7 percent higher than the starting certified officer salary level. As a result, the primary means for staff to increase their level of compensation is through overtime or promotion.

Figure 4: Certified Correctional Officer Salary Range and Actual Average Salary Level



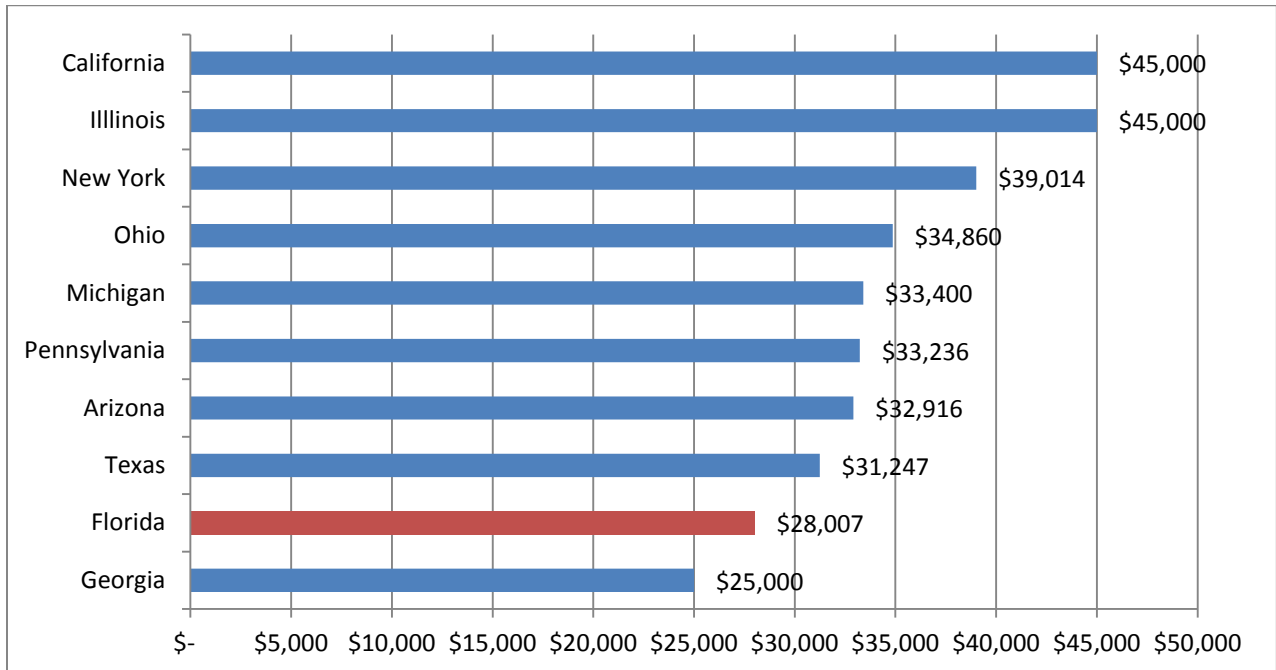
Source: FDC Office of Human Resources Management

FINDING 1-4: FDC correctional officer salary levels are substantially below salary levels in other large state correctional systems.

The FDC's starting salary of \$28,008 for non-certified correctional officers is far below the levels of most large state correctional systems. Florida has the third largest state correctional system in the U.S., trailing only Texas and California. Of the top 10 state correctional systems by size, the FDC's correctional officer starting salary level ranks 9th, with only Georgia

offering a lower rate of entry pay. California and Illinois provide starting salaries that are 61 percent higher than Florida’s. Texas, which has perhaps the most comparable correctional system to Florida among the top 10 systems, provides a starting salary that is 12 percent higher (Figure 5).

Figure 5: 2015 Starting Correctional Officer Salaries, 10 Largest State Correctional Systems

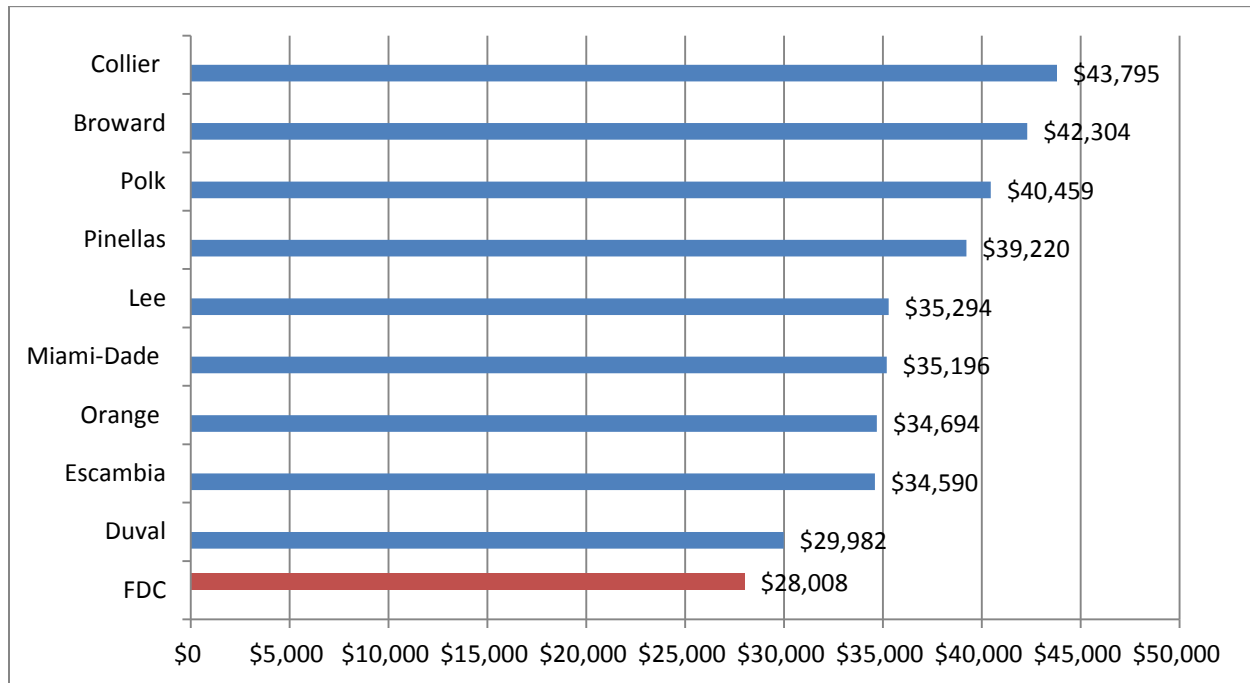


Source: CGL survey of the ten largest state correctional systems

FINDING 1-5: FDC correctional officer salary levels are below salary levels for correctional officers employed by large Florida counties.

FDC starting salary levels also lag behind entry level pay for correctional officers in Florida’s nine largest county jail systems. The disparity in starting pay ranges from 7 percent in Duval County to a 56 percent higher starting pay in Collier County. On average, starting salaries for correctional officers in these counties are 33 percent above FDC levels (Figure 6).

Figure 6: Correctional Officer Starting Salaries in FDC and Major Florida County Jails



Source: CGL survey of the nine largest Florida counties

This disparity between county and state correctional officer salary levels places the state at a severe competitive disadvantage in recruiting staff and retaining officers once they have been trained and certified. One administrator summarized the current hiring environment as, “Our competition for hiring is Walmart, not other law enforcement agencies.”

Although the FDC does not formally keep data on the number of officers who resign their positions to take jobs with county jail systems, anecdotal reports indicate that counties actively recruit new FDC correctional officers once they have attained certification. In effect, the counties use FDC to train their prospective employees. Although the FDC requires an officer to reimburse the state for the cost of training if they leave within two years of attaining certification, in some instances the counties will cover the cost of this reimbursement in addition to providing a signing bonus and a substantial pay increase over state salary levels.

Low salary levels also have an impact on officer morale. Officers in focus groups at every institution visited identified the low level of pay and lack of opportunities for increased salary as major sources of staff discontent. Low salaries contribute to devaluation of the work of a correctional officer, leading to poor work performance.



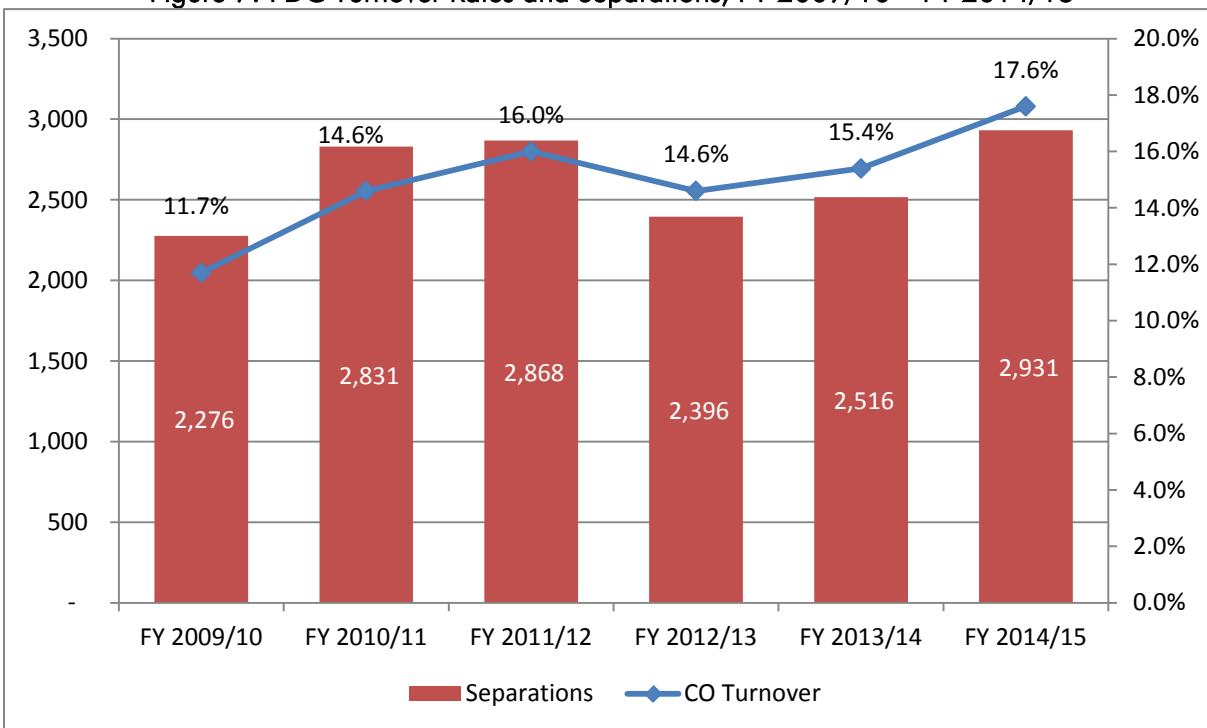
Staff Retention

Low salary levels are a contributing factor in the FDC's rate of correctional officer turnover. High rates of turnover can have a serious negative impact on facility operations by reducing the number of veteran staff available to manage the most challenging post assignments and instead forcing reliance on less experienced officers. A low number of correctional officers with significant work experience will increase operational risk throughout a correctional system. In addition, high turnover increases administrative costs, as the system must continually recruit, hire, and train increasing numbers of staff to offset the large number leaving.

FINDING 1-6: The correctional officer turnover rate has grown by 50.4 percent over the last six years.

Turnover rates in the FDC have increased since FY 2009/10 as shown in Figure 7, growing from 11.7 percent that Fiscal Year to 17.6 percent in FY 2014/15. Annual separations have increased by 29 percent over this period and totaled 2,931 in FY 2014/15. The turnover rate has increased substantially more than the actual number of separations due to the decline in the overall number of correctional officers that has occurred in the system during this time period.

Figure 7: FDC Turnover Rates and Separations, FY 2009/10 – FY 2014/15



Source: FDC Office of Human Resources Management



With this level of sustained turnover, the overall level of experience in the department’s correctional officer cadre is low. Half of the department’s correctional officers have less than 3.1 years of work experience.⁴ The experience level at the FDC’s largest, most difficult facilities is even lower. As shown in Table 1, at 5 out of the 10 largest FDC-operated facilities, half of the staff has less than two years of work experience.

Table 1: Correctional Officer Job Experience: 10 Largest FDC Facilities

	Median Years of CO Experience	09/15/15 Inmate Count
Okeechobee	0.77	1,616
Columbia Annex	1.92	1,550
Gulf	3.09	1,535
Gadsden	1.67	1,532
Wakulla Annex	2.15	1,496
Dade	1.35	1,478
Martin	2.35	1,460
Everglades	0.97	1,448
DeSoto	2.81	1,428
Santa Rosa	2.76	1,389

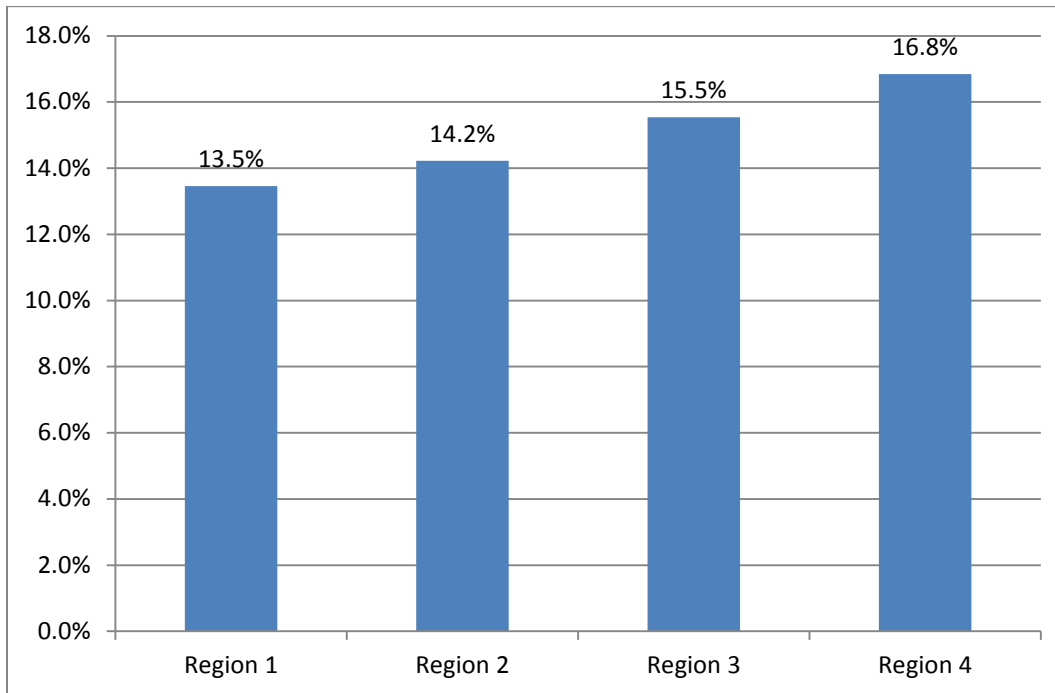
Source: FDC Office of Human Resources Management

FINDING 1-7: Turnover rates are higher in central and southern Florida.

Analysis of patterns of turnover among the different geographic regions where the FDC has facilities shows higher turnover rates in those parts of the state with larger populations, more competition for employment, and higher costs of living. Figure 8 shows the aggregate turnover rate by region from FY 2009/10 through FY 2014/15. Region 1 corresponds to the Florida panhandle, region 2 is northern Florida, region 3 takes in facilities in the central portion of the state, and region 4 is south Florida. While the differences in turnover are not large, they are significant and show higher rates for the southern and central regions of the state, as well as higher turnover rates in northern Florida as compared to the panhandle.

⁴ Source: FDC Office of Human Resources Management report, *CO Experience by class*, August 31, 2015.

Figure 8: Turnover by FDC Region, FY 2009/10 through FY 2014/15



FINDING 1-8: Turnover is disproportionately high among new correctional officers.

FDC data indicate that approximately 25 percent of all new correctional officers terminate their employment within 12 months of beginning employment. Within two years, the attrition rate for new officers climbs to 32 percent. According to the FDC, it costs approximately \$1,200 on average to train a new correctional officer. Given a projected 3,000 correctional officers trained this year, this attrition rate means that the FDC will spend \$900,000 training staff that will not work in the state correctional system for longer than two years.

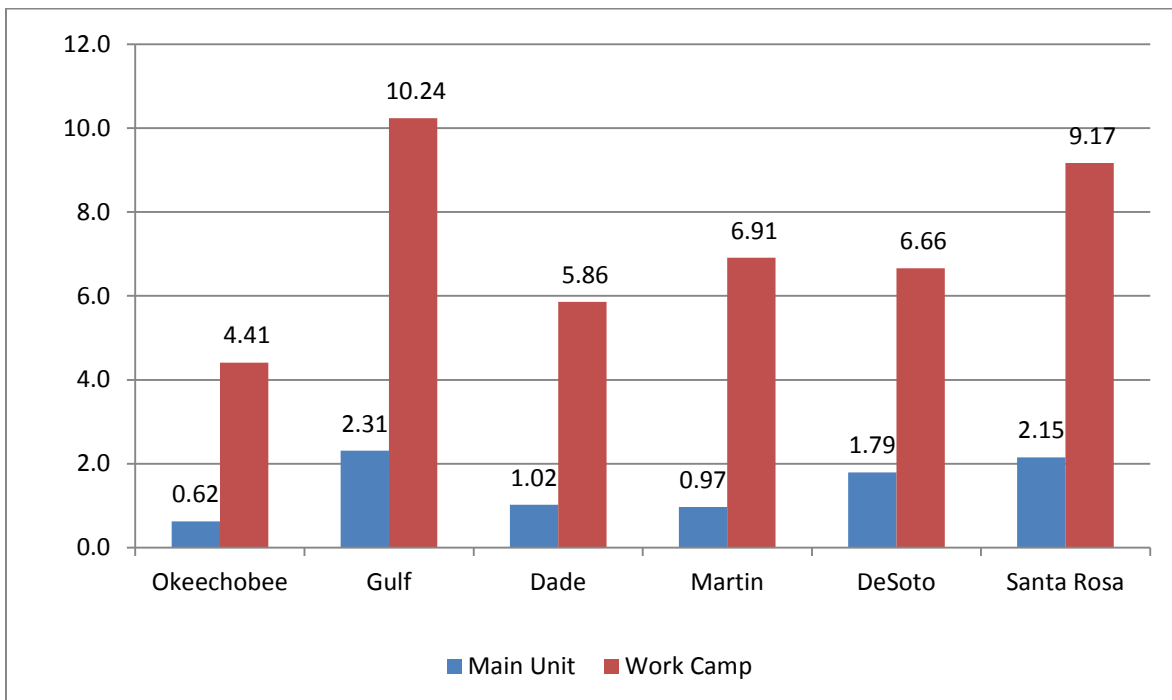
FINDING 1-9: The work assignment practices of the FDC contribute to the assignment of inexperienced staff in the most challenging post assignments.

Most facilities within the FDC have multiple work sites under the jurisdiction of a single warden. In addition to the main unit, facilities often have satellite work camps and re-entry centers. These satellite facilities are smaller and generally have a much less challenging inmate population and work environment. Staff are allowed to transfer to work at these facilities at the discretion of the warden. Such assignments are highly valued and generally go to more senior staff.

The overall impact of this practice, however, is to concentrate the most experienced senior officers at the least demanding work assignments, leaving the new or relatively inexperienced

officers responsible for managing demanding post assignments in the large institutions. Figure 9 compares the relative levels of work experience between correctional officers assigned to large facility main units and their associated work camp facilities. The level of staff experience is approximately five times higher in the work camps as compared to the main units of these facilities. This practice works to the detriment of overall operational performance by misallocating experienced staff resources.

Figure 9: Correctional Officer Years of Experience – Prisons Compared to Work Camps



Source: FDC Office of Human Resources Management

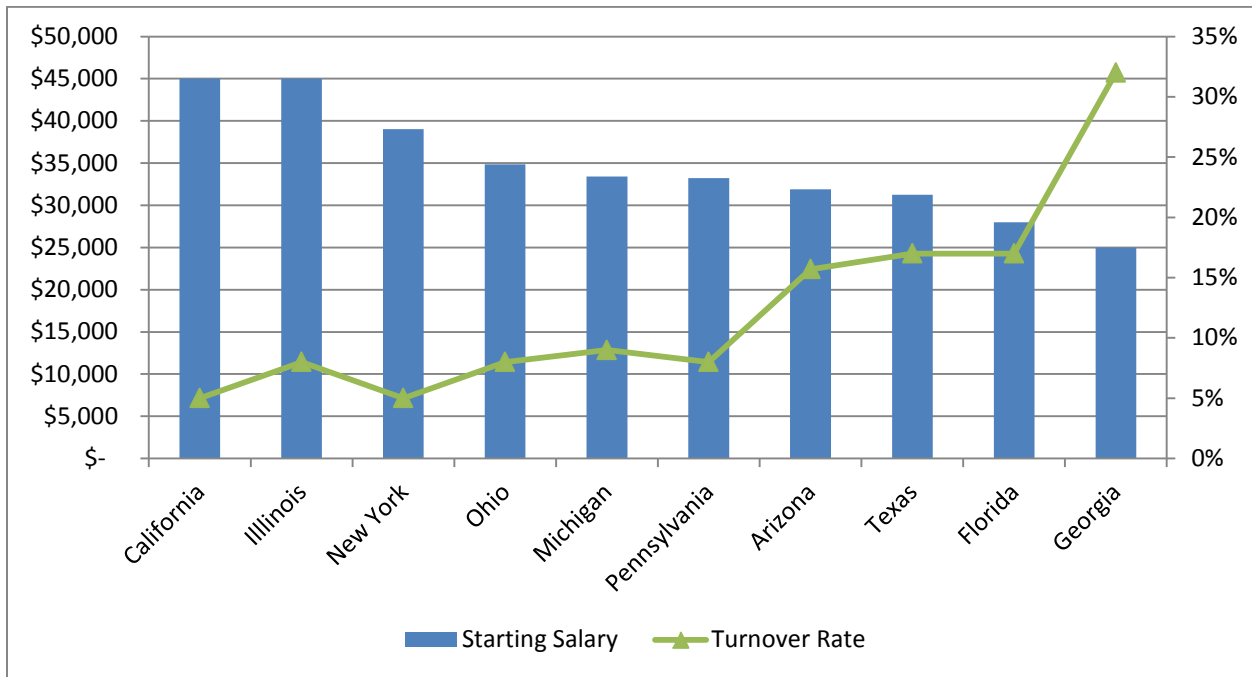
The increased operational stress placed on new staff by this practice may play a role in the high turnover rate for new staff. Turnover rates at the facilities in the above comparison, for example (with the exception of Santa Rosa), all exceed the FDC average of 17.6 percent. The annual turnover rates at Okeechobee, Dade, and Martin are 27, 25, and 26 percent respectively.

RECOMMENDATION 1: Establish a policy to balance the assignment of senior correctional officers and less experienced staff consistent with operational needs.

FINDING 1-10: High turnover rates are correlated with low salary levels.

Analysis of correctional officer turnover and salary levels for large state correctional systems shows that the potential impact of salary levels on staff retention is significant. Figure 10 shows the reported current correctional turnover rates that accompany starting salary levels for the 10 largest state correctional systems. The states with higher starting salary levels have much lower staff turnover rates. All of the states with starting salaries above \$33,000 have turnover rates ranging from 5 to 9 percent. As salaries decline, turnover rates increase. Florida has the second lowest starting salary of the top 10 states and the second highest turnover rate (17.6 percent), trailing only Georgia, which has the lowest starting salary (\$25,000) and by far the highest turnover rate at 32 percent.

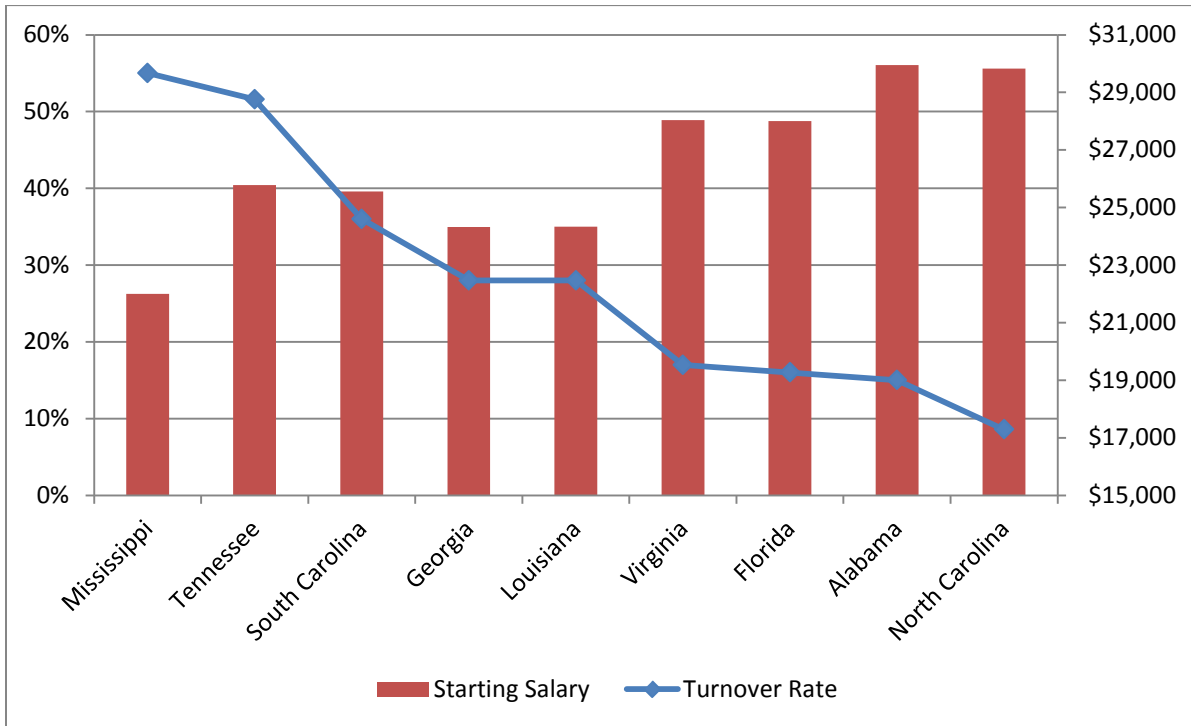
Figure 10: Starting Salaries and CO Turnover – 10 Largest State Correctional Systems



Source: CGL survey of the ten largest state correctional systems

In the context of correctional systems in the southern U.S., FDC salary and turnover rates appear comparatively more positive. Figure 11 shows that in these states, which tend to have much lower correctional officer salaries, the same relationship of salary level to turnover is apparent. In this group of nine southern states, the FDC has the third highest starting salary levels and the third lowest staff turnover rate. It should be noted that many of these systems are experiencing significant operational stress. In recent years, the correctional systems of Mississippi, Alabama, Louisiana, South Carolina, and Georgia have faced major litigation and federal investigations into facility conditions.

Figure 11: Starting Salary and Turnover Rates in Southern State Correctional Systems



Source: Association of State Correctional Administrators (ASCA) 2014 survey of correctional staff turnover and vacancy

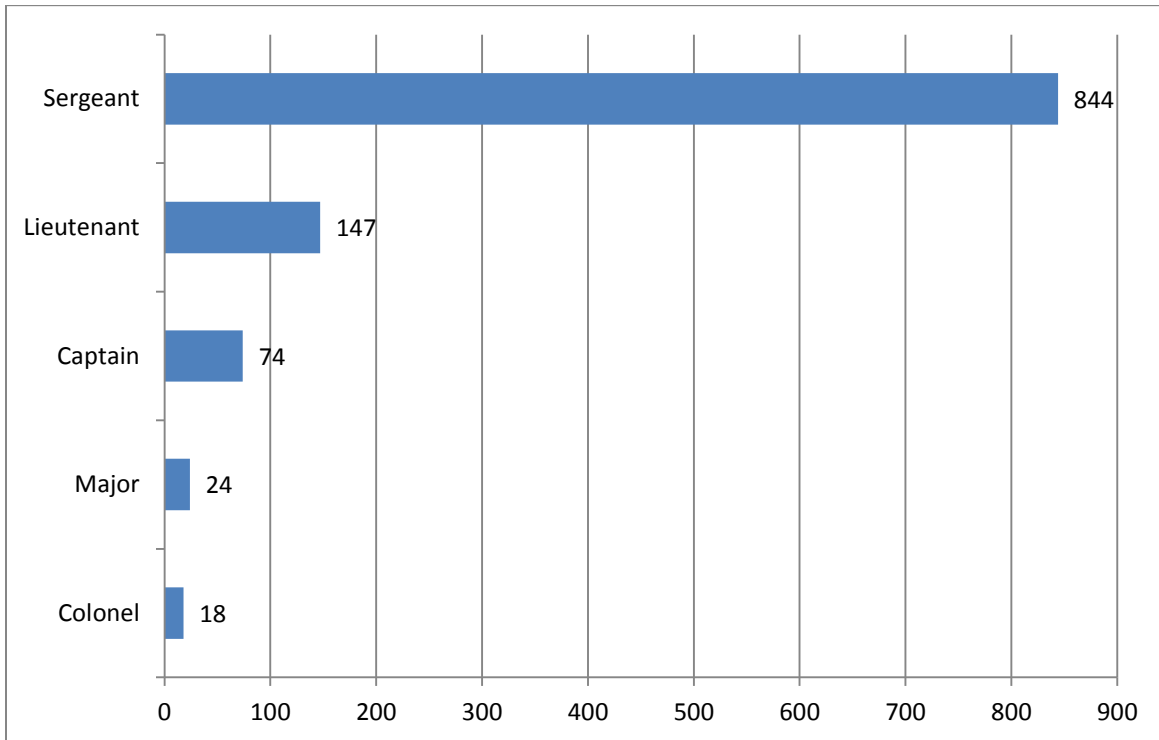
The largest issues in staff retention are the same as those identified with staff morale, the negative impact of low, stagnant salary levels, and working conditions that exacerbate staff stress. Although department policies on post assignments may contribute in part to the job stress inexperienced staff may experience on the job, the larger issue here, as described elsewhere in this report, is staffing levels that require staff to take on very demanding, challenging work assignments with minimal support and/or backup.

The FDC has limited policy tools to address these fundamental issues and improve retention. Facility managers do have the opportunity to reward staff with promotions and reassignments, as described in *Procedure 208.021, Request for Reassignment or Promotion*. Relocation or reassignment to another duty or satellite institution can be an effective incentive for an officer that needs a change in environment. However, rewarding staff through relocation to less demanding facilities can have the unintended consequence of placing the primary burden for operating the FDC's most challenging facilities on relatively inexperienced staff.

Although the rate of turnover diminishes with rank, an agency the size of the FDC will always have substantial opportunities for professional advancement through promotion. Depending

upon their pay grade level, correctional officers may receive an increase in salary of 7.5 - 10.0 percent upon promotion to sergeant. From FY 2012/13 to date, 3,145 FDC employees have received promotions. Figure 12 shows the distribution of promotions in FY 2014/15.

Figure 12: FY 2014/15 Promotions by Rank



Source: FDC Office of Human Resources Management

The overall number and distribution of promotions is similar to historical trends, with the exception of promotions to sergeant. The 844 promotions to sergeant represented a 33 percent increase over levels experienced in both FY 2012/13 and FY 2013/14. Insofar as the overall number of sergeants in the FDC was essentially stable during this time, the increase must be attributable to increased sergeant turnover.

FDC policy guiding promotions appears consistent with standard policies in other state correctional systems, with an objective scoring of applicants based on education, work experience, training, performance evaluations, and veterans' preference. The top five candidates for each rank are interviewed and selected by a board composed of a warden, assistant warden, and chief of security. The policy is sound and appears fairly implemented.



Training

Pursuant to *Procedure 209.101, Training Requirements*, the FDC Bureau of Staff Development and Training is the designated authority for all department training. The training required and provided is aligned with Florida Administrative Code (F.A.C.), American Correctional Association (ACA) training standards, and FDC supplemental procedures.

The Bureau of Staff Development and Training is responsible for developing and facilitating the FDC's master training plan in addition to processing all training requests, coordinating curriculum development, and maintaining the department's electronic learning management system. Designated staff are assigned to each major work location to assist in ensuring staff are properly scheduled to receive required training.

FINDING 1-11: Training for new officers meets recommended professional requirements.

The basic recruit curriculum addresses all key subject matter areas, including officer safety, communications, inmate supervision, use of special equipment, intake and release procedures, management of special populations, defensive tactics, firearms, first aid, and wellness. The program has successfully passed biennial audit by the Florida Department of Law Enforcement. Trainee feedback on the quality of training has been positive. The curriculum is currently under review by FDC management, which may result in modifications to increase the relevance and utility of the training for new correctional officers.

All newly hired employees must complete 40 hours of online orientation training within 30 days of hire. Correctional officer trainees then proceed to basic recruit training, which consists of 420 hours of certified officer training provided by department training academies established at major institutions throughout the state. Training is offered at 25 academies in 22 locations around the state. As of May 2015, approximately 1,500 FDC trainees were enrolled in academies with an additional 1,200 waiting to get in.⁵

Producing enough certified graduates of basic recruit training to address facility staffing needs is challenging. Class sizes in training academies have been increased from an average of 24-30 trainees per class to 36-64, depending upon the availability of space. The FDC also received \$500,000 this year in new funding to contract with six community colleges for additional training academies.⁶

⁵ Bureau of Staff Development and Training, September 10, 2015

⁶ Ibid.



The new recruit training process has a dropout rate of approximately 18 percent. The most common reasons for termination are inability to pass either the defensive tactics or firearms portion of the curriculum. Much of the orientation in basic recruit training is to ensure that the trainee has the skills and temperament required for the job. As opposed to some state correctional systems that impose more selective standards on the hiring process, the FDC maximizes recruiting and hiring and relies upon the training program to screen out candidates that may not meet department requirements.⁷

FINDING 1-12: Training for experienced officers is being provided consistent with established procedures.

A review of FDC training records for 2014 showed that certified correctional officers received an average of 48.4 hours of training. Sample individual training records were reviewed, as well as department-wide staff training records. Individual training records for experienced correctional officers reflected staff had received mandatory in-service training in a manner consistent with the procedures. The only exceptions noted were those staff that had been on extended leave status during the fiscal year. In respect to correctional officers, it was not uncommon to see a 100 percent overall compliance rating for correctional officers at several facilities when extended leave staff were excluded.

The FDC requires 40 hours annually of mandatory in-service training for all certified correctional officers. The number of required training hours is consistent with national standards (ACA). Specific subject matters, including use of force, inmate relations, defensive tactics, and chemical agents, are all considered mandatory in-service training topics required to be provided on an annual basis. Specific inmate relations training included Inmate Manipulation and Contraband, Inmate Discipline, Inmate Grievance Refresher, and Inappropriate Behavior Including Sexual Misconduct. Training is provided through a combination of forums, including classroom setting, firing range, and on-line (electronic). The FDC recently added a training module on de-escalation in response to concern over use-of-force issues.

The FDC maintains documentation of training records in a comprehensive electronic data system referred to as the Florida Department of Corrections Training Database. The system identifies staff by facility, position classification, training requirements, completed training, and the total number of hours completed by subject matter and fiscal year. Designated facility personnel monitor and track the status of training compliance levels at each facility. Sample

⁷ Ibid.



database systems were reviewed and reflected the systems were being maintained on a current basis.

FINDING 1-13: Not all facilities have an officially recognized training position.

In some facilities, the assignment of staff to coordinate basic recruit training and annual in-service training is considered a collateral or secondary duty to their main responsibilities. In several cases, these positions may also be listed as a “special assignment” that falls outside the employees’ normal duties. In facilities that are part of a correctional complex (multiple facilities), a designated position may be recognized at one facility, while the other facilities meet those responsibilities through secondary duties or special assignments. There was no indication that staff training was negatively impacted by the on-site personnel resources provided; however, the job duties for an institutional training officer should be a full-time assignment. In those institutions without a training position on the roster, the concern is that training is not being given sufficient attention, or that staff in other post assignments are detailed to manage training to the detriment of their official post assignment.

FINDING 1-14: Staff records reflect specialized training is provided to experienced correctional officers based on work assignments.

For example, a total of 60,567 hours of training entitled “Critical Thinking during Critical Incidents” was provided during calendar year 2015⁸. Additional examples of specialized training included the following: Verbal and Non-Verbal Components of De-Escalation; Neutralize, Empathize, Actively Listen and Resolve; Supervision of Youthful Offenders, Close Management and Transitional Care Unit, Female Offenders, Confinement Housing, and Special Teams Training.

Additional procedures more specific in nature to staff training and/or specialized training were examined, including in part the following:

- Pursuant to *Procedure 602.022, Special Operations Teams*, specific training requirements are clearly stated in the procedure to maintain status on each specialized team. The training requirements identified in the procedure appeared appropriate.
- Pursuant to *Procedure 602.030, Security Staff Utilization*, it is the responsibility of the chief of security with secondary responsibility to the shift supervisor to ensure that all scheduled in-service and specialized training is recorded in the training section of the

⁸ FDOC Staff Training Data Summary Report.



security staff profile. Specific training requirements are clearly stated and appeared appropriate.

- Pursuant to *Procedure 602.004, Forced Cell Extraction*, the chief of security will ensure a record of each officer who has received the appropriate department approved training in forced cell extractions is maintained. Specific training requirements are clearly stated and appeared appropriate.

FINDING 1-15: The training policies and procedures governing the training provided to experienced correctional officers is consistent with state and nationally recognized best practices.

The review confirmed that sufficient procedures were in place and training was consistently provided on an ongoing basis in all key facets, including in the areas of officer/inmate interactions, use of force, and incident reporting.

RECOMMENDATION 2: Eliminate the use of classifying facility training responsibilities as “special assignments.”

The FDC should review how on-site training responsibilities are being scheduled, managed, and recorded at each facility to determine appropriate staffing allocation. All work locations may not require a dedicated training position.

Temporary Employment Authorization Assignments

Newly hired officers, unless previously certified as correctional officers under state regulations, are hired under a category known as temporary employment authorization (TEA) status. An individual remains on TEA status until the candidate completes the basic recruit training program and passes a Florida Department of Law Enforcement-administered certification examination. TEA officers normally work in the institutions while awaiting assignment to the training program. This can take up to six months, but in most cases averages three months before the individual attends the training. Table 2 summarizes the status of the FDC’s 1,395 TEAs as of October 30, 2015.



Table 2: TEA Status, October 30, 2015

	Pending Academy Placement	Pending Academy Completion	Pending Passing Certification Exam	Total
TEAs	540	782	73	1,395

Source: FDC Office of Human Resources Management

TEA officers are restricted from working in certain posts, such as perimeter patrol, confinement, and other sensitive posts, because they have not been trained and certified. *Procedure 602.030, Security Staff Utilization*, states that “officers in temporary employment status (TEA) may be assigned to any post where adequate supervision is provided by an individual holding the rank of at least correctional officer except for those posts specifically prohibited in “Officers in Temporary Employment Authorization (TEA) Status.” The procedure clarifies that adequate TEA supervision does not require constant direct sight and sound supervision by the certified supervising staff member, but must include regular/frequent contact and observation combined with ready availability should the TEA require assistance. As a result, a TEA may be left alone for brief periods, if appropriate, based on security considerations such as the setting (e.g., dormitory or recreation yard), the number of inmates to be supervised, and the custody classification of the inmates to be supervised.

Procedure 208.016, Officers in Temporary Employment Authorization (TEA) Status, effective October 8, 2014, outlines procedures and requirements for the utilization of TEA officers and further establishes restrictions on their employment. TEA officers are not required to be firearms certified, must begin their basic recruit training within 180 consecutive days of beginning their TEA status, and must complete the basic recruit training program within 18 months of beginning the training program. TEA staff are restricted from certain assignments, including:

- Tower/vehicles/stationary perimeter posts
- Vehicular gates (may assist in searches of incoming work squads under the supervision of a certified uniformed employee of at least the rank of correctional officer)
- Outside work squads
- Outside inmate transport/medical escort
- Medical isolation/self-harm observation status
- Special housing units
- Canine
- Death row



FINDING 1-16: Supervision and assignment of TEAs in institutions is a concern.

Staff at all levels indicated that TEA staff are not presented with sufficient training prior to being placed on post with limited supervision. A TEA essentially arrives at a facility and is assigned to work a post with no preparation other than the general employee orientation training that all new staff are required to complete. Nothing in this orientation adequately prepares a TEA to supervise inmates or function in a security post. At a number of facilities visited by the project team, staff referenced a field training officer program (FTO) that is available for TEAs to participate in. The FTO program involves having an experienced and trained supervising officer work with a TEA to provide guidance and specific training using an on-the-job training methodology. However, this training procedure was not universally followed at the facilities we visited.

Facility supervisors, including wardens, indicated that attempts to establish a field training program for TEA staff have met with limited success. Attempts to provide FTO training are often interrupted by the need for officers to cover other high-priority assignments, such as Level I posts (critical posts such as housing, which must be staffed at all times to assure institutional security). As a result, the training process breaks down and TEAs must function in posts without adequate supervision and in violation of FDC policy. This type of breakdown is primarily attributable to lack of staff, which forces facility managers to maximize use of all of their resources, including TEAs.

In staff focus groups, officers reported that as TEAs they were often assigned to man a housing unit post without adequate supervision. One officer commented “they just threw us to the wolves,” when speaking about their placement in sensitive security posts without training and supervision. This practice is in opposition to recognized best practices for training and orienting new staff and represents a risk to operational security and performance.

RECOMMENDATION 3: The department should cease the practice of placing untrained officers on posts in the institution without proper orientation, familiarization, and training.

The project team recognizes the pressures caused by understaffing and the need to have personnel available to staff posts in the institution. Regardless of the pressure, utilizing untrained staff can only lead to security violations, dissatisfaction with the job, and contribute to staff turnover. The department should establish, at a minimum, a 40-hour classroom orientation/training designed for correctional officers to familiarize them with important elements of the job prior to basic recruit certification training. The classroom orientation/training should be followed by a mandatory 80-hour on-the-job training program, where the TEA works alongside an experienced and trained field training officer who



processes the TEA through an organized on-the-job training experience. Once the three-week training program is completed, the TEA would be eligible for staffing those posts allowed under current procedures.

Overtime Management

In the absence of staff resources available to fill critical posts, facility administrators must rely upon overtime to provide mandatory security coverage. Analysis of correctional officer overtime shows total spending in FY 2014/15 of \$18.2 million. The average amount of overtime per officer, per paycheck was 18.7 hours. This corresponded to overtime earnings of \$438.69 per paycheck.⁹

Each facility visited by the project team relied upon overtime to staff critical posts. For example, at Apalachee Correctional Institution (ACI), staff recorded a total of 17,857.25 hours of overtime in the first 226 days of 2015. Hours recorded as a result of “shortage of help—meet critical complement” account for 12,087, or 68 percent of this total. For 2015 to-date, the ACI has averaged more than 79 hours of overtime each day, and staff shortages have accounted for 53.5 hours of that amount.

The FDC assigns facility staff to three basic shift schedules: 12-hour shifts which generally operate from 7 a.m. to 7 p.m. for the day shift and 7 p.m. to 7 a.m. for the night shift, every day through the year, 8-hour swing shifts which may operate from 6 a.m. to 2 p.m. and 2 p.m. to 10 p.m. covering times of peak institutional activity, and an 8-hour administrative shift which may operate from 8 a.m. to 5 p.m., five days per week. The highest reliance on overtime usage occurred on the night shifts. During the day, staff from the administrative shift is often used to fill the gaps on day and swing shifts. This option is not available for the night shifts. They must hold over staff until staff from other shifts can be contacted and report to the facility to fill a vacant post.

This type of pattern repeated at the other facilities. Utilization reports documented that overtime levels are, by and large, being driven by the lack of staff available to cover critical posts.

The maximum amount of continuous time an officer is allowed to work under a 12-hour shift system is 16 hours. The project team requested data on the number of specific instances where officers were held over 4 hours past their regular shift to work 16 continuous hours. However, the FDC does not collect this data. We instead asked to sample the number of

⁹ Source: FDC Office of Human Resources Management



times staff were held over their shift in this manner during the month of August at three institutions visited: Lowell, Northwest Florida Reception Center (NWFRC), and Everglades. NWFRC and Everglades showed 11 and 25 separate instances of extended shift overtime during this month; however, Lowell showed much heavier reliance on this practice, with 129 instances of staff held over to 16 hours during the month of August, or an average of four extended shifts each day of the month.¹⁰ Without more data, it is not possible to determine the pattern of this practice throughout the FDC.

Despite the level of utilization, the FDC does make reduction of overtime expense a priority. Facilities take any cash payout of overtime seriously, and there is a concerted effort to make sure they flex out (or adjust out) any overtime earned before it needs to be paid. Any overtime earned in a 28-day cycle that isn't flexed out must be paid out at the end of that cycle. If an employee takes sick leave or vacation leave in the 28-day cycle, any overtime on the books is adjusted out first to get it off the books before sick or vacation time is used. Also, supervisors will tell staff to come in late or take off early to offset the overtime before it needs to be paid. While this practice mitigates the use of overtime, its practical impact is to exacerbate the problem of unstaffed security posts.

Staff on Non-Inmate Contact Status

When staff are placed under investigation, they can be placed on "non-inmate contact" until the investigation is finalized. When placed on non-inmate contact, the individual is moved to a post where there is no interaction with the inmate population. Also, the individual could be moved to a different facility to provide further separation or simply placed on administrative leave.

FINDING 1-17: The department has a significant number of staff on non-inmate contact status.

The FDC records indicate that 95 staff were on non-inmate contact or on administrative leave at the time of our review.¹¹ The following details these findings:

- Non-Inmate Contact
 - Seventy-five staff are on non-inmate contact at the facility where they normally work. On average, these 75 staff have been on non-inmate contact for 113 days.

¹⁰ FDC survey of overtime use at NWFRC, Everglades, and Lowell.

¹¹ Source: Email and Spreadsheet from FDC dated 9/22/2015



- Nine staff have been relocated to another facility and placed on non-inmate contact. On average, these nine staff have been on non-inmate contact for 240 days. (Three staff have been on non-inmate contact at another facility for 456 days.)
- Administrative leave
 - Eleven staff are on administrative leave. On average, these 11 staff have been on administrative leave for 76 days.

In total, the 95 staff on non-inmate contact or administrative leave have been on that status for an average of 121 days.

More than half of the incidents that led to staff being placed on non-inmate contact or administrative leave were the result of some form of use of force.

Based on the number provided, it appears that placing staff on non-inmate contact is preferred over placement on administrative leave. Facility staff indicated that Secretary Jones recently began allowing the placement of staff on non-inmate contact in lieu of placing them on administrative leave. The benefit, they indicate, is having the staff available to work functions such as mail room or control centers that do not come into contact with inmates, thereby helping to alleviate already short staffing levels. They also noted that previously when staff were placed on administrative leave they would brag that they would get a second job and have income. In our opinion, however, if the case is serious enough, staff should not be allowed on any facility grounds. The presence of a staff person under investigation for inmate abuse can be toxic to facility operations and staff morale.

RECOMMENDATION 4: The department should not allow staff to work in institutions on non-inmate contact when they are under investigation for serious violations.

Roster Management

An operations-based roster management system is in use in the FDC that is designed to establish accountability and provide documentation on how custody staff is deployed. Our review identified consistent use of a roster management system providing custody personnel accountability based on established workload responsibilities. Qualified personnel were sufficiently assigned to manage and maintain the system on a daily basis.

The roster management system has been developed pursuant to *FDC Procedure 602.030, Security Staff Utilization*. The stated purpose of the procedure is “to establish guidelines for appropriate and efficient use of security staff.”



The procedure describes in detail the authorization required for establishment of post assignments and the development and maintenance of a staffing roster. The entire process is managed through an automated computer application known as RMS (roster management system.) Specific procedures indicate that the FDC Bureau of Security Operations is responsible for developing the post assignment chart for each institution based on the number of authorized and funded security positions. Any changes to the post chart must be approved by the Bureau following a request from the facility warden and chief of security. The roster process is centrally managed and requires that approvals be obtained before making any permanent changes to the staffing roster. Accommodations, however, can be made locally for temporary alterations from the roster for activities known as “special assignments.”

The *Security Staff Utilization* procedure, which has an effective date of June 2, 2014, has been developed in a manner consistent with applicable American Correctional Association (ACA)/Commission on Accreditation for Corrections (CAC) standards, state and federal statutes, Florida administrative codes, and the Florida Teamsters Local Union #2011 Security Services Bargaining Unit.

FINDING 1-18: The chief of security (COS) of each institution is responsible for allocating positions based upon available personnel. The RMS and associated processes are consistent with national best practices.

The COS is responsible for assigning the security staffing level designation to each post on the master security roster, as well as other administrative functions to include designating gender specific posts, making adjustments to the roster based upon personnel changes, recording extended special assignments and personnel loans, and forwarding the roster to the warden for a quarterly review. The shift supervisor (OIC) serves as a critical support position in managing the daily deployment process. In interviewing OICs in several facilities, they appeared extremely knowledgeable in the use and application of the RMS.

Minimum Staffing Levels

Facility staffing is a critical issue that touches all operational aspects of the Florida correctional system. Our reviews in general showed effective policies and management systems that are well-designed to manage a very large, complex system. Staffing levels however, were a significant issue in all facilities reviewed.

FINDING 1-19: The span of control of shift supervisors at the larger facilities is excessive.

Shift operations at most facilities consist of one captain serving as the OIC of shift operations. One of the primary characteristics identified in the department’s institutional operations is the



consistent application of a wide span of supervisory control. A wide span of control indicates that supervisory staff have a significant number of subordinates they supervise. The primary advantage to using this form of supervisory oversight is that it is initially less expensive to operate the facility.

The current general supervisory practice is to have one OIC assigned, and when there is a specialized housing unit, such as confinement, intake, or mental health, an additional supervisor (lieutenant) is directly responsible strictly for that area. There are exceptions, such as the supervision practice at the Union Correctional Institution where there were several lieutenants assigned to various tasks, including assisting the shift supervisor. At all other facilities visited, an assistant shift supervisor was not assigned.

At the women's reception center in Ocala, for example, there were between 30 and 35 security staff assigned to each of the four 12-hour shifts, and there was no assistant shift supervisor available on any of the four shifts. Based on the workload responsibilities of the OIC, which includes a significant amount of time devoted to accessing automated data systems, providing and reviewing required daily reports, authorizing leave-time, being present during inmate meals, assigning staff to secondary duties and special assignments, conducting employee hearings, and inspecting housing units, there is very little time available to provide staff supervision. There are sergeants available; however, the role of the sergeant is oftentimes that of a lead worker, and at several posts the position is interchangeable with an officer.

The scope of work required of the shift supervisor hampers their ability to meet existing responsibilities while providing adequate staff supervision. Having a highly visible physical presence in the facility is essential and oftentimes impacts operations. When command and supervisory staff become overloaded, operational issues may not be addressed, potential for breaches in security increases, and overall efficiency of the facility may be jeopardized. Proper supervision is critical, especially due to the large number of TEAs filling post assignments in the institutions. This lack of appropriate on-site supervision is more prevalent at the mid-to-large-sized facilities that currently do not have an assistant chief commander position.

RECOMMENDATION 5: Conduct an on-site review of the current operational responsibilities of the OIC in relation to the overall shift responsibilities.

RECOMMENDATION 6: Based on the results of the review, establish an assistant shift supervisor at recognized facilities either on all four 12-hour shifts or strictly during the 12-hour day shifts.



FINDING 1-20: FDC policies and procedures establish guidelines for the appropriate and efficient use of correctional officers.

Our review consistently identified that written policies and procedures were well developed, and staff directly involved in determining correctional officer assignments were extremely familiar with the established procedures.

Security staff deployment is authorized in *Procedure 602.030, Security Staff Utilization*, a policy issued by the FDC Office of Institutions that has an effective date of June 2, 2014. The procedure's stated purpose is *"To establish guidelines for appropriate and efficient use of security staff."* The procedure describes in detail authorization for establishment of post assignments and the development of a staffing roster.

Pursuant to the procedure, the FDC Bureau of Security Operations is responsible for developing a post chart for each institution based on the number of authorized and funded security positions. A post chart as defined is considered *"an actual listing by title of all security posts that are necessary to operate an institution."* Any changes to the post chart must be approved by the Bureau following a request from the facility warden and chief of security. Accommodations are made for temporary alterations from the roster for activities known as either *"secondary duties"* or *"special assignments."*

Additional FDC policies and procedures are available that directly impact post assignments, including 208.016, *Officers in Temporary Employment Authorization Status*, 602.050, *Institutions – Security Post Orders*, and 602.036, *Gender Specific Security Positions, Shifts, Posts, and Assignments*. These established procedures further define eligibility and specific duties and responsibilities to be accomplished by the officer.

All the primary procedures related to staff deployment reference compliance with a number of ACA standards, as well as state statutes, the applicable Florida Teamsters agreement, and Florida Administrative Code rules.

FINDING 1-21: Current policies, procedures, and department manuals in place consistently incorporated safety features for correctional officers.

These policies have all been established in line with applicable Florida Administrative Code (F.A.C.), ACA standards, Occupational Safety and Health Administration (OSHA) standards, and FDC supplemental procedures. Specific policies and guidelines that directly referenced officer safety were reviewed and included the following:



FDC master training plan: Officer safety has been identified as a critical mission of the FDC and is a mandatory subject matter presented during both pre-service and annual in-service training.¹² The FDC annual training assessment survey completed during FY 2015 reported that for the third consecutive year, nearly 90 percent of staff recognized staff training provided promotes employee safety.¹³

Specific training and post-related procedures that have been established include: *Procedure 209.101, Training Requirement; 209.004, Field Training Officer Program for Institutions; 209.301, Firearms Training; 602.003, Use of Force Devices, Agents and Munitions; 602.004, Forced Cell Extractions; 602.008, Incident Reports – Institutions; 602.022, Special Operations Teams; 602.024, External Inmate Transport and Security; 602.026, Standardization of Security Equipment; 602.027, Security Inspections; 602.030, Security Staff Utilization; 602.044, Internal Movement and Supervision Requirements; 108.014, EHSO Program, EHSO Manual, and 602.009, Emergency Preparedness.* These procedures were reviewed and found to sufficiently address safety factors consistent with best correctional practices.

Our review revealed that in addition to the mandatory training provided, the FDC has implemented specific training designed to minimize the potential for risk to an officer. Such training being provided focuses on developing advanced skills in crisis intervention, de-escalation, managing a critical incident, and implementing effective countermeasures.

Pursuant to established procedures, the expansive availability of security equipment directly related to officer safety included the use of security surveillance cameras, video recorders, cellular phones for external escort personnel, two-way radios with man-down alarms, physical restraints, special management spit shield, body alarms, and chemical agents for those qualified and assigned to high-liability risk areas. Specific procedures reviewed included *Procedure 602.028, Special Management Spit Shield; 602.044, Internal Inmate Movement and Supervision Requirements; 602.024, External Inmate Transportation and Security; 33-602.203, Control of Contraband; 602.041, Radio Operations; 602.037, Tool Control; 602.023, Personal Body Alarms; 602.018, Contraband and Searches of Inmates; 602.034, Perimeter Security; 602.027, Security Inspections; 602.004, Forced Cell Extraction; 33-602.210, Use of Force; 602.003, Use of Devices, Agents and Munitions, Emergency Plans and the Environmental Health and Safety Manual.* These procedures were reviewed and

¹² Florida Department of Corrections Master Training Plan, FY 2015/16.

¹³ Florida Department of Corrections Master Training Plan, p 3.



found to sufficiently address essential safety factors consistent with nationally recognized best practices.

An ongoing, multi-phase security surveillance camera expansion project was occurring at the time of our review addressing safety features including the increased use of security cameras and monitors, as well as to provide audio enhancement features. In addition, the use of body cameras is being considered in select locations to provide additional supportive documentation and safety for correctional officers.

Assault rates on staff reportedly have been relatively stable during the five previous fiscal years. Based on data provided by the FDC Bureau of Institutional Operations, during the five most recent completed fiscal years the level of assaults on staff has been relatively consistent. The reports reflect the following average number of assaults by inmates on staff per month for each fiscal year: FY 11 (67), FY 12 (62.1), FY 13 (62.4), FY 14 (60.75), and FY 15 (66.2).

The most significant issue that negatively impacts officer safety appears to be lack of staff resources to provide adequate supervision or backup.

FINDING 1-22: Facilities generally have only enough staff to fill Level 1 positions in each facility for the 12-hour shifts.

While this finding may be taken to imply facilities have sufficient staff, filling only Level I posts creates serious operational risks if adopted as a long-term pattern for facility staffing. It needs to be clearly understood that Level I posts are considered *mandatory* posts, not the *minimum* number of posts that should be filled. There are Level II posts and other secondary duties that must be performed to ensure the safety and security of facility operations. These include security threat group coordinators, lock and key officers, tool control officers, recruiters, canine officers, and training officers.

Because these posts represent important services and functions, they are typically noted as special assignments on the rosters. The staff members assigned to the special duties are taken from the shift complement, thus reducing the number of personnel available to staff the duty rosters. Staff often referred to this as taking staff “out of hide” as a reference to staff that should be available to be deployed on the duty roster but are redirected to the special duties without being replaced.

All institutions visited by the project team had special assignments. In fact, we were advised that a number of these special assignments are somewhat permanent and mandated by department officials. Although these functions are considered important, they have not been formally approved and budgeted. Therefore, beginning each shift with only enough staff to fill



Level I posts jeopardizes facility security because other needed posts must also be regularly filled.

FINDING 1-23: All of the facilities inspected by the project team had at least intermittent issues of operating at or below minimum staffing levels.

Our review consistently identified the lack of available security personnel to fill established posts. It has become routine in many facilities to leave post assignments vacant and rely on overtime due to the lack of on-site staff to meet critical needs.

The FDC provides housing and services to a wide variety of inmates in over 50 major facilities. The specific mission of each facility may vary from re-entry to close custody; the risk and needs assessment for each individual may be different, and the facility designs vary from a single-story open dormitory to multi-level confined units. Facilities housing a large number of inmates classified as community access-minimum generally require fewer staff in the housing units than facilities housing high-risk inmates classified as close custody. As a result of the diverse missions, daily activities involving inmate access and movement procedures throughout the facilities can vary. The type and level of supervision required and the activity levels often impact required staffing levels.

The FDC procedures do not reference specific staff-to-inmate ratios. Because of the different missions of correctional facilities, the variances in the types of inmates housed, and the level of programming and other factors, there is no single staff-to-inmate ratio that is recognized as a national best practice in the industry. There are standards that reference certain posts be filled; however, no specific staff-to-inmate ratios are recommended.

The FDC Office of Institutions has issued “staffing level guidelines” that provide direction to the facilities regarding post assignments and the post level designation that should be assigned to commonly filled posts. The posts are designated based on importance.

- **Level I posts:** Level I posts are those posts considered “critical” for the daily operation of a shift. They are the top priority and are required to be filled even if it requires the use of overtime.
- **Level II posts:** Level II posts are considered “essential” to the operation of the facility, as these posts provide for normal activities and programming to occur in the institution.
- **Level III posts:** Level III posts are considered “necessary” posts, but are typically not filled unless there is an abundance of personnel available.



Supervisor-to-line staff ratios are also not mandated by state or federal law. The FDC procedures do not cite specific ratios required in either procedures or guidelines. Supervisory levels are based on approved post charts developed by the FDC Bureau of Security Operations.

The staffing level guidelines issued by the FDC Office of Institutions provide direction to facility management staff on the designated post level for specific position responsibilities by type of inmate being supervised, shift, and building type. For example, in the guidelines the following is presented: *Shift Supervisor: Level I on all shifts, Control Room Sergeant: Level I on all shifts, Housing Unit Sergeant: Level I on all shifts, and open-bay dormitory/general population: Day Shift Officer 1 (Level I) and Officer 2 (Level III)*¹⁴. Very seldom are Level III posts filled due to the overall staffing levels available. There is additional reference in the guidelines to staffing levels and post designations for several other posts, e.g., control rooms, housing units, inner perimeter security, food services, vehicle gate, clinic officer, and laundry.

The guidelines provide no allowance for the size of the facility or size of the housing unit. Whether a facility has a capacity of 1500 or 500, the number of internal security Level I posts remains the same. Some housing units may contain fewer than 50 inmates, while others may house over 250¹⁵.

There is, however, allowance provided based on the type of offender being housed. For example, on the 12-hour day shift, if close management/confinement inmates are housed in the building, three Level I correctional officer floor posts are required. This staffing level does not include the officer in the housing unit control room, as that post is considered a separate post assignment. If general population close-custody inmates are housed, only one Level I floor post is required based on the guideline. A review of daily security rosters reflects the same.

Close custody inmates in general population are considered the highest risk general population inmates to house. When secondary duties are taken into consideration and the control room is required to be staffed at all times, the project team observed situations where only one officer was present in a housing unit with over 150 inmates¹⁶. This practice is inconsistent with recognized best practices in the corrections industry.

¹⁴ Office of Institutions, Staffing Level Guidelines sheet.

¹⁵ Dade Correctional Center, T- Building capacity is 258.

¹⁶ This situation was observed at three separate FDC institutions.



FINDING 1-24: Level I posts are often vacated during the shift, due in part to the level of secondary responsibilities assigned to correctional officers and the number of cases where staff are reassigned to special assignments.

Because of the shortage of staff, which manifests itself with the posting of only Level I positions throughout the institutions, the project team found that staff assigned to housing unit posts are often reassigned from those posts to perform secondary duties or to be assigned to a special assignment. This often leaves only one officer in the unit to supervise a fairly large number of inmates, usually in excess of 100. In a number of the facilities that have enclosed housing unit control centers, the remaining housing unit officer retreats to the control center and supervises the inmates from behind the security barriers of the control center.

We note that determining the adequacy of staffing levels was difficult due to roster practices. Facility rosters typically illustrate that Level I posts are filled and, as a result, it appears at first glance as if inmate supervision is direct and adequate. However, the rosters are misleading, as they suggest that officers are working inside the housing units when, in fact, there are cases where at least one of those officers is not present for a significant portion of the shift. If Level II and Level III positions were staffed and operating, this would not be an issue, as the Level II or Level III post could be reassigned, leaving the housing units with an adequate complement of Level I staff. As a result, the inability to fill Level II and III posts creates a security hazard caused by the understaffing.

These housing unit staff are often reassigned during their shift due to “secondary responsibilities.” Secondary responsibilities are duties that are added to an employee’s normal responsibilities and often require them to move to a different location in the facility. It is not unusual to have a unit sergeant or a correctional officer away from their housing unit post performing secondary duties for a number of hours during their shift. These secondary duties can include providing recreation yard coverage, movement control, supervision of the dining room, area searches, perimeter checks, staff searches at pedestrian entrances, control room monitoring, suicide observation, inmate transport, canteen supervision, and inmate escort.

Besides secondary responsibilities being assigned to staff, the staffing issue is further complicated by the number of “special assignments” established in the facilities. *Procedure 602.030, Security Staff Utilization*, defines extended special assignments as the “reassignment of an officer to the administrative shift to perform other security related duties or tasks for which there is no post. This assignment will be for a period of 60 days to 365 days.” These special assignment positions were seen throughout our facility visits and included positions



such as arsenal sergeant, lock and key sergeant, canine sergeant, work squad sergeant, administrative lieutenant, and work squad lieutenant. The project team found a significant number of staff are reassigned to responsibilities commonly referred to as “special assignments.”

To identify the amount to which Level I posts were unmanned, we reviewed FDC Bureau of Security Operations Level 1 unmanned accumulative report as of September 17, 2015. This report revealed the “*Total Instances of Unmanned Level 1 posts from February 2, 2014, to September 17, 2015, was 39,063,*” and the “*Total Unmanned Level I Post hours*” from the same time period was 220,558.83¹⁷ .

As a specific example, a daily security roster for September 1, 2015, at the Lowell Annex reflected over 110 staff hours were reported as being used during one 12-hour shift to meet either secondary duties or special assignments.¹⁸ The sample is relatively consistent with our findings in most facilities. On that shift at Lowell Annex there were no officers being held on overtime to address these issues, and as a result, staff from existing post assignments were being pulled from their posts to meet those additional duties.

The lack of sufficient posted personnel in the housing units, which becomes more acute when one of the officers is away performing secondary duties or is reassigned to a special assignment, is a cause for concern. With limited housing unit supervision, inmates are presented with frequent opportunities to involve themselves in illicit activity.

FINDING 1-25: Lack of civilian personnel exacerbates security staffing needs.

In many jurisdictions, civilian personnel perform ancillary functions unrelated to safety and security that would require the assignment of a correctional officer. Many of the civilian positions have lower salaries than certified correctional officers, and they are not required to attend the lengthy training academy program as well. Our analysis found correctional officers performing a number of civilian functions, including clerical, motor pool mechanic, human resource recruiter, program supervisor, disciplinary report coordinator, Prison Rape Elimination Act (PREA) coordinator, ACA coordinator, administrative assistant, maintenance worker, and caustic manager. At one facility there were five correctional officers performing clerical duties. It was particularly noteworthy to find that staff on the administrative roster are often noted as having a job title, such as utility officer, but function as something different.

¹⁷ FDOC Bureau of Security Operations, Weekly Level 1 Unmanned Summary Totals, September 17, 2015.

¹⁸ FDOC, Lowell Annex Daily Security Roster, Tuesday, September 1, 2015, Day Shift – B.



RECOMMENDATION 7: To determine the number of security staff needed, the department should conduct a comprehensive staffing analysis that includes:

- **Security post analysis:** The first step in any security staffing analysis is to conduct an analysis of each security post to determine whether it should exist and the frequency and duration that it should be filled. The solution calls for conducting an analysis of the posts that need to be staffed to provide appropriate security and a task analysis that examines tasks that need to be performed by correctional officers throughout the institution, hour by hour. A post analysis should address the following areas:
 - Creation of sufficient post assignments to supervise inmates in recreation, work and common areas without relying on pulling housing unit officers off of their posts.
 - Limiting secondary duties for those posts that have responsibility for the supervision of inmate housing units and critical areas of the institution.
 - Creating posts for important specialized duties that must be performed, including tool control officer, key and lock officer, security threat group officer, canine officer, and disciplinary officer.
 - Limiting the number of special assignments to those posts and functions critical to operational effectiveness.
 - Identifying civilian functions that need to be performed and creating civilian positions to perform those duties. Clerical positions, administrative positions, and maintenance positions are better suited for civilian personnel skilled in those areas. This also will increase the use of certified staff in safety and security posts in the institution.
- **Develop accurate relief factor:** Once all correctional officer positions are identified and their assignments, tour of duty, and days off are established, FDC should recalculate the relief factor to ensure coverage of seven-day and five-day posts, etc. The relief factor must account for days off, discharge of benefit leave, military leave, vacancies, and time on the job lost due to training.
- **Develop consistent and complete master roster for each facility:** The FDC Bureau of Security Operations should lead the effort to develop a master roster for each facility, and combine staffing rosters that allow for a visual display of personnel assignments by shift and post, thus accounting for the deployment of all personnel in the institution. The master roster should list all approved posts and personnel assigned to each shift. This document should be updated monthly. All listed posts should account for all



assignments in the institution, and personnel should not be assigned to functions inconsistent with their post assignment unless special circumstances exist.

Correctional Officer Supervision

The FDC has the proactive responsibility of developing policies and procedures that clearly direct staff in the performance of their duties. The department not only has the responsibility to develop effective policies and procedures, but also to ensure personnel are properly trained on those policies and procedures. Addressing safety in a correctional setting is paramount and often reflected as a byproduct of fundamentally sound policies, quality training, and sufficiently deployed staffing levels. The development of policies that have been casually or less-than-thoroughly prepared can lead to misinterpretations, inconsistencies, and safety concerns.

2. SECURITY OPERATIONS

The findings and analysis that follow are a result of the direct observation of the operation of FDC facilities, interviews with staff, focus groups, and review of institutional data.

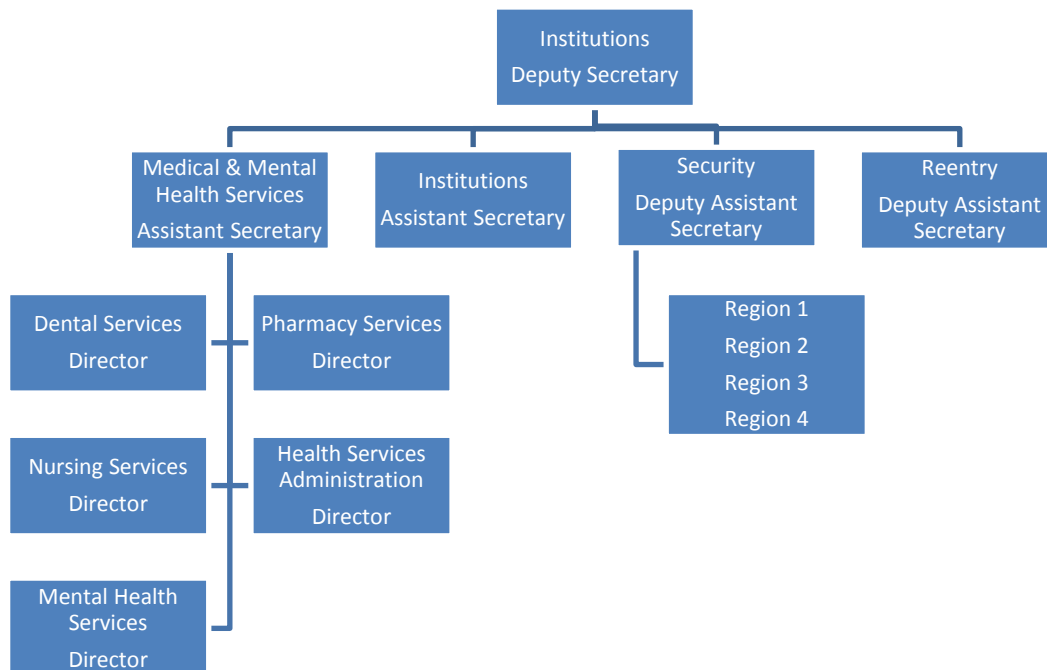
Organization and Structure of FDC Security Systems

FDC security operations are overseen by an assistant secretary for institutions who reports to the secretary of corrections. The assistant secretary has five main direct reports, four of whom are involved in supervising and managing facility security.

The institutional support section is responsible for security operations, which has as a major component audits and inspections. Each facility warden is supervised by a regional director who is responsible for supervision of the facilities in his/her region.

The regional director reports to the assistant secretary. Each regional director is supported by an assistant regional director, and they are responsible for multiple facilities within their geographic region, including state correctional facilities, private facilities, and work camps. The number of facilities each regional director manages varies, but is between 17 and 20 major correctional facilities.

Figure 13: FDC Office of Institutions Organization Chart



Source: FDC website



The main role of the regional office appears to be as consultants to the facility managers and as facilitators in assisting in resolving issues and problems. The regional office is actively involved in monitoring the performance of the facilities and ensuring compliance with departmental policy requirements. The regional staff work directly with wardens to ensure appropriate follow-up is initiated regarding security inspections and in the development of budgets.

Regional programs staff have no real role in program development and implementation. Program offerings are controlled by the central office with little regional office input. The betterment programs are initiated and encouraged locally at the institutional level.

Regional managers do have input into selection of wardens, assistant wardens, and other command staff. They also conduct the warden's performance evaluations.

The budget is set by the central office. The regional office has some discretionary funds, but does not have the ability to move funds from one facility to another if needed.

The regional office staff includes the assistant regional director and correctional service consultants (CSC) who monitor and assist in operational issues, staffing, etc. The regional warden position is being phased out and converted to a CSC position. Region 2 also has a motor pool supervisor and a maintenance supervisor.

The structure and authority of the regional offices are similar to regional functions found in many state systems. Authority varies from state to state, with some having more direct and autonomous authority over the facilities in the region, while others serve in capacities similar to Florida in that they are consultants and facilitators for assisting the wardens in the resolution of issues and problems and monitor overall performance in relation to departmental requirements.

By executive order, the regional director is also required to visit each facility in the region two times per quarter.

Florida State Law 944.151, Security of Correctional Institutions and Facilities, describes legislative intent regarding correctional institutions security requiring that the secretary of corrections appoint a security review committee to maintain compliance with policy requirements. A summary of the requirements of the law includes the following:

- Establish a periodic schedule for the physical inspection of buildings and structures to determine security deficiencies with emphasis on older facilities that have experienced a significant number of escapes or attempts in the past.



- Conduct or cause to be conducted announced and unannounced comprehensive security audits of state and private correctional institutions.
- Adopt and enforce minimum security standards and policies; annually make written, prioritized budget recommendations to the secretary that identify critical security deficiencies at major institutions.
- Investigate and evaluate the usefulness of the dependability of existing security technology at the institutions and new technology available.
- Contract, if deemed necessary, with security personnel, consulting engineers, architects, or other security experts the committee deems necessary for security audits and security consultant services.
- Establish a periodic schedule for conducting announced and unannounced escape simulation drills.
- Submit an annual legislative budget request outlining critical repairs and security renovation needs.

The typical structure of the security department at the institutions is as follows: Each facility warden is responsible for the security of their institutions. Major facilities have an assistant warden of operations that directly oversees institutional security. A colonel/chief of security reports to the assistant warden and is the uniformed commander of the institution. The colonel directly supervises the shift captains, and the captains are responsible for security staff deployment and supervision of shift activities, which includes supervision of staff and the inmate population. In some cases, a facility major is assigned to the facility in support of the colonel. Lieutenants are assigned to institutions and perform specialized duties in support of the security operation.

Perimeter Security

FDC's *Procedure 602.034, Perimeter Security*, provides specific and detailed requirements for perimeter security. Consistent compliance with all perimeter security operational requirements is essential in the detection and prevention of inmate escape attempts from department facilities. The staff members assigned to perimeter security posts are responsible for the prevention and detection of escape attempts and the observation of activities within the secure perimeter, as well as the prevention of outside assaults. There is recognition in the policy that all procedural requirements may not be attainable due to the age and physical condition of the perimeter buildings and fences. Policy components include a description of the configuration of each perimeter by security level of the institution, lighting requirements, condition of fences, secondary power supply, vehicle gate security, inspection requirements, responsibilities of tower staff, roving patrols, and electronic detection.



Each FDC facility has officer(s) on each shift that have specific duties to perform a comprehensive internal check of the interior and exterior of all fences, gates, manhole covers, structures, etc. The project team walked the interior perimeters at a number of facilities with the internal security officers to review the process of conducting perimeter checks. The checks we reviewed were thorough, and facility staff noted any issues found. Each check is logged in a logbook in the master control room. Secure correctional institutions' perimeter security is supported by armed perimeter vehicle patrols at all times and, where applicable, armed towers monitor perimeter security as well.

FINDING 2-1: Perimeter security systems are outdated, in poor operational condition, and fencing is in disrepair.

The electronic intrusion detection systems in a number of locations were outdated and either were prone to frequent false alarms or didn't operate as specified. A number of these perimeter detection systems are in the process of being assessed, repaired, and/or replaced. At one facility, an electronic stun fence was also in need of repair or replacement. It also has been noted in a number of department security audits that certain perimeter fencing does not meet department policy specifications, and those issues were noted as being in violation of the policy but requiring new funding. Finally, interior perimeter fencing in some locations was noted to be in disrepair or rusting, and the fence ties used to connect the fabric to the fence poles are domestic ties that can easily be removed and used as weapons. A sturdier metal bracket-type fence tie is better suited for correctional applications. A number of the audits reviewed indicated that funding was needed to address perimeter security issues, but it was unclear if formal funding requests have been submitted.

RECOMMENDATION 8: The department should conduct a perimeter security audit of its institutions and develop an improvement and replacement plan to upgrade perimeter security fencing and intrusion detection systems, which are found to be in need of attention throughout the FDC.

Count Procedure

The stated purpose of FDC's count procedure (602.006) is "to establish guidelines for the uniform inmate count reporting system, ensuring the accountability of the inmate population within the custody and control of the Florida Department of Corrections." The policy details formal and informal count procedures, as well as emergency counts. There are eight formal counts conducted in any 24-hour period. During hours of movement, a formal count is taken within every 4-hour period. The count system is maintained in the main control room at each facility and count records are kept. Count procedures are detailed and adequate to ensure



accountability. Nationally, the number of counts required at a specific facility varies depending on the physical plant, custody level, mission of the facility, etc. The FDC policy is consistent with national standards.

FINDING 2-2: The procedure relating to inmate counts was found to be consistent with national standards and best correctional practice. Count records reviewed at the facilities are properly maintained, and there were no violations of the count procedure observed.

Tools Control

The stated purpose of *Procedure 602.307, Tools and Sensitive Items Control*, is “to establish guidelines for the control and management of tools and sensitive items.” The procedure specifies the manner in which tools are classified, how inventories are kept, procedures for issuance of tools, procedures for documenting lost tools, and disposal of excess or damaged tools, as well as procedures for managing sensitive items such as dental equipment and hypodermic needles. Procedures are designed to minimize the use of tools as weapons, prevent the use of tools in escape attempts, prevent injury, and provide for a quick determination of tools that are missing. Each institution is required to designate tool control officers under the direction of the chief of security/colonel.

FINDING 2-3: The tool control practices observed were found to be generally compliant with department procedure and consistent with national standards and best practices.

Although a full tool control audit did not take place, inventories we spot-checked were compliant with procedural requirements. The tool control officer is typically not a budget position, but a special assignment position.

Key Control and Locking Systems

FDC Procedure 602.039, Key Control and Locking Systems, provides specific and detailed requirements for the maintenance, storage, and issuance of keys, as well as maintenance of locks. Each facility is required to appoint a key control officer and an assistant key control officer, and they are to be trained according to departmental specifications.

A number of facilities operated with contemporary automated key dispensing systems, which are located in close proximity to the master control rooms and facility pedestrian entrances. In those facilities where the automated system was either not functioning or hadn't been installed, a manual key dispensing process was in place where staff issued keys to employees and logged the transaction to maintain a record of which employee possessed keys, the time they received them, and when they returned them. At each facility, a key control officer was



assigned to manage the key control system. A review was conducted at a number of facilities to examine the key control operations. It was noted that monthly and quarterly audits are conducted and documented, and those records were reviewed by the project team. A selected number of inventories were reviewed and found to be accurate. It should be noted that key control officers assigned are often assigned as special assignment officers and are not noted on the shift roster as permanently assigned. No irregularities of departmental procedures were observed, and the procedure was generally compliant with national standards as we understand them. The key management program appears to be properly managed, and documentation reviewed was in good order.

Emergency Management

FDC Procedure 602.206, Emergency Management, provides general and specific guidance for the management of disorders. A disorder incident is defined as any assault, bomb threat, employee strike, escape, evacuation, fire, hazardous material or chemical spill or leak, hostage situation, medical emergency, natural or man-made disaster, pandemic, riot or disorder, or any other significant event requiring departure from normal operations. Each facility is responsible for drafting procedures to address the types of incidents noted above.

A total of 12 different emergency plan areas were reviewed by the project team at each facility assessed. The procedures reviewed included bomb threat, computer security, disturbance, employee work stoppage, escape, evacuation, fire, hazardous materials, hostage, medical, natural disaster, and outside assault. The plans were found to be very thorough and provide specific guidance to staff in these 12 emergency areas. A review of the procedures at each institution indicated the warden had approved the policies and submitted them to the appropriate regional office. Procedures were approved at the regional level and forwarded to the FDC Office of Institutions.

FINDING 2-4: Departmental approval of the emergency management plans had not occurred in all cases.

RECOMMENDATION 9: The department should formally review and approve facility emergency plans and further ensure that proper training is taking place with local law enforcement and agencies providing mutual aid assistance at each site throughout the department.

Use and Control of Toxics and Hazardous Materials

The department has adopted an environmental health and safety plan designed to reduce and/or remove potential occupational hazards in the workplace. The program is administered



through the facility environmental health and safety officer (EHSO) and the maintenance and construction superintendent.

The EHSO is responsible for conducting monthly inspections and reporting hazards that need to be addressed. Imminent dangers are to be addressed immediately with facility leadership. The EHSO has the authority to stop any work activity if imminent danger is identified. The EHSO is a full-time position at each institution according to policy, reports directly to the warden, and performs job tasks including monthly inspections, monitoring of daily operations to ensure compliance, investigating and reporting hazards, accidents, fires, lightning, and other damage, conditions, and situations affecting the health, safety, and welfare of employees and inmates. Numerous other duties and responsibilities are listed in Chapter 1 of the EHSO manual.

FINDING 2-5: The facilities reviewed have a designated EHSO as required by department policy.

Procedures reviewed appeared consistent with national standards and the control of hazardous materials and toxic substances were found to be well-controlled based on observations that were made.

The inventory, storage, and issuance process appeared to be in good order. Spot-checks of certain program components found the documentation to be accurate as well. Overall sanitation of the facilities was good, which suggested that cleaning supplies were readily available and the controls in place adequate to meet policy requirements, again based on our observations.

Critical Incidents Management

FDC Procedure 602.008, Incident Reports-Institutions, requires the documentation of information that is important to the safety and operation of correctional facilities. Per the procedure, an incident "refers to any unusual occurrence or information received about which formal documentation and notification is indicated. This may include an accident involving possible injury to a person or damage to equipment, a suspicious action or occurrence, or other circumstances which could impact agency operations. The incident may be related to an inmate, an employee, or member of the general public." The procedure specifies the information to be contained in an incident report and the format to be followed, including specific forms to be used. Incident reports are reviewed by the shift supervisor or department head that completes the initial report disposition on any incident, which is a brief report on the incident. The chief of security is tasked to review the incident report(s) and



notate findings and/or comments. The chief is also responsible for assigning a log number to each incident report. Subsequent to the chief's review, the warden is required to review the incident report and take appropriate action.

Critical incident reviews are conducted on serious incidents. *Procedure 605.008, Critical Incident Reviews*, effective June 26, 2015, outlines procedures to be followed to review serious incidents. A critical incident is defined as "an incident resulting in serious injury or death of an employee or inmate, incidents involving the escape or attempted escape of an inmate from the secure perimeter and any other incident requiring the level of review by the Secretary, Deputy Secretary, Assistant Secretary, or the Regional Directors."

FINDING 2-6: The project team's review of recent incidents indicated that the incident report procedure operating pursuant to *Procedure 602.008* is being complied with and incident reports are a critical component of the facility communication system.

Supervisory personnel review incident reports on an ongoing basis to identify operational issues that need to be addressed. Critical incidents, including escapes, serious injury, etc., require the involvement and review of the secretary, deputy secretary, assistant secretary, or the regional directors. These procedures are consistent with national standards and best practices.

The project team did not conduct an exhaustive analysis of incidents that occurred in FDC facilities; however, it is important to note that the number of sexual offenses is a concern that should be assessed closely going forward. As an example, the number of sexual offenses (inmate-on-inmate) alleged in the past 12 months at one correctional facility was 67. This appears to be a relatively high number of sex offense allegations. Staff indicated that the procedures put in place to protect inmates under PREA has resulted in an increase in the number of complaints made by inmates. They further related that some of this is due to attempts by inmates to manipulate the process in order to obtain a transfer to a more desirable facility.

Staff at other facilities also indicated that PREA procedures have resulted in a significant increase in sexual abuse complaints; however, the staff similarly expressed concern that some inmates are using the complaint system to manipulate a change in their status for placement in a facility that they consider preferable to the one they are in.

An additional concern identified was the number of lewd and lascivious acts by inmates towards female officers at a number of the facilities assessed. At one medium-sized correctional facility, from January through September 2015, there were 147 reports of lewd



and lascivious acts towards females, a 100 percent increase over five years ago. This was found at other sites, although not as prominent.

RECOMMENDATION 10: The high number of sexual misconduct cases at this facility and others, including both inmate-on-inmate and inmate-on-staff, should be examined more closely going forward, as it appears that the number of complaints/reports are increasing and prevention and prosecution efforts do not appear to be effective in controlling and deterring the misconduct. Investigators should also carefully review and investigate, where appropriate, inmate complaints regarding sexual assault to ensure that the procedures designed to protect inmates are not being abused as manipulation to receive a transfer to a more desirable location.

Post Orders

Post Order Procedure 602.050, Institution Security Post Orders, establishes guidelines for the development and implementation of post orders for security posts in the institutions. The procedure also calls for an annual review of these post orders. A post order is described as “a written order detailing the specific duties and responsibilities to be accomplished by the officer assigned to the security post.” Post orders are considered classified documents, as they relate to the physical security and operational safety of the facility. Post orders are developed at the departmental level and can be modified with additional duties that are specific to the particular institution.

FINDING 2-7: The post order policy and process is consistent with national standards, and the post orders themselves reviewed at the institutions are descriptive of duties and responsibilities of the various positions and provide proper guidance for correctional officers.

Search and Control of Contraband

The control of contraband is key to the safe and secure operation of a correctional facility and to maintaining the safety and security of staff and inmates. Contraband, such as cell phones, drugs, and weapons, creates a serious risk in an environment where there already is a high potential for violence. Contraband, such as cell phones, can be used to organize crimes in and out of the facility, develop plans for escape, or establish plans to traffic drugs and weapons into the facility. The introduction of contraband into a correctional setting has been established as a felony by Florida Statutes 951.22 and 944.4. As a result, it is imperative that a correctional system make every effort to reduce or eliminate the amount of contraband in its facilities.



FDC Procedure 602.018, Contraband and Searches of Inmates, effective March 18, 2015, details the requirements and procedures associated with the search of inmates and areas for contraband. The policy provides guidelines for conducting searches of inmates, their living areas, and their property in order to control the introduction and movement of contraband, as well as to prevent escapes.

FDC Procedure 602.016, Entering and Exiting Department of Corrections Institutions, outlines procedures for controlling contraband and searching individuals entering the institution. Staff are required to be searched at a rate of 25 percent of all staff per month, and searches are documented in the Staff Search Log DC-2004. Procedures also require that staff working at the institution are to be subject to a pat search on a random basis, and at least every fifth person attempting to enter the facility is to be searched. Any person refusing to be searched is to be denied entry into the facility. Staff are allowed to carry a number of items into the facility, to include their meals and beverages in approved lunchboxes. Clear plastic lunchboxes are sold in the canteen and are used for this purpose. In addition to the pat searches, all individuals entering the facility are subject to a search for metal, utilizing a standup magnetometer or handheld metal detector. Inmates entering the institution are subject to more extensive search, to include removal of their clothing.

Other areas of contraband control include that all inmate property be inspected for contraband by the property officer before it enters the institution. Correctional officers working housing posts are further required by post orders to conduct searches of inmate property at a minimum rate of 25 percent per month, and the searches are to be logged on Search Log Form DC6-2001. Inmates are also subjected to random pat searches, strip searches, and magnetometer searches.

FINDING 2-8: While the FDC does not have complete contraband data, observations, staff reports, and the limited data available show that contraband is a major issue.

The project team requested detailed contraband information from the FDC, and a listing of all contraband incidents by facility was provided. However, the data was not broken down by individual years and was only a cumulative amount of contraband by facility from January 1, 2010, through October 2015. In its present form it did not provide an ability to analyze the data or the trends, if any, over time. It was also reported by the FDC that this data reflected raw numbers extracted from the management information notification system (MINS) and that there may be errors based on data entry. MINS is FDC's automated system for the reporting of incidents and events.



In the absence of detailed system-wide data on contraband that provides the ability to analyze recent trends in incidents of contraband, the project team reviewed the only other reported department-wide source for contraband detection. This information was found on the FDC website, where the FDC Office of Inspector General reported the amount of contraband seized by the inspector general’s canine teams and interdiction operations during FY 2013/14 (Table 3).

Table 3

K9/Drug Interdiction Team Operations	FY 2013/14
Contraband Type Seized	
Alcohol (gallons)	
Commercial	21.67
Homemade	78.31
Drugs (grams)	
Marijuana	2,342.37
Synthetic Cannabinoid	13,360.65
Cocaine	54.3
Other	1,001.0
Prescription drugs (dosage units)	1,142
Weapons, Cell Phones, Money	
Firearms (in vehicles on state property)	15
Ammunition (rounds, in vehicles)	1,099
Knives/sharps (entering or inside institution)	477
Cell phones or parts/accessories	1,783
Cash (excessive or contraband)	\$5,707

Source: FDC K9/Drug Interdiction

As a result, the project team had to rely on documentation that was provided by individual institutions. In many cases, the time frame in which the data was collected differed between facilities. At one correctional facility in a 30-day period from September 1 to September 30, 2015, there were 39 weapons and six cell phones discovered. At a different facility in the past 12 months, inmates have been cited for disciplinary reports regarding contraband as follows: 93 cell phone reports, 75 drug offenses, and 30 reports of possession of a weapon. Staff and inmates indicated that cell phones are penetrating the security perimeter at a number of the facilities and are available to inmates. A separate institution reported the following amount of contraband seized during the most recent 90-day period: 8.9 grams of K-2 spice, 1.5 grams of marijuana, 17.01 lbs. of tobacco, and 56 cell phones.



FINDING 2-9: While searches are being conducted, the amount is insufficient to control or deter the introduction of contraband.

One important tactic in reducing contraband is the consistent, yet random, search of inmates and individuals entering the facility. Throughout this review, staff indicated that the amount of searches conducted in the facilities has decreased in recent years due to the lack of staff. In its recent report regarding use of force, the Association of State Correctional Administrators (ASCA) noted *“Searches and contraband control was less than adequate because minimal staffing levels does not allow for any searches beyond the three cell searches required of each officer on each shift. As a result, the team found that the facilities were experiencing contraband control issues.”*¹⁹ The staffing level findings resulting from this review, as addressed in another section of this report, support ASCA’s finding that shifts are frequently being staffed at minimum staffing levels, and secondary duties have an adverse effect on the ability to conduct more frequent and effective searches for weapons and contraband.

FINDING 2-10: Staff and visitors entering the facilities are being searched consistent with procedural requirements, and attempts are made to search employee possessions. However, the volume of personal items entering the institution is too great, and the time allotted for the search is insufficient to ensure that the search process is thorough and effective.

In some cases, staff are allowed to enter the institution with certain personal items that are not allowed according to the entrance procedures. During the processing of staff in and out on the evening shift during one of our review visits, the project team observed that some employees appeared to be allowed to enter with personal flashlights and carry them to their posts. The flashlights were of different types and sizes and were not thoroughly searched.

FINDING 2-11: Staff reported in interviews and observation of the project team confirmed that insufficient searching is conducted due to the lack of available staff.

Many security employees were reported to have secondary duties, and shifts are frequently being staffed at the minimum staffing requirements. Shakedown and searches have become an “extra” duty that can only be done when staffing exceeds minimum levels. Additional duties and frequent operations at minimum staffing levels have an adverse effect on the ability to conduct more frequent and effective searches for weapons and contraband.

¹⁹ Assessment of Use of Force Policies and Practices within the Florida Department of Corrections, Association of State Correctional Administrators, August 31, 2015



FINDING 2-12: FDC policy on tobacco use has created a secondary market for the trafficking of tobacco products and for staff to violate policies and become complicit in the supply of contraband.

The FDC smoking policy²⁰ allows staff to bring in one pack of cigarettes or tobacco per day. For inmates, such products are contraband and highly sought-after items. For employees, these are items that can be easily trafficked with inmates for what was estimated in some locations to be \$10 per cigarette. Inmates are not allowed to smoke. During interviews at the facilities visited, it was stated that the tobacco policy has “given license to officers to be corrupt.” The smoking policy creates a significant security issue for the management of FDC institutions. The vast majority of systems in the U.S. are now tobacco-free, and any tobacco in the facilities is banned, including access by staff. Such a policy eliminates the introduction of tobacco products into the facilities and eliminates a major source of trafficking.

FINDING 2-13: The facilities lack modern scanning technology that permits the identification of potential contraband through a close examination of individuals that are entering the institution and the possessions that they carry.

Only aging metal detectors are deployed in the FDC facilities reviewed, and this equipment cannot detect non-metal items such as drugs or plastic items that could be fashioned into a weapon.

RECOMMENDATION 11: Increase security staffing above current minimum levels to ensure that sufficient staff are available to conduct thorough searches of inmates entering the facility, their property, and their living areas.

RECOMMENDATION 12: The FDC should conduct a review of contraband flow at all facilities and develop an action plan for increased searches, more effective search procedures, improved supervision of inmates during contact visitation, and the strengthening of entry points where vulnerability is detected.

RECOMMENDATION 13: Consider revising the list of allowable items to enter the institution with staff, and reduce the volume of items to make the search process more effective. Limitations and control should be placed on the amount and type of food staff are permitted to bring into the facilities in order to improve the control of contraband.

²⁰ Policy 605.005 - Use of Tobacco Products by Employees, Effective March 26, 2014



RECOMMENDATION 14: A comprehensive staffing study should be initiated in order to ensure that sufficient staff are available to conduct thorough searches of inmates entering and moving within the facility, along with their property and their living areas.

RECOMMENDATION 15: FDC facilities should become tobacco-free institutions. The presence of tobacco in the institutions presents an unnecessary opportunity for trafficking a prohibited product.

RECOMMENDATION 16: The FDC should obtain modern scanners that will more effectively detect and prevent unauthorized items from entering the facility. Use of this type of equipment at entry points and locations within the facility will reduce contraband and improve security. This equipment will likely be an effective deterrent, especially at the minimum-security units where large groups of inmates exit the facility on a daily basis for work details and are likely candidates to introduce contraband into the facility because of their access to the community.

RECOMMENDATION 17: The FDC should develop a system to track contraband on a monthly basis by facility.

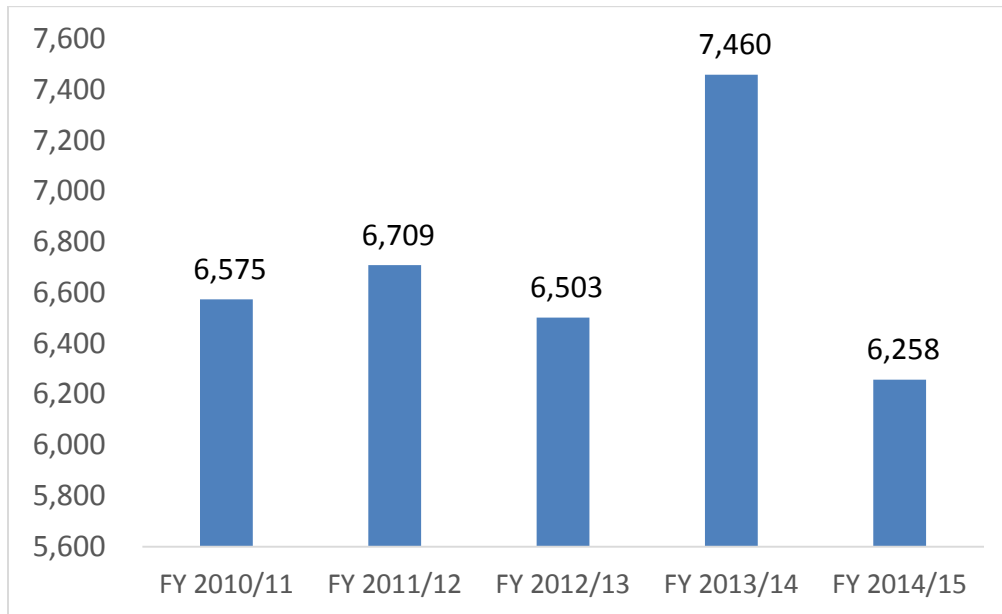
Use of Force

In view of the extensive use of force study²¹ completed by representatives of the Association of State Correctional Administrators (ASCA), the project team examined the processes and, in particular, the policies that govern the use of force. We did collect basic information on the number of incidents of use of force as reflected in the following charts but did not extensively review specific cases of the application of use of force within the department. We note that use of force incidents have risen significantly in the first few months of FY 2015/16.

²¹ *Assessment of the Use of Force Policy and Directives within the Florida Department of Corrections*, August 31, 2015, ASCA

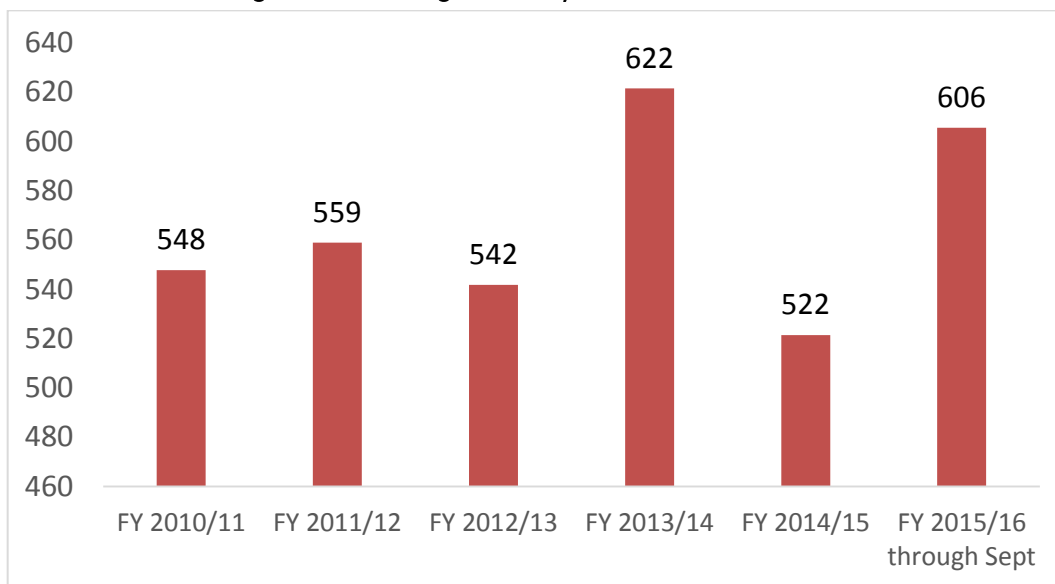


Figure 14: Total Use of Force Incidents by Fiscal Year



Source: FDC Data provided October 14, 2015

Figure 15: Average Monthly Use of Force Incidents



Source: FDC Data provided October 14, 2015



The FDC uses Rule 33-602.210 of the Florida Administrative Code as their official use of force policy. While ASCA noted in their use of force study that FDC's use of force policy "is consistent overall with widely accepted practices of adult correctional agencies nationwide," our review found its content and organization lacks clarity, and staff throughout the department repeatedly indicated that the current policy was difficult to understand.

FINDING 2-14: The FDC's use of force policy provides confusing and disparate guidelines for when and how force can be used.

Policies should be written using simple, clear, and concise language that any reader can clearly understand. A policy that is difficult to read or confusing provides little benefit to staff or to the department. The need for clarity is especially critical regarding guidelines for use of force in a correctional setting and should clearly impart to staff when and how force should be used.

The use of force policy is a complex and lengthy document that does not organize guidelines for using force into an easy-to-understand format. In fact, readers must search line-by-line through the 15 pages to find disconnected, non-specific guidance regarding when and how force can be used. The following are some of the use of force guidelines and their location in the policy:

- Page 2 provides initial basic guidance for the use of force:
"Department staff shall use force, organized or reactionary, only as a last resort when it reasonably appears that all other alternatives are not feasible to obtain compliance with law or administrative rules.... "
- Page 3 provides one of several guidelines for when force with chemical agents can be used:
"Hands-on physical force shall not be used if injury is less likely to occur by using chemical agents, impact munitions, or electronic immobilization devices."
- A separate section on page 3 provides another guide for when chemical agents can be used:
"Chemical agents shall only be used when the use of force is authorized and the level of forces is necessary to prevent injuries to staff or inmates including any self-injurious behavior exhibited by inmates."
- Page 5 identifies yet another situation where chemical agents can be used:



“Officers may utilize chemical agents whenever an inmate becomes disorderly or disruptive or does not comply with clear and audible orders that have been communicated to cease such behavior.”

- Page 7 provides direction regarding a specific condition when force should not be used:

“Force shall not be used solely as a response to verbal abuse.”

- Page 10 provides guidance for use of force to provide medical treatment:

“Officers may use reasonable physical force to restrain an inmate, upon supervision and direction of a physician or medical practitioner for the purpose of providing necessary treatment or for the safety of an employee.”

Because these guidelines are strewn throughout the document, a reader cannot quickly open the rule and find clear direction regarding use of force. Additionally, we found that much of the guidance was too broadly written and lacked specific details needed to inform staff of when and how force can be used.

For example, the guidance on page 2 notes force can be used “only as a last resort when it reasonably appears that all other alternatives are not feasible to obtain compliance with law or administrative rules,” but never defines what “other alternatives” should be attempted first.

The guidance on page 3 indicating “Hands-on physical force shall not be used if injury is less likely to occur by using chemical agents, impact munitions, or EIDs (electronic immobilization devices)” could be misconstrued by staff and support a broad use of chemical agents in the facilities. In corrections, any use of soft hand control techniques and applying restraints could potentially lead to injury. Therefore, lack of clarity in this language appears to open the door for the wide use of chemical agents.

The direction on page 5 that states that “Officers may utilize chemical agents whenever an inmate becomes disorderly or disruptive or does not comply with clear and audible orders that have been communicated to cease such behavior” seems to conflict with that found on page 2 regarding determining “other alternatives are not feasible” and promotes the use of chemical agents in situations where it may not be necessary by allowing their use as the first resort when an inmate does not comply with an order.

RECOMMENDATION 18: The department should request to revise the current administrative use of force rule or develop its own additional guidance that provides clear and complete



direction to department staff. The policy should be organized in a manner that makes it coherent and understandable. The practice of using policy documents to further clarify and implement the requirement of a rule is a commonplace practice in correctional systems nationally. Sample use of force policies are available from several sources. One firm, LETRA, Inc., has developed a comprehensive model use of force policy that may be available upon request.

In our tours of facilities, it was apparent that the FDC administration had been making a concerted effort to address past use of force issues and the methods with which inmates were supervised. At most of the facilities toured, the project team generally observed appropriate interactions between staff and inmates. However, in a few facilities, we found vestiges of a “boot camp” type relationship between staff and inmates that had negative overtones. This relationship was demonstrated in established practices that included inmates being required to turn away from staff and face the wall when staff passed by, and inmates being required to stand at attention outside their cell every time a staff person entered the wing of their cell-house. This last issue occurs regularly throughout the day because housing unit staff are required to conduct wing checks every hour between 5 a.m. and 11 p.m. Therefore, on a normal day, the inmate would be required to step out of the cell and stand as many as 19 times per day.

RECOMMENDATION 19: The “boot camp” style interactions with inmates, while subtle, are unnecessary and should be ceased as they support a negative culture and environment that can lead to increased safety issues.

Security Threat Groups

Security threat groups (STGs) pose a serious security risk in correctional facilities. These organizations can take control over facility operations by trafficking contraband, exploiting vulnerable inmates, ordering assaults on other inmates and staff, and disturbing facility schedules and events. The presence of STG inmates in a facility can be detrimental to inmate safety, as gang members often extort, threaten, or assault rival gang members or inmates that are unaffiliated. If not identified and controlled, STGs have been known to organize major disturbances and riots. It is, therefore, imperative the correctional system first accurately identify those inmates who are members of STGs so that they can be appropriately monitored and controlled.

FDC Procedure 108.011, Security Threat Management Program, identifies that offenders can be designated as confirmed, suspected, or potential STG members. The policy defines each designation as follows:



- Confirmed STG member: Refers to an inmate or offender identified by the security threat intelligence unit (STIU) as a member of an STG.
- Potential STG member: Refers to an inmate or offender who has the potential to become an identified member due to suspected security threat, individual, or STG activity.
- Suspected STG member: Refers to an inmate or offender who is suspected of being a security threat individual or STG member and is monitored by the STIU with the assistance of the security threat group coordinators pending identification.

Procedure 108.011, Security Threat Groups Management Program, effective May 14, 2014, establishes guidelines for the identification and tracking of individuals and groups affiliated with STGs through the collection of valid and credible intelligence. The policy calls for the assignment of STG coordinators at each institution who are responsible for assessing STG training needs, coordinating STG intelligence information, and communicating that information to the central office STIU, a branch of the FDC Office of Inspector General. Department strategy calls for facility coordinators to gather intelligence on STGs and individuals who are suspected or confirmed members of an STG. The STIU is further responsible for recommending management strategies to manage STG information and activity.

FINDING 2-15: The allocation of part-time institutional staff to STG responsibilities is inadequate to ensure that gang identification and management strategies are in place to reduce gang influence and provide for inmates' safety in the institutions.

System-wide STG coordinators are performing their assigned duties on a part-time basis. Documents provided to the project team indicated that there are 29 positions that are filled through the unfunded special assignments that are designated by the department. However, institutional STG coordinators reported that they had secondary duties that reduced the time they had available to gather STG intelligence at the facilities. One STG officer interviewed indicated that 25 percent of his time is related to STG activities, as he is also responsible for managing the inmate drug testing program, supervising the FTO program, and other duties as assigned. A second STG coordinator is a transportation officer, who also estimates that 25 percent of his time is spent on STG duties. At one larger facility the STG coordinator is also the sergeant of the confinement unit. Information obtained from other facilities also reveals that STG coordinators are generally assigned part-time to STG duties and fulfill this capacity less than 25 percent of the time. This is insufficient, particularly in the larger, more secure facilities, and is considered less of an issue at minimum and re-entry facilities.



The absence of dedicated STG staffing is likely to contribute to an under-reporting of inmates that belong to gangs. As noted in a separate section of this report, there are only core programs slots for about 14 percent of the overall inmate population in FDC. At a large facility with a population of close to 2,000 inmates, the STG coordinator stated that there were 55 confirmed and 75 suspected gang members in that facility. Staff interviewed indicated that the number of gang members is considerably higher, but the resources allocated to STG intelligence gathering are insufficient to capture the information needed to confirm additional gang members. This information was reported to the project team throughout our analysis. The presence of undetected gang activity can adversely impact inmate safety.

RECOMMENDATION 20: Additional resources dedicated to STG management are needed at the institutions. STG coordinators should be appointed full-time to monitor gang activity, collect/analyze gang intelligence, and identify STG members. In the larger institutions that are experiencing gang issues, a single STG coordinator will not be sufficient to manage this process, but will likely require appointing a team of STG coordinators.

Technology to Support Security Operations

With the rapid adoption of technology in our society, the development and use of specialized technology in correctional systems has grown to the point where it can play a vital role in improving the security and management of a facility's operation. Correctional systems have found that new technologies, including digital camera and recording systems, enhanced body scanners, and fence detection systems, can enhance the security of the system.

The adoption of new technology in the FDC has occurred at a very slow pace. For many years, limited funding has reduced the department's ability to purchase new technology or to even maintain existing aging technology.

FINDING 2-16: Historically, FDC has deployed a very limited amount of technology to support its security needs. The use of technology in FDC is minimal and has only recently begun to be upgraded.

For a long period of time, any technology that has been in place within FDC facilities was deteriorating. Included in these were a meager amount of video surveillance camera systems, faulty fence detection systems, and aging man-down alarms.



Video Surveillance Systems

Video surveillance systems in correctional facilities can serve as a complementary means to monitor inmates and improve facility safety and security. In tandem with the proper deployment of staff, video surveillance systems can extend the amount of area under visual coverage, improve visual evidence, reduce serious incidents, and better observe inmate behavior. Advancements in this technology in the past 10 years have further improved video resolution, recording capabilities, and monitoring access.

With the requirements established by PREA, the importance of visually monitoring nearly all areas of a correctional facility has grown. Modern monitoring systems use Internet Protocol (IP) camera technology, where video from digital cameras can be sent and received through a computer network and the Internet. This technology ensures that anyone on the system with Internet access and appropriate approval can access those cameras and recordings.

Until recently, the few existing video surveillance cameras in FDC were not functional or had limited placement and poor resolution. However, knowing that video surveillance could reduce the number of serious incidents in a facility and enhance the department's ability to thoroughly investigate incidents, FDC developed a multi-year plan to install new cameras and digital video recorders (DVRs) in key areas of every facility. The following are the three currently identified phases of their video surveillance installation program:

- Phase I: Installation of cameras, audio recording sensors, and DVRs at all major facility special housing and confinement units. Additionally, a select number of facilities were designated to have cameras installed in general population housing. Phase I has been completed, and 3,402 cameras and 457 DVRs were installed.
- Phase II: Phase II is currently underway and will complete camera and DVR installation in all housing units in the FDC. The \$1.7 million funded for this phase will result in the additional installation of 584 cameras and 48 DVRs.
- Phase III: Phase III is currently in the planning stage and would involve the identification and placement of cameras and DVRs in key areas other than housing units, including food services, chapel, recreation yards, industries, education, laundry, and barbershop. Additionally, the goal will be to place the system on the Internet so that cameras and DVRs can be remotely accessed by authorized staff. The number of additional cameras and DVRs to be deployed for this phase has not yet been determined. Likewise, the department has not estimated a cost associated with this phase.



The cameras and DVRs that have been installed as part of this program are not currently connected across an IP network. As a result, if supervisory staff needs to review a recorded event, in most cases they must do so in the control room of the housing unit where the incident occurred. The project team identified concerns that supervisory staff must sit in a housing unit control room to replay audio and video from incidents while subordinate staff are present in the area manning the control room post.

Body Scanners/Metal Detectors

As noted in the section regarding the security vestibule used for processing of staff and visitors entering the facilities, only metal detectors are currently used in the screening process. Metal detectors only detect metal—they cannot detect weapons made from plastic or ceramics, nor can they detect explosives, or liquids, or drugs. As a result, the benefits of metal detector use are very narrow.

Perimeter Technology

Fence detection technology can improve a facility's perimeter security while reducing the need for staff to man external guard towers. The project team found fence detection systems in some facilities to be obsolete and faulty, thereby increasing the opportunity for a successful escape or penetration into the facility. For example, at one facility the perimeter fence detection system is old and has extensive false alarms that render it ineffective. At another facility visited, the microwave security system between the double fences is prone to frequent false alarms, each of which must be checked by the roving patrol after being notified. This system requires regular, ongoing maintenance. Additionally, we were informed the "stun fence" located at a secure unit inside a major facility is subject to frequent failures and is becoming increasingly more difficult to repair due to the unavailability of parts.

Body Alarms/Body Cameras

The department issues body alarms to staff that allow them to either press a button or pull on an attached lanyard as a method to sound an alarm in the event of an emergency. The body alarms found at the facilities visited were problematic and many were over 10 years old. The facilities noted they are constantly attempting to repair failing body alarms, but the process is complicated by the fact that parts are difficult to find and can take months to receive. The department has developed a plan to replace all body alarms over a five-year period. For this upcoming budget cycle the department has submitted a request for \$1,050,000 to replace approximately one-quarter of the body alarms in the system.



Body cameras have taken on increased importance to law enforcement agencies across the country, as police try to ensure the consistent practices of their staff and document the behavior of employees and arrestees. However, the use of body cameras is not yet widely found in correctional systems. FDC is considering the use of body cameras and plans to pilot a study for effectiveness and benefits of using the devices widely in the system in the near future. It was reported that currently the department is in the fact-gathering stage and no schedule for testing or implementation has been developed.

It is very apparent that the FDC has recently begun making concerted efforts to improve the technology used in its facilities. Additionally, it is also clear that technology enhancements have not been made for a considerable number of prior years. However, there remains more to be accomplished, and the following represent our recommendations:

RECOMMENDATION 21: Continue the installation of the video surveillance systems at the facilities, and ensure that authorized supervisory staff will be able to access the cameras and recordings from remote locations.

RECOMMENDATION 22: Purchase and pilot-test enhanced scanning technology at select facilities to replace the use of metal detectors.

RECOMMENDATION 23: As part of a perimeter security review, develop a comprehensive assessment of the functionality of current fence detection systems, and begin replacement of those that are no longer effective or unable to be repaired.

RECOMMENDATION 24: The legislature should consider funding to begin replacing aging body alarms. Also, continue with plans to pilot-test body cameras.

Technology cannot only improve security, but it can also increase efficiency and accountability. For example, electronic timekeeping systems can improve the accuracy of processes associated with time and attendance, as well as enhance timekeeping efficiency. Since 2011, the Legislature has been requesting FDC install an electronic timekeeping system. Up until recently, very little action has been taken by the department to meet these requests. However, in the FY 2014/15 budget, the FDC requested \$10 million to begin implementation; \$5 million was eventually appropriated by the Legislature to the department.

A vendor, Kronos, has been selected to manage the project schedule, and staff report that timekeeping began piloting user acceptance testing (UAT) early this summer at three correctional facilities: Marion Correctional Institution, Lowell Correctional Institution, and Florida Women's Reception Center. UAT is typically the last phase of the software testing



process in which users test the software to make sure it can handle tasks required in real-world scenarios. These facilities planned to go live with full use on October 23, 2015.

The next group of facilities to have the electronic timekeeping system installed has not been identified, but FDC administration indicated the goal is to have the system fully installed by the end of the fiscal year. The project team inspected the system at Lowell Correctional Institution and received mixed feedback from staff concerning its implementation. One concern that is still being worked out is the need for supervisory staff to override the system in instances when an employee clocks in or out more than seven minutes before or after their shift. Staff are to be paid overtime if they work seven minutes over their allotted shift schedule.

RECOMMENDATION 25: Develop an electronic timekeeping implementation plan with Kronos, the firm contracted to install and implement the electronic timekeeping system.

Gatehouse Security Vestibule Operation

Most of the facilities inspected have a small security vestibule in their gatehouse/control center that serves as a security screening checkpoint for staff and visitors entering the facility. The physical size of the vestibules is very small and increases the potential for contraband to be smuggled into the facility, as well as delays staff arriving for shift work to reach their post on time.

The vestibule sizes vary slightly, but are approximately 150 square feet and directly adjacent to the main control center. This checkpoint is the singular point where those entering the facility are required to consent to a search and pass through a metal detector. In addition to the metal detector, a fold-up table is typically used where those entering could empty their pockets and other items for search. Also, a pat-down of a rotating number of people entering is performed based on a random schedule.

FINDING 2-17: The extremely small size of the vestibule creates a number of issues for the facilities.

Only a few individuals can enter at a time. The small size of the room restricts the number of persons that can enter to between two and four. At shift change, a large number of staff entering the facility causes a backlog due to the small size of this checkpoint. In fact, staff had to arrive as much as 30 minutes early to make sure they could be processed through the security vestibule in time to be on post as required. Staff routinely reported that the size of the vestibules often resulted in staff being late to their post and necessitated overtime being paid to those staff whose relief was delayed.

The space provided in the existing vestibules is too small to separate individuals into sterile and non-sterile areas. The following graphic shows how a physical plant for a security checkpoint should be arranged to ensure proper search procedures with a walk-through metal detector:



As shown, individuals should progress in a linear manner through the room. Upon entering the room they are in a non-sterile area prior to any search and any use of the metal detector. After they have turned over items in their pockets or anything carried on-person for search, they are to progress through the metal detector. Once they have cleared the metal detector, they should remain in the sterile area until the search is completed and their personal items returned to them. They should never be allowed to step back in the non-sterile area where other staff entering the vestibule may be located. Unfortunately, the small size of the space in this vestibule does not allow the separation of a non-sterile and sterile area. Individuals who have progressed through the metal detector must walk back in the non-sterile area where other persons who have yet to be searched are located. This creates the potential for contraband to be passed back and forth to undermine these search procedures.

RECOMMENDATION 26: The department should develop plans to modify the physical plant facilities to improve the space associated with security screening of staff and visitors. The enhanced space and process should clearly separate non-sterile and sterile areas of the procedure. Additionally, the department should pilot the use of more advanced scanning technology in its facilities in an effort to reduce the introduction of contraband.

Duty Warden Tour Requirements

The visibility and presence of administrative staff in the facility can play a key role in ensuring policies are being followed. One of the best methods to ensure appropriate interactions



between staff and inmates, to verify facility schedules are operating on time, to confirm inmates have full access to programs and services, and to validate that policies are being followed, is for the facility administrative staff to regularly be in the areas where staff and inmates are located. This includes housing units, medical/mental health units, programs areas, dining halls, and recreation areas. This “management by walking around,” strategy has been found effective in maintaining a safe and secure facility, as supervisory staff are constantly inspecting, observing, and (if necessary) correcting facility operations.

Typically, the warden of the facility is the senior-most person responsible for making key decisions, monitoring and supervising facility operations, and managing responses to serious incidents. However, wardens are not on call 24 hours a day, seven days a week. Most state correctional systems identify the other senior staff (known as duty wardens) at the facility to share responsibilities during the times the warden is not on grounds. Per *FDC Procedure 605.002, Duty Wardens*, duty warden responsibilities are typically shared between the warden, assistant wardens, correctional officer chiefs, institutional correctional services administrators, and/or classification. These individuals rotate “duty” on a weekly basis. During the week each is assigned as a duty warden, they are responsible for taking calls from the facilities during off hours, touring the facility, visiting each shift, and in some cases positively identifying inmates who are to be released.

FINDING 2-18: *Duty Warden Procedure 605.002* is vague and does not specifically require comprehensive facility tours by duty warden staff, nor does it require documentation of duty warden tours.

The duty warden procedure provides guidelines for “designation, responsibilities, and training of Duty Wardens.” This review found the required responsibilities of duty wardens limited, especially in regard to their tours and presence in the facility. Section 3(c) of the policy identifies the following tour requirements for duty warden staff:

“Physically tour the institution to include the following areas as indicated, as part of Duty Warden responsibilities:

- Food service (at least once during weekend/holiday)
- Confinement (A Duty Warden will be present on a holiday or weekend day to conduct seventy-two [72]-hour confinement reviews pursuant to ‘Administrative Confinement,’ Rule 33-602.220, F.A.C., if delay of the review would violate the established time limits.)
- Mental health units (at least once during weekend/holiday)



- Visiting parks (shall be visited at least one [1] day during normal visitation hours)
- Infirmary (at least once during weekend/holiday)
- Visits to satellite centers under the facility will be determined by the Warden, but will occur not less than once per week and can be scheduled during the workweek (visits during evening and midnight shifts are strongly encouraged)
- Areas where inmates have been placed on suicide observation (at least once during weekend/holiday)
- Program areas i.e., substance abuse, education, and transition (scheduled during the workweek)."

Additionally, the procedure requires each duty warden visit each shift during their rotation.

Most of the specific requirements only address duty warden tour requirements for weekends or holidays. There are few requirements for tours during the week, and no requirements for duty wardens to tour and inspect general population housing areas where most of the inmate population is located. Additionally, there are no requirements for duty warden rounds to be documented. For the majority of our facility visits, it appeared that duty warden staff had a regular presence inside their facility. However, documentation of duty warden tours was minimal or non-existent. Per best practices, areas where inmates are regularly present, including housing units, confinement, kitchens and dining rooms, health care units, mental health units, recreational areas, vocational, maintenance, and industry buildings, should be visited at least every two days by duty warden staff. Other areas such as towers, perimeter, administration buildings, chapels, warehouses, and commissaries should be toured every three days excluding weekends and holidays.

RECOMMENDATION 27: The department should develop a more prescriptive duty warden policy that identifies the frequency with which each building should be inspected and that creates a requirement for a more detailed log documenting these inspections.

Movement Control Center Gate ("Center Gate")

Each of the facilities inspected had internal security fencing and gates that separate inmate housing from program and service areas. The area near the gates is considered a "checkpoint" and is used as a staging/holding area for inmates moving to a different section of the facility. This location in the facility is commonly referred to as the movement control center gate ("center gate"). When efficiently operated, the use of internal fencing and gates for the purpose of controlling inmate movement throughout the facility is recognized nationally as a positive element of internal physical plant design.



FINDING 2-19: Movement control center gate procedures result in extended waiting periods for inmates and create potential safety concerns as a result of increased idleness and the mixing of diverse populations. Our observations found procedures at the center gate frequently resulted in delayed access to program services.

Pursuant to *FDC Procedure 602.044, Internal Inmate Movement and Supervision Requirements*, a policy has been established to provide guidance and direction in the control and management of internal movement within the secure confines of facility perimeters. A combination of escorted movement, direct supervision, mass movement, and a “pass” system is applied at each facility. The internal movement written procedures identified in the policy are consistent with national best practice procedures when properly applied. The application of the procedures with the practice of using the “center gate” as a checkpoint during peak movement times often results in extended waiting periods for inmates and potential safety concerns as a result of increased idleness and mixing diverse populations, frequently resulting in delayed access to program services. The most significant waiting periods occur during the day shift when inmate movement and facility activity levels are at their highest.

Project team observations at the facilities found that in excess of 100 inmates often wait as long as 30 minutes for access through this checkpoint. Staff at multiple facilities reported that during peak periods the waiting time ranges from 15 minutes to an hour, depending on the efficiency in movement and delivery of services. This extended duration can create security risks, as well as delay access to programs and services.

Delays often occur during meal periods and may continue throughout peak movement periods. A secondary peak period that often results in extended waiting periods near the center gate occurs after the morning meal count clears. General population inmates scheduled to attend programming, sick-call, work assignments, and classification from all housing units converge on the center gate. Call-out sheets, movement passes, and work assignment rosters are all required to be reviewed prior to the inmate being authorized to proceed through the gate. When one officer is assigned to the gate, passes are required to be checked and frequent searches are to be conducted. As a result, the movement process can take time. In addition, when count is cleared late, program participation may also be delayed.

For example, a movement sheet from August 19, 2015, was reviewed that reflected inmates were “released from housing unit on call-outs” at 8:41 a.m. According to the facility activity sheet, education programs are scheduled to start at 8:30 a.m. Considering the inmates left the housing unit at 8:41 a.m. and had to be staged and processed at the center gate prior to



proceeding to the education area, participation in educational programming was delayed. Staff interviewed reported the delay is a common occurrence. During this time period the routine practice of staging, mixing populations, and extended waiting in an open area near the center gate occurs.

This practice creates other concerns, including:

- Inmates affiliated with opposing security threat groups (STGs) may be staged together for extended periods of time.
- During the waiting period, inmates assigned to external work details resulting in community access may be called to the center gate and mixed with inmates not approved to work in the community. Some facilities process the outside work detail inmates through an alternate gate.
- In many facilities (not all), there is no seating available in the staging area. The staging area is an open area located in the immediate vicinity of the center gate. Delays can be extensive, and the number of inmates waiting can be high.

This movement practice and the institution's ability to monitor inmate movement was further impaired by our finding that many of the existing video surveillance cameras placed along walkways and designed to provide remote video surveillance of the staging areas were not operational.

RECOMMENDATION 28: Evaluate the appropriateness of increasing the number of recognized post assignments at the center gate during peak movement periods.

RECOMMENDATION 29: Enhance the coordination of movement through the center gate by reviewing existing activity schedules for possible adjustments and re-evaluating the current efficiency levels of delivery of services.

Facility Physical Plant Conditions

A poorly maintained correctional facility can create security and safety issues for staff and inmates, as well as a work environment that is not conducive to good performance. Deteriorating security fences and fence detection systems can increase the potential for escapes. Leaking roofs can create health hazards of mold and mildew and may render some spaces inappropriate for use. Lack of repair of showers, toilets, and sinks creates health and hygiene risks for inmates. In all, a correctional system that does not promptly address serious physical plant issues presents to its staff and inmates a lack of concern for the environment they must work and live in.



FINDING 2-20: Many facilities are in poor condition. The correctional facilities reviewed have experienced years of neglect, and the Legislature has recently appropriated funding to begin repairs.

The department reports having over 4,000 buildings and 20 million square feet of space that must be maintained. The average age of the facilities in FDC is over 30 years and, as a result, many of the existing systems are well past their useful life. Specifically identified in the FDC priorities for the coming year is the need to repair 140 roofs, as well as upgrade electrical and utility distribution at higher-risk facilities. This review of facilities found that up to one year ago many facilities had seriously deteriorated and were not being properly maintained.

It was evident from our facility inspections that only in the past year have funding allocations begun to address the extreme maintenance issues that are facing the department. At several of the facilities visited it was apparent that significant progress has only recently been made in making needed repairs to the physical plant. However, there still exists a large backlog of unfunded maintenance needs and many issues that will require significant future funding. The following are examples of what was found:

- The medical unit at one large facility was closed after completion of roof repair when it was discovered that the previous roof leaks had permeated the building to the point that mold and mildew growth had caused the building to be uninhabitable. The facility currently must use a makeshift four-bed infirmary on grounds or transfer inmates in need of medical care to other facilities.
- The stun fence surrounding a high-security housing unit is obsolete and repair parts are unavailable.
- The main electrical feed into one institution is teetering on the brink of failure.
- The perimeter fence detection system used by one of the facilities visited is old, deteriorated, and no longer useful.
- Multiple roofs are leaking and need repair across all facilities visited, and evidence of patching and re-patching was apparent. At one facility, 22 roofs were leaking and water stains were noted throughout the interior of buildings.
- At a female facility, a substantial roof leak has existed in the chapel for some time. A portion of the chapel is now cordoned off and is unusable due to falling ceiling materials caused by the leak.



RECOMMENDATION 30: The Legislature should consider appropriating additional funds to continue efforts begun during the last year to fully repair and maintain its correctional facilities.

Security Audit Process

Correctional system accountability can be maintained through a thorough and consistent inspection process. FDC *Policy 602.040, Operational Review and Self-Audit System for Correctional Institutions*, effective November 26, 2014, and *Policy 602.055, Unannounced Security Audit System for Institutions*, outline the specific requirements designed to meet statutory mandates. The FDC has established comprehensive inspection practices that are based on Florida State Law 944.151, which states that the FDC shall be responsible for the security of correctional institutions and facilities. To comply with the law, the secretary of corrections is required to appoint a security review committee which shall, at a minimum, be composed of the inspector general, the statewide security coordinator, the regional security coordinators, three wardens, and one correctional officer. The security review committee is required to:

- Establish a periodic schedule for the physical inspection of buildings and structures of each state and private correctional institution to determine security deficiencies.
- Conduct or cause to be conducted announced and unannounced comprehensive security audits of all state and private correctional institutions.
- Investigate and evaluate the usefulness and dependability of existing security technology at the institutions and new technology available and make periodic written recommendations to the secretary on the discontinuation or purchase of various security devices.
- Contract, if deemed necessary, with security personnel, consulting engineers, architects, or other security experts the committee deems necessary for security audits and security consultant services.
- Establish a periodic schedule for conducting announced and unannounced escape simulation drills.

Per FDC policy, facilities are regularly audited to measure their performance against required policies. Specifically, an operational review takes place at each facility every other year. The procedure establishes guidelines for conducting these reviews, as well as providing for guidance to departmental personnel on conducting institutional security self-audits on the off years or every other year. The self-audits are required, and the regional directors are responsible for ensuring compliance with the policy.



FDC Procedure 602.027, Security Inspections, effective June 17, 2014, outlines procedures for institutions to conduct security inspections of the facility. This policy is also promulgated in compliance with Florida Statute 944.151, Security of Correctional Institutions and Facilities. This procedure also requires that the chief of security conduct at least one security system check per month.

FINDING 2-21: The comprehensive inspection process devised by FDC represents a best practice, and the department should be commended for its thoroughness and staff's commitment to correcting findings.

A few areas of concern exist:

- The review of documents associated with the inspection process indicated that there were a number of findings where state funds are required in order to correct an identified deficiency. In these cases, the action plan simply stated "this is a funding issue and cannot be corrected at the institutional level." No further action was taken.

As an example, in one case a specific finding was reported that the outer perimeter fence posts were severely rusted, thus weakening the structural integrity of the outer perimeter fence. Another area of noncompliance was reported that lighting along the perimeter was insufficient.

The facility management's response in both of these instances deferred action to correct the deficiencies because of funding issues. A response that this cannot be corrected at the institutional level should be immediately followed up with a formal funding request or indication that emergency repairs are required and are being taken. This is a material weakness noted in the audit process, where funding difficulties halt further action to address the problem.

- The process results in a review of written policies but does not address systemic issues that may be facing the facility. As a result, facility compliance measures how well a facility meets requirements but may not be a good measure of overall facility performance or security. As much as this process is effective in meeting what it is required to do, there appears something more needed that will allow the department to more quickly discover and respond to some of the issues found during this review. Examples of issues that would not be necessarily addressed by the inspection process include the contraband issues stemming from the smoking policy, lack of a unified approach to STGs and the probable underestimation of the number of STG group members, lack of appropriate scanning equipment to reduce the contraband being



brought in the facilities, consistent issues with attempts to adequately staff the facilities, and the large number of PREA complaints.

RECOMMENDATION 31: While the inspection process appears to thoroughly document FDC facility compliance with policy, some additional tasks should be implemented. These include:

- Findings that cannot be corrected without additional funding need to be followed up with a request for funding to the appropriate authority.
- Notations on how compliance was achieved should be documented.
- The department should establish an action committee to confront major facility issues that are not addressed as part of the inspection process.

FDC Vehicle Fleet

FINDING 2-22: The department's vehicle fleet is aging and unreliable.

The need to transport inmates in a correctional system is constant, and the reason for these moves can be many, including transporting to another facility so that an inmate can access programming that better meets their needs, transfers for disciplinary reasons, transporting inmates from the reception and intake centers to their permanent facilities, moving inmates in need of medical care to outside hospitals, and transporting work crew inmates to communities and areas where they perform services.

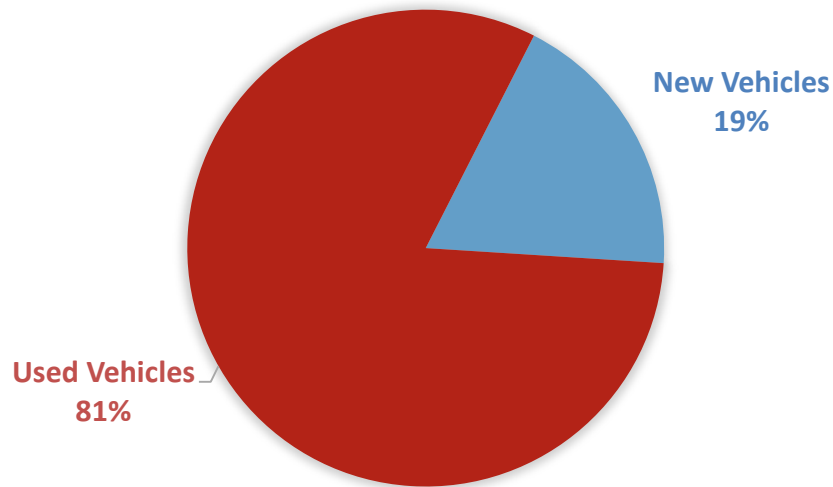
Corrections professionals understand that transporting a group of inmates outside of the confines of a secure facility creates substantial security risks to the staff, inmates, and the communities in which the transport occurs. One issue that can seriously jeopardize the security of a transport is an unreliable vehicle. A breakdown of a 40-passenger bus on the side of a busy highway creates substantial security concerns for the staff and those in the area. As a result, any fleet used by a correctional system must be operable and in good condition.

The department reports having nearly 3,000 vehicles with an average age of 16 years and average mileage of nearly 160,000. Nearly 75 percent of those vehicles meet the state eligibility for disposal. Virtually all of the 43 transport buses used by FDC exceed the state disposal criteria, and they average 16 years of age and over 300,000 miles. A major contributor to this issue is the fact that the FDC has not had funding to replace aging vehicles. In fact, most of the vehicles brought into the fleet were used. In the last 5 years, the department has added a total of 308 vehicles onto its fleet. At this pace, it would take the department 49 years to completely replace its fleet. Unfortunately, only a few of the 308 vehicles obtained by the department were new, with the majority being from federal and state

surplus and inter-agency transfer. Figure 17 shows that over the past 5 fiscal years, 81 percent of the total vehicles the department acquired were used.

Figure 17

**CONDITION OF FDC REPLACEMENT VEHICLES
 FY 2010-11 THROUGH FY 2014-15**



Source: FDC Office of Budget and Financial Management

Our inspections of vehicles used for transport at several facilities noted many that were deteriorating, difficult to maintain, and past their useful life. Physical observation of the vehicles found significant rust, which partially is due to the high levels of air moisture in Florida. FDC staff have gone to significant effort to try to adequately maintain vehicles that should have long-since been retired, but funding needs to be provided to ensure that vehicles will function appropriately while transporting inmates across the state.

RECOMMENDATION 32: The Legislature should consider appropriating additional funds to replace aging buses and transport vehicles.



3. POPULATION MANAGEMENT AND INMATE RISK AND NEEDS ASSESSMENT

Population Trends

The State of Florida inmate population has seen an overall increase in the adult daily population over the last 10 years by an annual average of 1.7 percent per year. This growth has not been consistent throughout the 10-year window, but rather concentrated heavily between 2006 and 2010. As seen in Table 4, the adult inmate population has seen steady increases through 2011 when the population reached a 10-year high of 102,319. Since 2011, however, the adult inmate population has alternated between years of decline and flat population levels. Growth in the first six years of the time period examined totaled 17,418 offenders, or an average annual increase of 3.2 percent per year. In the most recent four years, however, the adult inmate population declined by 2,269 offenders for an average annual decrease of -0.6 percent per year. In the most recent year, 2015, the inmate population decreased by 892 offenders, or -0.9 percent.

**Table 4: Florida Department of Corrections
Annual Average Daily Population for FY 2004/05 – FY 2014/15**

June Each Year	Population	Yearly Percent Change
2005	84,901	
2006	88,576	4.3%
2007	92,844	4.8%
2008	98,192	5.8%
2009	100,894	2.8%
2010	102,232	1.3%
2011	102,319	0.1%
2012	100,537	-1.7%
2013	100,884	0.3%
2014	100,942	0.1%
2015	100,050	-0.9%
10-Year Change		1.7%
5-Year Change		-0.4%

Source: Criminal Justice Estimating Conference Work-Papers 7/28/2015

Admissions to correctional facilities over the previous 10 years show an overall decline, particularly after 2008. It should be noted the substantial decrease in admissions between



2008 and 2010 can be attributed to the ending of “zero-tolerance²².” For this reason, admissions data is examined for the most recent five-year period beginning FY 2010/11. The rate of decrease in admissions in the most recent five years (-3.4 percent per year) far exceeds the rate of decrease in the inmate population (-0.4 percent per year).

Correspondingly, the length of stay (LOS) in correctional facilities has risen from just under 30 months on average in 2008 to almost 40 months by 2015. This LOS is well above the national average of 30 months reported by the Bureau of Justice Statistics. If Florida had an LOS that approximated the national average of 30 months, its inmate population would be approximately 80,000. The longer LOS also explains to a large degree Florida’s significantly higher incarceration rate of 522 per 100,000 population versus the U.S. state incarceration rate of 416 per 100,000.²³

The 10-year increase in LOS can be attributed to longer sentences being imposed by the courts that began in 2006 and continued through 2013. It can be noted that approximately 1,350 life-sentenced offenders are admitted every year, and the housed lifer population has doubled since FY 2007/08 to over 15,000 in FY 2014/15.

**Table 5: Florida Department of Corrections
Annual Admissions, Population, and Calculated LOS: FY 2004/05 – FY 2014/15**

July 1 – June 30 FY	Admissions	Population	Calculated LOS
2004-05	34,129	84,901	29.9
2005-06	36,772	88,576	28.9
2006-07	39,200	92,844	28.4
2007-08	42,279	98,192	27.9
2008-09	40,050	100,894	30.2
2009-10	37,794	102,232	32.5
2010-11	35,627	102,319	34.5
2011-12	32,598	100,537	37.1
2012-13	33,516	100,884	36.1
2013-14	32,882	100,942	36.8
2014-15	31,581	100,050	38.0
10-Year Change	-0.6%	1.7%	2.5%
5-Year Change	-3.4%	-0.4%	3.3%

Source: Criminal Justice Estimating Conference Work-papers held 7/28/2015
Length of Stay calculated using Admissions x LOS-population formula

²² In 2003, the FDC implemented a “zero tolerance policy” where probation officers were required to formally report all technical violations the courts. In 2004, the department extended this policy to all other offenders under community supervision. In 2007 the FDC rescinded the policy.

²³ Carson, E. Ann. September 2015. Prisoners in 2014. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, p. 8.



Projection Methodology

The State of Florida utilizes an in-house methodology for producing inmate population forecasts that is run by the Florida Office of Economic and Demographic Research (EDR). The forecasts are prepared on a regular basis, but there is no specific time frame for producing new forecasts. Most recently there have been three conferences held each year. There are four principals for each conference, which consist of professional staff members representing the State of Florida Governor's Office, Senate, House of Representatives, and the Legislative Office of Economic and Demographic Research. The FDC used to be represented by a principal, but that has been discontinued for some time.

A wide array of criminal justice trends are reviewed at each conference. A formal forecast is prepared by the Legislative Office of Economic and Demographic Research. Taking into account all of the trends presented and context of the historical numbers, a final forecast is selected and issued. Documentation, results, and a video of the conference is posted on the EDR's website.

Recidivism

The FDC publishes a comprehensive recidivism report on an annual basis. This and other reports are prepared by the FDC Bureau of Research and Data Analysis. In addition to reporting an overall recidivism rate, the report also identifies those factors that are shown to have an independent effect on recidivism rates.

Definitions of Recidivism

Criminologists have used three measures for calculating state prison recidivism rates: (1) re-arrest, (2) reconviction, and (3) return to state prison. Of the three, state correctional systems typically report on the number and percent of prisoners released who return to state imprisonment within a one-, two- or three-year period. The other two measures (reconviction and re-arrest) are more difficult to measure, as they require matching an inmate's identity to the state or national criminal history data systems.

A few states (Texas, California, and Florida) and the U.S. Department of Justice, Bureau of Justice Statistics (BJS) are able to report on the percentage of released inmates who have been arrested and/or convicted of a new crime. In order to make these calculations, the state correctional agency must have access to the state's criminal justice database so it can identify arrests and court dispositions of those arrests within the state.



As noted above, in the past year the FDC has been able to develop the capacity to compute all three measures of recidivism (re-arrest, reconviction, and re-admission to prison). However, the annual reports have only been able to show re-admission to prison rates.

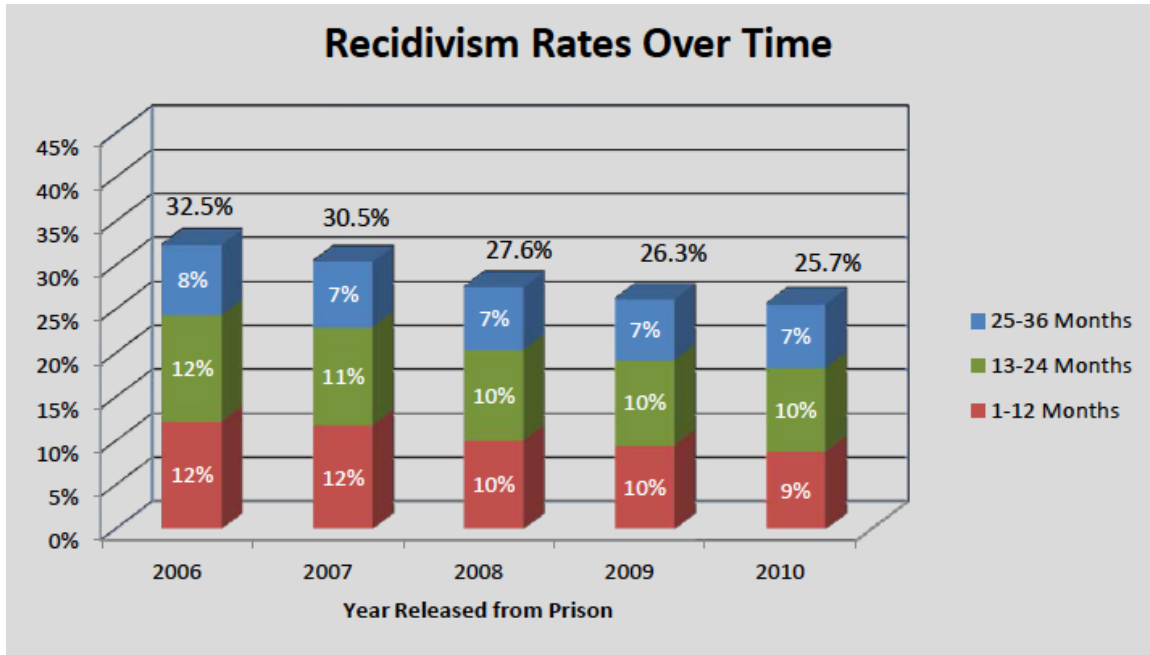
Trends

The most recent FDC recidivism report was published in June 2015 and covers inmates released between 2006 and 2013²⁴. Figure 18 is taken directly from the 2015 FDC recidivism report. It shows that since 2006, the overall recidivism rate has declined from 33 percent to 26 percent. The report also identifies those factors that are associated with higher or lower recidivism rates. Multivariate analysis is completed in all of the FDC recidivism reports to identify which inmate attributes have a direct and independent impact on recidivism rates. Some of the more significant factors that were found to have an independent effect on recidivism are as follows:

1. Gender (females have lower rates)
2. Offense (those convicted of drugs, murder, and manslaughter have lower rates)
3. Age at release (older inmates have lower rates)
4. Post-release supervision (those with no release supervision have lower rates)
5. Prior prison commitments (those with fewer or no priors have lower rates)
6. Custody level (low-custody inmates have lower rates)
7. Prior drug history (inmates with no drug history have lower rates)
8. Visitation (inmates receiving visits have lower rates)

²⁴ *Florida Prison Recidivism Report: Releases from 2006 to 2013*. June 2015. Tallahassee, FL: Florida Department of Corrections.

Figure 18. FDC Return to Prison Recidivism Rates
2006-2010 Permanent Releases



Source: FDC Florida Prison Recidivism Report: Releases from 2006 to 2013, p.5

One factor that was tested by the FDC and was not found to have an impact on lowering or increasing recidivism rates was the length of imprisonment. In other words, whether an inmate served one, two, three, or more years, there was no associated reduction or increase in the recidivism rates. This finding is consistent with other research studies that found amount of time served is not a predictor of recidivism.²⁵

The FDC researchers also looked at the impact of obtaining a GED/high school certificate, receiving a vocational certificate, or change in Test for Adult Basic Education (TABE) scores. When these factors were added to the statistical model, only higher TABE test scores were shown to reduce recidivism.

²⁵ *Recidivism of Prisoners Released in 1983*. April 1989. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. *Recidivism of Prisoners Released in 1994*. June 2002. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice. *2014 Outcome Evaluation Report*. July 2015. Sacramento, CA: California Department of Corrections and Rehabilitation.



Comparison to Other States

The BJS has been publishing national prison recidivism studies since 1985. The most recent study was released in 2014 and provided detailed data on recidivism rates for prisoners released in 2005.²⁶ That report showed that 49 percent of the national sample returned to prison within three years, which compared with the Florida rate of 33 percent for the same year of releases (2005)²⁷. Although the Florida rate is 16 percent lower than the overall U.S. rate, there are at least two caveats that need to be addressed.

First, the national rate is heavily skewed by California, which constitutes 26 percent of the national release sample. This means that any national rate of recidivism will be heavily influenced by the performance of California inmates. This issue takes on greater significance when one notes that California has had a very high recidivism rate (well over 60 percent) due to its well-known policy of returning parolees to prison for technical violations. When California's inmates are excluded from the national statistics, the three-year return-to-prison rate drops to 40 percent—or just 7 percent above the Florida rate.

Second, inmates discharged without any parole supervision will have significantly lower return-to-prison rates than inmates placed on parole, as they cannot be returned for a technical violation. The majority (63 percent in FY 2013/14) of inmates are released from Florida facilities with no supervision.²⁸ This skews Florida's recidivism rate downward compared to other states that have a higher percentage on supervision after release. For example, in Florida, inmates released to supervision in 2010 had a return-to-prison rate of 39 percent. So, for a direct comparison between Florida and the U.S. rates, one would have to control for the influence of California and the fact that 63 percent of Florida's inmate releases have no supervision. All of these factors suggest that Florida's lower return-to-prison recidivism rate is more a reflection of its unique sentencing structure rather than its nature and form of imprisonment and/or the delivery of rehabilitative services.

FDC's Declining Recidivism Rate

Regardless of these issues that can complicate comparisons with other states, it is true that the Florida return-to-prison rate has declined 6.5 percent since 2006 (from 32.5 percent in 2006 to 25.7 percent in 2010). There are a number of factors that could have contributed to this

²⁶ *Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010*. April 2014. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice.

²⁷ *Florida Prison Recidivism Report: Releases From 2006 to 2013*. June 2015. Tallahassee, FL: Florida Department of Corrections.

²⁸ http://www.dc.state.fl.us/pub/annual/1314/stats/im_release.html



decline that cannot be thoroughly tested by looking only at the attributes of released inmates. For example, there is the overall declining crime rate in Florida and elsewhere in the U.S. that could be serving to reduce recidivism rates. Additionally, the FDC has been implementing re-entry programs and attempting to link an inmate's risk and needs levels to the appropriate services. At this point, we do not know why the return-to-prison rate has declined.

The preferred measure for recidivism should be re-arrest rates, which negates the biased effects associated with a return-to-prison rate. Based on the newly implemented recidivism data file developed by Professor William Bales of Florida State University and the FDC, the re-arrest rate for all crimes is 69 percent, which is virtually the same rate reported by the BJS since 1989. So, while return-to-prison rates are low and have declined, the percentage of inmates re-arrested after release is comparable to the U.S. rates, which have not declined. (Table 6).

FINDING 3-1: The FDC does produce a high-quality report on FDC's recidivism rates based on a three-year return-to-prison measure. That measure is incomplete (does not incorporate re-arrest rates) for assessing trends in the FDC recidivism rates over time and with other states. Previous reports were unable to use a three-year re-arrest rate which can now be used to make a more complete assessment of trends in the FDC recidivism rates over time and with other states.

FINDING 3-2: Using the recently implemented re-arrest rate suggests that the FDC recidivism rate is comparable to other states and is not declining.

FINDING 3-3: There is considerable research validated by the FDC (and others) that the length of imprisonment has no impact on recidivism rates.

FINDING 3-4: The primary incarceration factors that reduce recidivism are the number of family visits and low custody at release.

RECOMMENDATION 33: The FDC should incorporate the use of the re-arrest measure in subsequent studies of recidivism and their evaluations of programs.



Table 6. Comparisons of Florida and National Recidivism Measures

3-Year Recidivism Measure	Pew	BJS	Florida
Return to Prison	43%	50%	33%
Excluding CA	37%	39%	NA
Re-Arrest	NA	68%	68%

Sources: Pew Center on the States, *State of Recidivism: The Revolving Door of America's Prisons* (Washington, DC: The Pew Charitable Trusts, April 2011); FDC and FSU Partnership Project dated 10-27/2015

Reception and Intake Process

The reception process was observed at two facilities: the NW Florida Reception Center and the Lowell Reception Center. In addition, staff at the Lake Butler Reception and Medical Center were interviewed relative to the process.

The reception processing of an inmate can be completed in 5 to 14 days; however, an inmate is typically not transferred to their permanent facility for four to six weeks. The initial reception process includes the initial medical and mental health exams, dental, mental health evaluations, drug screening assessment, TABE testing, and a classification interview. Intake inmates have follow-up medical and mental health visits within 14 days of entry. The intake processing schedule as reported in documents received at the reception centers is as follows:

Day 1: Intake

- Interview by team officer: Initial interview is conducted and entered into CARP (computer assisted reception process), verifying the identity and physical characteristics of each inmate to include social security number, true name, date of birth, height, weight, tattoos, scars, and other identifying marks. The inmate is also examined for any tattoos that are related to an STG.
- Receipt of property: Property staff takes possession of each inmate's personal property and monetary funds.
- Receiving staff ensure the inmate is in compliance with grooming standards.
- Inmate showers and is issued standard inmate clothing and linens.
- Initial health screening: Medical staff conducts an initial health screening on each reception inmate.
- Fingerprinting: Inmate is fingerprinted using the biometric identification system.
- Inmate is interviewed for demographic information.
- Photograph/ID card: Digital photograph is taken and inmate is issued an FDC identification card.



- Inmate is given initial inmate orientation.
- Inmate is given Prison Rape Elimination Act of 2003 (PREA) orientation.
- Inmate is interviewed by classification staff in order to obtain their sexual risk indicator (SRI).
- Inmate is given assigned bunk number as well as their schedule for the remainder of the reception process.
- Process is begun to ensure inmate has or can be provided some form of identification to be used upon release.

Day 2: Dental/Mental Health/ Test for Adult Basic Education (TABE)

- Inmate is given initial dental exam.
- Inmate is given mental health assessment.
 - Mental health testing (orientation, behavioral health, and BETA-III).
 - Behavioral health scoring from support staff, usually immediately after it is administered.
 - Elevated behavioral health scores (9 or above) are forwarded to the unit.
 - Initial suicide profiles, if behavioral health scores are elevated, are completed; those with elevated behavioral health scores are escorted to the unit by security.
 - If an inmate is a suicidal/homicidal risk, they are immediately referred to the psychiatrists.
- TABE testing for standard basic education levels is administered. Consultation with inmates under 22 years of age is conducted to determine if there exists a special education status (Child Find). GED or high school diploma verification is completed.

Day 3: Medical

- Inmate is given initial physical exam.
- Inmate is scheduled for any required medical follow-up on days 3-14 and to be seen by a clinician within 14 days; if on medications to see a psychiatrist within 10 days
- If not on any medication, inmate must be seen within 14 days by a psychiatric specialist.

Day 4: Classification Interview

- Classification interview is conducted.
- Arrest history: Staff enters complete arrest history for each inmate and compares with CCIS (comprehensive case information system) for accuracy, noting, and documenting any open capias/warrants.



- Initial risk assessment is conducted.
- Inmate management plan is prepared.
- Internal management and housing level review release plan is developed.
- Inmate personal background is entered into CARP.
- Inmate work skills are identified.
- Development of a release plan begins.
- Transition goals are identified.
- Inmate file is reviewed denoting any high profile cases, need for special review, existence of outstanding detainers, past arrest records, escape history, STG involvement, military history, special education history, employment record, work skills, programs recommended, victim notification needs, and any outstanding financial obligations.
- File audit is conducted.

Day 5: Psychological Assessment/Medical Appointment

- Mental health intake psychological screening report is entered in CARP (DC4-644).
- WASI (Wechsler Abbreviated Scale of Intelligence) is administered for inmates below 76 on BETA-III (MHTST).
- Initial suicide profile is completed, if suicidal history (no mental health service provider needed in CARP on day 5).
- Inmates who are referred to the psychiatrist are seen by day 10 for their MHPER to assign a grade.
- All other screenings, including the WAIS-III (Wechsler Adult Intelligence Scale) if WASI is below 76, need to be completed by day 14.
- Follow-up with medical, if needed.

While this process is scheduled to be completed in five days, staff reported at all three facilities that inmates stay in reception facilities for between four and six weeks before transfer to their permanent facilities. Staff reported this was due a number of issues, including the time needed to complete the paperwork process and required signatures. They also stated that rarely did bed-space limitations at the permanent facilities play a factor in the time inmates spent in reception.

As noted in the classification section of this report, the CINAS is used to identify the needs of inmates in FDC. The CINAS is then used as part of the automated inmate ranking system (AIRS) to rank inmates for placement in core programs (education, vocational, and substance abuse treatment). A ranking is not done on an inmate if he or she has more than 36 months



to serve, or less than 4-12 months based on the program that one is applying for. At any given time, approximately 6,750 inmates have an academic ranking, 6,735 have a vocational program ranking, and 10,612 have a substance abuse program ranking.²⁹

While it would appear that CINAS should be conducted as soon as possible and as part of the reception process, it is not. CINAS is not begun until an inmate is transferred from reception to a permanent facility.

Other factors concerning the CINAS system are:

- There are five different interviews that make up CINAS, and the first occurs upon arrival at the permanent facility.
- Reception center staff interviewed agreed that conducting CINAS at reception makes sense. The downside is that the reception process is somewhat chaotic and is not always conducive to completing meaningful interviews with inmates. However, the problem with waiting to complete the CINAS until the inmate arrives at the permanent facility is that there may be no suitable programs at that facility. When that occurs, a program transfer is initiated if a program slot is available.
- The TABE is only administered in English, so for non-English speaking inmates, the CINAS score is skewed.

The AIRS is a system to rank inmates for placement within educational, vocational, and substance abuse programming in the department. The specifics of AIRS include the following:

- The purpose of AIRS is to rank all inmates for placement in core programs. Its intent was that the inmate ranked number 1 would be the first inmate chosen when a vacancy occurs. For example, if a vacancy opens in a residential substance abuse treatment program at Marion Correctional Institution, then the inmate ranked number 1 for placement in substance abuse treatment programs would be slotted for that vacancy, even if the inmate was currently located at another facility. However, our review found that this is not the case, as facilities with the program vacancy will first review their own population to determine if an eligible inmate exists, even if that inmate isn't highly ranked. In practice, facilities basically consider all inmates ranked between 1 and 500 as equals, and if a vacancy comes up in substance abuse treatment program at their facility, they will scan their current population to see if any

²⁹ Based on FDC October 2015 snapshot data file.



inmates ranked between 1 and 500 are housed there. If there are, these inmates will be selected for the program over inmates housed at other facilities.

- The AIRS ranking system for substance abuse placement is at least partially based on how inmates answer questions in the Drug Simple Screening Index (DSSI) at intake. Although the DSSI is a somewhat dated screening form, it has been shown, as noted elsewhere, to be a strong predictor of recidivism. The AIRS ranking for education is based on the TABE score given on the second day of intake.

Staff did report concerns with the validity of AIRS rankings. Because the ranking is based on substance abuse interviews and TABE testing is conducted very early in the intake process, staff addressed concerns that often inmates are overwhelmed when they enter and don't fully comprehend the importance of accurately providing substance abuse histories or making an effort on the TABE tests. If inmates give inaccurate responses to the 16 DSSI substance abuse questions they are asked, or just randomly provide answers on the TABE test, they will have an AIRS ranking that is not reflective of their real needs. This suggested the need to ensure inmates are aware of the importance of these steps, or that it may be better to push them back to later in the intake process. Follow-Up, the pilot program that the FDC Office of Re-Entry is testing to extend the reception process, is at least partially the result of these concerns.

RECOMMENDATION 34: FDC is piloting administering CINAS at reception centers. Currently, the CINAS is not administered until an inmate is transferred from reception and placed in their permanent facility. If the CINAS determines an inmate needs programming not provided by the permanent facility, then they would have to be transferred a second time. In our opinion, the benefit of administering CINAS at reception can yield increased efficiencies in the department and reduce the number of inmate transfers needed while placing inmates closer to their needed resources.

Currently, the time it takes to complete the initial interviews and all associated reception paperwork is 14 days. FDC is piloting extending this time frame to conduct the intake and reception process. We agree with the need to ensure that newly admitted inmates in a reception center must be well prepared and thoroughly understand the importance and consequences of the assessments and testing that they will complete (including the TABE test and drug assessments).

RECOMMENDATION 35: It is recommended that the department determine whether an extended reception process or improvement in the steps taken to make inmates aware of the importance of the intake process will ultimately enhance the reliability of the recidivism indexes generated by CINAS.



RECOMMENDATION 36: This review found that in the current system the intake process is typically completed within 14 days, but inmates stay at the reception facility for up to six weeks. If the reception process is not ultimately extended (as being currently piloted), we recommend the department more quickly transfer inmates to their permanent facilities.

Inmate Classification

There are three systems employed by FDC that guide the placement of inmates to particular facilities and housing units within each facility. These separate systems have overlapping criteria that cover a wide array of the inmate's current offense, sentence, prior criminal record, gang affiliation, institutional conduct, motivation, and attitudes. They are designed to classify inmates according to their risk to become a management problem and be involved in serious and/or repetitive misconduct while incarcerated. They are not designed to predict risk of recidivating. All three systems are described below in general terms, as trying to describe them in detail is not feasible given the intricacies of each system.

Custody Assessment and Reclassification System (CARS)

The more traditional system is known as the Custody Assessment and Reclassification System (CARS). It consists of five distinct custody levels which are defined as follows:

Maximum: Inmates who are under a sentence of death.

Close: Inmates who must be maintained within an armed perimeter or under direct, armed supervision when outside of a secure perimeter.

Medium: Inmates eligible for placement at a work camp with a secure perimeter, but who are not eligible for placement in an outside work assignment without armed supervision.

Minimum: Inmates eligible for outside work assignments, but not for placement at a community residential facility.

Community: Inmates eligible for placement at a community residential facility.

In assigning inmates to these five custody levels, the FDC employs a process at admission that scores inmates on the following items:

1. Current offense (1-15 points)
2. Prior offenses (1-10 points)
3. Prior release from medium custody (-1 point)
4. Prior release from minimum custody (-2 points)



5. Prior release from community custody (-3 points)
6. Age 28 years or older (-1 point)
7. GED or high school diploma (-1 point)
8. Employed 6 months or more (-1 point)
9. Completed a primary program on current incarceration (-3 points)
10. Completed a secondary program on current incarceration (-1 point)
11. Inmate's adjustment has been above satisfactory past 24 months (-6 points)
12. Inmate's adjustment has been above satisfactory past 12 months (-4 points)
13. Inmate's adjustment has been above satisfactory past 6 months (-2 points)
14. Inmate's adjustment has been unsatisfactory past 6 months (2 points)

These items are then scored and a custody level is determined by applying the following scale:

Community and minimum custody:	0-10 points
Medium custody:	11-19 points
Close custody:	20 or more points
Maximum custody:	Death row

Two observations are warranted relative to the CARS scoring system: First, the age factor is a dichotomous variable (28 years and older), when an interval scale would be more appropriate (such as 25 years and younger, 26-34 years, 35-44 years, 45 years and older). Second, there is no separation for males and females. Women typically have lower rates of misconduct, which has led to many states developing separate scoring systems for males and females. This can be easily accomplished by developing a separate custody scale so that males and females have custody levels based on equivalent rates of misconduct.

The distinction between minimum and community custody is based not on the score but largely on how much time an inmate has remaining to serve. For example, minimum-custody inmates can be assigned to community custody if they are within 19 months of their tentative release date. Community custody inmates who are within 14 months of their tentative release date can be assigned to work release.

As suggested by the scoring algorithm listed above, the initial custody level is driven by the inmate's current offense and prior convictions. Those initial points can be reduced by positive behavior and staff's assessment of "satisfactory" or "unsatisfactory" adjustment.



Internal Management Score

The second system that drives the inmate's classification and housing setting is part of the internal risk management system (IRMS). The IRMS is designed (among other things) to assign each inmate into one of five internal management (or IM) categories as listed below:

- IM1: Low risk
- IM2: Low-Moderate risk
- IM3: Moderate risk
- IM4: Moderate-High risk
- IM5: High risk

Placement into one of these five levels is based on an internal scoring process that reviews the inmate's recent disciplinary report (DR) history (severity and time frames), gang activity, and certain crimes (homicide and domestic violence).

There is another scoring system within the IRMS that consists of eight items, some of which are also used for establishing the CARS and IM level, but are only used to increase the inmate's IM level. These are as follows:

1. Disciplinary history (disciplinary conduct)
2. Close management history (placements in administrative segregation)
3. Security threat group history (designated as STG)
4. Institutional adjustment history (overall adjustment or OAR score of "unsatisfactory," "satisfactory," or "above satisfactory" based on work, programs, and disciplinary reports)
5. Age (same as CARS)
6. Outside Influence (positive, neutral, or negative)
7. Attitude and motivation (interest in work assignments and programs)
8. Overall classification assessment score



Housing Level System

The third and final system is also part of the IRMS, but is referred to as the housing level scoring system. It is designed to assign inmates to one of the following five housing levels based on their IM level and other characteristics noted below:

- HO1 IM Level 1 and incarcerated for at least one year
- HO2 IM Level 1 and incarcerated for 3-12 months
- HO3 IM Level 3, escape flag, or incarcerated for less than 90 days
- HO4 IM Level 4, escape flags, close management, high-severity crime
- HO5 IM Level 5, death row, escape, special management

Significantly, HO5 inmates require placement in a cell, while HO4 inmates should be placed in a cell if available. HO3, HO2, and HO1 inmates are to be assigned to open-bay dorms.

Of the three systems, the housing level system is the most important process for determining where an inmate is actually housed. But as shown above, it is driven by the IM system, which, in turn, is being influenced by the CARS custody system.

Table 7 shows how the current inmate population is classified according to these three highly interrelated classification processes. The CARS system shows a high proportion (41 percent) of inmates assigned to close custody, while the same proportion (42 percent) are assessed as “low” risk based on the IM system. There also are significant numbers of close-custody inmates assigned to HO1 dorms. The housing levels present a balance between CARS and IM. Significantly, about one-third of the inmates should be assigned to cells (HO4 and HO5). Another two-thirds are designated for HO1, HO2, and HO3 dorms.



**Table 7. Comparisons of Classification Designations by System
Current FDC Facility Population**

Custody	CARS		Inmate Management			Housing Level		
	Inmates	%	IM Risk Level	Inmates	%	HO Level	Inmates	%
Unclassified ¹	1,673	1.7	Missing	0	0.0	Missing	0	0.0
Community	8,833	8.9	1-Low	42,283	42.4	HO1-Dorms	21,307	21.4
Minimum	16,817	16.9	2-Low-Moderate	15,142	15.2	HO2-Dorms	17,245	17.3
Medium	31,294	31.4	3-Moderate	31,736	31.9	HO3-Dorms	26,441	26.5
Close	40,618	40.8	4-Moderate-High	8,651	8.7	HO4-Cells	31,604	31.7
Maximum	385	0.4	5-High	1,808	1.8	HO5-Cells	3,023	3.0
Total	99,620	100	Total	99,620	100	Total	99,620	100

Source: JFA Institute analysis of FDC August 31, 2015 inmate snapshot data file.

¹ Unclassified inmates are those who have recently arrived to the reception center and have not yet been formally classified.

Tables 8 and 9 show how the CARS and IM systems are associated with the HO system. While there are associations between the custody and HO levels, there are also some differences. For example, there are 2,394 close custody inmates in HO1 dorms. There are much stronger associations between the IM and HO levels. There are no IM3, IM4, or IM5 inmates in HO levels 1 and 2 (dorms). However, there are 6,176 IM1 inmates designated for HO4 cells.

In terms of validation studies, the most recent analysis provided by the FDC was an internal evaluation of the CARS system conducted by Professor William Bales of Florida State University in 2012. He found that the CARS system was valid (i.e., predictive of general inmate misconduct and violence) but was over-classifying some inmates into close custody. JFA conducted its own internal analysis by simply comparing the number of DRs that each inmate has accumulated since being incarcerated with their CARS, IM, and HO levels. That analysis shows very strong associations by the various levels of risk produced by each system.

Table 8. Current FDC Facility Population by Custody and Housing Level

HO Level	CARS Custody Level						Total
	Unclassified	Community	Minimum	Medium	Close	Maximum	
HO1 - Dorms	97	4,827	6,528	7,461	2,394	0	21,307
HO2 - Dorms	30	3,223	5,133	7,484	1,375	0	17,245
HO3 - Dorms	1,471	777	5,120	16,192	2,881	0	26,441
HO4 - Cells	64	6	35	156	31,343	0	31,604
HO5 - Cells	11	0	1	1	2,625	385	3,023
Total	1,673	8,833	16,817	31,294	40,618	385	99,620

Source: JFA Institute analysis of FDC inmate August 31, 2015 snapshot data file



Table 9. Current FDC Facility Population by IM Level and Housing Level

HO Level	IM Level					Total
	IM1	IM2	IM3	IM4	IM5	
HO1 - Dorms	21,307	0	0	0	0	21,307
HO2 - Dorms	8,681	8,564	0	0	0	17,245
HO3 - Dorms	5,849	705	19,887	0	0	26,441
HO4 - Cells	6,176	5,599	11,378	8,451	0	31,604
HO5 - Cells	270	274	471	200	1,808	3,023
Total	42,283	15,142	31,736	8,651	1,808	99,620

Source: JFA Institute analysis of FDC inmate August 31, 2015 snapshot data file

Professor Bales recommended modifying the cut-off for close custody upward to 21 points. He also found that medium-custody inmates with a score of 11 had conduct records similar to minimum-custody inmates, and that the scoring system should be modified by adjusting the cut-off for medium-custody inmates as well. The FDC has not taken any action on these two recommendations.

The scoring, transfer, and housing of inmates for CARS, IM, and HO levels are under the control and supervision of the FDC Bureau of Classification Management. This unit consists of a small cadre of highly trained and efficient staff that are constantly managing and monitoring the overall inmate population. Because the entire process is highly automated, the ability to accurately classify and house inmates according to the CARS, IM, and HO criteria is very efficient.

The actual work of classification is carried out by the facility's classification officers who are assigned to the reception or permanent housing facilities. The initial classification process is conducted by the classification officers assigned to the six reception centers. This work is accomplished by the classification officer reviewing all court and legal papers and then conducting a private interview with the inmate. Interview information is used to complete a great deal of the IM risk related and drug history data. The inmate is well-informed by the classification officer on the basis for his/her classification custody level and housing assignment. As noted above, the most important decision is whether the inmate will be transferred to a facility that provides open-bay dorms or cells.

Reclassifications occur on an event basis (DRs, request for programs, or cell or facility transfer). Most state prison classification systems require a mandatory re-classification review on an annual basis. While this is not part of the FDC system, inmates are required to be seen by their case managers on a regular basis, which includes an update of the various fields that drive the CARS, IM, and HO systems.



Risk and Needs Assessment

Once an inmate is transferred to the “permanent” facility, a risk and needs assessment is conducted for the purpose of determining the inmate’s need for the core rehabilitative services (education, substance abuse, and vocational training) offered by the FDC. Most state correctional systems complete such an analysis during the reception center process. This assessment is completed via the Corrections Integrated Needs Assessment System (CINAS). The explicit goal of the CINAS is to reduce recidivism by assigning inmates to rehabilitative programs.

A key feature of the CINAS is a lengthy interview where the inmate is asked to respond to 49 questions asked by the facility’s classification officer. This process requires that questions be read in a standard manner and that the inmate comprehends the questions and answers honestly. Previous reliability studies of such systems have shown this interview process to be problematic unless staff training is well-executed.

There have been two external reviews of the CINAS. One report was completed by Dr. Patricia Hardyman (February 19, 2012), who was a consultant for the National Institute of Corrections (NIC). The NIC report made a number of recommendations to alter the current system. These included numerous recommendations to alter and clarify the wording and responses to the 49 interview questions. Perhaps the most important recommendation was to conduct an inter-rater reliability study and a “process evaluation” to see how well the system has been implemented (accuracy in the scoring process and assignment to meaningful programs in a timely manner). Thus far, a formal evaluation has not been completed; however, the FDC is now pilot testing a revised risk/needs assessment system that addresses some of the NIC recommendations.

The second report was conducted by Northpointe a few months later (May 21, 2012). That review found that the risk index component was a strong predictor of recidivism (AUC [area under the curve] of .69), but that the dynamic risk factors had significant internal consistency problems that were related to inconsistencies in how questions are asked, interpreted, and answered by the inmate. Recommendations were made to correct these assessment problems.

In response to these two studies, the FDC is preparing to modify the CINAS and implement a new risk/needs assessment system, Spectrum, in 2016. The FDC has indicated that the new system will focus more on the inmate needs and less on the risk level, but at this time there is not a formal system to review for this report.



Finally, as noted elsewhere in this report, there is a severe lack of meaningful risk reduction programs and there is a large number of inmates who are released who have not completed a core program. Further, there is little incentive for inmates to participate in such programs because it has no impact on the length of imprisonment. Most states grant significant amounts of program credits for participating in and completing such programs. Risk/needs systems are designed to identify what programs inmates should be placed in with the ultimate goal of those programs helping reduce inmate recidivism. But FDC's risk/needs assessment system has little real utility because there are few meaningful program slots.

FINDING 3-5: The CARS classification system has been validated and meets national standards. Nonetheless, there is evidence that it is over-classifying inmates into the close- and medium-custody levels.

FINDING 3-6: The intake process that determines inmate classification levels is well designed and efficient.

FINDING 3-7: Where an inmate is to be transferred and housed is largely determined by the IM and HO systems.

FINDING 3-8: There is a sizeable number of HO4 inmates assigned to either a cell or open-bay dorm for no reason other than bed availability.

FINDING 3-9: The CINAS risk/needs assessment system has potential reliability scoring deficiencies that may be impairing the assessment of the inmates' service needs.

FINDING 3-10: The lack of meaningful programs coupled with the absence of good time incentives serves to significantly diminish the value utility of a risk/needs assessment system in reducing recidivism rates.

RECOMMENDATION 37: Adjustments should be made to the CARS cut-off levels as recommended by Professor William Bales. It is also recommend that the age factor be modified and transformed from a dichotomous to an interval level variable.

RECOMMENDATION 38: The CARS custody scale should also be modified based on the differing rates for males and females.

RECOMMENDATION 39: The department should develop some valid means to adequately discriminate between which HO4 inmates are better qualified for dormitory placement and which are better suited for housing in cells.



RECOMMENDATION 40: The CINAS or its replacement (Spectrum) should undergo an inter-rater reliability study with a special focus on the dynamic risk assessment factors.

RECOMMENDATION 41: To enhance the potential for CINAS to have an impact on recidivism rates, gain time incentives are needed to reward inmates who participate and complete risk-reducing programs.



4. INMATE PROGRAMS

The benefit of sound, effective, comprehensive inmate programs cannot be understated. Effective programming can improve inmates' attitudes while incarcerated, thereby reducing the disruptiveness and the potential for violence. It can improve their success upon release and as a result, reduce the future burden on the criminal justice system, reduce future inmate population levels, reduce the amount of taxpayer funding that is appropriated for criminal justice needs, and ultimately improve the society in which we live. FDC offers a wide variety of programs to incarcerated inmates. The FDC Office of Re-Entry provided a listing of 38 different programs it supports and operates for inmates within its facilities:

Education Programs

- Adult Basic Education
- General Education Development (GED)
- Voluntary Literacy
- Special Education
- Title I
- Secondary education program (Smart Horizons career online high school diploma)
- Inmate teaching assistant program
- Correspondence study course program
- General library access
- Law library access

Vocational Programs

- Career and technical education
- Prison dog training program

Religions Programs

- Chapel library program
- Faith and character-based residential program
- Primary worship opportunities
- Religious diet program
- Religious education classes

Substance Abuse Programs

- Substance abuse screening and assessment
- Character Awareness and Motivation Program (CAMP)
- Community-Based residential therapeutic community
- Substance abuse counselors at department-operated community release centers
- Integrated Co-Occurring Re-Entry and Evaluation (I-CORE) Program
- Intensive outpatient program
- Substance abuse prevention and education
- Residential therapeutic community
- Substance abuse transitional re-entry centers
- Youthful offender outpatient substance abuse program
- Suwannee Correctional Institution extended day program for youthful offenders age 17 and under

Classification Programs

- Basic training programs
- Extended day program
- Community release centers
- LIFERS program
- Corrections transition program



Transition Programs

- 100-Hour transition skills program
- Thinking for Change
- Veteran dorm program

Re-Entry Centers and Facilities

- Contracted re-entry centers
- Re-Entry facilities

Program participation has been proven to improve inmate success while incarcerated and upon release. For programs to be effective, however, they must be offered in a consistent manner and provide ample time for offenders to interact in the classroom or group setting. The department has set a standard for the amount of time education programs should be offered in morning and afternoon sessions. Specifically, *Policy 501.106, Adult Education Programs*, states "To the greatest extent possible, inmates assigned to adult basic education (open population), inmate teaching assistant education, and general educational development (open population) programs will be afforded at least three (3) hours of educational programming per morning and/or afternoon session(s)."

FINDING 4-1: Observations across facilities found security procedures often negatively impacted inmate access to scheduled programs.

At many of the facilities visited, delayed inmate counts, lack of security staff, and the staging of inmates for movement to programs consistently delays program start times and impacts inmate access to meaningful programming.

For example, at Everglades Correctional Institution, the morning education classes are scheduled to start at 8:30 a.m. and run to 11:00 a.m. Typically, due to lengthy count (which starts at 8:00 a.m.) and due to the manner in which the facility stages inmates for release to the programs buildings, inmates don't arrive to the classes until 9:30 a.m. Our observation and the comments of staff verified this finding. Similar issues were found at other facilities, including Dade Correctional Institution. On our first day at Dade, inmates did not arrive to scheduled education programs until approximately 9:30 a.m. due to late count and inmate staging delays. On the second day, the education building officer was reassigned in the morning, so movement to the building was delayed until she arrived at her post at approximately 9:40 a.m. It is not only education programs that are affected by these delays, as access to substance abuse programming, medical unit visits, and other programs are regularly delayed by security issues.

This issue is multifaceted and involves both the lack of staff and the fact that security practices such as inmate counts and inmate movement delay the arrival of inmates to programs. As a result, there is not a single recommendation that could address this issue. Adding more



security staff could make some improvement in this area, but additionally, the department will need to study and implement other methods to eliminate this issue. This could include developing an alternative program schedule that does not overlap as significantly with inmate count, moving count times, or reducing delays due to inmate movement staging.

Program Policy Review

As part of this project, the project team reviewed the following Florida statutes, department policies, administrative rules related to inmate programs:

- *501.102, TABE and Pre-GED Testing*
- *501.103, Teacher Certification and In-Service*
- *501.104, GED Testing*
- *501.106, Academic Education Programs*
- *501.107, Inmate Teaching Assistant and Voluntary Literacy Program*
- *501.108, Correspondence Study Courses*
- *501.109, Use of Copyrighted Videos in Programs*
- *501.201, Special Education Services*
- *501.301, Law Library Programs*
- *501.302, Copying Services for Inmates*
- *501.303, Law Library Interlibrary Loan Services*
- *501.304, Acquisition and Disposal of Law Library Materials*
- *501.305, Word Processing Services in Law Libraries*
- *501.310, General Library Programs*
- *501.401, Admissible Reading Material for Institutions*
- *501.402, Donations*
- *502.001, Career and Technical Education for Inmates*
- *506.102, Service Dog Training and Canine Obedience Training for Canine Adoptions*
- *503.001, Guidelines for Native American Religious Observances*
- *503.002, Chaplaincy Services*
- *503.003, Spiritual Advisor Visits*
- *503.004, Volunteers*
- *503.006, Religious Diet Program*
- *506.032, Faith and Character-Based Residential Programs*
- *Section 944.803, F.S., Faith- and Character-Based Programs*
- *Section 944.275, F.S., Gain Time*



- *506.101, Veteran Dorm Program*
- *601.222, Youthful Offender Character Awareness and Motivation Program*
- *507.001, Bureau of Transition and Substance Abuse Treatment Services: Substance Abuse Program Management*
- *507.101, Institutional Substance Abuse Program Licensure*
- *507.102, Mandatory Participation in In-Prison Substance Abuse Programs*
- *507.201, Substance Abuse Screening at Reception Centers*
- *507.202, Substance Abuse Program Admissions – Institutions*
- *507.203, Substance Abuse Program Completion or Termination*
- *507.204, Peer Facilitators*
- *507.401, Substance Abuse Clinical Records*
- *507.402, Substance Abuse Clinical Record Transfer – Institutions*
- *507.702, Contract and Program Oversight and Monitoring of All Institutional Substance Abuse Re-Entry Programs, Community-Based Residential and Outpatient Re-Entry Programs, Mental Health and Sex Offender Treatment Re-Entry Programs, Post-Release Substance Abuse Transitional Housing Re-Entry Programs, and Re-Entry Special Project/Programs*
- *607.211, Designation of Youthful Offenders, Young Adult Offenders, and Youthful Offender Facilities*
- *601.204, Placement of Inmates into Community Release Programs*
- *601.101, Incentive Gain Time*
- *601.201, Inmate Work Program*
- *601.721, Visiting Operations*
- *601.722, Visiting Schedule*
- *601.723, Visiting Check-In Procedures*

With the exception of the inmate visitation finding noted below, the above policies and statutes were reviewed and found to be sufficient and consistent with national standards and policies from other states.

FINDING 4-2: The inmate visitation schedule allows only a restricted number of hours per week for inmate visits.

In the section of this report regarding recidivism, we note Dr. William Bales’s recidivism study found one of the primary incarceration factors that reduces recidivism is the number of family visits. Because access to family visits can be of such benefit, the department should have in place visiting policies that promote visitation. However, *Rule 33-601.722, F.A.C. Visiting*



Schedule, has significant limitations to inmate visitation, as visits can only be conducted on weekends and on nine holidays during the year:

Regular visitors shall be allowed to visit between 9:00 a.m. and 3:00 p.m. Eastern Standard Time (EST), 8:00 a.m. and 2:00 p.m. Central Standard Time (CST) each Saturday and Sunday.

Regular visiting shall occur on the following holidays:

1. New Year's Day
2. Birthday of Martin Luther King, Jr., third Monday in January
3. Memorial Day
4. Independence Day
5. Labor Day
6. Veteran's Day, November 11
7. Thanksgiving Day
8. Friday after Thanksgiving
9. Christmas Day

RECOMMENDATION 42: FDC should promote the benefits of inmate visitation by increasing inmate access to visitation throughout the week.

FINDING 4-3: Inmate idleness is a significant issue in the FDC.

With limited programming, it was apparent that inmate idleness is an issue across most facilities. However, it is difficult to accurately measure idleness due to the fact that nearly all inmates are officially assigned to a work assignment if not in a core program.

As noted in a separate section of this report, there are only core programs slots for about 14 percent of the overall inmate population in FDC. What is more difficult to determine is the actual number of inmates who have work assignments that keep them busy and involved. Of issue is the fact that every inmate who is not actively participating in a core program (education, vocational, or substance abuse) or is not in a status that precludes the ability to work (reception and orientation, disciplinary confinement, administrative confinement,

protective custody, infirmary, or isolation placement) is allocated to a work assignment in the offender management system whether they are actively working or not.

For example, during our tour at one facility there were 1,251 inmates assigned to 33 different inmate assignments ranging from orderlies to housemen to maintenance workers. The following table breaks down the number of inmates assigned to each category:

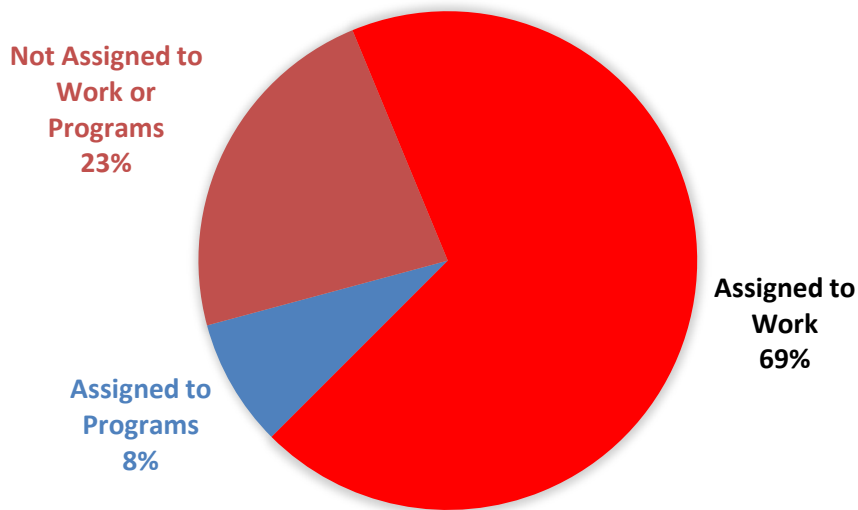
Table 10: Breakdown of Inmate Assignments at Selected Facility

Assignment Category	Number of Inmates Assigned (09/16/2015)
Core Programs	104
Work Assignments	860
Status Precludes Work/Program Assignment	287
Total	1,251

Source: Inmate by Primary Work Supervisor Report at Selected Facility 09/16/2015

The chart below identifies the distribution of inmates in these assignment categories:

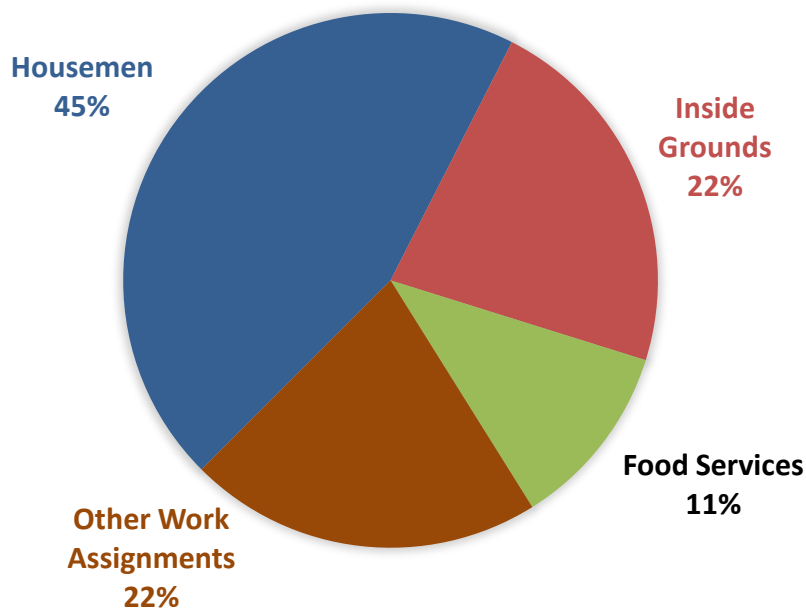
Figure 19: Distribution of Assignment Types at Selected Facility



Source: Inmate by Primary Work Supervisor Report at Selected Facility 09/16/2015

Sixty-nine percent of the inmate population on the day of our visit were assigned to a work a job. This represents 860 of the total inmates at the facility. Only 8 percent (104 inmates) were assigned to a core program, and 23 percent (287 inmates) were in a confinement status or placed in the infirmary.

Figure 20: Work Assignment Breakdown at Selected Facility



Source: Inmate by Primary Work Supervisor Report–09/16/2015

Figure 20 breaks down the 860 inmates placed in work assignments. Of those with work assignments, 45 percent (387 inmates) are housemen responsible for cleaning in the eight housing units, 22 percent (192 inmates) work inside grounds where they maintain the grounds inside the perimeter fence, and 11 percent (97 inmates) worked in food services. Based on our experiences these numbers are excessive. For example, 387 inmates assigned as housemen in the eight housing units results in an average of 48 housemen assigned per unit. At most, 20 inmates would be more than sufficient to maintain the cleanliness of a housing unit. Also, 192 inmates assigned to inside grounds is vastly more than needed. A team of 30-40 inmates would suffice to maintain grounds. Inmates on these work crews were reluctant to discuss the amount of time they actually spent at work, since they earn gain time for successful involvement in their assignment. However, some inmates did indicate they were rarely called out to work, if at all. Staff comments across facilities supported this issue.



The real driver for overloading work assignments appears to be the desire to award “gain time” to inmates. In effect, many of the job assignments are just “paper assignments” for the purpose of awarding gain time. *Section 944.275, F.S., Gain Time*, allows the FDC to award four different types of gain time:

- Incentive gain time: Incentive gain time can be awarded for each month an inmate works diligently or takes training (classes), uses time constructively, or otherwise engages in positive activities. The amount varies in relation to the inmate’s performance and adjustment.
- Meritorious gain time: Meritorious gain time can be awarded in an amount from 1 to 60 days for an inmate who performs some outstanding deed.
- Educational achievement gain time: Inmates can receive a one-time award of up to 60 days for earning a GED or certificate of completion of a vocation program.
- Education gain time: Inmates who satisfactorily complete the mandatory literacy program may receive a one-time award of up to 6 days per commitment.

Gain time (also known as “good time” or “good conduct credits”) has often been used as a population management tool in many state correctional systems. The award of time off of inmate sentences allows agencies to reduce or control their inmate population levels. Some states have established statutory good time where good time credits are automatically awarded at the start of the inmate's sentence, and the inmate receives all potential credits at this time. When the inmate misbehaves, the good time credits can be revoked. Florida’s system uses an earned credit system in which inmates do not automatically receive their good time at the beginning of their sentence. An earned credit system is an incentive system where inmates are rewarded with good time credits only for positive behavior or actions while incarcerated. We will not measure the benefits or cost of each type of system, but in FDC, as an effort to control its population levels, the earned credit system has created an incentive to assign every available inmate to a work assignment regardless of the amount of work that needs to be done.

RECOMMENDATION 43: Idleness would be reduced if FDC had more core programs that would provide meaningful training and skills to offenders. We recommend the Legislature consider appropriating increased funds to expand the capacity of education, vocational, and substance abuse programs.

This would increase assignments and make facilities more effective and productive, and would allow the department to offer programs in alignment with its re-entry objectives.



Re-Entry Center Programs

The department has established re-entry centers that focus on preparing inmates for transition back into the community. The goal of the facilities is to provide a positive, supportive atmosphere where inmates can participate in programming that improves their success upon release. There are three re-entry centers in operation:

- Gadsden Re-Entry Center – a 432-bed male facility that opened in January 2014
- Everglades Re-Entry Center – a 432-bed male facility that opened in February 2015
- Baker Re-Entry Center – a 432-bed male facility that opened in March 2015

Additionally, FDC operates re-entry facilities at Baker Correctional Institution, Polk Correctional Institution, and in Sago Palm.

The re-entry centers can accept inmates within 36 months of release who will be released to counties served by each center. For example, Everglades Re-Entry Center accepts inmates who will be returning to Broward and Dade Counties, while Gadsden Re-Entry Center serves inmates who will be returning to 17 counties in the northern region of the state. Because they are therapeutic communities, staff must address behavioral issues differently than they would in a typical correctional facility, with the goal of positively improving offender behavior rather than employing punitive measures.

The project team visited Everglades Re-Entry Center and Baker Re-Entry Center. Though they were in the early stages of operation, we found the comprehensive scope and variety of programming to be impressive, as were the efforts being made by staff to develop a positive atmosphere for training and education programs that ensure facility residents (inmates) are provided as much opportunity as possible to be successful upon release. Discussions with staff indicate a well-conceived plan to provide a full range of services designed to prepare inmates for re-entry, develop support and employment resources in the community, and monitor inmates on a regular basis after release. On-site observation found security and program staff fully committed to the community, and we saw a great deal of positive interaction between staff and inmates. As a result of these findings, the re-entry center programs could well become a model for other states.

FINDING 4-4: Re-Entry centers have the potential for reducing recidivism. Outcomes from participation in the program should be tracked and formal recidivism rates for the program developed after a sufficient period of time after release.



FINDING 4-5: The capacity of inmate programs is insufficient, as it does not come close to meeting the needs of the inmate population.

Detailed information regarding the 38 programs offered by FDC is provided in several appendices (B, C, and D) to this report.

Our review found the scope of these programs to be comprehensive, and they provide a continuum of care throughout the system with a focus on preparing inmates for successful release back into the community. However, it is not the type of programming that is at issue. The concern is the minimal amount of funding for programs, and as a result, the inadequate availability of programming capacity in FDC. The table below summarizes the major categories of core inmate programming and provides FDC's capacity for those programs.

Table 11

Core Program Capacity	
Program Type	Capacity
Education Programs	6,902
Vocational Programs	1,404
Substance Abuse Treatment Programs	5,331
Total Capacity – Core Programs	13,637

Source: FDC Office of Re-Entry

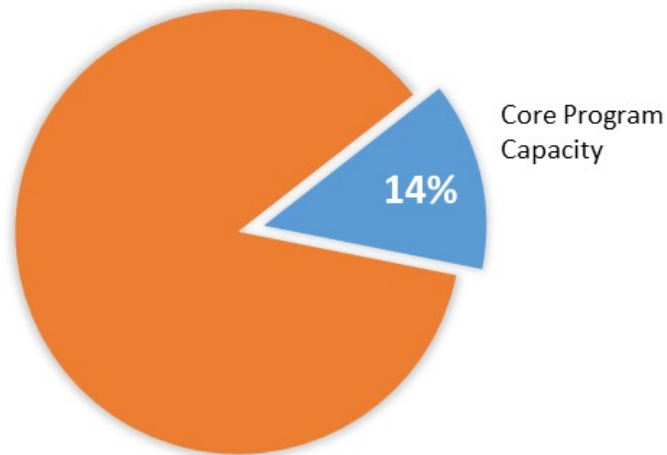
Currently, there is a total capacity of 13,637 slots in academic, vocational, and substance abuse treatment programming³⁰. This compares to an FDC inmate population of nearly 99,586 on September 30, 2015³¹ and results in 14 percent of the population having access to core programming (Figure 21).

³⁰ Per FDC Office of Re-Entry

³¹ <http://www.dc.state.fl.us/pub/pop/facility/>

Figure 21

CORE PROGRAM CAPACITY AS % OF POPULATION



Sources: FDC Office of Re-Entry & website: <http://www.dc.state.fl.us/pub/pop/facility/>

FDC expends a great amount of resources attempting to identify and assess the treatment and educational needs of offenders, but this effort has very limited value as so few programs exist. Our tours of all of the facilities visited supported this finding, as the amount of educational, vocational, and substance abuse programming was meager. For example, at Dade Correctional Institution, core programs were limited to educational classes and had a total capacity of 60 inmates, enough to provide programming to only 4 percent of the facility population. Everglades Correctional Institution had a core program capacity of 84, which represents just 6 percent of the overall population. This leaves offenders with few meaningful activities and increases inmate idleness. There is broad understanding among correctional experts that idleness can have a negative psychological impact on inmates and lead to increased behavioral issues.

In addition to the core programming, the department also funds a variety of other programs shown in the table below.

Table 12

Capacity of Other Programs and Program Facilities	
Program Type	Capacity
Substance Abuse Education and Prevention	2,306
Faith- and Character-Based Residential Programs	6,488
Other Religious Programs	Open Access
Transition Programs	2,421*
Classification Programs	6,468
Re-Entry Centers and Re-Entry Facilities	4,053

Source: FDC Office of Re-Entry



Notes: Transition Program capacity includes 1,395 for 100-Hour Transition Program (46.5 facilitators x 30 inmates per facilitator), and 288 for Thinking for Change Program (24 classes x 12 inmates per class).

Attempting to add all the slots available to arrive at the total number of program slots is not valid due to a significant amount of double counting. For example, the three re-entry centers (Gadsden, Everglades, and Baker) have a total combined capacity of 1,296. These beds are counted in the re-entry centers and facilities category and are also counted in the substance abuse education and prevention category.

RECOMMENDATION 44: The Legislature should consider appropriating additional funds to increase the capacities of education, vocational, and substance abuse treatment programs. Providing more core programming would provide meaningful training and skills to a greater number of offenders, improve their chances of successful re-entry upon release, and reduce idleness while incarcerated.

The project team assessed the potential for an inmate welfare trust fund to be used to partially fund inmate programs. Prior to 2003, FDC had an inmate welfare trust fund, which was funded by revenue from inmate canteens and telephone calls and used to offset the costs of programs operated by the facilities. When the fund was terminated in 2003, all revenue from those sources began being placed in the general revenue fund. A bill proposed in 2015 would re-establish the inmate welfare trust fund and limit the amount that can be deposited in it to \$5 million annually.

Inmate trust funds are found in many correctional systems across the country and serve the purpose of supplementing funding for programs and services that are of benefit to the inmate population. Typically, expenditures from the inmate welfare trust fund must provide some benefit to the inmate population. Most systems prefer to spend trust funds on programs that have the broadest impact across the inmate population. These expenditures can often be as basic as purchasing recreational equipment (basketballs, volleyballs, weights) or leisure equipment (televisions in day rooms, visiting room toys and games for children) or equipment specific for maintaining recreational yards (mowers, rakes, etc.). Of the 38 funded programs FDC identified, 33 were funded solely or partially by general revenue funds. Any of these would be an initial candidate for being supported by inmate welfare trust fund revenue, but some may be more appropriate. For example, using the fund for programs that are targeted for a narrow segment of the inmate population, such as the Basic Training program (boot camp) or some of the narrowly focused substance abuse programs, would not have the desired impact of benefitting the entire population. However, programs that all inmates have access to could benefit from trust funds. For example, the purchase of general library and law library materials, as well as funding the salaries of library staff would be a wise use of these



funds. Additionally, trust funds could be used to purchase materials used in broad substance abuse education programs.

Background on Treatment Effects in Correctional Programming

The past decade has witnessed a significant up-tick in the advocacy of prison-based treatment/rehabilitative programs to reduce recidivism rates. Underpinning this trend is a body of meta-analysis that shows treatment, under certain conditions, can reduce recidivism rates. The FDC references these studies in their own internal evaluations of their rehabilitative programs, so it is important to review how these studies are done and their major findings. Drawing upon the field of medicine, the results of these studies suggest that increasing the availability of effective treatment programs for inmates would both reduce crime and save tax dollars.

Meta-analysis is a statistical technique that is used to quantitatively measure the relative effects of a number of program evaluations in the hope of determining the overall effects of a common program or policy on outcome measures like recidivism and costs. Meta-analysis is not to be confused with conducting a literature review and making conclusions based on that review. For example, Lawrence Sherman and his colleagues conducted a comprehensive literature review in 1997 on crime prevention programs.³² Unlike meta-analysis, a literature review simply identifies interventions that have been shown in a number of studies to be effective, but no specific analysis is made on the recidivism reduction rates and costs savings one can expect if they implement such a program.

There have been some critiques of the meta-analysis, with the most recent one made by Richard Berk.³³ He points out that meta-analysis may be useful in terms of providing descriptive information on the collective effects of treatment interventions, but they should not be used to make sweeping statements about causality or the overall power of the intervention. And there are substantial problems in meta-analysis, such as how the studies are selected, the assumption that they represent the types of programs that exist in the real world, and the mixing of studies using random assignment with those that do not.

³² Sherman, Lawrence, Denise Gottfredson, Doris MacKenzie, John Eck, Peter Reuter, and Shawn Bushway. (1997). *Preventing Crime: What Works, What Doesn't, What's Promising*. A Report to the United States Congress by the National Institute of Justice, Washington, DC.

³³ Berk, Richard. (2007). Statistical inference and meta analysis. *Journal of Experimental Criminology*. 3:237 – 270.



This raises the issue of the quality of a study's research design itself. The "gold standard" is the experimental design with random assignment of subjects to experimental and control conditions. Quasi-experimental designs try to approximate the rigor of random assignment; they have inherent limitations which can serve to bias treatment effects. The most common problem in quasi-experimental designs is that they often fail to control for the person's motivation to participate in a new program or policy. Thus, the treatment group differs from that key attribute, which favors their potential to show a positive impact.

The most recent meta-analysis that has been completed on correctional programs was conducted by the Washington State Institute for Public Policy (WSIPP).³⁴ The WSIPP's report selected 571 studies that utilized either an experimental or quasi-experimental design. Only 28 percent, or 160 of the 571 studies, were based on true experimental studies as opposed to the less stringent quasi-experimental studies. Importantly, the WSIPP rejected any studies that only used program completers rather than including program drop-outs or program failures. It is a well-established principle in research evaluation that any meaningful evaluation of a program must include both program completers and program failures.

The WSIPP found that programs that focus on education, employment skills, and vocational training have consistent positive, but modest, results in the 5-10 percent range. It also found that faith-based programs, boot camps, and other life skills-type programs have not been shown to be effective.

³⁴ Steve Aos, Marna Miller, and Elizabeth Drake, [*Evidence-Based Adult Corrections Programs: What Works and What Does Not*](#) (Olympia: Washington State Institute for Public Policy, 2006).



FDC Program Effectiveness

FDC does keep track of the effectiveness of substance abuse programming and annually reports the recidivism rates of those programs³⁵. This is not the case, however, with education and vocational programs. The most recent recidivism rates developed by the department for education and vocational programs were in 2001. The following table provides a review of the recidivism rates of substance abuse programming based on three-year return rates. It compares the recidivism rates for those inmates who successfully completed the program with those who were non-completers.

Table 13: Substance Abuse Program Recidivism Rates

Substance Abuse Program Type	Recidivism Rates for Program Non-Completers	Recidivism Rates for Program Completers	Difference
Intensive Outpatient Program	40.2%	34.7%	-5.5%
Residential Therapeutic Community	41.9%	28.6%	-13.3%
Substance Abuse Program Center	32.1%	17.5%	-14.6%
Post-Release Transitional Housing	41.7%	27.5%	-14.2%

Source: FDC Bureau of Transition and Substance Abuse Treatment Services Annual Report FY 2013/14

There are two major problems with this analysis as shown in the above table. First, it does not show a “pooled” rate that combines the rates of completers and non-completers. Both groups are “participants” and should be defined as such. Second, there is no effort to create a control or comparison group. These two flaws make it impossible to say the programs are effective.

FINDING 4-6: FDC needs to conduct more rigorous evaluations of its education, vocational, and substance abuse programs. As noted above, the current studies cannot be used to make any conclusions about their impact on recidivism.

The FDC and a few external research organizations have, over the years, published studies or statistics attempting to measure the impact of the FDC rehabilitative programs on recidivism rates. More recently, the FDC attempted to summarize their collective research findings and compare them with the WSIPP meta-analysis results.

All of the studies (a total of 10) as summarized below were conducted at least 10 years ago and have not been updated by the FDC. None of the studies employed an experimental design, and some do not even qualify as a credible quasi-experimental design. More

³⁵ FDC Bureau of Transition and Substance Abuse Services, *Inmate Programs Annual Report FY 2013-14*



importantly, 8 of the 10 FDC studies either only analyze program completers or make a comparison between program completers and program non-completers, which heavily skews the results in favor of the program. Following is an example from the 2001 FDC system evaluation of correctional facility programs.

“The recidivism rate for the 1,788 inmates who received a GED was 29.8% compared to 35.4% for those who did not complete a program. This reduction in recidivism (5.6%) translates into approximately 100 inmates not returning to prison. Avoiding the cost of their re-incarceration for one year would amount to cost savings of approximately \$1.9 million.”³⁶

In this example there is no control group that is similar to the inmates who enrolled in the program and would represent what the recidivism rate would be if the program did not exist. The cost savings estimate is equally misleading. The FDC used a “fully loaded” rather than a marginal imprisonment cost for the estimated 100 inmates who avoided a return to prison due to the program. This faulty cost-benefit argument permeates the entire document.

The results of the FDC studies were also compared with the WSIPP results which show far more modest recidivism results. The outcome results for the FDC are much higher than the WSIPP, but that is due to the flawed research design that excludes program completers. It is noteworthy that the FDC acknowledges this research deficiency but proceeds to make the faulty comparison.

Finally, in interpreting these results, one should employ what is known as the “number needed to treat” (NNT) estimate. This statistic is used to estimate how many people need to be treated in order for one person to benefit from treatment. It is calculated by taking the inverse of the absolute rate reduction. So, in the example of the 5.3 percent reduction for correctional facility-based therapeutic communities, the NNT is 20, meaning that 20 people have to *unnecessarily* go through the program in order to prevent one person from recidivating (Table 14). The NNT emphasizes the modest effects that a single program can have on an inmate’s life.

³⁶ [Analysis of the Impact of Inmate Programs Upon Recidivism](#) (Florida Department of Corrections, Bureau of Research and Data Analysis, January 2001), p. 2.



Table 14: Comparison of National Meta-Analysis Results and FDC Results

Program Type	WSIPP		FDC	
	Recidivism Reduction	# of Studies	Recidivism Reduction	# of Studies
In Prison Therapeutic Communities	5.3%	7	11% to 15%	3
Cognitive-Behavioral Prison Drug Treatment	6.8%	8		
Community Drug Treatment	12.4%	5	27% to 32%	3
Adult Education	5.1%	7	14% to 16%	2
Vocational Education	12.6%	3	27% to 32%	2

Impact of Faith and Character-Based Programs and Institutions

FDC has established faith and character-based residential programs designed to offer inmates a wide assortment of programs and betterment activities in a religious context. The department has established two facilities that are completely focused on this programming (Wakulla and Lawtey), and self-improvement dormitories have been created at facilities in all regions. FDC does monitor the recidivism rates of inmates who enroll and complete other types of treatment programs. In particular, findings were made available on inmates showing an interest in faith and character-based programs institutions (FCBI).

With regard to the comparison of inmates showing an interest in FCBI and the overall recidivism rates, the FDC found no difference in the recidivism rates (Table 15).

**Table 15:
Comparison Recidivism Rates (Return to Prison within Three Years)
Releases CY 2002-2009**

Release Cohort	Releases	Return to Prison
All Male Inmates Released	228,530	33%
Male Inmates Interested in FCBI Program	11,585	34%
Female Inmates Released	27,723	19%
Female Inmates Interested in FCBI Program	1,993	18%

Source: FDC Bureau of Research and Data Analysis

Further FDC analysis examined inmates that spent at least six months at one of the FCBI facilities and found that they have lower overall lower recidivism rates than those interested in the FCBI program but who did not participate. Here, the research is trying to control for motivation, which is a stronger quasi-experimental design.



According to the FDC researchers, when differences in inmate factors that affect recidivism (offense history, demographics, custody) are controlled for, there remains a level of improvement in recidivism rates at three years from release when compared to a group who expressed an interest in the program but never spent time at the FCBI.

This effect is statistically significant for Wakulla and Lawtey. Hillsborough also shows some improvement, but due to the small number of female inmates released in the period of study and the relatively low recidivism rates for female inmates in general, it does not reach statistical significance. There is no formal published report on this study (Table 16).

Table 16:
FCBI Recidivism Rates (Return To Prison within Three Years)

Release Cohort	Releases	Return to Prison
Wakulla FCBI – Males, at Least Six Months at Facility	1,123	25%
Lawtey FCBI – Males, at Least Six Months at Facility	1,737	23%
Hillsborough FCBI – Females, at Least Six Months at Facility	541	14%

Source: Bureau of Research and Data Analysis, FDC

An independent impact study of FCBI was completed by the Urban Institute in October 2007. That study also used a quasi-experimental design where inmates were matched on relevant attributes but not on motivation to participate in the FCBI. The sample sizes were also much smaller (189 males and 100 females for both the FCBI and comparison groups.) That study found that both the FCBI and comparison groups had very low recidivism rates, and there were no differences after 12, 18, and 24 months post-release for either the males or females (Table 17).³⁷

³⁷ Nancy G. LaVigne Diana Brazzell Kevonne Small. 2008. *Evaluation of Florida’s Faith- and Character- Based Institutions*. Washington, DC: The Urban Institute Final Report

Table 17:
**Re-Incarceration Outcomes of FCBI Inmates
and a Matched Comparison Group**

Return to prison within...	Men		Women	
	FCBI Inmates (n=189)	Comparison Group (n=189)	FCBI Inmates (n=100)	Comparison Group (n=100)
12 months	8 4.2%	8 4.2%	4 4.0%	7 7.0%
18 months	20 10.6%	19 10.1%	9 9.0%	8 8.0%
24 months	23 12.2%	32 16.9%	14 14.0%	11 11.0%
26 months	27 14.35%	34 18.0%	15 15.0%	12 12.0%

Note: None of the comparisons has a statistical significance of $p < 0.10$.

Collectively, there are mixed results on whether FCBI programs have an impact on recidivism rates. Inmates who participate in them and complete them have lower recidivism rates (in the 5-10 percent range), but it is not clear whether it is the program or the inmate’s pre-program motivation or disposition to change that is “causing” the lower recidivism rates.

There are two positive points to make here. First, the core FDC program areas (education, vocational training, and substance abuse) are the same ones that other literature reviews and meta-analyses have identified as consistently impacting recidivism rates, albeit in a modest manner.³⁸

Second, the FDC has entered into a National Institute of Justice (NIJ) funded researcher-practitioner partnership with Florida State University (FSU) that is designed to produce higher quality program evaluations of FDC programs. But until those studies are completed, the FDC should cease on publishing misleading statistics on the effectiveness of their programs. If an agency is to adhere to the principles of best practices, it also needs to adhere to the principles of rigorous evaluations.

FINDING 4-7: Most of the evaluations are at least 10 years old and need to be updated using more rigorous research designs. Such an opportunity may exist with the current researcher-practitioner partnership with FSU.

³⁸ David Farabee, 2005. *Rethinking Rehabilitation: Why Can't We Reform Our Criminals?* Washington, DC: American Enterprise Institute.



FINDING 4-8: The FDC is properly focused on the three core programs that have been shown to have some modest effect (reductions of 5-10 percent) on recidivism rates.

FINDING 4-9: The research on the FCBI institutions has been stronger than the research on the core FDC program areas.

FINDING 4-10: The results for FCBI are mixed. Inmates who participate in and complete FCBI programming have modestly lower recidivism rates, but one cannot conclude it is due to the program.

RECOMMENDATION 45: The FDC should evaluate statements of program effectiveness for studies that did not include a pooled recidivism rate that included program completers and non-completers or did not have a control group. The FDC needs to conduct far more rigorous studies of program effectiveness using appropriate evaluation designs. Given the number of inmates eligible for core programs who cannot participate due to lack of program slots, there is a great opportunity to conduct rigorous experimental studies on program effectiveness using random assignment. Priority for such studies should be for the education, vocational training, and substance abuse program needs.

The analysis summarized in this section was completed with the assistance of several sources, including documents produced by the FDC. These documents are footnoted for reference.^{39 40 41 42 43 44 45}

³⁹ [*Analysis of the Impact of Inmate Programs Upon Recidivism*](#) (Florida Department of Corrections, Bureau of Research and Data Analysis, January 2001).

⁴⁰ *Fact Sheet on Inmate Substance Abuse Programs* (Florida Department of Corrections, Bureau of Substance Abuse Programs, in-process).

⁴¹ *Annual Report, Inmate Programs, FY 2004-05* (Florida Department of Corrections, Bureau of Substance Abuse Programs, in-process).

⁴² P. Lattimore, C. Krebs, W. Koetse, C. Lindquist, and A. Cowell, "Predicting the Effect of Substance Abuse Treatment on Probationer Recidivism," *Journal of Experimental Criminology* 1, Research Triangle Institute International, Springer 2005) 159-189.

⁴³ R. Linster, "Evaluation of Florida's Residential Drug Treatment Program, Prison Diversion Program, Final Report," (National Institute of Justice, U.S. Department of Justice, 1999).

⁴⁴ *Florida Department of Corrections Institutional Education Programs* (Florida Department of Corrections, Bureau of Program Services, Fall 2002).

⁴⁵ *Inmate Programs Annual Report* (Florida Department of Corrections, Bureau of Transition and Substance Abuse Treatment Services FY 2013-2014).



Volunteer/Betterment Programs

FINDING 4-11: As funding for programs decreased in the past decade, the use of volunteers increased, creating a large number of volunteer-supported “betterment” programs to help offset the minimal level of funded programming.

These betterment programs cover a wide range of services, including activities and events, religious education, self-help programming, and substance abuse education. A few examples include the Gavel Club (Toastmasters) at Northwest Reception Center, Money Matters (personal finance education) at Dade Correctional Institution, and numerous religious programs at all institutions. At all facilities visited, the project team found a large volunteer contingent involvement in a substantial amount of programming. In fact, for FY 2014/15, the department estimates a total of 85,320 volunteer visits to facilities that provided 356,760 hours of programming and services⁴⁶. We compliment the FDC on adapting to the shortage of funding programming, but note that betterment programming provided lacks any analysis from the department regarding its effectiveness. The FDC Office of Re-Entry has indicated they are attempting to identify and monitor those betterment programs that have some standardization to them and that have a defined curriculum.

The department is also piloting several new programs or changes in programming practices which include:

- **Extended reception stay pilot** - The department has had concerns with the compressed time frame in which the initial assessment of inmate needs is conducted. Currently, this assessment occurs within the first five days of admission to a reception center. During our facility inspections, several staff noted the fact that conducting TABE tests and substance abuse screenings so early in the process can have negative consequences. They have found that often inmates have not yet “settled down” or acclimated after admission and do not provide their full attention to accurately completing the screenings. As a result, the results of screening tools used to identify an inmate’s long-term needs are often inaccurate. The Office of Re-Entry has the same concern and is therefore piloting an extended reception stay at Central Florida Reception Center and at Lowell Correctional Institution. TABE testing and screening will be conducted later in the process after inmates have some time to adjust to a correctional setting. Also, motivational curriculum will be implemented to confront the growing use of drugs and K2 spice in the facilities.

⁴⁶ FDC Office of Re-Entry



- **Prototype prisons pilot** - The department has also recently begun developing “prototype prisons.” The motivation for the prototype prisons stemmed from Governor Scott’s Executive Order 15-134 issued on July 9, 2015. The Executive Order directs the secretary to *“develop and implement two (2) prototype correctional institutions to evaluate the impact of enhanced operational elements related to modern and innovative security techniques, technology, productivity, environmental factors, staffing levels and functions, climate control, institutional organization, shift scheduling, training and certification, and other facility improvements, with an emphasis on enhancing the safety, health and well-being of staff and inmates.”* The Executive Order identified the two prototype prisons would be created at the Lake and Liberty Correctional Institutions. The department has begun the development of these prototype facilities. Each will establish a model for proper housing and programming for general inmate population. Lake Correctional Institution will also focus on those inmates with significant mental health needs.



5. OVERALL CONCLUSIONS

Correctional systems and facilities can be very difficult places to work and manage. Facility employees are responsible for supervising, securing, and treating offenders who, by their very crime, have been deemed to be inappropriate or unsafe for placement in the free community. On a daily basis staff can be verbally challenged and the potential for more dangerous confrontation is always near. But at the same time, correctional systems and their staff must provide needed services to inmates in a safe and humane manner. One key to successful correctional facility operation relies on retaining a contingent of well-trained staff who have the experience necessary to appropriately manage the FDC's challenging population of nearly 100,000 inmates.

Our review found a significant lack of experienced staff in the facilities and supervisory staff who, due to their broad duties and responsibilities, were spread too thin. In some major facilities, the average tenure of a correctional officer was less than one year, and security supervisors' responsibilities were too great to provide these inexperienced staff with consistent guidance and oversight. Further complicating this issue is that more than 1 out of every 10 correctional officers working in the facilities has yet to complete the required basic pre-service training.

Not only are FDC's staff inexperienced due to high turnover, but the number of staff is also insufficient. One fundamental challenge facing the FDC lies in adequately staffing the operations of its facilities by maintaining a complement of correctional officers that is appropriate to operate the system in a manner that is safe and meets professional standards. Based on the facilities reviewed in this study, the current correctional officer staffing levels appear to, at times, provide minimal coverage of critical security and operational functions. Even maintaining this minimal staffing level is complicated by the sheer size of the system's manpower requirements and the increasingly high rates of turnover. In response, the FDC has developed an efficient recruitment and hiring process which generates a high volume of applicants to compensate for the high separation rate for correctional officers.

Many of the operational deficiencies identified through this review can be directly or indirectly tied to the lack of an adequate work force that possesses the experience and skills to consistently carry out the mandates of the FDC as outlined in policy and procedure. Until these work force issues are addressed, challenges in maintaining a safe and secure system will continue. To address the staffing issues, the State of Florida needs to have comprehensive independent staffing analysis conducted that could provide FDC and the Legislature with a blueprint for staff needs. To determine the true staffing needs of the department, a significant



number of facilities must be visited to assess overall security staff workload and the number of posts needed to meet the work requirements. This review must take into account the secondary duties and special assignments that so often pull correctional officers off of their primary post. The study would also need to develop an accurate relief factor based on actual leave data.

With such a large number of inexperienced staff, it is extremely important that FDC policies impart clear and concise guidance, and we found most of FDC's policies to be in line with national standards. However, one of its more important policies, use of force, was found to be confusing, unnecessarily complicated, and lacking clear direction for when force should, or should not be deployed. We recommend this policy be revised.

The issues of staffing are compounded by the absence of sufficient inmate program and training slots. Insufficient inmate programming has a negative effect on both inmate success upon release and the safety and security of the facilities. Presently, the capacity of core inmate programs (education, vocational, and substance abuse treatment) serves 14 percent of the inmate population. The department attempts to supplement this lack of programming with a wide variety of volunteer programs, which while important to providing activities for inmates, are not validated or tested for effectiveness.

To further complicate the issue, it was found that those few core programs that are offered are regularly cut short due to a variety of security-related practices and issues. It was not uncommon to find programs that are scheduled to operate three hours a day starting an hour or more late. When combined with limited program slots, this leaves inmates with little opportunity to make productive use of their time and can lead to the corrosiveness of inmate idleness, where inmate frustration rises and their behavior turns negative. The department also needs to determine the long-term effectiveness of each of the core programs as they are presently designed. For many of FDC's funded programs, this effectiveness is not currently tracked. The department should conduct formal recidivism studies for the core programs, which would measure and contrast the re-arrest rates for program completers and non-completers.

The review also found that the FDC has adequate classification and risk assessment instruments in place. There are some structural weaknesses in the instruments, but the FDC has initiated steps to make changes that will reduce potential over-classification and enhance the effectiveness of the risk assessment process. However, such changes will not have a significant impact on the overall costs and effectiveness of the correctional system until the sufficient programs are made available and the population is reduced.

APPENDIX A

FLORIDA DOCUMENTS TRACKING

APPENDIX A: Florida Documents Tracking - Security Standards

Florida Department of Corrections Operational Review Standards	Use of Force	1.18.110 - procedure # 33-602.210	revised 05/26/2006
Florida Department of Corrections Operational Review Standards	Security Self Audit	1.19.010 - procedure # 602.040	revised 05/26/2006
Florida Department of Corrections Operational Review Standards	Security Self Audit	1.19.020 - procedure # 602.040	revised 05/26/2006
Florida Department of Corrections Operational Review Standards	Security Self Audit	1.19.030 - procedure # 602.040	revised 09/06/2005
Florida Department of Corrections Operational Review Standards	Internal Movement of Inmates	1.20.010 - procedure # 602.044	revised 03/12/2008
Florida Department of Corrections Operational Review Standards	Internal Movement of Inmates	1.20.020 - procedure # 602.044	revised 03/12/2008
Florida Department of Corrections Operational Review Standards	Internal Movement of Inmates	1.20.030 - procedure # 602.044	revised 05/26/2006
Florida Department of Corrections Operational Review Standards	Internal Movement of Inmates	1.20.040 - procedure # 602.004	revised 05/26/2006

Florida Documents Tracking - Programs and Education

Document Source	Procedure Title	Procedure Number	Effective Date
Org Chart	Office of Re-Entry Administration Org Chart	N/A	Sep-15
Org Chart	Office of Re-Entry Regional Personnel Education Program Mangers & Regional Chaplains	N/A	Jul-15
Org Chart	Office of Re-Entry Administration	N/A	Jul-15
Org Chart	Office of Re-Entry Bureau of Education	N/A	Jul-15
Org Chart	Office of Re-Entry Chaplaincy Services	N/A	Jul-15
Org Chart	Office of Re-Entry Bureau of Transition & Substance Abuse Treatment Services	N/A	Aug-15
Academic Program Information (1)			
Academic Program Information	Academic Program Info	N/A	N/A
Academic Program Information	IDEA (Special Education)	N/A	N/A
Academic Program Information	Title I	N/A	N/A
Academic Program Information	Secondary Education Program (Smart Horizon Career online High School)	N/A	N/A
Academic Program Information	Inmate Teaching Assistant Training Program	N/A	N/A
Academic Program Information	Correspondence Study Courses Program	N/A	N/A
Academic Program Information	Library Services	N/A	N/A
New Academic Programs Under Consideration	Limited Academic Internet Content	N/A	N/A
New Academic Programs Under Consideration	Adult Academic Education Orientation Program	N/A	N/A
Academic Program Information	Title I Program	501.101	11/19/2013
Academic Program Information	Tabc and Pre-GED Testing	501.102	10/23/2012
Academic Program Information	Teacher Certification and In-Service	501.103	2/4/2015
Academic Program Information	GED Testing	501.104	9/19/2012
Academic Program Information	Academic Education Programs	501.106	11/19/2013
Academic Program Information	Inmate Teaching Assistant and Volunteer Liter	501.107	11/19/2013
Academic Program Information	Correspondence Study Courses	501.108	6/26/2015
Academic Program Information	Use of Copyrighted Videos In Programs	501.109	11/26/2014
Academic Program Information	Special Education Services	501.201	10/8/2014
Academic Program Information	Law Library Programs	501.301	9/4/2014
Academic Program Information	Copying Services For Inmates	501.302	1/9/2013
Academic Program Information	Law Library Interlibrary Loan Services	501.303	11/26/2014
Academic Program Information	Acquisition and Disposal of Law Library Materials	501.304	9/24/2013
Academic Program Information	Word Processing Services In Law Libraries	501.305	6/4/2014
Academic Program Information	General Library Programs	501.310	9/24/2013
Academic Program Information	Admissible Reading Material for Institutions	501.401	10/3/2013
Academic Program Information	Donations	501.402	2/4/2015
Vocational Career Info (2)			
Vocational Career Info	Career and Technical Education	N/A	N/A
Vocational Career Info	Prison Dog Training Program	N/A	N/A
New Vocational Career Programs Under Consideration	Institutional Jobs Credentialing Program (IJCP)	N/A	N/A
Vocational Career Info	Career and Technical Education for Inmates	502.001	12/10/2014
Vocational Career Info	Service Dog Training and Canine Obedience Training for Canine Adoptions	506.102	9/4/2014
Chaplaincy Services Info (3)			
Chaplaincy Services Info	Chaplaincy Library Program	N/A	N/A
Chaplaincy Services Info	Faith & Character Based Residential Program	N/A	N/A
Chaplaincy Services Info	Primary Worship Opportunities	N/A	N/A
Chaplaincy Services Info	Religious Diet Program (RDP)	N/A	N/A
Chaplaincy Services Info	Religious Education Classes	N/A	N/A
Chaplaincy Services Info	Guidelines for Native American Religious Observances	503.001	1/13/2014
Chaplaincy Services Info	Chaplaincy Services	503.002	9/11/2013
Chaplaincy Services Info	Spiritual Advisor Visits	503.003	7/23/2014

Florida Documents Tracking - Programs and Education

Chaplaincy Services Info	Volunteers	503.004	5/16/2014
Chaplaincy Services Info	Religious Diet Program	503.006	7/27/2015
Chaplaincy Services Info	Faith & Character Based Residential Programs	506.032	5/16/2014
2015 Florida Statutes	Title XLVII Criminal Procedure & Corrections	944.803	N/A
Transition Services Information (4)			
Transition Services Information	100-Hour Transition Skills Program	N/A	N/A
Transition Services Information	Thinking for a Change (T4C)	N/A	N/A
Transition Services Information	Veteran Dorm Program (VDP)	N/A	N/A
Transition Services Information (New Programs Under Consideration)	Receiving Enhanced Specialized Transition Assistance Re-Entry Training (RESTART)	N/A	N/A
Transition Services Information (New Programs Under Consideration)	Life Path	N/A	N/A
Transition Services Information (New Programs Under Consideration)	Orientation Dorm	N/A	N/A
Transition Services Information	100-Hour Transition Skills Program	504.001	5/16/2014
Transition Services Information	Veteran Dorm Program	506.101	10/3/2013
No Content Section (5)			
Substance Abuse Programs (6)			
Substance Abuse Programs	Substance Abuse Assessment and Screening	N/A	N/A
Substance Abuse Programs	Character Awareness and Motivation Program (CAMP)	N/A	N/A
Substance Abuse Programs	Community-Based Residential Therapeutic Community	N/A	N/A
Substance Abuse Programs	Substance Abuse Counselors at Department-Operated Community Release Centers	N/A	N/A
Substance Abuse Programs	Integrated Co-Occurring Re-Entry and Evaluation (I-CORE) Program	N/A	N/A
Substance Abuse Programs	Intensive Outpatient Program	N/A	N/A
Substance Abuse Programs	Substance Abuse Prevention and Education	N/A	N/A
Substance Abuse Programs	In-Prison Residential Therapeutic Community	N/A	N/A
Substance Abuse Programs	Substance Abuse Transitional Re-Entry Centers	N/A	N/A
Substance Abuse Programs	Youthful Offender Outpatient Substance Abuse Program (Sumter)	N/A	N/A
Substance Abuse Programs	Suwannee CI Extended Day Program for Youthful Offenders Age 17 and Under	N/A	N/A
Substance Abuse Programs	Post Release Transition Housing	N/A	N/A
Substance Abuse Programs	Youthful Offender Outpatient Substance Abuse Program (Sumter)		
Substance Abuse Programs	Youthful Offender Character Awareness and Motivation Program	601.222	8/6/2014
Substance Abuse Programs	Bureau of Transition & Substance Abuse Treatment Services: Substance Abuse Program Management	507.001	5/16/2014
Substance Abuse Programs	Institutional Substance Abuse Program Licensure	507.101	11/19/2013
Substance Abuse Programs	Mandatory Participation In In-Prison Substance Abuse Programs	507.102	10/24/2014
Substance Abuse Programs	Substance Abuse Screening At Reception Centers	507.201	9/4/2014
Substance Abuse Programs	Substance Abuse Program Admissions-Institutions	507.202	2/12/2014
Substance Abuse Programs	Substance Abuse Program Completion or Termination	507.203	10/7/2014
Substance Abuse Programs	Peer Facilitators	507.204	11/21/2012
Substance Abuse Programs	Substance Abuse Clinical Records	507.401	10/26/2012
Substance Abuse Programs	Substance Abuse Clinical Record Transfer-Institutions	507.402	8/6/2013
Substance Abuse Programs	Contract & Program Oversight & Monitoring of All Institutions	507.702	1/3/2013
Classification Programs (7)			
Classification Programs	Basic Training Program	N/A	N/A
Classification Programs	Extended Day Program (EDP)	N/A	N/A
Classification Programs	Community Release Centers	N/A	N/A
Classification Programs	Learning to Improve the Future by Exercising Response Strategies (LIFERS)	N/A	N/A
Classification Programs	Corrections Transition Program (CTP) - Florida International University (FIU)	N/A	N/A
Classification Programs	Designation of Youthful Offenders, Young Adult Offenders, & Youthful Offender Facilities	601.211	5/9/2014
Classification Programs	Placement of Inmates Into Community Release Programs	601.204	11/4/2014
Re-Entry Centers & Inst. (8)			
Re-Entry Centers & Inst.	Contracted Re-Entry Centers	N/A	N/A
Re-Entry Centers & Inst.	Department of Corrections - Re-Entry Facilities	N/A	N/A
Maps	Programs-Region 1	N/A	Sep-15

Florida Documents Tracking - Programs and Education

Maps	Programs-Region 2	N/A	Sep-15
Maps	Programs-Region 3	N/A	Sep-15
Maps	Programs-Region 4	N/A	Sep-15
Maps	DC Operated & Contracted Community Release Centers	N/A	11/14/2014
Maps	Post Release Substance Abuse Transitional Housing Programs (Funded Beds)	N/A	9/14/2015

Florida Documents Tracking - Miscellaneous Electronic Files

Document Source	Document Title	Document Number	Effective Date
National Institute Of Corrections	Technical Assistance Report	15P1032	9/4/2015
Florida Department of Corrections	Use of Force	33-602.210	12/1/2012
Office of the Inspector General	Security Threat Management Program	108.011	5/14/2014
Office of Administration	Administration Of the Inmate Trust Fund	203.015	2/19/2014
Office of Administration	Certification of Cellular Phone/Smartphone Usage	203.017	10/24/2014
Office of Human Resources	Auxiliary Correctional & Correctional Probation Officers	208.004	4/15/2015
Office of Human Resources	Correctional Officer & Correctional Probation Officer Promotional Process	208.005	5/28/2015
Office of Human Resources	Extended Workdays for Correctional Officers	208.007	7/31/2013
Office of Human Resources	Officers in Temporary Employment Authorization (TEA) Status	208.016	10/8/2014
Office of Human Resources	Reimbursement for Basic Recruit Training & Related Expenses	208.017	1/24/2014
Office of Human Resources	Request for Reassignment or Promotion	208.021	5/16/2014
Office of Human Resources	Performance Management	208.022	5/16/2014
Office of Human Resources	Separation Process for Terminated Employees	208.029	4/8/2014
Office of Human Resources	Career Service Grievance Process	208.030	4/8/2014
Office of Human Resources	Administrative Leave Pending Investigation	208.031	10/14/2014
Office of Human Resources	Employee Counseling and Discipline	208.039	4/8/2014
Office of Human Resources	Random Drug Testing Program for Department Staff	208.045	7/14/2014
Office of Human Resources	Employee Benefits Advisory Committee & Approved Employee Insurance Programs	208.047	4/8/2014
Offices of Human Resource Management	Background Investigation & Appointment of Certified Officers	208.049	8/5/2011
Offices of Human Resource Management	General Pay	208.055	3/25/2011
Office of Human Resources	Position Overlap	208.056	3/25/2013
Office of Human Resources	Pre-Employment/Employment Drug & Medical Exam Testing Program	208.058	3/18/2015
Office of Human Resources	Unused Leave Payouts	208.061	2/3/2015
Office of Human Resources	Overtime	208.062	4/8/2014
Office of the Deputy Secretary	Development, Maintenance, & Administration Of Examinations	209.003	12/10/2014
Office of the Deputy Secretary	Field Training Officer Program For Institutions	209.004	11/4/2014
Office of the Deputy Secretary	Training Requirements	209.101	2/3/2015
Office of the Deputy Secretary	Firearms Training	209.301	9/13/2010
Office of Institutions	Placement of Inmates Into Community Release Programs	601.204	11/4/2014
Office of Institutions	Reception Process-Initial Classification	601.209	5/9/2014
Office of Institutions	Inmate Orientation	601.210	8/15/2014
Office of Institutions	Personalized Program Plan & Transition Plan for Community Release Programs	601.214	6/4/2014
Office of Institutions	Special Review	601.215	10/11/2013
Office of Institutions	Institutional Classification Unit, Institutional Classification Team, & State Classification Office	601.223	7/14/2014
Office of Institutions	Transition Planning & Release	601.503	7/21/2014
Office of Institutions	Inmate Work Assignments	601.805	2/26/2014
Office of Institutions	Addiction Recovery Supervision Program	601.807	7/21/2014
Office of Institutions	Use of Force Devices, Agents, & Munitions	602.003	6/5/2015
Office of Institutions	Forced Cell Extraction	602.004	7/21/2014
Office of Institutions	Incidents Reports - Institutions	602.008	6/26/2015
Office of Institutions	Entering & Exiting Department of Corrections Institutions	602.016	7/14/2015
Office of Institutions	Contraband & Searches of Inmates	602.018	3/18/2015
Office of Institutions	Special Operations Teams	602.022	11/26/2014
Office of Institutions	External Inmate Transportation & Security	602.024	3/18/2015
Office of Institutions	Standardization of Security Equipment	602.026	5/9/2014
Office of Institutions	Security Inspections	602.027	6/17/2014
Office of Institutions	Security Staff Utilization	602.030	6/2/2014
Office of Institutions	Inmate Deaths	602.031	8/24/2015
Office of Institutions	Perimeter Security	602.034	10/20/2014
Office of Institutions	Gender Specific Security Positions, Shifts, Posts, & Assignments	602.036	3/18/2015
Office of Institutions	Tools & Sensitive Item Control	602.037	3/18/2015
Office of Institutions	Key Control & Locking Systems	602.039	10/3/2013
Office of Institutions	Operational Review & Self-Audit System for Institutions	602.040	11/26/2014
Office of Institutions	Internal Inmate Movement & Supervision Requirements	602.044	6/2/2014
Office of Institutions	Institutions-Security Post Orders	602.050	5/9/2014

Florida Documents Tracking - Miscellaneous Electronic Files

Office of Institutions	Prison Rape: Prevention, Detection, & Response	602.053	10/8/2014
Office of Institutions	Escort Chair	602.054	3/18/2015
Office of Institutions	Unannounced Security Audit System for Institutions	602.055	10/14/2014
Office of Institutions	Community/Minimum Outside Work Squads	602.057	8/24/2015
Office of Institutions	Correctional Officer Exit Surveys	602.059	12/8/2014
Office of Institutions	Reception Process-Intake & Inmate Identification	603.002	12/10/2014
Office of Institutions	Appointment to Management Positions - Institutions	605.001	8/6/2014
Office of Institutions	Duty Wardens	605.002	3/18/2015
Office of Institutions	Use of Tobacco Products By Employees	605.005	3/26/2014
Office of Institutions	Critical Incident Reviews	605.008	8/24/2015
Department of Corrections	Use of Force Reduction Efforts 2015	N/A	N/A
ASCA Use of Force Audit	Assessment of Use of Force Policy & Practices within the Florida Department of Corrections	N/A	8/31/2015
Policy Describing Org & Structure of FDOC Security Department	Security of Correctional Institutions & Facilities	944.151	N/A
Facility Table of Organization	Apalachee CI-Warden's Office Org Chart	N/A	11/17/2014
Facility Table of Organization	Apalachee-CI Classification	N/A	11/17/2014
Facility Table of Organization	Apalachee-CI-West Classification	N/A	11/17/2014
Facility Table of Organization	Apalachee CI-Programs	N/A	11/17/2014
Facility Table of Organization	Apalachee CI-Food Service	N/A	11/17/2014
Facility Table of Organization	Apalachee CI-Warehouse	N/A	11/17/2014
Facility Table of Organization	Apalachee CI-Maintenance	N/A	11/17/2014
Facility Table of Organization	Apalachee CI-Security-Main	N/A	11/17/2014
Facility Table of Organization	Apalachee CI-Security-Main-Admin	N/A	11/17/2014
Facility Table of Organization	Apalachee CI-Security-West	N/A	11/17/2014
Facility Table of Organization	Apalachee CI-Security-West-Admin	N/A	11/17/2014
Facility Table of Organization	Apalachee CI-Security-West-WS	N/A	11/17/2014
Facility Physical Plant Layout & any Schematics	ACI East Aerial Photo	N/A	N/A
Facility Physical Plant Layout & any Schematics	ACI East Compound Schematic Overhead	N/A	N/A
Facility Physical Plant Layout & any Schematics	ACI West Aerial Photo	N/A	N/A
Facility Physical Plant Layout & any Schematics	ACI West Compound Overhead Schematic	N/A	N/A
Facility Physical Plant Layout & any Schematics	ADP Statistics Information	N/A	07/01/2014 - 08/31/2015
Facility Physical Plant Layout & any Schematics	ACI East - Building Floor Plans Schematics	N/A	N/A
Facility Physical Plant Layout & any Schematics	East & West Schematic with Building Numbers	Certificate # 1-700-02	11/1/2006
Facility Physical Plant Layout & any Schematics	ACI Physical Plant (Facility Description)	N/A	N/A
FDOC Policy on Correctional Officer Safety to include availability of Protective Equipmen			
EHSO Manual Chapter 1	Administration	1.01 - 1.06	3/31/2014
EHSO Manual Chapter 2	Safety Committees	2.01 - 2.08	4/9/2014
EHSO Manual Chapter 3	Environmental Health & Safety Inspections & Record Keeping	3.01 - 3.05	4/8/2014
EHSO Manual Chapter 4	Safety Training	4.01 - 4.06	5/23/2014
EHSO Manual Chapter 5	Indoor Environmental Quality	5.01 - 5.10	5/23/2014
EHSO Manual Chapter 6	Accident Investigations	6.01 - 6.06	8/4/2014
EHSO Manual Chapter 7	General Safety Rules	7.01 - 7.12	6/9/2014
EHSO Manual Chapter 8	Fire Safety	8.01 - 8.22	7/30/2014
EHSO Manual Chapter 9	Hazard Communication	9.01 - 9.07	6/10/2014
EHSO Manual Chapter 10	Confined Space Program	10.01 - 10.16	6/12/2014
EHSO Manual Chapter 11	Respiratory Protection Program	11.01 - 11.10	6/11/2014
EHSO Manual Chapter 12	Tuberculosis Exposure Control	12.01 - 12.13	7/16/2010
EHSO Manual Chapter 13	Environmental Health	13.01 - 13.09	7/16/2015
EHSO Manual Chapter 16	Contaminated Bedding & Linen Handling	16.01 - 16.08	9/8/2014
EHSO Manual Chapter 17	Clean Up & Disinfection of Blood & Body Fluid Spills	17.01 - 17.06	7/16/2010
EHSO Manual Chapter 18	Bloodborne Pathogens	18.01	7/16/2010
EHSO Manual Chapter 19	Personal Protective Equipment	19.01 - 19.17	7/16/2010
EHSO Manual Chapter 20	Barber & Cosmetology Sanitation	20.01 - 20.07	7/29/2014
EHSO Manual Chapter 21	Electrical Safety	21.01 - 21.09	10/21/2010
EHSO Manual Chapter 22	Welding	22.01 - 22.08	7/16/2010
EHSO Manual Chapter 23	Lock Out/Tag Out	23.01 - 23.06	10/6/2010
EHSO Manual Chapter 24	Fall Protection	24.01 - 24.06	7/16/2010
EHSO Manual Chapter 25	Ladders & Scaffolds	25.01 - 25.05	7/16/2010
EHSO Manual Chapter 26	Excavations, Ditching & Trenching	26.01 - 26.04	7/16/2010

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EHSO Manual Chapter 27	Power Equipment, Tools & Industrial Equipment	27.01 - 27.07 & 28.08	7/19/2010
EHSO Manual Chapter 28	Automotive and Heavy Equipment Safety	28.01 - 28.13	7/23/2010
EHSO Manual Chapter 30	Work Crew Safety	30.01 - 30.07	1/3/2011
EHSO Manual Chapter 31	Chainsaw & Tree Felling Safety	31.01 - 31.09	9/15/2010
EHSO Manual Chapter 32	Institutional Sanitation	32.01 - 32.08	10/6/2010
EHSO Manual Chapter 33	Biomedical Waste Handling & Disposal	33.01 - 33.16	10/6/2010
EHSO Manual Chapter 34	Risk Management	34.01 - 34.13	5/10/2011
EHSO Manual Chapter 35	Food Service	35.01 - 35.04	10/6/2010
EHSO Manual Chapter 36	Clipper Shave Sanitation	36.01 - 36.08	9/25/2014
Office of Institutions	Emergency Preparedness	602.009	7/23/2014
Appendix A Lesson Plan - Housekeeping for Inmates	Bloodborne Pathogens exposure control plan	N/A	N/A
Appendix B - International Biohazard Symbol	Bloodborne Pathogens exposure control plan		
Florida Department of Corrections	Bloodborne Pathogens exposure control plan		Mar-05
Office of the Inspector General	Environmental Health & Safety Program	108.014	10/8/2014
Florida Department of Corrections	Inmate Orientation	33-601.100	2/12/2015
Florida Department of Corrections	Protective Management	33-602.221	3/6/2014
Florida Department of Corrections	Correctional Officer Supervision Standards	N/A	N/A
Florida Department of Corrections	Relief Factor for Staffing Security Posts	33-602.602	6/19/1990
Florida Department of Corrections	Employment Gender Policy for Security Positions	33-602.603	12/20/1992
Florida Department of Corrections	Daily Security Roster Apalachee East Unit - Day	N/A	9/11/2015
Florida Department of Corrections	Daily Security Roster Apalachee East Unit - Administrative	N/A	9/11/2015
Florida Department of Corrections	Daily Security Roster Apalachee East Unit - Night	N/A	9/11/2015
Florida Department of Corrections	East Unit Master Staffing Rosters	N/A	9/2/2015
Florida Department of Corrections	Daily Security Roster Apalachee East Unit - Swing	N/A	9/11/2015
Office of Institutions	Security Staff Utilization	602.030	6/2/2014
Florida Department of Corrections	Daily Security Roster Apalachee West Unit - Day	N/A	9/11/2015
Florida Department of Corrections	Daily Security Roster Apalachee West Unit - Administrative	N/A	9/11/2015
Florida Department of Corrections	Daily Security Roster Apalachee West Unit - Night	N/A	9/11/2015
Florida Department of Corrections	East Unit Master Staffing Rosters	N/A	8/31/2015
Florida Department of Corrections	Daily Security Roster Apalachee East Unit - Swing	N/A	9/11/2015
Florida Department of Corrections	Apalachee CI Overtime Report YTD	N/A	8/31/2015
Florida Department of Corrections	Apalachee CI Audit - ACA Report - Visiting Committee Report	N/A	9/17/2014
Florida Department of Corrections	Apalachee East Unit (Operational Review)	N/A	7/13/2015
Florida Department of Corrections	Apalachee East Unit (Operational Review)	N/A	12/9/2013
Florida Department of Corrections	Apalachee East Unit -Un-Announced Security Audit	N/A	10/13/2014
Florida Department of Corrections	Apalachee East Unit - Operational Self-Audit	N/A	7/9/2014
Florida Department of Corrections	Apalachee East Unit - Operational Self-Audit	N/A	3/30/2015
Florida Department of Corrections	Apalachee East Unit - Operational Self-Audit	N/A	6/29/2015
Florida Department of Corrections	Apalachee East Unit - Operational Self-Audit	N/A	12/16/2014
Florida Department of Corrections	APACI - Negative or Disciplinary Transfers over the last 12 months	N/A	N/A
Florida Department of Corrections	Critical, Serious, Violent, and Sexually Based Incidents as reported via MINS system	N/A	N/A
Florida Department of Corrections	Post Order # 3	N/A	3/17/2015
Florida Department of Corrections	Post Order # 4	N/A	1/30/2015
Florida Department of Corrections	Post Order # 9	N/A	3/17/2015
Florida Department of Corrections	Post Order # 10	N/A	3/17/2015
Florida Department of Corrections	Post Order # 16	N/A	7/24/2014
Florida Department of Corrections	Post Order # 17	N/A	12/1/2014
Florida Department of Corrections	Post Order # 18	N/A	1/28/2015
Florida Department of Corrections	Post Order # 37	N/A	4/20/2015
Florida Department of Corrections	Post Order # 55	N/A	8/24/2015
Florida Department of Corrections	Post Order # 56	N/A	12/1/2014
Florida Department of Corrections	Monthly Use of Force Report	N/A	4/1/2015
Florida Department of Corrections	Monthly Use of Force Report	N/A	8/1/2015
Florida Department of Corrections	Monthly Use of Force Report	N/A	2/1/2015
Florida Department of Corrections	Monthly Use of Force Report	N/A	1/1/2015
Florida Department of Corrections	Monthly Use of Force Report	N/A	7/1/2015
Florida Department of Corrections	Monthly Use of Force Report	N/A	6/1/2015
Florida Department of Corrections	Monthly Use of Force Report	N/A	3/1/2015

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Florida Department of Corrections	Monthly Use of Force Report	N/A	5/1/2015
Florida Department of Corrections	Facility Master Activity Schedule	N/A	N/A
Florida Department of Corrections	Facility Capacity by Housing Unit Classification	N/A	N/A
Florida Department of Corrections	Institution Visits and Tours and Programs for the Public	33-602.230	10/28/2014
Florida Department of Corrections	Policy that addresses facility tours by executive staff	944.23	N/A
Florida Department of Corrections	Response Plan (Bomb Threat)	602.012	N/A
Florida Department of Corrections	Response Plan (Computer Security Incident)	206.009	N/A
Florida Department of Corrections	Response Plan (Disturbance)	N/A	N/A
Florida Department of Corrections	Response Plan (Employee Work Stoppage)	N/A	N/A
Florida Department of Corrections	Response Plan (Escape)	N/A	N/A
Florida Department of Corrections	Response Plan (Evacuation)	N/A	N/A
Florida Department of Corrections	Response Plan (Fire)	N/A	N/A
Florida Department of Corrections	Response Plan (HazMat)	N/A	N/A
Florida Department of Corrections	Response Plan (Hostage)	N/A	N/A
Florida Department of Corrections	Response Plan (Medical)	N/A	N/A
Florida Department of Corrections	Response Plan (Natural Disaster)	N/A	N/A
Florida Department of Corrections	Response Plan (Outside Assault)	N/A	N/A
Florida Department of Corrections	Classification - Transfer of Inmates	33-601.215	9/19/2000
Florida Department of Corrections	Inmate Discipline - General Policy	33-601.301	2/12/2015
Florida Department of Corrections	Inmate Discipline - Terminology & Definitions	33-601.302	1/28/2007
Florida Department of Corrections	Rules of Prohibited Conduct & Penalties for Infractions	33-601.314	11/4/2014
Florida Department of Corrections	Control of Contraband	33-602.203	1/7/2014
Florida Department of Corrections	Use of Force	33-602.210	11/5/2013
Office of Institutions	Inmate Transfer Approval Process	601.219	2/4/2015
Office of Institutions	County Procedure	602.006	8/24/2015
Office of Institutions	Personal Body Alarms	602.023	3/18/2015
Florida Department of Corrections	Arsenal and Ready Room Equipment	602.025	9/4/2014
Office of Institutions	Special Management Spit Shield	602.028	8/24/2015
Office of Institutions	ICS Simulations and Response Plan Drills/Exercises	602.038	9/8/2014
Office of Institutions	Radio Operations	602.041	11/26/2014
Florida Department of Corrections	Unannounced Security Audit (Northwest Florida Reception Center)	SA 14-12	5/23/2014
Florida Department of Corrections	Unannounced Security Audit (Apalachee Correctional Institution)	SA 14-27	10/17/2014
Florida Department of Corrections	Unannounced Security Audit (Dade Correctional Institution)	SA 14-21	9/4/2014
Florida Department of Corrections	Unannounced Security Audit (Everglades Correctional Institution)	SA 14-05	3/3/2014
Florida Department of Corrections	Unannounced Security Audit (Homestead Correctional Institution)	SA 13-33	11/12/2013
Florida Department of Corrections	Unannounced Security Audit (Baker Correctional Institution)	SA 15-09	3/27/2015
Florida Department of Corrections	Unannounced Security Audit (Reception and Medical Center)	SA 15-15	6/30/2015
Florida Department of Corrections	Unannounced Security Audit (Union Correctional Institution)	SA 13-18	7/19/2013
Florida Department of Corrections	Unannounced Security Audit (Lowell Correctional Institution)	SA 14-28	10/31/2014
Florida Department of Corrections	Unannounced Security Audit (Florida Women's Reception Center)	SA 15-01	1/16/2015
Florida Department of Corrections	Security Audits (Operational Review Schedule)	N/A	2015-2016
Florida Department of Corrections	Relief factor for Correctional Officers Authority	33-208.201 F.A.C	FY - 2014-2015
Florida Department of Corrections	Unannounced Security Audit (Apalachee East Unit Correctional Institution)	N/A	12/13/2014
Florida Department of Corrections	Unannounced Security Audit (Baker Correctional Institution)	N/A	3/23/2015
Florida Department of Corrections	Unannounced Security Audit (Dade Correctional Institution)	N/A	8/18/2014
Florida Department of Corrections	Unannounced Security Audit (Everglades Correctional Institution)	N/A	2/23/2014
Florida Department of Corrections	Unannounced Security Audit (Florida Women's Reception Center)	N/A	1/5/2015
Florida Department of Corrections	Unannounced Security Audit (Homestead Correctional Institution)	N/A	11/4/2013
Florida Department of Corrections	Unannounced Security Audit (Lowell Correctional Institution)	N/A	10/27/2014
Florida Department of Corrections	Unannounced Security Audit (NWFRC Main Unit)	N/A	5/18/2014
Florida Department of Corrections	Unannounced Security Audit (R.M.C. - Main Unit)	N/A	6/22/2015
Florida Department of Corrections	OPPAGA No Inmate Contact Region I, II, III and Admin Leave	N/A	N/A
Florida Department of Corrections	Regional Director's Briefing Report	Region I	9/11/2015
Florida Department of Corrections	Apalachee Inmate Demographics (Facility Population Report)	DC52.102	9/17/2015
Florida Department of Corrections	Apalachee Correctional Institution (Available Bunks		9/13/2015
Florida Department of Corrections	Apalachee - MINS Incident Report	Incident # 0000640539	8/11/2015
Florida Department of Corrections	Apalachee - MINS Incident Report	Incident # 0000641089	9/16/2015
Florida Department of Corrections	Apalachee - MINS Incident Report	Incident # 0000641087	8/13/2015

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Florida Department of Corrections	Apalachee - MINS Incident Report	Incident # 0000637916	7/31/2015
Florida Department of Corrections	Apalachee - MINS Incident Report	Incident # 0000637916	7/31/2015
Florida Department of Corrections	Lewd & Lascivious Incidents since @ Apalachee	N/A	01/01/2010 - 09/01/2015
Florida Department of Corrections	Termination/Resignation Listing (Apalachee)	N/A	01/01/2015 to 09/08/2015
Florida Department of Corrections	Technical Manual - Inmate Risk Management System & Sexual Risk Index (IRMS/SRI)	N/A	7/24/2014
Florida Department of Corrections	Custody by sex & location	N/A	7/31/2015
Florida Department of Corrections	Inmate Orientation Handbook	NI1-091	11/5/2014
Office of the Governor	Executive Order	15-134	7/9/2015
Florida Department of Corrections	Corrections Integrated Needs Assessment System (CINAS) - Results from Psychometric Study	N/A	5/21/2012
Office of Institutions	Inmate Orientation	601.21	8/15/2014
Florida Department of Corrections	Current Salary Levels by CO by Facility	N/A	8/31/2015
Florida Department of Corrections	Average CO Experience	N/A	8/31/2015
Florida Department of Corrections	Oppaga 2015 Tenure as FDOE Employee for each CO Separation by Facility	N/A	FY - 2014-2015
Florida Department of Corrections	Overtime Hours and Earnings by CO and Facility	N/A	FY - 2014-2015
Florida Department of Corrections	Promotions by facility	N/A	2012-2015 to Current
Florida Department of Corrections	Promotions Individual Employees	N/A	2012-2015 to Current
Florida Department of Corrections	Separation by Facility	N/A	2012-2015 to Current
Florida Department of Corrections	Separation by Individual Employees	N/A	2012-2015 to Current
Florida Department of Corrections	Actual End of Month CO Staffing by Facility	N/A	2012-2015 to Current
Florida Department of Corrections	Authorized CO Positions by Facility	N/A	2012-2015
Florida Department of Corrections	Salary Incentive Program for Full-Time Officers	943.22	FY - 2015
Department of Management Services	Notification of Pay Additives	110.2035(7)/216.251(3)/60L-32.0012	8/13/2015
Florida Department of Corrections	Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation	118-35.002	5/29/2014
Florida Department of Corrections	General Training Programs; Requirements and Specifications	118-35.001	5/29/2014
Florida Department of Corrections	Classes In Security Services Eligible for Criminal Justice Incentive Pay	N/A	10/10/2000
Florida Department of Corrections	CO Appointment Rate	PIM 14-20-01	7/25/2014
Florida Department of Corrections	Comparison of Benefits	N/A	1/1/2015
Florida Department of Corrections	Correction Officer series vacancies 5 years (Excel Spread Sheet)	N/A	N/A
Florida Department of Corrections	Turnover Correction Officer Series All Institutions (Excel Spread Sheet)	N/A	N/A
Florida Department of Corrections	Turnover Correction Officer Series Statewide (Excel Spread Sheet)	N/A	N/A
Florida Department of Corrections	OPPAGA Training Data Course 2012 - 2015	N/A	N/A
Office of Human Resources	Outside employment	208.013	8/27/2014
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.721	2/13/2012
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.722	10/12/2005
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.723	2/21/2013
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.724	7/12/2011
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.725	3/29/2012
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.726	2/21/2013
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.727	8/12/2013
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.728	3/6/2014
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.729	2/21/2013
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.730	5/27/2002
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.731	11/4/2014
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.732	9/24/2012
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.733	6/28/2012
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.734	11/28/2010
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.735	11/18/2001
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.736	9/29/2003
Florida Department of Corrections	Chapter 33-601 - Classification and Central Records	33-601.737	3/22/2012
Florida Department of Corrections	Vehicle Purchases	N/A	2010 - 2015
OPPAGA	Faith and Character Based Prison effect on Recidivism	09-38	10/1/2009
Florida Department of Corrections	Outside Employment notification application	DC2-831	8/20/2012
Florida Department of Corrections Office of Re-Entry Bureau of Education	Adult Academic Education Programs	F.S. 955.801	N/A
Florida Department of Corrections Office of Re-Entry Bureau of Education	Correspondence Study Courses Program	N/A	N/A
Florida Department of Corrections Office of Re-Entry Bureau of Education	IDEA (Special Education)	N/A	N/A
Florida Department of Corrections Office of Re-Entry Bureau of Education	Career and Technical Education	N/A	N/A
Florida Department of Corrections Office of Re-Entry Bureau of Education	Prison Dog Training Program	N/A	N/A
Florida Department of Corrections Office of Re-Entry Bureau of Education	Inmate Teaching Assistant Training Program	N/A	N/A

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Florida Department of Corrections Office of Re-Entry Bureau of Education	Library Services	N/A	N/A
Florida Department of Corrections Office of Re-Entry Bureau of Education	Secondary Education Program (Smart Horizons Career Online High School)	N/A	3/1/2012
Florida Department of Corrections Office of Re-Entry Bureau of Education	Title I	N/A	N/A
Florida Department of Corrections Office of Re-Entry Bureau of Education	Limited Academic Internist Content	N/A	2015-16
Florida Department of Corrections Office of Re-Entry Bureau of Education	Adult Academic Education Orientation Program	N/A	2015-16
Florida Department of Corrections Office of Re-Entry Bureau of Education	Institutional Jobs Credentialing Program (IJCP)	N/A	N/A
Florida Florida Department of Corrections	Applications Filed Per Institution 2014	N/A	2014
Florida Department of Corrections	CO Trainee County's by Facility	N/A	9/23/2015
Florida Department of Corrections	TEA Numbers by Institution	N/A	10/30/2015
Florida Department of Corrections	Org Charts	N/A	12/18/2014
Florida Department of Corrections	Lowell ACA Summary Sheet	N/A	9/9/2015
Florida Department of Corrections	Lowell Operational Review 2014	N/A	6/11/2014
Email from Angela Gordon	Staffing positions/vacancies	N/A	10/5/2015
Florida Department of Corrections	ACA audit report	N/A	11/7/2012
Florida Department of Corrections	2015 - 1st quarter self-audit	N/A	8/6/2015
Florida Department of Corrections	2014 - 4th quarter self-audit	N/A	5/21/2015
Florida Department of Corrections	2014 - 3rd quarter self-audit	N/A	3/31/2015
Florida Department of Corrections	Un-Announced Security Audit - Review Findings	N/A	10/27/2014
Email from Angela Gordon	Total Population Break Down	N/A	10/5/2015
Email from Angela Gordon	Non-Security Staffing levels	N/A	10/5/2015
Florida Department of Corrections	Revised Bed Space Capacity Lowell CI	N/A	3/23/2015
Florida Department of Corrections	Revised Bed Space Capacity Annex	N/A	7/14/2009
Office of Institutions	Briefing Document	N/A	N/A
Florida Department of Corrections	Florida Women's reception center ACA Summary	N/A	9/23/2015
Florida Department of Corrections	Dade CI ACA Accreditation Audit	N/A	7/7/1905
Florida Department of Corrections	Reaccreditation Audit	N/A	10/9/2013
Florida Department of Corrections	Accreditation for corrections Non-Mandatory Standards	N/A	10/9/2013
Florida Department of Corrections	ACA Compliance Tally	N/A	10/9/2013
Florida Department of Corrections	Email from Debra Cox to John Haltz	N/A	6/9/2015
Florida Department of Corrections	Accreditation for corrections standards (Reaccreditation Audit)	N/A	9/26/2014
Florida Department of Corrections	Baker CI - Org Charts	N/A	N/A
Florida Department of Corrections	Dorm Capacities	N/A	2/4/2015
Florida Department of Corrections	Inmate housing assignments	N/A	10/6/2015
Florida Department of Corrections	Inmate Activity Schedule	N/A	10/8/2015
Florida Department of Corrections	Total Staffing & vacancies	N/A	N/A
Florida Department of Corrections	Reception to release Opportunity Workshop	N/A	7/6/1905
Florida Department of Corrections	ACA Compliance Audit Report	N/A	4/10/2015
Florida Department of Corrections	Inmate Health Profile - Outpatient MH pop	HSSO162-53	10/7/2015

APPENDIX B

LISTING OF INMATE PROGRAMS OFFERED

APPENDIX B: Listing of Inmate Programs Offered (All FDC Programs, Including Description, Target Population, and Capacity)

Listing of Inmate Programs Offered	Brief Description of Program	Target Population/Eligibility	Capacity
<p>Adult Basic Education (ABE)</p>	<p>Provides basic education (mathematics, reading, language, and workforce readiness skills)</p>	<p>Inmates without high school diploma or GED who have a TABE grade equivalency score of 8.9 or lower in reading, mathematics, language, or total battery and who are appropriately ranked in CINAS/AIRS system; or if they meet mandatory literacy requirements of Florida statute 944.801, which requires inmates attend ABE if they:</p> <ul style="list-style-type: none"> • Have two years or more remaining on sentence upon admission to FDC • Have not achieved a total TABE battery score of more than 6.0 grade level • Have not been enrolled in ABE or equivalent courses for at least 150 hours, and: <ul style="list-style-type: none"> ○ Are not sentenced to life or death ○ Are not housed in a work release center, road prison, work camp, or vocational center, and ○ Are not specifically exempted due to health reasons 	<p>Not individually identified. Total capacity for ABE, GED, Voluntary Literacy, Special Education and Title 1 = 6,902</p> <p>Offered at 79 facilities</p>
<p>General Educational Development (GED)</p>	<p>Provides education to those inmates in preparation for GED certificate testing</p>	<p>Inmates with no documented high school diploma and academic skills ranging from 9.0 – 12.9 grade level on TABE test and who are appropriately ranked in CINAS/AIRS system</p>	<p>Not individually identified. Total capacity for ABE, GED, Voluntary Literacy, Special Education and Title 1 = 6,902</p> <p>Offered at 79 facilities</p>
<p>Voluntary Literacy</p>	<p>Provides basic education instruction</p>	<p>Inmates who are assigned to institutional full time assignments that prevent participation in academic programs, whose TABE scores are between 0.0 and 12.9</p>	<p>Not individually identified. Total capacity for ABE, GED, Voluntary Literacy, Special Education and Title 1 = 6,902</p> <p>Offered at 65 facilities</p>
<p>Special Education</p>	<p>Specially designed instruction that meets requirements of federal law as reflected in Individuals with Disabilities Education Act (IDEA)</p>	<p>Inmates must be under 22 years of age, have a verified special education history, and have not earned a high school diploma</p>	<p>1,350</p>

Listing of Inmate Programs Offered	Brief Description of Program	Target Population/Eligibility	Capacity
Title 1	Federal grant program which supplements education services for neglected and/or delinquent students	Inmates under the age of 22 who have not earned a high school diploma or GED and are enrolled in an academic or vocational course of study for a minimum of 15 hours per week	Not individually identified. Total capacity for ABE, GED, Voluntary Literacy, Special Education and Title 1 = 6,902 Offered at 20 facilities
Secondary Education Program (Smart Horizons Career Online High School Diploma)	Offers career-based online high school diplomas with the goal of preparing adults for transition into the workplace	Inmates with TABE reading score between 5.0 and 9.0 with no high school diploma or GED. Priority is given to those within three years or less of release	341
Inmate Teaching Assistant Program	Designed to train inmates as inmate teaching assistants that supplement lack of funding for academic teachers in FDC	Eligibility Criteria: <ul style="list-style-type: none"> • GED or high school diploma • TABE Level A total battery score of grade 11.0 or higher • Release date of two or more years after completion of inmate teaching assistant training program • No more than one disciplinary report which resulted in placement in disciplinary confinement in the past 12 months • No disciplinary actions in an education environment 	No capacity provided, available at all major institutions
Correspondence Study Course Program	Inmates are allowed to participate in post-secondary correspondence study programs with colleges/universities	All inmates may participate, except those in reception, orientation, or "in-transit" status	Available at all major institutions
General Library	Inmates in correctional facilities are provided access to a physical general library with access to books and periodicals	All inmates may access general libraries	Room capacity of all general libraries is 2,071
Law Library	Inmates in correctional facilities are provided access to a physical law library with access to the minimum required legal materials set forth by the courts	All inmates may access law libraries	Room capacity of all law libraries is 1,566
Career and Technical Education (Vocational Programs)	A wide range of training and entry level programs that provide job skills to inmates to increase their employment prospects	Eligibility Criteria: <ul style="list-style-type: none"> • Prior work history • Good institutional adjustment • Occupational aptitude and interest as expressed by inmate • Priority assessment ranking per CINAS/AIRS system 	1,404

Listing of Inmate Programs Offered	Brief Description of Program	Target Population/Eligibility	Capacity
Prison Dog Training Program	Inmates participate in the training of dogs for social and obedience skills	Eligibility Criteria: <ul style="list-style-type: none"> • Prefer inmates with a minimum of 18-24 months left to serve and no history of crime against animals 	No capacity provided, operated at 21 facilities
Chapel Library Program	A limited sized religious library is provided in the facility chapel	All general population inmates are eligible to participate. Inmates in confinement status can request materials to be delivered to them	No capacity provided, available at all major institutions
Faith and Character Based Residential Program	Residential program designed to develop inmates' spiritual and moral resources that build character and allow for skill development that will support successful re-entry to society	A voluntary program for inmates in general population with no discipline in the past three months	6,488
Primary Worship Opportunities	Facilities provide a variety of weekly worship opportunities to inmates	All inmates are eligible to participate	Available at all institutions
Religious Diet Program	Inmates with sincerely-held beliefs that have dietary obligations are provided kosher meals in lieu of a regular meal	Any inmate is eligible, but must request participation and articulate reasons why kosher diets meet their sincere religious beliefs	Available at all institutions
Religious Education Classes	Facilities provide various religious education opportunities for inmates to further study details of religions	All general population inmates are eligible to participate	Available at all institutions
100 Hour Transition Skills Program	Statutorily (944.7065) mandated program to provide inmates with fundamental skills and resources in the areas of employment, life skills training, job placement, and access to support services with the goal of increasing their chance of successful re-entry into society	A mandatory program for all inmates within 18 months of release	Estimated capacity: 1,395 (based on 46.5 contractual facilitators that can accommodate 30 inmates at a time)
Thinking for Change (T4C)	Cognitive-behavioral classroom program designed by the National Institute of Corrections (NIC) with the goal of reducing recidivism. The main components of the program are cognitive self-change, social, and problem solving skills	Inmate must be within 36 months of release and be pre-screened through a brief interview	No capacity provided; however, offered at 24 facilities and each group has capacity of 12 inmates. Estimated capacity: 288
Veteran Dorm Program	Inmates with military service can be placed in a residential setting that provides a variety of programming designed to improve their chance of success upon release	Eligibility: <ul style="list-style-type: none"> • Verified military service • Honorable discharge • No greater than 60 months to release 	738

Listing of Inmate Programs Offered	Brief Description of Program	Target Population/Eligibility	Capacity
Substance Abuse Assessment and Screening	This is an activity that determines inmates' program needs. It is not a program. Inmates are screened at reception to determine their substance abuse treatment needs	All inmates are screened at reception	Conducted at 5 reception centers
Character Awareness and Motivation Program (CAMP)	For those youthful offenders at Lancaster CI who display poor institutional adjustment. It supplements the physical component (training and drills) of the Youthful Offender program with academic programs, betterment programs, substance abuse treatment, and mental health programs	Eligibility: <ul style="list-style-type: none"> • Must be housed at Lancaster CI • Must display poor institutional adjustment to the Youthful Offender program 	50
Community Based Residential Therapeutic Community	Substance abuse programming for inmates in community release centers	Eligibility Requirements: <ul style="list-style-type: none"> • Mandated for treatment • In community custody • Within 12 months of release with sufficient time left to serve to participate in a program that lasts from 6 to 12 months • Has a priority AIRS ranking • Has a psychoactive substance use disorder 	338
Substance Abuse Counselors at Department-Operated Community Release Centers	Substance abuse programming for inmates at FDC operated community release centers	Eligibility Requirements: <ul style="list-style-type: none"> • Mandated for treatment • In community custody • Within 14 months of release with sufficient time left to serve to participate in a program that lasts from 6 to 12 months • Has a priority AIRS ranking • Has a psychoactive substance use disorder 	655
Integrated Co-Occurring Re-Entry and Evaluation (I-CORE) Program	Grant funded program at Jefferson CI for inmates with co-occurring substance abuse and mental health disorders	Eligibility Requirements: <ul style="list-style-type: none"> • Mandated for treatment • Mental health grade of 2 or higher • Within 36 months of release with sufficient time left to serve to participate in a program that lasts from 9 to 12 months • Is returning to Gadsden, Jefferson, Leon, or Wakulla Counties • Has a priority AIRS ranking • Has a psychoactive substance use disorder 	68

Listing of Inmate Programs Offered	Brief Description of Program	Target Population/Eligibility	Capacity
Intensive Outpatient Program	A 4-6 month outpatient substance abuse program focused on changing drug abuse and criminal behaviors. Inmates participate for a minimum of 12 hours of counselor-supervised activities per week	Eligibility Requirements: <ul style="list-style-type: none"> • Mandated for treatment • Within 36 months of release with sufficient time left to serve to participate in a program that lasts at least 4 months • Has a priority AIRS ranking • Has a psychoactive substance use disorder 	1,466
Substance Abuse Prevention and Education	Substance abuse educational services that are provided to inmates in lieu of substance abuse treatment	Eligibility Requirements: <ul style="list-style-type: none"> • Mandated for treatment • Within 3-6 months of release • Has a priority AIRS ranking 	2,306 Note: 1,296 are Re-Entry Center beds
In-Prison Residential Therapeutic Community	9-12 month residential therapeutic community focused on inmate substance abuse needs	Eligibility Requirements: <ul style="list-style-type: none"> • Mandated for treatment • Within 36 months of release with sufficient time left to serve to participate in a program that lasts at least 4 months • Has a priority AIRS ranking • Has a psychoactive substance use disorder 	954
Substance Abuse Transitional Re-Entry Centers	A modified therapeutic community for inmates in community release centers	Eligibility Requirements: <ul style="list-style-type: none"> • Meets criteria for placement in a community release center • Mandated for treatment • Sufficient time left to serve to participate in a program that lasts at least 6 to 12 months • Has a priority AIRS ranking • Has a psychoactive substance use disorder 	867
Youthful Offender Outpatient Substance Abuse Program	Program at Sumter CI to provide substance abuse programming to youthful offenders	Eligibility Requirements: <ul style="list-style-type: none"> • Meets the definition of a youthful offender • Mandated for treatment • Within 36 months of release and has sufficient time left to serve to participate in a program that lasts at least 4 months • Has a priority AIRS ranking • Has a psychoactive substance use disorder 	24
Suwannee CI Extended Day Program for Youthful Offenders Age 17 and Under	Extended day program (boot camp-style program) for inmates at Suwannee CI	Must be classified as a youthful offender and age 17 or younger	60

Listing of Inmate Programs Offered	Brief Description of Program	Target Population/Eligibility	Capacity
Basic Training Program	Provides boot camp-style environment and programming for offenders 24 years of age and younger	Eligibility Requirements: <ul style="list-style-type: none"> • Must be sentenced pursuant to Chapter 958, Youthful Offender statute, or designated as a youthful offender by the department (first-time offender, age 24 or under serving 10 years or less. Cannot be a capital offense or a life felon) • Must be eligible for release 	506
Extended Day Program	A boot camp-style program that provides 16 hours of day time programming for youthful offenders	Must be sentenced as a youthful offender	Estimated capacity: 1,935 Offered at 8 facilities
Community Release Centers (CRCs)	Provides housing and transitional services to soon-to-be-released inmates. Inmates in the CRCs can be employed in the community and participate in a therapeutic community	There are four types of assignments within a CRC, and each has their specific eligibility criteria: <ul style="list-style-type: none"> • Community Work Release – Portion of the program that allows inmates to work in the community <ul style="list-style-type: none"> ○ Inmates with non-advanceable release dates (85% sentence) must be within 14 months of release ○ Inmates with advanceable release dates must be within 19 months • Center Work Assignments - Portion of the program that allows inmate to hold a job assignment in the center (maintenance, food service) or be assigned to outside work details <ul style="list-style-type: none"> ○ Inmates with non-advanceable release dates (85% sentence) must be within 19 months of release ○ Inmates with advanceable release dates must be within 28 months • Transition – Portion of the program that provides inmates substance abuse programming <ul style="list-style-type: none"> ○ Inmates with non-advanceable release dates (85% sentence) must be within 28 months of release ○ Inmates with advanceable release dates must be within 36 months • Community-Based Therapeutic Program – Portion of the program that provides transitional services (substance abuse treatment, education/vocational, self-betterment) while in the community <ul style="list-style-type: none"> ○ Inmates release dates must be no less than 6 months and no greater than 12 months 	3,895

Listing of Inmate Programs Offered	Brief Description of Program	Target Population/Eligibility	Capacity
Learning to Improve the Future by Exercising Response Strategies (LIFERS)	Program designed for long-term offenders who will be released at some time from prison. The goal is to help better prepare them for return to society	Accepts anyone who is referred and any self-referrals, in accordance with class size	92
Corrections Transition Program	Similar to the LIFERS program at Sumter CI. Sponsored by Florida International University, the goal of this program for long-term inmates is to better prepare them for eventual release to society	Accepts anyone who is referred and any self-referrals, in accordance with class size	40
Contracted Re-Entry Centers	The agency has established three re-entry centers that focus on successful re-entry and preparing inmates for transition back to the community	Inmates must be within 36 months of release and have no detainers from other countries. Additionally, inmates must be released to one of the counties served by the re-entry center	1,296
Re-Entry Facilities	FDC has established re-entry facilities that focus on successful re-entry and preparing inmates for transition back to the community	Inmates must be within 36 months of release and have no detainers from other countries. Additionally, inmates must be released to one of the counties served by the re-entry center	Available at 3 facilities

Sources: Data provided by FDC in September 2015



APPENDIX C

DEMOGRAPHICS AND SUCCESS MEASURES FOR SUBSTANCE ABUSE PROGRAMMING

APPENDIX C: Demographics and Success Measures for Substance Abuse Programming

Program	Current Slots	Number of Inmates Participants (2013-2014)	Sex M/F	Race	Age	Success Rate (2013-2014)	2-Year Recombitment Rate (for Inmates Released in 2011-2012)	3-Year Recombitment Rate (for Inmates Released in 2010-2011)
Intensive Outpatient Program	1,466	4,559	92.6%/7.4%	Black – 44.6% White – 51.4% Other – 4.0%	Under 18 – 0.0% 18-24: 14.3% 25-29: 18.9% 30-34: 19.5% 35-39: 12.6% 40-44: 11.2% 45+: 23.5%	91.7%	Completers: 24.0% Non-Completers: 27.9%	Completers: 34.7% Non-Completers: 40.2%
Residential Therapeutic Community – In Community Release Centers and Prisons	1,292	3,510	87.5%/12.5%	Black – 42.9% White – 54.4% Other – 2.7%	Under 18 – 0.0% 18-24: 13.5% 25-29: 22.7% 30-34: 20.6% 35-39: 14.4% 40-44: 9.9% 45+: 18.9%	63.6%	Completers: 22.9% Non-Completers: 24.8%	Completers: 28.6% Non-Completers: 41.9%
Substance Abuse Program Center	867	1,706 (enrolled)	69.1%/30.9%	Black – 25.9% White – 72.1% Other – 2.0%	Under 18 – 0.0% 18-24: 12.0% 25-29: 17.1% 30-34: 19.8% 35-39: 14.9% 40-44: 13.0% 45+: 23.2%	Community Based Programs: 80.4% Behind the Fence Programs: 78.3%	Completers: 12.8% Non-Completers: 19.1%	Completers: 17.5% Non-Completers: 32.1%
Readiness Group			91.4%/8.6%	Black – 41.4% White – 54.4% Other – 4.2%	Under 18 – 0.0% 18-24: 12.9% 25-29: 18.8% 30-34: 17.6% 35-39: 12.7% 40-44: 11.2% 45+: 26.8%	None Available	None Available	None Available
Alumni Group			87.2%/12.8%	Black – 43.0% White – 52.8% Other – 4.2%	Under 18 – 0.0% 18-24: 6.2% 25-29: 17.1% 30-34: 18.7% 35-39: 14.7% 40-44: 12.3% 45+: 31.0%	None Available	None Available	None Available

Program	Current Slots	Number of Inmates Participants (2013-2014)	Sex M/F	Race	Age	Success Rate (2013-2014)	2-Year Recombitment Rate (for Inmates Released in 2011-2012)	3-Year Recombitment Rate (for Inmates Released in 2010-2011)
Post-Release Transitional Housing	144	661	86.7%/13.3%	Black – 40.1% White – 58.3% Other – 1.6%	Under 18 – 0.0% 18-24: 5.5% 25-29: 9.3% 30-34: 12.2% 35-39: 12.7% 40-44: 13.1% 45+: 47.2%	61.1%	Completers: 14.2% Non-Completers: 33.7%	Completers: 27.5% Non-Completers: 41.7%
Work Release Substance Abuse Programs			87.6%/12.4%	Black – 36.6% White – 60.3% Other – 3.1%	Under 18 – 0.0% 18-24: 13.5% 25-29: 22.5% 30-34: 23.1% 35-39: 15.2% 40-44: 9.7% 45+: 16.0%			

Source: FDC Bureau of Transition and Substance Abuse Treatment Services Annual Report FY 2013-2014

Definitions:

- Alumni Group - weekly continuing care groups for inmates who have completed the Intensive Outpatient Program or a therapeutic community.
- Successful Outcome/Exit - denotes compliance with program requirements that results in program completion.
- Unsuccessful Outcome/Exit - denotes noncompliance with program requirements resulting in termination from the program and non-completion.
- Administrative Outcome/Exit - denotes type of program outcome that is neither success nor failure in the program, and is not counted when calculating success rates.
- Success Rate - successful exits divided by total of successful exits and unsuccessful exits.
- Recombitment Rate - the percentage of program releases who are re-incarcerated within a given time period. Includes returns for a new offense or technical violation.

APPENDIX D

FLORIDA PROGRAM SERVICES INVENTORY

FDC Program Services Inventory		Academic Education Programs										
CURRENT LOCATION	Population Count 09/30/2015	ABE	GED	Voluntary Literacy	Special Education	Title 1	Total Student Capacity	Secondary Ed. (Smart Horizons) HS Diploma	Inmate Teaching Assistant Program	Correspondence Study Course Program	General Library	Law Library
Funding Source		GRF & ABE Grant			IDEA Federal Grant and GRF	Title 1 Grant		GRF	GRF and ABE Grant	No funding	GRF	GRF
Data Provided		Locations	Locations	Locations	Slots (Included in Total Student Capacity)	Locations	Capacity	Capacity	All Major Institutions	All Major Institutions	Room Capacity	Room Capacity
APALACHEE EAST UNIT	1,278	X	X	X	70	X	176				20	20
APALACHEE WEST UNIT	799	X	X	X			60				28	13
ARCADIA ROAD PRISON	95											
ATLANTIC C.R.C.	42											
AVON PARK C.I.	937	X	X	X	40	X	132				30	19
AVON PARK WORK CAMP	493										12	5
BAKER C.I.	1,100	X	X	X			60	24			26	27
BAKER RE-ENTRY CENTR	420											
BAKER WORK CAMP	275	X	X				20					
BAY C.F.	973											
BERRYDALE FRSTRY CMP	126											
BIG PINE KEY R.P.	58											
BLACKWATER C.F.	1,989											
BRADENTON BRIDGE	118	X	X				10					
BRIDGES OF COCOA	80	X	X				10					
BRIDGES OF JACKSONVILLE	136											
BRIDGES OF LAKE CITY	149											
BRIDGES OF ORLANDO	146											
BRIDGES OF POMPANO	98	X	X				15					
BRIDGES OF SANTA FE	143	X	X				10					
BROWARD BRIDGE	168	X	X				20					
CALHOUN C.I.	1,288	X	X	X			60				8	20
CALHOUN WORK CAMP	273											
CENTURY C.I.	1,285	X	X	X			80				50	24
CENTURY WORK CAMP	269											
CFRC-EAST	822	X	X	X			25				7	7
CFRC-MAIN	1,125							20			20	8
CFRC-SOUTH	105											
CHARLOTTE C.I.	1,268	X	X	X	40	X	132				31	29
COLUMBIA ANNEX	1,550	X	X	X		X	132				62	43

FDC Program Services Inventory		Academic Education Programs										
CURRENT LOCATION	Population Count 09/30/2015	ABE	GED	Voluntary Literacy	Special Education	Title 1	Total Student Capacity	Secondary Ed. (Smart Horizons) HS Diploma	Inmate Teaching Assistant Program	Correspondence Study Course Program	General Library	Law Library
Funding Source		GRF & ABE Grant			IDEA Federal Grant and GRF	Title 1 Grant		GRF	GRF and ABE Grant	No funding	GRF	GRF
Data Provided		Locations	Locations	Locations	Slots (Included in Total Student Capacity)	Locations	Capacity	Capacity	All Major Institutions	All Major Institutions	Room Capacity	Room Capacity
COLUMBIA C.I.	1,339	X	X	X	90	X	132				30	35
CROSS CITY C.I.	982	X	X	X			60				20	20
CROSS CITY EAST UNIT	424											
CROSS CITY WORK CAMP	278	X	X	X			60					
DADE C.I.	1,478	X	X	X			60				45	25
DAYTONA CRC	-											
DESOTO ANNEX	1,428	X	X	X	70	X	132				57	24
DESOTO WORK CAMP	276											
EVERGLADES C.I.	1,448	X	X	X			60	24			40	30
EVERGLADES RE-ENTRY	415											
FL.WOMENS RECPN.CTR	964	X	X	X			45				50	12
FLORIDA STATE PRISON	1,381	X	X	X	40		225				15	10
FORT PIERCE C.R.C.	84											
FRANKLIN C.I.	1,278	X	X	X			90	24			25	25
FRANKLIN CI WORK CMP	423											
FSP WEST UNIT	749	X	X	X			70				30	35
FT. MYERS WORK CAMP	112											
GADSDEN C.F.	1,532											
GADSDEN RE-ENTRY CTR	395											
GAINESVILLE W.C.	248											
GRACEVILLE C.F.	1,861											
GRACEVILLE WORK CAMP	258											
GULF C.I.	1,535	X	X	X			147	24			37	26
GULF C.I.- ANNEX	1,342	X	X	X			66				20	30
GULF FORESTRY CAMP	271											
HAMILTON ANNEX	1,356	X	X	X		X	132				40	33
HAMILTON C.I.	1,122	X	X	X	100	X	132				13	26
HARDEE C.I.	1,512	X	X	X			110				59	35
HARDEE WORK CAMP	287											
HERNANDO C.I.	417	X	X	X			60				28	9
HOLLYWOOD C.R.C.	149											
HOLMES C.I.	1,134	X	X	X	70	X	132				49	30

FDC Program Services Inventory		Academic Education Programs										
CURRENT LOCATION	Population Count 09/30/2015	ABE	GED	Voluntary Literacy	Special Education	Title 1	Total Student Capacity	Secondary Ed. (Smart Horizons) HS Diploma	Inmate Teaching Assistant Program	Correspondence Study Course Program	General Library	Law Library
Funding Source		GRF & ABE Grant			IDEA Federal Grant and GRF	Title 1 Grant		GRF	GRF and ABE Grant	No funding	GRF	GRF
Data Provided		Locations	Locations	Locations	Slots (Included in Total Student Capacity)	Locations	Capacity	Capacity	All Major Institutions	All Major Institutions	Room Capacity	Room Capacity
HOLMES WORK CAMP	292											
HOMESTEAD C.I.	666	X	X	X			90				26	18
JACKSON C.I.	1,341	X	X	X		X	160				78	55
JACKSON WORK CAMP	274											
JACKSONVILLE BRIDGE	140	X	X				40					
JEFFERSON C.I.	1,141	X	X	X			80	24			12	18
KISSIMMEE C.R.C.	150											
LAKE C.I.	775	X	X	X	30		88				12	12
LAKE CITY C.F.	889											
LANCASTER C.I.	440	X	X	X	260	X	176				22	8
PROGRAM		X	X	X		X	15					
LANCASTER W.C.	209	X	X	X		X	66					
LARGO R.P.	73											
LAWTEY C.I.	795	X	X	X			90				20	20
LIBERTY C.I.	1,293	X	X	X			80				47	12
LIBERTY SOUTH UNIT	415											
LOWELL ANNEX	1,381	X	X	X		X	88	20			25	20
LOWELL C.I.	967	X	X	X	40	X	176				27	25
LOWELL WORK CAMP	338											
LOXAHATCHEE R.P.	91											
MADISON C.I.	1,176	X	X	X			70	24			27	30
MADISON WORK CAMP	282											
MARION C.I.	1,281	X	X	X	70	X	232				37	27
MARION WORK CAMP	277											
MARTIN C.I.	1,460	X	X	X			60	20			40	20
MARTIN WORK CAMP	257											
MAYO C.I. ANNEX	1,297	X	X	X			125	21			30	35
MAYO WORK CAMP	302											
MIAMI NORTH C.R.C.	174											
MOORE HAVEN C.F.	979											
NWFRM ANNEX.	1,316	X	X				50				21	17
NWFRM MAIN UNIT.	1,297	X	X	X			70				35	25

FDC Program Services Inventory		Academic Education Programs										
CURRENT LOCATION	Population Count 09/30/2015	ABE	GED	Voluntary Literacy	Special Education	Title 1	Total Student Capacity	Secondary Ed. (Smart Horizons) HS Diploma	Inmate Teaching Assistant Program	Correspondence Study Course Program	General Library	Law Library
Funding Source		GRF & ABE Grant			IDEA Federal Grant and GRF	Title 1 Grant		GRF	GRF and ABE Grant	No funding	GRF	GRF
Data Provided		Locations	Locations	Locations	Slots (Included in Total Student Capacity)	Locations	Capacity	Capacity	All Major Institutions	All Major Institutions	Room Capacity	Room Capacity
OKALOOSA C.I.	850	X	X	X			66				35	30
OKALOOSA WORK CAMP	268											
OKEECHOBEE C.I.	1,616	X	X	X			60	24			29	63
OKEECHOBEE WORK CAMP	404	X	X	X			30					
OPA LOCKA C.R.C.	144											
ORLANDO BRIDGE	134	X	X				30					
ORLANDO C.R.C.	83											
PANAMA CITY C.R.C.	67											
PENSACOLA C.R.C.	80											
PINELLAS C.R.C.	41											
POLK C.I.	1,106	X	X	X			145	20			35	20
POLK WORK CAMP	289											
PUTNAM C.I.	448	X	X				25				19	8
QUINCY ANNEX	394	X	X	X			40				14	8
R.M.C WORK CAMP	427											
R.M.C.- MAIN UNIT	1,358	X	X	X	40		30				26	26
R.M.C.- WEST UNIT	844	X	X	X			15				13	10
REENTRY CTR OF OCALA	97											
S.F.R.C SOUTH UNIT	635										4	10
S.F.R.C.	1,051										22	22
SAGO PALM RE-ENTRY	334	X	X				70				15	8
SANTA ROSA ANNEX	1,389	X	X	X			90	24			40	20
SANTA ROSA C.I.	1,525	X	X	X	40		450				50	20
SANTA ROSA WORK CMP	295	X	X	X			30					
SHISA HOUSE EAST	15	X	X				10					
SHISA HOUSE WEST	31											
SOUTH BAY C.F.	1,938											
ST. PETE C.R.C.	143											
SUMTER C.I.	1,174	X	X	X	220	X	176				32	18
SUMTER ANNEX	66	X	X	X		X	100					
SUMTER B.T.U.	32											
SUMTER WORK CAMP	289											

FDC Program Services Inventory		Academic Education Programs										
CURRENT LOCATION	Population Count 09/30/2015	ABE	GED	Voluntary Literacy	Special Education	Title 1	Total Student Capacity	Secondary Ed. (Smart Horizons) HS Diploma	Inmate Teaching Assistant Program	Correspondence Study Course Program	General Library	Law Library
Funding Source		GRF & ABE Grant			IDEA Federal Grant and GRF	Title 1 Grant		GRF	GRF and ABE Grant	No funding	GRF	GRF
Data Provided		Locations	Locations	Locations	Slots (Included in Total Student Capacity)	Locations	Capacity	Capacity	All Major Institutions	All Major Institutions	Room Capacity	Room Capacity
SUNCOAST C.R.C.(FEM)	162											
SUWANNEE C.I.	1,199	X	X	X	100	X	200				40	25
SUWANNEE ANNEX	1,294	X	X	X		X	132				64	48
SUWANNEE WORK CAMP	332											
TALLAHASSEE C.R.C	111											
TAYLOR ANNEX	1,365	X	X	X			90	24			65	49
TAYLOR C.I.	1,239	X	X	X			110				24	41
TAYLOR WORK CAMP	407											
TOMOKA C.I.	1,251	X	X	X			80				20	40
TOMOKA CRC-285	110	X	X				15					
TOMOKA CRC-290	80											
TOMOKA CRC-298	58											
TOMOKA WORK CAMP	283											
TTH OF BARTOW	78											
TTH OF DINSMORE	142											
TTH OF KISSIMMEE	148	X	X				25					
TTH OF TARPON SPRING	83											
UNION C.I.	1,947	X	X	X	30		50				68	33
UNION WORK CAMP	420	X	X	X			30					
W.PALM BEACH C.R.C.	148											
WAKULLA ANNEX	1,496	X	X	X			140				50	40
WAKULLA C.I.	1,297	X	X	X			110	24			50	27
WAKULLA WORK CAMP	422											
WALTON C.I.	1,158	X	X	X			92				39	22
WALTON WORK CAMP	272											
ZEPHYRHILLS C.I.	658	X	X	X			50				6	16
TOTAL	99,581	79	79	65	1,350	20	6,902	341	-	-	2,071	1,566

FDC Program Services Inventory		Vocational Programs		Religious Programs					Transition Programs		
CURRENT LOCATION	Population Count 09/30/2015	Career and Technical Education (Vocational)	Prison Dog Training	Chapel Library Program	Faith and Character Based Residential Program	Primary Worship Opportunities	Religious Diet Program	Religious Education Classes	100 Hour Transition Skills Program	Thinking for Change	Veteran Dorm
Funding Source		GRF and Perkins Grant	Corr. Foundation Doners	GRF	GRF	GRF	GRF	GRF	GRF	GRF/JAG Byrne &RSAT Grant	GRF
Data Provided		Capacity	Locations	All Major Institutions	Capacity	All Institutions	All Institutions	All Institutions	# of Facilitator Positions	Locations	Capacity
APALACHEE EAST UNIT	1,278	18							1		
APALACHEE WEST UNIT	799										
ARCADIA ROAD PRISON	95										
ATLANTIC C.R.C.	42										
AVON PARK C.I.	937	108							1	X	
AVON PARK WORK CAMP	493										
BAKER C.I.	1,100	72	X						1	X	
BAKER RE-ENTRY CENTR	420										
BAKER WORK CAMP	275										
BAY C.F.	973										
BERRYDALE FRSTRY CMP	126										
BIG PINE KEY R.P.	58										
BLACKWATER C.F.	1,989										
BRADENTON BRIDGE	118										
BRIDGES OF COCOA	80										
BRIDGES OF JACKSONVILLE	136										
BRIDGES OF LAKE CITY	149										
BRIDGES OF ORLANDO	146										
BRIDGES OF POMPANO	98										
BRIDGES OF SANTA FE	143										
BROWARD BRIDGE	168										
CALHOUN C.I.	1,288	18							1		
CALHOUN WORK CAMP	273										
CENTURY C.I.	1,285								1	X	
CENTURY WORK CAMP	269										
CFRC-EAST	822										
CFRC-MAIN	1,125		X						1		
CFRC-SOUTH	105										
CHARLOTTE C.I.	1,268	18							1	X	
COLUMBIA ANNEX	1,550	18			120				1	X	

FDC Program Services Inventory		Vocational Programs		Religious Programs					Transition Programs		
CURRENT LOCATION	Population Count 09/30/2015	Career and Technical Education (Vocational)	Prison Dog Training	Chapel Library Program	Faith and Character Based Residential Program	Primary Worship Opportunities	Religious Diet Program	Religious Education Classes	100 Hour Transition Skills Program	Thinking for Change	Veteran Dorm
Funding Source		GRF and Perkins Grant	Corr. Foundation Doners	GRF	GRF	GRF	GRF	GRF	GRF	GRF/JAG Byrne &RSAT Grant	GRF
Data Provided		Capacity	Locations	All Major Institutions	Capacity	All Institutions	All Institutions	All Institutions	# of Facilitator Positions	Locations	Capacity
COLUMBIA C.I.	1,339	18							1		
CROSS CITY C.I.	982	54							1		
CROSS CITY EAST UNIT	424										
CROSS CITY WORK CAMP	278										
DADE C.I.	1,478								1		
DAYTONA CRC	-										
DESOTO ANNEX	1,428	54			143				1	X	
DESOTO WORK CAMP	276										
EVERGLADES C.I.	1,448				128				1	X	
EVERGLADES RE-ENTRY	415										
FL.WOMENS RECPN.CTR	964								1		
FLORIDA STATE PRISON	1,381								1		
FORT PIERCE C.R.C.	84										
FRANKLIN C.I.	1,278	18							1	X	
FRANKLIN CI WORK CMP	423										
FSP WEST UNIT	749	36									
FT. MYERS WORK CAMP	112		X								
GADSDEN C.F.	1,532										
GADSDEN RE-ENTRY CTR	395										
GAINESVILLE W.C.	248		X								
GRACEVILLE C.F.	1,861										
GRACEVILLE WORK CAMP	258										
GULF C.I.	1,535	18							1		
GULF C.I.- ANNEX	1,342				128				1	X	142
GULF FORESTRY CAMP	271		X								
HAMILTON ANNEX	1,356	18							1		
HAMILTON C.I.	1,122	54							1		
HARDEE C.I.	1,512	18	X						1		
HARDEE WORK CAMP	287									X	
HERNANDO C.I.	417	18	X		467						

FDC Program Services Inventory		Vocational Programs		Religious Programs					Transition Programs		
CURRENT LOCATION	Population Count 09/30/2015	Career and Technical Education (Vocational)	Prison Dog Training	Chapel Library Program	Faith and Character Based Residential Program	Primary Worship Opportunities	Religious Diet Program	Religious Education Classes	100 Hour Transition Skills Program	Thinking for Change	Veteran Dorm
Funding Source		GRF and Perkins Grant	Corr. Foundation Doners	GRF	GRF	GRF	GRF	GRF	GRF	GRF/JAG Byrne &RSAT Grant	GRF
Data Provided		Capacity	Locations	All Major Institutions	Capacity	All Institutions	All Institutions	All Institutions	# of Facilitator Positions	Locations	Capacity
HOLLYWOOD C.R.C.	149										
HOLMES C.I.	1,134	36							1		
HOLMES WORK CAMP	292										
HOMESTEAD C.I.	666	36	X						1		
JACKSON C.I.	1,341				168				1	X	
JACKSON WORK CAMP	274										
JACKSONVILLE BRIDGE	140										
JEFFERSON C.I.	1,141								1	X	
KISSIMMEE C.R.C.	150										
LAKE C.I.	775	36							1	X	
LAKE CITY C.F.	889										
LANCASTER C.I.	440	108			62				1	X	
PROGRAM											
LANCASTER W.C.	209				70						
LARGO R.P.	73										
LAWTEY C.I.	795	18	X		876						
LIBERTY C.I.	1,293								1		
LIBERTY SOUTH UNIT	415										
LOWELL ANNEX	1,381	36			86				1		
LOWELL C.I.	967	72							1	X	
LOWELL WORK CAMP	338	18	X							X	
LOXAHATCHEE R.P.	91										
MADISON C.I.	1,176	18							1	X	
MADISON WORK CAMP	282										
MARION C.I.	1,281	72	X		80				1	X	
MARION WORK CAMP	277		X								
MARTIN C.I.	1,460								1		168
MARTIN WORK CAMP	257										
MAYO C.I. ANNEX	1,297	18							1		
MAYO WORK CAMP	302										

FDC Program Services Inventory		Vocational Programs		Religious Programs					Transition Programs		
CURRENT LOCATION	Population Count 09/30/2015	Career and Technical Education (Vocational)	Prison Dog Training	Chapel Library Program	Faith and Character Based Residential Program	Primary Worship Opportunities	Religious Diet Program	Religious Education Classes	100 Hour Transition Skills Program	Thinking for Change	Veteran Dorm
Funding Source		GRF and Perkins Grant	Corr. Foundation Doners	GRF	GRF	GRF	GRF	GRF	GRF	GRF/JAG Byrne &RSAT Grant	GRF
Data Provided		Capacity	Locations	All Major Institutions	Capacity	All Institutions	All Institutions	All Institutions	# of Facilitator Positions	Locations	Capacity
MIAMI NORTH C.R.C.	174										
MOORE HAVEN C.F.	979										
NWFRC ANNEX.	1,316				56					X	
NWFRC MAIN UNIT.	1,297								1	X	
OKALOOSA C.I.	850		X						1		
OKALOOSA WORK CAMP	268										
OKEECHOBEE C.I.	1,616				172				1	X	
OKEECHOBEE WORK CAMP	404										
OPA LOCKA C.R.C.	144										
ORLANDO BRIDGE	134										
ORLANDO C.R.C.	83										
PANAMA CITY C.R.C.	67										
PENSACOLA C.R.C.	80										
PINELLAS C.R.C.	41										
POLK C.I.	1,106	54			128				1	X	
POLK WORK CAMP	289		X								
PUTNAM C.I.	448								1		
QUINCY ANNEX	394										
R.M.C WORK CAMP	427										
R.M.C.- MAIN UNIT	1,358								1		
R.M.C.- WEST UNIT	844										
REENTRY CTR OF OCALA	97										
S.F.R.C SOUTH UNIT	635										
S.F.R.C.	1,051		X						1		
SAGO PALM RE-ENTRY	334	18	X								
SANTA ROSA ANNEX	1,389	18							1	X	240
SANTA ROSA C.I.	1,525								1		
SANTA ROSA WORK CMP	295										
SHISA HOUSE EAST	15										
SHISA HOUSE WEST	31										

FDC Program Services Inventory		Vocational Programs		Religious Programs					Transition Programs		
CURRENT LOCATION	Population Count 09/30/2015	Career and Technical Education (Vocational)	Prison Dog Training	Chapel Library Program	Faith and Character Based Residential Program	Primary Worship Opportunities	Religious Diet Program	Religious Education Classes	100 Hour Transition Skills Program	Thinking for Change	Veteran Dorm
Funding Source		GRF and Perkins Grant	Corr. Foundation Doners	GRF	GRF	GRF	GRF	GRF	GRF	GRF/JAG Byrne &RSAT Grant	GRF
Data Provided		Capacity	Locations	All Major Institutions	Capacity	All Institutions	All Institutions	All Institutions	# of Facilitator Positions	Locations	Capacity
SOUTH BAY C.F.	1,938										
ST. PETE C.R.C.	143										
SUMTER C.I.	1,174	72							1	X	92
SUMTER ANNEX	66										
SUMTER B.T.U.	32										
SUMTER WORK CAMP	289										
SUNCOAST C.R.C.(FEM)	162										
SUWANNEE C.I	1,199								1		
SUWANNEE ANNEX	1,294	36									
SUWANNEE WORK CAMP	332										
TALLAHASSEE C.R.C	111										
TAYLOR ANNEX	1,365	54							1		
TAYLOR C.I.	1,239	18	X						1		
TAYLOR WORK CAMP	407										
TOMOKA C.I.	1,251	36	X		228				1		
TOMOKA CRC-285	110										
TOMOKA CRC-290	80										
TOMOKA CRC-298	58										
TOMOKA WORK CAMP	283										
TTH OF BARTOW	78										
TTH OF DINSMORE	142										
TTH OF KISSIMMEE	148										
TTH OF TARPON SPRING	83										
UNION C.I.	1,947		X		96				1		96
UNION WORK CAMP	420										
W.PALM BEACH C.R.C.	148										
WAKULLA ANNEX	1,496	18			1,481						
WAKULLA C.I.	1,297	18	X		1,568						
WAKULLA WORK CAMP	422				431						
WALTON C.I.	1,158	36	X						1		

FDC Program Services Inventory		Vocational Programs		Religious Programs					Transition Programs		
CURRENT LOCATION	Population Count 09/30/2015	Career and Technical Education (Vocational)	Prison Dog Training	Chapel Library Program	Faith and Character Based Residential Program	Primary Worship Opportunities	Religious Diet Program	Religious Education Classes	100 Hour Transition Skills Program	Thinking for Change	Veteran Dorm
Funding Source		GRF and Perkins Grant	Corr. Foundation Doners	GRF	GRF	GRF	GRF	GRF	GRF	GRF/JAG Byrne &RSAT Grant	GRF
Data Provided		Capacity	Locations	All Major Institutions	Capacity	All Institutions	All Institutions	All Institutions	# of Facilitator Positions	Locations	Capacity
WALTON WORK CAMP	272										
ZEPHYRHILLS C.I.	658										
TOTAL	99,581	1,404	21		6,488				46.5	24	738

FDC Program Services Inventory		Substance Abuse Programs											
CURRENT LOCATION	Population Count 09/30/2015	Substance Abuse Assessment and Screening	Character and Motivation Awareness Program (CAMP)	Community Based Residential Therapeutic Community	Substance Abuse Counselors at Dept. Operated Community Release Centers	Integrated Co-Occurring Re-Entry and Evaluation (I-CORE) Program	Intensive Outpatient Program	Substance Abuses Prevention and Education	In-Prison Residential Therapeutic Community	Substance Abuse Transitional Re-Entry Centers	Substance Abuse Treatment Beds at Re-Entry Centers	Youthful Offender Outpatient Substance Abuse Program	Suwannee CI Extended Day Program for Youthful Offenders
Funding Source		GRF	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	DOJ/BJA Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne & RSAT Grant	GRF/JAG Byrne Grant	GRF	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant
Data Provided		Location	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity
APALACHEE EAST UNIT	1,278												
APALACHEE WEST UNIT	799												
ARCADIA ROAD PRISON	95												
ATLANTIC C.R.C.	42				50								
AVON PARK C.I.	937						85	50					
AVON PARK WORK CAMP	493												
BAKER C.I.	1,100						160	50					
BAKER RE-ENTRY CENTR	420							432		352			
BAKER WORK CAMP	275												
BAY C.F.	973												
BERRYDALE FRSTRY CMP	126												
BIG PINE KEY R.P.	58												
BLACKWATER C.F.	1,989												
BRADENTON BRIDGE	118									120			
BRIDGES OF COCOA	80												
BRIDGES OF JACKSONVILLE	136												
BRIDGES OF LAKE CITY	149												
BRIDGES OF ORLANDO	146												
BRIDGES OF POMPANO	98									172			
BRIDGES OF SANTA FE	143												
BROWARD BRIDGE	168												
CALHOUN C.I.	1,288												
CALHOUN WORK CAMP	273												
CENTURY C.I.	1,285							50	136				
CENTURY WORK CAMP	269												
CFRC-EAST	822												
CFRC-MAIN	1,125	X											
CFRC-SOUTH	105												
CHARLOTTE C.I.	1,268												
COLUMBIA ANNEX	1,550									118			
COLUMBIA C.I.	1,339												
CROSS CITY C.I.	982												
CROSS CITY EAST UNIT	424												
CROSS CITY WORK CAMP	278												
DADE C.I.	1,478												
DAYTONA CRC	-												
DESOTO ANNEX	1,428												
DESOTO WORK CAMP	276												
EVERGLADES C.I.	1,448						110	50					
EVERGLADES RE-ENTRY	415							432		352			
FL.WOMENS RECPN.CTR	964	X				D-12							

FDC Program Services Inventory		Substance Abuse Programs											
CURRENT LOCATION	Population Count 09/30/2015	Substance Abuse Assessment and Screening	Character and Motivation Awareness Program (CAMP)	Community Based Residential Therapeutic Community	Substance Abuse Counselors at Dept. Operated Community Release Centers	Integrated Co-Occurring Re-Entry and Evaluation (I-CORE) Program	Intensive Outpatient Program	Substance Abuses Prevention and Education	In-Prison Residential Therapeutic Community	Substance Abuse Transitional Re-Entry Centers	Substance Abuse Treatment Beds at Re-Entry Centers	Youthful Offender Outpatient Substance Abuse Program	Suwannee CI Extended Day Program for Youthful Offenders
Funding Source		GRF	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	DOJ/BJA Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne & RSAT Grant	GRF/JAG Byrne Grant	GRF	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant
Data Provided		Location	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity
FLORIDA STATE PRISON	1,381												
FORT PIERCE C.R.C.	84				50								
FRANKLIN C.I.	1,278								85				
FRANKLIN CI WORK CMP	423												
FSP WEST UNIT	749												
FT. MYERS WORK CAMP	112												
GADSDEN C.F.	1,532												
GADSDEN RE-ENTRY CTR	395							432			352		
GAINESVILLE W.C.	248												
GRACEVILLE C.F.	1,861												
GRACEVILLE WORK CAMP	258												
GULF C.I.	1,535												
GULF C.I.- ANNEX	1,342						110	50					
GULF FORESTRY CAMP	271												
HAMILTON ANNEX	1,356												
HAMILTON C.I.	1,122												
HARDEE C.I.	1,512												
HARDEE WORK CAMP	287												
HERNANDO C.I.	417						60	50					
HOLLYWOOD C.R.C.	149									156			
HOLMES C.I.	1,134												
HOLMES WORK CAMP	292												
HOMESTEAD C.I.	666												
JACKSON C.I.	1,341								68				
JACKSON WORK CAMP	274												
JACKSONVILLE BRIDGE	140			165									
JEFFERSON C.I.	1,141					68		50	68				
KISSIMMEE C.R.C.	150				50					150			
LAKE C.I.	775						85	50					
LAKE CITY C.F.	889												
LANCASTER C.I.	440		50					50					
LANCASTER C.I. CAMP PROGRAM													
LANCASTER W.C.	209												
LARGO R.P.	73												
LAWTEY C.I.	795						85	50					
LIBERTY C.I.	1,293												
LIBERTY SOUTH UNIT	415												
LOWELL ANNEX	1,381							50	165				
LOWELL C.I.	967						50						
LOWELL WORK CAMP	338								30				
LOXAHATCHEE R.P.	91												

FDC Program Services Inventory		Substance Abuse Programs											
CURRENT LOCATION	Population Count 09/30/2015	Substance Abuse Assessment and Screening	Character and Motivation Awareness Program (CAMP)	Community Based Residential Therapeutic Community	Substance Abuse Counselors at Dept. Operated Community Release Centers	Integrated Co-Occurring Re-Entry and Evaluation (I-CORE) Program	Intensive Outpatient Program	Substance Abuses Prevention and Education	In-Prison Residential Therapeutic Community	Substance Abuse Transitional Re-Entry Centers	Substance Abuse Treatment Beds at Re-Entry Centers	Youthful Offender Outpatient Substance Abuse Program	Suwannee CI Extended Day Program for Youthful Offenders
Funding Source		GRF	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	DOJ/BJA Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne & RSAT Grant	GRF/JAG Byrne Grant	GRF	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant
Data Provided		Location	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity
MADISON C.I.	1,176						85	50					
MADISON WORK CAMP	282												
MARION C.I.	1,281								266				
MARION WORK CAMP	277												
MARTIN C.I.	1,460												
MARTIN WORK CAMP	257												
MAYO C.I. ANNEX	1,297						110	50					
MAYO WORK CAMP	302												
MIAMI NORTH C.R.C.	174				100								
MOORE HAVEN C.F.	979												
NWFRC ANNEX.	1,316								136				
NWFRC MAIN UNIT.	1,297	X					85	50					
OKALOOSA C.I.	850												
OKALOOSA WORK CAMP	268												
OKEECHOBEE C.I.	1,616						110	50					
OKEECHOBEE WORK CAMP	404												
OPA LOCKA C.R.C.	144				50								
ORLANDO BRIDGE	134									136			
ORLANDO C.R.C.	83				50								
PANAMA CITY C.R.C.	67				50								
PENSACOLA C.R.C.	80				50								
PINELLAS C.R.C.	41				50								
POLK C.I.	1,106							136					
POLK WORK CAMP	289												
PUTNAM C.I.	448												
QUINCY ANNEX	394												
R.M.C WORK CAMP	427												
R.M.C. - MAIN UNIT	1,358	X						40					
R.M.C. - WEST UNIT	844												
REENTRY CTR OF OCALA	97												
S.F.R.C SOUTH UNIT	635												
S.F.R.C.	1,051	X											
SAGO PALM RE-ENTRY	334						110	50					
SANTA ROSA ANNEX	1,389												
SANTA ROSA C.I.	1,525												
SANTA ROSA WORK CMP	295												
SHISA HOUSE EAST	15									15			
SHISA HOUSE WEST	31												
SOUTH BAY C.F.	1,938												
ST. PETE C.R.C.	143				50								
SUMTER C.I.	1,174							60					24

FDC Program Services Inventory		Substance Abuse Programs											
CURRENT LOCATION	Population Count 09/30/2015	Substance Abuse Assessment and Screening	Character and Motivation Awareness Program (CAMP)	Community Based Residential Therapeutic Community	Substance Abuse Counselors at Dept. Operated Community Release Centers	Integrated Co-Occurring Re-Entry and Evaluation (I-CORE) Program	Intensive Outpatient Program	Substance Abuses Prevention and Education	In-Prison Residential Therapeutic Community	Substance Abuse Transitional Re-Entry Centers	Substance Abuse Treatment Beds at Re-Entry Centers	Youthful Offender Outpatient Substance Abuse Program	Suwannee CI Extended Day Program for Youthful Offenders
Funding Source		GRF	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	DOJ/BJA Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant	GRF/JAG Byrne & RSAT Grant	GRF/JAG Byrne Grant	GRF	GRF/JAG Byrne Grant	GRF/JAG Byrne Grant
Data Provided		Location	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity	Capacity
SUMTER ANNEX	66												
SUMTER B.T.U.	32												
SUMTER WORK CAMP	289												
SUNCOAST C.R.C.(FEM)	162												
SUWANNEE C.I	1,199							60					60
SUWANNEE ANNEX	1,294												
SUWANNEE WORK CAMP	332												
TALLAHASSEE C.R.C	111				50								
TAYLOR ANNEX	1,365												
TAYLOR C.I.	1,239						85	50					
TAYLOR WORK CAMP	407												
TOMOKA C.I.	1,251												
TOMOKA CRC-285	110			113									
TOMOKA CRC-290	80												
TOMOKA CRC-298	58			60									
TOMOKA WORK CAMP	283												
TTH OF BARTOW	78												
TTH OF DINSMORE	142												
TTH OF KISSIMMEE	148												
TTH OF TARPON SPRING	83												
UNION C.I.	1,947												
UNION WORK CAMP	420												
W.PALM BEACH C.R.C.	148				50								
WAKULLA ANNEX	1,496												
WAKULLA C.I.	1,297												
WAKULLA WORK CAMP	422												
WALTON C.I.	1,158												
WALTON WORK CAMP	272												
ZEPHYRHILLS C.I.	658												
TOTAL	99,581	5	50	338	650	68	1,466	2,306	954	867	1,056	24	60

FDC Program Services Inventory		Classification Programs					Re-Entry Centers/Facilities	
CURRENT LOCATION	Population Count 09/30/2015	Basic Training Program	Extended Day Program	Community Release Centers	LIFERS Program	Corrections Transition Program (FIU)	Contracted Re-Entry Centers	Contracted Reentry Facilities
Funding Source		GRF	GRF	GRF	Outside Sources	FIU and Volunteers	GRF	GRF/JAG Byrne Grant
Data Provided		Capacity	Locations	Capacity	Capacity	Capacity	Capacity	Locations
APALACHEE EAST UNIT	1,278							
APALACHEE WEST UNIT	799							
ARCADIA ROAD PRISON	95							
ATLANTIC C.R.C.	42			45				
AVON PARK C.I.	937							
AVON PARK WORK CAMP	493							
BAKER C.I.	1,100							1,165
BAKER RE-ENTRY CENTR	420						432	
BAKER WORK CAMP	275							
BAY C.F.	973							
BERRYDALE FRSTRY CMP	126							
BIG PINE KEY R.P.	58							
BLACKWATER C.F.	1,989							
BRADENTON BRIDGE	118			120				
BRIDGES OF COCOA	80			84				
BRIDGES OF JACKSONVILLE	136			140				
BRIDGES OF LAKE CITY	149			156				
BRIDGES OF ORLANDO	146			152				
BRIDGES OF POMPANO	98			100				
BRIDGES OF SANTA FE	143			156				
BROWARD BRIDGE	168			172				
CALHOUN C.I.	1,288							
CALHOUN WORK CAMP	273							
CENTURY C.I.	1,285							
CENTURY WORK CAMP	269							
CFRC-EAST	822							
CFRC-MAIN	1,125							
CFRC-SOUTH	105							
CHARLOTTE C.I.	1,268							

FDC Program Services Inventory		Classification Programs					Re-Entry Centers/Facilities	
CURRENT LOCATION	Population Count 09/30/2015	Basic Training Program	Extended Day Program	Community Release Centers	LIFERS Program	Corrections Transition Program (FIU)	Contracted Re-Entry Centers	Contracted Reentry Facilities
Funding Source		GRF	GRF	GRF	Outside Sources	FIU and Volunteers	GRF	GRF/JAG Byrne Grant
Data Provided		Capacity	Locations	Capacity	Capacity	Capacity	Capacity	Locations
COLUMBIA ANNEX	1,550							
COLUMBIA C.I.	1,339							
CROSS CITY C.I.	982							
CROSS CITY EAST UNIT	424							
CROSS CITY WORK CAMP	278							
DADE C.I.	1,478							
DAYTONA CRC	-							
DESOTO ANNEX	1,428							
DESOTO WORK CAMP	276							
EVERGLADES C.I.	1,448					40		
EVERGLADES RE-ENTRY	415						432	
FL.WOMENS RECPN.CTR	964							
FLORIDA STATE PRISON	1,381							
FORT PIERCE C.R.C.	84			84				
FRANKLIN C.I.	1,278							
FRANKLIN CI WORK CMP	423							
FSP WEST UNIT	749							
FT. MYERS WORK CAMP	112							
GADSDEN C.F.	1,532							
GADSDEN RE-ENTRY CTR	395						432	
GAINESVILLE W.C.	248							
GRACEVILLE C.F.	1,861							
GRACEVILLE WORK CAMP	258							
GULF C.I.	1,535							
GULF C.I.- ANNEX	1,342							
GULF FORESTRY CAMP	271							
HAMILTON ANNEX	1,356							
HAMILTON C.I.	1,122							
HARDEE C.I.	1,512							

FDC Program Services Inventory		Classification Programs					Re-Entry Centers/Facilities	
CURRENT LOCATION	Population Count 09/30/2015	Basic Training Program	Extended Day Program	Community Release Centers	LIFERS Program	Corrections Transition Program (FIU)	Contracted Re-Entry Centers	Contracted Reentry Facilities
Funding Source		GRF	GRF	GRF	Outside Sources	FIU and Volunteers	GRF	GRF/JAG Byrne Grant
Data Provided		Capacity	Locations	Capacity	Capacity	Capacity	Capacity	Locations
HARDEE WORK CAMP	287							
HERNANDO C.I.	417							
HOLLYWOOD C.R.C.	149			156				
HOLMES C.I.	1,134							
HOLMES WORK CAMP	292							
HOMESTEAD C.I.	666							
JACKSON C.I.	1,341							
JACKSON WORK CAMP	274							
JACKSONVILLE BRIDGE	140			165				
JEFFERSON C.I.	1,141							
KISSIMMEE C.R.C.	150			156				
LAKE C.I.	775							
LAKE CITY C.F.	889		X					
LANCASTER C.I.	440		X					
LANCASTER C.I. CAMP PROGRAM								
LANCASTER W.C.	209		X					
LARGO R.P.	73							
LAWTEY C.I.	795							
LIBERTY C.I.	1,293							
LIBERTY SOUTH UNIT	415							
LOWELL ANNEX	1,381							
LOWELL C.I.	967		X					
LOWELL WORK CAMP	338	394	X					
LOXAHATCHEE R.P.	91							
MADISON C.I.	1,176							
MADISON WORK CAMP	282							
MARION C.I.	1,281							
MARION WORK CAMP	277							
MARTIN C.I.	1,460							

FDC Program Services Inventory		Classification Programs					Re-Entry Centers/Facilities	
CURRENT LOCATION	Population Count 09/30/2015	Basic Training Program	Extended Day Program	Community Release Centers	LIFERS Program	Corrections Transition Program (FIU)	Contracted Re-Entry Centers	Contracted Reentry Facilities
Funding Source		GRF	GRF	GRF	Outside Sources	FIU and Volunteers	GRF	GRF/JAG Byrne Grant
Data Provided		Capacity	Locations	Capacity	Capacity	Capacity	Capacity	Locations
MARTIN WORK CAMP	257							
MAYO C.I. ANNEX	1,297							
MAYO WORK CAMP	302							
MIAMI NORTH C.R.C.	174			186				
MOORE HAVEN C.F.	979							
NWFRC ANNEX.	1,316							
NWFRC MAIN UNIT.	1,297							
OKALOOSA C.I.	850							
OKALOOSA WORK CAMP	268							
OKEECHOBEE C.I.	1,616							
OKEECHOBEE WORK CAMP	404							
OPA LOCKA C.R.C.	144			150				
ORLANDO BRIDGE	134			136				
ORLANDO C.R.C.	83			84				
PANAMA CITY C.R.C.	67			71				
PENSACOLA C.R.C.	80			84				
PINELLAS C.R.C.	41			45				
POLK C.I.	1,106							1,208
POLK WORK CAMP	289							
PUTNAM C.I.	448							
QUINCY ANNEX	394							
R.M.C WORK CAMP	427							
R.M.C.- MAIN UNIT	1,358							
R.M.C.- WEST UNIT	844							
REENTRY CTR OF OCALA	97			100				
S.F.R.C SOUTH UNIT	635							
S.F.R.C.	1,051							
SAGO PALM RE-ENTRY	334							384
SANTA ROSA ANNEX	1,389							

FDC Program Services Inventory		Classification Programs					Re-Entry Centers/Facilities	
CURRENT LOCATION	Population Count 09/30/2015	Basic Training Program	Extended Day Program	Community Release Centers	LIFERS Program	Corrections Transition Program (FIU)	Contracted Re-Entry Centers	Contracted Reentry Facilities
Funding Source		GRF	GRF	GRF	Outside Sources	FIU and Volunteers	GRF	GRF/JAG Byrne Grant
Data Provided		Capacity	Locations	Capacity	Capacity	Capacity	Capacity	Locations
SANTA ROSA C.I.	1,525							
SANTA ROSA WORK CMP	295							
SHISA HOUSE EAST	15			32				
SHISA HOUSE WEST	31			15				
SOUTH BAY C.F.	1,938							
ST. PETE C.R.C.	143			150				
SUMTER C.I.	1,174		X		92			
SUMTER ANNEX	66		X					
SUMTER B.T.U.	32	112						
SUMTER WORK CAMP	289							
SUNCOAST C.R.C.(FEM)	162			165				
SUWANNEE C.I	1,199		X					
SUWANNEE ANNEX	1,294							
SUWANNEE WORK CAMP	332							
TALLAHASSEE C.R.C	111			121				
TAYLOR ANNEX	1,365							
TAYLOR C.I.	1,239							
TAYLOR WORK CAMP	407							
TOMOKA C.I.	1,251							
TOMOKA CRC-285	110			113				
TOMOKA CRC-290	80			84				
TOMOKA CRC-298	58			60				
TOMOKA WORK CAMP	283							
TTH OF BARTOW	78			79				
TTH OF DINSMORE	142			150				
TTH OF KISSIMMEE	148			150				
TTH OF TARPON SPRING	83			84				
UNION C.I.	1,947							
UNION WORK CAMP	420							

FDC Program Services Inventory		Classification Programs					Re-Entry Centers/Facilities	
CURRENT LOCATION	Population Count 09/30/2015	Basic Training Program	Extended Day Program	Community Release Centers	LIFERS Program	Corrections Transition Program (FIU)	Contracted Re-Entry Centers	Contracted Reentry Facilities
Funding Source		GRF	GRF	GRF	Outside Sources	FIU and Volunteers	GRF	GRF/JAG Byrne Grant
Data Provided		Capacity	Locations	Capacity	Capacity	Capacity	Capacity	Locations
W.PALM BEACH C.R.C.	148			150				
WAKULLA ANNEX	1,496							
WAKULLA C.I.	1,297							
WAKULLA WORK CAMP	422							
WALTON C.I.	1,158							
WALTON WORK CAMP	272							
ZEPHYRHILLS C.I.	658							
TOTAL	99,581	506	8	3,895	92	40	1,296	2,757

THE FLORIDA SENATE
APPEARANCE RECORD

Tab 1

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

1-11-2016
Meeting Date

Bill Number (if applicable)

Topic Study of the Operations of DOC

Amendment Barcode (if applicable)

Name Claire Mazur

Job Title Staff Director

Address 111 West Madison Street Suite 312
Street
Tallahassee FL 32399
City State Zip

Phone (850) 717-0575

Email mazur.claire@oppaga.fl.gov

Speaking: For Against Information

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

Representing OPPAGA

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)

1-11-2016

Meeting Date

Bill Number (if applicable)

Topic Study of the Operations of DoC

Amendment Barcode (if applicable)

Name KAREN H McGINNIS

Job Title SENIOR Vice President

Address 15771 Club Course Dr
Street

Phone 517-641-7100

PAFL
City

MI
State

48868
Zip

Email KMcGinnis@
cgcompanies.com

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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1-11-2016
Meeting Date

Bill Number (if applicable)

Topic Study of the Operations of DOC

Amendment Barcode (if applicable)

Name Brad Sassatelli

Job Title Vice President

Address 3800 Esplanade Way, Suite 210
Street

Phone 217-823-3526

Tellahassee FL 32311
City State Zip

Email bsassate@mgta.com

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

1-11-2016
Meeting Date

Bill Number (if applicable)

Topic Study of the Operations of DOC

Amendment Barcode (if applicable)

Name Karl Becker

Job Title Senior Vice President

Address 4605 Barrymore
Street

Phone 217/414-9895

Springfield IL 62711
City State Zip

Email kbecker@cg.com
CG.com

Speaking: For Against Information

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

Representing CGI

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.

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THE FLORIDA SENATE
APPEARANCE RECORD

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1-11-2016
Meeting Date

Bill Number (if applicable)

Topic Study of the Operations of DOC

Amendment Barcode (if applicable)

Name James Austin

Job Title President, JFA Institute

Address 2540 Cayman Road

Phone 310-867-0569

Street

Malibu CA 90265

City

State

Zip

Email jfa@jfa-institute.com

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)

THE FLORIDA SENATE
APPEARANCE RECORD

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

1/11/16
Meeting Date

Topic Cyt. questions - DPPASA report presentation. Bill Number / (if applicable)

Name Julie Jones. Amendment Barcode / (if applicable)

Job Title Secretary.

Address 501 S. Calhoun ST. Phone 850-717-3030.

Tallahassee. FL. 32399-
City State Zip

E-mail Jones.Julie@mail.de.
state.fl.us.

Speaking: For Against Information

Representing FL Dept. of Corrections (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.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: SB 930

INTRODUCER: Senator Evers

SUBJECT: Trust Funds/State-Operated Institutions Inmate Welfare Trust Fund/DOC

DATE: January 8, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sumner	Cannon	CJ	Pre-meeting
2.			ACJ	
3.			AP	

I. Summary:

SB 930 creates the State-Operated Institutions Inmate Welfare Trust Fund (Trust Fund) within the Department of Corrections (department). The purpose of the new Trust Fund is for the benefit and welfare of inmates incarcerated in state-operated correctional facilities. In accordance with s. 19(f)(2), Art. III of the State Constitution, the Trust Fund will be terminated on July 1, 2020, unless terminated sooner or renewed.

II. Present Situation:

Inmate Welfare Trust Funds for Public Correctional Facilities

From 1979 until 2003, s. 945.215, F.S., provided for a trust fund that allowed the department to use revenue from the purchase of inmate canteen items and from inmate telephone calls to fund chapels, education, and wellness programs at publically operated correctional facilities. The source of most the revenue was from family and friends of the inmate. Chapter 2003-179, Laws of Florida, eliminated the former trust fund for public correctional facilities and required the revenue from inmate canteens and telephone usage to go directly into the General Revenue Fund.

According to a January 15, 2015, Auditor General audit of the department's canteen operations (which are outsourced to Keefe Commissary Network, LLC), from July 2012 through February 2014 sales in department institution canteens totaled approximately \$133.31 million and catalog sales totaled \$868,474. In addition, the department received MP3 music program commissions from Keefe totaling \$940,412 relating to MP3 music program sales of approximately \$5.99 million. The department's contract with Keefe expired March 31, 2015.

Canteens operate on a cashless system. Inmates use photo identification cards like bank debit cards. Inmates may make purchases on a weekly basis not to exceed \$100.¹ MP3 sales and catalog items do not count toward the purchase limit.

The chart below shows the department’s revenue collections from funding sources for the Inmate Welfare Trust Fund before s. 945.215, F.S., was amended to direct those revenues to the General Revenue Fund:

REVENUE COLLECTION SUMMARY PREVIOUS INMATE WELFARE TRUST FUND SOURCES FY 2010-2011 – FY 2014-2015						
Description	Authorizing Statute	Fiscal Year 2010-2011	Fiscal Year 2011-2012	Fiscal Year 2012-2013	Fiscal Year 2013-2014	Fiscal Year 2014-2015
General Revenue Unallocated (GRU) Collections:						
Subsistence	s. 944.485 FS	6,748,740	7,712,150	8,035,040	8,092,206	5,768,529
Interest Income – ITF	s. 944.516(1)(f) FS	230,677	204,227	204,368	103,669	124,382
ITF Balances < \$1.00	s. 944.516(5) FS	1,194	1,219	1,197	1,211	1,217
Canteen Commissions ²	s. 945.215(1)(a) FS	31,162,387	30,970,697	30,907,621	31,027,325	34,237,290
Vending Commissions	s. 945.215(1)(e) FS	343,096	357,371	369,591	212,345	475,637
Telephone Commissions	s. 945.215(1)(b) FS	5,205,804	5,156,269	5,334,549	6,142,399	4,975,584
Medical Copay	s. 945.6037 FS	737,410	713,823	661,604	673,325	645,159
Inmate Bank - GR		\$44,429,308	\$45,115,756	\$45,513,970	\$46,252,480	\$46,227,797

Inmate Welfare Trust Fund for Privately Operated Institutions

An Inmate Welfare Trust Fund for private correctional facilities created in 1998 continues to operate.³ This trust fund is for the benefit and welfare of inmates incarcerated in private correctional facilities under contract with the Department of Management Services (DMS). Net proceeds from inmate canteens, vending machines used primarily by inmates, telephone commissions, and other similar sources of proceeds are deposited in the fund. The DMS compiles an annual report documenting the receipts and expenditures at each private facility. For Fiscal Year 2013-2014, the DMS reported total revenues of \$3,252,201.41. The total expenditures for vocational programs, canine detection training programs, and community service programs was \$1,014,038.88.

III. Effect of Proposed Changes:

The bill creates the State-Operated Institutions Inmate Welfare Trust Fund within the Department of Corrections. The language of the bill closely mirrors the language that was in s. 945.215, F.S., when the former trust fund was originally created. The purpose of the new Trust Fund is for the benefit and welfare of inmates incarcerated in state-operated correctional facilities. The new Trust Fund will terminate on July 1, 2020, unless terminated sooner.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

¹ Rule 33-203.101, F.A.C.

² Canteen commissions include MP3 music program sales.

³ Section 944.72, F.S.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to the Florida Department of Corrections, the bill will benefit the welfare of inmates incarcerated in State-Operated Correctional Institutions. The revenues deposited will be taken from operating inmate canteens (vending machines used primarily by inmates and visitors, hobby shops, and other such facilities).

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 944.73 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Evers

2-00108-16

2016930__

1 A bill to be entitled
2 An act relating to trust funds; creating s. 944.73,
3 F.S.; creating the State-Operated Institutions Inmate
4 Welfare Trust Fund within the Department of
5 Corrections; providing a purpose; providing for the
6 termination of the trust fund; providing a contingent
7 effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:

10
11 Section 1. Section 944.73, Florida Statutes, is created to
12 read:

13 944.73 State-Operated Institutions Inmate Welfare Trust
14 Fund.—

15 (1) The State-Operated Institutions Inmate Welfare Trust
16 Fund is created within the department. The purpose of the trust
17 fund is the benefit and welfare of inmates incarcerated in
18 state-operated correctional facilities.

19 (2) Moneys shall be deposited in and expenditures made from
20 the trust fund as provided in s. 945.215.

21 (3) In accordance with s. 19(f)(2), Art. III of the State
22 Constitution, the State-Operated Institutions Inmate Welfare
23 Trust Fund shall, unless terminated sooner, be terminated on
24 July 1, 2020. Before its scheduled termination, the trust fund
25 shall be reviewed as provided in s. 215.3206(1) and (2).

26 Section 2. This act shall take effect on the same date that
27 SB ___ or similar legislation takes effect, if such legislation
28 is enacted in the same legislative session or an extension
29 thereof and becomes law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: SB 932

INTRODUCER: Senator Evers

SUBJECT: Inmate Welfare and Employee Benefit Trust Funds

DATE: January 8, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sumner	Cannon	CJ	Pre-meeting
2.			ACJ	
3.			AP	

I. Summary:

SB 932 establishes the purpose, revenue sources, and uses for the State Operated Institutions Inmate Welfare Trust Fund (trust fund), contingent upon creation of the trust fund by passage of SB 930. The bill provides that the Department of Corrections (DOC) hold this trust fund for the benefit and welfare of inmates incarcerated in correctional facilities operated directly by the department. Deposits into the trust fund are limited to five million dollars in any fiscal year. Revenues in excess of five million dollars during a fiscal year will be deposited into the General Revenue Fund.

II. Present Situation:

Inmate Welfare Trust Fund and Revenue Received from Canteen Sales

For many years prior to 2003, a trust fund created in s. 945.215, F.S., allowed the department to use revenue from the purchase of inmate canteen items and inmate telephone calls to fund chapels, education, and wellness programs at publicly operated correctional facilities. The source of most of the revenue was family and friends of the inmates. Chapter 2003-179, Laws of Florida, eliminated the trust fund and required the revenue from inmate canteens, telephone usage, and other revenue generators to go directly into the General Revenue Fund. Although s. 945.215, F.S., was amended to eliminate the Inmate Welfare Trust Fund for state operated correctional facilities, the Inmate Welfare Trust Fund for privately operated facilities was maintained in the law. Consequently, under current law, revenue from the purchase of canteen items and from telephone usage in the department operated institutions is deposited into General Revenue and not earmarked for inmate welfare or betterment programs.

According to a January 15, 2015, Auditor General audit of the department's canteen operations, from July 2012 through February 2014 sales in department institution canteens totaled approximately \$133.31 million and catalog sales totaled \$868,474. The department received

MP3 program commissions from Keefe Commissary Network totaling \$940,412 from MP3 program sales totaling \$5.99 million.

The chart below shows the department’s revenue collections from funding sources for the Inmate Welfare Trust Fund before s. 945.215, F.S., was amended to direct those revenues to the General Revenue Fund:

REVENUE COLLECTION SUMMARY PREVIOUS INMATE WELFARE TRUST FUND SOURCES FY 2010-2011 – FY 2014-2015						
Description	Authorizing Statute	Fiscal Year 2010-2011	Fiscal Year 2011-2012	Fiscal Year 2012-2013	Fiscal Year 2013-2014	Fiscal Year 2014-2015
General Revenue Unallocated (GRU) Collections:						
Subsistence	s. 944.485 FS	6,748,740	7,712,150	8,035,040	8,092,206	5,768,529
Interest Income – ITF	s. 944.516(1)(f) FS	230,677	204,227	204,368	103,669	124,382
ITF Balances < \$1.00	s. 944.516(5) FS	1,194	1,219	1,197	1,211	1,217
Canteen Commissions ¹	s. 945.215(1)(a) FS	31,162,387	30,970,697	30,907,621	31,027,325	34,237,290
Vending Commissions	s. 945.215(1)(e) FS	343,096	357,371	369,591	212,345	475,637
Telephone Commissions	s. 945.215(1)(b) FS	5,205,804	5,156,269	5,334,549	6,142,399	4,975,584
Medical Copay	s. 945.6037 FS	737,410	713,823	661,604	673,325	645,159
Inmate Bank - GR		\$44,429,308	\$45,115,756	\$45,513,970	\$46,252,480	\$46,227,797

III. Effect of Proposed Changes:

The bill establishes the purpose, revenue sources, and uses for the State Operated Institutions Inmate Welfare Trust Fund (trust fund), contingent upon creation of the trust fund by passage of SB 930. The bill provides that the department hold this trust fund for the benefit and welfare of inmates incarcerated in correctional facilities operated directly by the department. Deposits into the trust fund are limited to five million dollars in any fiscal year. Revenues in excess of five million dollars during a fiscal year will be deposited into the General Revenue Fund.

The funds in the trust fund must be used exclusively for correctional facilities operated by the department to:

- Provide literacy programs, vocational training programs, and educational programs;
- Operate inmate chapels, faith-based programs, visiting pavilions, visiting services and programs, family services and programs, and libraries;
- Provide inmate substance abuse treatment programs and transition and life skills training programs;
- Provide for the purchase, rental, maintenance or repair of electronic or audio visual equipment used by inmates;
- Provide for the purchase, rental, maintenance or repair of recreation and wellness equipment; or
- Provide for the purchase, rental, maintenance, or repair of bicycles used by inmates traveling to and from employment in the work release program.

There is a specific prohibition against using the trust fund to purchase weight-training equipment. Funds in the trust fund may be expended only pursuant to legislative appropriation.

¹ Canteen commissions include MP3 music program sales.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Florida Department of Corrections states that the bill will assist in the reduction of recidivism and inmate violence by allowing the department to:

- Fund educational and vocational programs;
- Operate chapels and faith based programs;
- Provide visitation, substance abuse and transitional programs;
- Provide libraries; and
- Purchase, rent and repair wellness equipment, audio visual equipment, and bicycles used by the work release program.

VI. Technical Deficiencies:

The Florida Department of Corrections states that while the bill provides for maintenance or repair of equipment, it does not appear to authorize purchase of the service itself in areas where free broadcasts might not be available, or if the broadcasting industry does not support free service in the future. The DOC recommends changing lines 108-109 to read “To provide for the purchase, rental, maintenance or repair of electronic or audio visual equipment and service used by inmates.”

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 945.215 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



836554

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Criminal Justice (Evers) recommended the following:

Senate Amendment

Delete lines 108 - 109

and insert:

4. Providing for the purchase, rental, maintenance, or repair of electronic or audiovisual equipment and service used by inmates;

By Senator Evers

2-00375A-16

2016932__

1 A bill to be entitled
 2 An act relating to inmate welfare and employee benefit
 3 trust funds; amending s. 945.215, F.S.; requiring that
 4 specified proceeds and funds be deposited in the
 5 State-Operated Institutions Inmate Welfare Trust Fund
 6 or the General Revenue Fund, rather than only the
 7 General Revenue Fund; requiring that the State-
 8 Operated Institutions Inmate Welfare Trust Fund be a
 9 trust held by the Department of Corrections for the
 10 benefit and welfare of certain inmates; prohibiting
 11 deposits in the trust fund from exceeding a specified
 12 amount per fiscal year; requiring that deposits in
 13 excess of that amount be deposited in the General
 14 Revenue Fund; requiring that funds from the trust fund
 15 be used exclusively for specified purposes at
 16 correctional facilities operated by the department;
 17 requiring that funds from the trust fund be expended
 18 only pursuant to legislative appropriation; requiring
 19 the department to annually compile a report, at the
 20 statewide and institutional levels, documenting the
 21 trust fund's receipts and expenditures; requiring that
 22 the report be submitted by a certain date for the
 23 previous fiscal year to specified officers of the
 24 Legislature and to the Executive Office of the
 25 Governor; prohibiting the funds from the trust fund or
 26 any other fund from being used for the purchase of
 27 weight training equipment; providing an effective
 28 date.
 29

Page 1 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

2-00375A-16

2016932__

30 Be It Enacted by the Legislature of the State of Florida:

31
 32 Section 1. Subsection (1) of section 945.215, Florida
 33 Statutes, is amended, present subsections (2) and (3) are
 34 redesignated as subsections (3) and (4), respectively, and a new
 35 subsection (2) is added to that section, to read:

36 945.215 Inmate welfare and employee benefit trust funds.—

37 (1) INMATE PURCHASES; DEPARTMENT OF CORRECTIONS; STATE-
 38 OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND.—

39 (a) ~~From~~ The net proceeds from operating inmate canteens,
 40 vending machines used primarily by inmates and visitors, hobby
 41 shops, and other such facilities must be deposited in the State-
 42 Operated Institutions Inmate Welfare Trust Fund or, as set forth
 43 in this section, in the General Revenue Fund; however, funds
 44 necessary to purchase items for resale at inmate canteens and
 45 vending machines must be deposited into local bank accounts
 46 designated by the department.

47 (b) All proceeds from contracted telephone commissions must
 48 be deposited in the State-Operated Institutions Inmate Welfare
 49 Trust Fund or, as set forth in this section, in the General
 50 Revenue Fund. The department shall develop and update, as
 51 necessary, administrative procedures to verify that:

52 1. Contracted telephone companies accurately record and
 53 report all telephone calls made by inmates incarcerated in
 54 correctional facilities under the department's jurisdiction;

55 2. Persons who accept collect calls from inmates are
 56 charged the contracted rate; and

57 3. The department receives the contracted telephone
 58 commissions.

Page 2 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

2-00375A-16

2016932__

59 (c) Any funds that may be assigned by inmates or donated to
60 the department by the general public or an inmate service
61 organization must be deposited in the State-Operated
62 Institutions Inmate Welfare Trust Fund or, as set forth in this
63 section, in the General Revenue Fund; however, the department
64 ~~may shall~~ not accept any donation from, or on behalf of, any
65 individual inmate.

66 (d) All proceeds from the following sources must be
67 deposited in the State-Operated Institutions Inmate Welfare
68 Trust Fund or, as set forth in this section, in the General
69 Revenue Fund:

- 70 1. The confiscation and liquidation of any contraband found
- 71 upon, or in the possession of, any inmate;
- 72 2. Disciplinary fines imposed against inmates;
- 73 3. Forfeitures of inmate earnings; and
- 74 4. Unexpended balances in individual inmate trust fund
- 75 accounts of less than \$1.

76 (e) Items for resale at inmate canteens and vending
77 machines maintained at the correctional facilities shall be
78 priced comparatively with like items for retail sale at fair
79 market prices.

80 (f) Notwithstanding any other provision of law, inmates
81 with sufficient balances in their individual inmate bank trust
82 fund accounts, after all debts against the account are
83 satisfied, shall be allowed to request a weekly draw of up to an
84 amount set by the Secretary of Corrections, not to exceed \$100,
85 to be expended for personal use on canteen and vending machine
86 items.

87 (2) STATE-OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND.-

Page 3 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

2-00375A-16

2016932__

88 (a) The State-Operated Institutions Inmate Welfare Trust
89 Fund shall be a trust held by the department for the benefit and
90 welfare of inmates incarcerated in correctional facilities
91 operated directly by the department.

92 (b) Deposits in the State-Operated Institutions Inmate
93 Welfare Trust Fund may not exceed a total of \$5 million in any
94 fiscal year. Any proceeds or funds that would cause deposits in
95 the State-Operated Institutions Inmate Welfare Trust Fund to
96 exceed the restriction shall be deposited in the General Revenue
97 Fund.

98 (c) Funds in the State-Operated Institutions Inmate Welfare
99 Trust Fund shall be used exclusively for the following purposes
100 at correctional facilities operated by the department:

101 1. Providing literacy programs, vocational training
102 programs, and educational programs;

103 2. Operating inmate chapels, faith-based programs, visiting
104 pavilions, visiting services and programs, family services and
105 programs, and libraries;

106 3. Providing inmate substance abuse treatment programs and
107 transition and life skills training programs;

108 4. Providing for the purchase, rental, maintenance, or
109 repair of electronic or audiovisual equipment used by inmates;

110 5. Providing for the purchase, rental, maintenance, or
111 repair of recreation and wellness equipment; or

112 6. Providing for the purchase, rental, maintenance, or
113 repair of bicycles used by inmates traveling to and from
114 employment in the work-release program authorized in s.

115 945.091(1)(b).

116 (d) Funds in the State-Operated Institutions Inmate Welfare

Page 4 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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117 Trust Fund shall be expended only pursuant to legislative
118 appropriation.

119 (e) The department shall annually compile a report that
120 specifically documents the State-Operated Institutions Inmate
121 Welfare Trust Fund receipts and expenditures. This report shall
122 be compiled at both the statewide and institutional levels. The
123 department must submit this report for the previous fiscal year
124 by September 1 of each year to the chairs of the appropriate
125 substantive and fiscal committees of the Senate and the House of
126 Representatives and to the Executive Office of the Governor.

127 (f) Funds in the State-Operated Institutions Inmate Welfare
128 Trust Fund or any other fund may not be used to purchase weight
129 training equipment.

130 Section 2. This act shall take effect July 1, 2016.

The High Costs of Incarceration in Florida and Recommendations for Reform

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Director of Criminal Justice Reform

Reason Foundation



Reason

Reason Foundation
Policy Study No. 444
April 2015

The High Cost of Incarceration in Florida: Recommendations for Reform

by Lauren Galik

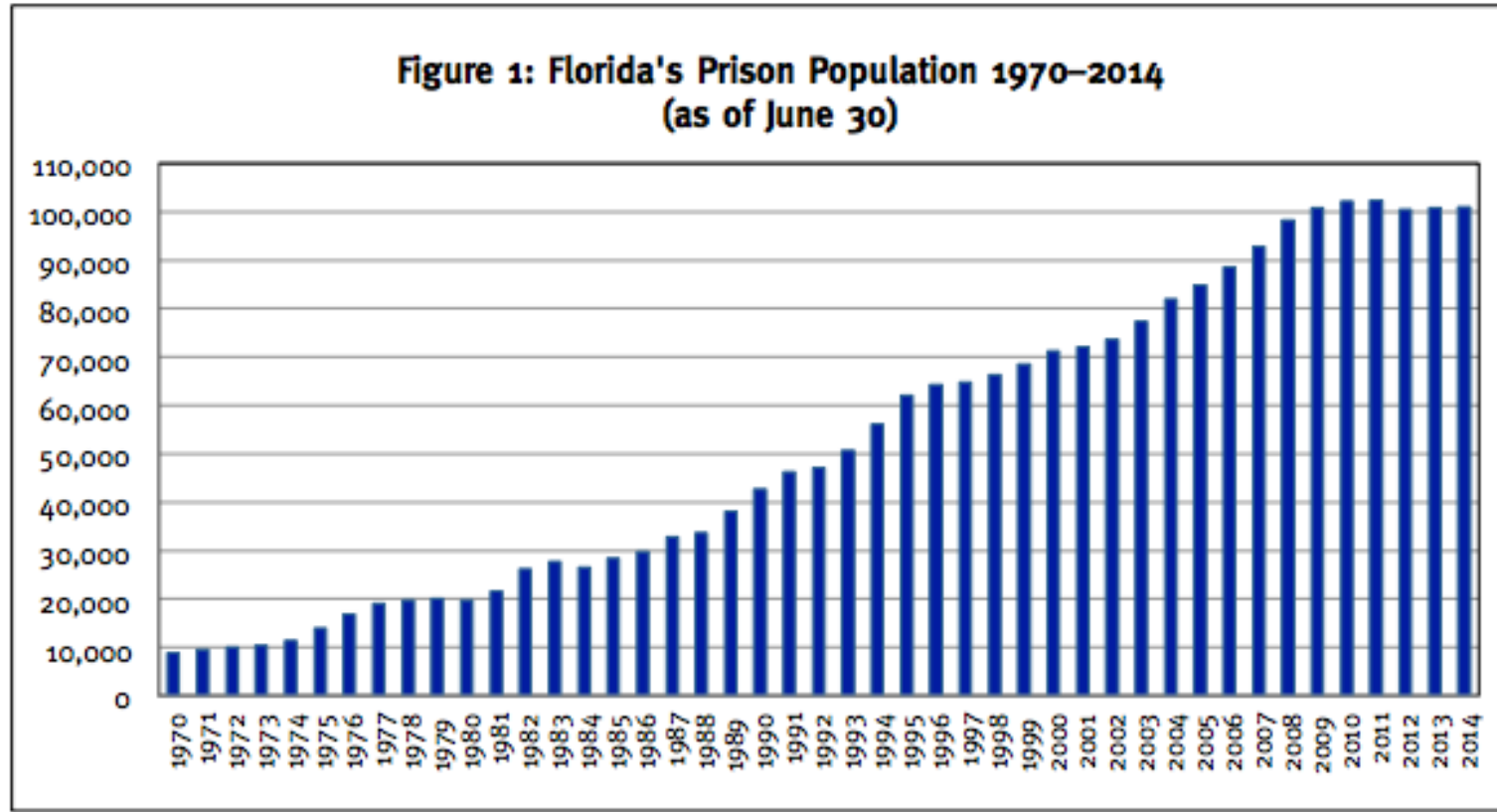


Overview: Important points

- History
- Focus for today: Laws that result in disproportionately long sentences for Nonviolent offenders
 - Drug trafficking statutes (oxycodone and hydrocodone)
 - Reform (2014) and impact today: SB 140
 - Restrictions on Incentive Gain-time: 85% rule
 - Other mandatory sentencing laws/enhancements

Prison population increase

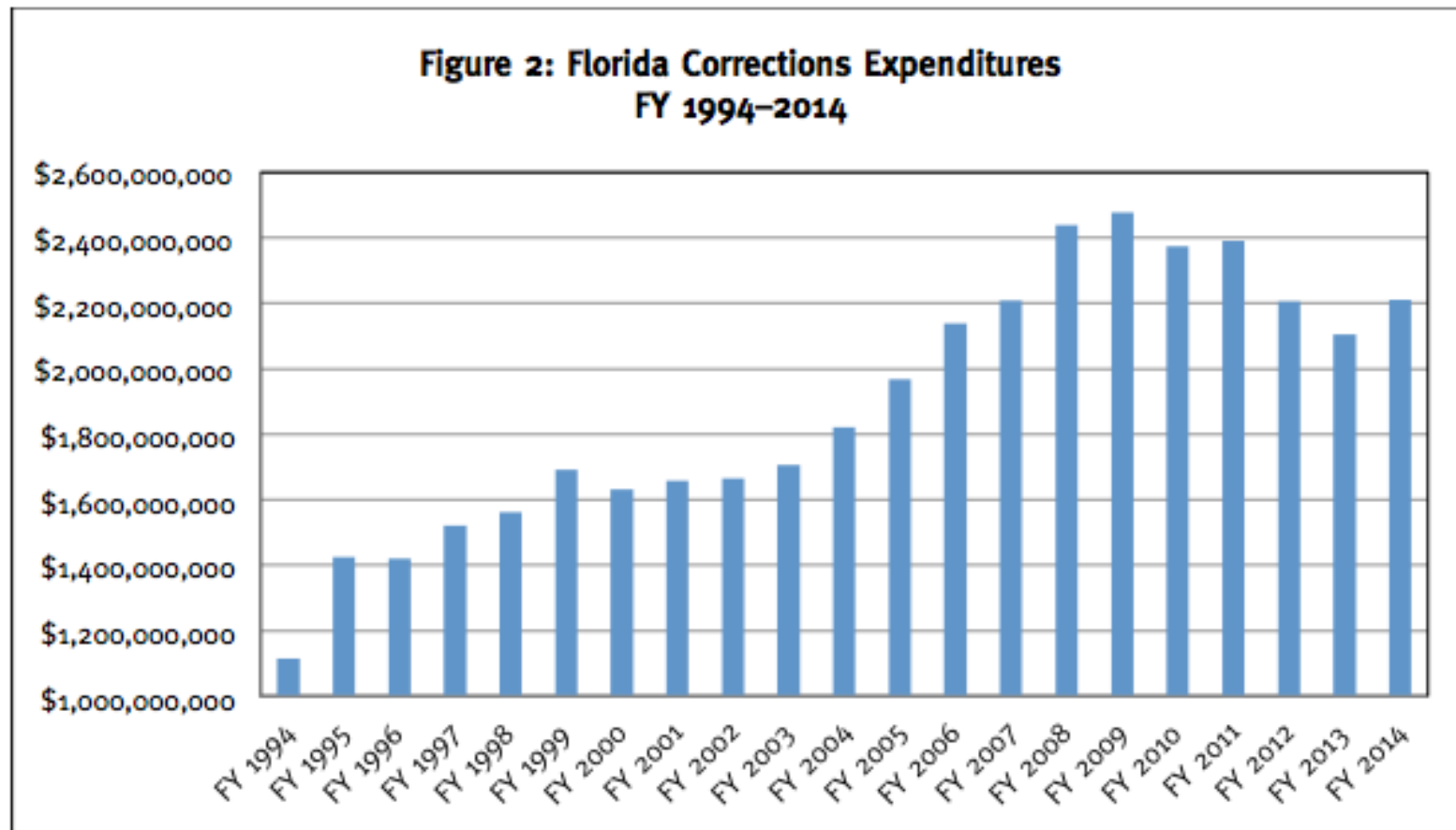
- 1970: 8,793 inmates (0.13% total FL population)
- 2014: 100,942 inmates (0.51% total FL population)



Source: Florida Department of Corrections

Corrections Expenditures Increase

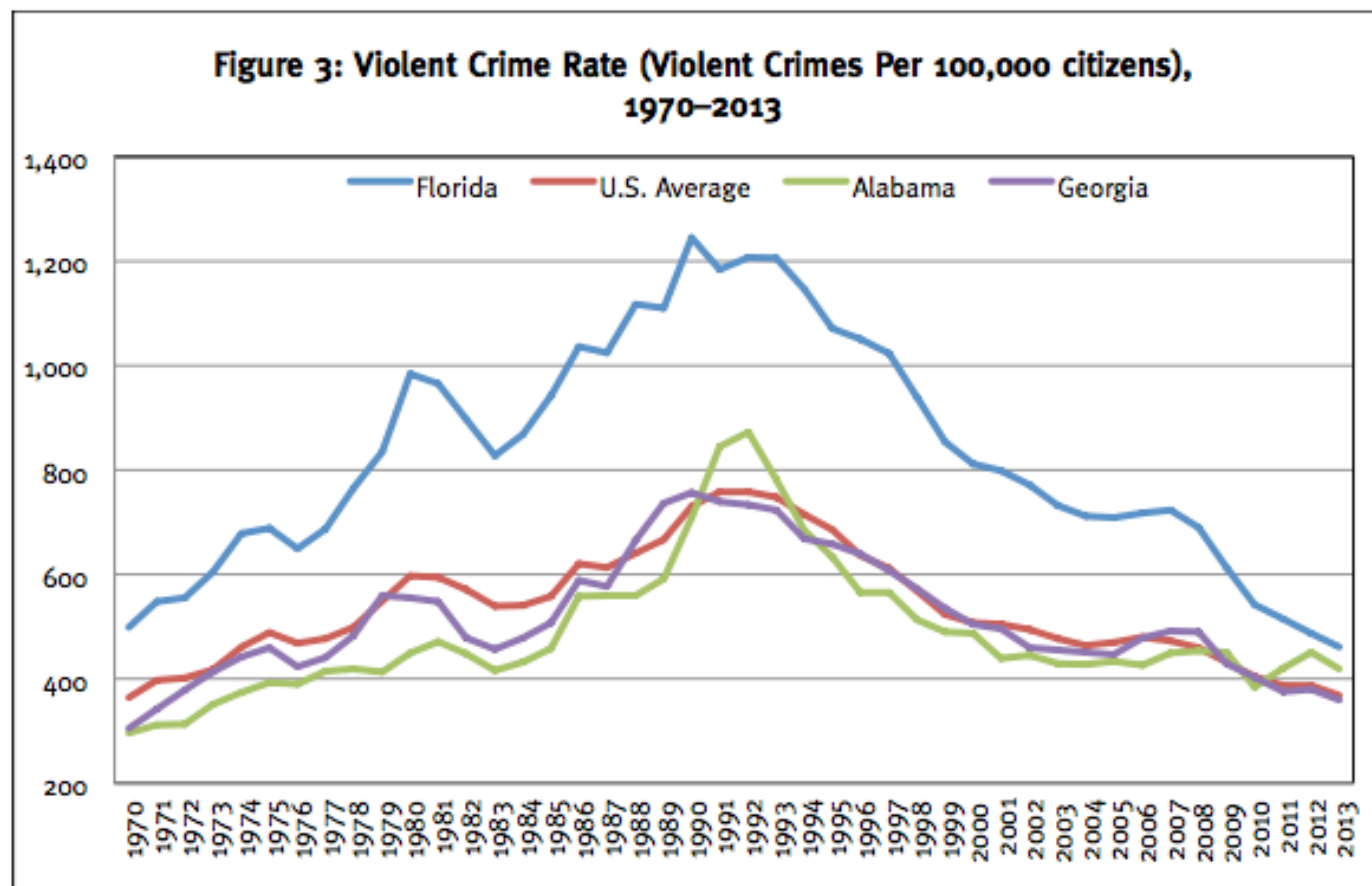
- Increased by 98% between 1994-2014 (\$1.1 billion to \$2.2 billion)
- Privatization= driver of decrease from mid 2000's to 2014



Source: Florida Department of Corrections

Violent crime rate higher than average

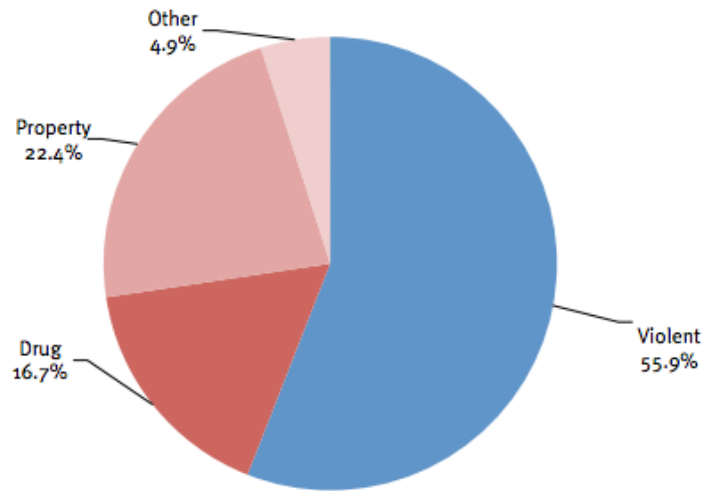
- Despite an increased prison population, FL has higher violent crime rates than all of its neighboring states and U.S. average (though decrease from mid-1990's consistent with national decline)



Source: Uniform Crime Reporting Statistics, FBI

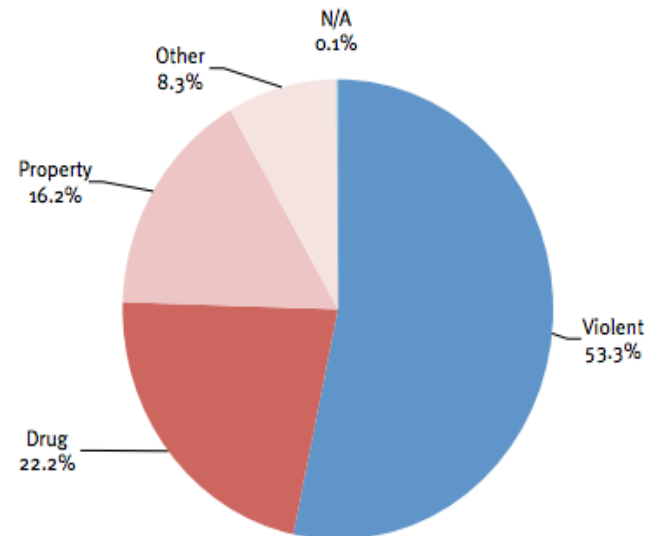
% of violent inmates lower today than in previous decades

Figure 4: Florida Inmates by Primary Offense Type (as of June 30, 1999)



Source: Florida Department of Corrections

Figure 5: Florida Inmates by Primary Offense Type (as of June 30, 2014)



Source: Florida Department of Corrections

Florida's Model of Incarceration is Unsustainable

- Need to focus on how to reduce costs, preserve public safety, and improve correctional outcomes.

Laws that have increased # of nonviolent offenders

- Drug trafficking statutes, pre- and post-2014 SB360 Reforms
- Truth-in-Sentencing for All Inmates
- Drug Free Zone Sentencing Enhancements

Drug Trafficking Statutes Pre-2014

Table 2: Mandatory Minimum Penalties for Trafficking Hydrocodone and Oxycodone Prior to SB 360 (2014) Reforms

Drug	3 years, \$50k fine	15 years, \$500k fine	25 Years, \$750k fine	Life
Hydrocodone*	4 grams (8 pills)	14 grams (27 pills)	28 grams (54 pills)	30+ kilograms (57,837 pills)
Oxycodone**	4 grams (8 pills)	14 grams (28 pills)	28 grams (56 pills)	30+ kilograms (59,702 pills)

* Hydrocodone pill estimate derived from weight of 5mg Norco pill;

** Oxycodone pill estimate derived from weight of 5mg Percocet pill

SB 360 Reforms

- Threshold raised and sentences changed:
 - Intended to correct discrepancy between weights of hydrocodone and oxycodone pills.
- However, discrepancy still exists, and the amount necessary to trigger drug trafficking charges is still very low in many cases.

Table 3: Mandatory Minimum Penalties for Trafficking Hydrocodone and Oxycodone After SB 360 (2014) Reforms

Drug	3 years, \$50k fine	7 years, \$100k fine	15 years, \$500k fine	25 Years, \$750k fine	Life
Hydrocodone*	14 grams (27 pills)	28 grams (54 pills)	50 grams (97 pills)	200 grams (386 pills)	30+ kilograms (57,837 pills)
Oxycodone**	7 grams (14 pills)	14 grams (28 pills)	25 grams (50 pills)	100 grams (199 pills)	30+ kilograms (59,702 pills)

* Hydrocodone pill estimate derived from weight of 5mg Norco pill;

** Oxycodone pill estimate derived from weight of 5mg Percocet pill

Misinformation RE: Pill Weights Drove Reforms

- Different types, brands of pills have various weights
- Pills with less hydrocodone and oxycodone actually weigh more

Exhibit 6

Fewer Hydrocodone than Oxycodone Pills Are Needed to Meet Trafficking Weight Thresholds

Prescription Drug	Pill Weight	Number of Pills to Meet Weight Threshold		
		4 grams	14 grams	28 grams
Hydrocodone, 10 mg	0.65 grams	7	22	44
Oxycodone, 30 mg	0.13 grams	31	108	215

Source: OPPAGA analysis of information in arrest reports contained in court case files.

Pills vary widely by type and weight

- 5mg Norco pill (hydrocodone)= 0.5187 grams
- 5mg Percocet pill (oxycodone)= 0.5025 grams
- 10mg Norco pill (more hydrocodone)= 0.4194 grams
- 10mg Percocet pill (more oxycodone)= 0.5000 grams
- Other types of pills vary by weight due to filler in pill (e.g. acetaminophen), actual amount of oxycodone/hydrocodone in pill, casing of the pill, etc.
- No two types/brands of pills are alike or weigh the exact same.
- Reforms should be guided with this borne in mind.

2014 Law Not Applicable to All Inmates

- Inmates sentenced before July 1, 2014 must continue to serve full sentences.
- Not eligible to petition a court for resentencing
- We estimate between 1,200 and 1,400 inmates would be eligible for re-sentencing if law was changed (forthcoming policy brief with JMI)
 - Inmates with no incarceration history or nonviolent only; no other current violent charges
 - List # of elderly inmates applicable here
 - Federal government has instituted safety measures in determining federal inmate resentencing applicability

Other Reform Opportunities: Drug Trafficking Statutes

- Significantly raise threshold necessary to trigger trafficking charges for oxycodone and hydrocodone, in line with quantities of other drugs.
- “Safety valve” that allows judges to depart below mandatory minimums when he/she deems it to be appropriate and in the best interest of public safety.
- Allow inmates sentenced pre-2014 to petition a court for resentencing, put stipulations in place (no violent history, good prison behavior, etc.)

Truth-In-Sentencing (85% Rule) For All Inmates

- Enacted with good intentions, this law has resulted in much longer prison sentences for all inmates, most notably nonviolent offenders.
- While it has been tough-on-crime, data shows it has not necessarily been smart-on-crime, or used tax payer dollars efficiently.
- High costs and low returns

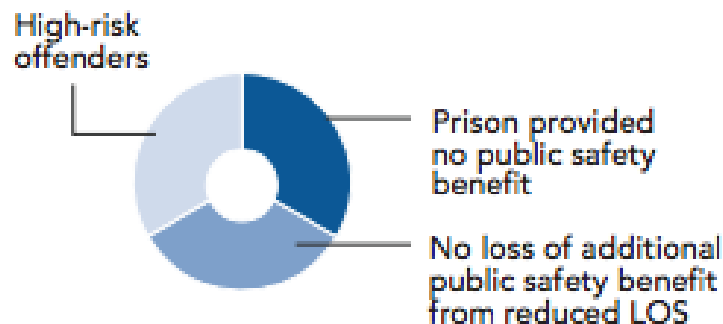
85% Rule for Nonviolent Offenders: Has not benefitted public safety

- Pew Center on the States, 2012:

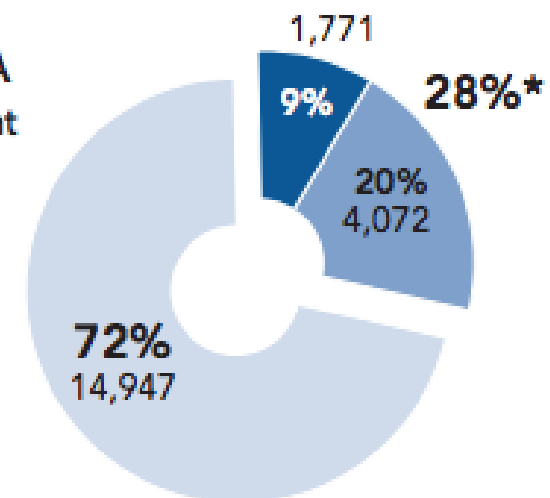
Figure 8

Thousands Could Serve Less Time

In three states, a large percentage of non-violent offenders experienced no incapacitation or deterrent effect from imprisonment. Many other offenders experienced some positive effect at the beginning of their prison terms but reached a point when additional LOS provided no future incapacitation or deterrent effect.



FLORIDA
Non-violent
release
cohort
20,790



*Detail does not add to total because percentages are rounded.

SOURCE: Pew Center on the States, 2012.

Pew Center on the States Risk Assessment

Table 6

Impact of Risk Analysis on Average Time Served, Average Daily Population

	Maryland					Michigan					Florida				
	Number identified	Average LOS		Reduced ADP	Percentage rearrested	Number identified	Average LOS		Reduced ADP	Percentage rearrested	Number identified	Average LOS		Reduced ADP	Percentage rearrested
Current	New	Current	New			Current	New	Current			New				
24 months	48	77.8	53.8	96	4.2%	363	94.8	70.8	726	20.1%	224	129.3	105.3	448	21.4%
18 months	74	52.6	34.6	111	2.7%	709	40.6	22.6	1,064	16.9%	85	61.7	43.7	128	23.5%
12 months	144	33.6	21.6	144	6.9%	882	33.4	21.4	882	10.8%	264	45.1	33.1	264	22.0%
9 months	273	21.6	12.6	205	10.3%	456	20.1	11.1	342	8.3%	654	28.0	19.0	491	15.6%
6 months	371	11.6	5.6	186	10.5%	402	16.4	10.4	201	5.2%	2,022	17.1	11.1	1,011	11.3%
3 months	106	7.3	4.3	27	2.8%	234	9.8	6.8	59	3.8%	1,112	10.6	7.6	278	4.6%
2 months	6	2.5	0.0	1	0.0%	31	2.6	0.0	7	0.0%	63	2.5	0.0	13	6.3%
1 month	6	1.5	0.0	1	0.0%	1	2.0	0.0	0	0.0%	48	1.5	0.0	6	0.0%
< 1 month	8	0.6	0.0	0	0.0%	2	0.0	0.0	0	0.0%	72	0.2	0.0	1	2.8%
Total	1,036			770	8.1%	3,080			3,280	9.3%	4,544			2,640	11.3%

NOTES: Table 6 shows, for each group of offenders that the model identifies for release before their original parole dates, their current LOS, their average LOS after the model's proposed reduction, and how these changes would impact the Average Daily Population (ADP) of the prison system. As suggested by the model, 371 non-violent offenders in Maryland could have been released six months before their original parole dates, reducing their average LOS from 11.6 to 5.6 months. Because these offenders would have served six months less time, they would have reduced the ADP by half a year each, for a total change of 186 bed-years. The final column of Table 6 shows what percentage of these offenders would be rearrested within the period before their original release date.

SOURCE: Pew Center on the States, 2012.

Reform Could Bring Significant Savings

- If Pew's Risk Assessment Model had been applied to nonviolent offenders released in 2004, and had those inmates been released earlier, the state could have saved **\$54 million**. Their earlier release would not have negatively impacted public safety.

Potential Reforms

- Eliminate 85% rule, at the very least for inmates convicted of nonviolent offenses
- Offer increased amounts of incentivized gain-time for certain inmates
 - Will incentivize inmates to enroll in rehabilitative programming
 - Potentially reduce recidivism rate
 - Reduce costs to DOC
 - Will not negatively impact public safety

Drug Free Zones

- Enhanced 3 year penalty for certain drug offenses if offense committed within 1,000 ft of certain structures such as:
 - Public housing facility
 - Public park
 - Public school
 - “Convenience business” – gas station, etc.
 - Recreation centers
 - Child care facility
 - Church or facility used by religious organization

Drug Free Zones

- Problems:
 - Disproportionately present in urban areas
 - Not tied to a reduction in public safety
 - Not an effective deterrent
 - Other statutes already cover necessary crimes (selling drugs to children, etc.)

Drug Free Zones

- It is possible to eliminate enhanced penalties without harming public safety
- Reform would result in more proportionate sentences

Proposals to Consider for a Committee Bill Relating to Sentencing

Policy Direction: Divert nonviolent offenders from prison, reduce prison terms and length of stay, and increase judicial discretion

Proposal	Content	Statute to be Amended	Summary of Proposal and Available Research on Other States	Fiscal Impact and/or Bed Space Impact As Preliminarily Estimated by EDR
1a	Divert from Prison Certain Defendants Convicted of Simple Possession of Drugs	Section 775.082, F.S. – Penalties	Diverts from prison offenders convicted of simple possession of a controlled substance. If sentencing points are 60 or fewer, the court must sentence the offender to a nonstate prison sanction unless the court makes written findings that a nonstate prison sanction could present a danger to the public.	EDR Proposed Estimate: Bed Impact In FY 14-15 DOC reports that there were approximately 1,980 inmates sentenced to prison for a drug possession primary offense with points greater than 22 and equal to or less than 60. If 50% were diverted (990) from prison over the next five years there would be the cumulative cost avoidance of approximately \$61 million in operating costs.
1b	Amend Mandatory Minimum Sentencing Laws to Allow for the Sentencing Court to Depart if Certain Criteria are Met	Same	Permits a defendant to request that the sentencing court depart from a mandatory term of imprisonment. The state attorney may file an objection to the motion. The court may grant the motion to depart if the court finds by a preponderance of the evidence that: <ul style="list-style-type: none"> • The defendant has not previously received a departure and does not have a previous conviction for the same offense; and • The offense is not a forcible felony, does not involve physical injury, and does not involve a victim who is a minor. <p>This departure mechanism is excluded for designated repeat, habitual, and career criminals.</p> <p>The mandatory minimum departure provision of the bill bears some similarity to recent legislation passed by the Oklahoma Legislature. HB 1528 (“Justice Safety Valve Act”), 55th Leg., 1st Reg. Sess. The Oklahoma legislation allows a court to depart from many nonviolent offenses if the court finds that certain criteria are met.</p>	EDR Proposed Estimate: Negative Indeterminate Insufficient data is available to determine what type of sentence offenders with various mandatory minimums might receive once the court is no longer required to impose a mandatory term.
2	Increase the Minimum Monetary Value for Prosecution for Theft	Section 812.014, F.S. – Theft	Increases threshold property value for first degree petit theft from \$100 to \$600 and increases threshold property values for third degree grand theft from \$300 to \$1000. Permits a law enforcement officer to issue a notice to appear in lieu of arresting the offender when a person has committed retail theft and the value of the merchandise stolen is less than \$1000.	EDR Proposed Estimate: Negative Significant In FY 14-15, DOC reports that there were approximately 1,400 offenders sentenced to prison for third degree felony grand theft with an average sentence length of approximately 24 months. There is no data on the value of the property stolen.

Proposal	Content	Statute to be Amended	Summary of Proposal and Available Research on Other States	Fiscal Impact and/or Bed Space Impact As Preliminarily Estimated by EDR
			<p>Permits a state attorney to establish a retail theft diversion program.</p> <p>NCSL states that the majority of states (30 states) and the District of Columbia set a property value threshold for felony grand theft at \$1,000 or greater.</p>	
3	Increase the Minimum Monetary Value for Prosecution for Retail Theft	Section 812.015, F.S. – Retail and Farm theft	Increases the threshold property value for third degree felony retail theft from \$300 to \$1,000.	<p>EDR Proposed Estimate: Negative Indeterminate</p> <p>In FY 14-15, DOC reports that there were approximately 75 offenders sentenced to prison for third degree felony retail theft with an average sentence length of approximately 28 months. There is no data on the value of the property stolen.</p>
4	Decriminalize Minor Amounts of Marijuana	Section 893.13, F.S. – Prohibited acts	<p>Makes possession of minor amounts of marijuana (20 grams or less) a noncriminal infraction punishable by a fine and community service, and increases the amount of marijuana necessary to constitute a felony to 2 ounces.</p> <p>According to NCSL, twenty states and the District of Columbia have decriminalized small amounts of marijuana. This generally means certain small, personal-consumption amounts are a civil or local infraction, not a state crime (or are a lowest misdemeanor with no possibility of jail time).</p> <p>Decriminalization states are Alaska (also now with legal provisions), California, Colorado (also now with legal provisions), Connecticut, Delaware (enacted in 2015), Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New York, North Carolina, Ohio, Oregon, Rhode Island, Vermont, Washington (also now with legal provisions), and the District of Columbia (also now with legal provisions).</p> <p>Of those, six—Minnesota, Missouri, Nevada, North Carolina, Ohio, and Oregon—have it as a low-level misdemeanor, with no possibility of jail for qualifying offenses. Other states have specified small amounts of marijuana as a civil infraction, or the like.</p>	<p>EDR Proposed Estimate: Negative Insignificant</p> <p>In FY 14-15, DOC reports there were approximately 65 inmates sentenced to prison for possessing over 20 grams of marijuana with a mean sentence length of 23 months. The number of offenders possessing more than 20 grams and less than two ounces cannot be differentiated from those possessing 2 or more ounces.</p>

Proposal	Content	Statute to be Amended	Summary of Proposal and Available Research on Other States	Fiscal Impact and/or Bed Space Impact As Preliminarily Estimated by EDR
5	Create a Sentencing Commission to Advise the Governor and Legislature on Offense Severity Rankings	Section 921.00215, F.S. – Sentencing Commission	<p>Directs the Supreme Court to <i>reestablish</i> a Sentencing Commission composed of 17 members appointed by the Governor, the Senate, the House of Representatives, and the Chief Justice. The Office of the State Courts Administrator shall act as staff. The Commission is modeled after a commission that functioned in Florida from 1982 to 1997. The Commission is charged with reviewing the placement of offenses in the offense severity ranking chart and making recommendations to either lower or elevate the rankings.</p> <p>According to the National Association of Sentencing Commissions, there are at least 21 states with active sentencing commissions.</p>	The fiscal impact and FTEs needed for additional responsibilities in the Supreme Court is unknown at this time.
6	Allow Nonstate Prison Sanctions for Nonviolent Second Degree Felonies	Section 921.00241, F.S. – Prison diversion program	Permits nonstate prison sanctions for certain nonviolent second degree felonies under the current prison diversion program. This would give the courts discretion to determine on an individual basis whether a defendant is amenable to a sentence other than prison. Nonviolent second degree crimes include: dealing in stolen property, sale of small amounts of drugs, etc. Since the guidelines points are relatively low, this would exclude anyone with a substantial criminal history. The statute also excludes anyone with a prior violent felony.	<p>EDR Proposed Estimate: Bed Impact</p> <p>In FY 14-15, DOC reports there were approximately 2,500 inmates sentenced to prison for 2nd degree non-forceful felonies with points equal to or less than 48 or equal to or less than 54. If 50% (1,250) were diverted from prison over the next five years it would result in the cumulative cost avoidance of approximately \$90 million in operating costs.</p>
7	Restore the Addiction Mitigator and Add a New Mitigator for Nonviolent Felonies	Section 921.0026, F.S. – Mitigating circumstances	<p>Makes two changes to the list of mitigating factors in the statutes:</p> <ul style="list-style-type: none"> Restores a mitigation which was removed several years earlier which would allow a judge to reduce a sentence based upon a defendant requiring specialized treatment for addiction; and Allows a judge to reduce a sentence when the defendant’s offense is a nonviolent felony and the total sentencing points are 60 points or fewer. 	<p>EDR Proposed Estimate: Negative Indeterminate</p> <p>Sufficient statewide data does not exist to determine which offenders entering prison might require specialized treatment for addiction.</p>
8	Require the Judge to Place Certain Nonviolent Felony Offenders into Drug Treatment Programs and Drug Offender Probation	Section 948.01, F.S. – When court may place defendant on probation or into community control	<p>Under current law the court may place a defendant into a postadjudicatory treatment based drug court program. Proposed legislation could require the court to place certain defendants into the drug court program or residential drug treatment or drug offender probation if:</p> <ul style="list-style-type: none"> The total sentence points are 60 points or fewer; The offense is a nonviolent third degree felony; The defendant is amenable to and requests substance abuse treatment; and The defendant’s criminal behavior is related to substance abuse or addiction. 	<p>EDR Proposed Estimate: Negative Indeterminate</p> <p>Sufficient statewide data does not exist to determine which offenders entering prison might be amenable to or request treatment or whether the defendant’s criminal behavior is related to addiction.</p>

Proposal	Content	Statute to be Amended	Summary of Proposal and Available Research on Other States	Fiscal Impact and/or Bed Space Impact As Preliminarily Estimated by EDR
9	Expand Earned-Time Opportunities by Allowing Nonviolent Offenders to Serve Less than 85%	Section 921.002, F.S. – The Criminal Punishment Code and Section 944.275, F.S. - Gain-time	<p>Under current law <i>all</i> inmates sentenced for an offense committed on or after October 1, 1995, must serve at least 85% of their court imposed sentence. Proposed legislation could maintain the “85% rule” for violent offenders only, but allow nonviolent offenders to reduce their time served to no less than 65%.</p> <p>Federal “truth-in-sentencing” grant awards to states in the 1990s required <i>violent</i> offenders to serve “not less than 85%.” In 1995 the Florida Legislature amended the law to prospectively require <i>all</i> inmates serve a minimum of 85%. As a result, the average length of stay has risen to 38 months compared to the national average of 30 months.</p> <p>According to the PEW Center on the States, several states (Kansas, Colorado, and South Carolina) have recently created new opportunities for offenders to earn reductions in their time served in prison.</p> <p>NCSL reports that Colorado, Kentucky, Mississippi, New Mexico, South Carolina, South Dakota and Washington expressly allow certain nonviolent offenders to receive gain-time which permits nonviolent offenders to serve less than 85% of their sentence.</p>	<p>EDR Proposed Estimate: Bed Impact</p> <p>If nonviolent offenders are allowed to serve no less than 65% of their court imposed sentence the inmate population is projected to decline by up to 7,775 over the next 5 years resulting in a cost avoidance of up to \$419 million in annual operating costs. The exact cost avoidance will be determined by the extent to which offenders earn the maximum gain-time allowable.</p>

775.082 Penalties; applicability of sentencing structures; mandatory minimum sentences for certain reoffenders previously released from prison.—

(1)(a) Except as provided in paragraph (b), a person who has been convicted of a capital felony shall be punished by death if the proceeding held to determine sentence according to the procedure set forth in s. 921.141 results in findings by the court that such person shall be punished by death, otherwise such person shall be punished by life imprisonment and shall be ineligible for parole.

(b)1. A person who actually killed, intended to kill, or attempted to kill the victim and who is convicted under s. 782.04 of a capital felony, or an offense that was reclassified as a capital felony, which was committed before the person attained 18 years of age shall be punished by a term of imprisonment for life if, after a sentencing hearing conducted by the court in accordance with s. 921.1401, the court finds that life imprisonment is an appropriate sentence. If the court finds that life imprisonment is not an appropriate sentence, such person shall be punished by a term of imprisonment of at least 40 years. A person sentenced pursuant to this subparagraph is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(a).

2. A person who did not actually kill, intend to kill, or attempt to kill the victim and who is convicted under s. 782.04 of a capital felony, or an offense that was reclassified as a capital felony, which was committed before the person attained 18 years of age may be punished by a term of imprisonment for life or by a term of years equal to life if, after a sentencing hearing conducted by the court in accordance with s. 921.1401, the court finds that life imprisonment is an appropriate sentence. A person who is sentenced to a term of imprisonment of more than 15 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(c).

3. The court shall make a written finding as to whether a person is eligible for a sentence review hearing under s. 921.1402(2)(a) or (c). Such a finding shall be based upon whether the person actually killed, intended to kill, or attempted to kill the victim. The court may find that multiple defendants killed, intended to kill, or attempted to kill the victim.

(2) In the event the death penalty in a capital felony is held to be unconstitutional by the Florida Supreme Court or the United States Supreme Court, the court having jurisdiction over a person previously sentenced to death for a capital felony shall cause such person to be brought before the court, and the court shall sentence such person to life imprisonment as provided in subsection (1). No sentence of death shall be reduced as a result of a determination that a method of execution is held to be unconstitutional under the State Constitution or the Constitution of the United States.

(3) A person who has been convicted of any other designated felony may be punished as follows:

(a)1. For a life felony committed before October 1, 1983, by a term of imprisonment for life or for a term of at least 30 years.

2. For a life felony committed on or after October 1, 1983, by a term of imprisonment for life or by a term of imprisonment not exceeding 40 years.

3. Except as provided in subparagraph 4., for a life felony committed on or after July 1, 1995, by a term of imprisonment for life or by imprisonment for a term of years not exceeding life imprisonment.

4.a. Except as provided in sub-subparagraph b., for a life felony committed on or after September 1, 2005, which is a violation of s. 800.04(5)(b), by:

(1) A term of imprisonment for life; or

(II) A split sentence that is a term of at least 25 years' imprisonment and not exceeding life imprisonment, followed by probation or community control for the remainder of the person's natural life, as provided in s. 948.012(4).

b. For a life felony committed on or after July 1, 2008, which is a person's second or subsequent violation of s. 800.04(5)(b), by a term of imprisonment for life.

5. Notwithstanding subparagraphs 1.-4., a person who is convicted under s. 782.04 of an offense that was reclassified as a life felony which was committed before the person attained 18 years of age may be punished by a term of imprisonment for life or by a term of years equal to life imprisonment if the judge conducts a sentencing hearing in accordance with s. 921.1401 and finds that life imprisonment or a term of years equal to life imprisonment is an appropriate sentence.

a. A person who actually killed, intended to kill, or attempted to kill the victim and is sentenced to a term of imprisonment of more than 25 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(b).

b. A person who did not actually kill, intend to kill, or attempt to kill the victim and is sentenced to a term of imprisonment of more than 15 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(c).

c. The court shall make a written finding as to whether a person is eligible for a sentence review hearing under s. 921.1402(2)(b) or (c). Such a finding shall be based upon whether the person actually killed, intended to kill, or attempted to kill the victim. The court may find that multiple defendants killed, intended to kill, or attempted to kill the victim.

6. For a life felony committed on or after October 1, 2014, which is a violation of s. 787.06(3)(g), by a term of imprisonment for life.

(b)1. For a felony of the first degree, by a term of imprisonment not exceeding 30 years or, when specifically provided by statute, by imprisonment for a term of years not exceeding life imprisonment.

2. Notwithstanding subparagraph 1., a person convicted under s. 782.04 of a first degree felony punishable by a term of years not exceeding life imprisonment, or an offense that was reclassified as a first degree felony punishable by a term of years not exceeding life, which was committed before the person attained 18 years of age may be punished by a term of years equal to life imprisonment if the judge conducts a sentencing hearing in accordance with s. 921.1401 and finds that a term of years equal to life imprisonment is an appropriate sentence.

a. A person who actually killed, intended to kill, or attempted to kill the victim and is sentenced to a term of imprisonment of more than 25 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(b).

b. A person who did not actually kill, intend to kill, or attempt to kill the victim and is sentenced to a term of imprisonment of more than 15 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(c).

c. The court shall make a written finding as to whether a person is eligible for a sentence review hearing under s. 921.1402(2)(b) or (c). Such a finding shall be based upon whether the person actually killed, intended to kill, or attempted to kill the victim. The court may find that multiple defendants killed, intended to kill, or attempted to kill the victim.

(c) Notwithstanding paragraphs (a) and (b), a person convicted of an offense that is not included in s. 782.04 but that is an offense that is a life felony or is punishable by a term of imprisonment for life or by a term of years not exceeding life imprisonment, or an offense that was reclassified as a life felony or an offense punishable by a term of imprisonment for life or by

a term of years not exceeding life imprisonment, which was committed before the person attained 18 years of age may be punished by a term of imprisonment for life or a term of years equal to life imprisonment if the judge conducts a sentencing hearing in accordance with s. 921.1401 and finds that life imprisonment or a term of years equal to life imprisonment is an appropriate sentence. A person who is sentenced to a term of imprisonment of more than 20 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(d).

(d) For a felony of the second degree, by a term of imprisonment not exceeding 15 years.

(e) For a felony of the third degree, by a term of imprisonment not exceeding 5 years.

(4) A person who has been convicted of a designated misdemeanor may be sentenced as follows:

(a) For a misdemeanor of the first degree, by a definite term of imprisonment not exceeding 1 year;

(b) For a misdemeanor of the second degree, by a definite term of imprisonment not exceeding 60 days.

(5) Any person who has been convicted of a noncriminal violation may not be sentenced to a term of imprisonment nor to any other punishment more severe than a fine, forfeiture, or other civil penalty, except as provided in chapter 316 or by ordinance of any city or county.

(6) Nothing in this section shall be construed to alter the operation of any statute of this state authorizing a trial court, in its discretion, to impose a sentence of imprisonment for an indeterminate period within minimum and maximum limits as provided by law, except as provided in subsection (1).

(7) This section does not deprive the court of any authority conferred by law to decree a forfeiture of property, suspend or cancel a license, remove a person from office, or impose any other civil penalty. Such a judgment or order may be included in the sentence.

(8)(a) The sentencing guidelines that were effective October 1, 1983, and any revisions thereto, apply to all felonies, except capital felonies, committed on or after October 1, 1983, and before January 1, 1994, and to all felonies, except capital felonies and life felonies, committed before October 1, 1983, when the defendant affirmatively selects to be sentenced pursuant to such provisions.

(b) The 1994 sentencing guidelines, that were effective January 1, 1994, and any revisions thereto, apply to all felonies, except capital felonies, committed on or after January 1, 1994, and before October 1, 1995.

(c) The 1995 sentencing guidelines that were effective October 1, 1995, and any revisions thereto, apply to all felonies, except capital felonies, committed on or after October 1, 1995, and before October 1, 1998.

(d) The Criminal Punishment Code applies to all felonies, except capital felonies, committed on or after October 1, 1998. Any revision to the Criminal Punishment Code applies to sentencing for all felonies, except capital felonies, committed on or after the effective date of the revision.

(e) Felonies, except capital felonies, with continuing dates of enterprise shall be sentenced under the sentencing guidelines or the Criminal Punishment Code in effect on the beginning date of the criminal activity.

(9)(a)1. "Prison releasee reoffender" means any defendant who commits, or attempts to commit:

a. Treason;

b. Murder;

c. Manslaughter;

- d. Sexual battery;
- e. Carjacking;
- f. Home-invasion robbery;
- g. Robbery;
- h. Arson;
- i. Kidnapping;
- j. Aggravated assault with a deadly weapon;
- k. Aggravated battery;
- l. Aggravated stalking;
- m. Aircraft piracy;
- n. Unlawful throwing, placing, or discharging of a destructive device or bomb;
- o. Any felony that involves the use or threat of physical force or violence against an individual;
- p. Armed burglary;
- q. Burglary of a dwelling or burglary of an occupied structure; or
- r. Any felony violation of s. 790.07, s. 800.04, s. 827.03, s. 827.071, or s. 847.0135(5);

within 3 years after being released from a state correctional facility operated by the Department of Corrections or a private vendor or within 3 years after being released from a correctional institution of another state, the District of Columbia, the United States, any possession or territory of the United States, or any foreign jurisdiction, following incarceration for an offense for which the sentence is punishable by more than 1 year in this state.

2. "Prison releasee reoffender" also means any defendant who commits or attempts to commit any offense listed in sub-subparagraphs (a)1.a.-r. while the defendant was serving a prison sentence or on escape status from a state correctional facility operated by the Department of Corrections or a private vendor or while the defendant was on escape status from a correctional institution of another state, the District of Columbia, the United States, any possession or territory of the United States, or any foreign jurisdiction, following incarceration for an offense for which the sentence is punishable by more than 1 year in this state.

3. If the state attorney determines that a defendant is a prison releasee reoffender as defined in subparagraph 1., the state attorney may seek to have the court sentence the defendant as a prison releasee reoffender. Upon proof from the state attorney that establishes by a preponderance of the evidence that a defendant is a prison releasee reoffender as defined in this section, such defendant is not eligible for sentencing under the sentencing guidelines and must be sentenced as follows:

- a. For a felony punishable by life, by a term of imprisonment for life;
 - b. For a felony of the first degree, by a term of imprisonment of 30 years;
 - c. For a felony of the second degree, by a term of imprisonment of 15 years; and
 - d. For a felony of the third degree, by a term of imprisonment of 5 years.
- (b) A person sentenced under paragraph (a) shall be released only by expiration of sentence and shall not be eligible for parole, control release, or any form of early release. Any person sentenced under paragraph (a) must serve 100 percent of the court-imposed sentence.
- (c) Nothing in this subsection shall prevent a court from imposing a greater sentence of incarceration as authorized by law, pursuant to s. 775.084 or any other provision of law.
- (d)1. It is the intent of the Legislature that offenders previously released from prison who meet the criteria in paragraph (a) be punished to the fullest extent of the law and as provided in this subsection, unless the state attorney determines that extenuating circumstances exist which

preclude the just prosecution of the offender, including whether the victim recommends that the offender not be sentenced as provided in this subsection.

2. For every case in which the offender meets the criteria in paragraph (a) and does not receive the mandatory minimum prison sentence, the state attorney must explain the sentencing deviation in writing and place such explanation in the case file maintained by the state attorney.

(10) If a defendant is sentenced for an offense committed on or after July 1, 2009, which is a third degree felony but not a forcible felony as defined in s. 776.08, and excluding any third degree felony violation under chapter 810, and if the total sentence points pursuant to s. 921.0024 are 22 points or fewer, the court must sentence the offender to a nonstate prison sanction. However, if the court makes written findings that a nonstate prison sanction could present a danger to the public, the court may sentence the offender to a state correctional facility pursuant to this section.

(11) The purpose of this section is to provide uniform punishment for those crimes made punishable under this section and, to this end, a reference to this section constitutes a general reference under the doctrine of incorporation by reference.

812.014 Theft.—

(1) A person commits theft if he or she knowingly obtains or uses, or endeavors to obtain or to use, the property of another with intent to, either temporarily or permanently:

(a) Deprive the other person of a right to the property or a benefit from the property.

(b) Appropriate the property to his or her own use or to the use of any person not entitled to the use of the property.

(2)(a)1. If the property stolen is valued at \$100,000 or more or is a semitrailer that was deployed by a law enforcement officer; or

2. If the property stolen is cargo valued at \$50,000 or more that has entered the stream of interstate or intrastate commerce from the shipper's loading platform to the consignee's receiving dock; or

3. If the offender commits any grand theft and:

a. In the course of committing the offense the offender uses a motor vehicle as an instrumentality, other than merely as a getaway vehicle, to assist in committing the offense and thereby damages the real property of another; or

b. In the course of committing the offense the offender causes damage to the real or personal property of another in excess of \$1,000,

the offender commits grand theft in the first degree, punishable as a felony of the first degree, as provided in s. 775.082, s. 775.083, or s. 775.084.

(b)1. If the property stolen is valued at \$20,000 or more, but less than \$100,000;

2. The property stolen is cargo valued at less than \$50,000 that has entered the stream of interstate or intrastate commerce from the shipper's loading platform to the consignee's receiving dock;

3. The property stolen is emergency medical equipment, valued at \$300 or more, that is taken from a facility licensed under chapter 395 or from an aircraft or vehicle permitted under chapter 401; or

4. The property stolen is law enforcement equipment, valued at \$300 or more, that is taken from an authorized emergency vehicle, as defined in s. 316.003,

the offender commits grand theft in the second degree, punishable as a felony of the second degree, as provided in s. 775.082, s. 775.083, or s. 775.084. Emergency medical equipment means mechanical or electronic apparatus used to provide emergency services and care as defined in s. 395.002(9) or to treat medical emergencies. Law enforcement equipment means any property, device, or apparatus used by any law enforcement officer as defined in s. 943.10 in the officer's official business. However, if the property is stolen within a county that is subject to a state of emergency declared by the Governor under chapter 252, the theft is committed after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency, the theft is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this paragraph, the term "conditions arising from the emergency" means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or response time for first responders or homeland security personnel. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this paragraph is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

(c) It is grand theft of the third degree and a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property stolen is:

1. Valued at \$300 or more, but less than \$5,000.
2. Valued at \$5,000 or more, but less than \$10,000.
3. Valued at \$10,000 or more, but less than \$20,000.
4. A will, codicil, or other testamentary instrument.
5. A firearm.
6. A motor vehicle, except as provided in paragraph (a).
7. Any commercially farmed animal, including any animal of the equine, bovine, or swine class or other grazing animal; a bee colony of a registered beekeeper; and aquaculture species raised at a certified aquaculture facility. If the property stolen is aquaculture species raised at a certified aquaculture facility, then a \$10,000 fine shall be imposed.
8. Any fire extinguisher.
9. Any amount of citrus fruit consisting of 2,000 or more individual pieces of fruit.
10. Taken from a designated construction site identified by the posting of a sign as provided for in s. 810.09(2)(d).
11. Any stop sign.
12. Anhydrous ammonia.
13. Any amount of a controlled substance as defined in s. 893.02. Notwithstanding any other law, separate judgments and sentences for theft of a controlled substance under this subparagraph and for any applicable possession of controlled substance offense under s. 893.13 or trafficking in controlled substance offense under s. 893.135 may be imposed when all such offenses involve the same amount or amounts of a controlled substance.

However, if the property is stolen within a county that is subject to a state of emergency declared by the Governor under chapter 252, the property is stolen after the declaration of emergency is made, and the perpetration of the theft is facilitated by conditions arising from the emergency, the offender commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property is valued at \$5,000 or more, but less than \$10,000, as provided under subparagraph 2., or if the property is valued at \$10,000 or more, but less than \$20,000, as provided under subparagraph 3. As used in this paragraph, the term “conditions arising from the emergency” means civil unrest, power outages, curfews, voluntary or mandatory evacuations, or a reduction in the presence of or the response time for first responders or homeland security personnel. For purposes of sentencing under chapter 921, a felony offense that is reclassified under this paragraph is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

(d) It is grand theft of the third degree and a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property stolen is valued at \$100 or more, but less than \$300, and is taken from a dwelling as defined in s. 810.011(2) or from the unenclosed curtilage of a dwelling pursuant to s. 810.09(1).

(e) Except as provided in paragraph (d), if the property stolen is valued at \$100 or more, but less than \$300, the offender commits petit theft of the first degree, punishable as a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(3)(a) Theft of any property not specified in subsection (2) is petit theft of the second degree and a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and as provided in subsection (5), as applicable.

(b) A person who commits petit theft and who has previously been convicted of any theft commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(c) A person who commits petit theft and who has previously been convicted two or more times of any theft commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

(d)1. Every judgment of guilty or not guilty of a petit theft shall be in writing, signed by the judge, and recorded by the clerk of the circuit court. The judge shall cause to be affixed to every such written judgment of guilty of petit theft, in open court and in the presence of such judge, the fingerprints of the defendant against whom such judgment is rendered. Such fingerprints shall be affixed beneath the judge's signature to such judgment. Beneath such fingerprints shall be appended a certificate to the following effect:

"I hereby certify that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant,, and that they were placed thereon by said defendant in my presence, in open court, this the day of, ... (year)...."

Such certificate shall be signed by the judge, whose signature thereto shall be followed by the word "Judge."

2. Any such written judgment of guilty of a petit theft, or a certified copy thereof, is admissible in evidence in the courts of this state as prima facie evidence that the fingerprints appearing thereon and certified by the judge are the fingerprints of the defendant against whom such judgment of guilty of a petit theft was rendered.

(4) Failure to comply with the terms of a lease when the lease is for a term of 1 year or longer shall not constitute a violation of this section unless demand for the return of the property leased has been made in writing and the lessee has failed to return the property within 7 days of his or her receipt of the demand for return of the property. A demand mailed by certified or registered mail, evidenced by return receipt, to the last known address of the lessee shall be deemed sufficient and equivalent to the demand having been received by the lessee, whether such demand shall be returned undelivered or not.

(5)(a) No person shall drive a motor vehicle so as to cause it to leave the premises of an establishment at which gasoline offered for retail sale was dispensed into the fuel tank of such motor vehicle unless the payment of authorized charge for the gasoline dispensed has been made.

(b) In addition to the penalties prescribed in paragraph (3)(a), every judgment of guilty of a petit theft for property described in this subsection shall provide for the suspension of the convicted person's driver license. The court shall forward the driver license to the Department of Highway Safety and Motor Vehicles in accordance with s. 322.25.

1. The first suspension of a driver license under this subsection shall be for a period of up to 6 months.

2. The second or subsequent suspension of a driver license under this subsection shall be for a period of 1 year.

(6) A person who individually, or in concert with one or more other persons, coordinates the activities of one or more persons in committing theft under this section where the stolen property has a value in excess of \$3,000 commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

812.015 Retail and farm theft; transit fare evasion; mandatory fine; alternative punishment; detention and arrest; exemption from liability for false arrest; resisting arrest; penalties.—

(1) As used in this section:

(a) “Merchandise” means any personal property, capable of manual delivery, displayed, held, or offered for retail sale by a merchant.

(b) “Merchant” means an owner or operator, or the agent, consignee, employee, lessee, or officer of an owner or operator, of any premises or apparatus used for retail purchase or sale of any merchandise.

(c) “Value of merchandise” means the sale price of the merchandise at the time it was stolen or otherwise removed, depriving the owner of her or his lawful right to ownership and sale of said item.

(d) “Retail theft” means the taking possession of or carrying away of merchandise, property, money, or negotiable documents; altering or removing a label, universal product code, or price tag; transferring merchandise from one container to another; or removing a shopping cart, with intent to deprive the merchant of possession, use, benefit, or full retail value.

(e) “Farm produce” means livestock or any item grown, produced, or manufactured by a person owning, renting, or leasing land for the purpose of growing, producing, or manufacturing items for sale or personal use, either part time or full time.

(f) “Farmer” means a person who is engaging in the growing or producing of farm produce, milk products, honey, eggs, or meat, either part time or full time, for personal consumption or for sale and who is the owner or lessee of the land or a person designated in writing by the owner or lessee to act as her or his agent. No person defined as a farm labor contractor pursuant to s. 450.28 shall be designated to act as an agent for purposes of this section.

(g) “Farm theft” means the unlawful taking possession of any items that are grown or produced on land owned, rented, or leased by another person. The term includes the unlawful taking possession of equipment and associated materials used to grow or produce farm products as defined in s. 823.14(3)(c).

(h) “Antishoplifting or inventory control device” means a mechanism or other device designed and operated for the purpose of detecting the removal from a mercantile establishment or similar enclosure, or from a protected area within such an enclosure, of specially marked or tagged merchandise. The term includes any electronic or digital imaging or any video recording or other film used for security purposes and the cash register tape or other record made of the register receipt.

(i) “Antishoplifting or inventory control device countermeasure” means any item or device which is designed, manufactured, modified, or altered to defeat any antishoplifting or inventory control device.

(j) “Transit fare evasion” means the unlawful refusal to pay the appropriate fare for transportation upon a mass transit vehicle, or to evade the payment of such fare, or to enter any mass transit vehicle or facility by any door, passageway, or gate, except as provided for the entry of fare-paying passengers, and shall constitute petit theft as proscribed by this chapter.

(k) “Mass transit vehicle” means buses, rail cars, or fixed-guideway mover systems operated by, or under contract to, state agencies, political subdivisions of the state, or municipalities for the transportation of fare-paying passengers.

(l) “Transit agency” means any state agency, political subdivision of the state, or municipality which operates mass transit vehicles.

(m) “Trespass” means the violation as described in s. 810.08.

(2) Upon a second or subsequent conviction for petit theft from a merchant, farmer, or transit agency, the offender shall be punished as provided in s. 812.014(3), except that the court shall impose a fine of not less than \$50 or more than \$1,000. However, in lieu of such fine, the court may require the offender to perform public services designated by the court. In no event shall any such offender be required to perform fewer than the number of hours of public service necessary to satisfy the fine assessed by the court, as provided by this subsection, at the minimum wage prevailing in the state at the time of sentencing.

(3)(a) A law enforcement officer, a merchant, a farmer, or a transit agency's employee or agent, who has probable cause to believe that a retail theft, farm theft, a transit fare evasion, or trespass, or unlawful use or attempted use of any antishoplifting or inventory control device countermeasure, has been committed by a person and, in the case of retail or farm theft, that the property can be recovered by taking the offender into custody may, for the purpose of attempting to effect such recovery or for prosecution, take the offender into custody and detain the offender in a reasonable manner for a reasonable length of time. In the case of a farmer, taking into custody shall be effectuated only on property owned or leased by the farmer. In the event the merchant, merchant's employee, farmer, or a transit agency's employee or agent takes the person into custody, a law enforcement officer shall be called to the scene immediately after the person has been taken into custody.

(b) The activation of an antishoplifting or inventory control device as a result of a person exiting an establishment or a protected area within an establishment shall constitute reasonable cause for the detention of the person so exiting by the owner or operator of the establishment or by an agent or employee of the owner or operator, provided sufficient notice has been posted to advise the patrons that such a device is being utilized. Each such detention shall be made only in a reasonable manner and only for a reasonable period of time sufficient for any inquiry into the circumstances surrounding the activation of the device.

(c) The taking into custody and detention by a law enforcement officer, merchant, merchant's employee, farmer, or a transit agency's employee or agent, if done in compliance with all the requirements of this subsection, shall not render such law enforcement officer, merchant, merchant's employee, farmer, or a transit agency's employee or agent, criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

(4) Any law enforcement officer may arrest, either on or off the premises and without warrant, any person the officer has probable cause to believe unlawfully possesses, or is unlawfully using or attempting to use or has used or attempted to use, any antishoplifting or inventory control device countermeasure or has committed theft in a retail or wholesale establishment or on commercial or private farm lands of a farmer or transit fare evasion or trespass.

(5)(a) A merchant, merchant's employee, farmer, or a transit agency's employee or agent who takes a person into custody, as provided in subsection (3), or who causes an arrest, as provided in subsection (4), of a person for retail theft, farm theft, transit fare evasion, or trespass shall not be criminally or civilly liable for false arrest or false imprisonment when the merchant, merchant's employee, farmer, or a transit agency's employee or agent has probable cause to believe that the person committed retail theft, farm theft, transit fare evasion, or trespass.

(b) If a merchant or merchant's employee takes a person into custody as provided in this section, or acts as a witness with respect to any person taken into custody as provided in this section, the merchant or merchant's employee may provide his or her business address rather than home address to any investigating law enforcement officer.

(6) An individual who, while committing or after committing theft of property, transit fare evasion, or trespass, resists the reasonable effort of a law enforcement officer, merchant, merchant's employee, farmer, or a transit agency's employee or agent to recover the property or cause the individual to pay the proper transit fare or vacate the transit facility which the law enforcement officer, merchant, merchant's employee, farmer, or a transit agency's employee or agent had probable cause to believe the individual had concealed or removed from its place of display or elsewhere or perpetrated a transit fare evasion or trespass commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, unless the individual did not know, or did not have reason to know, that the person seeking to recover the property was a law enforcement officer, merchant, merchant's employee, farmer, or a transit agency's employee or agent. For purposes of this section the charge of theft and the charge of resisting may be tried concurrently.

(7) It is unlawful to possess, or use or attempt to use, any antishoplifting or inventory control device countermeasure within any premises used for the retail purchase or sale of any merchandise. Any person who possesses any antishoplifting or inventory control device countermeasure within any premises used for the retail purchase or sale of any merchandise commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Any person who uses or attempts to use any antishoplifting or inventory control device countermeasure within any premises used for the retail purchase or sale of any merchandise commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(8) Except as provided in subsection (9), a person who commits retail theft commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the property stolen is valued at \$300 or more, and the person:

- (a) Individually, or in concert with one or more other persons, coordinates the activities of one or more individuals in committing the offense, in which case the amount of each individual theft is aggregated to determine the value of the property stolen;
- (b) Commits theft from more than one location within a 48-hour period, in which case the amount of each individual theft is aggregated to determine the value of the property stolen;
- (c) Acts in concert with one or more other individuals within one or more establishments to distract the merchant, merchant's employee, or law enforcement officer in order to carry out the offense, or acts in other ways to coordinate efforts to carry out the offense; or
- (d) Commits the offense through the purchase of merchandise in a package or box that contains merchandise other than, or in addition to, the merchandise purported to be contained in the package or box.

(9) A person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the person:

- (a) Violates subsection (8) and has previously been convicted of a violation of subsection (8); or
- (b) Individually, or in concert with one or more other persons, coordinates the activities of one or more persons in committing the offense of retail theft where the stolen property has a value in excess of \$3,000.

893.13 Prohibited acts; penalties.—

(1)(a) Except as authorized by this chapter and chapter 499, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance. A person who violates this provision with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. A controlled substance named or described in s. 893.03(5) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Except as provided in this chapter, a person may not sell or deliver in excess of 10 grams of any substance named or described in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any mixture containing any such substance. A person who violates this paragraph commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Except as authorized by this chapter, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance in, on, or within 1,000 feet of the real property comprising a child care facility as defined in s. 402.302 or a public or private elementary, middle, or secondary school between the hours of 6 a.m. and 12 midnight, or at any time in, on, or within 1,000 feet of real property comprising a state, county, or municipal park, a community center, or a publicly owned recreational facility. As used in this paragraph, the term “community center” means a facility operated by a nonprofit community-based organization for the provision of recreational, social, or educational services to the public. A person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The defendant must be sentenced to a minimum term of imprisonment of 3 calendar years unless the offense was committed within 1,000 feet of the real property comprising a child care facility as defined in s. 402.302.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a \$500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

This paragraph does not apply to a child care facility unless the owner or operator of the facility posts a sign that is not less than 2 square feet in size with a word legend identifying the facility as a licensed child care facility and that is posted on the property of the child care facility in a conspicuous place where the sign is reasonably visible to the public.

(d) Except as authorized by this chapter, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance in, on, or within 1,000 feet of the real property comprising a public or private college, university, or other postsecondary educational institution. A person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a \$500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

(e) Except as authorized by this chapter, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance not authorized by law in, on, or within 1,000 feet of a physical place for worship at which a church or religious organization regularly conducts religious services or within 1,000 feet of a convenience business as defined in s. 812.171. A person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a \$500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

(f) Except as authorized by this chapter, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance in, on, or within 1,000 feet of the real property comprising a public housing facility at any time. As used in this section, the term “real property comprising a public housing facility” means real property, as defined in s. 421.03(12), of a public corporation created as a housing authority pursuant to part I of chapter 421. A person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a \$500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

(g) Except as authorized by this chapter, a person may not manufacture methamphetamine or phencyclidine, or possess any listed chemical as defined in s. 893.033 in violation of s. 893.149 and with intent to manufacture methamphetamine or phencyclidine. If a person violates this paragraph and:

1. The commission or attempted commission of the crime occurs in a structure or conveyance where any child younger than 16 years of age is present, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In addition, the defendant must be sentenced to a minimum term of imprisonment of 5 calendar years.

2. The commission of the crime causes any child younger than 16 years of age to suffer great bodily harm, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In addition, the defendant must be sentenced to a minimum term of imprisonment of 10 calendar years.

(h) Except as authorized by this chapter, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance in, on, or within 1,000 feet of the real property comprising an assisted living facility, as that term is used in chapter 429. A person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2)(a) Except as authorized by this chapter and chapter 499, a person may not purchase, or possess with intent to purchase, a controlled substance. A person who violates this provision with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. A controlled substance named or described in s. 893.03(5) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Except as provided in this chapter, a person may not purchase more than 10 grams of any substance named or described in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any mixture containing any such substance. A person who violates this paragraph commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) A person who delivers, without consideration, 20 grams or less of cannabis, as defined in this chapter, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. As used in this paragraph, the term “cannabis” does not include the resin extracted from the plants of the genus *Cannabis* or any compound manufacture, salt, derivative, mixture, or preparation of such resin.

(4) Except as authorized by this chapter, a person 18 years of age or older may not deliver any controlled substance to a person younger than 18 years of age, use or hire a person younger than 18 years of age as an agent or employee in the sale or delivery of such a substance, or use such person to assist in avoiding detection or apprehension for a violation of this chapter. A person who violates this provision with respect to:

(a) A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Imposition of sentence may not be suspended or deferred, and the person so convicted may not be placed on probation.

(5) A person may not bring into this state any controlled substance unless the possession of such controlled substance is authorized by this chapter or unless such person is licensed to do so by the appropriate federal agency. A person who violates this provision with respect to:

(a) A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) A controlled substance named or described in s. 893.03(5) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(6)(a) A person may not be in actual or constructive possession of a controlled substance unless such controlled substance was lawfully obtained from a practitioner or pursuant to a valid prescription or order of a practitioner while acting in the course of his or her professional practice or to be in actual or constructive possession of a controlled substance except as otherwise authorized by this chapter. A person who violates this provision commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) If the offense is the possession of 20 grams or less of cannabis, as defined in this chapter, or 3 grams or less of a controlled substance described in s. 893.03(1)(c)46.-50., 114.-142., 151.-159., or 166.-173., the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. As used in this subsection, the term “cannabis” does not include the resin extracted from the plants of the genus *Cannabis*, or any compound manufacture, salt, derivative, mixture, or preparation of such resin, and a controlled substance described in s. 893.03(1)(c)46.-50., 114.-142., 151.-159., or 166.-173. does not include the substance in a powdered form.

(c) Except as provided in this chapter, a person may not possess more than 10 grams of any substance named or described in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any mixture containing any such substance. A person who violates this paragraph commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) Notwithstanding any provision to the contrary of the laws of this state relating to arrest, a law enforcement officer may arrest without warrant any person who the officer has probable cause to believe is violating the provisions of this chapter relating to possession of cannabis.

(7)(a) A person may not:

1. Distribute or dispense a controlled substance in violation of this chapter.
2. Refuse or fail to make, keep, or furnish any record, notification, order form, statement, invoice, or information required under this chapter.
3. Refuse entry into any premises for any inspection or refuse to allow any inspection authorized by this chapter.
4. Distribute a controlled substance named or described in s. 893.03(1) or (2) except pursuant to an order form as required by s. 893.06.
5. Keep or maintain any store, shop, warehouse, dwelling, building, vehicle, boat, aircraft, or other structure or place which is resorted to by persons using controlled substances in violation of this chapter for the purpose of using these substances, or which is used for keeping or selling them in violation of this chapter.

6. Use to his or her own personal advantage, or reveal, any information obtained in enforcement of this chapter except in a prosecution or administrative hearing for a violation of this chapter.
7. Possess a prescription form unless it has been signed by the practitioner whose name appears printed thereon and completed. This subparagraph does not apply if the person in possession of the form is the practitioner whose name appears printed thereon, an agent or employee of that practitioner, a pharmacist, or a supplier of prescription forms who is authorized by that practitioner to possess those forms.
8. Withhold information from a practitioner from whom the person seeks to obtain a controlled substance or a prescription for a controlled substance that the person making the request has received a controlled substance or a prescription for a controlled substance of like therapeutic use from another practitioner within the previous 30 days.
9. Acquire or obtain, or attempt to acquire or obtain, possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge.
10. Affix any false or forged label to a package or receptacle containing a controlled substance.
11. Furnish false or fraudulent material information in, or omit any material information from, any report or other document required to be kept or filed under this chapter or any record required to be kept by this chapter.
12. Store anhydrous ammonia in a container that is not approved by the United States Department of Transportation to hold anhydrous ammonia or is not constructed in accordance with sound engineering, agricultural, or commercial practices.
13. With the intent to obtain a controlled substance or combination of controlled substances that are not medically necessary for the person or an amount of a controlled substance or substances that is not medically necessary for the person, obtain or attempt to obtain from a practitioner a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact. For purposes of this subparagraph, a material fact includes whether the person has an existing prescription for a controlled substance issued for the same period of time by another practitioner or as described in subparagraph 8.
 - (b) A health care practitioner, with the intent to provide a controlled substance or combination of controlled substances that are not medically necessary to his or her patient or an amount of controlled substances that is not medically necessary for his or her patient, may not provide a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact. For purposes of this paragraph, a material fact includes whether the patient has an existing prescription for a controlled substance issued for the same period of time by another practitioner or as described in subparagraph (a)8.
 - (c) A person who violates subparagraphs (a)1.-6. commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, except that, upon a second or subsequent violation, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 - (d) A person who violates subparagraphs (a)7.-12. commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 - (e) A person or health care practitioner who violates the provisions of subparagraph (a)13. or paragraph (b) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if any controlled substance that is the subject of the offense is listed in Schedule II, Schedule III, or Schedule IV.

(8)(a) Notwithstanding subsection (9), a prescribing practitioner may not:

1. Knowingly assist a patient, other person, or the owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practice of the prescribing practitioner's professional practice;
2. Employ a trick or scheme in the practice of the prescribing practitioner's professional practice to assist a patient, other person, or the owner of an animal in obtaining a controlled substance;
3. Knowingly write a prescription for a controlled substance for a fictitious person; or
4. Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing such prescription is to provide a monetary benefit to, or obtain a monetary benefit for, the prescribing practitioner.

(b) If the prescribing practitioner wrote a prescription or multiple prescriptions for a controlled substance for the patient, other person, or animal for which there was no medical necessity, or which was in excess of what was medically necessary to treat the patient, other person, or animal, that fact does not give rise to any presumption that the prescribing practitioner violated subparagraph (a)1., but may be considered with other competent evidence in determining whether the prescribing practitioner knowingly assisted a patient, other person, or the owner of an animal to obtain a controlled substance in violation of subparagraph (a)1.

(c) A person who violates paragraph (a) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) Notwithstanding paragraph (c), if a prescribing practitioner has violated paragraph (a) and received \$1,000 or more in payment for writing one or more prescriptions or, in the case of a prescription written for a controlled substance described in s. 893.135, has written one or more prescriptions for a quantity of a controlled substance which, individually or in the aggregate, meets the threshold for the offense of trafficking in a controlled substance under s. 893.15, the violation is reclassified as a felony of the second degree and ranked in level 4 of the Criminal Punishment Code.

(9) The provisions of subsections (1)-(8) are not applicable to the delivery to, or actual or constructive possession for medical or scientific use or purpose only of controlled substances by, persons included in any of the following classes, or the agents or employees of such persons, for use in the usual course of their business or profession or in the performance of their official duties:

- (a) Pharmacists.
- (b) Practitioners.
- (c) Persons who procure controlled substances in good faith and in the course of professional practice only, by or under the supervision of pharmacists or practitioners employed by them, or for the purpose of lawful research, teaching, or testing, and not for resale.
- (d) Hospitals that procure controlled substances for lawful administration by practitioners, but only for use by or in the particular hospital.
- (e) Officers or employees of state, federal, or local governments acting in their official capacity only, or informers acting under their jurisdiction.
- (f) Common carriers.
- (g) Manufacturers, wholesalers, and distributors.
- (h) Law enforcement officers for bona fide law enforcement purposes in the course of an active criminal investigation.

(10) If a person violates any provision of this chapter and the violation results in a serious injury to a state or local law enforcement officer as defined in s. 943.10, firefighter as defined in s. 633.102, emergency medical technician as defined in s. 401.23, paramedic as defined in s. 401.23, employee of a public utility or an electric utility as defined in s. 366.02, animal control officer as defined in s. 828.27, volunteer firefighter engaged by state or local government, law enforcement officer employed by the Federal Government, or any other local, state, or Federal Government employee injured during the course and scope of his or her employment, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If the injury sustained results in death or great bodily harm, the person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

921.00241 Prison diversion program.—

(1) Notwithstanding s. 921.0024 and effective for offenses committed on or after July 1, 2009, a court may divert from the state correctional system an offender who would otherwise be sentenced to a state facility by sentencing the offender to a nonstate prison sanction as provided in subsection (2). An offender may be sentenced to a nonstate prison sanction if the offender meets all of the following criteria:

(a) The offender's primary offense is a felony of the third degree.

(b) The offender's total sentence points score, as provided in s. 921.0024, is not more than 48 points, or the offender's total sentence points score is 54 points and 6 of those points are for a violation of probation, community control, or other community supervision, and do not involve a new violation of law.

(c) The offender has not been convicted or previously convicted of a forcible felony as defined in s. 776.08, but excluding any third degree felony violation under chapter 810.

(d) The offender's primary offense does not require a minimum mandatory sentence.

(2) If the court elects to impose a sentence as provided in this section, the court shall sentence the offender to a term of probation, community control, or community supervision with mandatory participation in a prison diversion program of the Department of Corrections if such program is funded and exists in the judicial circuit in which the offender is sentenced. The prison diversion program shall be designed to meet the unique needs of each judicial circuit and of the offender population of that circuit. The program may require residential, nonresidential, or day-reporting requirements; substance abuse treatment; employment; restitution; academic or vocational opportunities; or community service work.

(3) The court that sentences a defendant to a nonstate prison sanction pursuant to subsection (2) shall make written findings that the defendant meets the criteria in subsection (1); and the sentencing order must indicate that the offender was sentenced to the prison diversion program pursuant to subsection (2). The court may order the offender to pay all or a portion of the costs related to the prison diversion program if the court determines that the offender has the ability to pay.

921.0026 Mitigating circumstances.—This section applies to any felony offense, except any capital felony, committed on or after October 1, 1998.

(1) A downward departure from the lowest permissible sentence, as calculated according to the total sentence points pursuant to s. 921.0024, is prohibited unless there are circumstances or factors that reasonably justify the downward departure. Mitigating factors to be considered include, but are not limited to, those listed in subsection (2). The imposition of a sentence below the lowest permissible sentence is subject to appellate review under chapter 924, but the extent of downward departure is not subject to appellate review.

(2) Mitigating circumstances under which a departure from the lowest permissible sentence is reasonably justified include, but are not limited to:

(a) The departure results from a legitimate, uncoerced plea bargain.

(b) The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.

(c) The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.

(d) The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction or for a physical disability, and the defendant is amenable to treatment.

(e) The need for payment of restitution to the victim outweighs the need for a prison sentence.

(f) The victim was an initiator, willing participant, aggressor, or provoker of the incident.

(g) The defendant acted under extreme duress or under the domination of another person.

(h) Before the identity of the defendant was determined, the victim was substantially compensated.

(i) The defendant cooperated with the state to resolve the current offense or any other offense.

(j) The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.

(k) At the time of the offense the defendant was too young to appreciate the consequences of the offense.

(l) The defendant is to be sentenced as a youthful offender.

(m) The defendant's offense is a nonviolent felony, the defendant's Criminal Punishment Code scoresheet total sentence points under s. 921.0024 are 60 points or fewer, and the court determines that the defendant is amenable to the services of a postadjudicatory treatment-based drug court program and is otherwise qualified to participate in the program as part of the sentence. For purposes of this paragraph, the term "nonviolent felony" has the same meaning as provided in s. 948.08(6).

(n) The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.

(3) Except as provided in paragraph (2)(m), the defendant's substance abuse or addiction, including intoxication at the time of the offense, is not a mitigating factor under subsection (2) and does not, under any circumstances, justify a downward departure from the permissible sentencing range.

948.01 When court may place defendant on probation or into community control.—

(1) Any state court having original jurisdiction of criminal actions may at a time to be determined by the court, with or without an adjudication of the guilt of the defendant, hear and determine the question of the probation of a defendant in a criminal case, except for an offense punishable by death, who has been found guilty by the verdict of a jury, has entered a plea of guilty or a plea of nolo contendere, or has been found guilty by the court trying the case without a jury.

(a) If the court places the defendant on probation or into community control for a felony, the department shall provide immediate supervision by an officer employed in compliance with the minimum qualifications for officers as provided in s. 943.13. A private entity may not provide probationary or supervision services to felony or misdemeanor offenders sentenced or placed on probation or other supervision by the circuit court.

(b) The department, in consultation with the Office of the State Courts Administrator, shall develop and disseminate to the courts uniform order of supervision forms by July 1 of each year or as necessary. The courts shall use the uniform order of supervision forms provided by the department for all persons placed on community supervision.

(2) If it appears to the court upon a hearing of the matter that the defendant is not likely again to engage in a criminal course of conduct and that the ends of justice and the welfare of society do not require that the defendant presently suffer the penalty imposed by law, the court, in its discretion, may either adjudge the defendant to be guilty or stay and withhold the adjudication of guilt. In either case, the court shall stay and withhold the imposition of sentence upon the defendant and shall place a felony defendant upon probation. If the defendant is found guilty of a nonfelony offense as the result of a trial or entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, the court may place the defendant on probation. In addition to court costs and fees and notwithstanding any law to the contrary, the court may impose a fine authorized by law if the offender is a nonfelony offender who is not placed on probation.

However, a defendant who is placed on probation for a misdemeanor may not be placed under the supervision of the department unless the circuit court was the court of original jurisdiction.

(3) If, after considering the provisions of subsection (2) and the offender's prior record or the seriousness of the offense, it appears to the court in the case of a felony disposition that probation is an unsuitable dispositional alternative to imprisonment, the court may place the offender in a community control program as provided in s. 948.10. Or, in a case of prior disposition of a felony commitment, upon motion of the offender or the department or upon its own motion, the court may, within the period of its retained jurisdiction following commitment, suspend the further execution of the disposition and place the offender in a community control program upon such terms as the court may require. The court may consult with a local offender advisory council pursuant to s. 948.90 with respect to the placement of an offender into community control. Not later than 3 working days before the hearing on the motion, the department shall forward to the court all relevant material on the offender's progress while in custody. If this sentencing alternative to incarceration is utilized, the court shall:

(a) Determine what community-based sanctions will be imposed in the community control plan. Community-based sanctions may include, but are not limited to, rehabilitative restitution in money or in kind, curfew, revocation or suspension of the driver license, community service, deprivation of nonessential activities or privileges, or other appropriate restraints on the offender's liberty.

(b) After appropriate sanctions for the offense are determined, develop, approve, and order a plan of community control which contains rules, requirements, conditions, and programs that are designed to encourage noncriminal functional behavior and promote the rehabilitation of the offender and the protection of the community. If the offense was a controlled substance violation, the conditions shall include a requirement that the offender submit to random substance abuse testing intermittently throughout the term of supervision, upon the direction of the correctional probation officer as defined in s. 943.10(3).

(4) The sanctions imposed by order of the court shall be commensurate with the seriousness of the offense. When community control or a program of public service is ordered by the court, the duration of community control supervision or public service may not be longer than the sentence that could have been imposed if the offender had been committed for the offense or a period not to exceed 2 years, whichever is less. When restitution or public service is ordered by the court, the amount of restitution or public service may not be greater than an amount which the offender could reasonably be expected to pay or perform.

(5) The imposition of sentence may not be suspended and the defendant thereupon placed on probation or into community control unless the defendant is placed under the custody of the department or another public or private entity. A private entity may not provide probationary or supervision services to felony or misdemeanor offenders sentenced or placed on probation or other supervision by the circuit court.

(6) When the court, under any of the foregoing subsections, places a defendant on probation or into community control, it may specify that the defendant serve all or part of the probationary or community control period in a community residential or nonresidential facility under the jurisdiction of the Department of Corrections or the Department of Children and Families or any public or private entity providing such services, and it shall require the payment prescribed in s. 948.09.

(7)(a) Notwithstanding s. 921.0024 and effective for offenses committed on or after July 1, 2009, the sentencing court may place the defendant into a postadjudicatory treatment-based drug court program if the defendant's Criminal Punishment Code scoresheet total sentence points under s. 921.0024 are 60 points or fewer, the offense is a nonviolent felony, the defendant is amenable to substance abuse treatment, and the defendant otherwise qualifies under s. 397.334(3). The satisfactory completion of the program shall be a condition of the defendant's probation or community control. As used in this subsection, the term "nonviolent felony" means a third degree felony violation under chapter 810 or any other felony offense that is not a forcible felony as defined in s. 776.08.

(b) The defendant must be fully advised of the purpose of the program, and the defendant must agree to enter the program. The original sentencing court shall relinquish jurisdiction of the defendant's case to the postadjudicatory drug court program until the defendant is no longer active in the program, the case is returned to the sentencing court due to the defendant's termination from the program for failure to comply with the terms thereof, or the defendant's sentence is completed.

921.002 The Criminal Punishment Code.—The Criminal Punishment Code shall apply to all felony offenses, except capital felonies, committed on or after October 1, 1998.

(1) The provision of criminal penalties and of limitations upon the application of such penalties is a matter of predominantly substantive law and, as such, is a matter properly addressed by the Legislature. The Legislature, in the exercise of its authority and responsibility to establish sentencing criteria, to provide for the imposition of criminal penalties, and to make the best use of state prisons so that violent criminal offenders are appropriately incarcerated, has determined that it is in the best interest of the state to develop, implement, and revise a sentencing policy.

The Criminal Punishment Code embodies the principles that:

(a) Sentencing is neutral with respect to race, gender, and social and economic status.

(b) The primary purpose of sentencing is to punish the offender. Rehabilitation is a desired goal of the criminal justice system but is subordinate to the goal of punishment.

(c) The penalty imposed is commensurate with the severity of the primary offense and the circumstances surrounding the primary offense.

(d) The severity of the sentence increases with the length and nature of the offender's prior record.

(e) The sentence imposed by the sentencing judge reflects the length of actual time to be served, shortened only by the application of incentive and meritorious gain-time as provided by law, and may not be shortened if the defendant would consequently serve less than 85 percent of his or her term of imprisonment as provided in s. 944.275(4)(b)3. The provisions of chapter 947, relating to parole, shall not apply to persons sentenced under the Criminal Punishment Code.

(f) Departures below the lowest permissible sentence established by the code must be articulated in writing by the trial court judge and made only when circumstances or factors reasonably justify the mitigation of the sentence. The level of proof necessary to establish facts that support a departure from the lowest permissible sentence is a preponderance of the evidence.

(g) The trial court judge may impose a sentence up to and including the statutory maximum for any offense, including an offense that is before the court due to a violation of probation or community control.

(h) A sentence may be appealed on the basis that it departs from the Criminal Punishment Code only if the sentence is below the lowest permissible sentence or as enumerated in s. 924.06(1).

(i) Use of incarcerative sanctions is prioritized toward offenders convicted of serious offenses and certain offenders who have long prior records, in order to maximize the finite capacities of state and local correctional facilities.

(2) When a defendant is before the court for sentencing for more than one felony and the felonies were committed under more than one version or revision of the former sentencing guidelines or the code, each felony shall be sentenced under the guidelines or the code in effect at the time the particular felony was committed. This subsection does not apply to sentencing for any capital felony.

(3) A court may impose a departure below the lowest permissible sentence based upon circumstances or factors that reasonably justify the mitigation of the sentence in accordance with s. 921.0026. The level of proof necessary to establish facts supporting the mitigation of a sentence is a preponderance of the evidence. When multiple reasons exist to support the mitigation, the mitigation shall be upheld when at least one circumstance or factor justifies the mitigation regardless of the presence of other circumstances or factors found not to justify

mitigation. Any sentence imposed below the lowest permissible sentence must be explained in writing by the trial court judge.

(4)(a) The Department of Corrections shall report on trends in sentencing practices and sentencing score thresholds and provide an analysis on the sentencing factors considered by the courts and shall submit this information to the Legislature by October 1 of each year.

(b) The Criminal Justice Estimating Conference, with the assistance of the Department of Corrections, shall estimate the impact of any proposed change to the Criminal Punishment Code on future rates of incarceration and on the prison population. The Criminal Justice Estimating Conference shall base its projections on historical data concerning sentencing practices which have been accumulated by the Department of Corrections and other relevant data from other state agencies and records of the Department of Corrections which disclose the average time served for offenses covered by any proposed changes to the Criminal Punishment Code.

(c) In order to produce projects that are either required by law or requested by the Legislature to assist the Legislature in making modifications to the Criminal Punishment Code, the Department of Corrections is authorized to collect and evaluate Criminal Punishment Code scoresheets from each of the judicial circuits after sentencing. Beginning in 1999, by October 1 of each year, the Department of Corrections shall provide an annual report to the Legislature that shows the rate of compliance of each judicial circuit in providing scoresheets to the department.

944.275 Gain-time.—

(1) The department is authorized to grant deductions from sentences in the form of gain-time in order to encourage satisfactory prisoner behavior, to provide incentive for prisoners to participate in productive activities, and to reward prisoners who perform outstanding deeds or services.

(2)(a) The department shall establish for each prisoner sentenced to a term of years a “maximum sentence expiration date,” which shall be the date when the sentence or combined sentences imposed on a prisoner will expire. In establishing this date, the department shall reduce the total time to be served by any time lawfully credited.

(b) When a prisoner with an established maximum sentence expiration date is sentenced to an additional term or terms without having been released from custody, the department shall extend the maximum sentence expiration date by the length of time imposed in the new sentence or sentences, less lawful credits.

(c) When an escaped prisoner or a parole violator is returned to the custody of the department, the maximum sentence expiration date in effect when the escape occurred or the parole was effective shall be extended by the amount of time the prisoner was not in custody plus the time imposed in any new sentence or sentences, but reduced by any lawful credits.

(3)(a) The department shall also establish for each prisoner sentenced to a term of years a “tentative release date” which shall be the date projected for the prisoner’s release from custody by virtue of gain-time granted or forfeited as described in this section. The initial tentative release date shall be determined by deducting basic gain-time granted from the maximum sentence expiration date. Other gain-time shall be applied when granted or restored to make the tentative release date proportionately earlier; and forfeitures of gain-time, when ordered, shall be applied to make the tentative release date proportionately later.

(b) When an initial tentative release date is reestablished because of additional sentences imposed before the prisoner has completely served all prior sentences, any gain-time granted during service of a prior sentence and not forfeited shall be applied.

(c) The tentative release date may not be later than the maximum sentence expiration date.

(4)(a) As a means of encouraging satisfactory behavior, the department shall grant basic gain-time at the rate of 10 days for each month of each sentence imposed on a prisoner, subject to the following:

1. Portions of any sentences to be served concurrently shall be treated as a single sentence when determining basic gain-time.
2. Basic gain-time for a partial month shall be prorated on the basis of a 30-day month.
3. When a prisoner receives a new maximum sentence expiration date because of additional sentences imposed, basic gain-time shall be granted for the amount of time the maximum sentence expiration date was extended.

(b) For each month in which an inmate works diligently, participates in training, uses time constructively, or otherwise engages in positive activities, the department may grant incentive gain-time in accordance with this paragraph. The rate of incentive gain-time in effect on the date the inmate committed the offense which resulted in his or her incarceration shall be the inmate’s rate of eligibility to earn incentive gain-time throughout the period of incarceration and shall not be altered by a subsequent change in the severity level of the offense for which the inmate was sentenced.

1. For sentences imposed for offenses committed prior to January 1, 1994, up to 20 days of incentive gain-time may be granted. If granted, such gain-time shall be credited and applied monthly.

2. For sentences imposed for offenses committed on or after January 1, 1994, and before October 1, 1995:
 - a. For offenses ranked in offense severity levels 1 through 7, under former s. 921.0012 or former s. 921.0013, up to 25 days of incentive gain-time may be granted. If granted, such gain-time shall be credited and applied monthly.
 - b. For offenses ranked in offense severity levels 8, 9, and 10, under former s. 921.0012 or former s. 921.0013, up to 20 days of incentive gain-time may be granted. If granted, such gain-time shall be credited and applied monthly.
3. For sentences imposed for offenses committed on or after October 1, 1995, the department may grant up to 10 days per month of incentive gain-time, except that no prisoner is eligible to earn any type of gain-time in an amount that would cause a sentence to expire, end, or terminate, or that would result in a prisoner's release, prior to serving a minimum of 85 percent of the sentence imposed. For purposes of this subparagraph, credits awarded by the court for time physically incarcerated shall be credited toward satisfaction of 85 percent of the sentence imposed. Except as provided by this section, a prisoner shall not accumulate further gain-time awards at any point when the tentative release date is the same as that date at which the prisoner will have served 85 percent of the sentence imposed. State prisoners sentenced to life imprisonment shall be incarcerated for the rest of their natural lives, unless granted pardon or clemency.
 - (c) An inmate who performs some outstanding deed, such as saving a life or assisting in recapturing an escaped inmate, or who in some manner performs an outstanding service that would merit the granting of additional deductions from the term of his or her sentence may be granted meritorious gain-time of from 1 to 60 days.
 - (d) Notwithstanding subparagraphs (b)1. and 2., the education program manager shall recommend, and the Department of Corrections may grant, a one-time award of 60 additional days of incentive gain-time to an inmate who is otherwise eligible and who successfully completes requirements for and is awarded a high school equivalency diploma or vocational certificate. Under no circumstances may an inmate receive more than 60 days for educational attainment pursuant to this section.
 - (e) Notwithstanding subparagraph (b)3., for sentences imposed for offenses committed on or after October 1, 2014, the department may not grant incentive gain-time if the offense is a violation of s. 782.04(1)(a)2.c.; s. 787.01(3)(a)2. or 3.; s. 787.02(3)(a)2. or 3.; s. 794.011, excluding s. 794.011(10); s. 800.04; s. 825.1025; or s. 847.0135(5).
- (5) When a prisoner is found guilty of an infraction of the laws of this state or the rules of the department, gain-time may be forfeited according to law.
- (6)(a) Basic gain-time under this section shall be computed on and applied to all sentences imposed for offenses committed on or after July 1, 1978, and before January 1, 1994.
 - (b) All incentive and meritorious gain-time is granted according to this section.
 - (c) All additional gain-time previously awarded under former subsections (2) and (3) and all forfeitures ordered prior to the effective date of the act that created this section shall remain in effect and be applied in establishing an initial tentative release date.
- (7) The department shall adopt rules to implement the granting, forfeiture, restoration, and deletion of gain-time.

Tab 4

THE FLORIDA SENATE APPEARANCE RECORD

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

1/11/16
Meeting Date

Bill Number (if applicable)

Topic Sentencing Workshop (Tab 4)

Amendment Barcode (if applicable)

Name Lauren Krisai (Kris-Eye)

Job Title Director of Criminal Justice Reform - Reason Foundation

Address _____
Street

Phone _____

New York, New York
City State Zip

Email _____

Speaking: For Against Information

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

Representing Reason Foundation

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 Criminal Justice Committee

Judge:

Started: 1/11/2016 1:35:19 PM

Ends: 1/11/2016 3:30:09 PM

Length: 01:54:51

1:35:19 PM Meeting called to order - Roll Call
1:35:19 PM Recognized Claire Mazur from OPPAGA to discuss the contracted study
1:36:16 PM Tab 1 Presentation on the Study of the Operations of the Florida Department of Co
1:38:35 PM Presentation by Ken McGinnis, Consultant from Carter Goble Associates
1:42:49 PM Presentation by Karl Becker, Consultant from Carter Goble Associates
1:51:32 PM Presentation by Brad Sassatelli, Consultant from Carter Goble Associates
1:52:55 PM Senator Clemens asked a question.
1:53:24 PM Mr. Sassatelli responds to the question.
1:54:15 PM Senator Brandes asked question about level 1 staffing.
1:54:55 PM Vice Chair Gibson asks question about staffing.
1:55:24 PM Mr. Becker responded to the question.
1:58:19 PM Ken McGinnis responded to question from Senator Gibson.
2:03:11 PM Senator Bradley asks a question of Karl Becker.
2:04:30 PM Mr. Becker responds to Senator Bradley's question.
2:09:45 PM Senator Brandes asked a question about overtime.
2:10:05 PM Mr. Sassatelli responded to Senator Brandes question.
2:11:26 PM Senator Evers asked a question about critical staffing.
2:13:26 PM Mr. Sassatelli responds to Senator Evers question.
2:18:11 PM Mr. Sassatelli speaks on staffing Level 1 posts.
2:31:43 PM Senator Bradley asks a question about cameras.
2:32:18 PM Mr. Sassatelli responds to Senator Bradley's question.
2:34:13 PM Senator Evers asks question about tobacco in the institutions.
2:34:55 PM Mr. Sassatelli responds to Senator Ever's question.
2:35:50 PM Senator Evers asked question to FDC Madam Secretary Julie Jones about security.
2:36:14 PM Madam Secretary responded to the question.
2:45:17 PM Senator Gibson asks Secretary Jones a question about the cameras.
2:45:54 PM Secretary Jones responds to questions from Senator Gibson.
2:48:22 PM Presentation by James Austin, Consultant from Carter Goble Associates on Inmate Population.
2:55:21 PM Senator Bradley asks question to Mr. Austin about length of stay in prison.
2:56:13 PM Mr. Austin responds.
3:01:31 PM Senator Brandes asks about the extra 8 months causing a problem.
3:02:09 PM Mr. Austin reponds to Senator Brandes question.
3:08:08 PM Brad Sassatelli speaks on population programming.
3:12:17 PM Senator Evers ask question about the percentage of return to prison.
3:12:46 PM Mr. Sassatelli reponds to Senator Evers question.
3:13:21 PM Senator Brandes asks question about visitation.
3:13:44 PM Mr. McGinnis responds.
3:18:47 PM Powerpoint presentation by Lauren Krisai, Dir. of Criminal Justice Reason Foundation
3:28:55 PM Meeting Adjourned