



**Florida Senate - 2011**

SB7084

<u>Committee</u>	<u>Amendment</u>
<b>BJA</b>	<b>13</b>

The Committee on Budget (**Fasano**) recommended the following amendment:

<p><b>Section:</b> 04</p> <p><b>On Page:</b> 105</p> <p><b>Spec App:</b></p>	<p><b><u>EXPLANATION:</u></b></p> <p>This amendment restores Salaries and Benefits general revenue funding in the Security and Institutional Operations Program within the Department of Corrections to reverse the privatization of prisons in south Florida.</p>
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<u>NET IMPACT ON:</u>	<u>Total Funds</u>	<u>General Revenue</u>	<u>Trust Funds</u>
Recurring -	0	0	0
Non-Recurring -	0	0	0

Positions & Amount	Positions & Amount
<b>DELETE</b>	<b>INSERT</b>

**CORRECTIONS, DEPARTMENT OF**  
**Program: Security And Institutional**  
**Operations**      70030000

In Section 04 On Page 105

**DELETE** the proviso immediately preceding Specific Appropriation 595:

From the funds in Specific Appropriations 570 through 759, the Department of Corrections shall assist the Department of Management Services in the issuance of a request for proposal (RFP), as defined in section 287.057(1)(b), Florida Statutes, for the management and operation of the correctional facilities and assigned correctional units, including annexes, work camps, road prisons and work release centers currently operated by the Department of Corrections in Manatee, Hardee, Indian River, Okeechobee, Highlands, St. Lucie, DeSoto, Sarasota, Charlotte, Glades, Martin, Palm Beach, Hendry, Lee, Collier, Broward, Dade and Monroe counties. The RFP shall require a contract commencement date of no later than January 1, 2012.

The contract shall achieve an overall savings of at least seven percent over the Fiscal Year 2009-2010 Department of Corrections actual operational costs totaling \$390,576,585 which includes both direct and indirect costs for each facility, as identified below.

**Adult Male Custody facilities:**

Facility	ADP	Actual Operational Costs
DeSoto	1,896	\$32,447,118
Glades	1,387	\$33,305,921
Hardee	1,874	\$27,921,978
Hendry	1,333	\$24,683,065
Martin	1,500	\$29,339,799
Okeechobee	1,636	\$23,620,255

Adult and Youthful Offender Female Custody facilities:

Facility	ADP	Actual Operational Costs
Broward	727	\$24,917,866
Homestead	666	\$17,248,520

Reception Center:

Facility	ADP	Actual Operational Costs
South Florida	1,468	\$58,477,392

Male Youthful Offender Custody facility:

Facility	ADP	Actual Operational Costs
Indian River	491	\$12,539,943

Specialty Correctional Institutions:

Facility	ADP	Actual Operational Costs
Charlotte	1,082	\$29,237,334
Dade	1,633	\$36,084,298
Everglades	1,697	\$31,024,981

Work Release Centers:

Facility	ADP	Actual Operational Costs
Fort Pierce	81	\$1,280,444
Glades group	190	\$2,317,825
SFRC group	439	\$6,129,846

The Department of Management Services may contract for a term of three years. At a minimum, the contract shall require adherence to all applicable federal, state and local laws, as well as rules adopted by the Department of Management Services for private prison service providers. These facilities shall continue to operate at capacities set forth in section 944.023, Florida Statutes. Each facility's average daily population (ADP), as well as medical and psychological grade population percentages, shall remain substantially unchanged from the ADP calculated for FY 2009-2010. Funds received for these institutions from canteens, subsistence payments, and any other participation accounts shall continue to be remitted to the General Revenue Fund. Contracts shall include a provision that requires impacted employees to be given first consideration for employment with the private provider.

The contract between the Department of Management Services and the private provider must specify performance measures to ensure contractor performance and accountability. The required performance measures shall

include, but are not limited to: the number of batteries committed by inmates on one or more persons per 1,000 inmates; number of inmates receiving major disciplinary reports per 1,000 inmates; percentage of random inmate drug tests that are negative; percentage of reported criminal incidents investigated by the proper authorities; number of escapes from the secure perimeter of major institutions; percentage of inmates placed in a facility that provides at least one of the inmate's primary program needs; number of transition plans completed for inmates released from prison; number of release plans completed for inmates released from prison; percentage of release plans completed for inmates released from prison; percentage of inmates needing programs who successfully complete Drug Abuse Education/Treatment programs; number of inmates who are receiving substance abuse services; percentage of inmates completing mandatory literacy programs who score at or above 6th grade level on next Tests of Adult Basic Education (TABE); percentage of inmates who successfully complete mandatory literacy programs; percentage of inmates who successfully complete GED education programs; percentage of inmates needing special education programs who participate in special education (federal law) programs; percentage of inmates who successfully complete vocational education programs; average increase in grade level achieved by inmates participating in educational programs per 3-month instructional period; and percentage of inmates who successfully complete transition, rehabilitation, or support programs without subsequent recommitment to community supervision or prison for 24 months after release. The Department of Management Services shall provide quarterly reports to the chairs of the Senate Budget Committee and the House Appropriations Committee on the performance of the private prison provider under contract with the department using the required performance measures and other performance measures contained in the contracts.

In order to provide for the transition of these facilities from state operations to private provider operations, the Department of Corrections shall submit a budget amendment to the Legislative Budget Commission, accompanied by a plan for transitioning staff and operations. The budget amendment shall place positions in reserve and transfer funds to the proper appropriation categories in accordance with the provisions of chapter 216, Florida Statutes. Additional budget amendments may be submitted by the Department of Corrections and the Department of Management Services during the 2011-2012 fiscal year as necessary for the proper alignment of budget and positions.

Adult Male Custody Operations 70031100

In Section 04 On Page 108

595 Salaries And Benefits 010000 IOEA

1000	From General Revenue Fund	361,738,121	447,397,189
CA 85,659,068	FSI1 85,659,068		

605	In Section 04 On Page 109 Special Categories 105235 Private Prison Operations IOEA		
1000	From General Revenue Fund CA -79,662,934 FSI1 -79,662,934	199,414,807	119,751,873
607	Adult And Youthful Offender Female Custody Operations 70031200 Salaries And Benefits 010000 IOEA		
1000	From General Revenue Fund CA 21,083,193 FSI1 21,083,193	35,246,732	56,329,925
616	In Section 04 On Page 110 Special Categories 105235 Private Prison Operations IOEA		
1000	From General Revenue Fund CA -19,607,369 FSI1 -19,607,369	45,112,635	25,505,266
618	Male Youthful Offender Custody Operations 70031300 Salaries And Benefits 010000 IOEA		
1000	From General Revenue Fund CA 6,269,972 FSI1 6,269,972	29,924,454	36,194,426
628	In Section 04 On Page 111 Special Categories 105235 Private Prison Operations IOEA		
1000	From General Revenue Fund CA -5,831,074 FSI1 -5,831,074	25,165,851	19,334,777
630	Specialty Correctional Institution Operations 70031400 Salaries And Benefits 010000 IOEA		
1000	From General Revenue Fund CA 48,173,307 FSI1 48,173,307	215,403,995	263,577,302
638A	Special Categories 105235 Private Prison Operations IOEA		
1000	From General Revenue Fund CA -44,801,175 FSI1 -44,801,175	44,801,175	0

Reception Center Operations 70031500

In Section 04 On Page 112

640 Salaries And Benefits 010000 IOEA

1000 From General Revenue Fund 76,221,399 105,460,095  
CA 29,238,696 FSI1 29,238,696

649A Special Categories 105235  
Private Prison Operations IOEA

1000 From General Revenue Fund 27,191,987 0  
CA -27,191,987 FSI1 -27,191,987

Public Service Worksquads And Work  
Release Transition 70031600

In Section 04 On Page 113

651 Salaries And Benefits 010000 IOEA

1000 From General Revenue Fund 33,662,775 38,526,833  
CA 4,864,058 FSI1 4,864,058

660A Special Categories 105235  
Private Prison Operations IOEA

1000 From General Revenue Fund 4,523,574 0  
CA -4,523,574 FSI1 -4,523,574

JUVENILE JUSTICE, DEPARTMENT OF  
Program: Residential Corrections Program  
Non-Secure Residential Commitment 80800100

In Section 04 On Page 169

1121 Special Categories 100778  
Grants And Aids - Contracted Services IOEB

1000 From General Revenue Fund 87,545,743 73,875,562  
CA -13,670,181 FSI1 -13,670,181

Line item amendments are accepted as part of the amendatory process. However, due to the necessity of using computerized systems this may entail a different placement within a budget entity or the renumbering of the specific appropriation items.