

The Correctional Policy Advisory Council

The Need for Reforming Florida's Correctional System

By Hugh MacMillan
Guest Writer & Special Consultant

Editor's Note: The Center for Florida Fiscal & Tax Reform is proud to welcome [Hugh MacMillan](#), a man who has dedicated his life to the reform of Florida's Correctional System.

As we go to press, [Representative Priscilla Taylor](#) is working with Representative "[Sandy](#)" [Adams](#) and [Senator Arthenia Joyner](#) is working with Senators [Victor Crist](#) and [Paula Dockery](#) to ensure that the "[Correctional Policy Advisory Council](#)," housed in the Office of Legislative Services, provides a report to the Legislature by March 10, 2009, addressing the impact of alternative sentencing for non-violent offenders that would reduce the need for, and cost of, building additional prisons in the future.

The Center also recommends that the report should evaluate the impact of restoring gain time for those current inmates who have participated in and completed substance abuse and educational (workforce training) programs, and gained support of community groups in the community to which they would be released.

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When I wrote "[Razor Wire in Rural Florida: Can our prisons succeed?](#)," back in May 2008, I suggested that Senate Bill 2000 (Chapter 2008-54, Laws of Florida) signed by Governor Charlie Crist on May 28th and effective on July 1, 2008, would bring a "tough and smart approach" to the correctional system as an investment strategy to corrections in Florida.



Sadly, however, that effort has languished in the back of the legislative bus. The law, although effective last July 1 and staffed by the Legislature, is not even acknowledged in either the House's or the Senate's websites. Governor Crist made his three appointments last August to [The Correctional Policy Advisory Council](#); but only recently have I been able to find the legislative appointments. Worse, the Council has never even met! It must meet immediately and provide at least an interim report by the regular legislative session beginning in March of this year.

The United States' national incarceration rates are among the highest in the world, and Florida leads the pack! In fact, [Florida led the nation in its prison population growth](#) in 2007; sadly, it almost tripled the average of the next highest nine states and nearly doubled the Number 2 state-- so much for Florida's economic development strategy.

Florida now incarcerates 98,192 individuals (as of 6/30/2008) -- up from 33,681 barely twenty years ago (on 6/30/1988), a growth rate of almost 200%!

The cost of feeding and housing a prisoner has been calculated at \$52.90 per day, or \$19,308 per year (down from the \$20,190 reported in 2001). This was 16% lower than the national average in 2001 and further reflects on the minimal services Florida provided for rehabilitation. Bear in mind, this does not include the capital costs of building facilities or the cost savings realized from work performed by the inmates in operating the prison.

Governor Crist continues to propose building new prisons; paying for them from bonded debt, although our state has far exceeded its statutory debt to general revenue ratio, a proposal that would impose massive future costs for Florida's taxpayers to build and operate these prisons. He, along with the members of the House of Representatives, has also recently proposed cutting the very services likely to save taxpayers' money over the long run and reduce the recidivism rate in the state's prison population.

The Governor and the members of the Florida House have failed to fund any investment strategy that links budget decisions with proven and successful methods that combine sentencing reform with prison strategies to better prepare inmates for a successful transition into society.

It should also be noted that the Department of Corrections, through its Office of Community Corrections, supports community efforts serving over 275,000 probationers (a rate 12% higher than the national average per 100,000) who paid more than \$37.3 million in FY 2004-05 in restitution under mandatory financial obligation agreements established at the [onset of their supervision](#).

People on probation also paid for the costs of their probationary services. Many also paid child support. In contrast, a [2001 study of inmates in the State of Massachusetts](#) found that more than three-quarters of their prison population had paid none of its mandated child support in the previous 12 months. During the same timeframe, more than two-thirds of parolees in Massachusetts with child support obligations managed to make at least partial payments. Overall, the average Massachusetts prisoner paid only \$206 over the previous year for child support obligations, while the average parolee in a community setting paid \$1,538—more than seven times as much!

These and other community and prison education and substance abuse programs are currently on the Legislature's chopping block, even though they have provided positive economic outcomes for the community -- higher level of payments for restitution, child support, and operations cost. These programs also provide more productive integration with the general population of the state rather than creating an isolated population of inmates and guards.

And this is just the state prison system and state probation and parole system – these arguments do not include the thousands of people languishing in county jails whose rated capacity of 60,589 (2006) is often exceeded, or the hundreds housed in locally-run diversion programs.

Florida courts have taken the state to task for [failing to meet its mental health obligations](#) and for continuing to support the placement and retention of individuals with severe mental health issues in county jails.

The Center for Florida Fiscal & Tax Reform will issue a complete report following the current legislative special session outlining proven ways to reduce recidivism, avoid building additional prisons, and provide economic stimulus for the state's economy instead of the state's current "put them behind bars and throw away the keys" approach, which has proven to be irresponsible, very costly, inhumane and unproductive.

Hopefully, the Council established by the 2008 Legislature will also provide its recommendations.

Relevant Links on Next Page

Relevant Links

[Correctional Policy Advisory Council](#)
[Correctional Policy Advisory Council Members](#)

January 4, 2009

[Jim McDonough: Cut costs and still stay safe](#)

Note: The above link leads to an Opinion Page Editorial by former Florida Department of Corrections Secretary Jim McDonough dealing with Prison Reform in Florida. It was published in The Tallahassee Democrat.

December 30, 2008

[My View: Corrections culture shuns faith-based approaches](#)

Note: Allison DeFoor is an attorney and Episcopal priest, a former candidate for Lt. Governor and former vice-chairperson of the Florida Republican Party, and a good friend of ours. He lives at Wakulla Springs. The link above takes you to an Opinion Page Editorial he wrote for The Tallahassee Democrat about Florida's Corrections System.

Mental Health: Transforming Florida's Mental Health System

"In Florida alone, roughly 125,000 people with serious mental illnesses requiring immediate treatment are arrested and booked into jails annually.

"Up to 23 percent of county jail inmates and 17 percent, or more than 16,000, of Florida's state prison inmates experience serious mental illnesses (SMI). On any given day, the Miami-Dade County Jail houses between 800 and 1,200 defendants with SMI, making it the largest psychiatric facility in the State of Florida. Inmates designated as having a mental health problem in the Orange County Jail are more likely to be repeat offenders, stay in jail 67 percent longer than other inmates, and are more likely to return within three years of being released (Council of State Governments, 2007)."

[Florida Supreme Court Report: Transforming Florida's Mental Health System, November 15, 2007, page 32.](#)

[Executive Summary of Supreme Court Report 2007](#)

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