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The Florida Center for Fiscal & Economic Policy

Razor Wire in Rural Florida: Can Our Prisons Succeed?

Most Floridians don't drive by, live near, work at, reside at or regularly visit a state prison.

Yet corrections is a big business in Florida, particularly in rural Florida, where most of the prisons are located. As of January 2008, there were 97,000 inmates locked up in Florida prisons. The Department of Corrections (DOC) employs roughly 28,000 state employees and has an annual budget of approximately \$2.7 billion. In most of Florida's rural counties, a job can be hard to find and the prison is often the one place where a man or woman might find a steady job.

In Fiscal Year 2006-2007, inmate admissions rose eight percent from the year before to 37,864. Drug crimes accounted for 30.6 percent, the largest single category. And 35,337 inmates were released from Florida prisons in FY 2006-2007, having served an average of 86.3 percent of sentences -- <http://www.dc.state.fl.us/pub/annual/0607/stats>

Here's a big problem: Almost one half the inmates in Florida's prisons have done time in a Florida prison before. And at least one in every three of the inmates released will be returning to a Florida prison within three years of release.

This is a problem because the safety of the public is compromised by this revolving door. Also, it is a problem because of the high cost of failure, no matter where we fix the blame -- a complicated human and systemic issue. A conservative estimate of the cost of housing an inmate for a year is around \$20,000. When we house the same inmate for the second and third time, one might begin to wonder if there any better ideas for dealing with this ongoing situation.

The math is staggering. A new 1,200-bed prison costs about \$100 million to build, plus \$30 million for annual operating costs. The current recidivism rate of at least 33% means that one out of every three inmates released will return to prison within three years of his release. At least 10,000 inmates released this year will be coming back to prison over the next 3 years at an annual cost of \$20,000 each.

Governor Charlie Crist made positive recommendations to the 2008 Florida Legislature encouraging the investment of \$28.8-million in critical drug treatment programs to cut recidivism and save an estimated \$306-million in prison construction costs and \$60-million in annual operating costs.

For various reasons, the House of Representatives objected and the status quo remains. The overall budget was over \$4 billion less than the prior year, DOC had no strong champions in the Legislature and thus was no match politically for other competing interests, not unusual for the agency.

Prisons and Rural Florida

Most prisoners are tried and sentenced in urban court rooms and most head back to the city upon release, but big prisons in Florida are a rural community matter.

The Florida Statutes define a "rural community" based on a county population of 75,000 or less. Of the 67 Florida counties, 32 meet the rural community definition and of these 29 are home to a major state prison -- Baker, Bradford, Calhoun, Columbia, Desoto, Dixie, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Holmes, Jackson, Jefferson, Lafayette, Levy, Liberty, Madison, Okeechobee, Putnam, Suwannee, Taylor, Union, Wakulla, Walton and Washington. Flagler, Highlands and Nassau counties are the only rural counties without a prison.

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The Florida Center for Fiscal and Economic Policy (FCFEP) is an independent, nonprofit, non-partisan organization engaged in research and education on state fiscal and economic matters with particular attention to their impact on low and moderate/middle income Floridians and local small businesses owned by, and employing, Floridians. FCFEP's mission is to perform and review research on state-level fiscal and economic matters with particular attention to their impact on low and moderate/middle income families and individuals and indigenous small businesses owned by, and employing, such families and individuals.

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In each of the 29 counties mentioned above, the Florida Department of Corrections is one of the most significant employers.

Historically, timber and agriculture has been the economic base for these small counties. This is the case with Liberty County. The smallest among these, Liberty is nestled in the Florida Panhandle between the Ochlocknee River of the east and the Apalachicola River on the west, and has a population of approximately 8,000. Liberty Correctional Institution (LCI) houses 1,273 adult male prisoners. With a staff of 330, the prison is the largest single employer in the county and serves as a good example of the state's rural prisons. At this time there are no academic or vocational education programs and limited transition, library and chapel programs.

The good news is that there is an emerging consensus that Florida may be ready to make fundamental changes in its basic prison system that can lead to a significant return on this investment in big prisons in rural counties -- dramatic reductions in recidivism rates, stabilization of runaway prison construction costs, and, in the process, helping to make our communities safer.

Wakulla County and its Prison with a Special Mission

Wakulla County, just south of Leon County, extends to the Gulf Coast and has an estimated population of 28,400.

Many Wakulla County residents work with state government in Tallahassee and some have retired to the coast. Among the county's major employers, St. Marks Powder employs 350 people; CSG Systems, Inc. employs 200; and Eden Springs Nursing Home employs 115. Wakulla Correctional Institution has a capacity and employment base similar to LCI's -- 332 employees and an inmate population of 1,701 until its new 1500-bed annex opens this year and these numbers double.

Most of us have not lived or worked in a prison. We may not know anyone who has. And we probably never visited a prison. But a few people for various reasons -- often related to religious faith -- volunteer in prisons to help others. This sustained community volunteer link is a key factor in some dramatic improvements in prisons in Florida and around the country. The basic education, transition and chaplaincy staff is enhanced by coordinated volunteer workers and by the positive efforts of inmate facilitators in various programs and activities. This is not the usual prison culture and to date the prison outcomes are not the usual outcomes.

Wakulla Correctional Institution (WCI) is part of the DOC's Faith & Character Initiative, a program designed to build a more positive prison culture through sustained community volunteer links. In fact, a sign at the facility's entrance reads **Wakulla Correctional Institution, a Faith- and Character-based Facility**.

WCI is the only maximum security prison in the United States with that designation. And Florida may be the only state in the country currently implementing faith-based programs in prison based on a policy that meets federal constitutional requirements. That is what The New York Times concluded in a front-page article published on December 10, 2006.

The policy of the prison provides that religion and religious expression is voluntary, not supported by state funds, and occurs in circumstances that do not infringe on the rights of other inmates who choose not to participate in the program. When the Senate Criminal Justice Committee decided to make a site visit to WCI in October 2007, Governor Charlie Crist authorized the following statement to be released: *"With a firm constitutional foundation, faith- and character-based institutions allow any inmate, secular or religious, to make him or herself into a better person. Through the initial step of volunteering to reside in a faith- and character-based institution, an increasing number of inmates are taking their first step towards personal responsibility and self-improvement."*

The Tax and Budget Reform Commission (TBRC), which convenes every 20 years to place potential constitutional amendments directly before the voters, recently completed its work. The TBRC approved a statutory recommendation (SR 19) that codifies the Governor's policy statement regarding faith- and character-based prisons and requires study and replication of this model. The key question for this prison initiative is whether it is possible to combine strict professional security management with a prison environment that is essentially positive. An important element for the program's success is the sustained presence of community volunteers who are trained and supervised.

On his first day on the job, newly appointed DOC Secretary Walter McNeil visited WCI. Governor Crist recruited McNeil to fill the DOC leadership job because of his performance as Secretary of the Department of Juvenile Justice. Every indication is that he has the vision, experience and ability needed to provide true leadership at this difficult and opportune time. Old ways and established cultures resist change and the Florida prison culture is no exception.

Rural Florida will continue to receive more than its share of prisons and prisoners and the ex-offenders who choose to make their living in these counties. The TBRC research, analysis and proposed legislation regarding the faith- and character-based prison model helped to elevate this local initiative to a new level of significance as a sound fiscal and economic policy. And it is also relevant that

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prisons have a new champion in the Florida Legislature with the election of former TBRC Commissioner Representative Daryl Rouson, who introduced SR 19.

2008: A Bad Budget Year

Sadly, and in keeping with a difficult year in budgetary terms, not much good corrections news came from the 2008 legislative session or the FY 2008-09 budget. The Florida Parole Commission survived an abolition effort, but its budget was cut from \$9-million to \$7-million – a serious set back to progressive efforts by the administration for restoration of civil rights to released inmates and other transition initiatives. Also, DOC has to absorb a budget cut in the neighborhood of \$100-million, almost all concentrated in the program and education areas. These are the very areas where investment pays returns in lower recidivism, a fact established by solid research.

When the smoke clears, there may be only 40 chaplains employed, a cut from the present staff of 119. Chaplains serve both the inmates and the staff and they are the primary contact point between prison and community volunteers, including training and supervision. These cuts come at a time when education funding inside prisons is stretched beyond the limit, a mere shadow of the programs available ten years ago in vocational training and literacy.

By its very nature, the faith- and character-based initiative addressed above is designed to survive adversity. The community volunteers will continue to do the best they can inside the prisons, working with chaplains, education supervisors and key not-for-profit organizations such as Kairos, Celebrate Recovery, and Horizon Communities in Prisons. But funding for the Horizon program that helped to build the success at WCI and the initial pilot at Tomoka Correctional Institution was among the state budget casualties.

At WCI, Hillsborough Correctional Institution and Lawtey Correctional Institution – the three faith- and character-based prisons – volunteers will continue to work for a continuation of the positive outcomes, most recently reported in March 2008. The results of their efforts speak for themselves:

- Lawtey Correctional Institution (medium security, male) – start date 12/24/03; inmates 821; volunteer groups 46; programs 71. Of 3,775 participants since 12/24/03, 2,010 released, 198 returned to prison. Offenses: violent – 25; property – 75; drugs – 74; other/weapons – 24. Recidivism rate: 10%
- Hillsborough Correctional Institution (medium security, female) – start date 4/14/04; inmates 278; volunteer groups, 58; programs 57. Of 1,349 participants, 721 have been released, 51 returned to prison. Offenses: violent-7; property-28; drugs-19; other/weapons-11. Recidivism rate: 7%
- Wakulla Correctional Institution (maximum security, male) – start date 3/1/06; inmates 1701; volunteer groups 98; programs 76. Of 5466 participants, 1036 released, 74 returned to prison. Offenses: violent-14; property-28; drugs-19; other/weapons-13. Recidivism rate: 7%

Currently, over 6,000 inmates are on waiting lists to participate in the three faith- and character-based prisons.

Senate Bill 2000 and an Investment Strategy for Corrections

The PEW Center on the States recently released a report entitled “*ONE IN 100, BEHIND BARS IN AMERICA 2008.*”

The United States easily leads the world in incarceration rates, a costly, failed prison system and rural Florida has a significant stake in that sad situation. In Florida, at least one third of the high cost of prison growth comes from repeat offenders. Nothing on the revenue projection front suggests that Florida can continue to pay for the start up and operation budget costs for prison building as a response to this recidivism.

A few states – most notably Kansas and Texas – have taken bold steps to improve their prison systems with an approach that is both “tough on crime” and “smart on crime.” It is an investment strategy that links budget decisions with successful outcomes, with sentencing reforms and prisons that better prepare inmates for a successful transition into society upon release. The Justice Center of the Council of State Governments is a collaborating partner in both the Kansas and Texas prison reform initiatives.

The 2008 Florida Legislature passed Senate Bill 2000 designed to bring the “tough and smart on crime” approach to corrections in Florida. Chapter 921.0019, Florida Statutes, creates within the Legislature the Correctional Policy Advisory Council “for the purpose of evaluating correctional policies, justice reinvestment initiatives, and laws affecting or applicable to corrections.”

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Members of a 10-member council responsible for the plan's deployment include:

- Two members appointed by the House Speaker
- Two members appointed by the Senate President
- One representative of the victim advocacy profession appointed by the Attorney General
- The Attorney General, or designee
- Secretary of Corrections, or designee
- One state attorney, appointed by the Governor (from 3 nominees, Florida Prosecuting Attorneys Association)
- One public defender, appointed by the Governor (from 3 nominees, Florida Public Defender Association)
- One private attorney, appointed by the Governor (from 3 nominees, The Florida Bar)

Staff support will be provided by the Office of Legislative Services, with full state government resources for data collection, analysis, and research. The chair shall develop a technical assistance agreement with the Justice Center of the Council of State Governments to work with the Justice Reinvestment Subcommittee to accomplish a thorough review of the effectiveness of Florida correctional policies.

This long-awaited project will complete its work within three years, ending on July 1, 2011.

The outside support role of the Justice Center has proven to be essential in Texas and Kansas, as the major criminal justice/corrections stakeholders join in a collaborative effort to accomplish what has been the difficult task of basic reform in the area of crime and corrections.

So we end with hope -- each of Florida's 32 rural counties has a unique character, and almost all have an important prison story. Florida has made massive prison investments in rural Florida. Building on the success of the faith- and character-based initiative and with the successful implementation of SB 2000, professionally trained correctional officers in our rural-county prisons -- working with faith community volunteers and other community partners -- can help transform Florida's prisons.

DOC now has an opportunity to actually become a department of corrections as more inmates transition successfully back into society. And Florida's serious investment in rural county prisons and the workforce to operate them may well start to return important dividends in public safety, cost savings, and the dignity of human lives that richly deserve redemption after paying for crimes committed.