

Chapter One

The Prison Experience:

Successful Reentry Must Start at Prison Entry

From the first day of the Task Force's deliberations, the members recognized that for reentry and reintegration to be successful for the more than 30,000 people who are released from Florida's state prisons each year, the work toward that success upon discharge had to begin upon arriving at the prison gate.

I. REDUCING RECIDIVISM AS CENTRAL TO THE FDC MISSION

THE TASK FORCE FINDS:

88.5%¹ of the 89,513² people now in Florida's state prisons will one day be released.

Over a quarter of those released from prison are coming back to prison within three years. If the current pattern holds, within three years of release from state prisons in Florida, of the 31,537³ of those released in 2004-05, 39.5% (12,457 people) will be convicted for a new crime and 25.7% (8,105 people) of those released will be re-imprisoned for a new crime.⁴

Still others come back to prison on technical violations of the conditions of community supervision. In FY 2004-05, of the 9,994 people on probation sent to prison for a technical violation of the conditions of supervision, 1,887 were returned to prison (the remaining 8,107 had not initially been given a sentence of imprisonment).⁵ These 1,887 individuals are *not* among the 25.7% that would be predicted to return to prison because the reimprisonment of these 1,887 people is not based on their being convicted of *new crime*.

These numbers explain why 44% of the people in Florida's prisons have been there before.⁶

This rate of recidivism is unacceptably high and unacceptably expensive.

¹ FDC Annual Report 2004-2005, *Inmate Population*, at 31. The Task Force is aware that the often-cited national percent of prisoners that will one day be released is 97%. The Florida figure is lower due to its stricter sentencing laws. However, of the inmates *admitted* in 2004-05, 98.5% have sentences shorter than natural life (or death). *Id.*, Inmate Admissions, at 11.

² September 2006 Total of FDC Inmate Population by Facility Fiscal Year 2006-2007, prepared by FDC on October 6, 2006.

³ FDC Annual Report 2004-2005, *Inmate Releases*, at 38..

⁴ FDC *Recidivism Report*, (Inmates Released from Florida Prisons July 1995 to June 2001), *July 2003*.

⁵ Email correspondence to the Task Force from FDC Research & Data Analysis, 10/26/06.

⁶ FDC Annual Report 2004-2005, *Inmate Admission*, at 15.

Those returning inmates will cost Florida taxpayers \$147,765,340⁷ for their first year of reconfinement. This is based on the cost of \$18,108 per year to house an inmate⁸ (excluding capital costs; this also does not include the cost of those reimprisoned for technical violations.)

If these repeat offenders are sentenced to the current 4.6 year average length of sentence for new admissions,⁹ the cost of these repeat offenses will total \$670 million.¹⁰

FDC's mission ("The Department of Corrections protects the public by operating a safe, secure, humane, and efficient corrections system.") does not address recidivism or reentry. At least fourteen other states have amended their mission statements in recent years to address recidivism, successful reentry and/or rehabilitation.¹¹ The mission of a department of corrections impacts both the work and the culture of correctional institutions. It sets the tone for the operation of the agency and its facilities.

FDC is not measured on its effectiveness in reducing recidivism. This is arguably the most important goal of the system after inmate and public safety. FDC reports this data, but facilities and staff are not rated or ranked according to their performance. Nor is FDC measured on critical related measures.

THE TASK FORCE ENDORSES

- a. FDC's targets of reduction in the rate of recidivism initially by 10% and then by 20%. The savings that would be realized from 10% of the predicted 8,105 people released going back to prison in FY 2004-05 instead not committing new crimes and being sent back to prison would be \$14.7 million; if 20% don't go back to prison, the savings would be \$28.4 million. With each year's releases not going back to prison, the savings mount.

THE TASK FORCE RECOMMENDS:

1. **The FDC mission statement should be revised to explicitly address successful reentry.** The mission of a department of corrections impacts both the work and the

⁷ 8,105 (25.7% of 31,537) x \$18,108 = \$147,765,340.

⁸ FDC Annual Report 2004-2005, *Budget Summary*, at 19.

⁹ FDC 2004-05 Annual Report, *Inmate Admissions*, at 11.

¹⁰ \$147,765,340 x 4.6 = \$679,720,564. This cost does not include associated costs both to victims and to taxpayers that these new crimes will create.

¹¹ **E.g., Texas:** "The mission of the Texas Department of Criminal Justice is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime;" and **Nevada:** "It is the mission of the Department to provide professional staff to protect the community through safe, humane, and efficient confinement of offenders; provide opportunities for offenders to successfully reenter the community through: education, training, treatment, work, and spiritual development; and be sensitive to the rights and needs of victims."

culture of correctional institutions. It sets the tone for the operation of the agency and its facilities. **[By Agency, Executive or Legislative Action]**

2. **That performance measures be adopted for FDC, its facilities and wardens and staff.** The measures would assess performance in achieving the goal of successful reentry, including, but not limited to, reduction of recidivism, reduction in disciplinary reports, reduction in incidents of violence, reduction in staff and inmate injuries, reduction in use of force, reduction in number of days on lock-down, reduction in contagious diseases, reduction in contraband, increase in comprehensive assessments at reception, increase in inmates' educational attainment, increase in issuance of state photo IDs and Social Security cards prior to release, and, upon release longitudinal success as measured by job retention, earnings gains, educational credentials and other positive outcomes reported by the Florida Education and Placement Information Program (FETPIP). Staff promotions and transfers should be based on performance on these indicators. **[By Agency, Executive or Legislative Action]**

III. PRISON CULTURE

THE TASK FORCE FINDS:

The transformation of the prison culture in faith and character-based prisons shows promise for prisons across the state. Much of the change in these prisons is due to leadership changes, increased mutual respect among staff, inmates and volunteers, the increased engagement of volunteers, and a focused emphasis on rehabilitation.

State prisons can better serve all Floridians when they are safe environments characterized by a culture of respect, responsibility, and rehabilitation.

Prisons such as Lawtey CI, where such a culture has been cultivated, are able to maintain security to protect against immediate threats to public safety (i.e., escapes), while also providing a supportive and non-violent atmosphere in which prisoners can prepare for release.

Faith and character-based institutional transformations are budget-neutral and appear to be achieving some good outcomes. Although it is too soon to measure recidivism rates of the people leaving the transformed facilities, the disciplinary rates of these facilities are about half of similar profiles of inmates in other facilities.

THE TASK FORCE ENDORSES:

- b. MGT of America's recommendation and FDC's plans to transform additional facilities into faith and character based institutions.

- c. The reform efforts that FDC began in 2006, including adding “civility” to the Code of Conduct, rooting out corruption, setting new programming priorities, and the work being done to transform the culture at Lowell CI (the facility that MGT of America identified as needing the most attention), to improve its physical plant and to tap the local community to bring in needed programming.

THE TASK FORCE RECOMMENDS:

3. **That a minimum of six more facilities be transformed into faith and character-based facilities with three completed by December 31, 2007, and three more by December 31, 2008**, with the highest priority given to facilities in the counties to which the largest number of inmates return home. These facilities should also serve as transition facilities. FDC should document the steps involved in faith and character-based facility transformations to facilitate the transition of additional facilities and report quarterly on reaching the target. Facility transformation should not be limited to minimum and medium security institutions, but include all facility security levels. **[By Agency, Executive or Legislative Action]**

IV. PRISON PROGRAMMING

THE TASK FORCE FINDS:

Inmate idleness has sharply increased over time. In 2004, OPPAGA reported that “Since 2000, inmate idleness has doubled from 18% to 33%.”¹² In 2006, MGT of America reported that “The assessment teams found an extremely high level of inactivity and idleness within the institutions of the FDOC. The elimination of most of the education, vocational, and recreational funding has left the institutions with an absence of constructive activities to occupy inmates. The elimination of the practice of using canteen profits for the purchase of recreational equipment has impaired the institutions’ ability to provide adequate recreational activities. The assessment teams believe idleness is directly connected to the safety and security of the institutions and the potential for instability within the inmate population.”¹³

Primary programming needs are education and substance abuse:

Inmates are reading at the 6th grade level. As reported by FDC¹⁴, based on literacy testing of inmates being admitted to its facilities, 69.5% of inmates admitted that year tested below the level necessary to begin studying for a GED (which is the 9th grade).

¹² OPPAGA *Progress Report: Corrections Program Still Challenged by Inmate Idleness, Prison Planning, and Fleet Maintenance*, Report No. 04-60, August 2004

¹³ MGT of America, *Agency-Wide Operational Analysis Summary*, at 3-8.

¹⁴ FDC 2004-05 Annual Report, *Inmate Admissions*, at 18.

28.9% tested below the fifth grade level. 55.3% of all new inmates tested at the sixth grade level or below. In FY 2004-05, 740 inmates obtained GEDs.¹⁵

“Over half of the inmates have substance abuse issues,” reported OPAGGA in October 2004. It also reported that “Since 2000, due to major state revenue shortfalls, correctional substance abuse program funding has been reduced by nearly 47% and about 71% of substance abuse program sites have been eliminated. This was a reduction from 4,554 to 1,880 treatment slots.” OPPAGA also found that 25 of the 123 FDC facilities have treatment programs.¹⁶ According to FDC, the current capacity is 2,117 treatment slots. In FY 2005-06, of the 32,654 people released, 24,284 (74.4%) needed treatment and 19,724 (81% of those needing it) did not receive it.¹⁷

Inmates are not always able to complete programs. In 2004, OPPAGA reported that in 2000 it had noted “that approximately half the number of inmates who are placed in correctional education and rehabilitation programs do not successfully complete the courses because they are transferred or released before graduating.” In the 2004 report, it found that “in Fiscal Year 2002-03, 51% of inmates exited mandatory literacy programs before completion, 88% did not complete GED courses, and 59% exited vocational courses before completing them.”¹⁸

Over time, prison programming has been cut. Education, job training, work experience, substance abuse and mental health treatment have been cut in recent years.

Appropriations	FY 2000-01	FY 2004-05	Percent change
Substance Abuse Treatment	\$14,761,833	\$7,830,618	- 47%
Basic education skills (academic, vocational, special education and library services)	\$36,749,036	\$24,555,358	- 33%
Total Treatment and Education	\$51,510,869	\$32,385,976	- 37%
Total for FDC	\$1,634,173,161	\$1,898,232,425	+ 13%
Percent of FDC budget for Treatment and Education	3.2%	1.7%	- 47%
Inmate population	72,007	84,901	+ 18%
Annual Treatment and Education Dollars	\$715	\$381	- 47%

¹⁵ FDC 2004-05 Annual Report, *Education* at M-23.

¹⁶ OPPAGA *Information Brief: Correctional Substance Abuse Programs, While Few, Are Reasonably Efficient and Effective*, Report No. 04-69, October 2004.

¹⁷ Data provided to the Task Force by the FDC Office of Community Corrections, 10/24/06.

¹⁸ OPPAGA *Progress Report: Corrections Education and Rehabilitative Programs Significantly Reduced*, Report No. 04-59, August 2004.

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Research shows that such programming has proven to enhance safety and security and to reduce recidivism.¹⁹

As OPPAGA reported, Florida TaxWatch found that for every dollar invested in inmate programs, there was a return of \$1.66 in the first year and \$3.20 in the second year.²⁰

Reallocation of resources has the potential for improved outcomes.

THE TASK FORCE ENDORSES:

- d. MGT of America's recommendation that "the Office of Institutions needs to develop a strategic approach to reduce idleness throughout the institutions" and its recommendations regarding job training in furtherance of the objective of reducing idleness.
- e. FDC's plans to expand educational opportunity with the goal of teaching 20,000 inmates to read.

¹⁹ See, e.g., Florida Corrections Commission 1999 Annual Report, which found, based on FDC data:

- **Lower Major Disciplinary Report Rate for inmates who completed vocational, transition, or life skills training.** For FY 1995-96, 719 major disciplinary reports were issued per 1,000 inmates who completed these programs as compared to 1,025 major disciplinary reports per 1,000 of the remaining inmate population.
- **Fewer Major Disciplinary Reports for inmates who were enrolled in educational courses.** For FY 1995-96, 684 major disciplinary reports were issued per 1,000 inmates who were enrolled in educational courses as compared to 917 major disciplinary reports per 1,000 of the remaining inmate population.

And see also: FDC Recidivism Report: Inmates Released from Florida Prisons, July 1995 to June 2001; July 2003:

“Academic Programs (GED): 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.

Vocational Programs: The recidivism rate for the 1,793 inmates who earned a vocational certificate was 26.0% compared to 35.4% for those who did not complete a program. This reduction in recidivism (9.4%) translates into approximately 169 inmates not returning to prison. Avoiding the cost of their re-incarceration for one year would amount to cost savings of approximately \$3.2 million.

Substance Abuse Programs: The recidivism rate for the 3,129 inmates who completed a substance abuse program was 31.4% compared to 35.4% for those who did not complete a program. This reduction in recidivism (4.0%) translates into approximately 125 inmates not returning to prison. Avoiding the cost of their re-incarceration for one year would amount to cost savings of approximately \$2.4 million.

²⁰ OPPAGA Review of the Department of Corrections, Report No. 00-23 December 2000, Revised April 2001, at 48.

- f. FDC's objective of reducing the rate of recidivism by deploying evidence-based substance abuse, health, and mental health treatment; and educational, vocational and reentry-preparedness services and programming.
- g. Redeploying the cost-of-incarceration savings, including the avoidance of the additional capital costs of new prison beds, into additional evidence-based programs that will further reduce recidivism.
- h. The findings of OPPAGA, the Corrections Commission and the Auditor General that PRIDE has not adhered to its fundamental mission of providing work opportunities for inmates²¹ and FDC's target of increasing the number of work stations from the current 2,117, which allows work opportunity for 2% of inmates, to work stations sufficient to provide work opportunities to 30% of the inmates within 10 years.
- i. Given Florida's construction boom and its need for construction workers to repair or replace storm-damaged properties, FDC's efforts to partner with Habitat for Humanity to build prefab homes and to teach marketable construction skills to inmates.
- j. The recommendations contained in the 1998 Florida House of Representatives report, *Maintaining Family Contact When a Family Member Goes to Prison*.

THE TASK FORCE RECOMMENDS:

4. **That FDC's capacity for basic and functional literacy, GED preparedness and vocational education be expanded. [By Agency and Legislative Action]**
5. **That FDC's capacity for the treatment of substance abuse and of co-occurring disorders be expanded. [By Agency and Legislative Action]**
6. **That FDC maximize the use of outside resources for expanded job training by:**
 - **Leveraging funds and resources from the private sector and from publicly funded workforce programs** to expand job training and work experience in the prisons in order for inmates to learn marketable skills.

²¹ Florida Corrections Commission 2002 Annual Report, Section 3; OPPAGA Report No. 12228, *Performance Audit of the Prison Industries Program*, January 1994; OPPAGA Special Report: *PRIDE Benefits the State But Needs to Improve Transparency in Operations*, Report No. 03-68, December 2003; Florida Auditor General *Operational Audit of the Prison Rehabilitative Industries and Diversified Enterprises, Inc. for the Period July 1, 1994, Through February 29, 1996, Dated December 12, 1996*.

- **Ensuring that job training be demand-driven and focus on jobs in growth industries** such as construction and that FDC's Memorandum of Understanding with the Agency for Workforce Innovation be revised to reflect this focus.
- **Partnering with business associations and businesses willing to do "behind the fence" job training** within their industries upon the inmate's release.
- **Coordinating training with transition assessment / planning** and the post-release community/workforce linkage recommendations in this report.
- **Tracking employment, earnings, continuing education and other post-release outcomes**, and reporting and evaluating outcomes with the help of the Florida Education, Training and Placement Information Program (FETPIP).
[All by Agency Action]

7. That FDC increase family contact and reduce financial strain on inmates' families through:

- Promotion of the maintenance of or restoration of family ties.
- Development of family-friendly prison policies, including visitation, telephone calls, and physical plant issues.
- Include families, as appropriate, in the preparation for release.
- Development of forms and procedures that allow for modification of child support at reception or shortly thereafter to reflect the inability to pay while incarcerated and to avoid the accumulation of unpayable arrears.
- Use of inmate calling cards as used in federal prisons.
- Development of inmate email system as is in place in federal prisons.
- Development of a family handbook specifying the rules governing inmate contact and other matters of concern to families.

[All by Agency Action]

That FDC develop an inmate program handbook describing (1) available FDC inmate programs, (2) the rules and guidelines governing selection and eligibility and termination from programs. [By Agency Action]

- 8. That FDC use a validated instrument for evaluation and assessment at reception for both security classification and reentry programming needs**, including identifying the need for ID and benefits upon release; compiling all relevant reports on the inmate to facilitate accurate and comprehensive assessments. Annual inmate re-assessments also be required and that re-assignments be made, if indicated by the re-assessment; and that transition plan

programming changes, as indicated; and step-down be based on the assessments.
[By Agency Action]

V. WORK RELEASE

THE TASK FORCE FINDS:

With a prison population of over 88,000, 88.5% of whom will be released one day, there are 2,997 work release beds, which is enough to place for 3.4% FDC inmates in work release prior to release. FDC's practice is to allow no more than 4% of the FDC population to be assigned to work release; this is based on its assessment of its ability to absorb inmates back into the institutions if problems arise in work release facilities.

Work release is cost-effective and supports the goal of successful reentry. According to FDC, its institutional per diem is \$48.23. The FDC work release per diem is \$26.16 for its own 2,616 beds. The outsourced work release per diem is \$19.74, for 864 beds, of which 360 are located in FDC facilities and 504 are located in vendor-owned facilities. Work release is substantially cheaper than prison confinement and it facilitates the successful transition from prison to the community, while reducing recidivism.

Eligibility criteria based on the length of time left on the sentence and a lack of work release beds make work release unavailable to most inmates who are about to be released. Today, according to FDC, 3,834 inmates are currently in community custody status and meet the eligibility requirements for work release but are not in work release. Of those, approximately 1,000 inmates have been found qualified by FDC and are waiting for a work release bed. The current assignments of those 3,834 are: 40% are in work squads outside prison grounds or in the community; 30% are doing institutional maintenance within the facilities; 22% are not assigned at this time; and 14% are in some kind of programming.

THE TASK FORCE ENDORSES:

- k. MGT of America's recommendation that "the Department should aggressively pursue expansion of the Work Release Program."

THE TASK FORCE RECOMMENDS:

9. **That FDC expand work release by outsourcing additional work release facilities through:**
 - **Setting specific targets on the expansion**, with the first target being creating enough new work release beds to accommodate the 3,000 now eligible for work release but still confined in a prison.
 - **Adjusting the criteria for admission to work release so that more prisoners are eligible.**

- **And reporting on the number of additional beds to be created**, the time line for their creation, and reporting quarterly on reaching the targets.
[All by Agency Action]

VI. DISCHARGE PLANNING

THE TASK FORCE FINDS:

Inmates are not equipped upon release to succeed. They leave prison with \$100; sometimes, but not always, 30-days of medication; and a bus ticket. They often do not have necessary identification cards, they do not always have a residence lined up, and often do not know how to find a job or have the skills to get a job.

THE TASK FORCE ENDORSES

- l. FDC's plans to ensure that prior to release, inmates are schooled in money management and banking; and household management and grocery shopping.
- m. FDC's efforts to get inmates the proper identification documents they will need to secure housing, employment, bank accounts and care upon release.
- n. MGT of America's findings and recommendation concerning restoration of transition officers: "The elimination of the transition officers have significantly impacted the release programming within the institutions. . . [and] the mechanics and processes of the release function have fallen solely on the lap of the release officers. This has adversely impacted release preparation and also stretched the workload of the designated release officers. It also has limited contacts with the community corrections representatives who provide the post-release supervision of the inmates. . . . The Department should consider restoring transition officers to those institutions with the highest percentage of releases."

THE TASK FORCE RECOMMENDS

10. That pre-release planning begin on the first day of incarceration and include the development of an individualized reentry plan that addresses education; employment, including resume preparation, job seeking and interviewing; health, mental health and substance abuse challenges; managing family conflict; mentoring; and strategies to develop pro-social behavior and desistance from crime. In furtherance of developing and implementing the plan:

- **FDC should assist inmates being released from prison in obtaining Social Security cards and state identification cards or drivers licenses.**
- **In instances when inmates are determined to be disabled, the FDC medical staff should provide the clinical diagnostic reports needed by the Social**

Security Administration to award disability benefits upon release, which then also establishes eligibility for Medicaid benefits.

- **FDC should develop an inmate discharge handbook** that contains the inmate's individualized reentry plan and the programs and services available in his home community.

[All by Agency Action]

- 11. That FDC transform existing facilities in the communities to which the most inmates will be released into transition release centers** that comprehensively prepare inmates for release; and that **as prisoners near the end of their sentence, that FDC transfer prisoners to facilities close to their homes.**

[By Agency Action]

DRAFT

Chapter Two

Coming home: Reentry at the Community Level

TASK FORCE FINDINGS:

In FY 2004-05, FDC released 33,464 inmates from its facilities.²²

44% of the people being released from prison go home to 7 counties. These counties are, in order of number of people returning home, Hillsborough, Broward, Dade, Orange, Duval, Pinellas and Polk. Next are Volusia and Palm Beach.²³

No Florida community has a comprehensive system responding to the challenges of people coming home from prison. Some Florida communities have established task forces, councils or committees to address the barriers to successful reentry and the need to reduce recidivism among returning prisoners, but the services coordinated by these entities are still fragmented.

The State's investment in its delivery of services to ex-offenders at the community level is significant. The state has oversight authority over many of the services that ex-offenders need such as job training and workforce services, substance abuse, health and mental health care, and public benefits.

The Task Force has studied best practices in other states and based on that research has developed a Community Partnerships Initiative, which is a promising effort to develop local reentry councils and local reentry plans to address these challenges.

THE TASK FORCE ENDORSES:

- o. The Parole Commission's efforts to help in the transition process through its proposed "Post Release Offender Re-entry Initiative."

THE TASK FORCE RECOMMENDS:

12. Authorizing the Parole Commission to act as the state's "transitional authority."

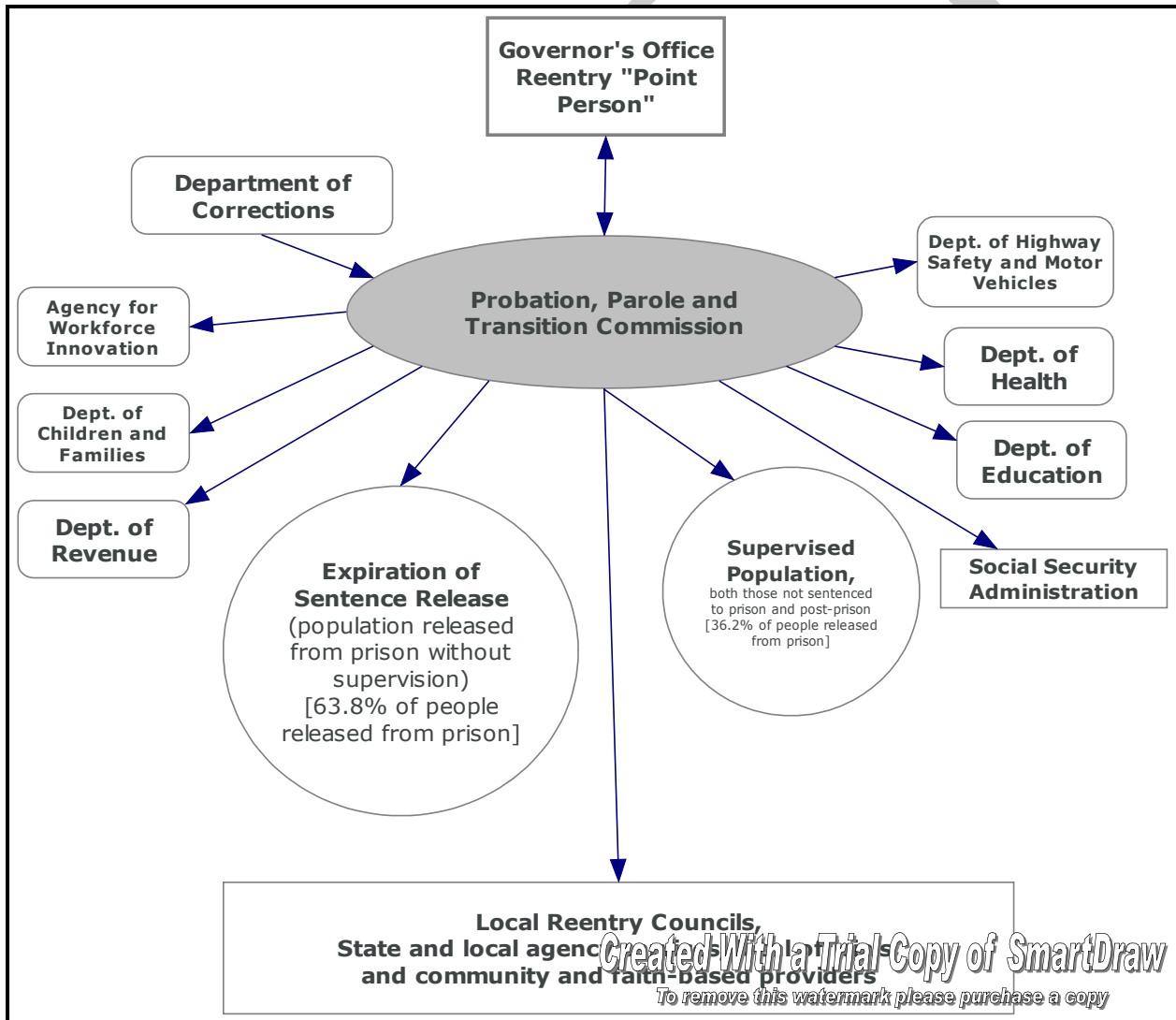
- Change the name of the Parole Commission to the "Probation, Parole & Transition Commission."

²² FDC 2005-06 Annual Report.

²³ FDC 2005-06 Annual Report.

- Task the Commission with coordinating the statewide reentry efforts of individuals released from incarceration. The Commission will perform the reentry task in conjunction with the Governor's office, other state agencies, as well as the local reentry councils.
- Charge the Commission with full responsibility for coordinating all inmates transitioning from prison to the community, including those who are currently under the jurisdiction of FDC Community Corrections and those who are currently under the jurisdiction of the Commission.
[All by Legislative Action]

The authority, structure and relationships of the Parole, Probation and Transition Commission is illustrated in the diagram below.



13. That the state support the development and work of reentry at the community level to help local reentry planning and service delivery, test new ideas and approaches, and promote and replicate what is found to work in producing measurable outcomes, such as reduced recidivism, by:

- Partnering and collaborating with Florida local governments and faith and community-based organizations in supporting local reentry councils by putting in place a reentry coordinator in each of Duval, Miami-Dade, Broward, Hillsborough and Palm Beach Counties; and the Nineteenth Judicial Circuit (Okeechobee, Martin, St. Lucie, and Indian River Counties), with a five-year target of developing such councils in every major community starting with Orange, Pinellas, Polk and Volusia Counties; and
[By Legislative Action]
- The Governor's Office appointing a reentry point-person charged with coordinating, with the Probation, Parole and Transition Commission and relevant state agencies, the continuum of services from FDC facilities through release to the community.
[All by Executive Action]

TASK FORCE FINDINGS:

People coming home from prison face many barriers to employment. Many jobs in the Florida economy are affected by formal restrictions based on criminal records.

There are state-created restrictions on state jobs; on jobs in places and facilities that the state licenses, funds or regulates; and on occupations that the state licenses.

In order of severity, based on the responses from the agencies to Executive Order 06-89, the Task Force found the following types of restrictions:

- Lifetime bars for any felony.
- Lifetime bars unless civil rights are restored for any felony.
- Lifetime bar for certain felonies.
- Lifetime bar unless civil rights are restored for certain felonies.
- Time-limited bars for any felony.
- Time-limited bars for certain felonies.
- Lifetime bars for certain felonies, with exemptions possible after 3 years from the date of offense.
- Time-limited bars for certain felonies, and waiver of the bar possible.

Jobs with similar kinds of trust and responsibility often have widely varying types of restrictions.

Among the restrictions is that which requires restoration of rights. It has the effect of putting jobs off-limits for many years for the hundreds of thousands of people in Florida who have not had their civil rights restored, which may affect their ability to seek employment.

THE TASK FORCE RECOMMENDS:

- 14. That, as a direct result of Executive Order 06-89, restoration of civil rights not be required as a precondition for employment or licensing and that employment restrictions for those occupations currently subject to restoration of civil rights requirements instead be built into a single background check law, such as Chapter 435.**

[By Legislative Action]

Chapter Three

Organizing Reentry Reform Work in 2007 and Beyond

THE TASK FORCE FINDS:

Reforms that will measurably prevent crime, reduce recidivism and improve public safety by making reentry successful for the men and women leaving prison is a multi-year project.

THE TASK FORCE RECOMMENDS:

15. The reappointment of the Governor's Ex-Offender Task Force to continue the work it began in 2005 with structures that address the following goals and core results:

Goals:

- Continue to identify barriers to reentry and recommend system, policy and practices reforms to make reentry more successful for more people coming home from prison.
- Coordinate with the Probation, Parole and Transition Commission and help to cohere a rational delivery system of federal, state and local resources to maximize the effectiveness of existing resources.
- Identify best practices and promote their adoption at the state and local levels.
- Support the efforts of local reentry councils to develop local reentry plans, seed promising new approaches, replicate them, and coordinate the delivery of services.
- Address the additional items of unfinished business as set forth in the next recommendation.

Core results:

- Performance outcomes against which this work will be measured, including, but not limited to, reduced recidivism; increased prison programming, indicia of transformation of prisons; and, upon release, employment, job retention, and increased earnings.

[All by Executive or Legislative Action]

THE TASK FORCE FINDS:

Both special populations and certain complex issues warrant further study. Such study was beyond the time limitations the Task Force, and they require additional partners to do a proper job of making findings and recommendations.

THE TASK FORCE RECOMMENDS:

16. Further study with the aim of additional reform recommendations on the following issues and populations:

Prison culture and conditions of confinement: The culture of a prison and the conditions of confinement impact programming success within prison and success upon reentry, including recidivism.

Study and address: The Task Force has seen models of transformed prisons that have demonstrated their success with improved outcomes, but more needs to be learned both about the conditions of other prisons not yet visited and about how to transform prisons that need help.

Sex-Offenders' lack of viable housing and employment options upon release from prison. With an increasing array of employment and housing restrictions, sex-offenders are often either sent back to prison because they cannot find a legal housing or employment, or they disappear and do not register.

Study and address: A thoughtful re-examination of employment and housing restrictions that are leading to some sex-offenders unnecessarily going back to prison or failing to identify their residence and to register, thus putting communities at risk.

Women: Both MGT of America and the Task Force's own prison site visits and focus groups with prisoners found that women prisoners face unique challenges, and have unique needs.

Study and address: The challenges faced by women in prison and upon release, and promising models that achieve good results for system changes and successful reentry.

Mentally ill prisoners and ex-offenders: Although not designed to be a mental health system, prisons have become the default provider of mental health services and of housing for people with mental illness. The correctional system's assumption of the

responsibility for confining a growing percentage of mentally ill inmates impacts both the kind of care that the mentally ill obtain and the environment of other inmates.

Study and address: The challenge of providing proper mental health care in a correctional environment and in insuring an uninterrupted continuum care upon release.

Step-down: Increasing attention has turned to the importance of decreasing restrictions on movement and personal choices and increasing personal responsibility with the passage of time (called “step-down”) in correctional facilities. Those who urge this approach are demonstrating that moving from a highly restricted environment to the community makes recidivism more likely.

Study and address: Formalizing step-down policies including increased reliance on work release prior to release.

Supervision: Most prisoners are released without subsequent supervision. 19,839 (62.9%) of the inmates were released pursuant to the completion of their sentence; none of these former inmates are under any kind of state or local supervision. Supervised release is limited: 5,198 (16.5%) were released on conditional release; 4,767 (15%) were released to community control; 50 people (0.2%) were paroled.²⁴

Study and address: The impact of the fact that since repeal of parole in 1983, 68.3% of people leaving prison are under no form of continued supervision.

Zero tolerance community supervision policies. People under community supervisions, such as probation or community control, are often sent to prison or back to prison for technical violations at a cost of \$18,108 per year per person incarcerated.

Study and address: The impact of zero tolerance policies and alternatives to incarceration for technical violators.

Juveniles: Juveniles face similar obstacles and challenges faced by the adult population, such as difficulty with documentation, lack of employment readiness skills, and lack of housing options. However, the complexities and unique characteristics of youth facing these challenges and others require tailored recommendations. Also, the additional and distinct challenges of subpopulations of youth, such as girls and juveniles with mental health problems, also must be addressed.

Study and address: The challenges faced by youth considering age, maturity level, gender, mental health, physical health, familial circumstances, educational levels, and operational structure of the juvenile justice system.

²⁴ FDC 2004-05 Annual Report, *Inmate Releases*, at 36, 38.

Over-representation of African Americans. Blacks make-up 15.7% of Florida's total population²⁵ yet makeup 51.0% of the inmate population in Florida's prisons.²⁶

Study and Address: African Americans in prisons, and the impact of their prison experience and their reentry experiences on them and their communities.

County jails and federal prisons. Not all ex-offenders are coming home from state prisons. The majority is coming home from county jails, and they face much the same challenges as those being released from prisons. Many others come home from federal prisons.

Study and address: Customized strategies to improve transition and re-entry outcomes for the very large number of ex-offenders incarcerated at county-level jails and released to the community that are not later sentenced to "state time" and look at collaborative strategies for former federal prisoners.

Loss of civil rights upon conviction of a felony. Hundreds of thousands of people in Florida have lost their civil rights, which has an impact on their range of employment opportunities, as well as voting, jury service, seeking public office and other matters.

Study and address: The constitutional, statutory and regulatory barriers to the restoration of civil rights.

Employment restrictions. From the agencies' responses to Executive Order 06-89, the Task Force has learned that in addition to the requirement for some occupations that civil rights be restored, there are many other types of employment restrictions based on criminal records.

Study and address: The feasibility of a single background check act that would streamline, organize and cohere employment restrictions based on the nature of the job or place and employment its type of trust and responsibility.

Other collateral sanctions. People returning home from prison face new and additional kinds of sanctions related to their criminal convictions. Neither the Task Force nor any other entity has systematically inventoried all of these sanctions, but they include both public and private restrictions on housing, drivers' licenses, credit, public service and

²⁵ U.S. Census Bureau, State and County QuickFacts.

²⁶ FDC 2004-05 Annual Report, *Inmate Admissions*, at 11.

service on boards and commissions, civic life, including voting, and access to public benefits.

Study and address: Using the employment restrictions inventory done pursuant to Executive Order 06-89 as a model, identify the other collateral sanctions associated with criminal records, other than employment, such as housing, drivers' licenses, and public benefits, that serve as unnecessary barriers to successful reentry.

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