

*Work release is an available tool that prepares an inmate for a successful return to society while cutting the daily cost to the state by more than half.*

## Smart Justice

Florida's criminal justice system needs systemic change from sentencing to work release. The Smart Justice Council of Associated Industries of Florida agrees that some "tough on crime" measures in the past had a positive impact at improving public safety, which clearly is priority number one. But over recent years, it is apparent that those measures include some significant downsides.

### Council Priorities

- **Risk Assessment & Cost Analysis** – No need for reform is greater than developing the country's best system to determine just exactly who is in corrections custody. A system must be developed that begins with those arrested and provides information on the accused and fiscal considerations to be considered by the sentencing court. A pre-sentencing risk assessment/cost analysis capability for judges would be a dynamic tool providing information regarding the offender's potential for community programming and also the comparison between that cost and the cost of incarceration in state prison. Proper evaluations can also identify significant problem conditions prior to incarceration, especially mental illness and serious substance abuse. Diverting appropriate individuals from jail cells into community-based alternatives like the mental health and substance abuse grant programs is a direct savings complimented by a 100% match by local government. Funding for Criminal Justice Reinvestment Grants should continue.
- **Diversion Beds** – There are no diversion beds available in the state of Florida. Hundreds of people are on the waiting lists of various facilities around the state. However, the vast majority of counties have no such facilities. Almost all offenders with short sentences could be in diversion beds if they were available. Diversion beds cost much less and have more than an 80% success rate lowering recidivism. Even with the success of diversion beds, the Florida Legislature has too often cut beds. In 2003, there were 1,967 beds statewide. Today there are 1,061. The objective this session should be to restore the lost beds. The long-term objective should be to preclude judges from using year and a month sentences and require that all such offenders be placed in the appropriate community-based programs.
- **Transition and Work Release Programs** – Work release is an available tool that prepares an inmate for a successful return to society while cutting the daily cost to the state by more than half. Successful participants also contribute to victim restitution, child support and other legal obligations. A final but paramount consideration of all programs that end with the release of inmates back into the community is proper identification which is a predicate to employment and can be used to verify their eligibility for various appropriate government programs.
- **Privatization of Work Release** – The most achievable short-term impact to reduce expenditures and recidivism is the privatization of twenty-one state operated work release centers. FDOC data substantiates the success of community-based work release centers by contrast to those operated by the department. Allowing providers to contract for the operation of the state centers would improve outcomes, but it should also include a major expansion of those facilities.
- **Juvenile Justice Citations** – Youths arrested and drawn into lengthy involvement with the Juvenile Justice system have become a feeder system for Florida prisons. When arrests in schools climb to over 11,000, changes are needed to ameliorate the immediate impacts, but more importantly, to break the cycle of the graduation of youths into state inmates and a lifetime of state custody.
- **Oversight** – Initiatives proven to reduce recidivism and save dollars are obviously most important. However, it is also extremely important to establish oversight of the Departments of Corrections and Juvenile Justice. There needs to be transparency in the operations and program implementation of both departments, to insure programming success and the accurate analysis of results.

### Council Position

**Prison is the answer for most dangerous lawbreakers, but public safety and taxpayer's dollars could be better served by targeting specific types of offenders for other alternatives that will reduce expenditures and lower recidivism. Most significantly, this approach impacts those with substance abuse problems and mental illness.**

**Chair: Lori Costantino Brown • Lobbyist: Mark Flynn**