

|                                     |        | COL A93      |                      |
|-------------------------------------|--------|--------------|----------------------|
|                                     |        | SCH VIIIIB-2 |                      |
|                                     |        | REDUCTIONS   |                      |
|                                     | POS    | AMOUNT       | CODES                |
| -----                               |        |              |                      |
| CORRECTIONS, DEPT OF                |        |              | 70000000             |
| PGM: SECURITY/INSTIT OPER           |        |              | 70030000             |
| <u>ADULT MALE CUSTODY OPER</u>      |        |              | 70031100             |
| PUBLIC PROTECTION                   |        |              | 12                   |
| <u>ADULT PRISONS</u>                |        |              | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS                  |        |              | 33V0000              |
| REMAINING SENTENCE 24 MONTHS        |        |              |                      |
| OR MORE                             |        |              | 33V0010              |
| SALARIES AND BENEFITS               |        |              | 010000               |
|                                     |        | 1,368.00-    |                      |
| GENERAL REVENUE FUND                | -STATE | 89,185,716-  | 1000 1               |
|                                     |        | =====        |                      |
| OTHER PERSONAL SERVICES             |        |              | 030000               |
|                                     |        |              |                      |
| GENERAL REVENUE FUND                | -STATE | 929,685-     | 1000 1               |
|                                     |        | =====        |                      |
| EXPENSES                            |        |              | 040000               |
|                                     |        |              |                      |
| GENERAL REVENUE FUND                | -STATE | 9,562,659-   | 1000 1               |
|                                     |        | =====        |                      |
| FOOD PRODUCTS                       |        |              | 070000               |
|                                     |        |              |                      |
| GENERAL REVENUE FUND                | -STATE | 5,054,372-   | 1000 1               |
|                                     |        | =====        |                      |
| SPECIAL CATEGORIES                  |        |              | 100000               |
| CONTRACTED SERVICES                 |        |              | 100777               |
|                                     |        |              |                      |
| GENERAL REVENUE FUND                | -STATE | 3,339,305-   | 1000 1               |
|                                     |        | =====        |                      |
| FOOD SERVICE/PRODUCTION             |        |              | 102025               |
|                                     |        |              |                      |
| GENERAL REVENUE FUND                | -STATE | 464,400-     | 1000 1               |
|                                     |        | =====        |                      |
| SALARY INCENTIVE PAYMENTS           |        |              | 103290               |
|                                     |        |              |                      |
| GENERAL REVENUE FUND                | -STATE | 432,726-     | 1000 1               |
|                                     |        | =====        |                      |
| TOTAL: REMAINING SENTENCE 24 MONTHS |        |              | 33V0010              |
| OR MORE                             |        |              |                      |
| TOTAL POSITIONS.....                |        | 1,368.00-    |                      |
| TOTAL ISSUE.....                    |        | 108,968,863- |                      |
|                                     |        | =====        |                      |

| COL A93      |        |                      |
|--------------|--------|----------------------|
| SCH VIIIIB-2 |        |                      |
| REDUCTIONS   |        |                      |
| POS          | AMOUNT | CODES                |
|              |        | 70000000             |
|              |        | 70030000             |
|              |        | 70031100             |
|              |        | 12                   |
|              |        | <u>1206.00.00.00</u> |
|              |        | 33V0000              |
|              |        | 33V0010              |

CORRECTIONS, DEPT OF  
 PGM: SECURITY/INSTIT OPER  
ADULT MALE CUSTODY OPER  
 PUBLIC PROTECTION  
ADULT PRISONS  
 PROGRAM REDUCTIONS  
 REMAINING SENTENCE 24 MONTHS  
 OR MORE

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #2

IT COMPONENT? NO

Pursuant to Section 944.17 (3)(a), Florida Statutes, "notwithstanding the provisions of s. 948.03, only those persons who are convicted and sentenced in circuit court to a cumulative sentence of incarceration for 1 year or more, whether sentence is imposed in the same or separate circuits, may be received by the department into the state correctional system. Such persons shall be delivered to the custody of the department at such reception and classification centers as shall be provided for this purpose."

This proposal would require changing the statute from individuals sentenced to 1 year or more being sent to the Department of Corrections (Department) to only sending those with 24 months or more left to serve on their sentence. In many cases, individuals who are sentenced to 2 years or more spend a much shorter period of time in Department custody due to credit for time served and other factors which is costly to the Department since all inmates must go through the same resource intensive process reception process, regardless of the amount of time on their sentence.

RECEPTION

The Department is statutorily mandated to provide for a reception process that fully diagnoses and assesses each and every inmate received into custody to determine his/her needs. This process ensures that inmates are correctly classified for security purposes and placed in facilities best suited to meet the individual's needs identified at intake. The process requires coordination of all units such as Security, Classification, Medical and Mental Health, and Education and Substance Abuse Services. The reception process includes verification of commitment information, medical and mental health exams, property inventory, fingerprinting, formal orientation as well as a myriad of other exams and assessments necessary to comply with statutory mandates. Generally the reception process takes several weeks to complete, but this is dependent upon the inmate's medical and/or mental health needs, which may require more detailed evaluation. All inmates entering the Department of Correction system, regardless of the time they will serve, must go through the same resource intensive reception process.

RELEASE

The release process serves to ensure that inmates are released only after applicable statutory requirements and transitional needs are met. This typically draws in both institutional and community based resources, ranging from the release officer to medical and mental health staff, probation officers, the courts or the Florida Commission of Offender Review, Department of Children and Families, sheriffs offices, and various community service providers. The same resource-intensive process is applicable regardless of the period of incarceration in the Department. The time frame for the release process is such that when incarceration in DOC custody is less than 24 months, and depending on credit for time served, the inmate will have hardly cleared the reception process before the release process begins; sometimes the two overlap.

| COL A93                        |        |                      |
|--------------------------------|--------|----------------------|
| SCH VIIIIB-2                   |        |                      |
| REDUCTIONS                     |        |                      |
| POS                            | AMOUNT | CODES                |
| CORRECTIONS, DEPT OF           |        | 70000000             |
| PGM: SECURITY/INSTIT OPER      |        | 70030000             |
| <u>ADULT MALE CUSTODY OPER</u> |        | 70031100             |
| PUBLIC PROTECTION              |        | 12                   |
| <u>ADULT PRISONS</u>           |        | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS             |        | 33V0000              |
| REMAINING SENTENCE 24 MONTHS   |        |                      |
| OR MORE                        |        | 33V0010              |

Below is a listing of the prevalent offenses for the inmates used in the proposal:

| Description                      | Percent |
|----------------------------------|---------|
| DRUGS, MANUFACTURE/SALE/PURCHASE | 15%     |
| DRUGS, POSSESSION/OTHER          | 10%     |
| STOLEN PROPERTY                  | 8%      |
| BURGLARY, STRUCTURE              | 7%      |
| GRAND THEFT, OTHER               | 7%      |
| BURGLARY, DWELLING               | 6%      |
| WEAPONS, POSSESSION              | 4%      |
| VIOLENT, OTHER                   | 3%      |
| ROBBERY WITHOUT WEAPON           | 3%      |
| CRIMINAL JUSTICE SYSTEM          | 3%      |
| OTHER THEFT/PROPERTY DAMAGE      | 3%      |
| ESCAPE                           | 3%      |
| FRAUDULENT PRACTICES             | 2%      |
| TRAFFIC, OTHER                   | 2%      |
| GRAND THEFT, AUTOMOBILE          | 2%      |
| DRUGS, TRAFFICKING               | 2%      |
| AGGRAVATED ASSAULT               | 2%      |
| FORGERY/COUNTERFEITING           | 2%      |
| ASSAULT/BATTERY ON L.E.O.        | 2%      |
| AGGRAVATED BATTERY               | 2%      |
| ASSAULT/BATTERY, OTHER           | 2%      |

This proposal would require revision to Section 944.17(3)(a), Florida Statutes.

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| COL A93<br>SCH VIIIIB-2<br>REDUCTIONS   |        | CODES                |
|---|--------|----------------------|
| POS                                     | AMOUNT |                      |
| CORRECTIONS, DEPT OF                    |        | 70000000             |
| PGM: SECURITY/INSTIT OPER               |        | 70030000             |
| <u>ADULT MALE CUSTODY OPER</u>          |        | 70031100             |
| PUBLIC PROTECTION                       |        | 12                   |
| <u>ADULT PRISONS</u>                    |        | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS                      |        | 33V0000              |
| REMAINING SENTENCE 24 MONTHS<br>OR MORE |        | 33V0010              |

POSITION DETAIL OF SALARIES AND BENEFITS:

|   | FTE       | BASE RATE | ADDITIVES | BENEFITS | SUBTOTAL | LAPSE % | LAPSED SALARIES AND BENEFITS |
|---|-----------|-----------|-----------|----------|----------|---------|------------------------------|
| A93 - SCH VIIIIB-2 REDUCTIONS             |           |           |           |          |          |         |                              |
| CHANGES TO CURRENTLY AUTHORIZED POSITIONS |           |           |           |          |          |         |                              |
| P101 PROPOSED CLASS CODE<br>D1001 001     | 1,368.00- |           |           |          |          | 0.00    |                              |
| TOTALS FOR ISSUE BY FUND                  |           |           |           |          |          |         |                              |
|   | 1,368.00- |           |           |          |          |         |                              |
| OTHER SALARY AMOUNT                       |           |           |           |          |          |         |                              |
| 1000 GENERAL REVENUE FUND                 |           |           |           |          |          |         | 89,185,716-                  |
|   |           |           |           |          |          |         | 89,185,716-                  |

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|  |          |             |  |  |  |  |         |
|--|----------|-------------|--|--|--|--|---------|
| OFFENDERS SCORING FORTY-FOUR OR<br>LESS POINTS |          |             |  |  |  |  | 33V0020 |
| SALARIES AND BENEFITS                          |          |             |  |  |  |  | 010000  |
| GENERAL REVENUE FUND -STATE                    | 511.00-  | 33,426,871- |  |  |  |  | 1000 1  |
| =====  |          |             |  |  |  |  |         |
| OTHER PERSONAL SERVICES                        |          |             |  |  |  |  | 030000  |
| GENERAL REVENUE FUND -STATE                    | 348,447- |             |  |  |  |  | 1000 1  |
| =====  |          |             |  |  |  |  |         |

|  |        | COL A93      |                      |
|--|--------|--------------|----------------------|
|  |        | SCH VIIIIB-2 |                      |
|  |        | REDUCTIONS   |                      |
| POS                                    | AMOUNT |              | CODES                |
| -----                                  |        |              |                      |
| CORRECTIONS, DEPT OF                   |        |              | 70000000             |
| PGM: SECURITY/INSTIT OPER              |        |              | 70030000             |
| <u>ADULT MALE CUSTODY OPER</u>         |        |              | 70031100             |
| PUBLIC PROTECTION                      |        |              | 12                   |
| <u>ADULT PRISONS</u>                   |        |              | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS                     |        |              | 33V0000              |
| OFFENDERS SCORING FORTY-FOUR OR        |        |              |                      |
| LESS POINTS                            |        |              | 33V0020              |
| EXPENSES                               |        |              | 040000               |
| GENERAL REVENUE FUND                   | -STATE | 3,584,092-   | 1000 1               |
|  |        | =====        |                      |
| FOOD PRODUCTS                          |        |              | 070000               |
| GENERAL REVENUE FUND                   | -STATE | 1,894,382-   | 1000 1               |
|  |        | =====        |                      |
| SPECIAL CATEGORIES                     |        |              | 100000               |
| CONTRACTED SERVICES                    |        |              | 100777               |
| GENERAL REVENUE FUND                   | -STATE | 1,251,574-   | 1000 1               |
|  |        | =====        |                      |
| FOOD SERVICE/PRODUCTION                |        |              | 102025               |
| GENERAL REVENUE FUND                   | -STATE | 174,057-     | 1000 1               |
|  |        | =====        |                      |
| SALARY INCENTIVE PAYMENTS              |        |              | 103290               |
| GENERAL REVENUE FUND                   | -STATE | 162,186-     | 1000 1               |
|  |        | =====        |                      |
| TOTAL: OFFENDERS SCORING FORTY-FOUR OR |        |              | 33V0020              |
| LESS POINTS                            |        |              |                      |
| TOTAL POSITIONS.....                   |        | 511.00-      |                      |
| TOTAL ISSUE.....                       |        | 40,841,609-  |                      |
|  |        | =====        |                      |

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #1

IT COMPONENT? NO

The Criminal Punishment Code allows for a non-state prison sanction for offenders scoring 44 or less total points. This proposal would suggest only offenders sentenced to greater than 44 points receive a prison sentence therefore reducing prison admissions. Section 775.082(10) was enacted in 2009 as a prison diversion program to keep certain offenders out of the state prison system and to steer them to community based sanctions that could provide for public safety at a

| COL A93<br>SCH VIIIIB-2<br>REDUCTIONS          |        | CODES                |
|--|--------|----------------------|
| POS  | AMOUNT |                      |
| CORRECTIONS, DEPT OF                           |        | 70000000             |
| PGM: SECURITY/INSTIT OPER                      |        | 70030000             |
| <u>ADULT MALE CUSTODY OPER</u>                 |        | 70031100             |
| PUBLIC PROTECTION                              |        | 12                   |
| <u>ADULT PRISONS</u>                           |        | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS                             |        | 33V0000              |
| OFFENDERS SCORING FORTY-FOUR OR<br>LESS POINTS |        | 33V0020              |

reduced cost. Under this statute the legislature mandates a non-state prison sanction for offenders who are convicted of a third degree, non-forcible felony (third degree felony burglary is not a forcible felony for this purpose) and who score 22 points or less. An exception is made when the court makes a written finding that a non-state sanction could present a danger to the public.

This proposal would expand this sentencing policy to mandate non-state prison for all offenders scoring 44 points or less. Like the offenders that fall within the parameters of s.775.082(10), most of these offenders will be convicted of non-violent crimes that can adequately managed short of a prison term. For those requiring incarceration, the court could still impose a year in jail. Also, this approach takes seriously the scoring system itself, under which a total sentence score of 44 would convert to a 12 month jail term (see s.921.0024(2), 44 28 X .75 = 12).

This proposal would require revision to Section 921.0024, Florida Statutes.

POSITION DETAIL OF SALARIES AND BENEFITS:

|   | FTE     | BASE RATE | ADDITIVES | BENEFITS | SUBTOTAL | LAPSE % | LAPSED SALARIES AND BENEFITS |
|---|---------|-----------|-----------|----------|----------|---------|------------------------------|
| A93 - SCH VIIIIB-2 REDUCTIONS             |         |           |           |          |          |         |                              |
| CHANGES TO CURRENTLY AUTHORIZED POSITIONS |         |           |           |          |          |         |                              |
| P101 PROPOSED CLASS CODE                  |         |           |           |          |          |         |                              |
| D1002 001                                 | 511.00- |           |           |          |          | 0.00    |                              |
| TOTALS FOR ISSUE BY FUND                  |         |           |           |          |          |         |                              |
|   | 511.00- |           |           |          |          |         |                              |
| OTHER SALARY AMOUNT                       |         |           |           |          |          |         |                              |
| 1000 GENERAL REVENUE FUND                 |         |           |           |          |          |         | 33,426,871-                  |
|   |         |           |           |          |          |         | 33,426,871-                  |

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| COL A93                          |        |          |                      |
|----------------------------------|--------|----------|----------------------|
| SCH VIIIIB-2                     |        |          |                      |
| REDUCTIONS                       |        |          |                      |
| POS                              | AMOUNT |          | CODES                |
| -----                            |        |          |                      |
| CORRECTIONS, DEPT OF             |        |          | 70000000             |
| PGM: SECURITY/INSTIT OPER        |        |          | 70030000             |
| <u>ADULT MALE CUSTODY OPER</u>   |        |          | 70031100             |
| PUBLIC PROTECTION                |        |          | 12                   |
| <u>ADULT PRISONS</u>             |        |          | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS               |        |          | 33V0000              |
| GAIN TIME FOR JAIL CREDIT        |        |          | 33V0030              |
| EXPENSES                         |        |          | 040000               |
| GENERAL REVENUE FUND             | -STATE | 397,120- | 1000 1               |
|                                  |        | =====    |                      |
| FOOD PRODUCTS                    |        |          | 070000               |
| GENERAL REVENUE FUND             | -STATE | 200,896- | 1000 1               |
|                                  |        | =====    |                      |
| SPECIAL CATEGORIES               |        |          | 100000               |
| CONTRACTED SERVICES              |        |          | 100777               |
| GENERAL REVENUE FUND             | -STATE | 7,008-   | 1000 1               |
|                                  |        | =====    |                      |
| FOOD SERVICE/PRODUCTION          |        |          | 102025               |
| GENERAL REVENUE FUND             | -STATE | 21,024-  | 1000 1               |
|                                  |        | =====    |                      |
| TOTAL: GAIN TIME FOR JAIL CREDIT |        |          | 33V0030              |
| TOTAL ISSUE.....                 |        | 626,048- |                      |
|                                  |        | =====    |                      |

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:

IT COMPONENT? NO

Priority #3

Since 1889, Florida law has encouraged good conduct through the award of gain time , that is, time off of a sentence in exchange for engaging in productive behavior. The current statute governing the award of gain time, s.944.275, recognizes it as an important tool for managing the inmate population and promoting the rehabilitative goals of the state. The statute grants the Department authority to award gain time, in order to encourage satisfactory prisoner behavior, to provide incentive for prisoners to participate in productive activities, and to reward prisoners who perform outstanding deeds or services. The statute authorizes the Department to award up to 10 days of incentive gain time per month, capping awards at 15% of the sentence (thus requiring service of at least 85% of the sentence). Sex offenders who committed their crimes 10/1/14 or after are ineligible for incentive gain time.

The administrative rule implementing the award of incentive gain time separates the evaluation of inmates into two categories, each of which accounts for up to 4 days of the 10 day potential award. First, The security evaluation is the rating of an inmate's institutional adjustment that includes evaluation of all areas of daily institutional routine with

| COL A93      |        |                      |
|--------------|--------|----------------------|
| SCH VIIIIB-2 |        |                      |
| REDUCTIONS   |        |                      |
| POS          | AMOUNT | CODES                |
|              |        | 70000000             |
|              |        | 70030000             |
|              |        | 70031100             |
|              |        | 12                   |
|              |        | <u>1206.00.00.00</u> |
|              |        | 33V0000              |
|              |        | 33V0030              |

CORRECTIONS, DEPT OF  
 PGM: SECURITY/INSTIT OPER  
ADULT MALE CUSTODY OPER  
 PUBLIC PROTECTION  
ADULT PRISONS  
 PROGRAM REDUCTIONS  
 GAIN TIME FOR JAIL CREDIT

the exception of the inmate's work and program assignments (33-601.101(3)(a)1). Second, The performance evaluation is the rating of the inmate's performance in work and program assignments (33-601.101(3)(a)2). Beyond the award indicated strictly by the individual ratings, the inmate's classification officer can modify the amount up to 2 days.

This proposal would modify the administrative rule to expand consideration for the award of incentive gain time to include the time served in jail prior to sentence. This time must be credited to the sentence by the court pursuant to s.921.161(1). Neither the 85% minimum nor the ban on awarding gain time to sex offenders would be altered. This change would advance three important legislative goals:

- 1) It would encourage positive inmate conduct while in jail awaiting sentencing.
- 2) By allowing inmates who spend a larger percentage of their sentence in jail due to lack of funds to achieve their release closer to their 85% date, it would mitigate the unequal result of being unable to afford to bond out of jail before sentence.
- 3) Cost savings.

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|  |        |            |         |
|--|--------|------------|---------|
| DIVERT FIRST TIME DRUG OFFENDERS<br>TO PROBATION |        |            | 33V0050 |
| SALARIES AND BENEFITS                            |        |            | 010000  |
| GENERAL REVENUE FUND                             | -STATE | 80.00-     |         |
|  |        | 2,566,270- | 1000 1  |
|  |        | =====      |         |
| EXPENSES   |        |            | 040000  |
| GENERAL REVENUE FUND                             | -STATE | 887,315-   |         |
|  |        | =====      | 1000 1  |
| FOOD PRODUCTS                                    |        |            | 070000  |
| GENERAL REVENUE FUND                             | -STATE | 448,877-   |         |
|  |        | =====      | 1000 1  |
| SPECIAL CATEGORIES                               |        |            | 100000  |
| CONTRACTED SERVICES                              |        |            | 100777  |
| GENERAL REVENUE FUND                             | -STATE | 15,659-    |         |
|  |        | =====      | 1000 1  |

| COL A93                                 |        |            |                      |
|---|--------|------------|----------------------|
| SCH VIIIIB-2                            |        |            |                      |
| REDUCTIONS                              |        |            |                      |
| POS                                     | AMOUNT |            | CODES                |
| -----                                   |        |            |                      |
| CORRECTIONS, DEPT OF                    |        |            | 70000000             |
| PGM: SECURITY/INSTIT OPER               |        |            | 70030000             |
| <u>ADULT MALE CUSTODY OPER</u>          |        |            | 70031100             |
| PUBLIC PROTECTION                       |        |            | 12                   |
| <u>ADULT PRISONS</u>                    |        |            | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS                      |        |            | 33V0000              |
| DIVERT FIRST TIME DRUG OFFENDERS        |        |            |                      |
| TO PROBATION                            |        |            | 33V0050              |
| SPECIAL CATEGORIES                      |        |            | 100000               |
| FOOD SERVICE/PRODUCTION                 |        |            | 102025               |
| GENERAL REVENUE FUND                    | -STATE | 46,976-    | 1000 1               |
|   |        | =====      |                      |
| SALARY INCENTIVE PAYMENTS               |        |            | 103290               |
| GENERAL REVENUE FUND                    | -STATE | 90,240-    | 1000 1               |
|   |        | =====      |                      |
| TOTAL: DIVERT FIRST TIME DRUG OFFENDERS |        |            | 33V0050              |
| TO PROBATION                            |        |            |                      |
| TOTAL POSITIONS.....                    |        | 80.00-     |                      |
| TOTAL ISSUE.....                        |        | 4,055,337- |                      |
|   |        | =====      |                      |

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AGENCY ISSUE NARRATIVE:  
 SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #4

IT COMPONENT? NO

The Department proposes that inmates with a primary (most serious) offense of drugs (possession and lowest level, trafficking only) who have never been in prison be diverted to drug offender probation (DOP).

The Drug Offender Probation Supervision service performs intake and supervision of offenders sentenced to probation by the circuit courts with a specific focus on substance abuse treatment and rehabilitation of offenders who have committed drug related offenses. This is accomplished through monitoring, supervision and testing of offenders to ensure compliance with the court's terms of their sentence. This service also collects restitution on behalf of the victims and other court ordered costs.

This proposal would required revision to Section 921.00241, Florida Statutes.

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| COL A93<br>SCH VIIIIB-2<br>REDUCTIONS            |        | CODES                |
|--|--------|----------------------|
| POS  | AMOUNT |                      |
| CORRECTIONS, DEPT OF                             |        | 70000000             |
| PGM: SECURITY/INSTIT OPER                        |        | 70030000             |
| <u>ADULT MALE CUSTODY OPER</u>                   |        | 70031100             |
| PUBLIC PROTECTION                                |        | 12                   |
| <u>ADULT PRISONS</u>                             |        | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS                               |        | 33V0000              |
| DIVERT FIRST TIME DRUG OFFENDERS<br>TO PROBATION |        | 33V0050              |

POSITION DETAIL OF SALARIES AND BENEFITS:

|   | FTE    | BASE RATE | ADDITIVES | BENEFITS | SUBTOTAL | LAPSE % | LAPSED SALARIES AND BENEFITS |
|---|--------|-----------|-----------|----------|----------|---------|------------------------------|
| A93 - SCH VIIIIB-2 REDUCTIONS             |        |           |           |          |          |         |                              |
| CHANGES TO CURRENTLY AUTHORIZED POSITIONS |        |           |           |          |          |         |                              |
| P101 PROPOSED CLASS CODE<br>D1006 001     | 80.00- |           |           |          |          | 0.00    |                              |
| TOTALS FOR ISSUE BY FUND                  |        |           |           |          |          |         |                              |
|   | 80.00- |           |           |          |          |         |                              |

|  |  |  |  |  |  |  |            |
|--|--|--|--|--|--|--|------------|
| OTHER SALARY AMOUNT<br>1000 GENERAL REVENUE FUND |  |  |  |  |  |  | 2,566,270- |
|  |  |  |  |  |  |  | 2,566,270- |

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|   |            |             |  |  |  |  |                   |
|---|------------|-------------|--|--|--|--|-------------------|
| LUMP SUM GAIN TIME<br>SALARIES AND BENEFITS |            |             |  |  |  |  | 33V0080<br>010000 |
| GENERAL REVENUE FUND -STATE                 | 192.00-    | 10,559,483- |  |  |  |  | 1000 1            |
| EXPENSES                                    |            |             |  |  |  |  | 040000            |
| GENERAL REVENUE FUND -STATE                 | 2,297,091- |             |  |  |  |  | 1000 1            |

|                                |        | COL A93      |  |                      |
|--------------------------------|--------|--------------|--|----------------------|
|                                |        | SCH VIIIIB-2 |  |                      |
|                                |        | REDUCTIONS   |  |                      |
| POS                            |        | AMOUNT       |  | CODES                |
| -----                          |        |              |  |                      |
| CORRECTIONS, DEPT OF           |        |              |  | 70000000             |
| PGM: SECURITY/INSTIT OPER      |        |              |  | 70030000             |
| <u>ADULT MALE CUSTODY OPER</u> |        |              |  | 70031100             |
| PUBLIC PROTECTION              |        |              |  | 12                   |
| <u>ADULT PRISONS</u>           |        |              |  | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS             |        |              |  | 33V0000              |
| LUMP SUM GAIN TIME             |        |              |  | 33V0080              |
| FOOD PRODUCTS                  |        |              |  | 070000               |
| GENERAL REVENUE FUND           | -STATE | 1,162,058-   |  | 1000 1               |
|                                |        | =====        |  |                      |
| SPECIAL CATEGORIES             |        |              |  | 100000               |
| CONTRACTED SERVICES            |        |              |  | 100777               |
| GENERAL REVENUE FUND           | -STATE | 40,537-      |  | 1000 1               |
|                                |        | =====        |  |                      |
| FOOD SERVICE/PRODUCTION        |        |              |  | 102025               |
| GENERAL REVENUE FUND           | -STATE | 121,611-     |  | 1000 1               |
|                                |        | =====        |  |                      |
| SALARY INCENTIVE PAYMENTS      |        |              |  | 103290               |
| GENERAL REVENUE FUND           | -STATE | 216,576-     |  | 1000 1               |
|                                |        | =====        |  |                      |
| TOTAL: LUMP SUM GAIN TIME      |        |              |  | 33V0080              |
| TOTAL POSITIONS.....           |        | 192.00-      |  |                      |
| TOTAL ISSUE.....               |        | 14,397,356-  |  |                      |
|                                |        | =====        |  |                      |

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #5

IT COMPONENT? NO

This issue proposes a one-time lump sum gain time award of up to 60 days to eligible inmates. This reduction could only be achieved with legislative authorization. Inmates serving a life sentence, those with a sex offense as the primary offense and those with a release date more than 60 days past the end of the fiscal year would not be eligible. Inmates would still be required to serve any minimum mandatory sentence such as the 85% requirement. The Department estimates that implementation of this proposal would result in an average daily population reduction of 1,851 inmates in Fiscal Year 2018-19.

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| COL A93<br>SCH VIIIIB-2<br>REDUCTIONS |        | CODES                |
|---------------------------------------|--------|----------------------|
| POS                                   | AMOUNT |                      |
| CORRECTIONS, DEPT OF                  |        | 70000000             |
| PGM: SECURITY/INSTIT OPER             |        | 70030000             |
| <u>ADULT MALE CUSTODY OPER</u>        |        | 70031100             |
| PUBLIC PROTECTION                     |        | 12                   |
| <u>ADULT PRISONS</u>                  |        | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS                    |        | 33V0000              |
| LUMP SUM GAIN TIME                    |        | 33V0080              |

POSITION DETAIL OF SALARIES AND BENEFITS:

|   | FTE       | BASE RATE    | ADDITIVES | BENEFITS | SUBTOTAL | LAPSE % | LAPSED SALARIES AND BENEFITS |
|---|-----------|--------------|-----------|----------|----------|---------|------------------------------|
| A93 - SCH VIIIIB-2 REDUCTIONS             |           |              |           |          |          |         |                              |
| CHANGES TO CURRENTLY AUTHORIZED POSITIONS |           |              |           |          |          |         |                              |
| P101 PROPOSED CLASS CODE                  |           |              |           |          |          |         |                              |
| D1008 001                                 | 192.00-   |              |           |          |          | 0.00    |                              |
| TOTALS FOR ISSUE BY FUND                  |           |              |           |          |          |         |                              |
|   | 192.00-   |              |           |          |          |         |                              |
| OTHER SALARY AMOUNT                       |           |              |           |          |          |         |                              |
| 1000 GENERAL REVENUE FUND                 |           |              |           |          |          |         | 10,559,483-                  |
|   |           |              |           |          |          |         | 10,559,483-                  |
| *****                                     |           |              |           |          |          |         |                              |
| TOTAL: ADULT PRISONS                      |           |              |           |          |          |         | <u>1206.00.00.00</u>         |
| BY FUND TYPE                              |           |              |           |          |          |         |                              |
| GENERAL REVENUE FUND.....                 | 2,151.00- | 168,889,213- |           |          |          |         | 1000                         |

| COL A93                            |            |                      |
|------------------------------------|------------|----------------------|
| SCH VIIIIB-2                       |            |                      |
| REDUCTIONS                         |            |                      |
| POS                                | AMOUNT     | CODES                |
| -----                              |            |                      |
| CORRECTIONS, DEPT OF               |            | 70000000             |
| PGM: SECURITY/INSTIT OPER          |            | 70030000             |
| <u>PUB SVC SQUADS/WRK RELEASE</u>  |            | 70031600             |
| PUBLIC PROTECTION                  |            | 12                   |
| <u>ADULT PRISONS</u>               |            | <u>1206.00.00.00</u> |
| STATE FUNDING REDUCTIONS           |            | 3300000              |
| REDUCE TRUST FUND AUTHORITY        |            | 3300100              |
| SALARIES AND BENEFITS              |            | 010000               |
|                                    | 84.00-     |                      |
| CORRECTION WORK PROGRAM TF-STATE   | 4,597,808- | 2151 1               |
|                                    | =====      |                      |
| EXPENSES                           |            | 040000               |
|                                    |            |                      |
| CORRECTION WORK PROGRAM TF-STATE   | 152,964-   | 2151 1               |
|                                    | =====      |                      |
| SPECIAL CATEGORIES                 |            | 100000               |
| SALARY INCENTIVE PAYMENTS          |            | 103290               |
|                                    |            |                      |
| CORRECTION WORK PROGRAM TF-STATE   | 99,288-    | 2151 1               |
|                                    | =====      |                      |
| TOTAL: REDUCE TRUST FUND AUTHORITY |            | 3300100              |
| TOTAL POSITIONS.....               | 84.00-     |                      |
| TOTAL ISSUE.....                   | 4,850,060- |                      |
|                                    | =====      |                      |

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AGENCY ISSUE NARRATIVE:  
 SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #6

IT COMPONENT? NO

Under master agreement with the Florida Department of Transportation (DOT), the Florida Department of Corrections (FDC) provides inmate work squads which perform highway and right-of-way maintenance for DOT districts across the state. The purpose of this agreement is for FDC to provide inmates working under the supervision of FDC ( FDC Supervised Work Crews ) to perform regularly scheduled specific maintenance activities as directed by the DOT, and to provide inmates who are assigned to and working under the supervision of DOT. DOT provides technical assistance and verbal and/or written instructions pertaining to work methods, reporting of production, and use of equipment/tools as required or necessary to perform the assigned tasks.

This proposal would reduce the number of FDC supervised work squads.

\*\*\*\*\*

| COL A93<br>SCH VIIIIB-2<br>REDUCTIONS |        | CODES                |
|---------------------------------------|--------|----------------------|
| POS                                   | AMOUNT |                      |
| CORRECTIONS, DEPT OF                  |        | 70000000             |
| PGM: SECURITY/INSTIT OPER             |        | 70030000             |
| <u>PUB SVC SQUADS/WRK RELEASE</u>     |        | 70031600             |
| PUBLIC PROTECTION                     |        | 12                   |
| <u>ADULT PRISONS</u>                  |        | <u>1206.00.00.00</u> |
| STATE FUNDING REDUCTIONS              |        | 3300000              |
| REDUCE TRUST FUND AUTHORITY           |        | 3300100              |

POSITION DETAIL OF SALARIES AND BENEFITS:

|   | FTE        | BASE RATE | ADDITIVES | BENEFITS | SUBTOTAL | LAPSE % | LAPSED SALARIES AND BENEFITS |
|---|------------|-----------|-----------|----------|----------|---------|------------------------------|
| A93 - SCH VIIIIB-2 REDUCTIONS             |            |           |           |          |          |         |                              |
| CHANGES TO CURRENTLY AUTHORIZED POSITIONS |            |           |           |          |          |         |                              |
| P101 PROPOSED CLASS CODE                  |            |           |           |          |          |         |                              |
| D1005 001                                 | 84.00-     |           |           |          |          | 0.00    |                              |
| TOTALS FOR ISSUE BY FUND                  |            |           |           |          |          |         |                              |
|   | 84.00-     |           |           |          |          |         |                              |
| OTHER SALARY AMOUNT                       |            |           |           |          |          |         |                              |
| 2151 CORRECTION WORK PROGRAM TF           |            |           |           |          |          |         | 4,597,808-                   |
|   |            |           |           |          |          |         | 4,597,808-                   |
| *****                                     |            |           |           |          |          |         |                              |
| TOTAL: ADULT PRISONS                      |            |           |           |          |          |         | <u>1206.00.00.00</u>         |
| BY FUND TYPE                              |            |           |           |          |          |         |                              |
| TRUST FUNDS.....                          | 84.00-     |           |           |          |          |         | 2000                         |
|   | 4,850,060- |           |           |          |          |         |                              |

| COL A93                             |                    |  |                      |
|-------------------------------------|--------------------|--|----------------------|
| SCH VIIIIB-2                        |                    |  |                      |
| REDUCTIONS                          |                    |  |                      |
| POS                                 | AMOUNT             |  | CODES                |
|                                     |                    |  |                      |
| CORRECTIONS, DEPT OF                |                    |  | 70000000             |
| PGM: HEALTH SERVICES                |                    |  | 70250000             |
| <u>INMATE HEALTH SERVICES</u>       |                    |  | 70251000             |
| PUBLIC PROTECTION                   |                    |  | 12                   |
| <u>ADULT PRISONS</u>                |                    |  | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS                  |                    |  | 33V0000              |
| REMAINING SENTENCE 24 MONTHS        |                    |  |                      |
| OR MORE                             |                    |  | 33V0010              |
| SPECIAL CATEGORIES                  |                    |  | 100000               |
| INMATE HEALTH SERVICES              |                    |  | 104017               |
| GENERAL REVENUE FUND                | -STATE 24,083,749- |  | 1000 1               |
|                                     | =====              |  |                      |
| GENERAL DRUGS                       |                    |  | 104530               |
| GENERAL REVENUE FUND                | -STATE 4,932,816-  |  | 1000 1               |
|                                     | =====              |  |                      |
| TOTAL: REMAINING SENTENCE 24 MONTHS |                    |  | 33V0010              |
| OR MORE                             |                    |  |                      |
| TOTAL ISSUE.....                    | 29,016,565-        |  |                      |
|                                     | =====              |  |                      |

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #2

IT COMPONENT? NO

Pursuant to Section 944.17 (3)(a), Florida Statutes, "notwithstanding the provisions of s. 948.03, only those persons who are convicted and sentenced in circuit court to a cumulative sentence of incarceration for 1 year or more, whether sentence is imposed in the same or separate circuits, may be received by the department into the state correctional system. Such persons shall be delivered to the custody of the department at such reception and classification centers as shall be provided for this purpose."

This proposal would require changing the statute from individuals sentenced to 1 year or more being sent to the Department of Corrections (Department) to only sending those with 24 months or more left to serve on their sentence. In many cases, individuals who are sentenced to 2 years or more spend a much shorter period of time in Department custody due to credit for time served and other factors which is costly to the Department since all inmates must go through the same resource intensive process reception process, regardless of the amount of time on their sentence.

RECEPTION

The Department is statutorily mandated to provide for a reception process that fully diagnoses and assesses each and every inmate received into custody to determine his/her needs. This process ensures that inmates are correctly classified for security purposes and placed in facilities best suited to meet the individual's needs identified at intake. The process requires coordination of all units such as Security, Classification, Medical and Mental Health, and Education and Substance Abuse Services. The reception process includes verification of commitment information, medical and mental health exams, property inventory, fingerprinting, formal orientation as well as a myriad of other exams and assessments

| COL A93      |        |                      |
|--------------|--------|----------------------|
| SCH VIIIIB-2 |        |                      |
| REDUCTIONS   |        |                      |
| POS          | AMOUNT | CODES                |
|              |        | 70000000             |
|              |        | 70250000             |
|              |        | 70251000             |
|              |        | 12                   |
|              |        | <u>1206.00.00.00</u> |
|              |        | 33V0000              |
|              |        | 33V0010              |

CORRECTIONS, DEPT OF  
 PGM: HEALTH SERVICES  
INMATE HEALTH SERVICES  
 PUBLIC PROTECTION  
ADULT PRISONS  
 PROGRAM REDUCTIONS  
 REMAINING SENTENCE 24 MONTHS  
 OR MORE

necessary to comply with statutory mandates. Generally the reception process takes several weeks to complete, but this is dependent upon the inmate's medical and/or mental health needs, which may require more detailed evaluation. All inmates entering the Department of Correction system, regardless of the time they will serve, must go through the same resource intensive reception process.

RELEASE

The release process serves to ensure that inmates are released only after applicable statutory requirements and transitional needs are met. This typically draws in both institutional and community based resources, ranging from the release officer to medical and mental health staff, probation officers, the courts or the Florida Commission of Offender Review, Department of Children and Families, sheriffs offices, and various community service providers. The same resource-intensive process is applicable regardless of the period of incarceration in the Department. The time frame for the release process is such that when incarceration in DOC custody is less than 24 months, and depending on credit for time served, the inmate will have hardly cleared the reception process before the release process begins; sometimes the two overlap.

Below is a listing of the prevalent offenses for the inmates used in the proposal:

| Description                      | Percent |
|----------------------------------|---------|
| DRUGS, MANUFACTURE/SALE/PURCHASE | 15%     |
| DRUGS, POSSESSION/OTHER          | 10%     |
| STOLEN PROPERTY                  | 8%      |
| BURGLARY, STRUCTURE              | 7%      |
| GRAND THEFT, OTHER               | 7%      |
| BURGLARY, DWELLING               | 6%      |
| WEAPONS, POSSESSION              | 4%      |
| VIOLENT, OTHER                   | 3%      |
| ROBBERY WITHOUT WEAPON           | 3%      |
| CRIMINAL JUSTICE SYSTEM          | 3%      |
| OTHER THEFT/PROPERTY DAMAGE      | 3%      |
| ESCAPE                           | 3%      |
| FRAUDULENT PRACTICES             | 2%      |
| TRAFFIC, OTHER                   | 2%      |
| GRAND THEFT, AUTOMOBILE          | 2%      |
| DRUGS, TRAFFICKING               | 2%      |
| AGGRAVATED ASSAULT               | 2%      |
| FORGERY/COUNTERFEITING           | 2%      |
| ASSAULT/BATTERY ON L.E.O.        | 2%      |
| AGGRAVATED BATTERY               | 2%      |
| ASSAULT/BATTERY, OTHER           | 2%      |

| COL A93      |        |                      |
|--------------|--------|----------------------|
| SCH VIIIIB-2 |        |                      |
| REDUCTIONS   |        |                      |
| POS          | AMOUNT | CODES                |
|              |        | 70000000             |
|              |        | 70250000             |
|              |        | 70251000             |
|              |        | 12                   |
|              |        | <u>1206.00.00.00</u> |
|              |        | 33V0000              |
|              |        | 33V0010              |

CORRECTIONS, DEPT OF  
 PGM: HEALTH SERVICES  
INMATE HEALTH SERVICES  
 PUBLIC PROTECTION  
ADULT PRISONS  
 PROGRAM REDUCTIONS  
 REMAINING SENTENCE 24 MONTHS  
 OR MORE

70000000  
 70250000  
 70251000  
 12  
1206.00.00.00  
 33V0000  
 33V0010

This proposal would require revision to Section 944.17(3)(a), Florida Statutes.

\*\*\*\*\*

OFFENDERS SCORING FORTY-FOUR OR  
 LESS POINTS  
 SPECIAL CATEGORIES  
 INMATE HEALTH SERVICES

33V0020  
 100000  
 104017

GENERAL REVENUE FUND -STATE 9,026,607-  
 =====

1000 1

GENERAL DRUGS

104530

GENERAL REVENUE FUND -STATE 1,848,823-  
 =====

1000 1

TOTAL: OFFENDERS SCORING FORTY-FOUR OR  
 LESS POINTS

33V0020

TOTAL ISSUE..... 10,875,430-  
 =====

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #1

IT COMPONENT? NO

The Criminal Punishment Code allows for a non-state prison sanction for offenders scoring 44 or less total points. This proposal would suggest only offenders sentenced to greater than 44 points receive a prison sentence therefore reducing prison admissions. Section 775.082(10) was enacted in 2009 as a prison diversion program to keep certain offenders out of the state prison system and to steer them to community based sanctions that could provide for public safety at a reduced cost. Under this statute the legislature mandates a non-state prison sanction for offenders who are convicted of a third degree, non-forcible felony (third degree felony burglary is not a forcible felony for this purpose) and who score 22 points or less. An exception is made when the court makes a written finding that a non-state sanction could present a danger to the public.

This proposal would expand this sentencing policy to mandate non-state prison for all offenders scoring 44 points or less. Like the offenders that fall within the parameters of s.775.082(10), most of these offenders will be convicted of non-violent crimes that can adequately managed short of a prison term. For those requiring incarceration, the court could still impose a year in jail. Also, this approach takes seriously the scoring system itself, under which a total sentence

| COL A93                         |        |                      |
|---------------------------------|--------|----------------------|
| SCH VIIIIB-2                    |        |                      |
| REDUCTIONS                      |        |                      |
| POS                             | AMOUNT | CODES                |
| -----                           |        |                      |
| CORRECTIONS, DEPT OF            |        | 70000000             |
| PGM: HEALTH SERVICES            |        | 70250000             |
| <u>INMATE HEALTH SERVICES</u>   |        | 70251000             |
| PUBLIC PROTECTION               |        | 12                   |
| <u>ADULT PRISONS</u>            |        | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS              |        | 33V0000              |
| OFFENDERS SCORING FORTY-FOUR OR |        |                      |
| LESS POINTS                     |        | 33V0020              |

score of 44 would convert to a 12 month jail term (see s.921.0024(2), 44 28 X .75 = 12).

This proposal would require revision to Section 921.0024, Florida Statutes.

\*\*\*\*\*

|                                  |                 |         |
|----------------------------------|-----------------|---------|
| GAIN TIME FOR JAIL CREDIT        |                 | 33V0030 |
| SPECIAL CATEGORIES               |                 | 100000  |
| INMATE HEALTH SERVICES           |                 | 104017  |
| GENERAL REVENUE FUND             | -STATE 991,632- | 1000 1  |
|                                  | =====           |         |
| GENERAL DRUGS                    |                 | 104530  |
| GENERAL REVENUE FUND             | -STATE 228,928- | 1000 1  |
|                                  | =====           |         |
| TOTAL: GAIN TIME FOR JAIL CREDIT |                 | 33V0030 |
| TOTAL ISSUE.....                 | 1,220,560-      |         |
|                                  | =====           |         |

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:

IT COMPONENT? NO

Priority #3

Since 1889, Florida law has encouraged good conduct through the award of gain time , that is, time off of a sentence in exchange for engaging in productive behavior. The current statute governing the award of gain time, s.944.275, recognizes it as an important tool for managing the inmate population and promoting the rehabilitative goals of the state. The statute grants the Department authority to award gain time, in order to encourage satisfactory prisoner behavior, to provide incentive for prisoners to participate in productive activities, and to reward prisoners who perform outstanding deeds or services. The statute authorizes the Department to award up to 10 days of incentive gain time per month, capping awards at 15% of the sentence (thus requiring service of at least 85% of the sentence). Sex offenders who committed their crimes 10/1/14 or after are ineligible for incentive gain time.

The administrative rule implementing the award of incentive gain time separates the evaluation of inmates into two categories, each of which accounts for up to 4 days of the 10 day potential award. First, The security evaluation is the rating of an inmate's institutional adjustment that includes evaluation of all areas of daily institutional routine with

| COL A93                       |        |                      |
|-------------------------------|--------|----------------------|
| SCH VIIIIB-2                  |        |                      |
| REDUCTIONS                    |        |                      |
| POS                           | AMOUNT | CODES                |
| CORRECTIONS, DEPT OF          |        | 70000000             |
| PGM: HEALTH SERVICES          |        | 70250000             |
| <u>INMATE HEALTH SERVICES</u> |        | 70251000             |
| PUBLIC PROTECTION             |        | 12                   |
| <u>ADULT PRISONS</u>          |        | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS            |        | 33V0000              |
| GAIN TIME FOR JAIL CREDIT     |        | 33V0030              |

the exception of the inmate's work and program assignments (33-601.101(3)(a)1). Second, The performance evaluation is the rating of the inmate's performance in work and program assignments (33-601.101(3)(a)2). Beyond the award indicated strictly by the individual ratings, the inmate's classification officer can modify the amount up to 2 days.

This proposal would modify the administrative rule to expand consideration for the award of incentive gain time to include the time served in jail prior to sentence. This time must be credited to the sentence by the court pursuant to s.921.161(1). Neither the 85% minimum nor the ban on awarding gain time to sex offenders would be altered. This change would advance three important legislative goals:

- 1) It would encourage positive inmate conduct while in jail awaiting sentencing.
- 2) By allowing inmates who spend a larger percentage of their sentence in jail due to lack of funds to achieve their release closer to their 85% date, it would mitigate the unequal result of being unable to afford to bond out of jail before sentence.
- 3) Cost savings.

\*\*\*\*\*

|   |            |         |
|---|------------|---------|
| DIVERT FIRST TIME DRUG OFFENDERS<br>TO PROBATION        |            | 33V0050 |
| SPECIAL CATEGORIES                                      |            | 100000  |
| INMATE HEALTH SERVICES                                  |            | 104017  |
| GENERAL REVENUE FUND -STATE                             | 2,215,678- | 1000 1  |
|   | =====      |         |
| GENERAL DRUGS   |            | 104530  |
| GENERAL REVENUE FUND -STATE                             | 511,511-   | 1000 1  |
|   | =====      |         |
| TOTAL: DIVERT FIRST TIME DRUG OFFENDERS<br>TO PROBATION |            | 33V0050 |
| TOTAL ISSUE.....  | 2,727,189- |         |
|   | =====      |         |

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AGENCY ISSUE NARRATIVE:  
 SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #4

IT COMPONENT? NO

The Department proposes that inmates with a primary (most serious) offense of drugs (possession, manufacturing, sale,

| COL A93      |        |                      |
|--------------|--------|----------------------|
| SCH VIIIIB-2 |        |                      |
| REDUCTIONS   |        |                      |
| POS          | AMOUNT | CODES                |
|              |        | 70000000             |
|              |        | 70250000             |
|              |        | 70251000             |
|              |        | 12                   |
|              |        | <u>1206.00.00.00</u> |
|              |        | 33V0000              |
|              |        |                      |
|              |        | 33V0050              |

CORRECTIONS, DEPT OF  
 PGM: HEALTH SERVICES  
INMATE HEALTH SERVICES  
 PUBLIC PROTECTION  
ADULT PRISONS  
 PROGRAM REDUCTIONS  
 DIVERT FIRST TIME DRUG OFFENDERS  
 TO PROBATION

70000000  
 70250000  
 70251000  
 12  
1206.00.00.00  
 33V0000  
 33V0050

trafficking) who have never been in prison be diverted to drug offender probation (DOP).

The Drug Offender Probation Supervision service performs intake and supervision of offenders sentenced to probation by the circuit courts with a specific focus on substance abuse treatment and rehabilitation of offenders who have committed drug related offenses. This is accomplished through monitoring, supervision and testing of offenders to ensure compliance with the court's terms of their sentence. This service also collects restitution on behalf of the victims and other court ordered costs.

This proposal would required revision to Section 921.00241, Florida Statutes.

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|                           |        |            |         |
|---------------------------|--------|------------|---------|
| LUMP SUM GAIN TIME        |        |            | 33V0080 |
| SPECIAL CATEGORIES        |        |            | 100000  |
| INMATE HEALTH SERVICES    |        |            | 104017  |
| GENERAL REVENUE FUND      | -STATE | 5,735,971- | 1000 1  |
|                           |        | =====      |         |
| GENERAL DRUGS             |        |            | 104530  |
| GENERAL REVENUE FUND      | -STATE | 1,324,205- | 1000 1  |
|                           |        | =====      |         |
| TOTAL: LUMP SUM GAIN TIME |        |            | 33V0080 |
| TOTAL ISSUE.....          |        | 7,060,176- |         |
|                           |        | =====      |         |

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #5

IT COMPONENT? NO

This issue proposes a one-time lump sum gain time award of up to 60 days to eligible inmates. This reduction could only be achieved with legislative authorization. Inmates serving a life sentence, those with a sex offense as the primary offense and those with a release date more than 60 days past the end of the fiscal year would not be eligible. Inmates would still be required to serve any minimum mandatory sentence such as the 85% requirement. The Department estimates that implementation of this proposal would result in an average daily population reduction of 1,851 inmates in Fiscal Year 2018-19.

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| COL A93                       |             |                      |
|-------------------------------|-------------|----------------------|
| SCH VIII B-2                  |             |                      |
| REDUCTIONS                    |             |                      |
| POS                           | AMOUNT      | CODES                |
| -----                         |             |                      |
| CORRECTIONS, DEPT OF          |             | 70000000             |
| PGM: HEALTH SERVICES          |             | 70250000             |
| <u>INMATE HEALTH SERVICES</u> |             | 70251000             |
| PUBLIC PROTECTION             |             | 12                   |
| <u>ADULT PRISONS</u>          |             | <u>1206.00.00.00</u> |
| TOTAL: ADULT PRISONS          |             | <u>1206.00.00.00</u> |
| BY FUND TYPE                  |             |                      |
| GENERAL REVENUE FUND.....     | 50,899,920- | 1000                 |
|                               | =====       |                      |

| COL A93                           |                   |                      |
|-----------------------------------|-------------------|----------------------|
| SCH VIIIIB-2                      |                   |                      |
| REDUCTIONS                        |                   |                      |
| POS                               | AMOUNT            | CODES                |
| -----                             |                   |                      |
| CORRECTIONS, DEPT OF              |                   | 70000000             |
| PGM: EDUCATION & PROGRAMS         |                   | 70450000             |
| <u>ADULT SUBST ABUSE/PREV/SVC</u> |                   | 70450100             |
| PUBLIC PROTECTION                 |                   | 12                   |
| <u>DRUG CONTRL/SUBSTNCE ABUSE</u> |                   | <u>1201.00.00.00</u> |
| PROGRAM REDUCTIONS                |                   | 33V0000              |
| REMAINING SENTENCE 24 MONTHS      |                   |                      |
| OR MORE                           |                   | 33V0010              |
| SPECIAL CATEGORIES                |                   | 100000               |
| CONTRACT DRUG ABUSE SVCS          |                   | 100716               |
| GENERAL REVENUE FUND              | -STATE 1,373,023- | 1000 1               |
|                                   | =====             |                      |

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #2

IT COMPONENT? NO

Pursuant to Section 944.17 (3)(a), Florida Statutes, "notwithstanding the provisions of s. 948.03, only those persons who are convicted and sentenced in circuit court to a cumulative sentence of incarceration for 1 year or more, whether sentence is imposed in the same or separate circuits, may be received by the department into the state correctional system. Such persons shall be delivered to the custody of the department at such reception and classification centers as shall be provided for this purpose."

This proposal would require changing the statute from individuals sentenced to 1 year or more being sent to the Department of Corrections (Department) to only sending those with 24 months or more left to serve on their sentence. In many cases, individuals who are sentenced to 2 years or more spend a much shorter period of time in Department custody due to credit for time served and other factors which is costly to the Department since all inmates must go through the same resource intensive process reception process, regardless of the amount of time on their sentence.

RECEPTION

The Department is statutorily mandated to provide for a reception process that fully diagnoses and assesses each and every inmate received into custody to determine his/her needs. This process ensures that inmates are correctly classified for security purposes and placed in facilities best suited to meet the individual's needs identified at intake. The process requires coordination of all units such as Security, Classification, Medical and Mental Health, and Education and Substance Abuse Services. The reception process includes verification of commitment information, medical and mental health exams, property inventory, fingerprinting, formal orientation as well as a myriad of other exams and assessments necessary to comply with statutory mandates. Generally the reception process takes several weeks to complete, but this is dependent upon the inmate's medical and/or mental health needs, which may require more detailed evaluation. All inmates entering the Department of Correction system, regardless of the time they will serve, must go through the same resource intensive reception process.

RELEASE

The release process serves to ensure that inmates are released only after applicable statutory requirements and transitional needs are met. This typically draws in both institutional and community based resources, ranging from the release officer to medical and mental health staff, probation officers, the courts or the Florida Commission of Offender

| COL A93      |        |                      |
|--------------|--------|----------------------|
| SCH VIIIIB-2 |        |                      |
| REDUCTIONS   |        |                      |
| POS          | AMOUNT | CODES                |
|              |        | 70000000             |
|              |        | 70450000             |
|              |        | 70450100             |
|              |        | 12                   |
|              |        | <u>1201.00.00.00</u> |
|              |        | 33V0000              |
|              |        | 33V0010              |

CORRECTIONS, DEPT OF  
 PGM: EDUCATION & PROGRAMS  
ADULT SUBST ABUSE/PREV/SVC  
 PUBLIC PROTECTION  
DRUG CONTRL/SUBSTNCE ABUSE  
 PROGRAM REDUCTIONS  
 REMAINING SENTENCE 24 MONTHS  
 OR MORE

Review, Department of Children and Families, sheriffs offices, and various community service providers. The same resource-intensive process is applicable regardless of the period of incarceration in the Department. The time frame for the release process is such that when incarceration in DOC custody is less than 24 months, and depending on credit for time served, the inmate will have hardly cleared the reception process before the release process begins; sometimes the two overlap.

Below is a listing of the prevalent offenses for the inmates used in the proposal:

| Description                      | Percent |
|----------------------------------|---------|
| DRUGS, MANUFACTURE/SALE/PURCHASE | 15%     |
| DRUGS, POSSESSION/OTHER          | 10%     |
| STOLEN PROPERTY                  | 8%      |
| BURGLARY, STRUCTURE              | 7%      |
| GRAND THEFT, OTHER               | 7%      |
| BURGLARY, DWELLING               | 6%      |
| WEAPONS, POSSESSION              | 4%      |
| VIOLENT, OTHER                   | 3%      |
| ROBBERY WITHOUT WEAPON           | 3%      |
| CRIMINAL JUSTICE SYSTEM          | 3%      |
| OTHER THEFT/PROPERTY DAMAGE      | 3%      |
| ESCAPE                           | 3%      |
| FRAUDULENT PRACTICES             | 2%      |
| TRAFFIC, OTHER                   | 2%      |
| GRAND THEFT, AUTOMOBILE          | 2%      |
| DRUGS, TRAFFICKING               | 2%      |
| AGGRAVATED ASSAULT               | 2%      |
| FORGERY/COUNTERFEITING           | 2%      |
| ASSAULT/BATTERY ON L.E.O.        | 2%      |
| AGGRAVATED BATTERY               | 2%      |
| ASSAULT/BATTERY, OTHER           | 2%      |

This proposal would require revision to Section 944.17(3)(a), Florida Statutes.

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| COL A93              |                 |                      |
|----------------------|-----------------|----------------------|
| SCH VIIIIB-2         |                 |                      |
| REDUCTIONS           |                 |                      |
| POS                  | AMOUNT          | CODES                |
|                      |                 | 70000000             |
|                      |                 | 70450000             |
|                      |                 | 70450100             |
|                      |                 | 12                   |
|                      |                 | <u>1201.00.00.00</u> |
|                      |                 | 33V0000              |
|                      |                 | 33V0020              |
|                      |                 | 100000               |
|                      |                 | 100716               |
| GENERAL REVENUE FUND | -STATE 514,610- | 1000 1               |
|                      | =====           |                      |

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #1

IT COMPONENT? NO

The Criminal Punishment Code allows for a non-state prison sanction for offenders scoring 44 or less total points. This proposal would suggest only offenders sentenced to greater than 44 points receive a prison sentence therefore reducing prison admissions. Section 775.082(10) was enacted in 2009 as a prison diversion program to keep certain offenders out of the state prison system and to steer them to community based sanctions that could provide for public safety at a reduced cost. Under this statute the legislature mandates a non-state prison sanction for offenders who are convicted of a third degree, non-forcible felony (third degree felony burglary is not a forcible felony for this purpose) and who score 22 points or less. An exception is made when the court makes a written finding that a non-state sanction could present a danger to the public.

This proposal would expand this sentencing policy to mandate non-state prison for all offenders scoring 44 points or less. Like the offenders that fall within the parameters of s.775.082(10), most of these offenders will be convicted of non-violent crimes that can adequately managed short of a prison term. For those requiring incarceration, the court could still impose a year in jail. Also, this approach takes seriously the scoring system itself, under which a total sentence score of 44 would convert to a 12 month jail term (see s.921.0024(2),  $44 \div 28 \times .75 = 12$ ).

This proposal would require revision to Section 921.0024, Florida Statutes.

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|                                   |            |                      |
|-----------------------------------|------------|----------------------|
| TOTAL: DRUG CONTRL/SUBSTNCE ABUSE |            | <u>1201.00.00.00</u> |
| BY FUND TYPE                      |            |                      |
| GENERAL REVENUE FUND.....         | 1,887,633- | 1000                 |
|                                   | =====      |                      |

| COL A93                             |        |            |                      |
|-------------------------------------|--------|------------|----------------------|
| SCH VIIIIB-2                        |        |            |                      |
| REDUCTIONS                          |        |            |                      |
| POS                                 | AMOUNT |            | CODES                |
| -----                               |        |            |                      |
| CORRECTIONS, DEPT OF                |        |            | 70000000             |
| PGM: EDUCATION & PROGRAMS           |        |            | 70450000             |
| <u>BASIC EDUCATION SKILLS</u>       |        |            | 70450200             |
| PUBLIC PROTECTION                   |        |            | 12                   |
| <u>ADULT PRISONS</u>                |        |            | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS                  |        |            | 33V0000              |
| REMAINING SENTENCE 24 MONTHS        |        |            |                      |
| OR MORE                             |        |            | 33V0010              |
| SALARIES AND BENEFITS               |        |            | 010000               |
|                                     | 24.00- |            |                      |
| GENERAL REVENUE FUND                | -STATE | 1,809,356- | 1000 1               |
|                                     | =====  |            |                      |
| SPECIAL CATEGORIES                  |        |            | 100000               |
| CONTRACTED SERVICES                 |        |            | 100777               |
|                                     |        |            |                      |
| GENERAL REVENUE FUND                | -STATE | 1,306,787- | 1000 1               |
|                                     | =====  |            |                      |
| TOTAL: REMAINING SENTENCE 24 MONTHS |        |            | 33V0010              |
| OR MORE                             |        |            |                      |
| TOTAL POSITIONS.....                | 24.00- |            |                      |
| TOTAL ISSUE.....                    |        | 3,116,143- |                      |
|                                     | =====  |            |                      |

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:  
 Priority #2

IT COMPONENT? NO

Pursuant to Section 944.17 (3)(a), Florida Statutes, "notwithstanding the provisions of s. 948.03, only those persons who are convicted and sentenced in circuit court to a cumulative sentence of incarceration for 1 year or more, whether sentence is imposed in the same or separate circuits, may be received by the department into the state correctional system. Such persons shall be delivered to the custody of the department at such reception and classification centers as shall be provided for this purpose."

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| COL A93      |        |                      |
|--------------|--------|----------------------|
| SCH VIIIIB-2 |        |                      |
| REDUCTIONS   |        |                      |
| POS          | AMOUNT | CODES                |
|              |        | 70000000             |
|              |        | 70450000             |
|              |        | 70450200             |
|              |        | 12                   |
|              |        | <u>1206.00.00.00</u> |
|              |        | 33V0000              |
|              |        | 33V0010              |

CORRECTIONS, DEPT OF  
 PGM: EDUCATION & PROGRAMS  
BASIC EDUCATION SKILLS  
 PUBLIC PROTECTION  
ADULT PRISONS  
 PROGRAM REDUCTIONS  
 REMAINING SENTENCE 24 MONTHS  
 OR MORE

health exams, property inventory, fingerprinting, formal orientation as well as a myriad of other exams and assessments necessary to comply with statutory mandates. Generally the reception process takes several weeks to complete, but this is dependent upon the inmate's medical and/or mental health needs, which may require more detailed evaluation. All inmates entering the Department of Correction system, regardless of the time they will serve, must go through the same resource intensive reception process.

RELEASE

The release process serves to ensure that inmates are released only after applicable statutory requirements and transitional needs are met. This typically draws in both institutional and community based resources, ranging from the release officer to medical and mental health staff, probation officers, the courts or the Florida Commission of Offender Review, Department of Children and Families, sheriffs offices, and various community service providers. The same resource-intensive process is applicable regardless of the period of incarceration in the Department. The time frame for the release process is such that when incarceration in DOC custody is less than 24 months, and depending on credit for time served, the inmate will have hardly cleared the reception process before the release process begins; sometimes the two overlap.

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|----------------------------------|---------|
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| DRUGS, POSSESSION/OTHER          | 10%     |
| STOLEN PROPERTY                  | 8%      |
| BURGLARY, STRUCTURE              | 7%      |
| GRAND THEFT, OTHER               | 7%      |
| BURGLARY, DWELLING               | 6%      |
| WEAPONS, POSSESSION              | 4%      |
| VIOLENT, OTHER                   | 3%      |
| ROBBERY WITHOUT WEAPON           | 3%      |
| CRIMINAL JUSTICE SYSTEM          | 3%      |
| OTHER THEFT/PROPERTY DAMAGE      | 3%      |
| ESCAPE                           | 3%      |
| FRAUDULENT PRACTICES             | 2%      |
| TRAFFIC, OTHER                   | 2%      |
| GRAND THEFT, AUTOMOBILE          | 2%      |
| DRUGS, TRAFFICKING               | 2%      |
| AGGRAVATED ASSAULT               | 2%      |
| FORGERY/COUNTERFEITING           | 2%      |
| ASSAULT/BATTERY ON L.E.O.        | 2%      |
| AGGRAVATED BATTERY               | 2%      |
| ASSAULT/BATTERY, OTHER           | 2%      |

| COL A93<br>SCH VIIIIB-2<br>REDUCTIONS   |        | CODES                |
|---|--------|----------------------|
| POS                                     | AMOUNT |                      |
| CORRECTIONS, DEPT OF                    |        | 70000000             |
| PGM: EDUCATION & PROGRAMS               |        | 70450000             |
| <u>BASIC EDUCATION SKILLS</u>           |        | 70450200             |
| PUBLIC PROTECTION                       |        | 12                   |
| <u>ADULT PRISONS</u>                    |        | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS                      |        | 33V0000              |
| REMAINING SENTENCE 24 MONTHS<br>OR MORE |        | 33V0010              |

This proposal would require revision to Section 944.17(3)(a), Florida Statutes.

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POSITION DETAIL OF SALARIES AND BENEFITS:

|   | FTE    | BASE RATE | ADDITIVES | BENEFITS | SUBTOTAL | LAPSE % | LAPSED SALARIES AND BENEFITS |
|---|--------|-----------|-----------|----------|----------|---------|------------------------------|
| A93 - SCH VIIIIB-2 REDUCTIONS             |        |           |           |          |          |         |                              |
| CHANGES TO CURRENTLY AUTHORIZED POSITIONS |        |           |           |          |          |         |                              |
| P101 PROPOSED CLASS CODE                  |        |           |           |          |          |         |                              |
| D1000 001                                 | 24.00- |           |           |          |          | 0.00    |                              |
| TOTALS FOR ISSUE BY FUND                  | 24.00- |           |           |          |          |         |                              |
| OTHER SALARY AMOUNT                       |        |           |           |          |          |         |                              |
| 1000 GENERAL REVENUE FUND                 |        |           |           |          |          |         | 1,809,356-                   |
|   |        |           |           |          |          |         | 1,809,356-                   |

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| COL A93                                |                       |  |                      |
|--|-----------------------|--|----------------------|
| SCH VIIIIB-2                           |                       |  |                      |
| REDUCTIONS                             |                       |  |                      |
| POS                                    | AMOUNT                |  | CODES                |
|  |                       |  | 70000000             |
|  |                       |  | 70450000             |
|  |                       |  | 70450200             |
|  |                       |  | 12                   |
|  |                       |  | <u>1206.00.00.00</u> |
|  |                       |  | 33V0000              |
|  |                       |  | 33V0020              |
|  |                       |  | 010000               |
| GENERAL REVENUE FUND                   | -STATE 8.00- 678,148- |  | 1000 1               |
|  | =====                 |  |                      |
|  |                       |  | 100000               |
|  |                       |  | 100777               |
| GENERAL REVENUE FUND                   | -STATE 489,785-       |  | 1000 1               |
|  | =====                 |  |                      |
| TOTAL: OFFENDERS SCORING FORTY-FOUR OR |                       |  | 33V0020              |
| LESS POINTS                            |                       |  |                      |
| TOTAL POSITIONS.....                   | 8.00-                 |  |                      |
| TOTAL ISSUE.....                       | 1,167,933-            |  |                      |
|  | =====                 |  |                      |

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AGENCY ISSUE NARRATIVE:

SCH VIIIIB-2 NARR 18-19 NARRATIVE:

IT COMPONENT? NO

Priority #1

The Criminal Punishment Code allows for a non-state prison sanction for offenders scoring 44 or less total points. This proposal would suggest only offenders sentenced to greater than 44 points receive a prison sentence therefore reducing prison admissions. Section 775.082(10) was enacted in 2009 as a prison diversion program to keep certain offenders out of the state prison system and to steer them to community based sanctions that could provide for public safety at a reduced cost. Under this statute the legislature mandates a non-state prison sanction for offenders who are convicted of a third degree, non-forcible felony (third degree felony burglary is not a forcible felony for this purpose) and who score 22 points or less. An exception is made when the court makes a written finding that a non-state sanction could present a danger to the public.

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This proposal would require revision to Section 921.0024, Florida Statutes.

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| COL A93<br>SCH VIIIIB-2<br>REDUCTIONS          |        | CODES                |
|--|--------|----------------------|
| POS  | AMOUNT |                      |
| CORRECTIONS, DEPT OF                           |        | 70000000             |
| PGM: EDUCATION & PROGRAMS                      |        | 70450000             |
| <u>BASIC EDUCATION SKILLS</u>                  |        | 70450200             |
| PUBLIC PROTECTION                              |        | 12                   |
| <u>ADULT PRISONS</u>                           |        | <u>1206.00.00.00</u> |
| PROGRAM REDUCTIONS                             |        | 33V0000              |
| OFFENDERS SCORING FORTY-FOUR OR<br>LESS POINTS |        | 33V0020              |

POSITION DETAIL OF SALARIES AND BENEFITS:

| FTE | BASE RATE | ADDITIVES | BENEFITS | SUBTOTAL | LAPSE % | LAPSED SALARIES AND BENEFITS |
|-----|-----------|-----------|----------|----------|---------|------------------------------|
|-----|-----------|-----------|----------|----------|---------|------------------------------|

A93 - SCH VIIIIB-2 REDUCTIONS

CHANGES TO CURRENTLY AUTHORIZED POSITIONS

P101 PROPOSED CLASS CODE  
 D1003 001

8.00-

0.00

TOTALS FOR ISSUE BY FUND

8.00-

OTHER SALARY AMOUNT

1000 GENERAL REVENUE FUND

678,148-

678,148-

\*\*\*\*\*  
 TOTAL: ADULT PRISONS BY FUND TYPE 1206.00.00.00

BY FUND TYPE

32.00-

GENERAL REVENUE FUND..... 4,284,076-

1000

TOTAL: CORRECTIONS, DEPT OF

BY FUND TYPE

70000000

GENERAL REVENUE FUND 225,960,842-

1000

TRUST FUNDS 4,850,060-

2000

TOTAL POSITIONS..... 2,267.00-

TOTAL DEPARTMENT..... 230,810,902-