

# FLORIDA DEATH ROW ADVOCACY GROUP



Working to maintain and improve living conditions  
on death row in Florida



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## **Ask for the max on corrections reform: State can spend less, still protect public, turn lives around**

By **THE PALM BEACH POST**

Posted: 8:55 p.m. Friday, Jan. 21, 2011

This week, the Legislature will be told how Florida can stop spending too much on prisons and getting too little back for its investment.

Today, the two Senate committees that deal with criminal justice policy and spending will hear from reformers advocating that Florida join a national movement toward what has been called Smart Justice. On Tuesday, members of the House Criminal Justice Subcommittee will get the same message. Among the statistics they will hear are:

- In 2000-01, 38 percent of new prison inmates had been convicted of crimes less serious than a third-degree felony, which comes with a maximum 30-year sentence. Only crimes with the potential for life sentences or the death penalty are more serious. In 2008-09, 47 percent of new inmates had been convicted of those less serious crimes.
- Most incarcerated juveniles are guilty of nonviolent or property crimes. Forty percent of juveniles are in custody for probation violations.
- Half of Florida's prison inmates read at a sixth-grade level or lower. The number of mentally ill inmates has tripled in the past 15 years.
- Roughly one-third of inmates who are released return to prison within three years. That rate has varied little over the past decade. But only 1 percent of the Department of Corrections budget is spent on programs to reduce what is called recidivism.

Gov. Scott's CEO-like approach to state government won't work in all cases. With criminal justice, however, his like-minded transition team zeroed in on these deplorable numbers and spent nearly 150 pages blasting the Department of Corrections. This business-oriented approach can reverse the get-tough political approach that created the problem.

Beginning in 1983, with the establishment of sentencing guidelines and the elimination of parole, Florida has focused on putting people in prison. Next came habitual offender laws and the elimination of "gain time" - earlier release because of good behavior. In 1995, the Legislature required that inmates serve at least 85 percent of their sentences. Then Jeb Bush brought 10-20-Life for crimes with a gun.

And while Florida's crime rate has fallen over the past decade, other states have adopted Smart Justice policies, saved money and seen crime rates continue to decline. Ironically, a leader in this reform has been Texas, hardly known as a criminal-coddling state. A former Texas legislator will be in Tallahassee this week to explain how he spearheaded the reforms.

Florida TaxWatch calculates that flexibility in the 85-percent rule could save \$53 million a year. A slight change in sentencing guidelines could save \$31.4 million. Greater use of electronic monitoring could save \$43 million. More effective rehabilitation, including increased use of faith-based prisons, could cut recidivism.

Gov. Scott has appointed two reformers to lead the Department of Corrections and the Department of Juvenile Justice. Rep. Dennis Baxley, R-Ocala, chairs the House Criminal Justice Subcommittee. While stressing that "our first job is public safety," Rep. Baxley said, "I'd like to put a sign on the prison door that says 'Don't Come Back.' " To make that happen, smart and justice must go together in Florida.

- Randy Schultz,