

150540

**LOCAL GOVERNMENT AND THE STATE-LOCAL  
PARTNERSHIP IN INTERMEDIATE,  
COMMUNITY-BASED CRIMINAL SANCTIONS**

94-4

FEBRUARY, 1994

**Advisory Council on Intergovernmental Relations**

150540



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(As of February, 1994)**

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**WHAT IS THE ACIR?**

Created in 1977, the Advisory Council on Intergovernmental Relations is a public entity that facilitates the development of intergovernmental policies and practices. Because the intergovernmental element is key in its purpose and functioning, the ultimate challenge facing the Florida ACIR is improving coordination and cooperation between state agencies, local governments, and the Federal government.

**WHAT ISSUES HAVE BEEN ADDRESSED BY THE ACIR?**

The ACIR completes several projects annually, including the Local Government Financial Information Handbook (prepared jointly with the Florida Department of Revenue and the Economic and Demographic Division of Joint Legislative Management), county constitutional officer salaries, and a report on state mandates affecting municipalities and counties. In addition, the ACIR has addressed the following issues:

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|--|--|
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**ACIR  
c/o House Office Building  
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OCT 10 1994

## PREFACE

## ACQUISITIONS

Previous research conducted by several reputable organizations and public entities, including the Florida Advisory Council on Intergovernmental Relations (ACIR), the U.S. Advisory Commission on Intergovernmental Relations, the National Conference of State Legislatures, the Edna McConnell Clark Foundation, the National Association of Counties, the National Institute of Corrections, the National Institute of Justice, the American Correctional Association, the National Council on Crime and Delinquency, and various state sentencing and policy commissions have documented and explained the intergovernmental impacts in the criminal justice and corrections systems. The Florida ACIR document that addresses these impacts was published in August, 1993, and is titled, *Intergovernmental Relations in Local Jail Finance and Management in Florida: A Comprehensive Report*. Information based on Florida case studies and compiled through surveys provided solid evidence that officials in the local criminal justice and corrections systems are absorbing the increasing demands associated with state correctional policies and inadequate state funding. The county impacts are realized through mandated coverage of court related costs as well as local jails which house an increasing number of state prisoners prior to and after sentencing. Unquestionably, the criminal justice and corrections systems are intergovernmental, making it imperative that approaches to address the challenges in these systems should be developed and implemented through an intergovernmental structure and process.

Recognizing the importance of the intergovernmental impacts in the criminal justice and corrections systems, an ACIR study of community-based, intermediate criminal sanctions and programs in a state-local partnership authorizing the planning and funding of these programs was considered timely and essential. The ACIR responded by approving such an interim project on May 21, 1993. The study was designed to review relevant statutes in other states, compile information on current community-based, intermediate sanctions in Florida, and assess the 1991 Community Corrections Partnership Act that provides a current framework for the state-local partnership. The ultimate objective was to identify the limitations of the Act and offer suggestions for subsequent revisions.

As completed and approved by the ACIR on February 7, 1994, the study and recommendations support continued reliance on community-based, intermediate criminal sanctions through the implementation of an amended Community Corrections Partnership Act. Recommended amendments to the Act focus on adjusting the planning requirements and eligibility for participation without compromising accountability and public safety. Clarification of programs covered by the Act is another recommended change. Education and technical assistance is also key in the recommendations for improving the Act. As revised, this Act will serve as an effective framework for addressing a wide array of challenges in the criminal justice and corrections systems.

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## ACKNOWLEDGEMENTS

During the 1993-94 legislative interim, staff for the Florida Advisory Council on Intergovernmental Relations (ACIR) conducted the relevant research for the preparation of this report. The principal analyst responsible for the research and writing of this report was Lynda K. Barrow, an attorney on staff for the ACIR. The justification for conducting research on community corrections, in particular, the Florida Community Corrections Partnership Act, stemmed from previous research conducted at the Florida ACIR and the U.S. Advisory Commission on Intergovernmental Relations. A valuable reference for this project was the 1993 ACIR report, *Intergovernmental Relations in Local Jail Finance and Management in Florida: A Comprehensive Report*, which was primarily written by Matthew S. Tansey. The findings highlighted in that report also legitimized efforts to study community-based, intermediate sanctions in an intergovernmental context. As staff with the ACIR, Mr. Tansey also contributed to and facilitated the initial development of this project. His efforts related to this ACIR interim work are greatly appreciated.

Research which was undertaken to prepare this report involved the cooperation of many organizations, private persons, and governmental officials from Florida and many states. In particular, the ACIR is especially grateful to the Florida local government officials and their staff who took the time to carefully and quickly respond to detailed surveys prepared for this ACIR study and report. The ACIR is equally grateful to the State Attorneys and their staff in every county that took the time to complete intermediate sanction surveys conducted as part of this study. In addition, appreciation is extended to many national organizations which have studied and issued publications in the area of community corrections, such as, the National Conference of State Legislatures, the Edna McConnell Clark Foundation, the National Association of Counties, the National Institute of Corrections, the National Institute of Justice, the American Correctional Association, the National Council on Crime and Delinquency, and various state sentencing and policy commissions.

Other persons and entities which deserve thanks for their contribution to the comprehensiveness of this report include the Florida Association of Counties, the Florida Prosecuting Attorneys Association, the Florida Governor's Office, the Florida Department of Health and Rehabilitative Services, the Florida Commission on Juvenile Justice, the National Institute of Corrections, and the Florida Department of Corrections. A special thanks is extended to Mr. Harry Dodd, Director of Probation and Parole Services in the Department of Corrections, for the time he allocated for the purpose of explaining and providing documents on the history of community corrections in Florida and relevant departmental statistics and program descriptions.

Among the ACIR staff, the efforts of several staff members were instrumental in the conduct of this study and the publication of this report. Foremost, the commitment of Dr. Mary Kay Falconer, Executive Director of the ACIR, to study community corrections

partnerships and intermediate sanctions in Florida is the reason this report is both comprehensive and timely. A special thanks is also extended to Gaye Danforth Hill and Sandy Brooks who provided their time and exercised abundant patience in order to compile many of the charts and tables included in this report. In addition, a sincere thank you is extended to David C. Smith for his assistance in gathering information and summarizing juvenile programming offered through the Florida Department of Health and Rehabilitative Services.

**LOCAL GOVERNMENT AND THE STATE-LOCAL PARTNERSHIP IN  
INTERMEDIATE, COMMUNITY-BASED CRIMINAL SANCTIONS AND PROGRAMS  
February, 1994 Release**

**EXECUTIVE SUMMARY**

This report summarizes research conducted by staff of the Florida Advisory Council on Intergovernmental Relations (ACIR) on a host of intergovernmental issues related to intermediate, community-based criminal sanctions and programs. The intergovernmental emphasis in the research facilitates a greater understanding of how intermediate, community-based criminal sanctions and programs fit in the current criminal justice and corrections systems. Some of the intergovernmental impacts are explained and a current inventory of relevant criminal sanctions and programs in Florida is documented. As a final objective of this research, an appropriate intergovernmental statutory framework for using such sanctions and programs in order to meet the needs in the criminal justice and corrections systems is assessed with suggested improvements highlighted.

This report begins by identifying the motivations for and design of community corrections acts from a national perspective. Clarification of what constitutes community-based and intermediate criminal sanctions and programs is provided, and other research efforts to determine their effectiveness are also noted in this discussion. Next, the emerging forces in Florida that gave rise to the implementation of community-based criminal sanctions and programs are explained while providing both a general and itemized inventory of intermediate, community-based criminal sanctions and programs that are currently available at the state and local levels of government in Florida. A more thorough program description of model programs in Dade, Orange, and Volusia counties is also encompassed in the report.

After covering the current status of community-based criminal sanctions in Florida, the report proceeds to an explanation of the key features of Florida's Community Corrections Partnership Act. Enacted in 1991, this Act serves as a framework for allowing local officials participating in the criminal justice and corrections systems to develop community-based, intermediate criminal sanction facilities and programs with state funding. Relying on a comparative analysis of state-local community corrections "partnership" acts in 21 states and results of two surveys conducted of county administrators and state attorney offices, the limitations of the Act are identified and possible improvements to the Act are offered. With the problematic aspects of the 1991 Act addressed, the report asserts that the Community Corrections Partnership Act (Partnership Act) is an appropriate framework for developing and maintaining intermediate, community-based criminal sanctions and programs as efficient and effective approaches to many criminal justice and correctional challenges.

Selected findings for the most valuable components of the research performed and contained in this report are articulated below. These components refer to the current status of intermediate, community-based criminal sanctions and programs in Florida, the limited implementation of the Partnership Act, the limitations and disincentives for county participation contained in the Act, and the comparison of Florida's Partnership Act with relevant "partnership" acts in other states.

The inventory and status of intermediate, community-based criminal sanctions in Florida documented in this report is based on programs administered by the Florida Department of Corrections and those programs listed in survey responses of Florida county administrators and state attorney offices. Intermediate or community-based facilities or programs administered by the Department of Corrections include: "House Arrest" or electronic monitoring, community corrections centers, work camps, a youthful offender bootcamp in Sumter Correctional Institution, drug offender probation, intensive supervision probation (community control), and secure and non-secure drug treatment facilities. Relevant juvenile commitment programs administered by the Florida Department of Health and Rehabilitative Services is briefly discussed. While still considered preliminary, due to the survey response coverage of only 44 out of 67 counties, the available survey data provides clear indication that the majority of Florida counties have implemented a broad range of intermediate sanctions on their own accord. The programs that have been implemented in the highest number of counties include pretrial release programs, pretrial intervention programs, house arrest/detention, in-patient and out-patient drug and alcohol abuse treatment and counseling, work release or weekend jail programs, and educational/vocational programs.

The current implementation of Florida's Community Corrections Partnership Act has been very limited. The Legislature has appropriated a scant amount to the Community Corrections Assistance Trust Fund, a trust fund set up under this Act, for only two fiscal years since its enactment; one hundred and fifty thousand dollars (\$150,000) was appropriated in FY 1991-92 and FY 1992-93. Of the total \$300,000 appropriated, the money was awarded as such: Palm Beach County received \$150,000 in fiscal year 1991-92 to supplement funding for a "drug farm" program for drug offenders, Escambia County received \$100,000 in fiscal year 1992-93 to partially fund their "drug court" in the aftercare component of the program, and Seminole County received \$50,000 in fiscal year 1992-93 to fund a renovation project on a work release facility. The Partnership Act, through its trust fund or any other mechanism, did not receive any appropriations in FY 1993-94, therefore there were no grants made through the Act to counties for intermediate criminal sanction facilities or programs.

The limitations and disincentives for participation in the Community Corrections Partnership Act based on survey responses of the county administrators were easily identified. Among many, the survey found:

- a. the majority of counties' number one priority for change to make the Partnership Act more effective was the establishment of a dedicated funding source in order to fund the implementation and maintenance of community-based, intermediate sanctions and programs;
- b. a large number of counties ranked, as their number one or number two priority for change, either the removal of the "maintenance of local effort" requirement in the Act or the allowance of at least a portion of the currently funded programs in the counties to be eligible to receive state funding under the Act;
- c. a large number of counties cannot comply with the lengthy and detailed statutory planning requirements of the Act because of the lack of money, expertise, and statistical information needed for compliance;
- d. many counties are concerned about the substantial cost of providing health care to offenders placed in a facility or program funded through the Partnership Act, causing apprehension about county participation in the Act;
- e. many counties are apprehensive about participation in the Act because they are concerned that they will not have any control over the offenders that are placed in facilities and programs funded through the Act, thereby endangering public safety;
- f. there is a need for a statewide educational and technical assistance program to educate the public and local governments about the Community Corrections Partnership Act and the state funding through the Partnership Act, the plan development stage, the plan evaluation, the implementation and maintenance of facilities and programs, and facility and program evaluations; and
- g. Counties are uncertain about participation in the Partnership Act when the role and responsibility of the counties which are being evaluated for continued funding by the Department of Corrections for programs and facilities funded through the Act is only vaguely addressed in the Act. The issues of county time and money spent in such evaluations is left open to the Department of Corrections' interpretation and discretion.

Analysis of the statutory language of Florida's Partnership Act and comparison to other state community corrections partnership acts yielded many findings. Based on a preliminary assessment, Florida's Community Corrections Partnership Act contains several incentives that should encourage county involvement in this area, such as the prospect of state funding for community-based programs to be administered by the counties, a statutory

framework by which to seek state funding for these programs, and the authorization for misdemeanor offenders to be eligible to be placed in facilities and programs funded by the Act. The Act also contains several features that either are not present in the relevant statutes for other states or if present, may discourage county participation in Florida, such as listing lengthy and burdensome planning requirements of the Act when seeking state funding, containing a maintenance of local effort requirement, and limiting what entities are eligible to participate and seek state funding through the Act.

At this time, the major findings based on the statutory comparison of Florida's Community Corrections Partnership Act with relevant Acts in other states include the following:

### **Statutory Goals and Purposes Findings**

It is concluded that the goals and purposes articulated in Florida's Act are sufficient in comparison with other states' legislation. Florida's Act names the majority of existing legislative goals and purposes found in the other state community corrections partnership acts. Therefore, it is assumed that Florida's statement of legislative goals and purposes provides many incentives to counties to participate in the Partnership Act.

An incentive for eligible entity participants in Florida's Act is its focus on local correctional problems. A review of the goals and purposes of the Florida Community Corrections Partnership Act indicates that the legislative intent was to assist counties in their attempts to address the problems of local jail overcrowding as well as prison overcrowding. It should be noted that only 8 out of 21 states explicitly cite "reducing jail commitments" as a goal or purpose of the provision of community corrections programs. In this sense, Florida compares more favorably with the majority of its counterpart legislation in other states.

Another goal found in Florida's Act that should encourage county participation is the assurance that public safety will not be compromised. This goal is not only named in the relevant portion of the Act, but is also solidified by the fact that only non-violent offenders are eligible to participate in the Florida Partnership Act funded programs. In addition, the provision of local flexibility for deciding which offenders will be eligible for placement and which programs are most needed in their own jurisdiction through a county's public safety plan development process is an incentive because of public safety, but also because it empowers each county to deal with their correctional problems unique to their own counties.

The legislative goals of promoting offender accountability to his community and crime victims, and the emphasis on rehabilitation of offenders by reducing alcohol and drug dependencies should be incentives for Florida counties to participate in the Partnership Act. These are issues, and many times inadequacies, that counties are acutely aware of in the criminal justice system. By Florida specifically stating these goals in the Act coupled with

the intent to provide a continuum of sanctions for sentencing options, counties should be encouraged to participate in the Community Corrections Partnership Act.

### **Eligible Offender Population Findings**

Florida is in accord with the majority of other states which allow only non-violent offenders to participate in the state funded local programs. All 21 states allow at least some type of felony offender to participate in the community corrections partnership act funded programs. However, only 13 of those states allow misdemeanants to participate in state funded community corrections programs or facilities. Florida's Act compares favorably to other states in this respect by the inclusion of misdemeanants. In addition to the provision of local flexibility over which offenders are eligible to participate in a community corrections program or facility, Florida's counties should be attracted to participation because jail bound offenders are a targeted group of offenders under the Act. Only 14 states, including Florida, target jail bound offenders for community corrections services as an alternative to local jail sentences.

The comparison of state statutes reveals that only 14 out of the 21 states give the local entity participants discretion over which offenders are eligible through the local correctional plan that is submitted to the state administrative agency for funding. There are some states which provide additional local discretion to the local correctional planning boards by allowing them to accept, reject, or reject after acceptance the placement of offenders into a facility or program. This may be another type of local discretion the local planning boards could be given in Florida to ensure that the participating entities will not be forced to take offenders they do not want in their communities because of public safety concerns.

Florida's Act also compares favorably to other states with regard to juvenile versus adult offender eligibility. Florida allows community-based facilities and other intermediate sanctions to be provided to juvenile offenders as well as adult offenders. In total, only 5 out of 21 states explicitly allow the state community corrections funding to be used for juvenile offenders. Both the State and counties alike should be interested in the Partnership Act for this reason because of the recent heightened interest in juvenile justice.

The stages of the criminal justice process in which an eligible offender is targeted varies among the states. Florida is explicit in the inclusion of pre-sentence, post-sentence, and post-incarceration populations for community corrections funding. It is debatable, however, whether Florida's Act is explicit enough to include pretrial populations. Florida's Act could provide clearer guidance on whether pretrial facilities, programs, and services are fundable under the Act. Florida's Act is given credit for targeting the pretrial population, however, section 948.51 (4) (a) (2), *Florida Statutes*, states that funding may be used for diversionary programs for offenders that would otherwise be "housed" in a county detention facility, state juvenile detention facility, or state correctional institution. Out of the 21 states

studied, 13 states unequivocally allow state community corrections funding to be used on the pretrial populations to fund programs such as supervised pretrial release. From the statutory language in Florida's Act, it appears that programs and services for offenders not held in pretrial detention and preventative programs and services may not be fundable under the Partnership Act. Given that the largest component of Florida's local jail population consists of pretrial detainees, incorporating clarifying language that specifies both pretrial detainee and pretrial offenders not held in a detention facility would prove helpful in attracting greater county interest.

### **Administration of the Act Findings**

In most respects, Florida's state administrative structure established in the Community Corrections Partnership Act parallels those found in other states' legislation. Therefore, it is very common for such laws to grant authority to a state agency to review local community corrections plans or funding applications, to establish standards and guidelines through rules and regulations for the operation of local programs, to allocate state funds to local governments, and to monitor and evaluate local programs and facilities.

Despite these similarities, Florida's statute lacks certain features that are present in other states that may prove fruitful in attracting a greater degree of local participation in the community corrections program. Although 18 states, including Florida, require the administrative agency to provide general technical assistance to local governments, 10 of the states, excluding Florida, explicitly provided for technical assistance to local governments in their efforts to prepare the required local correctional plans. The specific requirement of providing technical assistance to eligible entities in the planning and program implementation stages would help the interest and participation level of Florida counties.

Florida's Act does not establish a state advisory board in the administration of its community corrections program. Seven (7) states have established a state advisory board including some states considered to have successful implementation of community corrections such as Michigan, Texas, and Oregon. Because it is argued that a state advisory board maintains an impartial administration of community corrections, it may be an effective administrative component to include in Florida's Partnership Act. It also could serve as a forum by which a more active judiciary, who are the ultimate users of available criminal sanctions in the sentencing process, could be utilized for the widespread implementation of intermediate, community-based criminal sanctions and programs.

Finally, requiring the Florida Department of Corrections to serve a public relations function for community corrections may assist in the successful implementation of the program in Florida. The surveys conducted for this study indicate that most counties either did not know of the existence of the Community Corrections Partnership Act, felt that it was too difficult to understand or comply with the planning requirements, or felt that they would have no control over the offenders that would be placed in the community-based,



intermediate sanctions. It may be argued that this lack of knowledge and many of these concerns and problems may be mitigated by distributing public information by the Department of Corrections.

### **Local Eligibility for Participation Findings**

Although Florida is in the majority with other states by allowing individual counties or groups thereof to be eligible to participate in the community corrections act, Florida does not follow the majority of other comparison states with regard to non-governmental organizations or agencies. Florida allows counties to contract with non-profit non-governmental organizations to provide services to the county using state community corrections funds. Because of the limited implementation of Florida's Community Corrections Partnership Act, it may be helpful to the success of the partnership program by allowing non-governmental organizations to participate. If desired, the Act may limit the participation of such entities by first giving the counties in which the organization resides, and would provide services, the "right of first refusal" in seeking state funding through the Partnership Act. It appears that implementation of the Act may be assisted by increasing the number of programs and services if these organizations had a chance to obtain state funding.

Florida also does not permit municipalities or joint city-county groups to seek community corrections funding through the Act. However, almost half of the other states studied allowed municipalities to participate in their respective Acts. It cannot be determined at this point what the impact would be if either entity, municipalities or joint city-county groups, were allowed to participate other than possibly improve local government relations. However, by allowing the option for city-county groups to come together by agreement and seek state funding through the Act, local flexibility for participation would be maximized.

Judicial districts or circuits are not allowed to participate in Florida. It appears, however, that statutory permission to allow their participation makes sense for economical reasons. First, the criminal justice system is already administered on a judicial circuit basis through 20 circuits. Second, judicial circuit participation would help reduce community corrections partnership dollar competition because it would assist in decreasing the number of interested entities vying for state money. In addition, efficiency in the delivery of such services is achieved because the money obtained by the circuit would go to providing a facility or a program which could service the entire judicial circuit. This is especially important for the larger judicial circuits which contain several smaller, more rural counties that do not have a correctional need equal to the smaller or single-county judicial circuits which consist of larger counties. Judicial circuit participation would also conserve the resources of the public safety coordinating council members who hold judicial circuit positions, such as the State Attorney, Public Defender, and Chief Circuit Judge. Additionally, conflict of interest situations would also be avoided if these persons served on

one circuit public safety coordinating council as compared to serving on several different county public safety coordinating councils.

### **Participation Requirements Findings**

Comparison indicates that the Florida Community Corrections Partnership Act is similar to other states in the sense that it requires counties to establish a local advisory or correctional board (i.e. county public safety coordinating councils) and to maintain continued compliance with statutory requirements, public safety coordinating council standards, and the local plan submitted to the department. In addition, with other states, it shares such features as requiring local governments to develop and prepare local community corrections plans. These plans are then required to be submitted for state approval in order to become eligible for state community corrections funding. Therefore, referring to these fundamental structural requirements, Florida's Act does not appear to offer any unique disincentives to county participation in the program.

Despite these commonalities, several of the requirements placed upon Florida counties appear to be problematic. The Partnership Act contains the most stringent or cumbersome planning process requirements of the vast majority of the statutes reviewed in this study. It is apparent that many counties would not have the resources necessary to comply with the planning requirements named in the Act. Thus, because these planning requirements are so strict, they become prohibitive. Coupled with the fact that there is no statutory requirement for the Department of Corrections to provide technical assistance for the planning or implementation of intermediate sanction facilities and programs nor is there state financial assistance in their planning initiatives, the county interest in participation becomes even less. A possible solution to this obvious problem would be to reduce and simplify the planning requirements, or at least allow some flexibility to counties that do not have the statistical resources or expertise readily available for compliance. Statutory authorization for state financial assistance to counties that are attempting to prepare a plan or implement a program would also assist in alleviating this problem.

Finally, the Partnership Act is one of the several state legislative initiatives that requires counties to undertake an outcome-based performance evaluation in order to assess the realization of the legislative goals established in the Act. Continued state funding depends on these evaluations. The Act is not specific on who bears the financial burden of these evaluations, nor is it specific on what will constitute the evaluation measures. However, the Act requires the counties to "participate with the department" in order to conduct these evaluations and the Act also charges the responsibility of creating the performance measures for their programs that receive state funding. Because the statute is not clear on who bears the financial responsibility of the outcome-based evaluations, counties have indicated they are concerned about bearing the cost. This evaluation requirement may be acting as a disincentive to county involvement. A solution may be

found in other state statutes which have articulated that the state administrative agency shall perform the evaluations without mention of any responsibility on the part of the participant.

### **Authorized Uses of Funding Findings**

To date, the Partnership Act has been funded a total of \$300,000 since its enactment. This scant amount of money has produced little, if any, interest in participation in the Act by the counties. For continued success of the Partnership Act, it will be necessary to continuously fund the Partnership Act. Ideally, there should be a dedicated funding source to address this need.

Florida's Act is consistent with other Acts in the manner that state financial assistance to counties is determined. Florida, along with the majority of other states, determines the amount of assistance based on the availability of funds, the reasonableness of the request, and the ability of the plan to meet the statutory goals and objectives. Florida also follows the majority of states by *not* utilizing a funding formula and making grants to participants based on the aforementioned criteria. Since its enactment, the Florida Partnership Act has not been adequately funded to provide an incentive for county participation. No dedicated funding source exists to provide a consistent and adequate flow of money to Florida Community Corrections Assistance Trust Fund for the commencement and continuation of intermediate sanction programs at the local level.

Separate from the issue of inadequate funding, the manner in which Florida disburses the grant money to counties is not unusual in comparison to other states. However, by statutorily authorizing only one-third of the state grant amount upon approval with the remainder of the grant to be disbursed quarterly in Florida, may pose a problem for enticing county participation. It is possible that such a limited disbursement of the grant funding to a county that has already been approved may act as a disincentive because it may limit a counties ability to implement a successful program. This is particularly true for Florida counties because the grant funding may only be used for new or expanded programs and facilities. Under this scenario, it may be possible that counties would have to fund the balance of a program cost themselves immediately after a grant is approved, and rely on the following disbursement as a "reimbursement".

The maintenance of local effort requirement is an unfavorable measure to include in Florida's Act. This requirement of local governments maintaining their current correctional expenditures and prohibition of using the state funding to supplant current programs and spending may prove to be a strong disincentive to effective county involvement in the Partnership Act. The results of both surveys conducted for this study reveal that there is a wide selection of intermediate sanctions available in each county. There are some counties which have been very innovative and have taken the initiative to meet their local correctional needs at there own cost. Such counties would be encouraged to continue their innovative actions and to also seek funding through the Florida Partnership

Act if there was a chance to obtain state approval to receive state funding for previously implemented programs. A maintenance of local effort requirement would act as a discouragement or penalty for their innovation. If such a requirement remains in Florida's Act, these innovative counties would have to maintain the programs they previously implemented at their own expense while theoretically another county could implement the same programs with state funding through the Act.

Florida's Act is consistent with the majority of other states on some funding restrictions that are placed on local governments in community corrections partnership acts. These restrictions are likely to be present to ensure local financial accountability to the state. These funding restrictions include no use for jail capital costs or jail operational costs and use for the construction or renovation of state facilities. These restrictions do not appear to have a direct effect on county participation in Florida.

Florida does not provide state funding for assistance to counties for plan development and preparation. As mentioned in the participation requirements section in this report, the planning requirements in Florida are unusually cumbersome for counties to fulfill. These two factors coupled together could create a significant disincentive for county participation. In order to encourage counties to be innovative and prepare plans to participate in the Partnership Act, required state financial assistance for eligible entities which are in the plan development stage would seem to have a significant impact on county participation.

**ACIR RECOMMENDATIONS**  
**RELATED TO THE COMMUNITY CORRECTIONS PARTNERSHIP ACT**  
**(Approved by the ACIR on February 7, 1994)**

The recommendations listed below support the continued implementation of the Community Corrections Partnership Act, with several revisions, as:

- 1.) an approach for ensuring the relevant, efficient, and effective use of resources available for planning and implementing community-based, intermediate criminal sanctions and programs;
- 2.) an excellent mechanism and framework for allocating state funds for community-based sanctions and programs that ensure an acceptable level of accountability and public safety;
- 3.) a valuable opportunity for counties and the participants in the criminal justice process to develop comprehensive plans for community-based sanctions and programs that meet the needs of communities without unnecessary duplication and fragmentation;
- 4.) an appropriate approach for addressing and meeting the challenges in the intergovernmental criminal justice and corrections systems, due to its intergovernmental focus and structure.

1.) Establish a dedicated funding source for continued funding of the Community Corrections Assistance Trust Fund or the Community Corrections Partnership Act.

**Rationale:**

There has never been adequate funding available to counties through the Partnership Act.

There has only been a total of \$300,000 appropriated to the Assistance Trust Fund for discretionary grants since its creation. There was no appropriation made to the trust fund for this fiscal year (1993-94). The Governor is proposing, in his 1995 Budget Recommendations, that the Legislature appropriate \$500,000 for discretionary grants to local governments for innovative, intermediate sanctions.

Money available to eligible entities should be provided on a continuing basis. Funding through the Act should not be considered "seed" money to assist counties only in the establishment of intermediate sanction programs based on the language of the Act. Participating entities need to have the assurance that funding will be provided to them on a long-term basis.

In addition, the statutory language indicates an intent that there be continued funding for programs established under the Act. The Act contains a provision that addresses *continued*

*state funding.* By making such a reference with a requirement that counties participate in outcome-based evaluations to continue state funding, the legislative intent to continually fund these programs is quite clear. To accomplish this end, a dedicated funding source should be established.

When the County Administrators were asked why they were not participating in the Partnership Act, out of a total of 31, 11 counties indicated that there is not enough money appropriated to the Community Corrections Assistance Trust Fund to make participation in the Act worthwhile. An additional 3 counties indicated that they were not participating because there was no guarantee of continued state funding of intermediate sanction programs started through the Act.

A majority of the County Administrator survey responses (19 out of the 31) indicated that the establishment of a dedicated funding source was the *number one* priority that they would like to see changed with the Community Corrections Partnership Act. A total of 22 out of 31 counties that responded to the survey indicated the establishment of a dedicated funding source for the Act was a change that the counties would strongly recommend.

Available information on state funding in other states indicates that Florida funding of community corrections programs through the Act is significantly below amounts appropriated by other states. For example, in fiscal year 1992-93, Texas appropriated approximately \$44.2 million of state funds for community corrections programs to be administered at the local level. During the same fiscal year, Minnesota appropriated approximately \$39.0 million for locally administered intermediate sanctions through its community corrections act.

**2.) The Corrections Commission, established by Chapter 93-404, *Laws of Florida*, should:**

- a. include in its mission statement the promotion of state and local partnerships in correctional policy and programs; and
- b. include in its membership adequate local government representation.

**Rationale:**

There is a need for objectivity and an intergovernmental perspective in the administration of and the development of policy relevant to the Partnership Act. The existence of a state board or commission fostering a state and local partnership would augment efforts to ensure that the Act is implemented in a "fair and objective" manner.

With the inclusion of the promotion of a partnership within the mission statement of the Corrections Commission, a commission or board that is already in existence is utilized to accomplish this goal rather than creating a new board.

In making this recommendation, the Council recognizes the need for an objective involvement of a governmental body that fosters state and local partnerships in seeking correctional solutions. Specifically, the Council advocates the importance of a commission that recognizes the potential and ability of the Community Corrections Partnership Act to serve as a mechanism by which an intergovernmental partnership may be created and flourish.

The Council also recognizes that the success of a state commission which advocates intergovernmental partnerships for correctional solutions depends on an appropriate representation of all levels of government that would be impacted by such partnerships. The Council views *adequate* local government representation on the Corrections Commission as crucial to the success of the Commission's credibility and its ability in policymaking and decisionmaking as it relates to the Community Corrections Partnership Act.

3. Judicial Circuits should be additionally authorized to submit plans and seek direct funding through the Community Corrections Partnership Act under conditions that are acceptable to counties within that judicial circuit. With this authority, the circuit public safety coordinating council membership shall include representatives of the criminal justice and corrections delivery systems, such as:

- (a) the Chief Circuit Judge and Chief County Judges (the Chief Circuit Judge being the chairman of the committee),
- (b) the State Attorney,
- (c) the Public Defender,
- (d) the state probation circuit administrator,
- (f) a physician working in the area of alcohol and substance abuse,
- (g) a mental health professional concentrating practice in the area of alcohol and substance abuse,
- (h) a sheriff or jail administrator for a county in the judicial circuit,
- (i) a police chief from the largest police department in the circuit,
- (j) a county commissioner from each county in the circuit,
- (k) a city governing official of the largest municipality (most populous) in each county in the circuit, and
- (l) a school board official from that circuit.

**Rationale:**

a. It is efficient to administer the program through judicial circuits for the following reasons:

1. Prosecution of criminal cases correspond with 20 judicial circuits; basically, justice is administered separately in the individual 20 circuits.

2. The felony trial court judges (circuit judges) are organized together by circuit, operating from the courts spread throughout the judicial circuit.
3. The State Attorneys and the Public Defenders are elected officials serving the entire judicial circuit. As an integral part of the criminal justice system, they negotiate pleas, try the cases, and recommend sentences to the judges.

b. The circuit planning committee would better serve interested communities and the key participants in the criminal justice process for the reasons set out below:

1. In many cases, an area including more than one county is represented when a circuit planning committee convenes. Therefore, intermediate, community-based programs and facilities established through the Act could serve a much larger area which would economize or divert to a greater extent. For example, the Twentieth Judicial Circuit serves 5 counties: Collier, Hendry, Glades, Lee, and Charlotte Counties. Other examples of multi-county judicial circuits in Florida are: the 1st (4 counties), the 14th (5 counties); and the 3rd (7 counties). Along the same vein, judicial circuits would provide a more centralized and efficient organization for community corrections programs and services to be located in the judicial circuit, the same place that the prosecution and sentencing of offenders takes place. Judicial circuit participation thereby promotes uniformity and continuity of a comprehensive "circuit" public safety plan.
2. Judicial circuits may be able to pool and draw on judicial resources in the planning process. Each judicial circuit compiles its own data. Thus, many of the relevant statistics needed in order to prepare a plan are more easily determined on a circuit basis, rather than a county basis.
3. Circuit/regional correctional needs may be better assessed by a circuit public safety coordinating council. Thus, you avoid duplication and unnecessary provision of services and programs where the correctional needs are not as pressing.
4. Competition for the Assistance Trust Fund or Partnership Act funding would be reduced by allowing multi-county judicial circuits to participate together as a group in an organized manner rather than each of the 67 counties competing for the same amount of money.
5. By allowing circuits to participate, some key members required to be a member of a county public safety coordinating council, such as the Chief Circuit Judge, the State Attorney, and the Public Defender, will only serve on one circuit public safety coordinating council rather than multiple county



public safety coordinating councils that desire to individually prepare plans and seek funding under the Act. Conflict of interest issues would also be avoided if these persons were only required to serve on one coordinating council to seek state funding under the Partnership Act.

This recommendation *extends* the entity eligibility for state funding, under the Act from only counties and groups of counties to include judicial circuits. For judicial circuits participating, the condition that circuit participation would have to be acceptable to each county in the circuit ensures coordination with the counties. When a judicial circuit wishes to seek state funding, the counties within that circuit will have a choice. Each county will decide whether they will join with the circuit to seek state funding or seek the state funding independent of the judicial circuit.

**4. The "Maintenance of Local Effort" requirement should be removed from the Partnership Act.**

**Rationale:**

Of the 31 County Administrator survey responses received, 14 counties, as either a #1 or #2 priority, would like to see either the maintenance of local effort requirement removed altogether or at least a portion of the intermediate sanctions currently provided by the county to be eligible to receive funding under the Act.

In the statutory comparison that was conducted in the study, 13 states did not explicitly require a maintenance of local effort in order to receive funding. Therefore, the majority of states studied did not explicitly prohibit the participating entities from using state funding to supplant local intermediate sanction spending.

From the surveys conducted for the ACIR study, it has been established that there are many Florida counties which currently administer intermediate, community-based sanctions to meet their local correctional needs. Such programs have been implemented as a result of innovation and motivation of the county to provide for their own correctional needs. This requirement means that counties which previously implemented the same intermediate sanction with county funding, rather than state funding through the Act, will not be eligible to receive future state funding for that program. The existence of a "Maintenance of Local Effort" requirement in the Community Corrections Partnership Act serves as a penalty for these counties that have already provided many intermediate sanctions on their own accord. Such a requirement also "rewards" other counties that have not previously taken the initiative to implement such programs by providing state-funded intermediate sanctions to those counties. The requirement, in essence, indirectly rewards some counties that do not have the pressing correctional needs.

5. The statutory county public safety plan requirements should be tailored to meet the resources available to a county for purposes of preparing the required plan. Specifically, the plan requirements or statute subsections that should be deleted from the Act under § 948.51 (2), F.S., are:

- (1.) Subsection (e) which requires the inclusion of the monthly assessment of the population status by the county public safety coordinating council of all probation programs owned, operated, or contracted for by the county, including county residential probation programs;
- (2.) Subsection (h) which requires a projection of needs for both the construction of county detention facilities and the development of offender diversionary programs;
- (3.) Subsection (i) which requires annual performance measures that establish whether a participating county complies with its approved comprehensive county correction plan;
- (4.) Subsection (j) which requires a plan for ongoing involvement and education of the community as to the purposes and accomplishments of the community corrections programs, including, but not limited to, their impact on recommitment;
- (5.) Subsection (k) which requires verification by the county public safety coordinating council that the current percentage of spending levels for county correctional efforts have not been and will not be reduced by community corrections funds which may be received from the state.

**Rationale:**

As articulated in the study conducted by ACIR staff, the planning requirements in Florida's Act are very cumbersome. The planning requirements include gathering extensive statistics, full development of the programs for which funding is being sought, and creating various projections for the programs the "planning entity" intends to implement with Partnership Act funding.

Many counties have indicated through the surveys which were conducted for the study that the planning requirements were "too strict or cumbersome" or "too difficult to understand".

Six counties specifically indicated they directly advocate a change in the county public safety plan content requirements to reduce the amount of information and projections necessary under the Act. In addition, many counties indicated on the survey responses that they did not have the expertise or the required information readily available within their county to comply with the requirements listed in the Act for county public safety plans to

receive funding (13 out of 31 counties that responded). In addition, 9 counties that responded to the survey indicated that they do not have the money it would take to prepare a plan as required by the Partnership Act.

Counties also indicated on their survey responses that they need financial assistance in order to prepare a plan. For example, out of 31 County Administrator responses, 12 counties indicated that in order to participate in the Partnership Act, they would need financial assistance from the state for preparation of county public safety plans required by the Act. It is apparent that counties feel that they *may* be able to comply with the current planning requirement under the Act if they had money to obtain professional technical assistance.

**6. Clear statutory assurance that anticipated health care costs may be budgeted into the plan and funding request submitted to the Department of Corrections for approval by the participating entity.**

**Rationale:**

Health care costs are a legitimate concern of county officials. Offenders that are eligible to participate in programs which are funded through the Act include both non-violent misdemeanants and felons. Although counties are currently paying correctional costs for many pre-trial detainees, felony offenders are not traditionally the financial or correctional responsibility of the counties.

By explicitly allowing counties to include anticipated health care costs for offenders that are placed in programs funded through the Act in the funding applications, counties will be assured that they will not be responsible for all of the health care costs of said offenders. Out of 31 county administration survey responses, 10 counties indicated they were not participating in the Act because they were very concerned about the health care costs related to implementing such programs in their counties.

Based on the current language in the Act, it appears that counties may include health care costs in their funding request. However, this authority is not explicit. This conclusion is reached because, currently, the Act does not specifically exclude health care costs from the funding applications and plans in the Act. Twelve counties indicated in the survey responses that they would like clear statutory assurance that the provision of health care may be included in the plan and funding request that is submitted to the Department of Corrections. Fifteen counties indicated that they would like the Act to require the Department of Corrections to provide health care to all offenders in a program funded by the Community Corrections Partnership Act.

**7. The Act should provide each county, within a public safety coordinating council, the right to accept, reject, or reject after acceptance the placement of any offender if that county does not view an offender as acceptable for a community-based sanction based only on the fact that the offender acts as a significant threat to public safety in such a facility or program.**

**Rationale:**

Currently, the statute authorizes planning entities to decide what non-violent offenders are eligible to be placed in each community-based program through their plans submitted to the department. However, many counties still feel that they would not have any control over which offenders will be placed in state-funded, intermediate sanction programs, according to county survey results.

Such an authorization would provide participating entities with flexibility in their programming and facility administration. It was indicated on several county administration survey responses that counties were not participating in the Partnership Act because they felt they had no control over the type of offenders that would be placed in the community-based facilities and programs which were funded through the Act. Counties had this concern despite the fact that the Act states only nonviolent offenders may be placed in programs and facilities funded under the Act. By placing this right to accept, reject, or reject after acceptance directly in the hands of the county public safety coordinating council, local governments would be assured that public safety would not be jeopardized.

Although it has been argued that such a right should be left to contract negotiations, the Council chooses to advocate that this authorization should be placed in the Act.

**8. The Department of Corrections should, in cooperation with counties, school boards, and municipalities, establish an educational and technical assistance program. The Legislature should appropriate sufficient funds to the Department of Corrections to comply with this requirement.**

To implement a program, the department could:

1. conduct quarterly seminars in various regions of the state and hold seminars in Tallahassee several times a year.
2. release informational packages that provide procedures and information on the planning, evaluation, and funding processes, and the success of the Partnership Act and the intermediate sanctions implemented at the local level.

## **Rationale:**

Many County Administrator survey responses indicated that they had never heard of the Community Corrections Partnership Act prior to the ACIR study and survey. In addition to those counties that have never heard of the Act, many of the counties indicated that the planning requirements were too complicated to understand and comply with for their county to participate in the Act.

An organized program will disseminate information to counties through informational packets and seminars about planning requirements, the application process, the evaluation process, the funding process, and about the success of the Partnership Act to the general public.

Organized technical assistance to the planning counties and community acceptance of intermediate programs is crucial to the success of the Partnership Act for the following reasons:

1. It helps with consensus building at the community level. It would help pave the way for the legislators to freely support and appropriate money to the Partnership Act without pressure from their constituents that they are being "too soft on crime."
2. The public deserves to know about community corrections and what intermediate sanctions have to offer the citizens of the state as to safety of the communities and the reduction of recidivism. The public needs to know how the Partnership Act can assist in solving prison overcrowding and the lack of money to build and operate state prison beds, and supervising offenders for longer periods of time.
3. Out of the 31 county administration survey responses, approximately 11 counties indicated that the Act should provide for educational workshop-type programs and public awareness campaigns to be conducted by the Department of Corrections.

In addition, departmental assistance to counties that are implementing programs and services through the Partnership Act will ensure efficiency and effectiveness of both the state funding received and the program being implemented.

9. If an eligible entity anticipates the inclusion of juvenile programs and services in their comprehensive public safety plan and funding request, school board representatives should be named as a required member of the county public safety coordinating council under F.S. § 951.26, which is incorporated by reference in the Act.

and

Statutory assurance must be explicit to ensure that a coordinating effort will be undertaken between the county public safety coordinating council and the district juvenile justice planning group and county juvenile justice council established under F.S. § 39.025 (1993).

**Rationale:**

The Community Corrections Partnership Act provides for juvenile programs as well as adult programs. Yet, the Act does not provide for the participation of school boards in the planning process which may include intermediate sanctions for juvenile offenders.

School board officials have not only direct contact with this target group, but they also have a direct interest in the intermediate sanctions that are provided in that county. They should be involved in the development of programs and services that are being provided to juvenile offenders in their respective school districts or counties.

Because of the fragmentation of the criminal justice and correctional systems, it is necessary to provide statutory mechanisms which promote coordination for the state and local efforts in these areas. With the enactment of the Community Juvenile Justice System Act of 1993, providing for counties to obtain state funding for juvenile programs to be administered by and in the county or district, it is necessary that coordination between the entities exists. Coordination is necessary to not only avoid duplication, but to provide for a more comprehensive county plan and correctional effort.

**10. Provide a list in the statute which clearly states examples of intermediate, community-based sanctions which are fundable facilities and services under the Partnership Act.**

The language should state:

"Programs, services, and facilities which are fundable under this Act include, but are not limited to:

- Work camps,
- Intensive supervision probation,
- Military-style bootcamps,
- Work release facilities,
- Day reporting centers,
- Restitution centers,
- In-patient and out-patient drug and alcohol abuse treatment and counseling,
- Vocational and educational programs,
- Halfway houses, and
- Pretrial Release Services"

### **Rationale:**

By placing such language in the Act, it would clarify what types of programs are fundable through the Act. There are no other statutory examples of what types of programs and facilities are to be considered "intermediate sanctions."

By placing such language in the Act, eligible entities will be given an indication of what types of programs they may include in their plan in order to seek state funding through the Act. Because some intermediate sanctions, such as halfway houses and work camps, are specifically addressed in other parts of the statutes, it may be interpreted by eligible entities that these sanctions are not fundable programs and facilities under the Community Corrections Partnership Act. Such a list would clarify the meaning of "alternative sanctions," "community-based programs," and "nonincarcerative diversionary programs" referenced in the Partnership Act.

The list is not meant to be exhaustive nor is it meant to indicate that such programs may not be combined. The intent is to not stifle innovation.

11. Under administrative rules, the evaluation committee should include persons not employed by the department in order to be a more "independent" body for the purpose of making recommendations to the Secretary of the Department of Corrections for grant funding.

### **Rationale:**

1. The evaluation committee, as it now exists, as determined by the administrative rules, consists only of officials of the department.
2. Currently, the county perception of the evaluation committee is that it is not an impartial decision-making body. The appearance of "fairness" in the evaluation process is vital in attracting the interest of participating entities.

12. The outcome-based evaluations performed on programs receiving funding through the Partnership Act should be the fiscal responsibility of the state.

### **Rationale:**

Responses on the County Administrator survey conducted for this study indicated that counties were concerned about the ambiguous nature of the evaluation requirement of the Act. In the county administration surveys conducted for this study, counties indicated that they were concerned about the costs to the county to participate in these evaluations.

The format of the evaluations were left open in the Act "to be determined by the department." Such ambiguity could make the counties uneasy about participating in the Act.

**13. There should be clear statutory assurance that all pretrial programs are fundable programs under the Act. (See recommendation #11)**

**Rationale:**

Based on our analysis of the Partnership Act and comparative statutory study, it is not clear whether Florida's Act authorizes grant funding to be provided to the pretrial population. The majority of states explicitly state in their Acts that the pretrial offender population is eligible to participate in programs and services under their respective acts.

The ambiguity in Florida's Act should be made clear. It appears that the inclusion of this group of offenders, the *entire* pretrial population, was intended by the Legislature. However, this intent is not made explicit in the Act. Although the Act states that diversionary or pretrial intervention programs may be established, it is not clear whether the pretrial detainee population is included to receive services and participate in programs funded by the Act (ie. will pretrial release programs be fundable).

**14. Municipalities should be allowed to participate in the planning process.**

**Rationale:**

- a. Traditionally, since the state court system was changed, the counties must provide many criminal justice services and bear many criminal justice and correctional costs, not the municipalities. Even though counties assume the financial responsibilities in the criminal justice system, crime itself is not a problem that is exclusive to the counties. Municipalities share an interest in community-based programs for criminals.
- b. Municipal participation in the planning process should be two-fold:
  - (1) Municipalities should have representation on the public safety coordinating councils which prepare, develop, and implement the comprehensive public safety plan.
  - (2) Municipalities should have the authority to contribute to necessary funding or share resources for the purposes articulated in the Act.
- c. An example of a state that allows a municipal representative on the local advisory board is Indiana. In that state, the executive director of the most populous municipality in the county is a statutorily listed member of the local



advisory board. Indiana, like Florida, does not have municipalities as eligible entities to participate in community corrections to receive direct state funding.

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## CHAPTER ONE

### COMMUNITY CORRECTIONS: THE NATIONAL CONTEXT<sup>1</sup>

#### *Intermediate Sanctions and the Corrections Crisis*

As a result of an increase in the number of crimes committed, a corresponding increase in arrests, and demands for harsher punishments for guilty offenders, record numbers of new admissions to state and local correctional facilities were realized throughout the latter half of the 1980's and early 1990's.<sup>2</sup> However, this increased demand for prison and jail capacity ultimately collided "head-on" with the fiscal consequences associated with constructing and operating new and expanded prisons and jails. As of 1990, state correctional spending had exploded to 218 percent over the preceding 25 years; far exceeding any other categorical state spending with the exception of welfare.<sup>3</sup> By 1988, jail and prison construction costs often exceeded \$60,000 per bed for a maximum security facility,<sup>4</sup> while the costs of operating correctional facilities would generally come to exceed capital costs within two years from the opening of these facilities.<sup>5</sup> When faced with the

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<sup>1</sup> This section is based on a review of a number of sources, including Palumbo, D. J., "Community Corrections: Is it Just Another Way of Tinkering With the Criminal Justice System?" 201-215, 2 *Policy Studies Review* (November 1982) [hereinafter Palumbo, Community Corrections]; Orrick, K., "Community Corrections: Are Local Needs Being Served?", (Washington, D.C.: National Association of Counties) (1988) [hereinafter Orrick, Local Needs Served?]; Byrne, J., and D. Yanich, "Incarceration vs. Community-Based Corrections: More Than Just Politics?" 216-223, 2 *Policy Studies Review* (November 1982) [hereinafter Byrne and Yanich, Incarceration v. CCs]; Shilton, M. K., *Community Corrections Acts for State-Local Partnerships*, (Alexandria, Va.: American Correctional Association) (1993) [hereinafter Shilton, State and Local Partnerships]; Fabricius, M. A., and Gold, S. D., "State Aid to Local Governments for Corrections Programs" (Criminal Justice Paper #1) (Lexington, Kentucky: National Conference of State Legislatures) (April 1989) [hereinafter State Aid to Local Governments]; Rosenthal, C. S., "A Legislator's Blueprint to Achieving Structured Sentencing" (Criminal Justice Paper #6) (Lexington, Kentucky: National Conference of State Legislatures) (August 1989) [hereinafter A Legislator's Blueprint]; Taft, P. B., "Backed Up In Jail", *Corrections Magazine* 27-33 (July 1979); "Alternatives to Reduce Prison Overcrowding", 62 *Journal of State Government*, (March-April, 1989); Florida Advisory Council on Intergovernmental Relations, *Intergovernmental Relations in Local Jail Finance and Management in Florida: A Comprehensive Report*, (on file with com.) (Tallahassee, Florida) (August 1993) [hereinafter ACIR Jail Financing Report].

<sup>2</sup> See generally Gest, T., "The Prison Boom Bust", *U. S. News & World Report* 28-31 (May 4, 1992).

<sup>3</sup> According to the National Conference of State Legislatures. Gest, T., "Why More Criminals Are Doing Time Beyond Bars", *U. S. News and World Report* 23-24 (February, 26, 1990).

<sup>4</sup> Shilton, State and Local Partnerships at 2. It was estimated in 1987 that the cost of building a medium security bed alone was more than \$61,000/bed. *Id.*

<sup>5</sup> See Shilton, State and Local Partnerships at 2-3.

fiscal reality associated with demands for new prison and jail capacity, state and local policy-makers have often been forced to confront the difficult political choices of raising additional revenue, cutting back on other vital public services, or a combination of the two.

Facing the twin pressures of increased demand and rising costs of prison and jail space, many state corrections systems initially responded by either limiting admissions to correctional facilities or releasing inmates prior to the expiration of their judicially-imposed sentences in order to shorten lengths of stay.<sup>6</sup> At the local level, county officials responded to local jail population pressures by allocating an increasing portion of their own revenues to expand their jail capacity.<sup>7</sup> In response to judicial orders and demands by state regulators, prosecutors, and local law enforcement agency heads, local officials across the country have encountered situations in which they could not afford to operate the additional jail capacity they brought "on line".<sup>8</sup> And, if there was money to operate the facilities, officials would often find that this new jail capacity became overcrowded within a few months of their opening.

The effectiveness of traditional responses to prison and jail overcrowding, such as early release mechanisms or adding more capacity to the incarcerative systems, have recently been scrutinized. State and local officials have increasingly paid attention to the concept of community corrections and the development and implementation of intermediate, community-based criminal sanctions.<sup>9</sup> Generally defined as sanctions that fall between the more traditional options of incarceration and probation, intermediate sanctions are designed to be more rehabilitative and frequently tougher than regular probation, but less costly and punitive than incarceration in a prison or jail.<sup>10</sup>

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<sup>6</sup> Examples are sentencing guidelines, control release, and various forms of institutional or facility gain time.

<sup>7</sup> Florida examples are: Lee County increased its jail capacity during the 1985-1989 period with a capital outlay of \$4, 878,513 in 1989. ACIR Jail Financing Report at 220 (footnote 1). Alachua County increased its jail capacity to a rated capacity of 528 by in 1992. *Id.* at 179 (footnote 1). Additionally, Monroe and Bradford Counties are scheduled for opening new jails/beds in 1995. Telephone interview with Florida Department of Corrections official, Division of Probation and Parole Services ( September 1993).

<sup>8</sup> Many state prisons also sat vacant because of a lack of money for operational costs. For example, Florida is one such state. In 1992, Florida had completed construction on a new 336-bed men's prison on the grounds of the Union Correctional Institution at Railford (north of Gainesville) and two 900-bed prisons in Gulf and Columbia counties, however, no openings were scheduled because there was no money to operate them. Katel. P., "New Walls, No Inmates", *Newsweek* p. 63 (May 18, 1992).

<sup>9</sup> See generally, Shilton, State and Local Partnerships; Orrick, Local Needs Being Served?; Palumbo, Community Corrections; Byrne and Yanich, Incarceration v. CCs; Fabricius and Gold, State Aid to Local Governments; Lacayo, R., "Considering the Alternatives", *Time* p. 60-61 (February 2, 1987).

<sup>10</sup> *Id.*

"Community corrections" is a general conceptual term that encompasses many objectives as well as criminal sanctions or programs. Its use is often misunderstood. Community corrections has been defined as "a legal status, an alternative to incarceration, a service-delivery mechanism, and an organizational entity."<sup>11</sup> There continues to be controversy over whether community corrections (particularly probation) is punishment, treatment, or an amalgam of both, which further confuses discussions of its *mission*.<sup>12</sup> It can be said, however, that community corrections involves the objective of providing correctional services (sanctions and programs) to an offender in the community. The theory behind community corrections is basically that an offender may be more effectively punished and rehabilitated in the community. The use of community corrections could technically include more traditional forms of corrections such as probation, parole, and some may even argue that county detention centers (jails) should be included. These are all correctional services that are provided *in the community* along with other, more recently-developed and utilized intermediate sanctions, such as, military-style boot camps, work camps, day reporting centers, and work release facilities.

While "probation" and "parole" are forms of "community corrections", they are also considered to be more traditional forms of corrections. Both types involve supervision of the offender. Probation, however, is different from parole because of the point in time which the offender is supervised in the community. Probation is a *sentence* the offender serves. Parole is the supervised *conditional release* of an inmate from incarceration after a portion of the prison sentence has been served according to the relevant, respective state statutes.<sup>13</sup>

"Intermediate sanctions" are considered to be alternative criminal sanctions that fall *between* traditional forms of correctional services, such as, regular probation and incarceration in jail or prison. Regular probation (without any conditions) falls on the low end of the correctional spectrum as being the least restrictive, least punitive form of correctional methods. On the opposite end of the correctional spectrum, lies incarceration as the most restrictive, most punitive method of corrections. There has been some debate whether incarceration should be considered the most punitive correctional method. There has also been considerable debate, however, on whether traditional forms of corrections offer ample rehabilitation for offenders in order to reduce recidivism. Intermediate sanctions or "alternative sanctions to incarceration" are meant to fill the void between the traditional methods of corrections to offer various degrees of supervision, restriction,

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<sup>11</sup> See Petersilia, J., *Measuring the Performance of Community Corrections*, Performance Measures for the Criminal Justice System 63-64 (footnote 1) (Discussion Papers from the Bureau of Justice Statistics-Princeton Project) (U. S. Department of Justice)(October 1993).

<sup>12</sup> *Id.* at 64.

<sup>13</sup> *Id.* at 61.

punishment, and rehabilitation. They provide a continuum of sanctions for sentencing offenders more appropriately based upon the facts presented in particular cases, upon the special needs of the offender, and the correctional needs of the community. With this in mind, it is not technically correct to interchange the terms "intermediate sanctions" and "community corrections". Community corrections involve all those correctional programs which occur in the community. Therefore, traditional correctional methods like regular probation and parole, and possibly incarceration in a county detention center would be included. Intermediate sanctions involve a more narrow scope of criminal sanctions that fill the gap between the traditional methods at each end of the spectrum of criminal sanctions.

"Community-based sanctions" are just as they imply; criminal sanctions that are based or administered in the community of the offender. However, as mentioned before, "community corrections" or a "community-based sanction" may not always be an "intermediate sanction". In Florida, however, intermediate sanctions are typically community-based sanctions, at least at the local level intermediate sanctions are community-based. However, it may be said that the Florida Department of Corrections does administer some intermediate sanctions on a statewide basis which involves taking the offender *out* of the community. For instance, the Department operates "community corrections centers", but this term is misleading because such centers operate on a statewide system. As centers where some former state prisoners make their transition back into the community, offenders could be placed in any center around the state. Although it is a goal of the Department to place an offender in a community corrections center as close to their community as possible, ultimately, placement depends on bed space availability and the programs offered within the various centers located statewide. But, another program that the Department administers on a statewide basis is an intensive supervision probation program, called community control, which operates by intensely supervising the offender *within* his community. Therefore, this is a state-administered intermediate sanction which is community-based. Some other sanctions that are administered by the Department of Corrections which are considered community-based include drug offender probation and electronic monitoring. Generally speaking, examples of intermediate, community-based sanctions include, but are not limited to:

- 1.) Electronically monitored house arrest. The offender wears an electronic devise which will correspond with a tracking ability at the place of supervision to restrict the movement of the offender to his home.
- 2.) Probation and restitution centers or work-release facilities. These facilities house offenders at night and release them during the day to pursue gainful employment.
- 3.) Residential and non-residential drug and alcohol abuse treatment facilities. The facilities are operated by qualified professionals which may provide detoxification of alcohol or drug dependant offenders.



- 4.) Residential and non-residential drug and alcohol abuse counseling. This involves the after-care aspect of the alcohol and drug addiction treatment which can be done on an in-patient or out-patient basis.
- 5.) Military-style boot camps. Residential facilities that provide a military bootcamp setting establishing a regimented existence while providing educational programming and other services.
- 6.) Supervised pretrial release. An organized pretrial release program that involves a level of supervision for a certain eligible class of offenders to reduce the number of low-risk persons who are being held in pretrial detention.
- 7.) Intensive supervision probation. It imposes a more restrictive form of supervision on offenders than traditional probation. It may involve making multi-occasional probation officer contact and/or the probation officer making home visits.
- 8.) Domestic abuse or psychological counseling. This is usually performed on an out-patient basis to treat offenders with a charge or conviction of domestic abuse or for offenders with a problem with anger control or psychological problems.
- 9.) Victim - offender mediation. A program run by persons qualified to mediate problems between victims and non-violent offenders which culminated into the commission of a crime. The process occurs only upon the consent of the victim.
- 10.) Half-way houses. Established to provide a residential facility to provide a transition between jail or prison and the community for certain types of offenders. For instance, certain drug offenders would need counseling and supervision provided to them for a successful reintegration into society.

As these examples suggest, intermediate, community-based sanctions systems are designed to provide the courts with a continuum of criminal sanctions in order to reserve state prison capacity (and jail capacity) for the truly violent and most serious offender, including repeat offenders. Intermediate sanctions provide a mix of punishment, training, educational, and rehabilitative opportunities to non-violent, less serious offenders. As such, they have been touted as "fiscally prudent" and "correctionally sound" sentencing options.<sup>14</sup>

With respect to the correctional functions of punishment, deterrence, incapacitation, and rehabilitation, advocates have held out the hope that intermediate sanctions also offer some advantages over traditional incarceration for some groups of offenders. This is especially true when considered in the context of current policies invoked in a number of

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<sup>14</sup> See *supra*, footnote 1.

states in response to prison overcrowding which resulted in either the early release of offenders from state prison systems or the backup of state-sentenced felony offenders in local jails. For example, emergency release procedures invoked in some states have resulted in drastic reductions in the length of court imposed sentences. Such mechanisms have allowed many inmates to expect to serve only a small fraction of their court-imposed sentences. It is arguable that sentences shortened by such substantial margins reduce the deterrent effect of incarceration, foreclose any meaningful participation in correctional programs in prison, and limit the period of time during which the offender is incapacitated from undertaking additional criminal activity. Some states elected to deal with prison overcrowding by limiting admissions to state facilities and letting prisoners "backup" in local jails. However, effective participation in jail rehabilitation programs is constrained by the tendency of local jails to be ill-equipped to deliver rehabilitative services to their inmates.<sup>15</sup> Given the strong education, treatment, and training components of many intermediate sanctions, and their locations in the offender's own community, these alternatives to traditional incarceration are thought to function more effectively in promoting the goals of "correcting" the criminal offender's deviant behavior.<sup>16</sup>

#### *Determining the Success of Intermediate Sanctions*

For purposes of this discussion, it is necessary to focus on the goals and purposes of the Florida Community Corrections Partnership Act (Partnership Act). This Act will be discussed in detail later in the report. However, some goals and objectives are mentioned here in order to determine and explain what factors or performance measures are important to evaluate intermediate, community-based sanctions and programs, remaining relevant to Florida's Partnership Act.

The first performance measure of intermediate sanctions and programs which is relevant to Florida's Partnership Act is the number of prison or jail diversions that have occurred as a result of offender placement in an intermediate sanction program or facility. Goals of the Community Corrections Partnership Act are to "divert non-violent offenders from the state prison system" and to "reduce both the percentage of non-violent felony offenders committed to the state prison system and the percentage of non-violent misdemeanants committed to the county detention system." Therefore, the success of intermediate sanctions could be assessed by the actual number of diversions from prisons or jails that are occurring as a result of the existence of one or more intermediate sanctions within that jurisdiction.

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<sup>15</sup> See generally ACIR Jail Financing Report.

<sup>16</sup> *Id.*

A second performance measure of intermediate sanctions or programs which is relevant to the Partnership Act is the success in rehabilitation or change in the behavior of the criminal offender to accomplish a reduction in recidivism. Florida's Partnership Act articulates legislative goals such as to "provide through the development of sanctions, services, and treatment, alternative punishments which are available to the judge at sentencing and for pre-trial intervention." Another goal is to "maintain safe and cost-efficient community correctional programs which also require supervision and counseling, and substance abuse testing, assessment, and treatment of appropriate offenders."

Related to the second performance measure, Florida's Partnership Act also intends to promote the accountability of offenders to their community and crime victims through restitution and community service and providing closer monitoring of offenders to ensure payment to victims. Additionally, the Act intends to require the non-violent offenders to meet their community obligations by maintaining employment in order to provide support for their families, service to the community, and payment of the cost of their supervision and treatment. Therefore, the performance indicators that should be examined are: the number of times the offender attends treatment/work programming, whether the offender is employed during his supervision, the number of arrests and/or technical violations during supervision, the number of drug-free and/or alcohol-free days during supervision, the number of post-supervision arrests, and offender attitude change.<sup>17</sup>

Another performance measure of the success of an intermediate sanction or program in Florida would be to determine whether the public safety is protected. A legislative goal of the Florida Community Corrections Partnership Act is to maintain "safe" community corrections programs, to promote offender accountability to their crime victims and communities, and to extend the average length of "incarceration" for those offenders sentenced to community corrections programs beyond the actual time which they would have served at the state level. Related to these goals, the performance indicators of sanctions designed to protect the public safety should examine the number and type of supervision contacts, the number and type of technical and/or new offense violations during supervision, the number and type of arrests during supervision, and the number of absconders during supervision.

Related to Florida's Partnership Act, the cost effectiveness of intermediate sanctions and programs is another performance measure that should be examined. The Partnership Act states that a purpose of its enactment is to maintain "cost efficient" community corrections programs which also require supervision and counseling, substance abuse testing, assessment, and treatment of appropriate offenders. Therefore, performance indicators to

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<sup>17</sup> See Petersilia, J., *Measuring the Performance of Community Corrections*, Performance Measures for the Criminal Justice System 79 (Discussion Papers from the Bureau of Justice Statistics- Princeton Project) (U.S. Department of Justice) (October 1993).

measure cost effectiveness should include a comparison of the cost to place an offender in a community corrections program to the cost of incarcerating that offender in a prison or county detention center to illustrate cost savings. Additionally, the amount of costs that go toward actual rehabilitation and educational programs for the offender in the community corrections programs and the prisons or jails should be included in the program evaluation.

In various states throughout the country, including Florida, a wide array of intermediate sanctions have been implemented and maintained that illustrate success by utilizing the four performance measures named above. Below are brief descriptions of studies conducted of, or examples of, some intermediate sanctions or programs.

Different counties in the state of Michigan have reported a significant reduction in their jail commitments/population as a result of implementing new intermediate sanction programs in their county through Michigan's Community Corrections Act. The consensus of these counties, such as Berrien and Ottawa Counties, is that "community corrections works."<sup>18</sup> In Berrien County, Michigan, for example, the jail population was reduced by 20% with the implementation of a state-funded community corrections program for pretrial release and a program that utilizes an electronic "tether" or device for sentenced felons. The pretrial release program is funded with a \$182,000 grant through the Community Corrections Act. The result of both programs is a 20% total reduction in the county jail population and a reduction of the number of pretrial detainees from approximately 66% to 34.9%.<sup>19</sup>

Another county in Michigan, Ottawa County, saved approximately \$500,000 in 1992 by offering alternative community corrections programs instead of serving jail time. The county implemented an intensive supervision probation program, a Community Service/Jail Alternative Work Service (JAWS) program, and a Sentence Work Abatement (SWAP) program. The total state grant amount received by Ottawa County in fiscal year 1991 was \$102,464.<sup>20</sup> For 1992, these programs were determined to divert a total of 522 "enrollees" from serving time in the county jail - saving 16,535 jail days and \$476,820 of county money in the process. The county's cost to operate all three programs totaled only \$13,500 for that year. In addition, the Intensive Supervision and the SWAP programs generated almost

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<sup>18</sup> See Aiken, S., "New programs work: Berrien jail population down 20%" The Herald - Palladium (St. Joseph/Benton Harbor, Michigan) (December 11, 1992) [hereinafter Aiken, "Jail population down 20%"]; Benedict, S., "Director says corrections plans saved Ottawa nearly \$500,000" Grand Haven Tribune (Grand Haven, Michigan) (November 11, 1992) [hereinafter Benedict, "Corrections plans saved nearly \$500,000"].

<sup>19</sup> Aiken, Jail population down 20%, *id.*

<sup>20</sup> Michigan Office of Community Corrections, *Report to the House and Senate Appropriation Subcommittees on Corrections 36* (FY 91/92 Budget Conference Committee) (August 1991).

\$100,000 in fees collected from the participating "enrollees" or defendants.<sup>21</sup>

In a national study that examined Day Reporting Centers (DRCs), it was recognized that such intermediate sanctions could play a significant part in diverting offenders from jails and prisons.<sup>22</sup> Many DRCs recruit candidate participating offenders from among those whose probation or parole has been revoked, and who would otherwise be imprisoned for such violations. The proportion of prison admissions who are probation or parole violators has been rising in recent years.<sup>23</sup> In many jurisdictions, the revocations have accounted for over 40% of prison admissions.<sup>24</sup> In some states, this rate is even higher such as in Oregon. In 1988, in Oregon, the probation and parole revocations accounted for over 60% of the prison admissions.<sup>25</sup> The report contends that if correctional agencies had more options in responding to revocations, other than prison sentences, they might be able to cut prison admissions significantly (especially for cases in which the revocations are for technical violations and not new crimes).<sup>26</sup>

A Texas study was performed on a group of parolees with drug problems to determine the effectiveness of drug abuse treatment and counseling. It was found that 74% of the parolees that received treatment and counseling in prison and on parole were "successful" or not rearrested one year after release. In comparison, only 47% success rate existed for another group of parolees that did not receive the same treatment and counseling.<sup>27</sup>

Referring to a different program, a program that was implemented in Gratiot County, Michigan, was determined to have an impact on substance abusive offenders. The program, Enhanced Community Diversion, received a \$48,000 grant through the Michigan Community Corrections Act for implementation. The Enhanced Community Diversion program is expected to save the county \$88,725 a year and provide 20,280 hours of community service. In order to obtain the state money, a study was conducted to profile the county's offender

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<sup>21</sup> Benedict, "Corrections plans saved nearly \$500,000".

<sup>22</sup> Parent, D., *Day Reporting Centers for Criminal Offenders: A Descriptive Analysis of Existing Programs, Issues and Practices of Criminal Justice* (U.S. Department of Justice - National Institute of Justice) (September 1990).

<sup>23</sup> *Id.* at 12.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> Eisenberg, M., *A Different Perspective, The Effectiveness of Parole Supervision*, Perspectives 6-7 (American Probation and Parole Association) (Winter 1992).

population to assess the county's needs, and to develop a correctional program and plan to be submitted.<sup>28</sup>

The Gratiot County, Michigan study found that 77% of the offenders were substance abusers, with alcohol being a more serious problem than drugs. Additionally, half of the offenders were unemployed and did not know how to get a job. These offenders had no job skills, no job history, and no interview skills. They suffered from low self esteem and lacked an ability to make decisions. The Enhanced Community Diversion program developed by the county had to show that it could impact the problems indicated by the study in order to receive state funding. The resulting program in that county as well as in other Michigan counties carefully screen offenders for participants. The participants attend classes each morning at the community corrections center where they learn job acquisition skills, develop self esteem, and attend substance abuse counseling and educational seminars. In the afternoon, the participants travel to one of 150 job sites in the county, consisting of public agencies and churches only, where they work for free.<sup>29</sup>

A Colorado study looked at the effects of various degrees of intensity of supervision coupled with cognitive skills sessions and drug treatment on probationers with severe drug problems. The probationers were randomly assigned to one of three groups: regular probation, intensive supervision probation in a specialized drug offender unit, and intensive supervision probation in a specialized drug offender unit with an additional 35 cognitive skills sessions. The revocation rate for the regular probation group was 41.7%. The revocation rate for the group under intensive supervision probation in a specialized drug offender unit was 29.4%. The lowest revocation rate was realized by the group that was supervised by intensive supervision in a specialized drug offender unit with the additional 35 cognitive skills sessions at 25.5%.<sup>30</sup>

A cost effectiveness comparison study of alternative sanctions was conducted by the Correctional Association of New York, a private, non-profit research and advocacy group that has legislative authority to visit prisons and report on its findings. In its report, the Association recommended expanded use of alternative punishments for those offenders convicted of non-violent crimes which pose no threat to public safety. This group of imprisoned offenders makes up 61% of those offenders in New York state prisons. It reported that incarcerating non-violent offenders has been too expensive with little payoff. Like Florida, New York underwent a large prison expansion campaign in the 1980's. Since

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<sup>28</sup> Gittleman, L., "County program gives offenders options beyond jail" Morning Sun (p. 1A, 2A) (Alma, Michigan) (September 13, 1992).

<sup>29</sup> *Id.* at 1A.

<sup>30</sup> Hunter, R., & Johnson, G., *Evaluation of the Specialized Drug Offender* (Center for Action Research) (University of Colorado at Boulder) (1992).

1983, New York spent \$3.7 billion for 25,000 new prison spaces. However, the report concluded that New York has not realized a reduction in the crime rate or a relief to their prison overcrowding since the buildup of prison capacity.<sup>31</sup>

This New York study suggested the use of the "Community Protection Program" or "COPP" to handle non-violent first time offenders. The program would function as a more rigorous supervision probation that would include three face-to-face contacts with a supervisor and one home visit per week. The cost of this program would be about \$3,500 for each offender or a total of \$5.9 million for the estimated 1,680 offenders. This is a substantial cost savings compared to the cost of \$30,000 for each offender kept in the state prison system, not including the additional \$150,000 per prison cell construction cost. The program also requires employment or vocational/educational training, enrollment in a drug or alcohol treatment program and community service.<sup>32</sup>

In a related program, second time felony offenders in non-violent crimes in New York would be subjected to even stricter supervision, curfews and residential drug treatment. The cost of this program would be \$2,900 per offender or a total of \$15.5 million for the estimated 4,380 second time felony offenders. This is a substantial savings compared to the \$847 million it would cost to build prison beds to accommodate them.<sup>33</sup>

In another report, the RAND Corporation attempted to devise an Intermediate-Sanction Cost Estimation Model to evaluate the consequences of using different sentencing options for different types of offenders.<sup>34</sup> The model recognizes that the cost comparisons are infinitely complicated. Cost estimations of prison often do not take into consideration such components as capital costs, fringe benefits and pensions, and other expenditures required for operating a prison. If such fiscal components were added, they would more than double the annual cost of prisons to result in at least \$30,000 per offender as of 1989.<sup>35</sup> Conversely, there are components that are not taken into consideration when assessing the cost of probation and various intermediate sanctions, which usually cost more than probation because they monitor the offender more closely than regular probation. One such

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<sup>31</sup> The Correctional Association of New York, *Anti-Crime Strategies at a Time of Fiscal Constraint* 3-9 (An Occasional Paper of the Correctional Association of New York) (April 1990); see also Nance, S., *Corrections Group Urges Alternatives to Jail*, New York Law Journal (April 20, 1990).

<sup>32</sup> *Id.*

<sup>33</sup> *Id.* at 9-12.

<sup>34</sup> Greenwood, P., Petersilia, J., Rydell, C. P., & Turner, S., *A RAND Note: The RAND Intermediate-Sanction Cost Estimation Model* (the RAND Corporation) (N-2983-EMC/RC) (September 1989).

<sup>35</sup> *Id.* at 2.

component would be the cost of reprocessing the failures.<sup>36</sup> The report recognizes that the intermediate sanction programs may be more successful at rehabilitation, and thus, the higher costs of supervision could be offset by the lower costs of handling failures.<sup>37</sup>

When taking such factors into consideration for a cost-effectiveness comparison, the RAND report compared four sentencing options consisting of: Prison/Parole, Jail/Intensive Supervision Probation (ISP), Jail/Probation, and No Formal Supervision. The study also looked at the cost of each option for each year following the sentence up to five years after the sentence. The study concluded that the jail/ISP option had the *lowest total system cost* (including both criminal justice system costs for initial processing and processing failures, and the costs of crimes subsequently committed) at \$33,485 per offender after five years. The next least costly option was no formal supervision which was \$33,635. The *most costly option* was the prison/parole sentencing option to total \$41,303 after five years.<sup>38</sup>

### *The Emergence of Community Corrections "Partnership" Acts*

In considering the potential of intermediate sanctions to divert considerable numbers of criminal offenders from costly, traditional incarceration in state prison facilities, a number of states have seized upon "community corrections acts" as a mechanism to develop and implement such sanctions on a statewide basis. Reflecting an assumption that many correctional services can be delivered most effectively in the offender's own community, these acts seek to create a partnership between state and local governments in order to provide for the development, finance, and implementation of intermediate sanctions. Despite a variation in the administrative mechanisms in such legislation, community corrections acts ultimately encompass an intergovernmental framework whereby state governments shift funds and responsibilities for some correctional services to local governments. Inevitably, this process requires a high level of intergovernmental cooperation and coordination whereby local governments become responsible for targeting resources to meet agreed upon priorities. Conversely, the state government assumes the role of providing resources, including funding, to assist local governments. Reflecting on these interdependencies, the concept of a state-local "partnership" is basic to such legislation.<sup>39</sup>

To clarify, "community corrections acts" are legislatively created mechanisms or frameworks for the provision of community-based correctional services. However, the term "community corrections act" does not necessarily mean that such legislation involves a

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<sup>36</sup> *Id.*

<sup>37</sup> *Id.* at 3.

<sup>38</sup> *Id.* at 24.

<sup>39</sup> See generally Shilton, State and Local Partnership.



"partnership" between the state and local governments for the provision of community-based criminal sanctions and programs. When established, the partnership consists of the state providing funding to eligible local governments to locally implement and operate intermediate sanctions and programs that meet the correctional needs of that jurisdiction. Such partnerships foster innovative thinking and solutions to the national, state, *and* local correctional crisis. However, there are some community corrections acts which only set up a framework for state-provided or directed community-based sanctions through their Department of Corrections or the state equivalent. But, like Florida, *other* state community corrections acts actually incorporate this "partnership" aspect within their framework. Therefore, a community corrections partnership act is a statewide mechanism whereby state funds are granted to eligible local units of government and community agencies to develop front-end alternative sanctions in lieu of incarceration. Therefore, when the intention is to speak of this partnership, it is prudent to refer to a "state and local partnership" or "community corrections partnership act" rather than "community corrections" or "community corrections act".

Estimates of the number of states that have enacted community corrections partnership legislation vary somewhat,<sup>40</sup> although a review of state statutes suggests that nearly one half the states have adopted legislation embodying the basic intergovernmental partnership for delivering intermediate community-based sanctions.<sup>41</sup> While many such acts initially were designed to provide an administrative structure for programs initiated through the Federal Law Enforcement Assistance Administration in the 1970's, nearly half have been adopted since 1988.<sup>42</sup> (see Table 1-A) This flurry of enactments is consistent with what observers have come to cite as the primary motivation for such acts: the twin forces of burgeoning prison and jail populations and the rising costs of incarceration.<sup>43</sup> Moreover, while early community corrections legislation reportedly reflected the ethos of providing more humane, rehabilitative, and appropriate sanctions for non-violent offenders that was operative in the 1970's, more recently enacted legislation, emerging in the mid-to-late 1980's, afforded greater articulation of the principles of offender punishment and accountability to reflect the dominant mood among key policy-makers and citizen groups.<sup>44</sup>

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<sup>40</sup> *Id.*

<sup>41</sup> The figure of 21 states is based on statutory research done by staff of the Advisory Council on Intergovernmental Relations.

<sup>42</sup> Shilton, *State and Local Partnerships* at 5.

<sup>43</sup> *See generally, supra*, footnote 1.

<sup>44</sup> *Id.*

### *Features of Community Corrections "Partnership" Acts*

According to a recent comparative analysis of community corrections "partnership" acts in the states, state governments tend to be assigned certain responsibilities under such legislation, while local governments retain other functions as part of the intergovernmental partnership.<sup>45</sup> Among the functions that state governments "almost uniformly" retain are the following:

1. State responsibility for financing intermediate, community based correctional services delivered at the local level;
2. Development of an application or program planning process that must be followed by local governments seeking to secure state funding for intermediate sanctions;
3. Responsibility for reviewing and approving applications and plans submitted by local governments seeking to enter into the partnership arrangements contemplated by the legislation;
4. Responsibility for publishing rules and standards pertaining to the delivery of correctional services at the local level, and monitoring local compliance with such;
5. Responsibility for conducting assessments and evaluations of programs implemented at the local level;
6. Responsibility for providing technical assistance and training to local governments.

In addition, state governments in many cases are granted the authority and provided a method to halt the flow of state money to local governments if rules and standards adopted pursuant to the act are not followed in individual jurisdictions.<sup>46</sup>

In contrast with the near uniformity in state responsibilities under community corrections legislation, local government duties vary considerably. Notwithstanding such variation, however, local governments commonly retain responsibility for meeting application or planning requirements in such diverse areas as data and program analysis, public safety, and

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<sup>45</sup> Shilton, *State and Local Partnerships* at 6-8.

<sup>46</sup> For example, funding suspension processes are provided in the legislative acts of states such as Florida, Michigan, Minnesota, Oregon, and Pennsylvania.

controlling the number of offenders who are committed to state prison systems outside the community corrections framework. In addition, local governments are required to observe restrictions placed upon the use of state funds that they receive, and generally must establish and maintain local advisory boards comprised of various local criminal justice figureheads, local agency representatives, and citizens. Most often, the chief role of these advisory councils is to enhance interagency cooperation and program planning in order to promote the most effective use of state funding and intermediate sanction slots.

## CHAPTER TWO

### INTERMEDIATE SANCTIONS AND COMMUNITY CORRECTIONS: THE CASE OF FLORIDA

#### *The Crisis of Prison and Jail Overcrowding*

As is the case in many other states, legislators and criminal justice professionals in Florida have come to look to intermediate community-based sanctions as a remedy for the overcrowding crisis confronting the state's prisons and local jails. Faced with increases in the crime rate and more aggressive law enforcement activity over the mid-1980's, Florida's prisons and jails became subject to unprecedented levels of inmate populations during this time period.<sup>47</sup> Due to the fiscal implications associated with proposals to "build-out" of the correctional crisis, key 1988 policy makers in the legislative and executive branches of Florida state government began to direct attention at community corrections systems developed in other states. Community corrections was viewed as a means of resolving the problem of prison overcrowding in a manner consistent with both public safety and state government ability to fund new prison construction and operation. At the local level, a number of Florida counties also attempted to implement systems of intermediate community-based sanctions on their own accord. More recently, this movement has gained momentum by the impact state prison system overcrowding and early release policies have had on the state's local jail population. As more offenders came to be released from the state prison system after serving a small fraction of their court-imposed sentences, local jails became increasingly affected by the "spillover" of inmates from the state to the local correctional system. Presently, it has been estimated there are approximately 6,000 to 7,000 convicted felons serving their incarcerative time in county jails in Florida.<sup>48</sup> In this scheme, systems offering alternative, intermediate sanctions held out the dual promise of both promoting more effective "correction" of certain criminal offenders and allowing the state to incarcerate the truly violent, career criminal for more extended periods of time.

#### *State Prison System Overcrowding*

With respect to overcrowding in the state correctional system, Florida experienced substantial population demands upon its prison system throughout the 1980's as offender admissions more than tripled from approximately 11,000 in fiscal year 1980-1981 to over

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<sup>47</sup> Florida Division of Economic and Demographic Research of the Joint Legislative Management Committee, *Working Papers of the Criminal Justice Estimating Conference* (on file with comm.) (Tallahassee, Florida) (September 8, 1993)[hereinafter *Working Papers of C.J. Estimating Conf.*, Sept. 1993].

<sup>48</sup> According to Florida Department of Corrections officials, Division of Adult Probation and Parole Services, Interview at the Capitol, August 1993, and the Chairman of the State Task Force for the Review of the Criminal Justice and Corrections Systems, Judge Miner speech at the Florida Association of Counties Legislative Priority Conference at the Florida State Conference Center at 3:30 to 5:00 on December 2, 1993.

43,000 in 1989-1990.<sup>49</sup> In order to cope with these increases and maintain compliance with federal court regulation of prison overcrowding,<sup>50</sup> state officials employed a two-pronged strategy. On the one hand, the Florida Legislature over the four year period ending in October 1990, funded an aggressive capital expansion program that provided for the addition of over 28,000 beds to the state system.<sup>51</sup> As noted in Table 1-B, the new capacity that was brought on line under this program permitted the state prison population to increase by nearly 14,000 inmates through fiscal year 1990-1991.<sup>52</sup> On the other hand, augmenting this construction program were a number of population control initiatives that have been authorized by state law. By and large, these mechanisms have been release-oriented to the extent that they attempt to make room for newly admitted offenders by expediting the release of current inmates.<sup>53</sup> While the several release mechanisms that have been invoked initially emphasized awarding time-served credits to certain categories of prison inmates once the state institutional population reached a certain percentage of its legal capacity, more recent population control mechanisms have provided an institutional capacity to systematically screen eligible inmates for early release based upon the public safety risks attendant upon their return to the community.<sup>54</sup>

As state officials have struggled to maintain compliance with federal court requirements, the rapid increase in the number of admissions to the state correctional system combined with the operation of various early release mechanisms have resulted in massive turnover in the state prison system's inmate population. As indicated in Table 1-B, the annual rate of turnover in the state system increased from approximately 50% in fiscal

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<sup>49</sup> ACIR Jail Financing Report at 65 (Table III-7); Florida Department of Corrections, *Annual Report 1990-91*, 31 (January 30, 1992) (Tallahassee, Florida).

<sup>50</sup> Under the partial settlement of the 1972 class action suit *Costello v. Duggar* reached in 1980, state officials agreed to maintain the inmate population of state correctional institutions within 133% of the system design capacity. *Costello v. Wainwright*, 397 F. Supp. 20 (M.D. Fla. 1975), aff'd, 525 F. 2d 1239 (5th Cir. 1976), vacated and remanded, 539 F. 2d 547 (5th Cir. 1976), rev'd and remanded, 430 U. S. 325, 97 S. Ct. 1191, 51 L. Ed. 2d 372 (1977); *Costello v. Wainwright*, 389 F. Supp. 1100 (M. D. Fla. 1980); *Costello v. Singletary*, No. 72-109-Civ-J-14, 72-94-Civ-J-14, United States District Court (M.D. Fla.) (March 30, 1993); 147 F.R.D. 258 (1993); FLA. STAT. §§ 944.023 (1) (b), .096 (1) (b) (1993). See also State of Florida, Senate Committee on Corrections, Probation, and Parole, *Briefing Package 1-2* (on file with comm.) (Tallahassee, Florida) (November 20, 1990)[hereinafter Senate Corrections Committee Briefing Package].

<sup>51</sup> ACIR Jail Financing Report at 64.

<sup>52</sup> Working Papers of C.J. Estimating Conf., Sept. 1993

<sup>53</sup> Senate Corrections Committee Briefing Package at 8.

<sup>54</sup> FLA. STAT. § 947.146 (1993).

year 1980-1981 to 102% in fiscal year 1989-1990.<sup>55</sup> This high turnover rate is the product of the release of large numbers of offenders from the state prison system prior to the expiration of their court-imposed sentences in order to accommodate the new prison admissions. Reflective of the emphasis placed upon early release mechanisms, state prison inmates have come to serve progressively smaller percentages of their court-imposed sentences in recent years. Thus, prior to the implementation of administrative gain time provisions early in 1987,<sup>56</sup> state prison inmates were released from the system after having served on average 53% of their court-imposed sentences.<sup>57</sup> By June of 1991, this figure had fallen to approximately 34%.<sup>58</sup> In addition to threatening the integrity of Florida's criminal sentencing practices, such a shortening of judicially imposed sentences has limited the ability of prison administrators to provide the bulk of the state's prison population with meaningful participation in educational and rehabilitative programming. As a result, the ability of the state system to control the behavior of offenders through program involvement and rehabilitation has been seriously compromised.<sup>59</sup>

### *Impacts of State Prison Overcrowding on Local Jails*

Florida's local jails have long been plagued by substantial levels of overcrowding.<sup>60</sup> Moreover, despite the aggressive capital expansion programs implemented by many counties over the course of the 1980's, unprecedented increases in inmate populations that accompanied these expansions in the 1985-1989 period contributed to the enduring nature

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<sup>55</sup> ACIR Jail Financing Report at 65 (Table III-7); *see also* Florida Department of Corrections, *Annual Report 1990-91*, 30, 44 (January 30, 1992) (Tallahassee, Florida).

<sup>56</sup> Under this early release mechanism, the Legislature authorized the Secretary of the Department of Corrections to grant certain categories of inmates up to 60 days in additional gain time for every month that the person was sentenced to serve in the state system. Such action was authorized only after the governor certified that the capacity of the state system exceeded 98% of its legal capacity. C. 87-2, § 1, 1987 *Fla. Laws* 4 (creating FLA. STAT. § 944.276 (1987) (repealed by Ch. 88-122, § 6, 1988 *Fla. Laws* 537). In 1988, the Legislature replaced administrative gain time provisions with provisional release credits, which operated in a similar fashion. Ch. 88-122, § 5, 1988 *Fla. Laws* 527, 535-537 (creating FLA. STAT. § 944.277 (Supp. 1990)) (repealed by C. 93-406, §32, 1993 *Fla. Laws* 2966).

<sup>57</sup> Senate Corrections Committee Briefing Package at 8; *see also* Florida Joint Legislative Management Committee, Division of Economic and Demographic Research *Working Papers of the Criminal Justice Estimating Conference* (Table of Average Percent of Sentence Served) (on file with comm.) (Tallahassee, Florida).

<sup>58</sup> *Id.*

<sup>59</sup> *Id.* at 8-10.

<sup>60</sup> ACIR Jail Financing Report at 45-46, 51.

of the jail overcrowding problem.<sup>61</sup> As a result of local initiatives aimed at remedying the problem through new jail construction, county jail expenditures increased by over 110% over the 1984-89 period, and in 1989 stood at approximately \$565 million.<sup>62</sup> While data suggests that the impact placed upon county ad valorem revenues by local jail spending has been substantial, it is also clear that many of the state's county governments have been able to absorb rising costs through increases in assessed property valuation and millage rates.<sup>63</sup> Nevertheless, county jail spending as a percentage of the ad valorem revenue "capacity" of Florida's county governments increased substantially over this period. The spending percentage increased to the point at which nearly one in five dollars of property tax revenues available to the counties were allocated to jail construction and operation in fiscal year 1989.<sup>64</sup> It may be assumed that this problem has been exacerbated since then, as the state's counties have had to confront the fiscal realities associated with operating the nearly 10,000 new jail beds that were brought on line in the 1990-1992 period.<sup>65</sup>

Although there has been no systematic analysis of the impact that early prison releases have had upon local jails, a number of sources suggest that these policies have contributed significantly to the rapid increases in local jail populations that became manifest over the latter half of the 1980's. The limitations that early release policies place upon the ability of the state corrections system to rehabilitate offenders to reduce future recidivism or to thwart their opportunities to commit additional crimes by removing them from society for extended periods of time have contributed to the familiar scenario of many former inmates being rearrested by law enforcement on new criminal charges soon after they have been released from the state system. Given their status as convicted felony offenders, the courts tend to set relatively stringent conditions of pretrial release in these cases, leaving many of these offenders to remain detained in local jails pending trial. These forces have led to a situation where many offenders end up being detained in a local facility at local expense during the time in which they would have been incarcerated at the state level at state expense had they not been returned to the community through the operation of emergency release mechanisms. Thus, the state not only perpetuates its own state prison overcrowding problem, it also perpetuates the local jail overcrowding problem.

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<sup>61</sup> For a more detailed discussion of the dynamics of local jail population growth and increases to the state's local jail capacity, see ACIR Jail Financing Report at 44-59.

<sup>62</sup> *Id.* at 53 (Chart III-2).

<sup>63</sup> *Id.* at 55-56.

<sup>64</sup> *Id.* at 57-58.

<sup>65</sup> See generally, *id.*

In addition to contributing to the "recirculation" of large numbers of felony offenders through the state's local jails, overcrowding in the state corrections system and early release mechanisms have impacted the jails by leading the courts to modify their sentencing behaviors. Thus, faced with the likelihood that offenders will serve only a small fraction of their court imposed sentence if sent to a state prison, anecdotal information suggests that members of the judiciary have increased their reliance upon the local jail as an incarcerative option for convicted felons in recent years. Florida Department of Corrections data supports these observations. Available data indicates that on an average daily basis, the number of felony offenders serving a sentence in county jails approximately doubled over the 1986-1991 period, from just over 3,000 to between approximately 6,000-7,000 convicted felons.<sup>66</sup> It should be noted that this tendency has occurred despite the intent of the Florida Legislature that felony offenders be punished by incarceration in a state correctional facility.<sup>67</sup>

If a statewide system of intermediate, community-based sanctions would provide the courts with a continuum of sanctions between state prison sentences, probation, and county jail sentences, it appears that such a continuum would have the potential to decrease judicial reliance upon county jails as a sentencing option for felony offenders. This result would be accomplished by placing nonviolent felony offenders in appropriate community-based, intermediate sanctions thereby reducing the total number of commitments to state prisons. By reducing the number of prison commitments, you eventually reduce the state prison populations. When the state prison populations ease, the need to award any type of gain time in order to relieve the pressures of state prison overcrowding is alleviated. When there is a reduction in the use of any type of gain time or controlled release, the judicial frustration over convicted felony offenders serving a shorter state prison sentence (originally over one year) than a county jail sentence (originally less than one year) is reduced.

#### *Current Status of Intermediate Community-Based Sanctions and Programs in Florida*

With respect to fiscal considerations, Florida officials have found that many intermediate sanctions can be developed and implemented at substantial savings over more traditional forms of incarceration. Thus, in contrast with an average construction cost of \$25,000 for a Florida state prison bed, a number of intermediate sanctions do not require

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<sup>66</sup> ACIR Jail Financing Report at 47; *see also* note 33, *supra*. According to the Inspector General's Office within the Florida Department of Corrections, approximately 5,273 convicted felons were serving their incarcerative sentence in county jails for the month of December, 1993. This figure for convicted felons is almost double the number of convicted misdemeanants serving their incarcerative sentence in county jails for the same month, which was only approximately 2,876 misdemeanants. Florida Department of Corrections, Office of the Inspector General *County Detention Facilities: Daily Inmate Population Data, Monthly Report for December, 1993* (Table 1) (Tallahassee, Florida).

<sup>67</sup> *See* FLA. STAT. § 775.08 (1) (1993).



capital costs due to a practice of reliance on available facilities or facilities that are provided through contractual arrangements with private providers. In addition, while the operating costs of state prison facilities average approximately \$41 per day per inmate in Florida, facility-based intermediate sanctions can be delivered by the Florida Department of Corrections (DC) at an average cost of \$35 per day, with nearly a third of this cost allocated to treatment services.<sup>68</sup>

Reflecting the increasing acknowledgement that the state's criminal courts need to be provided with a full continuum of criminal sanctions and programs in order to promote more effective corrections policy and to control the growth in local jail and prison costs, both the state of Florida and a number of counties have taken steps to develop and implement intermediate community based sanctions and programs in recent years. At the state level, initiatives range from intensive supervised probation with electronic home monitoring to residential, non-secure drug treatment beds, and have been organized through the Florida Department of Corrections' Probation and Parole Services Program Office.

Florida has the largest "House Arrest" program in the nation through its community control or intensive supervision probation program. This program requires a minimum of three personal contacts between the case officer and the offender per week. Approximately 1,000 active electronic monitoring units are in use throughout the state to supplement officer surveillance. Service providers monitor the offenders 24 hours a day in compliance with house arrest sanctions. It has been reported that the program clearly indicates that the program is successful at diverting felony offenders from state prison. The program has a 64% average successful completion rate.<sup>69</sup> For example, as of May 1992, the community control rates of revocations for new offenses (new crimes committed at the time the offender is being supervised under this program) were approximately 11% and for technical violations (original conditions set for their term of community control or ISP, such as a failed random urinalysis) were approximately 26%.<sup>70</sup>

The Florida Department of Corrections has established a six month contracted residential, non-secure drug treatment program. This program has a work release component targeted for probation and community control violators with substance abuse problems. The program has received \$7.9 million for funding with 775 beds authorized. Since its inception in September of 1991 through June 30, 1993, over 2,300 offenders have

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<sup>68</sup> Compared this to a 1990 study which states that it costs \$46.54 per day to house a federal inmate and average of \$54.79 per day to house a state inmate. Cited by Shilton, State and Local Partnerships at 3.

<sup>69</sup> Florida Department of Corrections, *Community-Based Initiatives 7* (Probation and Parole Services) (Tallahassee, Florida) (1993).

<sup>70</sup> Florida Department of Corrections, *Florida's Community Supervision Population Trends 9* (Bureau of Planning, Research and Statistics) (Tallahassee, Florida) (1993).

entered the program. Thus far, the program has a 92% felony prison diversion rate with only a 19% recommitment rate to state prison.

In 1989, Dade County developed a "Drug Court" to divert non-violent drug offenders from jail and prison. This diversion program contains a strong drug abuse treatment program (including acupuncture), educational/vocational services, along with close supervision by case management services (personal contacts and periodic urinalysis) and court appearances. As a result of successfully completing the Drug Court Program, the charges against the defendant will ultimately be "dropped". The Dade County Drug Court program is being heralded nationwide as an innovative and successful approach to a growing problem of drug offenders.<sup>71</sup> The major positive findings of researchers found that the Drug Court defendants had lower incarceration rates, less frequent rearrests, and longer times to rearrest.<sup>72</sup> According to the director of the Metro/Dade Office of Substance Abuse Control, about 60% of the drug offenders diverted into the program in the first three years successfully completed the year-long Drug Court regimen.<sup>73</sup> Of that 60% that successfully completes the program, only 11% of the participants have been rearrested in Dade County on any criminal charges in the year after graduation.<sup>74</sup> This is a marked difference from the typical recidivism rate of 60%.

The Dade County Drug Court Program has been successful in not only diversions and rehabilitation, but also in cost effectiveness. The Diversion and Treatment Program's budget was \$1.3 million in fiscal year 1989-90 and \$1.8 million in the following two fiscal years when the county added \$500,000 for expanded services.<sup>75</sup> According to the director of Metro/Dade Office of Substance Abuse Control, this translates into approximately \$800 per client/defendant per year. This same \$800 would roughly pay for the costs of jailing one of those offenders for 9 days (without the substantial drug abuse treatment and counseling).<sup>76</sup> The funding for the program comes from the Dade County General Fund and

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<sup>71</sup> See Goldkamp, J., & Weiland, D., *Assessing the Impact of Dade County's Felony Drug Court*, National Institute of Justice - Research in Brief (U. S. Department of Justice) (December 1993) [hereinafter NIJ- Assessing the Impact of the Dade County Drug Court]; Finn, P., & Newlyn, A., *Miami's Drug Court; A Different Approach*, National Institute of Justice - Program Focus (U.S. Department of Justice) (June 1993) [hereinafter NIJ - Miami's Drug Court: A Different Approach]; U.S. Bureau of Justice Assistance, *Special Drug Courts*, Program Brief (U.S. Department of Justice) (November 1993).

<sup>72</sup> NIJ- Assessing the Impact of the Dade County Drug Court at 5.

<sup>73</sup> NIJ - Miami's Drug Court: A Different Approach at 2-3.

<sup>74</sup> *Id.* at 13.

<sup>75</sup> NIJ - Miami's Drug Court: A Different Approach at 13.

<sup>76</sup> *Id.*

from client/defendant fees.<sup>77</sup>

At the local level, a number of counties have taken steps to implement alternatives ranging from "Drug Courts", such as those established in Dade and Escambia Counties, that are intended to divert drug offenders from jail and prison to systematic approaches to offender punishment and rehabilitation such as that embodied by the "Continuum of Care" system developed in Orange County. In an attempt to determine what intermediate, community-based sanctions are currently being utilized by the individual counties, a survey for this report was conducted of the offices of the State Attorneys in all sixty-seven counties and also of each County Administrator in the state. (see Tables A - X) Both surveys asked the respondents to indicate the existence of a program or sanction by specifying the approximate year the programs began, indicating the type of offenders eligible to receive the sanction or program, plus indicating who operates the program (state, county or a private organization) along with county budgeting information when possible. The State Attorneys offices were also asked what, if any, additional intermediate, community-based sanction or programs would they like to have available in their county for a diversionary or sentencing option.

At this time, the report relies on 23 out of 67 responses from the offices of the State Attorneys and 28 out of 67 responses from the County Administrators, totaling 44 different county responses. The results of the intermediate sanctions portion of these surveys were compiled in comparative charts that are organized according to sanctions/programs and counties. (see Tables A - X) These results are important for several reasons. Most importantly, they document the need for more sentencing and diversionary options for offenders that are flexible and specifically tailored to meet individual county needs. The surveys also gave counties an opportunity to state their concerns about county participation in the Community Corrections Partnership Act and to provide suggestions for statutory changes. The results are also important because they illustrate the potentially discouraging effect the "maintenance of local effort" provision in Florida's Partnership Act has on county participation because many counties already provide a wide array of intermediate sanctions and programs on their own accord. This effect will be discussed in further detail in the authorized uses of funding portion of the comparative analysis section in this report.

Reflecting the need to link discrete initiatives organized at the state and local levels in a statewide system, the 1991 Florida Legislature enacted the "Community Corrections Partnership Act". This Act provided a framework or mechanism by which the State and counties could come together in a formal partnership to provide community-based intermediate sanctions and programs. The partnership consists of dividing the duties and responsibilities among the State and counties for the provision of such sanctions. Prior to the enactment of Partnership Act, there was little incentive for Florida counties to initiate

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<sup>77</sup> *Id.*

community-based, intermediate sanctions in their respective jurisdictions other than a need to meet the pressure of their own local correctional needs. No financial incentive had previously existed until the Community Corrections Partnership Act. However, the Partnership Act has experienced a very limited implementation so far. The following discussion represents a broad overview of the current status of intermediate, community-based sanctions in the state administered by the Department of Corrections, the Department of Health and Rehabilitative Services, and Florida counties.

### *Florida Department of Corrections Initiatives*

The state of Florida, primarily through the Department of Corrections (DC), currently operates a number of correctional services that provide the courts with a series of intermediate, community based sanctions. Among these are a series of community supervision options, which include forms such as traditional probation and parole, supervised community release, administrative and drug offender probation, community control, and control release. As of June 30, 1992, over 124,000 offenders were included in DC's active supervision caseload.<sup>78</sup> This compares to the approximately 47,000 offenders who were under DC custody in secure facilities as of June 30, 1992.<sup>79</sup> Augmenting these forms of community-based supervision provided by DC is electronically-monitored home confinement or "House Arrest". As recently as June, 1993, DC supervised over 800 offenders in 1993 who were returned to the community under these conditions.

Beyond the various probation alternatives that enable the Department to supervise the behavior of offenders who have been returned to the community, the Department operates a number of community-based, non-secure facilities either directly or through contractual arrangements with private service providers. Included among these are a number of non-secure drug treatment beds operated under contract with Disc Village (Tallahassee), the Salvation Army (Jacksonville, Ft. Myers), and other private service providers. In addition, the Department contracts with a number of private entities to provide long term residential drug treatment beds in a number of jurisdictions, including Orlando, Ft. Pierce, Miami, and Sarasota. Both groups of facilities represent efforts by DC to target probation violators or persons placed on more intensive forms of supervision where the problem underlying the criminal activity is substance abuse. As currently structured, drug treatment, work, and other programming alternatives are provided to offenders in these facilities. As of July, 1992, the Department had entered into contract arrangements for the operation of 511 non-secure drug treatment beds and 100 long-term residential treatment beds.

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<sup>78</sup> Florida Department of Corrections, *1992-93 Annual Report, Corrections As A Business: Making Public Dollars Go Further* 95 (September 14, 1993) (Tallahassee, Florida)[hereinafter Fla. DC, 1992-92 Annual Report].

<sup>79</sup> *Id.* at 62.

In addition to providing for the operation of drug treatment facilities at the community level in order to provide an alternative mix of punishment and rehabilitation to drug-related offenders, the state of Florida, through DC, operates a number of probation and restitution centers throughout the state. These facilities are designed to house offenders who violate terms of probation or community control while they work, receive treatment, or attend school. Beyond this target group, probation and restitution centers also are designed to provide residential-based correctional services to persons who are placed on probation or community control and who are required to receive out-patient substance abuse counseling. Under relevant portions of Florida law, these centers are intended to provide the court with an "alternative to committing offenders to more secure state correctional institutions..." and to assist DC in supervising offenders who receive sentences of probation or community control.<sup>80</sup> Therefore, these centers are considered diversionary in nature. As of July, 1992, DC operated 9 probation and restitution centers in the state, with a combined capacity of 380 beds.

The Department of Corrections has established 33 Community Correctional Centers (CC Centers) which operate on a statewide system. CC Centers are facilities where some appropriate former state prisoners make their transition back into the community when they are within their last sixty (60) months of release from prison. Therefore, these centers differ from the probation and restitution centers, which are centers utilized to divert offenders from the prison system. Offenders are placed in a CC Center *after* they have served time in the state prison system. The maximum capacity is currently over 2,300 for the CC Center system which has processed over 125,000 inmates since its inception in 1967.<sup>81</sup> To be placed in a CC Center, a state prisoner's placement must first be recommended by the institution in which the prisoner is serving his sentence. The Department of Corrections, through the community work release unit, must then approve or reject the recommendation for placement in a CC Center. These centers are minimum security and offer a variety of services to the resident offenders from drug and alcohol abuse counseling to educational and vocational training. Although it is a goal of the Department to place an offender in a community correctional center as close to their community as possible, ultimately, placement depends on bed space availability and the ability of programs offered within the various centers located statewide to meet the correctional needs of the offender.

The Youthful Offender Program Office within the Department of Corrections operates a youthful offender boot camp in the Sumter Correctional Institution. The "basic training" program contains 100 beds for youthful offenders to follow a military regimen for

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<sup>80</sup> FLA. STAT. § 944.026 (1) (c) (1993).

<sup>81</sup> Florida Department of Corrections, *Community Correctional Centers: Philosophy and Programs* (Community Work Release Unit) (January, 1993) (Tallahassee, Florida).

a period of 90 to 120 days.<sup>82</sup> The program, which takes selected first-time offenders of age 24 or younger, contains many psychological and educational services while requiring participation in a strenuous physical regimen. With a current lawful capacity of 149, the boot camp has graduated 820 inmates during the period of December 1987 to 1992.<sup>83</sup> Of the 820 inmates graduated, 602 (73.8%) did not return to the DC system within the first year following completion of the boot camp program, and 218 (26.6%) returned to the DC system within one year within a new sentence or a technical violation.<sup>84</sup>

A final initiative undertaken by the state in order to promote intermediate, community base sanctions is in the area of county work camps. Many work camps are being constructed and operated by the state (Department of Corrections) either separately or within a correctional institution, with at least 16 in operation as of September, 1993.<sup>85</sup> However, in 1991, the Legislature enacted a statute which provides for *county* work camps through state funding.<sup>86</sup> As contemplated by the relevant statutory provision, DC would be responsible for the construction and operating costs of such facilities, which will be designed as minimum security in order to house offenders who are targeted for correctional programming as well as "publicly visible" community service activities as part of their sentences. Intended to be operated by interested counties, the development, financing, and operation of these facilities have been provided for under the provisions of chapters 950 and 951, *Florida Statutes*.

#### *Florida Department of Health and Rehabilitative Services Initiatives*

The Florida Department of Health and Rehabilitative Services (HRS) serves as the state agency responsible for management of the continuum of juvenile programs and services for delinquent juvenile offenders. This continuum of programs and services includes prevention, detention, commitment, re-entry, and aftercare elements, many of which are provided by both private and non-profit organizations through contractual agreements with HRS. (see Table Z) Detention facilities, distinct from commitment facilities, are operated solely by HRS and are considered the juvenile equivalent of jail in the adult system, but

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<sup>82</sup> Florida Department of Corrections, *Basic Training Program* (Youthful Offender Program Office) (pamphlet) (Tallahassee, Florida).

<sup>83</sup> Florida Department of Corrections, *Boot Camp Information: Current Statistics* (Youthful Offender Program Office) (February 1994) (Tallahassee, Florida). The total graduation rate for the program during the same five year period is 48.8% *Id.*

<sup>84</sup> *Id.*

<sup>85</sup> Fla. DC, 1992-92 Annual Report 63-64.

<sup>86</sup> See Ch. 91-225, §7, 1991 Fla. Laws 2257 (creating FLA. STAT. § 950.002 (1991)).

contain strict parameters on the actual detention of a juvenile. The state is broken into 15 juvenile justice districts and 5 commitment service regions. Juveniles are placed in the residential and non-residential commitment facilities or programs located within their districts or regions as often as possible.<sup>87</sup>

The juvenile justice commitment programs are categorized into 4 levels of restrictiveness, numbered evenly, beginning with level II as the least restrictive, and moving up to level VIII, the most restrictive commitment level. In addition to commitment programs, Youth Shelters serve as a preventative element in Florida's juvenile justice system. Youth Shelters are operated by the Florida Network of Youth and Family Services which is a statewide association that provides facilities and programs that give shelter and services to run away youths through contractual agreement with HRS.

Level II programs are non-residential day treatment programs, with a capacity of 1,980 slots.<sup>88</sup> A large portion of these are intensive probation, re-entry, and aftercare programs supervised by trained counselors. These programs combine individual and group emotional, psychological, and drug abuse counseling, educational and vocational training, and individual treatment based on the juvenile's needs. These programs are located in virtually every district and county throughout the state. Juveniles participating in higher level commitment programs generally go through this level when returning to the community. Associated Marine Institutes (AMI) are day time programs which provide educational and on-the-job training in marine-related areas. Training and Rehabilitation of Youth Centers (TRY) provide co-educational services in the areas of educational and vocational programming, community service, and counseling.

Level IV programs, with a total capacity of 307 slots, begin the residential commitment portion of the juvenile justice continuum of programs.<sup>89</sup> Three general types of programs are offered. Outdoor camps are referred to as Short Term Offender Programs (STOP camps). Stop camps are located in state parks and forests, utilizing outdoor work, counseling, recreation, and educational programming as part of the curriculum. Group Homes are residential programs operated by trained families. Juveniles are provided with individual and group counseling and are encouraged to participate in local schools, work, and community activities. AMI Host Homes are weekday residential components of level II AMI programs for youths whose families live too far away from the program sites.

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<sup>87</sup> Juveniles are also placed in juvenile detention centers located in the same region in which they live.

<sup>88</sup> Florida Commission on Juvenile Justice, *1993 Annual Report to the Legislature* 86 (December 30, 1993) (Tallahassee, Florida)[hereinafter CJJ 1993 Annual Report].

<sup>89</sup> *Id.* at 89.

Level VI programs, which are also residential, are for more serious juvenile offenders than the previous two levels. There are 753 slots available in the Level VI commitment portion of the system.<sup>90</sup> Three general types of programs operate within this level. Halfway Houses provide educational opportunities, counseling, and community interaction. Some juveniles are also allowed to obtain outside employment. Treatment Centers, consisting of a diverse group of programs, are used to address specific needs of individual youths by providing many types of counseling, community service, work, and educational services. Outdoor camps provide counseling and educational services, while focusing on outdoor activities such as job training and athletic programming.

Level VIII programs, containing 532 slots, are the most restrictive commitment programs offered in the juvenile justice continuum of services.<sup>91</sup> These programs are physically or staff secure, meaning that the juveniles are restrained from leaving the premises of the program site. Four types of programs are offered at this level. Boot camps offer para-military type discipline and enhanced alternative education techniques. The needs of the community may also be reflected in the services provided at the camp. Training Centers are geared to treat the specific needs of the juvenile offender. A full range of educational, vocational, recreational, and counseling services are provided at the Training Centers. Training schools and SHOP programs are included in this category. Work camps place juveniles in labor-intensive environmental projects to develop good work habits and self-discipline. Educational and vocational services are follow-up components to work camp programs. Intensive halfway houses provide close supervision for groups of juveniles, while offering educational, and vocational services, counseling, community service, and individual treatment.

#### *Florida County Initiatives*

While no previous attempt has been made to conduct a comprehensive program inventory of county initiatives aimed at providing intermediate sanctions and programs in the state of Florida, relying on information collected in the ACIR surveys, it is clear that a number of counties have moved forward in this area. The ACIR intermediate, community-based sanction surveys of the County Administrators and the State Attorney offices resulted in coverage of programs and sanctions available in 44 different counties. Based on the information obtained through the two ACIR surveys during November, 1993, it is evident that the majority of counties in Florida have implemented one or more community-based,

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<sup>90</sup> *Id.* at 93.

<sup>91</sup> *Id.* at 97.



intermediate sanction programs.<sup>92</sup> At this time, the information provided by the counties and state attorneys is considered to be preliminary and will require further verification.<sup>93</sup> Based on the information available through the ACIR surveys, the complete inventory of programs implemented by each county is displayed in a series of tables appearing at the end of this report. (see Tables A - X) A summary of the number of counties that have implemented some intermediate sanction programs appears below (see also Table Y):

<b>Community Corrections Programs and Intermediate Sanctions</b>	<b># of Counties that have a Program</b>
Community Service	39
Military-Style Boot Camps	9
Day Reporting Centers	4
Emergency Shelters	10
Half-Way Houses	5
House Arrest/Detention	32
In-Patient Counseling (Drug/Alcohol Abuse- After Treatment)	20
In-Patient Drug/Alcohol Abuse Treatment (Detoxification)	26
Intensive Supervision Probation	14
Out-Patient Counseling (Drug/Alcohol Abuse-After Treatment)	31

<sup>92</sup> The types of programs listed in the survey questionnaire distributed to the county administrators and state attorneys included those described in publications addressing community corrections and intermediate sanctions and ACIR staff professional experience working in state attorney offices in two judicial circuits. As of February 10, 1994, the response rate in the survey of county administrators was 44% or 31 of 67 counties and the response rate for the survey of state attorneys was 34% or 23 of 67 counties within the 20 judicial circuits. The information from both surveys combined allowed for coverage of 44 counties, or 65% of the Florida counties in this description of community corrections and intermediate sanction programs.

<sup>93</sup> It should be recognized that such verification is difficult to achieve. In addition, for any programs and sanctions which were named as being shared with the state, verification is difficult to achieve because of the possible involvement of many state agencies, such as the Department of Corrections, the Department of Health and Rehabilitative Services, and the Department of Education.

Out-Patient Drug/Alcohol Abuse Treatment (Detoxification)	27	
Supervised Pre-Trial Intervention Agreements	33	
Pre-Trial Release	28	
Psychological or Family Counseling	29	
Seminars on a Wide Array of Subjects	14	
Sexually Transmitted Disease Testing and/or Counseling	21	
Urine Drug Screen	31	
Victim-Offender Mediation	12	
Victim Restitution	32	
Vocational/Educational Programs	32	
Week-End Jail	29	
Work Release Facilities	21	
Work Camps	6	(one facility services Marion, Sumter, and Citrus Counties)

While the types of programs covered in the responses to the ACIR surveys include a broad range, the programs that have actually been implemented by the largest number of counties include community service, house arrest/detention, supervised pre-trial intervention agreements, pre-trial release, urine drug screening, victim restitution, vocational/educational programs, and a wide selection of counseling programs (in and out-patient). The military-style boot camps were implemented recently, after 1990, in seven counties. Relying on the survey data again, it appears that most counties provide for some types of community service and restitution through the probation agencies in their respective counties, however, usually there are no organized programs or centers established to utilized this sanction. Many counties, mostly the smaller, more rural counties offer little more than a county probation and sporadic community service and victim restitution as intermediate criminal sanctions. On the other hand, there are some counties that have been very innovative and have taken the initiative to provide a range of intermediate, community-based sanctions. Preeminent among these are Dade, Orange, and Volusia Counties, which have implemented comprehensive systems of community based sanctions on their own

accord. Programs in these three counties are discussed in greater detail after the next Table.

Based on the ACIR survey results, the types of offenders included in the community corrections and intermediate sanctions implemented by the counties vary by the type of program or sanction and county. However, the survey results indicate that a large number of the county programs in existence include violent misdemeanants and felons, in addition to the non-violent offenders. The inclusion of juveniles in a program was specifically indicated by Manatee County for a military-style boot camp and counseling programs, and Lee County for House Arrest/Detention and Work-Release Facilities.

The operation of the programs addressed in the ACIR survey results is primarily undertaken by the county. However, there were a number of programs for which privatization appears to be in existence. These programs include community service, house arrest/detention, in-patient and out-patient counseling programs, supervised pre-trial intervention agreements, sexually transmitted disease testing, urine drug screening, victim restitution, and vocational/education programs.

While budget information on these programs was requested, as part of the ACIR surveys, the inclusion of fiscal information was very limited. At this time, the fiscal information is considered preliminary and requires further verification. Referring to a selection of the budget information that was provided, the following amounts are highlighted:

<b>Community Corrections and Intermediate Sanctions Program</b>	<b>County Budget FY 1992-93(\$)</b>	<b>County Budget FY 1993-94(\$)</b>
<u>Community Service</u>		
Alachua	158,000	144,000
Broward	25,000	25,000
Duval	37,000	38,500
Orange	493,636	512,243
<u>Military-Style Boot Camp</u>		
Broward	200,000	400,000
Lee		50,000
Manatee		541,540
<u>In-Patient Drug/Alcohol Abuse Treatment (Detoxification)</u>		
Alachua	318,000	319,000
Broward	550,000	450,000
Duval	70,000	70,000
Dade	839,550	839,500
<u>Pre-Trial Release</u>		
Alachua	454,000	423,000
Broward	700,000	700,000
Highlands	30,000	60,000
Lee	300,000	320,000
Manatee		436,780
<u>Day Reporting</u>		
Dade	808,000	1,161,700
<u>Work Release Facilities</u>		
Alachua	291,600	346,000
Broward	750,000	750,000
Duval	1,325,152	1,325,500
Lake	26,000	36,650
Manatee		995,325
Orange	1,350,000	1,472,048

### *Selected Profiles of Florida County Initiatives*

In Orange County, the County Corrections Department (OCCD) has defined its mission to include providing not only for the "care, custody, and control" of inmates, but also the responsibility to provide the "tools and environment for an offender to make behavioral changes" in his or her life. In addition, OCCD has established cost control as a second basic institutional goal. Here the Department's position is that "appropriate and well directed" programming in corrections not only is more effective than the traditional "warehousing" approach, but also is "significantly less expensive" as well. According to OCCD officials, cost savings can accrue from treatment-oriented sanction systems not only through reduced recidivism, but also through reduced capital and operating costs for correctional facilities.

Reflecting its dual mission of providing treatment and cost effective correctional programming, OCCD over the course of the mid-to-late 1980's put into place a comprehensive system of intermediate community based sanctions. Included among the components of this system are the following:

1. A pretrial release system that attempts to systematically screen newly arrested criminal defendants in order to identify those that can be safely released back into the community pending trial without compromising public safety or the integrity of the judicial process. As part of this initiative, defendants are supervised by program staff during the period of their release and program staff coordinate social service referrals as well and monitor compliance with conditions of release imposed by the court.
2. A pretrial diversion program that, in cooperation with the state attorney's office, attempts to divert from traditional prosecution and incarceration first time offenders who have been charged with nonviolent misdemeanor or third degree felony offenses.
3. A home confinement program that removes both pretrial and sentenced inmates from the county jail system. Operating in a manner similar to an intensive supervision program, home confinement clients are seen several times a week by OCCD staff. These face-to-face contacts are augmented by telephone and collateral contacts.
4. An ambitious community service program whereby OCCD provides sentenced misdemeanor and felony offenders with placements in over 100 governmental and not-for-profit charitable worksites in the county. According to OCCD officials, the Orange County program is more structured than most community service programs, with offender schedules established at an initial officer-client meeting and with the offender being required to complete 8 hours of

community service per week until all service ordered by the court has been completed.

5. A work release center that is designed to provide a structured residential treatment environment for appropriate offenders. Under this initiative, OCCD counseling staff work with residents of the work release facility in group settings in order to help meet offender needs in such areas as sobriety, vocational/educational deficits, personal finances, and social skills. In addition to providing such counseling services at the facility, program staff attempt to identify other areas of the offender's life that may need a more "clinically therapeutic approach", and often require facility residents with such needs to seek treatment through referrals to separate agencies.
6. Misdemeanor probation services for the circuit and county courts. While the probation unit within OCCD provides traditional probation supervision, it also provides certain specialized services. Included among these are attempts to segregate certain offenders into specialized caseloads on the basis of offender needs. Among the specializations offered in this regard are mental health, incarcerated probationers, substance abuse, domestic violence, and spanish-speaking probationers.
7. A mental health services unit that provides services to both jail inmates and community corrections clients. Within the jail system, mental health program staff provide assessment and minimal therapeutic services for forensic inmates who are held in isolation, and operate two (2) therapeutic programs in special cells for inmates with less severe problems.

In addition to correctional services offered to criminal defendants and offenders who have been returned to the community, a number of programs are offered by OCCD to jail inmates while they remain incarcerated. A common thread running through each of these programming initiatives is the attempt to prepare jail inmates for their eventual return to the community. Reintegration is accomplished either through one or more community corrections programming initiatives, or upon their outright release from secure detention/incarceration.

A second Florida jurisdiction that has exercised leadership on its own accord in order to develop a continuum of intermediate community-based sanctions is Dade County. According to official pronouncements of the Dade County Department of Corrections and Rehabilitation (DCDCR), the county has committed, through the Department, to the goal of reintegrating offenders into the community. Toward this end, the Department seeks to provide offenders with rehabilitative and personal development opportunities through vocational training, education, and counseling to provide for the successful return of

offenders to society. As with Orange County, local corrections officials also look to intermediate sanctions as cost effective insofar as they hold the potential to reduce the severe overcrowding that traditionally has been characteristic of the county jail system. Simply put, the ability of intermediate, community-based sanctions to divert from the local jail system large numbers of offenders is viewed as an effective tool for managing local jail population growth.

The following represent the broad components of the Dade County approach to developing and implementing intermediate, community-based sanctions:

1. **Pretrial Services.** Primarily responsible for conducting background investigations on newly arrested criminal defendants in order to make pretrial release recommendations to the court at first appearance hearings, the Dade County Pretrial Services Program has been instrumental in facilitating the release into the community of large numbers of defendants who are not viewed as posing risks to public safety or failure to appear. Beyond this, pretrial services also supervises released defendants at the direction of the court, and in this capacity assists the court in monitoring compliance with conditions of release established at first appearance. Finally, pretrial service staff also play an important role in screening newly arrested persons in order to determine their eligibility for various prosecution diversion and intermediate sanction programs. Included among these are the drug Diversion and Treatment Program and the Domestic Violence programming described below.
2. **Diversion and Treatment Program.** According to official sources, this program seeks to divert first time drug offenders from jail at first appearance. Once identified as an eligible candidate by Pretrial Services program staff, defendants appear before a specialized court developed in conjunction with the state attorney, chief circuit judge, and the Dade County Office of Substance Abuse Control. Upon agreeing to terms established by the court, the defendant is released to the custody of pretrial services program staff for transport to a treatment center for enrollment. At a minimum, court imposed conditions require the defendant to receive substance abuse treatment and remain drug free for a specific time. Over the duration of their enrollment in drug treatment programming, participants receive intensive treatment that includes both traditional and innovative approaches.
3. **Domestic Violence Unit.** As a joint effort by the judiciary of the Eleventh Judicial Circuit, the Dade County government, and various state agencies, the Domestic Violence Court Unit within DCDCR attempts to link criminal defendants who face domestic violence charges to private social service

providers for purposes of receiving treatment. Offenders who are deemed eligible for participation in this diversion program are released to the custody of pretrial services and are supervised by pretrial staff over the course of their participation in the program.

4. **Pretrial Diversion.** As with other jurisdictions in Florida, Dade County makes use of a pretrial diversion program that is coordinated by the state attorney's office. Targeted at first time offenders who are charged with non-violent third degree felonies, this program offers the defendant the option of deferring prosecution pending successful completion of a period of probation that varies between 3 and 12 months. The supervision and programming components of the pretrial diversion option vary widely, and range from substance abuse treatment, psychological counseling, and victim restitution payments. Upon successful completion of the program, the case against the defendant is dismissed by the state attorney's office and defendants have the option of requesting their criminal records to be sealed.
5. **House Arrest/Work Release.** Housed within the Community Corrections Bureau of the Department of Corrections and Rehabilitation; this program enables eligible inmates of the county jail system to work during the day and return either to their homes or to a local detention facility at the end of the day. Those offenders who are on house arrest are subject to electronic monitoring.
6. **Day Reporting Center.** As a second program administered by the Community Corrections Bureau, the Day Reporting Center provides a variety of educational, training, and counseling services to offenders who have been released into the community. It acts as a more stringent supervisory tool that ensures public safety while providing the courts with an intermediate punishment as an alternative to incarceration or probation.

In addition to these initiatives administered through various county and state agencies operating in Dade County, a unique public-private partnership was organized in the early 1980's. This partnership was created in order to provide the courts with a series of alternatives to incarceration for both pretrial defendants and convicted offenders. Incorporated in the state of Florida under the title 'The Alternative Programs, Inc.', the "Alternative", as it is more commonly known, operates on a combination of state, local, and private funding in order to target certain offenders for diversion from state prison and the Dade County jail system. In place of these sentencing options, the program offers a strong, intra-community supervision component with extensive social, educational, and rehabilitative services to persons eligible for placement.



Volusia County is another county which is considered a leader in the area of developing and implementing intermediate, community-based sanctions needed in its jurisdiction. Many of Volusia County's programs have been developed just over the last five years. Such initiative and development can be attributed to the strength and dedication of key figures such as the County Commission, State Attorney, Judiciary, and both Jail and Trial Court Administration. The implementation of some of the pretrial diversionary programs, services, and sanctions administered both in and out of the jail has played some part in holding Volusia County out as a state "model" for jail administration in a recent ACIR jail study.<sup>94</sup> Some of Volusia County's intermediate sanction initiatives include:

1. **Pretrial Release.** A pretrial release program which systematically and immediately screens and identifies arrested defendants who may be safely released into the community pending their trial. These offenders are identified as posing no risk of public safety by virtue of the crime committed and the criminal and known psychological history of the defendant. To be eligible for pretrial release, the defendant must also pose both no risk of leaving the jurisdiction of the authorities and no risk of avoiding the charge or criminal process. This program operates under the purview of the Volusia County Department of Judicial Services.
2. **Pretrial Agreements.** A pretrial diversion program that attempts to divert first time non-violent misdemeanor, and in some cases, third degree felony offenders from prosecution and incarceration. Such "agreements" are made between the prosecutor and the defendant to complete certain conditions or requirements which typically last either six or twelve months. Upon successful completion of the agreement and expiration of the time, prosecution against that defendant will be "dropped". These agreements can either be "unsupervised" (supervised by the prosecutor) or "supervised" by the Office of the Trial Court Administrator.
3. **Domestic Abuse Counseling.** A longer term counseling program for persons either charged with or convicted of a crime involving domestic violence. Counseling is conducted either on an individual or group basis by professionals which have substantial experience and training in domestic violence. The program attempts to charge fees upon the offender based on a sliding scale.
4. **Victim-Offender Mediation.** It was established to divert certain cases from the court system. This mediation includes disputes which had previously resulted in non-violent criminal charges. It is administered by trained

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<sup>94</sup> See ACIR Jail Financing Report.

professionals that are experienced in mediating disputes. Only cases in which victim and prosecution approval are obtained and it is determined that the dispute can be resolved, will a case be referred by the State Attorney's Office to the program.

5. **Lecture or Seminar Series.** There are certain lecture series that are set up in both adult and juvenile systems. For juveniles, first time offenders who are eligible to go through the JASP program must attend lectures which are organized by the JASP program in coordination with the State Attorney's Office. These lectures have an educational component concerning crime and consequences. For adults, there are two different programs available. The first program that was established was through the Amicus Curiae Foundation (ACF) which was originally established to use private funding to provide educational seminars to certain non-violent misdemeanants. The lectures last for a full day and are geared for offenders charged with possession of cannabis under 20 grams, shoplifting, and uttering a worthless check. The other program, PAVE (Providing Alternatives to Violence through Education), was established by Salvation Army Probation, a county court probation, which provides a long lecture series for certain misdemeanants on subjects including anger management and domestic violence and the legal consequences.
6. **House arrest.** This program is administered by the Salvation Army and Pride, Inc., both county court probation agencies, for misdemeanor offenders who would otherwise be sentenced to jail. This program involves an electronic monitoring device which confines the offender to his home.
7. **Other Adolescent/Juvenile Programs.** Volusia County is in the process of implementing several juvenile programs. Included is a schooling program which is administered by the staff of Stewart-Marchman Treatment Center, a county facility, for juveniles with drug or alcohol abuse problems. While providing educational services to these adolescents, there is intensive rehabilitative treatment and counseling provided. In addition, details are currently being finalized for a State Attorney Juvenile Boot Camp.

Although Orange, Dade, and Volusia Counties appear to hold leadership positions among Florida counties in the sense that they appear to have developed the most comprehensive and systematic series of intermediate, community-based sanctions, other jurisdictions have taken steps to develop and implement discrete initiatives on their own accord. For example, Manatee and Sarasota Counties have developed programs which offer the courts a variety of community-based sanctions in order to divert misdemeanor offenders from jail and juvenile detention. Manatee County has programs which include supervised

pretrial release, residential and out-patient drug abuse treatment and counseling, psychological counseling, supervised pretrial intervention agreements for non-violent misdemeanants, and a military-style boot camp for juvenile offenders, among others.<sup>95</sup> Sarasota County's initiatives include victim-offender mediation, vocational and educational programs for non-violent misdemeanants, in-patient alcohol and drug abuse treatment and counseling, and a work release facility is currently being proposed.<sup>96</sup> Several other counties, such as Palm Beach and Seminole Counties, have attempted to pursue various alternatives through the recently enacted Community Corrections Partnership Act.<sup>97</sup> It is to a discussion of this Act that attention is next directed.

### *The Florida Community Corrections Partnership Act*

As a result of the population pressures placed upon state correctional facilities in the mid-1980's and the aforementioned implications posed by various "build-out" and emergency release strategies, state-level policy makers began to direct attention to alternatives that would help address these problems. Through both the legislative and executive branches of Florida state government, policy proposals were developed which envisioned a comprehensive system of intermediate, community-based sanctions that would be provided for through a state-county partnership. These efforts eventually culminated in the enactment of the "Florida Community Corrections Partnership Act" by the 1991 Florida Legislature.<sup>98</sup> In the paragraphs that follow, a brief overview of the legislative history of this initiative is presented in addition to a detailed description of the legislation that currently exists in this area.

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<sup>95</sup> Taken from the ACIR survey results conducted on the State Attorney's Office located in Manatee county.

<sup>96</sup> Information obtained from the ACIR survey responses from the County Administration and the Office of the State Attorney located in Sarasota County.

<sup>97</sup> In FY 1991-92, Orange, Dade, and Palm Beach Counties all submitted proposals for funds appropriated to the Community Corrections Assistance Trust Fund. Palm Beach County received a grant in the amount of \$150,000, the total amount appropriated to the Trust Fund. During the same year, Marion, Sumter, and Citrus Counties submitted a joint proposal for a Tri-County Work Camp. This proposal was accepted and received approximately \$2.0 million for capital outlay from monies appropriated separately from the Trust Fund. In FY 1992-93, Manatee, Seminole, and Escambia Counties submitted proposals for Community Corrections Assistance Trust Fund grants. Seminole County received \$50,000 to renovate a work release facility and Escambia received \$100,000 for a drug court and after-treatment from the total \$150,000 appropriated to the Trust Fund that year. It was not until 1993 that the Tri-County Work Camp received funding for operations of the work camp. From an appropriation separate from the Assistance Trust Fund, the Tri-County Work Camp project received approximately \$2.158 million for operational costs.

<sup>98</sup> Ch. 91-225, §§ 3-4, 1991 *Fla. Laws* 2253 (codified at FLA. STAT. §§ 948.50, .51 (1991)) (amended by Ch. 92-310, § 33, 1992 *Fla. Laws* 2980).

## *Legislative History of the Florida Community Corrections Partnership Act of 1991*

In the midst of the state prison system overcrowding crisis that emerged in the mid-1980's, key policy makers in the Florida Legislature and the Office of Governor Bob Martinez grew increasingly concerned over the ability of the state to fund sufficient new prison capacity to match the explosive growth evident in prison admissions. Faced with estimates suggesting that the current sentencing structures and sanction alternatives would require the addition of over 40,000 new prison beds by 1991-92, and nearly 96,000 by 1994-95, attention began to be directed at devising sentencing alternatives that would divert non-violent offenders from the state prison system in order to increase the system's capability to incarcerate serious, violent offenders for more extended periods of time. Such goals would not be realized with the status quo of sentencing guidelines<sup>99</sup> and the operation of the various early release mechanisms<sup>100</sup> put into place by the Florida Legislature to control the prison populations at "lawful capacity".<sup>101</sup> Within the Office of the Governor, key staff embraced the concept of a community corrections partnership act as a means toward these ends, and conducted site visits of the Minnesota and Indiana programs. Giving impetus to this proposal was the work of the Florida Crime Prevention and Law Enforcement Study Commission, which was created by the Legislature in 1987.<sup>102</sup> This commission

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<sup>99</sup> See generally FLA. STAT., Chapter 921. The 1993 Legislature has significantly amended this chapter by the passage and enactment of Senate Bill No. 26-B also known as the "Safe Streets Initiative of 1994". Ch. 93-406, §§ 1-5, 10-25, *Fla. Laws* 2911, 2912-2923, 2925-2958.

<sup>100</sup> Presently in 1993, controlled release occurs when prison system population reaches 99% of the lawful capacity. The 1993 Legislature, during Special Session "B", amended the statute from the previous controlled release authority which had manifested at 97.5% of the lawful capacity. Ch. 93-406, § 27, 1993 *Fla. Laws* 2911, 2960 (amending FLA. STAT. § 947.146 (Supp. 1992)). Emergency Control Release may take effect at 99.5%, however it has never been necessary to utilize this mechanism. Ch. 93-406, § 27, 1993 *Fla. Laws* 2911, 2963 (amending FLA. STAT. § 947.146 (7), 944.598 (Supp. 1992)); Florida Department of Corrections, 1992-93 Annual Report 42-43 (Tallahassee, Florida) (1993) [hereinafter DOC 92-93 Annual Report].

<sup>101</sup> The Florida Legislature created the term "lawful capacity." Department of Corrections, 1992-93 Annual Report, 42-43 (1993) (Tallahassee, Florida) [hereinafter DOC 1992-92 Annual Report]; see FLA. STAT. §§ 944.023 (1) (b); .096 (1) (b) (1993). Technically, lawful capacity means the number of inmates the Department of Corrections can legally house which is calculated by increasing the design capacity by 33 percent; lawful capacity is 133% of the design capacity. Thus, for every 100 design prison beds in the system, the Department may house 133 prisoners. DOC 1992-93 Annual Report at 42-43. Lawful capacity is calculated on the system as a whole (male and female institutions and facilities combined), and the Department is not bound by lawful capacity per individual facility. FLA. STAT. § 944.023 (1) (b) (1991). The only exceptions to this lawful capacity calculation formula are Florida State Prison (men's), maximum confinement units, and contract beds, which do not have the 33 % added to the design capacity. Therefore, for these types of facilities, the lawful capacity is the actual design capacity. DOC 1992-93 Annual Report at 42-43.

<sup>102</sup> Ch. 87-243, §§ 53-54, 1987 *Fla. Laws* 1622, 1663.

recommended that the Legislature "consider the development of a community corrections concept to expand the array of sentencing alternatives to incarceration".<sup>103</sup> Within the State Legislature, House Speaker Tom Gustafson also developed a comprehensive series of criminal justice and corrections reforms that called for a state-wide community corrections system that would be realized through a state-local partnership.<sup>104</sup> While proposals giving force to these and other systems of intermediate, community-based sanctions were considered by the Legislature over the 1988-1990 period, it was not until 1991 that legislation passed and was effective.

#### *Key Provisions of the Florida Community Corrections Partnership Act*

As embodied in sections 3 and 4 of Chapter 91-225, *Laws of Florida*, the Florida Community Corrections Partnership Act signaled Florida's intent to establish a full continuum of intermediate community based sanctions in partnership with its county governments.<sup>105</sup> As amended by the 1992 Florida Legislature, the key provisions of the Act include the following:

1. **A Statement of Goals and Objectives.** In addition to providing for the punishment and accountability of criminal offenders, the Act contains an expression of legislative intent to:
  - a. divert non-violent offenders from the state system by providing for community-based sanctions in lieu of prison time, and to thereby reserve existing prison capacity for the most dangerous offenders;
  - b. establish a state and county partnership for correctional programs and facilities to effectively disburse state funds to the counties to build and operate corrections programs
  - c. maintain safe and cost efficient community corrections programs that also require supervision, counseling, and substance abuse testing, assessment, and treatment of appropriate offenders;
  - d. provide alternative punishments/programs that are available to the judge at

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<sup>103</sup> Florida Crime Prevention and Law Enforcement Study Commission Final Report to the Legislature at 25-26 (January 1, 1989) (Tallahassee, Florida).

<sup>104</sup> Gustafson, T., "Criminal Justice Proposal" 2-8 (on file with the Office of the 1988-90 House Speaker Thomas Gustafson) (Tallahassee, Florida) (1989).

<sup>105</sup> Ch. 91-225, §§ 3-4, 1991 *Fla. Laws* 2253.

sentencing and for pretrial intervention;

- e. in contracting counties, reduce the number of non-violent felons committed to the state system and the number of non-violent misdemeanants (and felons) committed to the county detention system by punishing such offenders in the community or by requiring them to live in community-based facilities;
- f. extend the average length of stay for those offenders sentenced to community corrections programs beyond that which they would have served in a state prison facility.

2. **A Funding Mechanism.** The Act also currently provides for a funding mechanism whereby Florida counties are authorized to contract with the state Department of Corrections (DC) in order to receive state funds for community corrections facilities and programs. Such funds are to be used for the following purposes:

- a. for the provision of community-based corrections programs within county-owned or county contracted residential probation programs;
- b. for the provision of non-incarcerative diversionary programs for *juvenile or adult* offenders who otherwise would be housed in a county detention facility, a state juvenile detention facility, or a state correctional institution;
- c. for the provision of community-based drug treatment programs by licensed providers;
- d. funding for the enhancement of programs within county detention facilities;
- e. funding for local efforts designed to enhance public safety and crime prevention.

3. **Funding Prohibitions.** In addition to specifying areas that are targeted for state community corrections funding, the Act contains specific prohibitions that prohibit the expenditure of state funds on the following:

- a. fixed capital outlay for the construction, addition, renovation, or operation of any adult or juvenile secure detention facility;
- b. construction, addition, renovation, or operation of any state facility;
- c. the salary of any state probation and parole officer.

4. **Maintenance of Local Funding Effort.** The Act also contains a "maintenance of local effort" provision which specifies that community corrections funds may not be used to supplant current county funds used for correctional expenses of the county. More specifically, the Act provides that "a contracting county shall not diminish its previous year level of spending" for county correctional expenses in order to receive and continue to receive Community Corrections Partnership Act funding.
5. **County Eligibility Provisions.** In order to be eligible for state community corrections funds, a county must first:
  - a. establish a public safety coordinating council (previously known as a county correctional planning committee) as provided in section 951.26, F.S.;
  - b. designate a county officer or agency to be responsible for administering community corrections funds received from the state;
  - c. through the public safety coordinating council, prepare, develop, and implement a comprehensive public safety plan. The plan is to cover at least a 5-year period, and must include the following:
    - \* a description of programs offered for the placement of offenders in the community;
    - \* a specification of the type and scope of community-based intermediate sentencing options to be offered and the types and numbers of offenders to be included in each program;
    - \* specific goals and objectives for reducing the projected number of commitments to the state prison system of persons with presumptive sentences of 22 months or less pursuant to the sentencing guidelines;
    - \* specific evidence of the population status of all programs that are part of the plan. Such evidence must indicate that the programs do not include offenders who otherwise would have been on a less intensive form of community supervision;
    - \* monthly assessments by the public safety coordinating council of the population status of all probation programs owned, operated, or contracted for by the county, including county residential probation programs;
    - \* assessment by the public safety coordinating council of the population

status of all correctional facilities owned or contracted for by the county;

- \* assessment of substance abuse interventions and treatment programs and the assessment of population status of offenders in need of and to be placed in such programs;
- \* projected needs for the construction of county detention facilities and diversionary programs;
- \* annual performance measures that permit an evaluation of the extent to which a county complies with its plan;
- \* a plan for ongoing involvement and education of the community regarding the purposes and accomplishments of community corrections programs;
- \* verification by the public safety coordinating council that the current percentage of county funding for community corrections efforts have not been and will not be reduced by community corrections funds which may be received from the state; and
- \* a description of program costs and funding sources for each community corrections program, including state community corrections funds, grants, loans, and other financial assistance.

In order to be eligible to receive initial state community corrections funds, the plan must be approved by the county's board of county commissioners and DC.

6. **Suspension of State Funding If Noncompliance.** In order to be eligible for continued funding, the county must substantially comply with the goals, standards, and objectives set forth in its plan, and other standards or requirements established in the Act, as determined by DC. Where DC determines that there are reasonable grounds to believe that a county is not in substantial compliance with its plan or with other standards provided in the Act or by DC, a procedure is delineated in the Act to suspend state community corrections funding to the county.
7. **State Responsibilities - Department of Corrections.** Under the provisions of the Act, DC is charged with the following duties and responsibilities:
  - a. administering the Community Corrections Partnership Act;



- b. submitting an annual report to the Governor and Legislature concerning the effectiveness of participating counties in diverting non-violent offenders from the state system;
- c. providing technical assistance and training to local governments, non-profit entities, and county public safety coordinating councils in the areas of community corrections and the Act itself;
- d. developing minimum standards, policies, and administrative rules for statewide implementation of the Act;
- e. reviewing local correctional plans and providing contract funding in order to distribute state community corrections funds to the local level;
- f. conducting reviews, on at least an annual basis, of all program measures in order to insure accountability.

In addition to these responsibilities, DC is charged with ensuring county compliance with approved correctional plans.

- 8. **Provisions for a Community Corrections Assistance Trust Fund.** The Act established a trust fund within the Treasury of the State of Florida; the Community Corrections Assistance Trust Fund. Moneys appropriated to this fund are to be administered by DC for the purposes of providing contract funds to the counties upon approval of the plans submitted and determination of amount of state funding. All moneys appropriated by the Legislature for community corrections purposes are to be deposited in this trust fund and DC is authorized to allocate funding for county community corrections partnership contracts to the extent authorized by the General Appropriations Act.

#### *Implementation Status of Florida's Partnership Act*

Thus constituted, the Florida Community Corrections Partnership Act is similar to legislation adopted in other states in the sense that it contemplates, and provides for, a true partnership between state and local government in order to establish a statewide continuum of locally operated intermediate, community-based sanctions at state expense. Despite the ambitious nature of the program envisioned by legislative and executive branch officials who crafted the Act and successfully navigated it through the legislative process in 1991, there has been only limited implementation of the Community Corrections Partnership Act. Thus, only three counties have been the recipients of state community corrections funds via the community corrections assistance trust fund established by the Act.

Through this fund, only a scant amount of state money has been made available for community corrections grants to counties to implement intermediate, community-based facilities and programs. The total amount of money the Legislature has appropriated to the trust fund to-date is \$300,000. The specific programs funded to-date through the trust fund include a 20 bed Palm Beach County Drug Farm during fiscal year 1991-92 (\$150,000); a renovation project in Seminole County in order to establish a county work release center during fiscal year 1992-93 (\$50,000); and also during fiscal year 1992-93, a drug court program in Escambia County that is modeled after the Dade County program for the after treatment component of the program (\$100,000).

A 256 bed tri-county work camp facility (serving Marion, Sumter, and Citrus Counties) was developed and proposed for state funding under a statute other than the Community Corrections Partnership Act. The Tri-County Work Camp plan or proposal conformed to the "plan" format set forth in the Partnership Act. However, the funding for this facility was received pursuant to another section of the *Florida Statutes*, "county work camps", whereby state money was appropriated to two trust funds (for construction and operations) created under that section. Located in Marion County, this facility has been developed pursuant to the provisions of section 950.002, *Florida Statutes*, and is projected to house equal numbers of misdemeanants who normally would have served time in a local jail and felony offenders who otherwise would have been subject to supervision or incarceration by the state Department of Corrections. In 1991, the State provided approximately \$2.0 million for capital outlay to build the tri-county work camp facility. In 1993, the State Legislature eventually funded the Tri-County Work Camp project an additional \$2.158 million for operational expenditures. The funding for the Tri-County Work Camp was not funded under the Community Corrections Assistance Trust Fund. The project was funded separately from the assistance trust fund and was appropriated directly under the Department of Corrections under the Community Corrections Construction Trust Fund and the Community Corrections Operating Trust Fund.

#### *Identification of Limiting Factors to Successful Implementation*

In attempting to identify factors that might explain the limited implementation of the Community Corrections Partnership Act, a number of issues can be raised. Initially, it must be acknowledged that although Florida Department of Corrections officials stress that counties must be integrally involved for the Act to be a success, state funding levels have not been sufficient to attract local interest. Moreover, many state and local officials recognize that Florida's county governments have considerable distrust of the state that is traceable to various issues such as Article V funding, the spill over effects of state prison overcrowding on local jails, and the larger issue of state mandates on local government. It could be argued that this distrust has manifested itself in local fears that should counties make the commitment to become involved in a community corrections partnership, the state ultimately will back out of the program; leaving the county to completely fund yet another

program. In addition, counties would be left to fund correctional facilities and services that, while delivered at the local level in a community corrections program, would be serving many offenders who traditionally have been the responsibility of the state.

A final series of questions that have been raised in attempting to explain the limited implementation of Florida's Community Corrections Partnership Act concern the structure of the Act itself and the incentives it provides for state and county involvement. While the National Association of Counties acknowledges that community corrections acts in general offer a number benefits to counties,<sup>106</sup> no attempt at assessing the extent to which the design of Florida Act meets the perceived needs of the state's counties had been made until now. In this context, while the scant funding that has been allocated to the Partnership Act may be the most proximate cause of its limited implementation, funding limitations placed in the Act may, in turn, be attributable to the lack of county interest in pressuring the Legislature to more adequately fund the program.

### *County Administrator Survey Results*

At the time of first printing of this report, February, 1994, the survey responses from the County Administrators were 31 out of 67 counties or 46%. In addition to gathering a intermediate sanction and program inventory of Florida counties, the survey attempted to determine why counties were not participating in the Partnership Act and elicited opinions for necessary changes to the statute. Among many, the County Administrator survey found:

1. The Community Corrections Partnership Act needs to have a dedicated funding source for continued funding of facilities and programs implemented under the Act. The majority of counties' number one priority for change to make the Partnership Act more effective was the establishment of a dedicated funding source in order to fund the implementation and maintenance of community-based, intermediate sanctions and programs.
2. The planning requirements under the Act are deemed to be both too complicated to understand, and if understood, too lengthy and burdensome for county compliance. Without state funding for the planning process and technical assistance for the plan development stage and facility and program implementation, counties indicated they could not participate in the Act.
3. The "maintenance of local effort" requirement or statutory prohibition against supplantation of currently county-funded sanctions and programs with state funding received is an undesirable provision in the Act from the Florida county perspective. Many counties, most of them being the larger, more powerful counties, currently fund

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<sup>106</sup> See generally Orrick, Local Needs Being Served?.

many community-based sanctions and programs on their own. By such a prohibition, these counties are, in essence, penalized. In addition, these currently administered sanctions and programs are attempted solutions to their particular correctional dilemmas and obviously "work" to a certain extent, otherwise counties would not continue to fund and even expand these programs. A large number of counties (14 out of 31 responses) ranked, as their number one or number two priority for change, either the removal of the "maintenance of local effort" requirement altogether or at least authorize the allowance of at least a portion of the currently funded programs in the counties to be eligible to receive state funding under the Act.

4. There is a lack of information and locally-based knowledge with respect to the Partnership Act. Several counties indicated they have never heard of the Community Corrections Partnership Act. In addition, a large number of counties stated they cannot comply with the lengthy and detailed statutory planning requirements of the Act because of the lack of money, expertise, and statistical information needed for compliance.
5. Many counties are concerned about the substantial cost of providing health care to offenders placed in a facility or program funded through the Partnership Act, causing apprehension about county participation in the Act. Approximately one-third of the county respondents stated they were not participating in the Act because they were concerned about the health care costs related to implementing state-funded programs in their counties.
6. Many counties are apprehensive about participation in the Act because they are concerned that they will not have any control over the offenders that are placed in facilities and programs funded through the Act, thereby endangering public safety. Despite the fact that the Act authorizes only the placement of non-violent offenders in facilities and programs funded by the Act, counties are nevertheless concerned about their control over inappropriate offender placement.
7. There is a need for a statewide educational and technical assistance program to educate the public and local governments about the Community Corrections Partnership Act and the state funding through the Partnership Act, the plan development stage, the plan evaluation, the implementation and maintenance of facilities and programs, and facility and program evaluations. Approximately one-third of the survey responses indicated the Act should provide for DC educational, work-shop-type programs and public awareness campaigns.
8. Counties are uncertain about participation in the Partnership Act when the role and responsibility of the counties which are being evaluated for continued funding by the Department of Corrections for programs and facilities funded through the Act is only

vaguely addressed in the Act. The issues of county time and money spent in such evaluations is left open to the Department of Corrections' interpretation and discretion. Therefore, counties anticipate spending substantial time and county money in the program evaluation process without more specific statutory guidance.

### CHAPTER THREE

## COMPARISON OF STATE COMMUNITY CORRECTIONS ACTS

Research has focused on the threshold issue of whether the features of the Act itself, as opposed to such implementation issues as Department of Corrections (DC) rules and regulations and state funding levels, provide sufficient incentives to the state's counties to become involved in the development, implementation, and maintenance of intermediate, community-based sanctions, and further, whether there are disincentives for county participation in the Act. Enhancing our understanding of the limited implementation of the Act was approached by comparing key features of the Florida Community Corrections Partnership Act with similar community corrections legislation adopted in other states. In reviewing the structure of other states' legislation, the following research questions were posed and answered:

1. Do community corrections acts in other states have features Florida's Partnership Act lacks that could provide additional incentives or local government involvement in intermediate sanctions in Florida?
2. Does Florida's Partnership Act contain features that are not present in other states' legislation that may serve as disincentives to local government involvement in intermediate sanctions in Florida?

### *Methodology*

In order to address these research questions, states with community corrections acts were identified through a search of state codes and a review of relevant academic and professional literature in late August 1993.<sup>107</sup> Upon identifying the 21 states have legislation in this area with a state-local partnership aspect, copies of relevant statutes were secured and reviewed. North Carolina enacted community corrections legislation during its 1993 legislative session. North Carolina's Act was included in this review. Arkansas also enacted a community corrections act during the 1993 legislative session. However, Arkansas's Act was not included in this review because it was determined that the focused upon "state-local partnership" aspect was not to the degree which permits local governmental entities to submit local correctional plans for state agency approval and funding for locally administered sanctions and programs.

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<sup>107</sup> This process was, at best, "tedious" because many states call their community corrections legislation a different name than Florida does. In addition, many states have "community corrections acts," however, they did not contain the state and local partnership mechanism that we were looking for in our comparison. To complicate the matter further, there are some states, such as California, Georgia, and New York which have community corrections programs that contain the partnership aspect that we were looking for, however, there was no legislation enacted to provide this mechanism. These states, among others, have programs which have been implemented and have successfully evolved without any statutory assurance.

In attempting to identify incentives and disincentives for local government involvement in community corrections, statutes were reviewed and systematically analyzed in terms of the following components:

- I. Statutory Goals and Purposes;
- II. Eligible Offender Populations;
- III. The Administration of the Act, including state administrative functions and local government eligibility;
- IV. The Application or Planning Process, which includes the local participation requirements;
- V. Fundable Programs under the Act;
- VI. Local Participation, determining whether it is mandatory or voluntary; and
- VII. Funding and Funding Restrictions which give authorized local uses of state funding.

Upon review of the statutes according to this categorization scheme, Florida's Community Partnership Act was compared with other state's community corrections laws in order to answer the central research questions underlying this report. The individual analyses and the statutory comparisons were conducted on the "community corrections statutes" only. The complete analysis and comparison remained substantially within the "four corners" of the individual statutes. In other words, there was an attempt to consider no other information relevant to the community corrections acts except for the statutes themselves, such as the administrative rules or clarification as interpreted by relevant state agencies. The only exceptions to this premise were when the statute was completely devoid of any information on a main analysis component. When this occurred, the statute analysis (working papers) makes note of where the information was obtained in order to supply the information within that component.

Generally, on the comparative charts in the Appendix of this report, if the state statute was not explicit enough to answer "Y" for "yes" for a sub-component, yet there were aspects of the Act that could tend to prove that a particular sub-component was present in the statute, a "NE" or "not explicit" entry was made on the comparative chart. Specifically, an "NE" on the "Statutory Goals and Objectives" chart indicates that although the statute does not explicitly state the sub-component was present, argument can be made that it is an implicit goal or purpose of the statute. For the other comparative charts, "Y" is entered for "yes" and "N" is entered for "no" and "NE" entered for sub-components of the charts that are "not explicitly addressed" by the individual state statutes and are left open to interpretation.

#### **Goals and Purposes** (See Tables 2 - A & B)

A statutory act often names the goals and purposes for its enactment. For community corrections legislation, the goals and purposes are especially important. The goals and

purposes in community corrections legislation helps define not only the mission of the Act, but it also helps determine what performance measures should be used when evaluating the intermediate sanctions implemented under such acts.<sup>108</sup> Community corrections legislation in the various states have many similar goals and purposes as well as a few differences. In analyzing the different state statutes, the goals and purposes for their enactment were, for the most part, explicitly stated in the Act. Some states, such as Kansas and New Mexico, do not have explicitly stated goals or objectives named in their community corrections acts. However, in these acts, the goals and purposes were implied from other items present in the Act. For example, by looking at items such as: which offenders are eligible to participate in a state funded, county operated community-based program or whether a local government had to show there were prison diversions accomplished through the existence of the program or sanction in order to receive continued state funding, the goals or objectives of the legislation became quite obvious. For these state statutes, an attempt was made to give the state law "credit" in the analysis by indicating a "Y" for "yes" in the comparative charts for that particular sub-component.

Approximately one-third of the states have (8 states) jail population impacts or jail commitment reductions as a goal for their state community corrections legislation. (see Table 2 - A) This goal would certainly act as an incentive for local governments to get involved because it actually encourages offenders, generally misdemeanants, who are traditionally the fiscal/correctional responsibility of counties if they are incarcerated in jails. Moreover, many states have felony offenders, traditionally the fiscal/correctional responsibility of the state, serving their incarcerative sentence in jails, such as Florida. Participation in a community correctional program funded through community correction acts with such a goal, would transfer the fiscal responsibility for the offender to the state instead of the county. Florida states these two goals or purposes in it's Act. This aspect of the Florida Community Corrections Partnership Act should be enticing to counties for the provision of some kind of fiscal relief for their county jails that they would not otherwise obtain.<sup>109</sup>

More than fifty percent of the state statutes (16) have prison population impacts or the reduction of prison commitments as goals or objectives of their state Act. This type of goal

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<sup>108</sup> See Petersilia, J., *Measuring the Performance of Community Corrections*, Performance Measures for the Criminal Justice System 63-64 (Discussion Papers from the Bureau of Justice Statistics - Princeton Project) (U.S. Department of Justice) (October 1993).

<sup>109</sup> With Article V costs burdens for county governments as well as the various annually enacted state mandates to local governments that seem to end up being unfunded, counties should be interested in legislation that provides state funds for any local programs or services. In addition, counties may now wish to keep beds within their jails free in order to contract with the Department of Corrections for the placement of felony offenders serving periods of incarceration as a condition of probation or community control pursuant to a law passed in 1993. This should be particularly attractive to counties that have "overbuilt" jail space and have difficulties in keeping those beds running at county expense. See Ch. 93-406, § 36, 1993 Fla. Laws 2967.



or objective is not surprising because of the state dollars that are being spent through community corrections acts. Certainly, the state would like to see relief on the pressures on state prison populations with money funneled through these acts. Community corrections acts are appropriate vehicles with which to achieve prison over-population relief. Florida's Act includes these goals in its Act. For Florida counties, this aspect of the Act should also provide an incentive to participate in the Community Corrections Partnership Act. The goals of prison population impacts or reduction of prison commitments indirectly benefit county governments as well. As previously discussed, many judges in Florida are changing their sentencing practices for certain felony offenders out of frustration over the early release of state prisoners because of prison overcrowding. Many Florida judges today will sentence convicted felons to the county jail because the judge knows that the offender will be incarcerated for a longer period of time in a county jail rather than a longer sentence in the state prison system. This practice is done to the fiscal detriment of the counties. It would behoove counties from a fiscal point of view, as well as from a public safety point of view, as we will see later in this report, to have alternative sanctions funded through the state that focus on reducing prison commitments. In turn, the State should be motivated to fund such prison alternative programs and facilities.

Another goal present in some Acts which is related to this issue is to reduce the costs of incarceration. Florida states this as a goal in its Act as well. By providing alternative sanctions for incarcerated offenders, the costs of incarceration are ultimately reduced if the number of incarcerated offenders is lower. Moreover, the cost of supervising, or confining an offender in a community-based facility, program, or service is much lower than the cost of incarceration in a county jail or state prison facility. Therefore, the implementation and maintenance of intermediate, community-based sanctions and programs more cost effective for all levels of government.<sup>110</sup>

More than fifty percent of the states (15) have the intent of providing a continuum of sanctions as a goal in their legislation, including Florida. This is an important goal because it helps to explain that the types of programs that can be funded through the Act cover a broad range of sanctions. That is, the legislation intends that there be programs/sanctions for the entire spectrum from regular probation to traditional incarceration in jail or prison, or from the less restrictive and punitive to the more restrictive and punitive for sentencing options. The intention is to provide judges and prosecutors with the most appropriate sentencing options that include more rehabilitative and educational programs for offenders to impact rearrest and recommitment of offenders.

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<sup>110</sup> See Shilton, State and Local Partnerships at 3; *The New York Times* "Does Punishment Fit the Budget?" p. B-16 (January 22, 1993) (states Minnesota community programs cost 20% to 50% less than if the same offenders were sent to prison).

Providing a continuum of sanctions or a wide range of sentencing options has become increasingly important in Florida since January 1, 1994 when new sentencing guidelines became effective.<sup>111</sup> Since these new sentencing guidelines became effective, many felony offenders which previously would have "scored out" to be incarcerated in prison, will now, under the new sentencing guidelines, not be sent to state prison after they have been computed on the sentencing score worksheet.<sup>112</sup> The actual number of these offenders that will now not go to prison, or be diverted, has not been exactly determined at this time. Different groups have estimated a wide variance in this number. The Department of Corrections has estimated the number of additional prison diversions under the "new" guidelines to be at least 20,000 felony offenders over the next three and one-half years.<sup>113</sup> In any event, it is clear that it is now imperative that alternative sanctions are created for this new set of convicted felony offenders.<sup>114</sup> As one Florida Judicial Circuit Chief Assistant State Attorney put it, "Since as many as 15,000 defendants per year may no longer be eligible for Department of Corrections under new sentencing guidelines, state funding of prison alternatives is *essential*, or the crime rate will skyrocket."<sup>115</sup> [emphasis added]

Approximately one-half of the states, including Florida, had a statutory goal of encouraging local involvement in corrections. This is significant because it is recognition that local involvement is important and that crime is a local, state, and national problem. But more importantly, it is recognition that local government and citizens share concerns and may have appropriate solutions. It may also be seen as an admission that handling crime and punishment solely from a state or federal level has not worked effectively or efficiently.

Over half of the states (13) had a statutory goal that would provide for local flexibility and local needs in community corrections. Florida's Act does not specifically state this as a goal for community corrections. Over fifty percent of the other states felt this goal was important enough to make it clear in their respective statutes. Florida's entry on the chart

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<sup>111</sup> FLA. STAT. §§ 921. 001, .0012, .0013, .0014, .0016 (1993).

<sup>112</sup> Compare Florida Rules of Criminal Procedure, Rules 3.701 and 3.988 (1989) and (1993).

<sup>113</sup> State of Florida, Department of Corrections, *Diversification Requirements 1993-1998*, Chart I (October 25, 1993, Revised November 3, 1993) (Tallahassee, Florida).

<sup>114</sup> In essence, what has happened is that there will now be a certain group of felony offenders that will be receiving traditional probation because of the score they will receive on the "new" guidelines worksheet even though previously, with the "old" guidelines, it was saw fit to incarcerate these same offenders. So where will these offenders go? Most likely, they will be back in the same community that they committed their crime and will be under only the supervision or involved only in the program(s) available to him in that community.

<sup>115</sup> A note placed on Florida State Attorney Offices survey by a Judicial Circuit Chief Assistant State Attorney of Operations. The survey was conducted for this study in an attempt to prepare an inventory of what intermediate or community-based sanctions are available to offenders in each Florida county.

for this sub-component was "NE" because there were aspects of the Act which did indicate that such goals were intended in the legislation.

Florida, along with at least one-half of the other states studied, included ensuring the public safety as a goal in their respective acts. For Florida and these other states, this is a very important goal to be specifically named in the Act because it is key to local citizen acceptance of any intermediate sanctions implemented in local communities through the Community Corrections Partnership Act. Public safety must always be of utmost concern in criminal corrections generally, and its prominence in the community corrections programs is, thus, appropriate. General public satisfaction that public safety is not jeopardized is pivotal in the success of community-based/intermediate sanctions.<sup>116</sup> Public dissemination of the rationale and theory behind community-based corrections is also important to help the public understand that in many ways it can actually help improve public safety for the reasons stated under the jail and prison impact and commitment reduction, and the rehabilitation-related goals sections of this chapter. Additionally, this public dissemination is important to avoid the appearance that this practice is a way of being "soft on crime". For the vast majority of states, community corrections acts provide funding for community-based sanctions and programs that are to involve *non-violent* offenders only. It is extremely important that the public understands what type of offenders would be eligible to be placed in such programs and facilities.

The goal of improving public confidence in the judicial system explicitly appears in only two of state community corrections acts: North Carolina and Kentucky. The fact that this goal is not present in Florida's Act is not crucial. However, Florida is no different than most other states in experiencing a lack of public confidence in the judicial system. By placing this goal in the community corrections act, it legitimizes this public sentiment. It would also acknowledge that community corrections acts are available mechanisms which offer solutions to many problems that are inherent in our current judicial system.

Promotion of offender accountability to their community and victims was a goal named in at least one-half of the states studied, including Florida. This is certainly a goal that is appealing to the public. Criminal victims have historically been under-compensated and inadequately sympathized with by the criminal justice system.<sup>117</sup> That is not to say that the judiciary has not necessarily been uncaring about crime victims. Until now, there have not been many alternatives available to judges to provide for crime victims, either directly or indirectly. By placing this goal in a community corrections act, it elevates crime victims and

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<sup>116</sup> See generally Byrne, J. M., "Reintegrating the Concept of *Community* into Community-Based Corrections" 471-499, Vol. 35, No. 3 *Crime and Delinquency* ( July 1989) (National Council on Crime and Delinquency) (San Francisco, California).

<sup>117</sup> The Florida Legislature recognized this fact by enacting sweeping victim's rights legislation spanning from 1977 to the present. See Chapter 960, *Florida Statutes*.

the community closer to the high level of concern that they deserve. The Florida Community Corrections Partnership Act is a good mechanism by which the state and the counties may begin to more effectively provide for crime victims. Programs and services funded by Florida's Act would compliment the Victim's Rights Act that was enacted previous to the Community Corrections Partnership Act. Both the State and counties should be interested and encouraged to implement the Partnership Act in the interest of crime victim's rights.

For well over fifty percent of the states studied (16 states), providing for the rehabilitation of offenders to meet their needs and problems was a goal of their legislation. This is a very important goal to have in a community corrections act. It is not important from the view that the criminal justice system needs to better rehabilitate the offender because the criminal justice system has failed *the criminal offender* and the criminal offender deserves to be rehabilitated. It is *society* that has been short-changed. Law-abiding citizens, who are many times criminal victims, deserve to have these offenders rehabilitated so that they do not commit criminal offenses in the future. In the early 1980's, it was determined that there was a sixty percent (60%) recidivism rate among those offenders "rehabilitated" by traditional correctional methods, which was basically "warehousing" offenders.<sup>118</sup> If the original problem that led to criminal behavior in the offender is not treated, how can we expect that the offender will not commit another crime when he is put back in the community?

Currently, our correctional system does not provide the needed rehabilitation in traditional probational and incarcerative settings. Today, most offenders are being sent back into the community in increasingly shorter periods of time after incarceration with very little, if any, rehabilitation for their problems. For states with community corrections legislation, this is a mechanism in which the desperately needed rehabilitation, may be provided to criminal offenders at the expense of the state. Until now, much of the rehabilitative services that have been provided to all offenders have been at the expense of the local governments. This should be a very attractive feature for Florida counties to get involved in a community corrections partnership with the state.

Reducing recidivism or acting as a deterrent from crime is a goal that is named explicitly in approximately one-third of the states. It is not explicitly named in Florida's Act, yet it ties into other goals that the Florida Partnership Act articulates. This goal is associated with the goals of promoting accountability to the community and to crime victims, better rehabilitation for offender needs and problems, and supervising offenders longer, which will be discussed later. The absence of this goal named in many of the state acts may be because this goal is indirectly reached through other goals stated.

The goal of promoting efficiency in correctional services is named in Florida's Act as well as over half of the other states studied. This goal can be considered a main foothold for

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<sup>118</sup> Byrne and Yanich, Incarceration vs. CCs at 222.

all community corrections partnership acts, even if it is not named explicitly in the act. However, by explicitly providing for a continuum of sanctions to judges for sentencing and providing rehabilitation, which in turn reduces recidivism, the outcome should be efficiency of correctional services. This goal should be very desirable to local governments as well as the state of Florida because efficiency in correctional services is needed at all levels of government. By providing more appropriate sanction and program alternatives other than the county jail for many non-violent misdemeanor offenders and non-violent felony offenders, who are currently serving sentences there, counties will experience some fiscal relief which accompanies efficiency.

Supervision of offenders for a longer period of time is a very persuasive goal for an Act to name in order to gain entity participation and community acceptance. Only Florida and Arizona name this as an explicit goal for their community corrections legislation. Of course if a community corrections partnership act is successfully implemented in a state, it should have the "side effect" of supervising offenders incarcerated in jails and prisons for longer periods of time because it helps ease up on the jail and prison overcrowding that forces creation of early release mechanisms. However, for those offenders who will be sent to community corrections facilities and programs, it should be important to state that these offenders will be supervised longer than if they were incarcerated in prison or jail. By knowing that offenders will be supervised longer than by traditional correctional means (jail, prison, or probation), community acceptance of intermediate, community-based facilities and programs should occur. Therefore, the fact that this goal is present in Florida's Community Corrections Partnership Act, even though it is not present in almost all other state acts, should be an advantage or an incentive to Florida counties to participate and seek funding through the Act and, in turn, to the state to appropriate money to the Assistance Trust Fund.

The goals of better preparing inmates for release and helping offenders become productive citizens are similar, although they were treated differently on the comparative tables. (see Table 2 - B) They both could mean that the legislative intent was to provide rehabilitative treatment and aftercare counseling for drug and alcohol abuse or psychological or emotional problems. However, it seems that helping offenders become more productive citizens relates more to giving offenders vocational and educational skills to use upon exit from the facility or program. By providing for such skills, it encourages an offender to contribute to society rather than to pursue criminal behavior upon release. Better preparing inmates for release was interpreted to mean that programs, facilities and services should promote the emotional well being of the inmate which may involve destroying alcohol and drug addictions; providing family, emotional, or psychological counseling; providing educational and vocational services; or motivating the offender feel differently about himself and to change his criminal behavior upon release. Florida's Act, in so many words, asserts both of these goals as a legislative intent which should provide an incentive to Florida counties to participate in the Act.

The statutory goal of reducing alcohol and drug dependencies are either implicit or explicit in each of the state acts studied. In Florida, it is a goal that is specifically stated. Almost half of the other states explicitly name it as a goal, however, because the remaining states name alcohol and drug abuse treatment and/or counseling as fundable programs under their respective Acts, it is considered to be inherent in all the states. This goal is very important because, in essence, it articulates part of the theory behind community corrections acts. Studies have found that rehabilitative programs and services are poorly provided under the traditional methods of corrections because only a scant portion of the correctional dollar is spent on actual rehabilitation; in Florida prisons, less than 5% is spent on offender rehabilitation. Community corrections legislation is used partly to enhance this aspect of corrections that has been deficient until now. As previously stated, drug and alcohol dependencies are contributing significantly to criminal behavior, either directly or indirectly. This problem needs to be addressed if citizens are sincere about their desire to reduce the crime rate and recidivism. Without treating the problem, which is alcohol and drug abuse, rather than the symptom, which is criminal behavior, our crime rate will continue to increase steadily.

Reducing probation violations is a goal that is only named in Arizona and North Carolina. This is a statutory goal that is related to that of reducing recidivism. Florida has neither of these goals. The absence of these goals is not crucial to either the acceptance or the impact of community corrections legislation in Florida. It seems that if the other named goals in Florida's Act are achieved, then goals such as reducing recidivism and probation violations should automatically occur without the need to specifically include them in the statute itself.

Over one-third of the states studied (8 states) contained the goal of promoting coordination between state and county programs. Although Minnesota and Indiana, the states studied closely by Florida when it was developing its Act, contain this goal and Florida does not, it can be assumed that by forging a partnership between the state and counties, coordination in community corrections programs would occur in Florida. Other states with strong community corrections acts, such as Michigan and North Carolina, also name this as one of their statutory goals. It does not appear that this goal alone is contributing to the successful implementation of community corrections in states such as Michigan, Indiana, and Minnesota based on the fact that other states with successful implementation, such as Oregon, Pennsylvania, and Virginia, do not name this goal explicitly in their Acts either.

### **Goals and Purposes Findings**

It is concluded that the goals and purposes articulated in Florida's Act are sufficient in comparison with other states' legislation. Florida's Act names the majority of existing legislative goals and purposes found in other state community corrections acts. Therefore, it is assumed that Florida's statement of legislative goals and purposes provides many

incentives to counties to participate in the Partnership Act.

An incentive for eligible entity participants in Florida's Act is its focus on local correctional problems. A review of the goals and purposes of the Florida Community Corrections Partnership Act indicates that the legislative intent was to assist counties in their attempts to address the problems of local jail overcrowding as well as prison overcrowding. It should be noted that only 8 out of 21 states explicitly cite "reducing jail commitments" as a goal or purpose of the provision of community corrections programs. In this sense, Florida compares more favorably with the majority of its counterpart legislation in other states.

Another goal found in Florida's Act that should encourage county participation is the assurance that public safety will not be compromised. This goal is not only named in the relevant portion of the Act, but is also solidified by the fact that only non-violent offenders are eligible to participate in the Florida Partnership Act funded programs. In addition, the provision of local flexibility for deciding which offenders will be eligible for placement and which programs are most needed in their own jurisdiction through a county's public safety plan development process is an incentive because of public safety, but also because it empowers each county to deal with their correctional problems unique to their own counties.

The legislative goals of promoting offender accountability to his community and crime victims, and the emphasis on rehabilitation of offenders by reducing alcohol and drug dependencies should be incentives for Florida counties to participate in the Partnership Act. These are issues, and many times inadequacies, that counties are acutely aware of in the criminal justice system. By Florida specifically stating these goals in the Act coupled with the intent to provide a continuum of sanctions for sentencing options, counties should be encouraged to participate in the Community Corrections Partnership Act.

#### **Eligible Offender Populations** (See Tables 3 - A & B)

Offender eligibility is the second component used in the comparative statutory analysis completed for this study. The type of offenders targeted for correctional services under the Acts is an important factor to be examined when comparing the different state's legislation. When comparing the state community corrections acts with each other, there seemed to be one common theme with only a few exceptions. For well over half of the states studied, the only type of offender acceptable to participate in community corrections programs and facilities is *non-violent* offenders with Florida being no exception. By the Florida Partnership Act stating that only non-violent offenders are eligible, local fears of wondering what types of offenders would be placed in Florida communities should be lessened. This is one area that Florida unequivocally draws the line in the interest of not only public safety, but seemingly also in its correctional philosophy toward *violent* criminal offenders. In Florida, the Community Corrections Partnership Act would be likely to provide funding for programs and

services for many convicted felons who are getting straight probation and also to many of those convicted felony offenders sentenced to county jails. If these groups of felons were sentenced to some community-based, intermediate facility or program funded under the Act, it would be at state cost rather than county cost, providing an additional incentive to Florida counties to participate in the Act because currently they are not receiving money or reimbursement for those offenders.

Slightly less than one-third of the states studied handled offender eligibility by generally naming felony offenders as an eligible participant in community corrections and then excluded a list of certain types of offenders or offenses, consisting only of some violent types of offenses committed, as compared to naming non-violent offenders only. However, by excluding a list of serious, violent offenders, it appears that some violent felony offenders may be placed in facilities and programs funded through the community corrections partnership act in those particular states.

None of the states studied specifically named whether offenders of certain degrees of felony crimes were acceptable or not acceptable. The acts are not set up to differentiate the degree of crime; the acts only differentiate if the crime was violent or non-violent, or if the crime is included or excluded under the act that generally allows felons. Although the reason is not known for this, a suggestion may be that it would complicate the determination of who is eligible to participate in the community-based sanction/program. In addition, it is possible that legislators did not want to confuse the fact that for the most part, violent offenders were not eligible to participate.

Approximately seventy-five percent of the state Acts (16 states) allow misdemeanor offenders to be eligible for participation in community corrections programs and facilities. Along with Florida, only a few states go on to further restrict the type of misdemeanants allowed to participate. Florida ensures that only non-violent misdemeanants can be sentenced to a Community Corrections Partnership Act funded program or facility. It can be assumed that it is in the interest of public safety. Florida county participation should be encouraged because this means that some misdemeanants should be sentenced to and serviced by state-funded intermediate or community-based sanctions and programs rather than those financed by the county.

Approximately seventy-five percent of the state Acts (17 states) target state prison bound offenders as eligible offenders to participate in community corrections act funded programs, including Florida. This is an attempt to reach the legislative goal of reducing prison commitments, with prison over population at the forefront of concerns. Again, this feature should be attractive to counties because of the spillover impact that state prison overcrowding has had on local jail populations. Conversely, the State should be encouraged to fund the Community Corrections Assistance Trust Fund because it encourages practices that could provide some relief to the fiscal pressures associated with prison overcrowding.



Approximately sixty-five percent of the state Acts (14 states) target jail bound offenders as eligible offenders to participate in community corrections act funded programs, including Florida. This feature should be attractive to counties to get involved in the Partnership Act because it is further committing state funding to the goal of reducing jail commitments and providing some services, facilities, and programs for offenders that have traditionally been the financial responsibility of the counties.

One aspect of offender eligibility in community corrections acts is giving the local governments discretion over which offenders may be placed in these community-based facilities and programs. Local discretion over offender eligibility is authorized in over half of the states studied, including Florida by allowing the eligible entities develop their own plan which targets their selected group of eligible offenders to be placed in facilities and programs that the entity chooses. This is very important because it is assurance that the community has control over the offenders that are placed in their community-based facilities and programs. The ability to exercise local discretion over the kinds of offenders deemed to be acceptable to be placed in the facilities or programs by the county should ease the concerns of counties considering participation in the Act. This feature is particularly significant in Florida because it is an extension of state trust toward local government.

Maryland offers an interesting angle on allowing local discretion. Because there are no required local plans to be submitted in order to receive state funding for local correctional programs in Maryland, local discretion is exercised by the community corrections center directors of the state, county, and regional centers who approve offender placements in their respective centers. Another perspective on local discretion is provided Colorado's Act by authorizing the local correctional planning board with the power to accept, reject, or reject after acceptance the placement of an offender in a community corrections program or facility. Florida, along with the other states that provide for local discretion to be exercised over the types of acceptable offenders, has its eligible entities, individual counties or groups of counties, exercise its discretion through the local public safety plans. By allowing "local discretion" in Florida's Act, counties may further restrict what types of offenders will participate in their own facilities and programs in their plans and proposals they send to the Department of Corrections for state funding under the Act.

States also differentiate between adult and juvenile offenders as suitable participants under their respective acts. Approximately three quarters of the states studied allowed only adult offenders to participate in community corrections act funded programs and facilities. This is one sub-component of the offender eligibility population component that Florida is in the minority. However, the authorization appears to be positive because it allows for more comprehensive correctional planning because it provides for all types of offenders, juvenile and adult. Florida, along with Alabama, Indiana, Kansas, and Minnesota allow juvenile offenders to participate in programs and facilities funded by their Acts. It seems that Florida's Act is not impaired by the inclusion of juveniles. In fact, such may act as an

enticement to counties to be involved in community corrections in Florida.

Florida has been hard hit by the media for the prevalent juvenile crime and the inadequacies in juvenile justice. The juvenile crime problems in Florida has sparked intense interest in juvenile justice reform, sending legislators scrambling to propose enactment of "tough" juvenile crime legislation, including sentencing reform. This flurry of action around juvenile justice in 1993 included the near duplication of Florida's Community Corrections Partnership Act (enacted in 1991) by enacting the Community Juvenile Justice Partnership Grant program through the Community Juvenile Justice System Act of 1993.<sup>119</sup> This legislation provides a similar mechanism to the Community Corrections Partnership Act for state money to pass to localities to provide correctional alternatives for juvenile offenders. The Community Juvenile Justice Partnership Grant Program only further fragments our already fragmented criminal justice system by only providing for a small segment, approximately 15%, of our criminal offender population. The fact that the Florida Community Corrections Partnership Act provides for community-based sentencing alternatives for both adult *and* juvenile offenders, providing a much more comprehensive correctional plan for its participating counties, should encourage county participation in Florida.

Analysis of the component "eligible offender populations" does not end with the determination of what type of crime was involved and whether that type of offender is eligible for community corrections. Another relevant aspect of eligibility is the point in the criminal justice process an offender can commence to participate in a community corrections act funded program or facility: pretrial, pre-sentence, post-sentence, post-incarceration. This area directly relates to what type of programs are "fundable" under the acts which will be discussed later in this report.

Approximately forty percent of the states (8 states) explicitly did not allow the pretrial population to participate in community corrections act funded programs or facilities. By "pretrial population", it is meant all offenders that have been charged with a crime that may or may not have been arrested and held in pretrial detention. Therefore, offenders that are considered pretrial population may or may not be incarcerated in some type of pretrial detention. It is not clear whether Florida is a state that allows state funding through its Act to implement and maintain pretrial facilities, programs, and services.

It is advantageous for counties to use state funding for pretrial county facility detainee as well as pretrial offenders who are not being held in the county jail. In Florida, counties are saddled with the costs of pretrial detention and services for both misdemeanants and felons. As of October 1993, the average daily population of Florida county detention facilities

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<sup>119</sup> Ch. 93-200, § 2, 1993 *Fla. Laws* 1799, 1830-42 (codified at FLA. STAT. §§ 39.025 (8), (9), &(10) (1993)). See also Ch. 93-200, §§ 3-4, 1993 *Fla. Laws* 1799, 1842-43 (codified at FLA. STAT. §§ 860.1545 (1)-(4), 860.158 (2) (c) (1993)).

totaled 35,652 persons.<sup>120</sup> Of that total, approximately 17,140 were felony pretrial detainee and approximately 3,094 were misdemeanor pretrial detainee making up approximately fifty-six percent (56%) of the total average daily population in county detention centers.<sup>121</sup> By looking at individual county detention facilities and their pretrial detainee populations, the numbers are more startling. As of October 1993, at least twenty-one (21) Florida counties had over seventy percent (70%) of their county detention facility average daily population consisting of pretrial detainee.<sup>122</sup> During the same time, at least another twenty-two (22) Florida counties had over sixty percent (60%) of their county detention facility average daily population consisting of pretrial detainee.<sup>123</sup> These numbers indicate that for these Florida counties, jails are being used primarily as pretrial holding cells rather than as an incarcerative place where criminal offenders serve their judicially imposed punitive sentences. Funding through the Community Corrections Partnership Act would bring prospect of some fiscal relief for counties in this area of county correctional costs if the state funding was used for programs such as a supervised pretrial release program.

Approximately one-half of the states (11 states) studied allow state community corrections funding to be used for facilities and programs that service the pre-sentence population. This population may include pretrial offenders, however, it extends further to also include those offenders that have been convicted pursuant to a trial or have plead "guilty" or "no contest" to their charges but have not yet been sentenced. Events which may occur during this time may include pre-sentencing investigations which cover, but are not limited to, psychological examinations; drug or alcohol abuse screening, treatment, and counseling; pre-sentencing detention; or pre-sentencing release with supervision. Therefore, programs and services related to the pre-sentencing population may be funded through the state community corrections acts that target this population. For example, programs that involve a supervised pretrial release or enhancement of programs with the county detention facilities for some pretrial detainee may be funded through Florida's Community Corrections Partnership Act. Because Florida allows funding to be provide for this offender population, this should, again, act as an incentive for counties to participate in the Act.

All of the states studied allow their community corrections funds to be used for the post-sentence population. This is logical, but not always obvious because if a state act provided for funding to be used for the pre-trial population, it would not necessarily have to allow funding to be used for the post-sentencing population. In any event, given the specific

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<sup>120</sup> State of Florida, Department of Corrections, Division of the Office of the Inspector General, *County Detention Facilities Daily Population Data 11* (October 1993) (Tallahassee, Florida).

<sup>121</sup> *Id.*

<sup>122</sup> *Id.* at 9-11.

<sup>123</sup> *Id.*

authority to do so in all states, an offender may be placed in a state funded program or facility through the community corrections act because the judge sentenced him to do so, or the offender agreed to enter the program or facility pursuant to a plea negotiation, of course with the judge's consent. This is consistent with the statutory goals of the statutes, which is in most cases, divert offenders from either prison or jail, or both.

The post-incarceration population of offenders are those offenders that have been previously sentenced to incarcerative time either in prison or jail. The post-incarcerative population referred to in the acts are either eligible for parole, or are within a statutorily named time period from their eligibility for parole, or are released on parole, probation, or in the custody of a "transitional" facility. Post-incarceration offender eligibility is explicitly provided for in approximately seventy-five percent (75%) of the state statutes studied. Florida does not explicitly include or state that this group of correctional population is to be eligible for facilities and programs. Moreover, Florida's statute does not specifically indicate that this class of offender population is to be excluded. This places Florida in the minority with regard to this comparison aspect of community corrections partnership acts. Although this should not act as a direct disincentive for county involvement in a community corrections partnership in Florida, it is an item that possibly should be reconsidered by legislators for reasons of public safety and not because of the financial impact on counties. Facilities and programs provided for post-incarceration offenders would continue to supervise, assist, and rehabilitate these offenders more effectively to the benefit of public safety. From this, counties may experience an indirect fiscal and correctional impact because if these offenders are more effectively assisted in their transition back to the community, they are less likely to commit another crime. Otherwise, if these offenders committed another crime upon release from prison or jail, they would be sent back to pretrial detention in a county detention facility with a lessened prospect of pretrial release because they are, then, convicted offenders. Whereupon, the crime cycle and burden on the correctional system is perpetuated indefinitely.

### **Eligible Offender Populations Findings**

Florida is in accord with the majority of other states which allow only non-violent offenders to participate in the state funded local programs. All 21 states allow at least some type of felony offender to participate in the community corrections partnership act funded programs. However, only 13 of those states allow misdemeanants to participate in state funded community corrections programs or facilities. Florida's Act compares favorably to other states in this respect by the inclusion of misdemeanants. In addition to the provision of local flexibility over which offenders are eligible to participate in a community corrections program or facility, Florida's counties should be attracted to participation because jail bound offenders are a targeted group of offenders under the Act. Only 14 states, including Florida, target jail bound offenders for community corrections services as an alternative to local jail sentences.

The comparison of state statutes reveals that only 14 out of the 21 states give the local entity participants discretion over which offenders are eligible through the local correctional plan that is submitted to the state administrative agency for funding. There are some states which provide additional local discretion to the local correctional planning boards by allowing them to accept, reject, or reject after acceptance the placement of offenders into a facility or program. This may be another type of local discretion the local planning boards could be given in Florida to ensure that the participating entities will not be forced to take offenders they do not want in their communities because of public safety concerns.

Florida's Act also compares favorably to other states with regard to juvenile versus adult offender eligibility. Florida allows community-based facilities and other intermediate sanctions to be provided to juvenile offenders as well as adult offenders. In total, only 5 out of 21 states explicitly allow the state community corrections funding to be used for juvenile offenders. Both the State and counties alike should be interested in the Partnership Act for this reason because of the recent heightened interest in juvenile justice.

The stages of the criminal justice process in which an eligible offender is targeted varies among the states. Florida is explicit in the inclusion of pre-sentence, post-sentence, and post-incarceration populations for community corrections funding. It is debatable, however, whether Florida's Act is explicit enough to include pretrial populations. Florida's Act could provide clearer guidance on whether pretrial facilities, programs, and services are fundable under the Act. Florida's Act is given credit for targeting the pretrial population, however, section 948.51 (4) (a) (2), *Florida Statutes*, states that funding may be used for diversionary programs for offenders that would otherwise be "housed" in a county detention facility, state juvenile detention facility, or state correctional institution. Out of the 21 states studied, 13 states unequivocally allow state community corrections funding to be used on the pretrial populations to fund programs such as supervised pretrial release. From the statutory language in Florida's Act, it appears that programs and services for offenders not held in pretrial detention and preventative programs and services may not be fundable under the Partnership Act. Given that the largest component of Florida's local jail population consists of pretrial detainees, incorporating clarifying language that specifies both pretrial detainee and pretrial offenders not held in a detention facility would prove helpful in attracting greater county interest.

#### **State Administrative Functions** (See Tables 4 - A & B)

In all community corrections acts, there are certain functions that a statutorily designated state agency must perform in the administration of the community corrections act. These functions are named in the act to ensure that the state funding and programming are handled appropriately by the state. It also provides clarification on the level of involvement eligible entity participation in the act will require of the local governments. State functions

named in the act also provide assurance to local governments that they can depend on the designated state agency to perform certain functions that they can rely upon. This helps to assure accountability on behalf of the state.

In almost all of the states, the Department of Corrections, or the state's equivalent thereof, is where the community corrections administrative authority is vested. The only real exception to this premise is the state of Arizona. In Arizona, the Supreme Court administers the community corrections partnership program. This presents an interesting angle on the administration of community corrections. Given the fact that Arizona's program is run by the Supreme Court, it provides an active judiciary role in the administration and implementation of community corrections facilities and programs. An active judiciary role in community corrections provides a well-informed, judicial perspective on the administration of the Act. It could be argued that in this setting, you have judges who have previously worked at the trial court level overseeing funding decisions that impact the availability of sentencing options for trial judges. It seems that, in this setting, judicial awareness of the need for sentencing alternatives is cradled.

Approximately seventy-five percent (75%) of the statutes studied (15 states) required that the state agency approve a local correctional plan that is submitted on behalf of an eligible local entity. The required elements of local correctional plan will be discussed in further detail later in this report. The states that do not require a state approval of local plans still require that the local entity submit a funding request or application. Thus, it may be said that every state requires that there be some form of funding request by the local government for state approval in order to receive state funding, including the mandatory participation states, Kansas and Iowa.

All state community corrections partnership acts also give the designated state agency regulatory authority over the local community corrections programs and facilities. This means that in every state the state administrative agency may devise and implement standards and procedures it deems appropriate for the administration and implementation of the act in accordance with their respective state laws. This, in turn, ensures some accountability of the participating entities to the state. With rules and/or standards governing the local programs and facilities, the state should feel confident in how the state funding shall be used at the local level.<sup>124</sup>

Approximately one-third of the states (7 states) studied required a state advisory board to be established in their respective states. State advisory boards are established usually with

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<sup>124</sup> This is important for Florida because of the inability of the state and local governments to trust each other that seems to pervade state and local relations in many areas, especially when it comes to payment or reimbursement of local governments. This accountability should be an incentive for the State to appropriate money to the Florida Community Corrections Assistance Trust Fund.

the membership according to the statutorily named positions. State advisory boards are established primarily for the purpose of acting as a check on the state agency in certain situations, such as, funding and the establishment of standards and procedures. The absence of this sub-component in Florida's Act should not prevent the implementation of the Partnership Act in Florida. However, it may be beneficial to the success of community corrections if an independent, unbiased entity was established to act as an impartial "mediator" between the state and county governments or between local governments.

Almost all of the states require that the designated state agency provide general technical assistance to the participating entities. The technical assistance could include but is not limited to assistance in preparation of the local plan that is required to be submitted or the operation of the locally-run, state-funded community corrections program. Florida's Act requires the state agency, the Department of Corrections, to provide technical assistance and training to local governments regarding community corrections and the provisions of the Act. This should insure to Florida counties that they shall receive general technical assistance.

However, slightly less than one-half of the states explicitly provide for state agency technical assistance for preparation of the local correctional plan (or comprehensive public safety plan in Florida). Florida is one of the states that does not have a clear statutory requirement for the Department of Corrections to provide planning assistance. When Florida's planning requirements are compared to other states, the absence of a clear mandate for departmental planning assistance to counties may be acting as a disincentive for county involvement. Florida counties have the opinion that they cannot comply with the planning requirements alone in order to participate in the Act.<sup>125</sup> These planning requirements will be discussed later in this report. In addition to the lack of authority to require the Department of Corrections provide assistance in the planning stage, there is no requirement that assistance be given in the stages of implementation and maintenance of programs funded through the Act.

Only three states require the state agency to provide public relations with regard to community corrections in their state: Alabama, Michigan, and North Carolina. Two of these states have fairly recent enactment of their legislation: Alabama (1991) and North Carolina (1993). The remaining state, Michigan, has experienced very successful implementation of their Community Corrections Act,<sup>126</sup> given the number of eligible entities participating in the program. It is difficult to determine, at this time, how much of their success is attributable to their Office of Community Corrections Public Relations Office. However, by requiring this

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<sup>125</sup> This sentiment was reflected in many county administrator survey responses conducted for this study.

<sup>126</sup> Although the title of the Act is general, it does contain the aspect of partnership between the state and local eligible governments.

function, it can be concluded that it would force a state agency to create and organize public information about the program. A foreseeable result of such should be education about the availability of state funding to eligible entities and a growing public acceptance of the theory behind community corrections which is reinforced by the organized dissemination of actual statistics and facts about Michigan's community corrections program.

Both the State of Florida and its counties could benefit from a Department of Corrections public relations campaign supporting community corrections. As the survey results will indicate later in this report, many Florida counties have never heard of the Community Corrections Partnership Act. Even if the counties have heard of the Act, they generally feel that the Act is very complicated to understand and wish that there was more information available to their citizens as well as their members of their public safety coordinating councils, which are the bodies that are charged with the responsibility of plan development. If there was a true commitment to make this Act a priority, it seems that there would be a greater effort to organize the dispersement of public information and assistance in the area of community corrections partnerships. There seems to be greater organization and dissemination of public information already established for the Community Juvenile Justice Partnership grant program accomplished by the Florida Motor Vehicle Theft Prevention Authority and the Interagency Task Force on Community Juvenile Justice Partnerships via instruction packages and speakers.<sup>127</sup> In addition, under the Community Juvenile Justice System Act of 1993, it requires that the district juvenile justice board "educate the public about and assist in the Community Juvenile Justice Partnership grant program".<sup>128</sup> Such a responsibility does not exist in the Florida Community Corrections Partnership Act.

In all states, the state agency charged with administering the community corrections partnership act also allocates state funding. It is not clear in most states whether the state agency is responsible for requesting funding of the Legislature for community corrections in that state. Florida's Act was seen as being clear enough to indicate that the Department of Corrections is to request funding for the Assistance Trust Fund. Thus far, the Assistance Trust Fund has been appropriated a total of \$300,000 since the creation of the Act. Of that total, \$150,000 was appropriated for fiscal year 1991-92, \$150,000 was appropriated for fiscal year 1992-93, and no money was appropriated for this fiscal year 1993-94. There has been no dedicated funding source established for the Community Corrections Assistance Trust Fund in Florida. This has been identified as a significant factor in the limited county involvement in community corrections in Florida. With no dedicated funding source and no influence or pressure for the Legislature to fund the Assistance Trust Fund, there is no

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<sup>127</sup> For example, the Florida Motor Vehicle Theft Prevention Authority, through the Office of the Attorney General, has prepared an informational package that provides instructions for grant application forms and also provided a grant consultant to speak at the August 12-14, 1993 Annual Florida League of Cities meeting in Fort Lauderdale, Florida.

<sup>128</sup> FLA. STAT. § 39.025 (6) (d) (7) (1993).



continual funding guaranteed for county-operated facilities and programs through the Community Corrections Partnership Act. Thus, there is no financial incentive created for counties to participate in the Community Corrections Partnership Act. Conversely, there has been a dedicated funding source which earmarks funding for the Trust Fund set up under the Community Juvenile Justice Partnership Grant Act of 1993. Two million dollars was recently made available to participating counties under the Juvenile Act with more funding available in the following periods, creating a greater incentive for counties to participate in this program that provides *only for juvenile offender* planning and programming under the Juvenile Act rather than a more comprehensive *adult and juvenile* offender planning and programming under the Community Corrections Partnership Act.

When an eligible entity applies for state funding, the designated community corrections administrative state agency reviews funding applications in all states, except Connecticut. This is related to the fact that there is a state plan, not local plans to be considered. Maryland has a state plan as well, however, there is still a review performed on the funding applications in that state. However, in most states, including Florida, the Department of Corrections is charged with the duty of reviewing the plans or applications and approving them for funding.

Almost all of the states studied in the comparison (18 states) require that the state agency that administers the community corrections program establish plan guidelines or program standards, policies, or procedures. This means that the state agency must establish standards, policies, and possibly administrative rules for the statewide implementation of the community corrections act. This creates an opportunity for the state to maintain some control over how the funding will be used and how the facilities and programs will be operated. Florida provides that the Department of Corrections must establish standards, policies, and administrative rules for implementation of community corrections partnership facilities and programs. This ability to maintain some control, or assurance of county accountability to the state agency, should act as an incentive to the State to want to fund and implement the Act in the state. This measure of accountability should not be too overbearing for the counties. This measure has not kept implementation from occurring in other states.

Almost all of the Acts (18 states) require that the state agency conduct performance evaluations of the local facilities and programs. Performance evaluations are to be conducted to determine if the participating entity is in substantial compliance with the Act, standards and policies created by the state agency, and with the local plan submitted to the agency upon which the entity received approval and state funding. Conducting performance evaluation means that the participating entity must cooperate with the state agency in order to make their determination. Florida lies in the majority by requiring the counties to be in substantial compliance with the goals, standards, and objectives set forth in its comprehensive county public safety plan and with the standards stated in the Act. However, Florida's Act states that the counties "shall participate with the Department of Corrections in an evaluation in a format to be determined by the Department...." Although Florida is in the majority by

requiring counties to participate in performance evaluations, the fact that the format of such evaluations is not specified in the statute may cause apprehension to participate on the part of the counties. In the same vein, Florida county administrators indicated on their survey responses that they were concerned that they would have to bear the cost of these performance evaluations. It seems that counties would like statutory assurance that the performance evaluation costs would be the financial responsibility of the state.

### **State Administrative Functions Findings**

In most respects, Florida's state administrative structure established in the Community Corrections Partnership Act parallels those found in other states' legislation. Therefore, it is very common for such laws to grant authority to a state agency to review local community corrections plans or funding applications, to establish standards and guidelines through rules and regulations for the operation of local programs, to allocate state funds to local governments, and to monitor and evaluate local programs and facilities.

Despite these similarities, Florida's statute lacks certain features that are present in other states that may prove fruitful in attracting a greater degree of local participation in the community corrections program. Although 18 states, including Florida, require the administrative agency to provide general technical assistance to local governments, 10 of the states, excluding Florida, explicitly provided for technical assistance to local governments in their efforts to prepare the required local correctional plans. The specific requirement of providing technical assistance to eligible entities in the planning and program implementation stages would help the interest and participation level of Florida counties.

Florida's Act does not establish a state advisory board in the administration of its community corrections program. Seven (7) states have established a state advisory board including some states considered to have successful implementation of community corrections such as Michigan, Texas, and Oregon. Because it is argued that a state advisory board maintains an impartial administration of community corrections, it may be an effective administrative component to include in Florida's Partnership Act. It also could serve as a forum by which a more active judiciary, who are the ultimate users of available criminal sanctions in the sentencing process, could be utilized for the widespread implementation of intermediate, community-based criminal sanctions and programs.

Finally, requiring the Florida Department of Corrections to serve a public relations function for community corrections may assist in the successful implementation of the program in Florida. The surveys conducted for this study indicate that most counties either did not know of the existence of the Community Corrections Partnership Act, felt that it was too difficult to understand or comply with the planning requirements, or felt that they would have no control over the offenders that would be placed in the community-based, intermediate sanctions. It may be argued that this lack of knowledge and many of these

concerns and problems may be mitigated by distributing public information by the Department of Corrections.

### **Local Eligibility for Participation** (See Table 5)

Each state with a community corrections partnership act names which entities are eligible to receive state funding for community-based, intermediate sanctions. In order to participate in a community corrections program, eligible entities must comply with the individual state's statutory requirements. These "participation" requirements will be discussed in greater detail in the next component section of this report.

The only general pattern that exists is that counties are an eligible entity in almost all states (19 states), including Florida. Building on this pattern, 15 of the states permitted more than one county to come together and participate in a community corrections partnership in a coordinated effort as a group of counties. Beyond this, however, there is a wide variance of entities eligible to participate and receive state funding through the acts.

Slightly over one-third of the states (9) allow municipalities to receive state funding to provide approved community-based, intermediate sanctions. Florida does not explicitly permit municipalities to participate in the Community Corrections Partnership Act. It can be assumed that municipalities were not included in Florida because municipalities have not really been financially contributing to the judicial or corrections systems since the establishment of a state court system.

Joint city and county groups are allowed to participate in less than one-third (6) of the states. Such participants come together in a concerted effort in the planning, costs, and administration of the community-based, intermediate sanctions. Florida's Act does not permit this type of group to participate in its community corrections partnership program. Again, it can be assumed that the purpose for excluding this type of eligible participating entity is for the same reason that municipalities alone are not eligible: lack of financial interest in criminal justice and corrections.

More than one-half of the state Acts (13) explicitly allow non-governmental organizations or agencies to participate in their respective community corrections programs. Some states will specify whether the organization must be non-profit, like Alabama and Indiana. For some states which allow non-governmental organizations to participate, their participation may be limited to certain circumstances such as only when the county where the organization is located elects not to seek state funding under the community corrections partnership act. Alabama, North Carolina, and Tennessee are examples of states which limit non-governmental organization participation in such a way. Florida does not permit non-governmental organization or agencies to participate and receive direct state funding through

the Partnership Act. However, Florida does allow counties to contract with non-governmental organizations to provide the services needed for a facility or program funded by the Partnership Act.

No state explicitly allows special districts to participate and receive direct state funding through their respective Acts. However, almost one-third of the states (6) permit judicial districts or circuits to participate and receive direct state funding. Although Florida does not allow judicial circuits to participate in the Partnership Act, it may be an entity that should be considered to be included in the Act as an eligible entity in the future.

For Florida, the eligibility of judicial circuits to participate in the Act should be a logical way to administer partnership state funding. Florida's criminal justice system is administered among 20 judicial circuits. This means that criminal cases are prosecuted and defendants are sentenced by judicial circuit, not by county. This assertion is made recognizing the fact that the state does not pay all of the "Article V" costs involved in criminal prosecution. In many instances, the county pays these costs.<sup>129</sup>

If judicial circuits were allowed to participate in the Florida's Act, it appears that several desirable results would be achieved. First, it would reduce the competition for dollars appropriated to the Assistance Trust Fund. Competition is significantly reduced if part of or all 20 judicial circuits sought funding through the Act rather than 67 counties competing for that money. Logic tells us that even if some circuits sought funding and other individual counties still chose to obtain funding individually in another circuit, competition is still reduced.

Secondly, if judicial circuits were permitted to participate in Florida's Act, Assistance Trust Fund money might be used more efficiently. This presumption is based on the judicial circuit participation of larger multi-county judicial circuits rather than as individual counties. The larger judicial circuits are made up of primarily smaller or medium-sized counties as compared to the smaller or single county circuits. It can be assumed that the criminal caseload numbers are not as great in the smaller counties that make up the larger, multi-county judicial circuits. Therefore, the correctional needs of these smaller counties, such as Madison, Hamilton, and Suwannee Counties all located in the Third Judicial Circuit, are likely to be not as great as the larger counties in the smaller judicial circuits or single county circuits, such as Broward (the Seventeenth Judicial Circuit) and Dade (the Eleventh Judicial Circuit) Counties. The smaller counties in a larger judicial circuit may then come together

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<sup>129</sup> See generally Article V Subcommittee of the Florida Judicial Council, *A Report of the Judicial Council of Florida (A Review of "Article V" Costs and Revenues; Proposals for Financing the State Courts System)* (The Supreme Court of Florida) (Tallahassee, Florida) (July 1991); Florida Advisory Council on Intergovernmental Relations, *Article V Costs: County Revenues and Expenditures Associated With the Operation of the State Trial Court System* (on file with com.) (Tallahassee, Florida) (April 1987).

in an organized, efficient manner as a judicial circuit and determine what the correctional needs are of the circuit based on the prosecutions within that circuit. The ability to come together in an organized, efficient manner brings us to the third point.

As discussed earlier, in order to presently seek state community corrections funding in Florida, a county (or a group of counties) must prepare a comprehensive county public safety plan for submittal to the Department of Corrections for approval and authorized grant funding. The Florida statute names which persons or positions must be on the public safety coordinating council in order to prepare the comprehensive plan. Some members include the Chief Circuit Judge, the State Attorney, and the Public Defender of the judicial circuit in which that county resides. Apart from the fact that these persons could appoint a designee in their stead on the public safety coordinating council, theoretically, these persons could be required to sit on as many as five to seven public safety coordinating councils depending on how many counties make up the judicial circuit. This situation not only puts significant demands on these persons' time and expertise, it could be argued that it may also place them in a compromising position from an ethical standpoint. It can be assumed that if judicial circuits were participating, it would avoid conflicts of interest because these persons would only be serving on one circuit public safety coordinating council that represents the interests of all the counties that make up that circuit. These council members would not be placed in a position to pick and choose which county should get funding and for what programs and facilities.

Native American Tribal governments are eligible to participate in two states, Montana and New Mexico. New Mexico basically places a condition on the participation of New Mexico Indian tribes and pueblos by not authorizing the Department of Corrections to utilize more than 25% of the funding to contract *directly* for all programs, including directly contracting for programs for Indian tribes. Allowing Native American tribes to participate and receive state funding for intermediate sanctions in Florida may be something that the State may wish to consider. There seems to be a large enough Native American population in Florida to make the change in eligible entities fruitful for the State and the participating Tribal governments. By permitting Tribal governments to participate the same way counties are authorized, or allowing participation based on conditions, Native Americans may meet their own unique correctional needs.

Participation in the community corrections acts are, for the most part, voluntary. The only exceptions are Iowa and Kansas. This means that Florida is voluntary and the eligible entities will not be forced to create a plan according to statutory specifications and implement intermediate sanctions they do not wish to have. Following the majority on this issue, it is likely to be positive that Florida counties are not forced to participate in the community corrections partnership program.

## Local Eligibility for Participation Findings

Although Florida is in the majority with other states by allowing individual counties or groups thereof to be eligible to participate in the community corrections act, Florida does not follow the majority of other comparison states with regard to non-governmental organizations or agencies. Florida allows counties to contract with non-profit non-governmental organizations to provide services to the county using state community corrections funds. Because of the limited implementation of Florida's Community Corrections Partnership Act, it may be helpful to the success of the partnership program by allowing non-governmental organizations to participate. If desired, the Act may limit the participation of such entities by first giving the counties in which the organization resides, and would provide services, the "right of first refusal" in seeking state funding through the Partnership Act. It appears that implementation of the Act may be assisted by increasing the number of programs and services if these organizations had a chance to obtain state funding.

Florida also does not permit municipalities or joint city-county groups to seek community corrections funding through the Act. However, almost half of the other states studied allowed municipalities to participate in their respective Acts. It cannot be determined at this point what the impact would be if either entity, municipalities or joint city-county groups, were allowed to participate other than possibly improve local government relations. However, by allowing the option for city-county groups to come together by agreement and seek state funding through the Act, local flexibility for participation would be maximized.

Judicial districts or circuits are not allowed to participate in Florida. It appears, however, that statutory permission to allow their participation makes sense for economical reasons. First, the criminal justice system is already administered on a judicial circuit basis through 20 circuits. Second, judicial circuit participation would help reduce community corrections partnership dollar competition because it would assist in decreasing the number of interested entities vying for state money. In addition, efficiency in the delivery of such services is achieved because the money obtained by the circuit would go to providing a facility or a program which could service the entire judicial circuit. This is especially important for the larger judicial circuits which contain several smaller, more rural counties that do not have a correctional need equal to the smaller or single-county judicial circuits which consist of larger counties. Judicial circuit participation would also conserve the resources of the public safety coordinating council members who hold judicial circuit positions, such as the State Attorney, Public Defender, and Chief Circuit Judge. Additionally, conflict of interest situations would also be avoided if these persons served on *one* circuit public safety coordinating council as compared to serving on several different county public safety coordinating councils.

## Participation Requirements (See Table 6)

In order to participate in the community corrections programs, most states require that an eligible entity which desires state funding for intermediate sanctions first establish a local community corrections advisory or planning board, except for Arizona, Connecticut, and New Mexico. The name for such a "board" varies in name among the states, however, the purpose for its establishment is generally the same. For instance, Florida names this board the county public safety coordinating council, Alabama calls it the local community punishment and corrections authority, and Virginia has coined it the local community corrections resources board.

There are common threads that run through all of these local correctional boards. One similarity is that most must develop and prepare a local correctional plan or assist in its preparation or prepare and submit a funding application. Many times the board also determines what type of offenders will be eligible to be placed in the intermediate, community-based facility or program if their respective statutes allow local discretion (see Table 3-B) and the board stays within the statutory confines of offender eligibility. Florida's Act provides for these powers and duties for the local correctional board (public safety coordinating council). Many of the local boards also set local standards and guidelines in accordance with the state standards and guidelines that are created and, to a certain extent, monitor the programs and facilities that are established or operated through community corrections partnership funding. However, Florida's Act does not require this of the county public safety coordinating councils.

Approximately seventy percent (70%) of the states (15 states) require that the local correctional board submit a local correctional plan to the state administrative agency for approval and subsequent state funding, including the two mandatory participation states, Iowa and Kansas. The seven states (including Texas under the County Correctional Centers Act, but not the Local Community Corrections Subsidy Programs Act) that do not require a plan to be submitted in order to receive state funding, still require that an application for funding be submitted to the state agency. In all but one state, Connecticut, state approval of either the local plan or the application is needed prior to receipt of state funding. Although Florida requires that counties seeking state funding must submit and receive approval of a comprehensive county public safety plan prepared according to the statutory requirements, it appears that the requirement of a local plan should not act as a disincentive for counties.

The actual statutorily required elements that are required in the local plan in Florida may act as a disincentive to participate, however. The statutory planning requirements vary significantly in the acts. In the statutory comparison, the planning requirements were identified as "strict", "lenient", or "medium". Of the fifteen states that required the submittal of a local plan, approximately one-half of states (7 states) had lenient planning requirements.

Four other states were deemed to have medium or moderate statutory planning requirements. Only three states, Florida, Michigan, and North Carolina, were deemed to have "strict" planning requirements, that is planning requirements that were lengthy and cumbersome for eligible entities to fulfill. Based on the requirements of other states, it may be easily argued that the planning requirements for Florida may be so "strict" or cumbersome for a county to fulfill, that it may be acting as a strong disincentive for counties to participate. Florida requires that county public safety plans span a prospective five year period and include, *among many other items:*

- a.) projected needs for the construction of county detention facilities and diversionary programs,
- b.) specific evidence of the population status of all programs which are part of the plan to establish that such programs do not include offenders who would otherwise been on a less intensive form of community supervision (prove the incarcerative diversion),
- c.) give a monthly assessment of population status by the public safety coordinating council (PSCC) of *all* probation programs, owned, operated, or contracted for by the county,
- d.) provide an assessment of population status by the PSCC of *all* correctional facilities, probation programs, and substance abuse intervention and treatment programs (including the need and number of offenders to be placed in those programs) owned or contracted by the county, and
- e.) provide a plan for ongoing involvement and education of the community as to the purposes and accomplishments of the community corrections programs, including their impact on offender recommitment.
- f.) annual performance measures that permit an evaluation of the extent to which a county complies with its plan.

For many Florida counties to fulfill these above-referenced requirements, and more, may be too difficult given their financial, statistical, and personnel resources. Many counties that responded to the county administrator survey conducted for this study indicated that the planning requirements named in the Act were too complicated to understand. In addition, a majority of counties indicated that they did not have the statistical resources or the expertise to compile all of the data and information that is required by the Act. Based on the county survey responses, it can be concluded that Florida's planning requirements are so cumbersome and complicated that for many counties they become prohibitive.



All states require that there be local continued compliance with either the established state agency created, statutory, or local planning board program standards or with the local plan itself which was submitted and approved for funding. This is an item that ensures some local accountability to the state for the state funding that was received pursuant to the Act. If non-compliance is determined by the administrative agency, many acts delineate a formal process for the partial or total suspension of state funding. Therefore, approximately one-half of the states, including Florida, provide a process that must be followed by the administrative agency in order to suspend all or part of the funding to the participating entity. This suspension process usually involves a written notice of non-compliance to the participant and a time period in which the participant may correct the non-compliance.

It has been determined that seventeen states, including Florida, require the performance of some type of outcome-based evaluation on the facilities or programs receiving state funding through their respective acts. The purpose of such evaluations is usually to determine the effectiveness of the program in either diverting offenders from incarceration, rehabilitating offenders, or reducing recidivism. In Florida, the Act states that each county "shall participate with the Department of Corrections in an evaluation of its program effectiveness in a format to be determined by the department...."<sup>130</sup> In the ACIR county administration survey conducted for this study, many counties indicated they are concerned about any county financial burden these program evaluations could create. As many respondents indicated, it may be advisable to provide statutory assurance that such evaluations would be the financial responsibility of the state.

In order for an eligible entity to participate in a community corrections partnership act, many states require that the Board of County Commissioners, or the equivalent thereto, approves the local correctional plan prior to its submittal to the administrative agency. Nine different states require this approval, including Florida. This requirement is to the benefit of counties in Florida because it encourages county government involvement in the planning process and it should provide reassurance to county governments that they have a power in the planning and provision of intermediate sanctions. If there is an aspect of the plan that the county government is unsatisfied with or uncomfortable with, they have a "veto" power in the matter.

### **Participation Requirements Findings**

Comparison indicates that the Florida Community Corrections Partnership Act is similar to other states in the sense that it requires counties to establish a local advisory or correctional board (i.e. county public safety coordinating councils) and to maintain continued compliance with statutory requirements, public safety coordinating council standards, and the local plan submitted to the department. In addition, with other states, it shares such features

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<sup>130</sup> FLA. STAT. § 948.51 (6) (1993).

as requiring local governments to develop and prepare local community corrections plans. These plans are then required to be submitted for state approval in order to become eligible for state community corrections funding. Therefore, referring to these fundamental structural requirements, Florida's Act does not appear to offer any unique disincentives to county participation in the program.

Despite these commonalities, several of the requirements placed upon Florida counties appear to be problematic. The Partnership Act contains the most stringent or cumbersome planning process requirements of the vast majority of the statutes reviewed in this study. It is apparent that many counties would not have the resources necessary to comply with the planning requirements named in the Act. Thus, because these planning requirements are so strict, they become prohibitive. Coupled with the fact that there is no statutory requirement for the Department of Corrections to provide technical assistance for the planning or implementation of intermediate sanction facilities and programs nor is there state financial assistance in their planning initiatives, the county interest in participation becomes even less. A possible solution to this obvious problem would be to reduce and simplify the planning requirements, or at least allow some flexibility to counties that do not have the statistical resources or expertise readily available for compliance. Statutory authorization for state financial assistance to counties that are attempting to prepare a plan or implement a program would also assist in alleviating this problem.

Finally, the Partnership Act is one of the several state legislative initiatives that requires counties to undertake an outcome-based performance evaluation in order to assess the realization of the legislative goals established in the Act. Continued state funding depends on these evaluations. The Act is not specific on who bears the financial burden of these evaluations, nor is it specific on what will constitute the evaluation measures. However, the Act requires the counties to "participate with the department" in order to conduct these evaluations and the Act also charges the responsibility of creating the performance measures for their programs that receive state funding. Because the statute is not clear on who bears the financial responsibility of the outcome-based evaluations, counties have indicated they are concerned about bearing the cost. This evaluation requirement may be acting as a disincentive to county involvement. A solution may be found in other state statutes which have articulated that the state administrative agency shall perform the evaluations without mention of any responsibility on the part of the participant.

#### **Authorized Uses of Funding** (See Tables 7 - A & B)

Florida has established a state trust fund, called the Community Corrections Assistance Trust Fund, for the purpose of providing contract funds to counties for correctional programs authorized under the Act. There are three other states, New Mexico, North Carolina, and Oregon, which have also established state trust funds for the same purpose. Two states,

Indiana and Texas, have authorized local special trust funds to be established in order to hold state moneys for the purpose of operating local correctional programs.

In the majority of states, once a local correctional plan and request (or application) for funding has been approved by the state administrative agency, state funding will be dispersed to the participating entity. States vary in the way the amount of state funding is determined and how it will be dispersed.

Although seven states determine the amount of state monetary assistance by a funding formula, the majority of states do not use a formula. The majority of states authorize the administrative agency to make a grant funding determination based on the availability of funds, the reasonableness of the requested amount, and whether the proposed plan meets the statutory goals and purposes. Florida's Act provides that grant money will be given to counties according to these measures.

The manner in which the money is disbursed to the local governments varies somewhat. For instance, in Florida, once the amount of the grant is determined, one-third of the money will be immediately disbursed to a county. Thereafter, the remainder of the grant money will be disbursed to the counties on a quarterly basis. Other states either disburse their state funding in a similar manner such as semiannual disbursement. Other states may make an annual disbursement, such as Kansas, or may statutorily stand silent on the manner, such as Kentucky.

Once the state funding has been approved, the participating entity must implement the program. In order to implement a program, many states explicitly allow the participant to contract with private entities to provide the services needed. Thirteen states, including Florida, authorize the participants to enter into contracts with private entities using the state funding as the consideration or contract money. The remaining states simply do not address this issue in their respective Acts.

There are three states, Connecticut, Kansas, and Ohio, which specifically require the participating local governments receiving funding through the community corrections partnership act to "match" the state funding amount with local government money. This means that in these states, if an eligible entity wishes to participate in the Act and seeks state funding, that entity will have to contribute the same amount of money they receive from the state. Florida follows the majority of states on this issue by not including this local requirement in its Act. This would not be an item that should be considered for Florida because states such as Kansas and Connecticut, have significantly different community corrections partnership acts than Florida.

Another item that is placed in several acts is a "maintenance of local effort" requirement. Nine of the states studied contained this requirement in their Acts, including

Florida. This requirement means that any participating local government receiving state funding, must maintain their local spending on corrections after the receipt of state funding through the Act. Therefore, state funding through the Act may not be used to "supplant" or replace existing local correctional expenditures. This is a very harsh measure to include in an Act if there are many intermediate sanctions already in existence in the state which were funded by the participating entity. In contrast, it would not act as a disincentive to participation if there were few intermediate sanctions available at the time state funding was sought, but this does not appear to be the case in Florida.

Such a requirement in Florida's Act has a chilling effect on county innovation to implement needed intermediate sanctions within the counties. In addition, this requirement is particularly harsh for counties that have implemented many or all of their needed intermediate sanction facilities and programs or have recently completed an aggressive jail construction or expansion project. Florida's Act is not clear on what constitutes the "local effort".<sup>131</sup> The responses of the county administration surveys conducted for this study indicate that counties would strongly advocate either the removal of this statutory requirement altogether or an allowance of the use of at least a portion of grant money for programming that already exists in the county.

Other funding restrictions which exist in community corrections statutes are those placed on using the money for jail capital costs or jail operations. Nine states explicitly prohibit the use of state funding for one or both of these restrictions. Florida prohibits Partnership Act grant funding to be used for both jail capital costs and jail operational costs. This is a funding restriction likely to be based on the fact that jails have traditionally been the financial responsibility of the local governments in these states.

Other funding restrictions which exist in some state statutes are those placed on the use of funding for state facilities and the salary of any state probation and parole officers. Florida places a funding restriction on both of these costs. This restriction should not pose a problem for Florida county involvement.

Many states permit state funding to be used for either jail programs or pretrial services or both. It is determined that Florida, along with eight other states, allow funding to be used for jail programs. Jail programs could be services which include drug and alcohol abuse treatment and counseling, psychological counseling, or educational or vocational programs. Although over one-half of the other states (11) allow the money to be used for pretrial services, Florida's Act is not explicit enough to determine whether this is an authorized use.

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<sup>131</sup> Florida's statute is not clear on whether "maintenance of local effort" would include the capital outlay made by a counties that have expanded or built jails in the previous year.

Approximately one-third of the states (6) place an administrative expense cap on the state funding provided to the participants. These states place a limit on the amount of state money provided to the participant that may be used for the costs of administration of the intermediate sanction facility or program that received funding through the Act. These administrative expense caps range from ten percent to approximately thirty percent of the funding amount. Florida does not place an administrative expense cap on grants.

The last category of authorized uses of funding is an important one. There are seven states that explicitly permit the use of states funds for community corrections plans. Given that Florida's Act has such complicated or cumbersome planning requirements, the absence of statutory authority to provide state funding to local governments to develop and create their local correctional plans may serve as a strong disincentive to Florida county participation. Other states have recognized the importance of financial assistance to local governments during the planning process. For instance, Minnesota allows the Department of Corrections Commissioner to designate counties as "planning counties" in order to provide financial aid to the county in order to defray all or part of the expenses incurred to comply with the planning requirements of the Act. North Carolina also provides financial assistance to participants as "technical assistance funds". If a North Carolina county receives technical assistance funds, however, the county must provide 25% of the grant amount to assist in the "start up". The Florida county administrator surveys that were conducted for this study indicated that because of the technical and resource deficiencies in many of the counties, financial assistance for the planning stage was imperative to participation in the Partnership Act.

#### **Authorized Uses of Funding Findings**

Florida's Act is consistent with other Acts in the manner that state financial assistance to counties is determined. Florida, along with the majority of other states, determines the amount of assistance based on the availability of funds, the reasonableness of the request, and the ability of the plan to meet the statutory goals and objectives. Florida also follows the majority of states by *not* utilizing a funding formula and making grants to participants based on the aforementioned criteria. Since its enactment, the Florida Partnership Act has not been adequately funded to provide an incentive for county participation. No dedicated funding source exists to provide a consistent and adequate flow of money to Florida Community Corrections Assistance Trust Fund for the commencement and continuation of intermediate sanction programs at the local level.

Separate from the issue of inadequate funding, the manner in which Florida disburses the grant money to counties is not unusual in comparison to other states. However, by statutorily authorizing only one-third of the state grant amount upon approval with the remainder of the grant to be disbursed quarterly in Florida, may pose a problem for enticing county participation. It is possible that such a limited disbursement of the grant funding to

a county that has already been approved may act as a disincentive because it may limit a county's ability to implement a successful program. This is particularly true for Florida counties because the grant funding may only be used for new or expanded programs and facilities. Under this scenario, it may be possible that counties would have to fund the balance of a program cost themselves immediately after a grant is approved, and rely on the following disbursement as a "reimbursement".

The maintenance of local effort requirement is an unfavorable measure to include in Florida's Act. This requirement of local governments maintaining their current correctional expenditures and prohibition of using the state funding to supplant current programs and spending may prove to be a strong disincentive to effective county involvement in the Partnership Act. The results of both surveys conducted for this study reveal that there is a wide selection of intermediate sanctions available in each county. There are some counties which have been very innovative and have taken the initiative to meet their local correctional needs at their own cost. Such counties would be encouraged to continue their innovative actions and to also seek funding through the Florida Partnership Act if there was a chance to obtain state approval to receive state funding for previously implemented programs. A maintenance of local effort requirement would act as a discouragement or penalty for their innovation. If such a requirement remains in Florida's Act, these innovative counties would have to maintain the programs they previously implemented at their own expense while theoretically another county could implement the same programs with state funding through the Act.

Florida's Act is consistent with the majority of other states on some funding restrictions that are placed on local governments in community corrections partnership acts. These restrictions are likely to be present to ensure local financial accountability to the state. These funding restrictions include no use for jail capital costs or jail operational costs and use for the construction or renovation of state facilities. These restrictions do not appear to have a direct effect on county participation in Florida.

Florida does not provide state funding for assistance to counties for plan development and preparation. As mentioned in the participation requirements section in this report, the planning requirements in Florida are unusually cumbersome for counties to fulfill. These two factors coupled together could create a significant disincentive for county participation. In order to encourage counties to be innovative and prepare plans to participate in the Partnership Act, required state financial assistance for eligible entities which are in the plan development stage would seem to have a significant impact on county participation.

## CHAPTER FOUR

### FLORIDA'S COMMUNITY CORRECTIONS PARTNERSHIP ACT: IMPROVING ITS VIABILITY, EFFICIENCY, RELEVANCE, AND EFFECTIVENESS

Florida's Community Corrections Partnership Act holds the most potential of any recent initiative passed by the Legislature for solving Florida's correctional problems at the state and local level. Currently, all levels of Florida government are fiscally and socially impacted by the state correctional crisis. The Partnership Act offers an intergovernmental framework to serve as a solution for an intergovernmental problem.

Although this report has identified problems with the Partnership Act as it is currently written, certain statutory refinements would improve the viability, efficiency, relevance, and effectiveness of the Act. (see Table 8) The first major problem with the Act is the lack of funding by the Legislature to serve as an incentive for eligible entities (currently counties) to seek funding and participate in the Partnership Act. Although it is essential that the funding needs to be addressed, other statutory amendments are also crucial to the viability of the Partnership Act upon adequate funding.

Most other states have amended and adjusted both their community corrections partnership acts and intermediate sanction programming since the initial enactment and implementation of their acts. By conducting a statutory comparison with the other acts, several components of Florida's Partnership Act were quickly identified as problematic to the interest and participation of counties and successful implementation of the Act. Responses to surveys conducted of county administrators and state attorney offices also contributed to the understanding of the current participation concerns and practical problems with the Act, and developing statutory alternatives.

One of these components was the set of county planning requirements for seeking state funding. In comparison to the vast majority of other states, Florida's Act requires extensive data gathering, calculations of projections, program measurement, and program development. Many counties do not have the ability to comply with the statutory planning requirements because of a lack of expertise or an inability to collect the data necessary for compliance. Alternatively, counties that do have an ability to comply with the statutory requirements have the opinion that the preparation of a comprehensive public safety plan is too costly to the county in exchange for the benefits received through participation in the Act.

The "maintenance of local effort" requirement in Florida's Act is another component which may be inhibiting participation and implementation. A component such as this, which requires funding recipients to maintain their current level of correctional spending and not use state funding to supplant previous year spending, is inappropriate and unnecessary. Many Florida counties have previously implemented intermediate sanction programs at their own expense which meet the goals of the Partnership Act. Additionally, most other state

community corrections acts do not contain such a requirement. The use of funding obtained through the Partnership Act should be a matter of contract negotiation between the contracting entity and the Department of Corrections.

Another problem with the Act is the lack of public information and technical assistance available to counties in the planning and implementation stages of participation in the Act. The Act only requires that the Department of Corrections provide general technical assistance to participants. Under such a provision, the assistance so far has not been at the level that counties need in order to prepare a public safety plan, successfully obtain state money for a intermediate sanction or program, and implement the program. By strengthening and clarifying the departmental responsibility of technical assistance in planning and program implementation and information dissemination, the Act could be effective in encouraging participation.

Other concerns about participation in the Partnership Act were revealed by the direct communication with county officials. Among many, some of the concerns raised were the cost of providing health care to offenders placed in programs funded by the Act, the lack of control over the placement of offenders into the community-based facilities funded by the Act, and the uncertainty of the financial burden that program outcome evaluations present to the counties. Although currently there is no statutory prohibition against the inclusion of health care costs in the participant request for state funding, counties are uneasy about who is responsible for health care costs. Counties also feel that they will not have any control over which offenders are placed in community-based programs funded by the Act. This concern is despite the fact that, statutorily, only non-violent offenders are eligible for program placement under the Act. The county financial responsibility and work effort that may be required in the program evaluation process for continued state funding is another reason for county apprehensiveness. The current Florida statute is unclear as to what level of responsibility will be assumed by counties during this process. The statute must be clear that the evaluations will be the fiscal responsibility of the state.

Lastly, but most importantly, the single greatest factor determined to be an impediment to the successful implementation of the Partnership Act is the inadequate or virtual non-funding of the Act. Although this report has cited many findings related to statutory "problems" with the Community Corrections Partnership Act, the bottom line for most counties is that the Partnership Act has not been allocated enough money by the Legislature to make participation worthwhile. In comparison to other states, Florida's funding of the Partnership Act is not commensurate with local needs for the widespread, effective implementation of intermediate sanctions and programs at the local level. In addition, a dedicated funding source is crucial to the maintenance of programs originally implemented with state funding through the Act. The legislative intent to continue state funding indefinitely is clear from the statutory language. Also, the viability and effectiveness of programs started through the Act depends on continued state funding.



In addition to making statutory changes and increasing state appropriations to the Community Corrections Partnership Act, public awareness of the advantages of alternative sanctions to incarceration needs to be heightened. The Partnership Act is a way to implement and maintain intermediate, community-based sanctions and programs at the local level, but with state funding. More state money needs to be redirected to and focused on intermediate sanctions and programs that offer rehabilitation, education, and cost savings. Contemporary literature, national experts, and correctional professionals nationwide suggest that this is the only way prison and jail overcrowding and an ever-increasing crime rate will be alleviated. One national trend in criminal corrections seems to be a moving away from the "build more prison beds" position which has been described as "myopic", a "quick, short-term fix", and a perpetuator of our correctional problems. Instead, offering alternative solutions for appropriately screened offenders that address some of the underlying sources of our correctional problems, such as a lack of education and drug or alcohol addiction, will serve as long-term, positive impacts on our plagued criminal justice and corrections systems. The criminal justice and corrections systems will function more effectively if community-based, intermediate sanctions and programs are developed and implemented through an intergovernmental framework that allows local and state officials to work together.

At the completion of the report, it was learned by the ACIR staff that the Florida Senate Appropriations Committee filed Senate Bill 700 regarding a "sunset review" of many of Florida's trust funds for repeal. The Community Corrections Assistance Trust Fund is included in this bill. It is unknown whether the trust fund will, in fact, be repealed by this bill. Additionally, the impact of an actual repeal of the Assistance Trust Fund is unknown at this time. Regardless of whether there is a special trust fund set up for the Community Corrections Partnership Act or direct legislative appropriations made to the Department of Corrections for the Partnership Act, the ACIR recognizes that a substantial and continual funding of the Act is vital for the successful implementation and maintenance of community-based, intermediate sanctions and programs.

## **APPENDIX**

TABLE 1 - A

## LIST OF STATES WITH A COMMUNITY CORRECTIONS "PARTNERSHIP" ACT

<u>State</u>	<u>Title of the program</u>	<u>Year enacted</u>
1.) Alabama	"Alabama Community Punishment and Corrections Act"	1991
2.) Arizona	"Community Punishment Program"	1988
3.) Colorado	"Community Correctional Facilities and Programs"	1974, 1977
4.) Connecticut	"Community Correction or Community-based Service Programs"	1980
5.) Florida	"Community Corrections Partnership Act"	1991
6.) Indiana	"Community Corrections"	1979
7.) Iowa	"Community-based Correctional Program"	1974
8.) Kansas	"Community Corrections Act"	1978
9.) Kentucky	"Community Corrections Programs"	1992
10.) Maryland	"Community-based Programs or Community Adult Rehabilitation Centers Act"	1976
11.) Michigan	"Community Corrections Act"	1988
12.) Minnesota	"Community Corrections"	1973
13.) Montana	"Community Sentencing Act"	1991
14.) North Carolina	"Community Corrections Act" (To be effective July, 1995)	1993
15.) New Mexico	"Adult Community Corrections Act"	1983
16.) Ohio	"Community Corrections Act"	1979
	"Community-Based Correctional Facilities & Programs"	1981
17.) Oregon	"Community Corrections"	1979

<u>State</u>	<u>Title of Program</u>	<u>Year enacted</u>
18.)Pennsylvania	"County Intermediate Punishment Act"	1990
19.)Tennessee	"Community Corrections Act"	1985
20.)Texas	"Local Community Corrections Subsidy Programs"	1981
	"County Correctional Centers"	1989
21.)Virginia	"Community Diversion Incentive Act"	1980

TABLE 1 - B  
Prison Admissions and Population by Fiscal Year

<u>Fiscal Year</u>	<u>Admissions</u>	<u>Percent Change in Admissions</u>	<u>Population on June 30 of Fiscal Year</u>	<u>Ratio of Admissions to Population</u>
1983-84	12,516	-12.5%	26,471	0.47
1984-85	14,393	15.0%	28,310	0.51
1985-86	17,154	19.2%	29,712	0.58
1986-87	23,048	34.4%	32,764	0.70
1987-88	30,454	32.1%	33,681	0.90
1988-89	39,516	29.8%	38,059	1.04
1989-90	43,387	9.8%	42,733	1.02
1990-91	36,527	-15.8%	46,233	0.79
1991-92	33,363	-8.7%	47,012	0.71
1992-93	29,768	-10.8%	50,603	0.59
1993-94	29,306	-1.6%	65,000	0.45
1994-95	30,222	3.1%	71,221	0.42
1995-96	30,464	0.1%	75,076	0.41
1996-97	30,718	0.1%	77,973	0.39
1997-98	31,496	2.5%	80,837	0.39

Source: Working Papers of the Criminal Justice Estimating Conference held September 8, 1993.

**TABLE 2 - A**  
**COMMUNITY CORRECTIONS ACTS - STATUTORY GOALS AND OBJECTIVES**

	<u>Jail Population Impacts</u>	<u>Reduce Jail Commitments</u>	<u>Reduce Costs of Incarceration</u>	<u>Prison Population Impacts</u>	<u>Reduce Prison Commitments</u>	<u>Continuum of Sanctions</u>	<u>Encourage Local Involvement</u>	<u>Local Flexibility/ Needs</u>	<u>Ensure Public Safety</u>	<u>Improve Public Confidence In Judicial System</u>
Alabama	Y	Y	Y	Y	Y	Y	Y	N	Y	N
Arizona	Y	Y	N	Y	Y	NE	Y	Y	Y	NE
Colorado	N	N	N	N	N	N	N	Y	Y	N
Connecticut	N	N	N	N	N	Y	N	Y	NE	N
Florida	Y	Y	Y	Y	Y	Y	NE	NE	Y	N
Indiana	Y	Y	N	Y	Y	NE	Y	N	NE	N
Iowa	N	NE	N	N	N	NE	N	N	N	N
Kansas	N	N	N	Y	Y	N	N	N	N	N
Kentucky	N	N	Y	Y	Y	Y	Y	Y	N	Y
Maryland	N	N	Y	Y	Y	Y	N	N	Y	N
Michigan *	Y	Y	N	Y	Y	Y	NE	Y	Y	N
Minnesota	Y	N	Y	Y	N	Y	NE	Y	Y	N
Montana	N	N	N	Y	Y	Y	Y	NE	NE	N
New Mexico	N	N	N	NE	NE	NE	N	N	NE	N
North Carolina	Y	N	Y	Y	N	Y	Y	Y	NE	Y
Ohio**	Y	Y	Y	Y	Y	NE	N	N	N	N
Oregon	Y	N	N	Y	N	Y	Y	Y	Y	N
Pennsylvania	Y	Y	Y	N	N	Y	N	Y	Y	N
Tennessee	Y	Y	NE	Y	Y	Y	N	Y	Y	N
Texas 1	Y	N	Y	Y	N	Y	Y	Y	Y	N
Texas 2	Y	N	Y	N	N	Y	Y	Y	Y	N
Virginia	Y	N	N	Y	N	Y	N	Y	Y	N

Texas 1 = Texas Local Community Corrections Subsidy Programs Act

Texas 2 = Texas County Correctional Centers Act

NE = "Not Explicitly Addressed" in the CCA, however there are provisions in the CCA which seem to encourage these goals and objectives.

\* Michigan's State Community Corrections Board is statutorily authorized to establish the goals and offender criteria for the CC programs.

\*\* Ohio includes both the Community Corrections Act and the Community-Based Correctional Facilities and Programs Act.

tab2cca.wk3  
(12/21/93 ACIR)

**TABLE 2 - B**  
**COMMUNITY CORRECTIONS ACTS - STATUTORY GOALS AND OBJECTIVES**

	<u>Promote Accountability To Community And Victims (Restitution)</u>	<u>Rehabilitation For Offenders Needs and Problems</u>	<u>Reduce Recidivism Or Act As Deterrent From Crime</u>	<u>Promote Efficiency In Correctional Services</u>	<u>To Supervise Offenders Longer</u>	<u>Better For Preparing Inmates For Release</u>	<u>Reduce Alcohol &amp; Drug Dependencies</u>	<u>Help Offenders Become Productive Citizens</u>	<u>Reduce Probation Violations</u>	<u>Promote Coordination Between State &amp; County CC Programs</u>
Alabama	Y	Y	N	Y	N	N	N	N	N	N
Arizona	Y	Y	N	NE	Y	NE	NE	NE	Y	N
Colorado	Y	Y	N	Y	NE	Y	Y	Y	N	Y
Connecticut	Y	Y	N	N	NE	NE	NE	NE	N	N
Florida	Y	Y	N	Y	Y	N	Y	Y	N	N
Indiana	NE	NE	NE	Y	N	N	NE	NE	N	Y
Iowa	NE	Y	Y	N	NE	Y	Y	Y	N	N
Kansas	Y	Y	NE	N	N	Y	Y	NE	N	N
Kentucky	Y	NE	N	Y	N	Y	NE	N	N	Y
Maryland	N	Y	N	NE	N	Y	Y	NE	N	N
Michigan	NE	NE	N	Y	N	NE	NE	NE	N	Y
Minnesota	NE	Y	Y	Y	N	Y	Y	Y	N	Y
Montana	N	N	N	Y	N	N	N	N	N	Y
New Mexico	NE	NE	N	N	N	NE	NE	NE	N	NE
North Carolina	NE	Y	Y	Y	N	Y	Y	NE	Y	Y
Ohio*	N	NE	NE	Y	N	NE	NE	NE	NE	Y
Oregon	N	Y	Y	N	N	Y	Y	Y	NE	N
Pennsylvania	Y	Y	N	Y	N	N	Y	Y	NE	N
Tennessee	Y	Y	N	Y	N	Y	NE	Y	N	N
Texas 1	Y	Y	Y	Y	N	N	NE	N	N	N
Texas 2	Y	Y	Y	Y	N	N	NE	N	N	N
Virginia	Y	Y	Y	Y	N	N	NE	N	N	N

Texas 1 = Texas Local Community Corrections Subsidy Programs Act

Texas 2 = Texas County Correctional Centers Act

NE = "Not Explicitly Addressed" in the CCA, however there are provisions in the CCA which seem to encourage these goals and objectives.

\* Ohio includes the Community Corrections Act and the Community-Based Correctional Facilities and Programs Act.

tab2cca.wk3  
(12/21/93 ACIR)

**TABLE 3 - A**  
**COMMUNITY CORRECTIONS ACTS - ELIGIBLE OFFENDER POPULATIONS**

	<u>Felony</u>	<u>Non-Violent Felony</u>	<u>Violent Felony</u>	<u>3rd Degree Felony</u>	<u>2nd Degree Felony</u>	<u>Non-Life Felony</u>	<u>Misdemeanor</u>	<u>1st Degree Misdemeanor</u>	<u>2nd Degree Misdemeanor</u>	<u>Non-Violent Misdemeanor</u>
Alabama	Y	Y	N*	NE	NE	NE	Y	NE	NE	NE
Arizona	Y	NE	NE	NE	NE	NE	NE	NE	NE	NE
Colorado	Y* +	Y	N	NE	NE	NE	N	NE	NE	Y
Connecticut	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE
Florida	N	Y	N	NE	NE	NE	N	NE	NE	Y
Indiana	N	Y*	N	NE	NE	NE	Y	NE	NE	Y
Iowa	Y	NE	NE	NE	NE	NE	Y	NE	NE	NE
Kansas	Y	Y	NE	NE	NE	NE	Y	NE	NE	NE
Kentucky	Y	Y	NE	NE	NE	NE	N	N	N	N
Maryland	Y	NE	NE	NE	NE	NE	NE	NE	NE	NE
Michigan	NE	Y	N	NE	NE	NE	NE	NE	NE	Y
Minnesota	Y	NE	NE	NE	NE	NE	Y	NE	NE	NE
Montana	N	Y	N	NE	NE	NE	NE	NE	NE	Y
New Mexico	Y**	NE	NE	NE	NE	NE	N	N	N	N
North Carolina	Y	NE	NE	NE	NE	NE	Y	NE	NE	NE
Ohio+++	Y	Y	N	NE	NE	NE	Y++	NE	NE	NE
Oregon	Y*	Y	Y*	NE	NE	NE	Y	NE	NE	Y
Pennsylvania	Y*	Y	N	NE	NE	NE	Y	NE	NE	Y
Tennessee	Y*	Y	NE	NE	NE	NE	N	N	N	N
Texas 1	Y*	Y	NE	NE	NE	NE	Y	NE	NE	Y
Texas 2	Y	NE	NE	NE	NE	NE	Y	NE	NE	NE
Virginia	Y	Y	N	NE	NE	NE	Y	NE	NE	NE

Texas 1 = Texas Local Community Corrections Subsidy Programs Act

Texas 2 = Texas County Correctional Centers Act

+++ Ohio includes both the Community Corrections Act and the Community-Based Correctional Facilities and Programs Act.

NE = Not Explicitly addressed in the CCA, the item seems to be left open to interpretation.

\* The CCA lists a subset of crimes to either be excluded or included.

\*\* Includes offenders within 12 mos. of eligibility of parole and only those offenders deemed eligible by the State Selection Panel.

\*\*\* Includes offenders of 17 years of age or older.

+ Includes certain offenders within 16 mos. prior to eligibility of parole.

++ The Community Corrections Act only.



**TABLE 3 - B**  
**COMMUNITY CORRECTIONS ACTS - ELIGIBLE OFFENDER POPULATIONS**

	<u>State Prison Bound</u>	<u>Jail Bound</u>	<u>Local Discretion</u>	<u>Pre- Trial Population</u>	<u>Pre- Sentence Population</u>	<u>Post Sentence Population</u>	<u>Post Incarceration Population</u>	<u>Adult Or Juvenile</u>
Alabama	Y	NE	Y*	N	N	Y	Y	A & J
Arizona	NE	Y	Y	N	N	Y	NE	A
Colorado	NE	NE	Y	N	Y	Y	Y	A
Connecticut	Y	Y	N	Y	NE	Y	Y	A
Florida	Y	Y	Y	NE	Y	Y	N	A & J
Indiana	Y	Y	N	Y	Y	Y	Y	A & J
Iowa	Y	Y	N	Y	Y	Y	Y	A
Kansas	Y	NE	Y	Y	Y	Y	Y	A & J
Kentucky	Y	N	N	Y	Y	Y	Y	A
Maryland	Y	NE	Y**	Y	NE	Y	Y	A
Michigan	Y	Y	Y	Y	Y	Y	Y	A
Minnesota	Y	Y	Y	Y	Y	Y	NE	A & J
Montana	Y	NE	Y	N	N	Y	NE	NE
New Mexico	Y	N	Y***	N	N	Y	Y	A
North Carolina	NE	NE	Y	Y	NE	Y	Y	A
Ohio+	Y	Y	Y	Y	NE	Y	Y	A
Oregon	Y	Y	Y	Y	Y	Y	Y	A
Pennsylvania	N	Y	NE	NE	NE	Y	N	A
Tennessee	Y	Y	N	N	N	Y	N	A
Texas 1	Y	Y	Y	Y	Y		Y	A***
Texas 2	N	Y	N	N	N		Y	NE
Virginia	Y	Y	NE	N	Y	Y	Y	A

Texas 1 = Texas Local Community Corrections Subsidy Programs Act

Texas 2 = Texas County Correctional Centers Act

+ Ohio includes both the Community Corrections Act and the Community-Based Correctional Facilities and Programs Act.

NE = Not Explicitly addressed by the CCA, the item seems to be left open to interpretation.

\* The judiciary has flexibility because the CCA states it is to be interpreted as a guideline "for the benefit of the court" to determine eligibility.

\*\* Community corrections center directors of state, county, and regional (multi-county) centers approve offender placements in their respective centers.

\*\*\* Although the State Advisory Panel identifies eligible offenders, the local panels must approve offender placements in their programs through their plans

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(12/30/93 ACIR)

**TABLE 4 - A**  
**COMMUNITY CORRECTIONS ACTS - STATE ADMINISTRATIVE FUNCTIONS**

	<u>Plan Approval Required</u>	<u>Regulatory Authority Over Local CC Programs &amp; Facilities</u>	<u>State Advisory Bd. Required</u>	<u>General Technical Assistance</u>	<u>Technical Assistance For Planning</u>	<u>Public Relations</u>	<u>Administers the CCA</u>	<u>Allocates Funding</u>
Alabama	Y	Y	N	Y	Y	Y	Y	Y
Arizona	Y	Y	N	Y	Y	N##	Y	Y
Colorado	Y	Y	N	Y	NE	N	Y	Y
Connecticut	N*	Y	N	Y	N	N	Y	Y
Florida	Y	Y	N	Y	N	N	Y	Y
Indiana	Y	Y	N	Y	Y	N	Y	Y
Iowa	Y	Y	N	Y	NE	N	Y	Y
Kansas	Y	Y	Y	Y	Y	N	Y	Y
Kentucky	Y	Y	N	N	N	N	Y	Y
Maryland	N*	Y	N	N	N	N	Y	Y
Michigan	Y	Y	Y	Y	Y	Y	Y	Y
Minnesota	Y	Y	N	Y	Y	N	Y	Y
Montana	N	Y	N	Y	NE	N	Y	Y
New Mexico	N***	Y	Y	Y	N	N	Y	Y
North Carolina	Y	Y	Y	Y	Y	Y	Y	Y
Ohio ~	Y	Y	Y###	Y	NE	N## *	Y	Y
Oregon	Y	Y	Y	Y	Y	N	Y	Y
Pennsylvania	Y	Y	N	Y	NE	N	Y	Y
Tennessee	Y	Y	N	Y	Y	N	Y	Y
Texas 1+	Y	Y	Y	Y	Y	N	Y	Y
Texas 2++	N	Y	N	N	N	N	Y	Y
Virginia	N	Y	N++++	Y	NE	N	Y	Y

~ Ohio includes both the Community Corrections Act and the Community-Based Corrections Facilities and Programs Act.

\* A state correctional plan, not local plan, is required, however, Maryland requires a plan for the center be submitted.

\*\*\* Only a funding application with an ability certification are submitted.

+ Texas Local Community Corrections Subsidy Programs Act

++ Texas County Correctional Centers Act

++++ A State Advisory Board was established, but is not required in the CCA.

# Community Justice Assistance Division of the Texas Dept. of Criminal Justice

## Requires that the local advisory committees inform and educate the public on the need for CC programs.

### The Community Corrections Act only.

" The Community-Based Corrections Facilities and Programs Act only.

NE = "Not Explicitly Addressed" in the CCA; the item seems to be left open to interpretation.

tab4acca.wk3  
(12/30/93 ACIR)

**TABLE 4 - B**  
**COMMUNITY CORRECTIONS ACTS - STATE ADMINISTRATIVE FUNCTIONS**

	<u>Awards Contracts or Grants</u>	<u>Monitors CC Programs</u>	<u>Reviews Funding Applications</u>	<u>Establishes Plan Guidelines &amp;/or Program Standards</u>	<u>Conducts Performance Evaluations</u>	<u>Requests Funding Of Legislature</u>	<u>Where is Administrative Authority Vested?</u>	<u>Active Judiciary Role?</u>
Alabama	Y	Y	Y	Y	Y	NE	DOC	N
Arizona	Y	Y	Y	Y	Y	Y	Supreme Court	Y
Colorado	Y	Y	Y	Y	Y	NE	D. of Pub. Safety	Medium
Connecticut	Y	Y	N	NA	NA	Y	DOC	N
Florida	Y	Y	Y	Y	Y	Y	DOC	N
Indiana	Y**	Y	Y	Y	Y	N	DOC	N
Iowa	N	Y	Y	Y	Y	Y	DOC	N
Kansas	Y	Y	Y	Y	NE	NE	DOC	N
Kentucky	Y	Y	Y	Y	Y	NE	Corrections Comm'n	N
Maryland	N	Y	Y	N	Y	N	Pub. Safety & Corr. S.	N
Michigan	Y	Y	Y	Y	Y	NE	Ofc. of CC	N
Minnesota	Y	Y	Y	Y	Y	NE	DOC	N
Montana	Y	Y	Y	N	NE	NE	DOC	N
New Mexico	Y	Y	Y	Y****	Y	NE	DOC	N
North Carolina	Y	Y	Y	Y	Y	NE	DOC+++	N
Ohio ~	Y	Y	Y	Y	Y	N	D. Rehab. & Corr.	Y##
Oregon	Y	Y	Y	Y	Y	NE	DOC	N
Pennsylvania	Y	Y	Y	Y	Y	NE	+++	N
Tennessee	Y	Y	Y	Y	Y	N	DOC	N
Texas 1+	Y	Y	Y	Y	Y	NE	#	Y
Texas 2++	Y	Y	Y	N	Y*****	NE	#	N
Virginia	Y	Y	Y	Y	Y	NE	DOC	N

\*\* Awards grants only

\*\*\*\* Establishes application guidelines only.

\*\*\*\*\* Not mandatory

~ Ohio includes both the Community Corrections Act and the Community-Based Corrections Facilities and Programs Act.

+ Texas Local Community Corrections Subsidy Programs Act

++ Texas County Correctional Centers Act

+++With the State Criminal Justice Advisory Board.

++++Commission on Crime and Delinquency

+++++ A State Advisory Board was established, but is not required in the CCA.

# Community Justice Assistance Division of the Texas Dept. of Criminal Justice

## The Community-Based Facilities and Programs Act only.

NE = "Not Explicitly Addressed" in the CCA; the item seems to be left open to interpretation.

NA = Not Applicable

tab4cca.wk3  
(12/30/93 ACIR)

**TABLE 5**  
**COMMUNITY CORRECTIONS ACTS - LOCAL GOVERNMENT ELIGIBILITY**

	<u>Counties</u>	<u>Municipalities</u>	<u>Multi-County Groups</u>	<u>Joint City/County Groups</u>	<u>Non-Governmental Organizations/Agencies</u>	<u>Special Districts</u>	<u>Judicial Districts</u>	<u>Tribal Governments</u>	<u>Voluntary Participation?</u>
Alabama	Y	Y	Y	NE	Y****	N	Y	N	Y
Arizona	Y	N	N	NE	Y***	N	N	N	Y
Colorado	Y	Y	Y	Y	Y	N	Y	N	Y
Connecticut	N	N	N	N	Y	N	N	N	Y
Florida	Y	N	Y	N	N**	N	N	N	Y
Indiana	Y	N	Y	N	Y	N	N	N	Y
Iowa	N	N	N	N	N	N	Y	N	N
Kansas	Y	N	Y	N	N	N	N	N	N
Kentucky	Y	Y	NE	NE	Y	NE	Y	N	Y
Maryland	Y	N	Y	N	N	N	N	N	Y
Michigan	Y	Y	Y	Y	Y	N	N	N	Y
Minnesota	Y	N	Y	N	N	N	N	N	Y
Montana	Y	Y	NE	Y	Y	N	NE	Y	Y
New Mexico	Y	Y	Y	Y	Y	N	N	Y****	Y
North Carolina	Y	N	Y	N	Y****	N	N	N	Y
Ohio ~	Y	Y*****	Y	N	Y*****	N	N	N	Y
Oregon	Y	N	Y	N	N	N	N	N	Y
Pennsylvania	Y	N	N	N	N	N	Y	N	Y
Tennessee	Y	N	Y****	N	Y****	N	N	N	Y
Texas 1+	Y*	Y	Y	Y	Y	N	Y	N	Y
Texas 2++	Y	N	N	N	N	N	N	N	Y
Virginia	Y	Y	Y	Y	N***	N	N	N	Y

+ Texas Local Community Corrections Subsidy Programs Act

++ Texas County Correctional Centers Act

~ Ohio includes both the Community Corrections Act and the Community-Based Corrections Facilities and Programs Act.

NE = "Not Explicitly Addressed" in the CCA; the item seems to be open to interpretation.

\* More than one one local board may be established in a single local governmental unit.

\*\* Private non-profit entities may contract with counties to provide services, however.

\*\*\*Qualified Nonprofit agencies may receive CCA funds.

\*\*\*\* With certain limitations.

\*\*\*\*\* The Community Corrections Act only.

**TABLE 5**  
**COMMUNITY CORRECTIONS ACTS - LOCAL GOVERNMENT ELIGIBILITY**

<u>Counties</u>	<u>Municipalities</u>	<u>Multi-County Groups</u>	<u>Joint City/County Groups</u>	<u>Non-Governmental Organizations/Agencies</u>	<u>Special Districts</u>	<u>Judicial Districts</u>	<u>Tribal Governments</u>	<u>Voluntary Participation?</u>
Y	Y	Y	NE	Y****	N	Y	N	Y
Y	N	N	NE	Y***	N	N	N	Y
Y	Y	Y	Y	Y	N	Y	N	Y
N	N	N	N	Y	N	N	N	Y
Y	N	Y	N	N**	N	N	N	Y
Y	N	Y	N	Y	N	N	N	Y
N	N	N	N	N	N	Y	N	N
Y	N	Y	N	N	N	N	N	N
Y	Y	NE	NE	Y	NE	Y	N	Y
Y	N	Y	N	N	N	N	N	Y
Y	Y	Y	Y	Y	N	N	N	Y
Y	N	Y	N	N	N	N	N	Y
Y	Y	NE	Y	Y	N	NE	Y	Y
Y	Y	Y	Y	Y	N	N	Y***	Y
Y	N	Y	N	Y****	N	N	N	Y
Y	Y*****	Y	N	Y*****	N	N	N	Y
Y	N	Y	N	N	N	N	N	Y
Y	N	N	N	N	N	Y	N	Y
Y	N	Y****	N	Y****	N	N	N	Y
Y*	Y	Y	Y	Y	N	Y	N	Y
Y	N	N	N	N	N	N	N	Y
Y	Y	Y	Y	N***	N	N	N	Y

nity Corrections Subsidy Programs Act

ectional Centers Act

e Community Corrections Act and the Community-Based Corrections Facilities and Programs Act.

ddressed" in the CCA; the item seems to be open to interpretation.

cal board may be established in a single local governmental unit.

ties may contract with counties to provide services, however.

t agencies may receive CCA funds.

ations.

Corrections Act only.

**TABLE 6**  
**COMMUNITY CORRECTIONS ACTS - PARTICIPATION REQUIREMENTS**

	<u>Local CC Advisory/Planning Board</u>	<u>Local Bd. Required To Participate?</u>	<u>Local Correctional Plan Required</u>	<u>Are Plan Requirements Strict or Lenient?</u>	<u>State Approval Required</u>	<u>Continued Compliance Required</u>	<u>Formal Suspension Process</u>	<u>Outcome - Based Evaluation</u>	<u>Approval of BOCC Required</u>	<u>Chargeback Mechanism</u>
Alabama	Y	Y	Y	L	Y	Y	Y	Y	Y	N
Arizona	Y	N	Y	L	Y	Y	N	N	N	N
Colorado	Y	Y	N*	*	Y	Y	N	N	NE	N
Connecticut	N	N	N*	*	N	Y	N	Y	N	N
Florida	Y	Y	Y	S	Y	Y	Y	Y	Y	N
Indiana	Y	Y	Y	L	Y	Y	N	Y	N	Y
Iowa	Y	Y	Y	L	Y	Y	Y	N	N	N
Kansas	Y	Y	Y	L	Y	Y	Y	Y	Y	N**
Kentucky	Y	Y	Y	M	Y	Y	N	Y	N	N
Maryland	Y	Y	N*	*	Y*	Y	N	Y	N	N
Michigan	Y	Y	Y	S	Y	Y	Y	Y	Y	N
Minnesota	Y	Y	Y	M	Y	Y	Y	Y	Y	Y++
Montana	Y	Y	N*	*	Y*	Y	N	Y	N	N
New Mexico	Y	N	N*	*	Y***	Y	N	Y	N	N
North Carolina	Y	Y	Y	S	Y	Y	Y	Y	Y	N
Ohio ~	Y	Y	Y	M+++	Y	Y	N	N	Y++++	N
Oregon	Y	Y	Y	M to S	Y	Y	Y	Y	N	N
Pennsylvania	Y	Y	Y	L to M	Y	Y	Y	Y	N	N
Tennessee	Y	Y	Y	L	Y	Y	Y	Y	Y	N
Texas 1	Y	Y	Y	L	Y	Y	Y	Y	N	N
Texas 2	Y	Y	N*	*	Y	Y	N	N	Y+	N
Virginia	Y	Y	N*	*	Y	Y	N	Y	N	N

++ Juveniles only.

+++ The Community-Based Corrections Facilities and Programs Act only.

++++ The Community Corrections Act only.

Texas 1 = Texas Local Community Corrections Subsidy Programs Act

Texas 2 = Texas County Correctional Centers Act

~ Ohio includes both the Community Corrections Act and the Community-Based Corrections Facility and Programs Act.

\* Application only, however, Maryland requires that a plan for the individual centers be submitted for "approval."

\*\* Kansas originally had a chargeback mechanism, however it was later removed.

\*\*\* Must Approve Grants Based on Applications

M=Medium

NE = "Not Explicitly Addressed" in the CCA; the item seems to be open to interpretation.

+ Approval of County Court of Commissioners

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(ACIR 12/21/93)



**TABLE 7 - A**  
**COMMUNITY CORRECTIONS ACTS - AUTHORIZED USES OF FUNDING**

	<u>Funding Formula</u>	<u>FY 1992-93 Statewide Budget</u>	<u>Local Matching of Funding Required</u>	<u>State Facilities</u>	<u>County May Contract With Private Entities</u>	<u>Restrictions on Jail Spending</u>	
						<u>Capital Costs</u>	<u>Jail Operations</u>
Alabama	N	\$0	N	NE	Y	N	N
Arizona	N	\$2.5 Million*	N	NE	NE	Y	Y
Colorado	N	\$21 Million**	N	N	Y	NE	NE
Connecticut	Y	\$22 Million**	Y	NE	N/A	NE	NE
Florida	N	\$150,000	N	N	Y	Y	Y
Indiana	Y	\$8 Million	N	N	Y	Y	NE
Iowa	N	\$38 Million	N	NE	Y	N	N
Kansas	Y	\$10 Million**	Y	NE	Y	NE	NE
Kentucky	N	UNK.	N	NE	NE	Y	Y
Maryland	Y	UNK.	N	N	Y	N	N
Michigan	N	\$22.7 Million**	N	NE	Y	NE	NE
Minnesota	Y	\$39 Million	N	N	NE	N	N
Montana	N	UNK.	N	NE	NE	NE	NE
New Mexico	N	\$2.5 Million	N	NE	Y	NE	NE
North Carolina	Y	\$13 Million****	N	NE	NE	Y	NE
Ohio	N	\$7.5 Million+++	Y	NE	Y	NE	NE
Oregon	Y	\$11.4 Million**	N	N	NE	Y	N
Pennsylvania	N	UNK.	N	N	Y	Y	Y
Tennessee	N	\$5 Million**	N	Y	Y	Y	Y
Texas 1+	N	\$44.2 Million	N	NE	NE	NE	NE
Texas 2++	N	Combined	N	N	NE	NE	NE
Virginia	Y	\$10 Million**	N	N	Y	Y	NE

Source: Approximate Figures obtained from state administrative agency documents and Shilton, M.K., Community Corrections Acts for State-Local Partnerships (1993).

+ Texas Local Community Corrections Subsidy Programs Act

++ Texas County Correctional Centers Act

NE = Not Explicitly Addressed in the CCA.

\* For community corrections programs only, however and additional \$20 million is spent annually on ISP and regular probation.

\*\* For a recent, previous fiscal year.

\*\*\* For the next fiscal year.

\*\*\*\* Recommended for the next fiscal year.

+++ The Community Corrections Act only.

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(1/13/94 ACIR)

**TABLE 7 - B**  
**COMMUNITY CORRECTIONS ACTS - AUTHORIZED USES OF FUNDING**

	<u>Special Trust Fund</u>		<u>Jail Programs</u>	<u>Pre-Trial Services</u>	<u>Administrative Expense Cap</u>	<u>Use Funds For CC Plans</u>	<u>Maintenance Of Local Effort Req'd</u>
	<u>State</u>	<u>Local</u>					
Alabama	N	N	NE	N	Y*	N	N
Arizona	N	N	N	N	N	Y	Y
Colorado	N	N	Y	N	N	NE	N
Connecticut	N	N	Y	Y	N	NA	N
Florida	Y	N	Y	NE	N	N	Y
Indiana	N	Y	Y	Y	N	Y	Y
Iowa	N	N	NE	Y	N	NE	N
Kansas	N	N	Y	Y	N	Y	NE
Kentucky	N	N	NE	NE	N	N	N
Maryland	N	N	N	Y	N	Y	N
Michigan	N	N	NE	Y	Y	Y	NE
Minnesota	N	N	N	Y	N	Y	Y
Montana	N	N	NE	N	N	N	N
New Mexico	Y	N	NE	NE	Y	NE	N
North Carolina	Y	N	NE	Y	N	Y	Y
Ohio	Y	N	Y	Y	Y**	NE	Y***
Oregon	Y	N	Y	Y	N	NE	Y****
Pennsylvania	N	N	Y	NE	Y*	NE	Y
Tennessee	N	N	NE	N	Y	N	Y
Texas 1+	N	Y	NE	Y	N	NE	NE
Texas 2++	N	Y	Y	N	N	NE	N
Virginia	N	N	NE	N	N	NE	N

+ Texas Local Community Corrections Subsidy Programs Act

++ Texas County Correctional Centers Act

NE = Not Explicitly Addressed in the CCA.

NA = Not Applicable

\* To be set by the Commission or Department.

\*\* Only the Community Corrections Act, which places an administrative expense cap on the state agency only.

\*\*\* Only the Community Corrections Act.

\*\*\*\*For misdemeanants only.

tab7bccca.wk3

(12/30/93 ACIR)



**Table 8**  
**Proposed ACIR Recommendations and Policy Objectives**  
**Related to the Community Corrections Partnership Act**

The overall purpose for the proposed ACIR statutory amendments is to improve the viability, relevance, effectiveness, and efficiency in the planning and implementation of community-based criminal sanctions and programs funded, in part or in full, by state appropriated funds. Using the following interpretations, policy objectives for each ACIR staff recommendation are identified in the table below.

Viability: Fiscal capacity to implement.

Relevance: Close correspondence between programs or sanctions and the identified criminal justice and corrections needs in a community.

Efficiency: Coordinated use of important planning and program resources in the criminal justice and corrections systems that minimize unnecessary duplication and fragmentation.

Effectiveness: Short and long-term reductions in crime and improvements in public safety.

ACIR Staff Recommendations	Primary Policy Objectives
1) Establish a dedicated funding source for continued funding of the Community Corrections Assistance Trust Fund or the Community Corrections Partnership Act.	Improve Viability
2) Amend the duties and responsibilities of the Corrections Commission to include in its mission statement the promotion of state and local partnerships in correctional policy and programs; and include in its membership adequate local government representation.	Improve Effectiveness Improve Relevance Improve Efficiency
3) Judicial Circuits should be additionally authorized to submit plans and seek direct funding through the Community Corrections Partnership Act under conditions that are acceptable to counties within that judicial circuit. With this authority, the circuit public safety coordinating council memberships shall include representatives of the criminal justice and corrections delivery systems, such as: (a) the Chief Circuit Judge and Chief County Judges (the Chief Circuit Judge being the chairman of the committee), (b) the State Attorney, (c) the Public Defender, (d) the state probation circuit administrator, (e) a physician working in the area of alcohol and substance abuse, (f) a mental health professional concentrating practice in the area of alcohol and substance abuse, (g) a sheriff or jail administrator for a county in the judicial circuit, (h) a police chief from the largest police department in the circuit, (i) a county commissioner from each county in the circuit, (j) a city governing official of the largest municipality (most populous) in each county in the circuit, and (k) a school board official from that circuit.	Improve Effectiveness Improve Efficiency

4) The "Maintenance of Local Effort" requirement should be removed from the Partnership Act.	Improve Viability
<p>5) The statutory county public safety plan requirements should be tailored to meet the resources available to a county for purposes of preparing the required plan. Specifically, the plan requirements or statute subsections that should be deleted from the Act under §. 948.51(2), F.S., are:</p> <ul style="list-style-type: none"> <li>(1) Subsection (e) which requires the inclusion of the monthly assessment of the population status by the county public safety coordinating council of all probation programs owned, operated, or contracted for by the county, including county residential probation programs;</li> <li>(2) Subsection (h) which requires a projection of needs for both the construction of county detention facilities and the development of offender diversionary programs;</li> <li>(3) Subsection (i) which requires annual performance measures that establish whether a participating county complies with its approved comprehensive county correction plan;</li> <li>(4) Subsection (j) which requires a plan for ongoing involvement and education of the community as to the purposes and accomplishments of the community corrections programs, including, but not limited to, their impact on recommitment;</li> <li>(5) Subsection (k) which requires verification by the county public safety coordinating council that the current percentage of spending levels for county correctional efforts have not been and will not be reduced by community corrections funds which may be received from the state.</li> </ul>	Improve Viability
6) Clear statutory assurance that anticipated health care costs may be budgeted into the plan and funding request submitted to the Department of Corrections for approval by the participating entity.	Improve Viability
7) The Act should provide each county, within a public safety coordinating council, the right to accept, reject, or reject after acceptance the placement of any offender if that county does not view an offender as acceptable for a community-based sanction based only on the fact that the offender acts as a significant threat to public safety in such a facility or program.	Improve Viability Improve Relevance Improve Effectiveness
8) The Department of Corrections should, in cooperation with counties, school boards, and municipalities, establish an educational and technical assistance program. The Legislature should appropriate sufficient funds to the Department of Corrections to comply with this requirement.	Improve Effectiveness

<p>9) If an eligible entity anticipates the inclusion of juvenile programs and services in their comprehensive public safety plan and funding request, school board representatives should be named as a required member of the county public safety coordinating council under F.S. § 951.26, which is incorporated by reference in the Act.</p> <p><u>and</u></p> <p>Statutory assurance must be explicit to ensure that a coordinating effort will be undertaken between the county public safety coordinating council and the district juvenile justice planning group and county juvenile justice council established under F.S. § 39.025 (1993).</p>	<p>Improve Relevance Improve Efficiency</p>
<p>10) Provide a list in the statute which clearly states examples of intermediate, community-based sanctions which are fundable facilities and services under the Partnership Act.</p> <p>The language should state: "Programs, services, and facilities which are fundable under this Act include, but are not limited to:</p> <ul style="list-style-type: none"> <li>Work camps,</li> <li>Intensive supervision probation,</li> <li>Military-style bootcamps,</li> <li>Work release facilities,</li> <li>Day reporting centers,</li> <li>Restitution centers,</li> <li>In-patient and out-patient drug and alcohol abuse treatment and counseling,</li> <li>Vocational and educational programs,</li> <li>Halfway houses, and</li> <li>Pretrial Release Services."</li> </ul>	<p>Improve Relevance</p>
<p>11) Under administrative rules, the evaluation committee should include persons not employed by the department in order to be a more "independent" body for the purpose of making recommendations to the Secretary of the Department of Corrections for grant funding.</p>	<p>Improve Effectiveness Improve Efficiency</p>
<p>12) The outcome-based evaluations performed on programs receiving funding through the Partnership Act should be the fiscal responsibility of the state.</p>	<p>Improve Viability</p>
<p>13) There should be clear statutory assurance that all pre-trial programs are fundable programs under the Act. (See recommendation #11)</p>	<p>Improve Relevance</p>
<p>14) Municipalities should be allowed to participate in the planning process.</p>	<p>Improve Relevance Improve Efficiency Improve Effectiveness</p>

TABLE A: COMMUNITY SERVICE

County	Approximate Year Implemented	Non-Violent Misdemeanants	Violent Misdemeanants	Non-Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	1975	Yes	Yes	Yes	Yes	C	158,000	144,000	-
Baker	1993	Yes	-	Yes	-	C	unavailable	unavailable	-
Bay	Unknown	Yes	Yes	Yes	Yes	?	unavailable*	unavailable*	-
Bradford									
Brevard	Unknown	Yes	Yes	-	-	?	unavailable	unavailable	-
Broward	Unknown	Yes	-	-	-	C	25,000	25,000	-
Calhoun									
Charlotte	1983	Yes	-	Yes	-	C	unavailable	unavailable	-
Citrus									
Clay									
Collier	1982	Yes	Yes	-	-	C	unavailable	unavailable	-
Columbia	1980?	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto									
Dixie	Unknown	Yes	Yes	Yes	Yes	C/P			
Duval	1980	Yes	-	Yes	-	C	37,000	38,500	-
Escambia	1983	Yes	-	-	-	P	unavailable*	unavailable*	-
Flagler	1979	Yes	Yes	-	-	P			
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	1980	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Gilchrist									
Glades	1983	Yes	-	-	-	?	unavailable	unavailable	-
Gulf	Unknown	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Hamilton									
Hardee	1979	Yes	Yes	Yes	Yes	C/P/State	unavailable	unavailable	-
Hendry	1993	Yes	-	-	-	C			
Hernando	Early 80's	Yes	Yes	-	-	P	unavailable	unavailable	-
Highlands	1988	Yes	-	-	-	C	unavailable	unavailable	-
Hillsborough	1978	Yes	Yes	Yes	Yes	State/P	unavailable	unavailable	-
Holmes									
Indian River	1985	Yes	-	Yes	-	C	unavailable	unavailable	-
Jackson									
Jefferson									
Lafayette									
Lake	1982	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Lee	1980	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Leon	-	-	-	-	-	-			
Levy									
Liberty	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Madison									
Manatee	1974	Yes	-	-	-	C	unavailable	unavailable	-
Marion	1980	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Martin									
Monroe	Unknown	Yes	Yes	-	-	P	none	none	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	1977	Yes	Yes	Yes	Yes	C	493,636	512,243	-
Osceola	Unknown	Yes	Yes	-	-	C/P	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Pasco	1982	Yes	-	-	-	C	unavailable	unavailable	-
Pinellas	1979	Yes	Yes	Yes	-	C/P	unavailable	unavailable	-
Polk	1982	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Putnam	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
St. Johns	Unknown	Yes	Yes	Yes	Yes	State	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	1978	Yes	Yes	-	-	P	738,000*	775,800*	-
Seminole									
Sumter	1980's	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Suwannee	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
Taylor									
Union									
Volusia	Pre-1984	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE B: MILITARY-STYLE BOOT CAMPS

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	-	-	-	-	-	-	-	-	Yes
Baker	-	-	-	-	-	-	-	-	Yes
Bay	-	-	-	-	-	-	-	-	-
Bradford	-	-	-	-	-	-	-	-	-
Brevard	-	-	-	-	-	-	-	-	Yes
Broward	1993	-	-	Yes	-	C	200,000	400,000	-
Calhoun	-	-	-	-	-	-	-	-	-
Charlotte	-	-	-	-	-	-	-	-	-
Citrus	-	-	-	-	-	-	-	-	-
Clay	-	-	-	-	-	-	-	-	-
Collier	-	-	-	-	-	-	-	-	-
Columbia	-	-	-	-	-	-	-	-	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto	-	-	-	-	-	-	-	-	-
Dixie	-	-	-	-	-	-	-	-	-
Duval	-	-	-	-	-	-	-	-	-
Escambia	1991	Yes	-	-	-	?	unavailable*	unavailable*	-
Flagler	-	-	-	-	-	-	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist	-	-	-	-	-	-	-	-	-
Glades	-	-	-	-	-	-	-	-	-
Gulf	-	-	-	-	-	-	-	-	Yes
Hamilton	-	-	-	-	-	-	-	-	-
Hardee	-	-	-	-	-	-	-	-	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	-	-	-	-	-	-	-	-	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	1994	Yes	-	Yes	-	C/State	unavailable	unavailable	-
Holmes	-	-	-	-	-	-	-	-	-
Indian River	-	-	-	-	-	-	-	-	-
Jackson	-	-	-	-	-	-	-	-	-
Jefferson	-	-	-	-	-	-	-	-	-
Lafayette	-	-	-	-	-	-	-	-	-
Lake	-	-	-	-	-	-	-	-	-
Lee	1994	Yes	Yes	Yes	Yes	C	unavailable	50,000	-
Leon	-	-	-	-	-	-	-	-	-
Levy	-	-	-	-	-	-	-	-	-
Liberty	-	-	-	-	-	-	-	-	-
Madison	-	-	-	-	-	-	-	-	-
Manatee	1993	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	C	unavailable	541,540	-
Marion	-	-	-	-	-	-	-	-	-
Martin	-	-	-	-	-	-	-	-	-
Monroe	Unknown	Yes	Yes	-	-	P	none	none	-
Nassau	-	-	-	-	-	-	-	-	-
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	-	-	-	-	-	-	-	-	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pasco	-	-	-	-	-	-	-	-	-
Pinellas	1993	-	-	Yes/Juvenile	Yes/Juvenile	C	unavailable	unavailable	-
Polk	-	-	-	-	-	-	-	-	Yes
Putnam	-	-	-	-	-	-	-	-	Yes
St. Johns	-	-	-	-	-	-	-	-	-
St. Lucie	-	-	-	-	-	-	-	-	-
Santa Rosa	-	-	-	-	-	-	-	-	-
Sarasota	-	-	-	-	-	-	-	-	Yes
Seminole	-	-	-	-	-	-	-	-	-
Sumter	Unknown	-	-	Yes	Yes	State	unavailable	unavailable	Yes
Suwannee	-	-	-	-	-	-	-	-	Yes
Taylor	-	-	-	-	-	-	-	-	-
Union	-	-	-	-	-	-	-	-	-
Volusia	Unknown	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	?	unavailable	unavailable	-
Wakulla	-	-	-	-	-	-	-	-	-
Walton	-	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	-	-

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE C: DAY REPORTING CENTERS

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	-	-	-	-	-	-	-	-	-
Baker	-	-	-	-	-	-	-	-	-
Bay	-	-	-	-	-	-	-	-	-
Bradford	-	-	-	-	-	-	-	-	-
Brevard	-	-	-	-	-	-	-	-	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun	-	-	-	-	-	-	-	-	-
Charlotte	-	-	-	-	-	-	-	-	-
Citrus	-	-	-	-	-	-	-	-	-
Clay	-	-	-	-	-	-	-	-	-
Collier	-	-	-	-	-	-	-	-	-
Columbia	-	-	-	-	-	-	-	-	-
Dade	1991	Yes	Yes	Yes	Yes	C	808,000	1,161,700	-
DeSoto	-	-	-	-	-	-	-	-	-
Dixie	-	-	-	-	-	-	-	-	-
Duval	-	-	-	-	-	-	-	-	-
Escambia	-	-	-	-	-	-	-	-	-
Flagler	-	-	-	-	-	-	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist	-	-	-	-	-	-	-	-	-
Glades	-	-	-	-	-	-	-	-	-
Gulf	-	-	-	-	-	-	-	-	-
Hamilton	-	-	-	-	-	-	-	-	-
Hardee	-	-	-	-	-	-	-	-	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	-	-	-	-	-	-	-	-	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	-	-	-	-	-	-	-	-	-
Holmes	-	-	-	-	-	-	-	-	-
Indian River	-	-	-	-	-	-	-	-	-
Jackson	-	-	-	-	-	-	-	-	-
Jefferson	-	-	-	-	-	-	-	-	-
Lafayette	-	-	-	-	-	-	-	-	-
Lake	-	-	-	-	-	-	-	-	-
Lee	-	-	-	-	-	-	-	-	-
Leon	-	-	-	-	-	-	-	-	-
Levy	-	-	-	-	-	-	-	-	-
Liberty	Unknown	-	-	Yes	Yes	state only	unavailable	unavailable	-
Madison	-	-	-	-	-	-	-	-	-
Manatee	-	-	-	-	-	-	-	-	-
Marion	-	-	-	-	-	-	-	-	-
Martin	-	-	-	-	-	-	-	-	-
Monroe	-	-	-	-	-	-	-	-	-
Nassau	-	-	-	-	-	-	-	-	-
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	1991	Yes	-	Yes	-	C	843,133	870,453	-
Osceola	-	-	-	-	-	-	-	-	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pasco	-	-	-	-	-	-	-	-	-
Pinellas	-	-	-	-	-	-	-	-	-
Polk	-	-	-	-	-	-	-	-	-
Putnam	-	-	-	-	-	-	-	-	-
St. Johns	-	-	-	-	-	-	-	-	-
St. Lucie	-	-	-	-	-	-	-	-	-
Santa Rosa	-	-	-	-	-	-	-	-	-
Sarasota	-	-	-	-	-	-	-	-	-
Seminole	-	-	-	-	-	-	-	-	-
Sumter	-	-	-	-	-	-	-	-	-
Suwannee	-	-	-	-	-	-	-	-	-
Taylor	-	-	-	-	-	-	-	-	-
Union	-	-	-	-	-	-	-	-	-
Volusia	-	-	-	-	-	-	-	-	-
Wakulla	-	-	-	-	-	-	-	-	-
Walton	-	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	-	-

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE D: EMERGENCY SHELTERS

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	Unknown	-	-	-	-	C	unavailable	unavailable	-
Baker	-	-	-	-	-	-	-	-	-
Bay	-	-	-	-	-	-	-	-	-
Bradford									
Brevard	-	-	-	-	-	-	-	-	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun									
Charlotte	-	-	-	-	-	-	-	-	-
Citrus									
Clay									
Collier	1989	?	?	?	?	P	unavailable	unavailable	-
Columbia	-	-	-	-	-	-	-	-	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto									
Dixie	-	-	-	-	-	-	-	-	-
Duval	-	-	-	-	-	-	-	-	-
Escambia	-	-	-	-	-	-	-	-	-
Flagler	-	-	-	-	-	-	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	-	-	-	-	-	-	-	-	Yes
Hamilton									
Hardee	-	-	-	-	-	-	-	-	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	-	-	-	-	-	-	-	-	Yes
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	1970's	?	?	?	?	C/P/State	unavailable	unavailable	-
Holmes									
Indian River	1990	Yes	-	Yes	-	P	unavailable	unavailable	-
Jackson									
Jefferson									
Lafayette									
Lake	-	-	-	-	-	-	-	-	-
Lee	1970's	-	Yes	-	Yes	P	unavailable	unavailable	-
Leon	-	-	-	-	-	-	-	-	-
Levy									
Liberty	-	-	-	-	-	-	-	-	Yes
Madison									
Manatee	-	-	-	-	-	-	-	-	-
Marion	-	-	-	-	-	-	-	-	Yes
Martin									
Monroe	-	-	-	-	-	-	-	-	-
Nassau									
Ocala	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	-	-	-	-	-	-	-	-	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pasco	Unknown	?	?	?	?	State	unavailable	unavailable	-
Pinellas	-	-	-	-	-	P	unavailable	unavailable	-
Polk	-	-	-	-	-	-	-	-	-
Putnam	-	-	-	-	-	-	-	-	-
St. Johns	Unknown	?	?	?	?	P	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	1979	-	-	-	-	P	unavailable	unavailable	-
Seminole									
Sumter	Unknown	?	?	?	?	P	unavailable	unavailable	-
Suwannee	-	-	-	-	-	-	-	-	-
Taylor									
Union									
Volusia	Pre-1984	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE E: HALF-WAY HOUSES

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget FY 92-93	FY 93-94	Program is Desired by County
Alachua	-	-	-	-	-	-	-	-	-
Baker	-	-	-	-	-	-	-	-	-
Bay	-	-	-	-	-	-	-	-	-
Bradford	-	-	-	-	-	-	-	-	-
Brevard	-	-	-	-	-	-	-	-	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun	-	-	-	-	-	-	-	-	-
Charlotte	-	-	-	-	-	-	-	-	-
Citrus	-	-	-	-	-	-	-	-	-
Clay	-	-	-	-	-	-	-	-	-
Collier	-	-	-	-	-	-	-	-	-
Columbia	-	-	-	-	-	-	-	-	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto	-	-	-	-	-	-	-	-	-
Dixie	-	-	-	-	-	-	-	-	-
Duval	-	-	-	-	-	-	-	-	-
Escambia	-	-	-	-	-	-	-	-	-
Flagler	-	-	-	-	-	-	-	-	Yes
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist	-	-	-	-	-	-	-	-	-
Glades	-	-	-	-	-	-	-	-	-
Gulf	-	-	-	-	-	-	-	-	Yes
Hamilton	-	-	-	-	-	-	-	-	-
Hardee	-	-	-	-	-	-	-	-	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	-	-	-	-	-	-	-	-	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	1980's	Yes	-	Yes	-	P	unavailable	unavailable	-
Holmes	-	-	-	-	-	-	-	-	-
Indian River	1984	Yes	-	Yes	-	P	unavailable	unavailable	-
Jackson	-	-	-	-	-	-	-	-	-
Jefferson	-	-	-	-	-	-	-	-	-
Lafayette	-	-	-	-	-	-	-	-	-
Lake	-	-	-	-	-	-	-	-	-
Lee	-	-	-	-	-	-	-	-	-
Leon	-	-	-	-	-	-	-	-	-
Levy	-	-	-	-	-	-	-	-	-
Liberty	-	-	-	-	-	-	-	-	-
Madison	-	-	-	-	-	-	-	-	-
Manatee	-	-	-	-	-	-	-	-	-
Marion	1987	Yes	-	Yes	-	P	unavailable	unavailable	P
Martin	-	-	-	-	-	-	-	-	-
Monroe	-	-	-	-	-	-	-	-	-
Nassau	-	-	-	-	-	-	-	-	-
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	-	-	-	-	-	-	-	-	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Pasco	Unknown	?	?	?	?	State	unavailable	unavailable	-
Pinellas	-	-	-	-	-	-	-	-	-
Polk	-	-	-	-	-	-	-	-	-
Putnam	-	-	-	-	-	-	-	-	-
St. Johns	-	-	-	-	-	-	-	-	-
St. Lucie	-	-	-	-	-	-	-	-	-
Santa Rosa	-	-	-	-	-	-	-	-	-
Sarasota	1992	-	-	Yes	-	P/State	unavailable	unavailable	-
Seminole	-	-	-	-	-	-	-	-	-
Sumter	-	-	-	-	-	-	-	-	Yes
Suwannee	-	-	-	-	-	-	-	-	Yes
Taylor	-	-	-	-	-	-	-	-	-
Union	-	-	-	-	-	-	-	-	-
Volusia	-	-	-	-	-	-	-	-	-
Wakulla	-	-	-	-	-	-	-	-	-
Walton	-	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	-	-

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.



TABLE F: HOUSE ARREST/DETENTION

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Baker	1993	Yes	-	Yes	-	C/P	unavailable	unavailable	-
Bay	1990	-	-	Yes	Yes	P	37,500	37,500	-
Bradford									
Brevard	-	-	-	-	-	-	-	-	Yes
Broward	1988	Yes	-	-	-	C	unavailable	unavailable	-
Calhoun									
Charlotte	-	-	-	-	-	-	-	-	-
Citrus									
Clay									
Collier	1987	Yes	-	-	-	P	unavailable	unavailable	-
Columbia	1980's	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	1985	Yes	Yes	Yes	Yes	C	100,000	447,000	-
DeSoto									
Dixie	Unknown	Yes	Yes	Yes	Yes	C			
Duval	1988	Yes	Yes	Yes	-	C	169,000	175,000	-
Escambia	1992	Yes	Yes	-	-	C	unavailable*	unavailable*	-
Flagler	1979	Yes	Yes	-	-	P			
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	-	-	Yes	Yes	C	unavailable	unavailable	-
Hamilton									
Hardee	Unknown	-	-	Yes	Yes	State	unavailable	unavailable	-
Hendry	Unknown	-	-	Yes	-	C			
Hernando	1989	Yes	Yes	-	-	P	unavailable	unavailable	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	1983	Yes	Yes	Yes	Yes	C/State	unavailable	unavailable	-
Holmes									
Indian River	1989	Yes	-	-	-	P	unavailable	unavailable	-
Jackson									
Jefferson									
Lafayette									
Lake	1987	Yes	Yes	Yes	Yes	C/State	unavailable	unavailable	-
Lee	1983	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	C	unavailable	unavailable	-
Leon	-	-	-	-	-	-			
Levy									
Liberty	1983	-	-	Yes	Yes	State	-	-	-
Madison									
Manatee	1990	Yes/Pretrial only	Yes/Pretrial only	Yes/Pretrial only	Yes/Pretrial only	C	unavailable	unavailable	-
Marion	1983	-	-	Yes	Yes	State	unavailable	unavailable	-
Martin									
Monroe	Unknown	Yes	Yes	-	-	P	none	none	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	1990	Yes	-	Yes	-	C	see day reporting		-
Osceola	-	-	-	-	-	-	-	-	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pasco	Unknown	Yes	-	Yes	-	C	unavailable	unavailable	-
Pinellas	1985	Yes	Yes	Yes	-	C/P	unavailable	unavailable	-
Polk	1983	-	-	Yes	Yes	C			
Putnam	Unknown	Yes	Yes	-	-	P			
St. Johns	Unknown	Yes	Yes	Yes	Yes	C/State	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	1990	Yes	Yes	-	-	P	738,000*	775,800*	-
Seminole									
Sumter	1981	-	Yes	-	Yes	C/State	unavailable	unavailable	-
Suwannee	-	-	-	-	-	-			
Taylor									
Union									
Volusia	Pre-1984	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE G: IN-PATIENT COUNSELING (DRUG/ALCOHOL ABUSE - AFTER TREATMENT)

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felon	Violent Felon	County Operated/ Privately Operated	County Budget FY 92-93	FY 93-94	Program is Desired by County
Alachua	-	-	-	-	-	-	-	-	-
Baker	-	-	-	-	-	-	-	-	-
Bay	Unknown	Yes	Yes	Yes	Yes	P	55,461*	27,784*	-
Bradford	-	-	-	-	-	-	-	-	-
Brevard	-	-	-	-	-	-	-	-	-
Broward	1989	Yes	-	Yes	-	C	unavailable	unavailable	-
Calhoun	-	-	-	-	-	-	-	-	-
Charlotte	-	-	-	-	-	-	-	-	-
Citrus	-	-	-	-	-	-	-	-	-
Clay	-	-	-	-	-	-	-	-	-
Collier	-	-	-	-	-	-	-	-	-
Columbia	1980's	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto	-	-	-	-	-	-	-	-	-
Dixie	-	-	-	-	-	-	-	-	-
Duval	1991	Yes	Yes	Yes	-	?	380,085	397,231	-
Escambia	1992	Yes	-	Yes	-	C/P	unavailable*	unavailable*	-
Flagler	1991	Yes	Yes	Yes	Yes	C	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist	-	-	-	-	-	-	-	-	-
Glades	-	-	-	-	-	-	-	-	-
Gulf	-	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Hamilton	-	-	-	-	-	-	-	-	-
Hardee	1973	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	-	-	-	-	-	-	-	-	-
Highlands	1985	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Hillsborough	1970's	Yes	Yes	Yes	Yes	C/P/State	unavailable	unavailable	-
Holmes	-	-	-	-	-	-	-	-	-
Indian River	-	-	-	-	-	-	-	-	-
Jackson	-	-	-	-	-	-	-	-	-
Jefferson	-	-	-	-	-	-	-	-	-
Lafayette	-	-	-	-	-	-	-	-	-
Lake	-	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Lee	1970's	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Leon	-	-	-	-	-	-	-	-	-
Levy	-	-	-	-	-	-	-	-	-
Liberty	Early-mid 80's	?	?	Yes	Yes	C/P	unavailable	unavailable	-
Madison	-	-	-	-	-	-	-	-	-
Manatee	1987	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	-	P	unavailable	unavailable	-
Marion	-	-	-	-	-	-	-	-	-
Martin	-	-	-	-	-	-	-	-	-
Monroe	-	-	-	-	-	-	-	-	-
Nassau	-	-	-	-	-	-	-	-	-
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Pasco	1982	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Pinellas	1981	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Polk	1985	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Putnam	Unknown	-	-	-	-	P/State	unavailable	unavailable	-
St. Johns	Unknown	?	?	?	?	P	unavailable	unavailable	-
St. Lucie	-	-	-	-	-	-	-	-	-
Santa Rosa	-	-	-	-	-	-	-	-	-
Sarasota	1978	Yes	Yes	Yes	Yes	P	1,248,000*	1,426,000*	-
Seminole	-	-	-	-	-	-	-	-	-
Sumter	-	-	-	-	-	-	-	-	Yes
Suwannee	-	-	-	-	-	-	-	-	Yes
Taylor	-	-	-	-	-	-	-	-	-
Union	-	-	-	-	-	-	-	-	-
Volusia	Pre-1984	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Wakulla	-	-	-	-	-	-	-	-	-
Walton	-	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	-	-

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE H: IN-PATIENT DRUG/ALCOHOL ABUSE TREATMENT (DETOXIFICATION)

County	Approximate Year Implemented	Non-Violent Misdemeanants	Violent Misdemeanants	Non-Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	Approx. 1973	Yes	Yes	Yes	Yes	C/HRS grant	318,000	319,000	-
Baker	1993	Yes	-	Yes	-	C	unavailable	unavailable	-
Bay	Unknown	Yes	Yes	Yes	Yes	P	55,461*	27,784*	-
Bradford									
Brevard	-	-	-	-	-	-	-	-	-
Broward	1989	Yes	-	Yes	-	C	550,000	450,000	-
Calhoun									
Charlotte	-	-	-	-	-	-	-	-	-
Citrus									
Clay									
Collier	-	-	-	-	-	-	-	-	-
Columbia	1980's	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto									
Dixie	-	-	-	-	-	-	-	-	-
Duval	1975	Yes	Yes	Yes	Yes	C	70,000	70,000	-
Escambia	-	-	-	-	-	-	-	-	-
Flagler	1991	Yes	Yes	Yes	Yes	C	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Hamilton									
Hardee	1973	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	-	-	-	-	-	-	-	-	Yes
Highlands	1985	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Hillsborough	1970's	Yes	Yes	Yes	Yes	C/P/State	unavailable	unavailable	Yes
Holmes									
Indian River	1979	Yes	Yes	Yes	-	P	unavailable	unavailable	-
Jackson									
Jefferson									
Lafayette									
Lake	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Lee	1970's	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Leon	-	-	-	-	-	-	-	-	-
Levy									
Liberty	early/mid 80's	?	?	Yes	Yes	C/P	unavailable	unavailable	-
Madison									
Manatee	1987	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	-	P	unavailable	unavailable	-
Marion	1980	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Martin									
Monroe	-	-	-	-	-	-	-	-	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Pasco	1982	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Pinellas	Pre 1975	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Polk	1985	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Putnam	Unknown	Yes	Yes	-	-	state fund/P	unavailable	unavailable	-
St. Johns	Unknown	?	?	?	?	P	unavailable	unavailable	Yes
St. Lucie									
Santa Rosa									
Sarasota	1976	Yes	Yes	Yes	Yes	P	1,248,000*	1,426,000*	-
Seminole									
Sumter	-	-	-	-	-	-	-	-	Yes
Suwannee	-	-	-	-	-	-	-	-	Yes
Taylor									
Union									
Volusia	Pre-1984	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE 1: INTENSIVE SUPERVISION PROBATION

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Baker	1993	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Bay	-	-	-	-	-	-	-	-	-
Bradford									
Brevard	-	-	-	-	-	-	-	-	Yes
Broward	-	-	-	-	-	-	-	-	-
Calhoun									
Charlotte	1975	Yes	Yes	-	-	C	unavailable	unavailable	-
Citrus									
Clay									
Collier	1992	Yes	Yes	-	-	?	unavailable	unavailable	-
Columbia	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto									
Dixie	-	-	-	-	-	-	-	-	-
Duval	-	-	-	-	-	-	-	-	-
Escambia	1992	Yes	Yes	-	-	C	unavailable*	unavailable*	-
Flagler	-	-	-	-	-	-	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	Yes	Yes	-	-	C	unavailable	unavailable	-
Hamilton									
Hardee	Unknown	-	-	Yes	Yes	State	unavailable	unavailable	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	-	-	-	-	-	-	-	-	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	1980's	-	-	Yes	Yes	State	unavailable	unavailable	-
Holmes									
Indian River	-	-	-	-	-	-	-	-	-
Jackson									
Jefferson									
Lafayette									
Lake	Unknown	-	-	-	Yes	State	unavailable	unavailable	-
Lee	1983	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Leon	-	-	-	-	-	-	-	-	-
Levy									
Liberty	-	-	-	-	-	-	-	-	-
Madison									
Manatee	1974	Yes	Yes	-	-	C	25,000	25,000	-
Marion	1986	-	-	-	Yes	State	unavailable	unavailable	-
Martin									
Monroe	-	-	-	-	-	-	-	-	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	-	-	-	-	-	-	-	-	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pasco	Unknown	?	?	?	?	State	unavailable	unavailable	-
Pinellas	1992	Yes	Yes	Yes	-	P	unavailable	unavailable	-
Polk	-	-	-	-	-	-	-	-	-
Putnam	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
St. Johns	Unknown	-	-	Yes	Yes	State	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	-	-	-	-	-	-	-	-	-
Seminole									
Sumter	1981	Yes	Yes	-	-	C	unavailable	unavailable	-
Suwannee	-	-	-	-	-	-	-	-	-
Taylor									
Union									
Volusia	-	-	-	-	-	-	-	-	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE J: OUT-PATIENT COUNSELING (DRUG/ALCOHOL ABUSE - AFTER TREATMENT)

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	-	-	-	-	-	-	-	-	-
Baker	1992	Yes	-	Yes	-	C/P	unavailable	unavailable	-
Bay	Unknown	Yes	Yes	Yes	Yes	P	55,461*	27,784*	-
Bradford									
Brevard	1989	-	-	Yes	-	C/P	unavailable	unavailable	-
Broward	1988	Yes	-	Yes	-	C	unavailable	unavailable	-
Calhoun									
Charlotte	1976	Yes	Yes	-	-	C/P	unavailable	unavailable	-
Citrus									
Clay									
Collier	1972	?	?	?	?	P	unavailable	unavailable	-
Columbia	1980's	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto									
Dixie	-	-	-	-	-	-	-	-	-
Duval	1991	Yes	Yes	Yes	-	P	237,825	233,661	-
Escambia	1990	Yes	Yes	Yes	Yes	C/P	unavailable*	unavailable*	-
Flagler	-	-	-	-	-	-	-	-	Yes
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Hamilton									
Hardee	1973	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Hendry	1991	?	?	?	?	C			-
Hernando	-	-	-	-	-	-	-	-	-
Highlands	1985	Yes	Yes	Yes	Yes	?	unavailable	unavailable	-
Hillsborough	1970's	Yes	Yes	Yes	Yes	C/P/State	unavailable	unavailable	-
Holmes									
Indian River	1979	Yes	Yes	Yes	-	P	unavailable	unavailable	-
Jackson									
Jefferson									
Lafayette									
Lake	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Lee	1970's	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Leon	-	-	-	-	-	-	-	-	-
Levy									
Liberty	Unknown	Yes	Yes	Yes	Yes	C/P	-	-	-
Madison									
Manatee	1993	Yes	Yes	Yes	-	C/P	unavailable	unavailable	-
Marion	1980	Yes	Yes	Yes	-	C/P	unavailable	unavailable	-
Martin									
Monroe	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Pasco	1982	Yes	Yes	Yes	Yes	State	unavailable	unavailable	-
Pinellas	1980	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Polk	1985	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Putnam	Unknown	Yes	Yes	-	-	state fund/P	unavailable	unavailable	-
St. Johns	Unknown	?	?	?	?	P	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	1976	Yes	Yes	Yes	Yes	P	1,248,000*	1,426,000*	Yes
Seminole									
Sumter	1988	Yes	Yes	Yes	Yes	C?	unavailable	unavailable	-
Suwannee	-	-	-	-	-	-	-	-	Yes
Taylor									
Union									
Volusia	Pre-1984	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE K: OUT-PATIENT DRUG/ALCOHOL ABUSE TREATMENT (DETOXIFICATION)

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program Is Desired by County
							FY 92-93	FY 93-94	
Alachua	-	-	-	-	-	-	-	-	-
Baker	1992	Yes	-	Yes	-	C/P	unavailable	unavailable	-
Bay	Unknown	Yes	Yes	Yes	Yes	P	55,461*	27,784*	-
Bradford									
Brevard	-	-	-	-	-	-	-	-	-
Broward	1990	-	-	Yes	-	C	900,000	950,000	-
Calhoun									
Charlotte	1976	Yes	Yes	-	-	C/P	unavailable	unavailable	-
Citrus									
Clay									
Collier	-	-	-	-	-	-	-	-	-
Columbia	1980's	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto									
Dixie	Unknown	Yes	Yes	Yes	Yes	P			
Duval	-	-	-	-	-	-	-	-	-
Escambia	-	-	-	-	-	-	-	-	-
Flagler	-	-	-	-	-	-	-	-	Yes
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Hamilton									
Hardee	1973	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Hendry	Unknown	?	?	?	?	C			
Hernando	-	-	-	-	-	-	-	-	-
Highlands	1985	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Hillsborough	1970's	Yes	Yes	Yes	Yes	C/P/State	unavailable	unavailable	-
Holmes									
Indian River	1990	Yes	-	Yes	-	P	unavailable	unavailable	-
Jackson									
Jefferson									
Lafayette									
Lake	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Lee	1970's	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Leon	-	-	-	-	-	-	-	-	-
Levy									
Liberty	Unknown	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Madison									
Manatee	1993	Yes	Yes	Yes	-	C/P	unavailable	unavailable	-
Marion	1980	Yes	Yes	-	-	C/P	unavailable	unavailable	-
Martin									
Monroe	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Pasco	1982	Yes	-	-	-	P	unavailable	unavailable	-
Pinellas	1980	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Polk	1985	Yes	Yes	Yes	-	-	unavailable	unavailable	-
Putnam	Unknown	Yes	Yes	-	-	state fund/P	unavailable	unavailable	-
St. Johns	Unknown	?	?	?	?	P	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	-	-	-	-	-	-	-	-	-
Seminole									
Sumter	1988	Yes	Yes	Yes	Yes	Unknown	unavailable	unavailable	-
Suwannee	-	-	-	-	-	-	-	-	-
Taylor									
Union									
Volusia	Pre-1984	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE L: SUPERVISED PRE-TRIAL INTERVENTION AGREEMENTS

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	1994	Yes	Yes	Yes	Yes	C	?	85,000	-
Baker	1993	Yes	-	Yes	-	C	unavailable	unavailable	-
Bay	-	-	-	-	-	-	-	-	-
Bradford									
Brevard	1989	Yes	Yes	-	-	C	unavailable	unavailable	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun									
Charlotte	-	-	-	-	-	-	-	-	-
Citrus									
Clay									
Collier	1988	Yes	-	-	-	?	unavailable	unavailable	-
Columbia	1980's	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Dade	1984	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
DeSoto									
Dixie	Unknown	-	-	Yes	-	C			
Duval	-	-	-	-	-	-	-	-	-
Escambia	Unknown	Yes	-	-	-	C	unavailable*	unavailable*	-
Flagler	1979	Yes	Yes	-	-	P			
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	1993	Yes	Yes	-	-	C	unavailable	unavailable	-
Hamilton									
Hardee	1975	Yes	Yes	Yes	Yes	State Atty.	unavailable	unavailable	-
Hiendry	1990	?	?	?	?	C	unavailable	unavailable	Yes
Hernando	1992	Yes	Yes	-	-	P	unavailable	unavailable	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	1973	Yes	Yes	Yes	-	P/State	unavailable	unavailable	-
Holmes									
Indian River	1985	Yes	-	-	-	C	unavailable	unavailable	-
Jackson									
Jefferson									
Lafayette									
Lake	1987	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Lee	1987	Yes	Yes	Yes	-	P	unavailable	unavailable	-
Leon	-	-	-	-	-	-			
Levy									
Liberty	Unknown	-	-	Yes	-	DOC	unavailable	unavailable	-
Madison									
Manatee	1976	Yes	-	-	-	C/State	unavailable	69,906	-
Marion	1987/1993	Yes	Yes	Yes	-	C/State	unavailable	unavailable	-
Martin									
Monroe	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	1975	Yes	-	Yes	-	C	456,047	645,932	-
Osceola	Unknown	Yes	-	-	-	P	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pasco	Unknown	Yes	-	Yes	-	State	unavailable	unavailable	-
Pinellas	1980	Yes	Yes	Yes	-	P	unavailable	unavailable	-
Polk	1978	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Putnam	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
St. Johns	Unknown	Yes	Yes	Yes	-	C/State	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	1989	Yes	Yes	-	-	C/P	738,000*	775,800*	-
Seminole									
Sumter	Unknown	-	-	Yes	Yes	State	unavailable	unavailable	-
Suwannee	Unknown	-	-	Yes	-	P	-	-	-
Taylor									
Union									
Volusia	Pre-1984	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE M: PRE-TRIAL RELEASE

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felon	Violent Felon	County Operated/ Privately Operated	County Budget		Program Is Desired by County
							FY 92-93	FY 93-94	
Alachua	1977	Yes	Yes	Yes	Yes	C	454,000	423,000	-
Baker	1992	Yes	-	Yes	-	C	unavailable	unavailable	-
Bay	-	-	-	-	-	-	-	-	-
Bradford									
Brevard	1985	Yes	-	Yes	-	C	unavailable	unavailable	-
Broward	1978	-	-	Yes	-	C	700,000	700,000	-
Calhoun									
Charlotte	-	-	-	-	-	-	-	-	-
Citrus									
Clay									
Collier	1990	Yes	Yes	-	-	?	unavailable	unavailable	-
Columbia	1976	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	1984	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
DeSoto									
Dixie	-	-	-	-	-	-	-	-	-
Duval	-	-	-	-	-	-	-	-	-
Escambia	1986	Yes	Yes	Yes	Yes	C	unavailable*	unavailable*	-
Flagler	-	-	-	-	-	-	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Hamilton									
Hardee	-	-	-	-	-	-	-	-	-
Hendry	Unknown	Yes	-	Yes	-	?			-
Hernando	1990	Yes	Yes	Yes	-	P	unavailable	unavailable	-
Highlands	1993	Yes	-	Yes	-	P	30,000	60,000	-
Hillsborough	1974	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Holmes									
Indian River	-	-	-	-	-	-	-	-	-
Jackson									
Jefferson									
Lafayette									
Lake	1992	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Lee	1987	Yes	Yes	Yes	-	C	300,000	320,000	-
Leon	1988	Yes	Yes	Yes	Yes	C			-
Levy									
Liberty	-	-	-	-	-	-	-	-	-
Madison									
Manatee	1985	Yes	Yes	Yes	Yes	C	unavailable	436,780	-
Marion	1992	Yes	-	Yes	-	C	unavailable	unavailable	-
Martin									
Monroe	1988	Yes	Yes	Yes	Yes	C	336,526*	366,985*	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	1975	Yes	-	Yes	-	C	see pretrial intervention		-
Osceola	1986	Yes	-	Yes	-	C	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pasco	Unknown	?	?	?	?	C	unavailable	unavailable	-
Pinellas	1980	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Polk	1980	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Putnam	Unknown	-	Yes	-	-	P	unavailable	unavailable	-
St. Johns	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	-	-	-	-	-	-	-	-	-
Seminole									
Sumter	-	-	-	-	-	-	-	-	-
Suwannee	-	-	-	-	-	-	-	-	-
Taylor									
Union									
Volusia	1989	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.



TABLE N: PSYCHOLOGICAL OR FAMILY COUNSELING

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	-	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Baker	1993	Yes	-	Yes	-	P	unavailable	unavailable	-
Bay	Unknown	Yes	Yes	Yes	Yes	P	271,607	175,500	-
Bradford									
Brevard	1990	-	Yes	-	-	P	unavailable	unavailable	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun									
Charlotte	1975	Yes	Yes	-	-	C/P	unavailable	unavailable	-
Citrus									
Clay									
Collier	1972	?	?	?	?	P	unavailable	unavailable	-
Columbia	1980's	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto									
Dixie	Unknown	Yes	Yes	Yes	Yes	P			
Duval	1971	Yes	Yes	Yes	Yes	P	177,334	177,334	-
Escambia	1992	Yes	Yes	-	-	P	unavailable*	unavailable*	-
Flagler	-	-	-	-	-	-	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Hamilton									
Hardee	1978	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Hendry	Unknown	?	?	?	?	C			-
Hernando	-	-	-	-	-	-	-	-	Yes
Highlands	1989	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Hillsborough	1970's	Yes	Yes	Yes	Yes	C/P/State	unavailable	unavailable	-
Holmes									
Indian River	1979	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Jackson									
Jefferson									
Lafayette									
Lake	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Lee	1970's	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Leon	-	-	-	-	-	-	-	-	-
Levy									
Liberty	Unknown	?	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Madison									
Manatee	1987	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	-	P	unavailable	unavailable	-
Marion	1985	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Martin									
Monroe	-	-	-	-	-	-	-	-	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Pasco	Unknown	Yes	Yes	Yes	Yes	State	unavailable	unavailable	-
Pinellas	1980	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Polk	1985	Yes	Yes	Yes	-	P	unavailable	unavailable	-
Putnam	-	-	-	-	-	-	-	-	-
St. Johns	Unknown	?	?	?	?	P	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	1970	Yes	Yes	-	-	P	350,000	350,000	-
Seminole									
Sumter	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	Yes
Suwannee	-	-	-	-	-	-	-	-	-
Taylor									
Union									
Volusia	1988	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE O: SEMINARS/SPEECHES ON A WIDE ARRAY OF SUBJECTS

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	-	-	-	-	-	-	-	-	-
Baker	-	-	-	-	-	-	-	-	-
Bay	-	-	-	-	-	-	-	-	-
Bradford	-	-	-	-	-	-	-	-	-
Brevard	-	-	-	-	-	-	-	-	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun	-	-	-	-	-	-	-	-	-
Charlotte	-	-	-	-	-	-	-	-	-
Citrus	-	-	-	-	-	-	-	-	-
Clay	-	-	-	-	-	-	-	-	-
Collier	1990	Yes	-	-	-	C	unavailable	unavailable	-
Columbia	-	-	-	-	-	-	-	-	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto	-	-	-	-	-	-	-	-	-
Dixie	-	-	-	-	-	-	-	-	-
Duval	1990	Yes	Yes	Yes	Yes	C/P	145,076	147,898	-
Escambia	-	-	-	-	-	-	-	-	-
Flagler	-	-	-	-	-	-	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	1991	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Gilchrist	-	-	-	-	-	-	-	-	-
Glades	-	-	-	-	-	-	-	-	-
Gulf	-	-	-	-	-	-	-	-	-
Hamilton	-	-	-	-	-	-	-	-	-
Hardee	-	-	-	-	-	-	-	-	-
Hendry	-	-	-	-	-	-	-	-	Yes
Hernando	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	1970's	Yes	Yes	Yes	Yes	C/P/State	unavailable	unavailable	-
Holmes	-	-	-	-	-	-	-	-	-
Indian River	1985	Yes	-	Yes	-	C	unavailable	unavailable	-
Jackson	-	-	-	-	-	-	-	-	-
Jefferson	-	-	-	-	-	-	-	-	-
Lafayette	-	-	-	-	-	-	-	-	-
Lake	-	-	-	-	-	-	-	-	-
Lee	-	-	-	-	-	-	-	-	-
Leon	-	-	-	-	-	-	-	-	-
Levy	-	-	-	-	-	-	-	-	-
Liberty	-	-	-	-	-	-	-	-	-
Madison	-	-	-	-	-	-	-	-	-
Manatee	1991	Yes	Yes	-	-	P	unavailable	unavailable	-
Marion	1990	Yes	-	Yes	-	C	unavailable	unavailable	-
Martin	-	-	-	-	-	-	-	-	-
Monroe	-	-	-	-	-	-	-	-	-
Nassau	-	-	-	-	-	-	-	-	-
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	-	-	-	-	-	-	-	-	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pasco	1988	Yes	-	-	-	State	unavailable	unavailable	-
Pinellas	Ongoing	-	-	-	-	-	-	-	-
Polk	-	-	-	-	-	-	-	-	-
Putnam	Unknown	-	-	-	-	P	-	-	-
St. Johns	Unknown	Yes	Yes	Yes	-	C/State	unavailable	unavailable	-
St. Lucie	-	-	-	-	-	-	-	-	-
Santa Rosa	-	-	-	-	-	-	-	-	-
Sarasota	Ongoing	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Seminole	-	-	-	-	-	-	-	-	-
Sumter	-	-	-	-	-	-	-	-	Yes
Suwannee	-	-	-	-	-	-	-	-	-
Taylor	-	-	-	-	-	-	-	-	-
Union	-	-	-	-	-	-	-	-	-
Volusia	Pre-1984	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Wakulla	-	-	-	-	-	-	-	-	-
Walton	-	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	-	-

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE P: SEXUALLY TRANSMITTED DISEASE TESTING AND/OR COUNSELING

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Baker	1992	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Bay	-	-	-	-	-	-	-	-	-
Bradford	-	-	-	-	-	-	-	-	-
Brevard	-	-	-	-	-	-	-	-	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun	-	-	-	-	-	-	-	-	-
Charlotte	-	-	-	-	-	-	-	-	-
Citrus	-	-	-	-	-	-	-	-	-
Clay	-	-	-	-	-	-	-	-	-
Collier	Unknown	?	?	?	?	C/Health Dept	unavailable	unavailable	-
Columbia	-	-	-	-	-	-	-	-	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto	-	-	-	-	-	-	-	-	-
Dixie	-	-	-	-	-	-	-	-	-
Duval	1970	Yes	Yes	Yes	Yes	P	74,640	74,640	-
Escambia	-	-	-	-	-	-	-	-	-
Flagler	-	-	-	-	-	-	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist	-	-	-	-	-	-	-	-	-
Glades	-	-	-	-	-	-	-	-	-
Gulf	-	-	-	-	-	-	-	-	-
Hamilton	-	-	-	-	-	-	-	-	-
Hardee	Unknown	Yes	Yes	Yes	Yes	C/State	unavailable	unavailable	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	-	-	-	-	-	-	-	-	-
Highlands	1985	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Hillsborough	1990	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Holmes	-	-	-	-	-	-	-	-	-
Indian River	1980	Yes	-	Yes	-	C	unavailable	unavailable	-
Jackson	-	-	-	-	-	-	-	-	-
Jefferson	-	-	-	-	-	-	-	-	-
Lafayette	-	-	-	-	-	-	-	-	-
Lake	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Lee	1988	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Leon	-	-	-	-	-	-	-	-	-
Levy	-	-	-	-	-	-	-	-	-
Liberty	-	-	-	-	Yes	C	unavailable	unavailable	-
Madison	-	-	-	-	-	-	-	-	-
Manatee	-	-	-	-	-	-	-	-	-
Marion	1991	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Martin	-	-	-	-	-	-	-	-	-
Monroe	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Nassau	-	-	-	-	-	-	-	-	-
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	Unknown	Yes	-	-	-	P	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Pasco	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pinellas	1985	Yes	-	-	Yes	C/P	unavailable	unavailable	-
Polk	1990	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Putnam	Unknown	Yes	Yes	-	-	State	unavailable	unavailable	-
St. Johns	Unknown	?	?	?	?	P	unavailable	unavailable	-
St. Lucie	-	-	-	-	-	-	-	-	-
Santa Rosa	-	-	-	-	-	-	-	-	-
Sarasota	1990	Yes	Yes	Yes	Yes	P	1,248,000*	1,426,000*	-
Seminole	-	-	-	-	-	-	-	-	-
Sumter	-	-	-	-	-	-	-	-	Yes
Suwannee	-	-	-	-	-	-	-	-	-
Taylor	-	-	-	-	-	-	-	-	-
Union	-	-	-	-	-	-	-	-	-
Volusia	1991	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Wakulla	-	-	-	-	-	-	-	-	-
Walton	-	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	-	-

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE Q: URINE DRUG SCREEN

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Baker	1993	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Bay	-	-	-	-	-	-	-	-	-
Bradford	-	-	-	-	-	-	-	-	-
Brevard	-	-	-	-	-	-	-	-	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun	-	-	-	-	-	-	-	-	-
Charlotte	1985	Yes	Yes	-	-	C	unavailable	unavailable	-
Citrus	-	-	-	-	-	-	-	-	-
Clay	-	-	-	-	-	-	-	-	-
Collier	1985	Yes	Yes	Yes	-	P	unavailable	unavailable	-
Columbia	1985?	Yes	-	-	-	?	unavailable	unavailable	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto	-	-	-	-	-	-	-	-	-
Dixie	Unknown	-	-	Yes	Yes	C	-	-	-
Duval	Unknown	?	?	?	?	?	38,500	40,500	-
Escambia	1990	Yes	Yes	Yes	Yes	C/P	unavailable*	unavailable*	-
Flagler	1979	Yes	Yes	-	-	P	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist	-	-	-	-	-	-	-	-	-
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	Yes	Yes	-	-	C/P	unavailable	unavailable	-
Hamilton	-	-	-	-	-	-	-	-	-
Hardee	Unknown	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Hendry	Unknown	Yes	Yes	Yes	Yes	C	-	-	-
Hernando	-	-	-	-	-	-	-	-	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	1970's	Yes	-	Yes	Yes	C/P/State	unavailable	unavailable	-
Holmes	-	-	-	-	-	-	-	-	-
Indian River	1991	Yes	-	-	-	P	unavailable	unavailable	-
Jackson	-	-	-	-	-	-	-	-	-
Jefferson	-	-	-	-	-	-	-	-	-
Lafayette	-	-	-	-	-	-	-	-	-
Lake	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Lee	1970's	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Leon	-	-	-	-	-	-	-	-	-
Levy	-	-	-	-	-	-	-	-	-
Liberty	Unknown	-	-	Yes	Yes	?	unavailable	unavailable	-
Madison	-	-	-	-	-	-	-	-	-
Manatee	1990	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Marion	1985	Yes	-	Yes	-	C/P	unavailable	unavailable	-
Martin	-	-	-	-	-	-	-	-	-
Monroe	1988	Yes	Yes	Yes	Yes	C	336,526*	366,985*	-
Nassau	-	-	-	-	-	-	-	-	-
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	1989	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Osceola	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Pasco	Unknown	?	?	?	?	C/State	unavailable	unavailable	-
Pinellas	1991	Yes	-	Yes	-	P	unavailable	unavailable	-
Polk	1985	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Putnam	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
St. Johns	Unknown	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
St. Lucie	-	-	-	-	-	-	-	-	-
Santa Rosa	-	-	-	-	-	-	-	-	-
Sarasota	1990	Yes	Yes	Yes	Yes	P	1,248,000*	1,426,000*	-
Seminole	-	-	-	-	-	-	-	-	-
Sumter	1988	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Suwannee	-	-	-	-	-	-	-	-	-
Taylor	-	-	-	-	-	-	-	-	-
Union	-	-	-	-	-	-	-	-	-
Volusia	Pre-1989	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Wakulla	-	-	-	-	-	-	-	-	-
Walton	-	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	-	-

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE R: VICTIM-OFFENDER MEDIATION

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	-	-	-	-	-	-	-	-	-
Baker	-	-	-	-	-	-	-	-	-
Bay	-	-	-	-	-	-	-	-	-
Bradford	-	-	-	-	-	-	-	-	-
Brevard	1985	Yes	Yes	-	-	C	unavailable	unavailable	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun	-	-	-	-	-	-	-	-	-
Charlotte	-	-	-	-	-	-	-	-	-
Citrus	-	-	-	-	-	-	-	-	-
Clay	-	-	-	-	-	-	-	-	-
Collier	1988	Yes	Yes	-	-	C	unavailable	unavailable	-
Columbia	-	-	-	-	-	-	-	-	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto	-	-	-	-	-	-	-	-	-
Dixie	-	-	-	-	-	-	-	-	-
Escambia	-	-	-	-	-	-	-	-	-
Flagler	-	-	-	-	-	-	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist	-	-	-	-	-	-	-	-	-
Glades	-	-	-	-	-	-	-	-	-
Gulf	-	-	-	-	-	-	-	-	-
Hamilton	-	-	-	-	-	-	-	-	-
Hardee	Unknown	Yes	Yes	-	-	State Atty.	unavailable	unavailable	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	-	-	-	-	-	-	-	-	Yes
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	-	-	-	-	-	-	-	-	-
Holmes	-	-	-	-	-	-	-	-	-
Indian River	-	-	-	-	-	-	-	-	-
Jackson	-	-	-	-	-	-	-	-	-
Jefferson	-	-	-	-	-	-	-	-	-
Lafayette	-	-	-	-	-	-	-	-	-
Lake	-	-	-	-	-	-	-	-	-
Lee	1986	Yes	-	-	-	?	unavailable	unavailable	-
Leon	-	-	-	-	-	-	-	-	-
Levy	-	-	-	-	-	-	-	-	-
Liberty	-	-	-	-	-	-	-	-	-
Madison	-	-	-	-	-	-	-	-	-
Manatee	-	-	-	-	-	-	-	-	-
Marion	-	-	-	-	-	-	-	-	-
Martin	-	-	-	-	-	-	-	-	-
Monroe	-	-	-	-	-	-	-	-	-
Nassau	-	-	-	-	-	-	-	-	-
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okcechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	-	-	-	-	-	-	-	-	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Pasco	1986	Yes	-	-	-	C	unavailable	unavailable	-
Pinellas	1980	Yes	Yes	Yes	-	C/P	unavailable	unavailable	-
Polk	1978	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Putnam	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
St. Johns	Unknown	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	-	?	unavailable	unavailable	-
St. Lucie	-	-	-	-	-	-	-	-	-
Santa Rosa	-	-	-	-	-	-	-	-	-
Sarasota	1992	Yes	Yes	Yes	Yes	C	100,000	100,000	-
Seminole	-	-	-	-	-	-	-	-	-
Sumter	-	-	-	-	-	-	-	-	-
Suwannee	-	-	-	-	-	-	-	-	-
Taylor	-	-	-	-	-	-	-	-	-
Union	-	-	-	-	-	-	-	-	-
Volusia	Pre-1984	Yes	-	-	-	P	unavailable	unavailable	-
Wakulla	-	-	-	-	-	-	-	-	-
Walton	-	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	-	-

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE S: VICTIM RESTITUTION

County	Approximate Year Implemented	Non-Violent Misdemeanants	Violent Misdemeanants	Non-Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget FY 92-93	County Budget FY 93-94	Program is Desired by County
Alachua	Always	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Baker	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Bay	Unknown	-	-	Yes	Yes	C	unavailable	unavailable	-
Bradford									
Brevard	-	-	-	-	-	-	-	-	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun									
Charlotte	1975	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Citrus									
Clay									
Collier	1988	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Columbia	1973	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto									
Dixie	Unknown	Yes	Yes	Yes	Yes	C/P			
Duval	1978	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Escambia	1990	Yes	-	-	-	C	unavailable*	unavailable*	-
Flagler	1979	Yes	Yes	-	-	P			
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	1980	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Hamilton									
Hardee	Unknown	Yes	Yes	Yes	Yes	C/P/State	unavailable	unavailable	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	1980	Yes	Yes	-	-	P	unavailable	unavailable	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	1941/78	Yes	Yes	Yes	Yes	C/P/State	unavailable	unavailable	-
Holmes									
Indian River	1985	Yes	Yes	-	-	C	unavailable	unavailable	-
Jackson									
Jefferson									
Lafayette									
Lake	1982	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Lee	1970's	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Leon	-	-	-	-	-	-			
Levy									
Liberty	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Madison									
Manatee	?	Yes	Yes	-	-	C/State	unavailable	409,855	-
Marion	1985	Yes	Yes	Yes	Yes	C/State	unavailable	unavailable	-
Martin									
Monroe	Unknown	Yes	Yes	-	-	P	none	none	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	1975	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Osceola	-	-	-	-	-	-	-	-	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Pasco	1984	Yes	Yes	Yes	Yes	State	unavailable	unavailable	-
Pinellas	Pre-1972	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Polk	1980	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Putnam	Unknown	Yes	Yes	-	-	P	unavailable	unavailable	-
St. Johns	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	Yes
St. Lucie									
Santa Rosa									
Sarasota	1978	Yes	Yes	-	-	P	738,000*	775,800*	-
Seminole									
Sumter	Unknown	Yes	Yes	Yes	Yes	C/State	unavailable	unavailable	-
Suwannee	Unknown	Yes	Yes	-	-	P			
Taylor									
Union									
Volusia	Pre-1984	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE T: VOCATIONAL/EDUCATIONAL PROGRAMS

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	1992	Yes	Yes	Yes	Yes	C/School Bd	unavailable	unavailable	-
Baker	1993	Yes	-	Yes	-	C/P	unavailable	unavailable	-
Bay	Unknown	Yes	Yes	Yes	Yes	P	0	25,000	-
Bradford									
Brevard	-	-	-	-	-	-	-	-	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun									
Charlotte	-	-	-	-	-	-	-	-	-
Citrus									
Clay									
Collier	-	-	-	-	-	-	-	-	-
Columbia	1990's	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	1975	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
DeSoto									
Dixie	Unknown	Yes	Yes	Yes	Yes	P			
Duval	1972	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Escambia	-	-	-	-	-	-	-	-	-
Flagler	-	-	-	-	-	-	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	1993	Yes	Yes	-	-	-	unavailable	unavailable	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Hamilton									
Hardee	Unknown	Yes	Yes	Yes	Yes	C/P/State	unavailable	unavailable	-
Hendry	Unknown	?	?	?	?	C			-
Hernando	-	-	-	-	-	-	-	-	-
Highlands	1983	Yes	Yes	Yes	Yes	State/C	unavailable	unavailable	-
Hillsborough	1971	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Holmes									
Indian River	1987	Yes	-	Yes	-	C	unavailable	unavailable	-
Jackson									
Jefferson									
Lafayette									
Lake	1992	-	-	Yes	Yes	State	unavailable	unavailable	-
Lee	1970's	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Leon	-	-	-	-	-	-			
Levy									
Liberty	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Madison									
Manatee	1992	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Marion	1980	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Martin									
Monroe	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-			
Orange	1975	Yes	-	Yes	-	C	unavailable	unavailable	-
Osceola	1990	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Pasco	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pinellas	1981	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Polk	1980	Yes	Yes	Yes	-	P	unavailable	unavailable	-
Putnam	Unknown	Yes	Yes	-	-	State	unavailable	unavailable	-
St. Johns	Unknown	?	?	?	?	C	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	1976	Yes	Yes	-	-	C	100,000	100,000	-
Seminole									
Sumter	1980's	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Suwannee	-	-	-	-	-	-	-	-	-
Taylor									
Union									
Volusia	Pre-1984	Yes	Yes	Yes	Yes	P	unavailable	unavailable	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE U: WEEK-END JAIL

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Baker	1993	Yes	-	Yes	-	C	unavailable	unavailable	-
Bay	Unknown	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Bradford									
Brevard	1983	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Broward	-	-	-	-	-	-	-	-	-
Calhoun									
Charlotte	-	-	-	-	-	-	-	-	-
Citrus									
Clay									
Collier	1989	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Columbia	1970's	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	1980	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
DeSoto									
Dixie	Unknown	Yes	-	-	-	C			
Duval	1976	Yes	Yes	Yes	-	C	50,000	52,000	-
Escambia	-	-	-	-	-	-	-	-	Yes
Flagler	1979	Yes	Yes	Yes	Yes	C			
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	Yes	Yes	-	-	C	unavailable	unavailable	-
Hamilton									
Hardee	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Hendry	Unknown	Yes	-	Yes	-	C			
Hernando	1990	Yes	Yes	-	-	C/P	unavailable	unavailable	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	1980's	Yes	-	Yes	-	C	unavailable	unavailable	-
Holmes									
Indian River	1984	Yes	-	Yes	-	C	unavailable	unavailable	-
Jackson									
Jefferson									
Lafayette									
Lake	1994	currently under consideration							Yes
Lee	1983	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Leon	1988	Yes	Yes	Yes	-	C			
Levy									
Liberty	-	-	-	-	-	-	-	-	-
Madison									
Manatee	1975	Yes	Yes	-	-	C	unavailable	unavailable	-
Marion	1980	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Martin									
Monroe	Unknown	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	Unknown	Yes	Yes	-	-	C	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pasco	1988	Yes	-	Yes	-	C	unavailable	unavailable	-
Pinellas	1985	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Polk	1980	Yes	Yes	Yes		C	unavailable	unavailable	-
Putnam	-	-	-	-	-	-	-	-	-
St. Johns	Unknown	Yes	Yes	Yes	Yes	?	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	1982	Yes	Yes	-	-	C	unavailable	unavailable	-
Seminole									
Sumter	Unknown	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Suwannee	-	-	-	-	-	-	-	-	-
Taylor									
Union									
Volusia	-	-	-	-	-	-	-	-	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.



TABLE V: WORK RELEASE FACILITIES

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	1974	Yes	Yes	Yes	Yes	C	291,600	346,000	-
Baker	1993	Yes	-	Yes	-	C	unavailable	unavailable	-
Bay	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Bradford									
Brevard	-	-	-	-	-	-	-	-	Yes
Broward	Unknown	Yes	-	-	-	C	750,000	750,000	-
Calhoun									
Charlotte	1985	Yes	-	-	-	C	unavailable	unavailable	-
Citrus									
Clay									
Collier	-	-	-	-	-	-	-	-	-
Columbia	1980's	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Dade	1966	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
DeSoto									
Dixie	-	-	-	-	-	-	-	-	-
Duval	1971	Yes	Yes	Yes	-	C	1,325,152	1,325,500	-
Escambia	1984	Yes	-	Yes	-	C	unavailable*	unavailable*	-
Flagler	-	-	-	-	-	-	-	-	-
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist									
Glades	-	-	-	-	-	-	-	-	-
Gulf	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Hamilton									
Hardee	-	-	-	-	-	-	-	-	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	1989	Yes	Yes	-	-	P	unavailable	unavailable	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	1972	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Holmes									
Indian River	-	-	-	-	-	-	-	-	-
Jackson									
Jefferson									
Lafayette									
Lake	-	-	-	-	-	-	26,000	36,650	-
Lee	1983	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	Yes/Juvenile	C	unavailable	unavailable	-
Leon	1988	Yes	Yes	Yes	-	C			
Levy									
Liberty	-	-	-	-	-	-	-	-	-
Madison									
Manatee	1974	Yes	Yes	Yes	-	C	-	995,325	-
Marion	1980	Yes	Yes	Yes	-	C	unavailable	unavailable	-
Martin									
Monroe	-	-	-	-	-	-	-	-	-
Nassau									
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okeechobee	-	-	-	-	-	-	-	-	-
Orange	1974	Yes	-	Yes	-	C	1,350,000	1,472,048	-
Osceola	1990	Yes	-	Yes	-	C	unavailable	unavailable	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pasco	Unknown	Yes	-	-	-	State	unavailable	unavailable	-
Pinellas	1984	Yes	Yes	Yes	Yes	C/P	unavailable	unavailable	-
Polk	-	-	-	-	-	-	-	-	Yes
Putnam	-	-	-	-	-	-	-	-	Yes
St. Johns	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
St. Lucie									
Santa Rosa									
Sarasota	Proposed	Yes	Yes	Yes	-	C	unavailable	unavailable	Yes
Seminole									
Sumter	-	-	-	-	-	-	-	-	Yes
Suwannee	-	-	-	-	-	-	-	-	Yes
Taylor									
Union									
Volusia	-	-	-	-	-	-	-	-	-
Wakulla									
Walton									
Washington									

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

TABLE W: WORK CAMPS

County	Approximate Year Implemented	Non- Violent Misdemeanants	Violent Misdemeanants	Non- Violent Felons	Violent Felons	County Operated/ Privately Operated	County Budget		Program is Desired by County
							FY 92-93	FY 93-94	
Alachua	-	-	-	-	-	-	-	-	-
Baker	-	-	-	-	-	-	-	-	-
Bay	Unknown	Yes	Yes	Yes	Yes	?	unavailable	unavailable	-
Bradford	-	-	-	-	-	-	-	-	-
Brevard	-	-	-	-	-	-	-	-	Yes
Broward	-	-	-	-	-	-	-	-	-
Calhoun	-	-	-	-	-	-	-	-	-
Charlotte	-	-	-	-	-	-	-	-	-
Citrus	-	-	-	-	-	-	-	-	-
Clay	-	-	-	-	-	-	-	-	-
Collier	-	-	-	-	-	-	-	-	-
Columbia	-	-	-	-	-	-	-	-	-
Dade	-	-	-	-	-	-	-	-	-
DeSoto	-	-	-	-	-	-	-	-	-
Dixie	-	-	-	-	-	-	-	-	-
Duval	-	-	-	-	-	-	-	-	-
Escambia	-	-	-	-	-	-	-	-	-
Flagler	-	-	-	-	-	-	-	-	Yes
Franklin	-	-	-	-	-	-	-	-	-
Gadsden	-	-	-	-	-	-	-	-	-
Gilchrist	-	-	-	-	-	-	-	-	-
Glades	-	-	-	-	-	-	-	-	-
Gulf	-	-	-	-	-	-	-	-	Yes
Hamilton	-	-	-	-	-	-	-	-	-
Hardee	-	-	-	-	-	-	-	-	-
Hendry	-	-	-	-	-	-	-	-	-
Hernando	-	-	-	-	-	-	-	-	-
Highlands	-	-	-	-	-	-	-	-	-
Hillsborough	-	-	-	-	-	-	-	-	-
Holmes	-	-	-	-	-	-	-	-	-
Indian River	-	-	-	-	-	-	-	-	-
Jackson	-	-	-	-	-	-	-	-	-
Jefferson	-	-	-	-	-	-	-	-	-
Lafayette	-	-	-	-	-	-	-	-	-
Lake	-	-	-	-	-	-	-	-	-
Lee	-	-	-	-	-	-	-	-	-
Leon	-	-	-	-	-	-	-	-	-
Levy	-	-	-	-	-	-	-	-	-
Liberty	-	-	-	-	-	-	-	-	-
Madison	-	-	-	-	-	-	-	-	-
Manatee	Unknown	Yes	Yes	Yes	-	C	unavailable	159,391	-
Marion	1993	-	-	Yes	Yes	Tri-county	unavailable	unavailable	-
Martin	-	-	-	-	-	-	-	-	-
Monroe	-	-	-	-	-	-	-	-	-
Nassau	-	-	-	-	-	-	-	-	-
Okaloosa	-	-	-	-	-	-	unavailable	unavailable	-
Okceehobee	-	-	-	-	-	-	-	-	-
Orange	-	-	-	-	-	-	-	-	-
Osceola	-	-	-	-	-	-	-	-	-
Palm Beach	Unknown	Yes	Yes	Yes	Yes	C	unavailable	unavailable	-
Pasco	-	-	-	-	-	-	-	-	-
Pinellas	-	-	-	-	-	-	-	-	-
Polk	-	-	-	-	-	-	-	-	-
Putnam	-	-	-	-	-	-	-	-	-
St. Johns	-	-	-	-	-	-	-	-	-
St. Lucie	-	-	-	-	-	-	-	-	-
Santa Rosa	-	-	-	-	-	-	-	-	-
Sarasota	-	-	-	-	-	-	-	-	-
Seminole	-	-	-	-	-	-	-	-	-
Sumter	Unknown	Yes	Yes	Yes	Yes	C/State	unavailable	unavailable	-
Suwannee	-	-	-	-	-	-	-	-	Yes
Taylor	-	-	-	-	-	-	-	-	-
Union	-	-	-	-	-	-	-	-	-
Volusia	-	-	-	-	-	-	-	-	-
Wakulla	-	-	-	-	-	-	-	-	-
Walton	-	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	-	-

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*Budget information provided was not itemized. Figure does not reflect costs for individual sanction.

**TABLE X**  
**ADDITIONAL INTERMEDIATE OR COMMUNITY BASED SANCTIONS**  
**OFFERED OR DESIRED BY COUNTY\***

<b>County</b>	<b>"Other" Intermediate or Community Based Sanctions Currently Provided in County</b>	<b>Additional Intermediate or Community Based Sanctions Desired by County</b>
Alachua	County Probation	
Baker		Secure drug treatment facility; secure mental health treatment facility
Duval	Juvenile High School (In-Jail)	
Escambia		Domestic Violence Diversion Program; Expansion of Worthless Check Program
Gadsden	County Jail Space; Community Based Probation & Rest Center	
Hendry		Domestic Violence Intervention; Citizen Dispute Resolution; Anger Mgt. Seminar
Hernando	Work Alternative Sentencing; Shoplifters Anonymous; Indigent Program for Infractions	
Highlands	Vital Issues Project	
Hillsborough	Probation Restitution Center (State operated)	
Indian River	Weekday/Weekend Work Program; Detention Center Inmate Work Program	
Lee		Residential/Custodial Drug Offender Facility - Rehab.
Liberty	County Jail Space; Community Based Probation & Rest Center	
Madison	County Road Gang; County Work Farm	
Marion	Work Gang; DUI Victim Impact Panel	
Orange	County Probation	
Osceola	Weekend Work Program	
Polk		Treatment Centers for Mentally Ill and for those with Dual Diagnosis (both In-Patient)
Putnam	Jail Tour (State Corrections)	
St. Johns	Driver Improvement School	Juvenile Detention Center
Sarasota	Chronic Therapeutic Community/First Step; Intensive Residential Treatment/First Step	
Sumter		Sex Offender Counseling
Volusia	P.A.V.E.; Drug Offender Probation	

Source: Information compiled from a survey of Florida counties conducted by the Florida Advisory Council on Intergovernmental Relations, November, 1993.

\*This table includes only those intermediate or community-based sanctions not included in the survey. Counties not included either did not indicate a need for additional sanctions or offer additional sanctions, or those sanctions needed or offered were among those listed on the survey.

**TABLE Y**  
**SUMMARY TABLE OF COMMUNITY-BASED, INTERMEDIATE CRIMINAL SANCTIONS AND**  
**PROGRAMS AVAILABLE IN FLORIDA COUNTIES**

<u>Type of Program</u>	<u>County Operated</u>	<u>Privately Operated</u>	<u>State Operated</u>	<u>Shared Operation*</u>	<u>Unknown</u>	<u>Total</u>
Community Service	19	7	1	7C/P; 1P/S; 1C/P/S	3	39
Military-Style Boot Camps	5	1	1	1C/S	2	10
Day Reporting Centers	3	0	1	0	0	4
Emergency Shelters	2	8	1	1C/P/S	0	12
Halfway Houses	0	4	1	1P/S	0	6
House Arrest/Detention	15	8	3	3C/P; 4C/S	0	33
In-Patient Counseling (after drug/alcohol abuse treatment)	4	13	0	3C/P; 1P/S; 1C/P/S	1	23
In-Patient Drug/Alcohol Abuse Treatment (detox.)	6	13	0	4C/P; 1P/S; 1C/P/S; 1C/HRS grant	0	26
Intensive Supervision Probation	10	2	6	0	1	19
Out-Patient Counseling (after drug/alcohol abuse treatment)	4	15	1	3C/P; 1P/S; 1C/P/S	1	31
Out-Patient Drug/Alcohol Abuse Treatment (detox.)	4	13	0	C/P; 1P/S; 1C/P/S	0	25
Supervised Pre-Trial Intervention Agreements	13	8	2	3C/P; 3C/S; 1P/S; 1 State Atty; 1 DOC	1	33
Pre-Trial Release	23	3	0	0	2	28
Psychological or Family Counseling	4	18	1	6C/P; 1C/P/S	0	30
Seminars/Speeches on a Wide Array of Subjects	6	3	1	2C/P; 1C/S; 1C/P/S	0	14
Sexually Transmitted Disease Testing and/or Counseling	8	8	1	3C/P; 1C/S; 1C/Health Dept.	0	22
Urine Drug Screen	8	9	0	9C/P; 1C/S; 1C/P/S	3	31
Victim-Offender Mediation	5	3	0	1C/P; 1 State Atty.	2	21
Victim Restitution	15	7	1	5C/P; 3C/S; 2C/P/S	0	33
Vocational/Educational Programs	13	9	2	3C/P; 1C/S; 1C/P/S; 1 C/School Bd.	0	30
Week-End Jail	26	0	0	2C/P;	1	29
Work Release Facilities	20	1	1	1C/P	0	23
Work Camps	2	0	0	1 Tri-county; 1C/S	1	5

Source: Information compiled from two surveys conducted by the FL ACIR, November, 1993.

Notes: \*C=County; P=Private; S=State; DOC=Department of Corrections

2/14/94

Table Z

## JUVENILE JUSTICE PROGRAMS STATEWIDE

County	YOUTH SHELTERS	LEVEL II PROGRAMS		LEVEL IV PROGRAMS			LEVEL VI PROGRAMS			LEVEL VIII PROGRAMS			
		Marine Institute	TRY	Outdoor Camp	Group Home	AMI Host Home	Halfway House	Treatment Center	Outdoor Camp	Boot Camp	Training Center	Work Camp	Intensive Halfway House
1 Alachua	1	1					1						
2 Baker													
3 Bay	1	1				3							
4 Bradford				1									
5 Brevard	1						1		1				
6 Broward	1	1	1		1						2		
7 Calhoun													
8 Charlotte									1				
9 Citrus													
10 Clay					1								
11 Collier													
12 Columbia													
13 Dade	2	2	1		1		3	1					
14 DeSoto								1					
15 Dixie													
16 Duval	4	1			3		1	1			1		
17 Escambia	1	1		1	1	1		1					
18 Flagler													
19 Franklin													
20 Gadsden													
21 Gilchrist													
22 Glades												1	
23 Gulf													

Table Z

## JUVENILE JUSTICE PROGRAMS STATEWIDE

County	YOUTH	LEVEL II PROGRAMS		LEVEL IV PROGRAMS			LEVEL VI PROGRAMS			LEVEL VIII PROGRAMS			
	SHELTERS	Marine Institute	TRY	Outdoor Camp	Group Home	AMI Host Home	Halfway House	Treatment Center	Outdoor Camp	Boot Camp	Training Center	Work Camp	Intensive Halfway House
<sup>24</sup> Hamilton													
<sup>25</sup> Hardee													
<sup>26</sup> Hendry													
<sup>27</sup> Hernando				1					1				
<sup>28</sup> Highlands													
<sup>29</sup> Hillsborough	1	1			1		1				1		1
<sup>30</sup> Holmes									1				
<sup>31</sup> Indian River													
<sup>32</sup> Jackson											2		
<sup>33</sup> Jefferson													
<sup>34</sup> Lafayette													
<sup>35</sup> Lake													
<sup>36</sup> Lee	1	1					1						
<sup>37</sup> Leon	2	1						3					
<sup>38</sup> Levy													
<sup>39</sup> Liberty													
<sup>40</sup> Madison													
<sup>41</sup> Manatee		1		1	1					2			
<sup>42</sup> Marion	1	1			1								
<sup>43</sup> Martin	1			1									
<sup>44</sup> Monroe	2												
<sup>45</sup> Nassau				2			1						
<sup>46</sup> Okaloosa													

Table Z

## JUVENILE JUSTICE PROGRAMS STATEWIDE

County	YOUTH SHELTERS	LEVEL II PROGRAMS		LEVEL IV PROGRAMS			LEVEL VI PROGRAMS			LEVEL VIII PROGRAMS			
		Marine Institute	TRY	Outdoor Camp	Group Home	AMI Host Home	Halfway House	Treatment Center	Outdoor Camp	Boot Camp	Training Center	Work Camp	Intensive Halfway House
<sup>47</sup> Okeechobee									1		2		
<sup>48</sup> Orange	2	2			2		4	1			1		
<sup>49</sup> Osceola					1								
<sup>50</sup> Palm Beach	1	1	1		1		2				1		1
<sup>51</sup> Pasco	1							1					
<sup>52</sup> Pinellas	2	2			2		2			1			
<sup>53</sup> Polk	1	1					2				1		1
<sup>54</sup> Putnam					3								
<sup>55</sup> Santa Rosa				1									
<sup>56</sup> Sarasota	1			1									
<sup>57</sup> Seminole	1												
<sup>58</sup> St. Johns					2								
<sup>59</sup> St. Lucie													
<sup>60</sup> Sumter													
<sup>61</sup> Suwannee													
<sup>62</sup> Taylor													
<sup>63</sup> Union													
<sup>64</sup> Volusia	1				1		2						
<sup>65</sup> Wakulla													
<sup>66</sup> Walton													
<sup>67</sup> Washington													
Totals	29	18	3	9	22	4	21	9	5	2	11	1	3