

PCB CRJS 15-07 – Corrections

This bill amends multiple statutes regarding the Florida Department of Corrections. It deletes s. 921.0021(7)(c), F.S., which will remove the prohibition against assessing victim injury points for sexual penetration or sexual contact in calculating the sentencing score for s. 944.35(3)(b)2., F.S. (Sexual Misconduct with an Inmate or Supervised Officer). By adding these injury points, sexual contact creates a potential sentence range of nonprison to a five year maximum prison sentence, while sexual penetration would range from 42 months in prison to a maximum sentence of five years. From FY 08-09 through FY 13-14, there were 6 persons sentenced for this violation, with none receiving a prison sentence.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

This bill also amends s. 944.275, F.S., allowing inmates sentenced for an offense committed on or after October 1, 1995, to be eligible for education attainment gain-time in the amount of 60 additional days. An inmate may receive a one-time award of 60 days of gain-time for receiving a General Education Development (GED) diploma or for earning a certificate for completion of a vocational program, as long as this does not bring the inmate below 85% of his/her sentence served.

See “Corrections: Education Attainment Gain-Time” Handout for a subset of the effect.

CONFERENCE ADOPTED ESTIMATE: Bed Impact

Requested by: House

PCB CRJS 15-07

Corrections: Education Attainment Gain-Time

July 1, 2015 Effective Date

The Criminal Justice Estimating Conference met on 3/27/2015 and estimated the following net impact on the inmate population over the next five years:

a	c	d	e	f	g
Fiscal Year	Projected Additional Annual Prison Beds Required	FUNDS REQUIRED			
		Annual Operating Costs	Annual Fixed Capital Outlay Costs	TOTAL Annual Funds	TOTAL Cumulative Funds
2015-2016	-126	(\$1,150,569)	(\$11,782,848)	(\$12,933,417)	(\$12,933,417)
2016-2017	-66	(\$1,800,576)	(\$4,171,860)	(\$5,972,436)	(\$18,905,853)
2017-2018	-66	(\$1,270,104)	(\$4,322,010)	(\$5,592,114)	(\$24,497,967)
2018-2019	-66	(\$1,303,104)	(\$4,473,282)	(\$5,776,386)	(\$30,274,353)
2019-2020	-66	(\$1,334,388)	(\$4,607,526)	(\$5,941,914)	(\$36,216,267)
Total	-390	(\$6,858,741)	(\$29,357,526)	(\$36,216,267)	(\$36,216,267)

Prepared by Florida Legislature, Office of Economic and Demographic Research, March 24, 2015

FY 2013-14 operating costs per inmate were obtained from DOC . The \$49.49 per diem (\$18,064 annual cost) is for all department facilities (excluding private institutions and approximately 150 beds in PRCs) and includes operations, health services, and education services. It does not include debt service costs. It also does not include indirect and administrative costs of \$3.06 per inmate (state facilities). Operating costs in future years were increased by the change in the CPI from the National Economic Estimating Conference.

FY 2006-07 capital costs per bed were based on Department of Corrections cost to build Suwanee CI (\$94,000,000 for 2,003 lawful capacity beds) as reported at the Criminal Justice Impact Conference held February 23, 2010. Capital costs in later years were increased by the change in the chained price index for state and local construction spending obtained from Global Insights, Inc.

Note: This impact statement is not intended to represent the direct appropriations impact of this bill. Rather, it provides a stand-alone estimate of the prison bed need of this particular bill. Cost data are included to allow a comparison of the impact of this bill with other proposed legislation. The actual appropriation associated with passage of this bill will differ depending on a number of factors including the existing inventory of prison beds.