

# Board of County Commissioners

## Budget Discussion Item

Date of Meeting: June 27, 2007

Date Submitted: June 20, 2007

To: Honorable Chairman and Members of the Board

From: Parwez Alam, County Administrator   
Vincent Long, Deputy County Administrator   
Alan Rosenzweig, Assistant County Administrator   
Ken Morris, Intergovernmental Affairs Coordinator 

Subject: Acceptance of the Public Safety Coordinating Council's 2006 Annual Report and Recommendations

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### **Statement of Issue:**

This budget discussion item requests Board acceptance of the Public Safety Coordinating Council's (PSCC) 2006 Annual Report and recommendations (Attachment #1).

### **Background:**

On May 22, 2007, the Board accepted the PSCC's 2006 Annual Report and directed staff to prepare a budget discussion item on the PSCC's recommendations because the recommendations have a fiscal impact on the County. In addition, Commissioner Thael requested staff to bring back a cost analysis of the financial savings attributed to the jail diversion programs. The PSCC presents the Annual Report and recommendations to the Board each year prior to start of the budget cycle to provide the Board the opportunity to make funding recommendations during the tentative budget workshop(s). For the 2007/08 fiscal year, the PSCC recommends the Board to:

- Maintain the jail diversion program funding in the amount of \$300,000 for FY 08 to support programs such as substance abuse counseling, mental health treatment, and job training.
- Provide additional staff to the Supervised Pretrial Release (SPTR) Program if/when needed to allow non-violent defendants to participate in electronic monitoring programs.
- Increase funding for the electronic monitoring fee waivers to reflect the additional utilization of electronic monitoring programs.
- Continue to support the Community Human Service Partnership, which provides funding to organizations that provide jail diversion services.

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**Analysis:**

**Cost Analysis of Jail Diversion Programs:**

During the FY 07 budget workshop on June 13, 2006, staff presented a budget discussion item that provided an analysis of jail diversion programs (Attachment #2). The analysis details the number of jail bed days saved as a result of alternative programs available to offenders. The Board funded programs that save jail bed days include the Sheriff's Work Release Camp, the County Probation Work Program, the Detention Review Coordinator, the Mental Health Coordinator, and electronic monitoring programs. After reviewing the analysis during the budget workshop last year, the Board created a jail diversion account of \$300,000, and charged the PSCC with making recommendations on the appropriate use of those funds to reduce overcrowding in the Leon County Jail. The PSCC has made three recommendations to the Board through the agenda process on the appropriation of the funds from the jail diversion account.

**FY 07 Jail Diversion Funds:**

The PSCC's recommendations on the jail diversion funding are each a targeted effort to further reduce pressures on the jail population. At the regular meeting on November 14, 2006, the Board accepted the PSCC's recommendations and allocated \$15,073 from the jail diversion account for the purpose of leasing additional Secured Continuous Random Alcohol Monitoring (SCRAM) devices to provide alcohol intake monitoring of certain pretrial release defendants. The Board subsequently allocated \$204,802 from the jail diversion account on March 27, 2007 to provide additional funding for electronic monitoring of pretrial defendants for the remainder of the fiscal year. At the time this budget discussion item was prepared, \$80,125 remained in the jail diversion account. On June 26, 2007, the PSCC will present its third and final recommendation to the Board regarding the jail diversion funding. The PSCC will recommend that the Board allocate the remaining \$80,125 to A Life Recovery Center, Inc. for an outpatient substance abuse treatment program that will provide counseling and treatment to non-violent misdemeanor drug offenders. Should the Board approve the recommendation and allocate the \$80,125 to A Life Recovery Center, the PSCC will have completed its task assigned by the Board to identify jail diversion programs to be funded with the \$300,000 in FY 07.

**PSCC's 2006 Annual Report and Recommendations:**

On May 22, 2007, the Board accepted the PSCC's 2006 Annual Report and directed staff to prepare a budget discussion item on the PSCC's recommendations since they have a fiscal impact on the County. The report provides information and statistics on the following components of the local criminal justice system:

- The Leon County Jail Population
- The Detention Review Program
- Concerns of Mentally Ill Inmates
- County Probation Programs
- Sheriff's Work Camp
- Capital Improvements

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After reviewing the County's jail population, probation programs, mental health needs, and other facets of the local criminal justice system, the PSCC made four recommendations to the Board as outlined below.

\$300,000 for Jail Diversion Programs:

The PSCC's 2006 Annual Report recommends the Board to maintain the \$300,000 level of funding in FY 08 for the PSCC to make funding recommendations to the Board on jail diversion programs. In FY 07, the Board approved two recommendations from the PSCC relating to the jail diversion account and will consider a third recommendation at the June 26, 2007 regular Commission meeting. The Board's allocation of the \$300,000 for FY 07 is as follows:

- \$15,073 for five additional SCRAM units
- \$204,802 for two additional SPTR Staff and the capacity to monitor another 62 GPS clients
- \$80,125 to contract with a licensed nonprofit provider for a substance abuse treatment program for nonviolent habitual offenders (to be considered at the June 26, 2007, BOCC meeting)

The allocation of funds for the additional SCRAM units, SPTR staff, and GPS capacity totaled \$219,875 for the remainder of FY 07. In order to maintain this recommended expanded level of service for FY 08, an additional \$302,212 in general revenue has been budgeted for SPTR to cover the costs for an entire fiscal year. In addition to the recurring \$302,212 in diversion program costs, \$100,000 has been preliminarily budgeted in the jail diversion program account to allow the PSCC to evaluate jail diversion programs and make further recommendations to the Board on how to reduce the jail population.

Supervised Pretrial Release Program Staff Levels:

The SPTR office electronically monitors Court-ordered defendants through three systems: active GPS systems; passive GPS; and SCRAM. Electronic monitoring caseloads are reported to, and monitored by, the PSCC. The PSCC's 2006 Annual report recommends the Board to provide additional staff to SPTR if/when needed to allow non-violent defendants to participate in electronic monitoring programs. As previously mentioned, the Board allocated \$204,802 on March 27, 2007, from the FY 07 jail diversion account to provide additional funding for electronic monitoring of pretrial defendants. These funds were provided to lease additional electronic monitoring equipment and to add two SPTR Specialists to manage the electronic monitoring caseloads.

Assuming that the Board maintains funding for the six SPTR Specialists, which includes the two additional FTEs approved at the March 27, 2007 meeting, the SPTR program will need more funds for staffing needs than what was provided in the Board's FY 2007 budget. Therefore, \$302,212 has been preliminarily budgeted for the SPTR program to maintain the electronic monitoring level of service and help reduce overcrowding in the Leon County Jail.

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Electronic Monitoring Fee Waivers:

SPTR defendants are assessed a one-time administrative fee of \$30 and daily equipment costs ranging from \$5.50 to \$10.15 unless the fees are waived by the courts. A fund was established by the Board, which is used to pay for the cost of GPS supervision for indigent clients. The daily fee of \$5.00 per unit was waived for those defendants found to be legally indigent by a judge. Of the 411 defendants on electronic monitoring in FY 06, 98 (23.8%) had their fees waived. Electronic monitoring equipment waivers ordered in FY 06 totaled \$66,966.

Since the Board increased the STPR staff in FY 07 and expanded the capacity of the electronic monitoring programs, the County will collect additional revenues from the non-indigent clients who must pay the one-time administrative fee and the daily equipment costs. The additional revenues will be dedicated to the costs incurred by the indigent defendants when the judiciary grants a fee waiver for electronic monitoring. Should the Board choose to earmark funds for electronic monitoring indigent fee waivers, staff recommends that the Board use a portion of the \$100,000 included in the preliminary budget for the PSCC to make recommendations on jail diversion programs.

Community Human Service Partnership (CHSP):

The PSCC's 2006 Annual Report recommends the Board to continue to support CHSP, which provides funding to non-profit organizations including organizations that provide jail diversion services. These organizations provide an array of services vital to controlling the jail population including mental health therapy, counseling, and substance abuse treatment.

In FY 07, the Board allocated \$684,950 for the CHSP funding process. The Board continues to show commitment for providing resources to the CHSP as demonstrated in actions taken during the February 13, 2007 Board meeting. After discussions regarding preliminary budget policy guidance, the Board directed staff to include an additional \$65,000 for CHSP funding in the preliminary budget. Furthermore, at the May 15, 2007 meeting, the Board allocated an additional \$16,250 to CHSP by redirecting funding previously earmarked for the Prince George County Sister County Program.

Options:

1. Accept the Public Safety Coordinating Council's 2006 Annual Report Recommendations.

Recommendation:

Option # 1

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Attachments:

1. Public Safety Coordinating Council's 2006 Annual Report and Recommendations.
2. June 13, 2006, Budget Discussion Item on the Renovations to the Jail Annex and Funding Alternative Programs to Reduce Jail Population.

PA/AR/VL/KM

# PUBLIC SAFETY COORDINATING COUNCIL

## 2006 ANNUAL REPORT

Submitted May 22, 2007

Public Safety Coordinating Council  
2006 Annual Report

## Executive Summary

The Public Safety Coordinating Council (PSCC) was established in Leon County in the summer of 2001. The Council has met regularly since that time to monitor the jail's population, increase efforts of coordination between the many agencies of the criminal justice system, and recommend the Board's support of jail diversionary programs designed to alleviate jail overcrowding pursuant to Section 951.26, Florida Statutes.

The Report that follows presents an overview of the jail population in relation to previous years and the county's general population. The Report presents jail data including charges, average lengths of stay in the criminal justice system, as well as race, sex, and age of the inmates in the Leon County Jail.

The average daily inmate population of the Leon County Jail has increased by 7.4% from 2005 to 2006 compared to the Florida Department of Corrections, which saw an increase of 4.3% in inmate population. The PSCC 2006 Annual Report uses a snapshot of statistical data from the county jail by providing an array of information from November 21, 2006. This specific day was chosen to be consistent with the previous annual reports to illustrate the demographics of the jail population, the presence of violators of probation, the number of drug offenders incarcerated, and other pertinent information for the PSCC.

Over the past few years, the jail's population has been above capacity on a regular basis. The Leon County Sheriff's Office uses the Department of Correction's 80% rule for assessing the facility's capacity. Using this guideline, the jail population exceeds the rated capacity when it reaches a population of 975 or more.

During the FY 2006/07 budget cycle, the Board created a jail diversion account of \$300,000, and charged the PSCC with making recommendations on the appropriate use of those funds to reduce overcrowding at the Leon County Jail. At the annual Board Retreat on December 11, 2006, the Board reaffirmed its concern for overcrowding at the jail by identifying jail diversion programs as one of the Board's top priorities for 2007. Based on the PSCC's previous recommendations, the Board has allocated \$15,073 from the jail diversion account to lease additional Secured Continuous Random Alcohol Monitoring (SCRAM) devices and \$204,802 to provide additional funding for the electronic monitoring of pretrial defendants. At this time, \$80,125 remains in the jail diversion account and the PSCC is deliberating its recommendation to the Board to fund a local substance abuse treatment program.

The 2006 Annual Report recommends the Board to:

- Maintain the jail diversionary program funding in the amount of \$300,000 for FY 2007/08 to support programs such as substance abuse counseling, mental health treatment, and job training.
- Provide additional staff to the Supervised Pretrial Release Program if/when needed to allow non-violent defendants to participate in electronic monitoring programs.

- Increase funding for the electronic monitoring fee waivers to reflect the additional utilization of electronic monitoring programs.
- Continue to support the Community Human Service Partnership, which provides funding to organizations that provide jail diversionary services.

The PSCC will continue to meet to review the jail population, improve upon criminal justice agency coordination, and review alternative programs that help alleviate jail overcrowding while keeping the community safety and health of its citizens as the primary responsibility and goal of the Council.

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## **I. PUBLIC SAFETY COORDINATING COUNCIL**

During the Board of County Commissioners' May 15, 2001 Jail Population Workshop, the Board voted to establish a Public Safety Coordinating Council (PSCC) whose purpose is to meet periodically and make recommendations of new or existing programs or system enhancements that would help effectively monitor and manage the county jail population. The PSCC, by statute, is comprised of the following individuals, or their representatives: the State Attorney, the Public Defender, the Chief Circuit Judge, the Chief County Judge, the Sheriff, a member of the County Commission, the County Probation Director, the Director of a local substance abuse treatment program, and representatives from county and state jobs programs and other community groups who work with offenders and victims.

The statutory responsibility of PSCC, per Section 951.26, Florida Statutes is as follows:

(2) *The council shall meet at the call of the chairperson for the purpose of assessing the population status of all detention or correctional facilities owned or contracted by the county, or the county consortium, and formulating recommendations to ensure that the capacities of such facilities are not exceeded. Such recommendations shall include an assessment of the availability of pretrial intervention or probation programs, work-release programs, substance abuse programs, gain-time schedules, applicable bail bond schedules, and the confinement status of the inmates housed within each facility owned or contracted by the county, or the county consortium.*

### **Charge of the PSCC by Board of County Commissioners**

During the May 15, 2001 Workshop, the Board indicated that they would like Leon County's PSCC to formulate recommendations to ensure that the detention center's capacity is not exceeded, including the assessment of related programs, and to project future capacity needs. An additional charge of the PSCC is to meet regularly and make recommendations of new or existing programs or system enhancements that would help effectively monitor and manage the county jail population.

Additionally, during the February 26, 2002 regular meeting, the Board conveyed the following:

"It would be appropriate for the PSCC to oversee and monitor the effectiveness of the increased use of tracking technology, and the coordinated assessment and case management of probationers as proposed in this item. The deployment of the tracking devices will be determined by the protocol developed by Court Administration and approved by the PSCC. It is also suggested that the PSCC include a City of Tallahassee representative."

"It is also recommended that the PSCC convene with the specific purpose of meeting with the Citizens' Task Force on Over-Representation of Minorities in the Leon County Jail. Both the PSCC and the Citizens' Task Force have developed recommendations to address jail population issues that have been submitted to the Board in the past. Together, the PSCC and the Citizens' Task Force can develop a common action plan to be submitted to the Board of County Commissioners."

Current membership of the Leon County PSCC consists of the following individuals or their designee:

- State Attorney
- Public Defender
- Chief Circuit Judge
- Chief County Judge
- Chief Correctional Officer (Sheriff)
- State Probation Circuit Administrator
- Member of the Board of County Commissioners
- County Probation Director
- Chief of Police, Tallahassee Police Department
- Director of a local substance abuse treatment program
- Representatives from county and state jobs programs
- Representatives from community groups that work with offenders and victims
  - Three Representatives from the Citizens' Task Force were added on May 7, 2002 to address the over-representation of black youth and adults in the jail

The following pages constitute the PSCC's 2006 Annual Report to the Board. The Report presents the current status of the Leon County Jail population, including the demography of jail inmates, as well other incarceration alternatives and programs that are currently in use in Leon County.

## II. LEON COUNTY JAIL POPULATION

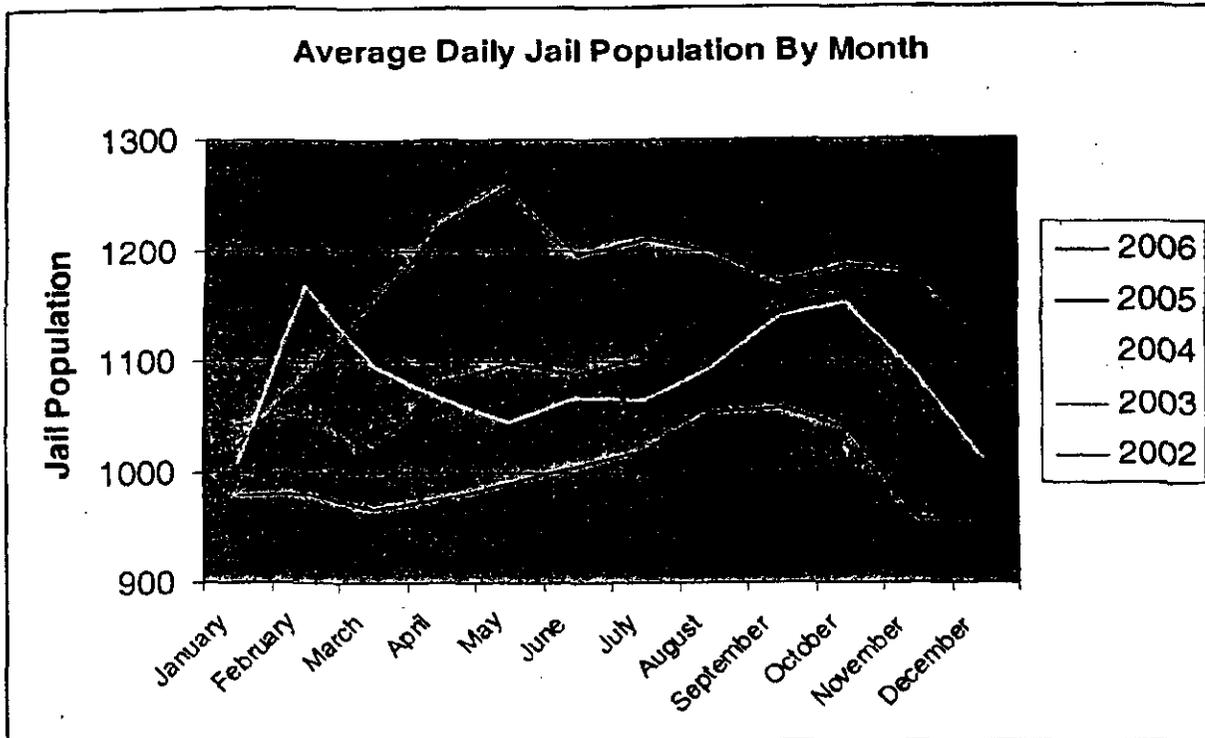
The following information is provided to present an update on the current jail population and relevant population trends over the past few years. It is important to note that the general population of Leon County has grown from 239,452 in the year 2000 to 272,497 in 2006 (13.8%). During that same time period, the increase in the county jail population from 2000 to 2006 was 14.1%. With this in mind, it is evident that the jail population has remained fairly consistent with the growth rate of the county population. In 2006, the average inmate population in the Leon County Jail increased by 7.4% from 2005.

In comparison, the Florida Department of Corrections reports in their 2005-2006 Annual Report that inmate populations in Florida's prisons have reached 88,576, which is an increase of 20.4% over the last five years and a 4.3% increase in the last fiscal year (July 2005 through June 2006). The majority of inmates in state prison on June 30, 2006 are male (93.0%) and black (50.4%). However, the percentage of black inmates in prison is decreasing (53.3% in June 2002 to 50.4% in June 2006.)

**Average Daily Jail Population By Month**

The following data illustrates the average daily jail population over the past five years:

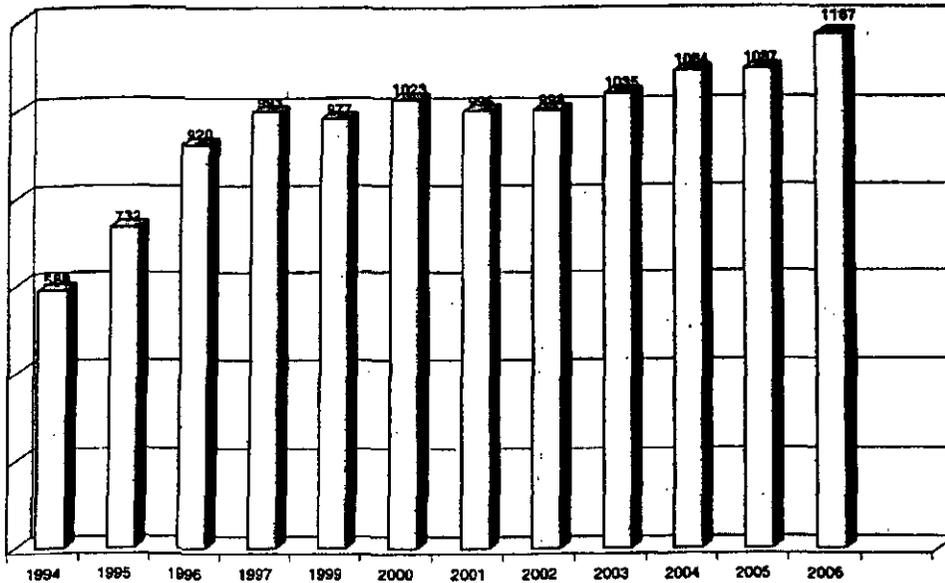
Month	2002	2003	2004	2005	2006	Month	2002	2003	2004	2005	2006
January	978	984	1009	1042	1023	July	1019	1047	1066	1104	1210
February	980	1021	1167	1058	1085	August	1055	999	1095	1140	1199
March	966	1013	1097	1020	1149	September	1075	1028	1141	1151	1171
April	975	1027	1067	1082	1223	October	1040	1059	1153	1167	1187
May	990	1087	1045	1099	1259	November	959	1054	1089	1071	1180
June	1004	1106	1067	1089	1195	December	956	993	1012	1021	1121



**Average Annual Jail Population**

Year:	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Average:	998	1035	1084	1087	1167

**Average Yearly Jail Population**



**Demography of Jail Inmates (REP #1072)**

A snapshot of the November 21, 2006 jail population resulted in the following race, sex and age breakdown of the inmates:

Age Group	White Males	Black Males	Other Males	White Females	Black Females	Other Females	Total by Age Group
Juvenile	4	14	0	0	0	0	18
18-29	108	329	1	14	37	1	490
30-39	65	185	0	14	43	0	307
40-49	62	130	0	19	22	0	233
50-59	32	56	0	3	9	0	100
Over 59	8	10	0	0	2	0	20
Total	279	724	1	50	113	1	1168
% of Total	23.9%	62.0%	0.0%	4.3%	9.7%	0.0%	

In comparison, the following is a breakdown of Leon County's general population by sex and race taken from census data (percentages of total population):

- Female - 52.1%
- Males - 47.9%
- Other - 4.0%
- White (including Hispanic) - 65.8%
- Black or African American - 30.2%

**Violators of Probation (VOPs) (REP #1156)**

The presence of Violators of Probation (VOPs) is also a contributing factor in jail overcrowding. VOPs are often "technical" in nature for violations such as failure to pay probation costs, or failure to regularly report to a probation officer one's address and phone number but can also include leaving the state having never reported to the probation office, continuing to use drugs, as well as contacting a victim. It is important to note that on November 21, 2006, the jail had the following breakdown of VOP detainees whose violations were pending in court:

- 157 Male Felony Probation Violators
- 66 Male Misdemeanor Probation Violators
- 33 Female Felony Probation Violators
- 9 Female Misdemeanor Probation Violators

On the above date, VOPs comprised 23.1% (265 offenders) of the jail's overall population. VOPs remain an overcrowding concern for both the court system and the jail. In December 2006, a special court was created to dispose of VOP cases in a timely manner. Additional information on the VOP Court is provided under the Detention Review section (Section III) of this report.

**Arrest Data by Agency**

The Florida Department of Law Enforcement (FDLE) reports 5,998 arrests in Leon County between January and June 2006. Of those arrests, 23.8% were made by the Leon County Sheriff's Office and 64.6% were made by the Tallahassee Police Department.

**Top Five Crimes Arrest Data (REP #1140)**

The following tables present the top five felony and misdemeanor arrests made in calendar year 2006.

*Top 5 Felony Arrests - Calendar Year 2006*

Rank	Description of Felony	Number of Arrests
1	GRAND THEFT IS \$300 OR MORE BUT LESS THAN \$5000 (F.S. 812.014 2C1)	1,351
2	DRUGS-POSSESS MARIJUANA OVER 20 GRAMS (F.S. 893.13 6A)	972
3	NONMOVING TRAFFIC VIOLATION, DRIVE WITH SUPSENDED LICENSE - HABITUAL OFFENDER (F.S. 322.34 5)	404
4	COCAINE-POSSESSION WITH INTENT TO SELL. SCHEDULE II (F.S. 893.13 1A1)	402
5	PASS FORGED ALTERED INSTRUMENT (F.S. 831.02)	340

**Top 5 Misdemeanor Arrests - Calendar Year 2006**

Rank	Description of Misdemeanor	Number of Arrests
1	NONMOVING TRAFFIC VIOLATION, DRIVE WITH SUSPENDED LICENSE - 1ST OFFENSE (F.S. 322.34 2A)	866
2	TRAFFIC OFFENSE, DUI ALCOHOL OR DRUG 2ND OFF (F.S. 316.193 2A)	835
3	MARIJUANA-POSSESS NOT MORE THAN 20 GRAMS (F.S. 893.13 6B)	678
4	BATTERY TOUCH OR STRIKE (F.S. 784.03 1A1)	653
5	NARCOTIC EQUIP-POSSESS AND/OR USE (F.S. 893.147 1)	576

The majority of defendants arrested solely for non-violent misdemeanor charges are released on their own recognizance, pretrial released, or post a nominal bond and are released from custody in a short period of time. These lower-level charges generally do not significantly impact the jail population, but do represent a high number of arrests locally.

**Jail Population on November 21, 2006 (REP #1155)**

A snapshot of the jail's population on November 21, 2006 reveals that the adult and juvenile population was comprised of offenders of the following crimes. (For the purposes of this report, in those cases in which multiple crimes were committed by an offender, the offender is categorized by the most severe of his/her crimes).

**ADULTS:**

Felony Offenses	Total Offenders
Drugs	216
Other Personal/Violent Offenders	191
Theft Fraud	174
Other Felony Offenders	153
Burglary	90
Robbery	67
Sex Offense	53
Murder	21
Other Property	15
Bad Check	0
<b>Misdemeanors</b>	
Non Check	114
Traffic	32
<b>Holds</b>	14
Bad Check	3
Civil	7
<b>Total</b>	<b>1150</b>

**JUVENILES:**

Felony Offenses	Total Offenders
Other Personal/Violent Offenders	6
Robbery	3
Murder	2
Sex Offense	2
Other Felony	2
Misdemeanors	2
Drugs	1
Burglary	0
<b>Total</b>	<b>18</b>

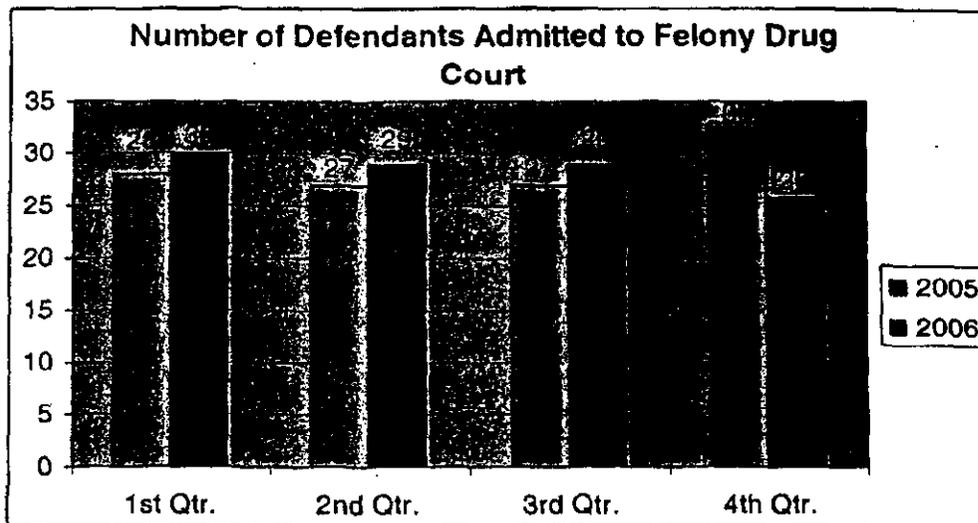
### Drug Offenders

On November 21, 2006, it was reported that 217 of the inmates in the jail were incarcerated (sentenced or awaiting disposition) for drug offenses. This number accounted for 18.9% of the total jail population that day. While these numbers represent a significant part of the jail population, there is a large population of inmates that have been charged with other crimes that are caused by substance abuse. There is a strong correlation between substance abuse and domestic abuse, burglary and other crimes that are committed to obtain drugs or while under the influence of drugs or alcohol. Many are also repeat offenders that serve their time and then re-enter the community without the necessary skills or support to escape from their addiction.

### Drug Court

The Leon County Felony Drug Court is a pretrial intervention program for persons with no prior felony convictions and charged with a second or third degree felony for the purchase or possession of a controlled substance. Candidates must not have any pending felony cases or be on active supervision with the Department of Corrections. Participants accepted to the program are required to complete a minimum twelve-month, three-phase substance abuse treatment program. Phase I requires weekly or biweekly reporting to Drug Court with a minimum of two urinalysis tests per week. Phase II requires bimonthly reporting to Drug Court with either a weekly or biweekly urinalysis testing. Phase III requires random urinalysis testing and reporting to Drug Court on a quarterly basis. The frequency of supervision and treatment intensity declines as participants move to the next phase. Charges are dismissed if the participant successfully completes the pretrial intervention program. Persons not successfully completing the program are prosecuted through the normal judicial process.

In 2006, 114 defendants were admitted to the Leon County Felony Drug Court, just one person less than in 2005. The success of the Drug Court is determined 12 to 18 months after successful graduation of the program by measuring the



recidivism rates of Drug Court clients. The PSCC will review the recidivism rates of Drug Court clients as they become available.

**Average Length of Stay for Various Offenses (REP #1136 & #1137)**

The Detention Review Coordinator monitors the length of stay for inmates in the county jail and will continue to work with the PSCC to identify opportunities to decrease these averages. The following data was compiled from snapshots of the jail population on November 23, 2004 and November 21, 2006 to depict the number of days that inmates were held in jail between arrest and arraignment and arraignment and trial:

***Inmates Awaiting Arraignment***

Days Between Arrest and Arraignment	11/23/2004 (# of inmates)	11/21/2006 (# of inmates)	Difference (# of inmates)
1 - 30 Days	519	374	-145
31 - 60 Days	40	40	0
61 - 90 Days	2	7	5
91 - 210 Days	34	1	-33
Over 210 Days	128	2	-126

***Inmates Awaiting Trial***

Days Between Arraignment and Trial	11/23/2004 (# of inmates)	11/21/2006 (# of inmates)	Difference (# of inmates)
1 - 30 Days	2	6	4
31 - 60 Days	2	11	9
61 - 90 Days	4	137	133
91 - 210 Days	27	223	196
Over 210 Days	574	52	-522

### III. DETENTION REVIEW PROGRAM

On November 26, 2001, a Detention Review Coordinator was hired under the Office of Court Administration to facilitate the speedy identification, processing, and case management of jailed criminal defendants to alleviate the criminal justice system at the Courthouse and the county jail. The Detention Review Coordinator prepares weekly lists of jailed misdemeanor and traffic defendants for judges and attorneys to dispose of cases in a timely manner. More recently, a biweekly list of felony technical probation violators and a weekly list of misdemeanor and traffic technical probation violators have been provided to judges and attorneys for the quick identification of inmates in the county jail awaiting a court date.

A new Detention Review Coordinator was hired in 2006. Mr. Richard Rice started his duties as the Detention Review Coordinator in August but began working for Leon County in 1992 as a Correctional Officer and was later promoted to Sergeant. During that time, he assisted Management Information Services (MIS) with the development of several software applications currently used to manage the jail population including an Electronic Arrest Affidavit, the electronic visitation application at the jail, and parts of the Justice Information System (JIS) application.

#### Initial Assessment

The Detention Review Coordinator met with the Public Defender's Office to determine how Court Administration could better assist in compiling data and expediting caseloads. The Public Defender requested more specific information on caseloads and the average length of time for the disposition of cases. The Detention Review Coordinator immediately began tracking this information, which allowed for more efficient case management and inmate tracking within the court system.

The Detention Review Coordinator continues to monitor the average length of stay for detainees between arrest and case disposition. The Detention Review Coordinator also notifies the PSCC and court officers when the length of stay for inmates, from the time of arrest to the case disposition, appears to be exceeding the normal length of time for disposition. This information sharing provides the Public Defender's Office the ability to rearrange their caseloads and scheduling in order to reduce the amount of time inmates serve in the county jail before sentencing.

#### VOP Court

Since the implementation of the Florida Department of Correction's zero tolerance policy, the impact of VOPs swelled the population of county jails across the state despite the decline in crimes. To assess this problem in Leon County, the Detention Review Coordinator conducted a review of the jail's felony VOPs from July 2006 to December 2006. The review showed a monthly average of approximately 105 inmates that were in jail for stand-alone (one charge) felony VOP charges. In December 2006, a stand-alone felony VOP court, commonly referred to as the "rocket docket," was created to alleviate jail overcrowding. The first rocket docket hearing heard 22 cases and disposed 17 of them during the hearing. The second hearing netted a 100% disposition rate by disposing of all 24 cases.

At this time, the average number of days in jail from initial booking to disposition for stand-alone felony VOPs is approximately 38 to 42 days. Prior to initiating the rocket docket program, the disposition average was approximately 90 days. The rocket docket has reduced the length of stay for these VOPs by half in just a few short months. The Detention Review Coordinator will continue to track the average disposition rates in order to document the success of the rocket docket program in 2007.

#### **Goals**

The Detention Review Coordinator is in the planning stage for a JIS case management application to be utilized by the Public Defender and State Attorney Offices. The Public Defender's Office believes that this tool will be an asset to manage their defendant's cases. With the assistance of the county MIS Department, software modifications will be made to JIS to provide additional access to the Detention Review Coordinator's information.

The Detention Review Coordinator also plans to work with JIS to explore the possibility and feasibility of integrating Leon County JIS with surrounding counties to assist in the compilation of statistics and identifying problematic issues in the region. The Detention Review Coordinator will continue to provide monthly updates to the PSCC on the progress of these activities.

#### **IV. MENTALLY ILL**

The deinstitutionalization of the mentally ill and their resultant involvement in the criminal justice system continues to be an increasing burden to the jail and the criminal justice system. In recent years, *mentally ill inmates have been serving time in the jail more frequently and for longer periods of time.* Often times, mentally ill inmates cost more than other inmates in county jails. County jails have become some of largest mental health facilities in the state. The criminal justice system has been ill equipped to handle mentally ill defendants or process their cases efficiently.

During the FY 2003/04 budget process, the Board approved the creation of a Court Mental Health Coordinator position within the Court Administrator's Office. This position is modeled after the success of the Detention Review Coordinator, and is focused on improving case processes, information availability, and problem resolution specifically associated with mentally ill defendants. The Court Mental Health Coordinator's current focus is to facilitate the development and implementation of a jail diversion program for mentally ill defendants along with continuing to identify areas in the criminal justice process where improvements can be made to decrease any and/or all delays with cases involving mentally ill defendants, thus decreasing the cost of caring for this population. Critical areas include:

- Crisis Intervention Training (CIT)
- Mentally Ill Misdemeanants
- Identification of Mentally Ill Defendants
- Competency Process

### **Crisis Intervention Training (CIT)**

The Court Mental Health Coordinator, along with the Tallahassee Police Department (TPD), and the Tallahassee Chapter of the National Association of the Mentally Ill (NAMI) conducted the first Crisis Intervention Training (CIT) in Leon County in December 2004. CIT is designed to enhance communication between law enforcement officers and the mentally ill they encounter throughout the course of their duties. Local experts and/or professionals volunteer their time to conduct the training. The initial class of trainees had a total of 26 officers. Since that time, the CIT program has trained over 120 officers. Participating agencies have included the Leon County Sheriff's Office, the Tallahassee Police Department, Capitol Police, FSU and FAMU Police, Leon County Pretrial and Probation, and officers from the Florida Department of Corrections' Bureau of Probation and Parole. CIT training requires 40 hours of study covering topics such as signs and symptoms of mental illness, risk assessment, the Baker and Marchman Acts, the dually diagnosed, child and adolescent mental health issues, geriatric issues, and other disorders that mimic mental illness. This training program will be conducted at least three times per year and will be offered to officers from all law enforcement agencies in Tallahassee and the surrounding area. There are also plans to develop and implement a refresher CIT course for previously trained officers.

### **Mentally Ill Misdemeanants**

The Court Mental Health Coordinator examines the mentally ill defendants who are repeatedly arrested for misdemeanors. It was found that mentally ill misdemeanants, considered incompetent to proceed, were being detained for longer periods of time. The prolonged detention was occurring primarily because their mental incapacities prevented them from being able to contribute to their defense and/or accept any plea offers. One effective course of action thus far has been to have a judge order the defendant to one of the receiving facilities in Leon County for assessment and stabilization if the defendant meets Baker Act criteria. Another practice being utilized by the courts is to place mentally ill misdemeanants that are incompetent to stand trial on a conditional release to the community, requiring the defendant to first be taken to a psychiatric facility for treatment and stabilization. These practices allow the individual to be treated at a psychiatric facility instead of the jail. The goal is to work with the defendant's attorney to dispose of the case before the defendant is discharged from the receiving facility, thus eliminating the need for the individual being transported back to the jail. In order to address the disposition issues of these cases, the Court Mental Health Coordinator, along with the Public Defender and State Attorney Offices, established a misdemeanor mental health docket. If a case is not disposed of prior to the individual being stabilized, the court has the option of placing the defendant on pretrial release with mental health conditions, to release the defendant on his/her own recognizance, to impose a bond, or to have the defendant return to the jail.

### **Identification of Mentally Ill Defendants**

Another responsibility of the Mental Health Coordinator is the proper and timely identification of defendants with a mental illness in the county jail. This has proven to be difficult as some inmates enter the jail and never identify themselves as mentally ill until they have been in custody for some time or their behavior prompts attention. One of the major obstacles is confidentiality. It is often difficult to obtain complete information about an individual's mental

health history without their consent. In 2006, Judge Kathleen Dekker served as the chairperson of a special workgroup that the Mental Health Coordinator organized to address the specific problem of timely identification of mentally ill defendants. As a result of this workgroup, the Mental Health Coordinator is currently working with the MIS department to develop and implement a mental health user group within the county's Justice Information System (JIS) software that would be able to send alerts regarding defendants with mental illnesses.

### Competency Process

When examining the process of evaluating a defendant for competency to stand trial, two areas were immediately identified where significant delays had been occurring. First, the time it took court-appointed psychological experts to evaluate a defendant and file the evaluation with the court was a concern. In some cases, hearings were postponed because the court was still awaiting the results from competency evaluations. With each delay, mentally ill defendants were forced to stay in jail for a longer period of time. The reasons for this delay included:

- The expert not receiving the order of appointment and thus, not knowing the defendant needed evaluating,
- Experts having too many evaluations to do in too short of a time, and
- Upon initial evaluation, experts found the case needed more attention and would take a longer time to complete.

To help remedy this problem, the Mental Health Coordinator worked with the court-appointed psychological experts that were being appointed for competency and sanity evaluations. Through this effort, these experts can now notify the Mental Health Coordinator when they are unable to complete an evaluation in a timely manner. When the court is notified in advance of a delay, the hearing can be rescheduled based upon the date the expert says the evaluation can be completed in order to eliminate any unnecessary hearings. There is also the option for the expert to report when they feel another expert should be appointed due to time constraints. Furthermore, a database of when evaluations are ordered, which experts are being appointed, and how long it takes them to complete evaluations has been established. This database helps ensure that the court-appointed experts have received the order and will be filing it on time. In addition to this, the court order appointing a psychological expert specifies that the evaluation must be completed within 30 days, so as to set deadlines for the experts. Please note that when confidential competency or sanity evaluations are ordered, evaluations are more difficult to track as the evaluation may not be discussed until the competency hearing.

The second part of the competency process where many delays had occurred was the delivery of the admission packet to the Department of Children and Families (DCF) and/or the time it takes DCF to admit a defendant to one of their treatment programs. DCF does not put a defendant on their forensic waiting list until a complete admission packet has been received by their headquarters. After being placed on the waiting list, Florida Statutes mandate an admission within 15 working days. The delays were occurring because in many instances, even though the court had mailed a packet, DCF either did not receive the packet or it was found to be deficient of one or more documents and the defendant would not be placed on the waiting list until the

packet was completed. In most cases, defendants were not transported within the statutory 15 day period. The average length of time for a DCF admission in 2006 was ten weeks.

In an effort to address the long delays in admitting mentally ill defendants, DCF has recently contracted with Apalachee Center Inc., to provide additional beds for defendants that are incompetent to proceed, but can be stabilized and restored to competency at the Apalachee campus in Leon County. Apalachee opened the first 10 of 34 beds in January 2006. At this time, there are 17 beds at the Leon County campus and another 17 beds in Gadsden County. These beds are for adult males found by the court to be incompetent to proceed or found not guilty by reason of insanity. Since the addition of the 17 beds at the Apalachee Center, there are no inmates in the Leon County Jail that are exceeding the statutory 15-day law. Also, it is important to note that these beds are not exclusive to Leon and Gadsden County defendants. DCF has the ability to place mentally ill patients, from anywhere in the state, in these facilities in order to be complicit with Florida Statutes.

#### Future Goals

The Court Mental Health Coordinator is currently working on compiling statistical data from databases established on mentally ill defendants. This data will be presented to the PSCC in a formal report from the Detention Review Unit in the near future. Also, over the course of the next year, it is the goal of the Court Mental Health Coordinator to work with the regional mental health care providers to establish a comprehensive jail diversion program in Leon County. To achieve this, the Court Mental Health Coordinator is currently working with various agencies and groups to develop and implement the following initiatives:

1. Host a Leon County Mental Health Summit in 2007
2. Establish a Felony Mental Health Court
3. Establish a Mental Health Task Force within the PSCC

## V. COUNTY PROBATION PROGRAMS

The Probation Division is dedicated to restoring and enhancing the quality of life of the clients they serve by assisting them to be productive and responsible citizens for a safer community. The Division is responsible for providing probation, pretrial release, and diversion program information to the courts to ensure the smooth and efficient operation of Leon County's criminal justice system.

### Supervised Pretrial Release Programs

The Supervised Pretrial Release (SPTR) program electronically monitors court-ordered defendants through three systems: active global positioning satellite monitoring systems (GPS); passive GPS; and Secure Continuous Remote Alcohol Monitoring (SCRAM). In 2006, radio frequency telephone-based monitoring of defendants ordered to strict "house arrest" was phased out and replaced with GPS.

### Global Positioning Satellite Monitoring Systems (GPS)

Over the last several years, the Board has continued to support the Probation and Supervised Pretrial Release Divisions by funding the electronic monitoring (EM) programs that directly reduce the population of the jail. In April 2005, the Board moved to enter into an agreement with the City of Tallahassee for the funding of the Pretrial/Probation GPS tracking program. The city and county received Justice Assistance Grant (JAG) funding. The Board decided to fund the GPS program with the county's portion of the JAG funding, \$124,590. In February 2006, the Board again moved to provide grant funding for the Pretrial/Probation GPS tracking program with \$106,209 of the JAG grant. In March 2006, the Board moved to expand the GPS program by creating an additional FTE and to increase their funding of the GPS fee waiver system by \$32,350.

Two types of GPS programs are used to monitor defendants, active and passive GPS. Active GPS tracks and records a client's location on a "real time" basis, enables staff to define exclusionary zones where specific clients are prohibited from entering, notifies SPTR immediately if a client enters an exclusionary zone so that law enforcement can be dispatched, and enables staff to monitor court-ordered conditions such as curfews and work attendance. Active GPS also links a defendant's location data to the Florida CrimeTrax system, which correlates the defendant's location with crime incident locations.

Passive GPS systems have limited "real time" response capacity but it does record client locations that are loaded into a centralized computer system for staff retrieval and review the following day. Passive GPS will also notify staff when it detects possible equipment tampering or low batteries and is linked to Florida CrimeTrax.

### Secure Continuous Remote Alcohol Monitor (SCRAM)

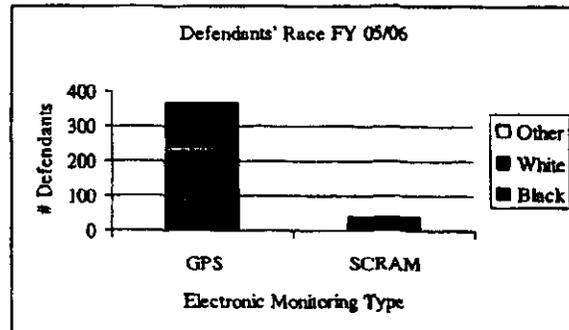
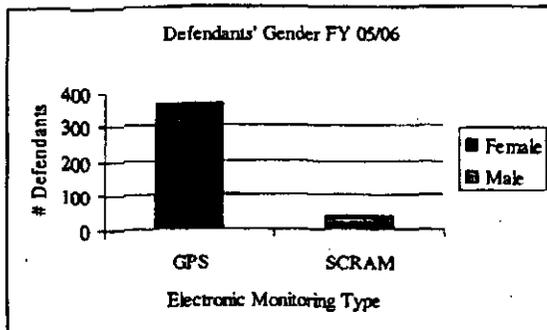
SCRAM is the industry's first and only continuous, automated, remote alcohol-testing ankle bracelet that is used to monitor Driving While Intoxicated (DWI) and other alcohol-fueled offenders at least 24 times a day, regardless of location. SCRAM's technology uses transdermal analysis (through the skin) to determine an offender's blood alcohol content (BAC). The

SCRAM bracelets automatically test for alcohol at least every hour by measuring a client's sweat. Positive test results for alcohol are downloaded and responded to by SPTR staff on a daily basis. Unaware of when BAC readings are taken, the offender can maintain normal daily routines such as work, counseling, and familial responsibilities instead of traveling to testing centers. Lastly, SCRAM'S patented tamper-resistant ankle bracelet automatically alerts the supervising authority of any tampering or interference between an offender's skin and the device to ensure accurate readings.

**Number of Electronic Monitoring Defendants**

The table below illustrates the number of EM defendants in FY 2005/06. The graphs illustrate the gender and race by the type of EM program. Defendants ordered from one type of GPS unit to another during the year are reported based on the type of GPS unit they were last assigned to at the close of the year.

Electronic Monitoring (EM) Defendants FY 2005/06						
Type of EM	#	Gender		Race		
		Male	Female	Black	White	Other
Active	296					
Passive	74					
Total GPS	370	325 (88%)	45 (12%)	241 (65%)	126 (34%)	3 (1%)
SCRAM	41	32 (78%)	9 (22%)	7 (17%)	34 (83%)	0
Total EM	411	357 (87%)	54 (13%)	248 (60%)	160 (39%)	3 (1%)



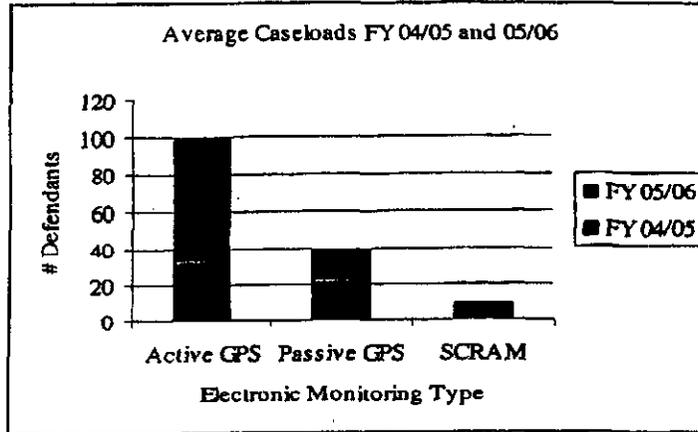
**Indigent Fee Waiver**

Unless the fees are waived by the courts, SPTR defendants are assessed a one-time administrative fee of \$30 and those assigned to EM are further assessed EM equipment costs ranging from \$5.50 to \$10.15 per day. A fund was established by the Board, which is used to pay for the cost of GPS supervision for indigent clients. The daily fee of \$5.00 per unit was waived for those defendants found to be legally indigent by a judge. Of the 411 defendants on EM in FY 2005/06, 98 (23.8%) had their fees waived. EM equipment waivers ordered during the year totaled \$66,965.95 (including waivers ordered retroactively to FY 2004/05).

**EM Caseloads**

SCRAM was added as a pretrial jail diversion component in FY 2005/06. The average monthly caseload for all EM activities increased by 34 defendants (61%) from the prior year, requiring a 14 hour per week increase in staff case management meeting time (estimated at one 25 minute weekly meeting for each defendant).

Aside from the JAG grant funding the Board has provided to the Pretrial/Probation GPS tracking program, the Board has also provided funds for additional staffing to manage the increasing EM caseloads. On March 14, 2006, the Board provided funds for an additional SPTR Specialist to support increased GPS utilization and the SCRAM program.



As the caseloads skyrocketed from FY 2004/05 to FY 2005/06 as shown in the graph above, the Board approved the creation of two more SPTR Specialists on March 27, 2007.

**EM Defendants' Charges (Offenses)**

The table on the following page provides a summary of EM defendants' most serious charge and offense level (felony or misdemeanor) at the time they were assigned to the program. Many defendants had more than one charge or offense. Most GPS defendants (79%) were charged with felonies and battery-related offenses (domestic battery, aggravated battery, simple battery, etc.). Most SCRAM defendants (56%) were charged with misdemeanors and/or DUI.

Electronic Monitoring (EM) Defendants' Charges/Offenses FY 2005/06											
Type of EM	Charge Level		Charge Descriptions								
	Felony	Misd.	Attempted or Vehicular Homicide/Manslaughter	Battery	Drug Crimes	DUI 1 <sup>st</sup> or 2 <sup>nd</sup>	DUI 3 <sup>rd</sup> or More	Other	Sex Crimes	Stalking	*VOP/VOCC
Active GPS	238	58	4	107	11	2	4	78	45	11	34
Passive GPS	56	18	0	13	23	7	0	25	5	0	1
Total GPS	294 (79%)	76 (21%)	4	120	34	9	4	103	50	11	35
	370		370								
SCRAM	18 (44%)	23 (56%)	2	4	0	20	9	3	0	0	3
	41		41								
Total EM	312 (76%)	99 (24%)	6	124	34	29	13	106	50	11	38
	411		411								

\* Violation of Probation (VOP) or Violation of Community Control (VOCC)

**Successful and Unsuccessful Terminations**

Successful terminations include those who were court-ordered off of EM for reasons other than being returned to jail for violation of pretrial or probation conditions, while unsuccessful terminations are returned to jail for violation of their conditions. GPS had an 82% successful participation rate during FY 2005/06. Of the 370 defendants that were monitored:

- 102 (28%) remained on GPS at the end of the year
- 201 (54%) terminated successfully
- 67 (18%) terminated unsuccessfully (17 new arrests/charges and 50 technical violations (violated court-ordered conditions such as remaining drug free or having no contact with the victim))

SCRAM had an 88% successful participation rate during FY 2005/06. Of the 41 defendants that were monitored:

- 20 (49%) remained on SCRAM at the end of the year
- 16 (39%) terminated successfully
- 5 (12%) terminated unsuccessfully (1 new arrest and 4 technical violations)

**Probation Work Programs and Service Levels**

Leon County's Probation Work Program is used as an alternative sanction by the courts in lieu of jail time. County Probation supervises clients sentenced for misdemeanor offenses with, in most instances, a minimum of three months probation and a maximum penalty of one year imprisonment. Offenses vary from a minor possession charge to a second D.U.I. Each offender is required to pay a \$30 one-time fee and is assessed an additional \$30 if they fail to report for scheduled work. A Probation Community Service Coordinator implements these programs. The number of offenders ordered to the programs and the number of days and hours offenders have worked remained consistent from FY 2004/05 to FY 2005/06, as shown in the table below:

<b>Community Service and Probation Work Program FY 2004/05 and 2005/06</b>			
	<b>FY 04/05</b>	<b>FY 05/06</b>	<b>Change</b>
<b>COMMUNITY SERVICE</b>			
# Defendants	1,083	996	-87 (-1.8%)
Total Hours Completed	65,703	66,915	1,212
Estimated Days (@ 10 hours per day)	6,570	6,692	122
<b>PROBATION WORK PROGRAM</b>			
# Defendants	3,251	3,326	75 (2.3%)
Days Assigned to Work	6,183	6,056	-127
Days Worked	4,456	4,406	-50
% of Assigned Days Completed	72%	73%	-1%
Total Hours Completed	44,560	44,060	-500
<b>TOTAL - COMMUNITY SRV. &amp; WORK PROG.</b>			
# Defendants	4,334	4,322	-12 (-0.3%)
Days Worked	12,669	12,770	101 (0.8%)
Total Hours Completed	110,263	110,975	712 (0.6%)

**Probation Work Program**

Offenders are required to work ten hours of manual labor for each day assigned to the work program and are otherwise supervised by the Probation Division, the State Attorney's Diversion Program, or the Florida Department of Corrections. The Community Service Coordinator instructs defendants on program rules, monitors compliance, documents the completion status and disseminates information to the appropriate supervising agency. The Division of Operations oversees the defendants' work such as picking up litter, making and stacking sandbags, weeding, cutting brush, graffiti removal, etc.

**Community Service**

Offenders are ordered to provide community service by working a court-specified number of unpaid hours at a governmental or non-profit agency and are otherwise supervised by county Probation or the State Attorney's Diversion Program. The Community Service Coordinator refers offenders to the agency worksite, verifies completion and disseminates the information to the appropriate supervising agency.

**County Probation Cost Savings in Comparison to the Cost of Incarceration**

The table below illustrates how these jail diversion programs continue to provide viable and less costly alternatives to incarceration, saving the county approximately \$3 million in FY 2005/06 operating costs alone.

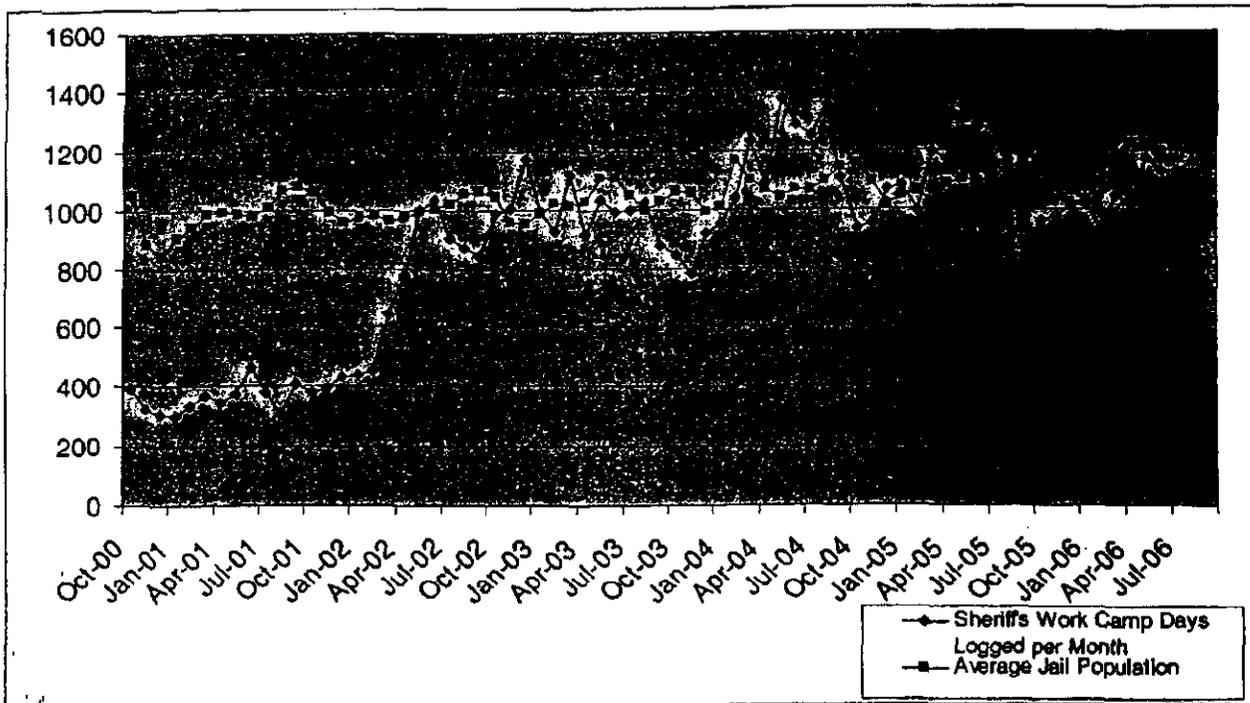
General Fund Cost Savings Estimate for FY 2005/06	
<b>Income</b>	
• Fees Collected (GPS and SCRAM equipment fees only)	\$119,278
• Fees Collected (Community Service, Work Program and No Show)	\$144,033
• Inmate Trust Fund	\$75,000
• Total Income (excludes grant funds)	\$338,311
<b>Expenses</b>	
• Staff (Probation, Operations and Pretrial general fund expenses only; excludes grant funded position)	\$168,841
• Insurance	\$6,878
• Monitoring Equipment	\$273,532
• Total General Fund Expenses	\$449,251
<b>Savings</b>	
<b>Wage Equivalent Value</b>	
• 110,975 Total Hours of Work Community Service and Probation Work Program	
• Wage Equivalent Rate (hours @ \$6.15/hr. minimum wage rate)	\$682,496
<b>Jail Bed Operating Cost Savings</b>	
• 12,770 Total Days of Work (Community Serv. and Probation Work Program)	
• 32,850 Total Days EM Monitoring (GPS and SCRAM) (90 defendants x 365)	
• Total Jail Bed Operating Cost Savings: (FY 2005/06 Corrections Budget \$24,387,998 / 365 / 1,200 beds = \$55.68/day). Total Jail Bed Days (45,620) x \$55.68/day	\$2,540,122
<b>Total Wage Equivalent Value and Jail Bed Operating Cost Savings</b>	<b>\$3,222,618</b>
<b>NET SAVINGS (Income - Expenses + Savings)</b>	<b>\$3,111,678</b>

### VI. SHERIFF'S WORK CAMP

During the FY 2001/02 budget process, the Board funded eight new correctional officer positions in the Sheriff's budget to allow for the expansion of the weekend work camp to a seven day operation. The resources to support this program were reallocated from savings resulting from the closure of the drill academy.

The chart on the following page presents the growth in utilization of the Sheriff's Work Camp since October 2000. This chart also demonstrates the average daily jail population during the same time period. The expansion of this program in FY 2001/02 has clearly allowed more offenders to serve their sentence through the weekly work program while remaining in their jobs, with their families, and in their communities.

**Sheriff's Work Camp Attendance**



The Sheriff's Office Jail Work Camp Program is a successful alternative to a jail sentence. In addition to keeping offenders out of the jail, the inmates of the Work Camp program provide important services to Leon County. (The Work Camp is averaging 35 people each day and is in operation seven days a week. This equates to approximately 1,960 man hours per week or 101,920 man hours of work per year.)

The following agencies and organizations are a sample list of those that the Work Camp has provided inmate labor assistance: Habitat for Humanity, Mothers In Crisis, Boy Scouts of America, Leon County Schools, City of Tallahassee Parks and Recreation, Mosquito Control, Leon County Health Department, Leon County Public Works, American Red Cross, The Salvation Army, Riley House, Ronald McDonald House, Department of Children and Family Services, Tallahassee Boys and Girls Club, Pyramid Inc., Tallahassee Community College, Florida State University, Red Hills Horse Trials, City of Tallahassee streets and drainage, and Leon County Waste Management. The Work Camp also provides inmate work crews to assist in picking up roadside trash on Leon County roads and streets.

#### VII. CAPITAL IMPROVEMENTS

At the Workshop on FY 2006/07 Tentative Budget/Five Year Plan and Capital Improvement Projects, the Board directed staff to immediately proceed to renovate the 10,000 square foot jail annex to a 150 bed minimum security pod to address the ongoing jail overcrowding. Minimum security inmates are those incarcerated on a non-violent charge and have a non-violent criminal history. In total, the Board dedicated \$2 million for the renovation of the jail annex and authorized the inclusion of \$399,612 in ongoing operating funds, including 12 new positions in the Sheriff's budget for the purpose of operating the jail annex. A large portion of the capital funds are dedicated to connect the jail annex into the main jail control system.

#### VIII. CONCLUSION AND RECOMMENDATIONS

This Report illustrates the Leon County Board of County Commissioners' efforts to manage and reduce jail overcrowding through the creation and expansion of innovative programs. By creating the jail diversion account during the FY 2006/07 budget cycle, the Board tasked the PSCC with making funding recommendations on programs that would reduce overcrowding at the Leon County Jail. The Board reaffirmed jail overcrowding as a top priority at the Board Retreat in December 2006.

To date, the PSCC has made recommendations to the Board to expand both the GPS and SCRAM electronic monitoring programs in the amount of \$219,875. The Board has adopted the recommendations to expand these electronic monitoring programs which allow non-violent offenders to be monitored without serving a sentence in the Leon County Jail. At this time, \$80,125 remains in the jail diversion account and the PSCC is deliberating its recommendation to the Board to fund a local substance abuse treatment program.

After reviewing the county's jail population, probation programs, mental health needs, and other facets of the local criminal justice system, the PSCC recommends the Board to:

- Maintain the jail diversionary program funding in the amount of \$300,000 for FY 2007/08 to support programs such as substance abuse counseling, mental health treatment, and job training.
- Provide additional staff to the Supervised Pretrial Release Program if/when needed to allow non-violent defendants to participate in electronic monitoring programs.

- Increase funding for the electronic monitoring fee waivers to reflect the additional utilization of electronic monitoring programs.
- Continue to support the Community Human Service Partnership, which provides funding to organizations that provide jail diversionary services.

The PSCC will continue to research, benchmark, and use technology to alleviate jail overcrowding while keeping community safety and health of its citizens as the primary responsibility and goal of the Council.

**Board of County Commissioners**  
**Budget Discussion Item**

Attachment # 2  
Page 1 of 9

Date of Meeting: June 13, 2006  
Date Submitted: June 7, 2006  
To: Honorable Chairman and Members of the Board  
From: Parwez Alam, County Administrator  
Alan Rosenzweig, Director, Office of Management & Budget  
Subject: Consideration of Funding Renovations to the Jail Annex in Place of Pursuing the Creation of a "Work Camp" and Funding Alternative Programs that Result in Reductions to the Jail Population

**Statement of Issue:**

This budget discussion item requests the Board authorize the renovation of the jail annex to provide 150 additional minimum security beds, in place of pursuing a "Work Camp" and to allocate \$300,000 for Public Safety Coordinating Council (PSCC) to review and recommend alternative programs for the Board to consider funding.

**Background:**

During the May 24, 2005 Workshop on Leon County Jail issues, the Board and the Sheriff discussed the concept of a work camp to potentially address long term issues related to jail population management. At the June 14, 2005 budget workshop, the Board directed the inclusion of \$600,000 in funding towards the potential development of a work camp.

Subsequent to this time, staff has been reviewing the work camp concept, as well as, other alternatives for providing additional beds at the Jail. In addition, staff has reviewed all of the existing divisionary programs and their impact on reducing the number of inmates.

**Analysis:**

The analysis section of this item is divided into three sections:

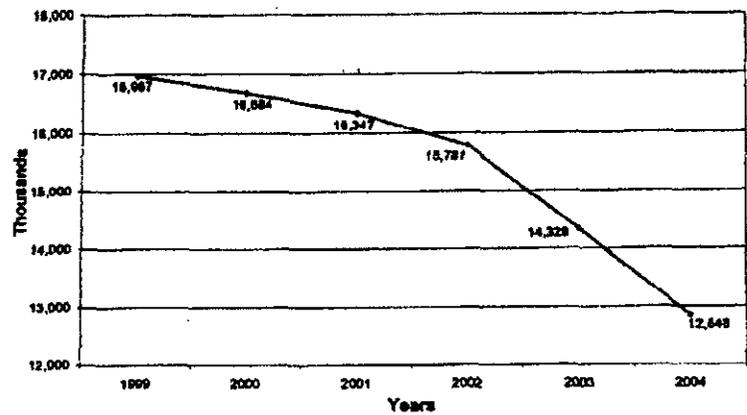
- Current Jail Population and Crime Statistics
- Existing Alternative Jail Population Management Programs
- Work Camp
- Renovations to the existing Jail Annex

***Current Jail Population and Crime Statistics***

As illustrated in Graph 1, Leon County has experienced a 24% decrease in the total index of crime from 1999 to 2004, which includes violent and property crime, compared to an 8.9% decrease across the state of Florida.

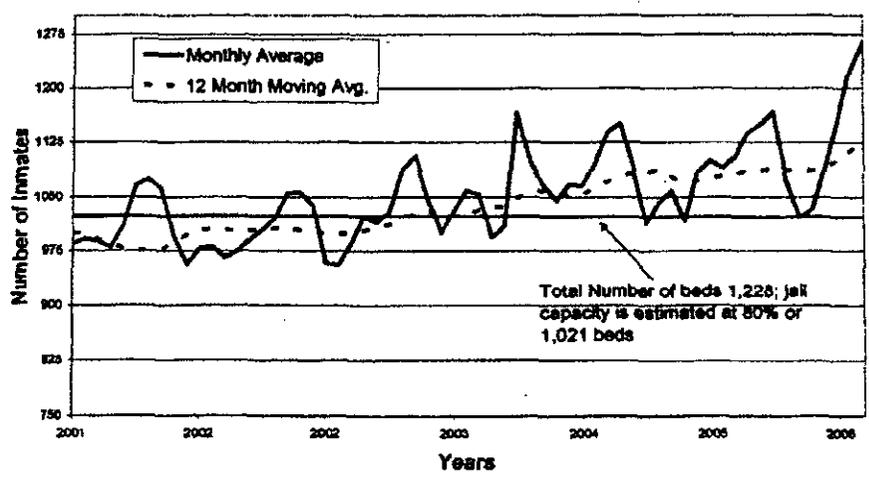
**Budget Discussion Item: Consideration of Funding Renovations to the Jail Annex in Place of Pursuing the Creation of a "Work Camp" and Funding Alternative Programs that Result in Reductions to the Jail Population**  
 June 13, 2006  
 Page 2

**Graph #1: Total Index Crime for Leon County 1999-2004**



The existing jail has 1,276 total beds. In managing the jail population, the Sheriff's Office has indicated that the jail is deemed to be at capacity when the population reaches 80% of the total number of beds or 1,021. The classification of the individual inmates often dictates how they need to be housed (i.e. male, female, juvenile, minimum security, etc.)

**Graph #2: Average Daily Jail Population 2001-2006**



Graph #2 shows the average daily jail population on a monthly basis and a moving average. As of May 30, 2006 the Leon County Jail contained 1,228 inmates and the 12 month moving average is 1,127 inmates. The monthly average has increased by 28% between 2001 and 2006. However, as seen in the chart, the monthly average moves up and down on a regular basis. The moving average

Budget Discussion Item: Consideration of Funding Renovations to the Jail Annex in Place of Pursuing the Creation of a "Work Camp" and Funding Alternative Programs that Result in Reductions to the Jail Population

June 13, 2006

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has grown over 15% for the same period. The jail population has shown a steady increase over the past 6 years, with an acceleration in growth the past six months. As reflected in the chart, the jail population has exceeded the 1,021 capacity 78% of the time since 2003.

According to the Department of Corrections most current statistics (February 2006), Leon County had an average daily incarceration rate of 3.9% per 1,000 County residents. The statewide average for the same period was 3.4%. Of the Counties reporting, there were 31 counties with higher percentages than Leon and 29 counties with percentages lower than Leon.

*Existing Alternative Jail Population Management Programs*

On May 15, 2001, the Board conducted the Preliminary Action Plan, Jail Population Management Workshop to discuss issues surrounding jail population management with the Sheriff, Public Defender, State Attorney and Judiciary. Since the 2001 Jail Population Management Workshop, the Board has taken significant and proactive steps to manage and reduce the population of the Leon County Jail. The Public Safety Coordinating Council (PSCC) was established in Leon County in the summer of 2001 to monitor the jail's population as well as increase efforts of coordination between the many agencies of the criminal justice system, and recommend continuation of existing programs, or establishment of new programs that may aid in the alleviation of jail crowding, pursuant to Section 951.26, Florida Statutes. The PSCC has continued to meet regularly since 2001 to weigh in on managing the jail's population including the creation and expansion of Board supported programs such as the Sheriff's Work Release Program, the County Probation Work Program, Global Positioning Satellite (GPS) Program, Secured Continuous Random Alcohol Monitoring (SCRAM), and the creation of the Detention Review Coordinator and Mental Health Coordinator positions in court administration.

*Sheriff's Day Labor Program - Annual Cost of Program \$1,031,000*

The Sheriff's Day Labor Program does not house inmates, but allows offenders to serve their sentence while participating in the program while remaining in their jobs, with their families, and in their communities. In addition to keeping offenders out of the jail, the inmates of the Day Labor Program provide important services to Leon County. The following agencies and organizations are a sample list of entities that have been provided inmate labor assistance: Habitat for Humanity, Mother's In Crisis, Boy Scout's of America, Leon County Schools, City of Tallahassee Parks and Recreations, Mosquito Control, Leon County Heath Department, Leon County Public Works, American Red Cross, The Salvation Army, Riley House, Ronald McDonald House, Department of Children and Family Services, Tallahassee Boys and Girls Club, Pyramid Inc., Tallahassee Community College, Florida State University, Red Hills Horse Trails, City of Tallahassee Streets and Drainage and Leon County Waste Management. The Day Labor program also provides inmate work crews to assist in picking up roadside trash on Leon County roads and streets.

Budget Discussion Item: Consideration of Funding Renovations to the Jail Annex in Place of Pursuing the Creation of a "Work Camp" and Funding Alternative Programs that Result in Reductions to the Jail Population

June 13, 2006

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During the FY 2001/2002 budget process after the boot camp closed, the Board funded eight new correctional officer positions in the Sheriff's budget to allow for expansion of the weekend work camp to a seven day operation. Since that time, the program averages approximately 45 offenders per day during the week and 50 offenders on the weekend. On Average, this program has saved over 12,000 jail bed days annually since 2003 at the Leon County Jail.

*County Probation Work Program – Annual Cost of Program \$42,599*

The County Probation Work Program is used as an alternative sanction by the Court in lieu of jail time. Referrals are received from County Probation, Department of Corrections, and the State Attorney Diversion Program. For both County Probation and the Department of Corrections the sanction is used as a condition of probation. County Probation supervises clients sentenced for misdemeanor offenses with, in most instances, a minimum of three months probation and a maximum penalty of one year imprisonment. Clients assigned to the Program are required to work 10 hours of manual labor for each day. Most of the defendants assigned to this program serve a one day sentence. Therefore, the figures illustrated below are the minimum amount of jail bed days saved by the County Probation Work Program, based on a one day sentence. On site supervision is provided by staff from the Leon County Division of Operations. Tasks may include: picking up litter, making and stacking sand bags, pulling weeds, cutting brush, graffiti removal and other duties as needed.

*Global Positioning Satellite Program (G.P.S.) – Annual Cost of Program \$156,209*

The GPS Program continues to serve as a viable alternative sanction to the Judiciary. Although clients are required to pay a portion of the costs for the devices, the Leon County Sheriff's Inmate Trust Fund also provides funding to cover the cost of the GPS units. Since 2003, the GPS alternative has increased by an average of 37% annually.

At the August 30, 2005, Workshop on Jail Population Management, the Board directed staff to bring back an agenda item requesting additional GPS monitoring units and appropriate staffing needs in an effort to reduce the jail population. On March 14, 2006, the Board provided \$32,530 for GPS fee waivers for indigent offenders and funded an additional FTE for a Pretrial Release Specialist to support increased GPS utilization.

*Secured Continuous Random Alcohol Monitoring (SCRAM) – Annual Cost of Program \$132,180*

During the May 24, 2005 Workshop on Jail Population Management, the Board authorized a pilot program to electronically monitor the presence of alcohol in defendants assigned by the courts with a device called Secured Continuous Random Alcohol Monitoring (SCRAM). SCRAM is the industry's first and only continuous, automated, remote alcohol-testing ankle bracelet that automatically tests driving while intoxicated (DWI) and other alcohol-fueled offenders at least 24 times a day, regardless of location. SCRAM's technology uses transdermal analysis (through the skin) to determine an offender's blood alcohol content (BAC). Transdermal alcohol testing measures

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insensible perspiration, which is the constant, unnoticeable excretion of sweat through the skin. The average person will emit approximately one liter of insensible perspiration each day.

The six month pilot SCRAM program was successful. Five monitoring units were used on ten different defendants. These defendants were selected by the courts based on their history of repeated alcohol related arrests, including driving under the influence and domestic battery offenses. Similar to the GPS devices, SCRAM allows an offender to work, go to school, and provide for his/her family rather than occupying a jail bed. The PSCC assessed that the technology served to monitor for the presence of alcohol intake of the defendants ordered to wear the device and also deterred their use of alcohol as none were violated for failure to abide by the court's order to abstain from alcohol.

On May 23, 2006, the Board approved an agreement with Alcohol Monitoring Systems Inc. (AMS) for 20 SCRAM devices and monitoring services. The Leon County Probation Office will be responsible for the monitoring of the SCRAM units and long term SCRAM program needs will be addressed during the 2006/2007 budget process.

***Detention Review Coordinator – Annual Cost of Program \$73,660***

Shortly after the May 15, 2001, Jail Population Management Workshop, the Board created and funded the Detention Review Coordinator position in court administration. The Detention Review Coordinator was hired to facilitate speedy identification, processing, and case management of jailed criminal defendants. Weekly lists of jailed misdemeanor and traffic defendants are prepared manually and provided to the judges and attorneys for expedited review and disposition of cases. The Detention Review Coordinator maintains a biweekly list of felony technical probation violators and a weekly list of misdemeanor and traffic technical probation violators to provide judges and attorneys for easy identification and review.

***Mental Health Coordinator – Annual Cost of Program \$74,980***

During the FY 2003/2004 budget process, the Board approved the creation of a Mental Health Coordinator position within the Court Administrator's Office. This position is modeled after the success of the Detention Review Coordinator, and is focused on improving case processes, information availability, and problem resolution specifically associated with mentally ill defendants. The Court Mental Health Coordinator's primary focus is to identify areas in the criminal justice process where improvements can be made to decrease any and/or all delays with cases involving mentally ill defendants, thus decreasing the cost of caring for this population.

Over the past two years, the Mental Health Coordinator has screened nearly 4,000 inmates for mental illness. In 2005, approximately 30 inmates, under the provisions of the Baker Act governing the treatment of mental illness, were required to transfer to a psychiatric facility. The identification of these mentally ill inmates led to their removal from the Leon County Jail and they were subsequently placed in a treatment facility.

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The table below illustrates the number of jail bed days saved as a result of alternative programs available to offenders.

**Jail Bed Days Saved from Alternative Programs and Program Costs\***

Program	Cost	2001	2002	2003	2004	2005
Sheriff's Work Release Camp	\$1,031,000	4,299	7,852	12,183	11,111	13,283
County Probation Work Program	\$42,599	2,671	2,802	2,912	2,793	3,240
GPS	\$156,209		1,470	3,480	4,950	6,540
Detention Review Coordinator	\$73,660			2,553	1,752	1,830
<b>Total</b>	<b>\$1,303,468</b>	<b>6,970</b>	<b>12,124</b>	<b>21,128</b>	<b>20,606</b>	<b>24,893</b>
Mental Health Coordinator**	\$74,980				1,543	2,445

\* SCRAM program not included as not in existence during 2005

\*\* Numbers reflect persons screened for mental illness, not bed days

The total cost of all the alternative programs is \$1.377 million. To further address the current and projected overcrowding issues at the jail, an increase of 22% or \$300,000 is recommended to be included in the budget for purposes of identifying new or enhancing existing alternative programs. The purpose of this funding is to maximum the number of bed days saved at the jail. The PSCC regularly meets to discuss the issues relating to managing the jail population. The Board should direct the PSCC in evaluating new and existing programs and make recommendations on how to allocate these resources.

***Inmate 24 hour a day 7 day a week Work Camps:***

Currently, there are six other counties in the state of Florida operating work camps. Out of the six counties, Escambia County is the only county with a work camp that houses the inmates onsite in barracks. Other counties, such as Polk, Pasco, Manatee, Marion, and Brevard, have work camps that provide the inmates with housing at the jail and transport them to and from the camp.

According to Florida Statutes 950.002(3) the work camp plan must include two provisions, one for the "use of the county work camp inmates on projects within the county" and the other provision must provide for the "inmate classification, health services, basic education, basic abuse testing and treatment and job or vocational training within the county work camp." The proposed Leon County Inmate Work Camp would be a self-contained minimum security facility to house sentenced and pretrial inmates. The inmates will be utilized to assist in overall facility construction, maintenance, and agricultural services/programs.

***Escambia County Road Prison:***

Out of the six counties operating work camps, the Escambia County Road Prison is the most comparable to the proposed Leon County Inmate Work Camp. Escambia's road prison has been in

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operation since the 1970s and houses 262 inmates. These inmates are nonviolent offenders and are housed in a minimum security facility. The prison is located on 88 acres which is shared with the Escambia Road Department. The annual budget for the Escambia Road Prison is \$4.7 million. Escambia County currently employs 82 individuals to operate the prison. The staff includes administrative, food service, maintenance support and correctional officers. In 2003, Escambia County expanded the road camp facility's administrative and training buildings as well as increased the number of beds by 40.

The programs implemented by the Escambia County Road Prison include, road department projects (drainage, holding ponds, and bridges), farming, carpentry/cabinet making, landscaping/horticulture, welding, cattle operations, catfish production, chicken farming and hay production. The prison uses approximately 25 out of the 88 acres for the farmland program in order to grow crops such as sweet potatoes, cabbage, squash, and corn. Carpentry, landscaping and welding programs are in coordination with the local vocational school.

*Leon County Inmate Work Camp:*

The Leon County Sheriff's Office has stated that a work camp could house 300-400 sentenced and pretrial detainees. The proposed programming for the Leon County Inmate Work Camp includes facility construction, maintenance, and agricultural services/programs. A detailed staffing plan has not been developed to run the proposed camp. However, as mentioned previously, Escambia County currently has 82 employees operating a work camp that consists of 262 inmates and an operating budget of \$4.2 million.

In order to provide administrative support, housing barracks, other facilities, and farmland the work camp would need to be located on approximately 100 to 150 acres. Research has indicated that 25 to 30 acres would need to be designated for farmland use. Potential land improvements could include clearing the parcel of land, roads, water and utilities, and fencing. According to the Leon County Sheriff Office, construction of the following buildings would need to be considered: kitchen, administrative building, facility service building (laundry, maintenance, etc.), housing barracks, farm processing center, equipment shop, guard house, and support services building. In addition, several large pieces of equipment would need to be purchased for operational needs: heavy duty trucks, tractors, backhoe, loader, planters, harrows, box blade, sprayers, mowers, spreaders, and vans.

In reviewing the work camp option, there are a number of significant costs and obstacles that would need to be addressed:

- Considerable costs associated with the initial capital construction. A large portion of these costs will be associated with constructing duplicative facilities that are already at the main jail, such as, kitchen, medical, laundry, etc.
- Siting of the facility
- On-going operating costs; Escambia County \$4.2 million annual for 242 prisoners

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***Renovations to the existing Jail Annex***

Based on the trend data, it appears additional bed space is necessary to alleviate the current conditions at the existing jail. As an alternative to the work camp, staff reviewed options to provide additional bed space at the existing jail. **Preliminary indications are that the addition of two pods with 300 beds would cost in excess of \$25 million.** This figure does not include the replacement of parking that would be displaced with the expansion.

Another option considered was the renovation to the Jail Annex. This is an existing 10,000 sq. ft. structure located on the present site. The facility was originally an annex to the first jail. Once the new jail was constructed, the facility was converted and used as part of the boot camp site until 2001. Since 2001, the Sheriff's Vice division has occupied the boot camp administrative offices while approximately half the structure has remained vacant.

The Sheriff's Office and County staff have reviewed the possibility of renovating the jail annex space to be converted into a minimum security facility. Minimum security inmates are those incarcerated on a non-violent charge and have a non-violent criminal history. The building could house 150 inmates.

It is estimated to cost \$2.0 million to renovate the annex into usable prison space and convert one of the existing barracks to administrative space for the relocation of Vice. A large portion of the funds will be used to connect the annex into the main jails control system. This will allow the annex to act as a pod in terms of staffing and not create an "island" for the corrections officers working in the annex. The Sheriff's Office has stated that it will require 12 new positions to operate this facility. This provides 2 positions twenty-fours a day, seven days a week with a relief factor. The total annualized operating impact is \$800,000 which includes positions, supplies, and utilities. Based on a mid-year opening of the renovated facility, partial year funding for FY06/07 is anticipated at \$399,612.

As opposed to the work camp, this option utilizes the entire existing infrastructure of the main jail: medical, kitchen, laundry, etc. In addition, it will not require the siting of another facility elsewhere in Leon County.

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**Options:**

1. Direct the inclusion of \$300,000 in the tentative FY06/07 budget for the purposes of the Public Safety Coordinating Council (PSCC) recommending to the Board new or enhancing existing alternative programs for the purpose of maximizing the number of jail bed days saved.
2. Direct the following:
  - a. \$1.400 million be included in the FY06/07 tentative budget to make the total project budget \$2.0 million for the renovation of the jail annex for the purpose of becoming a 150 bed minimum security pod at the jail to address on-going jail overcrowding.
  - b. Authorize the inclusion of \$399,612 in on-going operating funds, including 12 new positions, in the Sheriff's budget for purposes of operating the new minimum security pod.
  - c. Authorize staff to proceed immediately with the renovation of the jail annex utilizing the existing \$600,000 in capital project funds appropriated for the Work Camp.
3. Do not pursue the creation of a stand alone Work Camp.
4. Board Direction.

**Recommendation:**

Options #1, #2 and #3 are included in the tentative budget