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# **Criminal and Civil Justice Appropriations Committee**

**Thursday, February 18, 2010**

**9:00 AM – 11:00 PM**

**102 HOB - Reed Hall**

**Meeting Packet**

**Larry Cretul  
Speaker**

**Sandra Adams  
Chair**



## AGENDA

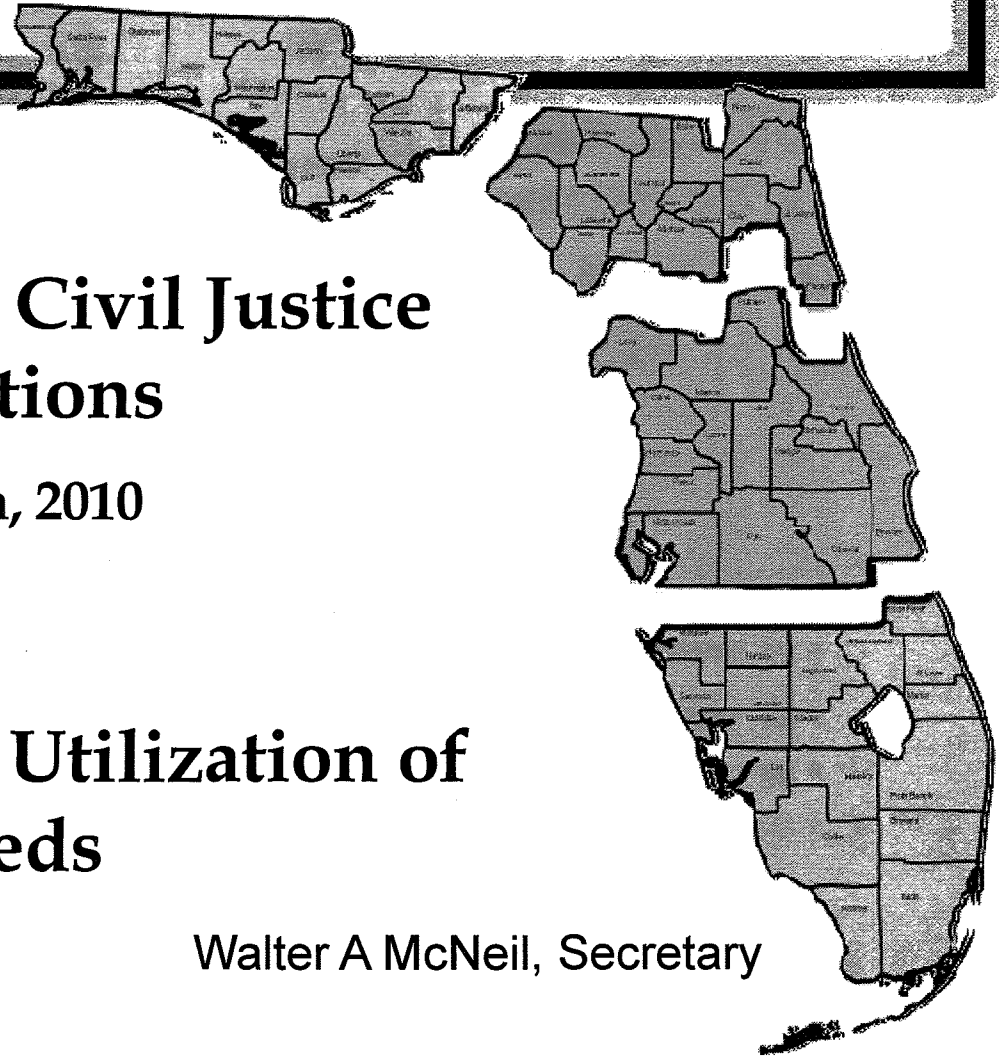
### Criminal & Civil Justice Appropriations Committee

February 18, 2010  
9:00 a.m. – 11:00 a.m.  
102 HOB – Reed Hall

- I. Call to order/Roll Call
- II. Opening Remarks
- III. Welcome/Introductions
- IV. Department of Corrections - Presentation on bed capacity, needs, and operational support options  
Richard Prudom, Director of Financial Management
- V. Department of Corrections - Discussion on Food Service
- VI. Closing Remarks and Adjournment

**DEPARTMENT OF CORRECTIONS**  
**Bed Capacity/Needs/Support Options**

# Florida Department of Corrections



## House Criminal & Civil Justice Appropriations

February 18th, 2010

## Current and Future Utilization of Prison Beds

Walter A McNeil, Secretary

## **Male and Female Specialty Beds**

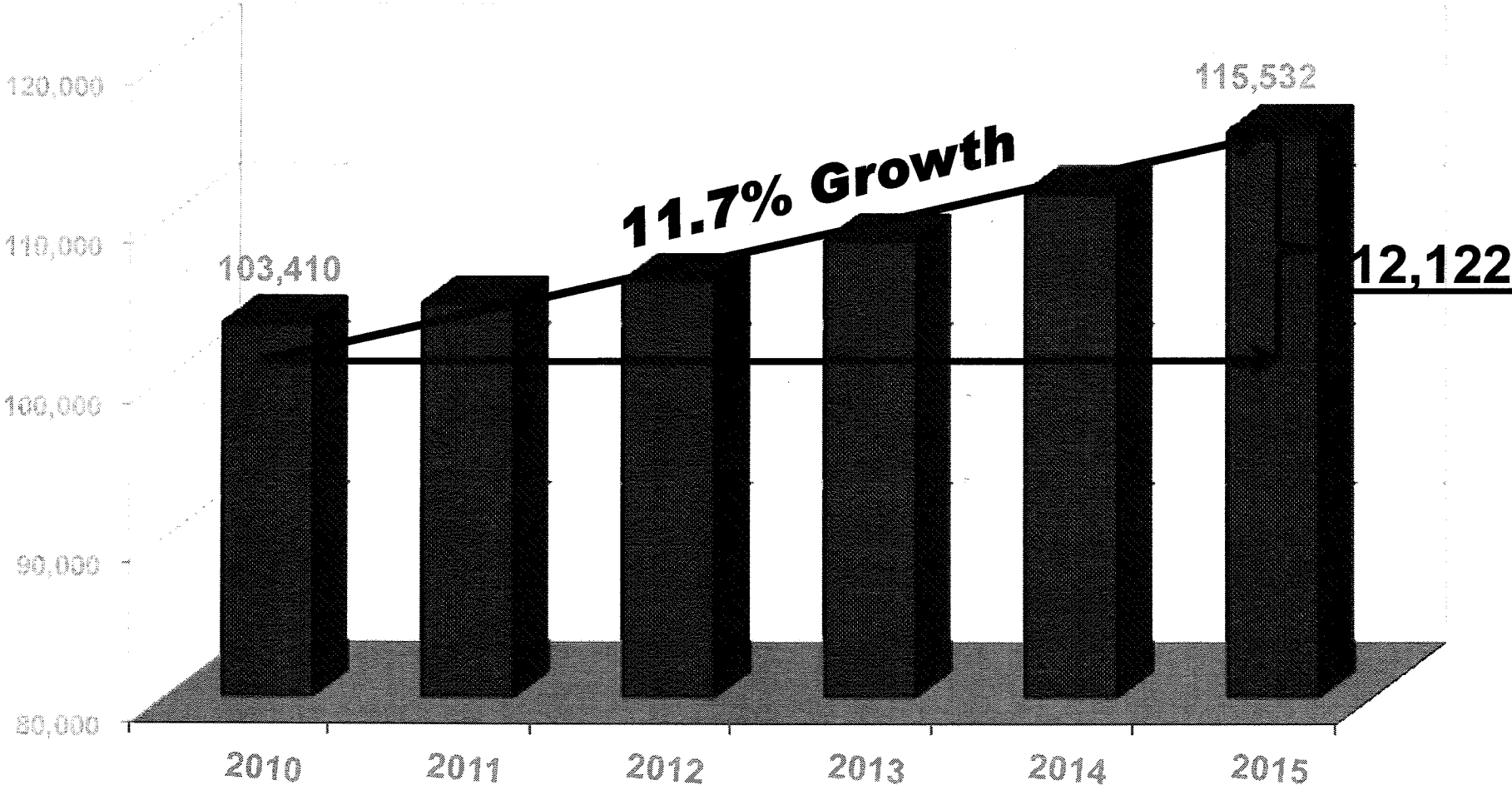
- **Confinement**
- **Protective Management**
- **Close Management**
- **Death Row**
- **Maximum Management**
- **Faith and Character**
- **Drug Treatment**
- **Work Release**
- **Transition**
- **Child Nutrition**
- **Reception and Orientation**
- **Youthful Offender**
- **Elderly**
- **Mental Health (TCU, CSU, CMHI, etc.)**
- **Medical (hospital, infirmary, intensive medical, HIV, etc.)**
- **Re-Entry**

## Conference Comparison

### Inmate Population Forecast for July 2010

▪ February 15, 2008	112,432
▪ July 16, 2008	110,845
▪ October 16, 2008	108,853
▪ February 16, 2009	106,338
▪ April 30, 2009	105,005
▪ September 29, 2009	103,499
▪ Net Decrease	(8,933)

# Florida's Prison Population Estimated by Year on June 30<sup>th</sup>



# Prison Bed Assessment

- Only staff and bring on-line prison beds that are needed
- Maximize utilization of beds that are cheaper to operate
- Utilize beds that are more conducive to mission



## Re-entry facilities

- Eligible inmates within 3yrs of release
- To be released to targeted counties
- Will receive comprehensive services
  - Substance abuse/mental health treatment
  - Academic
  - Vocational
  - Life skills

## Single Point of Re-entry

- Housing needs  
(sex offenders, affordable housing)
- Education needs
- Mental Health
- Family Concerns (lack of support, reunification)
- Probation Officers
- Healthcare needs  
(medications, substance abuse, etc.)
- Employment  
(unemployed, obtaining identification, social security cards, etc.)
- Transportation
- Local Law Enforcement

**Collaboration with service providers and state / local agencies is essential.**

**No single entity can effectively address these issues alone.**

## Expansion of Work Release beds

- Work release beds Dec 2009 3,952
  - Included recent expansion of contract beds by 141
  
- By Dec 2010, DOC beds will increase by 600
  
- RFP for 280 additional contract beds 280
  - Duval County 80 beds,
  - Pinellas/Hillsborough county 200 beds
  
- Total Work Release Capacity Dec 2010 4,832

# Governor's Budget Recommendations for FY 2010 - 2011

- Lowell Reception Center \$ 9,897,793
  - Open March 2011, 1335 beds
  
- Work release expansion \$ 1,492,744
  - Increase capacity at 4 centers  
by 150 beds each
  
- Re-entry Centers \$3,196,300
  - Everglades - opens June 2011, 288 beds
  - Baker - opens July 2011, 432 beds
  - Gadsden - opens August 2011, 576 beds

# Governor's Budget Recommendations for FY 2010 - 2011

- Recommends delaying the opening of institutions that were partially funded in FY 2009 - 2010
    - Franklin Work Camp \$ 2,697,088
    - Liberty Work Camp 2,697,088
    - Mayo Annex 8,296,609
    - Okeechobee Work Camp 2,905,946
    - Santa Rosa Work Camp 2,810,236
    - Temporary Housing staffing 2,122,396
- Total \$ 21,529,363

*Note: this amount is a recommended reduction.*

# Next Steps

- CJEC will revise inmate population projections tomorrow - 02/19/2010.
- Dept will review operational requirements for revised population
  - Adjust needs as necessary
  - Complete prison bed assessment
- Meet with legislative staff to discuss options
- Legislature has final approval on operational funding for new beds

■ Questions?

**DEPARTMENT OF CORRECTIONS**  
**Food Services**



DEPARTMENT OF CORRECTIONS  
Status of Food Services Report  
Follow-up Questions

**Liquidated Damages: When can the prime vendor be assessed liquidated damages and what is the dollar amount of liquidated damages to date?**

- 1) In the event that the Contractor fails to deliver all products that are ordered and the Department has not agreed to a substitution, the Department will impose liquidated damages of five hundred dollars (\$500) for orders that are 95% - 98% complete; one thousand dollars (\$1,000) for 90 - 94.9% order completion; and, ten thousand dollars (\$10,000) below 90% order completion.
- 2) Post-audit pricing compliance audits are conducted on a quarterly basis in accordance with the contract. The Bureau of Finance and Accounting generates a random sampling of ten (10) product numbers per regional monthly invoice. Each product number is then randomly selected from the detail file and submitted to the Contractor for pricing compliance verification. The Contractor provides copies of invoices from suppliers and/or carriers as documentation of the contractor's cost basis for the selected sample items.

Upon receipt, the department reviews each sampled item against the invoiced amount to ensure that the price charged to the department is correct in accordance with the contract.

Pre-audit invoice verification is conducted on each monthly detail file against receiving report information that has been submitted by each facility for each delivery. Using an electronic database, the following items are verified prior to authorization of payment:

- Item Number/Product Description
- Date of Shipment
- Receiving Facility
- Quantity Received
- Price Charged

Since the contract allows for pricing in effect on the week of delivery, the date of the shipment is critical and can affect the approved price. Variance reports are generated identifying those products and quantities that conflict with the receiving report submitted as well as pricing that conflicts with previously approved weekly prices. Each is then reviewed for verification of the variance. Upon verification, invoice adjustments are made and the invoice is then certified and submitted to accounting for payment.

Where fifteen percent (15%) or more of the sampled items are in non-compliance with the pricing compliance audit, for three (3) consecutive months, the

Department will impose liquidated damages of \$2,500 . In addition, the Contractor will pay any amount owed the Department for deviations identified by the post audit process on a monthly basis.

- 3) For failure to timely provide supporting documentation for invoices requested by the Department the Department will impose liquidated damages in the amount of one hundred dollars (\$100) per day until the requested documentation is received.
- 4) For failure to meet other contract requirements, liquidated damages will be imposed as follows:
  - (a) Within the first fifteen (15) days after written notice from the Contract Manager or designee of deficiency – No imposition of damages if deficiency is corrected within the time frame specified.
  - (b) After thirty (30) days of initial notice (without corrective action initiated by the Contractor and if the issue continues) liquidated damages in the amount of five hundred dollars (\$500) per day for each day or part thereof that the deficiency/issue remains uncorrected shall be imposed.
  - (c) Where the same instance occurs on three (3) or more occasions within a ninety (90) day period, (where the deficiencies have not been corrected as indicated above), liquidated damages shall be imposed in the amount of one thousand dollars (\$1,000) per day for each day the deficiency remains uncorrected.

There have been no assessments of liquidated damages under this contract.

**National Child Nutrition Program: What constitutes a reimbursable meal?**

A reimbursable breakfast meal must provide at the minimum one half (½) pint of fluid milk as a beverage which meets state and local processing standards; one half (½) cup serving of fresh or drained fruits, drained vegetables, or one half (½) cup of 100% fruit or vegetable juice; and one (1) of the following: two (2) servings of bread/grain, two (2) servings of meat/meat alternate, or one (1) serving of bread/grain and one (1) serving of meat/meat alternate.

A reimbursable lunch meal must provide a choice between one half (½) pint of fluid skim milk or one half (½) pint of fluid unflavored reduced fat milk as a beverage which meets state and local processing standards; one of the following or an equivalent by any combination of the following: three (3) ounces of lean meat, poultry, fish, cheese; or one and one half (1½) eggs; or three-fourths (¾) cup cooked dry beans or cooked dry peas; or six (6) tablespoons of peanut butter; two (2) or more servings of fruits or vegetables, or both, for a total of one (1) cup (The fruits and vegetables may be fresh or canned. If canned, the fruits or vegetables must be drained.); and twenty-one (21) servings of enriched bread/grain per week.

**Staff Meals: How many staff meals are provided and where do the dollars go?**

There are approximately 7,000 staff meal tickets sold each month or about 233 per day. The sale of meal tickets is covered by DC Procedure 203.014. Meal tickets are sold in the staff canteens and proceeds are first deposited into the local Employee Benefit Trust Fund bank account. At the end of each month the meal sales less sales tax are transmitted to Central Office and deposited as an expenditure refund to the food products appropriation. Sales tax on meal sales is remitted to the Department of Revenue.

- (1) **EMPLOYEE MEALS AND SPECIAL GROUP MEALS:** The following are the minimum requirements necessary for the sale of tickets for food service meals to staff and other special groups.
- (a) Staff and group food service meals will be one dollar (\$1.00) per meal, (including sales tax), tendered by the purchases of a ticket from staff canteens.
  - (b) The EBTF bookkeeper/general service specialist will be responsible for ordering and control of statewide standardized pre-numbered meal tickets as follows:
    - 1. Non-issued tickets will be retained in a secure lockbox or safe.
    - 2. Blocks of tickets will be issued to canteens to accommodate daily demand on a "Ticket Control," DC2-325.
    - 3. A monthly reconciliation will be required for all redeemed tickets by the EBTF bookkeeper/general service specialist, comparing the "Ticket Log," DC2-324, with the DC2-325 to insure no duplication of tickets. Redeemed tickets will be destroyed sixty (60) days after the monthly reconciliation is completed.
  - (c) The food service director will be responsible for the collection, accountability, and internal control of redeemed meal tickets on a DC2-324.
  - (d) The canteen operator will be responsible for the sale of meal tickets and the revenue from sales. Meal sales will not be included as part of the daily sales for the canteen, (DC2-319). Separate pre-numbered "Meals Daily Sales Reports," DC2-360, will be maintained for each canteen that conducts ticket sales. Tickets issued to the canteen(s) will be recorded on a DC2-325. A separate DC2-325 will be maintained for each canteen that conducts ticket sales. For locations that do not have staff canteens, the warden will designate a staff member for the sale of meal tickets. The designated staff member will be responsible for maintaining the same DC2-325 and the cash in a secure locked box in a secure location designated by the warden.
  - (e) A valid ticket must be presented to the food service director or her/his designee prior to receiving the meal. The food service director will record redeemed tickets on the DC2-324. At least weekly, the EBTF bookkeeper/general service specialist will collect the DC2-324 from food service and the DC2-325 from the inmate canteen, reconciling the two before signing the forms as reconciled.
  - (f) All meal sales must be differentiated from normal canteen sales through the use of the new ticket sales sheet next to the canteen sales tab. All meal ticket proceeds will be excluded from canteen sales and deposited separately from canteen receipts. Meal ticket transactions will not be recorded as a cash register sale. Daily meal ticket sales must be picked up concurrent with EBTF daily

sales. A weekly individual deposit separate from the normal weekly deposits from canteen sales will be made into the local EBTF bank account. At the end of each month a single check will be written from the local EBTF account for those meal sales less the calculated sales tax due on those sales. Appropriate sales tax on those sold meals will be included in the EBTF monthly sales tax remittance. (Example: using \$650 monthly meal sale deposits with a local sales tax rate of seven percent (7%):  $\$650 \div 1.07\% = \$607.48$ . The check written to central office would be \$607.48. The sales tax obligation would be \$42.52.)

- (g) Inventory of meal tickets will be conducted monthly by the EBTF inventory reviewer concurrent with EBTF canteen inventory.
- (h) Meal sales will not be subject to the seven percent (7%) administrative charge applicable within normal canteen sale operations.

**Other Costs: Need total by institution for other costs for FY 07-08, 08-09, and 09-10.**

See attached reports.