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# **Justice Appropriations Subcommittee**

**Wednesday, January 25, 2017  
3:30 PM – 6:00 PM**

**Meeting Packet**

**Richard Corcoran  
Speaker**

**Bill Hager  
Chair**



# **The Florida House of Representatives**

## **Appropriations Committee**

### **Justice Appropriations Subcommittee**

**Richard Corcoran**  
Speaker

**Bill Hager**  
Chair

## **Meeting Agenda**

**Wednesday, January 25, 2017**

**Morris Hall (17 HOB)**

**3:30 p.m. – 6:00 p.m.**

- I. Call to Order / Roll Call**
- II. Opening Remarks by Chair / Update on Base Budget Exercise**
- III. Presentations by the following agencies of Priority Listings of Budget Issues for Fiscal Year 2017-2018 regarding possible Reductions (Schedule VIII B-2) and Reprioritizations (Schedule VIII C):**

**Department of Corrections**  
**Kim Banks, Chief Financial Officer**

**Commission on Offender Review**  
**Commissioner Melinda Coonrod, Chair**

**Department of Juvenile Justice**  
**Fred Schuknecht, Chief of Staff**

**Department of Law Enforcement**  
**Jennifer Cook Pritt, Assistant Commissioner**

**Office of the Attorney General / Department of Legal Affairs**  
**Andrew Faye, Director of Cabinet and Legislative Affairs**

## **Justice Administration**

### **Justice Administrative Commission**

- **Alton L. “Rip” Colvin Jr., Executive Director**

### **Guardian Ad Litem**

- **Alan Abramowitz, Executive Director**

### **State Attorneys**

- **Honorable William Cervone, State Attorney 8<sup>th</sup> Judicial Circuit**

### **Public Defenders & Appellate Public Defenders**

- **Honorable Michael Graves, Public Defender 5<sup>th</sup> Judicial Circuit**

### **Capital Collateral Regional Councils**

- **Neil Dupree, Capital Collateral Regional Counsel Southern Region**

### **Regional Conflict Councils**

- **Jeffrey D. Dean, Regional Counsel, 5<sup>th</sup> District Court of Appeal Region**

### **State Courts System**

**Patricia (PK) Jameson, State Courts Administrator**

## **IV. Closing Remarks / Meeting Adjourned**



# Schedule VIII-B



Kim Banks  
Chief Financial Officer





## VIIIB – Population Impact\*

<b>Proposed Reduction</b>	<b>FTE</b>	<b>Amount</b>
• Remaining Sentence 24 Months or More	(1,471)	(\$166,460,580)
• Criminal Punishment Code Less than 44.1 points	(128)	(\$ 11,571,780)
• Gain time for Jail Credit	(60)	(\$ 6,840,202)
• Divert 1st time Drug Offenders	(276)	(\$ 17,599,862)

\* Requires Legislative action





## VIIIB – Other Proposals

<b>Proposed Reduction</b>	<b>FTE</b>	<b>Amount</b>
Eliminate Probation and Restitution Centers		(\$ 1,712,983)
Reduce Private Prison Funding		(\$16,224,657)
<b>Total All General Revenue Reductions:</b>		<b>(\$220,410,064)</b>
Reduce Work Squad Operations (Trust Fund)		
- DOT Master Agreement	(79)	(\$ 4,567,660)
<b>Total All Trust Fund Reductions:</b>		<b>(\$ 4,567,660)</b>







# FLORIDA DEPARTMENT OF JUVENILE JUSTICE

PART OF THE COMMUNITY, PART OF THE SOLUTION

## Potential Reductions and Reprioritizations FY 2017-18

January 25, 2017

House Justice Appropriations Subcommittee

Rick Scott, Governor

Christina K. Daly, Secretary



## VIIIB-2: Possible Reduction Issues

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1. Reduce Services Funded by the Community Supervision Budget Entity - \$6,094,024
2. Reduce Grants and Aids Contracted Services - \$2,004,812
3. Reduce Services within the Community Interventions - \$5,338,493
4. Reduce Secure Detention Bed Capacity - \$12,397,784
5. Reduce Non-Secure Residential Program Bed Capacity - \$16,525,097
6. Reduce Secure Residential Program Bed Capacity - \$8,952,520



## VIIIC: Possible Reprioritization Issues

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1. Reallocation of Invest in Children Funding - \$412,903
2. Redirect Detention Laundry Services Resources - \$585,839 (\$420,229 net gain)
3. Redirect Training Academy Resources - \$133,143







Richard L. Swearingen, Commissioner

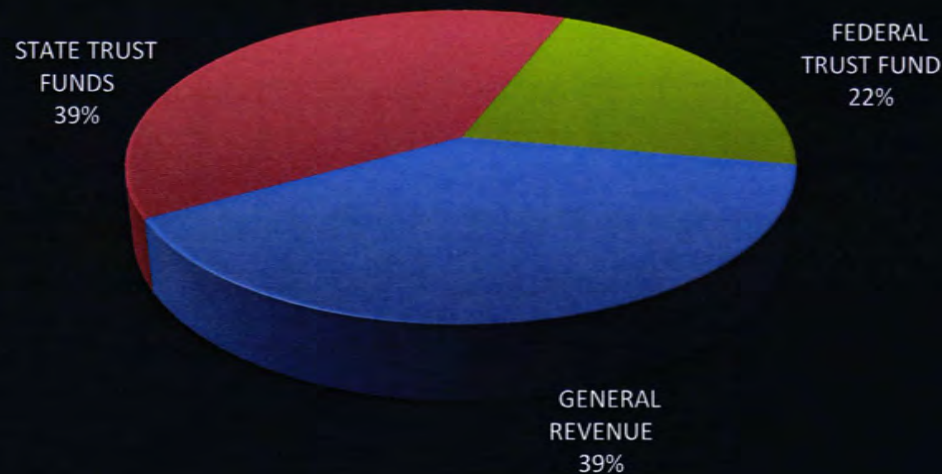
# FLORIDA DEPARTMENT OF LAW ENFORCEMENT



# FY 16/17 BUDGET

## RECURRING OPERATING BASE BUDGET

GENERAL REVENUE	\$106,699,941
STATE TRUST FUNDS	\$108,252,860
<u>FEDERAL TRUST FUND</u>	<u>\$61,177,957</u>
TOTAL	\$276,130,758*



\* TOTAL INCLUDES \$49,920,513 OF PASS-THROUGH FUNDING

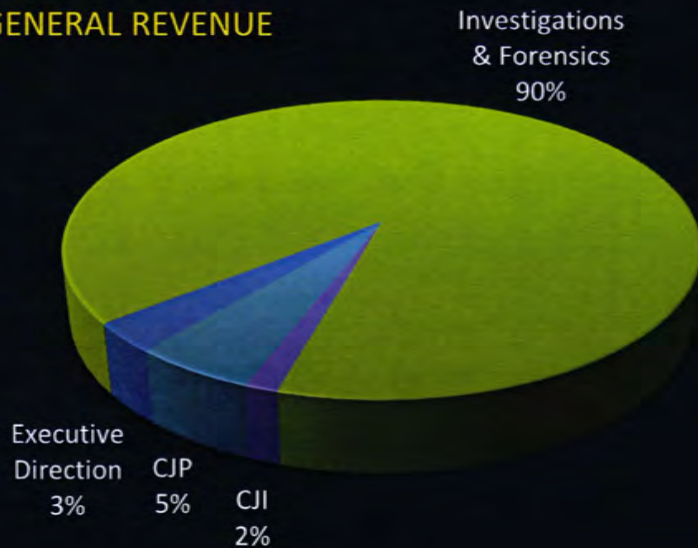




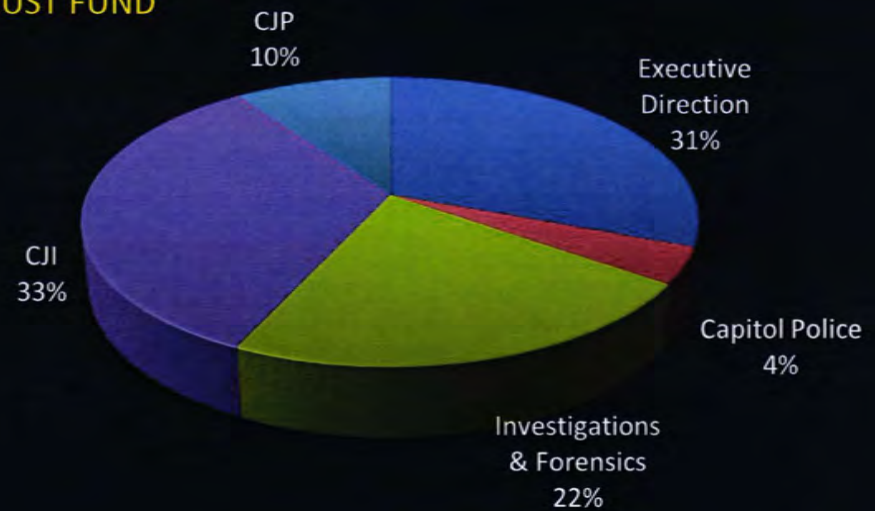
# FY 16/17 BUDGET

<b>Executive Direction/ Support Services</b>	<b>Capitol Police</b>	<b>Investigations &amp; Forensic Science</b>	<b>Criminal Justice Information</b>	<b>Criminal Justice Professionalism</b>
<b>131.5 FTE</b>	<b>88 FTE</b>	<b>1,052 FTE</b>	<b>456 FTE</b>	<b>102.5 FTE</b>
<b>\$54,061,903</b>	<b>\$6,753,542</b>	<b>\$136,422,575</b>	<b>\$57,152,740</b>	<b>\$21,739,998</b>

**GENERAL REVENUE**



**TRUST FUND**





## VIII-B

Priority	Original Issues	FTE	General Revenue	Trust Fund	Total
1	Eliminate Pass-Through Funding for A Child is Missing		(232,461)		(232,461)
2	Eliminate Pass-Through Funding for Local Laboratories			(2,379,702)	(2,379,702)
3	Eliminate Alcohol Testing Program	(10.0)		(845,095)	(845,095)
4	Eliminate Florida Accreditation Office	(5.0)	(318,629)	(86,975)	(405,604)
5	Eliminate the Drug Abuse Resistance Education (DARE) Program	(5.0)	(23,464)	(465,248)	(488,712)
6	Eliminate Florida Criminal Justice Executive Institute and Leadership Center	(11.0)		(1,081,228)	(1,081,228)
7	Eliminate Role in Department of Corrections Investigations	(17.0)	(1,626,235)		(1,626,235)
8	Eliminate Missing and Endangered Persons Information Clearinghouse	(11.0)	(500,525)	(693,788)	(1,194,313)
9	Eliminate Internet Crimes Against Children Investigations	(17.0)	(1,626,235)		(1,626,235)





## VIII-B

Priority	Original Issues	FTE	General Revenue	Trust Fund	Total
10	Eliminate Offender Enforcement and Apprehension Investigations	(9.0)	(400,270)	(537,897)	(938,167)
11	Eliminate Digital Evidence Forensic Analysis	(9.0)	(819,724)	(75,000)	(894,724)
12	Eliminate Role in Economic Crime Investigations	(32.0)	(2,364,626)	(785,663)	(3,150,289)
13	Eliminate Crime Scene Response	(8.0)	(721,637)	(50,000)	(771,637)
14	Eliminate Criminal Justice Professionalism Field Services	(12.0)		(871,846)	(871,846)
15	Eliminate Information Delivery Team	(16.0)		(1,102,013)	(1,102,013)
16	Eliminate Criminal Justice Information Services Audits	(15.0)		(1,008,484)	(1,008,484)
17	Eliminate Trace Evidence Analysis	(14.0)	(1,169,003)	(120,000)	(1,289,003)
18	Eliminate Questioned Documents Analysis	(3.0)	(254,895)		(254,895)
19	Eliminate Impression Evidence Analysis	(6.0)	(497,114)	(50,000)	(547,114)





# VIII-C

Issue	FTE	General Revenue	Trust Fund	Total
DEDICATE FUNDING FROM DRIVING UNDER THE INFLUENCE (DUI) FINES TO SUPPORT FDLE TOXICOLOGY AND ALCOHOL TESTING PROGRAM				
REDUCE PASS-THROUGH AUTHORITY			(276,143)	(276,143)
INCREASE SUPPLIES FOR TOXICOLOGY CASEWORK			253,529	253,529
INCREASE SUPPLIES FOR ALCOHOL TESTING PROGRAM			22,614	22,614
TOTAL	0		0	0



## CONSIDERATIONS

### EXERCISE LIMITATIONS

- Reduces Ability to Meet Core Mission
- Program/Issue Specific Increases Risk of FTE Cuts & Services

### DEPARTMENT ALTERNATIVE

- Shift Portions of Recurring GR to Operating Trust Fund
- Minimize Cuts to Key Personnel & Services
- Continuation of Core Mission and Support of Public Safety Partners





## Justice Administrative Commission

Created in 1965, the Justice Administrative Commission (JAC) administratively serves 49 judicial related entities, as well as provides compliance and financial review of billings for services provided by private court-appointed attorneys representing indigent citizens and associated due process vendors.

In the most recently completed fiscal year, JAC processed approximately 285,217 accounting transactions, 66,366 court-appointed attorney and due process vendor invoices, 68,164 payroll and human resources related transactions, 11,367 budgetary transactions, and 465 public records requests; attended 1,150 hearings for state payment; and responded to 13,650 legal motions for payment of costs by the state.

The Justice Administrative Commission accomplishes all this, and more, with 86 staff and a budget of \$6,282,992 through its partnership with the Legislature, systemic cross-training its staff, and constantly developing and updating our processes for increased efficiency, accountability, and customer convenience.

JAC's 10% Reductions (Schedule VIII B-2) - \$10,524,098

Priority #1	\$1,170,000 GR – Reduce Jury Expenditure Funding
Priority #2	\$34,216 GR – Reduce Foster Care Citizen Review Panel
	\$106,890 TF – Reduce Foster Care Citizen Review Panel
Priority #3	\$3,353 GR – Reduce State Attorney/Public Def. Training
Priority #4	\$202,250 GR – Reduce Attorney Fees/Repres. of Disabled Children
Priority #5	\$5,431,673 GR – Reduce Court Appointed Attorney Fees
Priority #6	\$1,926,303 GR – Reduce Public Defender Due Process
Priority #7	\$1,026,665 GR – Reduce State Attorney Due Process
Priority #8	\$622,748 GR – Reduce JAC Salaries & Benefits (12 FTE)

○ General Revenue	\$10,417,208
○ Trust Funds	<u>106,890</u>
○ Total	<u>\$10,524,098</u>





# GAL

Florida Statewide  
Guardian ad Litem Program

Alan F. Abramowitz, Executive Director  
[GuardianadLitem.org](http://GuardianadLitem.org)

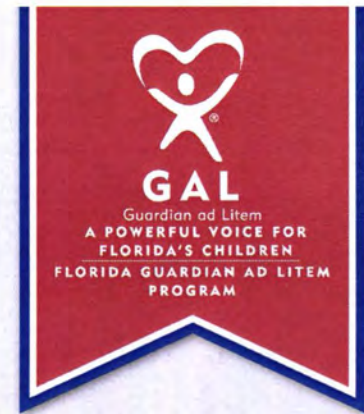
OFFICE: 850-922-7213

CELL: 850-241-3232

**I** am for the child™



# ADVOCATING FOR CHILDREN'S BEST INTERESTS



As an Independent Voice for Children, GAL Volunteers:

- ◆ Investigate
- ◆ Examine
- ◆ Facilitate
- ◆ Promote permanency for children
- ◆ Mentor
- ◆ Advocate
- ◆ Monitor
- ◆ Make recommendations to the court
- ◆ Improve outcomes for children



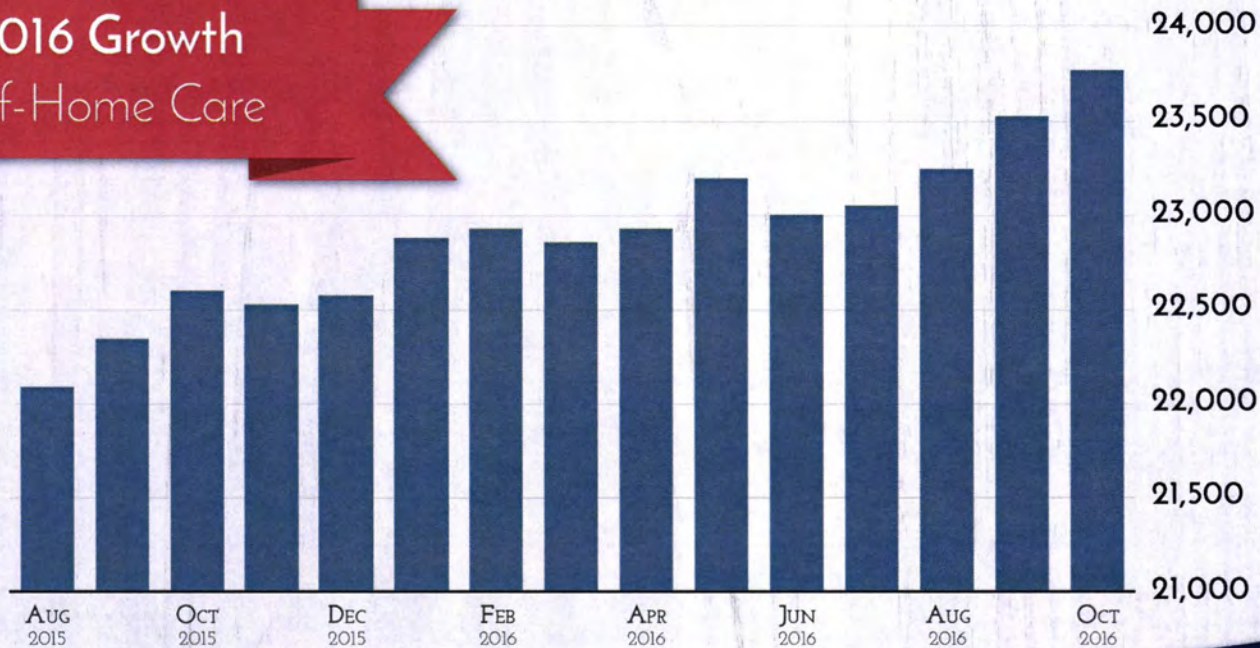
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# CHILDREN REPRESENTED BY GUARDIAN AD LITEM



2015-2016 Growth  
in Out-of-Home Care



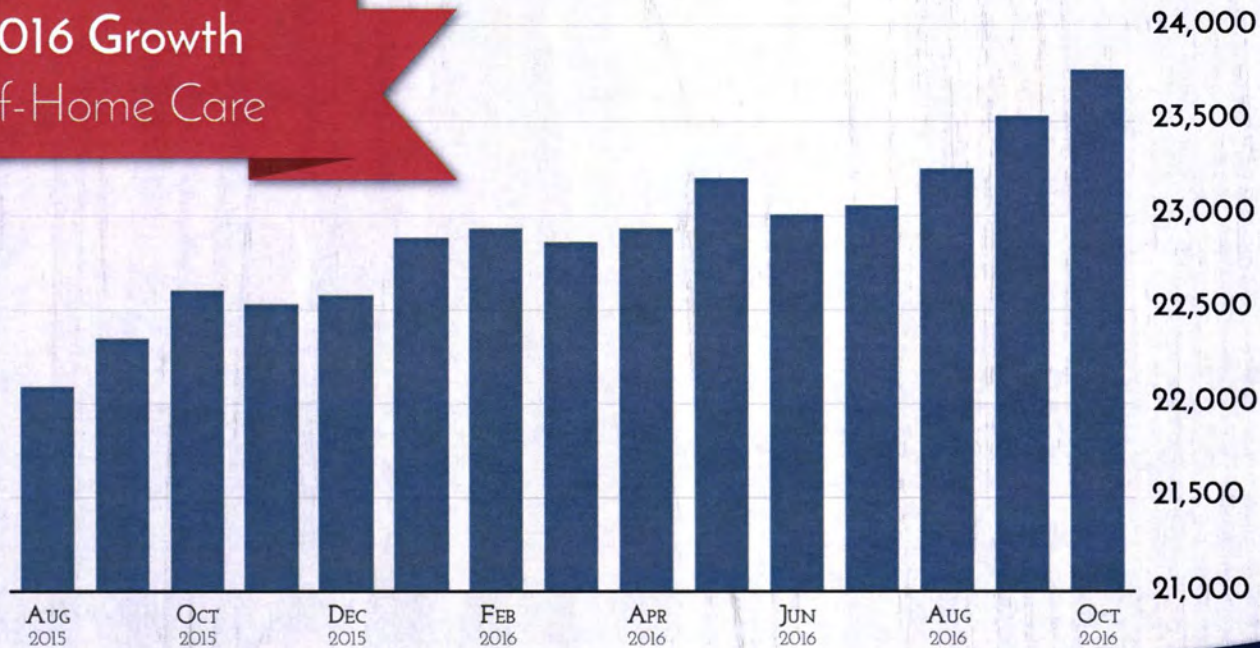
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# CHILDREN REPRESENTED BY GUARDIAN AD LITEM



2015-2016 Growth  
in Out-of-Home Care


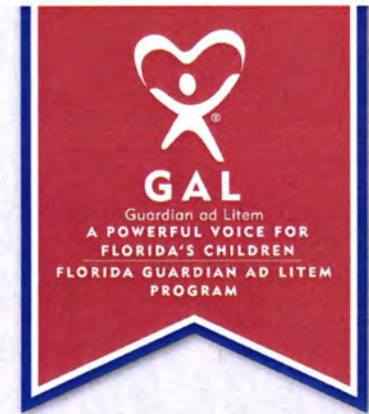


I am for the child™



# SCHEDULE VIII-B REDUCTIONS

10% REDUCTION AMOUNT: **\$4,601,451**



**IMPACT:** Because the Guardian ad Litem Program provides a single service, a 10% reduction would reduce representation of children and supervision of volunteers. **This would leave more than 5,000 children without a voice in dependency court,** and thousands of volunteers would not be supported. **Sixty-eight (68) employees would be eliminated.**

**- \$4,569,314**  
GENERAL REVENUE

**- \$16,012**  
TRUST FUND

**I** am for the child™



# **FLORIDA PUBLIC DEFENDER ASSOCIATION**

## **BUDGET ISSUES FISCAL YEAR 2017-18 REGARDING POSSIBLE REDUCTIONS AND REPRIORITIZATION**

The 20 Public Defenders in Florida are funded to meet their constitutional and statutory responsibilities of representing indigent citizens before trial and appellate courts. Over 96% of general revenue, funding is dedicated to salaries and benefits. Reduction in funding would result in the inability to provide these constitutionally required services.

### **1) REDUCTION IN GENERAL REVENUE FUNDING:**

- \* 10% reduction totals \$18.5 for all circuits
- \* 10% reduction totals additional \$1.62 for all appellate circuits
- \* 96% of general revenue is dedicated to salary and benefits
- \* Slightly reduced caseloads do not equal reduction of work loads and have not resulted in an ability to reduce attorneys or staff
  - Increase in juvenile, mental health and complex cases
  - Recent court decisions have and will result in significant increases in capital and other serious cases (Graham/Miller and Hurst)

### **2) REDUCTION IN TRUST FUND BALANCES:**

- \* Trust funds are increasingly used to fund additional FTEs, OPS and operational cost
- \* Balances that appear to be “unused” are committed to future use, such as:
  - Ability to fund current trust fund authority in the event of a reduction in local collections
  - Grants and donations, funded by local government, dedicated to special uses in each circuit
  - Future requests for trust fund authority to meet staffing, salary and benefit needs, unique to each circuit
  - Funds necessary to carry forward for LBR (schedule 1) to avoid negative fund balance
  - Balances are carried forward to be used for unexpected cost, such as insurance increases and employee separation



**3) UNFILLED FTE's:**

- \* Statewide approximately 10% unfilled FTE's (288) as of January 5, 2017.
  - Percentage consistent with other criminal justice agencies
- \* These vacant FTE's result from:
  - Lack of general revenue to fund the positions
  - Grant or trust fund authority beyond actual funds available to support the positions

**4) SCHEDULE VIII(b)-2 CIRCUIT EFFECTS OF IMPLEMENTING 10% DECREASE IN FUNDING WOULD INCLUDE:**

- \* Reduction of attorneys and support personnel which would effect the ability to meet legal standards in representing appointed clients
- \* Furloughs of employees, disrupting the orderly resolution of appointed case
- \* Adversely effect future ability to accept all newly assigned cases and require amendment to Florida Statute 27.5303



FLORIDA  COURTS

Accessible • Fair • Effective • Responsive • Accountable

# Priority Listing of Budget Issues for Fiscal Year 2017-2018 for Possible Reductions

**House Justice Appropriations Subcommittee  
January 25, 2017**

Patricia (PK) Jameson, State Courts Administrator



## Judicial Branch FY 2017-2018 Schedule VIII-B Impact of 10% Target Reductions (\$49.3 Million)

	General Revenue	Administrative Trust Fund	State Courts Revenue Trust Fund	Court Education Trust Fund	TOTAL
<b>FY 17-18 Appropriation</b>	\$412,984,040	\$3,762,507	\$73,323,850	\$3,414,809	\$493,485,206
<b>TARGET in Dollars</b>	\$41,298,404	\$376,250	\$7,332,385	\$341,481	\$49,348,520

<b>Total Staff FTE Reduction</b>	<b>777.50 FTE or 25%</b>
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Budget Entity	Current Staff FTE	Reduction to meet Target
Supreme Court	93.00	15.00
OSCA	164.50	28.50
DCA	359.50	67.00
Circuit	2,203.50	511.50
County	322.00	153.50
JQC	3.00	2.00
<b>Total</b>	<b>3,145.50</b>	<b>777.50</b>

## Legislative Initiatives in Judicial Branch Budget

- Children's Advocacy Centers (statewide) - \$3,793,240
- Walton County Children's Advocacy Center - \$100,000
- Children's Advocacy Center – Child Protection Teams - \$300,000
- Domestic Violence Offender Monitoring (18<sup>th</sup> Circuit) - \$316,000
- Veterans Court (Alachua, Clay, Duval, Escambia, Leon, Okaloosa, Orange, Pasco, and Pinellas counties) - \$1,425,000
- Naltrexone (medication distribution) - \$5,000,000
- Post-Adjudicatory Drug Court (Broward, Escambia, Hillsborough, Marion, Orange, Pinellas, Polk, and Volusia counties) - \$5,000,000

**Total Funding: \$15,934,240**