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Florida should be like Texas, not Calif., in fixing prisons

By Pat Nolan | Special to the Sentinel

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Florida's population has almost doubled since 1980, but the state's prison population has grown even faster — fivefold during those years. Florida's incarceration rate rose 26 percent faster than the national average, pushing spending on corrections past \$2.8 billion. Gov. Rick Scott promised that corrections reform would be a priority last session, and some modest reforms were made; however, much more needs to be done.

With 102,000 inmates, Florida has the third-largest correctional system in the nation behind California (174,000 inmates) and Texas (155,000 inmates). The latter states offer a stark contrast in handling the skyrocketing growth and costs of their prisons.

Facing a looming overcrowding crisis in 2005 and 2007, Texas' "tough on crime" Legislature decided it couldn't afford the runaway costs of its prisons and made targeted changes that slowed the growth of its prison population.

Local probation departments were offered new funding if they implemented swift, sure and commensurate sanctions for technical violations, such as missing appointments, and set a goal of reducing parole revocations by 10 percent. Some of the savings went into community treatment for the mentally ill and low-level drug addicts. These reforms reduced Texas' prison population, and for the first time, there is no waiting list for drug treatment in its prisons.

It also helped close the state budget gap. The state saved the \$2 billion it would have cost to build and operate new prisons by holding nonviolent offenders accountable in alternatives to prison, such as mandatory community supervision, treatment and drug courts. In fact, Texas was able to close a prison this year. And the state accomplished this while lowering its crime rate by 10 percent, reaching the lowest rate since 1973.

My native state of California chose a different path. Faced with prisons that were bursting at almost 200 percent of capacity, the state's leaders sidestepped the mounting dysfunction in its prisons. Two inmates sued, claiming the overcrowding denied them basic medical care. The Supreme Court found conditions that are profoundly troubling. Facts cited by the Supreme Court include: 54 prisoners share a single toilet; communicable diseases are so rampant and treatment so inadequate that a prisoner needlessly dies every six to seven days; and every week another prisoner commits suicide.

When California failed to alleviate pressure on its bursting prisons, the court stepped in and did the



Legislature's job via a structural injunction, requiring the state to reduce its prison population by 33,000 inmates within three years.

Florida can avoid such a situation if the Legislature adopts reasonable reforms now — reforms such as those proposed by Right on Crime, a group of conservative leaders advocating for "smart on crime" policies, like the ones enacted in Texas.

A state-based Right on Crime effort was launched by Floridians Jeb Bush, Richard Doran, Dominic Calabro, J. Robert McClure, Allison DeFoor and Barney Bishop to advocate for these reasonable reforms and support conservative leaders who are working to correct the broken prison system.

The Right on Crime initiative advances six key principles:

The criminal justice system must be held accountable for its results.

In determining criminal sentences, priority must be given to public safety, and the victim's conception of justice, as well as the risk of future criminal conduct posed by each offender.

The corrections system must require personal responsibility, work, restitution, community service and treatment.

We must harness the power of families, charities, faith-based groups and communities to reform amenable offenders.

Policies must provide incentives that align with the goals of public safety, victim compensation and satisfaction, and cost-effectiveness.

Criminal law should be reserved for conduct that is blameworthy or threatens public safety.

Florida can't afford a business-as-usual approach to prisons. Texas' leaders got ahead of the game, and the public is safer, and the budget smaller, because they did.

I urge Florida legislators to take the lead in addressing the challenges facing the prison system, and make the passage of "smart on crime" policies a priority for the upcoming legislative session.

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