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To: John.Hardin@charleskochfoundation.org
Cc: [Rasmussen, David W.](#); [autofwd-jcolvin](#); [Allison DeFoor](#)
Subject: FSU Project on Accountable Justice
Date: Tuesday, November 25, 2014 3:12:47 PM
Attachments: [JMJ-Justice Funding to Performance Journal article.pdf](#)
[Recommendations to Improve DOC 11-12-14.pdf](#)
[About PAJ for CKF.pdf](#)

Dear Mr. Hardin,

Thank you for allowing us the opportunity to introduce you and the Charles Koch Foundation to the work of the Florida State University Project on Accountable Justice (PAJ). We are pleased to send you this note and attached information at the request of Dean David Rasmussen and Jesse Colvin following your visit with them in October.

PAJ is a public policy and public education institution dedicated to advancing public safety through research and evidence. We are a partnership of Florida State University, Baylor University, St. Petersburg College, and Tallahassee Community College. Our mission is focused primarily on improving the health and vitality in our home state of Florida through criminal and juvenile justice reforms, but we also believe work in Florida is rare in its capacity for replication. Because of our size and conservative base, the opportunities to transport research and data-driven policies from Florida are strong. Lessons learned from Florida are portable peer-to-peer to other Southern states, to other mega-states, and even to other countries.

Our work in Florida has been deeply impacted by the room built around the conservative case for modernizing our criminal justice systems, notably through the work of Right on Crime across the country—tremendous partners of ours—and early support from the business community in Florida. Criminal justice system performance and accountability were concepts rarely pondered until the business community began to take notice in 2009, particularly recognizing that with no attention and public scrutiny, growth would remain unchecked and unchallenged. More than anything, recent discussions of advancing public safety in Florida grew from the business community's observation that criminal justice in Florida, particularly in corrections, remains the last area of government *unaccountability*. The Project on Accountable Justice was formed specifically to address this utterly changeable lapse in government performance and accountability.

The states do indeed serve as the laboratories of democracy, and among them, Florida is comparable in ways that many states are not. We are a southern state, a conservative state, and a growing state. And, as we all know, that means that each state has its own challenges and characteristics, and certainly Florida has its share. A state such as Florida demands particular attention simply based on size, demographics, and the political implications. Certainly more acutely related to our initial shared interest is an understanding of the potential and real impact the sunshine state's role in the context of a national trajectory of policies and practices in criminal justice: Florida's prison population numbers are hard to ignore, representing 8 percent of the nation's total state prison population, and 7.4 percent of the U.S. total prison and jail population.

While advances have been made in Florida—notable examples include ongoing successful systemic reform efforts in juvenile justice; recent legislation that mandates, as possible, state-issued identification for re-entry purposes; leveraging better technology through electronic monitoring; and expansion of more volunteer-led efforts behind the prison walls like faith-and character-based prisons (with mandated peer-led literacy and substance abuse support programs like AA)—the system largely remains unchecked and unchanged. This is reflected in a perpetual investment strategy that is in fact no strategy, that merely places the majority of funding (forever more) into prison beds. We contend this will occur until a framework of performance and accountability is embedded systemically.

Furthermore, the Florida Department of Corrections is an agency in crisis and has engaged daily for the past months in triage to respond to instances of failure to carry out the Department of Corrections' constitutional and statutory obligation to safely and effectively house inmates, currently numbered more than 100,000. This has been an area of acute attention for PAJ, having just released a report providing five recommendations to increase transparency, oversight, and effectiveness of the department. Common threads throughout our recommendations include ensuring performance incentives and measurement and accountability for all system actors and the system itself.

Failure in corrections means less safety, more victims, more costs, and fewer reformed offenders. The question facing Florida now is whether we will collectively rise up to meet the challenges that have been festering for many years. Will Florida clean up this last area of performance unaccountability in government? This report is also attached for your consideration, and I have included some recent media coverage below. I have also attached one other article we published on the need for incentivizing performance throughout the criminal justice system toward better outcomes.

We are grateful at the Project on Accountable to have some of Florida's most distinguished leaders guiding our efforts, some of whom have been deeply involved in the practices and policies of criminal justice for many years, and all of whom are invested in turning from a trajectory of poor outcomes and growing expense to slowing prison growth, reducing victimization and crime, and turning countless lives around. I have, among several items

I am honored to share a little bit of our work with you now, attached to this email. My Board Chairman, Allison DeFoor, and I will be traveling to DC next week, December 4-5, where we will be making a presentation of one of our research projects to ALEC's Justice Performance Task Force entitled, "Beyond risk: offender rehabilitation and successful systemic outcomes through dynamic assessment."

Would you be available to meet with us while we are in town? Our meeting is from 2:30-5:30 on December 5. Both Allison and I will arrive by noon on December 4, should you have some availability either the afternoon of the 4th, or the morning of the 5th.

Many thanks for your interest. We look forward to hearing from you.

Regards,

Deborah

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"Advancing Public Safety Through Evidence and Research in Florida—and Beyond"

Editorial: State DOC desperately needs oversight, reform

Posted: 6:12 p.m. Tuesday, Nov. 18, 2014

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Michael Crews may have the toughest job in state government. He's the secretary of the beleaguered Florida Department of Corrections, its sixth secretary in eight years. They don't seem to last long in the job.

But Crews is obviously trying. He has taken a reformer's hand to a dysfunctional and insular agency, firing staff, demanding accountability from contractors and calling in auditors in the wake of news reports of horrific abuse and a spike in inmate deaths.

- [How to stop horrible prison deaths? Group urges Florida enact reform](#)
- [Privatizing prison health care leaves inmates in pain, sometimes dying](#)
- [PRIVATE PRISONS: Profit, Politics & Pain](#)

Clearly, though, the mess at DOC is bigger than one reformer's best intentions can fix. It's time for action and attention from Gov. Rick Scott and the Florida Legislature.

When mentally ill inmates are [boiled alive](#) in a jury-rigged "punishment" shower for smearing feces in their cell; when inmates with cancer are punished with solitary confinement for [complaining of pain](#); when the state locks up more residents, per capita, [than Cuba](#)? Something is deeply, profoundly wrong.

As The Post's [Pat Beall reported on Monday](#), a policy research group at Florida State University is calling on the state to seize the moment. The same push for quality, accountability, professionalism and best practices that has been applied to schools, hospitals and other institutions is long overdue in the state's prisons, argues the [FSU Project on Accountable Justice](#). After all, this is a state agency that [costs taxpayers \\$2.3 billion a year](#).

Former state Republican Party Chairman Allison DeFoor heads the project.

"The problem is not a lack of good people. It's the structure," DeFoor said. "The design of this system dates back to a time when Florida was the smallest, poorest state in the country ... This is the last area of government that has had no accountability."

The group's most important recommendation may be to create a supervisory board with real oversight powers, one that can inspect, unannounced, every corner and closet of the state's prison system.

It's a tall order. But with 101,000 inmates, employing 15,000 people — one in seven of all state employees — the agency requires closer oversight.

"If 'Florida Corrections' were a county, it would be roughly the same population as Alachua County, and home to more people than 44 of the state's 67 counties," the report notes.

Equally important, the group calls for reforming the hiring, training and evaluation of guards. Should guards be allowed to serve out their entire career at a single institution, or should they be rotated and moved among multiple institutions, and required to continually educate and train? Is it appropriate for 19-year-olds to serve as guards, when other states limit hiring to those 21 and older? Could a centralized training academy bring common standards and expectations to the job?

Calls for reform of the Department of Corrections are not new. When Gov. Rick Scott came to office in early 2011, his transition team warned him that the agency was calcified from within.

"It is lacking leadership, vision and courage. Its organizational structure currently is confusing, diminishes accountability and is not cost-effective," the group wrote. "We found that a pattern of promoting from within has created an entrenched culture resistant to creativity and innovation."

But under Scott's administration, moves to fix prisons so far have focused on privatizing government functions with cost-cutting contracts. But cutting spending without imposing real oversight, without reforming sentencing guidelines and diverting nonviolent and mentally ill offenders? It has simply led to cruelty, as The Post's [Beall has uncovered](#).

Eventually, nine of every 10 inmates in Florida prisons will return to the community, carrying with them the lessons learned while behind bars. For the safety of all, Florida must do better.

Amid turmoil, Florida prisons boss exits

BY JULIE K. BROWN AND STEVE BOUSQUET

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11/24/2014 2:17 PM

11/25/2014 11:28 AM



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[1](#) [2](#)

Michael Crews spoke this past July at Dade Correctional Institution on the death of Darren Rainey. He resigned Monday. Al Díaz MIAMI HERALD STAFF

[Story](#)

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Michael Crews stood in front of news reporters on July 10, 2014, fielding questions about allegations that corrections officers had tortured and killed a 50-year-old Miami-Dade inmate by forcing him to endure two hours in a scalding shower closet specially rigged to inflict pain.

It was Crews' first visit to Dade Correctional Institution, just south of Homestead. That morning, amid some fanfare, he announced a crusade to restore the integrity of the agency, then facing a firestorm over abusive corrections officers, suspicious deaths and cut-rate private healthcare contractors.

But as Crews announced the suspension of the prison's warden and pledged to eliminate the "few bad apples" in the department, he was

quietly facing yet another crisis. In that same compound, that same morning, an inmate died while sprawled on the floor of the prison's infirmary. For six hours, he had begged for medical attention as he complained about numbness in his arms and legs.

The embattled secretary, appointed by Gov. Rick Scott two years ago, announced Monday that he is stepping down as head of the Florida Department of Corrections, effective Nov. 30. His retirement comes after months of media scrutiny over prison corruption and the failure of Crews' top law enforcement officer, Inspector General Jeffery Beasley, to investigate and prosecute wrongdoing in the prison system.

Related

[Florida prison boss fires 32 over inmate deaths](#)

[Deadly abuse in Florida's prisons: A Miami Herald investigation](#)

[Florida prison boss orders use-of-force audit](#)

[Group calls for overhaul of Florida prisons](#)

[Timeline: A year of turmoil in Florida prisons](#)

[Deposed warden says Dade Correctional was a dysfunctional mess](#)

That day at Dade Correctional four months ago underscored the limits of Crews' power, despite being in charge of the state's largest agency. It would be almost another 24 hours, Crews later said, before he was fully briefed on the circumstances surrounding the death of inmate Michael Branham, a former cop convicted in 2005 of murdering his wife, a Highlands County attorney.

Branham, records show, had collapsed about 5 p.m. the evening before. Sources at the prison told the Miami Herald that prison staff, as well as the nurses and doctors, refused to lift the 394-pound inmate from the floor, telling him to get his "fat ass up," and accusing him of faking pain as he cried on the floor. Miami-Dade Fire Department records show paramedics were not summoned until 5:54 a.m. the following morning. By then, Branham was dead.

In the weeks that followed that death, Crews ousted Dade Correctional's warden, terminated dozens of corrections officers system-wide for excessive force, launched a public inmate mortality online database and ordered an independent audit of the department's soaring use-of-force rate.

He created an ombudsman to monitor how the agency cares for inmates with mental illnesses, and issued an ultimatum to prison healthcare provider Corizon that it must rectify serious deficiencies in its medical care if it wanted to be paid.

Despite his efforts, Crews could not get a handle on the agency's corruption, which has included corrections officers shaking down prisoners and smuggling in contraband.

In recent months, it came to light that Dade Correctional Institution has been so under-staffed that corrections officers, some of them not certified, had routinely lost count of prisoners. In one such security breach last month, prison officials didn't realize that a convict had escaped until at least four hours after he went missing. He was captured two days later in Palm Beach County.

That same month, 36-year-old Latandra Ellington was found dead at Lowell Correctional Institution in Ocala — just 10 days after she wrote a disturbing letter to her aunt claiming that a corrections officer had threatened to kill her. An autopsy commissioned by her family showed she died of blunt-force trauma consistent with being beaten. The death is under investigation by the Florida Department of Law Enforcement. Days after her death, another Lowell inmate, Michelle Tierney, 48, died, with her family claiming that she had been ill for weeks and that doctors at the prison refused to treat her or send her to the hospital.

When she finally arrived at the hospital, Tierney was in septic shock, her feet were blue, she had a fever and she was suffering from pneumonia, according to her family. She died a short time later.

Crews, the sixth prisons chief in the past eight years, started his 30-year career as a corrections officer, then spent more than two decades with FDLE, serving in various capacities, including as chief of the department's professionalism program.

In an interview Monday, Crews said "there wasn't any one incident" that prompted his departure. But he cited a persistent budget deficit, which despite multiple rounds of cost-cutting measures, remains at \$25 million.

"It's hard to be the progressive agency you want to be when you're constantly battling budget issues," Crews said.

The union representing corrections officers said Crews, with his law enforcement background, undoubtedly was frustrated with not receiving the support and resources to fully staff and maintain prison facilities.

"This lack of realistic funding and the gradual deterioration of the departmental staff are at the core of the problem," said Bill Curtis, spokesman for Teamsters Local 2011, which represents the system's 21,000 corrections officers.

Sen. Greg Evers, R-Baker, who chaired the Senate Criminal Justice Committee for the past two years, suggested Crews fell out of favor with the governor's office by insisting on money in his next budget for an across-the-board pay raise for correctional officers.

"He was pushing for it and I was pushing for it and that could have been part of the problem," said Evers, whose Panhandle district has more prisons than any other in the state.

Crews, 53, denies there was friction with Scott, who on Monday praised him for working "hard to make Florida communities safer." Deputy Secretary Tim Cannon, who has been with the department for two decades, was appointed interim secretary.

Crews cited stress, combined with the recent death of his mother, in explaining his decision to bow out. He said he has accepted a position as vice president of a Tallahassee-based risk management institute for self-insured sheriffs through the Florida Sheriffs Association.

Crews faced mounting pressure starting in May, after the Herald began an investigation into inmate deaths, starting with a 50-year-old [Darren Rainey](#), who was serving two years for a drug crime. He died when officers supervising the mental health unit at Dade Correctional forced him into a scalding shower, allegedly as punishment for defecating on the floor of his cell and refusing to clean it.

The Herald then examined the case of [Randall Jordan-Aparo](#), a 27-year-old career thief who died in 2010 after he was repeatedly gassed at Franklin Correctional Institution in Florida's Panhandle. Four investigators with the department's inspector general's office subsequently filed a [whistle-blower lawsuit](#) against Beasley and Scott's chief inspector general, Linda Miguel, claiming Beasley tried to thwart their efforts to expose and punish the officers.

Florida's prison system is the nation's third largest, with more than 100,000 inmates and the second largest Death Row of any state.

Sen. Rob Bradley, R-Fleming Island, a former prosecutor who chairs the Senate budget subcommittee overseeing prisons, said Scott should hire an outsider as the new secretary.

"I think there's a lot of work still to be done to change the culture of that department," Bradley said, "and the only way to effectively change the culture is to bring in someone who has not grown up in the culture."

Read more here: <http://www.miamiherald.com/news/local/community/miami-dade/article4122143.html#storylink=cpy>

Prison abuse scandal fallout: Governor's prisons chief resigns

Posted: 6:16 p.m. Monday, Nov. 24, 2014

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By [Pat Beall](#) - Palm Beach Post Staff Writer

In a back-to-back moves, Florida Department of Corrections Secretary Mike Crews and Gov. Rick Scott's deputy chief of staff in charge of prisons, Geoffrey Becker, have resigned.

A spokesman for Scott said Becker's resignation had been informally announced last week, and was unrelated either to DOC's turmoil or Crews' retirement, announced Monday.

The twin departures come as DOC is rocked by revelations of rising inmate mortality rates — including two prisoners treated with Tylenol and ibuprofen for fatal cancers — and unsolved inmate deaths; among them, the 2012 scalding death of a mentally ill South Florida prisoner and the 2010 gassing death of another inmate.

Crews has been on the job a little less than two years. Becker has been in his post about 18 months.

Both resignations take effect Nov. 30.

In accepting Crews' resignation, Gov. Scott wrote only that, "Secretary Crews has worked hard to make Florida communities safer, and we appreciate his service to the state."

It marks the seventh time in eight years a Florida DOC secretary has either quit or been replaced; the third since Scott took office.

“Mike Crews is a good man,” said Allison DeFoor, chairman of Florida State University’s Project on Accountable Justice, a nonpartisan policy research group that last week called for DOC to be rebuilt from the ground up.

“The last seven secretaries were good people,” DeFoor said. “That’s not the problem. This thing is structurally broken.”

Noting that the prison agency has been in daily triage for the past few months as stories of abuse continue to surface, the PAJ report concluded that, “The system itself has become complacent to — and thereby complicit with — acts of dishonor, cruelty, and corruption.”

In late September, following weeks of questions from The Palm Beach Post about inmate medical treatment and rising inmate deaths, Crews notified inmate health care provider Corizon Inc. that its \$1 billion contract was in jeopardy and demanded improved care.

In the case of the fatally scalded mentally ill inmate, first reported by The Miami Herald, DOC agreed to allow the Florida Department of Law Enforcement to take the investigative lead in examining serious inmate injuries and unattended deaths. The agency’s inspector general reopened an investigation into the death.

And data on more than a decade of inmate fatalities also has been published online by DOC, though not before both The Post and The Herald pushed for disclosure.

Even with Crews’ commitment to revamping policies, political headwinds have continued to build. Earlier this month, The Post found that DOC had awarded Corizon’s \$1 billion contract even though the company failed to disclose mandated information about incidents related to dangerously deficient care and inmate deaths.

At Suwannee Correctional Institution, an inmate-led riot injured five prison guards in October. And a group of corrections investigators who work for Scott’s inspector general filed a lawsuit against Crews, Scott and others earlier this year, alleging they were retaliated against after investigating the 2010 death of inmate Randall Jordan-Aparo.

The inmate died in solitary confinement after being repeatedly gassed with noxious chemicals. Several guards involved in Jordan-Aparo’s death have since been fired.

Becker’s job responsibilities extended beyond prisons, but as deputy chief of staff overseeing corrections, he was Scott’s point man on the agency’s rash of well-publicized troubles. In his letter of resignation, Becker cites among his accomplishments improving “the safety of our correctional system.”

Crews was the third DOC chief to serve under Scott. Scott’s first prison chief, Ed Buss, was forced to step down when he clashed with the governor’s office over contracts and a massive prison privatization effort favored by Scott.

Buss was replaced by Ken Tucker, a longtime FDLE official and one of Crews’s mentors. Tucker stepped down two years ago as part of a plan to participate in the state’s retirement program.

DOC Deputy Secretary Tim Cannon takes the reins as interim secretary effective Nov. 30. Cannon was previously assistant secretary of institutions for DOC, and prior to that, served as warden at Hardee Correctional Institution and Reception Medical Center.

Reporting by Florida News Service’s Dara Kam contributed to this story.

What The Post found

- Within three months of privatizing prison health care, inmate deaths hit a 10-year high.
- Two inmates with fatal cancers were treated with Tylenol and ibuprofen.
- The number of inmates being sent to outside hospitals dropped sharply.
- The state awarded a \$1 billion prison health care contract to Corizon even though it did not reveal required information about past problems.

Miami Herald: <http://www.miamiherald.com/news/local/community/miami-dade/article3916342.html>

Tampa Bay Times: <http://www.tampabay.com/news/publicsafety/crime/group-calls-for-overhaul-of-florida-prison-system/2206358>

SaintPetersblog: <http://www.saintpetersblog.com/archives/166589>

Palm Beach Post: <http://www.palmbeachpost.com/news/news/how-to-stop-horrible-prison-deaths-group-urges-flo/nh73f/>

Lakeland Ledger: <http://www.theledger.com/article/20141113/MCT/141119722/0/search>

News4Jax: <http://www.news4jax.com/news/coalition-calls-for-major-overhaul-of-floridas-prison-system/29726380>

Tallahassee Democrat: <http://www.tallahassee.com/story/news/local/2014/11/16/report-tackles-prison-issues/19125863/>

First Coast News: <http://www.firstcoastnews.com/story/news/crime/2014/11/14/prison-system-changes-proposed/19049361/>

WTSP: <http://www.wtsp.com/story/news/local/2014/11/14/prisons/19040211/>

CorrectionsOne.com: <http://www.correctionsone.com/corrections/articles/7818592-Group-calls-for-overhaul-of-Fla-prisons/>

Capitol News Service: <http://www.flanews.com/?p=23704>