



Florida Police Benevolent Association, Inc.



CAPITOL REPORT

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By Matt Puckett, Deputy Executive Director
LEGISLATIVE ACTIVITY FOR THE WEEK ENDING MARCH 28, 2008

LEGISLATURE BALANCING BUDGET ON THE BACKS OF CORRECTIONAL STAFF

The mood here in Tallahassee remains quite grim. Preliminary work by legislative budget crafters has placed large numbers of our correctional and probation officers on the chopping block. If these recommendations hold true, the **Department of Corrections** would take cuts the equivalent of two whole prisons.

The **Senate Criminal and Civil Justice Appropriations Committee** approved its proposal for the 2008-2009 Budget Year. In it are staff reductions of **1,806 Security and Institutional Staff** and **682 Community Corrections Staff** for a total **\$127, 223, 317.00 in salaries**. This dollar figure represents the largest portion of reductions for the Department of Corrections. The recommendations out of the **House Safety & Security Council** are just as deep. Both proposals are completely unacceptable. Not mention, it is an astonishing reversal

of position from just a few weeks ago when protecting the public during this economic downturn was a paramount concern.

It is time act. We encourage each of you, whether you're an employee of the Department of Corrections or not, to contact your local Legislators to warn them of the dire consequences these reductions will have on every aspect public safety. We ask that you conduct yourself professionally, which means be nonthreatening to whomever you speak with or write. Now is not the time to make an enemy out of someone who can take your job away with the push of a button. Also remember none of the proposed cuts have happened yet. We still have time to change the Legislature's course, but we need your help to do it. Below are some instructions on how to contact some of the decision makers in the Legislature.

PBA'S LEGISLATIVE CONNECTION

PBA's *Legislative Connection* is a way for PBA members to call their legislators toll-free in Tallahassee. It will be open starting on Tuesday, April 1st from 9:00 a.m. to 12:00 p.m. Please follow the instructions below.

TOLL-FREE INSTRUCTIONS:

Simply call Toll-Free 1-800-733-3722, and when you get the PBA welcome message, dial extension 1-2-3.

SENATE:

Victor Crist, Chairman, ext 7012
crist.victor.web@flsenate.gov

Arthenia Joyner, Vice Chair, ext 7018
joyner.arthenia.web@flsenate.gov

Alex Villalobos, ext 7038
villalobos.alex.web@flsenate.gov

Mandy Dawson, ext 7029
dawson.mandy.web@flsenate.gov

Charlie Dean, ext 7003
dean.charles.web@flsenate.gov

HOUSE:

Dick Kravitz, Chairman, ext 6019
dick.kravitz@myfloridahouse.gov

Dennis Ross, Vice Chair, ext 6064
dennis.ross@myfloridahouse.gov

Sandy Adams, ext 6033
sandy.adams@myfloridahouse.gov

Jim Frishe, ext 6054
jim.frishe@myfloridahouse.gov

Dorothy Hukill, ext 6028
dorothy.hukill@myfloridahouse.gov

Juan Planas, ext 6115
jc.planas@myfloridahouse.gov

William Snyder, ext 6082
william.snyder@myfloridahouse.gov

Nick Thompson, ext 6073
nick.thompson@myfloridahouse.gov

Yolly Roberson, ext 6104
yolly.roberson@myfloridahouse.gov

Mitch Needelman, ext 6031
mitch.needelman@myfloridahouse.gov

Marcelo Llorente, ext 6116
marcelo.llorente@myfloridahouse.gov

Perry Thurston, ext 6093
perry.thurston@myfloridahouse.gov

Kurt Kelly, ext 6024
kurt.kelly@myfloridahouse.gov

Maria Sachs, ext 6086
maria.sachs@myfloridahouse.gov

Luis Garcia, ext 6107
luis.garcia@myfloridahouse.gov

Please join us in contacting them this week.

Despite the all bad news, we did see movement on a number of our legislative priorities this week. The ISS Bill, Eight Year DROP, Murder of Law Enforcement Officer and FHP Funding Bill passed through the respective committees of reference with relative ease. This type of support is always a plus, but it does not in anyway ensure full passage. We still have a difficult road ahead.

Finally, our goal of securing some alternative funding sources for state law enforcement, correctional and correctional probation officers continues to plod along with a proposal to be released tentatively by next week. For those of you anxiously waiting for something in written form, we appreciate your continued patience.

Be Safe!

Tallahassee Democrat Editorial from March 27, 2008

Budget blues

Lawmakers are misguided on correctional-system cuts

The Florida Legislature would rather look tough on crime than actually be tough.

That's the irrefutable message that shows up in both House and Senate budget proposals, which dramatically undermine the Department of Corrections and along with it public defenders, sheriffs and local corrections systems.

By contrast, the budget of Gov. Charlie Crist, a former attorney general and lawmaker known at onetime as "Chain Gang Charlie," is supportive of the DOC's current allocation of its budget to a mix of substance abuse rehabilitation and education programs and old-fashioned incarceration. He finds revenues in rainy-day funds that can be tapped for essential and wise approaches to public safety.

For example, substance abuse treatment — such as that conducted here in Leon County at the 70-bed residential treatment program on Springhill Road for adults and at Disc Village for juveniles, in our Teen Court and myriad programs statewide — is well documented as a means of reducing recidivism. In turn public safety is enhanced when crimes related to substance abuse are diminished.

Yet the House on Wednesday cut the DOC's entire \$31 million for substance abuse programs inside prisons and in community partnerships. It also, absurdly, eliminates state money to operate federally mandated programs.

This is an interesting rebellion against a federal mandate, given that the House's budget would cut 607 community corrections officers and 132 employees in local community corrections administrations. These costs would — what else? — be handed down as another unfunded mandate to local governments.

When the DOC was asked to cut \$214.7 million — or 10 percent — from its total budget, it was locked into 93 percent of the budget necessary for housing and feeding inmates. What was left is the treatment and education and staffing of local corrections programs — things apparently deemed nonessential by House members.

The Senate budget isn't much more reassuring. Senators are agreeing with Mr. Crist in holding harmless the substance abuse education and treatment efforts that have been strongly endorsed by not only DOC Secretary Walt McNeil but also Children and Families Secretary Bob Butterworth and former drug czar and DOC head Jim McDonough.

Yet the Senate is recommending cutting 1,390 prison guards, 682 community corrections officers and 128 administrators statewide, positions local governments will have to take up in part or do without. This loss of jobs is bad for the work force of prison communities, but also puts at risk the corrections officers remaining on the job, but not in inadequate numbers.

Leon County Public Defender Nancy Daniels is especially dismayed by the possible loss of the Teen Court, which has been a shining star in getting kids out of harm's way when it comes to illegal substances. "For every \$1 in treatment of substance abuse we save \$10," Ms. Daniels said, speaking of crime and its associated costs and losses.

Given that 20 percent of inmates in state prisons are there for drug-related crimes and up to two-thirds committed crimes to support their drug habit or while under the influence of drugs or alcohol, it is folly to not invest in substance abuse treatment for inmates and people on probation and, especially, young people.

Lawmakers, your addiction to reckless cost-cutting of even the most sensible cost-saving programs is taking our state down a path of no return.

SENATE CRIMINAL JUSTICE COMMITTEE APPROVES INSTITUTIONAL SECURITY SPECIALIST BILL

SB 924 by **Senator Ted Deutch**, which changes the definition of Correctional Officer to include the institutional security specialists employed by the **Department of Children & Family Services**, cruised through the **Senate Criminal Justice Committee** on Tuesday. **Legislative Assistant Joshua Sztorc** presented the bill on behalf of the Senator and did a fantastic job. The committee

took up the strike all language approved by the House two weeks ago, so now the bills are identical in both bodies of the Legislature. We appreciate the continued support for this legislation. **PBA Lobbyist Matt Puckett** offered support for this legislation.

SB 924 moves on to the **Senate Community Affairs Committee**.

STOP THE “MURDER OF LAW ENFORCEMENT OFFICERS”

Senator Paula Dockery moved **SB 1064** through the **Senate Judiciary Committee** on Tuesday. This legislation will make it a life sentence without the possibility of parole for a person who attempts to kill a law enforcement officer. The bill passed by

unanimous vote. **PBA Lobbyist Ed Collins** offered support for this legislation.

SB 1064 is now the **Senate Criminal and Civil Justice Appropriations Committee**.

OMNIBUS PENSION BILL RECEIVES UNANIMOUS SUPPORT

HB 677 by **Representative Andy Gardiner** received unanimous support on Wednesday by the **House Committee on State Affairs**. This legislation addresses a number of issues listed below:

- redefines term "compensation" to include certain supplementary payments made to firefighters, paramedics, & emergency medical technicians & certain employer-reported retirement contributions
- redefines term "Average Final Compensation" with respect to members of special risk class of FRS
- authorizes certain employees to purchase additional retirement credit for past service at 3-percent special risk class accrual value
- revises provisions relating to benefits payable for total & permanent disability for certain

special risk class members who are injured in-line-of-duty

- authorizes reemployment of person who retired with in-line-of-duty disability benefits by employers not participating in state-administered retirement system
- authorizes reemployment of person who retired with in-line-of-duty disability benefits by employer participating in state-administered retirement system after 1 calendar month
- provides for contribution rate increases to fund benefits provided in the act
- requires Division of Retirement to request letter ruling from IRS.

This legislation is being spearheaded by the **Florida Professional Fighters Association** and is supported by the **Florida PBA** and **FOP**.

ADAM PIERCE ACT RECEIVES UNANIMOUS SUPPORT

SB 798 by **Senator Charlie Dean** passed the **Senate Community Affairs Committee** by a unanimous vote on Thursday. This legislation will permit an officer injured in the line of duty to continue to accrue Special Risk retirement credit even if the officer can no longer perform core law enforcement, correctional and firefighting functions. Membership in Special Risk is limited to certain professions by definition, but it is widely

believed that if an officer is wounded while in the performing his or her duties that the officer should not be removed from Special Risk if the officer continues to be employed with the agency. The committee, after some discussion, agreed to that concept by unanimous vote.

The bill was supported by the **Orange County Sheriff's Office, FOP, Florida Sheriffs' Association** and the **Florida PBA**.

EIGHT YEAR DROP BILL MOVES ALONG

SB 706 by **Senator Carey Baker** received unanimous support from the **Senate Community Affairs Committee** on Thursday. **Senator Baker** and **PBA Lobbyist Jim Spearing** took turns addressing the committee on the merits of this legislation. Briefly, the legislation will extend DROP up to three years for officers at the rank of Captain and below. We greatly appreciate the

committee's support of this important legislation. One interesting observation from the overall meeting was that unlike the support for the **Adam Pierce Act** only the **Florida PBA** publicly offered support for the **Eight Year DROP** bill.

SB 706 moves on to the **Senate Government Operations Committee**.

FHP FUNDING BILL CLEARS GOVERNMENT OPERATIONS COMMITTEE

SB 920 by **Senator Mike Fasano** received unanimous support from the **Senate Government Operations Committee** on Thursday. This legislation will divert certain fees from reinstated licenses into Highway Safety and Motor Vehicle Operating Trust Fund to be used for a structured pay plan for State Troopers. **Florida Highway Patrol Chapter of the PBA President Bill Smith, Florida PBA Lobbyist Gary Bradford, Florida**

Association of State Troopers Lobbyist Drew Medcalf, Florida Highway Patrol Colonel John Czernis, Department of Highway Safety & Motor Vehicles Executive Director Electra Bustle and Lobbyist Herb Sheheane were all present to support the legislation.

SB 920 moves on to the **Senate Finance and Tax Committee**.

ECONOMIC STIMULUS BILL PASSES THROUGH GOVERNMENT OPERATIONS COMMITTEE

SB 2310 by **Senator Jeremy Ring** also received unanimous support from the **Senate Government Operations Committee** on Thursday. The last time this bill had a hearing we opposed it, because of a late filed amendment that drastically changed the concept of the legislation (the amendment was withdrawn immediately after our opposition). Without that one bad amendment, this

legislation will allow up to 1% of the FRS pension funds to be invested into economically targeted Florida Businesses. We think it is a worthy attempt to grow not only the pension fund, but our state's economy as well.

PBA Lobbyist Don Teems offered support for **SB 2310**, which now moves on to the **Senate Finance and Tax Committee**.

PBA LEGISLATIVE AGENDA FOR 2008

- Equitable pay increases for state correctional, correctional probation, and law enforcement officers represented by Florida PBA, including but not limited to, pay compression and retention issues.
- Legislation extending the period of DROP participation for Law Enforcement, Correctional and Correctional Probation Officers, at the rank of Captain and below, an additional 36 months **(Representative Julio Robaina HB 501 and Senator Carey Baker – SB 706)**
- Legislation including Institutional Security Specialist to the definition of Certified Correctional Officer. **(Representative Pat Patterson – HB 427 and Senator Ted Deutch – SB 924)**
- Legislation allowing for purchase of Special Risk credit for certain academy time. **(Representative Anitere Flores – HB 379 and Senator Mike Fasano – SB 106)**
- Legislation changing the Special Risk upgraded credit from two percent to three percent. **(Representative Ed Hooper – HB 397 and Senator Mike Fasano – SB 294)**
- Support for the Officer Malcolm Thompson Act. **(Representative Frank Attkisson – HB 57 and Senator Steve Oelrich – SB 1024)**
- Support for legislation to place security cameras in certain late night business parking lots **(Representative Ari Porth HB 325/HB 327 and Senator Jeff Atwater SB 2770/SB 2774)**
- Support for legislation to require life sentences for murder or attempted murder of a law enforcement officer. **(Representative Will Snyder – HB 321 and Senator Paula Dockery - SB 1064)**

With reference to other legislation, the Board of Directors gives authorization to the Director of Legislative Services to support legislation favorable to the membership or oppose legislation harmful to the membership.



Proud father and PBA Lobbyist Gary Bradford and his son Daniel pose for a picture in the house chambers.



Florida PBA President John Rivera (second from left) and Dade County PBA Chaplain Al Lopez (far right) met some old friends (from left to right), Miami-Dade County Judge Shelley Kravitz and 11th Circuit Chief Judge Joe Farina at the Capitol.



PBA State Correctional Officers Chapter President Jim Baiardi expresses the PBAs concerns about proposed DOC budget cuts at the Senate Criminal & Civil Justice Appropriations Committee meeting March 25th.



PBA Lobbyist Jim Spearing testifies before the Senate Community Affairs Committee on Thursday, March 27th in support of PBA's Eight Year DROP Legislation.



U.S. Senator Bill Nelson (left) says hello to Florida PBA Executive Director David Murrell (second from right) and PBA Lobbyist Gary Bradford (far right) on the 4th floor of the Capitol on March 27th.



PBA officials leaving the Capitol for this week after completion of all committee meetings.