



General Meeting
Pro/Con for Ballot
Constitutional Amendments
Saturday, October 18, 2008
Coffee at 9:00 am, 9:30 am program
&
Tuesday, October 21, 5:30 pm
Institute of Human & Machine Cognition
(IHMC)
40 S. Alcaniz St, Pensacola

Prison: Budget Burden, Business Boom

Prisons – A system badly in need of serious reform

By Charlotte Crane

This is a condensed version of a talk that League member Charlotte Crane presented at a League of Women Voters program on September 20, 2008.

The United States is BIG on prisons. Biggest in the world. At a killer expense, and growing. The negative consequences are both financial and sociological.

Florida is big on prisons, too, with the third-largest prison population in the country, behind California and Texas.

From the U.S. Department of Justice report of last December:

- * At the end of 2006, one in every 100 adults in our country was behind bars, the highest per capita ratio of any country in the world. That's 2.2 million prisoners, a 2.7% increase from the year before.
- * One in every 31 adults in the United States is either in prison or jail, on probation or on parole – for a total of 7 million.

Florida, as of June 30, had 98,192 people in state prisons, occupying nearly 98% of our state prison capacity. We are second only to Oregon in our per capita prison population, and also No. 2 in the country in percent of budget spent on incarceration. Our Department of Corrections' budget for Florida prison operations this year is \$2.3 billion.

Florida's prison population grew by 4.8% last year, ranking it among states with the highest growth.

One might wonder: Are Americans so wicked that so many of us must be locked up? Is it the quest for justice that moves us? – or something else?

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Who are these people in our prisons?

They are murderers and rapists and thieves, liars and cheats. And drug users and alcohol abusers. But also some others -- such as Ryan Holle and Joshua Harris.

Ryan Holle, a 25-year-old former Pensacola resident, is serving a life sentence at Wakulla Correctional Prison without chance for parole. Reason: He loaned his car to a friend, who, with others, used it to help commit a burglary which ended up in the killing of an 18-year-old Pensacola girl. Among advanced civilizations, such a sentence, said the New York Times in a recent lengthy article, could only happen here in the United States.

Joshua Harris, of Pace, was only 19 when he was sentenced Jan. 29 in a Santa Rosa Court to serve 30 years in prison for DUI manslaughter in a crash that killed two young women. He tearfully apologized at the sentencing, for the tragedy resulting from his poor judgment – a decision to drink and drive.

People such as Ryan and Joshua are paying for their mistakes. And so are we. It costs \$19,000 a year to house and feed a prisoner in Florida. If Ryan Holle lives to be 70, his sentence alone will cost us one-and-a-quarter million dollars.

It also costs millions to build the new prisons that we need to handle our prisoner overload, and growing prison population. At the town of Graceville in Jackson County, the GEO Group, a private prison management company, last August opened a \$69-million, 1,500-bed state prison.

Continued on page 3...Prisons

President's Message

Last month's Constitution Day, September 17, marked the 221st anniversary of the signing of our American Constitution. This landmark election year is an ideal time to reflect on the significance of our democratic process and the rights our Constitution ensures us. When they designed our Constitution, America's founders divided government into three separate powers, plus the ten-amendment Bill of Rights to reinforce citizen rights and protections.

As League members know well, separation of powers creates the checks and balances that keep our democracy healthy -- each branch keeps an eye on the others so that no one part becomes too powerful. "Power tends to corrupt, and absolute power corrupts absolutely," Lord Acton pointed out in 1887.

Developments in recent years have reinforced awareness of the importance Constitutional separation of powers plays in our democracy. The current President has issued a series of "signing statements" that claim a theoretical "Unitary Executive" form of absolute power for the Executive branch. The term "Unitary Executive" is not mentioned anywhere in the Constitution.

Signing statements are notes by the President informing Congress he'll "cherry pick" new laws and obey only the parts he agrees with. During the past 8 years, the current Executive told our Congressional representatives he'll ignore parts of over 100 new laws. Those laws encompass wartime budget justification, government employee whistleblower protection, the FBI's use of the Patriot Act, and prisoner interrogation methods, to name a few. In 2006, an American Bar Association Blue Ribbon Task Force described the current administration's use of signing statements as "contrary to the rule of law and our constitutional system of separation of powers."

The President can approve or veto laws passed by Congress, but if Congress overrides his veto and passes them, the laws apply to him also.

Bill of Rights protections have also come under fire in recent years. Recent developments, such as the Patriot Act, the 2006 Military Commissions Act, efforts to dismantle church-state separation and gun-rights attacks, that include using armed, private security companies to seize Hurricane Katrina victims' firearms have threatened American freedom in unprecedented ways.

But attempts to revoke habeas corpus rights are perhaps the most serious Constitutional challenge Americans continue to face. Habeas corpus requires the government to show a good reason for keeping people incarcerated.. Article I of the Constitution states: "The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it."

America's War on Terror, sparked by 9/11 events, set off habeas corpus questions about overseas prisoners. Most of those detainees don't fall under our Constitutional protection. However, we're told the War on Terror could

go on for a long time -- a prospect that raises concerns about Constitutional habeas corpus guarantees for citizens here in the "homeland."

Our Constitution is only as strong as the citizens' interest in defending it -- against enemies foreign and domestic. Don't wait for Constitution Day next year -- why not re-read your Constitution and think about the rights it ensures all American citizens.

Deborah

Pathways For Change

(Following Charlotte Crane's presentation on the prison system in Florida, Connie Bookman, Director of Pathways for Change, was asked to describe the Escambia County prison diversion program for inmates.)

Pathways For Change is a program designed to help inmates make the transition from incarceration to the general population. This is a prison diversion program and the goal is to change behavior and prevent recidivism. Pathways is a voluntary program and is funded from several sources: grants, the Escambia County Commission, state funds and private donations. The cost is \$15,000 per year for each inmate.

The program is housed south of Fairfield Drive (behind the former Bailey Farmers Market) and is limited to 25 men. In the first two phases of the program the inmates remain in lock-down at the facility. During the initial part of phase three these men provide community services to the elderly and disabled in the community. This is coordinated through Code Enforcement. In the latter part of phase three, the inmates are involved in work and school.

Fifty volunteers assist in this faith-based program, designed to provide counseling and community assistance to drug or alcohol-dependent inmates who will be returning to our community. So far, there are 17 graduates of the program and only one case of recidivism.

If you would like to volunteer for this program or need additional information, please contact Connie Bookman at 346-2922.



The Pensacola Bay Area League of Women Voters is a non-partisan political organization that encourages citizens to play an informed and active role in government.

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Before it was even opened, the Florida Legislature okayed the addition of another 384 beds. This current fiscal year, our penny-pinched state budget includes \$308 million to add another 10,200 additional prison beds over the next three years. By a sad coincidence, the Legislature took away almost that same amount, \$332 million, from this year's K-12 education budget.

Like most states in the country, Florida has a serious housing crunch when it comes to lockups, sometimes begging some innovative attempts at solutions.

Tampa state senator Victor Crist – no relation to the governor – recently broached the idea of luring a mothballed aircraft carrier to Florida to house prison inmates. “It could be at any one of our ports,” he said.

Almost every county or metro area in the Panhandle has overcrowded jails.

What are the reasons for the growth of our prisons?

Three principal reasons are being cited: We lock people up for such long stretches of time. And once people get out, they quickly return – usually because nothing has changed. Drug offenses are a third reason, accounting for 49% of total prison population growth from 1995 to 2003.

Recidivism – the revolving prison door -- is cited by many as a major cause of prison population growth; people come back to prison because they have not learned another way of life than crime, and have no skills to support themselves, or because they are simply unable to cope in a law-abiding way. In Florida, 32% of persons released from our state prisons are back behind bars within three years.

Sometimes ex-prisoners themselves recognize the hopelessness of their situation and opt for prison as their only choice. In a recent newspaper story, Charles Owen, 59, of Niceville, said he robbed a bank to get back into federal prison because he prefers prison to homelessness; his status as an ex-con, he said, makes it virtually impossible to earn a decent living. Increased usage by employers of background checks on job applicants may be increasing discrimination against ex-offenders.

Columnist David Broder, in a recent article, sketched for us the nationwide big picture of prison occupants: Two-thirds of state prisoners lack a high school diploma and roughly half are illiterate or drug-dependent. While in prison, only half took any education courses or held work assignments and barely one-third received any help for mental health or drug abuse problems.

According to Gary Bembry, CEO of Pensacola's Lakeview Center, a mental health treatment facility, recidivism is especially a problem for those with mental illness. In a recent newspaper column, he estimated that

20% of the prison population has a serious mental illness. And 64% of Florida prisoners have a substance abuse problem.

“Rather than based on positive values, the system is based on cynical, negative control values.”

Cheryl Swanson, an associate professor of criminal justice at the University of West Florida, recently commented on our system of justice, saying, “You have almost a runaway, out-of-control system. We’ve become so law-driven that the human element, the real meaning of justice, has been driven out of our criminal justice system. Rather than based on positive values, the system is based on cynical, negative control values.”

Skewing our perspective is that prisons – building them, managing them, working in them – have become a huge industry. That’s especially so in communities, like many in Northwest Florida, which have little else to provide good jobs in an age when traditional industries such as farming, forestry and manufacturing are declining in relative payoff or are shipping out overseas. In rural Northwest Florida there are 30 prisons concentrated in eight counties, 37 total in the 16 counties. Santa Rosa County is now bidding to have a 2,000-bed prison



Prisons are big business.

built near Milton.

When the new prison opened last summer at Graceville, the newspaper wrote this lead sentence in reporting the event: “Jackson County officials celebrated the opening of a huge, privately run prison Monday, declaring victory in a 13-year campaign to make corrections a reliable and growing source of jobs in the area.”

“It’s a life saver,” the town mayor was quoted as saying. “It means so much to have all of these jobs.” Some 700 people applied for the 300-plus jobs. The new prison is the third state prison in Jackson County.

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For companies in the prison business, prison growth can also make for a lucrative deal. GEO Group of Boca Raton, which operates the Graceville prison along with two others in Florida, broke the \$1-billion mark in annual total revenue for the first time in 2007. Its fourth-quarter profit last year was \$11.5 million, up 10% from a year earlier.

National media increasingly are writing about the budget problems and the human problems of our out-of-control system. One of the reasons for prison growth, said Mother Jones magazine in a recent, 20-page feature, is our loss of perspective when it comes to prison terms. "We treat 10-year sentences like they're nothing, like that's a soft penalty, when in much of the rest of the world a decade behind bars would be considered extraordinarily severe... It's not that we send so many people to prison, but that we keep them there for so long and send them back so often." Imprisonment of a family member, Mother Jones pointed out, can also have devastating effects on children – impoverishing them both economically and spiritually, and creating a legacy of incarceration that lasts for generations.

Pressured by economics, numerous states are beginning to look for ways to fix the system, to lower their costs and, in the process, give criminals a chance to change their ways and lead more productive, non-offensive lives. In a recent comprehensive report, the national Conference of State Legislatures noted that 17 states are taking a range of actions to reform the system.

Among those actions:

- expand community corrections,
 - manage probation and parole violators,
 - boost incentives for good behavior,
 - prepare inmates for re-entry through education and job training,
 - and link released offenders to community support.
-

Florida, however, was not among the 17 states mentioned in that report.

Florida's record is mixed when it comes to taking action to curb prison growth and slow the revolving door. Judging by this year's legislative budgeting process, we are trending to do less, not more.

Florida prisons do offer some education programs: academic education at 51 of its 137 correctional facilities, and vocational education at 37 facilities. But fewer than 20% of those eligible for either type of program participated, mainly because there weren't enough teachers and program slots to accommodate them – i.e., too little budget for rehabilitation. For the current year, the

Department of Corrections budget for prisoner education was reduced by \$8.8 million, a 25% cut by the Legislature from last year's \$32 million.

Education has been proven to help reduce recidivism, according to a report by the Urban Institute. In Florida, 59% of the state's inmates test below ninth-grade literacy levels.

Substance abuse is also a major problem among prison inmates – affecting some 64% .Gov. Crist this year proposed budgeting an additional \$29 million to increase substance abuse treatment among inmates and probationers. The Legislature, however, turned down that request, maintaining funding at last year's \$34.9 million.

A few job-training or rehabilitation programs are popping up in the Panhandle. Walton County has a program providing adult literacy training and GED preparation. In Escambia County, George Stone Technical School has used work-camp prisoners to do public construction work, giving them skills to obtain jobs when they're released. At Escambia County jails, Baptist Health Care sponsors a rehabilitation program for prisoners called Pathways for Change.

Most who advocate prison reform agree that there are many people who deserve to be locked-up for long periods of time for the good of society. Michael Rollo, a Pensacola defense attorney, summarizes the cases he's seen. "There are people who are innocent and there are those who are factually guilty of what they are charged with. And there are those who are so pathologically disturbed that you wonder if they will ever get it. "What we need to do is to try to come up with the wisdom to determine who are those who are pathologically disturbed, and to give the rest a shot at rehab."

"The whole system is broken," says UWF's Dr. Swanson, who teaches restorative justice, preparing students for careers in law enforcement. "We keep tinkering with it. We will have to, at some point, make some fundamental changes." ♦

Early voting will be offered by the Supervisors of Elections.

Escambia locations: *Supervisor of Elections Main Office* at 213 Palafox Place 2nd Floor; *Supervisor of Elections Annex* on 292 Muscogee Road, Cantonment; *Southwest Branch Library* at 2248 Gulf Beach Highway and *Lucia M. Tryon Branch Library* on 5740 North 9th Avenue.

Santa Rosa locations: *Supervisor of Elections Main Office* at 6495 Caroline Street and *South Service Center*, Gulf Breeze.

Welcome New Members

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Calendar

October

- 2 Thursday, 4:00 pm, **Education Committee** meeting at Azalea Trace, third floor meeting room. Contact Barbara Goggins for information 478-2953.
- 6 Registration deadline for **General Election**. [Registered Florida voters may make name and address changes through Election Day].
- 7 Tuesday, 5:30 pm **Board Meeting** at Tryon Branch Library, 9th Ave. Members welcome.
- 20 Monday, 10 am **International Relations Committee**. Azalea Trace, **Great Decisions**, Leader: *Russ Robbins*. **Latin America - The Next US President's Agenda**, What factors have prevented the U.S. and Latin American countries from forging a strong relationship? What challenges confront U.S. policy in Latin America? Can the U.S. offer an alternative to the influence of left-leaning leaders like Venezuela's Hugo Chavez? Contact Gene Feicht at 479-3352.
- 21 Tuesday, 5:30 pm **Natural Resources/Growth Management Committee** meeting at Caldwell and Associates Architects Inc., Interior Designers's Conference Room, 116 North Tarragona Street. Contact Mary Gutierrez, gutmry@cox.net
- 27 & 28 Monday and Tuesday, 7:00 pm **WSRE-TV Rally 2008**

General Meeting

at IHMC

Saturday, October 18, 2008,

9:00 am coffee, 9:30 am program

Tuesday, October 21, 5:30 pm

"Pro/Con for Ballot Constitutional Amendments"

November

- 4 Tuesday, 5:30 pm **Board Meeting** at Tryon Branch Library, 9th Ave.
- 17 Monday, 10 am **International Relations Committee**. Azalea Trace, **Great Decisions**, Leader: *Gene Feicht*. **Foreign Aid: New Players, New Goals**, Contact Gene Feicht at 479-3352
- 18 Tuesday, 5:30 pm **Natural Resources/Growth Management Committee** meeting at Caldwell and Associates Architects Inc., Interior Designers's Conference Room, 116 North Tarragona Street. Contact Mary Gutierrez, gutmry@cox.net
- 21 Saturday, 9:00 coffee with 9:30 program, **General Meeting**, *"Felon Rights Restoration"* at First Presbyterian Church.

TOP FIVE TIPS FOR DEBATE WATCHERS

- 1. Think Ahead- Before the debate, ask yourself which issues are most important to you, and jot down what you'd like to learn from each of the candidates.
- 2. Are They Answering the Question? Pay attention to how the candidates answer the questions. Are they specific? Sincere? Knowledgeable?
- 3. Keep Track of Topics- Are the candidates being asked about your priority issues? Are the questions fair and pertinent?
- 4. Talk it out! – Afterwards, talk about the debate with your friends & family. Did the debate sway your decision? Did you learn something new about the candidates' positions?
- 5. VOTE on November 4th. It is your best opportunity to make your voice heard and help shape the issues that affect all of us! VISIT VOTE411.org to prepare yourself.

Find much more on our "Debates 101" page, including fun tips for hosting debate-watching parties, all at www.LWV.org

The League of Women Voters is where hands-on work to safeguard democracy leads to civil improvement.

Join the League of Women Voters today!

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 Here's my extra contribution to the League \$ _____

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Home Phone _____ Business Phone _____

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