



The Florida Senate

Interim Project Report 2000-29

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Committee on Criminal Justice

Senator Ginny Brown-Waite, Chairman

THE EFFECTIVENESS OF THE DEPARTMENT OF CORRECTIONS' COMMUNITY CONTROL PROGRAM

SUMMARY

The judiciary exercises broad discretion in sentencing an offender to community control, which is Florida's "house arrest" program. The broad discretion extends from whether to impose a sentence of community control and which conditions of supervision will apply to how courts deal with alleged violations and the punishment resulting from a violation.

Technologically advanced tools, which would assist community control officers in being more efficient and able to supervise offenders more effectively, are lacking at the field level. Although upgrading technology comes at a higher initial financial price, the provision of certain equipment seems to make good fiscal sense in the long-term scope of correctional management and public safety interests.

Community control offenders technically violate their supervision more than twice as often as regular probationers. This high technical violation rate is most likely attributable to the stringent supervision in assuring compliance with all conditions. The incidence of committing new offenses is almost identical between community controllees and regular probationers.

Technology to monitor offenders in the community has advanced significantly in recent years. The department has, on its own initiative, decided to convert all radio-frequency electronic monitoring to satellite tracking using the global positioning system (GPS). Although there is room for improvement in this technology, it appears to be superior in the ability to track the location of offenders on a constant basis. Switching to the GPS system with the current level of funding for electronic monitoring will result in a reduction of offenders who *can* be electronically monitored by slightly more than two-thirds the current number.

To date, the Department of Corrections has done an effective job in working with the courts and finding a

balance between meeting the department's mission of protecting public safety and carrying out the court orders community control officers are trying to enforce. It has also been efficient in supervising the community control population considering the dollars that have been dedicated to community corrections. The department has managed to stretch community-supervision resources far, considering that the ever-increasing supervision population has out-paced state funding.

BACKGROUND

Florida's Community Control Program was legislatively created in 1983.¹ Community control is Florida's intensive supervision program for felony offenders. It essentially serves as "house arrest" for offenders who are court-ordered to serve their sentence under this program.

At the time it was created, community control was conceptualized as a diversionary program. The court was required to determine that, considering the facts of the case before it and the offender's record, probation was an unsuitable dispositional alternative to imprisonment. Therefore, the language that created the Community Control Program targeted offenders who would go to prison if it was not for the existence of the community control program.

Chapter 948, F.S., which governs offenders on community supervision, imposes certain conditions of supervision. Typically, an offender has court costs and restitution to pay, counseling or specialized education to obtain, community service to perform, and certain areas or persons to keep away from. A written sentencing order by a circuit court ultimately provides the conditions of supervision that require certain actions and

¹ Ch. 83-131, ss. 11-21, 1983 *Laws of Fla.* 435, 446-454 (CS/CS/HB 1012 (1983)).

behavior by an offender and prohibit an offender from engaging in certain activities.

Offenders on community control are court-ordered to remain within the confines of their *approved* residence and may only leave the confines of their homes for certain reasons that are either dictated by the court or by departmental program policy. The authorized reasons mainly consist of work, community service, medical needs, or subsistence needs. All offender movements that take an offender outside his or her home are required to be pre-approved by an offender's supervising officer.

Community control offenders are supervised by "Correctional Probation Senior Officers." As part of community control supervision, the number of required face-to-face officer contacts with offenders are increased compared to regular probation. Increased contacts include weekly office visits with community control officers compared to probationers' office visits which are monthly. Most offenders on community control are on what is referred to as Community Control I, or non-electronically monitored community control. However, an offender may also be electronically monitored to augment the supervision of offenders to ensure compliance with being at home or only traveling to and from the places an offender is pre-authorized to go. Called Community Control II, electronic monitoring has historically been accomplished through a radio-frequency technology, but in recent years has advanced to a satellite tracking technology.

A Global Positioning System (GPS) pilot project was funded by the Legislature in 1997 at \$100,000 to experiment with this new technology. This led to the Department of Corrections entering into a contract with Pro-Tech Monitoring, Inc., which is a Florida-based company co-founded by former Governor Martinez. Pro-Tech and Advanced Business Science (ABS) were the only companies that bid on the pilot project, but ABS withdrew its bid prior to the award of the contract. The contract with Pro-Tech was signed for a 5-year period. The Department of Corrections has concluded that GPS tracking of offenders is superior to other technology used for offender tracking.

METHODOLOGY

Senate staff reviewed literature relating to Florida's Community Control Program or other intensive supervision programs and obtained relevant data from the Department of Corrections. Staff continually met

with officials and support staff within the department throughout the project period. Staff also made contact with community corrections regional directors, administrators, supervisors, and officers in Tallahassee, West Palm Beach, Tampa, and St. Petersburg. Staff rode with officers in these various locations to make contact with offenders both at their homes or at authorized locations in the community during the day and night. As time allowed, staff also met with some state attorneys, assistant state attorneys, and public defenders to discuss community control.

FINDINGS

Community Control as a Sentencing Option

Community control is heavily used by the courts as a sentencing option for felony offenders. Despite its popular use, s. 948.01 (10), F.S., prohibits offenders from placement into community control if the offender is convicted or was previously convicted, regardless of adjudication, of a forcible felony defined in s. 776.08, F.S.² Regardless of this prohibition, many such offenders have been sentenced to community control.³

Aside from the apparent statutory conflict, it is difficult to determine if all judicial placements on community control are entirely appropriate. The various facts pertaining to individual cases make each situation unique. Discretion on the part of the court and prosecutors factors heavily into whether an offender is sentenced to community control.

It was suggested to Senate staff by at least one elected state attorney that community control is overused and that more offenders should be sentenced to prison. This prosecutor believes community control is often used by judges as a convenient way to hand out lenient sentences.

² A forcible felony is defined as treason, murder, manslaughter, sexual battery, carjacking, home-invasion robbery, robbery, burglary, arson, kidnapping, aggravated assault, aggravated battery, aggravated stalking, aircraft piracy, unlawful throwing or placing of a destructive device or bomb, and any other felony that involves the use of threat of physical force or violence against any individual. There is a specific exception to this prohibition for offenders convicted of manslaughter or burglary. s. 948.01 (10), F.S.

³ This prohibition was created in 1987. Ch. 87-211, s. 4, 87 *Laws of Fla.* 1321, 1323.

While that may be true in some cases, perhaps realities of the criminal court system play a larger part in so many sentences of community control. One reality of the criminal court system is that it is not funded to the extent that every case can be tried. The system encourages plea bargaining in order to accommodate the high volume of cases. If cases were not being disposed at essentially the same rate in which they are entering the system, the criminal court system would collapse under its own weight.

Another reality is that taking a case to trial is a gamble that may result in an acquittal of a defendant. The chances of an acquittal increase as "problems" with the case materialize.⁴ In plea bargain agreements, the prosecution basically tries to get the harshest sentence possible and the defense essentially tries to get the most lenient sentence possible.

Another elected state attorney enthusiastically supports the Community Control Program because it reportedly gives him a higher comfort level than probation because offenders are supervised so intensively. This state attorney recognizes that community control is heavily relied upon by all parties in the criminal court system. He believes that discretion to place offenders on community control should remain as an option for theoretically any type of offender if the circumstances support it.

Caseloads of Community Control Officers

As of June 30, 1999, there was a total of 132,848 offenders who were on *active* status in some form of community supervision by the Department of Corrections.⁵ Of this large number, the department reports a total of 12,353 offenders that were on community control supervision. At that time, there was reportedly 518 certified officers who supervised the 12,353 cases.

In most parts of the state, caseloads of community control officers remain near the statutorily authorized number, which is currently a maximum of 25 cases to

⁴ For example, witnesses may not be located, may not remember, or may not be willing to testify in court; or evidence can get lost or accidentally corrupted.

⁵ The community supervision population consists of offenders on parole, conditional release, control release, probation, and community control.

one officer.⁶ According to the officers, supervisors, and administrators contacted by Senate staff during this study, the 25 to one ratio is the statewide average. However, it is not uncommon for the number of cases to temporarily exceed the authorized amount in most areas to as many as 30 to 33 cases.

If it can be negotiated with the appropriate bargaining unions, the Department of Corrections has plans to use certified correctional probation officers that currently hold positions that do not field-supervise offenders to begin actively supervising offenders in the community. Currently, certified probation officers hold various positions throughout the department that do not supervise offenders. Certified officers serve as classification officers in prisons, court officers as liaisons between the court and the department, and intake personnel for offenders who are sentenced to the custody of the department either through the prison system or on community supervision. If the majority of these positions are filled by para-professionals rather than certified officers, a transfer of those positions could result in at least 100 certified positions out in the field to augment the supervision of offenders in the community. These field positions would absorb all types of community supervision cases, not just community control.

The Adequacy of Supervision By Community Control Officers

Current departmental minimum-contact standards for community control supervision mandate a much higher number and types of contacts that must be made by officers than regular probation. They must make a total of at least three contacts per week with the offender and members of the community having information about the offenders' activities. Two of these contacts must be face-to-face with the offender. One of these "in person" contacts with the offender must be in the field, such as at the offender's home or work place. Personal contacts by officers are required to occur even on holidays. The community control officer must make at least one "collateral" weekly contact with someone in the community, such as the offender's employer, teacher, parent, or community service recipient. The department has standards that require field contacts to be random and at various times of the day or night.

⁶ See, s. 948.10 (2), F.S. The 1983 law originally required that the caseload ratio be 20 cases to one officer. Ch. 83-131, s. 21, 1983 *Laws of Fla.* 435, 454.

The Department of Corrections is currently developing a manual for community supervision officers; the current manual is outdated. The community supervision policies and procedures have been amended repeatedly and have become extraordinarily confusing. Furthermore, regional directors under the former administrative structure of the department could have added to confusion or created slightly different practices or procedures for community supervision across the state. A new manual that would provide updated, clear procedures and policy directives will promote statewide standardization of supervision of offenders in the community to be implemented by the newly realigned four regions. The department's target date for completion of this new manual is October 1999.

Community supervision cases, including community control cases, are currently reviewed by office supervisors. Demands on supervisors' time with numerous matters make it difficult to focus and provide the time necessary for detailed case reviews for so many cases. To alleviate supervisors' workloads, the Department of Corrections is developing and will begin implementing a new caseload review system. Compliance with standards will be reviewed to ensure the quality of supervision as dictated by legislative expectations and departmental standards. Correctional administration supervisors (CAS's), who will work within regions, will review every case in that region on an on-going, rotating basis. All community supervision cases will be reviewed by CAS's, which includes regular probation, parole, community control, conditional release, parole, and control release. The department has the ambitious goal of having a CAS review each case within the region at least three times per year. The department currently has designated two CAS's that will work in each *region*. Although this is anticipated to be inadequate for the thousands of active cases of community supervision in each region, the plan is anticipated to be implemented by October 1, 1999.

From observations by Senate staff and from accounts by persons who work within the criminal justice system, community control officers work very diligently to supervise offenders at the highest level possible within the existing resources available. The community control officers that allowed Senate staff to observe their activities seemed to make a conscious effort to try to outsmart offenders. A "cat and mouse" scenario exists for officers to keep their offenders on guard and guessing when they will show up at their door, at work, or at mandated counseling meetings.

The department has rules to address employee conduct and disciplinary actions.⁷ Rules and disciplinary actions pertain mainly to willful actions by an officer. Disciplinary action is authorized, however, for "substandard quality or quantity of work." If standards are not being met and disciplined, it is possible that supervisor workloads are such that inadequacies are not being readily identified. The new review process by CAS's and the changes that have been made within the department's administrative structure should provide increased accountability. The reorganization of the department now provides the Director of Community Corrections "line authority" over field staff and will enhance efforts to enforce policy adherence by officers.

Because of a dearth of adequate equipment, it appears that community control officers are not as efficient as they could be. Community supervision cases generate a large amount of paperwork throughout the process. Most of the paperwork is not computer-generated, but hand-written, which is very time-consuming. Officers spend an inordinate amount of time filling out forms for the Court Ordered Payment System (COPS). Additionally, the manual for the system's operation is extraordinarily large. Officers must enter all case notes for every offender supervised on the Offender-Based Tracking System. This system is also cumbersome, inconvenient, user-unfriendly, and out-dated. The computer-based systems for community supervision involve archaic data entry units that have very limited abilities. The mainframe is available for limited hours of the week, making it difficult for officers to transcribe their handwritten notes from the field into the tracking system computer. This system also involves an officer spending much more time with multiple transcriptions of notes for record-keeping to accommodate the current system.

Officers' work hours are limited to minimize overtime, which must be preapproved by a supervisor. As a result, officers must be creative in being as efficient as possible taking case notes and completing required paperwork, but such inherent inefficiencies lessen the time that is devoted to the actual supervision of offenders. Updating equipment, such as desktop personal computers with better software, would assist officers in being more efficient with the ministerial duties of their jobs. Acquiring lap-top computers for officers in the field should also be considered. Field notes could be entered once, rather than handwriting in the field and then typing them into the mainframe at the office at a future time.

⁷ See generally, Ch. 33-4, *Fla. Admin. Code*.

Using laptops would also encourage more detailed and accurate field notes which should enhance the level of supervision and its reliability in court.

Through staff observation and interviews, it appears that other tools necessary for officers to perform their jobs efficiently and effectively were also missing. The personal safety of officers may also be more endangered by the inadequacies that exist at the field office level. Equipment, such as radios and cell phones, are absolutely necessary for community control officers to make their field contacts. Phones are necessary to call offenders when they are not where they are supposed to be. Offenders are notorious for claiming in violation hearings that they were home and did not hear the officer at the door. Calling helps back up an officer's testimony in a violation hearing. Officers can also confirm facts with his or her office when field contacts are unsuccessful. Eight-hundred megahertz radios protect officer safety by allowing officers to call for law enforcement assistance. A wide variety of information can also be obtained from law enforcement and communicated by community control officers to law enforcement through such radios.

All community supervision officers who have a caseload use their own personal vehicles to make field contacts with offenders and collateral sources. Officers receive twenty-nine cents per mile which is supposed to reimburse officers for gasoline, wear and upkeep, and insurance. Agreement was unanimous that this current rate of "reimbursement" was inadequate to place officers in a position of allowing them to "break even" in expenses or to make it financially advantageous to use their own vehicles. Many officers have experienced vandalism to their cars, which must be addressed through their personal insurance on their own time.⁸ If funded, it is possible that the department could maintain some cars that may be used by officers who do not desire using their personal vehicles, which could make the job more attractive to curb officer turnover or entice new hires.

Some have suggested that probation field offices be equipped with metal detectors. Staff observations confirm that there is no current means of determining whether an offender has any weapon when he or she reports for office visits with a community control

officer. The lack of security measures makes the potential for violent occurrences more likely.

All officers with a community supervision caseload are not allowed to possess a firearm while in his or her employing office. Officers who are certified to carry a firearm are allowed to carry a firearm while in the field. However, all certified officers must purchase their own firearm; the department does not supply one if an officer desires to carry one.

What Happens When a Violation of Community Control Supervision Occurs?

Community controllees have a higher technical violation rate than offenders who are on regular probation. A technical violation occurs when an offender does not perform a court-mandated action or does not refrain from a court prohibition. Examples of technical violations include: not paying restitution, not being home when an offender does not have permission from his or her supervision officer to be elsewhere, failing a drug test, or not weekly reporting to the officer's office one or more times.

The rate of technical violations for offenders on felony probation is 18.6 percent.⁹ The rate of technical violations for community controllees is 38 percent, which is more than double that of felony probation.¹⁰ The judicial circuits with the three highest numbers of technical violations in FY 1998-99 were in: the Thirteenth Circuit (Tampa) at 2,712, the Sixth Circuit (Clearwater) at 1,560, and the Seventeenth Circuit (Fort Lauderdale) at 1,061.

The violation rate for the commission of a new offense among probationers and community controllees is approximately the same, however. The new offense violation rate for felony probationers is 15.3 percent compared to a rate of 15.8 percent for community controllees. The judicial circuits with the three highest number of new-offense violations in FY 1998-99 were in: the Thirteenth Circuit (Tampa) at 930, the Sixth Circuit (Clearwater) at 693, and the Eighteenth Circuit (Sanford) at 319.

The explanation for a higher technical violation rate seems to be that these offenders are monitored more

⁸ The department is legislatively authorized to pay for the insurance deductible, provided such monies have been budgeted.

⁹ Florida Department of Corrections, Bureau of Research and Data Analysis, August 6, 1999.

¹⁰ *Id.*

closely and are, therefore, more readily "caught" at their non-compliances. As for the similar new offense violation rates, it can be opined that community control is protecting public safety to the extent that it typically supervises more "serious" or "violent" offenders, but limits possible criminal activity to the same level that is conducted by the less "serious" offenders who are supervised on felony probation.

An offender that does not comply exactly with the court-ordered conditions of supervision does not necessarily face a violation of community control hearing. Sentencing judges exercise a tremendous amount of discretion when dealing with violations. It was learned by Senate staff that judges will tell community supervision officers which types of violations they want to hear about or the number of violations that must occur, such as three failures to report, before they want to hear about it. Judges will also communicate which types of violations they do not want to hear about, such as non-payment of cost of supervision or failed drug tests. There seems to be no hard and fast rule for this judicial discretion. It is just that, discretion. It is anticipated that the judiciary would want to keep this prerogative to handle alleged violations of a *judicial* order as the court sees fit.

There remains a question, however, whether this discretion conforms to the expectations of the Legislature and the public. There seems to be a discrepancy between what the public believes happens when a person "violates" a condition of his or her supervision and what the courts do in situations where there is ostensibly a violation by a community controllee.

Offenders do not automatically have their sentence revoked and do not necessarily go to prison if they violate conditions of their community control. Although a prison sentence may be an option, many alternatives exist for a court to deal with offenders who violate his or her community control. For instance, a court may continue the term of supervision and add more conditions to that supervision. The court could revoke the supervision and send the offender to prison. It seems as though the punitive consequences for violations of supervision are only limited by the creativity of the court and the legality of the sentence.

Anecdotally, many persons who were interviewed for the project were critical of some judges on how they deal with violations. All prosecutors and public defenders have observed instances wherein judges have ordered a continuation of community control supervision after an offender has violated his or her terms of

supervision. However, it was represented by several persons who were interviewed that it was not uncommon to see judges continue supervision after two and three instances of an offender violating his or her community control. In more extreme cases, a court has reduced an offender's community control sentence to a sentence of regular probation because community control was "too difficult" for an offender to comply with and successfully complete. In the most extreme cases, it was noted that courts have actually terminated offenders from supervision out of frustration with an offender's inability to comply with his or her terms of supervision.

The Department of Corrections' data reveals the following information about judicially imposed sanctions for community control revocations.¹¹ For offenders admitted to community control in 1996 and 1997, data compiled as a two-year revocation analysis reflects that there was a total of 2,354 community controllees who were revoked for committing a new offense. During the same period, 5,296 community controllees were revoked for technically violating their supervision. For new offense revocations, nearly 44 percent received state prison time as a sanction; over 31 percent received county jail; almost 19 percent received a new term or continuation of community control; and approximately 5 percent received some form of probation or a lesser sanction, including release from supervision. For technical violations, just over 34 percent received state prison for a sanction, almost 40 percent received county jail; over 21 percent received a new term or continuation of community control; and nearly 5 percent received some form of probation or a lesser sanction, including release from supervision.

Electronic Monitoring

Based on its conclusion that Global Positioning System (GPS) tracking is the most sophisticated and comprehensive method of offender tracking, the new administration of the Department of Corrections has made a policy decision to phase-out the use of radio-frequency electronic monitoring in exchange for the use of satellite monitoring exclusively. Initial meetings between Senate staff and the department indicated that the "phase out" of radio-frequency monitoring would not result in taking offenders off of electronic

¹¹ Florida Department of Corrections, Bureau of Research and Data Analysis, August 25, 1999. These admissions were tracked for two years to determine their outcomes to perform a revocation analysis.

monitoring before completing the original court-ordered term of electronic monitoring. However, a more thorough and later review by Senate staff at the circuit level indicates that in some circuits *some* offenders will, in fact, be removed from electronic monitoring before the original court-ordered term is completed. The department's circuit administrators must currently be working out how to reduce the number of offenders that are electronically monitored. In areas where there are not many revocations or terminations to get offenders off the radio frequency units, some officers will have to ask their judges to modify their initial orders to remove offenders from electronic monitoring as a condition of supervision. It is unclear whether there was any information or formal notice that was disseminated to the judiciary by the department as to the intentions and reasons for switching to GPS and the practical impact such a switch would have on the number that can be electronically monitored. It is also unclear whether judges are fully informed that their option to electronically monitor community controllees is going to be much more limited because of the reduced number of units that will available.

The switch in technology reduces the number of offenders that will be electronically monitored by over two-thirds. For many years, the department has had the capacity to electronically monitor approximately 1,100 offenders by radio-frequency ankle monitors. The 1997 Legislature provided funding for the initial GPS pilot project to enable 40 offenders to be on GPS. However, at the end of the department's technology conversion, there will be approximately 305 GPS units in operation and *no* radio frequency units in operation.¹² Snapshots of the conversion are as follows. On June 30, 1999, there were 758 offenders who were being electronically monitored by radio-frequency devices.¹³ An additional 119 offenders were being electronically monitored via satellite tracking.¹⁴ As of July 23, 1999, the number of radio-frequency monitors in use had reduced to 679 and

¹² Florida Department of Corrections, Community Control: Issues and Implementation, p. 5 (July 1999) (prepared in response to questions asked by Senate Criminal Justice staff). According to the Department, the initial cost-average for GPS tracking was approximately \$14.50 per day per offender. The cost as since been reduced as the technology is refined and the number of offenders is expanded. The department states that the average cost per day for GPS is \$9.26.

¹³ *Id.*

¹⁴ *Id.*

the number of GPS units in use for community control cases had increased to 133.¹⁵ By August 20, 1999, the number of radio-frequency monitors in operation was 655 while the number of GPS monitors in use had increased to 194.

Supervision of offenders who are on the GPS system is a more time-consuming endeavor for officers than radio-frequency monitoring. Having offenders on the GPS system requires community control officers to be on-call, 24-hours per day. Officers have to be available and able to respond to the scene when their beeper notifies them that a violation has occurred by a GPS offender.

The GPS tracking system requires community control officers to use a personal computer with software that tracks offenders though satellite signals. Computers that are adequate to use the software for the GPS system are currently very scarce in the field offices. The offices that were visited by Senate staff had only one computer that had to be used by all the officers in that office who have GPS offenders. In those instances, officers had to coordinate with each other to take turns using the computer to conduct needed case work.

The GPS technology seems to be superior to radio-frequency monitoring because it is designed to track the physical location of offenders 24-hours per day. Radio-frequency monitoring can only identify whether an offender is home or not. When an offender leaves his or her home, there is no way an officer can verify the location of an offender unless the officer follows an offender or checks up through field contacts to make sure an offender is at work or an approved appointment. Aside from temporary breaks in transmissions that reportedly occur very infrequently, the GPS technology can literally provide a map of where an offender is and where the offender has been.

Informing the Public

Recent media coverage related to the Community Control Program has been critical about the lack of public information regarding persons who are serving sentences in the community on community control. The basis for the criticism was that public safety is compromised when people do not know those who are serving criminal sentences on house arrest in their neighborhoods.

¹⁵ Florida Department of Corrections, Community Control: Issues and Implementation, pp. 5-6 (July 1999).

While some people supported the notion of increasing public awareness about offenders on community control, others interviewed for this project were not as supportive. Those who did not support the active public dissemination of this information, including some elected state attorneys, opined that it was questionable whether a legitimate public safety interest was being served by such action. Some worried that in cases where offenders lived nearby it would create hysteria and that persons who did not have an offender living nearby would gain a false sense of security making them more vulnerable to be victimized.

Nevertheless, the Department of Corrections is currently working toward the goal of placing on the Internet information regarding *all* offenders who are on community supervision.

RECOMMENDATIONS

- 1. The Department of Corrections should make information concerning persons on community control more easily accessible to the public.
- 2. Correctional probation officers should be provided with adequate tools to protect the officers' safety and to perform his or her job effectively and efficiently over the long term.
- 3. Statewide standards should be established by the Department of Corrections for consistency in administration and operations of the community control program in all areas of the state.
- 4. The Department of Corrections should continue with its efforts to improve and streamline its case-standard review process and should ensure it has effective policies that take appropriate actions if it is found that supervision standards have not been met by an officer.
- 5. To maintain public safety, the Department of Corrections should not reduce the total number of units

to electronically track offenders below the number that has been traditionally available. Consideration should be given to use GPS and radio-frequency monitoring.

6. The department should work closely with judges if it implements the plan to transfer certified probation officers who serve as court liaisons to field positions and should ensure other qualified and knowledgeable personnel are placed as court liaisons.

7. The statutes should provide an order of priority for payment of all court-ordered payments to ensure that the financial obligations of defendants that are most important to satisfy are paid 100% before the next item on the order of priority has payments applied to it.

8. The Legislature should consider placing limitations on a judge's ability to continue an offender on community control after several violations or to reduce the level of, or altogether terminate, supervision of an offender after several violations of supervision. The Legislature should also consider specifically prohibiting certain offenders from continuing on community control supervision if *certain new offenses* are committed while on supervision.

9. The Legislature should examine whether it needs to increase funding to enhance monitoring of offenders to ensure officer-to-offender ratios remain as low as possible and to maximize the use of the latest technology in offender tracking.

10. The Legislature should encourage the department to refrain from placing certified probation officers in positions throughout the department that could be as effectively filled by a non-certified professional and place as many certified personnel in the field as is practical to actively supervise offenders.

COMMITTEE(S) INVOLVED IN REPORT (Contact first committee for more information.)

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MEMBER OVERSIGHT

Senators Brown-Waite and Silver