

Latest Findings Outline Sentencing Reform as Pathway to Reducing Incarceration Rates in Florida

Findings from report identify Florida's current cap on gain time as one of the primary drivers of the state's prison population

TALLAHASSEE, FL — The Florida Campaign for Criminal Justice Reform (FLCCJR) today released findings that outline how Florida can cut its incarceration rates by removing the current cap of gain time, which requires all people convicted of felonies to serve 85% of their sentences, regardless of their demonstrated readiness for release; and by eliminating carve-outs, which limit those who can have the same opportunities to earn gain time toward an earlier release date.

The findings reveal that Florida's requirement for all people to serve 85% of their sentences limits opportunities to use time earned through good behavior and leads to longer prison stays that can increase the likelihood of returning to prison down the road. Instead, it suggests reducing the time served requirement for people convicted of nonviolent offenses from 85% to 65% to immediately alleviate dangerous overcrowding in state prisons and its associated cost to taxpayers. By diverting these costs, the Florida legislature could use these funds to invest in reentry programs, which would help people exiting prison obtain gainful employment, education and adequate housing.

The factsheet is part of a larger report authored by the Urban Institute, which concludes that Florida can safely reduce the number of people in state prisons by adjusting the state's criminal code, sentencing law time served requirements and by reinvesting corrections savings in reentry support programs.

FLCCJR partners issued the following statements in response to these findings:

“Florida's sentencing structure does not effectively match prison sentence length to public safety needs. Florida locks up too many people for too long,” said Raymer Maguire, campaign manager for the Florida Campaign for Criminal Justice Reform. “If our lawmakers pursued common-sense sentencing reforms, our state could see our prison population drop by 18 percent and it would begin to address the incarceration rates that are driven by flawed policies, like placing counterproductive caps on gain time, not by crimes. The reality is we can increase public safety by ensuring that people who are coming back home from prison can access what they need to succeed and contribute to their communities. ”

“A majority of Floridians believe the primary purpose of our prison system should be rehabilitation, not punishment,” said Shalini Goel Agarwal, senior supervising attorney for the SPLC Action Fund. “Changing the gain time requirements would give incarcerated people who are rehabilitated the opportunity to return home to their families sooner, incentivizing good behavior and making our prisons safer.”

“We believe reducing the prison population and creating safer communities can be done at the same time,” said Neil Volz, Political Director, FRRC. “By working together, and focusing on solutions that work, we can help improve lives, cut costs and make our neighborhoods safer.”

The Florida factsheet and the Urban Institute report can be viewed here: bit.ly/TimeServedFL