

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

CRIMINAL JUSTICE
Senator Perry, Chair
Senator Brandes, Vice Chair

MEETING DATE: Tuesday, November 5, 2019
TIME: 10:00 a.m.—12:00 noon
PLACE: *Mallory Horne Committee Room, 37 Senate Building*

MEMBERS: Senator Perry, Chair; Senator Brandes, Vice Chair; Senators Bracy, Flores, and Pizzo

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentation on Racial Impact Analyses by the Florida State University College of Criminology and Criminal Justice.		Presented

Other Related Meeting Documents

Exploring Racial/Ethnic Differences in the Florida Criminal Justice System

Presentation to the Florida Senate Criminal Justice Committee

Dr. Thomas G. Blomberg

Dean and Sheldon L. Messinger Professor of Criminology

Dr. Julie Brancale

Co-Director, Center for Criminology and Public Policy Research



THE FLORIDA STATE UNIVERSITY
College of Criminology & Criminal Justice



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Marin R. Wenger

Steven Zane



Presentation Overview

- Introduction
- Forecast Data and Methods
- Forecast Accuracy
- Trends and Forecasts of:
 - Florida Population by Race/Ethnicity and Age
 - Arrests
 - Sentences (Probation and Jail)
 - Prison Admissions
- Conclusion



Introduction

- Florida State University's College of Criminology and Criminal Justice will provide the Senate Criminal Justice Committee with racial/ethnic impact statements of proposed criminal justice legislation for the upcoming 2020 session.
- The College has a successful record of using statistical forecasting methods to address criminal justice laws, practices, and reforms.
- The development and inclusion of racial/ethnic impact statements in proposed criminal justice legislation represents a unique initiative, with only 4 other states requiring a similar practice.



Introduction

- Upon receipt of a bill, the College will generate racial/ethnic impact statements using prior empirical literature, information from other states, and trends and forecasts using Florida data.
- Each racial/ethnic impact statement will be written by a collaborative group of faculty members from the College based upon their specific areas of expertise.
- In preparation for receiving proposed bills, the College has generated trends and forecasts of select criminal justice decisions points to explore racial/ethnic differences in the Florida criminal justice system, which is the focus of today's presentation.



Forecast Data and Methods

- Data for this presentation come from the:
 - Florida Office of Economic and Demographic Research (EDR)
 - Florida Office of the State Court Administrator (OSCA)
 - Florida Department of Corrections (FDC)
- Ethnicity information is only available for the Florida population and prison admissions data from EDR and FDC. For these data, race and ethnicity are treated as independent and separate categories.
 - The racial and ethnic categories are Hispanic, Non-Hispanic White, and Non-Hispanic Black. If an individual identifies as Hispanic, they are included in the Hispanic category, regardless of their race. The Non-Hispanic Black and White categories include only individuals who are not of Hispanic origin.
- Ethnicity is not reported by OSCA and not included in the trends and forecasts of arrests or probation and jail sentences. For these data, race and ethnicity are not treated as independent and separate categories.



Forecast Data and Methods

- Methods for this presentation:
 - All trends are from 2009-2018 (10 years)
 - All forecasts are from 2019-2023 (5 years)
 - Trends and forecasts are calculated as a rate per 10,000 of the Florida resident population ages 18-59.
 - The forecasts are generated using ARIMA (AutoRegressive Integrated Moving Average) models. ARIMA estimations model the structure of the relationship between the values of the series over time and generate predictions of the future values of the series. Forecasts are based on monthly counts of the criminal justice outcome of interest. Rates by year are then constructed using the forecasts and the official population projections from EDR.

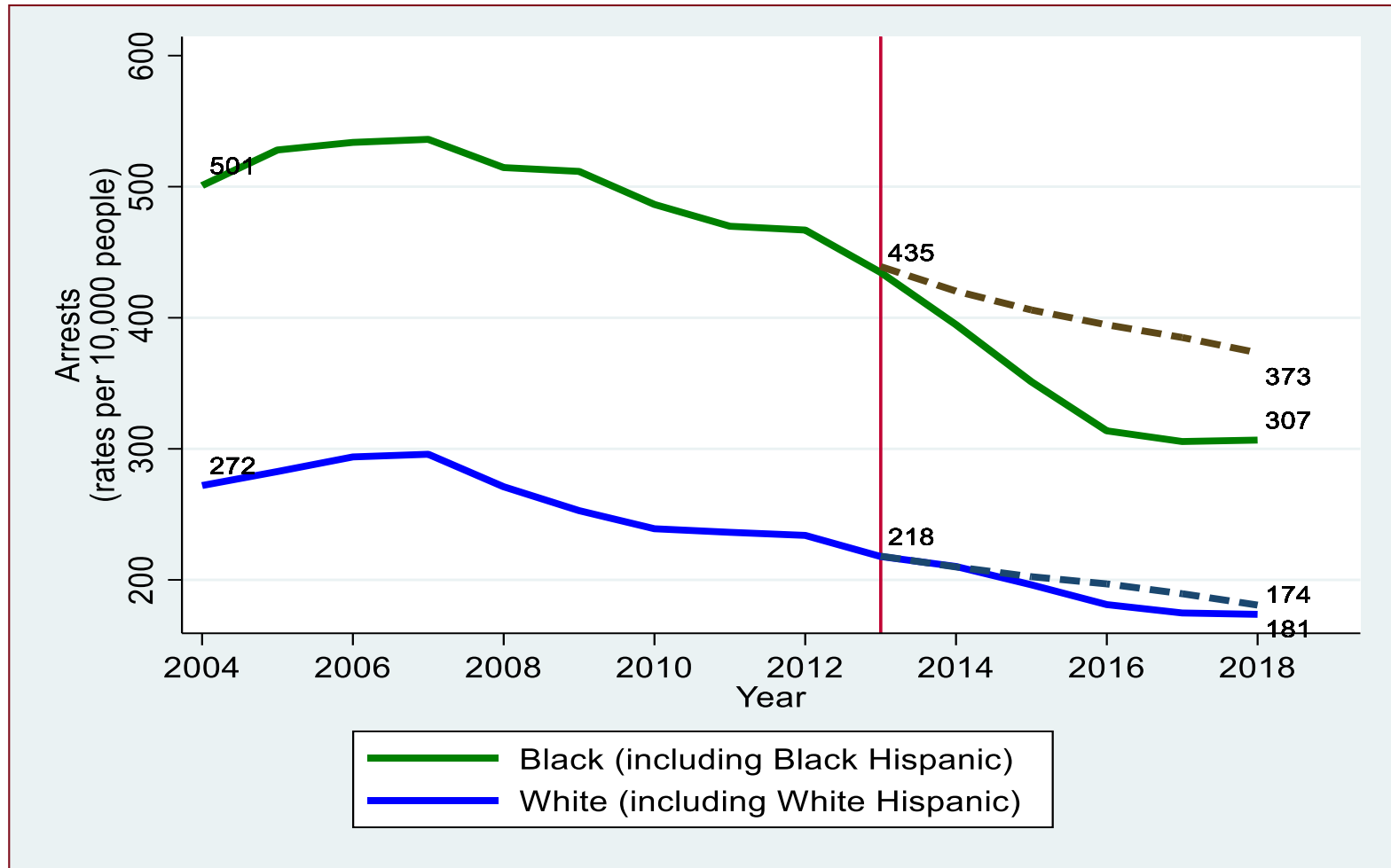


Forecast Accuracy



Forecast Accuracy

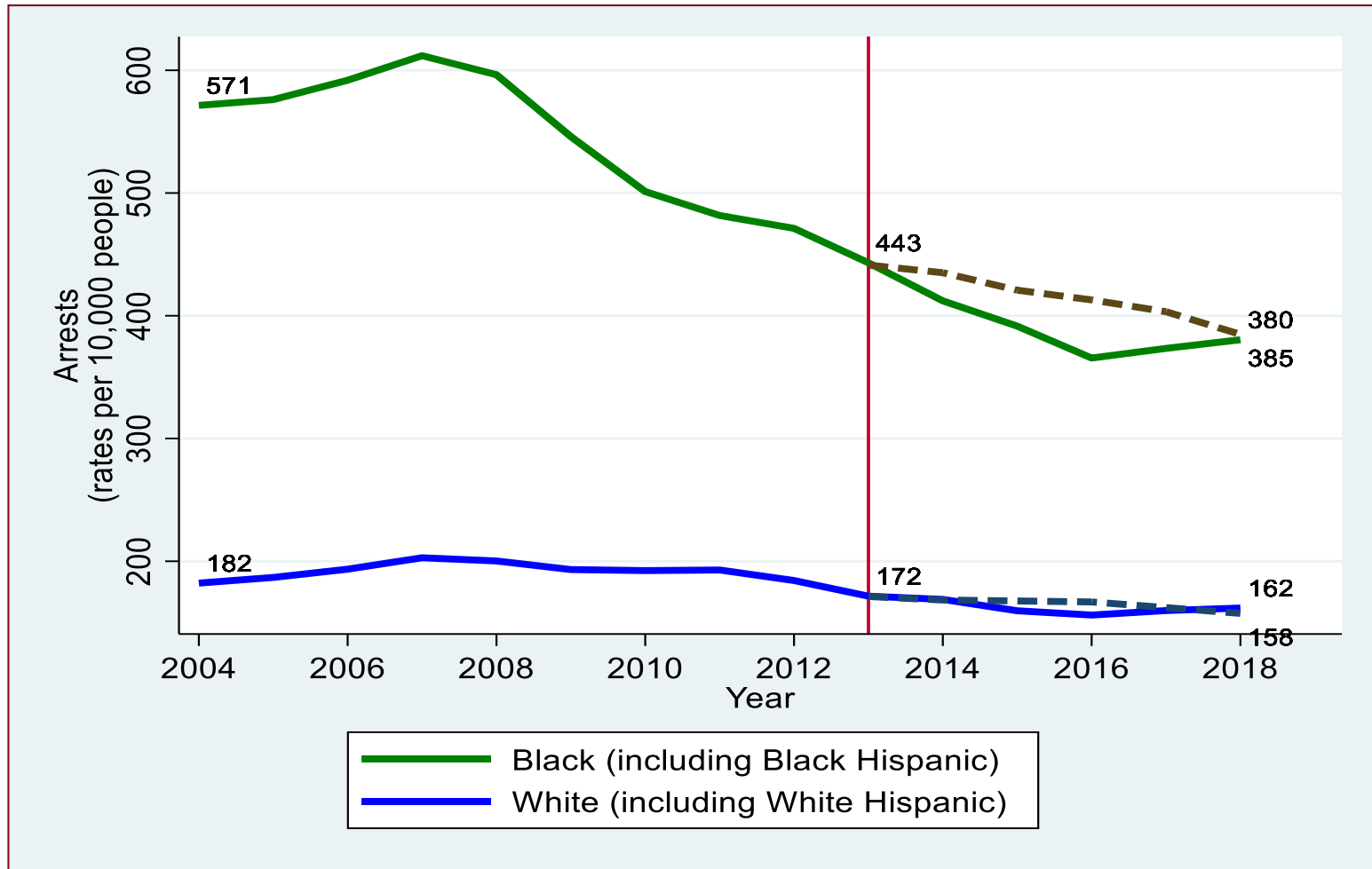
Misdemeanor arrest rate trends 2004-2013 and forecasts 2014-2018, by year





Forecast Accuracy

Felony arrest rate trends 2004-2013 and forecasts 2014-2018, by year





Forecast Accuracy

Key Takeaways

- The previous graphs show the accuracy of our forecasting methods for misdemeanor and felony arrests.
- The forecast models among White individuals closely followed the actual trend in both misdemeanor and felony arrests.
- The forecast models among Black individuals also captured the overall trends in misdemeanor and felony arrests but did not capture the steep declines followed by slight increases in 2016.

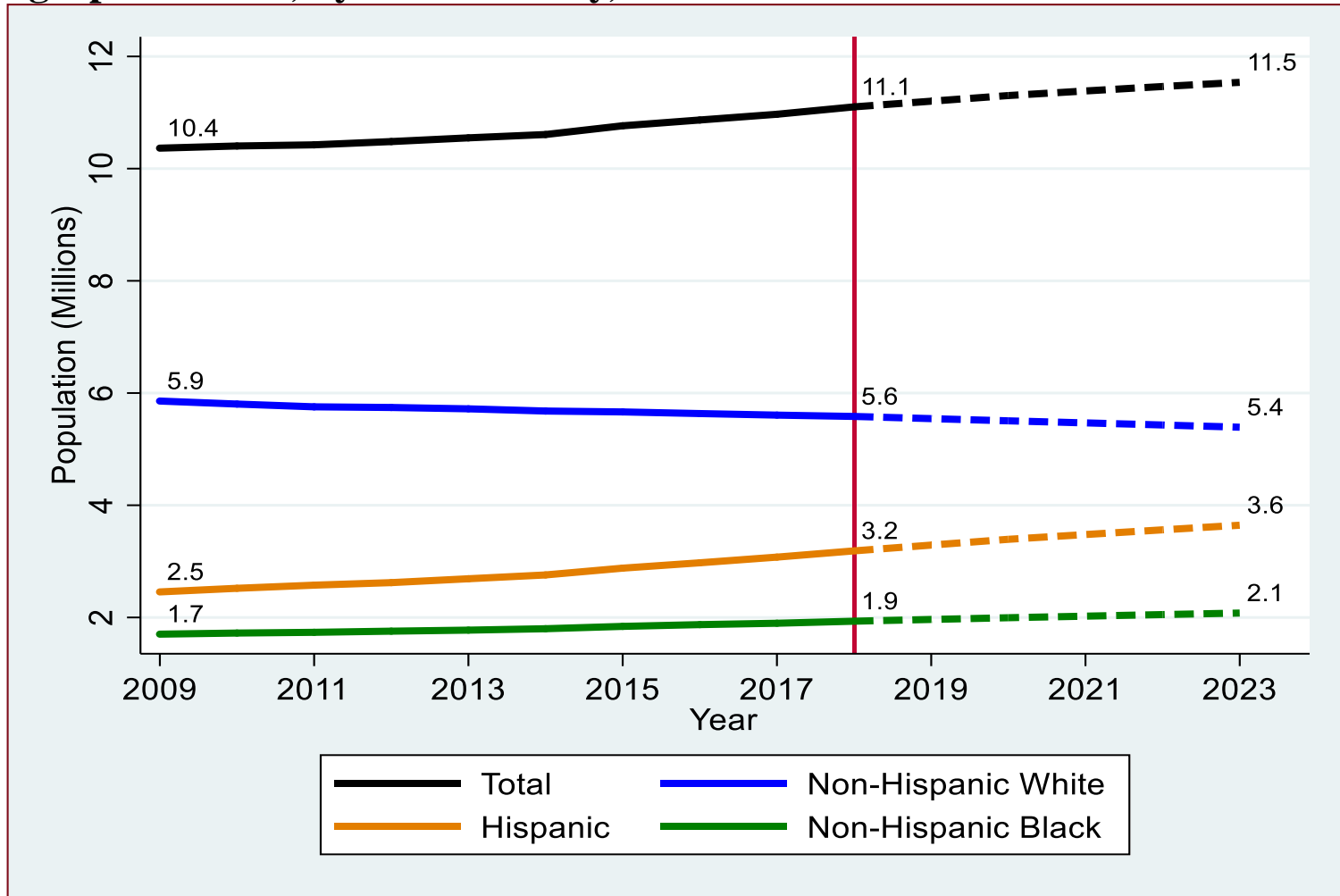


Florida Population by Race/Ethnicity and Age



Florida Population

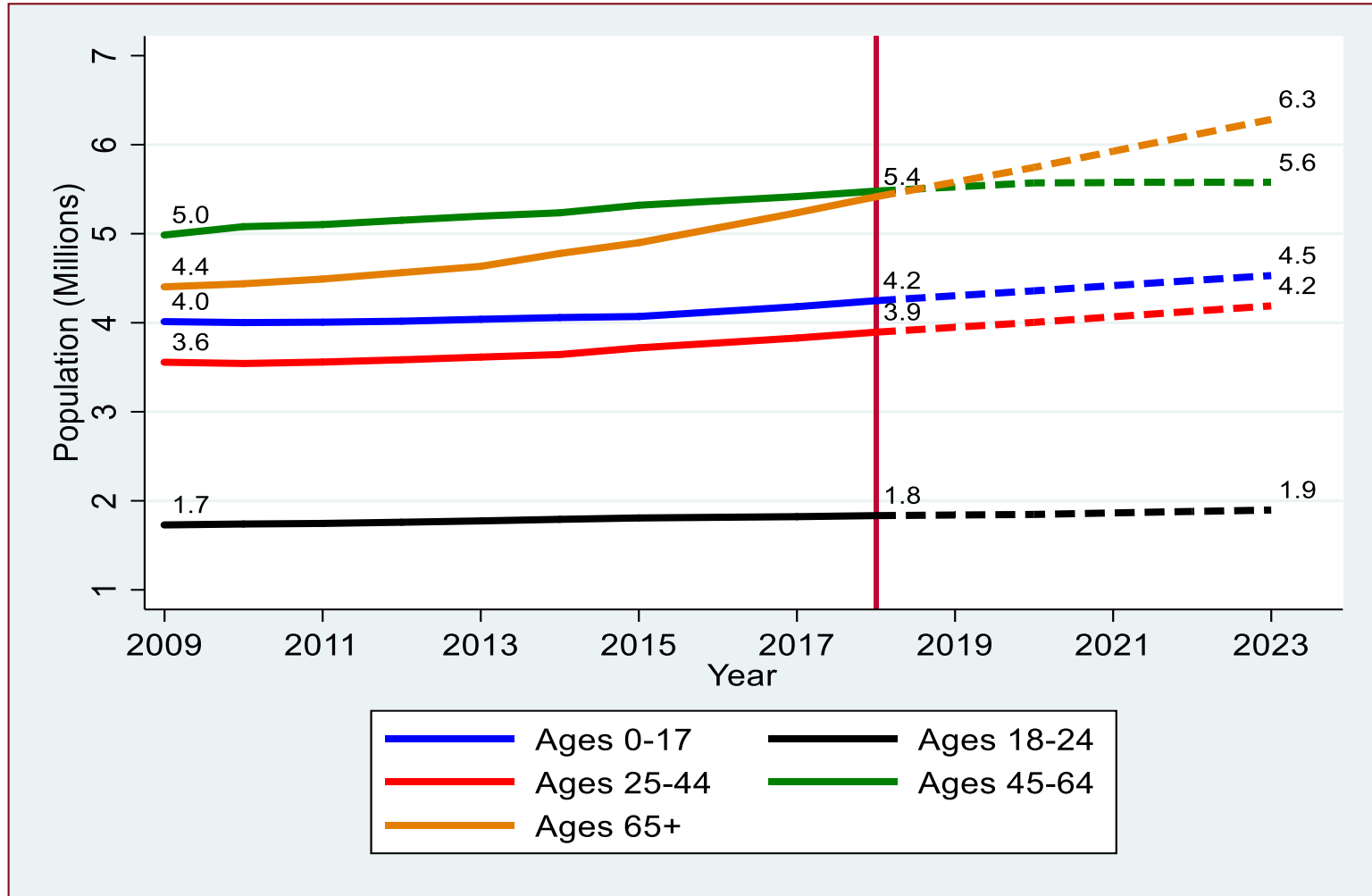
Demographic trends, by race/ethnicity, from 2009-2018 and forecasts from 2019-2023





Florida Population

Demographic trends, by age, from 2009-2018 and forecasts from 2019-2023





Florida Population

Key Takeaways

Race/Ethnicity

- 2018 population
 - Black: 17.1%
 - White: 50.5%
 - Hispanic: 28.8%
- Rate of change from 2009-2018
 - Black: 11.8% increase
 - White: 5.1% decrease
 - Hispanic: 33.3% increase
- The Hispanic population is the fastest growing ethnic group among the Florida adult population.

Age

- The US population, particularly in Florida, is expected to age considerably and become more racially and ethnically diverse over the next several decades.
- Florida ranks first in the US in the percent of the population over the age of 65.
- The 65 and older age group is the fastest growing age cohort in Florida.
- The 18-24 age group, who are the most likely to offend, account for 9% of the Florida population. The other age cohorts, that have lower rates of offending, are forecast to increase at a greater rate.
- The age composition of Florida is reflected in declines in crime and sanctions.

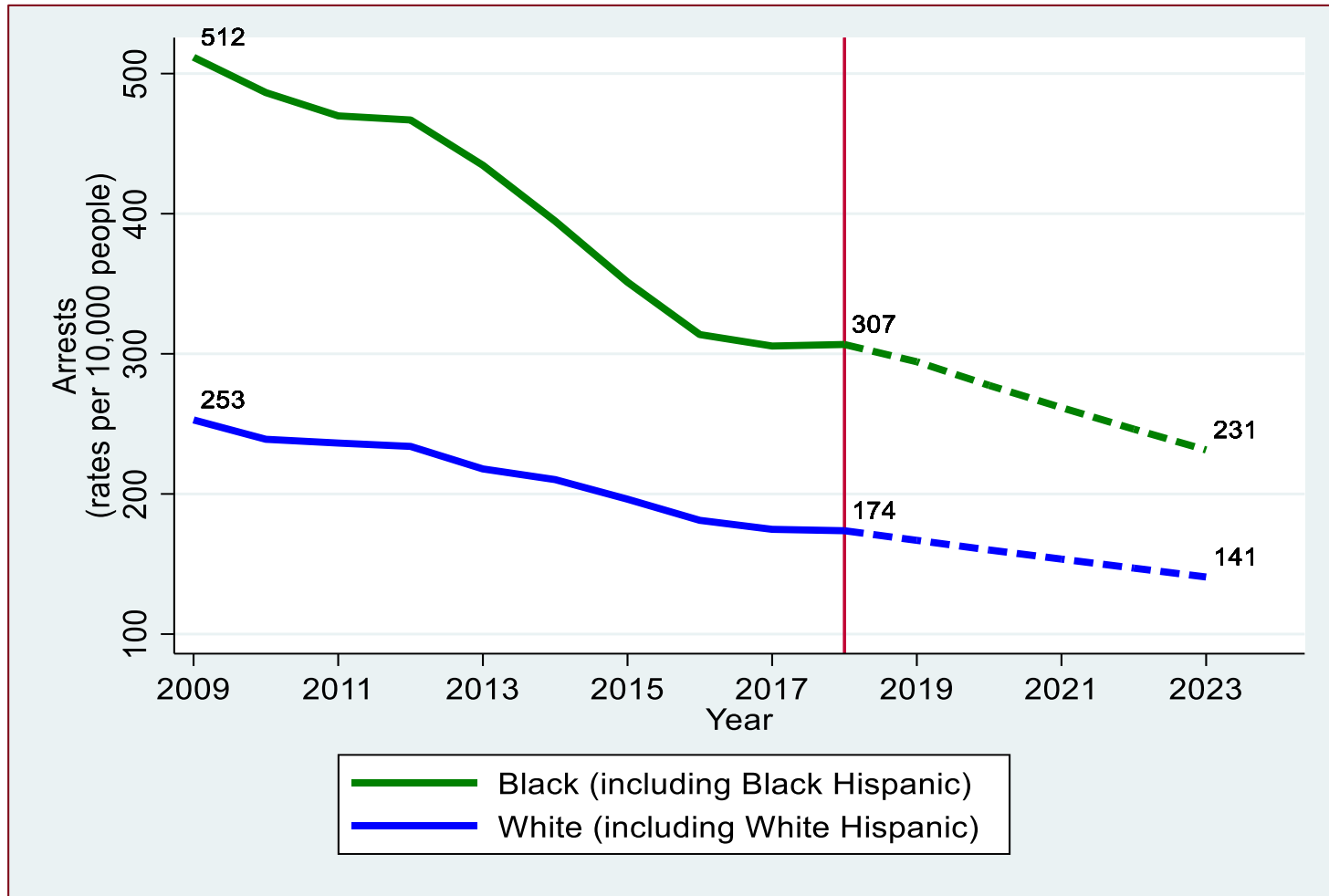


Arrest Trends and Forecasts



Misdemeanor Arrest Rates

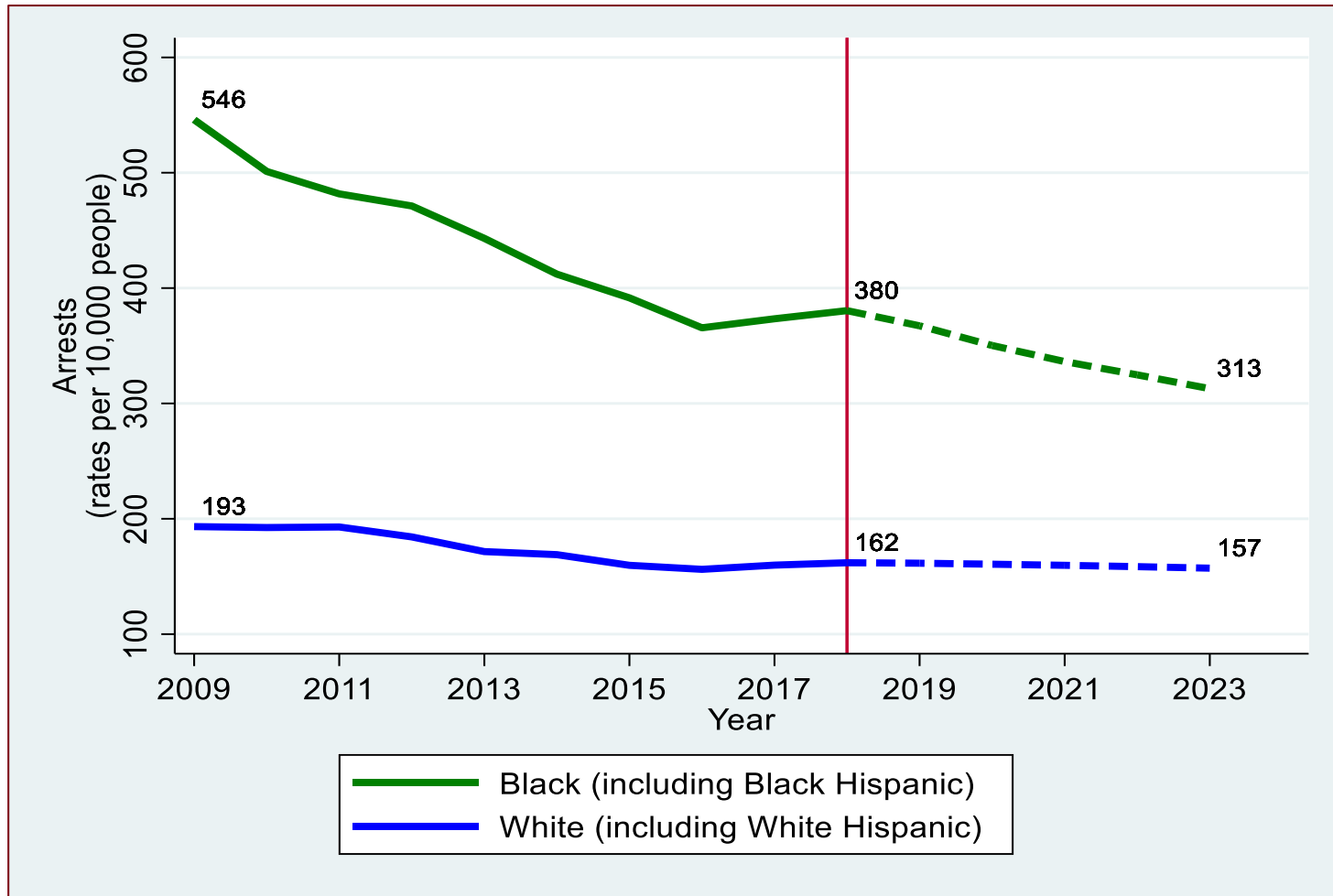
Arrest trends from 2009-2018 and forecasts from 2019-2023





Felony Arrest Rates

Arrest trends from 2009-2018 and forecasts from 2019-2023





Arrest

Key Takeaways

Misdemeanor Arrest

- 2018 misdemeanor arrest rate
 - 307 per 10,000 Black individuals
 - 174 per 10,000 White individuals
- Rate of change from 2009-2018
 - Black: 40% decrease
 - White: 31.2% decrease
- The steady decline in misdemeanor arrest rates among Black individuals stabilized from 2015-2017.
- The misdemeanor arrest rates for Black and White individuals are both forecast to decline.

Felony Arrest

- 2018 felony arrest rate
 - 380 per 10,000 Black individuals
 - 162 per 10,000 White individuals
- Rate of change from 2009-2018
 - Black: 30.4% decrease
 - White: 16.1% decrease
- The felony arrest rate among Black individuals is forecast to decline despite increasing from 2016-2018.
- The disparity in felony arrest rates between Black and White individuals is forecast to decrease slightly, but remain.

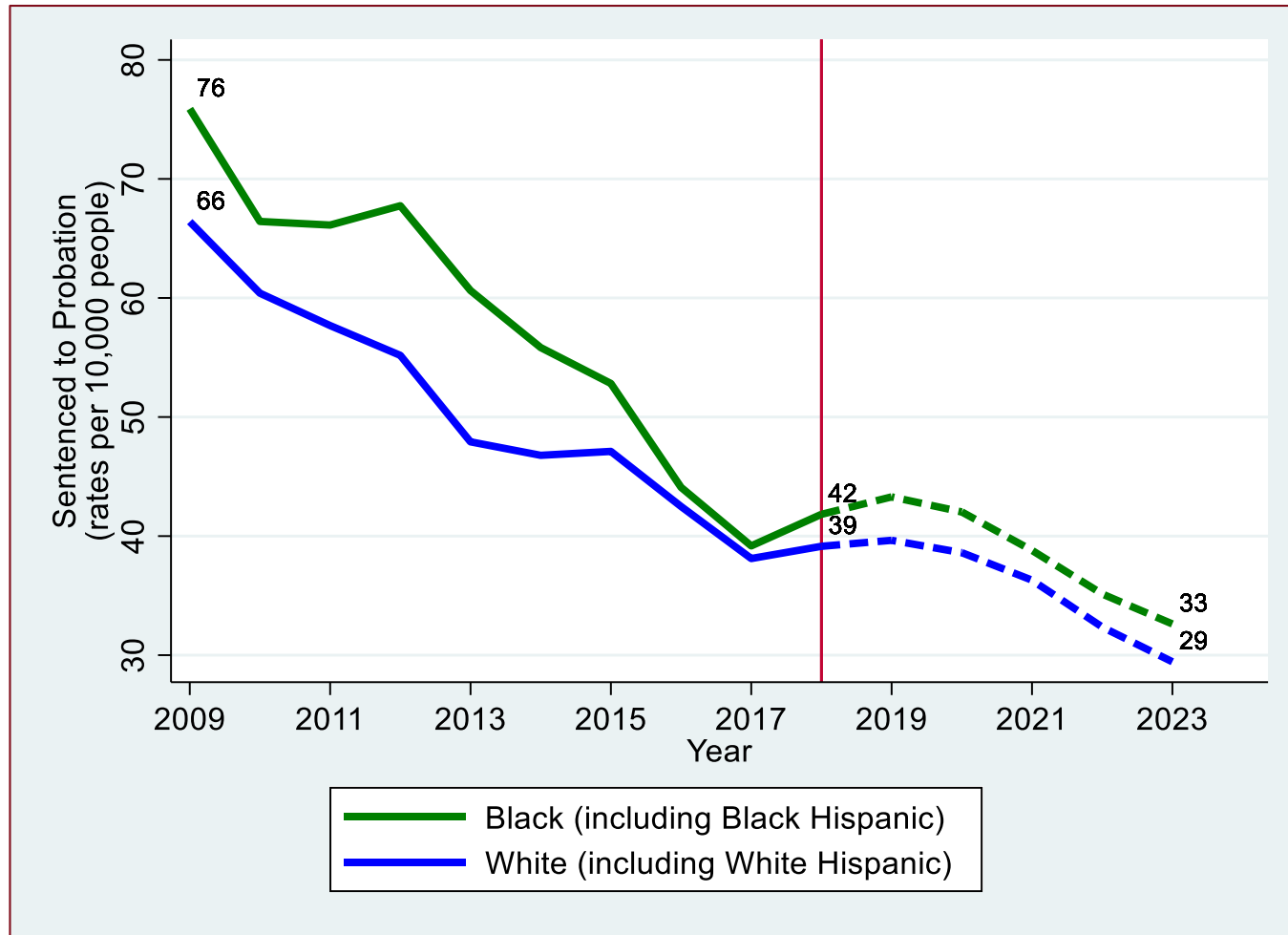


Probation Trends and Forecasts



Misdemeanor Probation Rates

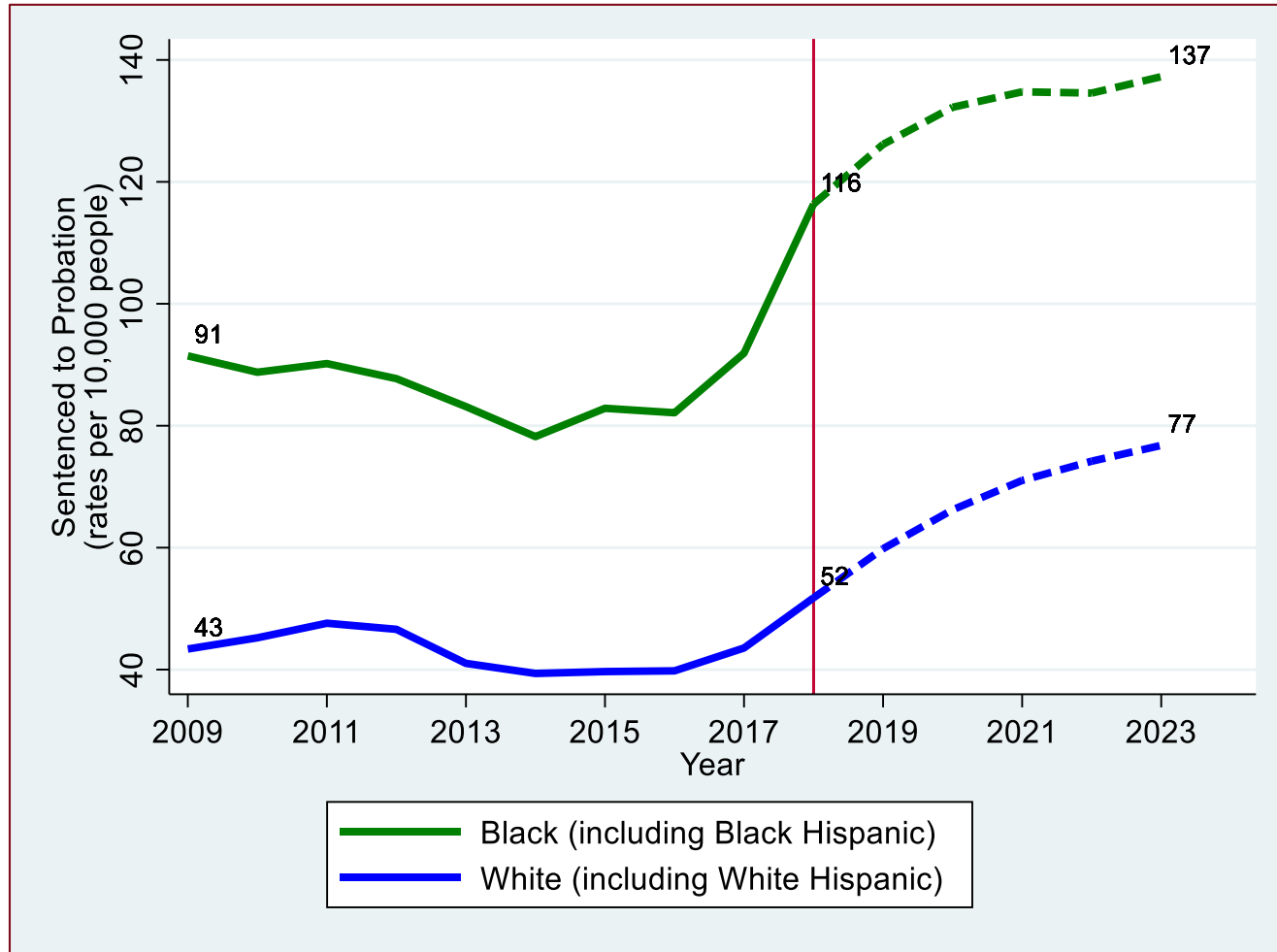
Probation trends from 2009-2018 and forecasts from 2019-2023





Felony Probation Rates

Probation trends from 2009-2018 and forecasts from 2019-2023





Probation

Key Takeaways

Misdemeanor Probation

- 2018 misdemeanor probation rate
 - 42 per 10,000 Black individuals
 - 39 per 10,000 White individuals
- Rate of change from 2009-2018
 - Black: 44.7% decrease
 - White: 41% decrease
- Disparity between Black and White individuals is smaller for misdemeanor probation than it is for other sanctions.
- The rate of probation sentences is forecast to increase slightly and then decrease among both Black and White individuals.

Felony Probation

- 2018 felony probation rate
 - 116 per 10,000 Black individuals
 - 52 per 10,000 White individuals
- Rate of change from 2009-2018
 - Black: 27% increase
 - White: 21% increase
- The rate of probation sentences for felony offenses is forecast to increase among Black and White individuals.
- The disparity in probation for felony offenses between Black and White individuals is forecast to remain.

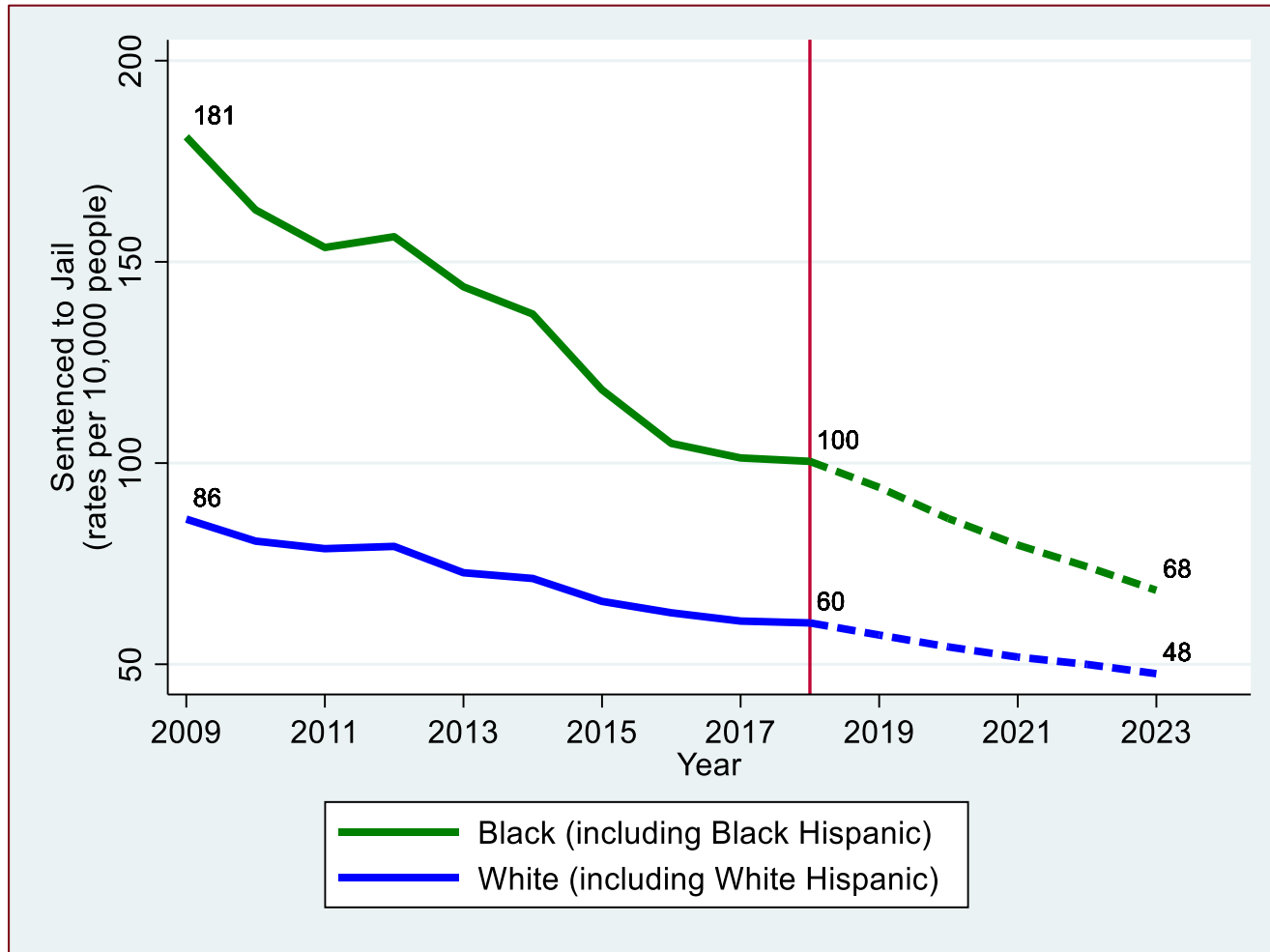


Trends and Forecasts for Jail Sentences



Rates of Jail Sentences for Misdemeanors

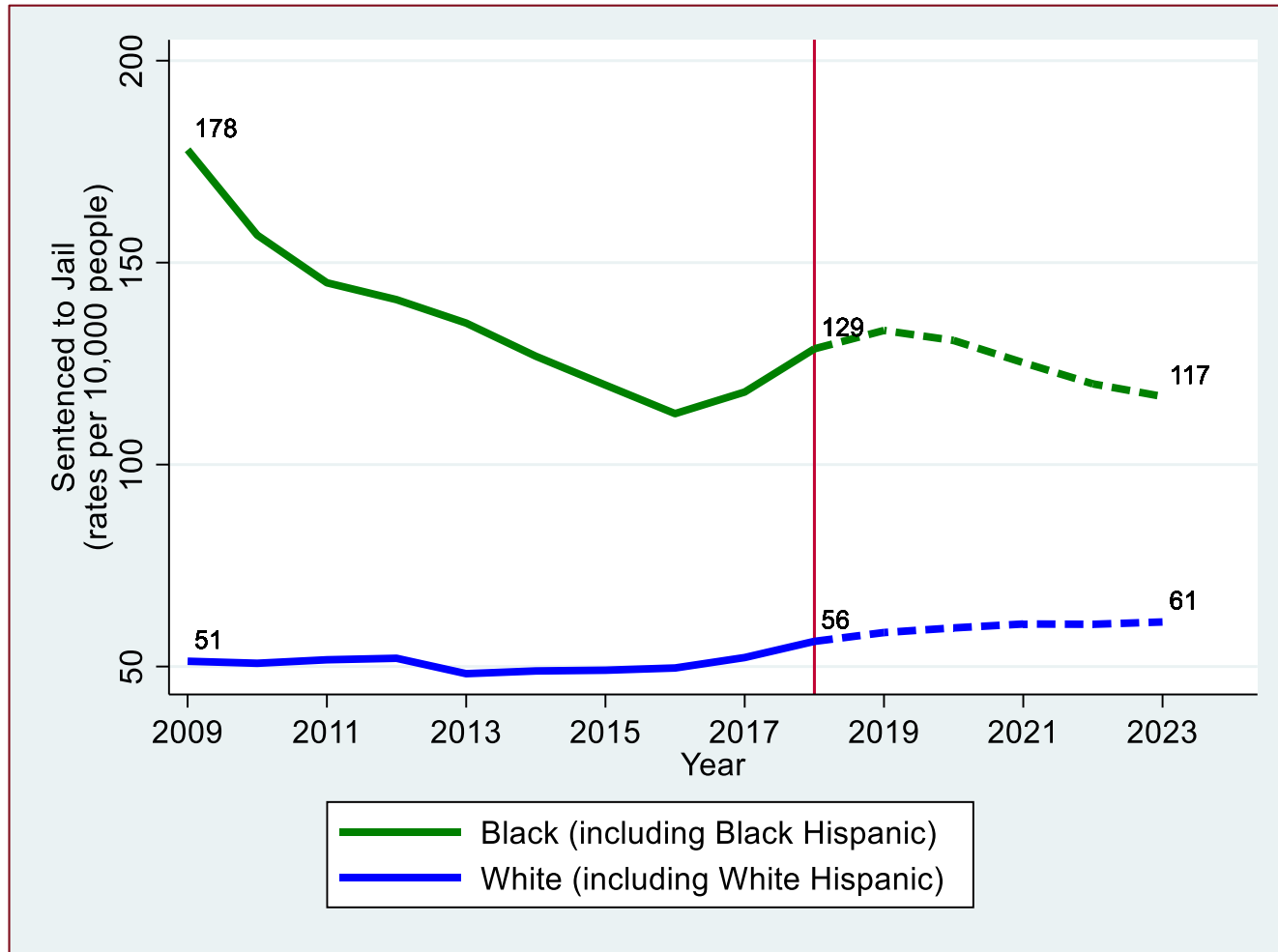
Jail trends from 2009-2018 and forecasts from 2019-2023





Rates of Jail Sentences for Felonies

Jail trends from 2009-2018 and forecasts from 2019-2023





Jail Sentences

Key Takeaways

Misdemeanor Jail Sentences

- 2018 misdemeanor jail rate
 - 100 per 10,000 Black individuals
 - 60 per 10,000 White individuals
- Rate of change from 2009-2018
 - Black: 44.8% decrease
 - White: 30% decrease
- The rate of jail sentences for misdemeanor offenses is forecast to decline among Black and White individuals.
- The disparity in jail sentences for misdemeanor offenses between Black and White individuals is forecast to remain.

Felony Jail Sentences

- 2018 felony jail rate
 - 129 per 10,000 Black individuals
 - 56 per 10,000 White individuals
- Rate of change from 2009-2018
 - Black: 27.5% decrease
 - White: 9.8% increase
- The rate of jail sentences among Black individuals is forecast to decline.
- The rate of jail sentences for felony offenses among White individuals is forecast to increase.
- The disparity in jail sentences for felony offenses between Black and White individuals is forecast to decrease slightly but remain.

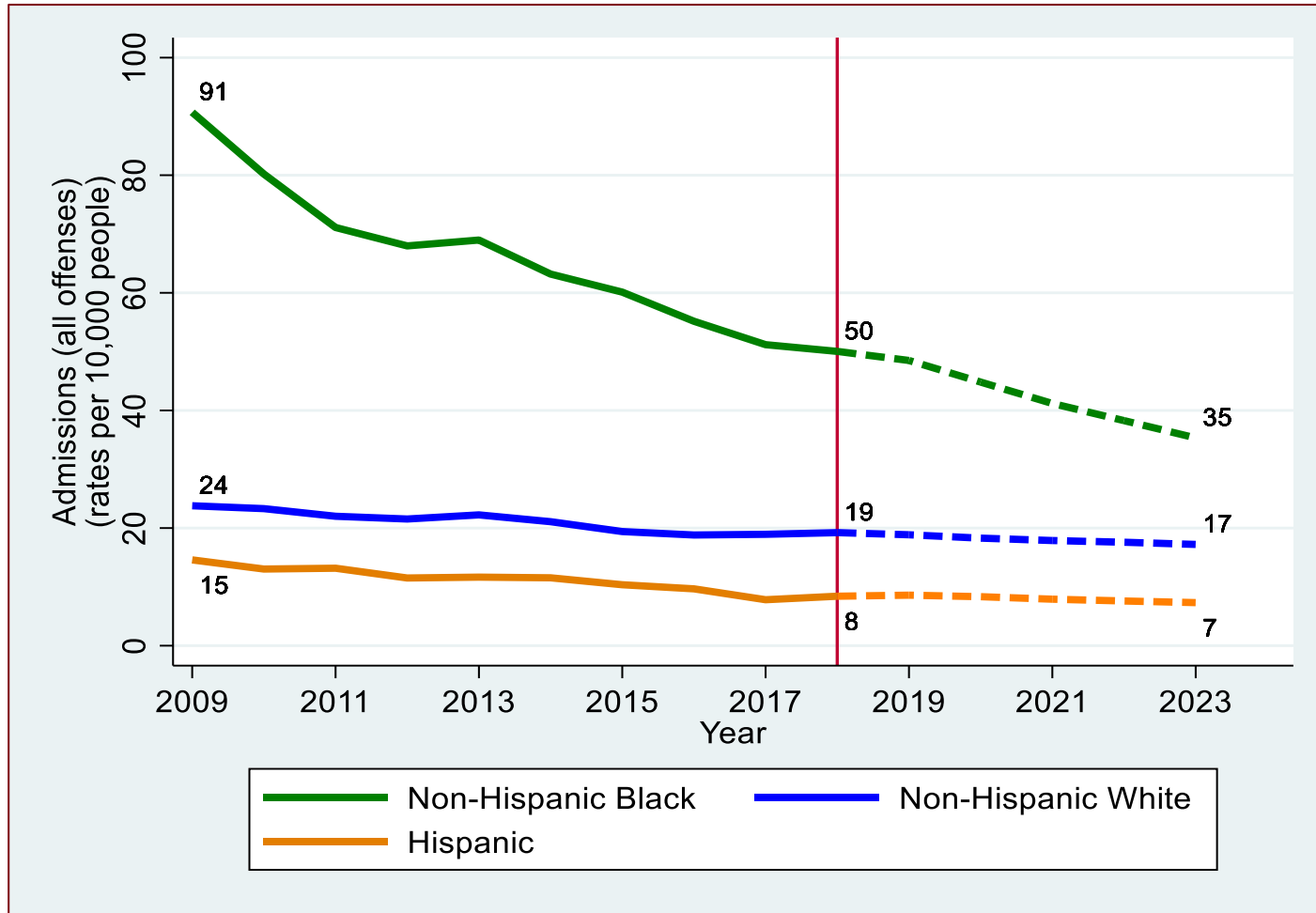


Prison Admission Trends and Forecasts



Total Prison Admissions

Prison admission trends from 2009-2018 and forecasts from 2019-2023





Total Prison Admissions

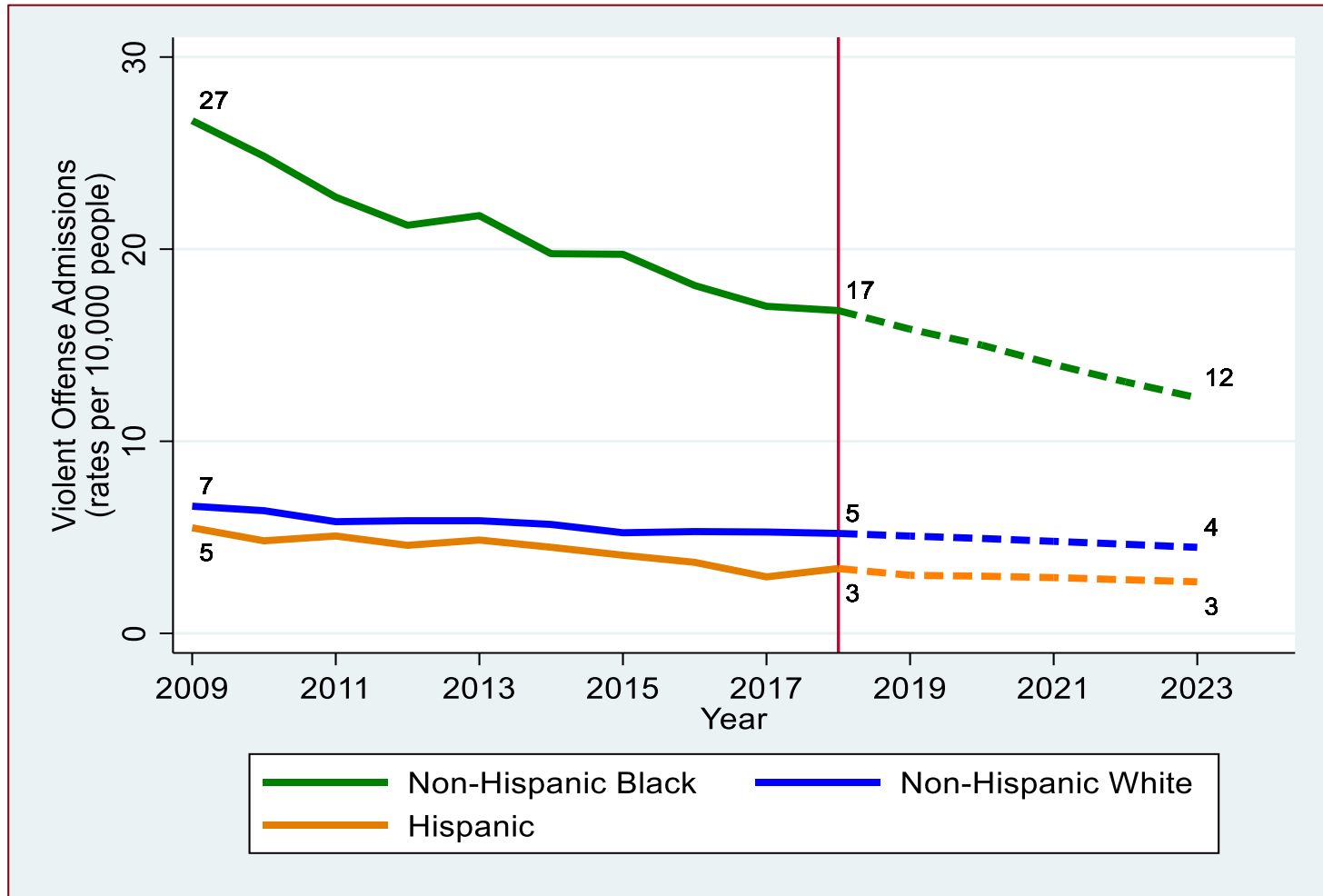
Key Takeaways

- 2018 prison admission rate
 - 50 per 10,000 Black individuals
 - 19 per 10,000 White individuals
 - 8 per 10,000 Hispanic individuals
- Rate of change from 2009-2018
 - Black: 45.1% decrease
 - White: 20.8% decrease
 - Hispanic: 46.7% decrease
- The disparity in prison admissions is forecast to continue; with Black individuals disproportionately likely to serve time in prison.



Prison Admissions for Violent Offenses

Prison admission trends from 2009-2018 and forecasts from 2019-2023



Prison Admissions for Violent Offenses

Key Takeaways

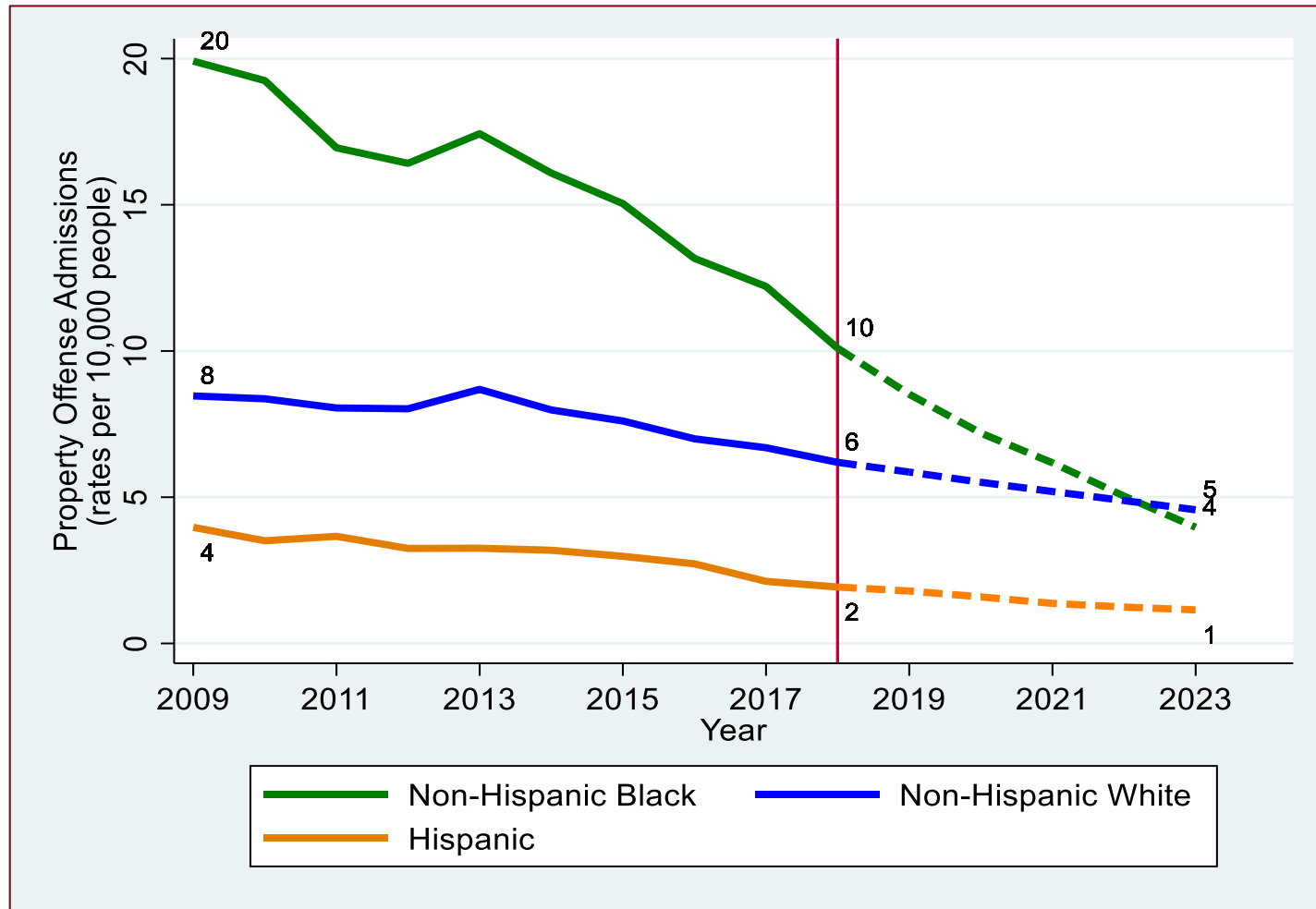
- 2018 prison admission rate
 - 17 per 10,000 Black individuals
 - 5 per 10,000 White individuals
 - 3 per 10,000 Hispanic individuals
- Rate of change from 2009-2018
 - Black: 37% decrease
 - White: 28.6% decrease
 - Hispanic: 40% decrease
- The rates of prison admissions for violent offenses among Hispanic and White individuals are forecast to remain relatively stable.
- Although the disparity in prison admissions between Black and White individuals is forecast to decrease, Black individuals will remain disproportionately likely to be admitted into prison for violent offenses.





Prison Admissions for Property Offenses

Prison admission trends from 2009-2018 and forecasts from 2019-2023





Prison Admissions for Property Offenses

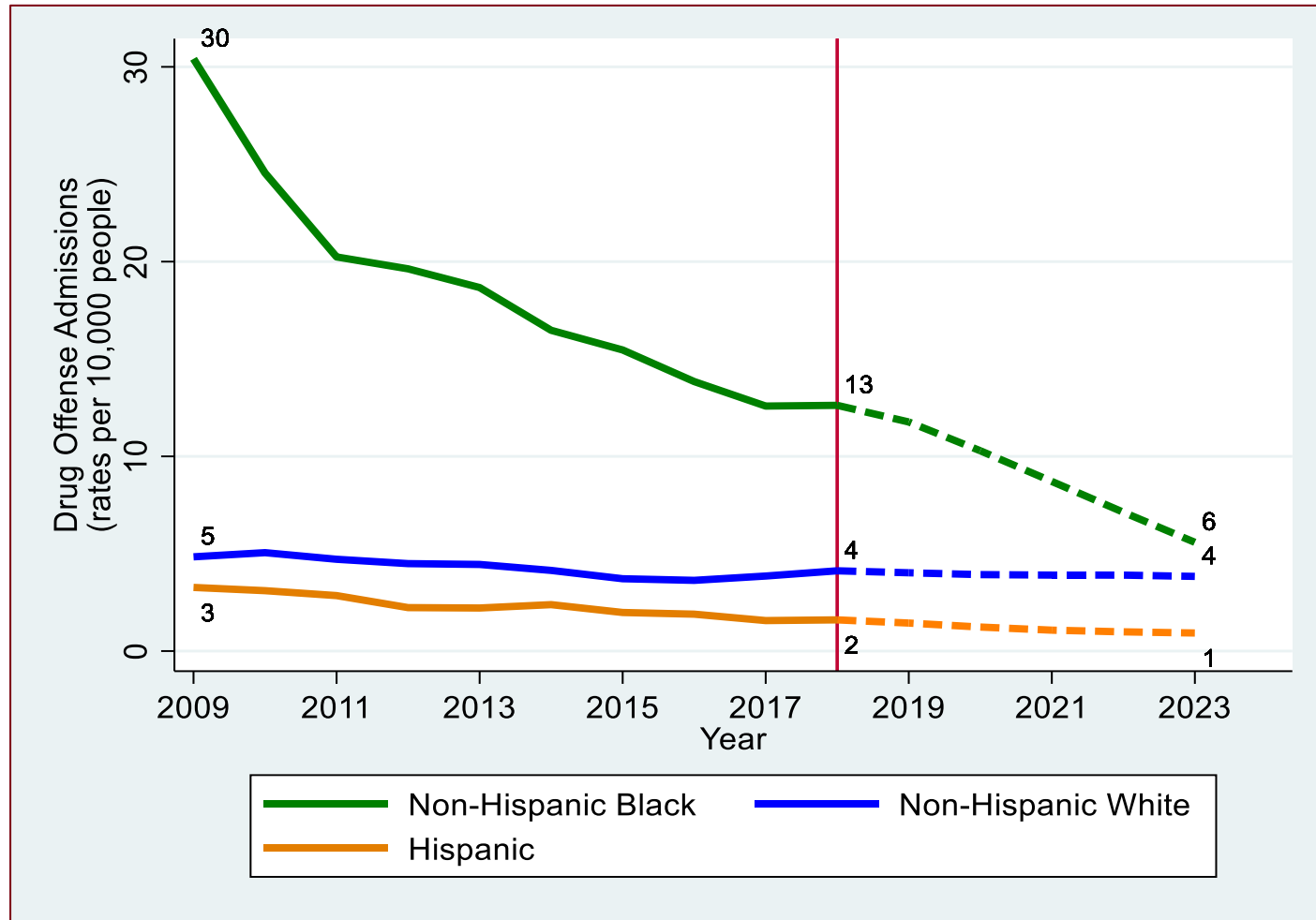
Key Takeaways

- 2018 prison admission rate
 - 10 per 10,000 Black individuals
 - 6 per 10,000 White individuals
 - 2 per 10,000 Hispanic individuals
- Rate of change from 2009-2018
 - Black: 50% decrease
 - White: 25% decrease
 - Hispanic: 50% decrease
- Prison admissions for property offenses across all racial groups are forecast to decline.
- The prison admission rate for property offenses among Black individuals is forecast to continue a steep decline, dropping to a rate similar to, or slightly below, that of White individuals.



Prison Admissions for Drug Offenses

Prison admission trends from 2009-2018 and forecasts from 2019-2023



Prison Admissions for Drug Offenses

Key Takeaways

- 2018 prison admission rate
 - 13 per 10,000 Black individuals
 - 4 per 10,000 White individuals
 - 2 per 10,000 Hispanic individuals
- Rate of change from 2009-2018
 - Black: 56.7% decrease
 - White: 20% decrease
 - Hispanic: 33.3% decrease
- Prison admissions for drug offenses are forecast to remain stable among White and Hispanic individuals.
- The disparity is forecast to decline, or perhaps disappear, as the rate of prison admissions for drug offenses among Black individuals is predicted to fall to a rate similar to that of White individuals.





Conclusion

- Although rates of arrest and most sanctions have been decreasing in recent years, racial disparities within the criminal justice system have remained and are forecast to continue to remain, despite the observed declines.
- The Black population in Florida is forecast to increase slightly over the next five years, however, this group is forecast to continue to experience disproportionate rates of criminal justice system involvement.
- The Hispanic population in Florida is forecast to increase significantly over the next five years, however, this group's rate of imprisonment is forecast to remain stable.
- Rates of criminal justice involvement are forecast to continue declining for most sanctions across racial/ethnic groups due, in large part, to the aging of the Florida population.

Thank You

Questions?



THE FLORIDA STATE UNIVERSITY
College of Criminology & Criminal Justice



Racial/Ethnic Impact Statements

Process

Upon receipt of a bill from the Florida Senate Criminal Justice Committee, the FSU College of Criminology and Criminal Justice will provide an estimated amount of time to complete the racial/ethnic impact statement. We anticipate that most racial/ethnic impact statements will take 5 working days to complete. In the event that more time is needed, we will notify the Senate Criminal Justice Committee immediately.

Methods

FSU will: 1) send the bill to select subject area expert faculty for brief overview statements; 2) review relevant peer-reviewed articles and policy evaluation reports; 3) review similar legislation from other states; 4) compare proposed changes in the bill with original forecasts and/or complete new forecasts analyses if needed and possible; and 5) develop a racial/ethnic impact statement.

Product

The racial/ethnic impact statement that is provided to the Senate Criminal Justice Committee will include: 1) a description of the racial/ethnic impact that the proposed legislation is likely to have; 2) information about the data and methods used to generate the estimated racial/ethnic impact, including literature, examples from other states, and/or forecasts; 3) information about any potential limitations in the data and/or methods; and 4) any graphs, charts, or figures, if applicable.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Bill Number (if applicable)

Topic Racial/Ethnic Differences in the Criminal Justice System Amendment Barcode (if applicable)

Name Dr. Thomas G. Blomberg

Job Title Dean, College of Criminology & Criminal Justice

Address 112 S. Copeland Street Phone 850-644-7365

Tallahassee FL 32306 Email tblomberg@fscj.edu

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing College of Criminology

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/5/19

Meeting Date

Bill Number (if applicable)

Topic Racial Impact Statements

Amendment Barcode (if applicable)

Name Kara Gross

Job Title Legislative Director & Senior Policy Counsel

Address 4343 W. Flagler St.

Phone 786-363-4436

Street

Miami

FL

33134

Email kgross@aclufl.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing ACLU of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/5/19

Meeting Date

Bill Number (if applicable)

Topic EXPLORING RACIAL/ETHNIC DIFFERENCES

Amendment Barcode (if applicable)

Name A. WELLINGTON BARLOW

Job Title ADMM. + CEO TECHNOLOGICAL FOR JUSTICE, INC.

Address P.O. BOX 28098

Phone 855-845-0727

Street

JACKSONVILLE

FL

32226

City

State

Zip

Email

Speaking: [] For [] Against [x] Information

Waive Speaking: [] In Support [] Against (The Chair will read this information into the record.)

Representing ALL WHO SEEK JUSTICE

Appearing at request of Chair: [] Yes [] No

Lobbyist registered with Legislature: [] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

CourtSmart Tag Report

Room: LL 37

Case No.:

Type:

Caption: Senate Criminal Justice Committee

Judge:

Started: 11/5/2019 10:04:24 AM

Ends: 11/5/2019 11:24:17 AM

Length: 01:19:54

10:04:22 AM Meeting called to order by Chair Perry
10:04:28 AM Roll call by Administrative Assistant Sue Arnold
10:04:33 AM Quorum present
10:04:36 AM Comments from Chair Perry
10:04:48 AM Introduction of Presentation on Racial Impact Analyses by Chair Perry
10:05:35 AM Presentation on Racial Impact Analyses by the FSU College of Criminology and Criminal Justice by Dr. Thomas G. Blomberg, Dean
10:11:39 AM Question from Senator Bracy
10:11:45 AM Response from Dr. Blomberg
10:11:53 AM Continued presentation by Dr. Blomberg
10:16:09 AM Question from Senator Pizzo
10:16:16 AM Response from Dr. Blomberg
10:16:53 AM Question from Chair Perry
10:17:08 AM Response from Dr. Blomberg
10:17:24 AM Continued presentation by Dr. Blomberg
10:17:59 AM Comments from Chair Perry
10:18:23 AM Comments from Dr. Blomberg
10:18:42 AM Continued presentation by Dr. Blomberg
10:22:20 AM Question from Chair Perry
10:22:26 AM Response from Dr. Blomberg
10:22:37 AM Follow-up question from Chair Perry
10:22:44 AM Response from Dr. Blomberg
10:23:27 AM Question from Senator Pizzo
10:23:33 AM Response from Dr. Blomberg
10:23:47 AM Continued presentation by Dr. Blomberg
10:27:09 AM Question from Senator Bracy
10:27:16 AM Response from Dr. Blomberg
10:29:21 AM Continued presentation by Dr. Blomberg
10:31:49 AM Question from Senator Brandes
10:31:57 AM Response from Dr. Blomberg
10:33:01 AM Follow-up question from Senator Bracy
10:33:08 AM Response from Dr. Blomberg
10:33:28 AM Continued presentation by Dr. Blomberg
10:37:50 AM Question from Senator Brandes
10:37:56 AM Response from Dr. Blomberg
10:38:31 AM Follow-up question from Senator Brandes
10:38:38 AM Response from Dr. Blomberg
10:39:19 AM Question from Senator Pizzo
10:39:25 AM Response from Dr. Blomberg
10:42:15 AM Follow-up question from Senator Brandes
10:42:26 AM Response from Dr. Blomberg
10:43:29 AM Follow-up question from Senator Brandes
10:43:37 AM Response from Dr. Blomberg
10:44:19 AM Additional question from Senator Brandes
10:44:26 AM Response from Dr. Blomberg
10:45:05 AM Comments from Senator Brandes
10:45:14 AM Response from Dr. Blomberg
10:45:42 AM Continued presentation by Dr. Blomberg
10:51:35 AM Question from Senator Brandes
10:51:40 AM Response from Dr. Blomberg
10:53:54 AM Follow-up question from Senator Brandes
10:54:02 AM Response from Dr. Blomberg

10:54:20 AM Question from Senator Pizzo
10:54:25 AM Response from Dr. Blomberg
10:54:58 AM Follow-up question from Senator Pizzo
10:55:15 AM Response from Dr. Julie Brancale
10:55:22 AM Follow-up question from Senator Pizzo
10:55:33 AM Response from Dr. Blomberg
10:56:08 AM Additional question from Senator Pizzo
10:56:17 AM Response from Dr. Blomberg
10:56:52 AM Additional question from Senator Pizzo
10:57:34 AM Response from Dr. Blomberg
10:59:04 AM Comments from Senator Pizzo
10:59:23 AM Comments from Chair Perry
10:59:43 AM Comments from Senator Pizzo
11:00:25 AM Response from Dr. Blomberg
11:01:48 AM Question from Chair Perry
11:02:11 AM Response from Dr. Blomberg
11:03:21 AM Follow-up question from Chair Perry
11:03:28 AM Response from Dr. Blomberg
11:04:06 AM Question from Senator Brandes
11:04:14 AM Response from Dr. Blomberg
11:05:33 AM Question from Senator Pizzo
11:05:55 AM Response from Dr. Blomberg
11:07:15 AM Comments from Chair Perry
11:07:56 AM Comments from Dr. Blomberg
11:09:49 AM Comments from Chair Perry
11:10:08 AM Speaker Kara Gross, Legislative Director & Senior Policy Counsel, ACLU of Florida
11:12:32 AM Speaker A. Wellington Barlow, Attorney & CEO Technologies for Justice, Inc.
11:20:33 AM Comments from Chair Perry
11:20:55 AM Response from Mr. Barlow
11:22:17 AM Comments from Senator Pizzo
11:22:25 AM Response from Mr. Barlow
11:23:33 AM Comments from Chair Perry
11:23:58 AM Senator Brandes moves to adjourn, meeting adjourned