CONTRACTUAL ENFORCEMENT OF PRIVATE CORRECTIONAL FACILITIES IN FLORIDA:

An Analysis of Options

AN ACTION REPORT SUBMITTED TO THE FACULTY OF THE COLLEGE OF SOCIAL SCIENCE IN CANDIDACY FOR THE DEGREE OF MASTER OF PUBLIC ADMINISTRATION

REUBIN O’D. ASKEW SCHOOL OF PUBLIC ADMINISTRATION AND POLICY

BY

ALLYSON THERESA BLACK

TALLAHASSEE, FLORIDA

APRIL 2004
I. PROBLEM STATEMENT

Within the last decade privatization has become a very popular alternative for performing public services and state duties in the United States. An area of government that currently dominates the privatization industry in many states is the privatization of correctional facilities. There are a total of 158 private correctional facilities operating in 30 states, Puerto Rico, and the District of Columbia (Bureau of Justice Assistance, 2001).

State governments are beginning to spend more money contracting out prison duties to private companies than they spend to operate public prisons. The Bureau of Justice Assistance (2001) found that in 1980 the government spent $3.1 billion on privatized correctional facilities and in 1994 it spent $17 billion on privatized correctional facilities, an increase of nearly 550 percent; that number has steadily increased ever since.

Prison privatization is a very controversial public policy issue that reveals divergent opinions from its supporters and opponents, and often generates heated debates between these two groups. Proponents express “claims that private contractors can provide higher quality services at lower costs are quite attractive to responsible policymakers” (Camp and Gaes, 1999). However, opponents argue that privatization saves little or no cost, it does not adhere to accountability and performance standards, it leaves people unemployed, and it simply attempts to bury problems experienced by the program (United States General Accounting Office 1996).

Another concern is the financial effects that privatization of correctional facilities have on American taxpayers and its citizens. A $2,278,724 increase in General Revenue was appropriated to Florida’s private prisons for Fiscal Year 2003-2004, bringing the
appropriation total to $98,082,953 (OPPAGA 2003). These prisons were established to result in a cost savings of at least seven percent over the public provision of similar services, while improving services.

Elected officials are responsible for appropriating and spending money in a cost-effective manner; therefore, current and accurate information is essential. Factors, such as cost-effectiveness, performance, and quality of privately run prisons versus publicly run should all be considered when trying to make economically sound decisions about the future of correctional facilities.

The Florida Legislature is presently faced with the issue of ensuring contract compliance by private providers operating private correctional facilities. The purpose of this Action Report is to examine alternative solutions to make contracts enforceable, and result in vendor compliance with the operational standards and laws of the State of Florida.
II. BACKGROUND & LITERATURE REVIEW

Background

Several developments should be examined to understand the background of privatization of correctional facilities: (1) the establishment of Corrections Corporation of America (CCA), (2) history of privatization in Florida’s prisons, and (3) Florida’s current status.

The first prison privatization effort involved the Corrections Corporation of America (CCA) and the state of Tennessee. The CCA was the first correctional corporation in the United States. The company was founded in 1983 and is currently the largest correctional corporation in the United States, as well as in other areas of the world such as Europe. The company is based in Nashville, Tennessee, and it has close political, financial, and technical connections enabling it to lobby aggressively for lucrative contracts (Chang & Thompkins 2002).

In 1985, CAA made its first proposal to manage a full prison system in Tennessee. The company proposed a plan to solve management problems that Tennessee then faced by privatizing the state’s entire corrections system. This effort alienated the Tennessee Legislature because it would allow all of the state prisons to be privatized and run by one company. CCA offered the state $100 million for management rights and $250 million in up-front capital expenditures in exchange for CAA being paid a first year management fee equal to Tennessee’s adult correctional budget for fiscal year 1986-1987, which totaled $170 million. Tom Beasley, CCA founder and then CEO, wrote in his letter to the governor and legislature, “We will lock them up better, quicker, and for less than you can” (Kyle 1998:88).
The result of CCA’s efforts was the passage of the Private Prison Contracting Act of 1986, which limited privatization acts to a single, 180-bed state prison that was under construction by the state (Kyle 1998). The state was concerned with efficiency of the bidding process because there were only two private companies (Wakenhut and Corrections Corporation of America) with enough resources to accommodate the prisons. Although CCA’s initial attempt in Tennessee to privatize the state’s correctional facilities proved unsuccessful, it succeeded in conveying an argument in favor of privatization that has over the years persuaded many states to privatize services historically provided by the government.

Chang & Thompkins (2002) indicate that in the last 13 years the capacity of private prisons has grown from 3,122 to 142,000 beds, an average increase of 300 percent. It is likely that this increase in the prison system is due to the increasing involvement of privatization in the management of correctional facilities. Florida and other state governments have adopted privatization as an attempt to reduce the maintenance cost of the corrections system, while maintaining the quality of service (Camp and Gaes 1999)

The second development regarding the background of privatized correctional facilities deals with the history of Florida’s private prisons. In 1989, the Florida Legislature appropriated $265,000 to the Department of General Service for the purpose of issuing a Request for Proposal (RFP) of privatization contracts. This marked the State’s first involvement with prison privatization. The proposal was to be issued by October 1, 1989, and by December 1, 1989 a contract was to be awarded. During Special Session A, the Legislature enacted Chapter 89-526, Laws of Florida, authorizing the
department to enter into contracts with private corrections firms for the construction and operation of state prisons (Florida Corrections Commission 2002). The United States Corrections Corporation (USCC) was awarded the first contract to operate a prison facility in Florida; the company was later acquired by CCA in 1998.

In 1993, as a result of Chapter 89-526, Laws of Florida, the Correctional Privatization Commission (CPC- hereafter the Commission) was formed; Chapter 957.03, Florida Statutes set forth the Commission’s purpose: to contract with private vendors to design, finance, acquire, lease, construct, and operate correctional facilities. Section 957.07, Florida Statutes affirms that:

The commission may not enter into a contract or series of contracts unless the commission determines that the contract or series of contracts in total for the facility will result in a cost savings to the state of at least seven percent over the public provision of a similar facility.

The Commission is comprised of five members that are appointed by the Governor. They serve four-year terms and they are administratively housed in the Department of Management Services. One member of the Commission must be a minority and four members must be from the private sector. The Commission performs its functions independent of the Department of and no member of the Commission may be an employee of the Department of Corrections or the Department of Juvenile Justice. Florida is the only state that has established a separate government entity outside the state correctional agency to enter into contracts with private vendors to oversee private prisons (Florida Corrections Commission 2002).

In 1993 the Commission issued a Request for Proposals that would provide for the private design, financing, construction and management of two 750 bed medium capacity correctional facilities (Florida Corrections Commission 1996). The Commission
awarded the contracts to the Corrections Corporations of America and Wackenbut (renamed GEO Group) Corrections Corporation. By July of 1995 Moore Haven Correctional Facility was opened and operated by Wackenut and the Bay Correctional Facility operated by Corrections Corporation of America opened in August of 1995.

The third development examines Florida’s current condition relative to the privatization of its correctional facilities. The Commission continues to contract correctional facilities with Corrections Corporation of America and Wakenbut Corrections Corporation. The number of private corrections facilities in Florida has increased from two to five; the additional private facilities include South Bay Correctional Facility, Gadsden Correctional Facility, and Lake City Youthful Offender Facility.

Section 957.04, Florida Statutes sets forth that private correctional institutions and management plans must comply with applicable laws, courts, and national correctional standards. They must also meet applicable American Corrections Association standards and establish operations standards for the correctional facilities subject to the contract. However, it weakens the authority of the state by expressing that the Commission may waive any rule, policy, or procedure of the department related to the operations standards of correctional facilities that are inconsistent with the mission of the Commission to establish cost-effective, privately operated correctional facilities.

This lack of enforcement of necessary operational standards is the focus of this report. This report examines the contracts between the private companies CCA and Wakenbut Corrections Corporation and the Commission to determine if they are in compliance with Florida law.
**Literature Review**

Literature relevant to this study can be divided into two categories: support and opposition to the privatization of correctional facilities. This literature review focuses on the varying views of authors that support and oppose correctional privatization. This study may suggest that literature relevant to the topic of prison privatization has a narrow scope, which may not supply alternative or innovative thinking.

Proponents of correctional facility privatization concentrate on the proposed cost savings of the issue, which reveal themes consisting of prison overcrowding, recidivism, and innovative technology and design. Proponents argue that the pursuit of profit by alternative providers of correctional services would bring competition into the correctional marketplace, which, in turn, would result in equivalent or superior correctional services being delivered at a lower cost (Hart, 1997; Savas, 1987).

First, Blakely and Bumphusfn (1996) express that prison overcrowding had become such a significant problem in the 1980’s and 1990’s that states were forced to take extreme measures. For example, when the governor of Michigan granted early emergency releases to more than 20,000 inmates. Blakely and Bumphusfn explain that due to prison overcrowding and states’ inability to keep up with correctional demands issues have been raised concerning public safety and ethical treatment of inmates, which ultimately leads to the necessary involvement of the private sector. “Prison overcrowding is one of the most burdensome problems plaguing our criminal justice system and a major catalyst for privatizing correctional facilities” (Bureau of Justice Assistance, 2001).
Lippke (1997) cites the argument of Charles Logan (1990), who is convinced that compared to existing public prisons, private prisons fare no worse than public ones and may fare better. Second, recidivism is another factor that proponents argue contributes to the necessity of the private sectors involvement in the operation of correctional facilities. Research performed by Lonn Lanza-Kaduce (1998) reveals that private facilities are more effective at maintaining low recidivism rates and rehabilitating prisoners than their public counterparts.

Third, innovative technology is viewed as a vital advantage offered by privatization of correctional facilities. Martin Sellers (1993) argues that the government has failed to effectively operate its correctional facilities, which results in the need to turn to the private sector for proper operation of the prisons. He suggests that private facilities are more cost-effective due to their use of innovative construction and technology, which contributes to the decreases in the need for full-time employees. His theory involves the utilization of technology, such as video cameras and other surveillance equipment that enables the monitoring of inmates on a consistent basis. The placing of surveillance equipment in the rooms of inmates decreases operation cost, and reduces the need for a large staff.

Although, advocates for prison privatization are very confident about their arguments, there is also a substantial amount of literature that explains the plethora of problems associated with prison privatization. Opponents of prison privation affirm that the quality of public services that private contractors deliver is inferior to that delivered by public employees (Shichor, 1995; Bureau of Justice Assistance, 2001). The
reoccurring themes in opposition to prison privatization include cost-effectiveness, moral and ethical implications, and accountability.

First, opponents of prison privatization argue that money is definitely a relevant factor regarding the privatization of prisons; they convey that prison-industrial complex, which involves large sums of taxpayer dollars are being spent in the name of prison privatization to support the political and economic of politicians and large companies is a cover-up for scandalous operations (Hartman, 2000; Chang and Thompkins, 2002).

Hartman (2000:8) explains that “one of the ways in which money keeps the prison-industry system moving is the invention of products designed to keep actions between dangerous criminals and corrections officers to a minimum.” He argues that one product designed to do this is the restraint chair, which is intended to restrain prisoners, has often led to torture and even death. Hartman (2000:9) also states that:

Private prisons receive a certain amount of money per prisoner, per day. For example, the Colorado Department of Corrections pays private corporations $50 per inmate, per day—making it a formidable cash flow. The prisons are allowed to determine how the money will be spent, inviting a series of problems to occur.

He adds that some private vendors often take money from the state and cut as many corners as they can in order to maximize a profit, which sometimes results in human rights violations. Furthermore, Hartman (2000:8) says that “private prisons are expected to follow the same laws that govern state and federal prisons, but abuses occur at higher rates in private prisons.”

Second, according to opponents of private prisons moral and ethical standards are also sacrificed when states privatize prison operations. Hartman (2000) indicates that private prisons often are guilty of negligent behavior and violate human rights. He
discusses that it is not strange to see brutality, erratic management, sexual misconduct, and smuggling contrabands in the halls of private prisons.

Chang and Thompkins (2002:53) discuss the moral and ethical issue associated with private prisons by expressing that:

For-profit firms may put profit motives ahead of the interest of the public and inmates, and the purpose of imprisonment. To extend their markets, it is in the best interest of private correctional companies to deny inmates due process, lengthen their prison time, and lobby for laws and policies that create more imprisonment.

AFSCME (2001) explains in its article that the price comparison argued by proponents of private prisons often overlook the “hidden” cost associated with accountability and public safety in terms of law suits and inmate escapes due to the high employee turnover rate and corruption within the facilities. Stolz (1997) argues that corporations that run privatized prisons are not held accountable for noncompliance with contracts and state laws, due to the challenges placed on the government to monitor the program performance of private prisons. Governments are also challenged with the ability to monitor the accountability of public officials expected to monitor the private programs and protect the interest of the public.

Leonard Cavise (1998:20), a professor of law at DePaul College of Law and a practicing attorney, purports in his article that opponents of prison privatization indicate that “If the interest of society and the rights of the individual are to be safeguarded, the ‘government of the people’ is under an obligation to ensure that the goals of incarceration are met by the constant control and monitoring exercised by a state agency that is not motivated by profit but by societal and individual concerns.” Cavise also states that the American Bar Association is opposed to privatization on the principle that incarceration
is an inherent function of government. The Association contends that if private companies are allowed to control the terms and length of incarceration the state will have abdicated one of its principal moral duties. Chang and Thompkins (2002:53) reveal that “The American Bar Association addresses the unconstitutionality of delegating coercive power and authority of punishment for crime—an essential government function—to private hands.”

In conclusion, the literature provides detailed and compelling arguments that address both sides of the privatization issue. However, there are no implications for improving contract compliance through other possible policy options. This study will add to existing literature by examining four policy alternatives using relevant evaluative criteria that will assist policy leaders in their determination of the most appropriate alternative for this contractual enforcement issue. Recommendations for future privatization efforts pertaining to contract enforcement will be provided to the state.
III. METHODOLOGY & EVALUATION CRITERIA

Methodology

Data for this evaluation was collected using the following methods:

- Analysis of contracts with CCA and Wackenhut, analysis of current legislation, the Department of Corrections 2002 and 2003 Annual Reports, the Florida Corrections Commission 1998-2002 Annual Reports, OPPAGA reports, and legislative reports;

- Review of recent academic literature regarding privatization of correction facilities, which was obtained through a search of relevant books located in Strozier Library, as well as search of on-line databases including Academic Index Current (1996 to date), and First Search; review of OPPAGA reports;

- Review of applicable statutes, laws, policies, regulations, and standards; and

- Structured personal interviews of approximately 30 minutes to one hour in length were conducted with Senator Rod Smith, Vice Chair of the Criminal Justice Committee and member of the Senate Appropriations Committee; Rep. Juan Zapata and Rep. Wilbert Holloway, members of the House Public Safety and Crime Prevention Subcommittee on Corrections; Alan Duffy, Executive Director of the Correctional Privatization Commission, and Ken Kopezynski, Lobbyist for the Police Benevolent Association. Structured telephone interview with Matt Bryan, Contract Lobbyist for CCA (n=six). Per Diem rates and contract information were obtained.

Analysis of the contract between the Commission and Corrections Corporation of America for Bay Correctional Facility was conducted, as well as analysis of the contract between the Commission and Wakenhut Corrections Corporation for South Bay Correctional Facility. It determined if: (1) the language within them is enforceable and (2) the language is in compliance with the laws in the Florida Statutes regarding privatization of correctional facilities. The Florida Corrections Commission’s annual reports provided the necessary information concerning the monitoring practices and performance of private correctional facilities.
The Office of Program Policy Analysis and Government Accountability (OPPAGA) report was used to provide the overall calculated per diem rates for public and private prisons. Per diem rates were provided by the Department’s 2000 and 2003 annual reports, and the Prison Per Diem Workgroup’s 2002.

Personal and telephone interviews with public officials, interest group representatives, and the Commission’s staff were conducted to provide relevant qualitative research information regarding the current condition of contract enforcement and the possible solutions for Florida’s private prisons. The interviews allowed for a free response in order to gain a full understanding of the present condition of contract enforcement for private prisons.

**Evaluation Criteria**

Three criteria will be used to evaluate the proposed policy options: (1) cost-effectiveness, (2) adequacy, and (3) complexity. Each criterion will be measured using a ranking scale that assigns a number from one to five to each policy option; one being the most negative and five being the most positive. The scores of the policy options are then added together to reach a total score. A high total score concludes that a proposed policy option is beneficial (Cuba 2002). The results of the ranking provide reasonable conclusions regarding the facilities compliance with state operational standards.

- Cost-effectiveness measures if the seven percent legislatively mandated threshold is being met by the private providers, and if a cost-savings is realized due to the option. If the threshold is met then the evaluation applies merit to the operation of private prisons and current contract enforcement procedures. However, if the threshold is not met, then the evaluation suggests that private correctional facilities fail to provide a cost-effective benefit. Data sources for cost-effectiveness are state budget documents and academic literature.
- Adequacy gauges the ability of the option to result in improved contract compliance with state law and the operational standards of public correctional facilities. The alternative scores high on the adequacy criterion if it provides results in improved compliance of contracts and state law. The data sources for adequacy are academic literature, interviews, and state documents.

- Complexity rates if or when the option can be implemented into law and put into practice. The option will score high if it can be easily adopted by the Legislature or if there is a current law that can be used to transfer duties to the Department of Corrections. It will also rate high if it can easily be implemented. Data sources consist of interviews, academic literature, and state documents.

These evaluative criteria were selected as applicable methods for evaluating contract enforcement of correctional facilities. Other criteria such as substance abuse programs and work camps were not evaluated because they were outside the scope of this report.

There were a few limitations of this study, which includes the lack of qualitative data through interviews and surveys conducted with actual inmates. The most significant constraint was the private facilities willingness to provide relevant information and resources that may have added to the credibility of the evaluation, such as exact figures regarding per diem rates. Despite these constraints, the most significant criteria will be used to reveal a valid and thorough evaluation.
IV. MANAGEMENT POLICY OPTIONS

Section IV explains four options available for the enforcement of prison privatization contracts that require quality operations standards and cost-savings: abolish the Commission and turn over contract responsibilities to the Department of Corrections, establish an agency monitoring system, create penalties to ensure contractor compliance, and specify service performance measures and standards in contracts. Each option will be evaluated using the three criteria described above: cost effectiveness, adequacy, and complexity. The options have been chosen to provide guidance for the achievement of effective policy making decisions regarding this topic.

Option One: Abolish the Commission

As previously stated, the Commission was created for the purpose of entering into contracts for the design, finance, construction, and operation of private correctional facilities, and to achieve a seven percent cost savings over similar public correctional facilities. OPPAGA (2003) and Florida Corrections Commission (2003) revealed that the Commission may not be the most efficient entity to enforce contracts with private vendors regarding prison privatization. This option would change the law to abolish the Commission and transfer its functions to the Department of Corrections.

Cost Effectiveness: This subsection examines data reported by five sources regarding the per diem rates (cost per day per prisoner) that determine cost-effectiveness: an OPPAGA report, the Prison Per-Diem Workgroup report, the Department’s budget reports, Governor Bush’s budget recommendation, and Florida Corrections Commission’s recommendation.
There has been much debate over whether or not this cost savings has actually been realized. OPPAGA (2003) indicates that to date, its comparisons of the cost and quality of public and private corrections have concluded that only one private prison (South Bay Correctional Facility) out of the five would have resulted in at least a seven percent savings if it had operated at full capacity. OPPAGA (2002) compares South Bay (operated by Wakenhut) with the Okeechobee Correctional Facility (a public prison). The savings associated with South Bay over Okeechobee for FY 1998-99 was 10.6%. OPPAGA explains that it is very probable that South Bay’s savings resulted from its ability to reduce certain personnel costs, such as retirement benefits and health care benefits.

Mr. Ken Kopezynski, lobbyist for the Florida Police Benevolent Association (personal communication, February 23, 2004) supports OPPAGA’s findings regarding private prisons personnel cost savings stating, “Private providers have to make a profit for its share holders, and they do this through low pay, high turnover rates, and little or no benefits.” He argued that the Commission has not provided the required seven percent cost-savings, but it is hard to prove one way or the other.

Mr. Alan Duffee, Executive Director of the Corrections Privatization Commission (personal communication, February 24, 2004) also believes that the seven percent cost-savings achievement is debatable. He explained that in some areas of prison privatization the cost-savings has been achieved, such as treatment programs and medical services; however, in other areas, such as security it has not been achieved. He believes that overall there has been a seven percent cost savings.
In 2001 the Legislature passed HB 69C, which created the Prison Per-Diem Workgroup. The Workgroup, made up of staff of the Senate and House appropriations committees, the Auditor General, and OPPAGA is to develop consensus per diem rates to be used when determining per-diem rates of privately operated prisons. Section 957.075, F.S. states that by February 1, 2002, and each year after that the workgroup shall develop and present a consensus per diem number; however the group has only met in June of 2002. It found that for FY 2000-2001 the overall per diem rate, excluding indirect administrative costs was $49.75 for public facilities.

The Department of Corrections (2003) found that for FY 2000-2001 the average total per diem rate, excluding indirect administrative costs for public facilities was $49.75, and the average total per diem rate, excluding debt service costs for private facilities was $54.25. The Department (2003) specifies that the average per diem total costs for all major correctional institutions, excluding private institutions was $47.39 and the average per diem costs for private institutions was $55.32. These finding conclude that there has not been a seven percent cost-savings by the private institutions.

Mr. Kopezynski (personal communication, February 23, 2004) argued that the creation of the Prison Per-Diem Workgroup was a method used to create contrived statistical data to cover up the facts. Additionally, the Florida Corrections Commission (2000) recommends that the Commission be abolished and expresses that the abolishment of the Commission would save the State nearly $1 million annually.

Governor Jeb Bush is strongly in favor of outsourcing many government functions, as metaphorically expressed in his second inaugural address when he stated, “There would be no greater tribute to our maturity as a society than if we can make these
buildings around us empty of workers.” However, in his Policy and Budget Recommendations for Fiscal Year 2004-2005 he proposed the abolishment of the Commission and the transfer of its contract management functions to the Department. He argued that this allows the elimination of the Commission and a savings of eight positions and $859,405 (Florida’s E-Budget 2004).

This study concludes that option one scores very high on the cost-effectiveness criterion because, according to OPPAGA and the Department of Corrections, the seven percent cost-savings requirement is not being met under the Commission’s management of contract enforcement. Additionally, Governor Bush and the FCC present figures that suggest that the abolishment of the Commission would result in a cost-savings.

Adequacy: This section addresses the adequacy of the option through information provided by interest group representatives, legislators, and research reports. Abolishing the Commission and transferring its duties over to the Department of Corrections would result in increased accountability for private vendors. Private vendors would be subject to operate at the same level as public facilities, and they would also be subject to comply with the performance measures and standards adopted by the Legislature for the Department of Corrections.

This option would eliminate the likelihood of corruption, due to unethical relationships between Commissioners and private providers. Mr. Kopezynski (personal communication, February 23, 2004) asserted that the Commission has been blatantly corrupt in the past, in which former commissioners were in business with private providers and received $270,000 worth of funding from the industry. According to Mr. Kopezynski, these former commissioners viewed themselves as “partners” with the
industry and behaved accordingly. This is the type of scandalous operation is discussed in Hartman (2002) and Chang and Thompkins (2002).

Senator Rod Smith, Vice-Chair of the Senate Criminal Justice Committee (personal communication, March 9, 2004) expressed that there are integrity issues regarding relationships between members of the Commission and private providers that he is suspicious of, which contributes to his lack of support for prison privatization. Mr. Duffee (personal communication, February 24, 2004) acknowledges that in the past the Commission was not very effective at holding vendors accountable for noncompliance; however, he expressed that since the Governor appointed a new Commission in 2002 vendors can be held more accountable.

Mr. Matt Bryan, contract lobbyist for CCA (telephone communication, March 26, 2004) also acknowledges that the former director of the Commission did not conduct business well. However, he affirms that private prisons provide more programs and better technology than public prisons. He believes that if the Commission is abolished, then its duties should not be transferred to the Department, because the Department needs a competitor that will encourage it to be cheaper and more effective.

Contrary to Mr. Bryan’s argument, Rep. Juan Zapata, member of House Public Safety and Crime Prevention Subcommittee on Corrections (personal communication, April 13, 2004) argued that competition is not a relevant factor regarding corrections, and the Department is historically the most experienced agency in place to manage corrections and for this reason should be trusted to efficiently and effectively oversee the operation of private prisons. Governor Bush also expressed the belief that the abolishment of the Commission and the transfer of its duties to the Department provide
consolidation and efficiency by combining contract management of private prisons within the Department (Florida’s E-Budget 2004).

The Florida Corrections Commission (FCC) also supports the abolishment of the Commission. FCC (2000) reports that although the Commission utilized a standardized monitoring tool, in the form of a contract monitor at each private facility, it had no standard reporting format that was consistent among all five of the private correctional facilities. There were inconsistencies in context among the monthly contract monitoring reports, and large gaps in the submission of monthly monitoring reports, expressing that one facility only submitted a total of two monthly monitoring reports in FY 1999-2000.

The report revealed that Lake City Correctional Facility had falsified documents by having inmates sign the sign-in sheet for various programs without actually participating in the programs (FCC 2000). Additionally, the Commission failed to report payment deductions for vacant positions that exceeded the contractually allowed timeframes to three private facilities, although the monitoring reports expressed that the facilities had vacancies that exceeded the allowed timeframes.

These types of overwhelming deficiencies and inefficiencies led to FCC’s recommendation for the abolishment of the Commission and the transfer of its duties to the Department. Although the legislature did not adopt these recommendations during the 2001 or 2002 legislative sessions, the FCC submitted the same recommendations in 2003, which may suggests that the Commission’s ability to achieve vendor compliance consistently has not been achieved.

Option one rates very high for adequacy because the Commission, in short, has a history of failure to properly enforce contracts, due to inefficiency and corrupt behavior.
Also, Governor Bush and the FCC currently and in the past recommended abolishing the Commission and transferring its duties over to the Department of Corrections. Additionally, the Department of Corrections is the official state correctional agency and it uses established evaluation measurements and standards to ensure quality service and operations.

**Complexity:** There are a number of measures that would have to be taken in order to abolish the Commission and transfer duties over to the Department of Corrections. Chapter 957, Florida Statutes would have to be repealed to implement this option. Chapter 944 would have to be amended to transfer the duties of the Commission over to the Department of Corrections. The combined Legislature would have to accept the proposal and amendment changes.

The consensus to abolish the Commission became a reality during the 2004 Legislative Session when both the Senate and House of Representatives unanimously passed bills regarding this issue in their individual chambers. The Senate passed SB 1268, which abolishes the Commission and transfers its duties to the Department of Management Services. However, the House passed HB 1875, which abolishes the Commission and transfers its duties to the Department of Corrections. Although the two chambers have not yet reached a consensus regarding which department should assume the duties of the Commission, the Legislature is expected to reach a decision before the end of Session.

Rep. Zapata (personal communication, April 13, 2004) explained that ultimately it is probable that the Legislature will adopt the House version of the bill, because it transfers the Commission’s duties to the Department of Corrections and many
representatives and senators alike, believe that it is the best agency to provide oversight of the private facilities. According to Senator Rod Smith (personal communication, March 9, 2004), Florida’s effort to privatize correctional facilities has never met its goals, and it is concluded that legislators with similar beliefs as Sen. Smith support the proposal to abolish the Commission. Additionally, Mr. Kopezynski (personal communication, February 23, 2004) articulated that the Legislature’s willingness to abolish the Commission and transfer its duties to the Department would be a move in the right direction toward the state overseeing this core government function.

The implementation of this option should not be difficult since there are provisions in the Florida Statutes pertaining to this type of circumstance; Chapter 20.06 provides for a Type Two Transfer, which is:

The merging into another agency or department of an existing agency or department…if certain identifiable units, subunits, programs, activities, or functions are removed from the existing agency or department, or are abolished.

An agency transferred under a Type Two Transfer has all of its powers transferred to the agency or department to which it is transferred, unless otherwise provided by law (Chapter 20.06, F.S.). This statutory provision decreases the complexity of implementing the abolishment of the Commission.

Option one rates high on the complexity scale because although the House and Senate have not yet reached an agreement regarding which agency should manage private correctional facilities, according to Sen. Zapata it is probable that the Department will ultimately provides this function. Additionally, both houses are in agreement that the Commission should be abolished, the Governor and FCC both proposed the abolishment
of the Commission, and the Florida Statutes has provisions in place addressing the transfer of agency duties that help simplify the implementation process.

In summary, the criteria used to measure option one reveal that the abolishment of the Commission and the transfer of its duties to the Department of Corrections are favorable. The option rates very high for cost-effectiveness due to current vendor failure to meet the legislatively mandated seven percent threshold, and the fact that there is a cost-savings associated with the abolishment of the Commission. It rates very high for adequacy because the Commission has a history of failure to properly enforce contracts, and the Department of Corrections is a state agency that adheres to state laws and utilizes needed prison evaluation measures and operational standards. The option also received a high rating for complexity due to the expectation that the Legislature would favorably support the option, and the proposal could easily be implemented into state law. Option one received an overall very high score.

**Option Two: Establish an Agency Monitoring System**

The Commission’s ability or willingness to effectively monitor the performance of private providers has been greatly challenged by program evaluators, reporters, and elected officials, alike. This option would create a monitoring system that allows the Department of Corrections to monitor contractor performance and compliance with contract terms and conditions (OPPAGA 2004). The agency monitoring system requires staff members of the Department to exercise bi-monthly monitoring evaluations of private prisons using materials gathered from the Commission and vendors including
monthly monitoring reports, interviews of vendor staff, and other administrative
documents.

Another aspect of the monitoring system is a bi-monthly physical inspection of
the private facilities in order to monitor the treatment of prisoners and maintenance of the
facilities. The information gathered from the monthly monitoring reports and physical
inspections could be used to develop a bi-monthly agency monitoring report. The report
could be an oversight mechanism used to ensure reporting and monitoring accuracy by
the Commission and to report vendor compliance or noncompliance of contracts to state
officials. This option would help to make sure that private contractors achieve high
standards of operation and performance, and are not given the flexibility to operate the
facilities at a less productive level. It would also allow the state government to regain
more authority and awareness over the operation and cost of privatized correctional
facilities.

**Cost Effectiveness:** Cost effectiveness is significant because contractors are
expected to comply with the legislatively mandated seven percent threshold in Section
957.07, F. S. This option will contribute to the private companies’ willingness to
comply with their contractual obligations.

According to FCC (2000; 2002) private vendor’s noncompliance with state
regulations and contract requirements has resulted in inaccurate overpayment of expenses
to private facilities by the state. In FY 1999-2000 the Commission reported no payment
deductions to three private prisons for vacant positions; although each facility’s monthly
monitoring reports identified vacancies that exceeded the contractually allowed time
frames (FCC 2000). In FY 2001-2002 the Commission requested all payment deduction
information from the private vendors; however it only received deductions for personnel vacancies. It did not receive information regarding noncompliance with the contracted range of academic, vocational, and service programming (FCC 2002).

Additionally, OPPAGA (2002) explained that the commission continued to reimburse contractors for estimated, rather than documented tax costs. This type of circumstance may lead to overpayment, as was the case when the Commission paid Wakenhut estimated corporate income tax expenses of $130,215 and $133,284 for FY 1997-98 and FY 1998-99, although, Wakenhut did not pay corporate income tax in 1997. The Commission overpaid Wakenhut in excess of $130,000 for corporate income taxes during that two year period (OPPAGA 2002).

These circumstances may be significantly decreased if the Department of Corrections assumes monitoring duties of private providers and their facilities to ensure accuracy and compliance with state law. Currently, the payment process for private providers is as follows: private providers submit monthly invoice to the Commission for each private facility. The Commission reviews and, if needed, makes payment deductions to the invoice. The Commission then issues a transmittal letter to the Department of Corrections for payment of a specific amount to each private contractor.

The Department of Corrections is not allowed to review and analyze monthly invoices for accuracy, because it does not have access to information and data to ensure compliance with the contract and state laws. Although this option would likely lead to less overpayment by the state to private contractors and more oversight and accuracy it is also expected to result in additional fiscal resources for personnel cost and monitoring equipment used by the Department staff. Rep. Holloway (personal communication,
April 13, 2004) indicated that it is a good idea; however, it may not result in a cost savings if additional resources are needed by the Department to perform the function.

Option two rates fair for cost effectiveness. It is probable the option would prevent the state from overpaying vendors and ensuring accuracy and quality service. However, the state would need to appropriate more money to the Department in order for the system to achieve success.

**Adequacy:** Currently, there is no agency oversight of contractor performance and compliance with contract language. The establishment of an agency contractor performance monitoring system will allow the state to make certain that the private company adheres to the laws of the state and contract language. Rep. Zapata (personal communication, April 13, 2004) supports the claim that the Department of Corrections is expected to provide better objective and accurate monitoring reviews and recommendations than the Commission that would result in more compliance and less inaccuracy. He believes that the Department is more qualified to accurately monitor the performance of private and public prisons.

A state agency, such as the Department of Corrections is the best resource for monitoring a state function run by private hands, because it does not have a profit motive, and it adheres to the laws of the state. This sentiment can be related back to Chavise’s (1998) argument that incarceration should be operated and monitored by a state agency that cares about the welfare of the people rather than the profit that can be gained.

Mr. Alan Duffee (personal communication, February 24, 2004) affirmed that the government must be involved in prison privatization to protect the state. However, he explained that the Department has a full plate dealing with public prisons; therefore, the
Commission is a necessary body to provide oversight of private prisons. Although Duffee makes a case for the need for the Commission, he also affirms the need for government in prison privatization, and the Department of Correction’s ability to provide oversight. His comment does not reject the option proposed, but simply raises the issue of the Department’s workload.

This option rates high for adequacy because it implements a provision that provides more oversight and accuracy of vendor operations. The option is expected to result in more compliance of contracts by private vendors.

**Complexity:** This option could easily be implemented by an amendment to Chapter 957, F.S., and although there would be legislators in opposition of this option, according to Rep. Zapata and Rep. Holloway (personal communications, April 13, 2004) it is probable that the Legislature would agree to pass the amendment and the legislation, especially if the Department recommended the establishment of an agency monitoring system, because the Department has historical experience monitoring and facilitating prisons. Additionally, the option neither considers the abolishment of the Commission nor its monitoring functions; it simply allows the Department of Corrections, a state agency, to have monitoring oversight of the performance and level of compliance of private vendors.

Public service officials, such as Senator Smith and Governor Bush, who do not support prison privatization, would likely agree to adopt this amendment and favor this option, because it provides more oversight by a government agency on a service that they believe should not be privatized. Joni James (2004) revealed that when the Governor was asked what services he feels should not be privatized he stated, “Corrections officers…I
think police functions, in general would be the first thing to be careful about outsourcing or privatizing…” Additionally, the FCC (2002) recommended a similar option, which provides that the Commission distribute its revised monthly monitoring reports to the Department of Corrections and the FCC for evaluation.

The implementation of the option is not expected to be as simple as the adoption of it because provisions have to be made to accommodate the schedules, needed materials, and visits by the Department staff members selected to facilitate the agency monitoring system. This option rates fair on the complexity scale because it has support from the Legislature; however, the implementation process requires detailed and timely procedures.

In summary, the establishment of an agency system to monitor contractor performance and compliance scores fair on the cost-effectiveness criteria because it could likely lead to less overpayment by the state to private contractors, but it could also lead to additional funding to the Department for operation of the system. Adequacy is highly achievable through this option, because it implements a provision that provides more oversight and expected compliance of private vendor operations. The option rates fair on the complexity scale due to the detail of the implementation process. Therefore, overall option two received a low rating.

**Option Three: Create Penalties**

Contracts between the Commission and private vendors are established in order for the vendor to provide a service to the state, while adhering to certain requirements and expectations. Compliance with the terms and conditions expressed in the contracts is
expected of the vendor; however, some vendors fail to meet the requirements of the contract on a consistent basis, and reveal little or no willingness to improve. This option would impose penalties on vendors for noncompliance with contract requirements. If used collectively with option four, which is to specify performance measures in contract language this option, would also implement penalties on vendors for failure to meet performance standards. The penalties would consist of actions, such as holding back payment to vendors where services are found to be deficient or in noncompliance with contracts, and reductions in inmate per diem rates until deficiencies are resolved.

Cost-Effectiveness: Prison privatization is beginning to receive nationwide attention, not due to its success rate, but rather its lack of success and noncompliance by providers. Judith Greene (2000:7) explains that “For some time, many of the industry’s failures and dubious practices had been reported on and even fought over. But the recent events…are a watershed for the industry, bringing it under more intense scrutiny from elements of the national media.” The events that Greene makes reference to are the numerous nation wide examples of inmate deaths, inmate mistreatment, program deficiencies, poor operations, and overall noncompliance of contracts associated with Wakenhut and the CCA.

Noncompliance with contract language and program requirements often result in more unexpected costs being incurred, due to a higher level of corruption by vendors and a higher level of violence by inmates. This option could decrease the expectancy of unexpected incurred costs, resulting from unethical practices or dangerous events within the private facility. It also results in nonpayment to vendors if contract compliance is not
achieved. This option is likely to result in compliance with contracts and improved vendor performance; therefore, it rates high for cost-effectiveness.

**Adequacy:** It is ultimately the responsibility of the state to hold contract vendors accountable for their performance and lack of compliance with contract regulations, because according to Rep. Zapata (personal communication, April 13, 2004) the Legislature is the oversight body concerning contract enforcement for private prisons. Greene (2000:7) asserts that “now that the performance record of the industry has come under closer media scrutiny, the nature of these arrangements have begun to call into question the responsibility of government itself for lapses in both performance and accountability.

Mr. Duffee (personal communication, February 24, 2004) stated that the Commission can do a better job of holding vendors more accountable for noncompliance of contracts; however, he also states that it has improved in this area since its change of members. The notion that some commissioners believed they were “partners” with the vendors, as expressed by Mr. Kopeynski, explains the lack of penalties placed upon the vendors for noncompliance with contracts. This option could compel private vendors to meet contract and program standards, due to the fear of unwanted reprimand; however, there is no guarantee that the vendors will truly be compelled to comply with the contracts based on the Commissions lenient enforcement procedures in the past. Due to these circumstances the option receives a fair rating for adequacy.

**Complexity:** The creation of penalties should not be a difficult process because of the likelihood of support by the Legislature and the expected ease of implementation measures. A provision for the creation of penalties should be implemented in Chapter
957, F.S. and specific penalties should be included in the language of all contracts with private vendors. According to Rep. Zapata (personal communication, April 13, 2004) the creation of penalties through an amendment to Chapter 957 could likely be adopted by both houses; however, he stated that the discussion prior to the adoption would certainly involve questions regarding the effectiveness of the Commission and private correctional facilities if it is necessary to implement penalties to achieve contract enforcement. Rep. Holloway (personal communication, April 13, 2004) expressed that it is probable that the Legislature would adopt the option to create penalties for noncompliance of contracts.

Current contracts can easily be amended to include penalties, and new contracts can also easily include penalty language. Due to the high probability that the Legislature would support the creation of penalties and the ease of this implementation, option three rates very high for complexity.

In summary, the creation of penalties scores high for cost-effectiveness because it is likely to result in compliance with contracts and improved vendor performance, which would result in the achievement of the seven percent cost-savings. Option three rates fair for adequacy, because it could compel private vendors to comply with contract language in order to escape any kind of reprimand, but it is not certain. It rates very high for complexity due to simplicity of the amendment and implementation process. Overall the creation of penalties scores fair on the criteria scale.

**Option Four: Specify Performance Measures and Standards**

Noncompliance with state regulations and contract requirements by private facilities is instrumental in the debate regarding the standard of operations provided by
private contractors. Although private facilities are not government entities, they do perform government functions; therefore, they should be held to the same level of accountability and operational standards as government agencies.

Currently, the Legislature directs the Commission to address two performance measures: number of contracts monitored and per diem costs of private prisons (OPPAGA 2003). However, these measures do not address the service quality of operations and programs or allow for comparison evaluations of public and private correctional facilities. The option would amend Section 957.04, F.S. to delete the sentences:

The commission may waive any rule, policy, or procedure of the department related to the operations standards of correctional facilities that are inconsistent with the mission of the commission to establish cost-effective, privately operated correctional facilities.

The deletion of these sentences prevents the Commission from allowing private vendors to disregard compliance with necessary and critical performance measures and operational standards. This option would require the specification of performance measures and standards in contract language similar to those used by the Department.

Cost-Effectiveness: One major argument made by opponents of prison privatization is that vendors often cut corners and operate less efficiently in order to produce their expected missions. It has been expressed that through vendor efforts to produce service in a cheaper and less quality productive manner, ultimately, private prisons are more costly to operate because of “hidden” cost. AFSCME (2001) discusses the “hidden” cost of prison privatization associated with accountability and public safety, explaining that because private facilities provide lower pay, less training, and a higher turnover rate there is more invitation for corruption, inmate abuse, and less prison
security, resulting in the “hidden” cost of law suits and inmate escapes. Shichor (1995) explains that private facilities are noted for cutting corners by skimping purchases of food or repairs for prisoners, as well as leaving a vacant position unfilled to prevent payment of these salaries from encroaching on profits.

Mr. Kopezynski (personal communication, February 23, 2004) explained that privatization inserts the profit motive into the criminal justice system and law enforcement, which is a core government function; this profit motive often compels private vendors to perform corrupt activities. Mr. Duffee (personal interview, February 24, 2004) also acknowledged that cutting corners probably does happen within the privatization prison industry, but he asserts that the Commission ensures that no corners are cut in Florida.

In order to make certain that vendors do not succeed in efforts to cut corners, the Legislature should require the Commission to specify performance measures and standards in contracts that match those used by the Department. OPPAGA (2003) supports this option and explains that this would allow for easy comparison of private and public correctional facilities. This could result in the decrease of “corner cutting” and “hidden” cost associated with private vendors, and result in cost-effectiveness. This option rates high for cost-effectiveness.

Adequacy: Currently, there is no language in contracts specifically between the Commission and Wakenhut for South Bay Correctional Facility and the between the Commission and CCA for Bay Correctional Facility that specifies performance measures and standards other than the per diem cost. The lack of measures weakens the level of accountability placed on private vendors, and allows for noncompliance or poor
performance by the private vendors. Stolz (1997 argues that the government does hold corporations accountable for noncompliance of laws, due to the challenges placed on the government to monitor the program performance of private facilities.

This option would allow the Commission to rate the performance of the private facilities compared to that of the public facilities. The performance measures could be included in the Commission’s annual report that addresses the performance of private prisons; OPPAGA (2002) supports this option. Additionally, the deletion of the Commission’s ability to waive operations standards, as provided in Section 957.04 requires the contract vendors to adhere to all operations standards provided in the contracts.

This option rates high for adequacy because it could provide the Commission with more insight regarding the performance of the private vendors; it is also likely to lead to compliance of contract requirements due to vendors fear that if compliance does not occur, the Commission will use the performance measures and standards to possibly terminate contracts, not renew contracts, or not accept future bids from vendor.

**Complexity:** The option requires that the Legislature amend Section 957.04 to eliminate the Commission’s ability to waive any operations standard believed to be inconsistent with the mission of the Commission and contract vendor. According to Rep. Zapata (personal communication, April 13, 2004) it is probable that both houses of the Legislature would support this recommendation because “There is a right way and a wrong way to govern organizations, and if the Department of Corrections is expected to live up to certain standards then so should everyone else.” Rep. Wilbert Holloway
If the amendment is adopted, the Commission would either need to amend current contracts or when creating new contracts specify performance measures and standards, which is not a difficult task. Due to the likelihood of support by the Legislature regarding the adoption of the amendment to Section 957.04 and the ease of specifying performance measures and standards in a contract, the option scores very high for complexity.

In summary, option four rates high for cost-effectiveness because it is expected to result in increased contractor compliance of contracts and decreased “corner cutting” and “hidden” cost. Adequacy receives a high rating due to private vendor fear of contract termination, contract nonrenewal, or lack of bidding opportunity if performance measures are appropriately used to evaluate compliance and performance. Complexity rates very high because the Legislature is expected to support the specification of performance measures and standards in contracts with private providers by amending Section 957.04, F.S. and the actual implementation of performance measures and standards in a contract is a simple process. Overall, the option scores high.
V. CONCLUSION

This report presented four correctional facility contract enforcement options for private correctional facilities in Florida: (1) Abolish the Correctional Privatization Commission, (2) Agency monitoring system, (3) Create penalties and (4) Performance measures and standards. Each option was evaluated based on three criteria: cost-effectiveness, adequacy, and complexity. The following diagram provides illustration of rankings as they apply to the three designated options.

TABLE 1: SUMMARY OF OPTIONS AND EVALUATIVE CRITERIA

<table>
<thead>
<tr>
<th>Policy Options</th>
<th>Cost Effectiveness</th>
<th>Adequacy</th>
<th>Complexity</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abolish Commission</td>
<td>5</td>
<td>5</td>
<td>4</td>
<td>14</td>
</tr>
<tr>
<td>Agency Monitoring System</td>
<td>3</td>
<td>4</td>
<td>3</td>
<td>10</td>
</tr>
<tr>
<td>Create Penalties</td>
<td>4</td>
<td>3</td>
<td>5</td>
<td>12</td>
</tr>
<tr>
<td>Performance Measures</td>
<td>4</td>
<td>4</td>
<td>5</td>
<td>13</td>
</tr>
</tbody>
</table>

Ranking Scale: 1-very low, 2-low, 3-fair, 4-high, 5-very high
Score Range: 10-low, 12-fair, 13-high, 14-very high

Each option provides improved contract enforcement and compliance with the contracts for private correctional facilities. The options could work exceptionally well together, specifically options three and four. Option one, abolish the commission and transfer its duties to the Department of Corrections would provide the strongest level of vendor compliance. However, the study shows that based on the criteria presented any
one of the options would establish a stronger system of contract enforcement than the one currently provided.

Option one, abolishes the Commission and transfers its duties over to the Department of Corrections. This option has an overall very high score, because if the Commission is abolished and a state agency takes over contracts and monitoring responsibilities for the five privately operated correctional facilities, vendor compliance of contracts will improve and a cost savings is more likely to be realized. The other options maintain the position and duties of the Commission while providing recommendations that the Commission could use to improve contract compliance.

Provided that the Commission is truly the ultimate problem regarding noncompliance of contracts, as was concluded that the Commission was inefficient and ineffective; the best option is to abolish the Commission and transfer its duties to the Department of Corrections. The study found that this option is highly cost-effective and adequate, and is not difficult to implement.

The second option, which establishes an agency monitoring system that would be used by the Department of Corrections to monitor compliance with contract rules and regulations, resulted in a low score. This option did not rate high for cost-effectiveness; however, it strengthens the probability that compliance with contracts will result due to the addition of the Department to ensure accuracy and proper oversight of performance. A state agency has less regard for the profit motive; therefore, it may monitor contract vendors objectively and efficiently. The option’s level of complexity challenged its overall success, in comparison to the other options provided.
Option three proposed to create penalties for vendors that fail to comply with contract and program requirements. It scored fair, because the attainment of profit is the most important factor to private vendors. This option threatens to weaken the vendors’ ability to profit from the service if it fails to comply with contract requirements. The alternative would result in the third highest level of compliance. Its intentions to not accept the failures of the private vendors are vary commendable; however, the creation of penalties may not result in actual compliance if the penalties are not actually enforced.

Option four, specify performance measures and standards scored high on the ranking scale because it is expected to be cost-effective, provide contract compliance improvement, and the Legislature is expected to support its simple implementation. It is a credible option for enforcing contract compliance.

In conclusion, the study revealed that all of the options would provide some level of improvement regarding contract compliance. It is this study’s recommendation that the Legislature abolishes the Commission and establishes the Department of Corrections as the oversight agency for private prisons. This option would work the best to ensure that contracts are strongly enforced and vendors perform at the expected level and comply with contract language. All four options should be strongly considered by the Legislature to improve contract enforcement for private correctional facilities.
REFERENCES


Effect of proposed changes:

CS/HB 1875 eliminates the Correctional Privatization Commission effective July 1, 2005 by repealing the sections of the Florida Statutes that created the Commission. The bill directs the Department of Corrections to assume all leases and contractual obligations of the Commission and to provide contract monitors to oversee the contracts for the operation of the private prisons. The facility contractors are required to provide the contract monitor with suitable office space and unlimited access to the facility (Appropriations Staff 2004).

The bill forbids certain conflicts of interest regarding the bidding process by denying any member of, employee of, or consultant to the Department from having any contact with bidders or potential bidders from the time a request for proposal for a private prison is issued until the time a notification of intent to award is announced. Exceptions for contact may be made in writing or in a noticed meeting.

Additionally, the bill allows the Department of Corrections to charge inmates a monthly administrative processing fee of up to $5 for banking services. If the department charges the fee, the monies from the fee will be deposited in the Department’s Grants and Donations Trust Fund to offset the department’s operations cost. There will be a hold on accounts with zero balances in order to collect available processing fees.
Fiscal Impact:

1. Revenues: The Department of Corrections estimates annual revenues of $4.4 million due to implementation of a $5 monthly inmate banking fee.

2. Expenditures: The budget for the Correctional Privatization Commission is eliminated beginning in 2005-2006. The recurring trust fund budget for the Commission is $859,405. The Department of Corrections pays the prison providers form the General Revenue.

CS/HB 1785 is a conforming bill to the House General Appropriations Act. The proposed General Appropriations Act abolishes funding for the Correctional Privatization Commission effective July 1, 2005 (Appropriations Staff 2004).
ABOUT THE AUTHOR

Allyson Theresa Black (B.A., English, Florida A&M University; MPA, Florida State University) has served as a Legislative Intern with the Hillsborough County Government.

The author’s interests are in privatization, human resources, and public affairs.