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**Oversight Report On**  
**PRIDE**  
**Prison Rehabilitative Industries**  
**And Diversified Enterprises**



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**By Staff of**  
**The Florida House of Representatives**

**Committee on Corrections, Probation & Parole**  
**Everett A. Kelly, Chairman**

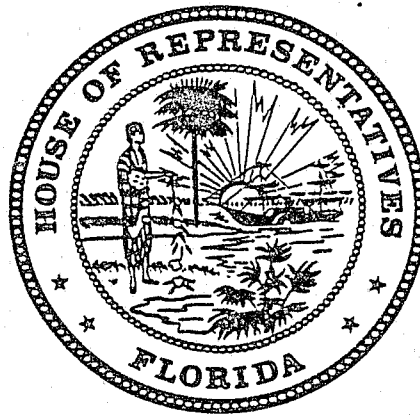
**April, 1988**

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## PRIDE

### Prison Rehabilitative Industries And Diversified Enterprises



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By Staff of

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Everett A. Kelly, Chairman

April, 1988

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S U M M A R Y

## I. SUMMARY

Continued criticisms of inefficiency and profitability of the state operated correctional industry program resulted in legislation during 1981 granting authority for a non-profit entity to manage the correctional industry program. PRIDE (Prison Rehabilitative and Diversified Enterprises) was incorporated in 1981 and began acquiring existing industry programs in 1982. The statutory goals of correctional work programs are to reduce inmate idleness, provide relevant education and training, prepare inmates for reintegration into society, and reduce costs to state government.

Profitability and sales have dramatically increased since PRIDE began managing the correctional industry program. PRIDE 1987 profits of \$4,052,508 were almost double the profits of the correctional industry program for the preceding twenty years.

A review of idleness indicates that PRIDE is employing less than half of available workers and has increased inmate utilization over 70% since eliminating profitless enterprises. Some deficiencies in inmate assignments were noted that resulted in PRIDE not having the number of workers necessary to operate all operations on a daily basis.

Survey responses from state purchasing agents indicated that a majority felt pressure to buy PRIDE products regardless of price and quality due to current law and Department of Corrections policy. A majority of state purchasing agents thought PRIDE products were priced above private competitors. They also believed PRIDE management was committed to improving product quality. Practically all state purchasing agents felt that PRIDE products should meet Department of General Service specifications. Past sales have been made primarily through the certification process.

Recommitment rates were lower for inmates participating in the PRIDE program. Past rearrest studies concluded that industry-employees experienced a higher arrest rate than those inmates not working in correctional industries during the period of state operation. Adherence to private sector standards may better prepare inmates for reentry into society.

PRIDE has reduced costs to the state by paying over \$4,122,195 into general revenue for the expenses of housing inmate workers. The development of a victim restitution fund has also added to the rehabilitative goals of the correctional industry program.

The report recommends that the Legislature amend current law to require:

o The prioritizing of work assignments to ensure the correctional industry program has the needed amount of inmate workers.



- o Require PRIDE certified products to meet Division of General Service specifications.
- o Placement of PRIDE certified products on state contract lists.
- o Provide authority for selling correctional industry products to interested non-profit entities.
- o Require a portion of inmate wages to be used at the institution where PRIDE products are produced for enhancement of educational and vocational programs.
- o Provide annual publication of the amount of non-inmate labor used, work subcontracted to other vendors, use of consultants, and finished goods purchased for resale.
- o Clarify that PRIDE is subject to the open records law. Provide limited exemptions for access to some corporation information.

# I N T R O D U C T I O N

## II. INTRODUCTION

Florida's prison industry program is currently operated by PRIDE, Prison Rehabilitative Industries and Diversified Enterprises, a nonprofit corporation. PRIDE incorporated in 1981 as a result of Chapter 81-125, Laws of Florida, which authorized the leasing of the state correctional programs to a nonprofit corporation.

Legislation mandating the transfer of the state operated correctional industry program to a private entity was a result of continuing criticisms that the state operated industry programs were inefficient and a drain on correctional resources. The Auditor General in report number 10227, dated June 1983, noted that the correctional industry programs failed to adequately plan for new industries, lacked timely and accurate financial reports, were operated unprofitably, failed to provide for meaningful post incarceration employment opportunities, and marketed products unsuccessfully. The 1983 Auditor General report concluded that the failures of the Correctional Industries Programs "are not new and have been reported in numerous prior studies of the Department [of Corrections]. The continuation of these problems reflects management's inability or unwillingness to correct them."<sup>1</sup>

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<sup>1</sup>Performance Audit of Correctional Industries, Auditor General, June 24, 1983, pg. 11.

The creation of a nonprofit corporation to operate the prison industry program was a legislative response to these continuing criticisms that the state industry program was operating ineffectively. In addition, a private entity could organize more like real world businesses in order that participating inmates would be better prepared for post incarceration employment.

The prison industry program major goals as provided by chapter 946, Florida Statutes, are to:

- o Reduce the costs of state government by the operation of inmate enterprises.
- o Duplicate the free enterprise system to increase the opportunity for rehabilitation.
- o Reduce inmate idleness.
- o Provide relevant education, training, and post release job placement.
- o Prepare inmates for reintegration into society.

PRIDE is composed of a thirteen member Board of Directors that are appointed by the Governor subject to Senate confirmation. The corporation is organized into five divisions consisting of Finance and Administration, Planning and Development, Vocational Training , Marketing, and Operations. Pride employs approximately 2,200 of the 33,000 Florida inmates. Offenders are paid between \$.50 to \$1.00 per hour and are allowed to retain approximately 30% of their earnings. Ten percent of wages are paid into a victim restitution fund and 60% are remitted to the state for the costs of incarcerating PRIDE inmate workers.

Pride currently operates over 39 industries and produces and sells such products as mattresses, garments, sod, citrus, eyeglasses and sugar cane. Pride generated over \$ 47,000,000 in sales during fiscal year 86-87 and reported a net income of \$ 4,046,208.

Sales revenues and profitability have dramatically increased since PRIDE began operating the correctional industry programs. During the twenty years preceding PRIDE, the correctional industry programs reported a cumulative \$ 2,121,144 profit which was slightly more than half of PRIDE'S income of \$4,046,208 in 1987. The state operated program did not pay inmate wages and was appropriated over \$ 15,000,000 during this period.

These improved financial results have not occurred without complaints from the private sector. Some private businesses across the state have argued that PRIDE is competing unfairly since inmates are paid nominal wages and the state must buy from PRIDE if the products are "certified."

During the 1987 session, Representative Douglas L. "Doug" Jamerson, D-St. Petersburg, introduced HB 1054 that would have drastically changed the current PRIDE operations. This bill would have prohibited PRIDE from marketing products and would have restricted sales to items produced entirely by inmates. Although HB 1094 did not pass the House Committee on Corrections, Probation, and Parole, Chairman Everett Kelly, D-Tavares, directed the committee

staff to prepare an interim report on the prison industry program. Chairman Kelly also appointed a Select Subcommittee on PRIDE to conduct hearings and site visits on the PRIDE operations. This report will evaluate the effectiveness of the PRIDE program in reducing inmate idleness, lowering the cost of state government, and providing meaningful work and rehabilitation opportunities for inmates.

FINDINGS

### III. FINDINGS

#### A. Comparison With Other States

A statewide survey was performed in order to compare PRIDE'S sales, income, and inmate utilization data with other states. Table 1 on page 9 ranks in order of sales revenue the twenty-two responding states with PRIDE'S fiscal results. Since most of the larger states responded to the survey, the exclusion of the twenty-eight smaller states in terms of civilian and inmate population would not significantly alter the sales revenue rankings.

As can be seen from Table 1, PRIDE'S 1987 sales revenues of \$46,980,191 is among the top four of the surveyed states. California and New York ranked one and two, respectively, which is not surprising since both states have more inmates and larger civilian populations than Florida to provide a stronger demand for state correctional products. Since Texas provided rounded off sales figures, PRIDE was listed in the third position. An evaluation of sales per inmate in the various state industry programs was performed in order to obtain a broad comparison of efficiency and revenue generating capability of the PRIDE. Results from the sales revenue per inmate in industry programs indicate that PRIDE is also among the nations leaders in this general comparison. The top ten revenue producers per inmates in correctional industry programs are listed in Table 2.



TABLE 1

<u>STATE</u>	<u>SALES</u>	<u>NET INCOME</u>	<u>TOTAL INMATES</u>	<u>INMATES IN INDUSTRIES</u>	<u>%</u>
CALIFORNIA	75,945,793	4,127,746	61,898	5,500	9.5%
NEW YORK	57,000,000	400,000	40,000	2,680	6.7%
PRIDE	46,980,191	4,052,508	32,192	2,194	6.6%
TEXAS	47,000,000	N/A	39,400	5,516	14%
NORTH CAROLINA	33,000,000	4,469,787	18,157	1,271	7%
PENNSYLVANIA	20,000,000	2,000,000	15,000	1,900	12.6%
OHIO	20,000,000	N/A	23,000	3,450	15%
VIRGINIA	17,554,485	N/A	11,000	1,200	10.9%
MARYLAND	17,102,165	N/A	N/A	689	
ILLINOIS	15,100,000	1,103,282	18,500	925	5%
GEORGIA	12,000,000	1,000,000	11,686	467	4.4%
ALABAMA	10,000,000	1,800,000	12,600	627	10%
MISSOURI	10,000,000	1,500,000	11,000	880	8%
LOUISIANA	9,720,170	176,099	10,600	530	5%
NEW JERSEY	7,309,951	200,000	16,000	800	5%
OKLAHOMA	6,744,381	(457,835)	6,960	1,219	17%
SOUTH CAROLINA	6,048,929	62,699	10,800	885	8.2%
IOWA	5,995,009	42,000	2,800	273	13%
WASHINGTON 86	5,627,000	(1,773,187)	6,310	617	9.6%
KENTUCKY	5,000,000	750,000	6,145	600	10%
CONNECTICUT	4,400,000	4,400	4,000	N/A	N/A
NEBRASKA	2,635,782	261,849	2,023	147	7.2%
DELEWARE	1,500,000	400,000	3,000	1,200	40%

Net Losses are indicated in parenthesis

TABLE 2

<u>STATE</u>	<u>SALES REVENUE PER INDUSTRY INMATE</u>
North Carolina	25,963
Georgia	25,965
Iowa	21,959
PRIDE	21,413
New York	21,268
Louisiana	18,340
Nebraska	17,930
Illinois	16,324
Alabama	15,948
Virginia	14,628

Reported net income figures are also listed in Table 1. As indicated in the table, PRIDE's net income in 1987 of \$4,052,508 is the third highest of the reporting states. Although a comparison of net income figures is useful for obtaining a general picture of performance with other states, these figures should not be interpreted as a definitive yardstick for ranking the profitability of various correctional industry programs. Many other factors also affect net income calculations.

For example, the lack of uniformity in expensing utility and supervision costs as well as differing levels of inmate wage rates would alter the calculation of net income. In addition, few states reported financial results based on independent audits and none of the reporting states' industry programs funded a victim restitution payments. PRIDE paid \$291,671 in 1987 for victim restitution payments and had inmate wage scales of \$.40 to \$.90 per hour (net of victim fund deductions) which were generally higher than the

wage scales in the reporting states. North Carolina, the second ranked program according to net income, has wage scales of \$.40 to \$.90 per day.

Inmate utilization as a percentage of inmates in industry programs to the total inmate population was reviewed and is compared to the programs in other states. These figures attempt to measure industry participation rates that provide a general measure of correctional industries' contribution to reducing inmate idleness. Most of the data reflected figures from inmates assigned to industry jobs and these totals are usually slightly higher than full time work stations since more inmates are assigned than needed to plan for administrative absences. In addition, the average work week also affects the measure of inmate participation. PRIDE reports an average work week of approximately 40 hours per week in most industries which is above the normal work week of 30 hours reported by most states. However, the percentages computed on inmates assigned to industries gives a general statewide comparison on jobs available in correctional industry programs nationwide.

As can be also seen in Table 1, PRIDE's inmate participation rate of 6.6% is at the lower range of percentages from the surveyed states. Higher wage scales and the elimination of farm operations may be major factors causing lower inmate participation rates. PRIDE reports an inmate utilization rate of 36% based on employment of 2,194

inmates out of an available pool of 6,086 (as calculated by PRIDE). A detailed examination of the usage figures will be provided under the reduction of idleness section in this report. However, these figures do provide a general comparison with other states of the number of inmate industry workers.

#### B. Reduction of Idleness

Correctional administrators have recognized for years the need to reduce inmate idleness. Congress in 1930 passed legislation requiring federal institutions to provide work opportunities for all able bodied prisoners in activities that would increase the offender's chances for successful reintegration into society. In addition to reducing idleness and lowering tension, developing work habits for inmates was thought to be an effective method of reducing recidivism.<sup>2</sup>

These historical concerns have continuously been important to today's policymakers. Current law, section 946.005(2)(d), Florida Statutes, requires correctional work programs, "To serve the security goals of the state through the reduction of idleness of inmates..." The prevailing method of judging the effectiveness of the correctional

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<sup>2</sup>Improved Prison Work Programs Will Benefit Correctional Institutions And Inmates, U. S. General Accounting Office, 29 June 1982, pg. 2.

industry program in meeting this requirement is through the measurement of inmates working in the industry programs.

PRIDE worked 2,194 inmate workers (actual work positions estimated at 1,886) on June 30, 1987. The Auditor General reported that on June 30, 1982, the last year of operations by the Department of Corrections, the industry program reported 1,795 work positions.<sup>3</sup> Thus, PRIDE has not significantly increased the number of work positions assuming the determination of "work stations" was equivalent in 1982 and 1987. By including all employees as a work station, the inmate participation rate increased by 400 positions(22%) since PRIDE began managing the correctional industry program. In addition, PRIDE has increased the work day from six hours to seven and a half hours which should be considered when analyzing idleness. However, these totals reflect differences in aggregate employment and need to be examined in the context of changes in the correctional industry program since PRIDE began operations. These numbers need to be compared to the total number of inmates available to work in correctional industries.

The Department of Corrections operated over sixty industries and employed 736 workers in agricultural positions.<sup>4</sup> In addition, the department's management

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<sup>3</sup>Performance Audit Of The State Correctional Industries Program, Auditor General, 9 July 1985, pg. 13.

<sup>4</sup>Ibid, pg. 17.

practice included decisions to continue and expand unprofitable industries.<sup>5</sup> PRIDE decided to discontinue 21 unprofitable industries and substantially reduced inmate participation in farm operations. According to PRIDE documents, the number of inmates employed in industries after eliminating unprofitable industries during the transition from the Department of Corrections to PRIDE management was 1,295.<sup>6</sup> Thus, the number of inmates working in industry programs has increased by 70% since eliminating profitless enterprises.

As noted above, determining a prison industry's contribution to reducing idleness involves comparing the aggregate employment figures with the pool of available inmates. Florida inmates participate in public work projects for state and local governments, work with the Division of Forestry, and are needed to perform job assignments necessary to operate correctional institutions, in addition to working in PRIDE programs. Therefore, the additional work requirements should be deducted from total inmate populations in order to measure the pool of idle inmates available for industry employment.

PRIDE calculates that industry employment is 40% of the available inmate labor pool. PRIDE records reflect that as

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<sup>5</sup> Ibid, pp. 20, 40.

<sup>6</sup> PRIDE Progress Report, 15 September 1987, pg. 12.

a percentage of available workers, the percentage employed by PRIDE has increased from 20% in 1984 to the current 40% in 1987. (See Appendix A). Basically, this figure is calculated by subtracting the number of workers needed for other nonindustry work requirements from the total inmate population. PRIDE also deducts from the total inmate population those inmates in institutions where PRIDE does not feel that industries can be located due to inmate classification and institutional space considerations.

The Department of Corrections surveyed major institutions between November 1986 and February 1987 in order to measure the degree of inmate idleness. Superintendents were required to list the work requirements of the institution, work squad assignments, and other work demands for inmates, and to indicate the number of inmates that could not work due to health problems or disciplinary confinements. The D.O.C. survey was also designed to obtain a measurement of "featherbedding" by requiring the listing of only full time work positions.

The results of this survey, as seen on Table 3 below, indicate that 8,000 inmates are available for industry jobs. The 8,000 figure was calculated as follows:

TABLE 3

Total Major Institution Population	28,475
Less:	
Inmates with Medical Problems	1,163
Inmates under disciplinary confinement	532
Transfers housed at R.M.C.	507
Transfers housed at South Florida	870
Death Row	270
Total Deductions	(3,342)
Inmates Available for Work	<u>25,133</u>
Current Work Requirements:	
Total Non-PRIDE Work Stations	17,420
Less Work Stations at South Fla. Rec.	(289)
Total Inmate Work Stations	<u>17,131</u>
Inmates Available less Work Stations	<u>8,002</u> <sup>7</sup>

Thus, PRIDE is employing 27% (2,194/8,002) according to the data obtained from the utilization survey. Deducting the inmates housed at the New River Annex since many of these inmates are awaiting transfer, PRIDE'S share of employment for available inmates is 32%. Subtracting inmates at institutions where PRIDE feels it is impractical to locate an industry facility, the adjusted usage figure is 42%. These figures do not include additional admissions or releases since February, 1987.

Although PRIDE is employing less than half of the available inmates, the Department of Corrections has been unable to assign the needed amount of inmate workers at some PRIDE facilities on a daily basis. PRIDE reports that

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<sup>7</sup> Empirical Data obtained from, Inmate Utilization Survey, Department of Corrections, February 1987. Executive Summary is located in Appendix B of this report.



approximately 145 additional inmates are needed to meet current work assignments.

Total inmate hours worked per year were reviewed to measure the reduction of inmate idleness. PRIDE inmates worked 3,573,493 hours in 1987, an increase of 72% over 1985 hours worked of 2,070,299.

The Department of Corrections' inmate utilization study included an analysis of the placement of current work stations. Work stations were identified on the basis of being available inside or outside the secure perimeter of the compound. These totals were compared with the number of inmates that were available to work either inside or outside the correctional facility. Some inmates, due to classification, nature of offense, pending criminal prosecutions, or as a result departmental policy, are not allowed to leave the secure perimeter unless accompanied by armed supervision. Thus, the utilization report analyzed whether there was a shortage or excess of inmates in inside or outside work assignments.

The results from the survey indicate that as a percentage of available inmates, more work stations were needed inside the perimeter due to the number of inmates currently restricted to the facility. The inmate utilization report states:

It would be quite evident that a major effort would need to be undertaken to find meaningful work, Academic and Vocational Programs and or [sic] projects for those inmates who are restricted inside the confines of the perimeter. Even with 71% of the systems work stations

located inside the perimeter, it still cannot accommodate the 18,487 inmates who must work in these work stations."<sup>8</sup>

The federal government also conducted a review to determine the amount of "featherbedding" prevalent in the Federal Correctional Institutions. A General Accounting Office report in 1982 found that more inmates were assigned to jobs than necessary and that a "consistent criteria or methodology for determining the number of inmates required for institutional work programs need was needed".<sup>9</sup>

The Florida utilization report also identified that, on the date the survey was performed, PRIDE had 1,374 inside work stations and 672 outside work stations. Perhaps future PRIDE expansions should concentrate on increasing inside work stations, or secure work areas, in order to reduce the larger amount of available workers that cannot move outside the secure perimeter.

Comments offered by correctional administrators and inmates also provided information on PRIDE's contributions in reducing inmate idleness in areas that are hard to quantify, but important to consider when addressing idleness issues. Superintendents and correctional officers stated that inmates involved in industry programs were

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<sup>8</sup> Ibid; pg. 4.

<sup>9</sup> Improved Prison Work Programs Will Benefit Correctional Institutions And Inmates, U. S. General Accounting Office, June 1982, pg. 7.

easier to manage because they were kept busy and less likely to get into trouble. Inmates suggested that being supervised by citizens was a break from the routine of taking orders from correctional officers and provided an escape from the correctional atmosphere. In order to measure the system wide effects of these observations, a computer run of disciplinary reports was reviewed in order to determine if PRIDE inmates were less likely to receive formal reprimands than inmates not participating in the PRIDE program.

The results of the Table 4 below indicate that PRIDE workers receive slightly less disciplinary reports (DR's) than the total population.

TABLE 4

	PRIDE		NON-PRIDE	
	<u>Participants</u>		<u>Participants</u>	
	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>
No. DR's	1,164	60.9%	17,894	58.4%
DR's less than 10 days	225	11.8%	3,425	11.2%
DR's less than 30 days	415	21.7%	7,319	23.9%
DR's less than 60 days	68	3.6%	1,340	4.4%
DR's less than 90 days	40	2.1%	681	2.2%

Past Auditor General audits identified practices that could possibly lead to less reliance on inmate labor. Audit report #10539 found practices of reselling finished goods and subcontracting work to private manufacturing operations. Approximately 10% of sales for 1987-88 are expected from reselling finished goods, primarily food items. The audit report noted that this practice aids in providing better service to customers in order to offer complete product lines.

### C. Rehabilitation

Part of the goals of correctional work programs as mandated by section 946.501, Florida Statutes, require work programs to:

- o Provide inmates with useful activities that lead to meaningful activities that can lead to meaningful employment after release in order to assist in reducing the return of inmates to the system.
- o To serve the rehabilitative goals of the state by duplicating, as nearly as possible, the operating activities of a free-enterprise type of profit making enterprise.
- o To provide relevant education, training, and post release job placement as well as preparing inmates for gainful employment upon release.

These goals will be collectively referred to as rehabilitative objectives for the industry programs. This section of the report analyzes the attainment of these objectives by reviewing the steps taken to operate correctional industries as a private business, the wage scales of comparable jobs in the private sector, PRIDE training programs, job placement mechanisms, recidivism rates, and other factors relating to rehabilitation.

### D. Private Business Initiatives

Since 1982, PRIDE has initiated several important steps allowing inmates to experience a taste of real world working conditions while living behind prison walls.

PRIDE has increased the working day from six and a half hours to seven and a half hours. In addition, PRIDE has developed a compensation plan which pays inmates hourly wages and requires inmates to use time clocks record actual work hours. PRIDE has also sought and hired industry managers with extensive backgrounds in private industry to implement production methods and environments similar to private working conditions. PRIDE reports investing over \$17,000,000 in new equipment and industries.<sup>10</sup>

Restructuring the correctional industry program has resulted in increased profits and increased sales per inmate in industry programs. Sales have increased from \$12,400 per inmate worker to \$25,300 in 1987 under PRIDE management. Total sales have increased from \$23,741,160 in 1982 to over \$45,000,000 in 1987.

#### E. Comparable Private Sector Wage Scales

A comparison by job titles of wage scales of PRIDE jobs with similar employment in the private sector was reviewed to obtain an indication of the employability and living standards inmates could experience if employment was secured in similar jobs after incarceration.

Private sector employability and wage scales were determined by reviewing PRIDE job titles and corresponding

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<sup>10</sup>PRIDE Progress Report, 15 September 1987, pg. 20.

occupational employment statistical information that indicates wage earnings of recent hirings in those occupations in Florida. This information, compiled by the Department of Labor and Employment Security, is generically referred to as FLOIS (Florida Occupational and Information System). Table 5 below depicts FLOIS estimates of private sector wages for PRIDE positions.

TABLE 5

<u>Wage Rates</u>	<u>Annual Salary</u>	<u>Job Titles</u>	<u>Perc.</u>
<u>Per Hour</u>			
Below 3.50	7,280	10	6%
3.51- 4.00	8,320	53	30%
4.01- 4.50	9,360	43	24%
4.51- 5.00	10,400	20	11%
5.01- 5.50	11,440	19	11%
5.51- 6.00	12,480	13	7%
6.01- 6.50	13,520	10	6%
Above 6.50	13,520	8	4%

The annual salaries computation is based on inmates employed at the highest range for each wage rate and working forty hours a week for fifty-two weeks. Annualized figures are presented for convenience in determining standards of living and immediate income potential. In addition, the wage rates from FLOIS are statewide averages and are based on entry level rates and do not provide for salary increases for lifelong careers in the selected occupations.

The results of PRIDE wage scales are based on 179 job descriptions that had wage information in the FLOIS system. In addition, the survey did not contain data on printing jobs which would have higher wages than the average wages



reported from this survey. Recent hiring salaries for PRIDE workers in printing ranged from \$10,000 to \$15,000 per year.

From the information available, it can be ascertained that over 50% of the corresponding wages in the private sector for similar jobs were within \$1.15 of the minimum wage scale of \$3.35 per hour. These figures are reflected in PRIDE's wage scale classification for this period which indicated that during the time of the wage survey, 77.8% of PRIDE workers were classified as unskilled or semiskilled and 21.5% were considered skilled workers.

Data from FLOIS also indicates that growth for these jobs from 1982 until 1995 would be fairly strong due to increased demand and workers leaving these jobs. Most of the growth for employment was in the 40% range for each job.

Although most of the corresponding wages for private jobs in the private sector were only 34% above minimum wages, other factors require consideration when forming conclusions on the earning potentials of offenders. For example, over 50% of offenders admitted to the state system in 1985 reported incomes below \$6,000. In addition, most industries were inherited from the Department of Corrections and are traditional prison industries that are not directly related to the private sector. Consequently, skills for these jobs are less in demand and this is reflected in lower wage rates. A recent newspaper article concerning a congressional report on "non-college youth" noted that the development of service jobs, that are typically open to

people without college educations, "pay wages at half the rate of manufacturing".<sup>11</sup> Thus, developing high earning potentials for low skilled inmates in a service economy will be a major challenge for PRIDE management.

#### F. Job Training and Placement

Pride has developed eleven on the job training programs (OJT). PRIDE OJT programs enable workers to become proficient in technical production skills during the time of inmate availability.

PRIDE also employs graduates of vocational education programs. PRIDE and the Correctional Education School Authority report good cooperation between industries and educational administrators. However, with the hours required for program completion and declining time served due to administrative gain time awards, less vocational graduates are available to work in industry programs.

PRIDE funds are used for developing OJT programs but are not used for funding vocational education programs. The federal industries program, UNICORE, contributes portions of sales revenues to fund vocational education programs.

The corporation has also developed employment placement services. However, records on job placement are not

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<sup>11</sup>"Non-college Youth May Face Tough Times", Orlando Sentinel, 21 January 1988. Quoting a report by the William T. Grant Foundation.

extensive enough to review earnings and recommitment data for inmates placed through PRIDE initiatives. PRIDE is also in the planning process of developing a post release assistance plan to aid offender adjustment in the community upon release. Past research on support payments has concluded that financial assistance payments reduce recidivism.<sup>12</sup>

#### G. Reccommitments

The Department of Corrections analyzed recommitments for those inmates released between June 30, 1986 and June 30, 1987 to determine recommitment rates for PRIDE inmates and those inmates that did not receive PRIDE training. As listed below in Table 6 and in Appendix C, PRIDE workers experienced lower recommitment rates than non-PRIDE workers. The study tracked recommitment rates through January 1988 for those inmates released during 1986-87.

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<sup>12</sup>An Evaluation Study of Offender Employability Programs, Evaluation Systems Designs, 19 October 1987, pg. 21. This report summarized existing recidivism studies.

TABLE 6

	Number of <u>Releases</u>	<u>Percent</u>
Non-PRIDE Releases	19,327	92.5%
PRIDE Releases	1,569	7.5%
	<hr/>	<hr/>
Totals	20,896	100%

	Number of <u>Recommitments</u>	<u>Percent</u>
Non-PRIDE Reccommitments	8,496	44%
PRIDE Reccommitments	489	31%

Thus, as for releases during 1986-87, PRIDE program participants experienced a lower recommitment rate through January 1988. Although other factors were not controlled that may contribute to lower recidivism, such as educational level, offense type, and actual income level, these results are encouraging since a rearrest study in 1980 determined that industry participants had a higher rearrest rate than

non-industry participants.<sup>13</sup> PRIDE workers who worked in "skilled positions," as classified by the Department of Corrections, had the lowest recommitment rates.

#### H. Reduction of costs

One of the enumerated goals of correctional work programs is to reduce costs of state government by operating enterprises with inmate labor that do not unreasonably compete with the private sector. Section 946.501(2)(a), Florida Statutes. This area of the report will review the achievements of this goal by reviewing appropriations and the results of pricing and quality surveys.

##### 1. Appropriations

PRIDE received an appropriation of \$2,000,000 in 1984 that was used for capital investments and has not received additional appropriations from the General Revenue Fund. The corporation has been awarded a \$400,000 federal grant to implement an industry program for drug offenders and has also received a \$29,800 grant from the Florida Department of Labor and Employment Security to aid in finding employment opportunities for ex-offenders. Financing future growth

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<sup>13</sup>The Employment Experiences of Ex-Inmates Study, April 1982, Office of Planning and Budgeting, April 1982. This study of parolees indicated that those participating in industry programs experience a rearrest rate of 32% during eleven months following parole and those not working industry programs were rearrested 25% during this same period.

from profits is expected since the corporation has paid off all long term debt. Thus, it does not appear that the Legislature will need to make annual appropriations and can still expect industry growth. A financially healthy industry program may be the best example of cost reductions to the state.

## 2. Contributions to General Revenue

PRIDE has contributed over \$4,122,195 of inmate wages to General Revenue Fund as partial reimbursements of expenses of incarcerating PRIDE inmate workers. In addition, PRIDE used \$100,000 of corporate funds to initiate a victim compensation fund that uses 10% of wages to make court ordered restitution payments. However, General Revenue Fund contributions were reduced 10% to fund the victim restitution program.

## 3. Pricing and Quality

A survey (See Appendixes D and E) was distributed to state and local government purchasing agents to ascertain the pricing and quality of industry products which is directly related to the costs of state government. Results from state purchasing agents are listed below in Table 7. Twenty-nine of thirty-five purchasing agents returned a survey to the committee.

TABLE 7

State Purchasing Agents

	<u>Excellent</u>	<u>Above Avg.</u>	<u>Avg.</u>	<u>Below</u>
Quality	1	4	24	
	<u>Too High</u>	<u>Above Comp.</u>	<u>In line</u>	<u>Below</u>
Pricing	4	10	14	1

A substantial majority of state purchasing agents report receiving average quality products and paying prices that range in line to above competing suppliers. Eleven of fourteen Department of Corrections' purchasing agents reported paying above to too high for products as contrasted with two HRS purchasing agents who indicated they were paying above the market rate for PRIDE products.

Purchasing agents of cities and counties were surveyed to ascertain their experiences with price and quality of PRIDE products. Twenty-seven out of sixty-six city and county purchasing agents responded to the survey for a 40% return rate. Their responses are listed below in Table 8.

TABLE 8

City and County Responses

	Excellent	Above Avg.	Avg.	Below
Quality	9	12	6	
	Too High	Above Comp.	In line	Below
Pricing	0	5	12	7

Thus, city and county purchasing agents report that PRIDE is providing above average to excellent products for prices that are usually in line or below competitors. However, several large metropolitan areas indicated that future purchases from PRIDE would not increase due to pricing or PRIDE being unable to submit low bids. Purchasing agents from Pinellas County, Jacksonville, Miami, and Ft. Lauderdale responded that price was a factor limiting increased PRIDE purchases. The aggregate purchasing power of these units of government exceeds \$360,000,000.

The differences in price and quality rankings from state and county purchasing agents may be attributed to the certification process or economies of scale available to large volume purchasers as well as other factors. The Department of Corrections has a policy of not monitoring PRIDE prices which may result in above market prices to the Department as indicated by the survey results. This policy may also cause the perception that prices are higher, since purchasing agents are not allowed to shop around for comparable products.

Cities and counties are not bound by state certification laws and logically would only buy those PRIDE products that are in line with private producers. Thus, several PRIDE products are priced in line with comparable products in the private sector. However purchasing agents from Department of Corrections, PRIDE's primary customer,



and several large metropolitan areas indicate that pricing was above market rates and was a factor limiting additional purchases.

Comments from the survey reveal that the PRIDE program is committed to excellence and is generally improving product quality. In addition, if customers were dissatisfied with PRIDE products they were able to obtain replacement products, and the corporate office was responsive to these criticisms. Most city and state purchasing agents reported that product quality has improved since PRIDE began operating the prison industry program. However, several complaints on delivery time were noted on the responses.

Food costs for the Department of Corrections were reviewed prior and subsequent to PRIDE management of the correctional food distribution system. Table 9 indicates, actual food purchases per inmate have remained fairly constant over the last four years.

TABLE 9

	<u>Fiscal</u> <u>Year</u>	<u>Actual per</u> <u>Purchased</u>	<u>Diem</u> <u>Donated</u>	<u>Total</u>
DOC	1980-81	\$1.72	.23	\$1.95
DOC	1981-82	\$1.83	.23	\$2.06
DOC	1982-83	\$1.85	.32	\$2.17
PRIDE	1983-84	\$1.93	.44	\$2.37
PRIDE	1984-85	\$2.01	.38	\$2.39
PRIDE	1985-86	\$2.07	.38	\$2.45
PRIDE	1986-87	\$2.00	.52	\$2.52

Donated purchases are not actual dollars spent on food purchases but reflect assigned cost values on donated items based on prices of similar items in inventory. Thus, dollars spent on food purchases has only increased \$.15 per inmate since the end of 1983 when PRIDE began operations. These costs are comparable to other states as listed below in Table 10.

TABLE 10

<u>State</u>	<u>Per Diem Food Expense</u>
Georgia	\$2.08
Alabama	1.62
Louisiana	2.25
Tennessee	2.76
North Carolina	1.91
New York	2.00
Nebraska	2.20
Texas	1.67
Missouri	2.15
Delaware	2.40

A review of food costs from above indicates that the Department's cost of \$2.00 per day is in line with other states.

#### I. Goal Comparisons With Other States

PRIDE's mission to reduce inmate idleness, reduce state costs, remain self-supporting without unduly competing with private businesses, provide rehabilitative benefits, and aid in reintegrating offenders in the community, were compared with the goals of other states' correctional industry programs.

Although most states had statutes requiring the attainment of one or more of these goals, only the states of

Colorado, Montanna, Tennessee, and Texas had goals as comprehensive as Florida's prison industry program.<sup>14</sup>

There are possible inherent conflicts in the goal requirements of PRIDE as well as difficulties in achieving the goals primarily due to overcrowding. For example, PRIDE is required to prepare inmates for reintegration into society. However, with the current awards of administrative gain time the actual time served in prison is decreasing. Thus, PRIDE reports turnover as high as 44% per month in some industries. Rapid turnover inhibits productivity and limits preparing inmates for outside employment upon release. Using additional long term inmates to decrease turnover would aid in cost reductions to the state but would detract from the goal of preparing inmates for reentering society. In addition, the requirement of not unduly competing could suppress the goals of providing relevant job training if industries are not related to the Florida job market.

The goal to reduce inmate idleness also may conflict with the requirements of reducing correctional costs. Unprofitable labor intensive industries would reduce inmate idleness but detract from cost effectiveness.

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<sup>14</sup>Guidelines for Prison Industries, U. S. Department of Justice, 1984, pg. 57.

#### J. Certification

Current law provides that the corporation operating the correctional industry program may certify products for state purchase. Once the products are "certified", state agencies must buy from PRIDE unless the products are not of comparable price or quality. In the event of a dispute between agency purchasing agents and PRIDE, the Governor would make the final determination of comparability. This section of the law, listed below, has been cited by private businesses as an unfair advantage for PRIDE since purchases from the correctional industry program are exempt from bidding requirements as provided in section 287.095, Florida Statutes. The certification provision states:

No similar article of comparable price and quality found necessary for use by any state agency may be purchased from any source other than the corporation if the corporation certifies that the article is available and can be furnished by it. The purchasing authority of any such state agency may make reasonable determinations of need, price, and quality, with reference to articles available for sale by the corporation. In the event of a dispute between the corporation and any purchasing authority based upon price or quality, the matter shall be referred to the Governor, whose decision shall be final.<sup>15</sup>

There has been some confusion about the meaning of "certification" and whether the use of "certification" connotes approval from state purchasing authorities. Certification means that the corporation operating the

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<sup>15</sup>Section 946.515(2), Florida Statutes.

correctional industry program has the "certified" product available and state agency purchases of similar products other than those produced by the corporation would be contrary to state law. Once the product is certified, state agencies must buy that product from correctional industries unless the product is not comparable in price and quality to similar products supplied by private vendors. Thus, it is not mandatory that state agencies buy certified products if they are defective or overpriced. Current law does not provide for any formal procedure prior to the corporation certifying products for state purchase. In addition, certification is not restricted to inmate manufactured items.

Although the use of "certification" has greatly increased under PRIDE management, (see list of certified products in Appendix F), the certification procedure has been available to the correctional industry program since 1957.<sup>16</sup> Therefore, the certification process should not be considered a procedure developed for and originating with the transfer of the correctional industry programs to a nonprofit corporation.

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<sup>16</sup>1957 Florida Laws 57-213. Provided for disputes on comparability to be settled by the Board of Commissioners of State Institutions. The only significant change in this section of law since 1957 has been designating the entity to settle disputes. The Board of Commissioners, Department of Corrections, and the Office of the Governor have been given the authority to settle disputes between user agencies and correctional industries over the years.

Certification provides a method for access to state markets and ensures that demand for prison industry products will exist after spending monies on capital formation as long as available items are of comparable price and quantity to those produced in the private sector. Justification for certification as an exception to state bidding laws is primarily based on the fact that state and federal laws prevent selling prison made goods to the private sector. Therefore, requiring bidding for state markets would expose correctional industry programs to unfair low bidding practices from suppliers that can sell both to state and private markets.

Most states have similar laws, generally referred as state use laws, requiring state agency purchase of correctional industry products. In addition, South Carolina, Arizona, and New Mexico, as well as other states, allow some sales of correctional industry products to the private sector. Federal laws generally prohibit selling prison industry products in interstate commerce. However, under a program developed by the Bureau of Justice, some states are allowed interstate sales if inmates are paid prevailing wages and private sector workers are not displaced.

Health and Rehabilitative Services, Department of Transportation and the Department of Corrections purchasing agents were surveyed to determine their views on certification issues. In addition to being asked to explain

the certification process, purchasing agents were asked if PRIDE should have to bid for state purchases and whether pressure existed to buy correctional industry products regardless of price and quality. The results are listed in Table 11. The Department of Transportation returned one collective response for the entire department.

TABLE 11

STATE PURCHASING AGENTS RESPONSES TO CERTIFICATION ISSUES

	D.O.C.		H.R.S.		D.O.T.		Totals	
	Yes	No	Yes	No	Yes	No	Yes	No
Should bid	11	2	6	6	1		18	6
Should meet DGS requirements	14	0	11	1	1		26	1
Pressure to buy regardless of price and quality	14	0	8	4		1	22	5

As can be seen from Table 11, most state purchasing agents responding to the survey indicate that PRIDE products should meet Department of General Service requirements, believe PRIDE should bid for state purchases, and that pressure existed to buy correctional industry products regardless of price or quality.

A review of answers describing the certification process indicates misunderstanding of current law and Department of Corrections pressures to buy PRIDE products regardless of pricing considerations. Several respondents indicated they felt pressure to buy from PRIDE regardless of



price or quality because of the legislative mandate. These purchasing agents are incorrectly interpreting that the certification statute requires purchasing from the correctional industry program regardless of pricing and quality considerations. Six Department of Corrections purchasing agents explained that they were "mandated" to buy PRIDE products regardless of price and quality without referencing the certification law. Two Department of Corrections employees indicated that department policy required them to buy from PRIDE regardless of price and quality. Thus, some state purchasing agents report departmental policy requires purchases from correctional industry programs regardless of price or quality while others feel that the legislature mandates this approach through the certification process. Several respondents also thought the certification process required PRIDE products to meet Department of General Service standards.

Prior to April 1987, PRIDE certified products were not routinely tested according to Department of General Service specifications and were not placed on state contract lists by the Department of General Services. PRIDE originally certified products according to internal numbers and not according to state term contract numbers. Therefore comparable products could exist on state contracts. Thus, it was possible for state agencies to buy similar items from other vendors even though PRIDE had certified the product. Since, 1986, PRIDE has been certifying products by the

Department of General Services commodity numbers and the Department of General Services has then removed corresponding private produced items from the state term contract.

PRIDE and the department entered into an informal agreement in April 1987 that provides for testing, according to the Department of General Services specifications, of those products PRIDE is offering for state certification. Once the product passes laboratory tests, Department of General Services would review PRIDE prices and make a final determination of comparability. However, the Department of General Services still does not include the PRIDE items on the state contract list. Department of General Services' legal opinion is that statutory authority is needed for placing PRIDE products on state term contract lists. Although this agreement appears satisfactory to both parties, the legislature should consider providing statutory authority of placing PRIDE products on the state contract lists and whether or not PRIDE certified products should meet the department's specifications.

Past discussions on the need for requiring correctional industry products to meet Department of General Services specifications have included examples from PRIDE that Department of General Service specifications are obsolete and are not in the best interest of the customer. Two examples frequently given to support this claim are a PRIDE broom that was rejected since nylon string was used instead

of cotton string to hold the straw together, and an executive chair that was rejected since it was produced with five bases instead of four. However, Department of General Services' documents and testing officials indicate that these items also failed for other reasons.

Lab report 67-571 (see appendix G) indicates that PRIDE's specifications provided for brooms to be made with waxed cotton string. Upon analysis, the commodity testing laboratory concluded that the fiber was made of polyethylene twine and not according to the description in the PRIDE catalog. This broom was selected for testing due to complaints from institutional purchasing agents that straw was falling out of the PRIDE brooms since the binding material was too slippery to hold the straw in place.

A second example given by PRIDE of cumbersome Department of General Services specifications is of an executive chair that failed state requirements since the chair was made with five bases instead of the state requirement of four bases. Department of General Services personnel and lab documents (See appendixes H, I, J, and K) indicate that the five based chair did not meet state requirements for other reasons. Lab reports 56-270 and 56-272 indicate that the five based chair failed to meet requirements since olefin was used instead of nylon for fabric covering, and the minimum weight per unit area of vinyl covering was insufficient. However one noted failure may be related to the use of five bases in lieu of four.

Additional Department of General Services' reports on this model of furniture noted defects in workmanship (See Appendixes J and K).

Since 1985, the Department of General Services has been testing PRIDE products that were submitted by institutional purchasing agents. As of January 12, 1988, 45% of the PRIDE products have passed Department of General Services testing requirements (See appendix L). Testing comparisons for PRIDE and non PRIDE products during 1987 are listed below in Table 12.

TABLE 12

RANDOM TESTING OF NON PRIDE PRODUCTS  
January 1 thru December 31 1987

Random Samples	269	
Products Passing DGS standards	<u>173</u>	
Total Failures	96	72% Passing Rate

RANDOM TESTING OF PRIDE PRODUCTS  
January 1 thru December 31 1987

Random Samples	61	
Products Passing DGS standards	<u>31</u>	
Total Failures	30	51% Passing Rate

Department of General Services testing results are reviewed in this part of the report for background information on certification. A more detailed analysis of product quality issues is reviewed in the portion of the report reviewing costs benefits to the state. Since random samples were selected on the basis of product complaints, the product failure rate would be expected to be high and

should not be used as the sole basis to form judgements on product quality for the entire industry program.

K. Public Records and PRIDE

Florida's public records law, chapter 119, Florida Statutes, provides that records of state, county, and municipalities, are open to public inspection. The public records law also requires that records of private corporations or other entities "acting on behalf of any public agency" be subject to public scrutiny. PRIDE's position is that it does not fall within the required purview of the public records law and therefore is not subject to the act's requirements. Section 946.502(2), Florida Statutes, specifically provides that the corporation operating the prison industry program is not to be considered an agency within the meaning of section 20.03(11), Florida Statutes. This subsection defines governmental entities for purposes of the executive branch. Although PRIDE does not feel bound by the requirements of the public records law, the corporation has supplied some information when requested from interested parties.

As noted above, the definition of "agency" for purposes of the public records law under section 119.011(2), Florida Statutes is substantially broader than the definition of a governmental agency under section 20.03(11), Florida Statutes. An informal attorney general opinion written in 1984 to Rep. James Ward, (see Appendix M) concluded that

PRIDE records are subject to public records law since it is operating on behalf of the Department of Corrections.

Determining if PRIDE should remain subject to the public records laws naturally involves weighing the advantages of increasing public access to correctional industry records with the burdens and costs associated with complying with information requests. As noted by Harlan, most tests balancing competing interests involve several different elements. And concerning which elements rule, "No one, or even two, of these three elements of the public interest can or should be regarded as an overriding principle. As with other good principles the only general answer is it all depends; ethics is the art of combining them, case-by-case, in commonsense outcomes."<sup>17</sup>

Correctional industry managers in the federal government have been operating under the requirements of the Freedom of Information Act, 5 U.S.C. section 551(1)(A) (1966), since 1966. In addition, federal industry operators must procure raw materials under extensive procurement regulations. Discussions with federal program managers indicated that operating under the Freedom of Information Act did not adversely hinder the production or management of the industry programs. However, Unicore considers cost data

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<sup>17</sup> Harlan, The Costs Benefits of Openness, 12 The Journal of College and University Law, 127, (1985).

confidential and it would not be released without a court order.

Federal information laws prohibit disclosing information relating to trade secrets and commercial or financial information obtained from a person and privileged or confidential. See 5 U.S.C. & 552(b) (1982). Florida public records laws do not contain a general prohibition of access to trade secrets but does restrict access to this information for specific entities. A survey of FOIA requests has indicated that over 80% of the requests were made by business executives for commercial information.<sup>18</sup> Restricting such "proprietary" information to disclosure would still open corporate records on business transactions to the public. In addition, restricting access to documents generated during contract negotiations may aid in the consummation of business agreements that may benefit the state and the corporation.

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<sup>18</sup>Wald, The Freedom of Information Act: A Short Case Study In The Perils and Paybacks of Legislating Democratic Values, 33 Emory Law Journal, 649, (1984).

## CONCLUSIONS



#### IV. CONCLUSIONS

Based on the findings in this report, it is concluded that:

- PRIDE, which began operating the prison industry program in 1982, is required by statute to reduce inmate idleness, provide relevant education and training programs, and reduce the costs to state government without unreasonably competing with the private sector.

- Financial comparisons with other states indicate that PRIDE is among the nations leaders in total sales, net income, sales per industry inmate, and inmate wage rates. The improved financial conditions of the corporation allow profits to be used for attaining statutory goals.

- The aggregate level of inmate employment has not significantly increased since PRIDE began operating the correctional industry program. However, PRIDE eliminated unprofitable enterprises and employment has increased from 1,294 to 2,194 since discontinuing perennial unprofitable ventures. A Department of Corrections utilization survey indicates the PRIDE is employing 27% to 32% of the available workers. Deducting facilities that PRIDE considers inappropriate for industry placement, utilization is 40% of available inmates.

- Although PRIDE was employing less than 50% of the available inmate work force, the Department of Corrections was unable to supply the requested number of inmates needed for operating some of the PRIDE operations. Thus, inmates are available for operating current work programs but transfer and departmental priorities hinder PRIDE's ability to fill available work stations on a daily basis at some facilities. Since budgeted data for sales of goods that are not inmate produced is less than 10% of expected sales, undue reliance on non-inmate labor does not seem prevalent. However, if this data were readily available, sales of flow through items could be easily compared through the years of PRIDE operations.

- A survey of state purchasing agents indicated prevalent misunderstanding of the current certification statute. A majority of state purchasing agents reported that they felt pressure to buy PRIDE products regardless of price and quality. Sources of pressure were identified as legislative statutory requirements and as a result of departmental policy. Current law does not require purchasing from PRIDE regardless of price or quality. Certification requires purchasing from the corporation of those products that are of comparable price and quality.

- Responses were also elicited from state purchasing agents on whether PRIDE should have to bid for state

purchases and whether PRIDE products should meet Department of General Services specifications. A majority of state purchasing agents thought PRIDE should have to bid for state business. Twenty-seven of the twenty-eight responding purchasing agents indicated that PRIDE products should meet Department of General Services specifications.

- Requiring PRIDE products to meet Department of General Service specifications would be consistent with the practice of requiring private vendors awarded state contracts to pass specifications. Once specifications and pricing are acceptable, PRIDE products should be placed on state contract lists to ensure that state agencies do not purchase comparable items from private vendors.

- An informal Attorney General opinion has concluded that PRIDE is subject to public records laws. Federal industry programs operate under the requirements of the Freedom of Information Act and report no undue burdens from complying with the act. Since PRIDE is granted flexibility in payment of wages, expenditures of state dollars, it appears appropriate that most documents should be available upon request.

- Florida's certification law is consistent with most other states and the federal government. Some states allow correctional industry goods to be sold to private retailers.

Sound policy exists to continue the use of certification since PRIDE goods are prohibited from being sold in the private marketplace. Most states allow correctional industry sales to non-profit and tax supported entities.

- PRIDE has made extensive use of the certification process and appears dependent on certification for sales since sales outside of state agencies are less than 10% of total sales. As PRIDE expands, it should develop better economies of scale and sales awarded on bid and negotiated contracts outside of the certification process should increase. However, increased sales could result in increased complaints from private businesses. Prudent management will aid in reconciliation of the conflicting goals of placing more inmates in industry jobs without unduly competing with private businesses.

- Recommitment rates for PRIDE program participants were lower than those for non-program participants. PRIDE's increased adherence to private industry standards may better prepare inmates for private sector employment.

- PRIDE reduced costs to the state by paying 60% of inmate wages into the general revenue fund and operating an industry program that is economically healthy and does not require annual appropriations. Survey results from city and county purchasing agents report that PRIDE is supplying

average to above average products and is committed to continuously upgrading product quality. Prices were reported above competitors by a majority of state purchasing agents and several large metropolitan areas reported that PRIDE pricing was a factor limiting increased purchases.

RECOMMENDATIONS

## V. RECOMMENDATIONS

Based on the conclusions and finding of this report, as well as additional comments set forth below, it is recommended that the Legislature amend the Florida Statutes to:

- o Prioritize work assignments for inmates. The Department of Corrections and PRIDE should be given first priority. Since idleness is present in the system due to featherbedding, other work requirements for inmates should be filled if efficient classification and assignment procedures are implemented.
  
- o Require PRIDE certified products to meet Department of General Services specifications for price and quality. In addition, require placement on state contract lists of PRIDE certified products that pass Department of General Services requirements. Since Department of General Services has been given statutory authority to develop methods and requirements of state procurement, and confidence in this agency was expressed by state purchasing agents of other agencies, Department of General Services should have the responsibility of testing PRIDE products. This provision would place in statutes the current agreement between PRIDE and Department of General Services.

o Provide authority for selling correctional industry products to nonprofit or tax supported entities. Some of the goals and objectives of non-profit and tax exempt entities may provide for aiding the reintegration of offenders in the community and therefore these organizations should be allowed to support correctional industry programs through purchases.

o A portion of inmate wages that are currently returned to general revenue should be diverted to the institution of industry operations for enhancing educational and vocational programs.

o Clarify that PRIDE is subject to the Public Records law. Provide a limited exemption for documents generated during contract negotiations until the contract is executed or the parties terminate negotiations.

o Provide for annual publication of the amount of non inmate labor used, work subcontracted to other vendors; use of consultants, and finished goods purchased for resale.

Although not recommended for statutory changes at this time the Legislature should:

o Monitor the interaction between functional literacy and PRIDE employment. Inmates in the federal system are payed



at the lowest industry wages until functional literacy is achieved.

o Consider requiring that the number of skilled jobs in the PRIDE program increase at a greater percentage than total growth.

A P P E N D I C E S

VI. APPENDICES

## INMATE AVAILABILITY

	6/30/84	6/30/85	6/30/86	6/30/87	1988 BUDGET
Total Inmate Population (1)	26,471	28,310	29,712	32,752	36,877 (1)
Contracted Detention Facilities	137	145	257	100	
Contract Drug House	8	10	16	357	
Florida State Mental Hospitals	148	141	143	142	
Community Correctional Centers	2,315	2,803	2,873	2,809	
Vocational Training Centers	355	413	340	493	
DC Road Prisons	552	596	548	535	
Lantana C.I. (Drug Rehab.)	211	218	233	202	
R & M - Hospital	114	100	125	135	
R & M - Annex	448	---	---	---	
R & M - Main	1,143	947	1,153	1,099	
R & M - Annex II	377	377	399	828	
R & M - New River	559	466	500	523	
Indian River C.I.	235	269	214	209	
Hillsborough C.I.	290	338	338	239	
Okaloosa C.I.	145	239	222	287	
Putnam C.I.	85	290	324	319	
Mayo C.I.	122	464	448	759	
Lake C.I.	555	566	530	569	
Lancaster C.I.	430	615	566	497	
Death Row	209	229	248	270	
In Transit	300	40	33	30	
Medical Reasons	4,000	4,246	4,489	4,949	
Confinement	875	1,415	1,486	1,475	
FSP Close Custody (approx.)	1,000	1,000	1,000	1,000	
Internal Oper. of facilities	3,500	5,662	5,942	6,550	
DOT, DNR, County-City Gov't	1,000	1,132	1,188	1,237	
Mental Health Institution	---	40	74	105	
S. Florida Reception Center	---	126	342	948	
<b>Inmates Available for Work</b>	<b>7,358</b>	<b>5,423</b>	<b>5,681</b>	<b>6,086</b>	<b>6,390</b>
<b>Inmate Workers (3)</b>	<b>1,498</b>	<b>1,701</b>	<b>1,931</b>	<b>2,194</b>	<b>2,521</b>
<b>% of Available</b>	<b>20%</b>	<b>31</b>	<b>34%</b>	<b>36%</b>	<b>39%</b>
<b>% Gain Over Previous Years</b>		<b>13.6%</b>	<b>13.5%</b>	<b>13.6%</b>	<b>14.9%</b>

(1) Source: Florida Department of Corrections  
Research and Statistics

(2) Source: Criminal Justice Estimating Conference  
May be affected by administrative gain time

(3) Source: PRIDE Payroll Records

Inmate Utilization Survey  
Executive Summary

The Citizens of Florida have supported legislation that provides opportunities, so that all able bodied inmates are involved in meaningful productive work endeavors, Vocational Training, Academic Education, and other specially designed programs. As a result the Department must continually revise, expand, and develop programs to meet the needs of an ever increasing and changing population.

The Inmate Utilization survey was developed by the Department of Corrections to:

- ⊙ Review the inmate custody breakdown of the Department;
- ⊙ Determine the actual number of work stations at the time of the survey;
- ⊙ Determine the number of minimum/medium custody inmates that are in a restricted status;
- ⊙ Determine the inmate work force;
- ⊙ Determine the need for additional work and other program needs to reduce "featherbedding" and inmate idleness;
- ⊙ Provide better classification of inmates to meet institutional needs;
- ⊙ Support any legislative request for increased work and/or program capabilities;
- ⊙ Support any legislative request for additional staff to supervise the increased work and program enhancements.
- ⊙ Serve as an on-going evaluation tool of institutional and Department-wide inmate utilization.

The Departments effort to provide a comprehensive report resulted in the instrument being field tested on two different occasions over an eight month period. Training sessions in the administration of the survey were conducted to ensure that consistent information was collected statewide. The actual survey was conducted through regional and institutional meetings from November 1986, through February 1987.

The survey screened 28,475 inmates who were housed in Major Institutions, Road Prisons, and Vocational Centers. The inmates not screened were those in Community Work Release, contracted facilities, and the Corrections Mental Health Institution.

Section I

Of the 28,475 inmates surveyed;

- 12,838 or 45.1% were close custody (Includes unclassified inmates)
- 8,033 or 28.2% were medium custody
- 7,604 or 26.7% were minimum custody

Section II

Section II of the survey represents minimum/medium custody inmates, that are restricted inside the perimeter. There were 15,637 inmates identified as minimum/medium custody. Of this number, 5,649 or 36% were restricted, therefore treated as though they were close custody. The restrictions are a result of the following:

- 422 or 7% are illegal aliens;
- 1399 or 25% are sex offenders by current commitment;
- 321 or 6% are restricted due to a previous sex offense commitment in Florida;
- 41 or 1% are restricted due to a previous sex offense commitment in another state;
- 717 or 13% have outstanding warrant restrictions;
- 8 or <1% are serving a commitment with such notoriety, or the inmate is so well known in the community that placing him outside the perimeter would not be in the best interest of the Public, the Department or the inmate;
- 1,163 or 21% were either medical grade III's or IV's or had medical lay-ins, that on the date of the survey prevented them from being assigned outside the perimeter;
- 532 or 9% were in either disciplinary, administrative, or protective confinement;
- 257 or 5% had arrest records that were extremely serious preventing them from being assigned outside the perimeter. (Includes sexual arrest, assaultive behavior, and other violent type tendencies).
- 225 or 4% were involved in recommended treatment programs such as substance abuse and guidance counseling;
- 57 or 1% were under psychiatric/psychological care
- 507 or 9% were housed at the Reception Medical Center, Butler Transient Unit, and New River Annex, waiting for the reception process to be completed and transfer to a permanent institution. These inmates are utilized inside the perimeter in various types of work programs.

### Section III

Section III of the survey reflects actual full time work stations, determined to be necessary to operate each institution.

There were a total of 19,355 work stations identified statewide.

- o 13,795 or 71% were work stations located inside the perimeter.
- o 5,560 or 29% were work stations located outside the perimeter.
  
- o Of the total work stations, 2,046 or 10.5% were work stations identified with PRIDE industries
  
- o 16,868 or 87% were work stations located on institutional property;
- o 2,487 or 13% were work stations located away from the institution.

Of the 5,560 work stations located outside the perimeter:

- o 3,073 or 55% are work stations on institutional property;
- o 2,487 or 45% are work stations located in the communities, other state agencies, inter-agency projects and non-profit organizations.
  
- o 785 or 14% with Department of Transportation
- o 789 or 14% with Public Works
- o 237 or 4% with Community Service
- o 613 or 11% with inter-agency projects

Of the 13,795 work stations identified as necessary inside the perimeter:

12,838	close custody inmates
- 5,649	restricted minimum/medium custody inmates
18,487	inmates that must work <u>inside</u> the perimeter

Thus,

18,487 inmates that must work inside the perimeter  
2,588 minimum/medium custody inmates who work on inside work stations at reduced custody institutions, and those minimum/medium custody inmates who must work on inside work stations, due to not enough close custody are restricted inmates available at the facility to fill the inside work stations.

21,075 inmates available for inside work stations that are required to meet institutional needs, due to restrictions, and reduced custody housing facilities  
 -13,795 inside work stations  
 7,280 more inmates than available work stations

Thus,

15,637 minimum/medium custody inmates (statewide)  
 - 5,649 restricted minimum/medium custody inmates  
 9,988  
 - 5,560 outside work stations  
 4,428  
 - 2,588 minimum/medium custody inmates who work on inside work stations at reduced custody institutions, and those minimum/medium custody inmates who must work on inside work stations, due to not enough close custody or restricted inmates available at the facility to fill the inside work stations.

o 1,840 additional minimum/medium custody inmates

This utilization survey does not provide a comprehensive review and evaluation of the additional 1840 minimum/medium custody inmates who are housed inside the secure perimeter. Some of these inmates are assigned to critical work stations, that are subject to limited supervision, in close custody institutions. Others may be involved in Academic, Vocational and other treatment programs that are available at the institutions. Therefore, the reality is that all of the 1840 inmates may not be immediately available to work at outside work stations.

Obviously, today we have many more inmates assigned to particular work areas, resulting in "featherbedding" and reduced inmate work hours. It is also important to note here that some of the Departments facilities house only inmates in a reduced custody status, therefore, inmates who are minimum/medium custody would have to fill work stations inside the perimeter.

### Suggestions and Conclusion

It would be quite evident that a major effort would need to be undertaken to find meaningful work, Academic/Vocational Programs and or projects for those inmates who are restricted inside the confines of the perimeter. Even with 71% of the systems work stations located inside the perimeter, it still cannot accommodate the 18,487 inmates who must work in these work stations.

Several suggestions have included expansion of P.R.I.D.E. Industries throughout the system, increasing participation in Academic/Vocational Programs, as well as considering the use of work squads under armed supervision. This need for expansion as expected would require more staff to supervise, teach and instruct these activities.

It is a recommendation that this survey be conducted on predetermined dates, in order to monitor the needs of the facilities in this system. Transfers from reception centers as well as inter-institutional transfers could be handled in such a manner that the needs of the inmate and the Department could better be met.



Effective utilization of the inmate labor force, and the planning of appropriate treatment programs for the inmate population can only be accomplished through a systematic approach of matching the needs of the inmate and a facility with available work and treatment programs. It is felt that this instrument gives the Department a new look at meeting this challenge.

(4)

Table III

Inmate Recommitted out of the 20,896  
Releases as of January 14, 1988

	Frequency	% of Releases
Non-PRIDE Recommitments	8,496	44% of (19,327)
PRIDE Recommitments	<u>489</u>	31% of (1,569)
	8,985	

Table IV

PRIDE Recommitments (489)  
as of January 14, 1988

	Frequency	% of PRIDE Recommitments
Non-Skilled	283	58%
Semi-Skilled	172	35%
Skilled	<u>34</u>	<u>7%</u>
	489	100%

PRIDE Questionnaire

Name \_\_\_\_\_

County/City \_\_\_\_\_

1. Please list the amount of your annual purchases \$ \_\_\_\_\_

2. Have you purchased anything from PRIDE? \_\_\_\_\_ If so, please list the year and amount.

PRIDE Purchases	Year _____	Amount \$ _____
	Year _____	Amount \$ _____
	Year _____	Amount \$ _____

If the answer to question number 2 is yes, please complete questions 3 - 10. If the answer to question number 2 is no, please explain your reasons for not doing business with PRIDE.

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3. How did you know about the PRIDE Program?

- A. PRIDE representative
- B. Other purchasing agents
- C. Other \_\_\_\_\_
- D. Don't know about the PRIDE Program

4. How often do you receive information on the PRIDE Program from PRIDE?

- A. Annually
- B. Semiannually
- C. Monthly
- D. Other \_\_\_\_\_

5. Please describe the type of products bought from PRIDE?

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Name \_\_\_\_\_

Agency/Institution \_\_\_\_\_

1. Please list the amount of your annual purchases  
\$ \_\_\_\_\_

2. Have you purchased anything from PRIDE? \_\_\_\_\_ if so,  
please list the year and amount.

Year _____	Amount \$ _____
Year _____	Amount \$ _____
Year _____	Amount \$ _____

3. If the answer to question 2 is yes, please complete questions 4-10. If the answer to question 2 is no, please explain your reasons for not doing business with PRIDE.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If you have been buying PRIDE products please answer questions 4-21.

4. How did you know about the PRIDE program?

- A. PRIDE representative
- B. Other purchasing agents
- C. Other \_\_\_\_\_
- D. Don't know about PRIDE

5. How often do you receive information on the PRIDE program from PRIDE?

- A. Annually
- B. Semiannually
- C. Monthly
- D. Other \_\_\_\_\_

6. Please describe the type of products bought from PRIDE?

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7. Information from PRIDE is received by:

- A. Representative Visit
- B. Telephone
- C. Mail
- D. Other \_\_\_\_\_

8. How would you rate the quality of PRIDE products?

- A. Excellent
- B. Above Average
- C. Average
- D. Below Average

9. If product quality was unsatisfactory, did PRIDE correct the situation to your satisfaction?

Explain: \_\_\_\_\_

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10. How would you rate PRIDE prices?

- A. Too high
- B. Above Competitors
- C. In line with Competitors
- D. Below Competitors

11. Future PRIDE Purchases will probably

- A. Increase
- B. Stay the same
- C. Decrease

12. If purchases are not expected to increase, this is mostly a result of :

- A. Price
- B. Quality
- C. Local Vendors
- D. Other \_\_\_\_\_

13. Do you feel pressure to buy from PRIDE regardless of price and quality?

A. Yes

B. No

14. Do you feel pressure not to buy from PRIDE regardless of price and quality?

A. Yes

B. No

15. If you answered yes to questions 13 or 14 please explain the source of the pressure and what you think is the purpose behind the influence?

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16. Please explain your understanding of the "certification" process of PRIDE products?

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17. Are all PRIDE products listed in the PRIDE catalog certified?

A. Yes

B. No

18. In your opinion, should PRIDE be required to bid for state purchases?

A. Yes

B. No

Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

19. Do you think PRIDE products should meet Department of General Services (D.G.S.) standards and requirements?

- A. Yes
- B. No

20. If you answered no to question 19, this is mostly because:

- A. D.G.S. standards are too rigid for agency needs
- B. PRIDE can work with the agency and supply the needed product without D.G.S. involvement.
- C. D.G.S. standards are too low to ensure product quality
- D. Other \_\_\_\_\_

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21. Please give us any general comments you may have on the PRIDE program.

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Thank you. Please mail to:

Tod Stupski  
432 House Office Building  
Tallahassee, Florida  
32399-1300

CERTIFIED PRIDE PRODUCTS

Laundry Detergent

Laundry Bleach

Cleanser

Dishwashing Detergent

Grease Cleaner

Metal Polish

Bar Deodorant Soap

Car Washing liquid soap

Hand Soap

Cooks Apron

Laundry Bags

Blankets

Blouses

APPENDIX F



Women's Corduroy Coats

Intern and Lab Coats

Mattress Covers

Shower Curtin

Single and Double Ply Diapers

Inmate Dresses

Women's Dusters

American Flags

Patient Gowns

Denim Jeans

Pajamas

Inmate Pants

Pillowcases

Potholder

Sheets

Shirts

Boxer and Jockey Shorts

Slips

Socks

Towels

Washcloths

Caps

Bookcases

Chairs

Desks

Credenza

Conference Table

Furniture Refurbishing

Hospital Beds

Rack coat and hat

Typewriter stand

Telephone Stand

Wastebaskets

Ring Binders

Silk Screening

Metal Contemporary Office Chairs

Printed Products

Modular Office Furniture

STATE OF FLORIDA



DOYLE CONNER Commissioner

# FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES

## DIVISION OF CHEMISTRY / COMMODITY TESTING LABORATORY

3125 CONNER BLVD. TALLAHASSEE 32301 (904) 488-9038

### STATE CHEMIST ANALYSIS

LABORATORY NO. 67-571

LOT IDENTITY C/N 485-100-030-0520

SUBSTANCE Warehouse Upright Broom

LABEL #12466

QUANTITY 1

MANUFACTURER Pride of Florida

DISTRIBUTOR

SUBMITTED BY DGS, Division of Purchasing for Manufacturer

DATE RECEIVED 11-24-86

DATE DUE

DATE REPORTED 12-16-86

#### CHARACTERISTICS

#### SPECIFICATIONS

#### ANALYSIS

Type

Upright

Correct

Straw

#1 rust & mold free corn

Correct

Stitching:

No. rows:

C/N 485-100-030-0510

3 rows

C/N 485-100-030-0520

5 rows

5 rows

Twine material

Waxed cotton

Polyethylene twine

Binding

Bound to handle with galvanized steel wire

Correct

Stapled

Stapled to handle

Correct

Handle

1" diam. lacquered hardwood

Correct

Length

54" min., overall

55 in.

Weight

30 lbs./doz.

36.2 lbs./doz.

*Donald E. Houston*

Donald E. Houston  
Chemist Administrator  
Commodity Testing Laboratory

*C. H. Van Middlelem*

C.H. VAN MIDDELEM, PH. D.  
STATE CHEMIST

CHARACTERISTICS

Standard

SPECIFICATIONS

Zimco #2825 or approved  
equivalent

ANALYSIS

Standard broom  
unavailable for  
comparison

From PRIDE Catalog

SANITARY MAINTENANCE & JANITORIAL SUPPLIES (Continued)

<u>PRIDE</u> <u>No.</u>	<u>Description</u>	<u>Unit</u>	<u>Price</u>	<u>PRIDE</u> <u>No.</u>	<u>Description</u>	<u>Unit</u>	<u>Price</u>
<b>SPECIAL ORDER ONLY</b>							
12501	Lane Cleaner	30 gal. dr.	\$172.80	*10849	Starch, Laundry	250 lb. dr.	\$124.75
10848	Starch, Laundry	50 lb. dr.	29.50	10854	Detergent, Laundry, Liquid (Dynamo Type)	4/1 gal. cs.	16.00

\*Manufactured at Glades Division only

**NOTES:**

Orders for \$1,000 (\$500 from Apalachee) or more for a single shipment to one destination in the State of Florida will be shipped freight prepaid.

Orders for less than \$1,000 (\$500 from Apalachee) will be shipped freight prepaid with actual freight costs added to invoice.

Orders for \$3,000 or more to one destination in the State of Florida are entitled to a 2% volume discount.

**Contact for Orders:**

Customers located in counties NORTH of and including Hernando, Lake, Orange and Volusia counties:

PRIDE APALACHEE DIVISION  
P.O. Box 335 (904) 593-6431, Ext. 205  
Chattahoochee, Florida 32324 SC 786-1202

Customers located in counties SOUTH of and including Pasco, Polk, Oselca and Brevard counties:

PRIDE GLADES DIVISION  
500 Orange Avenue Circle (305) 996-1091  
Belle Glade, Florida 33430 SC 243-5000, Ext. 29  
Temporary #(305) 996-1094

**BROOMS**

<u>PRIDE</u> <u>No.</u>	<u>Description</u>	<u>Unit</u>	<u>Price</u>
11073	Brooms, Warehouse, Upright #1 Rust & Mold Free Corn, Stitched with 3 rows, waxed cotton twine & wire band, bound and stapled to a 1" dia. lacquered hardwood handle w/galvanized steel wire, overall length 54", 36 lbs per dozen weight.	12 per Box	\$58.00/Doz.
12466	Brooms, Warehouse, Heavy Duty, Upright #1 Rust & Mold Free Corn, Stitched with 5 rows, waxed cotton twine & wire band, bound and stapled to a 1" dia. lacquered hardwood handle w/galvanized steel wire, overall length 54", 30 lbs per dozen weight.	12 per Box	\$59.00/Doz.

STATE OF FLORIDA



DOYLE CONNER Commissioner

✓ FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES

DIVISION OF CHEMISTRY / COMMODITY TESTING LABORATORY  
3125 CONNER BLVD. TALLAHASSEE 32301 (904) 488-9038

STATE CHEMIST ANALYSIS

LABORATORY NO. 56-270

Bid  
B/N 121-425-14-F  
(Oct. 21, 1985)  
LOT IDENTITY C/N 425-14-30-0200  
-0210  
-0220

SUBSTANCE Chair, Wood, Executive Swivel  
Fixed High Back, Upholstered Arms

QUANTITY

LABEL Mfg. Model #10317 High Back

MANUFACTURER Polk

DISTRIBUTOR Pride

SUBMITTED BY DGS, Division of Purchasing for Manufacturer

DATE RECEIVED 10-22-85

DATE DUE

DATE REPORTED 11-13-85

CHARACTERISTICS

SPECIFICATIONS 425-14  
(Rev. 8-7-85)

ANALYSIS

Chair style

Executive swivel, w/  
upholstered arms

correct

Back style

Fixed, high

correct

Dimensions

Back width  
Back height  
Seat width  
Seat depth  
Seat height  
Width between arms  
Distance between center  
of pintle and center  
of hub

15 in., min.  
23 in., min.  
22 in., min.  
17.5 in., min.  
18 in., min.  
19 in., min.  
13.75 in., min.

21.6 in.  
29.3 in.  
22.5 in.  
18.3 in.  
20.8 in.  
19.8 in.  
✓12.3 in. (5-leg type)

Upholstery

425-14-30-0200  
-0210  
-0220

All vinyl  
All vinyl except for  
fabric seat top  
All fabric

correct

*Donald E. Houston*  
Donald E. Houston  
Chemist Administrator  
Commodity Testing Laboratory

*C. H. Van Middlelem*  
C. H. VAN MIDDELEM, PH. D.  
STATE CHEMIST

APPENDIX H

CHARACTERISTICSSPECIFICATIONSANALYSISMaterials

Vinyl covering (artificial  
leather)

Weight/unit area

(ASTM D 3776-79,

Option B-full width  
of sample)

18.7 oz./sq. yd., min.\*

✓ 17.6 oz./sq. yd.

Fabric covering:

Fiber identity

(AATCC 20-1980)

100% nylon

✓ 100% olefin

Workmanship

Defects which affect  
appearance, service-  
ability, or might  
cause injury to the  
use in normal use

None

correct

Comfort adjustments

For seat height  
" back tension

correct

correct

Structural test

1. Force between arms

75 lb., 1 min.

Permanent distortion

0.125 in., max.

0.06 in.

2. Force to move chair

horizontally w/200

load

Rolling characteris-  
tics

32 lb., max.

16.5 lb.

Free castering action;  
no flat spots or bind-  
ing of wheels

correct

Wheel marks on  
test surface

None

correct-

3. Force against back

125 lb., 1 min.

Permanent distortion

0.38 in., max.

0.25 in.

4. Seat drop, 200 lb.

from 6"

Permanent distortion

Damages

0.25 in., max.

None to cushion, base  
or chair control mech-  
anisms

0.12 in.

correct

\*Based on a 28 oz./running yd., min.; 54" wide material.





DOYLE CONNER Commissioner

FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES

DIVISION OF CHEMISTRY / COMMODITY TESTING LABORATORY  
3125 CONNER BLVD. TALLAHASSEE 32301 (904) 488-9038

STATE CHEMIST ANALYSIS

Bid

B/N 121-425-14-F

(Oct. 22, 1985)

LOT IDENTITY C/N 425-14-30-0100

-0110

-0120

LABORATORY NO. 56-272

SUBSTANCE Chairs, Wood, Executive, Swivel Base, Full Back, Upholstered Arms

MODEL BEL  
Mfg. Model #10316

QUANTITY

MANUFACTURER Polk

DISTRIBUTOR Pride

SUBMITTED BY DGS, Division of Purchasing for Manufacturer

DATE RECEIVED 10-22-85

DATE DUE

DATE REPORTED 11-13-85

CHARACTERISTICS

SPECIFICATIONS 425-14  
(Rev. 8-7-85)

ANALYSIS

Chair type

Executive, swivel, w/  
upholstered arms

correct

Back style

Fixed, full

correct

Dimensions:

Back width  
Back height  
Seat width  
Seat depth  
Seat height  
Width between arms  
Distance between center  
of pintle and center  
of hub

15 in., min.  
17 in., min.  
21.5 in., min.  
17.5 in., min.  
18 in., min.  
18.5 in., min.  
13.75 in., min.

19.0 in.  
20.5 in.  
21.9 in.  
18.7 in.  
20.1 in.  
20.3 in.  
✓12.3 in. (5-leg style)

Upholstery

425-14-30-0100  
-0110  
-0120

All vinyl  
All vinyl except for  
fabric seat top  
All fabric

correct

*Wald E. Houston*  
Wald E. Houston  
Chemist Administrator  
Commodity Testing Laboratory

*C. H. Van Middlelem*  
C. H. VAN MIDDELEM, PH. D.  
STATE CHEMIST

<u>CHARACTERISTICS</u>	<u>SPECIFICATIONS</u>	<u>ANALYSIS</u>
<u>Materials</u>		
<u>Vinyl covering (artificial leather)</u>		
Weight/unit area (ASTM D 3776-79) Option B-full width of sample)	18.7 oz./sq. yd., min.*	✓17.6 oz./sq. yd.
<u>Fabric covering:</u>		
<u>Fiber identity</u> (AATCC 20-1980)	100% nylon	✓100% olefin
<u>Workmanship</u>		
Defects which affect appearance, service-ability, or might cause injury to the user in normal use	None	correct
<u>Comfort adjustments</u>		
	For seat height " back tension	correct correct
<u>Structural test</u>		
1. <u>Force between arms</u> 75 lb., 1 min. Permanent distortion	0.125 in., max.	0.0 in.
2. <u>Force to move chair horizontally w/200 lb. load</u> Rolling characteristics Wheel marks on test surface	32 lb., max. Free casting action; no flat spots or binding of wheels None	12.3 lb. correct correct
3. <u>Force against back</u> 125 lb., 1 min. Permanent distortion	0.38 in., max.	0.25 in.
4. <u>Seat drop, 200 lb. from 6"</u> Permanent distortion Damages	0.25 in., max. None to cushion, base or chair control mechanisms	0.14 in. correct

\*Based on a 28 oz./running yd., min., 54" wide material.

STATE OF FLORIDA



DOYLE CONNER Commissioner

FLORIDA DEPARTMENT OF AGRICULTURE  
& CONSUMER SERVICES

DIVISION OF CHEMISTRY / COMMODITY TESTING LABORATORY

3125 CONNER BLVD. TALLAHASSEE 32301 (904) 488-9038

STATE CHEMIST ANALYSIS

Bid  
B/N 121-425-14-F  
(Oct. 21, 1985)  
C/N 425-14-30-0200

LABORATORY NO. 67-939

LOT IDENTITY

3210  
-0220

SUBSTANCE

Chair, Wood, Executive Swivel

LABEL

Fixed High Back, Upholstered Arms

QUANTITY

MANUFACTURER Pride of Florida

DISTRIBUTOR

SUBMITTED BY DGS, Division of Purchasing for Pride of Florida

DATE RECEIVED 4-20-87

DATE DUE

DATE REPORTED 4-30-87

CHARACTERISTICS

SPECIFICATIONS

ANALYSIS

425-14  
(Rev. 8-7-85)

Chair style

Executive swivel, w/  
upholstered arms

Correct

Back style

Fixed, high

Correct

Dimensions

Back width	15 in., min.	20.9 in.
Back height	23 in., min.	29.7 in.
Seat width	22 in., min.	22.0 in.
Seat depth	17.5 in., min.	19.0 in.
Seat height	18 in., min.	20.1 in.
Width between arms	19 in., min.	20.4 in.
Distance between center of pintle and center of hub	13.75 in., min.	13.1 in.

Upholstery

425-14-30-0200  
-0210

All vinyl  
All vinyl except for  
fabric seat top  
All fabric

Correct

-0220

*Donald E. Houston*

Donald E. Houston  
Chemist Administrator  
Commodity Testing Laboratory

*C. H. Van Middleburg*

C.H. VAN MIDDELEM, PH. D.  
STATE CHEMIST  
APPENDIX J

CHARACTERISTICSSPECIFICATIONSANALYSISMaterials

Vinyl covering (artificial leather)

Weight/unit area

ASTM D 3776-79,

Option B-full width of sample)

18.7 oz./sq. yd., min.\*

Fabric covering:

Fiber identity

(AATCC 20-1980)

100% nylon

Olefin

Workmanship

Defects which affect appearance, serviceability, or might cause injury to the use in normal use

None

See note\*\*

Comfort adjustments

For seat height  
" back tension

Correct

Correct

Structural test

1. Force between arms

75 lb., 1 min.

Permanent distortion

0.125 in., max.

0.14 in.

2. Force to move chair

horizontally w/200

load

Rolling characteristics

32 lb., max.

17 lb.

Free castoring action;  
no flat spots or binding of wheels

Correct

Wheel marks on test surface

None

None

3. Force against back

125 lb., 1 min.

Permanent distortion

0.38 in., max.

0.30 in.

4. Seat drop, 200 lb.

from 6"

Permanent distortion

Damages

0.25 in., max.

0.17 in.

None to cushion, base or chair control mechanisms

Correct

\*Based on a 28 oz./running yd., min., 54" wide material.

\*\*Note: The following defects in workmanship were noted:

1. Casters not ball bearing swivel action (paragraph 3.2.5).
2. Seat leans to right, not level by 0.3 in.
3. Finish not smooth, not sanded properly.
4. Paint on metal base peeling & flaking.
5. Arms made of oak (paragraph 3.2.1).
6. Wood on pedestal base not finished to same color as arms (paragraph 3.3.6).
7. Hub of base was not concealed by filler blocks as required (paragraph 3.3.4).



DOYLE CONNER Commissioner

FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES

DIVISION OF CHEMISTRY / COMMODITY TESTING LABORATORY

3125 CONNER BLVD. TALLAHASSEE 32301 (904) 488-6038

STATE CHEMIST ANALYSIS

Bid B/N 121-425-14-F (Oct. 21, 1985) C/N 425-14-32-0500 -0510 -0520

LABORATORY NO. 67-941

LOT IDENTITY

SUBSTANCE

LABEL Chair, Wood, Executive, Swivel Posture, High Back, Upholstered Arms QUANTITY

MANUFACTURER Pride of Florida

DISTRIBUTOR

SUBMITTED BY DGS, Division of Purchasing for Pride of Florida

DATE RECEIVED 4-20-87 DATE DUE DATE REPORTED 4-30-87

CHARACTERISTICS SPECIFICATIONS ANALYSIS

425-14 (Rev. 8-7-85)

Chair style Executive, swivel, w/ upholstered arms Correct

Back style Posture, high back Correct

Dimensions:

Table with 3 columns: Characteristic, Specification, and Analysis. Rows include Back width (15 in., min. / 21.0 in.), Back height (27 in., min. / 29.2 in.), Seat width (19 in., min. / 23.2 in.), Seat depth (18 in., min. / 20.1 in.), Seat height (18 in., min. / 19.9 in.), Width between arms (19 in., min. / 20.9 in.), and Distance between center of pintle and center of hub (13.5 in., min. / 13.1 in.).

Upholstery

425-14-32-0500 All vinyl -0510 All vinyl except for fabric seat top -0520 All fabric

Correct

Donald E. Houston, Chemist Administrator, Commodity Testing Laboratory

C. H. Van Middelton, C.H. VAN MIDDELEM, PH. D. STATE CHEMIST

CHARACTERISTICSSPECIFICATIONSANALYSISMaterial

Vinyl covering (artificial  
leather)

Weight/unit area

(ASTM D 3776-79,

Option B-full width  
of sample)

18.7 oz./sq. yd., min.\*

Fabric covering:

Fiber identity

(AATCC 20-1980)

100% nylon

Olefin

Comfort adjustments

For seat height

" back height

" back tension

" back attitude

Correct

Correct

Correct

Correct

Workmanship

Defects which affect  
appearance, service-  
ability, or might  
cause injury to the  
user in normal use

None

See note\*\*

Structural test

1. Force between arms  
75 lb., 1 min.  
Permanent distortion

0.125 in., max.

0.10 in.

2. Force to move chair  
horizontally w/200  
load  
Rolling characteris-  
tics

32 lb., max.

26.3 lb.

Free castering action;  
no flat spots or bind-  
of wheels

Correct

Wheel marks on  
test surface

None

None

3. Force against back,  
125 lb., 1 min.  
Permanent distortion

0.75 in., max.

2.10 in.

4. Seat drop, 200 lb.  
from 6"  
Permanent distortion  
Damages

0.25 in., max.

0.10 in.

None to cushion, base  
or chair control mecha-  
nisms

Correct

\*Based on a 28 oz./running yd., min., 54" wide material.

\*\*Note: The following defects in workmanship were noted:

1. Back panel coming loose on both sides.
2. Finish coming off several places (paragraph 3.3.6).
3. Paint on metal of base peeling & flaking off.
4. Back will not allow a normal vertical position because of improperly matched mechanism.
5. Staple sticking out of upholstery on back causing sharp edge.
6. When chair was first received and sat in, back fell off and caused occupant to fall over backwards onto floor.
7. Casters not ball bearing swivels (paragraph 3.2.5).
8. Hub of base was not concealed by filler block as required (paragraph 3.3.4).



Products Manufactured or Distributed by PRIDE OF FLORIDA  
 Tested July 1, 1985 - January 12, 1988, by Commodity  
 Testing Laboratory

FY 87-88

<u>P-F***</u>	<u>Lab No.</u>	<u>Item</u>	<u>P.O.#</u>	<u>Institution or Manufacturer</u>
P	78-45	Soap, hand, bar	SU2444	Landmark Learning Center
P	78-56	Soap, hand, bar	15132	Broward Correctional Institution
P	78-57	Floor Sealer, #12471	15132	"
P	78-58	Floor Stripper, Non-Ammoniated, #11557	15132	"
P	78-59	Floor Finish, 20%, #10023	15132	"
P	78-62	Floor Cleaner, #10026	50288	South Florida State Hospital
F	78-63	Floor Finish, 20%, #10023	50288	"
P	78-81	Floor Stripper, Non-Ammoniated, #11557	11053	Lantanna Correctional Inst.
P	78-82	Floor Finish, #10021	11053	"
F	78-84**	Washcloths	15267	Broward Correctional Institution
P	78-85**	Pillowcases	15267	"
P	78-87**	Pillowcases		South Florida State Hospital
F	78-92	Bleach, dry #10008	11399	Lantanna Correctional Inst.
F	78-188	Laundry bleach, liquid		Florida State Hospital
F	78-272	Laundry bleach, liquid "Time Saver"	SG8852	Sunland Center at Gainesville Mfg.-Wallace Chem. Co.- Distributed by Pride
F	78-288**	Washcloth's, bath	SG8236	Sunland Center at Gainesville
F	78-289**	Towel's, bath	SG8235	" "
P	78-291	Stripper, Non-Amm., #11557	L3813	Hillsborough Correc. Inst.
P	78-292	Soap, bar, hand	L3813	" "
P	78-293	Floor cleaner, #10028	L3813	" "
F	78-294	Bleach, dry, #10008	L3813	" "
F	78-295**	Washcloth's, bath, #10243	L3771	" "
F	78-296**	Towel's, bath	L3771	" "
F	78-297	Bleach, dry, #10008	EE4099	Polk Correctional Inst.
P	78-298	Soap, hand, bar, #10036	EE4099	" "
P	78-299	Stripper, Non-Amm., #11557	EE4099	" "
P	78-300	Floor cleaner, #10027	EE4099	" "
F	78-309**	Washcloth's, bath, #10243	EE4528	" "
F	78-310**	Towels, bath, #10240	PP7515	" "
F	78-311	Bleach, laundry, liquid,	SF3126	North Florida Evaluation & Treatment Center-Mfg.-Wallace Chem. Co.-Dist. by Pride
P	78-316	Soap, bar, hand	SF3127	North Florida Evaluation & Treatment Center
P	78-338	Soap, bar, hand	Bid	DGS, Div. of Purchasing
*	78-483	Soap, Hand, bar, #10036	34023	A. G. Dozier School for Boys
P	78-488**	Sheets, Bed, #10184	09083	A. G. Dozier School for Boys, Mfg. J. P. Stevens, Dist. by Pride
*	78-505	Mattress core, Polyurethane	89998	Florida State Hospital
*	78-507**	Washcloths, bath, #10243	SB7159	Florida State Hospital

APPENDIX L

FY 86-87

<u>P-F</u>	<u>Lab No.</u>	<u>Item</u>	<u>P.O.#</u>	<u>Institution or Manufacturer</u>
P	67-14	Socks, Crew, Girls	31965	Sunland-Marianna
F	67-15	Socks, Tube, Mens	31943	"
F	67-30	Liquid Hand Soap	00571	"
P	67-31	Floor Stripper, Non-Ammoniated	45219	"
F	67-33	Floor Finish		Apalachee Correctional Inst.
F	67-34	Floor Finish		"
P	67-35	Soap, Bar	10036 40056	A. G. Dozier School for Boys
F	67-42	Floor Finish		"
P	67-43	Floor Finish		"
P	67-50	Shoes, Leather, Mens	34739	"
F	67-156	Bleach, Dry	46250	Union Correctional Institution
P	67-157	Floor Cleaner	46250	"
F	67-183	Bleach, Liquid "Time Saver"	1-1089	Florida Highway Patrol Manufactured by: Wallace Chemical Co.
P	67-220	Towels, Bath	42051	South Florida State Hospital
F	67-285	Socks, Tube, Mens	31943	Sunland at Marianna
F	67-569	Soap, Bar, Hand		"
F	67-570	Soap, Bar, Hand		"
F	67-571	Broom, Warehouse #12466		Pride for DGS
F	67-572	Broom, Warehouse #11073		"
F	67-584	Socks, Tube, Mens	31943	Sunland at Marianna
F	67-588	Bleach, Dry	27336	Cross City Correctional Inst.
F	67-595	Floor Finish	12974	Florida Correctional Inst.
P	67-596	Bleach, Liquid "Time Saver"	13107	Florida Corr. Inst. - Manufactured by Wallace Chemical Co. - Dist. by Pride
P	67-597	Floor Cleaner	13107	Florida Correctional Institution
P	67-611	Soap, Hand, Bar	9743	Lancaster Correctional Inst.
F	67-615	Sheet, #10184	9720	"
P	67-627	Soap, Hand, Bar		Cross City Correctional Inst.
P	67-631	Floor Cleaner		"
P	67-632	Floor Cleaner		"
P	67-636	Drain Pipe Cleaner	6808	Lancaster Correctional Inst.
F	67-637	Bleach, Dry		"
F	67-811	Soap, Hand, Bar	G0125	DeSoto Correctional Institution
F	67-822	Soap, Hand, Bar	SM4537	Gulf Coast Center
F	67-824	Socks, Tube, Mens	31948	"
F	67-825	Washcloths	SM3954	"
F	67-826	Towels, Bath	SM3954	"

## FY 86-87 (Cont'd)

<u>P-F</u>	<u>Lab No.</u>	<u>Item</u>	<u>P.O.#</u>	<u>Institution or Manufacturer</u>
F	67-827	Socks, Tube, Mens	G14937	DeSoto Correctional Institution
F	67-828	Shirts, "T"	B-15173	Avon Park Correc. Inst.
P	67-895	Blouses, Misses	11712	Florida State Hospital
F	67-896	Shirt, Sport, Mens	11712	"
P	67-897	Blouses, Misses	11859	"
F	67-898	Washcloths	11712	"
F	67-899	Socks, Tube, Mens	11859	"
F	67-900	Underwear, Mens	11712	"
F	67-938	Chair, Wood, Office	Research	Dept. of General Services
F	67-939	Chair, Wood, Office	Research	"
F	67-940	Chair, Wood, Office	Research	"
F	67-941	Chair, Wood, Office	Research	"
F	67-942	Chair, Wood, Office	Research	"
F	67-943	Chair, Wood, Office	Research	"
F	67-944	Chair, Wood, Office	Research	"
F	67-945	Chair, Wood, Office	Research	"
P	67-1116	Mattress Core	05381	Florida State Hospital
P	67-1121	Floor Cleaner, #10028	28109	Cross City Corr. Inst.
P	67-1122	Floor Cleaner, #10028	28109	"
P	67-1131	Floor Cleaner, #10028	7180	Lake Correctional Inst.
P	67-1145	Floor Cleaner, #10026	4985	Marion Correctional Inst.
P	67-1165	Floor Cleaner, #10028	7467	Lancaster Correctional Inst.

## FY 85-86

<u>P-F***</u>	<u>Lab No.</u>	<u>Item</u>	<u>P.O.#</u>	<u>Institution or Manufacturer</u>
P	56-46	Letterhead Stationary Q.C. Bond		Pride
P	56-112	Floor Stripper		Florida State Hospital
F	56-270	Wood Office Chairs #10317		Mfg.-Polk, Distributed by Pride
F	56-271	#10318		"
F	56-272	#10316		"
F	56-273	#10319		"
F	56-282	Mattress, polycore Grade A	02932	Apalachee Correctional Inst.
P	56-283	Mattress, Cotton, Grade D	02932	"
F	56-285	Mattress Cover, Vinyl, Impregnated nylon	02932	"
F	56-286	Mattress Cover, cotton ticking	02932	"
F	56-411	Square acrylic sign	49934	Dept. of General Services
F	56-439	Whole Mattress	A-1001	Apalachee Correctional Inst.

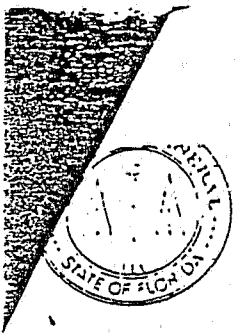
## FY 85-86 (Cont'd)

<u>P-F***</u>	<u>Lab No.</u>	<u>Item</u>	<u>P.O.#</u>	<u>Institution or Manufacturer</u>
P	56-440	Floor Cleaner	A-1001	"
P	56-442	Soap, Hand, bar	A-1001	"
P	56-443	Floor Stripper	A-1001	"
P	56-444	Cotton Core batting		"
F	56-611	Cotton ticking	A-1001	"
P	56-612	Foam Mattress, Whole	40743	South Florida State Hospital
P	56-613	Mattress Cover, Vinyl Impregnated nylon	40743	"
P	56-827	Ladies Gown	96904	Florida State Hospital
F	56-828	Desk, Wood, Gen. Purpose	Bid	Pride
F	56-834	Credenza, 3 cabinet	Bid	Pride
F	56-835	Desk, Wood, Sec., L-shaped	Bid	Pride

\*Report has not been issued at this time.

\*\*Product testing against Pride specifications.

\*\*\*Except where noted, pass-fail is based on testing against institution specifications, not Pride's. Pride specifications have not been available to this laboratory until very recently.



DEPARTMENT OF LEGAL AFFAIRS

OFFICE OF THE ATTORNEY GENERAL

THE CAPITOL

TALLAHASSEE, FLORIDA 32301

JLM SMITH  
Attorney General  
State of Florida

August 21, 1984

The Honorable James G. Ward  
Chairman  
Committee on Corrections, Probation  
and Parole  
Florida House of Representatives  
432 House Office Building  
Tallahassee, Florida 32301

Re: INMATE LABOR AND CORRECTIONAL WORK PROGRAMS--  
SUNSHINE LAW--PUBLIC RECORDS LAW--applicability  
of §119.07, F.S., and §286.011, F.S., to PRIDE  
Inc., §§946.01 - 946.19, 119.07, 286.011, F.S.

Dear Representative Ward:

This is in response to your request for an Attorney General  
Opinion regarding the applicability of §119.07 (the Public  
Records Law), and/or §286.011, F.S. (the Sunshine Law) to the  
nonprofit corporation established pursuant to §946.01, F.S.

Section 946.01(1), F.S., states in pertinent part that:

It is the intent of the Legislature that  
a nonprofit corporation, the members of  
which are appointed by the Governor and  
confirmed by the Senate, be organized  
pursuant to chapter 617, possessing all  
the powers granted by chapter 617, in  
order to lease, incrementally, and manage  
the correctional work programs of the  
Department of Corrections.

It is further provided to be the intent of the Legislature that  
once the nonprofit corporation is organized as described above  
no other nonprofit corporation may be organized for the purpose  
of carrying out the provisions of §§946.01 - 946.19, F.S. Section  
946.01(2), F.S. It is specifically provided in this subsection  
that "[i]n carrying out the provisions of ss. 946.01 - 946.19,  
the corporation is not an 'agency' within the meaning of s. 20.03  
(11)" (describing the organizational structure of state government).

The Legislature further expressed its intent that "although the state has a continuing interest in correctional work programs, such programs can best operate independently of state government." Section 946.01(5), F.S.

Section 286.011(1), F.S., Florida's Government in the Sunshine Law, provides, inter alia, that:

All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times.

In *Times Publishing Company v. Williams*, 222 So.2d 470 (2 D.C.A. Fla., 1969), the court expressed the view that the Legislature intended the Sunshine Law to apply to "every board or commission . . . over which [the Legislature] has dominion and control." See also, *City of Miami Beach v. Berns*, 245 So.2d 38 (Fla. 1971). Thus §286.011, F.S., is not applicable to private organizations which are not state or local governmental agencies or subject to the control of the Legislature or which do not serve in an advisory capacity to such state or local governmental agencies. Cf., AGO 83-1.

In previous opinions of this office it has been stated that the receipt of public funds by a private nonprofit corporation does not, in and of itself, subject such an organization to the requirements of §286.011, F.S. See, e.g., AGO's 83-1 and 74-22. And see, AGO 78-161, in which this office stated that the receipt of public funds by a private nonprofit corporation under contract with a public agency did not subject the corporation to §286.011, F.S. As is stated in §946.02(1), F.S., the "corporation" for purposes of the legislation is a "private nonprofit corporation." (e.s.) And see, §946.042, F.S., which provides that the corporation has the power to request, through the department, an appropriation of general revenue funds for purposes of operation of, addition to or renovation of facilities or correctional work programs at the various correctional institutions, and §946.03(5)(a), F.S. In AGO 78-161, this office concluded that the contract between the private nonprofit corporation and district mental health board in which the private corporation agreed to

provide mental health services as authorized and contemplated in Part IV, Ch. 394, F.S., did not in itself constitute a delegation of the district board's governmental or legislative powers to the private organization and therefore the private nonprofit corporation was not, by virtue of its contractual relationship with the mental health board, subject to the Sunshine Law. The clearly expressed legislative intent of §§946.01 - 946.19, F.S., that "the corporation is not an 'agency' within the meaning of s. 20.03(11)" and that "such [correctional work] programs can best operate independently of state government" seem to point to the independent and separate nature of the corporation from state governmental operation and control. Based on the foregoing, I am unable to determine that the corporation is subject to the "dominion and control" of the Legislature or that a delegation of the governmental powers of the Department of Corrections to the corporation established pursuant to §§946.01 - 946.19, F.S., has taken place which would make it subject to the provisions of the Sunshine Law.

With regard to the applicability of Ch. 119, F.S. (the Public Records Law), to the corporation, the rule is that the records of any entity, public or private, acting on behalf of a public agency are subject to Ch. 119. See, AGO 83-1. The records of the corporation would appear to fall within the scope of §119.011, F.S., which provides that:

"Public records" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

Section 119.011(1), F.S.

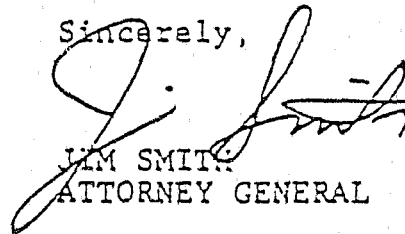
An agency is defined in §119.011(2), F.S., to include "any . . . public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency." (e.s.) It would appear that the corporation, in leasing and managing the correctional work programs of the Department of Corrections is an "entity acting on behalf of [a] public agency." Cf., §946.10, F.S., which makes each report of the corporation to the state or to the Department of Corrections a public record "unless such report would not be a public record if prepared by the department."

Memorandum to James G. Ward  
Page Four

In sum, while the corporation established pursuant to §§946.01 - 946.19, F.S., does appear to satisfy the test for applicability of the Public Records Law, i.e., it is by the terms of the statute a private corporation acting on behalf of a public agency, the corporation does not appear to be subject to the dominion and control of the Legislature or to have been delegated the powers of the Department of Corrections so that it would seem to be outside the scope of the Sunshine Law.

I trust that these informal comments will be of some assistance to you. With all good wishes, I am

Sincerely,



JIM SMITH  
ATTORNEY GENERAL

JS/GHw