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2010

1 A bill to be entitled
 2 An act relating to faith- and character-based correctional
 3 institution programs; amending s. 944.803, F.S.; revising
 4 legislative findings; providing requirements for faith-
 5 and character-based programs; deleting provisions relating
 6 to funding; revising requirements for participation;
 7 deleting provisions relating to assignment of chaplains;
 8 providing an effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Section 944.803, Florida Statutes, is amended
 13 to read:

14 944.803 Faith- and character-based ~~Faith-based~~ programs
 15 ~~for inmates.~~

16 (1) The Legislature finds and declares that faith- and
 17 character-based ~~faith-based~~ programs offered in state and
 18 private correctional institutions and facilities have the
 19 potential to facilitate inmate institutional adjustment, help
 20 inmates assume personal responsibility, and reduce recidivism.

21 (2) It is the intent of the Legislature that the
 22 department ~~of Corrections~~ and the private vendors operating
 23 private correctional facilities ~~shall~~ continuously:

24 (a) Measure recidivism rates for inmates who have
 25 participated in faith- and character-based ~~religious~~ programs.~~†~~

26 (b) Increase the number of volunteers who minister to
 27 inmates from various faith-based and secular institutions in the
 28 community.~~†~~

29 (c) Develop community linkages with secular institutions
 30 as well as churches, synagogues, mosques, and other faith-based
 31 institutions to assist inmates in their release back into the
 32 community. ~~and~~

33 ~~(d) Fund through the use of annual appropriations, in~~
 34 ~~department facilities, and through inmate welfare trust funds~~
 35 ~~pursuant to s. 945.215, in private facilities, an adequate~~
 36 ~~number of chaplains and support staff to operate faith-based~~
 37 ~~programs in correctional institutions.~~

38 (3) (a) ~~The department must have at least six new programs~~
 39 ~~fully operational. These six programs shall be similar to and in~~
 40 ~~addition to the current faith-based pilot program. The six new~~
 41 ~~programs shall be a joint effort with the department and faith-~~
 42 ~~based service groups within the community. The department shall~~
 43 ensure that an inmate's faith orientation, or lack thereof, will
 44 not be considered in determining admission to a faith- and
 45 character-based ~~faith-based~~ program and that the program does
 46 not attempt to convert an inmate toward a particular faith or
 47 religious preference.

48 (b) The programs shall operate 24 hours a day within the
 49 existing correctional facilities and. ~~The programs must~~
 50 emphasize the importance of personal responsibility, meaningful
 51 work, education, substance abuse treatment, and peer support.

52 (c) Participation in a ~~the faith-based dormitory~~ program
 53 shall be voluntary. ~~However, at least 80 percent of the inmates~~
 54 ~~participating in this program must be within 36 months of~~
 55 ~~release. Assignment to a program~~ these programs shall be based
 56 on evaluation and the length of time the inmate is projected to

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57 | be assigned to that particular institution. ~~In evaluating an~~
 58 | ~~inmate for this program, priority shall be given to inmates who~~
 59 | ~~have shown an indication for substance abuse. A right to~~
 60 | ~~substance abuse program services is not stated, intended, or~~
 61 | ~~otherwise implied by this subsection.~~ The department may not
 62 | remove an inmate once assigned to a ~~the~~ program except for the
 63 | purposes of population management, for inmate conduct that may
 64 | subject the inmate to disciplinary confinement or loss of gain-
 65 | time, for physical or mental health concerns, or for security or
 66 | safety concerns. ~~To support the programming component, the~~
 67 | ~~department shall assign a chaplain and a full-time clerical~~
 68 | ~~support person dedicated to each dormitory to implement and~~
 69 | ~~monitor the program and to strengthen volunteer participation~~
 70 | ~~and support.~~

71 | ~~(4) The Department of Corrections shall assign chaplains~~
 72 | ~~to community correctional centers authorized pursuant to s.~~
 73 | ~~945.091(1)(b). These chaplains shall strengthen volunteer~~
 74 | ~~participation by recruiting volunteers in the community to~~
 75 | ~~assist inmates in transition, and, if requested by the inmate,~~
 76 | ~~placement in a mentoring program or at a contracted substance~~
 77 | ~~abuse transition housing program. When placing an inmate in a~~
 78 | ~~contracted program, the chaplain shall work with the~~
 79 | ~~institutional transition assistance specialist in an effort to~~
 80 | ~~successfully place the released inmate.~~

81 | (4)(5) The department shall ensure that any faith
 82 | component of any program authorized in this chapter is offered
 83 | on a voluntary basis and, an offender's faith orientation, or
 84 | lack thereof, will not be considered in determining admission to

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85 such a ~~faith-based~~ program and that the program does not attempt
86 to convert an offender toward a particular faith or religious
87 preference.

88 (5)~~(6)~~ The department shall ensure that state funds are
89 not expended for the purpose of furthering religious
90 indoctrination, but rather, that state funds are expended for
91 purposes of furthering the secular goals of criminal
92 rehabilitation, the successful reintegration of offenders into
93 the community, and the reduction of recidivism.

94 Section 2. This act shall take effect upon becoming a law.