

HB 823

2010

1 A bill to be entitled
2 An act relating to female inmates who are parents of minor
3 children; providing legislative findings and intent with
4 respect to the importance of a female inmate maintaining a
5 relationship with her minor child; requiring the
6 Department of Corrections to collect certain information
7 concerning the children of female inmates in the state
8 correctional system; requiring the department to analyze
9 the institutional assignment of each female inmate who is
10 a parent and determine the inmate's proximity to her minor
11 child; providing an exception if the court has restricted
12 a female inmate's contact with her child; amending s.
13 944.17, F.S.; requiring the department to consider a
14 female inmate's proximity to her minor child when
15 transferring the inmate; amending s. 944.24, F.S.;
16 requiring that a female inmate be assigned to a facility
17 as near as possible to her minor child; providing an
18 exception if the court has restricted the inmate's contact
19 with the child; amending s. 944.8031, F.S.; revising
20 legislative findings with respect to the benefit of
21 fostering relationships between a female inmate and her
22 minor children; providing an effective date.

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24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Female inmates who are parents of minor
27 children; legislative findings and intent; institutional
28 assignments; data collection.—

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29 (1) The Legislature finds that it is important that each
30 female inmate in the state correctional system maintain contact
31 with her minor children through visitation in order to prepare
32 the inmate to be reunited with her family upon release. Although
33 the Department of Corrections may limit the activities of an
34 inmate, the inmate may fulfill parental responsibilities through
35 visits and telephone and mail communication with her family. The
36 Legislature also finds that the support provided by an inmate's
37 family can be an important resource in combating crime and
38 reducing recidivism.

39 (2) It is the intent of the Legislature that each female
40 inmate be assigned, whenever possible, to a correctional
41 facility that is located in close proximity to the residence of
42 the inmate's children.

43 (3) (a) The Department of Corrections shall collect
44 information concerning the minor children of female inmates
45 committed to the state correctional system. At a minimum, the
46 information must include:

- 47 1. The number of minor children of each inmate.
- 48 2. The date of birth of each minor child.
- 49 3. The residential address for each minor child.
- 50 4. The custodial status of each minor child.

51 (b) The department shall annually analyze the
52 institutional assignments of female inmates to determine whether
53 each female inmate who is the parent of a minor child is being
54 housed in an institution that is located in close proximity to
55 the residence of the minor child. The analysis must include
56 mapping and distance calculations.

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57 (4) The department need not reassign a female inmate to an
58 institution located in close proximity to the residence of the
59 inmate's minor child if the court has restricted the inmate's
60 contact with her minor child.

61 Section 2. Subsection (7) of section 944.17, Florida
62 Statutes, is amended to read:

63 944.17 Commitments and classification; transfers.—

64 (7) Pursuant to such regulations as it may provide, the
65 department may transfer prisoners from one institution to
66 another institution in the correctional system and classify and
67 reclassify prisoners as circumstances may require. In
68 transferring a female prisoner from one institution to another,
69 the department shall consider, in addition to security and
70 medical considerations, whether the prisoner would benefit from
71 being housed in close proximity to her minor child.

72 Section 3. Subsection (7) is added to section 944.24,
73 Florida Statutes, to read:

74 944.24 Administration of correctional institutions for
75 women.—

76 (7) Each female inmate who has a minor child shall,
77 whenever possible, be assigned to a correctional facility that
78 is in close proximity to the child. This subsection does not
79 apply if the court has restricted the inmate's contact with her
80 child.

81 Section 4. Subsection (1) of section 944.8031, Florida
82 Statutes, is amended to read:

83 944.8031 Inmate's family visitation; legislative intent;
84 minimum services provided to visitors; budget requests.—

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85 (1) The Legislature finds that maintaining an inmate's
86 family and community relationships, and fostering the
87 relationship between a female inmate and her minor child,
88 through enhancing visitor services and programs and increasing
89 the frequency and quality of the visits is an underused
90 ~~underutilized~~ correctional resource that can improve an inmate's
91 behavior in the correctional facility and, upon an inmate's
92 release from a correctional facility, will help to reduce
93 recidivism.

94 Section 5. This act shall take effect July 1, 2010.