

By the Committee on Criminal Justice

591-02728-12

20122096

1 A bill to be entitled
2 An act relating to community correction reentry
3 programs; requiring the Department of Corrections to
4 develop an operational plan to implement a pilot
5 community corrections reentry program in certain
6 designated counties; requiring that the operational
7 plan describe the necessary facilities, staff, budget,
8 and methods for selecting inmates to participate in
9 the reentry program; providing examples of reentry
10 services; requiring that all inmates who are within 36
11 months of their release date be considered for
12 participation in the pilot community corrections
13 reentry program; providing criteria to assess the risk
14 of placing an inmate in the reentry program; requiring
15 that an inmate who is selected for participation in
16 the reentry program be transferred into the pilot
17 program no later than 24 months before his or her
18 release date; amending s. 945.091, F.S.; deleting a
19 provision limiting the modes of transportation an
20 inmate may use when traveling to and from his or her
21 place of employment, education, or training; deleting
22 a provision requiring a specific appropriation for the
23 Department of Corrections to transport an inmate in a
24 state-owned vehicle; repealing s. 945.0913, F.S.,
25 relating to a prohibition on the driving of inmates
26 participating in a work-release program in state-owned
27 vehicles; providing an effective date.

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

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31 Section 1. Pilot community corrections; reentry program.-

32 (1) (a) The Department of Corrections shall develop an
33 operational plan to implement a pilot community corrections
34 reentry program in Bay, Calhoun, Escambia, Franklin, Gadsden,
35 Gulf, Holmes, Jackson, Leon, Liberty, Okaloosa, Santa Rosa,
36 Wakulla, Walton, and Washington Counties within the Northern
37 Florida Region for the 2013-2014 fiscal year.

38 (b) At a minimum, the operational plan for the pilot
39 program must describe and document:

40 1. The resources needed for the pilot project, including,
41 but not limited to, specific buildings, grounds, and property
42 that must be obtained or redesignated for residential community
43 corrections facilities and reentry services.

44 2. The placement of facilities and services in specific
45 areas to maximize the opportunity for participating inmates to
46 benefit from being located near where they plan to live after
47 completion of their sentences.

48 3. The additional staff or changes to staff qualifications
49 necessary to operate the pilot program.

50 4. The contracts the pilot project intends to use for
51 private providers who desire to provide a portion of the reentry
52 services and programming to eligible inmates.

53 5. The security staffing plan.

54 6. The programming plan.

55 7. The proposed budget.

56 8. The process and method for selecting an inmate to
57 participate in the pilot project, including any initial
58 screening process, the criteria used in the risk assessment, and

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59 any prioritization of placement.

60 9. The changes in law that are necessary to implement the
61 pilot project.

62 (2) (a) The pilot program shall be designed to provide
63 residential care, custody, control, and reentry services to
64 eligible inmates.

65 (b) For the purpose of the pilot program, the reentry
66 services include, but are not limited to, substance abuse
67 treatment, housing assistance, money management training,
68 employment assistance, vocational education, and life skills
69 training.

70 (3) All inmates who are within 36 months of their release
71 date shall be considered for participation in the pilot program.
72 The selection shall be based upon a risk assessment process that
73 includes, but is not limited to, whether:

74 (a) The inmate has potential for rehabilitation and the
75 need for reentry services.

76 (b) The reduction of risk of harm to the community after
77 completion of the inmate's sentence which would result from his
78 or her participation in the pilot program is outweighed by any
79 risk of harm to the community which would be posed by the inmate
80 while participating in the pilot program.

81 (c) The inmate is from the geographic area of the pilot
82 program, or has family or identified friends in the area, and
83 intends to reside in the area upon release from custody.

84 (4) An inmate who is selected for participation must be
85 transferred into the pilot program not later than 24 months
86 before his or her current release date. An inmate who is already
87 within 24 months of his or her current release date when

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88 selected must be placed into the pilot program as soon as a
89 position is available.

90 (5) The pilot program may include an existing community
91 work release program established pursuant to s. 945.091, Florida
92 Statutes, as a service provider, but the existing program must
93 provide enhanced reentry services to participating inmates.

94 Section 2. The Department of Corrections shall submit a
95 status report and proposed budget request by December 1, 2012,
96 to the Executive Office of the Governor, the President of the
97 Senate, and the Speaker of the House of Representatives. The
98 report must document the projected number of inmates to be
99 served in the 2013-2014 fiscal year and the funding needed to
100 implement the operational plan.

101 Section 3. Paragraph (b) of subsection (1) of section
102 945.091, Florida Statutes, is amended to read:

103 945.091 Extension of the limits of confinement; restitution
104 by employed inmates.-

105 (1) The department may adopt rules permitting the extension
106 of the limits of the place of confinement of an inmate as to
107 whom there is reasonable cause to believe that the inmate will
108 honor his or her trust by authorizing the inmate, under
109 prescribed conditions and following investigation and approval
110 by the secretary, or the secretary's designee, who shall
111 maintain a written record of such action, to leave the confines
112 of that place unaccompanied by a custodial agent for a
113 prescribed period of time to:

114 (b) Work at paid employment, participate in an education or
115 a training program, or voluntarily serve a public or nonprofit
116 agency or faith-based service group in the community, while

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117 continuing as an inmate of the institution or facility in which
118 the inmate is confined, except during the hours of his or her
119 employment, education, training, or service and traveling
120 thereto and therefrom. ~~An inmate may travel to and from his or~~
121 ~~her place of employment, education, or training only by means of~~
122 ~~walking, bicycling, or using public transportation or~~
123 ~~transportation that is provided by a family member or employer.~~
124 ~~Contingent upon specific appropriations, the department may~~
125 ~~transport an inmate in a state-owned vehicle if the inmate is~~
126 ~~unable to obtain other means of travel to his or her place of~~
127 ~~employment, education, or training.~~

128 1. An inmate may participate in paid employment only during
129 the last 36 months of his or her confinement, unless sooner
130 requested by the Parole Commission or the Control Release
131 Authority.

132 2. While working at paid employment and residing in the
133 facility, an inmate may apply for placement at a contracted
134 substance abuse transition housing program. The transition
135 assistance specialist shall inform the inmate of program
136 availability and assess the inmate's need and suitability for
137 transition housing assistance. If an inmate is approved for
138 placement, the specialist shall assist the inmate. If an inmate
139 requests and is approved for placement in a contracted faith-
140 based substance abuse transition housing program, the specialist
141 must consult with the chaplain prior to such placement. The
142 department shall ensure that an inmate's faith orientation, or
143 lack thereof, will not be considered in determining admission to
144 a faith-based program and that the program does not attempt to
145 convert an inmate toward a particular faith or religious

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146 preference.

147 Section 4. Section 945.0913, Florida Statutes, is repealed.

148 Section 5. This act shall take effect July 1, 2012.