

By Senator Brandes

24-00943C-18

20181206\_\_

1                   A bill to be entitled  
2           An act relating to supervised community release;  
3           amending s. 945.091, F.S.; authorizing the Department  
4           of Corrections to extend the limits of confinement to  
5           allow an inmate to participate in supervised community  
6           release, subject to certain requirements, as  
7           prescribed by the department by rule; authorizing the  
8           department to terminate an inmate's participation  
9           under certain circumstances; authorizing a law  
10          enforcement officer to arrest, or a probation officer  
11          to arrest or request any county or municipal law  
12          enforcement officer to arrest, the inmate without  
13          warrant wherever he or she is found under certain  
14          circumstances; requiring the law enforcement or  
15          probation officer to report the alleged violations to  
16          a correctional officer for disposition of disciplinary  
17          charges as prescribed by the department by rule;  
18          providing that participating inmates remain eligible  
19          to earn or lose gain-time; providing that such inmates  
20          may not be counted in the population of the prison  
21          system and that their approved community-based housing  
22          location may not be counted in the capacity figures  
23          for the prison system; providing an effective date.

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

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27           Section 1. Paragraph (d) is added to subsection (1) of  
28           section 945.091, Florida Statutes, to read:

29           945.091 Extension of the limits of confinement; restitution

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30 by employed inmates.—

31 (1) The department may adopt rules permitting the extension  
32 of the limits of the place of confinement of an inmate as to  
33 whom there is reasonable cause to believe that the inmate will  
34 honor his or her trust by authorizing the inmate, under  
35 prescribed conditions and following investigation and approval  
36 by the secretary, or the secretary's designee, who shall  
37 maintain a written record of such action, to leave the confines  
38 of that place unaccompanied by a custodial agent for a  
39 prescribed period of time to:

40 (d) Participate in supervised community release as  
41 prescribed by the department by rule. The inmate's participation  
42 may begin 90 days before his or her provisional or tentative  
43 release date. Such supervised community release must include  
44 electronic monitoring and community control as defined in s.  
45 948.001.

46 1. If a participating inmate fails to comply with the  
47 conditions prescribed by the department by rule for supervised  
48 community release, the department may terminate the inmate's  
49 supervised community release and return him or her to the same  
50 or another institution designated by the department. If there  
51 are reasonable grounds to believe a participating inmate has  
52 violated the terms and conditions of supervised community  
53 release in a material respect, a law enforcement officer who is  
54 aware of the inmate's supervised community release status may  
55 arrest, or a probation officer may arrest or request any county  
56 or municipal law enforcement officer to arrest, the inmate  
57 without warrant wherever he or she is found. The law enforcement  
58 or probation officer must report the inmate's alleged violations

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59 to a correctional officer for disposition of disciplinary  
60 charges as prescribed by the department by rule.

61 2. Inmates participating in supervised community release  
62 under this paragraph remain eligible to earn or lose gain-time  
63 as prescribed by law and department rule, but may not be counted  
64 in the population of the prison system, and the inmate's  
65 approved community-based housing location may not be counted in  
66 the capacity figures for the prison system.

67 Section 2. This act shall take effect October 1, 2018.