1 A bill to be entitled 2 An act relating to duties of the inspector general of 3 the Department of Corrections; amending s. 944.31, 4 F.S.; transferring the law enforcement duties of the 5 Inspector General of the Department of Corrections to 6 the Department of Law Enforcement; deleting provisions 7 relating to law enforcement certification and powers 8 of Inspector General Personnel; transferring powers, 9 duties, functions, records, offices, personnel, property, investigations, unexpended balances of 10 11 appropriations, etc. from the inspector general to the 12 Department of Law Enforcement; providing an effective 13 date. 14 15 Be It Enacted by the Legislature of the State of Florida: 16 17 Section 1. Section 944.31, Florida Statutes, is amended to 18 read: 19 944.31 Inspector general; inspectors; power and duties.-20 The inspector general shall be responsible for prison (1) 21 inspection and investigation, internal affairs investigations, 22 and management reviews. The office of the inspector general 23 shall be charged with the duty of inspecting the penal and 24 correctional systems of the state. The office of the inspector general shall inspect each correctional institution or any place 25 Page 1 of 4

CODING: Words stricken are deletions; words underlined are additions.

26 in which state prisoners are housed, worked, or kept within the 27 state, with reference to its physical conditions, cleanliness, 28 sanitation, safety, and comfort; the quality and supply of all bedding; the quality, quantity, and diversity of food served and 29 30 the manner in which it is served; the number and condition of the prisoners confined therein; and the general conditions of 31 32 each institution. The office of inspector general shall see that 33 all the rules and regulations issued by the department are 34 strictly observed and followed by all persons connected with the 35 correctional systems of the state.

36 (2) The office of the inspector general shall coordinate 37 and supervise the work of inspectors throughout the state. The 38 inspector general and inspectors may enter any place where 39 prisoners in this state are kept and shall be immediately 40 admitted to such place as they desire and may consult and confer 41 with any prisoner privately and without molestation.

The inspector general and inspectors shall be 42 (3) 43 responsible for criminal and administrative investigation of 44 matters relating to the Department of Corrections. Any criminal 45 investigation concerning conduct that occurs on property owned 46 or leased by the department or involves matters over which the 47 department has jurisdiction shall be conducted by the Department 48 of Law Enforcement. The secretary may designate persons within 49 the office of the inspector general as law enforcement officers 50 to conduct any criminal investigation that occurs on property

Page 2 of 4

CODING: Words stricken are deletions; words underlined are additions.

51 owned or leased by the department or involves matters over which 52 the department has jurisdiction. A person designated as a law 53 enforcement officer must be certified pursuant to s. 943.1395 and must have a minimum of 3 years' experience as an inspector 54 55 in the inspector general's office or as a law enforcement 56 officer. The department shall maintain a memorandum of 57 understanding with the Department of Law Enforcement for the notification and investigation of mutually agreed-upon predicate 58 59 events consistent with this subsection that shall include, but are not limited to, suspicious deaths and organized criminal 60 61 activity.

During investigations, the inspector general and 62 (4) inspectors may consult and confer with any prisoner or staff 63 64 member privately and without molestation and persons designated 65 as law enforcement officers under this section shall have the 66 authority to arrest, with or without a warrant, any prisoner of or visitor to a state correctional institution for a violation 67 68 of the criminal laws of the state involving an offense 69 classified as a felony that occurs on property owned or leased 70 by the department and may arrest offenders who have escaped or 71 absconded from custody. Persons designated as law enforcement 72 officers have the authority to arrest with or without a warrant 73 a staff member of the department, including any contract 74 employee, for a violation of the criminal laws of the state involving an offense classified as a felony under this chapter 75

Page 3 of 4

CODING: Words stricken are deletions; words underlined are additions.

76	or chapter 893 on property owned or leased by the department. A
77	person designated as a law enforcement officer under this
78	section may make arrests of persons against whom arrest warrants
79	have been issued, including arrests of offenders who have
80	escaped or absconded from custody. The arrested person shall be
81	surrendered without delay to the sheriff of the county in which
82	the arrest is made, with a formal complaint subsequently made
83	against her or him in accordance with law.
84	Section 2. All powers, duties, functions, records,
85	offices, personnel, associated administrative support positions,
86	property, investigations, existing contracts, administrative
87	authority, and administrative rules and unexpended balances of
88	appropriations, allocations, and other funds relating to the
89	Bureau of State Investigations/Law Enforcement of the office of
90	inspector general of the Department of Corrections which relate
91	to investigation and enforcement of criminal laws, including all
92	bureau personnel designated as law enforcement officers under s.
93	944.31, Florida Statutes, are transferred meet by a type two
94	transfer, as defined in s. 20.06(2), Florida Statutes, to the
95	Department of Law Enforcement.
96	Section 3. This act shall take effect July 1, 2022.

Page 4 of 4

CODING: Words stricken are deletions; words underlined are additions.