

HB 881

2024

1 A bill to be entitled  
2 An act relating to restorative justice; amending s.  
3 945.71, F.S.; revising the intent of specified  
4 provisions; amending s. 945.73, F.S.; requiring the  
5 Department of Corrections to develop and implement  
6 training programs for eligible inmates which include  
7 training about restorative justice practices; amending  
8 s. 960.001, F.S.; revising a guideline for providing  
9 information concerning services available to victims  
10 of crime to include restorative justice; amending s.  
11 960.03, F.S.; defining the term "restorative justice";  
12 providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16 Section 1. Section 945.71, Florida Statutes, is amended to  
17 read:

18 945.71 Inmate training programs; intent and purposes.—It  
19 is the intent of ss. 945.71-945.74 to authorize the  
20 establishment of structured disciplinary training programs  
21 within the Department of Corrections expressly intended to  
22 instill self-discipline, improve work habits, increase  
23 accountability and reparative behavior, and improve self-  
24 confidence for inmates.

25 Section 2. Subsection (1) of section 945.73, Florida

26 Statutes, is amended to read:

27 945.73 Inmate training program operation.—

28 (1) The department shall, subject to specific legislative  
 29 appropriation, develop and implement training programs for  
 30 eligible inmates which include, but are not limited to, marching  
 31 drills, calisthenics, a rigid dress code, work assignments,  
 32 physical training, training in decisionmaking and personal  
 33 development, drug counseling, education, training about  
 34 restorative justice practices, and rehabilitation.

35 Section 3. Paragraph (a) of subsection (1) of section  
 36 960.001, Florida Statutes, is amended to read:

37 960.001 Guidelines for fair treatment of victims and  
 38 witnesses in the criminal justice and juvenile justice systems.—

39 (1) The Department of Legal Affairs, the state attorneys,  
 40 the Department of Corrections, the Department of Juvenile  
 41 Justice, the Florida Commission on Offender Review, the State  
 42 Courts Administrator and circuit court administrators, the  
 43 Department of Law Enforcement, and every sheriff's department,  
 44 police department, or other law enforcement agency as defined in  
 45 s. 943.10(4) shall develop and implement guidelines for the use  
 46 of their respective agencies, which guidelines are consistent  
 47 with the purposes of this act and s. 16(b), Art. I of the State  
 48 Constitution and are designed to implement s. 16(b), Art. I of  
 49 the State Constitution and to achieve the following objectives:

50 (a) *Information concerning services available to victims*

51 *of adult and juvenile crime.*—As provided in s. 27.0065, state  
52 attorneys and public defenders shall gather information  
53 regarding the following services in the geographic boundaries of  
54 their respective circuits and shall provide such information to  
55 each law enforcement agency with jurisdiction within such  
56 geographic boundaries. Law enforcement personnel shall ensure,  
57 through distribution of a victim's rights information card or  
58 brochure at the crime scene, during the criminal investigation,  
59 and in any other appropriate manner, that victims are given, as  
60 a matter of course at the earliest possible time, information  
61 about:

62 1. The availability of crime victim compensation, if  
63 applicable;

64 2. Crisis intervention services, supportive or bereavement  
65 counseling, social service support referrals, and community-  
66 based victim treatment programs and restorative justice  
67 programs;

68 3. The role of the victim in the criminal or juvenile  
69 justice process, including what the victim may expect from the  
70 system as well as what the system expects from the victim;

71 4. The stages in the criminal or juvenile justice process  
72 which are of significance to the victim and the manner in which  
73 information about such stages can be obtained;

74 5. The right of a victim, who is not incarcerated,  
75 including the victim's parent or guardian if the victim is a

76 | minor, the lawful representative of the victim or of the  
 77 | victim's parent or guardian if the victim is a minor, and the  
 78 | next of kin of a homicide victim, upon request, to be informed,  
 79 | to be present, and to be heard at all stages of a criminal or  
 80 | juvenile proceeding as provided by s. 16(b), Art. I of the State  
 81 | Constitution;

82 |         6. In the case of incarcerated victims, the right, upon  
 83 | request, to be informed and to submit written statements at all  
 84 | stages of the criminal proceedings, parole proceedings, or  
 85 | juvenile proceedings;

86 |         7. The right of a victim to a prompt and timely  
 87 | disposition of the case in order to minimize the period during  
 88 | which the victim must endure the responsibilities and stress  
 89 | involved; ~~and~~

90 |         8. The right of a victim to employ private counsel. The  
 91 | Florida Bar is encouraged to develop a registry of attorneys who  
 92 | are willing to serve on a pro bono basis as advocates for crime  
 93 | victims; and

94 |         9. The right of a victim to pursue restorative justice as  
 95 | defined in s. 960.03, if available.

96 |         Section 4. Present subsections (13) and (14) of section  
 97 | 960.03, Florida Statutes, are redesignated as subsections (14)  
 98 | and (15), respectively, and a new subsection (13) is added to  
 99 | that section, to read:

100 |         960.03 Definitions; ss. 960.01-960.28.—As used in ss.

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101 960.01-960.28, unless the context otherwise requires, the term:  
102 (13) "Restorative justice" means a victim-centered  
103 response to crime that enables those most impacted by an  
104 offense, the victim, the offender, their families, and community  
105 members, to meet and participate directly in addressing the  
106 resulting harm through a voluntary process that prioritizes  
107 accountability, repair, and the safety of participants. The term  
108 includes restorative justice processes, which include, but are  
109 not limited to, victim-offender dialogues, family group  
110 conferences, restorative circles, community conferences, and  
111 other similar victim-centered processes.

112 Section 5. This act shall take effect July 1, 2024.