

By the Committee on State Administration and
Representative Barreiro

1 A bill to be entitled
2 An act relating to criminal rehabilitation;
3 amending s. 20.315, F.S.; redesignating the
4 area of program services within the Department
5 of Corrections as program, transition, and
6 postrelease services; amending s. 397.333,
7 F.S.; revising the qualifications for members
8 appointed to the Statewide Drug Policy Advisory
9 Council; providing additional duties of the
10 council; amending s. 944.026, F.S.; requiring
11 the department to designate a certain number of
12 beds to be used for transition assistance;
13 expanding the types of offenders who are
14 eligible for nonsecure community-based
15 residential drug treatment; amending s.
16 944.473, F.S.; requiring certain inmates to
17 participate in substance abuse treatment;
18 providing criteria for program participation;
19 creating s. 944.4731, F.S.; creating the
20 Addiction Recovery Supervision Program Act;
21 providing criteria for program participation;
22 requiring the department to contract with
23 faith-based groups and private organizations to
24 operate substance abuse transition housing
25 programs; providing program requirements;
26 requiring prerelease screening; providing
27 requirements for offenders who participate in
28 the program; authorizing the Parole Commission
29 to adopt rules; amending s. 944.702, F.S.;
30 providing legislative intent with respect to
31 support services for inmates who abuse

1 substances; amending ss. 944.703 and 944.704,
2 F.S., relating to transition assistance for
3 inmates; requiring that inmates who abuse
4 substances receive priority assistance;
5 providing for transition assistance specialists
6 at institutions and community correctional
7 centers; creating s. 944.7031, F.S.; providing
8 for inmates released from private correctional
9 facilities to be eligible for the same
10 transition assistance services that are
11 provided to inmates in state correctional
12 facilities; requiring that such inmates be
13 given access to placement consideration in
14 substance abuse transition housing programs,
15 including programs that have a faith-based
16 component; amending ss. 944.705, 944.706, and
17 944.707, F.S.; authorizing the department to
18 contract with faith-based service groups for
19 release assistance programs and postrelease
20 services; requiring the department to maintain
21 certain information with regard thereto;
22 removing provisions relating to responsibility
23 of the Department of Labor and Employment
24 Security for inmate placement; amending s.
25 944.803, F.S.; providing additional
26 requirements for faith-based programs for
27 inmates; requiring the department to assign
28 chaplains to certain community correctional
29 centers; providing for faith-based dormitory
30 programs; requiring a report to the Governor
31 and the Legislature; amending s. 945.091, F.S.;

1 authorizing an inmate to participate in
2 faith-based service groups; providing
3 conditions for placement of an inmate in a
4 substance abuse transition housing program;
5 amending s. 947.141, F.S.; providing revocation
6 process for offenders on addiction recovery
7 supervision; amending s. 948.08, F.S.;
8 providing that specified offenders are eligible
9 for certain pretrial intervention programs;
10 providing requirements for a defendant to be
11 designated as eligible for a pretrial
12 intervention program; amending s. 951.10, F.S.;
13 clarifying provisions governing the leasing of
14 prisoners; requiring the department to report
15 to the Governor and the Legislature on the
16 implementation of the act; requiring the
17 Legislative Committee on Intergovernmental
18 Relations to report to the Legislature on
19 intervention and treatment strategies for
20 persons convicted of prostitution; requiring
21 inmates to complete a course on job readiness
22 and life management before release; providing
23 an appropriation; providing an effective date.

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25 WHEREAS, the Task Force on Victims of Self-Inflicted
26 Crimes, as created by chapter 2000-366, Laws of Florida,
27 identified in its report issued January 18, 2001, a wide
28 variety of potential legislative solutions for reducing the
29 repetitious self-injurious behavior of prostitution and
30 substance abuse, and

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1 WHEREAS, those recommendations stemmed from the
2 testimony from numerous individuals, substance abuse experts,
3 governmental officials, and private organizations throughout
4 Florida, and

5 WHEREAS, a significant recommendation made by the task
6 force was recognition that state government should not and
7 cannot bear the sole burden of treating and helping those
8 suffering from addictions and self-injurious behaviors, and

9 WHEREAS, the task force concluded that faith-based
10 organizations are "armies of compassion" devoted to changing
11 individuals' hearts and lives and can offer cost-effective
12 substance abuse treatment through the use of volunteers and
13 other cost-saving measures, and

14 WHEREAS, the task force concluded that inmates with
15 histories of substance abuse will most likely return to prison
16 without transition assistance and postrelease supervision,
17 coupled with treatment and job placement, and

18 WHEREAS, research has proven that "one-on-one" private
19 and faith-based programming is often more effective than
20 government programs in shaping and reclaiming lives because
21 they are free to assert the essential connection between
22 responsibility and human dignity; their approach is personal,
23 not bureaucratic; their service is not primarily a function of
24 professional background, but of individual commitment; and
25 they inject an element of moral challenge and spiritual
26 renewal that government cannot duplicate, and

27 WHEREAS, a study required by chapter 97-78, Laws of
28 Florida, to measure the effectiveness of faith-based programs
29 in Florida's correctional facilities found a strong and
30 beneficial correlation between faith-based programming and
31 remaining crime free and drug free upon release, and

1 WHEREAS, the Department of Corrections employs 105
2 prison chaplains who are responsible for addressing the
3 religious and spiritual needs of over 71,000 inmates; for
4 developing community linkages with churches, synagogues,
5 mosques, and other faith-based institutions; and for
6 recruiting and supervising volunteers who come into Florida's
7 prisons to provide spiritual programs, mentoring activities,
8 and other transitional skills, and

9 WHEREAS, the continued investment in the work of prison
10 chaplains and their clerical staff is a critical factor for
11 strengthening volunteer participation and support of
12 faith-based programs in the prisons, as recognized by an
13 academic study in 1997 entitled "The Report of Faith-Based
14 Programs in Correctional Facilities," and

15 WHEREAS, the task force recommended that the
16 Legislature fund faith-based substance abuse recovery programs
17 and transitional assistance for the secular purpose of
18 reducing recidivism, and

19 WHEREAS, in an effort to transform lives and break the
20 personally destructive and expensive recidivism cycle, Florida
21 should increase the number of chaplains who strengthen
22 volunteer participation; expand the pilot dormitory program
23 started in November 1999; and implement a strong transitional
24 assistance residential program that includes a voluntary faith
25 component that supports inmates as they reenter communities,
26 NOW, THEREFORE,

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

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30 Section 1. Paragraph (c) of subsection (3) of section
31 20.315, Florida Statutes, is amended to read:

1 20.315 Department of Corrections.--There is created a
2 Department of Corrections.
3 (3) SECRETARY OF CORRECTIONS.--The head of the
4 Department of Corrections is the Secretary of Corrections.
5 The secretary is appointed by the Governor, subject to
6 confirmation by the Senate, and shall serve at the pleasure of
7 the Governor. The secretary is responsible for planning,
8 coordinating, and managing the corrections system of the
9 state. The secretary shall ensure that the programs and
10 services of the department are administered in accordance with
11 state and federal laws, rules, and regulations, with
12 established program standards, and consistent with legislative
13 intent. The secretary shall identify the need for and
14 recommend funding for the secure and efficient operation of
15 the state correctional system.
16 (c) The secretary may appoint assistant secretaries,
17 directors, or other such persons that he or she deems are
18 necessary to accomplish the mission and goals of the
19 department, including, but not limited to, the following areas
20 of program responsibility:
21 1. Security and institutional operations, which shall
22 provide inmate work programs, offender programs, security
23 administration, emergency operations response, and operational
24 oversight of the regions.
25 2. Health services, which shall be headed by a
26 physician licensed under chapter 458 or an osteopathic
27 physician licensed under chapter 459, or a professionally
28 trained health care administrator with progressively
29 responsible experience in health care administration. This
30 individual shall be responsible for the delivery of health
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1 services to offenders within the system and shall have direct
2 professional authority over such services.

3 3. Community corrections, which shall provide for
4 coordination of community alternatives to incarceration and
5 operational oversight of community corrections regions.

6 4. Administrative services, which shall provide budget
7 and accounting services within the department, including the
8 construction and maintenance of correctional institutions,
9 human resource management, research, planning and evaluation,
10 and technology.

11 5. Program, transition, and postrelease services,
12 which shall provide for the direct management and supervision
13 of all departmental programs, including the coordination and
14 delivery of education and job training to the offenders in the
15 custody of the department. In addition, this program shall
16 provide for the direct management and supervision of all
17 programs that furnish transition assistance to inmates who are
18 or have recently been in the custody of the department,
19 including the coordination, facilitation, and contract
20 management of prerelease and postrelease transition services
21 provided by governmental and private providers, including
22 faith-based service groups.

23 Section 2. Subsections (1) and (3) of section 397.333,
24 Florida Statutes, are amended to read:

25 397.333 Statewide Drug Policy Advisory Council.--

26 (1)(a) The Statewide Drug Policy Advisory Council is
27 created within the Executive Office of the Governor. The
28 director of the Office of Drug Control shall be a nonvoting,
29 ex officio member of the advisory council and shall act as
30 chairperson. The director of the Office of Planning and
31 Budgeting shall be a nonvoting, ex officio member of the

1 advisory council. The Office of Drug Control and the Office of
2 Planning and Budgeting shall provide staff support for the
3 advisory council.

4 (b) The following state officials shall be appointed
5 to serve on the advisory council:

6 1. The Attorney General, or his or her designee.

7 2. The executive director of the Department of Law
8 Enforcement, or his or her designee.

9 3. The Secretary of Children and Family Services, or
10 his or her designee.

11 4. The Secretary of Health, or his or her designee.

12 5. The Secretary of Corrections, or his or her
13 designee.

14 6. The Secretary of Juvenile Justice, or his or her
15 designee.

16 7. The Commissioner of Education, or his or her
17 designee.

18 8. The executive director of the Department of Highway
19 Safety and Motor Vehicles, or his or her designee.

20 9. The Adjutant General of the state as the Chief of
21 the Department of Military Affairs, or his or her designee.

22 (c) In addition, the Governor shall appoint 11 members
23 of the public to serve on the advisory council. Of the 11
24 appointed members, one members must have professional or
25 occupational expertise in drug enforcement, one member must
26 have professional or occupational expertise in substance abuse
27 prevention, ~~and~~ one member must have professional or
28 occupational expertise in substance abuse treatment, and two
29 members must have professional or occupational expertise in
30 faith-based substance abuse treatment services. The remainder
31 of the members appointed should have professional or

1 occupational expertise in, or be generally knowledgeable
2 about, issues that relate to drug enforcement and substance
3 abuse programs and services. The members appointed by the
4 Governor must, to the extent possible, equitably represent all
5 geographic areas of the state.

6 (d) The President of the Senate shall appoint a member
7 of the Senate to the advisory council and the Speaker of the
8 House of Representatives shall appoint a member of the House
9 of Representatives to the advisory council.

10 (e) The Chief Justice of the Supreme Court shall
11 appoint a member of the judiciary to the advisory council.

12 (f) Members appointed by the Governor, the President
13 of the Senate, the Speaker of the House of Representatives,
14 and the Chief Justice shall be appointed to terms of 4 years
15 each. However, for the purpose of providing staggered terms,
16 of the Governor's initial appointments, five members shall be
17 appointed to 2-year terms and six members shall be appointed
18 to 4-year terms.

19 (3) The advisory council shall:

20 (a) Conduct a comprehensive analysis of the problem of
21 substance abuse in this state and make recommendations to the
22 Governor and Legislature for developing and implementing a
23 state drug control strategy. The advisory council shall
24 determine the most effective means of establishing clear and
25 meaningful lines of communication between the advisory council
26 and the public and private sectors in order to ensure that the
27 process of developing and implementing the state drug control
28 strategy has afforded a broad spectrum of the public and
29 private sectors an opportunity to comment and make
30 recommendations.

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1 (b) Review and make recommendations to the Governor
2 and Legislature on funding substance abuse programs and
3 services, consistent with the state drug control strategy, as
4 developed. The council may recommend the creation of a
5 separate appropriations category for funding services
6 delivered or procured by state agencies and may recommend the
7 use of performance-based contracting as provided in s.
8 414.065.

9 (c) Review various substance abuse programs and
10 recommend, where needed, measures that are sufficient to
11 determine program outcomes. The council shall review different
12 methodologies for evaluating programs and determine whether
13 programs within different agencies have common outcomes. The
14 methodologies shall be consistent with those established under
15 s. 216.0166.

16 (d) Review the drug control strategies and programs
17 of, and efforts by, other states and the Federal Government
18 and compile the relevant research.

19 (e) Recommend to the Governor and Legislature applied
20 research projects that would use research capabilities within
21 the state, including, but not limited to, the resources of the
22 State University System, for the purpose of achieving improved
23 outcomes and making better-informed strategic budgetary
24 decisions.

25 (f) Recommend to the Governor and Legislature changes
26 in law which would remove barriers to or enhance the
27 implementation of the state drug control strategy.

28 (g) Make recommendations to the Governor and the
29 Legislature on the need for public information campaigns to be
30 conducted in the state to limit substance abuse.

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1 (h) Ensure that there is a coordinated, integrated,
2 and multidisciplinary response to the substance abuse problem
3 in this state, with special attention given to creating
4 partnerships within and between the public and private
5 sectors, and to the coordinated, supported, and integrated
6 delivery of multiple-system services for substance abusers,
7 including a multiagency team approach to service delivery.

8 (i) Assist communities and families in pooling their
9 knowledge and experiences with respect to the problem of
10 substance abuse. Forums for exchanging ideas, experiences, and
11 practical information, as well as instruction, should be
12 considered. For communities, such instruction may involve
13 issues of funding, staffing, training, and neighborhood and
14 parental involvement, and instruction on other issues. For
15 families, such instruction may involve practical strategies
16 for addressing family substance abuse; improving cognitive,
17 communication, and decisionmaking skills; providing parents
18 with techniques for resolving conflicts, communicating, and
19 cultivating meaningful relationships with their children and
20 establishing guidelines for their children; educating families
21 about drug-free programs and activities in which they may
22 serve as participants and planners; and other programs of
23 similar instruction. To maximize the effectiveness of such
24 forums, multiple agencies should participate.

25 (j) Examine the extent to which all state programs
26 that involve substance abuse treatment can include a
27 meaningful work component, and identify any change in the law
28 which would remove barriers to or enhance the work component
29 for a substance abuse treatment program.

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1 (k) Recommend to the Governor and the Legislature ways
2 to expand and fund drug courts, which have proven effective in
3 the state's drug control strategy.

4 Section 3. Section 944.026, Florida Statutes, is
5 amended to read:

6 944.026 Community-based facilities and programs.--

7 (1) In addition to those facilities and services
8 described elsewhere in this chapter, the department shall
9 develop, provide, or contract for a statewide system of
10 community-based facilities, services, and programs dealing
11 with the rehabilitation of offenders, which shall include, but
12 not be limited to:

13 (a) A system of community correctional centers to be
14 used for reintegration of the offender back into the
15 community, located at various places throughout the state as
16 provided in s. 944.033.

17 (b) Community-based residential drug treatment
18 facilities which include:

19 1. Nonsecure facilities ~~where, whereby~~ probationers
20 and drug offender probationers who have violated their terms
21 or conditions, or persons placed on community control whose
22 presumptive sentence exceeds 22 months, may be required to
23 reside while working, receiving treatment, or attending
24 school, and where inmates may be placed who are nearing their
25 date of release from a correctional institution or a community
26 correctional center, who are in need of placement in a
27 substance abuse transition housing program, and who are
28 considered eligible for such placement by the department; and

29 2. Secure facilities which provide for limited access
30 for the duration of the program for persons who have violated
31 their conditions of probation, drug offender probation, or

1 community control, and whose presumptive sentence exceeds 22
2 months.

3 (c) A system of probation and restitution centers
4 throughout the state where ~~whereby~~ probationers, drug offender
5 probationers, and community controllees who have violated
6 their terms or conditions, and whose presumptive sentence
7 exceeds 22 months, may be required to reside while working,
8 receiving treatment, or attending school, or for persons on
9 probation, drug offender probation, or community control who
10 may be required to attend outpatient substance abuse
11 counseling and where inmates may be placed who are nearing
12 their date of release from a correctional institution or a
13 community correctional center, who are in need of placement in
14 a substance abuse transition housing program, and who are
15 considered eligible for such placement by the department. The
16 purpose of these facilities and services is to provide the
17 court with an alternative to committing offenders to more
18 secure state correctional institutions, ~~and~~ to assist in the
19 supervision of probationers, drug offender probationers, and
20 community controllees, and to provide the department with
21 transition housing beds to assist inmates released into the
22 community.

23 (2) By January 1, 2002, and notwithstanding any other
24 law, the department shall ensure that at least 400 of its
25 contracted beds in nonsecure community-based residential
26 substance abuse treatment facilities authorized under
27 subparagraph (1)(b)1. or probation and restitution centers
28 authorized under paragraph (1)(c) are designated for
29 transition assistance for inmates who are nearing their date
30 of release from a correctional institution or a community
31 correctional center. These designated beds shall be provided

1 by private organizations that do not have a faith component
2 and that are under contract with the department. In making
3 placement decisions, the department and the contract providers
4 shall give priority consideration to those inmates who are
5 nearing their date of release and who are to be placed in some
6 form of postrelease community supervision. However, if an
7 inmate whose sentence expires upon his or her release from a
8 correctional institution or a community correctional center
9 and for whom community supervision is not required
10 demonstrates the need for or interest in and suitability for
11 transition housing assistance, as determined by the
12 department, the inmate is eligible to be considered for
13 placement in transition housing. A right to substance abuse
14 program services is not stated, intended, or otherwise implied
15 by this subsection.

16 (3)(2)(a) The department shall develop and implement
17 procedures to diagnose offenders prior to sentencing, for the
18 purpose of recommending to the sentencing court suitable
19 candidates for placement in a community-based residential drug
20 treatment facility or probation and restitution center as
21 provided in this section. The department shall also develop
22 and implement procedures to properly identify inmates prior to
23 release who demonstrate the need for or interest in and
24 suitability for placement in a community-based substance abuse
25 transition housing program as provided in this section and
26 pursuant to ss. 944.4731 and 944.704.

27 (b) Pretrial intervention programs in appropriate
28 counties to provide early counseling and supervision services
29 to specified offenders as provided in s. 948.08.

30 Section 4. Subsection (2) of section 944.473, Florida
31 Statutes, is amended to read:

1 944.473 Inmate substance abuse testing program.--
2 (2) SUBSTANCE ABUSE TREATMENT PROGRAMS.--
3 (a) An inmate who meets the criteria established by
4 the department shall participate in substance abuse program
5 services when such services are available. A right to
6 substance abuse program services is not stated, intended, or
7 otherwise implied by this chapter.
8 (b) Upon arrival at a department's reception center
9 for initial processing, each inmate shall be screened and
10 assessed to determine if the inmate meets the department's
11 criteria for mandated participation in a substance abuse
12 program. Criteria for mandated substance abuse program
13 services shall be based on:
14 1. The presence of a diagnosed psychoactive substance
15 dependence or use disorder.
16 2. The severity of the addiction.
17 3. A history of criminal behavior related to substance
18 abuse.
19 4. A recommendation by a sentencing authority for
20 substance abuse program services.
21 5. Unsuccessful participation in community-based
22 substance abuse services.
23 6. Sentencing by a drug court or drug division.
24 7. Other classification or program criteria that the
25 department finds will ensure security and optimal program
26 placement.
27 (c) When selecting contract providers to administer
28 substance abuse treatment programs, the department shall make
29 every effort to consider qualified faith-based service groups
30 on an equal basis with other private organizations.~~ff~~
31 ~~substance abuse treatment is requested by an inmate, the~~

1 ~~department shall place the inmate in a substance abuse~~
2 ~~treatment program, if available and appropriate.~~

3 Section 5. Section 944.4731, Florida Statutes, is
4 created to read:

5 944.4731 Addiction Recovery Supervision Program.--

6 (1) This section may be cited as the "Addiction
7 Recovery Supervision Program Act."

8 (2)(a) Any offender released from a state correctional
9 facility who is convicted of a crime committed on or after
10 July 1, 2001, must be given addiction recovery supervision if
11 the offender has:

12 1. A history of substance abuse or addiction.

13 2. Participated in drug treatment.

14 3. No current or previous convictions for a violent
15 offense.

16 4. No current or previous convictions for drug
17 trafficking or for the unlawful sale of a controlled
18 substance.

19 5. No current or previous convictions for a property
20 offense, except for a conviction for:

21 a. Passing worthless checks, forgery, uttering, or
22 counterfeiting;

23 b. Third degree felony grand theft, excluding a theft
24 relating to firearms; or

25 c. Third degree felony burglary of an unoccupied
26 structure or conveyance.

27 6. No current or previous conviction for a traffic
28 offense involving injury or death.

29 (b) An offender released under addiction recovery
30 supervision shall be subject to specified terms and
31 conditions, including payment of the costs of supervision

1 under s. 948.09 and any other court-ordered payments, such as
2 child support and restitution. If an offender has received a
3 term of probation or community control to be served after
4 release from incarceration, the period of probation or
5 community control may not be substituted for addiction
6 recovery supervision and shall follow the term of addiction
7 recovery supervision. A panel of not fewer than two members of
8 the Parole Commission shall establish the terms and conditions
9 of supervision, and the terms and conditions must be included
10 in the supervision order. In setting the terms and conditions
11 of supervision, the Parole Commission shall weigh heavily the
12 program requirements, including, but not limited to, work at
13 paid employment while participating in treatment and traveling
14 restrictions. The commission shall also determine whether an
15 offender has violated the terms and conditions of supervision
16 and whether a violation warrants revocation of addiction
17 recovery supervision pursuant to s. 947.141. The commission
18 shall review the offender's record for the purpose of
19 establishing the terms and conditions of supervision. The
20 commission may impose any special conditions it considers
21 warranted from its review of the record. The length of
22 supervision may not exceed the maximum penalty imposed by the
23 court.

24 (c) The Legislature finds that offenders released from
25 state prison into the community who meet the criteria for
26 participating in the addiction recovery supervision program
27 possess the greatest potential for successful substance abuse
28 recovery through treatment and transition assistance.

29 (3)(a) Each fiscal year, and contingent upon funding,
30 the department shall enter into contracts with multiple
31 providers who are private organizations, including faith-based

1 service groups, to operate substance abuse transition housing
2 programs, including providers that:
3 1. Provide postrelease housing, programming,
4 treatment, and other transitional services.
5 2. Emphasize job placement and gainful employment for
6 program participants.
7 3. Provide a curriculum related to substance abuse
8 treatment which uses a cognitive behavior model or a 12-step
9 model of addiction recovery.
10 4. Provide for a length of stay of not more than 12
11 months.
12 5. Use community volunteers in operating the program
13 to the greatest extent possible.
14 (b) The department shall allow providers to use
15 innovative approaches to treatment and shall authorize a high
16 level of flexibility in operating a program. The department
17 shall ensure that an offender's faith orientation, or lack
18 thereof, will not be considered in determining admission to a
19 faith-based program and that the program does not attempt to
20 convert an offender toward a particular faith or religious
21 preference.
22 (4) When facilitating job placement for an offender
23 under this program, the provider shall make every effort to
24 secure suitable employment that provides adequate wages, a
25 potential for advancement, and a likelihood of stable and
26 long-term employment. To measure the success of postrelease
27 job placement, the department shall, as part of its annual
28 report, track for 1 year offenders who successfully complete
29 the program and shall determine their employment status.
30 (5) Each contract entered into under this section for
31 operating a substance abuse transition housing program must

1 invite innovation, minimize bureaucracy, and permit the
2 private organization or faith-based provider to petition the
3 department to waive any rule, policy, or procedure that is
4 inconsistent with the mission of the private organization or
5 faith-based provider.

6 (6) Six months before an offender is released, the
7 chaplain and transition assistance specialist at the
8 institution where the offender is incarcerated shall initiate
9 the prerelease screening process in addition to the basic
10 release orientation required under s. 944.705.

11 (a) The transition assistance specialist and the
12 chaplain shall provide a list of contracted private providers,
13 including faith-based providers, to the offender and
14 facilitate the application process. The transition assistance
15 specialist shall inform the offender of program availability
16 and assess the offender's need and suitability for substance
17 abuse transition housing assistance. If an offender is
18 approved for placement, the specialist shall assist the
19 offender and coordinate the release of the offender with the
20 selected program. If an offender requests and is approved for
21 placement in a contracted faith-based substance abuse
22 transition housing program, the specialist must consult with
23 the chaplain prior to such placement. A right to substance
24 abuse program services is not stated, intended, or otherwise
25 implied by this section.

26 (b) If an offender participated in a faith-based
27 program while incarcerated or housed at a community
28 correctional center and the same or similar faith-based
29 provider offers a contracted substance abuse transition
30 housing program, the department shall make every attempt to
31 maintain this continuum of care.

1 (7) While participating in a substance abuse
2 transition housing program, an offender shall:

3 (a) Adhere to all conditions of supervision enforced
4 by the commission and the program provider. Failure to comply
5 with such rules or conditions may result in revocation of
6 supervision pursuant to s. 947.141.

7 (b) Pay fees to defray program costs, costs of
8 supervision required under s. 948.09, and any restitution or
9 obligations for child support.

10 (c) Participate in a cognitive behavior model or a
11 12-step model of recovery.

12 (8) The commission may adopt rules pursuant to ss.
13 120.536(1) and 120.54 as necessary for administering this
14 section.

15 Section 6. Section 944.702, Florida Statutes, is
16 amended to read:

17 944.702 Legislative intent.--It is the intent of the
18 Legislature to provide persons released from incarceration
19 from the Department of Corrections with certain fundamental
20 resources in the areas of employment, life skills training,
21 job placement, and access to as many support services as
22 possible in order to appreciably increase the likelihood of
23 the inmate's successful reentry into free society. The
24 Legislature intends that these support services include
25 faith-based service groups on an equal basis with other
26 private organizations.

27 Section 7. Section 944.703, Florida Statutes, is
28 amended to read:

29 944.703 Eligible inmates.--Sections 944.701-944.708
30 apply to all inmates released from the custody of the
31 department. However, priority should be given to

1 substance-addicted inmates to help break the cycle of drug
2 abuse, prostitution, and other self-injurious criminal
3 behavior that causes harm to families and communities. Those
4 inmates with a detainer are eligible if the department
5 determines that cancellation of the detainer is likely or that
6 the incarceration for which the detainer was issued will be of
7 short duration. The department shall confirm the detainer
8 with the originating authority prior to release.

9 Section 8. Section 944.7031, Florida Statutes, is
10 created to read:

11 944.7031 Eligible inmates released from private
12 correctional facilities.--

13 (1) It is the intent of the Legislature that state
14 inmates nearing their date of release from a private
15 correctional facility managed under chapter 957 are eligible
16 for assistance under ss. 944.701-944.708 and that all laws
17 that provide for or mandate transition assistance services to
18 inmates nearing their date of release also apply to inmates
19 who reside in private correctional facilities.

20 (2) To assist an inmate nearing his or her date of
21 release from a private correctional facility, the department
22 and the transition assistance specialist shall coordinate with
23 a designated staff person at each private correctional
24 facility to ensure that a state inmate released from the
25 private correctional facility is informed of and provided with
26 the same level of transition assistance services that are
27 provided by the department for an inmate in a state
28 correctional facility. Any inmate released from a private
29 correctional facility shall also have equal access to
30 placement consideration in a contracted substance abuse

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1 transition housing program, including those programs that have
2 a faith-based component.

3 Section 9. Section 944.704, Florida Statutes, is
4 amended to read:

5 944.704 Staff who provide transition assistance;
6 duties.--The department shall provide a transition assistance
7 specialist officer at each of the major institutions whose
8 duties include, but are not limited to:

9 (1) Coordinating delivery of transition assistance
10 program services at the institution and at the community
11 correctional centers authorized pursuant to s. 945.091(1)(b).

12 (2) Assisting in the development of each inmate's
13 postrelease plan.

14 (3) Obtaining job placement information ~~for~~
15 ~~transmittal to the Department of Labor and Employment~~
16 ~~Security.~~

17 (4) Facilitating placement in a private transition
18 housing program, if requested by any eligible inmate. If an
19 inmate who is nearing his or her date of release requests
20 placement in a contracted substance abuse transition housing
21 program, the transition assistance specialist shall inform the
22 inmate of program availability and assess the inmate's need
23 and suitability for transition housing assistance. If an
24 inmate is approved for placement, the specialist shall assist
25 the inmate and coordinate the release of the inmate with the
26 selected program. If an inmate requests and is approved for
27 placement in a contracted faith-based substance abuse
28 transition housing program, the specialist must consult with
29 the chaplain prior to such placement. In selecting inmates who
30 are nearing their date of release for placement in a
31 faith-based program, the department shall ensure that an

1 inmate's faith orientation, or lack thereof, will not be
2 considered in determining admission to the program and that
3 the program does not attempt to convert an inmate toward a
4 particular faith or religious preference.

5 ~~(5)(4)~~ Providing a photo identification card to all
6 inmates prior to their release.

7
8 The transition assistance specialist may not be a correctional
9 officer or correctional probation officer as defined in s.
10 943.10.

11 Section 10. Subsections (1) and (2) of section
12 944.705, Florida Statutes, are reenacted, and subsection (5)
13 of said section is amended to read:

14 944.705 Release orientation program.--

15 (1) The department shall provide participation in a
16 standardized release orientation program to every eligible
17 inmate.

18 (2) The release orientation program instruction must
19 include, but is not limited to:

20 (a) Employment skills.

21 (b) Money management skills.

22 (c) Personal development and planning.

23 (d) Special needs.

24 (e) Community reentry concerns.

25 (f) Community reentry support.

26 (g) Any other appropriate instruction to ensure the
27 inmate's successful reentry into the community.

28 (5) The department may ~~is authorized to~~ contract with
29 public or private entities, including faith-based service
30 groups, for the provision of all or part of the services
31 pursuant to this section.

1 Section 11. Section 944.706, Florida Statutes, is
2 amended to read:

3 944.706 Basic release assistance.--

4 (1) Any inmate who is being released is eligible for
5 transition assistance. Those inmates released to a detainer
6 are eligible pursuant to s. 944.703.

7 (2) The department may ~~is authorized to~~ contract with
8 the Department of Children and Family Services, the Salvation
9 Army, and other public or private organizations, including
10 faith-based service groups, for the provision of basic support
11 services for releasees. ~~The department shall contract with~~
12 ~~the Department of Labor and Employment Security for the~~
13 ~~provision of releasee job placement.~~

14 (3) The department shall adopt ~~promulgate~~ rules for
15 the development, implementation, and termination of transition
16 assistance.

17 Section 12. Section 944.707, Florida Statutes, is
18 amended to read:

19 944.707 Postrelease special services; job placement
20 services.--

21 (1) The department shall ~~attempt to~~ generate and
22 provide to every releasee, identified by the prerelease needs
23 assessment, support services such as, but not limited to,
24 substance abuse counseling, family counseling, and employment
25 support programs. The department may ~~is authorized to~~ select
26 and contract with public or private organizations, including
27 faith-based service groups, for the provision of these basic
28 support services. When selecting a provider, the department
29 shall consider faith-based service groups on an equal basis
30 with other private organizations. Provider selection criteria
31 include, but are not limited to:

- 1 (a) The depth and scope of services provided.
- 2 (b) The geographic area to be served.
- 3 (c) The number of inmates to be served and the cost of
4 services per inmate.
- 5 (d) The individual provider's record of success in the
6 provision of inmate services.
- 7 (2) The department, with the assistance of the State
8 Office on Homelessness, shall maintain and regularly update a
9 comprehensive directory of support services offered by private
10 organizations and faith-based service groups for the purpose
11 of assisting transition assistance specialists and chaplains
12 in making individualized placements and referrals.~~The~~
13 ~~following items shall be provided to the Department of Labor~~
14 ~~and Employment Security job service office located nearest to~~
15 ~~the inmate's intended residence:~~
- 16 ~~(a) The job placement information obtained at release~~
17 ~~orientation.~~
- 18 ~~(b) Referral information for the needed basic support~~
19 ~~service providers.~~
- 20 ~~(3)(a) The Department of Labor and Employment Security~~
21 ~~shall assign job service staff exclusively dedicated to~~
22 ~~releasee services at those offices identified by the~~
23 ~~Department of Corrections as having a high number of releasee~~
24 ~~contacts. Those offices having a fewer number of releasee~~
25 ~~contacts shall have designated staff assigned to assist~~
26 ~~releasees. The Department of Labor and Employment Security~~
27 ~~shall provide appropriate training for staff assigned to~~
28 ~~assist releasees. Staff assigned to assist releasees shall~~
29 ~~use job placement information obtained at each releasee's~~
30 ~~release orientation to attempt to secure suitable employment~~
31 ~~for the releasee prior to the releasee's arrival. Staff~~

1 ~~assigned to assist releasees shall act to maximize releasee~~
2 ~~placement opportunities in the job service office service~~
3 ~~area.~~

4 ~~(b) The Department of Labor and Employment Security~~
5 ~~shall provide to the Department of Corrections data relating~~
6 ~~to inmate placement, tracking, and market needs.~~

7 Section 13. Section 944.803, Florida Statutes, is
8 amended to read:

9 944.803 Faith-based programs for inmates.--

10 (1) The Legislature finds and declares that
11 faith-based programs offered in state and private correctional
12 institutions and facilities have the potential to facilitate
13 inmate institutional adjustment, help inmates assume personal
14 responsibility, and reduce recidivism.

15 (2) It is the intent of the Legislature that the
16 Department of Corrections and the private vendors operating
17 private correctional facilities shall continuously:

18 (a) Measure recidivism rates for inmates who have
19 participated in religious programs;

20 (b) Increase the number of volunteers who minister to
21 inmates from various faith-based institutions in the
22 community;

23 (c) Develop community linkages with churches,
24 synagogues, mosques, and other faith-based institutions to
25 assist inmates in their release back into the community; and

26 (d) Fund through the use of inmate welfare trust funds
27 pursuant to s. 945.215 an adequate number of chaplains and
28 support staff to operate faith-based programs in correctional
29 institutions.

30 (3) By March 1, 2002, the department must have at
31 least three additional faith-based dormitory programs fully

1 operational and, by June 1, 2002, the department must have at
2 least three more faith-based dormitory programs fully
3 operational, for a total of six new programs fully operational
4 by June 1, 2002. These six programs shall be similar to and in
5 addition to the current faith-based pilot program. The six new
6 programs shall be a joint effort with the department and
7 faith-based service groups within the community. The
8 department shall ensure that an inmate's faith orientation, or
9 lack thereof, will not be considered in determining admission
10 to a faith-based program and that the program does not attempt
11 to convert an inmate toward a particular faith or religious
12 preference. The programs shall operate 24 hours a day within
13 the existing correctional facilities. The programs must
14 emphasize the importance of personal responsibility,
15 meaningful work, education, substance abuse treatment, and
16 peer support. Participation in the faith-based dormitory
17 program shall be voluntary. However, at least 80 percent of
18 the inmates participating in this program must be within 36
19 months of their date of release. Assignment to these programs
20 shall be based on evaluation and the length of time the inmate
21 is projected to be assigned to that particular institution. In
22 evaluating an inmate for this program, priority shall be given
23 to inmates who have shown an indication for substance abuse. A
24 right to substance abuse program services is not stated,
25 intended, or otherwise implied by this subsection. The
26 department may not remove an inmate once assigned to the
27 program except for the purposes of population management, for
28 inmate conduct that may subject the inmate to disciplinary
29 confinement or loss of gain-time, for physical or mental
30 health concerns, or for security or safety concerns. To
31 support the programming component, the department shall assign

1 a chaplain and a full-time clerical support person dedicated
2 to each dormitory to implement and monitor the program and to
3 strengthen volunteer participation and support. By January 1,
4 2004, the department shall submit an evaluation report to the
5 Governor, the President of the Senate, and the Speaker of the
6 House of Representatives on the faith-based dormitory program.
7 The report must contain the findings from an extensive and
8 scientifically sound evaluation of the program, including at
9 least a longitudinal followup of the inmates who have
10 successfully completed the program compared to other similar
11 inmates who have not participated in the program and an
12 opinion survey of the faith-based service providers.

13 (4) Effective October 1, 2001, the department shall
14 assign chaplains to community correctional centers authorized
15 pursuant to s. 945.091(1)(b). These chaplains shall strengthen
16 volunteer participation by recruiting volunteers in the
17 community to assist inmates in transition and, if requested by
18 the inmate, placement in a mentoring program or at a
19 contracted substance abuse transition housing program. When
20 placing an inmate in a contracted program, the chaplain shall
21 work with the institutional transition assistance specialist
22 in an effort to successfully place the released inmate.

23 (5) The department shall ensure that any faith
24 component of any program authorized in this chapter is offered
25 on a voluntary basis, that an offender's faith orientation, or
26 lack thereof, will not be considered in determining admission
27 to a faith-based program, and that the program does not
28 attempt to convert an offender toward a particular faith or
29 religious preference.

30 (6) The department shall ensure that state funds are
31 not expended for the purpose of furthering religious

1 indoctrination but, rather, that state funds are expended for
2 purposes of furthering the secular goals of criminal
3 rehabilitation, the successful reintegration of offenders into
4 the community, and the reduction of recidivism.

5 Section 14. Subsection (1) of section 945.091, Florida
6 Statutes, is amended to read:

7 945.091 Extension of the limits of confinement;
8 restitution by employed inmates.--

9 (1) The department ~~may is authorized to~~ adopt rules
10 ~~regulations~~ permitting the extension of the limits of the
11 place of confinement of an inmate as to whom there is
12 reasonable cause to believe that the inmate will honor his or
13 her trust by authorizing the inmate, under prescribed
14 conditions and following investigation and approval by the
15 secretary, or the secretary's designee, who shall maintain a
16 written record of such action, to leave the confines of that
17 place unaccompanied by a custodial agent for a prescribed
18 period of time to:

19 (a) Visit, for a specified period, a specifically
20 designated place or places:

21 1. For the purpose of visiting a dying relative,
22 attending the funeral of a relative, or arranging for
23 employment or for a suitable residence for use when released;

24 2. To otherwise aid in the rehabilitation of the
25 inmate and his or her successful transition into the
26 community; or

27 3. For another compelling reason consistent with the
28 public interest,

29
30 and return to the same or another institution or facility
31 designated by the Department of Corrections.

1 (b) Work at paid employment, participate in an
2 education or a training program, or voluntarily serve a public
3 or nonprofit agency or faith-based service group in the
4 community, while continuing as an inmate of the institution or
5 facility in which the inmate is confined, except during the
6 hours of his or her employment, education, training, or
7 service and traveling thereto and therefrom.

8 1. An inmate may participate in paid employment only
9 during the last 36 months of his or her confinement, unless
10 sooner requested by the Parole Commission or the Control
11 Release Authority.

12 2. While working at paid employment and residing in
13 the facility, an inmate may apply for placement at a
14 contracted substance abuse transition housing program. The
15 transition assistance specialist shall inform the inmate of
16 program availability and assess the inmate's need and
17 suitability for transition housing assistance. If an inmate is
18 approved for placement, the specialist shall assist the
19 inmate. If an inmate requests and is approved for placement in
20 a contracted faith-based substance abuse transition housing
21 program, the specialist must consult with the chaplain prior
22 to such placement. The department shall ensure that an
23 inmate's faith orientation, or lack thereof, will not be
24 considered in determining admission to a faith-based program
25 and that the program does not attempt to convert an inmate
26 toward a particular faith or religious preference.

27 (c) Participate in a residential or nonresidential
28 rehabilitative program operated by a public or private,
29 nonprofit agency, including faith-based service groups, with
30 which the department has contracted for the treatment of such
31 inmate. The provisions of ss. 216.311 and 287.057 shall apply

1 to all contracts between the department and any private entity
2 providing such services. The department shall require such
3 agency to provide appropriate supervision of inmates
4 participating in such program. The department is authorized
5 to terminate any inmate's participation in the program if such
6 inmate fails to demonstrate satisfactory progress in the
7 program as established by departmental rules.

8 Section 15. Section 947.141, Florida Statutes, is
9 amended to read:

10 947.141 Violations of conditional release, control
11 release, ~~or~~ conditional medical release, or addiction recovery
12 supervision.--

13 (1) If a member of the commission or a duly authorized
14 representative of the commission has reasonable grounds to
15 believe that an offender who is on release supervision under
16 s. 947.1405, s. 947.146, ~~or~~ s. 947.149, or s. 944.4731 has
17 violated the terms and conditions of the release in a material
18 respect, such member or representative may cause a warrant to
19 be issued for the arrest of the releasee; if the offender was
20 found to be a sexual predator, the warrant must be issued.

21 (2) Upon the arrest on a felony charge of an offender
22 who is on release supervision under s. 947.1405, s. 947.146,
23 ~~or~~ s. 947.149, or s. 944.4731, the offender must be detained
24 without bond until the initial appearance of the offender at
25 which a judicial determination of probable cause is made. If
26 the magistrate determines that there was no probable cause for
27 the arrest, the offender may be released. If the magistrate
28 determines that there was probable cause for the arrest, such
29 determination also constitutes reasonable grounds to believe
30 that the offender violated the conditions of the release.
31 Within 24 hours after the magistrate's finding of probable

1 cause, the detention facility administrator or designee shall
2 notify the commission and the department of the finding and
3 transmit to each a facsimile copy of the probable cause
4 affidavit or the sworn offense report upon which the
5 magistrate's probable cause determination is based. The
6 offender must continue to be detained without bond for a
7 period not exceeding 72 hours excluding weekends and holidays
8 after the date of the probable cause determination, pending a
9 decision by the commission whether to issue a warrant charging
10 the offender with violation of the conditions of release. Upon
11 the issuance of the commission's warrant, the offender must
12 continue to be held in custody pending a revocation hearing
13 held in accordance with this section.

14 (3) Within 45 days after notice to the Parole
15 Commission of the arrest of a releasee charged with a
16 violation of the terms and conditions of conditional release,
17 control release, ~~or~~ conditional medical release, or addiction
18 recovery supervision, the releasee must be afforded a hearing
19 conducted by a commissioner or a duly authorized
20 representative thereof. If the releasee elects to proceed with
21 a hearing, the releasee must be informed orally and in writing
22 of the following:

23 (a) The alleged violation with which the releasee is
24 charged.

25 (b) The releasee's right to be represented by counsel.

26 (c) The releasee's right to be heard in person.

27 (d) The releasee's right to secure, present, and
28 compel the attendance of witnesses relevant to the proceeding.

29 (e) The releasee's right to produce documents on the
30 releasee's own behalf.

31

1 (f) The releasee's right of access to all evidence
2 used against the releasee and to confront and cross-examine
3 adverse witnesses.

4 (g) The releasee's right to waive the hearing.

5 (4) Within a reasonable time following the hearing,
6 the commissioner or the commissioner's duly authorized
7 representative who conducted the hearing shall make findings
8 of fact in regard to the alleged violation. A panel of no
9 fewer than two commissioners shall enter an order determining
10 whether the charge of violation of conditional release,
11 control release, ~~or~~ conditional medical release, or addiction
12 recovery supervision has been sustained based upon the
13 findings of fact presented by the hearing commissioner or
14 authorized representative. By such order, the panel may revoke
15 conditional release, control release, ~~or~~ conditional medical
16 release, or addiction recovery supervision and thereby return
17 the releasee to prison to serve the sentence imposed,
18 reinstate the original order granting the release, or enter
19 such other order as it considers proper. Effective for inmates
20 whose offenses were committed on or after July 1, 1995, the
21 panel may order the placement of a releasee, upon a finding of
22 violation pursuant to this subsection, into a local detention
23 facility as a condition of supervision.

24 (5) Effective for inmates whose offenses were
25 committed on or after July 1, 1995, notwithstanding the
26 provisions of ss. 775.08, former 921.001, 921.002, 921.187,
27 921.188, 944.02, and 951.23, or any other law to the contrary,
28 by such order as provided in subsection (4), the panel, upon a
29 finding of guilt, may, as a condition of continued
30 supervision, place the releasee in a local detention facility
31 for a period of incarceration not to exceed 22 months. Prior

1 to the expiration of the term of incarceration, or upon
2 recommendation of the chief correctional officer of that
3 county, the commission shall cause inquiry into the inmate's
4 release plan and custody status in the detention facility and
5 consider whether to restore the inmate to supervision, modify
6 the conditions of supervision, or enter an order of
7 revocation, thereby causing the return of the inmate to prison
8 to serve the sentence imposed. The provisions of this section
9 do not prohibit the panel from entering such other order or
10 conducting any investigation that it deems proper. The
11 commission may only place a person in a local detention
12 facility pursuant to this section if there is a contractual
13 agreement between the chief correctional officer of that
14 county and the Department of Corrections. The agreement must
15 provide for a per diem reimbursement for each person placed
16 under this section, which is payable by the Department of
17 Corrections for the duration of the offender's placement in
18 the facility. This section does not limit the commission's
19 ability to place a person in a local detention facility for
20 less than 1 year.

21 (6) Whenever a conditional release, control release,
22 ~~or conditional medical release, or addiction recovery~~
23 supervision is revoked by a panel of no fewer than two
24 commissioners and the releasee is ordered to be returned to
25 prison, the releasee, by reason of the misconduct, shall be
26 deemed to have forfeited all gain-time or commutation of time
27 for good conduct, as provided for by law, earned up to the
28 date of release. However, if a conditional medical release is
29 revoked due to the improved medical or physical condition of
30 the releasee, the releasee shall not forfeit gain-time accrued
31 before the date of conditional medical release. This

1 subsection does not deprive the prisoner of the right to
2 gain-time or commutation of time for good conduct, as provided
3 by law, from the date of return to prison.

4 Section 16. Paragraph (a) of subsection (6) and
5 subsection (7) of section 948.08, Florida Statutes, are
6 amended to read:

7 948.08 Pretrial intervention program.--

8 (6)(a) Notwithstanding any provision of this section,
9 a person who is charged with a felony of the second or third
10 degree for purchase or possession of a controlled substance
11 under chapter 893, tampering with evidence, solicitation for
12 purchase of a controlled substance, or obtaining a
13 prescription by fraud; who has not been charged with a crime
14 involving violence, including, but not limited to, murder,
15 sexual battery, robbery, carjacking, home-invasion robbery, or
16 any other crime involving violence;and who has not previously
17 been convicted of a felony nor been admitted to a felony
18 pretrial program referred to in this section, is eligible for
19 admission into a pretrial substance abuse education and
20 treatment intervention program approved by the chief judge of
21 the circuit, for a period of not less than 1 year in duration,
22 upon motion of either party or the court's own motion, except:

23 1. If a defendant was previously offered admission to
24 a pretrial substance abuse education and treatment
25 intervention program at any time prior to trial and the
26 defendant rejected that offer on the record, then the court or
27 the state attorney may deny the defendant's admission to such
28 a program.

29 2. If the state attorney believes that the facts and
30 circumstances of the case suggest the defendant's involvement
31 in the dealing and selling of controlled substances, the court

1 shall hold a preadmission hearing. If the state attorney
2 establishes, by a preponderance of the evidence at such
3 hearing, that the defendant was involved in the dealing or
4 selling of controlled substances, the court shall deny the
5 defendant's admission into a pretrial intervention program.

6 (7) The chief judge in each circuit may appoint an
7 advisory committee for the pretrial intervention program
8 composed of the chief judge or his or her designee, who shall
9 serve as chair; the state attorney, the public defender, and
10 the program administrator, or their designees; and such other
11 persons as the chair deems appropriate. The advisory committee
12 may not designate any defendant eligible for a pretrial
13 intervention program for any offense that is not listed under
14 paragraph (6)(a) without the state attorney's recommendation
15 and approval.The committee may also include persons
16 representing any other agencies to which persons released to
17 the pretrial intervention program may be referred.

18 Section 17. Section 951.10, Florida Statutes, is
19 amended to read:

20 951.10 Leasing prisoners to work for private interests
21 prohibited.--~~No~~ County prisoners may not ~~shall~~ be leased to
22 work for any private interests. This section does not prohibit
23 county inmates from working in nonprofit and private-sector
24 jobs pursuant to s. 951.24(2) and consistent with federal law.

25 Section 18. By March 1, 2002, the Department of
26 Corrections shall submit a comprehensive report to the
27 Governor, the President of the Senate, and the Speaker of the
28 House of Representatives on its progress in implementing this
29 act. In its comprehensive report the department shall:

30 (1) Identify the number of beds needed for substance
31 abuse transition housing for the 2002-2003, 2003-2004, and

1 2004-2005 fiscal years, and shall evaluate the impact of
2 designating nonsecure, community-based residential beds for
3 postrelease transition services.

4 (2) Provide a 5-year plan for and the amount of funds
5 needed for expanding the number of faith-based dormitory
6 programs and expanding the number of chaplain-assisted
7 community correctional centers.

8 (3) Project the number and fiscal impact of the
9 anticipated admissions to the Addiction Recovery Supervision
10 Program over the next 5 years.

11 (4) Describe and evaluate new prerelease and
12 postrelease transition services provided by the department,
13 including the effectiveness of the newly created bureau, the
14 transition assistance specialists at each institution, the
15 chaplain positions, and the expansion of comprehensive
16 transition courses.

17 Section 19. By March 1, 2002, the Legislative
18 Committee on Intergovernmental Relations shall submit a
19 detailed report to the President of the Senate and the Speaker
20 of the House of Representatives on the feasibility of
21 providing effective intervention and treatment strategies for
22 persons convicted of prostitution and detained in county
23 detention facilities. In compiling this study, the committee
24 shall:

25 (1) Identify and describe successful intervention and
26 treatment strategies in state county detention facilities and
27 other jurisdictions.

28 (2) Survey each county detention facility in the state
29 to determine what policies and practices are in place to
30 address persons convicted of prostitution.

31

1 (3) Determine the number of prostitutes being held in
2 county detention facilities, their length of stay, and their
3 frequency of incarceration.

4 (4) Examine relevant scientific studies documenting
5 any correlation between prostitution and substance abuse.

6 (5) Consider the implications of enhancing the
7 criminal penalty for prostitution from a misdemeanor to a
8 third degree felony for a third or subsequent prostitution
9 offense with respect to the availability of treatment and
10 rehabilitation programs.

11 (6) Recommend any changes to substantive law and any
12 funding that is necessary to help persons convicted of
13 prostitution to avoid repeated incarceration in county
14 detention facilities and to successfully return to the
15 community.

16 Section 20. In an effort to ensure that inmates
17 released from the Department of Corrections successfully
18 reenter the community, beginning December 1, 2002, each inmate
19 released from incarceration by the department must complete a
20 100-hour comprehensive transition course that covers job
21 readiness and life-management skills. This requirement does
22 not apply to inmates released in an emergency situation.

23 Section 21. (1) The sum of \$5,005,514 is appropriated
24 from the General Revenue Fund to the Department of Corrections
25 for the 2001-2002 fiscal year to implement the provisions of
26 this act for the secular purpose of reducing recidivism
27 through successful reintegration of released inmates into the
28 community.

29 (2) The appropriation shall fund a chaplain for each
30 of at least 10 community correctional centers authorized under
31 s. 945.091(1)(b), Florida Statutes. The chaplains shall assist

1 inmates in transition, strengthen participation of community
2 volunteers, and serve as liaisons with community leaders.
3 Using nonrecurring funds from the appropriation, the
4 department may erect adjacent structures or alter the physical
5 design of a community correctional center as is necessary to
6 accommodate the program needs and other unique requirements of
7 the chaplain.

8 (3)(a) The appropriation shall also be used to fund 52
9 transition assistance specialists. The Bureau of Transition
10 shall be created within the Department of Corrections and six
11 new Bureau of Transition positions shall be funded by the
12 appropriation to monitor, oversee, and provide support to
13 transition assistance programs and to expand the 100-hour
14 comprehensive transition course at each correctional
15 institution. The transition assistance specialists shall
16 assist all inmates released from the custody of the department
17 who are eligible for the transition assistance program.

18 (b) The appropriation shall also be used to fund six
19 additional faith-based dormitories similar to the current
20 faith-based pilot program operating at Tomoka Correctional
21 Institution. Using nonrecurring funds from the appropriation,
22 the department shall alter the physical design at selected
23 dormitories as necessary to accommodate program needs and
24 other unique requirements of the program described in s.
25 944.803, Florida Statutes, as amended by this act. Recurring
26 funds from this appropriation shall fund six chaplain
27 positions, six accompanying clerical support positions, and
28 the purchase of miscellaneous secular supplies that are
29 necessary to operate the program.

30 (c) Finally, for the 2001-2002 fiscal year, the
31 appropriation shall also fund the nonrecurring startup and

1 recurring per diem costs for 400 substance abuse transition
2 housing beds. The 400 substance abuse transition housing beds
3 shall be provided by faith-based service groups under contract
4 with the department. The new beds and services funded by this
5 appropriation shall be in addition to the minimum 400 required
6 beds designated as transition housing beds under s.
7 944.026(1)(c) and (2), Florida Statutes, which may be under
8 contract with private organizations not offering a faith
9 component. Funds from the appropriation may be used for paying
10 nonrecurring startup costs to ensure the proper selection and
11 training of staff and for expenses that relate to preparing
12 the facilities for occupancy.

13 (d) The department shall ensure that the number of
14 transition housing beds provided by private organizations with
15 a faith component does not exceed the number of transition
16 housing beds provided by private organizations without a faith
17 component, so that an eligible offender has equal access to
18 either type of transition bed.

19 (e) The department shall ensure that state funds are
20 not expended for the sole purpose of furthering religious
21 indoctrination, but rather that state funds are expended for
22 purposes of furthering the secular goals of criminal
23 rehabilitation, the successful reintegration of offenders into
24 the community, and the reduction of recidivism.

25 Section 22. This act shall take effect July 1, 2001.
26
27
28
29
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31