

By the Committees on Appropriations, Criminal Justice and  
Senator Villalobos

309-1528-01

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; amending s. 944.702, F.S.;  
29          providing legislative intent with respect to  
30          support services for inmates who abuse  
31          substances; amending ss. 944.703, 944.704,

1 F.S., relating to transition assistance for  
2 inmates; requiring that inmates who abuse  
3 substances receive priority assistance;  
4 providing for transition-assistance specialists  
5 at institutions; amending ss. 944.705, 944.706,  
6 944.707, F.S.; authorizing the department to  
7 contract with faith-based service groups for  
8 release-assistance programs and postrelease  
9 services; amending s. 944.803, F.S.; providing  
10 additional requirements for faith-based  
11 programs for inmates; requiring the department  
12 to assign chaplains to certain community  
13 correctional centers; amending s. 945.091,  
14 F.S.; authorizing an inmate to participate in  
15 faith-based service groups; amending s.  
16 947.141, F.S.; providing revocation process for  
17 offenders on addiction-recovery supervision;  
18 amending s. 948.08, F.S.; providing that  
19 specified offenders are eligible for certain  
20 pretrial intervention programs; amending s.  
21 951.10, F.S.; clarifying provisions governing  
22 the leasing of prisoners; requiring the  
23 Department of Corrections to report to the  
24 Governor and the Legislature on the  
25 implementation of the act; requiring the  
26 Legislative Committee on Intergovernmental  
27 Relations to report to the Legislature on  
28 intervention and treatment strategies for  
29 persons convicted of prostitution; requiring  
30 inmates to complete a course on job readiness  
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1           and life management before release; providing  
2           an appropriation; providing an effective date.

3  
4           WHEREAS, the Task Force on Self-Inflicted Crimes, as  
5 created by chapter 2000-366, Laws of Florida, identified in  
6 its report issued January 18, 2001, a wide variety of  
7 potential legislative solutions for reducing the repetitious  
8 self-injurious behavior of prostitution and substance abuse,  
9 and

10           WHEREAS, those recommendations stemmed from the  
11 testimony from numerous individuals, substance-abuse experts,  
12 governmental officials, and private organizations throughout  
13 Florida, and

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

18           WHEREAS, the task force concluded that faith-based  
19 organizations are "armies of compassion" devoted to changing  
20 individuals' hearts and lives and can offer cost-effective  
21 substance-abuse treatment through the use of volunteers and  
22 other cost-saving measures, and

23           WHEREAS, the task force concluded that inmates with  
24 histories of substance abuse will most likely return to prison  
25 without transition assistance and postrelease supervision,  
26 coupled with treatment and job placement, and

27           WHEREAS, research has proven that "one-on-one" private  
28 and faith-based programming is often more effective than  
29 government programs in shaping and reclaiming lives because  
30 they are free to assert the essential connection between  
31 responsibility and human dignity; their approach is personal,

1 not bureaucratic; their service is not primarily a function of  
2 professional background, but of individual commitment; and  
3 they inject an element of moral challenge and spiritual  
4 renewal that government cannot duplicate, and

5 WHEREAS, a study required by chapter 97-78, Laws of  
6 Florida, to measure the effectiveness of faith-based programs  
7 in Florida's correctional facilities found a strong and  
8 beneficial correlation between faith-based programming and  
9 remaining crime-free and drug-free upon release, and

10 WHEREAS, the Department of Corrections employs 105  
11 prison chaplains who are responsible for addressing the  
12 religious and spiritual needs of over 71,000 inmates; for  
13 developing community linkages with churches, synagogues,  
14 mosques, and other faith-based institutions; and for  
15 recruiting and supervising volunteers who come into Florida's  
16 prisons to provide spiritual programs, mentoring activities,  
17 and other transitional skills, and

18 WHEREAS, the continued investment in the work of prison  
19 chaplains and their clerical staff is a critical factor for  
20 strengthening volunteer participation and support of  
21 faith-based programs in the prisons, as recognized by an  
22 academic study in 1997 entitled "The Report of Faith-Based  
23 Programs in Correctional Facilities," and

24 WHEREAS, the task force recommended that the  
25 Legislature fund faith-based substance-abuse-recovery programs  
26 and transition assistance for the secular purpose of reducing  
27 recidivism, and

28 WHEREAS, in an effort to transform lives and break the  
29 personally destructive and expensive recidivism cycle, Florida  
30 should increase the number of chaplains who strengthen  
31 volunteer participation; expand the pilot dormitory program

1 started in November 1999; and implement a strong  
2 transition-assistance residential program that includes a  
3 voluntary faith component that supports inmates as they  
4 reenter communities, NOW, THEREFORE,

5

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

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8 Section 1. Paragraph (c) of subsection (3) of section  
9 20.315, Florida Statutes, is amended to read:

10 20.315 Department of Corrections.--There is created a  
11 Department of Corrections.

12 (3) SECRETARY OF CORRECTIONS.--The head of the  
13 Department of Corrections is the Secretary of Corrections.  
14 The secretary is appointed by the Governor, subject to  
15 confirmation by the Senate, and shall serve at the pleasure of  
16 the Governor. The secretary is responsible for planning,  
17 coordinating, and managing the corrections system of the  
18 state. The secretary shall ensure that the programs and  
19 services of the department are administered in accordance with  
20 state and federal laws, rules, and regulations, with  
21 established program standards, and consistent with legislative  
22 intent. The secretary shall identify the need for and  
23 recommend funding for the secure and efficient operation of  
24 the state correctional system.

25 (c) The secretary may appoint assistant secretaries,  
26 directors, or other such persons that he or she deems are  
27 necessary to accomplish the mission and goals of the  
28 department, including, but not limited to, the following areas  
29 of program responsibility:

30 1. Security and institutional operations, which shall  
31 provide inmate work programs, offender programs, security

1 administration, emergency operations response, and operational  
2 oversight of the regions.

3         2. Health services, which shall be headed by a  
4 physician licensed under chapter 458 or an osteopathic  
5 physician licensed under chapter 459, or a professionally  
6 trained health care administrator with progressively  
7 responsible experience in health care administration. This  
8 individual shall be responsible for the delivery of health  
9 services to offenders within the system and shall have direct  
10 professional authority over such services.

11         3. Community corrections, which shall provide for  
12 coordination of community alternatives to incarceration and  
13 operational oversight of community corrections regions.

14         4. Administrative services, which shall provide budget  
15 and accounting services within the department, including the  
16 construction and maintenance of correctional institutions,  
17 human resource management, research, planning and evaluation,  
18 and technology.

19         5. Program, transition, and postrelease services,  
20 which shall provide for the direct management and supervision  
21 of all departmental programs, including the coordination and  
22 delivery of education and job training to the offenders in the  
23 custody of the department. In addition, this program shall  
24 provide for the direct management and supervision of all  
25 programs that furnish transition assistance to inmates who are  
26 or have recently been in the custody of the department,  
27 including the coordination, facilitation, and contract  
28 management of prerelease and postrelease transition services  
29 provided by governmental and private providers, including  
30 faith-based service groups.

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

3           397.333 Statewide Drug Policy Advisory Council.--

4           (1)(a) The Statewide Drug Policy Advisory Council is  
5 created within the Executive Office of the Governor. The  
6 director of the Office of Drug Control shall be a nonvoting,  
7 ex officio member of the advisory council and shall act as  
8 chairperson. The director of the Office of Planning and  
9 Budgeting shall be a nonvoting, ex officio member of the  
10 advisory council. The Office of Drug Control and the Office of  
11 Planning and Budgeting shall provide staff support for the  
12 advisory council.

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

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

16           2. The executive director of the Department of Law  
17 Enforcement, or his or her designee.

18           3. The Secretary of Children and Family Services, or  
19 his or her designee.

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

21           5. The Secretary of Corrections, or his or her  
22 designee.

23           6. The Secretary of Juvenile Justice, or his or her  
24 designee.

25           7. The Commissioner of Education, or his or her  
26 designee.

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

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

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1           (c) In addition, the Governor shall appoint 11 members  
2 of the public to serve on the advisory council. Of the 11  
3 appointed members, one members must have professional or  
4 occupational expertise in drug enforcement, one member must  
5 have professional or occupational expertise in substance abuse  
6 prevention, ~~and~~ one member must have professional or  
7 occupational expertise in substance abuse treatment, and two  
8 members must have professional or occupational expertise in  
9 faith-based substance-abuse-treatment services. The remainder  
10 of the members appointed should have professional or  
11 occupational expertise in, or be generally knowledgeable  
12 about, issues that relate to drug enforcement and substance  
13 abuse programs and services. The members appointed by the  
14 Governor must, to the extent possible, equitably represent all  
15 geographic areas of the state.

16           (d) The President of the Senate shall appoint a member  
17 of the Senate to the advisory council and the Speaker of the  
18 House of Representatives shall appoint a member of the House  
19 of Representatives to the advisory council.

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

22           (f) Members appointed by the Governor, the President  
23 of the Senate, the Speaker of the House of Representatives,  
24 and the Chief Justice shall be appointed to terms of 4 years  
25 each. However, for the purpose of providing staggered terms,  
26 of the Governor's initial appointments, five members shall be  
27 appointed to 2-year terms and six members shall be appointed  
28 to 4-year terms.

29           (3) The advisory council shall:

30           (a) Conduct a comprehensive analysis of the problem of  
31 substance abuse in this state and make recommendations to the



1 Governor and Legislature for developing and implementing a  
2 state drug control strategy. The advisory council shall  
3 determine the most effective means of establishing clear and  
4 meaningful lines of communication between the advisory council  
5 and the public and private sectors in order to ensure that the  
6 process of developing and implementing the state drug control  
7 strategy has afforded a broad spectrum of the public and  
8 private sectors an opportunity to comment and make  
9 recommendations.

10 (b) Review and make recommendations to the Governor  
11 and Legislature on funding substance abuse programs and  
12 services, consistent with the state drug control strategy, as  
13 developed. The council may recommend the creation of a  
14 separate appropriations category for funding services  
15 delivered or procured by state agencies and may recommend the  
16 use of performance-based contracting as provided in s.  
17 414.065.

18 (c) Review various substance abuse programs and  
19 recommend, where needed, measures that are sufficient to  
20 determine program outcomes. The council shall review different  
21 methodologies for evaluating programs and determine whether  
22 programs within different agencies have common outcomes. The  
23 methodologies shall be consistent with those established under  
24 s. 216.0166.

25 (d) Review the drug control strategies and programs  
26 of, and efforts by, other states and the Federal Government  
27 and compile the relevant research.

28 (e) Recommend to the Governor and Legislature applied  
29 research projects that would use research capabilities within  
30 the state, including, but not limited to, the resources of the  
31 State University System, for the purpose of achieving improved

1 outcomes and making better-informed strategic budgetary  
2 decisions.

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

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

9 (h) Ensure that there is a coordinated, integrated,  
10 and multidisciplinary response to the substance abuse problem  
11 in this state, with special attention given to creating  
12 partnerships within and between the public and private  
13 sectors, and to the coordinated, supported, and integrated  
14 delivery of multiple-system services for substance abusers,  
15 including a multiagency team approach to service delivery.

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

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1 similar instruction. To maximize the effectiveness of such  
2 forums, multiple agencies should participate.

3 (j) Examine the extent to which all state programs  
4 that involve substance-abuse treatment can include a  
5 meaningful work component, and identify any change in the law  
6 which would remove barriers to or enhance the work component  
7 for a substance-abuse-treatment program.

8 (k) Recommend to the Governor and the Legislature ways  
9 to expand and fund drug courts, which have proven effective in  
10 the state's drug-control strategy.

11 Section 3. Section 944.026, Florida Statutes, is  
12 amended to read:

13 944.026 Community-based facilities and programs.--

14 (1) In addition to those facilities and services  
15 described elsewhere in this chapter, the department shall  
16 develop, provide, or contract for a statewide system of  
17 community-based facilities, services, and programs dealing  
18 with the rehabilitation of offenders, which shall include, but  
19 not be limited to:

20 (a) A system of community correctional centers to be  
21 used for reintegration of the offender back into the  
22 community, located at various places throughout the state as  
23 provided in s. 944.033.

24 (b) Community-based residential drug treatment  
25 facilities that ~~which~~ include:

26 1. Nonsecure facilities, whereby probationers and drug  
27 offender probationers who have violated their terms or  
28 conditions, or persons placed on community control whose  
29 presumptive sentence exceeds 22 months, may be required to  
30 reside while working, receiving treatment, or attending  
31 school, and whereby inmates may be placed who are nearing

1 their date of release from a correctional institution or a  
2 community correctional center, who are in need of placement in  
3 a substance-abuse-transition housing program, and who are  
4 considered eligible for such placement by the department; and

5         2. Secure facilities which provide for limited access  
6 for the duration of the program for persons who have violated  
7 their conditions of probation, drug offender probation, or  
8 community control, and whose presumptive sentence exceeds 22  
9 months.

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

30         (2) By January 1, 2002, and notwithstanding any other  
31 law, the department shall ensure that at least 400 of its

1 contracted beds in nonsecure community-based residential  
2 substance-abuse-treatment facilities authorized under  
3 subparagraph (1)(b)1. or probation and restitution centers  
4 authorized under paragraph (1)(c) are designated for  
5 transition assistance for inmates who are nearing their date  
6 of release from a correctional institution or a community  
7 correctional center. These designated beds shall be provided  
8 by private organizations that do not have a faith component  
9 and that are under contract with the department. In making  
10 placement decisions, the department and the contract providers  
11 shall give priority consideration to those inmates who are  
12 nearing their date of release and who are to be placed in some  
13 form of postrelease community supervision. However, if an  
14 inmate whose sentence expires upon his or her release from a  
15 correctional institution or a community correction center and  
16 for whom community supervision is not required demonstrates  
17 the need for or interest in and suitability for  
18 transition-housing assistance, as determined by the  
19 department, the inmate is eligible to be considered for  
20 placement in transition housing. A right to  
21 substance-abuse-program services is not stated, intended, or  
22 otherwise implied by this subsection.

23 (3)(2)(a) The department shall develop and implement  
24 procedures to diagnose offenders prior to sentencing, for the  
25 purpose of recommending to the sentencing court suitable  
26 candidates for placement in a community-based residential drug  
27 treatment facility or probation and restitution center as  
28 provided in this section. The department shall also develop  
29 and implement procedures to properly identify inmates prior to  
30 release who demonstrate the need for or interest in and  
31 suitability for placement in a community-based

1 substance-abuse-transition housing program as provided in this  
2 section and pursuant to ss. 944.704 and 944.4731.

3 (b) Pretrial intervention programs in appropriate  
4 counties to provide early counseling and supervision services  
5 to specified offenders as provided in s. 948.08.

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

8 944.473 Inmate substance abuse testing program.--

9 (2) SUBSTANCE ABUSE TREATMENT PROGRAMS.--

10 (a) An inmate who meets the criteria established by  
11 the department shall participate in substance-abuse-program  
12 services when such services are available. A right to  
13 substance-abuse-program services is not stated, intended, or  
14 otherwise implied by this chapter.

15 (b) Upon arrival at a department's reception center  
16 for initial processing, each inmate shall be screened and  
17 assessed to determine if the inmate meets the department's  
18 criteria for mandated participation in a substance-abuse  
19 program. Criteria for mandated substance-abuse-program  
20 services shall be based on:

21 1. The presence of a diagnosed psychoactive substance  
22 dependence or use disorder;

23 2. The severity of the addiction;

24 3. A history of criminal behavior related to substance  
25 abuse;

26 4. A recommendation by a sentencing authority for  
27 substance-abuse-program services;

28 5. Unsuccessful participation in community-based  
29 substance-abuse services;

30 6. Sentencing by a drug court or drug division; and

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1           7. Other classification or program criteria that the  
2 department finds will ensure security and optimal program  
3 placement.

4           (c) When selecting contract providers to administer  
5 substance-abuse-treatment programs, the department shall make  
6 every effort to consider qualified faith-based service groups  
7 on an equal basis with other private organizations.~~If~~  
8 ~~substance abuse treatment is requested by an inmate, the~~  
9 ~~department shall place the inmate in a substance abuse~~  
10 ~~treatment program, if available and appropriate.~~

11           Section 5. Section 944.4731, Florida Statutes, is  
12 created to read:

13           944.4731 Addiction-Recovery Supervision Program.--

14           (1) This section may be cited as the  
15 "Addiction-Recovery Supervision Program Act."

16           (2)(a) Any offender released from a state correctional  
17 facility who is convicted of a crime committed on or after  
18 July 1, 2001, must be given addiction-recovery supervision if  
19 the offender has:

20           1. A history of substance-abuse or addiction;

21           2. Participated in any drug treatment;

22           3. No current or previous convictions for a violent  
23 offense;

24           4. No current or previous convictions for drug  
25 trafficking or for the unlawful sale of a controlled  
26 substance;

27           5. No current or previous convictions for a property  
28 offense, except for a conviction for:

29           a. Passing worthless checks, forgery, uttering, or  
30 counterfeiting;

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1           b. Third-degree felony grand theft, excluding a theft  
2 relating to firearms; or

3           c. Third-degree felony burglary of an unoccupied  
4 structure or conveyance; and

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

7           (b) An offender released under addiction-recovery  
8 supervision shall be subject to specified terms and  
9 conditions, including payment of the costs of supervision  
10 under s. 948.09 and any other court-ordered payments, such as  
11 child support and restitution. If an offender has received a  
12 term of probation or community control to be served after  
13 release from incarceration, the period of probation or  
14 community control may not be substituted for  
15 addiction-recovery supervision and shall follow the term of  
16 addiction-recovery supervision. A panel of not fewer than two  
17 parole commissioners shall establish the terms and conditions  
18 of supervision, and the terms and conditions must be included  
19 in the supervision order. In setting the terms and conditions  
20 of supervision, the parole commission shall weigh heavily the  
21 program requirements, including, but not limited to, work at  
22 paid employment while participating in treatment and traveling  
23 restrictions. The commission shall also determine whether an  
24 offender violates the terms and conditions of supervision and  
25 whether a violation warrants revocation of addiction-recovery  
26 supervision pursuant to s. 947.141. The parole commission  
27 shall review the offender's record for the purpose of  
28 establishing the terms and conditions of supervision. The  
29 parole commission may impose any special conditions it  
30 considers warranted from its review of the record. The length

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1 of supervision may not exceed the maximum penalty imposed by  
2 the court.

3 (c) The Legislature finds that offenders released from  
4 state prison into the community who meet the criteria for  
5 participating in the addiction-recovery supervision program  
6 possess the greatest potential for successful substance-abuse  
7 recovery through treatment and transition assistance.

8 (3)(a) Each fiscal year, and contingent upon funding,  
9 the department shall enter into contracts with multiple  
10 providers who are private organizations, including faith-based  
11 service groups, to operate substance-abuse-transition housing  
12 programs, including providers that:

13 1. Provide postrelease housing, programming,  
14 treatment, and other transitional services;

15 2. Emphasize job placement and gainful employment for  
16 program participants;

17 3. Provide a curriculum related to substance-abuse  
18 treatment which uses a cognitive-behavior model or 12-step  
19 model of addiction recovery;

20 4. Provide for a length of stay of not more than 12  
21 months; and

22 5. Use community volunteers in operating the program  
23 to the greatest extent possible.

24 (b) The department shall allow providers to use  
25 innovative approaches to treatment and shall authorize a high  
26 level of flexibility in operating a program. The department  
27 shall ensure that an offender's faith orientation, or lack  
28 thereof, will not be considered in determining admission to a  
29 faith-based program and that the program does not attempt to  
30 convert an offender toward a particular faith or religious  
31 preference.

1           (4) When facilitating job placement for an offender  
2 under this program, the provider shall make every effort to  
3 secure suitable employment that provides adequate wages, a  
4 potential for advancement, and a likelihood of stable and  
5 long-term employment. To measure the success of postrelease  
6 job placement, the department shall, as part of its annual  
7 report, track for 1 year offenders who successfully complete  
8 the program and shall determine their employment status.

9           (5) Each contract entered into under this section for  
10 operating a substance-abuse-transition housing program must  
11 invite innovation, minimize bureaucracy, and permit the  
12 private organization or faith-based provider to petition the  
13 department to waive any rule, policy, or procedure that is  
14 inconsistent with the mission of the private organization or  
15 faith-based provider.

16           (6) Six months before an offender is released, the  
17 chaplain and transition-assistance specialist at the  
18 institution where the offender is incarcerated shall initiate  
19 the prerelease screening process in addition to the basic  
20 release orientation required under s. 944.705.

21           (a) The transition-assistance specialist and the  
22 chaplain shall provide a list of contracted private providers,  
23 including faith-based providers, to the offender and  
24 facilitate the application process. The transition-assistance  
25 specialist shall inform the offender of program availability  
26 and assess the offender's need and suitability for  
27 substance-abuse-transition housing assistance. If an offender  
28 is approved for placement, the specialist shall assist the  
29 offender and coordinate the release of the offender with the  
30 selected program. If an offender requests and is approved for  
31 placement in a contracted faith-based

1 substance-abuse-transition housing program, the specialist  
2 must consult with the chaplain prior to such placement. A  
3 right to substance-abuse-program services is not stated,  
4 intended, or otherwise implied by this section.

5 (b) If an offender has participated in a faith-based  
6 program while incarcerated or housed at a community  
7 correctional center and the same or a similar faith-based  
8 provider offers a contracted substance-abuse-transition  
9 housing program, the department shall make every attempt to  
10 maintain this continuum of care.

11 (7) While participating in a  
12 substance-abuse-transition housing program, an offender shall:

13 (a) Adhere to all conditions of supervision enforced  
14 by the commission and the program provider. Failure to comply  
15 with such rules or conditions may result in revocation of  
16 supervision pursuant to s. 947.141.

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

20 (c) Participate in a cognitive-behavior model or  
21 12-step model of recovery.

22 (8) The commission may adopt rules pursuant to ss.  
23 120.536(1) and 120.54 as necessary for administering this  
24 section.

25 Section 6. Section 944.702, Florida Statutes, is  
26 amended to read:

27 944.702 Legislative intent.--It is the intent of the  
28 Legislature to provide persons released from incarceration  
29 from the Department of Corrections with certain fundamental  
30 resources in the areas of employment, life skills training,  
31 job placement, and access to as many support services as

1 possible in order to appreciably increase the likelihood of  
2 the inmate's successful reentry into free society. The  
3 Legislature intends that these support services include  
4 faith-based service groups on an equal basis with other  
5 private organizations.

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

8 944.703 Eligible inmates.--Sections 944.701-944.708  
9 apply to all inmates released from the custody of the  
10 department. However, priority should be given to  
11 substance-addicted inmates to help break the cycle of drug  
12 abuse, prostitution, and other self-injurious criminal  
13 behavior that causes harm to families and communities. Those  
14 inmates with a detainer are eligible if the department  
15 determines that cancellation of the detainer is likely or that  
16 the incarceration for which the detainer was issued will be of  
17 short duration. The department shall confirm the detainer  
18 with the originating authority prior to release.

19 Section 8. Section 944.704, Florida Statutes, is  
20 amended to read:

21 944.704 Staff who provide transition assistance;  
22 duties.--The department shall provide a transition-assistance  
23 specialist ~~transition assistance officer~~ at each of the major  
24 institutions whose duties include, but are not limited to:

25 (1) Coordinating delivery of transition-assistance  
26 ~~transition assistance~~ program services at the institution and  
27 at the community correctional centers authorized pursuant to  
28 s. 945.091(1)(b).

29 (2) Assisting in the development of each inmate's  
30 postrelease plan.

31

1           (3) Obtaining job placement information ~~for~~  
2 ~~transmittal to the Department of Labor and Employment~~  
3 ~~Security.~~

4           (4) Facilitating placement in a private  
5 transition-housing program, if requested by any eligible  
6 inmate. If an inmate who is nearing his or her date of release  
7 requests placement in a contracted substance-abuse-transition  
8 housing program, the transition-assistance specialist shall  
9 inform the inmate of program availability and assess the  
10 inmate's need and suitability for transition-housing  
11 assistance. If an inmate is approved for placement, the  
12 specialist shall assist the inmate and coordinate the release  
13 of the inmate with the selected program. If an inmate requests  
14 and is approved for placement in a contracted faith-based  
15 substance-abuse-transition housing program, the specialist  
16 must consult with the chaplain prior to such placement. In  
17 selecting inmates who are nearing their date of release for  
18 placement in a faith-based program, the department shall  
19 ensure that an inmate's faith orientation, or lack thereof,  
20 will not be considered in determining admission to the program  
21 and that the program does not attempt to convert an inmate  
22 toward a particular faith or religious preference.

23           ~~(5)(4)~~ Providing a photo identification card to all  
24 inmates prior to their release.

25  
26 The transition-assistance specialist may not be a correctional  
27 officer or correctional probation officer as defined in s.  
28 943.10.

29           Section 9. Subsections (1) and (2) of section 944.705,  
30 Florida Statutes, are reenacted, and subsection (5) of that  
31 section is amended to read:

1           944.705 Release orientation program.--

2           (1) The department shall provide participation in a  
3 standardized release orientation program to every eligible  
4 inmate.

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

7           (a) Employment skills.

8           (b) Money management skills.

9           (c) Personal development and planning.

10          (d) Special needs.

11          (e) Community reentry concerns.

12          (f) Community reentry support.

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

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

19          Section 10. Section 944.706, Florida Statutes, is  
20 amended to read:

21          944.706 Basic release assistance.--

22          (1) Any inmate who is being released is eligible for  
23 transition assistance. Those inmates released to a detainer  
24 are eligible pursuant to s. 944.703.

25          (2) The department may ~~is authorized to~~ contract with  
26 the Department of Children and Family Services, the Salvation  
27 Army, and other public or private organizations, including  
28 faith-based service groups, for the provision of basic support  
29 services for releasees. ~~The department shall contract with~~  
30 ~~the Department of Labor and Employment Security for the~~  
31 ~~provision of releasee job placement.~~

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

4           Section 11. Section 944.707, Florida Statutes, is  
5 amended to read:

6           944.707 Postrelease special services; job placement  
7 services.--

8           (1) The department shall ~~attempt to~~ generate and  
9 provide to every releasee, identified by the prerelease needs  
10 assessment, support services such as, but not limited to,  
11 substance abuse counseling, family counseling, and employment  
12 support programs. The department may ~~is authorized to~~ select  
13 and contract with public or private organizations, including  
14 faith-based service groups, for the provision of these basic  
15 support services. When selecting a provider, the department  
16 shall consider faith-based service groups on an equal basis  
17 with other private organizations. Provider selection criteria  
18 include, but are not limited to:

19           (a) The depth and scope of services provided.

20           (b) The geographic area to be served.

21           (c) The number of inmates to be served and the cost of  
22 services per inmate.

23           (d) The individual provider's record of success in the  
24 provision of inmate services.

25           (2) The department, with the assistance of the State  
26 Office on Homelessness, shall maintain and regularly update a  
27 comprehensive directory of support services offered by private  
28 organizations and faith-based service groups for the purpose  
29 of assisting transition-assistance specialists and chaplains  
30 in making individualized placements and referrals.~~The~~  
31 ~~following items shall be provided to the Department of Labor~~

1 ~~and Employment Security job service office located nearest to~~  
2 ~~the inmate's intended residence.~~

3 ~~(a) The job placement information obtained at release~~  
4 ~~orientation.~~

5 ~~(b) Referral information for the needed basic support~~  
6 ~~service providers.~~

7 ~~(3)(a) The Department of Labor and Employment Security~~  
8 ~~shall assign job service staff exclusively dedicated to~~  
9 ~~releasee services at those offices identified by the~~  
10 ~~Department of Corrections as having a high number of releasee~~  
11 ~~contacts. Those offices having a fewer number of releasee~~  
12 ~~contacts shall have designated staff assigned to assist~~  
13 ~~releasees. The Department of Labor and Employment Security~~  
14 ~~shall provide appropriate training for staff assigned to~~  
15 ~~assist releasees. Staff assigned to assist releasees shall~~  
16 ~~use job placement information obtained at each releasee's~~  
17 ~~release orientation to attempt to secure suitable employment~~  
18 ~~for the releasee prior to the releasee's arrival. Staff~~  
19 ~~assigned to assist releasees shall act to maximize releasee~~  
20 ~~placement opportunities in the job service office service~~  
21 ~~area.~~

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

25 Section 12. Section 944.803, Florida Statutes, is  
26 amended to read:

27 944.803 Faith-based programs for inmates.--

28 (1) The Legislature finds and declares that  
29 faith-based programs offered in state and private correctional  
30 institutions and facilities have the potential to facilitate  
31



1 inmate institutional adjustment, help inmates assume personal  
2 responsibility, and reduce recidivism.

3 (2) It is the intent of the Legislature that the  
4 Department of Corrections and the private vendors operating  
5 private correctional facilities shall continuously:

6 (a) Measure recidivism rates for inmates who have  
7 participated in religious programs;

8 (b) Increase the number of volunteers who minister to  
9 inmates from various faith-based institutions in the  
10 community;

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

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

18 (3) By March 1, 2002, the department must have at  
19 least three additional faith-based dormitory programs fully  
20 operational and by June 1, 2002, the department must have at  
21 least three more faith-based dormitory programs fully  
22 operational, for a total of six new programs fully operational  
23 by June 1, 2002. These six programs shall be similar to and in  
24 addition to the current faith-based pilot program. The six new  
25 programs shall be a joint effort with the department and  
26 faith-based service groups within the community. The  
27 department shall ensure that an inmate's faith orientation, or  
28 lack thereof, will not be considered in determining admission  
29 to a faith-based program and that the program does not attempt  
30 to convert an inmate toward a particular faith or religious  
31 preference. The programs shall operate 24 hours a day within

1 the existing correctional facilities. The programs must  
2 emphasize the importance of personal responsibility,  
3 meaningful work, education, substance-abuse treatment, and  
4 peer support. Participation in the faith-based dormitory  
5 program shall be voluntary. However, at least 80 percent of  
6 the inmates participating in this program must be within 36  
7 months of release. Assignment to these programs shall be based  
8 on evaluation and the length of time the inmate is projected  
9 to be assigned to that particular institution. In evaluating  
10 an inmate for this program, priority shall be given to inmates  
11 who have shown an indication for substance abuse. A right to  
12 substance-abuse-program services is not stated, intended, or  
13 otherwise implied by this subsection. The department may not  
14 remove an inmate once assigned to the program except for the  
15 purposes of population management, for inmate conduct that may  
16 subject the inmate to disciplinary confinement or loss of  
17 gain-time, for physical or mental health concerns, or for  
18 security or safety concerns. To support the programming  
19 component, the department shall assign a chaplain and a  
20 full-time clerical support person dedicated to each dormitory  
21 to implement and monitor the program and to strengthen  
22 volunteer participation and support. By January 1, 2004, the  
23 department shall submit an evaluation report to the Governor,  
24 the President of the Senate, and the Speaker of the House of  
25 Representatives on the faith-based dormitory program. The  
26 report must contain the findings from an extensive and  
27 scientifically sound evaluation of the program, including at  
28 least a longitudinal followup of the inmates who have  
29 successfully completed the program compared to other similar  
30 inmates who have not participated and an opinion survey of the  
31 faith-based service providers.

1           (4) Effective October 1, 2001, the Department of  
2 Corrections shall assign chaplains to community correctional  
3 centers authorized pursuant to s. 945.091(1)(b). These  
4 chaplains shall strengthen volunteer participation by  
5 recruiting volunteers in the community to assist inmates in  
6 transition, and, if requested by the inmate, placement in a  
7 mentoring program or at a contracted  
8 substance-abuse-transition housing program. When placing an  
9 inmate in a contracted program, the chaplain shall work with  
10 the institutional transition-assistance specialist in an  
11 effort to successfully place the released inmate.

12           (5) The department shall ensure that any faith  
13 component of any program authorized in this chapter is offered  
14 on a voluntary basis and, an offender's faith orientation, or  
15 lack thereof, will not be considered in determining admission  
16 to a faith-based program and that the program does not attempt  
17 to convert an offender toward a particular faith or religious  
18 preference.

19           (6) The department shall ensure that state funds are  
20 not expended for the 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 13. Subsection (1) of section 945.091, Florida  
26 Statutes, is amended to read:

27           945.091 Extension of the limits of confinement;  
28 restitution by employed inmates.--

29           (1) The department ~~may is authorized to~~ adopt rules  
30 ~~regulations~~ permitting the extension of the limits of the  
31 place of confinement of an inmate as to whom there is

1 reasonable cause to believe that the inmate will honor his or  
2 her trust by authorizing the inmate, under prescribed  
3 conditions and following investigation and approval by the  
4 secretary, or the secretary's designee, who shall maintain a  
5 written record of such action, to leave the confines of that  
6 place unaccompanied by a custodial agent for a prescribed  
7 period of time to:

8 (a) Visit, for a specified period, a specifically  
9 designated place or places:

10 1. For the purpose of visiting a dying relative,  
11 attending the funeral of a relative, or arranging for  
12 employment or for a suitable residence for use when released;

13 2. To otherwise aid in the rehabilitation of the  
14 inmate and his or her successful transition into the  
15 community; or

16 3. For another compelling reason consistent with the  
17 public interest,

18  
19 and return to the same or another institution or facility  
20 designated by the Department of Corrections.

21 (b) Work at paid employment, participate in an  
22 education or a training program, or voluntarily serve a public  
23 or nonprofit agency or faith-based service group in the  
24 community, while continuing as an inmate of the institution or  
25 facility in which the inmate is confined, except during the  
26 hours of his or her employment, education, training, or  
27 service and traveling thereto and therefrom.

28 1. An inmate may participate in paid employment only  
29 during the last 36 months of his or her confinement, unless  
30 sooner requested by the Parole Commission or the Control  
31 Release Authority.

1           2. While working at paid employment and residing in  
2 the facility, an inmate may apply for placement at a  
3 contracted substance-abuse-transition housing program. The  
4 transition-assistance specialist shall inform the inmate of  
5 program availability and assess the inmate's need and  
6 suitability for transition-housing assistance. If an inmate is  
7 approved for placement, the specialist shall assist the  
8 inmate. If an inmate requests and is approved for placement in  
9 a contracted faith-based substance-abuse-transition housing  
10 program, the specialist must consult with the chaplain prior  
11 to such placement. The department shall ensure that an  
12 inmate's faith orientation, or lack thereof, will not be  
13 considered in determining admission to a faith-based program  
14 and that the program does not attempt to convert an inmate  
15 toward a particular faith or religious preference.

16           (c) Participate in a residential or nonresidential  
17 rehabilitative program operated by a public or private  
18 nonprofit agency, including faith-based service groups, with  
19 which the department has contracted for the treatment of such  
20 inmate. The provisions of ss. 216.311 and 287.057 shall apply  
21 to all contracts between the department and any private entity  
22 providing such services. The department shall require such  
23 agency to provide appropriate supervision of inmates  
24 participating in such program. The department is authorized  
25 to terminate any inmate's participation in the program if such  
26 inmate fails to demonstrate satisfactory progress in the  
27 program as established by departmental rules.

28           Section 14. Subsections (1), (2), (3), (4), and (6) of  
29 section 947.141, Florida Statutes, are amended to read:

30  
31

1           947.141 Violations of conditional release, control  
2 release, or conditional medical release or addiction-recovery  
3 supervision.--

4           (1) If a member of the commission or a duly authorized  
5 representative of the commission has reasonable grounds to  
6 believe that an offender who is on release supervision under  
7 s. 947.1405, s. 947.146, ~~or~~ s. 947.149, or s. 944.4731 has  
8 violated the terms and conditions of the release in a material  
9 respect, such member or representative may cause a warrant to  
10 be issued for the arrest of the releasee; if the offender was  
11 found to be a sexual predator, the warrant must be issued.

12           (2) Upon the arrest on a felony charge of an offender  
13 who is on release supervision under s. 947.1405, s. 947.146,  
14 ~~or~~ s. 947.149, or s. 944.4731, the offender must be detained  
15 without bond until the initial appearance of the offender at  
16 which a judicial determination of probable cause is made. If  
17 the magistrate determines that there was no probable cause for  
18 the arrest, the offender may be released. If the magistrate  
19 determines that there was probable cause for the arrest, such  
20 determination also constitutes reasonable grounds to believe  
21 that the offender violated the conditions of the release.  
22 Within 24 hours after the magistrate's finding of probable  
23 cause, the detention facility administrator or designee shall  
24 notify the commission and the department of the finding and  
25 transmit to each a facsimile copy of the probable cause  
26 affidavit or the sworn offense report upon which the  
27 magistrate's probable cause determination is based. The  
28 offender must continue to be detained without bond for a  
29 period not exceeding 72 hours excluding weekends and holidays  
30 after the date of the probable cause determination, pending a  
31 decision by the commission whether to issue a warrant charging

1 the offender with violation of the conditions of release. Upon  
2 the issuance of the commission's warrant, the offender must  
3 continue to be held in custody pending a revocation hearing  
4 held in accordance with this section.

5 (3) Within 45 days after notice to the Parole  
6 Commission of the arrest of a releasee charged with a  
7 violation of the terms and conditions of conditional release,  
8 control release, ~~or~~ conditional medical release, or  
9 addiction-recovery supervision, the releasee must be afforded  
10 a hearing conducted by a commissioner or a duly authorized  
11 representative thereof. If the releasee elects to proceed with  
12 a hearing, the releasee must be informed orally and in writing  
13 of the following:

14 (a) The alleged violation with which the releasee is  
15 charged.

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

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

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

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

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

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

26 (4) Within a reasonable time following the hearing,  
27 the commissioner or the commissioner's duly authorized  
28 representative who conducted the hearing shall make findings  
29 of fact in regard to the alleged violation. A panel of no  
30 fewer than two commissioners shall enter an order determining  
31 whether the charge of violation of conditional release,

1 control release, ~~or~~ conditional medical release, or  
2 addiction-recovery supervision has been sustained based upon  
3 the findings of fact presented by the hearing commissioner or  
4 authorized representative. By such order, the panel may revoke  
5 conditional release, control release, ~~or~~ conditional medical  
6 release, or addiction-recovery supervision and thereby return  
7 the releasee to prison to serve the sentence imposed,  
8 reinstate the original order granting the release, or enter  
9 such other order as it considers proper. Effective for inmates  
10 whose offenses were committed on or after July 1, 1995, the  
11 panel may order the placement of a releasee, upon a finding of  
12 violation pursuant to this subsection, into a local detention  
13 facility as a condition of supervision.

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

28 Section 15. Paragraph (a) of subsection (6) of section  
29 948.08, Florida Statutes, is amended to read:

30 948.08 Pretrial intervention program.--

31



1           (6)(a) Notwithstanding any provision of this section,  
2 a person who is charged with a felony of the second or third  
3 degree for purchase or possession of a controlled substance  
4 under chapter 893, tampering with evidence, solicitation for  
5 purchase of a controlled substance, or obtaining a  
6 prescription by fraud; who has not been charged with a crime  
7 involving violence, including, but not limited to, murder,  
8 sexual battery, robbery, carjacking, home-invasion robbery, or  
9 any other crime involving violence;and who has not previously  
10 been convicted of a felony nor been admitted to a felony  
11 pretrial program referred to in this section, is eligible for  
12 admission into a pretrial substance abuse education and  
13 treatment intervention program approved by the chief judge of  
14 the circuit, for a period of not less than 1 year in duration,  
15 upon motion of either party or the court's own motion, except:  
16           1. If a defendant was previously offered admission to  
17 a pretrial substance abuse education and treatment  
18 intervention program at any time prior to trial and the  
19 defendant rejected that offer on the record, then the court or  
20 the state attorney may deny the defendant's admission to such  
21 a program.  
22           2. If the state attorney believes that the facts and  
23 circumstances of the case suggest the defendant's involvement  
24 in the dealing and selling of controlled substances, the court  
25 shall hold a preadmission hearing. If the state attorney  
26 establishes, by a preponderance of the evidence at such  
27 hearing, that the defendant was involved in the dealing or  
28 selling of controlled substances, the court shall deny the  
29 defendant's admission into a pretrial intervention program.  
30           Section 16. Section 951.10, Florida Statutes, is  
31 amended to read:

1           951.10 Leasing prisoners to work for private interests  
2 prohibited.--~~No~~ County prisoners may not shall be leased to  
3 work for any private interests. This section does not prohibit  
4 county inmates from working in nonprofit and private-sector  
5 jobs pursuant to s. 951.24(2) and consistent with federal law.

6           Section 17. By March 1, 2002, the Department of  
7 Corrections shall submit a comprehensive report to the  
8 Governor, the President of the Senate, and the Speaker of the  
9 House of Representatives on its progress in implementing this  
10 act. In its comprehensive report the department shall:

11           (1) Identify the number of beds needed for  
12 substance-abuse-transition housing for the 2002-2003,  
13 2003-2004, and 2004-2005 fiscal years, and shall evaluate the  
14 impact of designating nonsecure, community-based residential  
15 beds for postrelease transition services.

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

20           (3) Project the number and fiscal impact of the  
21 anticipated admissions to the Addiction-Recovery Supervision  
22 Program over the next 5 years.

23           (4) Describe and evaluate new prerelease and  
24 postrelease transition services provided by the department,  
25 including the effectiveness of the newly created bureau, the  
26 transition-assistance specialists at each institution, the  
27 chaplain positions, and the expansion of comprehensive  
28 transition courses.

29           Section 18. By March 1, 2002, the Legislative  
30 Committee on Intergovernmental Relations shall submit a  
31 detailed report to the Legislature on the feasibility of

1 providing effective intervention and treatment strategies for  
2 persons convicted of prostitution and detained in county  
3 detention facilities. In compiling this study, the committee  
4 shall:

5 (1) Identify and describe successful intervention and  
6 treatment strategies in state county detention facilities and  
7 other jurisdictions.

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

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

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

16 (5) Consider the implications of enhancing the  
17 criminal penalty for prostitution from a misdemeanor to a  
18 third-degree felony for a third or subsequent prostitution  
19 offense with respect to the availability of treatment and  
20 rehabilitation programs.

21 (6) Recommend any changes to substantive law and any  
22 funding that is necessary to help persons convicted of  
23 prostitution to avoid repeated incarceration in county  
24 detention facilities and to successfully return to the  
25 community.

26 Section 19. In an effort to ensure that inmates  
27 released from the Department of Corrections successfully  
28 reenter the community, beginning December 1, 2002, each inmate  
29 released from incarceration by the department must complete a  
30 100-hour comprehensive transition course that covers job

31

1 readiness and life-management skills. This requirement does  
2 not apply to inmates released in an emergency situation.

3 Section 20. (1) The sum of \$5,005,514 is appropriated  
4 from the General Revenue Fund to the Department of Corrections  
5 for the 2001-2002 fiscal year to implement the provisions of  
6 this act for the secular purpose of reducing recidivism  
7 through successful reintegration of released inmates into the  
8 community.

9 (2) The appropriation shall fund a chaplain for at  
10 least 10 community correctional centers authorized under  
11 section 945.091(1)(b), Florida Statutes. The chaplains shall  
12 assist inmates in transition, strengthen participation of  
13 community volunteers, and serve as a liaison with community  
14 leaders. Using nonrecurring funds from the appropriation, the  
15 department may erect adjacent structures or alter the physical  
16 design of a community correctional center as is necessary to  
17 accommodate the program needs and other unique requirements of  
18 the chaplain.

19 (3)(a) This appropriation shall also be used to fund  
20 52 transition-assistance specialists, six new Bureau of  
21 Transition positions to monitor, oversee, and provide support  
22 to transition assistance programs, and to expand the 100-hour  
23 comprehensive transition course at each correctional  
24 institution. The transition-assistance specialists shall  
25 assist all inmates released from the custody of the department  
26 who are eligible for the transition-assistance program.

27 (b) The appropriation shall also be used to fund six  
28 additional faith-based dormitories similar to the current  
29 faith-based pilot program operating at Tomoka Correctional  
30 Institution. Using nonrecurring funds from the appropriation,  
31 the department shall alter the physical design at selected

1 dormitories as necessary to accommodate program needs and  
2 other unique requirements of the program described in section  
3 944.803, Florida Statutes. Recurring funds from this  
4 appropriation shall fund six chaplain positions, six  
5 accompanying clerical-support positions, and the purchase of  
6 miscellaneous secular supplies that are necessary to operate  
7 the program.

8 (c) Finally, this appropriation shall also fund, for  
9 the 2001-2002 fiscal year, the nonrecurring start-up and  
10 recurring per diem costs for 400 substance-abuse-transition  
11 housing beds. The 400 substance-abuse-transition housing beds  
12 shall be provided by faith-based service groups under contract  
13 with the department. The new beds and services funded by this  
14 appropriation shall be in addition to the minimum 400 required  
15 beds designated as transition-housing beds under section  
16 944.026(1)(c) and (2), Florida Statutes, which may be under  
17 contract with private organizations not offering a faith  
18 component. Funds from the appropriation may be used for paying  
19 nonrecurring start-up costs to ensure the proper selection and  
20 training of staff and for expenses that relate to preparing  
21 the facilities for occupancy.

22 (d) The department shall ensure that the number of  
23 transition-housing beds provided by private organizations with  
24 a faith component does not exceed the number of  
25 transition-housing beds provided by private organizations  
26 without a faith component, so that an eligible offender has  
27 equal access to either type of transition bed.

28 (e) The department shall ensure that state funds are  
29 not expended for the sole purpose of furthering religious  
30 indoctrination, but rather that state funds are expended for  
31 purposes of furthering the secular goals of criminal

1 rehabilitation, the successful reintegration of offenders into  
2 the community, and the reduction of recidivism.

3 Section 21. This act shall take effect July 1, 2001.

4  
5 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
6 COMMITTEE SUBSTITUTE FOR  
7 CS/SB 912

8 Permits the department to use probation and restitution center  
9 (PRC) beds as transitional housing;

10 Clarifies that the Addiction Supervision Program is designed  
11 for released inmates;

12 Staggers the times when the new faith-based dormitories will  
13 come on line. The first three shall be operational by March  
14 1st and the next three will be operational by June 1st;

15 Delays the assignment of the chaplains to the 10 work release  
16 centers from July to October;

17 Provides for the revocation process used for the other forms  
18 of supervision to also apply for the newly created Addiction  
19 Recovery Supervision;

20 Expands the eligibility for admission into a pretrial  
21 substance abuse education and treatment intervention program;

22 Removes prohibition on advisory committee designating a  
23 defendant eligible for the pretrial intervention program  
24 without the recommendation and approval of the state  
25 attorney;and

26 Reduces the number of transition assistance specialists from  
27 60 to 52 to match the number of state prisons, adds 6 FTE to  
28 staff the new Bureau of Transition and provides that the  
29 payment of start-up costs to the vendors be discretionary and  
30 not mandatory and reduces the appropriation from \$5.2 million  
31 to a little over \$5 million.