

1
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; creating s. 944.7031, F.S.;
6 providing for inmates released from private
7 correctional facilities to be eligible for the
8 same transition-assistance services that are
9 provided to inmates in state correctional
10 facilities; requiring that such inmates be
11 given access to placement consideration in
12 substance-abuse-transition housing programs,
13 including programs that have a faith-based
14 component; amending ss. 944.705, 944.706,
15 944.707, F.S.; authorizing the department to
16 contract with faith-based service groups for
17 release-assistance programs and postrelease
18 services; amending s. 944.803, F.S.; providing
19 additional requirements for faith-based
20 programs for inmates; requiring the department
21 to assign chaplains to certain community
22 correctional centers; amending s. 945.091,
23 F.S.; authorizing an inmate to participate in
24 faith-based service groups; amending s.
25 947.141, F.S.; providing revocation process for
26 offenders on addiction-recovery supervision;
27 amending s. 948.08, F.S.; providing that
28 specified offenders are eligible for certain
29 pretrial intervention programs; providing
30 requirements for a defendant to be designated
31 as eligible for a pretrial intervention

1 program; amending s. 951.10, F.S.; clarifying
2 provisions governing the leasing of prisoners;
3 requiring the Department of Corrections to
4 report to the Governor and the Legislature on
5 the implementation of the act; requiring the
6 Legislative Committee on Intergovernmental
7 Relations to report to the Legislature on
8 intervention and treatment strategies for
9 persons convicted of prostitution; requiring
10 inmates to complete a course on job readiness
11 and life management before release; providing
12 an appropriation; providing an effective date.
13

14 WHEREAS, the Task Force on Self-Inflicted Crimes, as
15 created by chapter 2000-366, Laws of Florida, identified in
16 its report issued January 18, 2001, a wide variety of
17 potential legislative solutions for reducing the repetitious
18 self-injurious behavior of prostitution and substance abuse,
19 and

20 WHEREAS, those recommendations stemmed from the
21 testimony from numerous individuals, substance-abuse experts,
22 governmental officials, and private organizations throughout
23 Florida, and

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

28 WHEREAS, the task force concluded that faith-based
29 organizations are "armies of compassion" devoted to changing
30 individuals' hearts and lives and can offer cost-effective
31

1 substance-abuse treatment through the use of volunteers and
2 other cost-saving measures, and

3 WHEREAS, the task force concluded that inmates with
4 histories of substance abuse will most likely return to prison
5 without transition assistance and postrelease supervision,
6 coupled with treatment and job placement, and

7 WHEREAS, research has proven that "one-on-one" private
8 and faith-based programming is often more effective than
9 government programs in shaping and reclaiming lives because
10 they are free to assert the essential connection between
11 responsibility and human dignity; their approach is personal,
12 not bureaucratic; their service is not primarily a function of
13 professional background, but of individual commitment; and
14 they inject an element of moral challenge and spiritual
15 renewal that government cannot duplicate, and

16 WHEREAS, a study required by chapter 97-78, Laws of
17 Florida, to measure the effectiveness of faith-based programs
18 in Florida's correctional facilities found a strong and
19 beneficial correlation between faith-based programming and
20 remaining crime-free and drug-free upon release, and

21 WHEREAS, the Department of Corrections employs 105
22 prison chaplains who are responsible for addressing the
23 religious and spiritual needs of over 71,000 inmates; for
24 developing community linkages with churches, synagogues,
25 mosques, and other faith-based institutions; and for
26 recruiting and supervising volunteers who come into Florida's
27 prisons to provide spiritual programs, mentoring activities,
28 and other transitional skills, and

29 WHEREAS, the continued investment in the work of prison
30 chaplains and their clerical staff is a critical factor for
31 strengthening volunteer participation and support of

1 faith-based programs in the prisons, as recognized by an
2 academic study in 1997 entitled "The Report of Faith-Based
3 Programs in Correctional Facilities," and

4 WHEREAS, the task force recommended that the
5 Legislature fund faith-based substance-abuse-recovery programs
6 and transition assistance for the secular purpose of reducing
7 recidivism, and

8 WHEREAS, in an effort to transform lives and break the
9 personally destructive and expensive recidivism cycle, Florida
10 should increase the number of chaplains who strengthen
11 volunteer participation; expand the pilot dormitory program
12 started in November 1999; and implement a strong
13 transition-assistance residential program that includes a
14 voluntary faith component that supports inmates as they
15 reenter communities, NOW, THEREFORE,

16

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

18

19 Section 1. Paragraph (c) of subsection (3) of section
20 20.315, Florida Statutes, is amended to read:

21 20.315 Department of Corrections.--There is created a
22 Department of Corrections.

23 (3) SECRETARY OF CORRECTIONS.--The head of the
24 Department of Corrections is the Secretary of Corrections.
25 The secretary is appointed by the Governor, subject to
26 confirmation by the Senate, and shall serve at the pleasure of
27 the Governor. The secretary is responsible for planning,
28 coordinating, and managing the corrections system of the
29 state. The secretary shall ensure that the programs and
30 services of the department are administered in accordance with
31 state and federal laws, rules, and regulations, with

1 established program standards, and consistent with legislative
2 intent. The secretary shall identify the need for and
3 recommend funding for the secure and efficient operation of
4 the state correctional system.

5 (c) The secretary may appoint assistant secretaries,
6 directors, or other such persons that he or she deems are
7 necessary to accomplish the mission and goals of the
8 department, including, but not limited to, the following areas
9 of program responsibility:

10 1. Security and institutional operations, which shall
11 provide inmate work programs, offender programs, security
12 administration, emergency operations response, and operational
13 oversight of the regions.

14 2. Health services, which shall be headed by a
15 physician licensed under chapter 458 or an osteopathic
16 physician licensed under chapter 459, or a professionally
17 trained health care administrator with progressively
18 responsible experience in health care administration. This
19 individual shall be responsible for the delivery of health
20 services to offenders within the system and shall have direct
21 professional authority over such services.

22 3. Community corrections, which shall provide for
23 coordination of community alternatives to incarceration and
24 operational oversight of community corrections regions.

25 4. Administrative services, which shall provide budget
26 and accounting services within the department, including the
27 construction and maintenance of correctional institutions,
28 human resource management, research, planning and evaluation,
29 and technology.

30 5. Program, transition, and postrelease services,
31 which shall provide for the direct management and supervision

1 of all departmental programs, including the coordination and
2 delivery of education and job training to the offenders in the
3 custody of the department. In addition, this program shall
4 provide for the direct management and supervision of all
5 programs that furnish transition assistance to inmates who are
6 or have recently been in the custody of the department,
7 including the coordination, facilitation, and contract
8 management of prerelease and postrelease transition services
9 provided by governmental and private providers, including
10 faith-based service groups.

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

13 397.333 Statewide Drug Policy Advisory Council.--

14 (1)(a) The Statewide Drug Policy Advisory Council is
15 created within the Executive Office of the Governor. The
16 director of the Office of Drug Control shall be a nonvoting,
17 ex officio member of the advisory council and shall act as
18 chairperson. The director of the Office of Planning and
19 Budgeting shall be a nonvoting, ex officio member of the
20 advisory council. The Office of Drug Control and the Office of
21 Planning and Budgeting shall provide staff support for the
22 advisory council.

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

- 25 1. The Attorney General, or his or her designee.
- 26 2. The executive director of the Department of Law
27 Enforcement, or his or her designee.
- 28 3. The Secretary of Children and Family Services, or
29 his or her designee.
- 30 4. The Secretary of Health, or his or her designee.

31

1 5. The Secretary of Corrections, or his or her
2 designee.

3 6. The Secretary of Juvenile Justice, or his or her
4 designee.

5 7. The Commissioner of Education, or his or her
6 designee.

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

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

11 (c) In addition, the Governor shall appoint 11 members
12 of the public to serve on the advisory council. Of the 11
13 appointed members, one members must have professional or
14 occupational expertise in drug enforcement, one member must
15 have professional or occupational expertise in substance abuse
16 prevention, ~~and~~ one member must have professional or
17 occupational expertise in substance abuse treatment, and two
18 members must have professional or occupational expertise in
19 faith-based substance-abuse-treatment services. The remainder
20 of the members appointed should have professional or
21 occupational expertise in, or be generally knowledgeable
22 about, issues that relate to drug enforcement and substance
23 abuse programs and services. The members appointed by the
24 Governor must, to the extent possible, equitably represent all
25 geographic areas of the state.

26 (d) The President of the Senate shall appoint a member
27 of the Senate to the advisory council and the Speaker of the
28 House of Representatives shall appoint a member of the House
29 of Representatives to the advisory council.

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

1 (f) Members appointed by the Governor, the President
2 of the Senate, the Speaker of the House of Representatives,
3 and the Chief Justice shall be appointed to terms of 4 years
4 each. However, for the purpose of providing staggered terms,
5 of the Governor's initial appointments, five members shall be
6 appointed to 2-year terms and six members shall be appointed
7 to 4-year terms.

8 (3) The advisory council shall:

9 (a) Conduct a comprehensive analysis of the problem of
10 substance abuse in this state and make recommendations to the
11 Governor and Legislature for developing and implementing a
12 state drug control strategy. The advisory council shall
13 determine the most effective means of establishing clear and
14 meaningful lines of communication between the advisory council
15 and the public and private sectors in order to ensure that the
16 process of developing and implementing the state drug control
17 strategy has afforded a broad spectrum of the public and
18 private sectors an opportunity to comment and make
19 recommendations.

20 (b) Review and make recommendations to the Governor
21 and Legislature on funding substance abuse programs and
22 services, consistent with the state drug control strategy, as
23 developed. The council may recommend the creation of a
24 separate appropriations category for funding services
25 delivered or procured by state agencies and may recommend the
26 use of performance-based contracting as provided in s.
27 414.065.

28 (c) Review various substance abuse programs and
29 recommend, where needed, measures that are sufficient to
30 determine program outcomes. The council shall review different
31 methodologies for evaluating programs and determine whether

1 programs within different agencies have common outcomes. The
2 methodologies shall be consistent with those established under
3 s. 216.0166.

4 (d) Review the drug control strategies and programs
5 of, and efforts by, other states and the Federal Government
6 and compile the relevant research.

7 (e) Recommend to the Governor and Legislature applied
8 research projects that would use research capabilities within
9 the state, including, but not limited to, the resources of the
10 State University System, for the purpose of achieving improved
11 outcomes and making better-informed strategic budgetary
12 decisions.

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

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

19 (h) Ensure that there is a coordinated, integrated,
20 and multidisciplinary response to the substance abuse problem
21 in this state, with special attention given to creating
22 partnerships within and between the public and private
23 sectors, and to the coordinated, supported, and integrated
24 delivery of multiple-system services for substance abusers,
25 including a multiagency team approach to service delivery.

26 (i) Assist communities and families in pooling their
27 knowledge and experiences with respect to the problem of
28 substance abuse. Forums for exchanging ideas, experiences, and
29 practical information, as well as instruction, should be
30 considered. For communities, such instruction may involve
31 issues of funding, staffing, training, and neighborhood and

1 parental involvement, and instruction on other issues. For
2 families, such instruction may involve practical strategies
3 for addressing family substance abuse; improving cognitive,
4 communication, and decisionmaking skills; providing parents
5 with techniques for resolving conflicts, communicating, and
6 cultivating meaningful relationships with their children and
7 establishing guidelines for their children; educating families
8 about drug-free programs and activities in which they may
9 serve as participants and planners; and other programs of
10 similar instruction. To maximize the effectiveness of such
11 forums, multiple agencies should participate.

12 (j) Examine the extent to which all state programs
13 that involve substance-abuse treatment can include a
14 meaningful work component, and identify any change in the law
15 which would remove barriers to or enhance the work component
16 for a substance-abuse-treatment program.

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

20 Section 3. Section 944.026, Florida Statutes, is
21 amended to read:

22 944.026 Community-based facilities and programs.--

23 (1) In addition to those facilities and services
24 described elsewhere in this chapter, the department shall
25 develop, provide, or contract for a statewide system of
26 community-based facilities, services, and programs dealing
27 with the rehabilitation of offenders, which shall include, but
28 not be limited to:

29 (a) A system of community correctional centers to be
30 used for reintegration of the offender back into the
31

1 community, located at various places throughout the state as
2 provided in s. 944.033.

3 (b) Community-based residential drug treatment
4 facilities ~~that~~ ~~which~~ include:

5 1. Nonsecure facilities, whereby probationers and drug
6 offender probationers who have violated their terms or
7 conditions, or persons placed on community control whose
8 presumptive sentence exceeds 22 months, may be required to
9 reside while working, receiving treatment, or attending
10 school, and whereby inmates may be placed who are nearing
11 their date of release from a correctional institution or a
12 community correctional center, who are in need of placement in
13 a substance-abuse-transition housing program, and who are
14 considered eligible for such placement by the department; and

15 2. Secure facilities which provide for limited access
16 for the duration of the program for persons who have violated
17 their conditions of probation, drug offender probation, or
18 community control, and whose presumptive sentence exceeds 22
19 months.

20 (c) A system of probation and restitution centers
21 throughout the state whereby probationers, drug offender
22 probationers, and community controllees who have violated
23 their terms or conditions, and whose presumptive sentence
24 exceeds 22 months, may be required to reside while working,
25 receiving treatment, or attending school, or for persons on
26 probation, drug offender probation, or community control who
27 may be required to attend outpatient substance abuse
28 counseling and whereby inmates may be placed who are nearing
29 their date of release from a correctional institution or a
30 community correctional center, who are in need of placement in
31 a substance-abuse-transition housing program, and who are

1 considered eligible for such placement by the department. The
2 purpose of these facilities and services is to provide the
3 court with an alternative to committing offenders to more
4 secure state correctional institutions and to assist in the
5 supervision of probationers, drug offender probationers, and
6 community controllees and to provide the department
7 transitional-housing beds to assist inmates released into the
8 community.

9 (2) By January 1, 2002, and notwithstanding any other
10 law, the department shall ensure that at least 400 of its
11 contracted beds in nonsecure community-based residential
12 substance-abuse-treatment facilities authorized under
13 subparagraph (1)(b)1. or probation and restitution centers
14 authorized under paragraph (1)(c) are designated for
15 transition assistance for inmates who are nearing their date
16 of release from a correctional institution or a community
17 correctional center. These designated beds shall be provided
18 by private organizations that do not have a faith component
19 and that are under contract with the department. In making
20 placement decisions, the department and the contract providers
21 shall give priority consideration to those inmates who are
22 nearing their date of release and who are to be placed in some
23 form of postrelease community supervision. However, if an
24 inmate whose sentence expires upon his or her release from a
25 correctional institution or a community correction center and
26 for whom community supervision is not required demonstrates
27 the need for or interest in and suitability for
28 transition-housing assistance, as determined by the
29 department, the inmate is eligible to be considered for
30 placement in transition housing. A right to
31

1 substance-abuse-program services is not stated, intended, or
2 otherwise implied by this subsection.

3 (3)(2)(a) The department shall develop and implement
4 procedures to diagnose offenders prior to sentencing, for the
5 purpose of recommending to the sentencing court suitable
6 candidates for placement in a community-based residential drug
7 treatment facility or probation and restitution center as
8 provided in this section. The department shall also develop
9 and implement procedures to properly identify inmates prior to
10 release who demonstrate the need for or interest in and
11 suitability for placement in a community-based
12 substance-abuse-transition housing program as provided in this
13 section and pursuant to ss. 944.704 and 944.4731.

14 (b) Pretrial intervention programs in appropriate
15 counties to provide early counseling and supervision services
16 to specified offenders as provided in s. 948.08.

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

19 944.473 Inmate substance abuse testing program.--

20 (2) SUBSTANCE ABUSE TREATMENT PROGRAMS.--

21 (a) An inmate who meets the criteria established by
22 the department shall participate in substance-abuse-program
23 services when such services are available. A right to
24 substance-abuse-program services is not stated, intended, or
25 otherwise implied by this chapter.

26 (b) Upon arrival at a department's reception center
27 for initial processing, each inmate shall be screened and
28 assessed to determine if the inmate meets the department's
29 criteria for mandated participation in a substance-abuse
30 program. Criteria for mandated substance-abuse-program
31 services shall be based on:

- 1 1. The presence of a diagnosed psychoactive substance
2 dependence or use disorder;
- 3 2. The severity of the addiction;
- 4 3. A history of criminal behavior related to substance
5 abuse;
- 6 4. A recommendation by a sentencing authority for
7 substance-abuse-program services;
- 8 5. Unsuccessful participation in community-based
9 substance-abuse services;
- 10 6. Sentencing by a drug court or drug division; and
- 11 7. Other classification or program criteria that the
12 department finds will ensure security and optimal program
13 placement.

14 (c) When selecting contract providers to administer
15 substance-abuse-treatment programs, the department shall make
16 every effort to consider qualified faith-based service groups
17 on an equal basis with other private organizations.~~if~~
18 ~~substance abuse treatment is requested by an inmate, the~~
19 ~~department shall place the inmate in a substance abuse~~
20 ~~treatment program, if available and appropriate.~~

21 Section 5. Section 944.4731, Florida Statutes, is
22 created to read:

23 944.4731 Addiction-Recovery Supervision Program.--

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

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

- 30 1. A history of substance-abuse or addiction;
- 31 2. Participated in any drug treatment;

1 3. No current or previous convictions for a violent
2 offense;

3 4. No current or previous convictions for drug
4 trafficking or for the unlawful sale of a controlled
5 substance;

6 5. No current or previous convictions for a property
7 offense, except for a conviction for:

8 a. Passing worthless checks, forgery, uttering, or
9 counterfeiting;

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

12 c. Third-degree felony burglary of an unoccupied
13 structure or conveyance; and

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

16 (b) An offender released under addiction-recovery
17 supervision shall be subject to specified terms and
18 conditions, including payment of the costs of supervision
19 under s. 948.09 and any other court-ordered payments, such as
20 child support and restitution. If an offender has received a
21 term of probation or community control to be served after
22 release from incarceration, the period of probation or
23 community control may not be substituted for
24 addiction-recovery supervision and shall follow the term of
25 addiction-recovery supervision. A panel of not fewer than two
26 parole commissioners shall establish the terms and conditions
27 of supervision, and the terms and conditions must be included
28 in the supervision order. In setting the terms and conditions
29 of supervision, the parole commission shall weigh heavily the
30 program requirements, including, but not limited to, work at
31 paid employment while participating in treatment and traveling

1 restrictions. The commission shall also determine whether an
2 offender violates the terms and conditions of supervision and
3 whether a violation warrants revocation of addiction-recovery
4 supervision pursuant to s. 947.141. The parole commission
5 shall review the offender's record for the purpose of
6 establishing the terms and conditions of supervision. The
7 parole commission may impose any special conditions it
8 considers warranted from its review of the record. The length
9 of supervision may not exceed the maximum penalty imposed by
10 the court.

11 (c) The Legislature finds that offenders released from
12 state prison into the community who meet the criteria for
13 participating in the addiction-recovery supervision program
14 possess the greatest potential for successful substance-abuse
15 recovery through treatment and transition assistance.

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

21 1. Provide postrelease housing, programming,
22 treatment, and other transitional services;

23 2. Emphasize job placement and gainful employment for
24 program participants;

25 3. Provide a curriculum related to substance-abuse
26 treatment which uses a cognitive-behavior model or 12-step
27 model of addiction recovery;

28 4. Provide for a length of stay of not more than 12
29 months; and

30 5. Use community volunteers in operating the program
31 to the greatest extent possible.

1 (b) The department shall allow providers to use
2 innovative approaches to treatment and shall authorize a high
3 level of flexibility in operating a program. The department
4 shall ensure that an offender's faith orientation, or lack
5 thereof, will not be considered in determining admission to a
6 faith-based program and that the program does not attempt to
7 convert an offender toward a particular faith or religious
8 preference.

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

17 (5) Each contract entered into under this section for
18 operating a substance-abuse-transition housing program must
19 invite innovation, minimize bureaucracy, and permit the
20 private organization or faith-based provider to petition the
21 department to waive any rule, policy, or procedure that is
22 inconsistent with the mission of the private organization or
23 faith-based provider.

24 (6) Six months before an offender is released, the
25 chaplain and transition-assistance specialist at the
26 institution where the offender is incarcerated shall initiate
27 the prerelease screening process in addition to the basic
28 release orientation required under s. 944.705.

29 (a) The transition-assistance specialist and the
30 chaplain shall provide a list of contracted private providers,
31 including faith-based providers, to the offender and

1 facilitate the application process. The transition-assistance
2 specialist shall inform the offender of program availability
3 and assess the offender's need and suitability for
4 substance-abuse-transition housing assistance. If an offender
5 is approved for placement, the specialist shall assist the
6 offender and coordinate the release of the offender with the
7 selected program. If an offender requests and is approved for
8 placement in a contracted faith-based
9 substance-abuse-transition housing program, the specialist
10 must consult with the chaplain prior to such placement. A
11 right to substance-abuse-program services is not stated,
12 intended, or otherwise implied by this section.

13 (b) If an offender has participated in a faith-based
14 program while incarcerated or housed at a community
15 correctional center and the same or a similar faith-based
16 provider offers a contracted substance-abuse-transition
17 housing program, the department shall make every attempt to
18 maintain this continuum of care.

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

21 (a) Adhere to all conditions of supervision enforced
22 by the commission and the program provider. Failure to comply
23 with such rules or conditions may result in revocation of
24 supervision pursuant to s. 947.141.

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

28 (c) Participate in a cognitive-behavior model or
29 12-step model of recovery.
30
31

1 (8) The commission may adopt rules pursuant to ss.
2 120.536(1) and 120.54 as necessary for administering this
3 section.

4 Section 6. Section 944.702, Florida Statutes, is
5 amended to read:

6 944.702 Legislative intent.--It is the intent of the
7 Legislature to provide persons released from incarceration
8 from the Department of Corrections with certain fundamental
9 resources in the areas of employment, life skills training,
10 job placement, and access to as many support services as
11 possible in order to appreciably increase the likelihood of
12 the inmate's successful reentry into free society. The
13 Legislature intends that these support services include
14 faith-based service groups on an equal basis with other
15 private organizations.

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

18 944.703 Eligible inmates.--Sections 944.701-944.708
19 apply to all inmates released from the custody of the
20 department. However, priority should be given to
21 substance-addicted inmates to help break the cycle of drug
22 abuse, prostitution, and other self-injurious criminal
23 behavior that causes harm to families and communities. Those
24 inmates with a detainer are eligible if the department
25 determines that cancellation of the detainer is likely or that
26 the incarceration for which the detainer was issued will be of
27 short duration. The department shall confirm the detainer
28 with the originating authority prior to release.

29 Section 8. Section 944.7031, Florida Statutes, is
30 created to read:

31

1 944.7031 Eligible inmates released from private
2 correctional facilities.--

3 (1) It is the intent of the Legislature that state
4 inmates nearing release from a private correctional facility
5 managed under chapter 957 are eligible for assistance under
6 ss. 944.701-944.708, and all laws that provide for or mandate
7 transition-assistance services to inmates nearing release also
8 apply to inmates who reside in private correctional
9 facilities.

10 (2) To assist an inmate nearing release from a private
11 correctional facility, the department and the
12 transition-assistance specialist shall coordinate with a
13 designated staff person at each private correctional facility
14 to ensure that a state inmate released from the private
15 correctional facility is informed of and provided with the
16 same level of transition-assistance services that are provided
17 by the department for an inmate in a state correctional
18 facility. Any inmate released from a private correctional
19 facility shall also have equal access to placement
20 consideration in a contracted substance-abuse-transition
21 housing program, including those programs that have a
22 faith-based component.

23 Section 9. Section 944.704, Florida Statutes, is
24 amended to read:

25 944.704 Staff who provide transition assistance;
26 duties.--The department shall provide a transition-assistance
27 specialist ~~transition assistance officer~~ at each of the major
28 institutions whose duties include, but are not limited to:

29 (1) Coordinating delivery of transition-assistance
30 ~~transition assistance~~ program services at the institution and
31

1 at the community correctional centers authorized pursuant to
2 s. 945.091(1)(b).

3 (2) Assisting in the development of each inmate's
4 postrelease plan.

5 (3) Obtaining job placement information ~~for~~
6 ~~transmittal to the Department of Labor and Employment~~
7 ~~Security.~~

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

27 ~~(5)(4)~~ Providing a photo identification card to all
28 inmates prior to their release.

29
30
31

1 The transition-assistance specialist may not be a correctional
2 officer or correctional probation officer as defined in s.
3 943.10.

4 Section 10. Subsections (1) and (2) of section
5 944.705, Florida Statutes, are reenacted, and subsection (5)
6 of that section is amended to read:

7 944.705 Release orientation program.--

8 (1) The department shall provide participation in a
9 standardized release orientation program to every eligible
10 inmate.

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

13 (a) Employment skills.

14 (b) Money management skills.

15 (c) Personal development and planning.

16 (d) Special needs.

17 (e) Community reentry concerns.

18 (f) Community reentry support.

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

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

25 Section 11. Section 944.706, Florida Statutes, is
26 amended to read:

27 944.706 Basic release assistance.--

28 (1) Any inmate who is being released is eligible for
29 transition assistance. Those inmates released to a detainer
30 are eligible pursuant to s. 944.703.

31

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

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

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

13 944.707 Postrelease special services; job placement
14 services.--

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

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

27 (b) The geographic area to be served.

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

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

1 (2) The department, with the assistance of the State
2 Office on Homelessness, shall maintain and regularly update a
3 comprehensive directory of support services offered by private
4 organizations and faith-based service groups for the purpose
5 of assisting transition-assistance specialists and chaplains
6 in making individualized placements and referrals.~~The~~

7 ~~following items shall be provided to the Department of Labor~~
8 ~~and Employment Security job service office located nearest to~~
9 ~~the inmate's intended residence:~~

10 ~~(a) The job placement information obtained at release~~
11 ~~orientation.~~

12 ~~(b) Referral information for the needed basic support~~
13 ~~service providers.~~

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

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

1 Section 13. Section 944.803, Florida Statutes, is
2 amended to read:

3 944.803 Faith-based programs for inmates.--

4 (1) The Legislature finds and declares that
5 faith-based programs offered in state and private correctional
6 institutions and facilities have the potential to facilitate
7 inmate institutional adjustment, help inmates assume personal
8 responsibility, and reduce recidivism.

9 (2) It is the intent of the Legislature that the
10 Department of Corrections and the private vendors operating
11 private correctional facilities shall continuously:

12 (a) Measure recidivism rates for inmates who have
13 participated in religious programs;

14 (b) Increase the number of volunteers who minister to
15 inmates from various faith-based institutions in the
16 community;

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

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

24 (3) By March 1, 2002, the department must have at
25 least three additional faith-based dormitory programs fully
26 operational and by June 1, 2002, the department must have at
27 least three more faith-based dormitory programs fully
28 operational, for a total of six new programs fully operational
29 by June 1, 2002. These six programs shall be similar to and in
30 addition to the current faith-based pilot program. The six new
31 programs shall be a joint effort with the department and

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

1 report must contain the findings from an extensive and
2 scientifically sound evaluation of the program, including at
3 least a longitudinal followup of the inmates who have
4 successfully completed the program compared to other similar
5 inmates who have not participated and an opinion survey of the
6 faith-based service providers.

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

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

25 (6) The department shall ensure that state funds are
26 not expended for the purpose of furthering religious
27 indoctrination, but rather, that state funds are expended for
28 purposes of furthering the secular goals of criminal
29 rehabilitation, the successful reintegration of offenders into
30 the community, and the reduction of recidivism.

31

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

3 945.091 Extension of the limits of confinement;
4 restitution by employed inmates.--

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

15 (a) Visit, for a specified period, a specifically
16 designated place or places:

17 1. For the purpose of visiting a dying relative,
18 attending the funeral of a relative, or arranging for
19 employment or for a suitable residence for use when released;

20 2. To otherwise aid in the rehabilitation of the
21 inmate and his or her successful transition into the
22 community; or

23 3. For another compelling reason consistent with the
24 public interest,

25
26 and return to the same or another institution or facility
27 designated by the Department of Corrections.

28 (b) Work at paid employment, participate in an
29 education or a training program, or voluntarily serve a public
30 or nonprofit agency or faith-based service group in the
31 community, while continuing as an inmate of the institution or

1 facility in which the inmate is confined, except during the
2 hours of his or her employment, education, training, or
3 service and traveling thereto and therefrom.

4 1. An inmate may participate in paid employment only
5 during the last 36 months of his or her confinement, unless
6 sooner requested by the Parole Commission or the Control
7 Release Authority.

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

23 (c) Participate in a residential or nonresidential
24 rehabilitative program operated by a public or private
25 nonprofit agency, including faith-based service groups,with
26 which the department has contracted for the treatment of such
27 inmate. The provisions of ss. 216.311 and 287.057 shall apply
28 to all contracts between the department and any private entity
29 providing such services. The department shall require such
30 agency to provide appropriate supervision of inmates
31 participating in such program. The department is authorized

1 to terminate any inmate's participation in the program if such
2 inmate fails to demonstrate satisfactory progress in the
3 program as established by departmental rules.

4 Section 15. Subsections (1), (2), (3), (4), and (6) of
5 section 947.141, Florida Statutes, are amended to read:

6 947.141 Violations of conditional release, control
7 release, or conditional medical release or addiction-recovery
8 supervision.--

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

17 (2) Upon the arrest on a felony charge of an offender
18 who is on release supervision under s. 947.1405, s. 947.146,
19 ~~or~~ s. 947.149, or s. 944.4731, the offender must be detained
20 without bond until the initial appearance of the offender at
21 which a judicial determination of probable cause is made. If
22 the magistrate determines that there was no probable cause for
23 the arrest, the offender may be released. If the magistrate
24 determines that there was probable cause for the arrest, such
25 determination also constitutes reasonable grounds to believe
26 that the offender violated the conditions of the release.
27 Within 24 hours after the magistrate's finding of probable
28 cause, the detention facility administrator or designee shall
29 notify the commission and the department of the finding and
30 transmit to each a facsimile copy of the probable cause
31 affidavit or the sworn offense report upon which the

1 magistrate's probable cause determination is based. The
2 offender must continue to be detained without bond for a
3 period not exceeding 72 hours excluding weekends and holidays
4 after the date of the probable cause determination, pending a
5 decision by the commission whether to issue a warrant charging
6 the offender with violation of the conditions of release. Upon
7 the issuance of the commission's warrant, the offender must
8 continue to be held in custody pending a revocation hearing
9 held in accordance with this section.

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

19 (a) The alleged violation with which the releasee is
20 charged.

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

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

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

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

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

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

31

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

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

1 gain-time or commutation of time for good conduct, as provided
2 by law, from the date of return to prison.

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

6 948.08 Pretrial intervention program.--

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

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

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

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

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

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

19 951.10 Leasing prisoners to work for private interests
20 prohibited.--~~No~~ County prisoners may not ~~shall~~ be leased to
21 work for any private interests. This section does not prohibit
22 county inmates from working in nonprofit and private-sector
23 jobs pursuant to s. 951.24(2) and consistent with federal law.

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

29 (1) Identify the number of beds needed for
30 substance-abuse-transition housing for the 2002-2003,
31 2003-2004, and 2004-2005 fiscal years, and shall evaluate the

1 impact of designating nonsecure, community-based residential
2 beds for postrelease transition services.

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

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

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

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

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

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

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

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

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

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

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

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

26 (2) The appropriation shall fund a chaplain for at
27 least 10 community correctional centers authorized under
28 section 945.091(1)(b), Florida Statutes. The chaplains shall
29 assist inmates in transition, strengthen participation of
30 community volunteers, and serve as a liaison with community
31 leaders. Using nonrecurring funds from the appropriation, the

1 department may erect adjacent structures or alter the physical
2 design of a community correctional center as is necessary to
3 accommodate the program needs and other unique requirements of
4 the chaplain.

5 (3)(a) This appropriation shall also be used to fund
6 52 transition-assistance specialists, six new Bureau of
7 Transition positions to monitor, oversee, and provide support
8 to transition assistance programs, and to expand the 100-hour
9 comprehensive transition course at each correctional
10 institution. The transition-assistance specialists shall
11 assist all inmates released from the custody of the department
12 who are eligible for the transition-assistance program.

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

25 (c) Finally, this appropriation shall also fund, for
26 the 2001-2002 fiscal year, the nonrecurring start-up and
27 recurring per diem costs for 400 substance-abuse-transition
28 housing beds. The 400 substance-abuse-transition housing beds
29 shall be provided by faith-based service groups under contract
30 with the department. The new beds and services funded by this
31 appropriation shall be in addition to the minimum 400 required

1 beds designated as transition-housing beds under section
2 944.026(1)(c) and (2), Florida Statutes, which may be under
3 contract with private organizations not offering a faith
4 component. Funds from the appropriation may be used for paying
5 nonrecurring start-up costs to ensure the proper selection and
6 training of staff and for expenses that relate to preparing
7 the facilities for occupancy.

8 (d) The department shall ensure that the number of
9 transition-housing beds provided by private organizations with
10 a faith component does not exceed the number of
11 transition-housing beds provided by private organizations
12 without a faith component, so that an eligible offender has
13 equal access to either type of transition bed.

14 (e) The department shall ensure that state funds are
15 not expended for the sole purpose of furthering religious
16 indoctrination, but rather that state funds are expended for
17 purposes of furthering the secular goals of criminal
18 rehabilitation, the successful reintegration of offenders into
19 the community, and the reduction of recidivism.

20 Section 22. This act shall take effect July 1, 2001.
21
22
23
24
25
26
27
28
29
30
31