

By Senator Villalobos

38-265-03

1 A bill to be entitled
2 An act relating to transportation of inmates;
3 amending s. 945.091, F.S.; limiting the mode of
4 transport an inmate may use in traveling to and
5 from a place of employment, education, or
6 training; authorizing the Department of
7 Corrections to transport inmates in state-owned
8 vehicles under certain circumstances; creating
9 s. 945.0913, F.S.; prohibiting an inmate from
10 driving a state-owned vehicle to transport
11 inmates in a work-release program; providing an
12 effective date.

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

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

18 945.091 Extension of the limits of confinement;
19 restitution by employed inmates.--

20 (1) The department may adopt rules permitting the
21 extension of the limits of the place of confinement of an
22 inmate as to whom there is reasonable cause to believe that
23 the inmate will honor his or her trust by authorizing the
24 inmate, under prescribed conditions and following
25 investigation and approval by the secretary, or the
26 secretary's designee, who shall maintain a written record of
27 such action, to leave the confines of that place unaccompanied
28 by a custodial agent for a prescribed period of time to:

29 (a) Visit, for a specified period, a specifically
30 designated place or places:

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

4 2. To otherwise aid in the rehabilitation of the
5 inmate and his or her successful transition into the
6 community; or

7 3. For another compelling reason consistent with the
8 public interest,

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10 and return to the same or another institution or facility
11 designated by the Department of Corrections.

12 (b) Work at paid employment, participate in an
13 education or a training program, or voluntarily serve a public
14 or nonprofit agency or faith-based service group in the
15 community, while continuing as an inmate of the institution or
16 facility in which the inmate is confined, except during the
17 hours of his or her employment, education, training, or
18 service and traveling thereto and therefrom. An inmate may
19 travel to and from his or her place of employment, education,
20 or training only by means of walking, bicycling, or using
21 public transportation or transportation that is provided by a
22 family member or employer. Contingent upon specific
23 appropriations, the department may transport an inmate in a
24 state-owned vehicle if the inmate is unable to obtain other
25 means of travel to his or her place of employment, education,
26 or training.

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

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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 2. Section 945.0913, Florida Statutes, is
29 created to read:

30 945.0913 Inmates prohibited from driving state-owned
31 vehicles to transport inmates in a work-release program.--An

1 inmate may not drive a state-owned vehicle for the purpose of
2 transporting inmates who are participating in a work-release
3 program authorized in s. 945.091(1)(b).

4 Section 3. This act shall take effect October 1, 2003.

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7 SENATE SUMMARY

8 Provides that an inmate may only walk, bike, or use
9 public transportation or transportation provided by a
10 family member or employer in traveling to and from a
11 place of employment, education, or training. Authorizes
12 the Department of Corrections to transport inmates in
13 state-owned vehicles only if other transportation is
14 unavailable and subject to appropriations. Prohibits an
15 inmate from driving a state-owned vehicle to transport
16 inmates in a work-release program.

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