

By Senator Wilson

33-888-05

1   A bill to be entitled  
2           An act relating to inmates who are parents of  
3           minor children; providing legislative findings  
4           and intent with respect to the importance of an  
5           inmate maintaining a relationship with his or  
6           her minor child; requiring the Department of  
7           Corrections to collect certain information  
8           concerning the children of inmates in the state  
9           correctional system; requiring that the  
10          department analyze the institutional assignment  
11          of each inmate who is a parent and determine  
12          the inmate's proximity to his or her minor  
13          child; providing an exception if the court has  
14          restricted an inmate's contact with his or her  
15          child; amending s. 944.17, F.S.; requiring the  
16          department to consider an inmate's proximity to  
17          his or her minor child when transferring the  
18          inmate; amending s. 944.24, F.S.; requiring  
19          that a female inmate be assigned to a facility  
20          in as close proximity as possible to her minor  
21          child; providing an exception if the court has  
22          restricted the inmate's contact with the child;  
23          amending s. 944.8031, F.S.; revising  
24          legislative findings with respect to the need  
25          for an inmate to maintain relationships with  
26          his or her minor children; providing an  
27          effective date.

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29 Be It Enacted by the Legislature of the State of Florida:  
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1           Section 1. Inmates who are parents of minor children;  
2 legislative findings and intent; institutional assignments;  
3 data collection.--

4           (1) The Legislature finds that it is important that  
5 each inmate in the state correctional system maintain contact  
6 with each of his or her minor children through visitation in  
7 order to prepare the inmate to be reunited with his or her  
8 family upon release. Although the Department of Corrections  
9 may limit the activities of an inmate, the inmate may fulfill  
10 parental responsibilities through visits and telephone and  
11 mail communication with his or her family. The Legislature  
12 also finds that the support provided by an inmate's family can  
13 be an important resource in combating crime and reducing  
14 recidivism.

15           (2) It is the intent of the Legislature that an inmate  
16 be assigned, whenever possible, to a correctional facility  
17 that is located within close proximity to where the inmate's  
18 child or children reside.

19           (3)(a) The Department of Corrections shall collect  
20 information concerning the minor children of all inmates  
21 committed to the state correctional system. At a minimum, the  
22 information must include:

- 23           1. The number of minor children of each inmate.
- 24           2. The date of birth of each minor child.
- 25           3. The residential address for each minor child.
- 26           4. The custodial status of each minor child.

27           (b) Based on the information provided in paragraph  
28 (a), the department shall annually analyze the institutional  
29 assignments of inmates in order to determine whether each  
30 inmate who is the parent of a minor child is being housed in  
31 an institution that is located within as close proximity as

1 possible to where the minor child resides. The analysis must  
2 include mapping and distance calculations.

3 (4) The department need not reassign an inmate to an  
4 institution located in close proximity to where the inmate's  
5 minor child resides if the court has restricted the inmate's  
6 contact with his or her minor child.

7 Section 2. Subsection (7) of section 944.17, Florida  
8 Statutes, is amended to read:

9 944.17 Commitments and classification; transfers.--

10 (7) Pursuant to such regulations as it may provide,  
11 the department may transfer prisoners from one institution to  
12 another institution in the correctional system and classify  
13 and reclassify prisoners as circumstances may require. In  
14 transferring a prisoner from one institution to another, the  
15 department shall consider, along with important security and  
16 medical considerations, whether the prisoner would benefit  
17 from being housed in close proximity to his or her minor  
18 children.

19 Section 3. Subsection (7) is added to section 944.24,  
20 Florida Statutes, to read:

21 944.24 Administration of correctional institutions for  
22 women.--

23 (7) Each woman inmate who has one or more minor  
24 children shall, whenever possible, be assigned to a  
25 correctional facility that is within close proximity to the  
26 child or children. This subsection does not apply if the court  
27 has restricted the inmate's contact with her child.

28 Section 4. Subsection (1) of section 944.8031, Florida  
29 Statutes, is amended to read:

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1           944.8031 Inmate's family visitation; legislative  
2 intent; minimum services provided to visitors; budget  
3 requests.--

4           (1) The Legislature finds that maintaining an inmate's  
5 relationships with his or her family, minor children, and the  
6 ~~community relationships~~ through enhancing visitor services and  
7 programs and increasing the frequency and quality of the  
8 visits is an underutilized correctional resource that can  
9 improve an inmate's behavior in the correctional facility and,  
10 upon an inmate's release from a correctional facility, will  
11 help to reduce recidivism.

12           Section 5. This act shall take effect October 1, 2005.  
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15           SENATE SUMMARY

16           Requires that the Department of Corrections collect  
17 information concerning each inmate's minor children and  
18 annually determine whether an inmate who is the parent of  
19 a minor child is being housed in close proximity to his  
20 or her child. Requires that the department consider the  
21 location of an inmate's child or children when  
22 transferring an inmate and when assigning a female inmate  
23 to a facility. Provides for exceptions if the court has  
24 restricted an inmate's contact with his or her minor  
25 child.