

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A bill to be entitled
 An act relating to inmates who are parents of minor children; providing legislative findings and intent with respect to the importance of an inmate maintaining a relationship with his or her minor child; requiring the Department of Corrections to collect certain information concerning the minor children of inmates in the state correctional system; requiring that the department analyze the institutional assignment of each inmate who is a parent and determine the inmate's proximity to his or her minor child; providing an exception if the court has restricted an inmate's contact with his or her child; amending s. 944.17, F.S.; requiring the department to consider an inmate's proximity to his or her minor child when transferring the inmate; amending s. 944.24, F.S.; requiring that a female inmate be assigned to a facility in as close proximity as possible to her minor child; providing an exception if the court has restricted the inmate's contact with the child; amending s. 944.8031, F.S.; revising legislative findings with respect to the need for an inmate to maintain relationships with his or her minor children; providing an effective date.

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

Section 1. Inmates who are parents of minor children.--
(1) The Legislature finds that it is important that each inmate in the state correctional system maintain contact with

29 each of his or her minor children through visitation in order to
30 prepare the inmate to be reunited with his or her family upon
31 release. Although the Department of Corrections may limit the
32 activities of an inmate, the inmate may fulfill parental
33 responsibilities through visits and telephone and mail
34 communication with his or her family. The Legislature also finds
35 that the support provided by an inmate's family can be an
36 important resource in combating crime and reducing recidivism.

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

41 (3)(a) The Department of Corrections shall collect
42 information concerning the minor children of all inmates
43 committed to the state correctional system. At a minimum, the
44 information must include:

- 45 1. The number of minor children of each inmate.
- 46 2. The date of birth of each minor child.
- 47 3. The residential address of each minor child.
- 48 4. The custodial status of each minor child.

49 (b) Based on the information provided in paragraph (a),
50 the department shall annually analyze the institutional
51 assignments of inmates in order to determine whether each inmate
52 who is the parent of a minor child is being housed in an
53 institution that is located within as close proximity as
54 possible to where the minor child resides. The analysis must
55 include mapping and distance calculations.

56 (4) The department need not reassign an inmate to an

57 institution located in close proximity to where the inmate's
 58 minor child resides if the court has restricted the inmate's
 59 contact with his or her minor child.

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

62 944.17 Commitments and classification; transfers.--

63 (7) Pursuant to such regulations as it may provide, the
 64 department may transfer prisoners from one institution to
 65 another institution in the correctional system and classify and
 66 reclassify prisoners as circumstances may require. In
 67 transferring a prisoner from one institution to another, the
 68 department shall consider, along with important security and
 69 medical considerations, whether the prisoner would benefit from
 70 being housed in close proximity to his or her minor children.

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

73 944.24 Administration of correctional institutions for
 74 women.--

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

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

82 944.8031 Inmate's family visitation; legislative intent;
 83 minimum services provided to visitors; budget requests.--

84 (1) The Legislature finds that maintaining an inmate's

HB 1457

2005

85 relationships with his or her family, minor children, and the
86 community ~~relationships~~ through enhancing visitor services and
87 programs and increasing the frequency and quality of the visits
88 is an underutilized correctional resource that can improve an
89 inmate's behavior in the correctional facility and, upon an
90 inmate's release from a correctional facility, will help to
91 reduce recidivism.

92 Section 5. This act shall take effect October 1, 2005.