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1
2 An act relating to correctional policies; creating s.
3 921.0019, F.S.; creating the Correctional Policy Advisory
4 Council within the Legislature and a Justice Reinvestment
5 Subcommittee within the Correctional Policy Advisory
6 Council; requiring the council to evaluate correctional
7 policies, justice reinvestment initiatives, and laws
8 affecting or applicable to corrections; requiring the
9 subcommittee to review the effectiveness of correctional
10 policies, including sanctioning programs for low-level
11 drug and property offenders, mental health and substance
12 abuse interventions, and reinvestment strategies to
13 enhance the long-term effectiveness of correctional
14 policies by reducing cost without negatively impacting
15 public safety; requiring that recommendations be
16 consistent with specified goals; providing membership of
17 the council; providing for selection of the chair of the
18 council; providing for an executive director and
19 additional staff for the council, subject to
20 appropriations; providing that members of the council
21 serve without compensation, but are entitled to be
22 reimbursed for per diem and travel expenses; requiring
23 meetings and reports of findings and recommendations to
24 the Governor and the Legislature; requiring the council's
25 abolition by a specific date; providing an effective date.

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

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29 Section 1. Section 921.0019, Florida Statutes, is created

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30 to read:

31 921.0019 Correctional Policy Advisory Council.--

32 (1) The Correctional Policy Advisory Council is created
33 within the Legislature for the purpose of evaluating correctional
34 policies, justice reinvestment initiatives, and laws affecting or
35 applicable to corrections, and for the purpose of making findings
36 and recommendations on changes to such policy, reinvestment
37 initiatives, and laws. The council shall serve in an advisory
38 capacity to the Legislature and the Governor.

39 (2) A Justice Reinvestment Subcommittee within the
40 Correctional Policy Advisory Council is created to review the
41 availability of alternative sanctions for low-level drug and
42 property offenders; the effectiveness of mental health and
43 substance abuse diversion programs; the effectiveness of prison
44 reentry practices; the feasibility of implementing a progressive
45 sanctions system for probationers; the impact of jail
46 overcrowding on the effectiveness of local alternative programs
47 and sanctions; the effectiveness of supervision strategies; and
48 the delivery of supervision and programs in neighborhoods that
49 have a high proportion of supervised offenders.

50 (3) Any recommended change to correctional policies,
51 justice reinvestment initiatives, or laws affecting or applicable
52 to corrections must be consistent with the following goals:

53 (a) Protecting public safety, including, but not limited
54 to, ensuring the incarceration of violent criminal offenders and
55 nonviolent criminal offenders who commit repeated acts of
56 criminal behavior and who have demonstrated an inability to
57 comply with less restrictive penalties previously imposed for
58 nonviolent criminal acts; and

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59 (b) Providing for the most cost-effective and efficient use
60 of correctional resources to the extent that such use is not in
61 conflict with paragraph (a).

62 (4) (a) The council shall be composed of 10 members,
63 consisting of two members of the Senate appointed by the
64 President of the Senate; two members of the House of
65 Representatives appointed by the Speaker of the House of
66 Representatives; one representative of the victim advocacy
67 profession, appointed by the Attorney General; the Attorney
68 General or her or his designee; and the Secretary of Corrections
69 or her or his designee. The following members shall be appointed
70 by the Governor: one state attorney from a list of three nominees
71 recommended by the Florida Prosecuting Attorneys Association; one
72 public defender from a list of three nominees recommended by the
73 Public Defenders Association; and one private attorney from a
74 list of three nominees recommended by the President of The
75 Florida Bar. The chair of the council shall be selected by the
76 members for a term of 1 year.

77 (b) The chair of the council shall appoint members of the
78 council to serve in a Justice Reinvestment Subcommittee to carry
79 out the duties provided in subsection (2) and designate ex
80 officio members from state or local agencies to serve as
81 technical assistance advisors to the subcommittee.

82 (c) The council shall meet at least quarterly and other
83 meetings may be called by the chair upon giving 7 days' notice to
84 the public. The council may take public testimony.

85 (d) Members of the council shall serve without
86 compensation, but are entitled to reimbursement for per diem and
87 travel expenses, which shall be paid by the appointing entity.

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88 (e) The Office of Legislative Services shall provide
89 administrative staff support for the council. The Legislature's
90 Office of Economic and Demographic Research shall provide
91 technical and substantive staff support. The council staff
92 members shall consist of an executive director and any other
93 staff member determined to be necessary to the completion of the
94 council's duties, subject to appropriations. Upon request of the
95 chair of the council or the executive director, the Office of
96 Program Policy Analysis and Government Accountability, the
97 Department of Corrections and any other state agency or
98 department, and the Office of the State Courts Administrator
99 shall assist the council in providing necessary data collection,
100 analysis, and research.

101 (f) The chair of the council shall develop a technical
102 assistance agreement with the Justice Center of the Council of
103 State Governments to work with the Justice Reinvestment
104 Subcommittee to accomplish the review of the effectiveness of
105 correctional policies as provided in subsection (2). The
106 agreement shall include, but not be limited to, procedures for
107 the Justice Center of the Council of State Governments to access
108 the data collection, analysis, and research capabilities of the
109 agencies and offices listed in paragraph (e).

110 (5) On or before January 15 of each year, the council shall
111 provide a report of its findings and recommendations to the
112 Governor, the President of the Senate, and the Speaker of the
113 House of Representatives. The council may provide the Legislature
114 and the Governor with additional reports of findings and
115 recommendations at any time it deems appropriate. The council may
116 integrate the recommendations of the Justice Reinvestment

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117 | Subcommittee in its report or may issue a separate report
118 | reflecting the findings of the subcommittee.

119 | (6) The President of the Senate or the Speaker of the House
120 | may also direct the council to report by a certain date the
121 | council's findings and recommendations regarding an issue
122 | pertinent to correctional policies, justice reinvestment
123 | initiatives, or laws affecting or applicable to corrections.

124 | Section 2. The Correctional Policy Advisory Council shall
125 | be abolished on July 1, 2011.

126 | Section 3. This act shall take effect July 1, 2008.