

By Senator Wilson

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1 A bill to be entitled

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

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

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28 Section 1. Female inmates who are parents of minor
29 children; legislative findings and intent; institutional

33-00055-09

2009104__

30 assignments; data collection.-

31 (1) The Legislature finds that it is important that each
32 female inmate in the state correctional system maintain contact
33 with her minor children through visitation in order to prepare
34 the inmate to be reunited with her family upon release. Although
35 the Department of Corrections may limit the activities of an
36 inmate, the inmate may fulfill parental responsibilities through
37 visits and telephone and mail communication with her family. The
38 Legislature also finds that the support provided by an inmate's
39 family can be an important resource in combating crime and
40 reducing recidivism.

41 (2) It is the intent of the Legislature that each female
42 inmate be assigned, whenever possible, to a correctional
43 facility that is located in close proximity to the residence of
44 the inmate's children.

45 (3) (a) The Department of Corrections shall collect
46 information concerning the minor children of female inmates
47 committed to the state correctional system. At a minimum, the
48 information must include:

- 49 1. The number of minor children of each inmate.
- 50 2. The date of birth of each minor child.
- 51 3. The residential address for each minor child.
- 52 4. The custodial status of each minor child.

53 (b) The department shall annually analyze the institutional
54 assignments of female inmates to determine whether each female
55 inmate who is the parent of a minor child is being housed in an
56 institution that is located in close proximity to the residence
57 of the minor child. The analysis must include mapping and
58 distance calculations.

33-00055-09

2009104

59 (4) The department need not reassign a female inmate to an
60 institution located in close proximity to the residence of the
61 inmate's minor child if the court has restricted the inmate's
62 contact with her minor child.

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

65 944.17 Commitments and classification; transfers.—

66 (7) Pursuant to such regulations as it may provide, the
67 department may transfer prisoners from one institution to
68 another institution in the correctional system and classify and
69 reclassify prisoners as circumstances may require. In
70 transferring a female prisoner from one institution to another,
71 the department shall consider, in addition to security and
72 medical considerations, whether the prisoner would benefit from
73 being housed in close proximity to her minor child.

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

76 944.24 Administration of correctional institutions for
77 women.—

78 (7) Each female inmate who has a minor child shall,
79 whenever possible, be assigned to a correctional facility that
80 is in close proximity to the child. This subsection does not
81 apply if the court has restricted the inmate's contact with her
82 child.

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

85 944.8031 Inmate's family visitation; legislative intent;
86 minimum services provided to visitors; budget requests.—

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

33-00055-09

2009104__

88 family and community relationships, and fostering the
89 relationship between a female inmate and her minor child,
90 through enhancing visitor services and programs and increasing
91 the frequency and quality of the visits is an underused
92 ~~underutilized~~ correctional resource that can improve an inmate's
93 behavior in the correctional facility and, upon an inmate's
94 release from a correctional facility, will help to reduce
95 recidivism.

96 Section 5. This act shall take effect July 1, 2009.