

HB 71

2009

1 A bill to be entitled
 2 An act relating to faith- and character-based correctional
 3 institutions and programs; amending s. 944.803, F.S.;
 4 revising legislative findings; revising requirements for
 5 faith- and character-based correctional institutions and
 6 programs; requiring improvement and expansion of programs
 7 at specified facilities; requiring evaluation of the
 8 faith- and character-based prison model; requiring
 9 replication of the model when feasible; providing an
 10 effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Section 944.803, Florida Statutes, is amended
 15 to read:

16 944.803 Faith- and character-based correctional
 17 institutions and ~~Faith-based programs for inmates.--~~

18 (1) The Legislature finds and declares that faith- and
 19 character-based correctional institutions and programs offered
 20 in state and private correctional settings have a public safety
 21 mission and the potential to facilitate inmate institutional
 22 adjustment, help inmates assume personal responsibility, and
 23 substantially reduce recidivism. With a firm constitutional
 24 foundation, faith- and character-based institutions allow any
 25 inmate, secular or religious, to make himself or herself into a
 26 better person. Through the initial step of volunteering to
 27 reside in a faith- and character-based institution, an
 28 increasing number of inmates are taking their first step towards

CODING: Words **stricken** are deletions; words **underlined** are additions.

29 personal responsibility and self-improvement ~~faith-based~~
 30 ~~programs offered in state and private correctional institutions~~
 31 ~~and facilities have the potential to facilitate inmate~~
 32 ~~institutional adjustment, help inmates assume personal~~
 33 ~~responsibility, and reduce recidivism.~~

34 (2) It is the intent of the Legislature that the
 35 department ~~of Corrections~~ and the private vendors operating
 36 private correctional facilities ~~shall~~ continuously:

37 (a) Measure recidivism rates for inmates who have
 38 participated in faith- and character-based ~~religious~~ programs;

39 (b) Increase the number of volunteers who minister to
 40 inmates from various faith- and character-based ~~faith-based~~
 41 institutions in the community;

42 (c) Encourage additional community volunteers and strong
 43 community partnerships with community colleges, universities,
 44 and other significant community institutions to further the
 45 mission of faith- and character-based correctional institutions
 46 and programs;

47 (d)-(e) Develop community linkages with various religious,
 48 educational, business, and community ~~churches, synagogues,~~
 49 ~~mosques, and other faith-based~~ institutions to assist inmates in
 50 their release back into the community; ~~and~~

51 (e)-(d) Fund through the use of annual appropriations, in
 52 ~~department facilities, and through inmate welfare trust funds~~
 53 ~~pursuant to s. 945.215, in private facilities, an adequate~~
 54 ~~number of chaplains and support staff to operate~~ faith- and
 55 character-based ~~faith-based~~ programs in correctional
 56 institutions through the use of annual appropriations for those

HB 71

2009

57 in department facilities and through inmate welfare trust funds
58 pursuant to s. 945.215 for those in private facilities; and-

59 (f) Fund the department staff contracts required to
60 further the public safety mission of faith- and character-based
61 correctional institutions and programs through the use of annual
62 appropriations. A portion of the savings created through the
63 reduced recidivism rate of participants in faith- and character-
64 based institutions and programs should be used to help
65 transition ex-offenders back into the community.

66 (3)(a)1. The department must have at least six ~~new~~
67 programs fully operational that are. ~~These six programs shall be~~
68 similar to and in addition to the initial ~~current~~ faith-based
69 pilot program. The six additional ~~new~~ programs shall be a joint
70 efforts ~~effort~~ with the department and faith- and character-
71 based ~~faith-based~~ service groups within the community.

72 2. The department must continue to improve and expand the
73 existing faith- and character-based programs at Lawty
74 Correctional Institution and Hillsborough Correctional
75 Institution to the extent possible. The department must expand
76 the faith- and character-based program at Wakulla Correctional
77 Institution to include the main unit, work camp, and annex.

78 (b) The department shall ensure that an inmate's faith
79 orientation, or lack thereof, will not be considered in
80 determining admission to a faith- and character-based ~~faith-~~
81 ~~based~~ program and that the program does not attempt to convert
82 an inmate toward a particular faith or religious preference. The
83 programs shall operate 24 hours a day within the existing
84 correctional facilities. The programs must emphasize the

HB 71

2009

85 importance of personal responsibility, meaningful work,
86 education, substance abuse treatment, and peer support.

87 (c) Participation in a faith- and character-based ~~the~~
88 ~~faith-based~~ dormitory program shall be voluntary. ~~However,~~ At
89 least 80 percent of the inmates participating in this program
90 must be within 36 months of release. Assignment to these
91 programs shall be based on evaluation and the length of time the
92 inmate is projected to be assigned to that particular
93 institution. In evaluating an inmate for such a ~~this~~ program,
94 priority shall be given to inmates who have shown an indication
95 for substance abuse. A right to substance abuse program services
96 is not stated, intended, or otherwise implied by this paragraph
97 ~~subsection~~. The department may not remove an inmate once
98 assigned to such a ~~the~~ program except for the purposes of
99 population management, for inmate conduct that may subject the
100 inmate to disciplinary confinement or loss of gain-time, for
101 physical or mental health concerns, or for security or safety
102 concerns.

103 (d) To support the programming component, the department
104 shall assign a chaplain and a full-time clerical support person
105 dedicated to each dormitory to implement and monitor the program
106 and to strengthen volunteer participation and support.

107 (4) The department ~~of Corrections~~ shall assign chaplains
108 to community correctional centers authorized pursuant to s.
109 945.091(1)(b). These chaplains shall strengthen volunteer
110 participation by recruiting volunteers in the community to
111 assist inmates in transition, and, if requested by the inmate,
112 placement in a mentoring program or at a contracted substance

HB 71

2009

113 abuse transition housing program. When placing an inmate in a
114 contracted program, the chaplain shall work with the
115 institutional transition assistance specialist in an effort to
116 successfully place the released inmate.

117 (5) The department shall ensure that any faith component
118 of any program authorized in this chapter is offered on a
119 voluntary basis and, an offender's faith orientation, or lack
120 thereof, will not be considered in determining admission to a
121 faith- and character-based ~~faith-based~~ program and that the
122 program does not attempt to convert an offender toward a
123 particular faith or religious preference.

124 (6) The department shall ensure that state funds are not
125 expended for the purpose of furthering religious indoctrination,
126 but rather, that state funds are expended for purposes of
127 furthering the secular goals of criminal rehabilitation, the
128 successful reintegration of offenders into the community, and
129 the reduction of recidivism.

130 (7) The department shall evaluate the benefits,
131 implications, and realistic limitations of the faith- and
132 character-based prison model for costs savings, crime reduction,
133 and enhanced professionalism of correctional employees and shall
134 replicate the faith- and character-based prison model when
135 feasible.

136 Section 2. This act shall take effect upon becoming a law.