

By Senator Wilson

33-01121-10

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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.

25  
26 Be It Enacted by the Legislature of the State of Florida:

27  
28       Section 1. Female inmates who are parents of minor  
29 children; legislative findings and intent; institutional

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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.

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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

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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, 2010.