

By Senator Braynon

33-01307-11

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1                   A bill to be entitled  
2           An act relating to faith- and character-based  
3           correctional institution programs; amending s.  
4           944.803, F.S.; revising legislative findings;  
5           providing requirements for faith- and character-based  
6           programs; deleting provisions relating to funding;  
7           revising requirements for participation by inmates in  
8           such programs; deleting provisions requiring the  
9           assignment of chaplains to community correctional  
10          centers; providing an 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 to  
15           read:

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

18           (1) The Legislature finds and declares that faith- and  
19           character-based ~~faith-based~~ programs offered in state and  
20           private correctional institutions and facilities have the  
21           potential to facilitate inmate institutional adjustment, help  
22           inmates assume personal responsibility, and reduce recidivism.

23           (2) It is the intent of the Legislature that the department  
24           ~~of Corrections~~ and the private vendors operating private  
25           correctional facilities ~~shall~~ continuously:

26           (a) Measure recidivism rates for inmates who have  
27           participated in faith- and character-based ~~religious~~ programs. ~~†~~

28           (b) Increase the number of volunteers who minister to  
29           inmates from various faith-based and secular institutions in the

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30 community.

31 (c) Develop community linkages with secular institutions,  
32 as well as churches, synagogues, mosques, and other faith-based  
33 institutions, to assist inmates in their release back into the  
34 community.

35 ~~(d) Fund through the use of annual appropriations, in~~  
36 ~~department facilities, and through inmate welfare trust funds~~  
37 ~~pursuant to s. 945.215, in private facilities, an adequate~~  
38 ~~number of chaplains and support staff to operate faith-based~~  
39 ~~programs in correctional institutions.~~

40 (3) (a) ~~The department must have at least six new programs~~  
41 ~~fully operational. These six programs shall be similar to and in~~  
42 ~~addition to the current faith-based pilot program. The six new~~  
43 ~~programs shall be a joint effort with the department and faith-~~  
44 ~~based service groups within the community.~~ The department shall  
45 ensure that an inmate's faith orientation, or lack thereof, will  
46 not be considered in determining admission to a faith- and  
47 character-based ~~faith-based~~ program and that the program does  
48 not attempt to convert an inmate toward a particular faith or  
49 religious preference.

50 (b) The programs shall operate 24 hours a day within the  
51 existing correctional facilities and. ~~The programs~~ must  
52 emphasize the importance of personal responsibility, meaningful  
53 work, education, substance abuse treatment, and peer support.

54 (c) Participation in a ~~the faith-based dormitory~~ program  
55 shall be voluntary. ~~However, at least 80 percent of the inmates~~  
56 ~~participating in this program must be within 36 months of~~  
57 ~~release.~~ Assignment to a program ~~these programs~~ shall be based  
58 on evaluation and the length of time the inmate is projected to

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59 be assigned to that particular institution. In ~~evaluating an~~  
60 ~~inmate for this program, priority shall be given to inmates who~~  
61 ~~have shown an indication for substance abuse. A right to~~  
62 ~~substance abuse program services is not stated, intended, or~~  
63 ~~otherwise implied by this subsection.~~ The department may not  
64 remove an inmate once assigned to a ~~the~~ program except for the  
65 purposes of population management, for inmate conduct that may  
66 subject the inmate to disciplinary confinement or loss of gain-  
67 time, for physical or mental health concerns, or for security or  
68 safety concerns. ~~To support the programming component, the~~  
69 ~~department shall assign a chaplain and a full-time clerical~~  
70 ~~support person dedicated to each dormitory to implement and~~  
71 ~~monitor the program and to strengthen volunteer participation~~  
72 ~~and support.~~

73 ~~(4) The Department of Corrections shall assign chaplains to~~  
74 ~~community correctional centers authorized pursuant to s.~~  
75 ~~945.091(1)(b). These chaplains shall strengthen volunteer~~  
76 ~~participation by recruiting volunteers in the community to~~  
77 ~~assist inmates in transition, and, if requested by the inmate,~~  
78 ~~placement in a mentoring program or at a contracted substance~~  
79 ~~abuse transition housing program. When placing an inmate in a~~  
80 ~~contracted program, the chaplain shall work with the~~  
81 ~~institutional transition assistance specialist in an effort to~~  
82 ~~successfully place the released inmate.~~

83 ~~(4)(5)~~ (4) The department shall ensure that any faith component  
84 of any program authorized in this chapter is offered on a  
85 voluntary basis and, an offender's faith orientation, or lack  
86 thereof, will not be considered in determining admission to such  
87 a ~~faith-based~~ program and that the program does not attempt to

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88 convert an offender toward a particular faith or religious  
89 preference.

90 (5) ~~(6)~~ The department shall ensure that state funds are not  
91 expended for the purpose of furthering religious indoctrination,  
92 but rather, that state funds are expended for purposes of  
93 furthering the secular goals of criminal rehabilitation, the  
94 successful reintegration of offenders into the community, and  
95 the reduction of recidivism.

96 Section 2. This act shall take effect July 1, 2011.