

By the Committee on Criminal Justice; and Senator Braynon

591-03798-11

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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 legislative intent with respect to expansion
6 of the faith- and character-based initiative;
7 providing requirements for faith- and character-based
8 programs; deleting provisions relating to funding;
9 revising requirements for participation by inmates in
10 such programs; deleting provisions requiring the
11 assignment of chaplains to community correctional
12 centers; providing for the faith- and character-based
13 institutions within the state correctional system to
14 allow peer-to-peer programming whenever appropriate;
15 providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Section 944.803, Florida Statutes, is amended to
20 read:

21 944.803 Faith- and character-based ~~Faith-based~~ programs ~~for~~
22 ~~inmates.~~

23 (1) (a) The Legislature finds and declares that faith- and
24 character-based ~~faith-based~~ programs offered in state and
25 private correctional institutions and facilities have the
26 potential to facilitate inmate institutional adjustment, help
27 inmates assume personal responsibility, and reduce recidivism.

28 (b) It is the intent of the Legislature that the department
29 expand the faith- and character-based initiative through the use

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30 of faith- and character-based institutions. The department is
31 encouraged to phase out the faith-based and self-improvement
32 dormitory programs and move toward the goal of implementing only
33 faith- and character-based institutions.

34 (2) It is the intent of the Legislature that the department
35 ~~of Corrections~~ and the private vendors operating private
36 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-based and secular institutions in the
41 community.~~†~~

42 (c) Develop community linkages with secular institutions,
43 as well as churches, synagogues, mosques, and other faith-based
44 institutions, to assist inmates in their release back into the
45 community.~~†~~ ~~and~~

46 ~~(d) Fund through the use of annual appropriations, in~~
47 ~~department facilities, and through inmate welfare trust funds~~
48 ~~pursuant to s. 945.215, in private facilities, an adequate~~
49 ~~number of chaplains and support staff to operate faith-based~~
50 ~~programs in correctional institutions.~~

51 (3) ~~(a) The department must have at least six new programs~~
52 ~~fully operational. These six programs shall be similar to and in~~
53 ~~addition to the current faith-based pilot program. The six new~~
54 ~~programs shall be a joint effort with the department and faith-~~
55 ~~based service groups within the community. The department shall~~
56 ensure that an inmate's faith orientation, or lack thereof, will
57 not be considered in determining admission to a faith- and
58 character-based ~~faith-based~~ program and that the program does

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59 not attempt to convert an inmate toward a particular faith or
60 religious preference.

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

65 (c) Participation in a ~~the faith-based dormitory~~ program
66 shall be voluntary. ~~However, at least 80 percent of the inmates~~
67 ~~participating in this program must be within 36 months of~~
68 ~~release.~~ Assignment to a program ~~these programs~~ shall be based
69 on evaluation and the length of time the inmate is projected to
70 be assigned to that particular institution. ~~In evaluating an~~
71 ~~inmate for this program, priority shall be given to inmates who~~
72 ~~have shown an indication for substance abuse. A right to~~
73 ~~substance abuse program services is not stated, intended, or~~
74 ~~otherwise implied by this subsection.~~ The department may not
75 remove an inmate once assigned to a ~~the~~ program except for the
76 purposes of population management, for inmate conduct that may
77 subject the inmate to disciplinary confinement or loss of gain-
78 time, for physical or mental health concerns, or for security or
79 safety concerns. ~~To support the programming component, the~~
80 ~~department shall assign a chaplain and a full-time clerical~~
81 ~~support person dedicated to each dormitory to implement and~~
82 ~~monitor the program and to strengthen volunteer participation~~
83 ~~and support.~~

84 ~~(4) The Department of Corrections shall assign chaplains to~~
85 ~~community correctional centers authorized pursuant to s.~~
86 ~~945.091(1)(b). These chaplains shall strengthen volunteer~~
87 ~~participation by recruiting volunteers in the community to~~

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88 ~~assist inmates in transition, and, if requested by the inmate,~~
89 ~~placement in a mentoring program or at a contracted substance~~
90 ~~abuse transition housing program. When placing an inmate in a~~
91 ~~contracted program, the chaplain shall work with the~~
92 ~~institutional transition assistance specialist in an effort to~~
93 ~~successfully place the released inmate.~~

94 (4)~~(5)~~ The department shall ensure that any faith component
95 of any program authorized in this chapter is offered on a
96 voluntary basis and, an offender's faith orientation, or lack
97 thereof, will not be considered in determining admission to such
98 ~~a faith-based~~ program and that the program does not attempt to
99 convert an offender toward a particular faith or religious
100 preference.

101 (5)~~(6)~~ The department shall ensure that state funds are not
102 expended for the purpose of furthering religious indoctrination,
103 but rather, that state funds are expended for purposes of
104 furthering the secular goals of criminal rehabilitation, the
105 successful reintegration of offenders into the community, and
106 the reduction of recidivism.

107 (6) Within faith- and character-based institutions of the
108 state correctional system, peer-to-peer programming shall be
109 allowed, such as Alcoholics Anonymous groups, literacy
110 instruction, and other activities when appropriate.

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