

ENROLLED
CS/CS/HB 369

2011 Legislature

1 A bill to be entitled
2 An act relating to faith- and character-based correctional
3 institution programs; amending s. 944.803, F.S.; revising
4 legislative findings; providing legislative intent;
5 providing requirements for faith- and character-based
6 programs; deleting provisions relating to funding;
7 revising requirements for participation; deleting
8 provisions relating to assignment of chaplains; allowing
9 peer-to-peer programming whenever appropriate; providing
10 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
15 to read:

16 944.803 Faith- and character-based ~~Faith-based~~ programs
17 ~~for 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
24 department expand the faith- and character-based initiative
25 through the use of faith- and character-based institutions. The
26 department is encouraged to phase out the faith-based and self
27 improvement dormitory programs and move toward the goal of only
28 implementing faith- and character-based institutions.

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29 ~~(3)-(2)~~ It is the intent of the Legislature that the
30 department ~~of Corrections~~ and the private vendors operating
31 private correctional facilities ~~shall~~ continuously:

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

34 (b) Increase the number of volunteers who minister to
35 inmates from various faith-based and secular institutions in the
36 community.~~;~~

37 (c) Develop community linkages with secular institutions
38 as well as churches, synagogues, mosques, and other faith-based
39 institutions to assist inmates in their release back into the
40 community.~~;~~ ~~and~~

41 ~~(d) Fund through the use of annual appropriations, in~~
42 ~~department facilities, and through inmate welfare trust funds~~
43 ~~pursuant to s. 945.215, in private facilities, an adequate~~
44 ~~number of chaplains and support staff to operate faith-based~~
45 ~~programs in correctional institutions.~~

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

56 (b) The programs shall operate 24 hours a day within the

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57 existing correctional facilities and. ~~The programs~~ must
58 emphasize the importance of personal responsibility, meaningful
59 work, education, substance abuse treatment, and peer support.

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

79 ~~(4) The Department of Corrections shall assign chaplains~~
80 ~~to community correctional centers authorized pursuant to s.~~
81 ~~945.091(1)(b). These chaplains shall strengthen volunteer~~
82 ~~participation by recruiting volunteers in the community to~~
83 ~~assist inmates in transition, and, if requested by the inmate,~~
84 ~~placement in a mentoring program or at a contracted substance~~

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85 ~~abuse transition housing program. When placing an inmate in a~~
86 ~~contracted program, the chaplain shall work with the~~
87 ~~institutional transition assistance specialist in an effort to~~
88 ~~successfully place the released inmate.~~

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

96 (6) Within faith- and character-based institutions of the
97 state correctional system, peer-to-peer programming shall be
98 allowed, such as Alcoholics Anonymous, literacy instruction, and
99 other activities, when appropriate.

100 (7)~~(6)~~ The department shall ensure that state funds are
101 not expended for the purpose of furthering religious
102 indoctrination, but rather, that state funds are expended for
103 purposes of furthering the secular goals of criminal
104 rehabilitation, the successful reintegration of offenders into
105 the community, and the reduction of recidivism.

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