

By the Committees on Criminal Justice; and Criminal Justice

591-03547-12

20122096c1

1 A bill to be entitled
2 An act relating to community reentry programs;
3 requiring the Department of Corrections to develop an
4 operational plan to implement a community reentry
5 program; requiring that the operational plan describe
6 the necessary facilities, staff, budget, and methods
7 for selecting inmates to participate in the reentry
8 program; providing examples of reentry services;
9 requiring that all inmates who are within 36 months of
10 their release date be considered for participation in
11 the community reentry program; providing criteria to
12 assess the risk of placing an inmate in the reentry
13 program; requiring that an inmate who is selected for
14 participation in the reentry program be transferred
15 into the program no later than 24 months before his or
16 her release date; requiring that the department submit
17 a report and proposed budget request to the Governor
18 and Legislature by a specified date; amending s.
19 945.091, F.S.; deleting a provision limiting the modes
20 of transportation an inmate may use when traveling to
21 and from his or her place of employment, education, or
22 training; deleting a provision requiring a specific
23 appropriation for the Department of Corrections to
24 transport an inmate in a state-owned vehicle;
25 repealing s. 945.0913, F.S., relating to a prohibition
26 on the driving of inmates participating in a work-
27 release program in state-owned vehicles; providing an
28 effective date.
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30 Be It Enacted by the Legislature of the State of Florida:

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32 Section 1. Community reentry program.-

33 (1) (a) The Department of Corrections shall develop an
34 operational plan to implement a community reentry program for
35 the 2013-2014 fiscal year.

36 (b) At a minimum, the operational plan for the program must
37 describe and document:

38 1. The resources needed for the program, including, but not
39 limited to, specific buildings, grounds, and property that must
40 be obtained or redesignated for residential community reentry
41 facilities and reentry services.

42 2. The placement of facilities and services in specific
43 areas to maximize the opportunity for participating inmates to
44 benefit from being located near where they plan to live after
45 completion of their sentences.

46 3. The additional staff or changes to staff qualifications
47 necessary to operate the program.

48 4. The contracts the program intends to use for private
49 providers who desire to provide a portion of the reentry
50 services and programming to eligible inmates.

51 5. The security staffing plan.

52 6. The programming plan.

53 7. The proposed budget.

54 8. The process and method for selecting an inmate to
55 participate in the program, including any initial screening
56 process, the criteria used in the risk assessment, and any
57 prioritization of placement.

58 9. The changes in law that are necessary to implement the

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59 program.

60 (2) (a) The program shall be designed to provide residential
61 care, custody, control, and reentry services to eligible
62 inmates.

63 (b) For the purpose of the program, the reentry services
64 include, but are not limited to, substance abuse treatment,
65 housing assistance, money management training, employment
66 assistance, vocational education, and life skills training.

67 (3) All inmates who are within 36 months of their release
68 date shall be considered for participation in the program. The
69 selection shall be based upon a risk assessment process that
70 includes, but is not limited to, whether:

71 (a) The inmate has potential for rehabilitation and the
72 need for reentry services.

73 (b) The reduction of risk of harm to the community after
74 completion of the inmate's sentence which would result from his
75 or her participation in the program is outweighed by any risk of
76 harm to the community which would be posed by the inmate while
77 participating in the program.

78 (c) The inmate can be placed in the geographic area where
79 he or she is from, or has family or identified friends, and
80 intends to reside in the area upon release from custody.

81 (4) An inmate who is selected for participation must be
82 transferred into the program not later than 24 months before his
83 or her current release date. An inmate who is already within 24
84 months of his or her current release date when selected must be
85 placed into the program as soon as a position is available.

86 (5) The program may include an existing community work
87 release program established pursuant to s. 945.091, Florida

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88 Statutes, as a service provider, but the existing program must
89 provide enhanced reentry services to participating inmates.

90 Section 2. The Department of Corrections shall submit a
91 status report and proposed budget request by December 1, 2012,
92 to the Executive Office of the Governor, the President of the
93 Senate, and the Speaker of the House of Representatives. The
94 report must document the projected number of inmates to be
95 served in the 2013-2014 fiscal year and the funding needed to
96 implement the operational plan.

97 Section 3. Paragraph (b) of subsection (1) of section
98 945.091, Florida Statutes, is amended to read:

99 945.091 Extension of the limits of confinement; restitution
100 by employed inmates.—

101 (1) The department may adopt rules permitting the extension
102 of the limits of the place of confinement of an inmate as to
103 whom there is reasonable cause to believe that the inmate will
104 honor his or her trust by authorizing the inmate, under
105 prescribed conditions and following investigation and approval
106 by the secretary, or the secretary's designee, who shall
107 maintain a written record of such action, to leave the confines
108 of that place unaccompanied by a custodial agent for a
109 prescribed period of time to:

110 (b) Work at paid employment, participate in an education or
111 a training program, or voluntarily serve a public or nonprofit
112 agency or faith-based service group in the community, while
113 continuing as an inmate of the institution or facility in which
114 the inmate is confined, except during the hours of his or her
115 employment, education, training, or service and traveling
116 thereto and therefrom. ~~An inmate may travel to and from his or~~

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117 ~~her place of employment, education, or training only by means of~~
118 ~~walking, bicycling, or using public transportation or~~
119 ~~transportation that is provided by a family member or employer.~~
120 ~~Contingent upon specific appropriations, the department may~~
121 ~~transport an inmate in a state-owned vehicle if the inmate is~~
122 ~~unable to obtain other means of travel to his or her place of~~
123 ~~employment, education, or training.~~

124 1. An inmate may participate in paid employment only during
125 the last 36 months of his or her confinement, unless sooner
126 requested by the Parole Commission or the Control Release
127 Authority.

128 2. While working at paid employment and residing in the
129 facility, an inmate may apply for placement at a contracted
130 substance abuse transition housing program. The transition
131 assistance specialist shall inform the inmate of program
132 availability and assess the inmate's need and suitability for
133 transition housing assistance. If an inmate is approved for
134 placement, the specialist shall assist the inmate. If an inmate
135 requests and is approved for placement in a contracted faith-
136 based substance abuse transition housing program, the specialist
137 must consult with the chaplain prior to such placement. The
138 department shall ensure that an inmate's faith orientation, or
139 lack thereof, will not be considered in determining admission to
140 a faith-based program and that the program does not attempt to
141 convert an inmate toward a particular faith or religious
142 preference.

143 Section 4. Section 945.0913, Florida Statutes, is repealed.

144 Section 5. This act shall take effect July 1, 2012.