

1 A bill to be entitled
2 An act relating to correctional facility oversight and
3 programming; creating s. 944.0232, F.S.; creating a
4 Citizens Oversight Council within the Department of
5 Corrections; providing for membership and terms;
6 specifying duties and responsibilities concerning
7 adult and juvenile correctional facilities of the
8 department and the Department of Juvenile Justice;
9 prohibiting interference with day-to-day operations of
10 the departments or certain facilities; providing
11 purpose; prohibiting discussion of council business
12 with certain persons; authorizing reimbursement for
13 per diem and travel expenses; amending s. 947.002,
14 F.S.; revising legislative intent concerning the
15 granting of parole; creating s. 947.136, F.S.;
16 requiring the Florida Commission on Offender Review
17 and the Department of Corrections to jointly develop a
18 voluntary long-term inmate program; requiring the
19 program to be offered to male and female inmates
20 equally; requiring the program to provide evidence-
21 based programming to certain inmates; establishing
22 eligibility for referral for participation in the
23 program; providing program requirements; providing
24 that inmates may be removed from the program under
25 certain circumstances; requiring a certificate of

26 completion upon successful completion of the program;
 27 providing that successful completion of the program
 28 does not guarantee parole; requiring rulemaking;
 29 providing an effective date.

31 Be It Enacted by the Legislature of the State of Florida:

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 33 Section 1. Section 944.0232, Florida Statutes, is created
 34 to read:

35 944.0232 Citizens Oversight Council.-

36 (1) The Citizens Oversight Council, an advisory council as
 37 defined in s. 20.03(7), is created adjunct to the Department of
 38 Corrections. Except as otherwise provided in this section, the
 39 council shall operate in a manner consistent with s. 20.052.

40 (2)(a) The council shall consist of the following members:

41 1. Four members appointed by the President of the Senate.

42 2. Four members appointed by the Minority Leader of the
 43 Senate.

44 3. Four members appointed by the Speaker of the House of
 45 Representatives.

46 4. Four members appointed by the Minority Leader of the
 47 House of Representatives.

48 (b) The initial members of the council shall be appointed
 49 by October 1, 2022. Members shall be appointed for terms of 4
 50 years. However, to achieve staggered terms, one member of each

51 appointing authority shall be appointed for an initial 2-year
52 term. Members must be appointed equally within each region of
53 the department. The council's membership shall include, to the
54 greatest extent possible, former prisoners, persons who are
55 directly impacted by the correctional system, and criminal
56 justice or prison reform advocates.

57 (3) The council's primary duties and responsibilities
58 include:

59 (a) Regularly conducting unannounced visits to adult and
60 juvenile correctional facilities, including facilities operated
61 by private contractors. Council members may enter any
62 correctional facility in which prisoners or juveniles are kept
63 and shall be immediately admitted to such facilities upon a
64 member's request and may consult and confer with any prisoner or
65 juvenile, provided that there is adequate security. A council
66 member, upon any finding of concern, shall immediately contact
67 the warden and the two will work together to resolve the
68 concern.

69 (b) Conducting confidential interviews with
70 administration, staff, officers, prisoners, juveniles,
71 prisoners' and juveniles' families, volunteers, and public
72 officials relating to the operations and conditions of adult and
73 juvenile correctional facilities as well as the general health
74 and welfare of prisoners and juveniles.

75 (c) Conducting telephone interviews with prisoners and

76 juveniles in a manner similar to that of legal counsel in a
 77 private area using a telephone that is not recorded.

78 (d) Making recommendations to the classification teams,
 79 including recommendations regarding close management,
 80 administrative confinement, and disciplinary hearings.

81 (4) The council may not interfere with the day-to-day
 82 operations of the Department of Corrections or the Department of
 83 Juvenile Justice or any facilities operated by or on behalf of
 84 either department, but shall serve as a liaison between
 85 administration, staff, prisoners, juveniles, and prisoners' and
 86 juveniles' families.

87 (5) The council's purpose is to transcend the turmoil that
 88 exists between administration, staff, officers, prisoners,
 89 juveniles, and prisoners' and juveniles' families and,
 90 therefore, a council member may not discuss any circumstances or
 91 findings with the media or any person who is not a member or
 92 appointing authority of the council.

93 (6) Members of the council shall serve without
 94 compensation but may receive reimbursement for per diem and
 95 travel expenses as provided in s. 112.061.

96 Section 2. Subsection (6) is added to section 947.002,
 97 Florida Statutes, to read:

98 947.002 Intent.—

99 (6) The commission shall consider an inmate's
 100 institutional achievements, lack of disciplinary report, and all

101 indications of the lack of risk to the public in the decision to
 102 parole an inmate from the incarceration portion of his or her
 103 sentence.

104 Section 3. Section 947.136, Florida Statutes, is created
 105 to read:

106 947.136 Long-term inmate program.-

107 (1) The commission and the department shall jointly
 108 develop a long-term inmate program, housed within the
 109 department, for inmates who are eligible for parole under this
 110 chapter to prepare such inmates for reintegration into the
 111 community. The program shall be offered on an equal basis to
 112 male and female inmates.

113 (2) The long-term inmate program is a voluntary program
 114 that provides evidence-based programming to inmates who are
 115 within 3 years of their presumptive parole release date as
 116 established by the commission under s. 947.172.

117 (3) Inmates must be referred by the commission for
 118 participation in the long-term inmate program before the
 119 department places the inmate into the program. An inmate who
 120 meets all of the following criteria may be referred by the
 121 commission for placement into the long-term inmate program:

122 (a) Does not have factors, as identified in rule, which
 123 would preclude placement at an institution operating a long-term
 124 inmate program.

125 (b) Must be serving a parole-eligible sentence. Inmates

126 who have subsequently received a parole-ineligible sentence may
127 be considered for participation on a case-by-case basis.

128 (4) To successfully complete the long-term inmate program,
129 inmates participating must, at a minimum:

130 (a) Complete at least 250 hours of community service
131 projects, as approved by the department.

132 (b) Participate in at least 100 hours of enrichment
133 programs, as defined by rule.

134 (c) Complete an evidence-based curriculum as provided in
135 rule which, at a minimum, addresses:

- 136 1. Anger management.
- 137 2. Criminal thinking.
- 138 3. Educational and vocational needs.
- 139 4. Family relationships.
- 140 5. Lifestyle and wellness.
- 141 6. Substance use disorder treatment.
- 142 7. Victim impact.

143 (5) Inmates participating in the long-term inmate program
144 are expected to perform their duties and assignments as
145 instructed by their assignment supervisor. Inmates who fail to
146 complete duties and assignments as instructed may be removed
147 from the program.

148 (6) Upon successful completion of the program, an inmate
149 shall be awarded a certificate of completion. Successful
150 completion of the program does not guarantee that an inmate will

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151 be paroled and program participation may not extend the length
152 of the inmate's sentence.

153 (7) The commission and the department shall adopt rules as
154 necessary to implement the long-term inmate program.

155 Section 4. This act shall take effect July 1, 2022.