

By Senator Osgood

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1                   A bill to be entitled  
2       An act relating to restorative justice; amending s.  
3       945.71, F.S.; revising legislative intent for inmate  
4       training programs; amending s. 945.73, F.S.; requiring  
5       the Department of Corrections to develop and implement  
6       training about restorative justice practices; amending  
7       s. 960.001, F.S.; requiring notice to victims if  
8       restorative justice is available; defining the term  
9       "restorative justice"; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13       Section 1. Section 945.71, Florida Statutes, is amended to  
14       read:

15       945.71 Inmate training programs; intent and purposes.—It is  
16       the intent of ss. 945.71-945.74 to authorize the establishment  
17       of structured disciplinary training programs within the  
18       Department of Corrections expressly intended to instill self-  
19       discipline, improve work habits, increase accountability and  
20       reparative behavior, and improve self-confidence for inmates.

21       Section 2. Subsection (1) of section 945.73, Florida  
22       Statutes, is amended to read:

23       945.73 Inmate training program operation.—

24       (1) The department shall, subject to specific legislative  
25       appropriation, develop and implement training programs for  
26       eligible inmates which include, but are not limited to, marching  
27       drills, calisthenics, a rigid dress code, work assignments,  
28       physical training, training in decisionmaking and personal  
29       development, drug counseling, education, training about

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30 restorative justice practices, and rehabilitation.

31 Section 3. Paragraph (a) of subsection (1) of section  
32 960.001, Florida Statutes, is amended to read:

33 960.001 Guidelines for fair treatment of victims and  
34 witnesses in the criminal justice and juvenile justice systems.—

35 (1) The Department of Legal Affairs, the state attorneys,  
36 the Department of Corrections, the Department of Juvenile  
37 Justice, the Florida Commission on Offender Review, the State  
38 Courts Administrator and circuit court administrators, the  
39 Department of Law Enforcement, and every sheriff's department,  
40 police department, or other law enforcement agency as defined in  
41 s. 943.10(4) shall develop and implement guidelines for the use  
42 of their respective agencies, which guidelines are consistent  
43 with the purposes of this act and s. 16(b), Art. I of the State  
44 Constitution and are designed to implement s. 16(b), Art. I of  
45 the State Constitution and to achieve the following objectives:

46 (a) *Information concerning services available to victims of*  
47 *adult and juvenile crime.*—As provided in s. 27.0065, state  
48 attorneys and public defenders shall gather information  
49 regarding the following services in the geographic boundaries of  
50 their respective circuits and shall provide such information to  
51 each law enforcement agency with jurisdiction within such  
52 geographic boundaries. Law enforcement personnel shall ensure,  
53 through distribution of a victim's rights information card or  
54 brochure at the crime scene, during the criminal investigation,  
55 and in any other appropriate manner, that victims are given, as  
56 a matter of course at the earliest possible time, information  
57 about:

58 1. The availability of crime victim compensation, if

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59 applicable;

60 2. Crisis intervention services, supportive or bereavement  
61 counseling, social service support referrals, and community-  
62 based victim treatment programs;

63 3. The role of the victim in the criminal or juvenile  
64 justice process, including what the victim may expect from the  
65 system as well as what the system expects from the victim;

66 4. The stages in the criminal or juvenile justice process  
67 which are of significance to the victim and the manner in which  
68 information about such stages can be obtained;

69 5. The right of a victim, who is not incarcerated,  
70 including the victim's parent or guardian if the victim is a  
71 minor, the lawful representative of the victim or of the  
72 victim's parent or guardian if the victim is a minor, and the  
73 next of kin of a homicide victim, upon request, to be informed,  
74 to be present, and to be heard at all stages of a criminal or  
75 juvenile proceeding as provided by s. 16(b), Art. I of the State  
76 Constitution;

77 6. In the case of incarcerated victims, the right, upon  
78 request, to be informed and to submit written statements at all  
79 stages of the criminal proceedings, parole proceedings, or  
80 juvenile proceedings;

81 7. The right of a victim to a prompt and timely disposition  
82 of the case in order to minimize the period during which the  
83 victim must endure the responsibilities and stress involved; and

84 8. The right of a victim to employ private counsel. The  
85 Florida Bar is encouraged to develop a registry of attorneys who  
86 are willing to serve on a pro bono basis as advocates for crime  
87 victims.

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88       9.a. The right of a victim to be notified of restorative  
89 justice if it is available in the jurisdiction. The victim or  
90 their next of kin shall be advised that restorative justice may  
91 be considered as a voluntary option, or a part of a deferred  
92 prosecution or pretrial intervention. A notice shall be posted  
93 on each waiting room floor of the lobbies of the state  
94 attorneys' offices and shall contain the location and contact  
95 information concerning restorative justice programs that serve  
96 the county or circuit.

97       b. As used in this subparagraph, the term "restorative  
98 justice" means a gathering at which parties who have caused harm  
99 or who have been harmed and community stakeholders choose to  
100 collectively meet to identify and repair harm inflicted to the  
101 extent possible, address trauma, reduce the likelihood of  
102 further harm, and strengthen community ties by focusing on the  
103 needs and obligations of all parties involved through a  
104 voluntary and participatory process.

105       Section 4. This act shall take effect July 1, 2023.