

By Senator Osgood

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1                   A bill to be entitled  
2           An act relating to restrictive housing in prisons;  
3           creating s. 944.022, F.S.; defining terms; requiring  
4           the Office of Program Policy Analysis and Government  
5           Accountability to conduct a specified annual study;  
6           requiring the office to report the findings of the  
7           annual study to the Governor and the Legislature;  
8           specifying requirements for the study; providing an  
9           effective date.

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

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13           Section 1. Section 944.022, Florida Statutes, is created to  
14 read:

15           944.022 Study on the use of restrictive housing.-

16           (1) As used in this section, the term:

17           (a) "Administrative confinement" means a temporary removal  
18 of a prisoner from the general prison population to maintain  
19 safety and security until prison officials can arrange a more  
20 permanent housing placement. While administrative confinement  
21 typically lasts no longer than 90 days, the department may hold  
22 a prisoner for a longer period.

23           (b) "Close Management" means an indefinite housing  
24 assignment for prisoners who have shown that they are unable to  
25 live in the general population without abusing the rights and  
26 privileges of others. Close Management I is the most  
27 restrictive, with conditions becoming progressively less  
28 restrictive from Close Management II to Close Management III.

29           (c) "Disciplinary confinement" means a temporary form of

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30 solitary confinement for prisoners who have violated department  
31 rules. Depending on the severity of the misconduct, prisoners  
32 may be confined to a cell for 30 to 60 days. If multiple  
33 disciplinary charges are issued, confinement may extend beyond  
34 60 days.

35 (d) "Maximum Management" means the most extreme form of  
36 solitary confinement used by the department, in which prisoners  
37 are held in single-person isolation cells or confined within a  
38 cage inside the cell, with no natural light. This term includes  
39 severely limited out-of-cell time, a ban on telephone calls and  
40 personal visits, and reading materials restricted to religious  
41 texts. This level of confinement is reserved for individuals  
42 deemed an extreme security risk.

43 (e) "Restrictive housing" or "solitary confinement" means  
44 confinement to one's cell for 22 to 24 hours per day with  
45 extremely limited and rare contact with other people.

46 (2) The Office of Program Policy Analysis and Government  
47 Accountability shall conduct an annual study on the use of  
48 restrictive housing for all prisoners in the state correctional  
49 system. The restrictive housing placements to be studied  
50 include, but are not limited to, maximum management;  
51 disciplinary confinement; Close Management I, II, and III; and  
52 administrative confinement pursuant to rule 33-602.220, Florida  
53 Administrative Code. These types of restrictive housing are  
54 generally referred to as solitary confinement. The study must  
55 include prisoners placed in both single and double cells. The  
56 Office of Program Policy Analysis and Government Accountability  
57 shall report the findings of the annual study to the Governor,  
58 the President of the Senate, and the Speaker of the House of

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59 Representatives.

60 (3) The study must include all of the following  
61 information, disaggregated by age group, correctional facility,  
62 and type of restrictive housing, as well as aggregated for  
63 department facilities:

64 (a) The total number of prisoners placed in restrictive  
65 housing, including the monthly placements at each facility,  
66 categorized by type of restrictive housing.

67 (b) The duration of each placement, including the total and  
68 consecutive days spent in restrictive housing and in each  
69 specific type of restrictive housing.

70 (c) The reasons for placement in restrictive housing.

71 (d) The frequency with which each prisoner is placed in  
72 restrictive housing during the year.

73 (e) For each prisoner placed in restrictive housing, the  
74 person's gender, race, ethnicity, weight, age, and any  
75 disability, as defined by the Americans with Disabilities Act  
76 (ADA).

77 (f) An assessment of whether alternative strategies or  
78 mental health interventions were attempted before the use of  
79 restrictive housing, including the frequency of security checks  
80 and medical checks, and any property, such as a mattress,  
81 sheets, clothing, or personal items, restricted or removed,  
82 including the reason, duration, and type of property removed.

83 (g) The number of ADA accommodation requests and approvals  
84 and whether the prisoner has an individualized education plan.

85 (h) An evaluation of facility conditions, including air  
86 conditioning, access to legal telephone calls, reading  
87 materials, nutrition, clothing, medical care, showers, hygiene

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88 supplies, and the size of restrictive housing cells.

89 (i) An analysis of the impact of restrictive housing on  
90 mental health, including changes in the severity of mental  
91 illness before, during, and after placement; placements in self-  
92 harm observation status; instances of self-injurious behavior,  
93 including self-mutilation; inpatient mental health treatment  
94 placements, such as crisis stabilization units and transitional  
95 care units; suicide attempts and suicides in restrictive  
96 housing; incidents of self-harm and suicide attempts before  
97 placement; and psychological autopsies of individuals previously  
98 placed in restrictive housing.

99 (j) Economic data comparing the average yearly cost of  
100 housing prisoners in Maximum Management, disciplinary  
101 confinement, close management, and administrative confinement  
102 versus the cost of housing them in the general population,  
103 including an overall cost comparison and the methodology used  
104 for cost calculations.

105 (k) A determination of whether restrictive housing is more  
106 or less expensive than housing in the general population.

107 (l) An assessment of whether the 3-year recidivism rate  
108 differs between persons who experienced restrictive housing and  
109 persons who did not.

110 Section 2. This act shall take effect July 1, 2025.