

By Senator Rodriguez

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A bill to be entitled

An act relating to the Office of the Corrections Ombudsman; creating s. 11.92, F.S.; providing legislative findings; providing definitions; creating the Office of the Corrections Ombudsman within the legislative branch; providing for staff; specifying the duties of the office; providing for the appointment of a Corrections Ombudsman; requiring that the Ombudsman meet certain criteria; requiring the Legislature to establish a Corrections Oversight Committee on or before a certain date; providing duties and membership of the committee; requiring the Department of Corrections to provide the Ombudsman and committee members with access to certain department facilities and records; authorizing the Ombudsman and committee members access to such facilities unannounced; requiring confidentiality of in-person communications between incarcerated persons or facility staff members and the Ombudsman or a committee member; providing that correspondence between an incarcerated person and the office is privileged; providing that the decision, or failure, to file a complaint with the office does not impact the inmate grievance procedure; providing that the office need not investigate or process complaints in the order received; requiring the office to submit to the President of the Senate and Speaker of the House of Representatives a specified report annually; providing an appropriation; providing an effective

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30 date.

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

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34 Section 1. Section 11.92, Florida Statutes, is created to
35 read:

36 11.92 Office of the Corrections Ombudsman.—

37 (1) The Legislature finds that the protection of the
38 health, safety, welfare, and rights of persons who are
39 incarcerated within the state correctional system is a matter of
40 urgent public concern. Current law does not provide adequate and
41 independent oversight of the Department of Corrections to ensure
42 accountability, monitor conditions of confinement, and
43 investigate complaints. It is appropriate and necessary to
44 create an independent entity as a unit of the legislative branch
45 of state government in order to restore public trust in the
46 department.

47 (2) As used in this section, the term:

48 (a) "Committee" means the Corrections Oversight Committee.

49 (b) "Correctional facility" means a state correctional
50 institution or contractor-operated correctional facility.

51 (c) "Department" means the Department of Corrections.

52 (d) "Office" means the Office of the Corrections Ombudsman.

53 (e) "Ombudsman" means the Corrections Ombudsman.

54 (3) The Office of the Corrections Ombudsman is created as a
55 unit of the legislative branch of state government. The office
56 is independent of the Department of Corrections and reports
57 directly to the Legislature. The office shall be headed by the
58 Corrections Ombudsman. The office may hire staff and use

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volunteers as necessary to perform its duties. The office shall
do all of the following:

(a) Receive, track, investigate, and attempt to resolve
complaints concerning correctional facilities made by or on
behalf of incarcerated persons, supporters of incarcerated
persons, and the public.

(b) Monitor and evaluate the conditions of confinement and
the treatment of incarcerated persons in correctional
facilities. The office may inspect such facilities at any time,
but must inspect each facility at least once each year.

(c) Collect and analyze data relating to serious incidents,
violence, and deaths that occur in correctional facilities.

(d) Make recommendations to the department and Legislature
which identify solutions to systemic problems, as well as policy
changes and corrective actions necessary to protect the health,
safety, welfare, and rights of incarcerated persons.

(e) Provide information, as appropriate, to incarcerated
persons, supporters of incarcerated persons, and the public
about the rights of incarcerated persons and the services of the
office.

(4) The Legislature shall appoint the Ombudsman to a 5-year
term by a majority vote and may only remove the Ombudsman by a
majority vote. The Ombudsman may be reappointed for a 5-year
term. The Ombudsman:

(a) Must have knowledge and experience in corrections and
human rights.

(b) May not have worked for the department in the 10 years
preceding his or her appointment.

(c) May not have a family member who has worked for the

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department in the 10 years preceding his or her appointment.

(5) (a) On or before January 1, 2027, the Legislature shall establish a Corrections Oversight Committee composed of 15 voting members. The committee shall meet quarterly to advise, assist, and provide guidance to the Ombudsman; however, the Ombudsman is not required to accept such advice, assistance, or guidance.

(b) Four members of the Legislature shall be appointed to the committee. The Senate Committee on Rules shall appoint two members of the Senate who are not members of the same political party, and the Speaker of the House of Representatives shall appoint two members of the House of Representatives who are not members of the same political party.

(c) The legislative members appointed pursuant to paragraph (b) shall appoint the remaining 11 members of the committee and must include at least one:

1. Licensed physician.
2. Licensed mental or behavioral health professional.
3. Educator.
4. Member of the clergy.
5. Former administrative employee of the department.
6. Man who is a citizen of the United States and was formerly incarcerated in a correctional facility for a term of imprisonment of 3 or more years within the 10 years preceding his appointment.
7. Woman who is a citizen of the United States and was formerly incarcerated in a correctional facility for a term of imprisonment of 3 or more years within the 10 years preceding her appointment.

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117 8. Family member of a person who is incarcerated in a
118 correctional facility at the time of the family member's
119 appointment.

120 9. Representative of a nonprofit prisoner advocacy group.

121 10. Person with a background in data analysis.

122 11. Person with experience in inmate reentry services.

123 (d) Each committee member shall be appointed to a 3-year
124 term. However, for the purpose of achieving staggered terms, the
125 members initially appointed under subparagraphs (c)6.-11. shall
126 each serve a 2-year term. All subsequent appointments shall be
127 for 3-year terms. Any vacancy must be filled in the same manner
128 as the original appointment for the remainder of the unexpired
129 term.

130 (6) The department shall provide the Ombudsman and
131 committee members with immediate access to correctional
132 facilities, staff members of such facilities, persons
133 incarcerated in such facilities, and records of such facilities
134 which the Ombudsman or committee members determine are needed to
135 carry out the duties of the office. The Ombudsman and committee
136 members may access any correctional facility at any time,
137 unannounced, and speak confidentially with any incarcerated
138 person or staff member.

139 (7) Written correspondence between an incarcerated person
140 and the office, including the Ombudsman or a committee member,
141 is privileged mail under rule 33-210.103, Florida Administrative
142 Code.

143 (8) The decision, or failure, to file a complaint with the
144 office does not impact the inmate grievance procedure
145 established under s. 944.331.

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146 (9) The office is not required to investigate every
147 complaint or process complaints in the order received.

148 (10) Beginning December 1, 2027, the office shall submit an
149 annual report to the President of the Senate and the Speaker of
150 the House of Representatives which summarizes the activities,
151 findings, and recommendations of the office.

152 Section 2. For the 2026-2027 fiscal year, the sum of
153 \$250,000 in recurring funds is appropriated from the General
154 Revenue Fund to the Office of the Corrections Ombudsman for the
155 purposes of implementing and administering this act.

156 Section 3. This act shall take effect July 1, 2026.