

1 A bill to be entitled
2 An act relating to supervised reentry programs; amending
3 s. 945.091, F.S.; permitting the Department of Corrections
4 to create a supervised reentry program; requiring
5 participants to reside in an approved residence; providing
6 eligibility criteria for participation; requiring
7 supervision of participants; requiring participants to pay
8 supervision costs; authorizing the establishment of rules
9 of conduct and discipline; providing an effective date.

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

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13 Section 1. Section 945.091, Florida Statutes, is amended
14 to read:

15 945.091 Extension of the limits of confinement; supervised
16 reentry; restitution by employed inmates.--

17 (1) The department may adopt rules permitting the
18 extension of the limits of the place of confinement of an inmate
19 as to whom there is reasonable cause to believe that the inmate
20 will honor his or her trust by authorizing the inmate, under
21 prescribed conditions and following investigation and approval
22 by the secretary, or the secretary's designee, who shall
23 maintain a written record of such action, to leave the confines
24 of that place unaccompanied by a custodial agent for a
25 prescribed period of time to:

26 (a) Visit, for a specified period, a specifically
27 designated place or places:

28 1. For the purpose of visiting a dying relative, attending
29 the funeral of a relative, or arranging for employment or for a
30 suitable residence for use when released;

31 2. To otherwise aid in the rehabilitation of the inmate
32 and his or her successful transition into the community; or

33 3. For another compelling reason consistent with the
34 public interest,

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36 and return to the same or another institution or facility
37 designated by the Department of Corrections.

38 (b) Work at paid employment, participate in an education
39 or a training program, or voluntarily serve a public or
40 nonprofit agency or faith-based service group in the community,
41 while continuing as an inmate of the institution or facility in
42 which the inmate is confined, except during the hours of his or
43 her employment, education, training, or service and traveling
44 thereto and therefrom. An inmate may travel to and from his or
45 her place of employment, education, or training only by means of
46 walking, bicycling, or using public transportation or
47 transportation that is provided by a family member or employer.
48 Contingent upon specific appropriations, the department may
49 transport an inmate in a state-owned vehicle if the inmate is
50 unable to obtain other means of travel to his or her place of
51 employment, education, or training.

52 1. An inmate may participate in paid employment only
53 during the last 36 months of his or her confinement, unless
54 sooner requested by the Parole Commission or the Control Release
55 Authority.

56 2. While working at paid employment and residing in the
57 facility, an inmate may apply for placement at a contracted
58 substance abuse transition housing program. The transition
59 assistance specialist shall inform the inmate of program
60 availability and assess the inmate's need and suitability for
61 transition housing assistance. If an inmate is approved for
62 placement, the specialist shall assist the inmate. If an inmate
63 requests and is approved for placement in a contracted faith-
64 based substance abuse transition housing program, the specialist
65 must consult with the chaplain prior to such placement. The
66 department shall ensure that an inmate's faith orientation, or
67 lack thereof, will not be considered in determining admission to
68 a faith-based program and that the program does not attempt to
69 convert an inmate toward a particular faith or religious
70 preference.

71 (c) Participate in a residential or nonresidential
72 rehabilitative program operated by a public or private ~~nonprofit~~
73 agency, including faith-based service groups, with which the
74 department has contracted for the treatment of such inmate. The
75 provisions of ss. 216.311 and 287.057 shall apply to all
76 contracts between the department and any private entity
77 providing such services. The department shall require such
78 agency to provide appropriate supervision of inmates
79 participating in such program. The department is authorized to
80 terminate any inmate's participation in the program if such
81 inmate fails to demonstrate satisfactory progress in the program
82 as established by departmental rules.

83 (d) Participate in a supervised reentry program in which
84 the inmate is housed in the community while working at paid

85 employment or participating in other programs as approved by the
86 department. The inmate shall reside at a department approved
87 residence while retaining status as an inmate in the supervised
88 reentry program.

89 1. An inmate may participate in the supervised reentry
90 program only during the last 14 months of his or her
91 confinement.

92 2. An inmate may participate in the supervised reentry
93 program only after residing at a work release center for at
94 least six months.

95 3. Supervised reentry program participants must comply
96 with reporting, drug testing, and other supervision requirements
97 established by the department.

98 4. An inmate who fails to abide by the conditions set
99 forth in the supervised reentry program agreement shall be
100 subject to removal from the program and disciplinary action.

101 5. An inmate in the supervised reentry program may travel
102 to and from his or her department approved activities only by
103 means of transportation approved by the department.

104 6. The inmate shall pay the cost of supervision to the
105 department. The inmate shall also pay costs of any treatment
106 programs in which he or she is participating.

107 7. An inmate is subject to the rules of conduct
108 established by the department and may have sanctions imposed,
109 including loss of privileges, restrictions, disciplinary
110 confinement, forfeiture of gain-time or the right to earn gain
111 time in the future, as well as program termination, for
112 violation.

113 8. An inmate in the supervised reentry program is not
114 included in the total capacity of the state correctional system
115 as defined in s. 944.023.

116 (2) Each inmate who demonstrates college-level aptitudes
117 by satisfactory evidence of successful completion of college-
118 level academic coursework may be provided the opportunity to
119 participate in college-level academic programs which may be
120 offered at community colleges or universities. The inmate is
121 personally responsible for the payment of all student fees
122 incurred.

123 (3) The department may adopt regulations as to the
124 eligibility of inmates for the extension of confinement, the
125 disbursement of any earnings of these inmates, or the entering
126 into of agreements between itself and any city or county or
127 federal agency for the housing of these inmates in a local place
128 of confinement. However, no person convicted of sexual battery
129 pursuant to s. 794.011 is eligible for any extension of the
130 limits of confinement under this section.

131 (4) The willful failure of an inmate to remain within the
132 extended limits of his or her confinement or to return within
133 the time prescribed to the place of confinement designated by
134 the department shall be deemed as an escape from the custody of
135 the department and shall be punishable as prescribed by law.

136 (5) The provisions of this section shall not be deemed to
137 authorize any inmate who has been convicted of any murder,
138 manslaughter, sexual battery, robbery, arson, aggravated
139 assault, aggravated battery, kidnapping, escape, breaking and
140 entering with intent to commit a felony, or aircraft piracy, or
141 any attempt to commit the aforementioned crimes, to attend any

142 classes at any state community college or any university which
143 is a part of the State University System.

144 (6)(a) The department shall require inmates working at
145 paid employment as provided in paragraphs ~~paragraph~~ (1)(b) and
146 (d) to use a portion of the employment proceeds to provide
147 restitution to the aggrieved party for the damage or loss caused
148 by the offense of the inmate, in an amount to be determined by
149 the department, unless the department finds clear and compelling
150 reasons not to order such restitution. If restitution or partial
151 restitution is not ordered, the department shall state on the
152 record in detail the reasons therefor.

153 (b) An offender who is required to provide restitution or
154 reparation may petition the circuit court to amend the amount of
155 restitution or reparation required or to revise the schedule of
156 repayment established by the department or the Parole
157 Commission.

158 (7) The department shall document and account for all
159 forms for disciplinary reports for inmates placed on extended
160 limits of confinement, which shall include, but not be limited
161 to, all violations of rules of conduct, the rule or rules
162 violated, the nature of punishment administered, the authority
163 ordering such punishment, and the duration of time during which
164 the inmate was subjected to confinement.

165 (8)(a) The department is authorized to levy fines only
166 through disciplinary reports and only against inmates placed on
167 extended limits of confinement. Major and minor infractions and
168 their respective punishments for inmates placed on extended
169 limits of confinement shall be defined by the rules of the
170 department, provided that any fine shall not exceed \$50 for each

171 | infraction deemed to be minor and \$100 for each infraction
172 | deemed to be major. Such fines shall be deposited in the General
173 | Revenue Fund, and a receipt shall be given to the inmate.

174 | (b) When the chief correctional officer determines that a
175 | fine would be an appropriate punishment for a violation of the
176 | rules of the department, both the determination of guilt and the
177 | amount of the fine shall be determined by the disciplinary
178 | committee pursuant to the method prescribed in s. 944.28(2)(c).

179 | (c) The department shall develop rules defining the
180 | policies and procedures for the administering of such fines.

181 | Section 2. This act shall take effect upon becoming a law.