

CHAPTER 2011-185

Committee Substitute for Committee Substitute for House Bill No. 369

An act relating to faith- and character-based correctional institution programs; amending s. 944.803, F.S.; revising legislative findings; providing legislative intent; providing requirements for faith- and character-based programs; deleting provisions relating to funding; revising requirements for participation; deleting provisions relating to assignment of chaplains; allowing peer-to-peer programming whenever appropriate; providing an effective date.

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

Section 1. Section 944.803, Florida Statutes, is amended to read:

944.803 Faith- and character-based ~~Faith-based~~ programs for inmates.

(1) The Legislature finds and declares that faith- and character-based ~~faith-based~~ programs offered in state and private correctional institutions and facilities have the potential to facilitate inmate institutional adjustment, help inmates assume personal responsibility, and reduce recidivism.

(2) It is the intent of the Legislature that the department expand the faith- and character-based initiative through the use of faith- and character-based institutions. The department is encouraged to phase out the faith-based and self improvement dormitory programs and move toward the goal of only implementing faith- and character-based institutions.

~~(3)~~(2) It is the intent of the Legislature that the department of Corrections and the private vendors operating private correctional facilities shall continuously:

(a) Measure recidivism rates for inmates who have participated in faith- and character-based ~~religious~~ programs.;

(b) Increase the number of volunteers who minister to inmates from various faith-based and secular institutions in the community.;

(c) Develop community linkages with secular institutions as well as churches, synagogues, mosques, and other faith-based institutions to assist inmates in their release back into the community.;

~~(d) Fund through the use of annual appropriations, in department facilities, and through inmate welfare trust funds pursuant to s. 945.215, in private facilities, an adequate number of chaplains and support staff to operate faith-based programs in correctional institutions.~~

~~(4)(a)(3) The department must have at least six new programs fully operational. These six programs shall be similar to and in addition to the current faith-based pilot program. The six new programs shall be a joint effort with the department and faith-based service groups within the community. The department shall ensure that an inmate's faith orientation, or lack thereof, will not be considered in determining admission to a faith- and character-based faith-based program and that the program does not attempt to convert an inmate toward a particular faith or religious preference.~~

~~(b) The programs shall operate 24 hours a day within the existing correctional facilities and. The programs must emphasize the importance of personal responsibility, meaningful work, education, substance abuse treatment, and peer support.~~

~~(c) Participation in a the faith-based dormitory program shall be voluntary. However, at least 80 percent of the inmates participating in this program must be within 36 months of release. Assignment to a program these programs shall be based on evaluation and the length of time the inmate is projected to be assigned to that particular institution. In evaluating an inmate for this program, priority shall be given to inmates who have shown an indication for substance abuse. A right to substance abuse program services is not stated, intended, or otherwise implied by this subsection. The department may not remove an inmate once assigned to a the program except for the purposes of population management, for inmate conduct that may subject the inmate to disciplinary confinement or loss of gain-time, for physical or mental health concerns, or for security or safety concerns. To support the programming component, the department shall assign a chaplain and a full-time clerical support person dedicated to each dormitory to implement and monitor the program and to strengthen volunteer participation and support.~~

~~(4) The Department of Corrections shall assign chaplains to community correctional centers authorized pursuant to s. 945.091(1)(b). These chaplains shall strengthen volunteer participation by recruiting volunteers in the community to assist inmates in transition, and, if requested by the inmate, placement in a mentoring program or at a contracted substance abuse transition housing program. When placing an inmate in a contracted program, the chaplain shall work with the institutional transition assistance specialist in an effort to successfully place the released inmate.~~

~~(5) The department shall ensure that any faith component of any program authorized in this chapter is offered on a voluntary basis and, an offender's faith orientation, or lack thereof, will not be considered in determining admission to such a faith-based program and that the program does not attempt to convert an offender toward a particular faith or religious preference.~~

(6) Within faith- and character-based institutions of the state correctional system, peer-to-peer programming shall be allowed, such as Alcoholics Anonymous, literacy instruction, and other activities, when appropriate.

~~(7)~~(6) The department shall ensure that state funds are not expended for the purpose of furthering religious indoctrination, but rather, that state funds are expended for purposes of furthering the secular goals of criminal rehabilitation, the successful reintegration of offenders into the community, and the reduction of recidivism.

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

Approved by the Governor June 21, 2011.

Filed in Office Secretary of State June 21, 2011.