

1 A bill to be entitled
 2 An act relating to an independent incentivized prison
 3 program; providing a short title; creating s.
 4 944.8032, F.S.; providing legislative intent; defining
 5 the terms "nonviolent offense," "recidivism," and
 6 "tentative release date"; requiring the Department of
 7 Corrections to establish an independent incentivized
 8 prison program for nonviolent offenders; providing
 9 location requirements for the program; specifying
 10 admission criteria and program requirements; providing
 11 reporting requirements by specified dates; requiring
 12 annual reports after a specified date; requiring the
 13 department to adopt rules; providing an effective
 14 date.

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

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 18 Section 1. Section 944.8032, Florida Statutes, is created
 19 to read:

20 944.8032 Independent incentivized prison program.-
 21 (1) LEGISLATIVE INTENT.-It is the intent of the
 22 Legislature that the department expand the incentivized prison
 23 program to provide education, life skills, and discharge
 24 planning in a continued effort to reduce recidivism rates. The
 25 department is encouraged to identify areas of need and

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26 alternative pathways to reducing recidivism rates.

27 (2) DEFINITIONS.—As used in this section, the term:

28 (a) "Nonviolent offense" means an offense, or attempted
 29 offense, that does not involve the intentional use or threat of
 30 physical force or violence against another individual.

31 (b) "Recidivism" means an inmate's rearrest, conviction,
 32 reincarceration, or probation revocation within 3 years after
 33 his or her release from incarceration.

34 (c) "Tentative release date" means the anticipated date on
 35 which an inmate will be released from incarceration after the
 36 application of adjustment for any gain-time earned or credit for
 37 time served.

38 (3) PROGRAM ESTABLISHMENT.—The department shall establish
 39 an independent incentivized prison program under the Office of
 40 Programs and Re-Entry for nonviolent offenders who have
 41 demonstrated positive behavior while incarcerated. The program's
 42 focus must be on preparing inmates for reentry into the
 43 community by emphasizing education and vocational training, job
 44 readiness skills, substance use disorder treatment, mental
 45 health treatment, life skills, and post-release planning.

46 (4) LOCATION.—The department shall establish the
 47 independent incentivized prison program at a rural correctional
 48 institution that houses male inmates at a capacity of at least
 49 1,500 inmates and that is located in a county that has a
 50 population of no less than 25,000 and no more than 30,000. The

51 program shall serve the entire institution.

52 (5) ADMISSION CRITERIA.—

53 (a) To qualify for participation in the independent
54 incentivized prison program, an inmate must:

55 1. Request to participate in the program using the process
56 developed by the department by rule;

57 2. Be serving a term of imprisonment only for a nonviolent
58 offense or offenses that are not a violation of any offense
59 listed in s. 775.21; s. 776.08, except violations of s.
60 810.02(3)(b), (3)(f), and (4); or s. 943.0435;

61 3. Have never been convicted of a violation of any offense
62 listed in s. 775.21 or s. 943.0435;

63 4. Have a tentative release date that is greater than 24
64 months away and not more than 60 months away at the time of
65 consideration for the program; and

66 5. Qualify under department rules to participate in the
67 program.

68 (b) The department shall give priority consideration to an
69 inmate who is a veteran as defined in s. 1.01 and who meets the
70 requirements of paragraph (a).

71 (c) An inmate may be removed from the independent
72 incentivized prison program if:

73 1. The inmate is found guilty of a violation on any
74 disciplinary report;

75 2. The inmate requests removal in the manner prescribed by

76 | the department by rule; or

77 | 3. The department determines that the inmate poses a
78 | threat to the safety, security, or orderly operation of the
79 | independent incentivized prison program, and such threat is
80 | documented by the department.

81 | (6) PROGRAM REQUIREMENTS.—

82 | (a) The department shall consult with CareerSource Florida
83 | to identify high-demand occupations in which inmates are likely
84 | to gain successful employment upon release. The department shall
85 | prioritize its training and educational opportunities to prepare
86 | program participants for such occupations.

87 | (b) Upon entry into the program, the department shall
88 | evaluate all of the participants' needs related to education and
89 | vocational training, substance use disorder treatment, mental
90 | health treatment, and community supports.

91 | (c) The department shall provide program participants
92 | access to substance abuse treatment, remedial and basic
93 | educational services, and other enrichment programs in the same
94 | manner as provided in other incentivized prison programs in
95 | correctional institutions operated by the department.

96 | (d) The department shall provide increased visitation and
97 | increased phone calls or free phone calls to program
98 | participants, and may provide any other incentives to program
99 | participants as deemed appropriate by the department.

100 | (e) The department may enter into agreements with the

101 Florida Virtual School and Florida Southern University to
102 provide access to academic education and vocational training.

103 (f) Services in the independent incentivized prison
104 program must be provided in a facility that is at least
105 partially equipped with air-conditioning. However, the program
106 may begin before the facility is fully equipped with air-
107 conditioning.

108 (g) The department shall employ transition specialists who
109 are responsible for developing an individualized reentry plan
110 for each of the program participants. Each individualized
111 reentry plan must address:

112 1. Obtaining identification needed for reentry, such as
113 birth certificates, social security cards, and a state-issued
114 identification card or driver license;

115 2. Obtaining any necessary vocational or occupational
116 license or credential;

117 3. Eligibility for state and federal benefits, including,
118 but not limited to, social security benefits and veteran
119 benefits;

120 4. Accessing health services in the community, including
121 medical and dental treatment, mental health services, and
122 substance use disorder treatment;

123 5. Job placement and other employment services, such as
124 interviewing skills and resume writing;

125 6. Meeting basic physical needs, such as housing, food,

126 and clothing;

127 7. Life skills, including, but not limited to, money
 128 management, anger management, and conflict resolution;

129 8. Identification of support systems, such as family,
 130 friends, community groups, religious activities, and recovery
 131 groups;

132 9. Academic and vocational programs;

133 10. Transportation; and

134 11. Postrelease support for 12 months.

135 (h) The department shall provide specialized training for
 136 staff and correctional officers in the independent incentivized
 137 prison program.

138 (7) REPORTS.—The department shall submit the following
 139 reports to the Governor, the President of the Senate, and the
 140 Speaker of the House of Representatives:

141 (a) By October 1, 2025, a report that provides an overview
 142 of the program as implemented and, at a minimum, provides:

143 1. The status of implementation of the independent
 144 incentivized prison program;

145 2. Identified high-demand occupations and implemented
 146 vocational training and educational programs;

147 3. The implemented services and programming available to
 148 participants;

149 4. A description of incentives provided to participants;

150 5. A status update on equipping the facility with air-

151 conditioning;

152 6. The number and description of participants'
 153 disciplinary reports and removals from the program, as
 154 applicable; and

155 7. Any information required under paragraph (b), as
 156 applicable.

157 (b) By October 1, 2028, and annually thereafter, a report
 158 that includes the following:

159 1. The number of participants in the independent
 160 incentivized prison program and a description of program
 161 participants, including, but not limited to, the types of crimes
 162 for which participants are incarcerated, the average length of
 163 time remaining on participants' sentences at the time of entry
 164 into the program, the number of participants subject to
 165 supervision upon release from incarceration, and the basic
 166 demographics of the participants;

167 2. A description of the educational and vocational courses
 168 offered through the program, the number of participants enrolled
 169 in each course, and the number of participants who have
 170 completed each course;

171 3. The number of job placements for participants upon
 172 release, by educational and vocational skill, as applicable;

173 4. Community involvement in the program;

174 5. Participant satisfaction;

175 6. The number of participants who are removed from the

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176 program for disciplinary issues, who requested removal from the
177 program, or who were removed from the program due to other
178 reasons, as applicable;

179 7. Recommendations of the department and of program
180 participants; and

181 8. The recidivism rate of participants in the independent
182 incentivized prison program, of participants in other
183 incentivized programs previously established by the department,
184 and of non-participating inmates.

185 (8) RULEMAKING.-The department shall adopt rules pursuant
186 to ss. 120.536(1) and 120.54 to implement and administer this
187 section.

188 Section 2. This act shall take effect July 1, 2024.