

1 A bill to be entitled
 2 An act relating to citizen oversight of correctional
 3 facilities; creating s. 944.0232, F.S.; creating a
 4 Citizens Oversight Council within the Department of
 5 Corrections; providing for membership and terms;
 6 specifying duties and responsibilities concerning
 7 adult and juvenile correctional facilities of the
 8 department and the Department of Juvenile Justice;
 9 prohibiting interference with day-to-day operations of
 10 the departments or certain facilities; providing
 11 purpose; prohibiting discussion of council business
 12 with certain persons; authorizing reimbursement for
 13 per diem and travel expenses; 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 944.0232, Florida Statutes, is created
 19 to read:

20 944.0232 Citizens Oversight Council.-

21 (1) The Citizens Oversight Council, an advisory council as
 22 defined in s. 20.03(7), is created adjunct to the Department of
 23 Corrections. Except as otherwise provided in this section, the
 24 council shall operate in a manner consistent with s. 20.052.

25 (2)(a) The council shall consist of the following members:

26 1. Four members appointed by the President of the Senate.

27 2. Four members appointed by the Minority Leader of the
28 Senate.

29 3. Four members appointed by the Speaker of the House of
30 Representatives.

31 4. Four members appointed by the Minority Leader of the
32 House of Representatives.

33 (b) The initial members of the council shall be appointed
34 by October 1, 2020. Members shall be appointed for terms of 4
35 years. However, to achieve staggered terms, one member of each
36 appointing authority shall be appointed for an initial 2-year
37 term. Members must be appointed equally within each region of
38 the department. The council's membership shall include, to the
39 greatest extent possible, former prisoners, persons who are
40 directly impacted by the correctional system, and criminal
41 justice or prison reform advocates.

42 (3) The council's primary duties and responsibilities
43 include:

44 (a) Regularly conducting unannounced visits to adult and
45 juvenile correctional facilities, including facilities operated
46 by private contractors. Council members may enter any
47 correctional facility where prisoners or juveniles are kept and
48 shall be immediately admitted to such facilities upon their
49 request and may consult and confer with any prisoner or
50 juvenile, provided that there is adequate security. A council

51 member, upon any finding of concern, shall immediately contact
52 the warden and the two will work together to resolve the
53 concern.

54 (b) Conducting confidential interviews with
55 administration, staff, officers, prisoners, juveniles,
56 prisoners' and juveniles' families, volunteers, and public
57 officials relating to the operations and conditions of adult and
58 juvenile correctional facilities as well as the general health
59 and welfare of prisoners and juveniles.

60 (c) Conducting telephone interviews with prisoners and
61 juveniles in a manner similar to that of legal counsel in a
62 private area using a telephone that is not recorded.

63 (d) Making recommendations to the classification teams,
64 including recommendations regarding close management,
65 administrative confinement, and disciplinary hearings.

66 (4) The council may not interfere with the day-to-day
67 operations of the Department of Corrections or the Department of
68 Juvenile Justice or any facilities operated by or on behalf of
69 either department, but shall serve as a liaison between
70 administration, staff, prisoners, juveniles, and prisoners' and
71 juveniles' families.

72 (5) The council's purpose is to transcend the turmoil that
73 exists between administration, staff, officers, prisoners,
74 juveniles, and prisoners' and juveniles' families and,
75 therefore, a council member may not discuss any circumstances or

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76 | findings with the media or any person who is not a member or
77 | appointing authority of the council.

78 | (6) Members of the council shall serve without
79 | compensation but may receive reimbursement for per diem and
80 | travel expenses as provided in s. 112.061.

81 | Section 2. This act shall take effect July 1, 2020.