

To:

[REDACTED]

[REDACTED]

jeevacation@gmail.com]jeevacation@gmail.com];  
aribenh]aribenh];

[REDACTED]

**From:** Lance Kaufman  
**Sent:** Wed 11/30/2011 8:06:42 PM  
**Subject:** The Aleph Institute

## DARE TO HAVE HOPE

Do you have a family member or other loved one in a Florida prison for drugs? Thousands of people, young and old, from every walk of life, with drug addled minds costs us dearly. We lose our young people to the heartless prison system at a cost of an average of \$25,000 each per year. They don't get help with their addictions. They don't learn work skills for when they get out. They get beat-up, harassed, extorted and also learn how to become professional criminals; not just trying to feed their addictions. Most wind up returning to a profit making industry with monetary incentives to keep our prisons full. Drug addicts do more time in Florida than many more serious, violent crimes such as manslaughter and armed robbery.

Some politicians get it. They see the wasted lives, wasted money and heartbroken innocent families. But they need our help. State Senator Bogdanoff and State Representative Porth have proposed bills to get our loved ones help, learn work skills and get them back home to us in half the time. There are conditions, of course. They need to stay clean, to work and to keep out of trouble. Should you want to read about the bills look up Florida State Senate Bill – SB448 or Florida State House Bill – HB177. If you agree, tell your family and friends. Have everyone call or e-mail their Florida State Senator or State Legislator to tell them to pass this bill. PLEASE HELP!!!

SAVE OUR LOVED ONES

SAVE OUR FAMILIES

SAVE OUR MONEY

SEND THEM HOME

LET US PLEASE DARE TO HOPE

Find phone numbers, addresses & email addresses for your local state senators here:

[http://www.senate.gov/general/contact\\_information/senators\\_cfm.cfm](http://www.senate.gov/general/contact_information/senators_cfm.cfm)

&

<http://www.house.gov/representatives/find>

CS/SB 448: Inmate Reentry

GENERAL BILL by Criminal Justice; Bogdanoff

Inmate Reentry; Directing the Department of Corrections to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration; directing the department to notify the nonviolent offender's sentencing court to obtain approval before the nonviolent offender is placed into the reentry program; requiring the sentencing court to notify the department of the court's decision to approve or disapprove the requested placement within a specified period; requiring that the department submit a report to the sentencing court at least 30 days before the nonviolent offender is scheduled to complete the reentry program; directing the department to develop a system for tracking recidivism, including, but not limited to, rearrests and recommitment of nonviolent offenders who successfully complete the reentry program, and to report on recidivism in its annual report of the program, etc.

591-00994-12

2012448c1

A bill to be entitled

An act relating to inmate reentry; defining the terms "department" and "nonviolent offender"; directing the Department of Corrections to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration; requiring that the program include intensive substance abuse treatment and rehabilitative programming; providing for the minimum length of service in the program; providing that any portion of a sentence before placement in the program does not count as progress toward program completion; specifying eligibility criteria for a nonviolent offender to be placed into the reentry program; directing the department to notify the nonviolent offender's sentencing court to obtain approval before the nonviolent offender is placed into the reentry program; requiring the department to notify the state attorney; authorizing the state attorney to file objections to placing the offender into the reentry program within a specified period; requiring the sentencing court to notify the department of the court's decision to approve or disapprove the requested placement within a specified period; providing that failure of the court to timely notify the department of the court's decision constitutes approval of the requested placement; requiring the

nonviolent offender to undergo an education assessment and a full substance abuse assessment if admitted into the reentry program; requiring the offender to be enrolled in an adult education program in specified circumstances; requiring that assessments of vocational skills and future career education be provided to the offender; requiring that certain reevaluation be made periodically; providing that the nonviolent offender is subject to the disciplinary rules of the department; specifying the reasons for which the offender may be terminated from the reentry program; requiring that the department submit a report to the sentencing court at least 30 days before the nonviolent offender is scheduled to complete the reentry program; setting forth the issues to be addressed in the report; requiring the sentencing court to issue an order modifying the sentence imposed and place the nonviolent offender on drug offender probation if the nonviolent offender's performance is satisfactory; authorizing the court to revoke probation and impose the original sentence in specified circumstances; authorizing the court to require the offender to complete a post-adjudicatory drug court program in specified circumstances; directing the department to implement the reentry program using available resources; requiring the department to submit an annual report to the Governor and Legislature detailing the extent of implementation of the reentry program and outlining future goals and recommendations; authorizing the department to enter into contracts with qualified individuals, agencies, or corporations for services for the reentry program; authorizing the department to impose administrative or protective confinement as necessary;

authorizing the department to establish a system of incentives within the reentry program which the department may use to promote participation in rehabilitative programs and the orderly operation of institutions and facilities; providing that the act does not create a right to placement in the reentry program or any right to placement or early release under supervision of any type; providing that the act does not create a cause of action related to the program; directing the department to develop a system for tracking recidivism, including, but not limited to, rearrests and recommitment of nonviolent offenders who successfully complete the reentry program, and to report on recidivism in its annual report of the program; directing the department to adopt rules; providing an effective date.

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

Section 1. Nonviolent offender reentry program.—

(1) As used in this section, the term:

(a) "Department" means the Department of Corrections.

(b) "Nonviolent offender" means an offender:

1. Whose primary offense is a felony of the third degree;
2. Who has never been convicted of a forcible felony as defined in s. 776.08, Florida Statutes;
3. Who has never been convicted of any offense that requires a person to register as a sexual offender pursuant to s. 943.0435, Florida Statutes; and
4. Who is not sentenced as a habitual felony offender pursuant to s. 775.084(1), Florida Statutes.

(2)(a) The department shall develop and administer a reentry program for nonviolent offenders. The reentry program must include prison-based substance abuse treatment, general education development and adult basic education courses, vocational training, training in decision making and personal development, and other rehabilitation programs.

(b) The reentry program is intended to divert nonviolent offenders from long periods of incarceration when a reduced period of incarceration followed by participation in intensive substance abuse treatment and rehabilitative programming could produce the same deterrent effect, rehabilitate the offender, and reduce recidivism.

(c) The nonviolent offender shall serve at least 120 days in the reentry program. The offender may not count any portion of his or her sentence served before placement in the reentry program as progress toward program completion.

(d) A reentry program may be operated in a secure area in or adjacent to an adult institution.

(3)(a) The department shall screen offenders committed to the department for eligibility to participate in the reentry program. In order to be eligible, an offender must be a nonviolent offender, must have served at least one-half of his or her original sentence, and must have been identified as having a need for substance abuse treatment. When selecting participants for the reentry program, the department shall consider the offender's criminal history and the possible rehabilitative benefits that substance abuse treatment, educational programming, vocational training, and other rehabilitative programming might have on the offender.

(b) If an offender meets the eligibility criteria, is selected by the department, and space is available in the reentry program, the department shall request the sentencing court to approve the offender's participation in the reentry program.

(c)1. The department shall notify the state attorney that the offender is being considered for placement in the reentry program. The notice must explain to the state attorney that a proposed reduced period of incarceration, followed by participation in substance abuse treatment and other rehabilitative programming, could produce the same deterrent effect otherwise expected from a lengthy incarceration.

2. The notice must also state that the state attorney may notify the sentencing court in writing of any objection the state attorney might have if the nonviolent offender is placed in the reentry program. The state attorney must notify the sentencing court of his or her objections within 14 days after receiving the notice.

(d) The sentencing court shall notify the department in writing of the court's decision to approve or disapprove the requested placement of the nonviolent offender no later than 28 days after the court receives the department's request to place the offender in the reentry program. Failure to notify the department of the court's decision within the 28-day period constitutes approval to place the offender into the reentry program.

(4) After the nonviolent offender is admitted into the reentry program, he or she shall undergo a full substance abuse assessment to determine his or her substance abuse treatment needs. The offender shall also have an educational assessment, which shall be accomplished using the Test of Adult Basic Education or any other testing instrument approved by the Department of Education. Each offender who has not obtained a high school diploma shall be enrolled in an adult education program designed to aid the offender in improving his or her academic skills and earn a high school diploma. Further assessments of the offender's vocational skills and future career education shall be provided to the offender as needed. A periodic reevaluation shall be made in order to assess the progress of each offender.

(5)(a) If a nonviolent offender in the reentry program becomes unmanageable, the department may revoke the offender's gain-time and place the offender in disciplinary confinement in accordance with department rule. Except as provided in paragraph (b), the offender shall be readmitted to the reentry program after completing the ordered discipline. Any period of time during which the offender is unable to participate in the reentry program shall be excluded from the specified time requirements in the reentry program.

(b) The department may terminate an offender from the reentry program if:

1. The offender commits or threatens to commit a violent act;
2. The department determines that the offender is unable to participate in the reentry program due to the offender's medical condition;
3. The offender's sentence is modified or expires;
4. The department reassigns the offender's classification status; or
5. The department determines that removing the offender from the reentry program is in the best interest of the offender or the security of the institution.

(6)(a) The department shall submit a report to the court at least 30 days before the nonviolent offender is scheduled to complete the reentry program. The report must describe the offender's performance in the reentry program. If the performance is satisfactory, the court shall issue an order modifying the sentence imposed and place the offender on drug offender probation subject to the offender's successful completion of the remainder of the reentry program. The term of drug offender probation may include placement in a community residential or nonresidential substance abuse treatment facility under the jurisdiction of the department or the Department of Children and Family Services or any public or private entity providing such services. If the nonviolent offender violates the conditions of drug offender probation, the court may revoke probation and impose any sentence that it might have originally imposed.

(b) If an offender being released pursuant to paragraph (a) intends to reside in a county that has established a post-adjudicatory drug court program as described in s. 397.334, Florida Statutes, the sentencing court may require the offender to successfully complete the post-adjudicatory drug court program as a condition of drug offender probation. The original sentencing court shall relinquish jurisdiction of the offender's case to the post-adjudicatory drug court program until the offender is no longer active in the

program, the case is returned to the sentencing court due to the offender's termination from the program for failure to comply with the terms thereof, or the offender's sentence is completed. If transferred to a post-adjudicatory drug court program, the offender shall comply with all conditions and orders of the program.

(7) The department shall implement the reentry program to the fullest extent feasible within available resources.

(8) The department shall submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives detailing the extent of implementation of the reentry program and outlining future goals and any recommendation the department has for future legislative action.

(9) The department may enter into performance-based contracts with qualified individuals, agencies, or corporations for the provision of any or all of the services for the reentry program.

(10) A nonviolent offender in the reentry program is subject to rules of conduct established by the department and may have sanctions imposed, including loss of privileges, restrictions, disciplinary confinement, alteration of release plans, or other program modifications in keeping with the nature and gravity of the program violation. Administrative or protective confinement, as necessary, may be imposed.

(11) This section does not create or confer any right to any inmate to placement in the reentry program or any right to placement or early release under supervision of any type. No inmate may have a cause of action under this section against the department, a court, or the state attorney related to the reentry program.

(12) The department may establish a system of incentives within the reentry program which the department may use to promote participation in rehabilitative programs and the orderly operation of institutions and facilities.

(13) The department shall develop a system for tracking recidivism, including, but not limited to, rearrests and recommitment of nonviolent offenders who successfully complete the reentry program, and shall report the recidivism rate in its annual report of the program.

(14) The department shall adopt rules pursuant to ss.120.536 (1) and 120.54, Florida Statutes, to administer the reentry program.

Section 2. This act shall take effect October 1, 2012.

Rabbi Menachem M. Katz  
The Aleph Institute  
9540 Collins Ave  
Surfside, FL 33154  
Phone [REDACTED]  
Fax [REDACTED]

[www.alephinstitute.org](http://www.alephinstitute.org)

**Please make a donation today by visiting [www.aleph-institute.org/donate](http://www.aleph-institute.org/donate)**