

May 28, 2014

DEPARTMENT OF CORRECTIONS

RULE NO.:      RULE TITLE:

33-601.210      Custody Classification

33-601.602      Community Release Programs

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the Notice of Proposed Rulemaking published in Vol. 40, No. 61 (March 28, 2014) of the Florida Administrative Register. The changes are in response to comments made by the Joint Administrative Procedures Committee in a letter dated April 10, 2014. The changes are as follows:

The word “in” shall be inserted following the word “remain” in Rule 33-601.210(2)(n).

After the second sentence in Rule 33-601.602(4)(a) a sentence shall be added that reads as:

Form DC6-126 is hereby incorporated by reference.

After the first sentence in Rule 33-601.602(4)(b) a sentence shall be added that reads as:

Form DC6-199 is hereby incorporated by reference.

After the first sentence in Rule 33-601.602(4)(d) a sentence shall be added that reads as:

Form DC6-102 is hereby incorporated by reference.

Rule 33-601.602(4)(e) shall read as:

(e) The classification officer or designated contract facility staff shall complete Form DC6-118A, Personalized Program Plan for Community Release Centers, on all inmates assigned to the community release center within 14 days of receipt of the inmate at the center. Form DC6-118A is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04118->. The effective date of the form is \_\_\_\_\_. The completed personalized program plan shall be signed by the inmate, the inmate’s classification officer, and the correctional officer major or the designated contract facility staff and facility director at contract facilities. Once the personalized program plan is signed, it shall be given to the staff member assigned to work with the inmate. Any changes in the personalized program plan shall be discussed with the inmate and shall be documented on Form

DC6-118B, Personalized Program Plan – Modification Plan. Form DC6-118B is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 1-18-11. The inmate’s progress towards achieving the goals of the personalized program plan shall be reviewed monthly with the inmate. The outcome of each review shall be documented on Form DC6-118C, Personalized Program Plan – Monthly Progress Review, or shall be entered into WRIMS at those facilities at which the system is operational. Form DC6-118C is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is 1-18-11. A copy of the Personalized Program Plan shall be printed and given to the inmate. Staff are authorized to schedule subsequent progress reviews upon request of the inmate.

After the first sentence in Rule 33-601.602(8)(f) a sentence shall be added that reads as:

Form DC6-124 is hereby incorporated by reference.

After the second sentence in Rule 33-601.602(8)(i) a sentence shall be added that reads as:

Form DC6-125 is hereby incorporated by reference.

After the first sentence in Rule 33-601.602(9)(i)4. a sentence shall be added that reads as:

Form DC6-2075 is hereby incorporated by reference.

Replace the words “and/or” in the second sentence of Rule 33-601.602(9)(i)9. with the word “and”.

After the first sentence in Rule 33-601.602(12)(e) a sentence shall be added that reads as:

Form DC6-123 is hereby incorporated by reference.

After the first sentence in Rule 33-601.602(13)(d) a sentence shall be added that reads as:

Form DC6-198 is hereby incorporated by reference.

The last sentence in form DC6-124 shall read as:

The Department will not use your social security number for any purpose other than verification of your employment.

The second sentence in Form DC6-199 shall read as follows:

Failure to comply with the following conditions shall subject you to disciplinary action pursuant to Rules 33-601.301 through 33-601.314, F.A.C., up to and including your removal from the Community Release Program:

In Form DC6-2075, the word “of” shall be inserted following the word “use” in the second sentence of paragraph 6.

The first sentence of paragraph 11 of Form DC6-2075 shall read as follows:

Any violation of this policy by an inmate shall subject him/her to disciplinary action pursuant to Rules 33-601.301 through 33-601.314, F.A.C., up to and including confiscation of his/her cell phone.

Sections 944.09, 944.026, and 944.105, FS, shall be added as rulemaking authority to Rule 33-601.602.