

CONSTITUTIONAL AMENDMENT FULL TEXT

Ballot Title: Elder Contract Parole Program Amendment

Ballot Summary: The purpose of this effort is to extend the commission authority to approve early release of certain elderly offenders over the age of 50 who have served at least 25 years in prison. Involve the department and the commission in program planning with the elderly offender. Involve the elderly offender in developing her or his individual rehabilitation program for the period of incarceration and parole. Requires eligibility criteria. Inmates currently sentenced to death are ineligible.

Article and Section Being Created or Amended: Amends Article IV, section 8.

Full Text of the Proposed Amendment: Words added are underlined. Words removed are ~~struck through~~.

(a) Except in cases of treason and in cases where impeachment results in conviction, the governor may, by executive order filed with the custodian of state records, suspend collection of fines and forfeitures, grant reprieves not exceeding sixty days and, with the approval of two members of the cabinet, grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and for ventures for offenses.

(b) In cases of treason the governor may grant reprieves until adjournment of the regular session of the legislature convening next after the conviction, at which session the legislature may grant a pardon or further reprieve; otherwise the sentence shall be executed.

(c) There may be created by law a parole and probation commission with power to supervise persons on probation and to grant paroles or conditional releases to persons under sentences for crime. The qualifications, method of selection and terms, not to exceed six years, of members of the commission shall be prescribed by law.

(1) ELDER CONTRACT PAROLE PROGRAM. The Florida Commission on Offender Review (FCOR) and the Florida Department of Corrections (FDOC) shall jointly develop a standardized elder contract parole program which sets forth for all qualifying elderly offenders who are 50 years of age or older and who have served at least 25 years of incarceration the terms of her or his contract, institutional confinement, a parole date, and terms of parole supervision and release, provided such elderly offender meets the criteria set forth in this amendment. Inmates currently sentenced to death are ineligible.

Initiative Information

Date Approved 01/29/2020

Serial Number 20-01

Sponsor Name: Exodus Project of Florida

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- a. Elderly offenders who are eligible to participate in the program are offered the opportunity to negotiate a contract with FCOR and FDOC listing the self-improvement initiatives which must be completed within 3 years of the actual parole date which shall be set 3 years from the actual signing of the contract. During contract negotiations, the qualified elderly offender FDOC records shall be examined for pre-existing certificates of all courses and programs required for contract fulfilment, pre-completion of such courses and programs shall be deemed to satisfy contract requirements. Upon signing the contract the elderly inmate must remain disciplinary report free to complete the program.
- b. The FCOR and the FDOC, as a portion of the elder contract parole program, shall require that each eligible elderly offender satisfactorily work at a job within the institution or as a part of a correctional industries program (PRIDE) or satisfactorily participate in a vocational training or educational program offered by the FDOC. Nothing in this subsection shall be construed to exclude eligible elderly offenders from meeting both the work requirements and training educational requirements when deemed appropriate by the FCOR and FDOC.
- c. A panel of at least two members of the FCOR shall establish a contract parole date for each eligible elderly offender, based on the satisfactory completion of the program.
- d. The FCOR shall conduct initial interviews with elderly offenders who have attained the twenty second (22) year of incarceration or within six (6) months of the adaptation of this amendment, whichever occurs first.
- e. Periodic written reports of the elderly offender's progress in the program shall be submitted to the FCOR and the FDOC.
- f. This amendment shall take affect one year from the date it is voted into law.

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