

December 23, 2011

NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-302.1031

RULE TITLE: Correctional Probation Officers – Appointment and Responsibility

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to generally update the responsibilities of correctional probation officers.

SUBJECT AREA TO BE ADDRESSED: Responsibilities of Correctional Probation Officers

RULEMAKING AUTHORITY: 944.09 FS

LAW IMPLEMENTED: 944.09 FS

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kendra Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS:

33-302.1031 Correctional Probation Officers – Appointment and Responsibility.

(1) Officers are appointed by the State of Florida under the authority of the Department of Corrections and are responsible for enhancing public safety through ensuring community supervision of offenders, initiating arrest of offenders under supervision as appropriate with or without a warrant, recommending proportionate, graduated sanctions when reporting violations in lieu of prison when to do so would be commensurate with the offender's violation and the threat to public safety, providing assistance to victims, conducting thorough investigations for the court, and reducing crime by assisting offenders in becoming law-abiding, self-sufficient citizens in the community ~~supervision and control of offenders, including the enforcement of conditions of supervision, conducting investigations and initiating arrest of offenders under their supervision as appropriate with or without warrant.~~ Officers enforce conditions of supervision imposed by the court or the Florida Parole Commission and will ~~will~~ notify the sentencing or releasing authority whenever the officer has reasonable grounds to believe that a willful violation of a any ~~any~~ condition

of supervision has occurred. Officers assist offenders by making referrals to local resources available within the community.

(2) Officers may utilize a motorcycle or other two-wheeled vehicle to travel to and from work and court appearances. Officers shall utilize an enclosed four-wheeled or greater vehicle in the field.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 8-23-07, Amended 12-30-08, Amended.