

Rehabilitation, Re-Entry & Second Chances Guide

Bellatora Tirado | Know Your Rights Series

Because every person deserves the tools to rebuild.

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Right to Educational & Vocational Programs

What It Means

Education is a right — not a privilege reserved for a few.

Every person incarcerated under the Florida Department of Corrections (DOC) has the right to **access educational and vocational programs** that build skills, open doors, and prepare them for life after release.

Florida law recognizes that education and training **reduce recidivism**, strengthen self-worth, and help families rebuild stability.

DOC is required to provide fair and equal access to these programs for all qualified inmates — regardless of sentence length, background, or disability.

When access is denied without a legitimate reason, it violates both **constitutional rights** and **state law**.

Core Protections

You are entitled to:

1. Access to Education

- GED, literacy, and adult education courses must be available to all who qualify.
- Higher-education and correspondence courses may be approved through DOC policy.

2. Access to Vocational Programs

- Every facility must offer skills training such as carpentry, HVAC, culinary arts, electrical, auto tech, or computer literacy.
- Denying access based on race, gender, or custody level is discrimination.

3. Equal Opportunity for Enrollment

- Admission must be based on eligibility, not favoritism or bias.
- Inmates cannot be barred from programs due to religion, disability, or filed grievances.

4. Reasonable Accommodations for Disabilities

- DOC must modify classrooms, materials, and tools for inmates with physical or learning disabilities under the **ADA**.

5. Fair Program Completion & Certificates

- Participants have the right to receive credit or certification upon completion, regardless of custody status.
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Legal Foundation

Federal Law

- **U.S. Constitution, Amendment XIV** – Guarantees equal protection and fair treatment.
- **Civil Rights Act of 1964, Title VI (42 U.S.C. §2000d)** – Prohibits discrimination in federally funded programs.
- **Americans with Disabilities Act (ADA), 42 U.S.C. §12131–12134** – Requires equal access and accommodations.
- **Rehabilitation Act of 1973, §504 (29 U.S.C. §794)** – Protects disabled persons’ participation in public programs.
- **Turner v. Safley**, 482 U.S. 78 (1987) – Prison rules must be reasonable and tied to legitimate objectives.

Florida Statutes

- **§944.801, Fla. Stat.** – DOC must provide education, literacy, and job-training programs to all inmates.
- **§944.09(1), Fla. Stat.** – Authorizes DOC to create fair rules supporting rehabilitation.
- **§944.7065, Fla. Stat.** – Requires pre-release and reentry support, including education.

- **§760.01, Fla. Stat.** – Florida Civil Rights Act: forbids discrimination by public institutions.

Florida Administrative Code (Chapter 33)

- **F.A.C. 33-602.201** – Establishes educational programs and inmate eligibility standards.
 - **F.A.C. 33-601.101** – Classification and program assignments must be unbiased.
 - **F.A.C. 33-208.002(3)** – Staff conduct must be impartial and nondiscriminatory.
 - **F.A.C. 33-602.101** – Requires humane custody that supports rehabilitation.
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Examples of Violations

- Refusing to enroll an inmate because of race, gender, or religion.
 - Removing someone from a class for filing a grievance.
 - Denying ADA accommodations for classroom participation.
 - Canceling classes or denying certificates without explanation.
 - Giving program slots to favored inmates while denying eligible ones.
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What To Do If This Right Is Violated

1. Document the Incident

- Record dates, staff names, and the reason given for denial.

- Keep all paperwork (program requests, denial notices, or sign-up sheets).

2. File a Grievance (F.A.C. 33-103)

- Use Form **DC6-236** (Inmate Request/Grievance).
- Clearly state the violation — e.g., “Denied equal access to educational program under F.A.C. 33-602.201 and §944.801, Fla. Stat.”
- Request corrective action and documentation.

3. Appeal to the Warden or Secretary

- If ignored or denied, file a formal grievance and appeal to the DOC Central Office in Tallahassee.

4. Contact Oversight

- **Florida Commission on Human Relations (FCHR):** Handles discrimination complaints.
- **DOC Inspector General:** For staff retaliation or misconduct.
- **U.S. Department of Justice, Civil Rights Division:** For systemic discrimination.

5. Build a Paper Trail

- Save all copies of requests, responses, and correspondence — proof matters most.

Practical Tips

- Ask classification officers to document your request for educational or vocational placement.
- Keep written proof of every denial or delay.
- File grievances respectfully but firmly — reference the specific rule or statute.

- Families should email or call the Education Supervisor or Warden to follow up.
 - Encourage peers to file together when multiple people are denied access — patterns strengthen claims.
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In Plain Words

Learning is freedom — even when you're not free.

Every book, trade, or certificate earned behind those walls is a step toward breaking cycles that built them.

Education is not a favor they give; it's a right you claim.

When they block it, you don't stop — you document, you file, and you keep building the future they tried to take.

Right to Re-Entry & Transitional Support

What It Means

Re-entry is not a privilege — it's part of rehabilitation.

Every person incarcerated in the Florida Department of Corrections (DOC) has the right to **transitional programs, planning, and services** that prepare them for life after release.

Re-entry support helps with education, employment, housing, identification, and counseling — all of which are crucial to keeping people from returning to prison. Florida law requires DOC to **help individuals build a re-entry plan** before they walk out the gate, so they don't walk into the same traps that brought them there.

When DOC fails to offer meaningful re-entry assistance, it violates both **state policy** and the **spirit of rehabilitation** defined in law.

Core Protections

You are entitled to:

1. Pre-Release Planning

- Re-entry starts *before* release. DOC must create a personalized transition plan addressing education, employment, and housing needs.
- Each inmate should receive an exit plan with contact resources for support programs.

2. Access to Re-Entry Programs

- Participation in pre-release or life-skills courses, such as job readiness, financial literacy, and relapse prevention.
- Opportunities to work with counselors or mentors preparing for employment or education after release.

3. Transitional Housing & Support Services

- The right to apply for transitional housing programs that help bridge the gap from prison to community.
- Access to outside support groups and nonprofit organizations authorized by DOC.

4. Re-Entry Assistance for Identification and Benefits

- DOC must help obtain or renew ID cards, birth certificates, and Social Security cards prior to release.
- Assistance in applying for healthcare, employment programs, and veterans' benefits.

5. Community Resource Access

- Connection to approved organizations that provide housing, employment, mental health care, and addiction treatment.

Legal Foundation

Federal Law

- **Second Chance Act of 2007 (34 U.S.C. §60501)** – Requires correctional systems to support reentry and reduce recidivism through education, treatment, and employment programs.

- **First Step Act of 2018 (18 U.S.C. §3632)** – Encourages rehabilitative program participation and credit-based early release.
- **Civil Rights Act of 1964, Title VI (42 U.S.C. §2000d)** – Prohibits discrimination in federally funded re-entry programs.

Florida Statutes

- **§944.7065, Fla. Stat.** – Mandates transitional services to help inmates reintegrate into society.
- **§944.801, Fla. Stat.** – Requires DOC to provide education and job-readiness programming.
- **§944.705, Fla. Stat.** – Requires release orientation sessions including job, housing, and ID resources.
- **§944.091, Fla. Stat.** – DOC must promote rehabilitation and preparation for re-entry.
- **§944.09(1), Fla. Stat.** – Authorizes DOC to create rules for transitional and reentry support.

Florida Administrative Code (Chapter 33)

- **F.A.C. 33-601.602 – Re-Entry Program Participation and Eligibility** – Establishes inmate eligibility and DOC responsibility for pre-release planning.
- **F.A.C. 33-602.201 – Education and vocational training** – Supports reentry skill-building.
- **F.A.C. 33-208.002 – Employee conduct** – Requires staff to assist in re-entry coordination without bias or obstruction.

Examples of Violations

- Refusing to provide re-entry planning or information before release.
 - Denying access to job-readiness or life-skills programs without valid cause.
 - Failure to help inmates obtain required identification or records.
 - Discriminating in re-entry program access by race, gender, or custody level.
 - Blocking contact with outside re-entry organizations or mentors.
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What To Do If This Right Is Violated

1. Request Documentation

- Submit a written request to classification or re-entry staff for a copy of your re-entry plan.
- Note who you spoke to and the date the request was made.

2. File a Grievance (F.A.C. 33-103)

- Use **Form DC6-236** to report denial or lack of access.
- Cite **F.A.C. 33-601.602** and **§944.7065, Fla. Stat.** as violated rights.

3. Appeal If Ignored

- If there's no response within the timeframe, file a formal grievance to the Warden and appeal to DOC Central Office.

4. Contact Outside Support

- Families can reach out to re-entry programs, community reentry coalitions, and advocacy organizations for pre-release planning support.
- Document any denial of contact or information.

5. Report to Oversight Agencies

- **Florida DOC Inspector General:** Reports DOC noncompliance or staff obstruction.
 - **Florida Commission on Offender Review:** Reviews early-release preparation issues.
 - **U.S. Department of Justice, Reentry Division:** Handles systemic violations.
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Practical Tips

- File written re-entry requests at least **6 months before release** to allow time for planning.
 - Ask for help getting your ID, Social Security card, and medical records early.
 - Families should keep track of the inmate's projected release date and contact the **Re-Entry Coordinator** directly.
 - Request placement in transition dorms or work-release centers whenever eligible.
 - Save all paperwork — it proves you sought help even if DOC failed to act.
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In Plain Words

Re-entry isn't just walking out the gate — it's walking toward something better.

DOC's job is to prepare people to succeed, not set them up to return.

Every step toward housing, a job, or an education matters, and the law says DOC must help make those steps possible.

When they don't, you don't give up — you document, you file, and you remind them: **freedom without tools isn't freedom at all.**

Right to Fair Classification & Program Access

What It Means

Classification determines everything about an inmate's life — where they're housed, what jobs they can hold, what programs they can join, and even how often they can see family.

It's supposed to be based on **objective, documented criteria** like behavior, sentence length, and security level — **not favoritism, discrimination, or retaliation.**

When DOC staff use classification as punishment or to block access to programs, they violate state law, constitutional protections, and DOC's own Chapter 33 policies.

You have the right to be **classified fairly**, reviewed regularly, and to **appeal improper or retaliatory decisions.**

Core Protections

You are entitled to:

1. Fair Classification Reviews

- Classification decisions must be based on evidence, not opinion or retaliation.
- You must receive periodic reviews of custody level and program eligibility.

2. Access to Programs and Work Assignments

- Everyone meeting the criteria must be given equal access to education, jobs, and rehabilitation programs.
- Denial of access must be documented with a valid reason.

3. Transparency and Notification

- You have the right to know your classification level, how it was determined, and when it will be reviewed next.
- Staff must explain why any program or housing decision was made.

4. Appeal Rights

- You may appeal classification decisions that seem biased, inaccurate, or retaliatory through the grievance process (F.A.C. 33-103).

5. Protection from Retaliation

- DOC cannot change your classification, housing, or program eligibility because you filed grievances, practiced religion, or helped others legally.

Legal Foundation

Federal Law

- **U.S. Constitution, Amendment XIV** – Protects the right to equal treatment and fair process.
- **Civil Rights Act of 1964, Title VI (42 U.S.C. §2000d)** – Prohibits discrimination in state-funded programs.
- **Turner v. Safley**, 482 U.S. 78 (1987) – Prison restrictions must be reasonable and not arbitrary.

- **Sandin v. Conner**, 515 U.S. 472 (1995) – Protects against arbitrary punishment that affects liberty interests.

Florida Statutes

- **§944.09(1), Fla. Stat.** – Requires DOC to adopt fair and consistent classification rules.
- **§944.8031, Fla. Stat.** – DOC must promote rehabilitation and reintegration.
- **§944.35(3)(a), Fla. Stat.** – Prohibits abuse or retaliation by staff.
- **§760.01–§760.11, Fla. Stat. (Florida Civil Rights Act)** – Forbids discrimination by state agencies.

Florida Administrative Code (Chapter 33)

- **F.A.C. 33-601.101 – Classification System Procedures**
Establishes how inmates are classified and reviewed.
- **F.A.C. 33-601.602 – Program Access and Eligibility**
Requires fair and equal opportunity for participation.
- **F.A.C. 33-208.002 – Employee Conduct**
Prohibits bias, discrimination, or retaliation by DOC staff.
- **F.A.C. 33-602.101 – Humane Custody and Control**
Mandates equal treatment and humane housing for all inmates.

Examples of Violations

- Changing classification to a higher custody level after filing a grievance.
- Refusing to lower custody level despite good behavior and eligibility.

- Denying access to a program or work assignment without written reason.
 - Classifying inmates differently by race, gender, or background.
 - Transferring or reclassifying someone as punishment for advocacy or religion.
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What To Do If This Right Is Violated

1. Request Documentation

- Ask classification to provide a copy of your classification summary or the DC6-233 form used in the decision.
- Keep copies of reviews, program denials, and requests.

2. File a Grievance (F.A.C. 33-103)

- File an informal grievance first with classification staff.
- If denied, submit a formal grievance citing “*Violation of F.A.C. 33-601.101 and 33-601.602 — unfair classification or program access denial.*”

3. Appeal the Decision

- If ignored or denied, appeal to the Warden and DOC Central Office.
- Families can follow up by calling or writing to the **Regional Classification Supervisor** or **Inspector General**.

4. Contact Oversight and Legal Support

- **Florida DOC Inspector General:** investigates staff misconduct or retaliation.
- **Florida Commission on Human Relations:** handles discrimination complaints.

- **Civil Rights Division (U.S. DOJ):** reviews systematic classification abuse.

5. Keep a Paper Trail

- Write down every interaction, date, and staff name.
- Keep copies of every request, denial, and appeal.

Practical Tips

- Ask for classification reviews in writing — especially if you’ve met all good-behavior criteria.
- Keep track of your scores (security points, custody levels).
- Avoid verbal disputes — document everything through official requests.
- Families can contact classification offices directly for information about eligibility and status.
- If your classification changes suddenly, ask for the reason and note it in writing.

In Plain Words

Classification should measure progress — not hold it hostage.

You have the right to be judged by your record, not your reputation.

When the system uses labels to limit your growth, you push back with paper, proof, and persistence.

Fair classification is the foundation of every second chance — and you have the law on your side to demand it.

Right to Apply for Clemency, Early Release, or Parole

What It Means

Even while incarcerated, you keep the legal right to **ask for mercy, reconsideration, or early release** from the State of Florida.

This includes the right to apply for **executive clemency, parole, commutation, conditional release, or restoration of civil rights**.

Clemency and parole exist because the law recognizes that people can grow, change, and prove rehabilitation.

They are not “favors” — they are legal mechanisms built to correct injustice, reward reform, and restore lives.

You have the right to **access, apply, and be fairly considered** for these options under the Constitution of Florida and DOC policy.

Core Protections

You are entitled to:

1. Access to Clemency and Parole Information

- You have the right to receive application forms and instructions for clemency or parole.
- DOC and classification staff must assist in obtaining required documents (certified judgments, sentencing orders, etc.).

2. Equal Consideration

- All eligible inmates must be given equal opportunity to apply — regardless of race, background, or offense type.
- Clemency applications must be reviewed impartially by the **Florida Commission on Offender Review (FCOR)** and the Governor's Office.

3. **Transparency in the Process**

- Applicants have the right to be notified of the outcome, the next review date, or required steps for reconsideration.

4. **Right to Counsel or Assistance**

- Inmates may receive help preparing applications from attorneys, law libraries, or outside advocacy groups.

5. **Protection from Retaliation**

- No DOC employee may punish, threaten, or transfer someone for filing clemency or parole applications.

Legal Foundation

Federal Law

- **U.S. Constitution, Article II, §2** – Grants executive clemency powers at the federal level; mirrored in state constitutions.
- **42 U.S.C. §1983** – Provides remedy if officials interfere unlawfully with your right to seek clemency or release.
- **Greenholtz v. Inmates of Nebraska Penal Complex**, 442 U.S. 1 (1979) – Recognizes limited liberty interest in parole when provided by state law.

Florida Constitution

- **Article IV, Section 8** – Gives the Governor, with the Cabinet, power to grant clemency, commutations, pardons, and restoration of civil rights.

Florida Statutes

- **§940.01–§940.05, Fla. Stat.** – Establishes clemency powers, application procedures, and eligibility.
- **§947.16, Fla. Stat.** – Defines parole eligibility and review process by the Florida Commission on Offender Review (FCOR).
- **§944.275, Fla. Stat.** – Describes gain-time and early-release credits.
- **§944.605, Fla. Stat.** – DOC must notify inmates of upcoming release or parole reviews.
- **§944.09(1), Fla. Stat.** – Authorizes DOC to assist with clemency and release procedures.

Florida Administrative Code (Chapter 33 & 23)

- **F.A.C. 33-601.601 – Early Release and Review Procedures**
- **F.A.C. 33-601.602 – Re-Entry Program Participation**
- **F.A.C. 23-1.001–.002 – Florida Commission on Offender Review Rules**
- **F.A.C. 33-208.002 – Employee Conduct** (prohibits retaliation or obstruction).

Examples of Violations

- Refusing to provide clemency or parole application forms.
- Discouraging or threatening inmates for applying.

- Losing or delaying mailed applications or documentation.
 - Ignoring eligibility reviews or skipping required notifications.
 - Denying assistance to obtain certified records for submission.
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What To Do If This Right Is Violated

1. Request Forms & Records

- Ask classification or law-library staff for clemency or parole application packets.
- Submit written requests for certified copies of judgments, gain-time records, or disciplinary history.

2. Document All Interactions

- Keep copies of every request, denial, or delay notice.
- Record staff names, dates, and what was said.

3. File a Grievance (F.A.C. 33-103)

- Use **Form DC6-236** to report obstruction or retaliation.
- State: “Violation of F.A.C. 33-601.601 and §940.01–.05, Fla. Stat. — obstruction of clemency/parole process.”

4. Appeal to the Warden or Central Office

- If ignored or denied, escalate through formal grievance channels.
- Families can also contact FCOR or the Governor’s Office of Executive Clemency for follow-up.

5. Contact Oversight or Legal Assistance

- **Florida Commission on Offender Review (FCOR):** 407-297-2770 / fcor.state.fl.us
- **Office of Executive Clemency:** 850-488-2952

- **Florida DOC Inspector General:** For staff interference or retaliation.
- **Civil Rights Division (U.S. DOJ):** For systemic violations of access.

Practical Tips

- Begin the clemency process early — applications can take years to review.
- Keep a folder of all filings, certificates, and court records.
- Request assistance from law-library clerks or volunteer legal programs.
- Families can submit letters of support directly to FCOR or the Clemency Board.
- Be honest and detailed in your application — own your growth and rehabilitation story.

In Plain Words

Mercy is written into the law for a reason — because justice without compassion isn't justice at all.

No matter what's in your past, you have the right to ask for a second chance and to be heard without fear or bias.

Clemency and parole aren't about erasing what's been done — they're about recognizing who you've become.

When the system forgets that, remind them: **rehabilitation means redemption, and redemption has no expiration date.**

Everyone deserves a chance to rebuild. Rehabilitation, education, and re-entry are not luxuries—they are the foundation of justice. Florida law and the Constitution recognize that real reform comes from opportunity, not punishment. No matter where someone starts, they have the right to learn, grow, and earn their second chance.