

Summary of CS/CS/SB 522 by Senator Grimsley
Sexually Violent Predators
3/3/2014

- Directs the multidisciplinary team (MDT) to give equal consideration to the evaluation and assessment of an offender whose sexually violent offense was an attempt, solicitation and conspiracy to commit a sexually violent offense.
- Creates a new process to initiate civil commitment proceedings against an offender who is serving a sentence in DOC or DJJ custody, but who is released from a local detention facility without commitment proceedings.
- Allows for the civil commitment of an offender who is released after a court corrects a miscalculation of gain time or other error that has resulted in the offender serving a longer sentence than legally required.
- Expands the requirements for DCF to notify entities when an offender is released into the community. DCF will now be required to notify the sheriff of the county in which the person intends to reside and to notify FDLE. This will help law enforcement monitor individuals in the community. The bill also expands when victims are notified of a release. Victims must be notified of a release of a sexual offender who is detained but who was not committed.
- Requires the Department of Corrections to collect information and produce an annual report documenting recidivism rates for offenders referred and released from the civil commitment facility.
- Requires the MDT to consult with the state attorney, law enforcement and victim advocates during the assessment process.
- Creates an “arrest notification program” to notify DCF when a released offender is rearrested and subsequently convicted of either a misdemeanor or felony. The state attorney is required to refer a person for civil commitment when a rearrest results in a term of imprisonment in a county or municipal jail for any criminal offense.
- Requires a second clinical evaluation if any member of the MDT questions first evaluation.

- Requires the MDT to reexamine the case if the state attorney questions a recommendation by the MDT to either to commit or not to commit.
- Clarifies that the state attorney may file a petition for civil commitment even if the MDT does not recommend commitment.
- Allows the offender the right to be present at post-commitment review hearings.
- Modifies the current 180-day time requirement for DCF to complete their written assessment to allow for a prioritization based on the person's scheduled release date.