

By Representative Reddick

1                                   A bill to be entitled  
 2           An act relating to prosecutions; amending s.  
 3           27.365, F.S, relating to the annual report by  
 4           the Florida Prosecuting Attorneys Association  
 5           regarding prosecutions; requiring inclusion of  
 6           certain additional information in the report on  
 7           victim notification; requiring inclusion of  
 8           certain dispositional information for cases  
 9           involving domestic violence, violations of  
 10          injunctons for protection against domestic  
 11          violence or repeat violence, stalking, or  
 12          sexual battery; specifying that the report  
 13          shall be made available for public inspection;  
 14          removing obsolete provision; conforming a  
 15          reference; providing an effective date.

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 17 Be It Enacted by the Legislature of the State of Florida:

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 19           Section 1. Section 27.365, Florida Statutes, is  
 20 amended to read:

21           27.365 Florida Prosecuting Attorneys Association;  
 22 annual report regarding prosecutions.--By February 1st of each  
 23 year ~~beginning in 1997~~, the Florida Prosecuting Attorneys  
 24 Association shall report to the President and Minority Leader  
 25 of the Senate, the Speaker and Minority Leader of the House of  
 26 Representatives, and ~~to~~ the appropriate substantive committees  
 27 of each chamber regarding:

28           (1) Prosecutions for offenses during the previous  
 29 calendar year under ss. 794.011, 794.05, 800.04, and 827.04(3)  
 30 ~~(4)~~when the victim of the offense was less than 18 years of  
 31 age. This report must include, by judicial circuit, the

1 following information in summary format for each offense: the  
2 initial charge in each case; the age of the victim and the age  
3 of the offender; the charge ultimately prosecuted, if any;  
4 whether the case went to trial or was resolved by plea  
5 agreement; whether the state attorney notified the victim or  
6 victim's next of kin of the filing decision made by the state  
7 attorney;and either the sentence imposed in each case, or the  
8 status of each case on December 31st of the previous year.

9 (2) Dispositions of cases during the previous calendar  
10 year for which there has been an arrest for a crime of  
11 domestic violence as defined in s. 741.28, a violation of an  
12 injunction for protection against domestic violence under s.  
13 741.31, a violation of an injunction for protection against  
14 repeat violence under s. 784.047, stalking under s. 784.048,  
15 or sexual battery under chapter 794. The report must include,  
16 by judicial circuit and in summary format for each case,  
17 complete dispositional information related to the case,  
18 including, but not limited to:

19 (a) The filing decision made by the state attorney on  
20 whether:

21 1. To decline to prosecute the crime;

22 2. To dismiss the criminal charges filed against the  
23 defendant;

24 3. To enter into a plea agreement; or

25 4. To proceed to full prosecution of the crime; and

26 (b) Specific information on whether in each case the  
27 state attorney has notified the victim or victim's next of kin  
28 of the filing decision.

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30 The names of sexual offense victims and other information that  
31 is confidential or exempt from public record requirements

1 shall not be included in the report, and the report shall be  
2 made available for public inspection and copying.

3 Section 2. This act shall take effect July 1 of the  
4 year in which enacted.

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7 HOUSE SUMMARY

8 Revises requirements for contents of the annual report by  
9 the Florida Prosecuting Attorneys Association regarding  
10 prosecutions. Requires inclusion of certain additional  
11 information in the report on victim notification.  
12 Requires inclusion of certain dispositional information  
13 for cases involving domestic violence, violations of  
14 injunctions for protection against domestic violence or  
15 repeat violence, stalking, or sexual battery. Specifies  
16 that the report shall be made available for public  
17 inspection.  
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