

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: February 19, 1998 Revised: _____

Subject: Crime Stoppers Trust Fund

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Gomez</u>	<u>Miller</u>	<u>CJ</u>	<u>Favorable</u>
2.	_____	_____	<u>JU</u>	_____
3.	_____	_____	<u>WM</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill creates the Crime Stoppers Trust Fund, to be administered by the Department of Legal Affairs. The Crime Stoppers Trust Fund is to undergo “sunset review” and shall terminate on July 1, 2002, unless terminated sooner.

This bill shall take effect on July 1, 1998.

This bill creates yet unnumbered sections of the Florida Statutes.

II. Present Situation:

A. Crime Stoppers Programs.

Crime Stoppers is a citizen, media, and police co-operative program designed to involve the public in the fight against crime. Crime Stoppers programs typically allow citizens to anonymously supply the police with information about an unsolved crime or a future crime. Cash rewards are given for information which leads to prosecution of the criminal.

Crime Stoppers began in Albuquerque, New Mexico in 1976. A homicide detective with the Albuquerque Police asked a local television station to broadcast a re-enactment of an unsolved murder on its newscast. A reward was offered and a caller contacted the police the next day with a tip that led the police to the two men who were responsible. The success of this concept launched a program which is now internationally known as “Crime Stoppers.” There are now hundreds of Crime Stoppers programs worldwide.

Soon after the Albuquerque program was created, Orlando became the second city to create a program. Other Florida cities followed suit, and in 1981 the programs created a non-profit organization known as the Florida Association of Crime Stoppers. There are now Crime Stoppers programs located in every region of the state. The Association currently has 21 members, and, according to the Association's President, there are some Crime Stoppers programs in the state that are not members of the Association.

Each Crime Stoppers program is run by a volunteer board of directors. The day to day management is left to a coordinator who is a law enforcement officer. The coordinator serves as the liaison between the board, the public, the media, and the law enforcement community.

In Florida, Crime Stoppers programs are funded almost exclusively by private business and organizations. The programs use the funds primarily to set up rewards for unsolved crimes. Local law enforcement agencies contribute both by providing an officer who serves as a coordinator and by providing some support staff.

B. Trust Fund.

Section 16.555, F.S., provides a funding mechanism for Crime Stoppers programs. The section defines the term "Crime Stoppers" to mean members of the Florida Association of Crime Stoppers. § 16.555(1)(c), F.S. The section requires that the Department of Legal Affairs: make applications for all federal, state, or private grants which meet the purposes of advancing Florida Crime Stoppers; establish a trust fund to administer grants to fund Crime Stoppers and its crime fighting programs within local government units; and administer and disburse funds.

Current section 16.555, F.S., created in 1991, provides for the Crime Stoppers Trust Fund. A state constitutional provision passed in 1992 provides that all trust funds in existence on November 4, 1992, expired four years after that date. Art. III, § 19(f)(2), Fla. Const. Additionally, according to the Attorney General's Office, the Crime Stoppers Trust Fund was never created due to a lack of funds. Accordingly, the trust fund does not currently exist.

No trust fund may be created by general law except by a 3/5 vote of the membership of each house of the legislature in a separate bill for that purpose only. Art. III, § 19(f)(1), Fla. Const. Further, all trust funds expire no later than four years after the date they are created. Art. III, § 19(f)(2), Fla. Const. Section 215.3206, F.S., provides for "sunset" review of trust funds in the regular session preceding the trust fund's date of expiration. The agency responsible for the administration of the trust fund and the Governor for executive branch trust funds, or the Chief Justice for judicial branch trust funds, shall recommend to the Speaker and Senate President whether the trust fund should be allowed to terminate or should be re-created.

III. Effect of Proposed Changes:

This bill creates the Crime Stoppers Trust Fund to be administered by the Department of Legal Affairs. Under the state constitutional provision on trust funds, the Crime Stoppers Trust fund

shall expire on July 1, 2002, unless terminated sooner. Pursuant to section 215.3206(1), F.S., the Crime Stoppers Trust Fund is to undergo “sunset review” in the 2002 legislative regular session.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

This bill creates the Crime Stoppers Trust Fund to be administered by the Department of Legal Affairs. Section 16.555, F.S., requires that the Department of Legal Affairs make applications for all federal, state, or private grants which meet the purposes of advancing Florida Crime Stoppers. In addition, CS/CS/SB 502 creates a new court cost of \$20 for all criminal offenses. According to the staff analysis, the \$20 cost could produce approximately \$5.5 million annually. *Senate Staff Analysis and Economic Impact Statement, CS/CS/SB 502, p. 5.*

Since a trust fund is necessary in order to disburse funds, this bill will have a positive impact on Crime Stoppers programs within the Florida Association of Crime Stoppers.

C. Government Sector Impact:

The CS/CS/SB 502 will have a positive impact on local governments to the extent that they may use the proceeds of grants authorized pursuant to the bill to defray current Crime Stoppers’ costs or to increase their level of current support.

Since a trust fund is necessary in order to disburse funds, this bill will have a positive impact on local governments.

The Department of Legal Affairs estimates that it can absorb the costs of administration of the Crime Stoppers Trust Fund within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The CS/CS/SB 502 creates a new \$20 surcharge on any criminal fine imposed. The clerks of court are to collect the costs and to forward the money collected to the Department of Legal Affairs for deposit into the Crime Stoppers Trust Fund. The clerks may retain \$3 per assessment as a service charge. *See Senate Staff Analysis and Economic Impact Statement, CS/CS/SB 502.*

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
