

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.)

BILL: SB 138

SPONSOR: Senator Bronson

SUBJECT: Victims and Witnesses

DATE: January 12, 1999

REVISED: 01/20/99 _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Wilson</u>	<u>Wilson</u>	<u>GO</u>	<u>Fav/1 amendment</u>
2.	_____	_____	<u>FP</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The bill provides for state agency activity to be compatible with elements of the State Comprehensive Plan which argue for crime suppression efforts through the emphasis of new crime prevention or the provision of assistance or service to crime victims and witnesses.

This bill substantially amends section 960.001(1), Florida Statutes.

II. Present Situation:

The Victim Assistance sections of Florida law, ch. 960, F.S., were originally enacted as a pure victim compensation program by the 1977 Legislature. Over the intervening years the concept of victim compensation as an incident-based reimbursement program has evolved to victim assistance inclusive of a wider range of proactive services. The chapter now includes the institutionalization of victim/witnesses services in the court administration process and provides for further civil remedies for victims and public safety agencies against convicted defendants for cost recovery actions.

The State Comprehensive Plan was adopted by statute by the 1985 Legislature as a means of setting broad directional objectives for state agencies. The mechanics of implementation were reserved for specific statutory enactments or annual appropriations policies by each succeeding Legislature. Subsection (7) of the Plan contains a public safety element, one portion of which encourages increased crime prevention efforts for enhanced protection of personal and property safety.

Article I, s. 16(b), State Constitution, provides for reasonable notice, attendance, and participation by victims, their representatives, and families at all stages of criminal proceedings where this participation does not interfere with the constitutional rights of the accused defendant.

III. Effect of Proposed Changes:

The bill adds paragraph (r) to s. 960.001(1), F.S., to add a victim and witness assistance element to the public safety component of the State Comprehensive Plan.

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:

None.

C. Government Sector Impact:

All programs or activities which require separate authorization or funding would still be required to achieve those separate statutory or appropriations authorizations.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

#1 by Governmental Oversight and Productivity:

Permits the expenditure of monies on behalf of crime victim in public awareness, participation, and educational programs in fulfillment of the constitutional provision and in conformity with the state comprehensive plan.

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