

By Representative Levine

1                                   A bill to be entitled  
2           An act relating to witness protection; amending  
3           s. 914.25, F.S.; requiring the Department of  
4           Children and Family Services to conduct a child  
5           protective investigation under certain  
6           circumstances; requiring law enforcement  
7           agencies to provide specified protective  
8           services for certain victims or witnesses;  
9           requiring a signed statement when a victim or  
10          witness declines such services; providing an  
11          effective date.

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

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15           Section 1. Subsection (4) of section 914.25, Florida  
16 Statutes, is amended to read:

17           914.25 Protective services for certain victims and  
18 witnesses.--

19           (4)(a) When a victim or witness is certified as  
20 provided in subsection (3), a law enforcement agency, in  
21 consultation with the certifying state attorney or the  
22 statewide prosecutor, shall ~~may~~ provide appropriate protective  
23 services, including, but not limited to:

24           1. Armed protection, escort services, marked or  
25 unmarked surveillance, or periodic visits or contact by law  
26 enforcement officials prior to, during, or subsequent to the  
27 official proceeding.

28           2. Temporary relocation to an alternate residence.

29           3. Housing expenses.

30           4. Transportation or storage of personal possessions.

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1           5. Basic living expenses such as room, board,  
2 utilities, general transportation costs, and health care.

3           6. Other services, as needed, and as approved by the  
4 statewide prosecutor or state attorney.

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6 If a victim or witness needs to be temporarily relocated, the  
7 statewide prosecutor or the state attorney must notify the  
8 Department of Law Enforcement. The Department of Law  
9 Enforcement, in consultation with the statewide prosecutor or  
10 the state attorney, and any other law enforcement agency  
11 involved in the criminal investigation or prosecution, shall  
12 coordinate the temporary relocation of the victim or witness.

13           (b) Protective services, including temporary  
14 relocation services, may be provided for up to 1 year or until  
15 the risk giving rise to the certification has diminished,  
16 whichever occurs sooner. If deemed necessary, the statewide  
17 prosecutor or the state attorney may recertify a victim or  
18 witness at risk of harm for an additional period of up to 1  
19 year.

20           (c) If the parent or guardian of a child certified by  
21 the statewide prosecutor or the state attorney to be a  
22 critical witness at risk of harm declines protective services,  
23 the statewide prosecutor shall contact the Department of  
24 Children and Family Services and request that the department  
25 conduct an onsite child protective investigation pursuant to  
26 s. 39.302 to determine if the child is a neglected child and  
27 in need of protective services as provided under s. 39.303.

28           (d) A victim or witness who refuses to accept  
29 protective services shall provide the statewide prosecutor  
30 with a signed statement declining the offer of protective  
31 services.

