308-2220-02

1   A bill to be entitled

2   An act relating to crime victims; creating s.

3   960.0021, F.S.; providing legislative findings;

4   providing for an advisement from the court to

5   the victim of a crime with respect to the

6   rights of victims; providing for the display of

7   a poster containing information concerning the

8   rights of crime victims; requiring the

9   Department of Legal Affairs to provide such

10   posters to the courts; providing that such

11   advisement is only for the benefit of crime

12   victims; providing that failure to provide such

13   advisement shall not affect the validity of any

14   hearing, conviction, or sentence; providing

15   that the circuit court administrator will make

16   certain information available to the Clerk of

17   Court; providing an effective date.

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

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21   Section 1. Section 960.0021, Florida Statutes, is

22   created to read:

23   960.0021 Legislative intent; advisement to victims.--

24   (1) The Legislature finds that in order to ensure that

25   crime victims can effectively understand and exercise their

26   rights under s. 16, Art. I of the State Constitution, and to

27   promote law enforcement that considers the interests of crime

28   victims, victims must be properly advised in the courts of

29   this state.

30   (2) The courts may fulfill their obligation to advise

31   crime victims by:

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 1        (a)  Making the following announcement at any
 2  arraignment, sentencing, or case-management proceeding:
 3
 4      "If you are the victim of a crime with a case
 5       pending before this court, you are advised that
 6       you have the right:
 7           1.  To be informed.
 8           2.  To be present.
 9           3.  To be heard, when relevant, at all
10       crucial stages of criminal proceedings to the
11       extent that these rights do not interfere with
12       the constitutional rights of the accused.
13           4.  To receive advance notification, when
14       possible, of judicial proceedings and
15       notification of scheduling changes, pursuant to
16       section 960.001, Florida Statutes.
17           5.  To seek crimes compensation and
18       restitution.
19           6.  To consult with the state attorney's
20       office in certain felony cases regarding the
21       disposition of the case.
22           7.  To make an oral or written
23       victim-impact statement at the time of
24       sentencing of a defendant.
25
26       For further information regarding additional
27       rights afforded to victims of crime, you may
28       contact the state attorney's office or obtain a
29       listing of your rights from the Clerk of
30       Court."
31  ; or
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 1   (b) Displaying prominently on the courtroom doors

 2   posters giving notification of the existence and general

 3   provisions of this chapter. The Department of Legal Affairs

 4   shall provide the courts with the posters specified by this

 5   paragraph.

 6   (3) The circuit court administrator shall provide

 7   victim's rights information, as provided in s. 960.001(1)(o),

 8   to the Clerk of the Court.

 9   (4) This section is only for the benefit of crime

10   victims. Accordingly, a failure to comply with this section

11   shall not affect the validity of any hearing, conviction, or

12   sentence.

13   Section 2. This act shall take effect July 1, 2002.

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15   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
                          COMMITTEE SUBSTITUTE FOR
16   CS for Senate Bill 1974

17

18   --   Amends the bill to give the courts the option of either
             orally advising crime victims of their statutory and
19   constitutional rights or displaying posters on the
             courtroom doors that inform crime victims of such
20   rights. The posters are to be provided by the Department
             of Legal Affairs.

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