

By Senator Dyer

14-9A-02

1                                   A bill to be entitled  
2           An act for the relief of Johnny L. Woods;  
3           providing for Mr. Woods to recover from state  
4           funds for certain injuries and damages he  
5           sustained as a result of a home invasion;  
6           providing an effective date.

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8           WHEREAS, on March 20, 1997, Mr. Johnny L. Woods became  
9           a victim of a home invasion in which his home was burglarized  
10          and he was severely injured and rendered legally blind, lost  
11          an eye, and suffered speech impairment due to the loss of his  
12          voice box, and

13          WHEREAS, the perpetrator of these offenses was  
14          eventually imprisoned as a result of a probation violation and  
15          sentenced to 5 years in a correctional institution, and

16          WHEREAS, Mr. Woods has stated that the state attorney's  
17          office never informed him that he might be entitled to victim  
18          compensation benefits pursuant to sections 960.01-960.28,  
19          Florida Statutes, the Florida Crimes Compensation Act, and

20          WHEREAS, a letter from an assistant attorney general in  
21          the Ninth Judicial Circuit of Florida attests that that office  
22          "has reviewed both the case file and our case management  
23          system and has been unable to locate any documentation  
24          indicating that Mr. Woods was informed of the Victim's Comp.  
25          program" and that a victim advocate was never assigned to his  
26          case, "which lends credibility to his contention that he was  
27          not informed of the victim's compensation program," and

28          WHEREAS, when a court, on October 24, 1997, sentenced  
29          the defendant in this case to 2 years' community control, the  
30          court also ordered the defendant to pay Mr. Woods \$15,000 in  
31          restitution, and

1           WHEREAS, according to the abovementioned assistant  
2 attorney general's letter, the defendant subsequently violated  
3 his community control and was sentenced to 5 years in the  
4 Department of Corrections and is unlikely ever to pay  
5 restitution to Mr. Woods, and

6           WHEREAS, after learning of the victim's compensation  
7 program through a conversation with a friend of his who is a  
8 private investigator, Mr. Woods filed a claim for  
9 compensation, and

10           WHEREAS, because his claim was not timely filed in  
11 accordance with section 960.07(2), Florida Statutes, the  
12 Department of Legal Affairs, on July 11, 2000, denied Mr.  
13 Woods' claim, and

14           WHEREAS, since Mr. Woods does not have the wherewithal  
15 to appeal that decision to the district court of appeals, he  
16 is seeking to obtain equitable recovery under this act, NOW,  
17 THEREFORE,

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

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21           Section 1. The facts stated in the preamble to this  
22 act are found and declared to be true.

23           Section 2. There is appropriated from the General  
24 Revenue Fund to the Department of Legal Affairs the sum of  
25 \$15,000 for the relief of Johnny L. Woods for injuries and  
26 damages sustained.

27           Section 3. The Comptroller is directed to draw a  
28 warrant in favor of Johnny L. Woods in the sum of \$15,000 upon  
29 the funds of the Department of Legal Affairs in the State  
30 Treasury, and the State Treasurer is directed to pay the same  
31 out of such funds in the State Treasury.

1           Section 4. This act shall take effect upon becoming a  
2 law.

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5                           SENATE SUMMARY

6 Provides for Johnny L. Woods to recover from state funds  
7 for certain injuries and damages he sustained as a result  
8 of a home invasion.  
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