

By the Committee on Criminal Justice; and Senator Cowin

307-2180-02

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A bill to be entitled
An act relating to parole violations; amending
ss. 947.141, 947.22, F.S.; requiring a law
enforcement officer to arrest an offender whom
the officer has probable cause to believe has
committed a felony while on release supervision
or parole; providing that a warrant need not be
issued in the case; providing an effective
date.

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

Section 1. Subsection (7) is added to section 947.141,
Florida Statutes, to read:

947.141 Violations of conditional release, control
release, or conditional medical release or addiction-recovery
supervision.--

(7) If a law enforcement officer has probable cause to
believe that an offender who is on release supervision under
s. 947.1405, s. 947.146, s. 947.149, or s. 944.4731 has
violated the terms and conditions of his or her release by
committing a felony offense, the officer shall arrest the
offender without a warrant and a warrant need not be issued in
the case.

Section 2. Subsection (3) is added to section 947.22,
Florida Statutes, to read:

947.22 Authority to arrest parole violators with or
without warrant.--

(3) If a law enforcement officer has probable cause to
believe that a parolee has violated the terms and conditions
of his or her parole, the officer shall arrest and take into

1 custody the parolee without a warrant, and a warrant need not
2 be issued in the case.

3 Section 3. This act shall take effect October 1, 2002.

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5 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
6 COMMITTEE SUBSTITUTE FOR
7 Senate Bill 2270

- 8 - The bill requires law enforcement officers (LEOs) to
9 arrest an offender on release supervision without a
10 warrant if the officer has reasonable grounds to believe
11 that the offender has violated the terms or conditions
12 of release by committing a felony. The CS replaces the
13 term "reasonable grounds" with "probable cause," which
14 is the standard applied by the courts.
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16 - The bill requires LEOs to arrest a parolee without a
17 warrant if the officer has reasonable grounds to believe
18 that the parolee has violated the terms or conditions of
19 his release or parole by committing a felony. The CS
20 requires that the parolee be taken into custody, and
21 does not require that the violation be the commission of
22 a felony.
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