

By Senator Crist

12-1112-05

1 A bill to be entitled

2 An act relating to justice for crime victims;

3 creating s. 943.0315, F.S.; creating the

4 Commission on Justice for Crime Victims within

5 the Department of Law Enforcement; providing

6 membership; requiring the commission to review

7 the needs of persons who are the victims of

8 crime in this state; requiring the commission

9 to review and comment on certain specified

10 issues; requiring the commission to hold public

11 hearings each year; requiring the commission to

12 prepare a report and to deliver the report to

13 the Governor and the Legislature by a specified

14 date each year; providing that members of the

15 commission are entitled to reimbursement for

16 travel and per diem; authorizing the commission

17 to employ an executive director and other

18 staff; requiring the commission to expire on a

19 certain date; providing an effective date.

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

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23 Section 1. Section 943.0315, Florida Statutes, is

24 created to read:

25 943.0315 Commission on Justice for Crime Victims.--The

26 Legislature finds that there is a need to develop and

27 implement a statewide strategy to address the needs of persons

28 who are the victims of crime in this state. The Legislature

29 also finds that there is a need to understand the severity of

30 the losses incurred by victims and their families and to

31 evaluate the services available to respond to the needs of the

1 victims. In recognition of this need, the Commission on
2 Justice for Crime Victims is created within the Department of
3 Law Enforcement. The commission shall serve in an advisory
4 capacity to the department.

5 (1)(a) The commission shall be composed of 15 members.
6 The secretary of each agency that includes a criminal-justice
7 program shall personally serve as a member of the commission.
8 Additional members of the commission shall be appointed by the
9 Governor and may include the Governor's Victims' Rights
10 Advocate; the director of the Crime Victims' Services Office
11 within the Department of Legal Affairs; a state attorney; a
12 sheriff; a police chief; a circuit judge; a representative of
13 the Florida Network of Victim/Witness Services, Inc.; and a
14 representative of the Justice Coalition. The Governor shall
15 appoint at least three members who have been the victim of a
16 crime, one of whom must be related either to a victim of
17 murder or to the surviving spouse of a victim of murder.

18 (b) The appointments must be made by September 1,
19 2005, and the commission shall hold its first meeting within
20 60 days after the appointment of its members. Any vacancy that
21 occurs on the commission must be filled in the same manner as
22 the original appointment.

23 (2) Members of the commission are entitled to one vote
24 each, and an action of the commission is not binding unless a
25 majority of the total number of votes cast are in favor of the
26 action. The commission may not act unless a majority of its
27 members are present at a meeting. The commission shall elect a
28 chairperson from among its members.

29 (3) The commission shall review the nature and
30 severity of the losses and other associated difficulties
31 suffered by crime victims and families of victims of murder

1 and shall review the state's services provided to victims as
2 well as other responses to the needs of victims. In addition,
3 the commission should consider other factors adversely
4 affecting victims, including delays in capital cases and
5 recommendations for judicial reforms to reduce the delays.

6 Included in the commission's review must be an evaluation of:

7 (a) The services available to victims as described in
8 s. 960.001(1)(a).

9 (b) The imposition, collection, and distribution of
10 the surcharge described in s. 938.08 and the fee required in
11 s. 938.03 to be paid to the Crimes Compensation Trust Fund.

12 (c) The imposition, collection, and distribution of
13 victim restitution.

14 (d) The necessary state constitutional reforms that
15 would facilitate the resolution of capital cases within 5
16 years after the imposition of sentence.

17 (4) The commission shall hold at least four public
18 hearings annually throughout the state to solicit input from
19 the public regarding justice for victims, victims' concerns,
20 restitution for victims, judicial reforms that would reduce
21 the suffering of crime victims and their families and improve
22 the treatment of victims and their families in state courts,
23 and other relevant issues. The commission shall devote at
24 least one public hearing to the issues facing families of
25 victims of murder, delays in capital cases, and proposals to
26 reduce these delays in this state. The commission must review
27 laws in other states in which the delays have been reduced.

28 (5) The commission must prepare an annual report to
29 the Governor, the President of the Senate, and the Speaker of
30 the House of Representatives on or before February 1 of each
31 year. The reports shall contain specific recommendations for

1 enhancing justice for victims of crime, including the families
2 of murdered victims in capital cases. The recommendations of
3 the commission must include proposed legislation and
4 constitutional reforms that will improve justice for victims
5 of crime and family members related to victims of murder.

6 (6) Commission members may not receive remuneration
7 for their services, but members are entitled to reimbursement
8 for travel and per diem expenses in accordance with s.
9 112.061.

10 (7) The commission, with approval from the Executive
11 Office of the Governor, may employ or contract with an
12 executive director who possesses at least 5 years' previous
13 experience in criminal law and legislative affairs and has
14 worked directly with victims of crime and with families of
15 victims of murder. The executive director may employ or
16 contract with two additional staff members or consultants who
17 have relevant experience in the field of crime-victims' rights
18 or data analysis and one administrative assistant. The
19 Department of Law Enforcement shall provide administrative
20 support to the commission and its staff.

21 (8) The commission shall expire on June 30, 2009.

22 Section 2. This act shall take effect July 1, 2005.

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25 SENATE SUMMARY

26 Creates the Commission on Justice for Crime Victims
27 within the Department of Law Enforcement. Requires the
28 commission to review the needs of persons who are the
29 victims of crime. Requires the commission to review and
30 comment on certain specified issues. Requires the
31 commission to hold public hearings each year. Requires
the commission to prepare a report and to deliver the
report to the Governor and the Legislature by a specified
date each year. Authorizes the commission to employ an
executive director and other staff. Requires the
commission to expire on a certain date.