

By the Committee on Criminal Justice; and Senator Crist

591-2024-05

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           Victims Voice Council within the Department of  
5           Law Enforcement; providing membership;  
6           requiring the council to review the needs of  
7           persons who are the victims of crime in this  
8           state; requiring the council to review and  
9           comment on certain specified issues; requiring  
10          the council to hold public hearings each year;  
11          requiring the council to prepare a report and  
12          to deliver the report to the Governor and the  
13          Legislature by a specified date each year;  
14          providing that members of the council are  
15          entitled to reimbursement for travel and per  
16          diem; authorizing the council to employ an  
17          executive director and other staff; providing  
18          an effective date.

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

21  
22           Section 1. Section 943.0315, Florida Statutes, is  
23 created to read:

24           943.0315 Victims Voice Council.--The Legislature finds  
25 that there is a need to develop and implement a statewide  
26 strategy to address the needs of persons who are the victims  
27 of crime in this state. The Legislature also finds that there  
28 is a need to understand the severity of the losses incurred by  
29 victims and their families and to evaluate the services  
30 available to respond to the needs of the victims. In  
31 recognition of this need, the Victims Voice Council is created

1 within the Department of Law Enforcement. The council shall  
2 serve in an advisory capacity to the department.

3 (1)(a) The council shall be composed of 14 members.  
4 The executive director of the Department of Law Enforcement,  
5 the Secretary of Juvenile Justice, and the Secretary of  
6 Corrections, or his or her designee, shall personally serve as  
7 a member of the council. Additional members of the council  
8 shall be appointed by the Governor and may include the  
9 Governor's Victims' Rights Advocate; the director of the Crime  
10 Victims' Services Office within the Department of Legal  
11 Affairs; a state attorney; a sheriff; a police chief; a  
12 circuit judge; a representative of the Florida Network of  
13 Victim/Witness Services, Inc.; and a representative of the  
14 Justice Coalition. The Governor shall appoint at least three  
15 members who have been the victim of a crime, one of whom must  
16 be related either to a victim of murder or to the surviving  
17 spouse of a victim of murder.

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

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

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

1 review the state's services provided to victims as well as  
2 other responses to the needs of victims. In addition, the  
3 council should consider other factors adversely affecting  
4 victims, including delays in capital cases and recommendations  
5 for judicial reforms to reduce the delays. Included in the  
6 council'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 council 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 council shall devote at least  
24 one public hearing to the issues facing families of victims of  
25 murder, delays in capital cases, and proposals to reduce these  
26 delays in this state. The council must review laws in other  
27 states in which the delays have been reduced.

28 (5) The council must prepare an annual report to the  
29 Governor, the President of the Senate, and the Speaker of the  
30 House of Representatives at least 60 days before each  
31 legislative session. The reports must contain specific

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

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

10 (7) The council, with approval from the Executive  
11 Office of the Governor, may employ or contract with an  
12 executive director who possesses at least 2 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 council and its staff.

21 Section 2. This act shall take effect July 1, 2005.  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 2314

- The Committee Substitute creates a council rather than the commission that was created in the original bill. This meets the statutory definition in s. 20.03, F.S., since the expiration date of the council has been eliminated by the Committee Substitute.
- The council is composed of 14 members, the members of the law enforcement-related agencies are named (by title), and their designees may serve in their stead.
- The executive director of the council may have 2 years' experience in criminal law and legislative affairs rather than the 5 years required in the original bill.
- The council has no expiration date in the Committee Substitute.