

By Senator Haridopolos

26-143-06

1 A bill to be entitled

2 An act relating to the relief of Wilton Dedge;

3 providing an appropriation to compensate Mr.

4 Dedge for a miscarriage of justice which

5 resulted in his 22-year imprisonment for a

6 crime that he did not commit; providing special

7 compensation for his imprisonment even after

8 DNA tests demonstrated that the incriminating

9 evidence did not tie Wilton Dedge to the crime;

10 providing for reimbursement to Mr. and Mrs.

11 Walter Dedge, the parents of Wilton Dedge, for

12 their expenditures in his defense and for

13 economic damages during the time of their son's

14 confinement; providing an effective date.

15

16 WHEREAS, Wilton Dedge has been fully exonerated through

17 DNA tests after serving more than 22 years in jail and in

18 prison, during which time he diligently maintained his

19 innocence, and

20 WHEREAS, an order of the Circuit Court, entered on the

21 motion of the State Attorney, has judicially established the

22 fact that Wilton Dedge should not have been incarcerated

23 because he was innocent of the crime for which he was

24 prosecuted, and

25 WHEREAS, Wilton Dedge was confined for more than 22

26 years, including 3 years of imprisonment even after DNA

27 testing demonstrated that critical evidence used against him

28 was in no way connected to him, and

29 WHEREAS, DNA testing of evidence has irrefutably

30 excluded Wilton Dedge as the person who committed the crime,

31 and

1 WHEREAS, the integrity of the justice system requires
2 that a person who has been wrongfully imprisoned and deprived
3 of his civil liberties be compensated, and

4 WHEREAS, the detailed chronology of the arrest,
5 wrongful conviction, and imprisonment of Wilton Dedge
6 demonstrates that the investigation and prosecution of Wilton
7 Dedge and the failure to release Wilton Dedge following the
8 first DNA test or, at least, to allow him a new trial was not
9 reasonable under the circumstances, and

10 WHEREAS, the decision to refuse to release Wilton Dedge
11 and to deny a new trial was based on an unreasonable use of
12 evidence that was not reliable or scientific or that was
13 simply false, and

14 WHEREAS, the Dedge family spent considerable resources
15 in the efforts leading to exoneration and also spent resources
16 in supporting their son and visiting him while he was
17 imprisoned, and

18 WHEREAS, as a result of his wrongful conviction, Wilton
19 Dedge has suffered loss of income and the loss of the right to
20 determine how that income is spent; has endured indignities,
21 embarrassment, and injury to his reputation; and has sustained
22 severe mental anguish, emotional distress, loss of personal
23 freedom, loss of civil rights, including the right to vote and
24 participate in government, loss of the right to pursue
25 educational opportunities, loss of the chance to build a
26 family life, loss of individual liberty, including the right
27 to choose his diet and his daily schedule, loss of
28 opportunities to marry and raise a family, loss of freedom of
29 expression, and loss of the freedom to determine how he would
30 spend his recreational time, and

31

1 WHEREAS, considering the totality of the circumstances,
2 equity and justice dictate that this gross miscarriage of
3 justice should be addressed by the Legislature of the State of
4 Florida, NOW, THEREFORE,

5
6 Be It Enacted by the Legislature of the State of Florida:

7
8 Section 1. The facts stated in the preamble to this
9 act are found and declared to be true.

10 Section 2. The sum of \$ _____ is appropriated out of
11 funds in the State Treasury to be paid to Wilton Allen Dedge
12 as compensation for his having been the victim of a
13 miscarriage of justice.

14 Section 3. The Chief Financial Officer is directed to
15 draw a warrant in favor of Wilton Allen Dedge in the sum of \$
16 _____ out of funds in the State Treasury and to pay the same
17 out of such funds in the State Treasury.

18 Section 4. The sum of \$ _____ is appropriated out of
19 funds in the State Treasury to be paid to Walter and Mary
20 Dedge, the parents of Wilton Dedge, to repay them for the
21 moneys they expended to provide a defense to the charges
22 against their son and to exonerate their son and to reimburse
23 the expenses they incurred as a result of his imprisonment,
24 including the allowance sent to him each month and the cost of
25 their monthly visits over the 22 years of his imprisonment.

26 Section 5. The Chief Financial Officer is directed to
27 draw a warrant in favor of Walter and Mary Dedge in the sum of
28 \$ _____ out of funds in the State Treasury and to pay the
29 same out of such funds in the State Treasury.

30 Section 6. This act shall take effect July 1, 2006.
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

SENATE SUMMARY

Provides appropriations out of funds in the State Treasury to compensate Wilton Allen Dedge for a miscarriage of justice that resulted in his 22-year imprisonment for a crime that he did not commit, to compensate his parents, Walter and Mary Dedge, for their expenditures in his defense and for economic damages, and to pay attorney's fees for the efforts that led to Mr. Dedge's exoneration.