## By Senator Aronberg

27-109A-07

1	A bill to be entitled
2	An act relating to the relief of Alan Jerome
3	Crotzer; providing an appropriation to
4	compensate Alan Jerome Crotzer for wrongful
5	imprisonment and for being a victim of a
6	miscarriage of justice; directing the Chief
7	Financial Officer to draw a warrant; requiring
8	the purchase of an annuity; providing for the
9	waiver of specified tuition and fees; providing
10	conditions for payment; providing legislative
11	intent; providing an effective date.
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13	WHEREAS, in 1982, Alan Jerome Crotzer was convicted in
14	Hillsborough County, Florida, of rape, robbery, and
15	kidnapping, and was sentenced to 130 years in prison, and
16	WHEREAS, Alan Jerome Crotzer may also be known as Allen
17	Jerome Crotzer in the criminal pleadings of this case, and
18	WHEREAS, after serving more than 24 and 1/2 years in
19	prison, during which time he diligently maintained his
20	innocence, Alan Jerome Crotzer has been fully exonerated
21	through DNA tests, and
22	WHEREAS, an order of the circuit court, entered on the
23	motion of the state attorney, has judicially established the
24	fact that Alan Jerome Crotzer should not have been
25	incarcerated since he was innocent of the crimes for which he
26	was prosecuted, and
27	WHEREAS, DNA testing of evidence has irrefutably
28	excluded Alan Jerome Crotzer as the person who committed the
29	crimes for which he was convicted, and
30	WHEREAS, considering the totality of the circumstances,
31	equity and justice require that this miscarriage of justice

should be addressed by the Legislature of the State of 2 Florida, NOW, THEREFORE, 3 Be It Enacted by the Legislature of the State of Florida: 4 5 6 Section 1. The facts stated in the preamble to this 7 act are found and declared to be true. 8 Section 2. There is appropriated from the General Revenue Fund the sum of \$1.25 million to the Department of 9 10 Financial Services under the conditions provided in this act. Section 3. The Chief Financial Officer is directed to 11 12 draw a warrant in the sum of \$1.25 million for the purposes 13 provided in this act. Section 4. The Department of Financial Services shall 14 pay the funds appropriated under this act to an insurance 15 company or other financial institution admitted and authorized 16 to issue annuity contracts in this state and selected by Alan 18 Jerome Crotzer for the purchase of the annuity. The Department of Financial Services shall execute all necessary agreements 19 to implement this act. 2.0 21 Section 5. Tuition and fees for Alan Jerome Crotzer 2.2 shall be waived for up to a total of 120 hours of instruction 23 at any career center established pursuant to s. 1001.44, 2.4 Florida Statutes, at any community college established under part III of chapter 1004, Florida Statutes, or any state 2.5 university. For any educational benefit made, Alan Jerome 26 27 Crotzer shall meet and maintain the regular admission 2.8 requirements of, and be registered at, such career center, community college, or state university and make satisfactory 29 academic progress as defined by the educational institution in 30 which the claimant is enrolled. 31

1	Section 6. <u>The Chief Financial Officer shall purchase</u>
2	the annuity as required by this act upon delivery by Alan
3	Jerome Crotzer to the Chief Financial Officer, the Department
4	of Financial Services, the President of the Senate, and the
5	Speaker of the House of Representatives of all of the
6	following:
7	(1) An executed release and waiver on behalf of Alan
8	Jerome Crotzer and his heirs, successors, and assigns forever
9	releasing the State of Florida and any agency,
10	instrumentality, officer, employee, or political subdivision
11	thereof or any other entity subject to the provisions of s.
12	768.28, Florida Statutes, from any and all present or future
13	claims or declaratory relief that the claimant, or his heirs,
14	successors, or assigns, may have against such enumerated
15	entities and arising out of the factual situation in
16	connection with the conviction for which compensation is
17	awarded. However, declaratory action to obtain judicial
18	expungement of Alan Jerome Crotzer's judicial and executive
19	branch records as otherwise provided by law is not prohibited
20	by this act.
21	(2) An order from the court having jurisdiction over
22	the legal claim filed by Alan Jerome Crotzer and his parents
23	which dismisses the claim with prejudice.
24	Section 7. The Legislature may not be deemed by this
25	act to have waived any defense of sovereign immunity or to
26	have increased the limits of liability on behalf of the state
27	or any person or entity subject to the provisions of s.
28	768.28, Florida Statutes, or any other law.
29	Section 8. This award is intended to provide the sole
30	compensation for any and all present and future claims arising
31	out of the factual situation in connection with Alan Jerome

1	Crotzer's conviction and imprisonment, and the state may not
2	make any further award for attorney's fees, lobbying fees,
3	costs, or other similar expenses.
4	Section 9. This act shall take effect upon becoming a
5	law.
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8	SENATE SUMMARY
9	Provides an appropriation out of funds in the State
10	Treasury to compensate Alan Jerome Crotzer for wrongful imprisonment. Provides for the purchase of an annuity. Provides for the waiver of tuition and fees for Mr.
11	Crotzer under certain conditions. Provides that the compensation awarded under the act is the sole
12	compensation for claims arising in connection with the conviction and imprisonment of Mr. Crotzer.
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