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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
4/8/2008	.	
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	.	

1 The Committee on Criminal Justice (Lynn) recommended the
 2 following **amendment**:

Senate Amendment (with title amendment)

5 Between line(s) 461 and 462,
6 insert:

7 Section 4. Paragraphs (b) and (c) of subsection (1) of
8 section 960.001, Florida Statutes, are amended to read:

9 960.001 Guidelines for fair treatment of victims and
10 witnesses in the criminal justice and juvenile justice systems.--

11 (1) The Department of Legal Affairs, the state attorneys,
 12 the Department of Corrections, the Department of Juvenile
 13 Justice, the Parole Commission, the State Courts Administrator
 14 and circuit court administrators, the Department of Law
 15 Enforcement, and every sheriff's department, police department,
 16 or other law enforcement agency as defined in s. 943.10(4) shall
 17 develop and implement guidelines for the use of their respective



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18 agencies, which guidelines are consistent with the purposes of
19 this act and s. 16(b), Art. I of the State Constitution and are
20 designed to implement the provisions of s. 16(b), Art. I of the
21 State Constitution and to achieve the following objectives:

22 (b) Information for purposes of notifying victim or
23 appropriate next of kin of victim or other designated contact of
24 victim.--In the case of a homicide, pursuant to chapter 782; ~~or~~ a
25 sexual offense, pursuant to chapter 794; ~~or~~ an attempted murder
26 or sexual offense, pursuant to chapter 777; ~~or~~ stalking, pursuant
27 to s. 784.048; ~~or~~ domestic violence, pursuant to s. 741.28; or
28 repeat violence, sexual violence, or dating violence, pursuant to
29 s. 784.046 ~~s. 25.385~~:

30 1. The arresting law enforcement officer or personnel of an
31 organization that provides assistance to a victim or to the
32 appropriate next of kin of the victim or other designated contact
33 must request that the victim or appropriate next of kin of the
34 victim or other designated contact complete a victim notification
35 card. However, the victim or appropriate next of kin of the
36 victim or other designated contact may choose not to complete the
37 victim notification card.

38 2. Unless the victim or the appropriate next of kin of the
39 victim or other designated contact waives the option to complete
40 the victim notification card, a copy of the victim notification
41 card must be filed with the incident report or warrant in the
42 sheriff's office of the jurisdiction in which the incident report
43 or warrant originated. The notification card shall, at a minimum,
44 consist of:

- 45 a. The name, address, and phone number of the victim; or
46 b. The name, address, and phone number of the appropriate
47 next of kin of the victim; or



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48 c. The name, address, and phone number of a designated
49 contact other than the victim or appropriate next of kin of the
50 victim; and

51 d. Any relevant identification or case numbers assigned to
52 the case.

53 3. The chief administrator, or a person designated by the
54 chief administrator, of a county jail, municipal jail, juvenile
55 detention facility, or residential commitment facility shall make
56 a reasonable attempt to notify the alleged victim or appropriate
57 next of kin of the alleged victim or other designated contact
58 within 4 hours following the release of the defendant on bail or,
59 in the case of a juvenile offender, upon the release from
60 residential detention or commitment. If the chief administrator,
61 or designee, is unable to contact the alleged victim or
62 appropriate next of kin of the alleged victim or other designated
63 contact by telephone, the chief administrator, or designee, must
64 send to the alleged victim or appropriate next of kin of the
65 alleged victim or other designated contact a written notification
66 of the defendant's release.

67 4. Unless otherwise requested by the victim or the
68 appropriate next of kin of the victim or other designated
69 contact, the information contained on the victim notification
70 card must be sent by the chief administrator, or designee, of the
71 appropriate facility to the subsequent correctional or
72 residential commitment facility following the sentencing and
73 incarceration of the defendant, and unless otherwise requested by
74 the victim or the appropriate next of kin of the victim or other
75 designated contact, he or she must be notified of the release of
76 the defendant from incarceration as provided by law.



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77 5. If the defendant was arrested pursuant to a warrant
 78 issued or taken into custody pursuant to s. 985.101 in a
 79 jurisdiction other than the jurisdiction in which the defendant
 80 is being released, and the alleged victim or appropriate next of
 81 kin of the alleged victim or other designated contact does not
 82 waive the option for notification of release, the chief
 83 correctional officer or chief administrator of the facility
 84 releasing the defendant shall make a reasonable attempt to
 85 immediately notify the chief correctional officer of the
 86 jurisdiction in which the warrant was issued or the juvenile was
 87 taken into custody pursuant to s. 985.101, and the chief
 88 correctional officer of that jurisdiction shall make a reasonable
 89 attempt to notify the alleged victim or appropriate next of kin
 90 of the alleged victim or other designated contact, as provided in
 91 this paragraph, that the defendant has been or will be released.

92 (c) Information concerning protection available to victim
 93 or witness.--A victim or witness shall be furnished, as a matter
 94 of course, with information on steps that are available to law
 95 enforcement officers and state attorneys to protect victims and
 96 witnesses from intimidation. Victims of domestic violence, repeat
 97 violence, sexual violence, or dating violence shall also be given
 98 information about the address confidentiality program provided
 99 under s. 741.403.

100

101 ===== T I T L E A M E N D M E N T =====

102 And the title is amended as follows:

103 On line(s) 11, after the second semicolon,
 104 insert:

105 amending s. 960.001, F.S.; requiring certain named
 106 entities to give specified information to a victim of

Bill No. SB 1188



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107 | domestic violence, repeat violence, sexual violence, or
108 | dating violence;