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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/AD/2R

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03/04/2014 02:32 PM

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Senator Sobel moved the following:

**Senate Amendment (with title amendment)**

Delete lines 89 - 141

and insert:

each person referred to the team. The multidisciplinary team shall prioritize the assessment and evaluation of persons referred under subsection (1) based upon the person's release date. The assessment and evaluation must ~~shall~~ include a review of the person's institutional history and treatment record, if any, the person's criminal background, and any other factor that is relevant to the determination of whether the ~~such~~ person is a



12 sexually violent predator.

13 (e) ~~(e)~~ Before recommending that a person meets the  
14 definition of a sexually violent predator, the person must be  
15 offered a personal interview. If the person agrees to  
16 participate in a personal interview, at least one member of the  
17 team who is a licensed psychiatrist or psychologist must conduct  
18 a personal interview of the person. If the person refuses to  
19 fully participate in a personal interview, the multidisciplinary  
20 team shall ~~may~~ proceed with its recommendation without the a  
21 ~~personal~~ interview ~~of the person~~.

22 (f) The multidisciplinary team shall complete all clinical  
23 evaluations and provide the state attorney a written assessment  
24 and recommendation as to whether the person meets the definition  
25 of a sexually violent predator at least 1 month before the  
26 person's scheduled release date from the Department of  
27 Corrections, the Department of Juvenile Justice, or the  
28 Department of Children and Families. The multidisciplinary team  
29 shall complete all clinical evaluations and provide the state  
30 attorney a written assessment and recommendation as to whether  
31 the person meets the definition of a sexually violent predator  
32 at least 24 hours before the person's scheduled release date  
33 from a county or municipal jail.

34 1. The department must recommend that the state attorney  
35 file a petition for civil commitment if at least two members of  
36 the multidisciplinary team determine that the person meets the  
37 definition of a sexually violent predator.

38 2. When the department determines that a person who has  
39 received a clinical evaluation does or does not meet the  
40 definition of a sexually violent predator, the written



41 assessment and recommendation shall be sent to the state  
42 attorney. If the state attorney questions, in writing, the  
43 determination that the person does or does not meet the  
44 definition of a sexually violent predator, the multidisciplinary  
45 team must reexamine the case before a final written assessment  
46 and recommendation is provided to the state attorney.

47 (g) ~~(d)~~ The Attorney General's Office shall serve as legal  
48 counsel to the multidisciplinary team.

49 ~~(c)1. Within 180 days after receiving notice, there shall~~  
50 ~~be a written assessment as to whether the person meets the~~  
51 ~~definition of a sexually violent predator and a written~~  
52 ~~recommendation, which shall be provided to the state attorney.~~  
53 ~~The written recommendation shall be provided by the Department~~  
54 ~~of Children and Family Services and shall include the written~~  
55 ~~report of the multidisciplinary team.~~

56  
57 ===== T I T L E A M E N D M E N T =====

58 And the title is amended as follows:

59 Delete lines 13 - 25

60 and insert:

61 requiring the multidisciplinary team to prioritize  
62 assessments based on release dates; requiring the  
63 multidisciplinary team to proceed without a personal  
64 interview under certain circumstances; requiring the  
65 multidisciplinary team to provide the state attorney  
66 with a written assessment and recommendation as to  
67 whether a person meets the definition of a sexually  
68 violent predator within specified timeframes;  
69 requiring the department to recommend that the state



765100

70 attorney file a civil commitment petition under  
71 certain circumstances; requiring the department to  
72 send the recommendation and assessment to the state  
73 attorney for further review; requiring the  
74 multidisciplinary team to reexamine the case under  
75 certain circumstances; conforming provisions to  
76 changes made by the act; creating s. 1005.10, F.S.;  
77 requiring