

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: SB 524

INTRODUCER: Senator Sobel

SUBJECT: Sexually Violent Predators

DATE: January 13, 2014

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hendon	Hendon	CF	Favorable
2.			JU	
3.			AP	

I. Summary:

SB 524 aims to better protect children and other citizens from sexually violent predators and sex offenders. The Sexually Violent Predator Program was found to have weaknesses that allowed some sexually violent predators to avoid evaluation and civil commitment. Some of these predators went on to commit new sexual crimes. These weaknesses were raised in the Sun Sentinel series on August 20, 2013, entitled "Sex Predators Unleashed," a joint meeting of the Senate Judiciary and Children, Families, and Elder Affairs committee held September 24, 2013, and an internal review by the Department of Children and Families dated September 23, 2013.

The bill addresses problems with the sexually violent predator program by making major policy changes. First, the multidisciplinary team that determines if the person meets the definition of a sexually violent predator is improved. The bill requires that the team members be trained, that contracted team members be limited to one year contracts, and that the Department of Children and Families evaluate team members. The bill requires the multidisciplinary team deem the person a sexually violent predator when two or more members of the five member team find that the person meets the definition. The changes to the multidisciplinary teams will ensure better decisions as to whether the person is a sexually violent predator who is likely to commit new sexual crimes. These changes will likely result in more persons referred to the state attorney for civil commitment hearings. The bill also improves notification to students, parents, and staff at colleges and universities, by requiring such schools to inform students of the Department of Law Enforcement's website where students can find out if there are sexual offenders or predators on or near their campus. The fiscal impact of the bill is indeterminate, but could be significant. The bill would be effective July 1, 2014.

II. Present Situation:

Trends in Sex Offenses, Prison Sentences, and Recidivism

Over the last decade or so the prevalence of sexual violence in Florida, as measured by new prison admissions, has declined. This declining trend, however, reversed in the last couple of years. The largest increase in prison admissions for sex crimes is attributed to the offense of traveling to meet a minor met on the Internet for the purposes of sex. The steep rise for this particular crime (14 in FY 2010-11 to 154 in FY 2012-13) represented a 1,100 percent increase which may, in part, be due to sting operations conducted by law enforcement officials.

Less than six percent of annual prison admissions are for a sex offense. The two most common sex crimes resulting in incarceration include: lewd and lascivious battery with the victim between 12 and 15 years of age; and sexual battery by an adult when the victim is under 12 years of age.

Criminal laws governing sex offenders are predominantly found in Chapters 794 (Sexual battery), 796 (Prostitution), 800 (Lewd offenses) and 847 (Obscenity and pornography), F.S.

The criminal penalties for sex acts with children range widely from a capital felony with a mandatory term of life for sexual battery with a victim under 12 years of age to a third degree felony punishable up to 5 years in prison for lewd or lascivious molestation of a victim 12 to 15 years of age and the offender is less than 18 years of age.

The average prison sentence for sex offenders is longer than in the past and is currently at 12.7 years.

The Department of Corrections' current three-year recidivism rate for sex offenders is 34 percent. In other words, 34 percent of the sex offenders released from prison did return to prison for another offense (not necessarily a new sex crime) within 3 years of their release.

According to 2012 research conducted by Jill S. Levenson, Ph.D., the 5-year sexual recidivism rate for sex offenders in Florida is 5.2 percent. In other words, after 5 years, 5.2 percent were re-arrested for a new sexual crime. This calculation was based on a sample of 500 convicted sex offenders.

Factors Relating to Prosecution, Conviction, and Sentencing of Sex Offenses

On March 1, 2006, the Legislature's Office of Economic and Demographic Research (EDR) released a report entitled *Factors Relating to the Sentencing of Sex Offenders*. In that report EDR found that a variety of factors influence prosecution, conviction, and sentencing of sex offenses:

- Sex offenses share some characteristics with other serious offenses such as murder and robbery. The defendants face potentially lengthy prison terms. Therefore, defendants are motivated to fight the charges with whatever resources are at their disposal. Trial rates are highest for these three offenses.

- Law enforcement and prosecutorial resources gravitate towards these most serious cases. With the attention and time devoted to these cases, any problems with the evidence or proceedings associated with the case are more likely to be revealed and utilized by the defense.
- Sex offenses are also different from other offenses. The type of sanction and the length of sentence is often mitigated, and high proportions of defendants have at least some counts dismissed.
- One unique difficulty in the prosecution and conviction of sexual offenses is the young age of most of the victims. Data reviewed by EDR indicated that the average age of the victims was 13.4 years old and that 83 percent were 15 or younger.
- EDR found that 85 percent of the victims knew the offender, which creates another difficulty in prosecuting many sexual offense cases.
- Successful prosecution usually requires the victim to testify in court. Since many of the victims are children, many of whom know the offender, victim's families often consider the trauma of repeatedly revisiting the crimes in a public forum too difficult. Also, many children do not possess the intellectual and emotional skills necessary for adversarial confrontation with the defense. Faced with these challenges, the prosecution often determines that the best outcome can be achieved by a plea bargain including a reduced charge or lesser sentence.
- Even though mitigation may result in a lower sanction than desired by the prosecution, the conviction may require the offender to register as a sex offender.

Sexual Predator/Offender Registration

Florida's registry laws seek to improve public safety by classifying sex offenders as sexual predators or sexual offenders and subjecting them to registration and notification requirements. All qualifying sexual predators/offenders are listed on a public registry website maintained by FDLE. The website provides the public with email notifications when an offender moves close to any address; and offers to the public various search capabilities.

The sexual predator designation in Florida is reserved for relatively few sex offenders. As of September 11, 2013, there were a total of 43,640 persons who were located in Florida and required to register as a sexual predator or sexual offender. Of that total number, 21 percent were designated sexual predators.

Who is a sexual predator or sexual offender?

A person is designated as a sexual predator by a court if the person:

- Has been convicted of a current qualifying capital, life, or first degree felony sex offense committed on or after October 1, 1993;
- Has been convicted of a current qualifying sex offense committed on or after October 1, 1993, and has a prior conviction for a qualifying sex offense; or
- Is subject to civil commitment.

FDLE determines a person is a sexual offender if the person:

- Has been convicted of a qualifying sex offense and has been released on or after October 1, 1997 (the date the modern registry became effective) from the sanction imposed for that offense;
- Establishes/maintains a Florida residence and is subject to registration and/or community/public notification in another state/jurisdiction or is in the custody or control of, or under the supervision of, another state/jurisdiction as a result of a conviction for a qualifying sex offense; or
- On or after July 1, 2007, has been adjudicated delinquent of a qualifying sexual battery or lewd offense committed when the person was 14 years of age or older.

What are some of the registration obligations of sexual predators/offenders?

- Registrants must report to their local sheriff's office and provide a photograph, personal identifying information, driver's license/state ID number, social security number, residence address (including transient addresses), employer information, email addresses and Internet identifiers, and crime information.
- Sexual predators and some sexual offenders must report to the local sheriff's office quarterly; other sexual offenders must report bi-annually.
- Sexual predators/offenders must update their driver's license or identification card within 48 hours after any change to their residence (permanent, temporary, or transient) or name.
- Generally, sexual predators/offenders are subject to lifetime registration. However, some sexual offenders may petition for removal of registration requirements if they have been released from the latest sanction for at least 25 years, are arrest-free since release, and do not have an adult conviction for a disqualifying offense. Additionally, a small number of persons who were convicted of a qualifying sex offense committed as a young adult may petition for removal of registration requirements if all statutory criteria are met.
- Sexual predators are prohibited from working or volunteering at any place where children regularly congregate.

Sex Offenders under Community Supervision

- An offender may be placed on community supervision after conviction of a felony, either immediately upon sentencing or after serving a prison sentence. Offenders on community supervision report to and are monitored by probation officers employed by the Department of Corrections. Of those sex offenders released from prison in Fiscal Year 2012-13, 66.1 percent had supervision upon release.
- Supervised offenders must comply with statutory terms and conditions as well as special terms and conditions imposed by the sentencing court or, for certain types of post-release supervision, by the Parole Commission.
- The vast majority of sex offenders (94 percent) under supervision were placed there by the judge at the original sentencing. Either the offender was sentenced directly to supervision and had no prison at all or the offender was serving a split sentence (prison with probation to follow).

- A small portion of the sex offenders (6 percent) under supervision were placed there because of a statutory requirement (conditional release).
- As of July 31, 2013, 7740 offenders who are required to register as a sexual offender or a sexual predator were on community supervision, which is 5.3 percent of the total community supervision population of 145,462 offenders.
- As of July 31, 2013, 6315 offenders were on community supervision for committing a sex offense. Of those, 2181 or 34.5 percent were tracked with electronic monitoring, which is a mandatory condition of supervision for certain sex offenses.
- Offenders on community supervision for a sex offense are more likely to have supervision revoked for a technical violation than are other offenders on community supervision. During Fiscal Year 2011-2012, 427 sex offenders had supervision revoked for misconduct, with 74 percent of them revoked for a technical violation and 26 percent revoked for a new crime. By contrast, 34,095 other offenders had community supervision revoked for misconduct during the same time period, with 39 percent revoked for a technical violation and 61 percent revoked for a new crime.
- Offenders on community supervision for certain sex offenses committed against a child have conditions restricting them from:
 - Living near schools and other places where children regularly congregate;
 - Working or volunteering at any place where children regularly congregate, or
 - Having unsupervised contact with a minor.
- Residency restrictions and employment restrictions apply to offenders who committed certain sex offenses even if they have completed their sentences and are not on community supervision. Local ordinances may impose additional residence restrictions, including wider exclusion zones and additional areas of exclusion.
- In recent years mandatory conditions of supervision for sex offenders were expanded to prohibit certain activities such as distributing candy at Halloween and visiting schools without the prior approval of the probation officer.

Legal Basis for Civil Commitment of Sexually Violent Predators

- Florida's Sexually Violent Predator Program (SVPP) was modeled after the Kansas civil commitment statute that was found constitutional by the United States Supreme Court in *Kansas v. Hendricks*, 521 U.S. 346 (1997). The legislation authorizing civil commitment of sexually violent predators (ss. 394.910 – 394.932, F.S.) became effective on January 1, 1999.
- A sexually violent predator is an offender who has been convicted of an offense that is statutorily designated as a sexually violent offense and who suffers from a mental abnormality or personality disorder that makes him or her likely to engage in acts of sexual violence if not confined in a secure facility for long-term control, care, and treatment.
- In *Kansas v. Hendricks*, 521 U.S. 346 (1997), the United States Supreme Court held that the Kansas commitment statute was civil in nature, not criminal. Therefore, civil commitment of a sexually violent predator after the completion of criminal incarceration was not double jeopardy.
- The Court recognized that states may provide for forcible civil detention of people who have a mental illness or mental abnormality that makes them unable to control their behavior, and who thereby pose a danger to the public health and safety.

- The Court noted that the Kansas Legislature took great care to confine only a narrow class of particularly dangerous individuals after meeting the strictest procedural standards.
- In *Kansas v. Crane*, 534 U.S. 407 (2002), the Court held that the Constitution requires proof that a sexual offender has serious difficulty in controlling behavior, and that the proof must be sufficient to distinguish the dangerous sexual offender whose serious mental illness, abnormality, or disorder subjects him to civil commitment from the dangerous but typical recidivist convicted in an ordinary criminal case.
- In *Westerheide v. State*, 831 So.2d 93 (Fla. 2002), the Florida Supreme Court relied upon *Kansas v. Hendricks* in finding that Florida's civil commitment statute meets both federal and state constitutional requirements for involuntary civil commitment of sexually violent predators.

History of the Sexually Violent Predator Program and the Civil Confinement of Predators

- The Sexually Violent Predator Program (SVPP) was created by legislation passed in 1998 that became effective on January 1, 1999.
- The SVPP was originally housed in the Martin Treatment Center and operated by Liberty Behavioral Health Care under contract with the Department of Children and Families (DCF). Some detainees who were awaiting commitment proceedings were housed at the South Bay Sexually Violent Predator Detainee Unit, a unit of South Bay Correctional Facility operated by Geo Group, Inc.
- In late 2000, the program moved to the Florida Civil Commitment Center (FCCC) in Arcadia, Florida, a larger facility at which both detainees and committed Sexually Violent Predators (SVPs) were housed.
- During early years, the number of detainees significantly outnumbered the number of committed sexually violent predators. This caused problems because many detainees would not participate in sex offender treatment programs for fear of making incriminatory statements about their sexually violent activities that could be used against them during their commitment trial.
- There were reports of lax security resulting in violence, introduction of contraband, and general disorder within the facility. In late 2004, a number of inmates moved into the prison yard in protest of a fire marshal's directive that they have fewer personal items in their rooms. These inmates lived in the yard for months until they were forcibly removed by several hundred law enforcement and correctional officers.
- DCF terminated its contract with Liberty Healthcare Group in 2006 and selected Geo Group, Inc. as the new provider. In addition to operating the program, Geo Group was awarded a design and build contract to construct a new facility to replace the aging existing facility. The new FCCC, opened in April 2009, is a modern facility designed specifically for the SVPP. It has a population capacity of 720.
- There are currently 647 persons in the FCCC, including 567 sexually violent predators and 80 persons who are detained while awaiting their commitment trial.
- The current treatment program is a sequential program with four stages of treatment, each of which builds on the prior stages. Completion of the entire program takes at least 6 years. The SVPP is currently operated by Geo Care, LLC.
- From 2004 to 2009, DCF was a defendant in a federal class action lawsuit alleging unconstitutional conditions of confinement, violations of the ADA, and a lack of

opportunities for treatment. The lawsuit was settled and voluntarily dismissed by the plaintiffs in 2009 because of the improvements in conditions and treatment opportunities since it was filed in 2004.

Referral and Commitment Process for Sexually Violent Predators

Step 1 - Referral:

Referring agency gives notice to appropriate state attorney and DCF multidisciplinary team (MDT) of upcoming release of a person in total confinement who has been convicted, adjudicated delinquent, or found not guilty by reason of insanity of at least one of the sexually violent offenses listed in s. 394.912(9), F.S., at any time. Referring agency provides MDT with information and documentation about the referred person as required by s. 394.913, F.S.

- Department of Corrections notice at least 545 days before release from incarceration; Department of Juvenile Justice notice at least 180 days before release from residential commitment; DCF notice at least 180 days before hearing regarding release of person found not guilty by reason of insanity. Notice must be given as soon as practicable if confinement is shorter than these time frames.

Step 2 – MDT Review:

- DCF staff reviews documents provided by referring agency to ensure that information is complete, and obtains any missing or otherwise relevant information.
- Completed packet is reviewed by at least two persons, each of whom is a licensed psychiatrist or a licensed psychologist, to assess whether the referred person may meet the statutory commitment criteria of “suffer(ing) from a mental abnormality or personality disorder that makes the person likely to engage in acts of sexual violence if not confined in a secure facility for long-term control, care, and treatment.”
- MDT reviews initial assessment. If MDT finds that the person may meet commitment criteria, a clinical evaluation is conducted by at least one licensed psychiatrist or licensed psychologist. The evaluation must include a records review, a personal interview if consented to by the subject, and a risk assessment using the Static 99 instrument.
- MDT makes recommendation to state attorney within 180 days after referral. Recommendation that person meets commitment criteria can be made only if majority of MDT, including at least one clinical evaluator, determines that person meets commitment criteria.

Step 3 – Commitment Trial:

- State attorney receives MDT recommendation and decides whether to file a commitment petition with the court.
- If petition is filed, court determines whether there is probable cause for commitment.
- If court finds probable cause, commitment trial must be held within 30 days. One continuance of no more than 120 days may be allowed by the court.

- If probable cause is found, person will be transferred to DCF secure custody in detainee status if trial is not held before release from current sentence or other confinement.
- Person is entitled to representation by counsel (public defender if indigent), and either party may elect trial by a six-person jury.
- Judge or jury determines whether there is clear and convincing evidence that the person meets sexually violent predator (SVP) criteria. Jury finding that person is an SVP must be unanimous.

Step 4 – After Commitment Trial:

- Person who is found to be an SVP is committed to custody of DCF upon expiration of sentence or, if detained by DCF, is moved to commitment status.
- Once in DCF custody, SVP is transferred to Florida Civil Commitment Center for secure custody and treatment. The SVP's status is reviewed by the court at least annually. SVP may be discharged at any time if the court determines at a non-jury trial that his condition has so changed that it is safe for him to be at large and that he will not engage in acts of sexual violence if discharged.
- Person who is not found to be an SVP remains in custody of referring agency until expiration of sentence, or is released immediately if in detainee status. Any requirements for community supervision or sex offender/sex predator registration must be satisfied.

Number and Flow of SVPP Cases as of August 31, 2013

Since the beginning of the SVPP, 47,932 cases have been screened by DCF:

- Multidisciplinary team (MDT) screened out 40,920 cases as not meeting commitment criteria.
- MTD determined that 4,171 cases required a clinical evaluation.

Of the 4,171 cases that required a clinical evaluation:

- MDT recommended that 1,607 cases met commitment criteria.
- MDT recommended that 2,477 cases did not meet commitment criteria.
- 87 cases are pending or were deferred or deleted.

Of the 1,607 cases for which the MDT recommended commitment:

- The State Attorney filed a petition in 1,509 cases.
 - The State Attorney also filed petitions in 6 cases in which the MDT recommended that commitment criteria was not met.
 - The State Attorney did not file a petition in 70 cases.
 - A decision as to whether a petition will be filed is pending in 40 cases.

Of the 1,509 cases in which petitions were filed by the State Attorney:

- 466 cases were disposed of before the commitment trial, or are pending trial:
 - 332 persons were released (no probable cause, petition dismissed, or released by court order).
 - 83 persons are detained in the Florida Civil Commitment Center pending trial.
 - 21 petitions are otherwise pending trial.

- 30 persons are dead or out-of-state.

1,037 cases have been disposed of by a commitment trial:

- 575 sexually violent predators are committed to the SVPP Center.
- 1 person is in the SVPP Center by stipulated agreement.
- 4 sexually violent predators are awaiting the end of their prison sentence before commitment.
- 140 sexually violent predators were committed but have been released by stipulated agreement.
- 117 persons were completely released at trial.
- 8 persons were released at trial with conditions.
- 20 persons had their commitment overturned or dismissed.
- 119 persons were committed but later determined to no longer meet criteria.
- 32 persons are deceased or out of state.
- 22 persons were returned to prison for other reasons.

Current status of the respondents in the 1,509 petitions that were filed:

- 700 are in some form of secure custody in Florida.
- 741 have been released.
- 62 are deceased or out of state.

III. Effect of Proposed Changes:

Section 1 provides that the bill may be cited as the “Protecting Our Children from Sexual Predators Act.”

Section 2 amends s. 394.913, F.S., to require the Department of Children and Families (department) to provide training to members of the multidisciplinary team. The bill also limits contracted members of the team to one year contracts. The bill requires the department to evaluate the members of the team based on their knowledge of risk factors, ability to identify data from the review of records, and apply risk factors, and to compare the team members’ recommendations to the subsequent actions such as the civil commitment and recidivism. These changes should provide for more accurate and consistent evaluations by the multidisciplinary team. The bill also states that the person evaluated meets the definition of a sexually violent predator if two or more members of the multidisciplinary team find the person meets the definition. This will likely result in more cases referred to the state attorney for civil commitment proceedings.

Section 3 amends s. 1005.10, F.S., to require private colleges, universities, and schools to notify students and employees of the website maintained by the Department of Law Enforcement to locate sexual offenders and sexual predators. This will allow students to know if there are sexual offenders and predators on or near the school campus.

Section 4 amends s. 1006.695, F.S., to require public colleges, universities, and schools to notify students and employees of the website maintained by the Department of Law Enforcement to locate sexual offenders and sexual predators. This will allow students to know if there are sexual offenders and predators on or near the school campus.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

State Government

The bill would likely increase the number of persons in the Sexually Violent Predator Program. The bill states that the person evaluated meets the definition of a sexually violent predator if two or more members of the multidisciplinary team find the person meets the definition. This will likely result in more cases referred to the state attorney for civil commitment proceedings. To the extent that the bill increases the number of persons evaluated to be sexually violent predators, the bill would increase costs to the state. The number of new cases as a result of the bill cannot be determined. Current costs for persons evaluated and adjudicated for civil commitment are however, known.

Department of Children and Families

The department will see increased costs for the evaluations of additional persons required to be assessed under the bill and the cost of housing additional sexually violent predators. The department spent \$30.9 million on the sexually violent predator program to evaluate and house SVPs. The department will experience increased costs in the evaluations, detention, and commitment of sexually violent predators.

The costs associated with evaluations involve staff time, contracted evaluators, travel expenses, and office space. Currently, the department evaluates approximately 3,500

individuals per year.¹ The department estimates that each evaluation costs an average of \$910.² Evaluations that include face to face interviews with the individual cost more than those without face to face interviews.

The costs associated with the detention and commitment of sexually violent predators would be for housing, security and treatment. The department contracts with a private vendor to operate the Florida Civil Commitment Center. The cost per day for both detainees and committed persons is \$99.86 or \$36,449 each year. The center has a capacity of 720 and as of November 30, 2013, the census was 647. This leaves 73 vacant beds. If the effect of the bill increases the census beyond the center's capacity, the department may need to procure additional beds at another facility.

Judicial costs

The judicial system would also see increased costs due to more cases filed for civil commitment by the state attorney. The increased judicial costs would include additional judge and staff time for the state courts system and staff time and case related costs for the state attorneys and public defenders.

The Florida Supreme Court uses a workload formula to estimate the need for new judges. The formula is based on the expected number of hours/minutes needed for a judge to adjudicate different case types. The court formula shows that sexually violent predator cases take an average of 16.9 hours.³ Using the standard of 2,080 hours per work year, one new judge would be able to preside over 123 additional sexually violent predator cases. When the legislature has established and funded additional circuit judges in the past, an estimated cost of \$250,000 per year per judge has been used. This includes the judge and a judicial assistant, and associated expenses. If one judge can preside over 123 sexually violent predator cases each year, the cost per case would be \$2,032 (\$250,000/123).

Assistant state attorneys and their legal assistants must prepare their case and participate in the judicial hearing. The Florida Prosecuting Attorneys Association estimated the cost per sexually violent predator case using the number of cases per attorney and the costs per attorney is currently \$1,486.

Most persons determined to be sexually violent predators are indigent and are represented by the public defender. The Public Defenders Association provided cost information from the 2nd circuit. That circuit's cost per case was \$8,566. These costs are significantly higher than those of the state attorney even though the staff costs are similar between an assistant state attorney and an assistant public defender. The information from the 2nd circuit may not be representative of all public defender offices.

¹ Correspondence from the Department of Children and Families, (Dec.6, 2013) (on file with the Senate Committee on Children, Families, and Elder Affairs).

² *Id.*

³ Correspondence with the Office of State Courts Administrator, (Nov. 20, 2013) (on file with the Senate Committee on Children, Families, and Elder Affairs).

In addition to the attorney time, state attorney and public defender offices incur case related costs, such as expert witnesses, depositions, and transcripts. Such costs are paid by the Justice Administrative Commission. During state fiscal year 2011-2012, the state paid \$2,739,940 in case related costs for 575 sexually violent predator cases.⁴ While the cases can continue more than one year, the annual cost per case is estimated to be \$4,765. Table 1 shows the costs for each new evaluation and civil commitment.

Table 1. Unit Costs for Sexually Violent Predator Program

Department of Children and Families evaluation	\$910
Department of Children and Families annual cost for detainees and commitments	\$36,449
State Courts System cost per case	\$2,032
State Attorney – staff and expenses cost per case	\$1,486
Public Defender – staff and expenses cost per case	\$8,566
Justice Administrative Commission – case related costs	\$4,765

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 394.913 of the Florida Statutes.
 This bill creates the following sections of the Florida Statutes: 1005.10 and 1006.695.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

⁴ Correspondence from the Justice Administrative Commission, (Dec.6, 2013) (on file with the Senate Committee on Children, Families, and Elder Affairs).