

A bill to be entitled

An act relating to the sexually violent predator program; amending s. 394.926, F.S.; requiring the Department of Children and Families to notify the victim, the Department of Corrections, the Parole Commission, and the sheriffs of specified counties upon the release of certain persons; amending s. 394.931, F.S.; requiring the Department of Corrections to annually submit recidivism data; deleting obsolete provisions; providing an effective date.

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

Section 1. Section 394.926, Florida Statutes, is amended to read:

394.926 Notice to victims and others of release of persons in the custody of the department ~~committed as sexually violent predators; notice to Department of Corrections and Parole Commission.~~

(1) As soon as is practicable, the department shall give written notice of the release of a person in the custody of the department ~~committed as a sexually violent predator~~ to any victim of the ~~committed~~ person who is alive and whose address is known to the department or, if the victim is deceased, to the victim's family, if the family's address is known to the department. Failure to notify is not a reason for postponement

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27 of release. This section does not create a cause of action
28 against the state or an employee of the state acting within the
29 scope of the employee's employment as a result of the failure to
30 notify pursuant to this part.

31 (2) If a person in the custody of the department ~~sexually~~
32 ~~violent predator~~ who has an active or pending term of probation,
33 community control, parole, conditional release, or other court-
34 ordered or postprison release supervision is released ~~from~~
35 ~~custody~~, the department must immediately notify the Department
36 of Corrections' Office of Community Corrections in Tallahassee.
37 The Parole Commission must also be immediately notified of any
38 releases of a person ~~sexually violent predator~~ who has an active
39 or pending term of parole, conditional release, or other
40 postprison release supervision that is administered by the
41 Parole Commission.

42 (3) If a person in the custody of the department is
43 released, the department must notify the sheriff of the county
44 in which the person intends to reside, or if unknown, the
45 sheriff of the county in which the person was last convicted.

46 Section 2. Section 394.931, Florida Statutes, is amended
47 to read:

48 394.931 Quarterly reports.—

49 ~~Beginning July 1, 1999,~~ The Department of Corrections shall
50 collect information and compile quarterly reports with
51 statistics profiling inmates released the previous quarter who
52 fit the criteria and were referred to the department ~~of Children~~

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53 ~~and Family Services~~ pursuant to this part act. ~~The quarterly~~
54 ~~reports must be produced beginning October 1, 1999.~~ At a
55 minimum, the information that must be collected and compiled for
56 inclusion in the reports includes: whether the qualifying
57 offense was the current offense or the prior offense; the
58 offender's most serious sexual offense; the total number of
59 distinct victims of the sexual offense; whether the victim was
60 known to the offender; whether the sexual act was consensual;
61 whether the sexual act involved multiple victims; whether direct
62 violence was involved in the sexual offense; the age of each
63 victim at the time of the offense; the age of the offender at
64 the time of the first sexual offense; whether a weapon was used;
65 length of time since the most recent sexual offense; and the
66 total number of prior and current sexual-offense convictions.
67 The Department of Corrections shall compile recidivism data on
68 those referred, detained, or committed to the department. The
69 data shall be submitted annually to the Legislature ~~In addition,~~
70 ~~the Department of Children and Family Services shall implement a~~
71 ~~long-term study to determine the overall efficacy of the~~
72 ~~provisions of this part.~~

73 Section 3. This act shall take effect July 1, 2014.