

26 | from s. 119.07(1) and s. 24(a), Art. I of the State Constitution
27 | if it is related to an ongoing, good faith investigation of a
28 | claim of actual innocence and remains exempt until the claim is
29 | no longer capable of further reasonable investigation or the
30 | relief sought is granted. This exemption applies to
31 | postconviction reinvestigative information held by an agency
32 | before, on, or after the effective date of this exemption. This
33 | paragraph is subject to the Open Government Sunset Review Act in
34 | accordance with s. 119.15 and shall stand repealed on October 2,
35 | 2025, unless reviewed and saved from repeal through reenactment
36 | by the Legislature.

37 | Section 2. The Legislature finds that it is a public
38 | necessity that postconviction reinvestigative information be
39 | made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
40 | Art. I of the State Constitution if it is related to an ongoing,
41 | good faith investigation of a claim of actual innocence and
42 | remains exempt until the claim is no longer capable of further
43 | reasonable investigation or the relief sought is granted. Public
44 | release of postconviction reinvestigative information could
45 | result in the disclosure of sensitive information, such as the
46 | identity or location of an alternate suspect, a witness, or
47 | other evidence needed to exonerate a wrongfully convicted
48 | person, which could compromise the reinvestigation of a
49 | wrongfully convicted person's case. The Legislature further
50 | finds that it is necessary to protect this information in order

51 to encourage witnesses, who might otherwise be reluctant to come
52 forward, to be forthcoming with evidence of a crime. It is in
53 the interest of pursuing justice for persons who may have been
54 wrongfully convicted that all postconviction reinvestigative
55 information be protected until investigation of the claim of
56 actual innocence is concluded. The Legislature finds that the
57 harm that may result from the release of such information
58 outweighs any public benefit that may be derived from its
59 disclosure, and it is in the interest of the public to
60 safeguard, preserve, and protect information relating to a claim
61 of actual innocence by a person who may have been convicted of a
62 crime he or she did not commit.

63 Section 3. This act shall take effect July 1, 2020.