



607118

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2025	.	
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The Committee on Judiciary (Pizzo) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. The facts stated in the preamble to this act are
found and declared to be true.

Section 2. The sum of \$1.722 million is appropriated from
the General Revenue Fund to the Department of Financial Services
for the relief of Sidney Holmes for his wrongful incarceration.

The Chief Financial Officer is directed to draw a warrant in
favor of Mr. Holmes in the sum of \$1.722 million, payable



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12 directly to Sidney Holmes.

13 Section 3. Tuition and fees for Mr. Holmes shall be waived
14 for up to a total of 120 hours of instruction at any career
15 center established under s. 1001.44, Florida Statutes, any
16 Florida College System institution established under part III of
17 chapter 1004, Florida Statutes, or any state university. For any
18 educational benefit made, Mr. Holmes must meet and maintain the
19 regular admission and registration requirements of such career
20 center, institution, or state university and make satisfactory
21 academic progress as defined by the educational institution in
22 which he is enrolled.

23 Section 4. With respect to the relief for Mr. Holmes as
24 described in this act, the Legislature does not waive any
25 defense of sovereign immunity or increase the limits of
26 liability on behalf of the state or any person or entity that is
27 subject to s. 768.28, Florida Statutes, or any other law. Funds
28 awarded under this act to Mr. Holmes may not be used or be paid
29 for attorney fees or lobbying fees related to this claim.

30 Section 5. Upon his receipt of payment under this act, Mr.
31 Holmes may not submit an application for compensation under
32 chapter 961, Florida Statutes.

33 Section 6. The amount awarded under this act is intended to
34 provide the sole compensation for all present and future claims
35 arising out of the factual situation described in this act.

36 Section 7. If any future judicial determination concludes
37 that Mr. Holmes, by DNA evidence or otherwise, participated in
38 any manner in the armed robbery for which he was incarcerated,
39 the unused benefits to which he is entitled under this act are
40 void.



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41 Section 8. This act shall take effect upon becoming a law.

42

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

44 And the title is amended as follows:

45 Delete everything before the enacting clause

46 and insert:

47 A bill to be entitled

48 An act for the relief of Sidney Holmes; providing an
49 appropriation to compensate Mr. Holmes for being
50 wrongfully incarcerated for 34 years; directing the
51 Chief Financial Officer to draw a warrant payable
52 directly to Mr. Holmes; providing for the waiver of
53 certain tuition and fees for Mr. Holmes; declaring
54 that the Legislature does not waive certain defenses
55 or increase the state's limits of liability with
56 respect to the act; prohibiting funds awarded under
57 the act to Mr. Holmes from being used or paid for
58 attorney or lobbying fees; prohibiting Mr. Holmes from
59 submitting a compensation application under certain
60 provisions upon his receipt of payment under the act;
61 providing that certain benefits are void upon
62 specified findings; providing an effective date.

63

64 WHEREAS, Sidney Holmes was arrested on October 6, 1988, for
65 a robbery committed on June 19, 1988, outside a convenience
66 store in Fort Lauderdale and was convicted on April 26, 1989, of
67 armed robbery with a firearm, and

68 WHEREAS, since the time of his arrest, Mr. Holmes has been
69 unwavering in maintaining his innocence in connection with the



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70 crime, and

71 WHEREAS, Mr. Holmes, who had previous felony convictions,
72 was sentenced to 400 years in prison and served 34 years of that
73 sentence, and

74 WHEREAS, on February 23, 2023, the Conviction Review Unit
75 for the State Attorney's Office for the 17th Judicial Circuit
76 issued a 25-page "Conviction Review Unit Final Memorandum,"
77 reaching the conclusion that Mr. Holmes' judgment and sentence
78 should be vacated and that the State Attorney's Office should
79 enter a nolle prosequi, and

80 WHEREAS, the final memorandum was issued based on the
81 findings of the Independent Review Panel that the case against
82 Mr. Holmes gave rise to reasonable doubt as to his culpability
83 and noted that it was highly likely that Mr. Holmes is factually
84 innocent of the armed robbery and that the Broward County State
85 Attorney's Office would not charge Mr. Holmes if the case were
86 presented today, and

87 WHEREAS, on March 13, 2023, the Circuit Court for the 17th
88 Judicial Circuit issued, with the concurrence of the state, an
89 "Agreed Order Vacating Judgment and Sentence" on the basis that
90 there is reasonable doubt as to Mr. Holmes' guilt in the case
91 and that it is highly likely that he was misidentified and is
92 factually innocent of the armed robbery, and

93 WHEREAS, that same day, the state filed a Notice of Nolle
94 Prosequi, exonerating Mr. Holmes, and

95 WHEREAS, the Legislature acknowledges that the state's
96 system of justice yielded an imperfect result that had tragic
97 consequences in this case, and

98 WHEREAS, the Legislature acknowledges that as a result of



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99 his physical confinement, Mr. Holmes suffered significant
100 damages that are unique to him, and that the damages are due to
101 the fact that he was physically restrained and prevented from
102 exercising the freedom to which all innocent citizens are
103 entitled, and

104 WHEREAS, before his conviction for the aforementioned
105 crime, Mr. Holmes had prior convictions for unrelated felonies,
106 and

107 WHEREAS, because of those prior felony convictions, Mr.
108 Holmes is ineligible for compensation under chapter 961, Florida
109 Statutes, and

110 WHEREAS, the Legislature apologizes to Mr. Holmes on behalf
111 of the state, NOW, THEREFORE,