

Committee on Criminal Justice

CS/SB 1012 — Victims of Crimes

by Judiciary Committee and Senators Burgess, Book, and Perry

The bill amends s. 960.001, F.S., to provide that, in addition to other enumerated information, a victim must be informed of his or her right to employ private counsel. A new provision is added that encourages The Florida Bar to develop a registry of attorneys who are willing to serve on a pro bono basis as advocates for crime victims.

This statute is amended to clarify that victims who are not incarcerated, or the victim's representatives, may, *upon request*, be informed, be present, and be heard at all stages of criminal and juvenile proceedings. The bill removes language from the existing statute to remove the conditions that a victim has a right to be informed, present, or to be heard "when relevant," at a "crucial" stage, and "to the extent that this right does not interfere with constitutional rights of the accused."

This statute is further amended to clarify that victims who are incarcerated may, *upon request*, be informed, and submit written statements at all stages of criminal and juvenile proceedings. The bill removes language from the existing statute to remove the requirement that the stage be a "crucial" stage for the incarcerated victim to be informed and submit statements at proceedings.

The bill amends ss. 960.0021 and 985.036, F.S., relating to a court's responsibility to inform a victim of his or her rights and the rights of a victim in a juvenile proceeding, respectively, to specify that the victim must be informed *upon request*.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 37-0; House 113-0