

By Senator Burgess

20-00474-22

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1                                   A bill to be entitled  
 2       An act relating to victims of crimes; amending s.  
 3       960.001, F.S.; requiring law enforcement personnel to  
 4       ensure that victims are given information about their  
 5       right to employ private counsel; encouraging The  
 6       Florida Bar to develop a registry of attorneys willing  
 7       to serve as crime victim advocates on a pro bono  
 8       basis; providing an effective date.

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

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 12           Section 1. Paragraph (a) of subsection (1) of section  
 13   960.001, Florida Statutes, is amended to read:

14           960.001 Guidelines for fair treatment of victims and  
 15   witnesses in the criminal justice and juvenile justice systems.-

16           (1) The Department of Legal Affairs, the state attorneys,  
 17   the Department of Corrections, the Department of Juvenile  
 18   Justice, the Florida Commission on Offender Review, the State  
 19   Courts Administrator and circuit court administrators, the  
 20   Department of Law Enforcement, and every sheriff's department,  
 21   police department, or other law enforcement agency as defined in  
 22   s. 943.10(4) shall develop and implement guidelines for the use  
 23   of their respective agencies, which guidelines are consistent  
 24   with the purposes of this act and s. 16(b), Art. I of the State  
 25   Constitution and are designed to implement s. 16(b), Art. I of  
 26   the State Constitution and to achieve the following objectives:

27           (a) *Information concerning services available to victims of*  
 28   *adult and juvenile crime.*-As provided in s. 27.0065, state  
 29   attorneys and public defenders shall gather information

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30 regarding the following services in the geographic boundaries of  
31 their respective circuits and shall provide such information to  
32 each law enforcement agency with jurisdiction within such  
33 geographic boundaries. Law enforcement personnel shall ensure,  
34 through distribution of a victim's rights information card or  
35 brochure at the crime scene, during the criminal investigation,  
36 and in any other appropriate manner, that victims are given, as  
37 a matter of course at the earliest possible time, information  
38 about:

39 1. The availability of crime victim compensation, if  
40 applicable;

41 2. Crisis intervention services, supportive or bereavement  
42 counseling, social service support referrals, and community-  
43 based victim treatment programs;

44 3. The role of the victim in the criminal or juvenile  
45 justice process, including what the victim may expect from the  
46 system as well as what the system expects from the victim;

47 4. The stages in the criminal or juvenile justice process  
48 which are of significance to the victim and the manner in which  
49 information about such stages can be obtained;

50 5. The right of a victim, who is not incarcerated,  
51 including the victim's parent or guardian if the victim is a  
52 minor, the lawful representative of the victim or of the  
53 victim's parent or guardian if the victim is a minor, and the  
54 next of kin of a homicide victim, to be informed, to be present,  
55 and to be heard when relevant, at all crucial stages of a  
56 criminal or juvenile proceeding, to the extent that this right  
57 does not interfere with constitutional rights of the accused, as  
58 provided by s. 16(b), Art. I of the State Constitution;

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59           6. In the case of incarcerated victims, the right to be  
60 informed and to submit written statements at all crucial stages  
61 of the criminal proceedings, parole proceedings, or juvenile  
62 proceedings; ~~and~~

63           7. The right of a victim to a prompt and timely disposition  
64 of the case in order to minimize the period during which the  
65 victim must endure the responsibilities and stress involved to  
66 the extent that this right does not interfere with the  
67 constitutional rights of the accused; and

68           8. The right of a victim to employ private counsel  
69 consistent with the constitutional rights of the accused. The  
70 Florida Bar is encouraged to develop a registry of attorneys who  
71 are willing to serve on a pro bono basis as advocates for crime  
72 victims.

73           Section 2. This act shall take effect July 1, 2022.