HB 697 2022

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A bill to be entitled

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

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

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

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

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

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the State Constitution and to achieve the following objectives:

- (a) Information concerning services available to victims of adult and juvenile crime.—As provided in s. 27.0065, state attorneys and public defenders shall gather information regarding the following services in the geographic boundaries of their respective circuits and shall provide such information to each law enforcement agency with jurisdiction within such geographic boundaries. Law enforcement personnel shall ensure, through distribution of a victim's rights information card or brochure at the crime scene, during the criminal investigation, and in any other appropriate manner, that victims are given, as a matter of course at the earliest possible time, information about:
- 1. The availability of crime victim compensation, if applicable;
- 2. Crisis intervention services, supportive or bereavement counseling, social service support referrals, and community-based victim treatment programs;
- 3. The role of the victim in the criminal or juvenile justice process, including what the victim may expect from the system as well as what the system expects from the victim;
- 4. The stages in the criminal or juvenile justice process which are of significance to the victim and the manner in which information about such stages can be obtained;
 - 5. The right of a victim, who is not incarcerated,

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CODING: Words stricken are deletions; words underlined are additions.

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

- 6. In the case of incarcerated victims, the right to be informed and to submit written statements at all crucial stages of the criminal proceedings, parole proceedings, or juvenile proceedings; and
- 7. The right of a victim to a prompt and timely disposition of the case in order to minimize the period during which the victim must endure the responsibilities and stress involved to the extent that this right does not interfere with the constitutional rights of the accused; and
- 8. The right of a victim to employ private counsel. The Florida Bar is encouraged to develop a registry of attorneys who are willing to serve on a pro bono basis as advocates for crime victims.
 - Section 2. This act shall take effect July 1, 2022.