

1 A bill to be entitled
 2 An act relating to victims of crimes; amending s.
 3 960.001, F.S.; providing, upon request, specified
 4 rights to crime victims at all stages of a criminal or
 5 juvenile proceeding; requiring law enforcement
 6 personnel to ensure that victims are given information
 7 about their right to employ private counsel;
 8 encouraging The Florida Bar to develop a registry of
 9 attorneys willing to serve as crime victim advocates
 10 on a pro bono basis; amending ss. 960.0021 and
 11 985.036, F.S.; conforming provisions to changes made
 12 by the act; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Paragraph (a) of subsection (1) of section
 17 960.001, Florida Statutes, is amended to read:

18 960.001 Guidelines for fair treatment of victims and
 19 witnesses in the criminal justice and juvenile justice systems.—

20 (1) The Department of Legal Affairs, the state attorneys,
 21 the Department of Corrections, the Department of Juvenile
 22 Justice, the Florida Commission on Offender Review, the State
 23 Courts Administrator and circuit court administrators, the
 24 Department of Law Enforcement, and every sheriff's department,
 25 police department, or other law enforcement agency as defined in

26 s. 943.10(4) shall develop and implement guidelines for the use
27 of their respective agencies, which guidelines are consistent
28 with the purposes of this act and s. 16(b), Art. I of the State
29 Constitution and are designed to implement s. 16(b), Art. I of
30 the State Constitution and to achieve the following objectives:

31 (a) *Information concerning services available to victims*
32 *of adult and juvenile crime.*—As provided in s. 27.0065, state
33 attorneys and public defenders shall gather information
34 regarding the following services in the geographic boundaries of
35 their respective circuits and shall provide such information to
36 each law enforcement agency with jurisdiction within such
37 geographic boundaries. Law enforcement personnel shall ensure,
38 through distribution of a victim's rights information card or
39 brochure at the crime scene, during the criminal investigation,
40 and in any other appropriate manner, that victims are given, as
41 a matter of course at the earliest possible time, information
42 about:

43 1. The availability of crime victim compensation, if
44 applicable;

45 2. Crisis intervention services, supportive or bereavement
46 counseling, social service support referrals, and community-
47 based victim treatment programs;

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

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

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

64 6. In the case of incarcerated victims, the right, upon
65 request, to be informed and to submit written statements at all
66 ~~crucial~~ stages of the criminal proceedings, parole proceedings,
67 or juvenile proceedings; ~~and~~

68 7. The right of a victim to a prompt and timely
69 disposition of the case in order to minimize the period during
70 which the victim must endure the responsibilities and stress
71 involved ~~to the extent that this right does not interfere with~~
72 ~~the constitutional rights of the accused~~; and

73 8. The right of a victim to employ private counsel. The
74 Florida Bar is encouraged to develop a registry of attorneys who
75 are willing to serve on a pro bono basis as advocates for crime

76 victims.

77 Section 2. Paragraph (a) of subsection (2) of section
78 960.0021, Florida Statutes, is amended to read:

79 960.0021 Legislative intent; advisement to victims.—

80 (2) The courts may fulfill their obligation to advise
81 crime victims by:

82 (a) Making the following announcement at any arraignment,
83 sentencing, or case-management proceeding:

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85 "If you are the victim of a crime with a case pending before
86 this court, you are advised that you have the right, upon
87 request:

88

1. To be informed.

89

2. To be present.

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3. To be heard, ~~when relevant,~~ at all ~~erucial~~ stages of
91 criminal proceedings ~~to the extent that these rights do not~~
92 ~~interfere with the constitutional rights of the accused.~~

93

4. To receive advance notification, when possible, of
94 judicial proceedings and notification of scheduling
95 changes, pursuant to section 960.001, Florida Statutes.

96

5. To seek crimes compensation and restitution.

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6. To consult with the state attorney's office in certain
98 felony cases regarding the disposition of the case.

99

7. To make an oral or written victim impact statement at
100 the time of sentencing of a defendant.

101 For further information regarding additional rights afforded to
 102 victims of crime, you may contact the state attorney's office or
 103 obtain a listing of your rights from the Clerk of Court."

104 ; or

105 Section 3. Paragraph (d) of subsection (1) of section
 106 985.036, Florida Statutes, is amended to read:

107 985.036 Rights of victims; juvenile proceedings.—

108 (1) Nothing in this chapter prohibits:

109 (d) The next of kin if the victim is a homicide victim,

110
 111 from the right, upon request, to be informed of, to be present
 112 during, and to be heard ~~when relevant at,~~ all ~~crucial~~ stages of
 113 the proceedings involving the juvenile offender, ~~to the extent~~
 114 ~~that such rights do not interfere with the constitutional rights~~
 115 ~~of the juvenile offender~~. A person enumerated in this section
 116 may not reveal to any outside party any confidential information
 117 obtained under this subsection regarding a case involving a
 118 juvenile offense, except as is reasonably necessary to pursue
 119 legal remedies.

120 Section 4. This act shall take effect July 1, 2022.