



**PUBLIC SAFETY
&
DOMESTIC SECURITY POLICY
COMMITTEE**

**TUESDAY, JANUARY 12, 2010
10:00 A.M. – 12:00 P.M.
404 HOB**

ACTION PACKET

Larry Cretul
Speaker

Kevin C. Ambler
Chair

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee
1/12/2010 10:00:00AM

Location: 404 HOB

Summary:

Public Safety & Domestic Security Policy Committee

Tuesday January 12, 2010 10:00 am

HB 11	Favorable	Yeas: 13	Nays: 0
HB 33	Favorable With Committee Substitute	Yeas: 11	Nays: 0
HB 59	Favorable	Yeas: 13	Nays: 0
HB 89	Favorable	Yeas: 12	Nays: 0
HB 97	Favorable	Yeas: 12	Nays: 0
HB 247	Temporarily Deferred		
HB 259	Favorable	Yeas: 12	Nays: 0
HB 261	Favorable	Yeas: 12	Nays: 0
HB 297	Favorable With Committee Substitute	Yeas: 12	Nays: 0

Committee meeting was reported out: **Wednesday, January 13, 2010 12:58:02PM**

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Kevin Ambler (Chair)	X		
Sandra Adams	X		
Mackenson Bernard	X		
Brad Drake	X		
Greg Evers	X		
Luis Garcia	X		
Bill Heller	X		
Doug Holder	X		
Ed Hooper	X		
Lake Ray	X		
Julio Robaina	X		
Darryl Rouson	X		
Kelli Stargel	X		
James Waldman	X		
Totals:	14	0	0

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

HB 11 : Crimes Against Homeless Persons

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake	X				
Greg Evers	X				
Luis Garcia	X				
Bill Heller	X				
Doug Holder	X				
Ed Hooper	X				
Lake Ray			X		
Julio Robaina	X				
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

HB 11 Crimes Against Homeless Persons by Porth
Edward G. Labrador, Legislative Counsel (Lobbyist) - Proponent
Broward County
Government Center 115 S. Andrews Avenue, Suite 427
Ft. Lauderdale Fl 33301
Phone: 954-357-7575

HB 11 Crimes Against Homeless Persons by Porth
Dave Ericks (Lobbyist) - Proponent
Broward Sheriff's
205 S. Adams St.
Tallahassee Fl 32301
Phone: 850-224-0880

HB 11 Crimes Against Homeless Persons by Porth
Ron Book (Lobbyist) - Proponent
Miami Dade Homeless Trust
104 W. Jefferson
Tallahassee Fl

HB 11 Crimes Against Homeless Persons by Porth
Arthur Rosenberg, Attorney (Lobbyist) - Proponent
Florida Legal Services
3000 Biscayne Blvd.
Miami Fl 33137
Phone: 850-509-2085

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

HB 11 Crimes Against Homeless Persons by Porth

Richard Wierzbicki, Commander - Proponent

Broward Sheriff's Office

2601 W. Broward Blvd.

Ft Lauderdale Fl

Phone: 954-849-6422

HB 11 Crimes Against Homeless Persons by Porth

Nancy Daniels, Public Defender, 2nd Circuit (State Employee) - Opponent

Florida Public Defender Association

Leon County Courthouse 301 S. Monroe St. #401

Tallahassee Fl 32301

Phone: 850-606-1010

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee
1/12/2010 10:00:00AM

Location: 404 HOB

HB 33 : Selling, Giving, or Serving Alcoholic Beverages to Persons Under 21 Years of Age

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake	X				
Greg Evers	X				
Luis Garcia	X				
Bill Heller	X				
Doug Holder			X		
Ed Hooper	X				
Lake Ray				X	
Julio Robaina				X	
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)	X				
Total Yeas: 11					
		Total Nays: 0			

Appearances:

HB 33 Selling, Giving, or Serving Alcoholic Beverages to Persons Under 21 Years of Age by Randolph Ellen Piekalkiewicz, Executive Director (Lobbyist) (State Employee) - Proponent
 Florida Substance Abuse & Mental Health Corp.
 1317 Winewood
 Tallahassee Fl
 Phone: 850-410-1576

HB 33 Selling, Giving, or Serving Alcoholic Beverages to Persons Under 21 Years of Age by Randolph Mark P. Fontaine, Executive Director (Lobbyist) - Proponent
 Florida Alcohol & Drug Abuse Association
 2868 Mahan Drive
 Tallahassee Fl 32308
 Phone: 850-878-2196

Committee meeting was reported out: **Wednesday, January 13, 2010 12:58:02PM**



Council/Committee/Subcommittee on _____

Date 1/12/10

favourable
1.12.10

Action _____

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY
(may be used in Council/Committee/Subcommittee, but **not** on House Floor)

Amendment No. 1

Bill No. 33

(For filing with the Clerk, Council, Committee and Member Amendments **must** be prepared by House Bill Drafting Services (Rule 12.1))

Representative(s)/The Council/Committee/Subcommittee on Rep. Adams

offered the following amendment:

Amendment

on page 1, line(s) 26,

subsequent time within 1 year after a prior
conviction commits a

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

HB 59 : Athletic Coaches

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake	X				
Greg Evers	X				
Luis Garcia	X				
Bill Heller	X				
Doug Holder			X		
Ed Hooper	X				
Lake Ray	X				
Julio Robaina	X				
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

HB 59 Athletic Coaches by Gibbons
 Ron Book (Lobbyist) - Proponent
 Laurens Kids Foundation
 104 W. Jefferson St.
 Tallahassee Fl

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

HB 89 : Pretrial Proceedings

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake	X				
Greg Evers	X				
Luis Garcia	X				
Bill Heller	X				
Doug Holder			X		
Ed Hooper	X				
Lake Ray	X				
Julio Robaina	X				
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)			X		
Total Yeas: 12		Total Nays: 0			

Appearances:

HB 89 Pretrial Proceedings by Thompson, N.
 Ken Kopczynski (Lobbyist) - Proponent
 Florida Police Benevolent Association
 300 E. Brevard St.
 Tallahassee Fl 32301
 Phone: 850-222-3329

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

HB 97 : Street Racing

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake	X				
Greg Evers	X				
Luis Garcia	X				
Bill Heller	X				
Doug Holder	X				
Ed Hooper	X				
Lake Ray			X		
Julio Robaina	X				
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)			X		
Total Yeas: 12		Total Nays: 0			

Appearances:

HB 97 Street Racing by Soto
 James D. Reichenbach II (Lobbyist) - Proponent
 ABATE of florida, Inc
 P O Box 712
 Silver Springs Fl 34489
 Phone: 352-625-6353

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

HB 247 : Driving or Boating Under the Influence

Temporarily Deferred

Appearances:

HB 247 Driving or Boating Under the Influence by Weinstein
Honorable Nancy Daniels, Public Defender 2nd Circuit (State Employee) - Opponent
Florida Public Defender Association
Leon County Courthouse 301 S. Monroe St. #401
Tallahassee FL 32301
Phone: 850-656-1011

HB 247 Driving or Boating Under the Influence by Weinstein
Lisa Hurley - Information Only
Florida Association Criminal Defense Lawyers
P O Box 10007
Tallahassee FL 32302
Phone: 850-224-2001

HB 247 Driving or Boating Under the Influence by Weinstein
Jim Brown, Colonel (Lobbyist) (State Employee) - Proponent
Florida Wildlife Commission
620 S. Meridan St.
Tallahassee FL 32399
Phone: 850-488-6251

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

HB 259 : Capital Felonies

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake	X				
Greg Evers	X				
Luis Garcia	X				
Bill Heller	X				
Doug Holder			X		
Ed Hooper	X				
Lake Ray	X				
Julio Robaina	X				
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)			X		
Total Yeas: 12		Total Nays: 0			

Appearances:

HB 259 Capital Felonies by Weinstein
Honorable Nancy A. Daniels, Public Defender 2nd Circuit (State Employee) - Opponent
Florida Public Defender Association
301 S. Monroe St. #401
Tallahassee Fl 32301
Phone: 850-656-1011

HB 259 Capital Felonies by Weinstein
Richard Ramos (Lobbyist) - Proponent
Florida Coalition Against Domestic Violence
215 S. Monroe St. Suite 602
Tallahassee Fl 32301
Phone: 850-222-2697

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee
1/12/2010 10:00:00AM

Location: 404 HOB

HB 261 : Parole Interview Dates for Certain Inmates

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake	X				
Greg Evers	X				
Luis Garcia				X	
Bill Heller	X				
Doug Holder	X				
Ed Hooper	X				
Lake Ray			X		
Julio Robaina	X				
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

HB 261 Parole Interview Dates for Certain Inmates by Evers
 Nancy Daniels, Public Defender, 2nd Circuit (State Employee) - Opponent
 Florida Public Defender Association
 Leon County Courthouse 301 S. Monroe St. #401
 Tallahassee FL
 Phone: 32301

HB 261 Parole Interview Dates for Certain Inmates by Evers
 Ken Kopczynski (Lobbyist) - Proponent
 Florida Police Benevolent Association
 300 E. Brevard St.
 Tallahassee FL 32301
 Phone: 850-222-3329

HB 261 Parole Interview Dates for Certain Inmates by Evers
 Lisa Henning, Legislative Director (Lobbyist) - Proponent
 Fraternal Order of Police
 242 Office Plaza
 Tallahassee FL 32301
 Phone: 850-656-9881

HB 261 Parole Interview Dates for Certain Inmates by Evers
 Fred Dunphy, Chairman (Lobbyist) (State Employee) - Proponent
 Florida Parole Commission
 2601 Blair Stone Rd, Bldg. C
 Tallahassee FL 32301

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

HB 261 Parole Interview Dates for Certain Inmates by Evers

Judith Chapple, Assistant Director (Lobbyist) - Proponent

Justice Coalition

1604 Royal Fern Lane

Orange Park Fl

Phone: 904-868-6549

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM



Fraternal Order of Police **FLORIDA STATE LODGE**



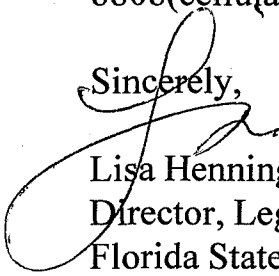
Representative Kevin Ambler
405 House Office Bldg.
Tallahassee, Florida

Representative Ambler:

On behalf of the 22,000 law enforcement officers represented by the Fraternal Order Of Police, I would like to request your support of House Bill 261 by Representative Greg Evers. House Bill 261 is on the agenda on January 12th, 2010 in the House Public Safety and Domestic Security Policy Committee. This bill extends the parole interview dates for inmates serving 25 year minimum mandatory sentences and that have been convicted of first degree murder or making, possessing, throwing, projecting, placing or discharging any destructive device or attempting to do so if the act resulted in the death of another person prior to May 25, 1994, and inmates who committed other capital felonies prior to October 1, 1995. Capital felonies of sexual battery upon a child less than 12 years old, capital felony of trafficking in cocaine, capital felony of trafficking in illegal drugs, and the killing of another by distribution of cocaine or opium or derivatives that require 25 years to be served before being parole eligible.

If you have any questions regarding this issue or any other, please contact me at 850-766-8808(cellular).

Sincerely,


Lisa Henning
Director, Legislative Affairs
Florida State Fraternal Order Of Police
850-656-9881

Talking Points For Parole Commission Bill

This bill would extend the length of time between *subsequent interview* dates (s. 947.174, Florida Statutes) for parole eligible inmates convicted of certain violent crimes.

Current law requires interviews to be held every five years for inmates convicted of murder, attempted murder, sexual battery, attempted sexual battery, or for those inmates who received a minimum mandatory of twenty-five years if the inmate is not within five years of the initial interview.

If the inmate has a minimum mandatory of twenty five years and are not within five years of leaving, they are still required by statute to be interviewed every five years.

This bill is a simple extension of this interview to 7 years and will be saving crime victims from being confronted with the possibility of parole of the offender for a longer period of time.

The proposed change would require subsequent interviews to be held every seven years instead of the current five-year requirement for a small class of violent parole-eligible inmates.

Nothing in this bill would have a negative effect on the procedural safeguards currently in place in the statute.

The bill would help to, through a narrowly constructed statutory change, allow the Commission to focus on those inmates who are within a closer presumptive parole release date (PPRD) and where there is a reasonable expectation of parole.

A large group of these inmates effected by this bill change are inmates that have "star wars" type sentences and are simply being interviewed because of the statutory requirement not because there is a reasonable expectation of parole.

In 1983 the legislature enacted sentencing guidelines that had minimum mandatory sentences, effectively abolishing parole for most offenders who were sentenced for crimes committed on or after October 1, 1983.

There are portions of our prison population that are treated differently, not because of their crimes but when they were convicted, before 1994.

Inmates who were convicted of first degree murder or making, possessing, throwing, projecting, placing or discharging any destructive device or attempting to do so if the act resulted in the death of another person prior to May 25, 1994, and inmates who committed other capital felonies prior to October 1, 1995. Capital felonies of sexual battery upon a child less than 12 years old, capital felony of trafficking in cocaine, capital felony of trafficking in illegal drugs, and the killing of another by distribution of cocaine or opium or derivatives require 25 years to be served before being parole eligible. Thus, some inmates will not become parole eligible until the year 2020 or beyond.

There are 5,826 inmates currently eligible for parole consideration and approximately 450 offenders who are under parole supervision.

This bill was the number two priority for the Parole Commission to the Governor...

Quote from Commission "The Commission is committed to ensuring public safety for the citizens of this State in an effective and efficient manner. By lengthening the time between interview dates for parole eligible inmates convicted of the most violent crimes, the Commission believes this will ensure public safety while lessening the impact for crime victim's and their families."

This bill will help lesson the trauma that the families endure by lengthening the time between hearings. These families are having to relive these cases every five years. During these interviews these families must sit and listen to crimes committed to their loved one yet another time and often relive the emotional trauma of their loss.

I request your support of this good bill....

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

HB 297 : Vehicle Crashes Involving Death

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Mackenson Bernard	X				
Brad Drake	X				
Greg Evers	X				
Luis Garcia	X				
Bill Heller	X				
Doug Holder			X		
Ed Hooper	X				
Lake Ray	X				
Julio Robaina				X	
Darryl Rouson	X				
Kelli Stargel	X				
James Waldman	X				
Kevin Ambler (Chair)	X				
Total Yeas: 12 Total Nays: 0					

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 297 (2010)

Amendment No. 1

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

favourable
1.12.10

1 Council/Committee hearing bill: Public Safety & Domestic
2 Security Policy Committee

3 Representative Planas offered the following:

4
5 **Amendment**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (b) of subsection (1) of section
8 316.027, Florida Statutes, is amended to read:

9 316.027 Crash involving death or personal injuries.-

10 (1)

11 (b) The driver of any vehicle involved in a crash
12 occurring on public or private property that results in the
13 death of any person must immediately stop the vehicle at the
14 scene of the crash, or as close thereto as possible, and must
15 remain at the scene of the crash until he or she has fulfilled
16 the requirements of s. 316.062. A person who is arrested for a
17 violation of this paragraph and who has previously been
18 convicted of a violation of s. 316.027, s. 316.061, s. 316.191,
19 s. 316.192, s. 316.193, or s. 322.34 shall be held in custody

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 297 (2010)

Amendment No. 1

20 until brought before the court for admittance to bail in
21 accordance with chapter 903. Any person who willfully violates
22 this paragraph commits a felony of the first degree, punishable
23 as provided in s. 775.082, s. 775.083, or s. 775.084. Any person
24 who willfully commits such a violation ~~violates this paragraph~~
25 while driving under the influence as set forth in s. 316.193(1)
26 shall be sentenced to a mandatory minimum term of imprisonment
27 of 2 years.

28 Section 2. This act shall take effect July 1, 2010.

29

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

Workshop

Workshop on Suggested Revisions to the "Tourist Safety Act of 2005"

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM

COMMITTEE MEETING REPORT
Public Safety & Domestic Security Policy Committee

1/12/2010 10:00:00AM

Location: 404 HOB

Other Business Appearance:

Tourist Safety Act of 2005

Richard Maladecki, President (Lobbyist) - Information Only

Central Florida Hotel and Lodging Association

7380 Sand Lake Road #300

Orlando Fl 32819

Tourist Safety Act of 2005

Nancy Brown, Captain - Information Only

CFHLA/Orange County Sheriff's Office

2500 West Colonial Drive

Orlando Fl 32804

Phone: 407-354-0889

Tourist Safety Act of 2005

Jeff Brinda, General Manager - Information Only

Sheraton Safari Hotel and Suites

12205 S. Apopka Vineland Rd.

Orlando Fl 32836

Phone: 407-550-1000

Committee meeting was reported out: Wednesday, January 13, 2010 12:58:02PM