



Criminal Justice Subcommittee

**Tuesday 5th, 2013
1:00 PM**

404 HOB

Action Packet

**Will W. Weatherford
Speaker**

**Matt Gaetz
Chair**

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/5/2013 1:00:00PM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Matt Gaetz (Chair)	X		
Randolph Bracy	X		
Michael Clelland	X		
Dane Eagle	X		
James Grant	X		
Gayle Harrell	X		
Charles Hood, Jr.	X		
Travis Hutson	X		
Dave Kerner	X		
Kionne McGhee	X		
Ray Pilon	X		
Irving Slosberg	X		
Charles Van Zant	X		
Totals:	13	0	0

Committee meeting was reported out: Tuesday, March 05, 2013 4:28:06PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/5/2013 1:00:00PM

Location: 404 HOB

HB 511 : Assault or Battery on Utility Worker

Temporarily Deferred

Committee meeting was reported out: Tuesday, March 05, 2013 4:28:06PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/5/2013 1:00:00PM

Location: 404 HOB

HB 571 : Marshal of Supreme Court

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg				X	
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

HB 571 Amendments

Amendment 770275

Adopted Without Objection

Appearances:

Goodner, Lisa (Lobbyist) (State Employee) - Proponent
Administrator, State Courts System
500 S. Duval St.
Tallahassee FL 32399
Phone: (850) 922-5081

Maclure, Eric (Lobbyist) (State Employee) - Information Only
Director, Community & Intergov. Relations OSCA
500 South Duval St.
Tallahassee FL 32399
Phone: (850) 922-5692

Dawson, Sylvester (State Employee) - Information Only
Marshal of the Supreme Court, Supreme Court Marshals Office
500 South Duval St.
Tallahassee FL 32399
Phone: (850) 488-8845

Pitts, Brian (General Public) - Information Only
Trustee-Justice-2-Jesus
1119 Newton Avenue South
S. Petersburg Florida 33705
Phone: (727) 897-9291

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 571 (2013)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	___	(Y/N)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

FAVORABLE
3/5/13

1 Committee/Subcommittee hearing bill: Criminal Justice

2 Subcommittee

3 Representative Roberson, K. offered the following:

4
5 **Amendment (with title amendment)**

6 Remove lines 29-36 and insert:

7 (3) The marshal and his or her deputies shall be law
8 enforcement officers as defined in s. 943.10(1), under the
9 direction and control of the Supreme Court with full powers to
10 bear arms and make arrests in accordance with the laws of this
11 state. In performance of their official duties for the Supreme
12 Court, they may apprehend without warrant a person disturbing
13 the peace and deliver that person to the appropriate law
14 enforcement officer of the municipality or county in which
15 further proceedings may be held according to law. The powers
16 granted in this section may be exercised only in furtherance of
17 and in connection with performance of official duties for the
18 Supreme Court.

Amendment No. 1

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T I T L E A M E N D M E N T

Remove lines 7-9 and insert:
deputies are law enforcement officers with full powers to bear
arms and make arrests under certain conditions; limiting the use
of those powers to performance of official duties for the
Supreme Court;

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/5/2013 1:00:00PM

Location: 404 HOB

HB 611 : False Reports to Law Enforcement Officers

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg	X				
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 611 Amendments

Amendment 755735

Adopted Without Objection

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 611 (2013)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

FAVORABLE
3/5/13

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Watson, C. offered the following:

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5 **Amendment (with title amendment)**

6 Remove lines 14-23 and insert:

7 (1) (a) Except as provided in paragraph (b) or subsection
8 (2), a person who ~~whoever~~ knowingly gives false information to a
9 ~~any~~ law enforcement officer concerning the alleged commission of
10 any crime, commits a misdemeanor of the first degree, punishable
11 as provided in s. 775.082 or s. 775.083.

12 (b) A person who commits a violation of paragraph (a)
13 commits a felony of the third degree, punishable as provided in
14 s. 775.082, s. 775.083, or s. 775.084, if the person has
15 previously been convicted of a violation of paragraph (a) and
16 subparagraph 1. or 2. applies:

17 1. The information the person gave to the law enforcement
18 officer was communicated orally and the officer's account of
19 that information is corroborated by:

Amendment No. 1

20 (a) An audio recording or audio recording in a video of
21 that information;

22 (b) A written or recorded statement made by the person who
23 gave that information; or

24 (c) Another person who was present when that person gave
25 that information to the officer and heard that information.

26 2. The information the person gave to the law enforcement
27 officer was communicated in writing.

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T I T L E A M E N D M E N T

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Remove lines 3-7 and insert:

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officers; amending s. 837.05, F.S.; providing that it is a
34 third degree felony to knowingly give false information to
35 a law enforcement officer concerning the alleged commission
36 of a crime if the defendant has previously been convicted
37 of this offense and the information, if communicated
38 orally, is corroborated in a specified manner, or was
39 communicated in writing; providing an effective date.

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COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/5/2013 1:00:00PM

Location: 404 HOB

HB 685 : Parole Interview Dates for Certain Inmates

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy	X				
Michael Clelland	X				
Dane Eagle	X				
James Grant	X				
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee	X				
Ray Pilon	X				
Irving Slosberg				X	
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

Reilly, Kevin (Lobbyist) (State Employee) - Waive In Support
Legislative Affairs Director, Florida Parole Commission
Tallahassee FL 32311
Phone: (850) 728-3548

Pitts, Brian (General Public) - Waive In Support
Trustee-Justice-2-Jesus
1119 Newton Avenue South
S. Petersburg Florida 33705
Phone: (727) 897-9291

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COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/5/2013 1:00:00PM

Location: 404 HOB

PCB CRJS 13-04 : Postconviction Capital Case Procedures

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy		X			
Michael Clelland		X			
Dane Eagle	X				
James Grant	X				
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner		X			
Kionne McGhee		X			
Ray Pilon	X				
Irving Slosberg		X			
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 8		Total Nays: 5			

Appearances:

Perry, Jr., Belvin (State Employee) (General Public) - Information Only
Chief Judge, 9th Circuit
425 N Orange Ave
Orlando FL 32801
Phone: (407) 836-2008

Pitts, Brian (General Public) - Information Only
Trustee-Justice-2-Jesus
1119 Newton Avenue South
S. Petersburg Florida 33705
Phone: (727) 897-9291

Metz, Steve (Lobbyist) - Opponent
The Florida Bar
215 S. Monroe St
Tallahassee FL
Phone: (850) 205-9000

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COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

3/5/2013 1:00:00PM

Location: 404 HOB

PCB CRJS 13-05 : Postconviction Capital Case Proceedings

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Randolph Bracy		X			
Michael Clelland		X			
Dane Eagle	X				
James Grant	X				
Gayle Harrell	X				
Charles Hood, Jr.	X				
Travis Hutson	X				
Dave Kerner	X				
Kionne McGhee		X			
Ray Pilon	X				
Irving Slosberg		X			
Charles Van Zant	X				
Matt Gaetz (Chair)	X				
Total Yeas: 9		Total Nays: 4			

Appearances:

Perry, Jr., Belvin (State Employee) (General Public) - Information Only

Chief Judge, 9th Circuit

425 N Orange Ave

Orlando FL 32801

Phone: (407) 836-2008

Pitts, Brian (General Public) - Information Only

Trustee-Justice-2-Jesus

1119 Newton Avenue South

S. Petersburg Florida 33705

Phone: (727) 897-9291

Dimmig, Rex (State Employee) (General Public) - Information Only

Public Defender, Florida Public Defender Association

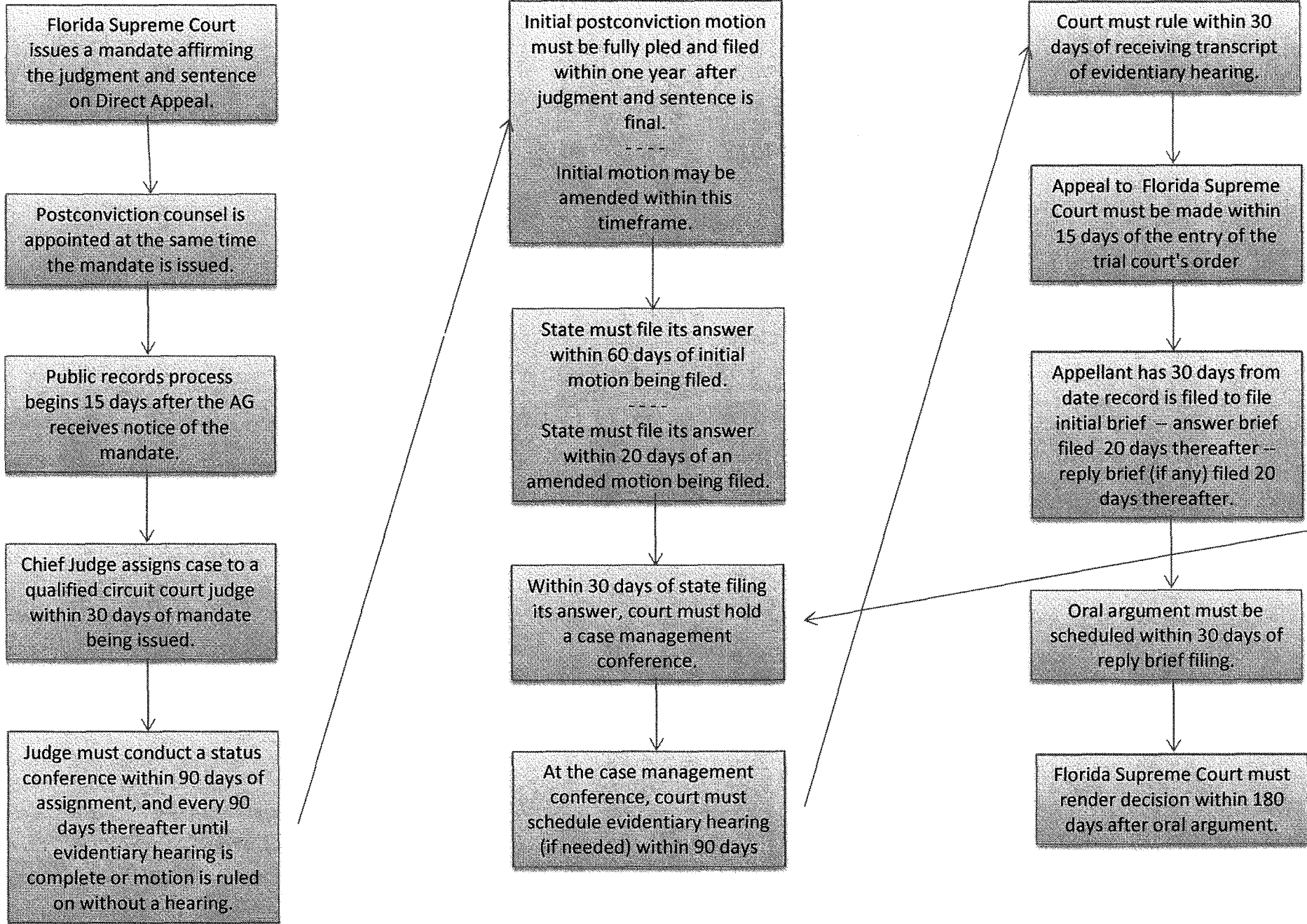
255 N. Broadway

Barton FL 33813

Phone: (860) 534-4250

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Postconviction Capital Case Proceedings



Successive postconviction motions must be fully pled and filed within 90 days after facts giving rise to the claim were discovered, or after the constitutional right asserted was established.

Successive motion may be amended within this timeframe

State must file its answer within 20 days of successive motion being filed or amended.

