

1 A bill to be entitled  
 2 An act relating to the sexually violent predator  
 3 program; amending s. 394.926, F.S.; requiring the  
 4 Department of Children and Families to notify the  
 5 victim, Department of Corrections, and specified  
 6 sheriffs of certain persons' release; amending s.  
 7 394.931, F.S.; requiring the Department of Corrections  
 8 to annually submit recidivism data; providing an  
 9 effective date.

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

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13 Section 1. Subsections (1) and (2) are amended and  
 14 subsection (3) is added to section 394.926, Florida Statutes, to  
 15 read:

16 394.926 Notice to victims of release of persons in the  
 17 custody of the department ~~committed as sexually violent~~  
 18 ~~predators~~; notice to Department of Corrections and Parole  
 19 Commission; notice to the sheriff.-

20 (1) As soon as is practicable, the department shall give  
 21 written notice of the release of a person in the custody of the  
 22 department ~~committed as a sexually violent predator~~ to any  
 23 victim of the ~~committed~~ person who is alive and whose address is  
 24 known to the department or, if the victim is deceased, to the  
 25 victim's family, if the family's address is known to the  
 26 department. Failure to notify is not a reason for postponement

27 of release. This section does not create a cause of action  
 28 against the state or an employee of the state acting within the  
 29 scope of the employee's employment as a result of the failure to  
 30 notify pursuant to this part.

31 (2) If a person in the custody of the department ~~sexually~~  
 32 ~~violent predator~~ who has an active or pending term of probation,  
 33 community control, parole, conditional release, or other court-  
 34 ordered or postprison release supervision is released ~~from~~  
 35 ~~custody~~, the department must immediately notify the Department  
 36 of Corrections' Office of Community Corrections in Tallahassee.  
 37 The Parole Commission must also be immediately notified of any  
 38 releases of a person ~~sexually violent predator~~ who has an active  
 39 or pending term of parole, conditional release, or other  
 40 postprison release supervision that is administered by the  
 41 Parole Commission.

42 (3) If a person in the custody of the department is  
 43 released, the department must notify the sheriff of the county  
 44 in which the person intends to reside, or if unknown, the  
 45 sheriff of the county in which the person was last convicted.

46 Section 2. Section 394.931, Florida Statutes, is amended  
 47 to read:

48 394.931 Quarterly reports.—

49 ~~Beginning July 1, 1999,~~ the Department of Corrections shall  
 50 collect information and compile quarterly reports with  
 51 statistics profiling inmates released the previous quarter who  
 52 fit the criteria and were referred to the Department ~~of Children~~

53 ~~and Family Services~~ pursuant to this act. ~~The quarterly reports~~  
54 ~~must be produced beginning October 1, 1999.~~ At a minimum, the  
55 information that must be collected and compiled for inclusion in  
56 the reports includes: whether the qualifying offense was the  
57 current offense or the prior offense; the offender's most  
58 serious sexual offense; the total number of distinct victims of  
59 the sexual offense; whether the victim was known to the  
60 offender; whether the sexual act was consensual; whether the  
61 sexual act involved multiple victims; whether direct violence  
62 was involved in the sexual offense; the age of each victim at  
63 the time of the offense; the age of the offender at the time of  
64 the first sexual offense; whether a weapon was used; length of  
65 time since the most recent sexual offense; and the total number  
66 of prior and current sexual-offense convictions. The Department  
67 of Corrections shall compile recidivism data on those referred,  
68 detained, or committed to the department, and submit this data  
69 annually to the Legislature. ~~In addition, the Department of~~  
70 ~~Children and Family Services shall implement a long term study~~  
71 ~~to determine the overall efficacy of the provisions of this~~  
72 ~~part.~~

73 Section 3. This act shall take effect July 1, 2014.  
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