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# **Justice Appropriations Subcommittee**

Wednesday, February 16, 2011  
9:00 a.m. – 12:00 p.m.  
102 House Office Building  
Reed Hall

## **ACTION PACKET**

**Dean Cannon**  
Speaker

**Richard Glorioso**  
Chair

**COMMITTEE MEETING REPORT**  
**Justice Appropriations Subcommittee**

**2/16/2011 9:00:00AM**

**Location:** Reed Hall (102 HOB)

**Summary:** No Bills Considered

**Committee meeting was reported out: Wednesday, February 16, 2011 3:44:07PM**

**COMMITTEE MEETING REPORT**  
**Justice Appropriations Subcommittee**  
**2/16/2011 9:00:00AM**

**Location:** Reed Hall (102 HOB)

**Attendance:**

|                          | <i>Present</i> | <i>Absent</i> | <i>Excused</i> |
|--------------------------|----------------|---------------|----------------|
| Richard Glorioso (Chair) | X              |               |                |
| Dennis Baxley            | X              |               |                |
| Dwight Bullard           | X              |               |                |
| Eric Eisnaugle           | X              |               |                |
| James Grant              | X              |               |                |
| Doug Holder              | X              |               |                |
| Charles McBurney         | X              |               |                |
| Larry Metz               | X              |               |                |
| W. Keith Perry           | X              |               |                |
| Ray Pilon                | X              |               |                |
| Ronald Renuart           | X              |               |                |
| Darryl Rouson            | X              |               |                |
| Irving Slosberg          | X              |               |                |
| Darren Soto              | X              |               |                |
| Cynthia Stafford         | X              |               |                |
| <b>Totals:</b>           | <b>15</b>      | <b>0</b>      | <b>0</b>       |

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# **POST CONVICTION PROCESS IN FLORIDA**

**NEAL DUPREE CCRC-SOUTH  
BILL JENNINGS CCRC-MIDDLE**

# **CCRC HISTORY**

1985 – Capital Collateral Representative created

1997 – CCR split into three regions (north, middle and south) and re-named the Capital Collateral Regional Counsel

2003 – CCRC-North closed

Auditor General's office ordered to complete a three year pilot project comparing the CCRC's and the registry of private lawyers

# **POST CONVICTION PROCESS**

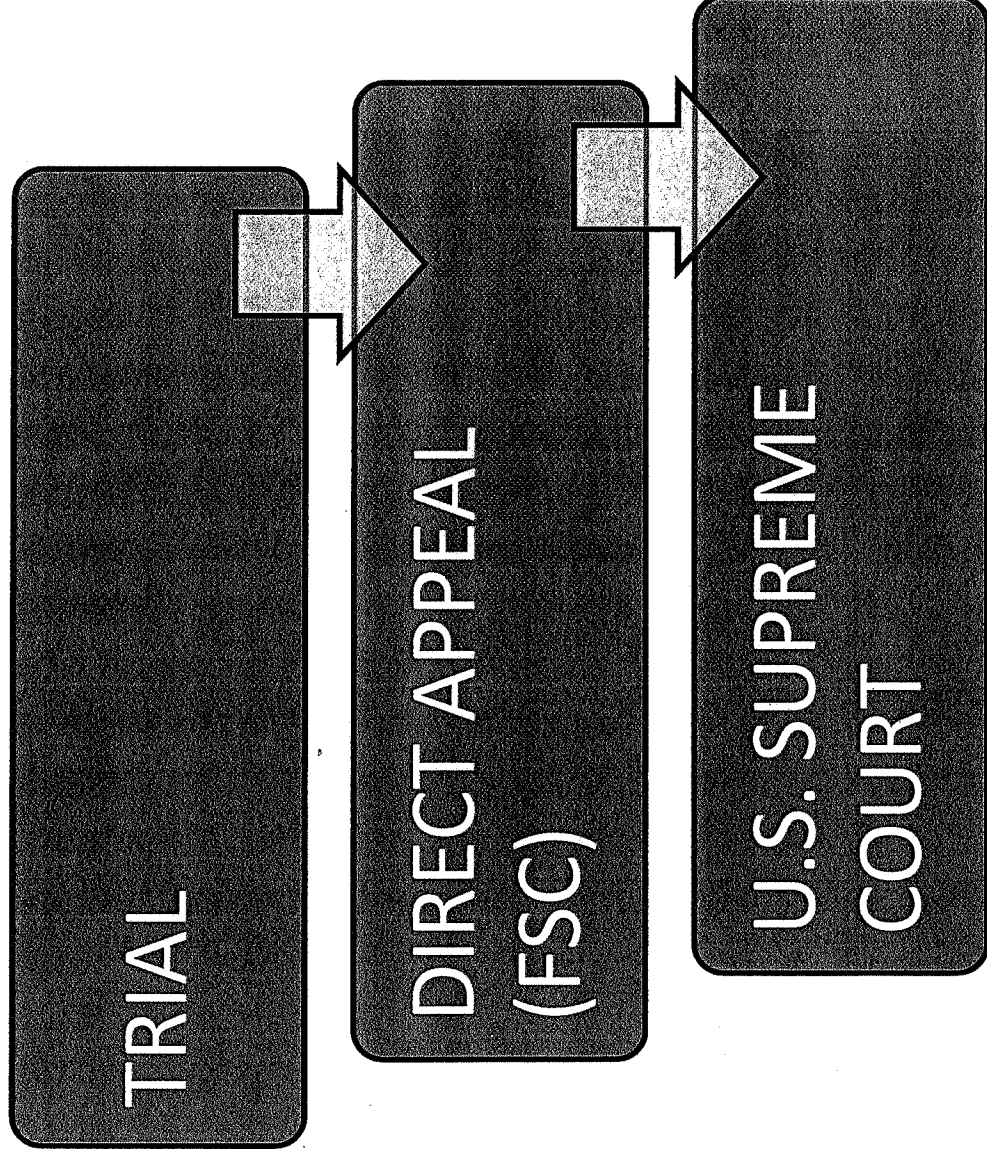
**GOVERNED BY RULES 3.851, 3.852 AND FLORIDA  
STATUTE 119**

**1998 – REVERSAL RATE AT THE FSC OVER 75%**

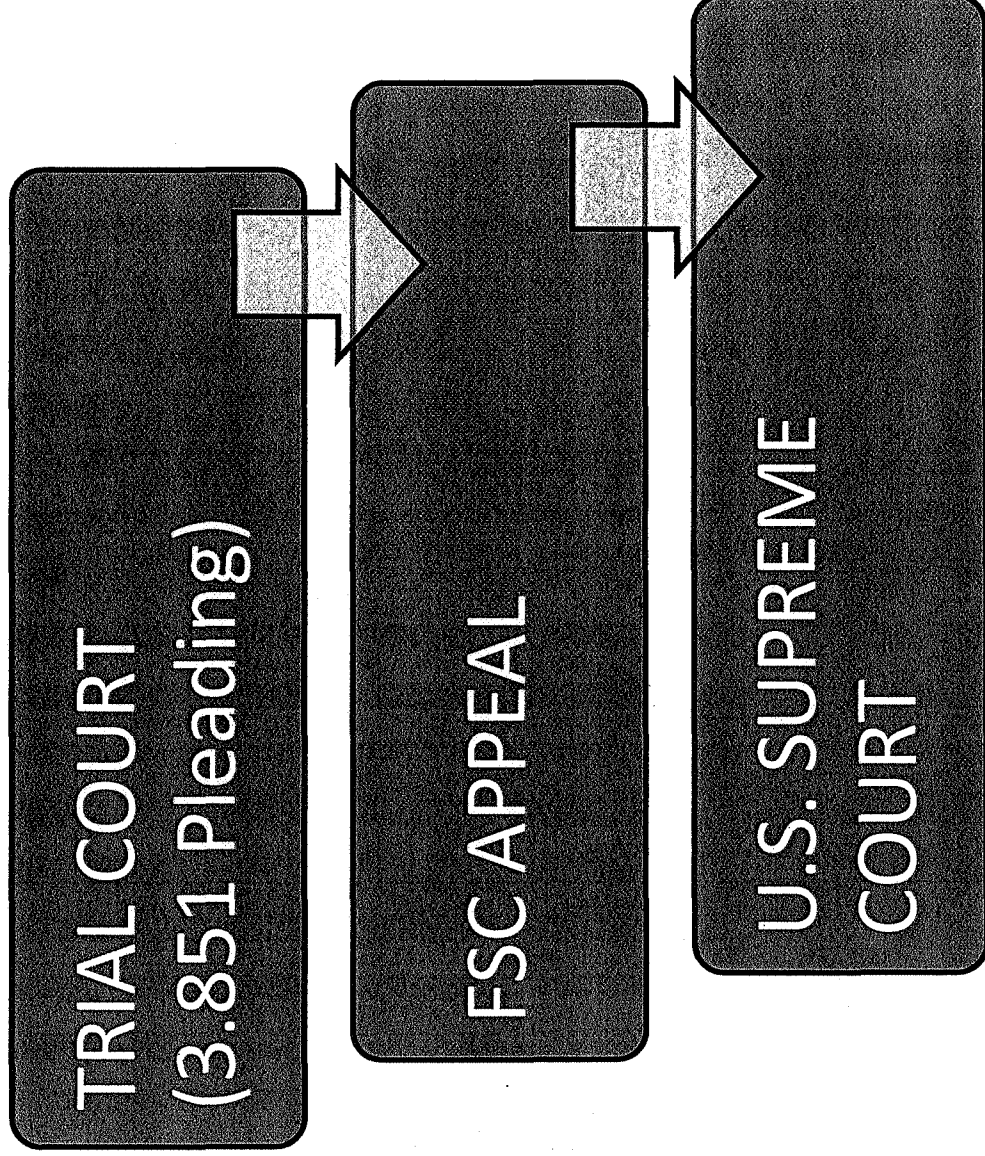
**2010 – REVERSAL RATE IS APPROXIMATELY 20%**

**THIS HAS RESULTED IN SUBSTANTIALLY  
INCREASED CASELOADS FOR THE CCRC's.**

# HOW A CASE GETS TO CCRC

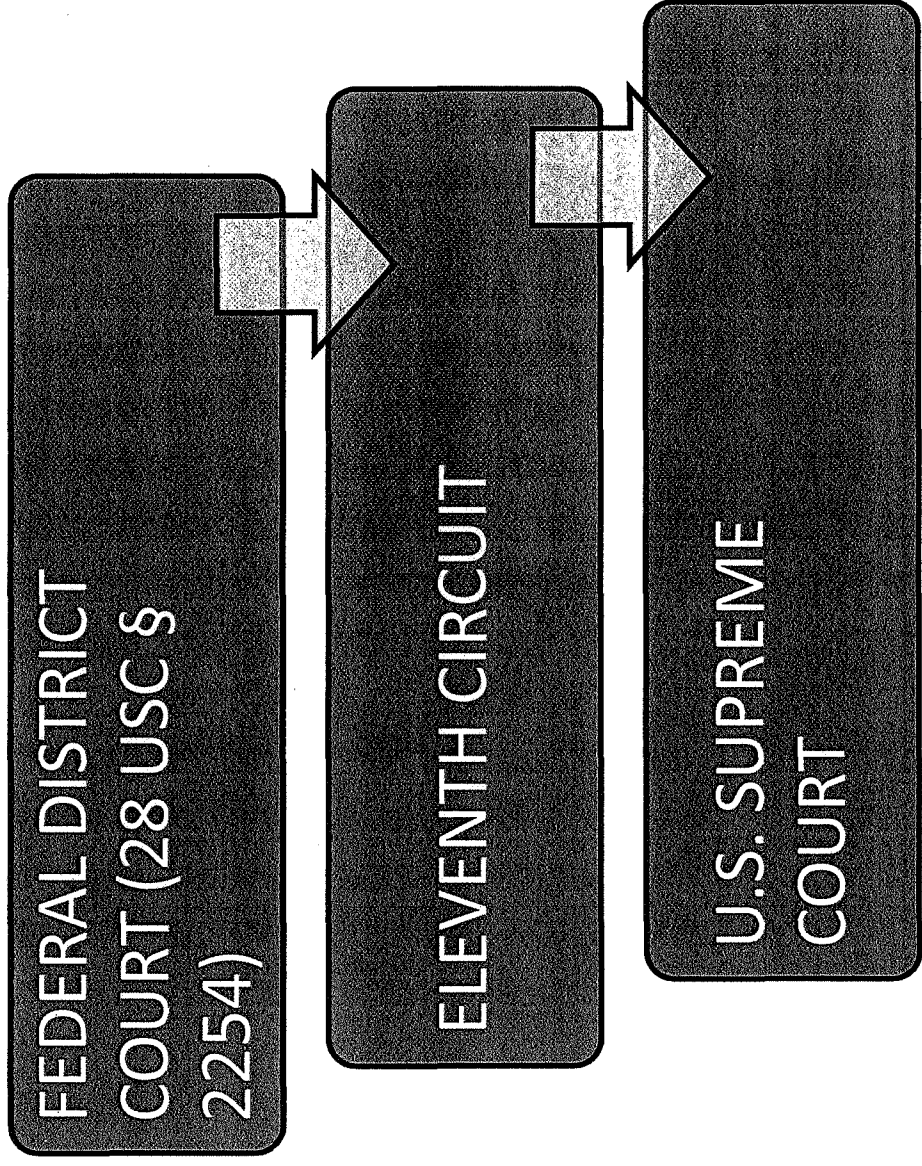


# POST CONVICTION PROCESS (STATE COURT)





# POST CONVICTION PROCESS (Federal Court)



2007 – Auditor General's reported:

1. Each case, on average, consumes 11.4 years from imposition of sentence to completion of process.
2. The CCRCs are responsible for only 33% of that time.
3. The Registry (private attorneys) are responsible for 41% of that time

# **OVERSIGHT, ACCOUNTABILITY & PERFORMANCE**

- **THE CCRCs HAVE SIGNIFICANTLY MORE OVERSIGHT & ACCOUNTABILITY THAN THE REGISTRY.**
- **CCRC OFFICES CONDUCTED 5 TIMES THE INVESTIGATIVE HOURS AS THE REGISTRY.**
- **CCRCs PERFORM DOUBLE THE WORK OF THE PRIVATE REGISTRY AND HAVE A 3.5 - 1 SUCCESS RATIO OVER THE REGISTRY.**

**2005 – Florida Supreme Court Justice Raoul Cantero appears before the Commission on Capital Cases and harshly criticizes the registry stating that registry attorneys performed “some of the worst lawyering I have seen” and written “some of the worst briefs I have ever read”.**

- Capital Collateral Law is considered to be one of the most complex areas in the legal profession. This requires highly skilled attorneys, who are solely focused on the intricate aspects of these cases.
- **As such, the Florida Supreme Court has on numerous occasions repeatedly and unanimously expressed to the Florida Legislature its' choice for the CCRC Model as the preferred method for the post-conviction process in Death Cases.**

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**Justice Appropriations Subcommittee**

**2/16/2011 9:00:00AM**

**Location:** Reed Hall (102 HOB)

**Other Business Appearance:**

Buss, Edwin G. (State Employee) (At Request Of Chair) - Information Only  
Department of Correction  
2601 Blair Stone road  
Tallahassee Florida 32399  
Phone: 488-5021

**Agency Overview**

Goodner, Lisa (Lobbyist) (State Employee) (At Request Of Chair) - Information Only  
Administrator, State Courts System  
500 S. Doval St.  
Tallahassee FL 32399  
Phone: 850-922-5081

**Agency Overview**

Pate, Tena M. (Lobbyist) (State Employee) (At Request Of Chair) - Information Only  
Chair, Florida Parole Commission  
4070 Esplanade Way  
Tallahassee FL 32399-2450  
Phone: 850-487-1980

**Agency Overview**

Colvin, Alton L (At Request Of Chair) - Information Only  
Executive Director, Justice Administration Commission  
Tallahassee Florida

**Agency Overview**

Dupree, Neal (Lobbyist) - Information Only  
Capital Collateral Regional Counsel-South  
101 Ne 3rd Ave 4th Floor  
Ft Lauderdale FL 33301  
Phone: (954)415-8873

**Core Mission**

Holt, Julie (State Employee) - Information Only  
Public Defender, 13th Circuit  
P.O. Box 172410  
Tampa Florida 33672  
Phone: 813-307-4000

**Core Mission - OAG**

Case, Kimberly (Lobbyist) - Information Only  
Office of the Attorney General  
PL-01 The Capitol  
Tallahassee FL 32399-1050  
Phone: (850)245-0176

**Introduction of Agency and Overview**

Zandra, Mark (At Request Of Chair) - Information Only  
Florida Department of Law Enforcement  
P.O. Box 1489  
Tallahassee FL 32302

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Introduction of Agency and Overview

Walters, Wansley (State Employee) (At Request Of Chair) - Information Only  
Secretary, Department of Juvenile Justice  
2737 Centerview Dr.  
Tallahassee FL 32399  
Phone: 850-413-7313

Medicaid Fraud Control Unit

Lewis, David (State Employee) (At Request Of Chair) - Information Only  
Department of Legal Affairs  
PL 01, The Capitol  
Tallahassee Florida 32399  
Phone: 850-414-3600

State Attorney Workload

Cervone, Bill (State Employee) - Information Only  
The Prosecution Office  
120 W University Avenue  
Gainesville Florida 32601  
Phone: 352-374-3686