



Criminal Justice Subcommittee

Wednesday April 6th, 2011

9:00 AM

404 HOB

Action Packet

**Dean Cannon
Speaker**

**Dennis Baxley
Chair**

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

4/6/2011 9:00:00AM

Location: 404 HOB

Summary:

Criminal Justice Subcommittee

Wednesday April 06, 2011 09:00 am

HB 411	Favorable	Yeas: 13	Nays: 0
HB 487	Favorable With Committee Substitute	Yeas: 14	Nays: 0
HB 595	Favorable With Committee Substitute	Yeas: 14	Nays: 0
HB 739	Favorable With Committee Substitute	Yeas: 13	Nays: 1
HB 779	Favorable With Committee Substitute	Yeas: 10	Nays: 4
HB 1005	Favorable With Committee Substitute	Yeas: 13	Nays: 1
HB 1217	Favorable	Yeas: 10	Nays: 0
PCS for HB 1369	Favorable	Yeas: 11	Nays: 0

Committee meeting was reported out: Wednesday, April 06, 2011 2:16:51PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

4/6/2011 9:00:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dennis Baxley (Chair)	X		
Dwight Bullard	X		
Daphne Campbell			X
Richard Glorioso	X		
James Grant	X		
Gayle Harrell	X		
John Julien	X		
Charles McBurney	X		
W. Keith Perry	X		
Ray Pilon	X		
Ari Porth	X		
Perry Thurston, Jr.	X		
John Tobia	X		
Carlos Trujillo	X		
Charles Van Zant	X		
Totals:	14	0	1

Committee meeting was reported out: Wednesday, April 06, 2011 2:16:51PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

4/6/2011 9:00:00AM

Location: 404 HOB

HB 411 : Pub. Rec./Photographs and Video and Audio Recordings Depicting or Recording the Killing of a Person

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Richard Glorioso	X				
James Grant	X				
Gayle Harrell				X	
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia	X				
Carlos Trujillo	X				
Charles Van Zant	X				
Dennis Baxley (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Fletcher, Charles (General Public) - Information Only
City Attorney, City of Tampa
Tampa FL 33601
Phone: (813)274-7312

Cruz, Janet (State Employee) - Information Only
State Rep. District 58
4816 Freemont Avenue
Tampa FL 33629
Phone: (813)758-4545

Henning, Lisa (Lobbyist) - Waive In Support
Legislative Director, Florida Fraternal Order of Police
242 Office Plaza Dr
Tallahassee FL 32301
Phone: (850)766-8808

Wooldridge, Vicki (Lobbyist) (State Employee) - Waive In Support
Government Affairs Manager, South Florida Regional Transportation Authority
800 NW 33rd St
Pompano Beach FL 33064
Phone: (954)213-8690

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COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

4/6/2011 9:00:00AM

Location: 404 HOB

Hamlin, Marc (General Public) - Waive In Support
Assistant Chief of Police, Tampa Police Department
411 N. Franklin St.
Tampa FL 33602
Phone: (813)309-0956

Stout, Greg (General Public) - Waive In Support
Detective, Tampa Police Benevolent Association Inc.
3010 N. Boulevard
Tampa FL 33603
Phone: (813)228-8900

Smith, William (Lobbyist) (State Employee) - Waive In Support
Trooper, Florida Police Benevolent Association, Inc
300 E Brevard St
Tallahassee FL 32301
Phone: (850)222-3329

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

Bradford, Gary (Lobbyist) - Waive In Support
Government Relations, Florida Police Benevolent Association, Inc
300 E Brevard St
Tallahassee FL 32301
Phone: (813)833-5931

Livingston, Jim (General Public) - Waive In Support
Major, Representing Sheriff David Gee
Tampa FL 33602
Phone: (813)247-8061

Bonnevier, John (General Public) - Waive In Support
Volusia County Sheriffs Office
123 W. Indiana Avenue
DeLand FL 32721
Phone: (386)736-5961

Committee meeting was reported out: Wednesday, April 06, 2011 2:16:51PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

4/6/2011 9:00:00AM

Location: 404 HOB

HB 487 : Dextromethorphan

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia	X				
Carlos Trujillo	X				
Charles Van Zant	X				
Dennis Baxley (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Hernandez, Nelson (General Public) - Proponent
Councilman, Town of Miami Lakes
15900 W. Troon Circle
Miami Lakes FL 33014
Phone: (305)343-6802

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

Committee meeting was reported out: Wednesday, April 06, 2011 2:16:51PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 487 (2011)

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	_____	

FAV

4/6/11

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Gonzalez offered the following:
4

5 **Amendment (with title amendment)**

6 Remove lines 27-30 and insert:

7 (1) (a) For purposes of this section, the term "ephedrine,
8 dextromethorphan, or related compounds" means ephedrine,
9 pseudoephedrine, phenylpropanolamine, dextromethorphan, or any
10 of their salts, optical isomers, or salts of optical isomers.

11 (b) For purposes of this section, the term "ephedrine or
12 related compounds" means ephedrine, pseudoephedrine,
13 phenylpropanolamine, or any of their salts, optical isomers, or
14 salts of optical isomers.

15 -----
16
17 **T I T L E A M E N D M E N T**

18 Remove line 4 and insert:

19 penalties; providing a definition; prohibiting obtaining or

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

4/6/2011 9:00:00AM

Location: 404 HOB

HB 595 : Sexual Performance by a Child

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia	X				
Carlos Trujillo	X				
Charles Van Zant	X				
Dennis Baxley (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Schiller, Gregory (State Employee) - Proponent
Assistant State Attorney, Office of the State Attorney
401 N. Dixie Highway
West Palm Beach FL 33401
Phone: (561)355-7100

Poore, Terri (Lobbyist) - Waive In Support
Director of Public Affairs, Florida Council Against Sexual Violence
1820 East Park Avenue Suite 100
Tallahassee FL 32301
Phone: 850-363-2918

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

Committee meeting was reported out: Wednesday, April 06, 2011 2:16:51PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 595 (2011)

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 _____

FAV
4/6/11

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative(s) Pafford offered the following:

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

6 Remove lines 63-73 and insert:

7 (5)(a) It is unlawful for any person to knowingly possess,
8 control, or intentionally view a photograph, motion picture,
9 exhibition, show, representation, image, data, computer
10 depiction, or other presentation which, in whole or in part, he
11 or she knows to include any sexual conduct by a child. The
12 possession, control, or intentional viewing of each such
13 photograph, motion picture, exhibition, show, representation,
14 image, data, computer depiction, or presentation is a separate
15 offense. A person who ~~Whoever~~ violates this subsection commits
16 ~~is guilty of~~ a felony of the third degree, punishable as
17 provided in s. 775.082, s. 775.083, or s. 775.084.

Amendment No. 1

18 (b) This subsection does not apply to material possessed,
19 controlled, or intentionally viewed as part of a law enforcement
20 investigation.

21

22

23

24

25

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

26

Remove lines 6-8 and insert:

27

representation, image, data, computer depiction, or other

28

presentation that includes sexual conduct by a child; providing

29

penalties; providing exceptions; amending s. 921.0022, F.S.;

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

4/6/2011 9:00:00AM

Location: 404 HOB

HB 739 : Transition-to-Adulthood Services

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia		X			
Carlos Trujillo	X				
Charles Van Zant	X				
Dennis Baxley (Chair)	X				
Total Yeas: 13		Total Nays: 1			

Appearances:

Brown, Kirk (General Public) - Information Only
Director Of Programs, Handy Inc.
501 NE 8th Street
Fort Lauderdale FL 33304
Phone: (954)588-3262

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

Committee meeting was reported out: Wednesday, April 06, 2011 2:16:51PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 739 (2011)

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 _____

FAV

4/6/11

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee
3 Representative(s) Porth offered the following:

Amendment

Remove line 158 and insert:

Section 4. This act shall take effect October 1, 2011.

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

4/6/2011 9:00:00AM

Location: 404 HOB

HB 779 : Restraint of Incarcerated Pregnant Women

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Richard Glorioso	X				
James Grant		X			
Gayle Harrell	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon		X			
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia		X			
Carlos Trujillo		X			
Charles Van Zant	X				
Dennis Baxley (Chair)	X				
Total Yeas: 10		Total Nays: 4			

Appearances:

Prendergast, Danielle (Lobbyist) - Proponent
Public Policy Director, American Civil Liberties Union of Florida
540 Beverly Court
Tallahassee FL

Levy, Ricci (General Public) - Waive In Support
Executive Director, Woodhull Freedom Federation
Washington DC 20008

Messersmith, Frank (Lobbyist) - Information Only
Florida Sheriffs Association
PO Box 12519
Tallahassee FL 32317
Phone: (850)576-5858

Committee meeting was reported out: Wednesday, April 06, 2011 2:16:51PM

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	___	

*FAY
4/6/11*

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Reed offered the following:

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

6 Remove everything after the enacting clause and insert:

7 Section 1. Shackling of incarcerated pregnant women.-

8 (1) SHORT TITLE.-This section may be cited as the "Healthy
9 Pregnancies for Incarcerated Women Act."

10 (2) DEFINITIONS.-As used in this section, the term:

11 (a) "Correctional institution" means any facility under
12 the authority of the department or the Department of Juvenile
13 Justice, a county or municipal detention facility, or a
14 detention facility operated by a private entity.

15 (b) "Corrections official" means the official who is
16 responsible for oversight of a correctional institution, or his
17 or her designee.

18 (c) "Department" means the Department of Corrections.

19 (d) "Extraordinary circumstance" means a substantial

Amendment No. 1

20 flight risk or some other extraordinary medical or security
21 circumstance that dictates restraints be used to ensure the
22 safety and security of the prisoner, the staff of the
23 correctional institution or medical facility, other prisoners,
24 or the public.

25 (e) "Labor" means the period of time before a birth during
26 which contractions are of sufficient frequency, intensity, and
27 duration to bring about effacement and progressive dilation of
28 the cervix.

29 (f) "Postpartum recovery" means, as determined by her
30 physician, the period immediately following delivery, including
31 the recovery period when a woman is in the hospital or infirmary
32 following birth.

33 (g) "Prisoner" means any person incarcerated or detained
34 in any correctional institution who is accused of, convicted of,
35 sentenced for, or adjudicated delinquent for a violation of
36 criminal law or the terms and conditions of parole, probation,
37 community control, pretrial release, or a diversionary program.
38 For purposes of this section, the term includes any woman
39 detained under the immigration laws of the United States at any
40 correctional institution.

41 (h) "Restraints" means any physical restraint or
42 mechanical device used to control the movement of a prisoner's
43 body or limbs, including, but not limited to, flex cuffs, soft
44 restraints, hard metal handcuffs, a black box, chubb cuffs, leg
45 irons, belly chains, a security or tether chain, or a convex
46 shield.

47 (3) RESTRAINT OF PRISONERS.-

Amendment No. 1

48 (a) Restraints may not be used on a prisoner who is known
49 to be pregnant during labor, delivery, and postpartum recovery,
50 unless the corrections official makes an individualized
51 determination that the prisoner presents an extraordinary
52 circumstance, except that:

53 1. If the doctor, nurse, or other health care professional
54 treating the prisoner requests that restraints not be used, the
55 corrections officer, correctional institution employee, or other
56 officer accompanying the pregnant prisoner shall remove all
57 restraints; and

58 2. Under no circumstances shall leg, ankle, or waist
59 restraints be used on any pregnant prisoner who is in labor or
60 delivery.

61 (b) If restraints are used on a pregnant prisoner pursuant
62 to paragraph (a):

63 1. The type of restraint applied and the application of
64 the restraint must be done in the least restrictive manner
65 necessary; and

66 2. The corrections official shall make written findings
67 within 10 days after the use of restraints as to the
68 extraordinary circumstance that dictated the use of the
69 restraints. These findings shall be kept on file by the
70 correctional institution for at least 5 years and be made
71 available for public inspection, except that the identifying
72 information of a prisoner may not be made public without the
73 prisoner's prior written consent.

74 (c) During the third trimester of pregnancy, or when
75 requested by the doctor, nurse, or other health care

Amendment No. 1

76 professional treating the pregnant prisoner:

77 1. Waist restraints that directly constrict the area of
78 pregnancy may not be used;

79 2. If wrist restraints are used, they must be applied in
80 such a way that the pregnant prisoner is able to protect herself
81 in the event of a forward fall; and

82 3. Leg and ankle restraints that restrain the legs close
83 together may not be used when the prisoner is required to walk
84 or stand.

85 4. Use of leg, ankle, or waist restraints is subject to
86 the provisions of subparagraph (a)2.

87 (d) In addition to the specific requirements of paragraphs
88 (a)-(c), any restraint of a prisoner who is known to be pregnant
89 must be done in the least restrictive manner necessary in order
90 to mitigate the possibility of adverse clinical consequences.

91 (4) ENFORCEMENT.—

92 (a) Notwithstanding any relief or claims afforded by
93 federal or state law, any prisoner who is restrained in
94 violation of this section may file a grievance with the
95 correctional institution within 1 year after the incident.

96 (b) This section does not prevent a woman harmed under
97 this section from filing a complaint under any other relevant
98 provision of federal or state law.

99 (5) NOTICE TO PRISONERS.—

100 (a) By September 1, 2011, the department and the
101 Department of Juvenile Justice shall adopt rules pursuant to ss.
102 120.536(1) and 120.54, Florida Statutes, to administer this
103 section.

Amendment No. 1

104 (b) Each correctional institution shall inform female
105 prisoners of the rules developed pursuant to paragraph (a) upon
106 admission to the correctional institution, including the
107 policies and practices in the prisoner handbook, and post the
108 policies and practices in locations in the correctional
109 institution where such notices are commonly posted and will be
110 seen by female prisoners, including common housing areas and
111 medical care facilities.

112 (6) ANNUAL REPORT.—By June 30 of each year, the Secretary
113 of Corrections, the Secretary of Juvenile Justice, and the
114 corrections official of each municipal and county detention
115 facility where a pregnant prisoner has been restrained pursuant
116 to paragraph (3)(a), or in violation of subsection (3), during
117 the previous year shall submit a written report to the Executive
118 Office of the Governor which includes an account of every such
119 instance. The written reports may not contain identifying
120 information of any prisoner. Such reports shall be made
121 available for public inspection.

122 Section 2. This act shall take effect July 1, 2011.

123
124
125 -----
126 **T I T L E A M E N D M E N T**

127 Remove the entire title and insert:

128 An act relating to the restraint of incarcerated pregnant women;
129 providing a short title; defining terms; prohibiting use of
130 restraints on a prisoner known to be pregnant during labor,
131 delivery, and postpartum recovery unless a corrections official

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 779 (2011)

Amendment No. 1

132 makes an individualized determination that the prisoner presents
133 an extraordinary circumstance requiring restraints; providing
134 that a doctor, nurse, or other health care professional treating
135 the prisoner may request that restraints not be used, in which
136 case the corrections officer or other official accompanying the
137 prisoner shall remove all restraints; requiring that any
138 restraint applied must be done in the least restrictive manner
139 necessary; requiring the corrections official to make written
140 findings within 10 days as to the extraordinary circumstance
141 that dictated the use of restraints; restricting the use of
142 waist, wrist, or leg and ankle restraints during the third
143 trimester of pregnancy or when requested by a doctor, nurse, or
144 other health care professional treating the prisoner; providing
145 that the use of restraints at any time after it is known that a
146 prisoner is pregnant must be by the least restrictive manner
147 necessary in order to mitigate the possibility of adverse
148 clinical consequences; requiring that the findings be kept on
149 file by the correctional institution or detention facility for
150 at least 5 years and be made available for public inspection
151 under certain circumstances; authorizing any woman who is
152 restrained in violation of the act to file a grievance within a
153 specified period; providing that these remedies do not prevent a
154 woman harmed from filing a complaint under any other relevant
155 provision of federal or state law; directing the Department of
156 Corrections and the Department of Juvenile Justice to adopt
157 rules; requiring correctional institutions and detention
158 facilities to inform female prisoners of the rules upon
159 admission, include the policies and practices in the prisoner

Amendment No. 1

160 handbook, and post the policies and practices in the
161 correctional institution or detention facility; requiring the
162 Secretary of Corrections, the Secretary of Juvenile Justice, and
163 county and municipal corrections officials to annually file
164 written reports with the Executive Office of the Governor
165 detailing each incident of restraint in violation of law or as
166 an authorized exception; providing an effective date.

167

168 WHEREAS, restraining a pregnant prisoner can pose undue
169 health risks and increase the potential for physical harm to the
170 woman and her pregnancy, and

171 WHEREAS, the vast majority of female prisoners in this
172 state are nonviolent offenders, and

173 WHEREAS, the impact of such harm to a pregnant woman can
174 negatively affect her pregnancy, and

175 WHEREAS, freedom from physical restraints is especially
176 critical during labor, delivery, and postpartum recovery after
177 delivery as women often need to move around during labor and
178 recovery, including moving their legs as part of the birthing
179 process, and

180 WHEREAS, restraints on a pregnant woman can interfere with
181 the medical staff's ability to appropriately assist in
182 childbirth or to conduct sudden emergency procedures, and

183 WHEREAS, the Federal Bureau of Prisons, the United States
184 Marshals Service, the American Correctional Association, the
185 American College of Obstetricians and Gynecologists, and the
186 American Public Health Association all oppose restraining women
187 during labor, delivery, and postpartum recovery because it is

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 779 (2011)

Amendment No. 1

188 unnecessary and dangerous to a woman's health and well-being,

189 NOW, THEREFORE,

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

4/6/2011 9:00:00AM

Location: 404 HOB

HB 1005 : Murder of a Child 17 Years Of Age or Younger

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney	X				
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.		X			
John Tobia	X				
Carlos Trujillo	X				
Charles Van Zant	X				
Dennis Baxley (Chair)	X				
Total Yeas: 13		Total Nays: 1			

Appearances:

Smith, William (Lobbyist) (State Employee) - Waive In Support
Trooper, Florida Police Benevolent Association, Inc
300 E Brevard St
Tallahassee FL 32301
Phone: (850)222-3329

Committee meeting was reported out: Wednesday, April 06, 2011 2:16:51PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1005 (2011)

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 _____

Handwritten:
FAN
4/10/11

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee
3 Representative Artiles offered the following:

4
5 **Amendment**
6 Remove lines 23-26

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

4/6/2011 9:00:00AM

Location: 404 HOB

HB 1217 : Persons with Disabilities

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney			X		
W. Keith Perry			X		
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia	X				
Carlos Trujillo			X		
Charles Van Zant				X	
Dennis Baxley (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Appearances:

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

Committee meeting was reported out: Wednesday, April 06, 2011 2:16:51PM

COMMITTEE MEETING REPORT

Criminal Justice Subcommittee

4/6/2011 9:00:00AM

Location: 404 HOB

PCS for HB 1369 : Criminal History Records

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Daphne Campbell			X		
Richard Glorioso	X				
James Grant	X				
Gayle Harrell	X				
John Julien	X				
Charles McBurney			X		
W. Keith Perry	X				
Ray Pilon	X				
Ari Porth	X				
Perry Thurston, Jr.	X				
John Tobia			X		
Carlos Trujillo			X		
Charles Van Zant	X				
Dennis Baxley (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Daniels, Nancy (State Employee) - Proponent
Public Defender, Florida Public Defender Association
301 S. Monroe St. #401
Tallahassee FL 32301
Phone: (850)606-1010

Hurley, Lisa (General Public) - Waive In Support
Florida Association of Criminal Defense Lawyers
P O Box 10007
Tallahassee FL 32302
Phone: 850-224-2001

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

Committee meeting was reported out: Wednesday, April 06, 2011 2:16:51PM

393.135 – Sexual Conduct with Developmentally disabled

394.4593 – Sexual Misconduct re: DCF

775.21 - The Florida Sexual Predators Act.

787.025 – Luring/Enticing a Child

794 - Sexual Battery

796.03 – Soliciting Minor Prostitution

800.04 – L&L in front of >16 year old

810.14 - Voyeurism prohibited; penalties.

817.034 Florida Communications Fraud Act.—

825.1025 - Lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.

827.071 - Sexual performance by a child; penalties.

CHAPTER 839 - OFFENSES BY PUBLIC OFFICERS AND EMPLOYEES

847.0133 - Protection of minors; prohibition of certain acts in connection with obscenity; penalty.

847.0135 - Computer pornography; traveling to meet minor; penalties.

847.0145 - Selling or buying of minors; penalties.

893.135 - Trafficking; mandatory sentences; suspension or reduction of sentences; conspiracy to engage in trafficking.

916.1075 - Sexual misconduct prohibited; reporting required; penalties.

907.041 - Pretrial detention and release.

943.051 - Criminal justice information; collection and storage; fingerprinting.

790.01 - Carrying concealed weapons.

790.1615 - Unlawful throwing, projecting, placing, or discharging of destructive device or bomb that results in injury to another; penalty.

784.07 -Assault or battery of law enforcement officers, firefighters, emergency medical care providers, public transit employees or agents, or other specified officers; reclassification of offenses; minimum sentences.

790.053 - Open carrying of weapons.

800.03 - Exposure of sexual organs.

790.22 - Use of BB guns, air or gas-operated guns, or electric weapons or devices by minor under 16; limitation; possession of firearms by minor under 18 prohibited; penalties.