

HB 135 – Self-Defense Protection Act

This bill amends s. 775.087, F.S., extending an exception to certain mandatory minimum sentences if a use or threatened use of force was justifiable under specified provisions to other cases. It allows all 10-20-Life defendants the opportunity to avoid a minimum mandatory sentence associated with his or her offense by presenting mitigating evidence prior to sentencing that the defendant had a good faith belief that his or her use of force or threatened use of force was justifiable, the defendant does not pose a threat to public safety, and the mandatory minimum sentence is not justified given the totality of circumstances involved in the offense.

Per DOC, 1,262 inmates were admitted to the prison system in FY14-15 with 10-20-Life mandatory minimum sentences that did not have the ability to present mitigating evidence of a good faith belief that their use of force or threatened use of force was justifiable. It is unknown how many of these offenders would be affected by this law.

CONFERENCE ADOPTED ESTIMATE: Negative Indeterminate

Requested by: House