

SB 652 – Crimes Evidencing Prejudice

Amends s. 775.085, F.S., adding officers of the court, correctional officers, and first responders as potential victims of crimes evidencing prejudice. With this bill, the penalty for any felony or misdemeanor shall be reclassified as provided in this subsection if the commission of such felony or misdemeanor evidences prejudice based on the victim's employment as an officer of the court, a correctional officer, or as a first responder.

- 2nd degree misdemeanor increased to 1st degree misdemeanor
- 1st degree misdemeanor increased to 3rd degree felony
- 3rd degree felony increased to 2nd degree felony
- 2nd degree felony increased to 1st degree felony
- 1st degree felony increased to life felony

Per FDLE, in FY 14-15, there were 9 arrests and no dispositions that resulted in a finding of guilty/convicted or adjudication withheld for s. 775.085, F.S. Since July 1, 2012 there has only been one disposition, and adjudication withheld, for a 3rd degree felony. Per DOC, no inmates were admitted to the prison system in FY14-15 who committed a misdemeanor that was elevated to a felony by this statute. Furthermore, DOC does not have data available on those felonies that were increased due to this statute. However, there is data on assault/battery against specific officials, correctional staff, and first responders, with 476 admissions to prison in FY 14-15 for these crimes. It is not known how many of these admissions were crimes that evidenced prejudice based on the victim's employment, or how many 1st degree misdemeanors against those in these employment categories would be elevated to felonies due to crimes evidencing prejudice.

CONFERENCE ADOPTED ESTIMATE: Positive Indeterminate

Requested by: Senate