

SB 1566 – Tampering With or Fabricating Physical Evidence

This bill amends s. 918.13, F.S., adding an **unranked, 2nd degree felony (Level 4 by default)** for committing these acts “relating to a criminal trial or proceeding or an investigation involving a violent felony offense described in s. 775.084(1)(b)1, F.S.”, and an **unranked, 1st degree felony (Level 7 by default)** for committing these acts “relating to a criminal trial or proceeding or an investigation involving a capital offense, or an offense involving the death of a person.”

Per DOC, in FY 18-19, there were 68 new commitments to prison for tampering with evidence (incarceration rate: 12.1%). In FY 19-20, there were 57 new commitments (incarceration rate: 13.3%). There were no new commitments for fabricating physical evidence. It is not known how many additional offenders would fall under this new language.

In FY 18-19, the incarceration rate for a Level 4, 2nd degree felony was 28.2% in FY 18-19, and in FY 19-20 the incarceration rate was 28.3%. The incarceration rate for a Level 7, 1st degree felony was 67.8% in FY 18-19, and in FY 19-20 the incarceration rate was 68.8%.

CONFERENCE ADOPTED ESTIMATE: Positive Indeterminate

Requested by: Senate