

CSSJ's 2023 Florida Agenda

Surveys of Florida crime victims consistently reveal two major findings:

1) most victims do not feel supported by the justice system, and 2) a majority of survivors prefer to stop crime before it starts and most support investments in prevention, treatment, and rehabilitation. Ending cycles of crime and victimization is paramount, and policies that keep people employed are some of the most effective public safety strategies.

This year's legislation

- Provides expanded protections for crime victims, especially families of homicide victims
- Prioritizes rehabilitation by improving Florida's probation system, and
- Supports record sealing for those with low-level records so that they can get back to work.

Survivors Support Job Accommodations and Basic Information for Families of Homicide Victims

No one should have to choose between their job and burying a family member. Yet, fear of losing their job compels many victims of violence to return to work within a day or two of losing a loved one, compounding the trauma they have experienced, making it difficult to make burial arrangements, and to focus on recovery. [A 2018 survey of Florida crime victims](#) found that one in three Floridians had been a victim in the previous 10 years and the vast majority experienced symptoms of trauma. [A 2022 national survey of crime victims](#) found that only 12 percent of victims reported receiving assistance like therapy, legal services, and job protections. Additionally, parents of homicide victims who are minors often lack basic information about the investigation into their child's death.

[HB 233](#) and [SB 490](#) (also known as Curtis' Law) – introduced by Rep. Kiyam Michael (R-Duval) and Sen. Shevrin Jones (D-Miami/Dade/Broward) – would expand job accommodations and provide basic information to families of homicide victims while aiming to end cycles of trauma in our communities. The bills would expand three days of unpaid leave currently available only to victims of domestic violence and sexual assault to also aid the families of homicide victims, allowing them time to make burial arrangements and bury their loved ones with dignity. The bills would also clarify the basic info that law enforcement must provide to the family of a deceased minor about an investigation into their case. Currently, families are left to navigate a complex system on their own with no guidance when they have lost a child to homicide.

Survivors Support Improving Florida's Probation System

[The Council of State Governments recently calculated that Florida spends \\$330 million each year incarcerating people who have violated the conditions of their release.](#) But many of those violations are either technical — such as missing a meeting or failing to report out-of-state travel — or extremely low-level new infractions, such as driving to work or school on a suspended license. Technical violations alone account for \$145 million of the \$330 million spent each year.

[By a margin of 3 to 1, Florida crime victims prefer spending more on crime prevention and rehabilitation, rather than over-incarceration.](#) In 2019, crime survivors overwhelmingly supported the passage of HB 7125 – public safety reforms that enacted alternative sanctions for technical violations of probation that are more effective than incarceration for addressing low-level violations and making Florida communities safer.

Survivors Support Sealing Records of Arrests That Don't Lead to Convictions

In 2019, the legislature passed legislation to automatically seal some records of arrests with the Florida Department of Law Enforcement (FDLE) that did not lead to convictions. However, these arrest records often remain unsealed at the local court level.

[SB 376](#) and [HB 593](#), sponsored by Sen. Danny Burgess (R-Pasco/Hillsborough) and Rep. Spencer Roach (R-North Fort Myers), respectively, would amend the existing law to align state and local policy by ensuring that records sealed at the state are sealed at the county. Law enforcement, however, will still be able to access those records.

Survivors know that old records can be an obstacle to employment and housing for those who were never convicted of a crime, undermining the stability that accompanies economic security. Record sealing would allow people to keep stable jobs, maintain economic security, and to continue contributing to the local economy. Ultimately, this bill can help make Floridians safer for everyone.

[HB 1263](#) and [SB 1478](#) build on probation reforms passed in [HB 7125 \(2019\)](#) to both increase public safety and save taxpayer dollars. These bills are sponsored by Rep. Carolina Amesty (R-Orlando/Seminole) and Sen. Corey Simon (R-Tallahassee) and would improve the state's probation system's treatment of low-level offenses by expanding and expediting the use of the Alternative Sanctions Program (ASP) to focus on accountability for low-level rule violations. The bill would make ASP - rather than prison - presumptive for initial low-risk rule violations, and make it optional for low-level misdemeanor arrests like driving on a suspended license. It would also limit lengthy periods of jail time before ASP case resolution, and build in more structured incarceration sentences for cases where ASP is not used. These changes ensure people on probation are effectively held accountable for rule violations while avoiding counterproductive prison time and unwanted disruptions to stability, like job loss.

