

Supreme Court of Florida

No. AOSC10-39

IN RE: FLORIDA INNOCENCE COMMISSION

ADMINISTRATIVE ORDER

WHEREAS, the Legislature has provided funding for the creation of an Innocence Commission to study the causes of wrongful conviction and subsequent incarceration; and

WHEREAS, the occurrence of cases in which the innocent are convicted and punished constitutes a grave injustice; and

WHEREAS, the imperative of avoiding such injustice requires a comprehensive examination of the causes of wrongful convictions and an in-depth consideration of measures to prevent the conviction of the innocent.

NOW, THEREFORE, the Florida Innocence Commission is hereby established to conduct a comprehensive study of the causes of wrongful conviction and of measures to prevent such convictions.

In conducting its work, the Commission may review individual cases involving a wrongful conviction where innocence has already been officially

acknowledged, to determine the cause of these wrongful convictions. Such review may include the examination of documents and the interview of individuals involved in the cases. However, unproven innocence claims will not be reviewed.

The Commission may hold public meetings, review existing research, contract for new research, and solicit comment from scholars, judges, state attorneys, law enforcement, private defense attorneys, public defenders, elected officials, victims' organizations, and members of the public.

The Commission shall report on its investigations and findings, and also make recommendations designed to prevent the conviction of the innocent. The Commission's report should chronicle the common errors in these cases and propose reforms to address the sources of those errors.

The Florida Innocence Commission shall submit an interim report to the Court no later than June 30, 2011, and a final report and recommendations to the Court no later than June 30, 2012.

The Commission is authorized to propose statutory changes that are directly related to the wrongful conviction of the innocent. The Commission is also authorized to propose amendments to rules of court procedure on issues directly related to the wrongful conviction of the innocent. Should the Commission recommend amendments to the rules of court procedure, it shall file such recommendations in petition form with the Clerk of the Florida Supreme Court.

Judge Israel Reyes shall serve as the liaison between the Commission and The Florida Bar Criminal Procedure Rules Committee. Judge Belvin Perry shall serve as the liaison between the Commission and the Criminal Court Steering Committee.

Members have been selected based upon their individual competence, experience, and anticipated commitment. These individuals offer a diversity of perspectives and expertise that will enable the Commission to meet its overall mission and specific objectives. The following persons are appointed to the Commission for terms that expire on June 30, 2012:

The Honorable Belvin Perry, Jr., Chair
Chief Judge, Ninth Judicial Circuit

The Honorable Joe Negron
The Florida Senate
District 28, Palm Beach

The Honorable Gary Siplin
The Florida Senate
District 19, Orlando

The Honorable Debbie Boyd
Florida House of Representatives
District 11, High Springs

The Honorable William Snyder
Florida House of Representatives
District 82, Stuart

The Honorable Patricia Kelley
Appellate Court Judge
Second District Court of Appeal

The Honorable Preston Silvernail
Chief Judge, Eighteenth Judicial Circuit

The Honorable Mary Barzee Flores
Circuit Judge, Eleventh Judicial Circuit

The Honorable Israel Reyes
Circuit Judge, Eleventh Judicial Circuit

The Honorable Bradley E. King
State Attorney, Fifth Judicial Circuit

The Honorable Nancy Daniels
Public Defender, Second Judicial Circuit

The Honorable Gerald Bailey
Commissioner, Florida Department of Law Enforcement

The Honorable Bill Cameron
Sheriff, Charlotte County

Ms. Carolyn Snurkowski
Assistant Deputy Attorney General

R. Alex Acosta, Dean
Florida International University, College of Law

Kenneth Nunn, Professor
University of Florida, College of Law

Mr. Rod Smith
Attorney at Law, Gainesville

Ms. Martha Barnett
Attorney at Law, Tallahassee

Mr. Howard Coker
Attorney at Law, Jacksonville

Mr. Benjamin Hill
Attorney at Law, Tampa

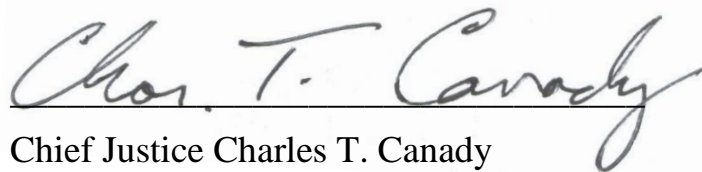
Mr. Henry Coxe
Attorney at Law, Jacksonville

Ms. Sylvia H. Walbolt
Attorney at Law, Tampa

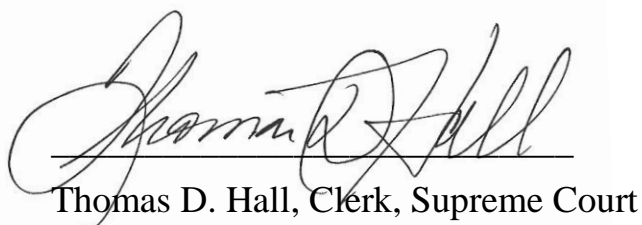
Ms. Tena Pate
Tallahassee

Justice Peggy A. Quince shall serve as the Supreme Court liaison to the Florida Innocence Commission. The Office of the State Courts Administrator shall provide the necessary staff support to enable the Commission to carry out its duties. Members shall serve without compensation but shall be entitled to be reimbursed for per diem and travel expenses associated with their service.

DONE AND ORDERED at Tallahassee, Florida, on July 2, 2010.


Chief Justice Charles T. Canady

ATTEST:


Thomas D. Hall, Clerk, Supreme Court

