

FLORIDA DEATH ROW ADVOCACY GROUP



Working to maintain and improve living conditions
on death row in Florida



Picture from "www.shareordie.in"

FDRAG NEWSLETTER

Volume #27 – September 2010

PUBLISHED BY FDRAG

The opinions of published writers in the Newsletter do not necessarily reflect the opinions of FDRAG or its members.

Florida Death Row Advocacy Group
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Current Advocacy Issues being addressed by FDRAG

Food – we continue to try to get some changes made to the food that is being served (quality and quantity) and to the offerings on the canteen list (a wider variety of less expensive choices).

Other canteen items – better quality and more options on items like headphones, razors and TV's. The high cost and low quality of the TV's that are being sold are issues that are being addressed by a number of groups and individuals, including Florida Death Row. If you have filed a grievance about the TV's, please send a copy (or the original and we will copy it for you) so that it can be included in the effort. We need your help with this.

Medical care – both as regards to access to care and as regards the quality of the care offered. If you have recently required medical attention, please let us know how it went. Provide as many details as possible. If you have filed any grievances about medical care, or anything "medical care related" we need a copy of those.

FDRAG has managed to find out a few things about repairs to the new TV sets.

- The cheap quality TV sets that are being sold at UCI and FSP for \$275 were purchased by Keefe from a company in South Korea.
- When TV sets need to be repaired, they are shipped to a warehouse in Missouri. It can take up to 30 days to log in the sets after they arrive at the warehouse. And the warehouse won't accept calls inquiring about the TV's because apparently they don't accept calls regarding inmate issues!!! They have been offensive to people who call to inquire about a set.
- Once logged, the TV sets are sent to China for repair. By boat!! We kid you not. China!! So if it takes 4-6 months for the repairs - which is the norm - you will at least know why.

This business would never survive in the free world. They offer nothing that resembles customer service. Family members, loved ones and friends have to deal with the financial strain of the high prices of these TV sets and the low quality of Keefe's services and products. There does not appear to be any requirement of Keefe to operate to any standard. And both the convicts and their loved ones pay the price.

Keefe denies that this information, which we received from Keefe, is true. According to them, the sets are repaired locally (in the US). And although TV sets can take up to 30 days to log in, it only takes another 2-3 weeks (14-21 days) to repair it and return it to you. Total actual turnaround time, according to Keefe, is 7 weeks maximum (except in rare case where there is a delay in receiving payment, or a problem getting a part or whatever.). Has anyone had a 7 week turnaround on TV repairs?

FDRAG will be filing a complaint with the Better Business Bureau about Keefe's repair service record. We encourage you to do the same, or to send us the details of your experience with having a set repaired so that we can include it in the letter that we send out. Send letters to us by the end of October. To file a complaint directly, write to: BBB of Central Florida, 1600 S. Grant Street, Longwood, Florida 32750

We also need letters from anyone with a new TV set who has had problems. Tell us about it/them in a short letter.

The FDRAG newsletter mailing list has been lost to a computer virus. If you have received a copy, we are using an older list. We would appreciate if you could let others around you know that the newsletter has come out and that we need to reconstruct the mailing list. If you can send us one letter per wing and floor with the names of everyone who wants to go onto the mailing list, we would greatly appreciate it!! Also please share this copy with anyone around you who didn't get one. Thanks!!! FDRAG

In the next newsletter, FDRAG will include holiday messages from you to your family and friends and from your families and friends to you! Any messages to be included in the holiday publication due out in mid-November, should be sent to FDRAG by October 31st.

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FLORIDA:

Juror arrested in Rex Stribling death penalty case----Man jailed in Coffee County on domestic violence charge

Bobby 'Rex' Stribling's 3rd day on trial in the murder of Jesup municipal Judge Glenn Thomas Jr. got off to a late start when one of the jurors missed the bus transporting the jury to court this morning.

Tardiness, however, was the least of his troubles. The man, identified only as Juror No. 2, was arrested overnight by Douglas police on a domestic violence charge following an incident at his Monday home, Superior Court Judge E.M. Wilkes III told prosecutors and Stribling's lawyers before the trial opened.

When he didn't show up for the bus ride from Douglas to Jesup, Wayne County sheriff's deputies responsible for transporting the jury, went looking for him. Deputies found him in the Coffee County Jail, Wilkes said.

A person arrested on a domestic violence charge must spend at least 48 hours in jail before a bail proceeding is held, according to Georgia law.

The juror was among 5 men and 10 women, 3 of whom are alternates, selected in Coffee County to hear the death penalty trial that began last Friday.

Wilkes told the lawyers he had no choice but to replace the jailed juror with 1 of the alternates.

Noting the man would be "indisposed" for 2 days, special prosecutor Rick Malone agreed with Wilkes.

Stribling's lawyers, Gerald Word and Charles Nester, objected and urged Wilkes to ask a Coffee County judge to release the juror into the custody of Wilkes' court so the trial could continue.

"I hate losing jurors," Word told Wilkes.

Wilkes declined.

"He's been placed in custody on a domestic violence charge ... If he's got a violence problem, do I put him in a room with 14 other people? No. ... We've got 14 jurors, so I'm going to move forward and will put on one of the alternate jurors at the appropriate time," Wilkes said.

Stribling, 49, faces the death penalty if convicted of murdering Thomas, 74, who was the former longtime district attorney of the Brunswick Judicial Circuit, which encompasses five Southeast Georgia counties.

The trial started 40 minutes late because of bus carrying jurors was 40 minutes late and then Wilkes and the lawyers discussed the legal ramifications another 20. Wilkes did not tell the other jurors what happened to the missing member of the panel.

Stribling, an admitted cocaine addict with 37 felony convictions, is charged with beating Thomas during a lunch-time robbery at his law office on June 25, 2007. Thomas died 2 weeks later at a Savannah hospital when doctors determined he was brain dead and life support was removed.

After being arrested the day after the attack, Stribling told a Georgia Bureau of Investigation agent that he struck Thomas in the head after he insulted him by calling him "a white trash convict."

When testimony got underway today, prosecutors called a series of Georgia Bureau of Investigation crime laboratory scientists who had analyzed blood and DNA evidence recovered from the crime scene at Thomas' law office.

They testified that blood found on a shirt and other items recovered from Stribling when he was arrested matched Thomas' blood.

Jamie Downs, the GBI regional medical examiner, who conducted the autopsy, testified that Thomas suffered more than 30 severe injuries to his brain as the result of being struck repeatedly in the head with an object that left a cylinder-like pattern about a quarter inch in diameter.

Bruises on Thomas' arms, hands, neck and shoulders indicated he tried to shield himself and avoid the blows to his head, Downs testified.

Downs told jurors that to suffer those severe brain injuries, Thomas would have "been hit with 15 separate blows to the head."

"He very clearly died from multiple blunt force injuries," Downs testified.

Malone is expected to rest the state's case against Stribling this afternoon.

It was unknown if Stribling would testify or how many witnesses his lawyers might call.

It's possible, court officials said, the case could go to the jury Wednesday. (source: Florida Times-Union)

Chasing A Coal Train Through The Rockies

I put my fingers on the windshield and it's cold to the touch. I duck my head to look up through the window, and I see overcast skies.

I'm in a truck, and I'm carrying drywall out of Colorado.

To my left, a river snakes through the Rockie Mountains. Moving along next to the river is a train.

The train's cars are filled with coal. I'm watching black smoke puff out of the train's engine like smoke signals.

I shiver. I like the cold, and I just smile at the wonder of it all.

~ Father Luke
FatherLuke.com

A Big Heartfelt Thank You

to everyone who donated funds or support to FDRAG over the last year. As a small group of volunteers, FDRAG relies on the generosity of others for all of its projects and efforts.

We could not do this without your help.

Thank You from FDRAG and from all the men and woman on Florida's death row who benefit!!

And we need your help again....

The holiday season is approaching and FDRAG is offering to send in holiday cards as well as to send gifts to the children of the men on the row (12 or younger).

We need your donations to make this work.
Please help to support our efforts!!

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FDRAG has 4 autographed copies of Brother Dale's book "The Biblical Truth about America's Death Penalty".

As one of the books reviewers says "This serious but readable book is a compelling refutation of any claim of Biblical support for the continued use of the death penalty in the United States. "

If you would like a copy, please let us know.

Cards

FDRAG was able to fill all of the card requests that came in after the announcement. We received (quite) a few requests for cards on a monthly basis so FDRAG will need to reduce the number of cards sent to each recipient. Also, due to very limited funds, FDRAG buys cards from local shops that sell them at a discount. We try to get as much of an assortment as possible and we try to get cards to fill all the specific requests, but we are limited to the supplies on hand. If we do not have the specific cards you want, we try to match as closely as possible, or send blank ones. If you have extra cards, please share them with a neighbor.....and thank you for all the "thank you's" !

AAAAAAAAAAAAAAAA

FDRAG was able to raise money to buy fans for everyone who didn't have the funds to buy one, or who had very limited funds. At this point in time, everyone should have a fan. If you don't, and you cannot afford to buy one, please let us know.

MANY THANKS TO EVERYONE WHO DONATED FUNDS FOR THESE FANS. FDRAG COULD NOT HAVE DONE THIS WITHOUT YOUR HELP!

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A reminder

FDRAG's mission is to try to improve living conditions on death row in Florida. We cannot do it alone. If you are having a problem, or if you have a complaint, you must file a grievance - and send us a copy of it to use.

Included with this Newsletter is another challenging brain teaser board game.

The game board has 3 large squares and should be left intact. The game pieces are 8 squares of different colors and sizes. Those will need to be separated. To start, stack all the pieces on one of the game board squares, the biggest piece on the bottom, smallest on top. The object is to move the stack of 8 pieces to a different square.

The rules are simple. You can only move one piece at a time and smaller pieces can only be placed onto larger pieces.

Good luck and enjoy!

FDRAG was informed that the DOC had approved a newer, less expensive TV set for sale, but that Keefe was not willing to sell it (it would not have provided enough profit). We inquired of this to the DOC and were sent the following response:

"The Department currently offers for sale an 11" LCD Digital Television for \$275 to the death row inmates. Your information that Keefe Commissary Network is unwilling to sell a less expensive television is not correct. The current television was specifically designed for the institutional environment and has a clear housing without exterior speaker capabilities, and there have been no recommendations from the Canteen Review Team or Keefe Commissary Network to sell a different model television at this time.

We appreciate your concern and will inquire with Keefe Commissary Network on the availability of a less expensive institutional approved television. If you have any questions, please contact Charlie Terrell @ (850) 410-4278."

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"SURPRISE!!!! Happy birthday Billy boy, I love you so much! best wishes - from your woman in Australia.

AAAAAAAAAAAAAAAA

Hi Dear 'Guys' overthere. I wish You'all the Very Best and Don't give up on HOPE,FAITH and LOVE , Gemma from The Netherlands

AAAAAAAAAAAAAAAA

Hannah, I hope you are finding enjoyment of your trip. I wish to thank you for all done with FDRAG during your watch, regain of part of hobby craft, visiting photos, upgrade to color TV, cell desk, aiding in keeping contact visits. Thank you. We are thankful to all who try and better our lives in here. I only wish more in here would also work together for the good.

Your friend, Victor Farr

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The group "Florida Death Row" has donated a new VCR/DVD player to UCI, and an approval has also been given to donate movies (previously viewed are alright). But there are rules! So if you have new (or older) movies that you can donate, please contact Joan Jones for more details, either by e-mail at "cjjoan2003@yahoo.com" or by phone at (904) 964-4303.

Holiday Requests

Name: _____ DC# _____ Locator: _____ UCI or FSP _____

Type of holiday cards and quantity needed: Cards will be sent to you in late November.

Christmas _____ Hanukah _____ Kwanza _____ Other (type) _____ # _____

Holiday gifts for kids - up to age 12 - please print all the information clearly.

<u>Name of child</u>	<u>Age</u>	<u>Boy or Girl</u>	<u>Type of gift they might like</u>	<u>Are you including a card or message?*</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

** Send us a card, or cards (before the end of November) to include in the package with your gift(s) or write your message(s) on the back of this page. If you need cards, return the order form, enclosed.*

Mailing instructions: The first line of the address will be the child's name.

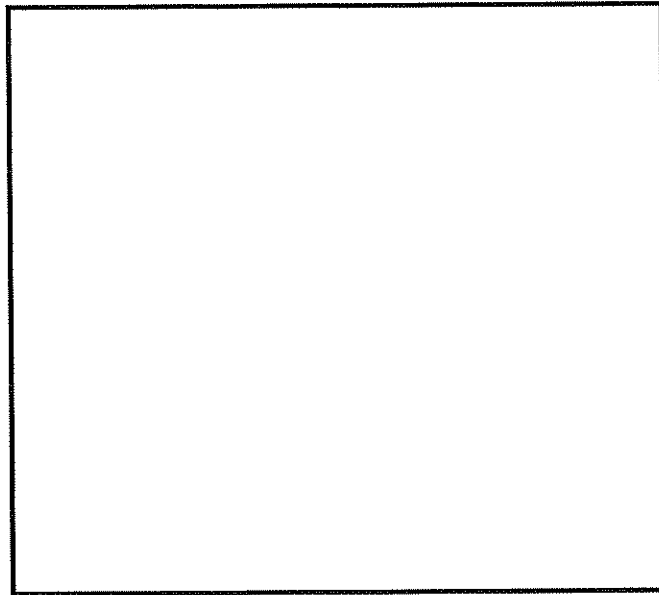
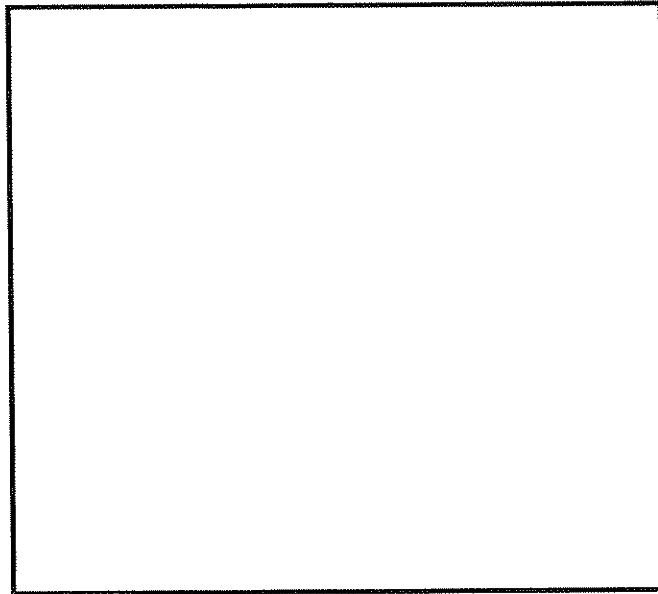
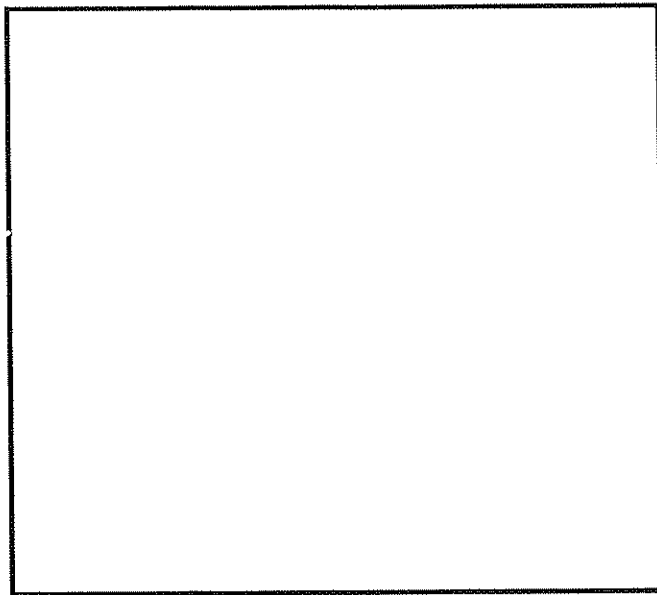
Name of adult at the home (who can sign for gift if necessary.) _____

Address: _____

Don't forget to include the apartment or suite number! _____

Contact information: Name and phone number of the person we should call if there are any problems or questions.

Other things you would like to share to make this gift extra special: _____

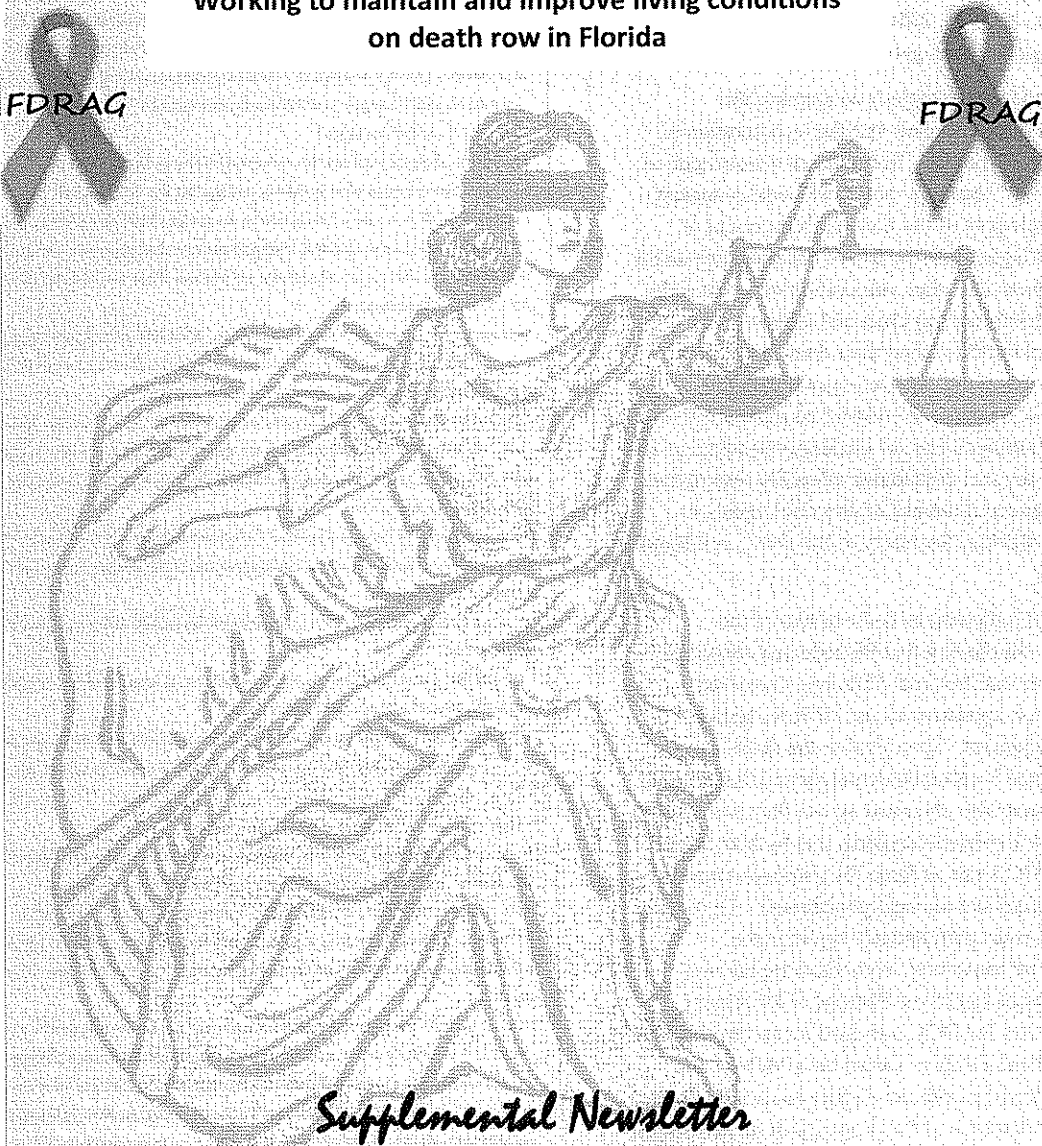


FLORIDA DEATH ROW ADVOCACY GROUP

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Supplemental Newsletter
DEATH PENALTY INFORMATION

Volume #2 — August, 2010

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From the website "Sentencing Law and Policy", Aug 20, 2010
Notable Eleventh Circuit ruling on use of force on mentally ill prisoners

The Eleventh Circuit has a long discussion of the use of force against prisoners in Florida in its ruling today in *Thomas v. Bryant*, No. 09-11658 (11th Cir. Aug. 20, 2010) ([available here](#)). Here is how the lengthy (79 page) opinion gets started:

This appeal presents important questions concerning the intersection of the Eighth Amendment and the incarceration of inmates with serious mental illness. Ten inmates incarcerated at Florida State Prison ("FSP") brought this § 1983 action against various officers and employees of the Florida Department of Corrections ("DOC"), alleging that the use of chemical agents on inmates with mental illness and other vulnerabilities violates the Eighth Amendment's prohibition on cruel and unusual punishment. After the plaintiffs settled their damages claims against the individual correctional officers responsible for administering the chemical agents, the district court held a five-day bench trial on their remaining claims for declaratory judgment and injunctive relief against the two defendants allegedly responsible for the policy which authorized the use of chemical agents on inmates at FSP: Walter McNeil, Secretary of the DOC, and Randall Bryant, Warden of FSP.

The district court entered judgment in favor of two of the remaining six plaintiffs, concluding that the repeated sprayings inmates Jeremiah Thomas and Michael McKinney received pursuant to the DOC's non-spontaneous use-of-force policy violated the Eighth Amendment. Specifically, the district court concluded that Thomas and McKinney demonstrated that at times in which they were sprayed with chemical agents they were unable to conform their behavior to prison standards due to their mental illnesses such that the DOC's use of force for purposes of prison discipline amounted to cruel and unusual punishment. To remedy the violation, the district court permanently enjoined the defendants, in their official capacities, from allowing the non-spontaneous use of chemical agents on Thomas or McKinney without first consulting with the DOC's trained mental health staff to evaluate their mental health status. Defendants McNeil and Bryant now appeal, challenging both the district court's finding of an Eighth Amendment violation and the propriety of its permanent injunction....

Our task is to determine whether the district court erred in concluding that the DOC's non spontaneous use-of-force policy, as applied to McKinney, violates the Eighth Amendment and whether its permanent injunction was both necessary to remedy the violation of McKinney's rights and also properly tailored to the identified harm. Finding no error in the district court's thorough conclusions of law and narrowly tailored injunction, we affirm.

Let us know what you think about the Newsletters and what you would like to see included in them. In the next edition, we will be providing a list of prisoner resources.

Former warden testifies against NH executions; says he saw ghosts afterwards

by LYNNE TUOHY, A P. Writer, Thursday, August 12, 2010

CONCORD, N.H. (AP) — A former prison warden who carried out eight executions urged a New Hampshire commission Thursday to stay away from the practice, saying the memories of those he has put to death haunt him.

"It's nothing but a premeditated, ceremonial killing, and we do it to appease politicians who are tough on crime," Ron McAndrew said after his testifying at the Legislative Office Building. "The state has no right to ask people to kill others on their behalf."

McAndrew, a former warden in Florida and Texas and now living in Florida as a prison consultant, said he supported the death penalty until "these men came and started sitting at the edge of my bed at night."

McAndrew helped perform three electrocutions in Florida and oversaw five lethal injections in Texas. Since he has been speaking out against the death penalty, he said, many former corrections officers who participated in executions have sought his counsel.

"We spent hours on the phone, trying to process the horror we went through," McAndrew told the panel. "We never admitted it at the time. That would have shown weakness in a job that demanded strength."

"I implore you, don't get into this business," McAndrew told the commission. "Honor your corrections officers and don't force them to go through what I went through — what so many of us have gone through and have suffered for."

The last execution in New Hampshire took place in 1939. The state has one convict on death row, cop killer Michael Addison, whose appeals have just begun to wend their way through the courts. The state Supreme Court is still shaping how to evaluate the fairness of the state's death penalty laws.

Since October, the New Hampshire Commission to Study the Death Penalty has heard testimony from both advocates and opponents of the death penalty and is scheduled to issue its report in November.

Testimony included people on both sides of the debate, from a relative of a crime victim to a law expert.

Laura Bonk, a Concord woman whose mother was murdered in Massachusetts in 1989, urged the panel to repeal the death penalty.

She told them Thursday would have been her mother's 69th birthday. Bonk's sister, 16 at the time, was also shot by the son of a sick friend her mother was visiting in Littleton, Mass. "My mother was opposed to the death penalty," Bonk said. "I ask you to recommend repeal. It would honor me and, most of all, my mother."

Bonk said her aunt called three years ago to tell her the killer died in prison of natural causes. She told the panel his death brought no comfort or closure.

"It does not lessen the pain," she said. "It does not help victims heal."

The panel also heard from New York Law School professor Robert Blecker, who argued in favor of keeping the death penalty but applying it "only to the worst of the worst of the worst."

Those who kill during drug transactions should not be death-penalty eligible, he said, adding, "It is understood in the drug game that there are certain killing offenses."

He also would exempt from the death penalty battered spouses who hire a killer.

Acknowledging that his opinion would not be popular in New Hampshire, Blecker also said a robber who shoots an officer to avoid capture — the scenario in Addison's killing of Manchester Officer Michael Briggs — should not be subjected to a death sentence.

"I revere police officers, but they are strapping on a gun as a condition of employment," Blecker said. Killing a juror should be added to the list of crimes eligible for death, he said.

Also, Blecker said, the commission should not view life without parole as a viable alternative to a death sentence, saying "lifers" typically earn the most privileges and get the best jobs behind bars.

He said he visited the state prison Wednesday and saw inmates painting, sculpting, building furniture and playing sports outdoors. Panel member and defense attorney Lawrence Vogelmann noted that Blecker appeared angry while describing his prison visit.

"I am angry," Blecker said. "I see justice not being done. I know they have murdered heinously and they spend their day in play."

Blecker also said he opposes lethal injection because executions should involve pain.

"For the torture killers, for the rapist killer of children, a quick but painful death sometimes is the only response," Blecker said. "It's more appropriate than an opiate haze."

From the Death Penalty Information Center

Recent Legislative Activity

Around the country, lawmakers are proposing changes to the death penalty or even repeal. Below are examples of legislation that have recently passed or are currently being considered. DPIC welcomes additions and suggestions. Find the article on the Death Penalty Information Center's website at "<http://www.deathpenaltyinfo.org/recent-legislative-activity#2010>"

2010 - Proposed or passed legislation (*states with bills to abolish death penalty - 7 states)

<u>STATE</u>	<u>DESCRIPTION</u>	<u>STATUS</u>
Alabama	Proposed 3-year moratorium on executions introduced by Sen. Hank Saunders	Defeated.
Alaska	Bill to reinstate death penalty	Sponsor doubts bill will move this year.
California	<ol style="list-style-type: none"> 1. Change to a 1-drug protocol for lethal injections (SB 1018) 2. Hire more appellate attorneys in capital cases to speed up executions 3. Allow the State Supreme Court to transfer appeals to the Superior Court to expedite appeals. (Bills 1-3 introduced by Sen. Tom Harman) 4. Racial Justice Act of California (SB 1331; sponsored by Sen. Gil Cedillo) - to allow challenges to a death sentence or capital prosecution based on race studies 5. California's new regulations for administering lethal injection have completed review under the state's Administrative Procedure Act. Challenges are expected (Aug. 2010). 	<ol style="list-style-type: none"> 1. Passed unanimously Senate Public Safety Com. On April 20.
Connecticut	Bill to cut back on the appeals process	Bill defeated.
Florida	SB704/HB259--adds an aggravator for killing someone who petitioned for a protective injunction.	Passed unanimously in both the senate and house. (Apr 28) Governor Crist is expected to sign the bill.
Georgia	HB323 would eliminate proportionality review of capital cases in GA Sup. Ct.	Passed Senate Judiciary Com. Defeated --measure pulled from bill for fear of allowing new appeals Proportionality review is retained.
Illinois*	Bill to repeal the death penalty (HB 262)	Last action in 2009
Indiana	Expand death penalty to include murder in the presence of a minor (SB 43)	Passage considered unlikely
Kansas*	<ol style="list-style-type: none"> 1. Abolition bill (SB 208) carried over from 2009; 2. Abolition bill (SB 375) 	Hearings began Jan. 19; committee vote on SB 375 on Jan. 29; SB 208 tabled. 2. DEFEATED: SB 375, approved 7-4 on bipartisan vote in Senate Judiciary Com. (Jan. 29); full Senate vote expected Feb. 19. Bill defeated on a tie vote (20-20), with 12 Republican senators voting for repeal
Kentucky*	<ol style="list-style-type: none"> 1. Prefiling of abolition bill by Rep. Tom Burch 2. Administrative review of new lethal injection protocol 3. Bill to exempt mentally ill defendants from the death penalty 	2. Public comment period
Louisiana	<ol style="list-style-type: none"> 1. SB 774 would allow death row inmates to waive their direct appeal and proceed more quickly to execution. 2. SB 554 would exempt the state's execution process from the review required by the Administrative Procedure Act. 	<ol style="list-style-type: none"> 1. Passed Senate Judiciary Committee. Passed into law; effective July 1. 2. Passed Senate and House Governmental Affairs Com.

Maryland	1.SB 404 would expand the types of evidence necessary for a capital prosecution to include fingerprints and photos. 2. Bill to expand death penalty to murders during a sexual assault.	1. Bill was amended to require jurors to use a standard of beyond a reasonable doubt when sentencing a defendant to death. Bill as amended was defeated in the Sen.Judic. Procedures Com. (9-2). DEFEATED: All expansion bills were defeated.
Massachusetts	Bill to reinstate the death penalty	DEFEATED: bill referred for further study by vote of 105-52.
Missouri	Bill to establish a study commission and moratorium on executions: HB 1683/SB 930	
Nebraska*	1. Abolition bill carried over from 2009 (LB 306) 2. Substitute bill introduced calling for a cost study of death penalty	1. Bill withdrawn by sponsor 2. DEFEATED: Cost study bill defeated. (22-22).
New Hampshire	1. Study commission currently considering all aspects of the death penalty 2. Bill to expand the death penalty defeated by House by a vote of 201-161. Similar bill introduced in Senate--would allow death penalty for murders during a home invasion.	1. Commission hearings through 2010 2. Defeated in House; introduced in Senate. Bill deferred for an interim study until next year (14-10).
Oklahoma	1. Bill to allow death penalty for repeat sex offenders convicted of the rape of a child, even though no death occurred-HB 2965 2. Bill(HB 2266) would strike language on the specific type of drugs to be used in lethal injections, giving more flexibility to the Dept. of Corrections in choosing more modern drugs.	1. Such laws were struck down by <i>Kennedy v. Louisiana (2008)</i> Passed House Judic. Com. Passed House 91-2. Passed a Senate Sen-Appropriations Subcom. on Public safety (bill excludes cases in which victim and defendant are close relatives). 2. Passed both houses by strong margins and sent to the governor (June 2010).
Pennsylvania*	1. Bill to repeal death penalty and replace with life sentence introduced by Sen. Daylin Leach 2. Bill to prevent instances of racial bias in capital cases- Racial Justice Act- HB 1996 3. Bill to allow judge to determine intellectual disability (mental retardation) before trial in a capital case.	2. Hearing before Senate Judic. Com. in July. 3. Passed Senate.
South Dakota*	Bill to abolish the death penalty- HB 1245	In House State Affairs Com. (Feb. 10); Defeated in House Health Com. (8-5) (Feb. 18).
Tennessee	Bill to add as an aggravator the murder of a pregnant woman (HB 2693)	Passed into law; effective July 1
Utah	House bill to limit death penalty appeals by allowing dismissal for procedural faults, rather than a review of the merits (HB 19)	Passed House Com. on Law Enforcement & Crim. Justice 10-0; passed House.
Virginia	Bills to: 1. Allow death penalty for accomplices to murder (SB 7) 2. Allow death penalty for murder of firefighters, auxiliary police, and emergency personnel in line of duty (SB 54) 3. Allow victims' family members to meet with death row defendant.	1. DEFEATED: Passed House 74-24; Defeated in Senate Courts of Justice Com. 9-6 2. Passed House 75-23; Defeated in Senate Courts of Justice Com., 9-6 except for auxiliary police provision, which passed in Com. PASSED: Senate passed bills to allow death penalty for murder of fire marshals (HB 166) and auxiliary police (HB 934). Bills sent to gov DEFEATED: a bill to allow death Penalty for accomplices who murder law enforcement officials (HB 502). (Mar. 10) 3. PASSED. Effective July 1.
Washington*	Bill to abolish death penalty introduced by Sen. Ed Murray	

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,
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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

Taken from the FSC website "<http://www.floridasupremecourt.org/clerk/adminorders/2010/AOSC10-39.pdf>" which includes the following notations:

* By order of the Supreme Court, the Commission may only review claims of innocence that have been officially acknowledged. No other claims of innocence will be considered by the Commission.

* Mission and Objectives (Available Soon)

FLORIDA RULES OF CRIMINAL PROCEDURE - 2010

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If you need copies of any of these rules, or forms, please let us know. An SASE would be great too!

"Imposition of the death penalty is arbitrary and capricious. Decision of who will live and who will die for his crime turns less on the nature of the offense and the incorrigibility of the offender and more on inappropriate and indefensible considerations: the political and personal inclinations of prosecutors; the defendant's wealth, race and intellect; the race and economic status of the victim; the quality of the defendant's counsel; and the resources allocated to defense lawyers."

Gerald Heaney, former appellate judge

What is FDRAG about?

The Florida Death Row Advocacy Group (FDRAG) is made up of the families and friends of death row inmates in Florida. We are devoted to working on maintaining and improving the lives of those on the row. Anyone who is willing to work for basic human rights is welcome.

We need your help!!

FDRAG always looks to welcome new members and we really need your help. There are a lot of things on our wish list to do, but we are very limited. We need people who can help us with projects, and we need money and stamps and anything that anyone can spare. Please let your friends and family know about us. Whether you can help with a little or a lot, please contact us by filling in the form below, or by sending an e-mail to us or by calling!! Our contact information is on the other side of this page!
We appreciate anything that you can do. No offer to help is too small!!

If you are looking to become involved in anti-death penalty activities, we recommend that you join one of the excellent groups already up and running like NCADP, FADP, or CUADP. Most of the members of FDRAG are active in anti-death penalty activities.

Florida Death Row Advocacy Group
Join us on Facebook!

Name (PLEASE PRINT CLEARLY).....
Address.....
Town and Zip.....
Phone.....
E-mail.....

I want to help!

- I would love to join FDRAG. Enclosed is my yearly membership fee of \$60.
- I would love to help out with projects and can make a contribution of \$ _____.
- I would love to help with projects, but can't help financially right now. Contact me!!
- I don't have time to help with projects right now, but I can make a donation of \$ _____.

*** Note: FDRAG is not a not-for-profit. Donations are not tax deductible.

Return to the address below.

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Your family, friends and loved ones are welcome to call any of the above numbers if they have any questions at all about your situation (or anything else to do with death row) and we will do what we can to help.

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