



CRIMINAL PUNISHMENT CODE TASK FORCE Enhancements Subcommittee

Minutes

November 12, 2019 at Noon

Conference Call

I. Members Present:

The Honorable Michelle Sisco (Chair)

The Honorable Charles E. Williams

Chief Melanie Bevan

Professor John Stinneford

The Honorable Bernie McCabe

II. Enhancements Subcommittee

Professor Stinneford discussed Florida's minimum mandatory statutes; including, not limited to section 775.087, which is the firearm enhancement statute. The discussion referenced sentencing of minimum mandatory offenses. Specifically, whether an offender's sentence could be "stacked" (filed consecutively) when there are multiple counts of minimum mandatory offenses. The subcommittee will take into consideration the frequency it is used and how many are currently impacted by section (2)(q) of this statute.

The subcommittee discussed giving the court greater discretion regarding mandatory life sentences. This could be done at the filing stage of the case or through a review process similar to that of Graham/Miller. The subcommittee discussed the court having discretion on cases that do not involve rape, death, or serious bodily harm.

The subcommittee discussed the courts having discretion in capital, "non-death" life felony cases.

The subcommittee will continue to review and discuss the aforementioned issues at future meetings.

III. Public Comment

None

IV. Adjourn

The meeting was adjourned at approximately 12:37 P.M.