

Supreme Court of Florida

MONDAY, FEBRUARY 25, 2019

CASE NO.: SC19-240

STATEWIDE GRAND JURY #20

ORDER DIRECTING IMPANELMENT OF A STATEWIDE GRAND JURY

THE COURT, having considered the Petition of the Honorable Ron DeSantis, Governor of Florida, for an order to impanel a statewide grand jury, and being fully advised of the relevant matters, hereby finds as follows:

A. The Petitioner, Honorable Ron DeSantis, Governor of Florida, has shown good and sufficient reason exists and that it is in the public interest to impanel a statewide grand jury, with jurisdiction throughout the State of Florida, to investigate crime, return indictments, make presentments, and otherwise perform all functions of a grand jury with regard to the following offenses, listed in section 905.34, Florida Statutes:

(1) bribery, burglary, carjacking, home-invasion robbery, criminal usury, extortion, gambling, kidnaping, larceny, murder, prostitution, perjury, and robbery;

(2) crimes involving narcotic or other dangerous drugs;

(3) any violations of the provisions of the Florida Racketeer Influenced and Corrupt Organization (RICO) Act, including any offense listed in the definition of racketeering activity in section 895.02(8)(a), Florida Statutes, providing such listed offense is investigated in connection with a violation of section 895.03, Florida Statutes, and is charged in a separate count of an information or indictment containing a count charging a violation of section 895.03, the prosecution of which listed offense may continue independently if the prosecution of the violation of section 895.03 is terminated for any reason;

- (4) any violations of the provisions of the Florida Anti-Fencing Act;
- (5) any violations of the provisions of the Florida Antitrust Act of 1980, as amended;
- (6) any violations of the provisions of chapter 815, which includes Computer-Related crimes;
- (7) any crime involving, or resulting in, fraud or deceit upon any person;
- (8) any violation of sections 847.0135, 847.0137, or 847.0138, Florida Statutes, relating to computer pornography and child exploitation prevention, or any offense related to a violation of sections 847.0135, 847.0137, or 847.0138 or any violation of chapter 827 where the crime is facilitated by or connected to the use of the Internet or any device capable of electronic data storage or transmission;
- (9) any criminal violation of Part I of chapter 499;
- (10) any criminal violation of sections 409.920 or 409.9201, Florida Statutes;
- (11) any criminal violation of the Florida Money Laundering Act;
- (12) any criminal violation of the Florida Securities and Investor Protection Act;
- (13) any violation of chapter 787, as well as any and all offenses related to a violation of chapter 787; or
- (14) any attempt, solicitation, or conspiracy to commit any violation of the crimes specifically enumerated above.

B. The matters to be inquired into are any offense listed in section 905.34 that:

(1) relates to, but is not limited to, the following:

(a) whether refusal or failure to follow the mandates of school-related safety laws, such as the Marjory Stoneman Douglas Public Safety Act, results in unnecessary and avoidable risk to students across the state;

(b) whether public entities committed—and continue to commit—fraud and deceit by accepting state funds conditioned on implementation of certain safety measures while knowingly failing to act;

(c) whether school officials committed—and continue to commit—fraud and deceit by mismanaging, failing to use, and diverting funds from multimillion-dollar bonds specifically solicited for school safety initiatives; and

(d) whether school officials violated—and continue to violate—state law by systemically underreporting incidents of criminal activity to the Department of Education;

and

(2) is occurring, or has occurred, in two or more judicial circuits as part of a related transaction or is connected with an organized criminal conspiracy affecting two or more judicial circuits, as required by section 905.34, Florida Statutes.

WHEREFORE, THE COURT, pursuant to the provisions of Sections 905.31 through 905.40, Florida Statutes, Statewide Grand Jury Act, hereby orders as follows:

1. A statewide grand jury shall be promptly impaneled for a term of twelve calendar months, to run from the date of impanelment, with jurisdiction throughout the State of Florida, to investigate crime, return indictments, make presentments,

and otherwise perform all functions of grand jury with regard to the offenses stated herein.

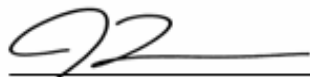
2. The statewide grand jury shall be drawn from the certified jury lists submitted by the chief judges of the Eleventh, Fifteenth, and Seventeenth Judicial Circuits.

3. The Honorable Jack B. Tuter, Jr., Chief Judge in and for the Seventeenth Judicial Circuit, is designated as presiding judge over the statewide grand jury. In his capacity as the presiding judge, the Honorable Jack B. Tuter, Jr. shall maintain judicial supervision of the statewide grand jury, and all indictments, presentments, and formal returns of any kind made by such grand jury shall be returned to the presiding judge. The presiding judge may designate an alternate presiding judge in the event of calendar conflicts or otherwise and to assist in the administrative process of the statewide grand jury.

4. John A. Tomasino, Clerk of the Supreme Court of Florida, is hereby designated clerk of this statewide grand jury and is empowered to deputize any clerk of a circuit court or any deputy clerk of a circuit court to issue necessary process and to carry out the administrative functions of the statewide grand jury.

CANADY, C.J., and POLSTON, LABARGA, LAWSON, LAGOA, LUCK, and MUÑIZ, JJ., concur.

A True Copy
Test:



John A. Tomasino
Clerk, Supreme Court



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Served:

CASE NO.: SC19-240

Page Five

JOSEPH W. JACQUOT
HON. RON DESANTIS, GOVERNOR
HON. BERTILA ANA SOTO, CHIEF JUDGE
HON. BRENDA D. FORMAN, CLERK
HON. KRISTA MARX, CHIEF JUDGE
NICHOLAS BERNARD COX
HON. JACK B. TUTER JR., CHIEF JUDGE