

By Commissioner Mathis

1 A proposal to revise
2 ARTICLE I, s. 16, Fla. Const.; providing that
3 the spouse of a state or county prisoner has a
4 right to conjugal visitation with that
5 prisoner; providing that a person connected by
6 affinity or consanguinity to a state or county
7 prisoner has a right of family visitation with
8 that prisoner.

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10 It is proposed by the Florida Constitution Revision Commission
11 that:

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13 Section 1. Section 16 of Article I of the Florida
14 Constitution is revised by amending that section to read:

15 ARTICLE I

16 DECLARATION OF RIGHTS

17 SECTION 16. Rights of accused, prisoners, and ~~of~~
18 victims.--

19 (a) In all criminal prosecutions the accused shall,
20 upon demand, be informed of the nature and cause of the
21 accusation against him, and shall be furnished a copy of the
22 charges, and shall have the right to have compulsory process
23 for witnesses, to confront at trial adverse witnesses, to be
24 heard in person, by counsel or both, and to have a speedy and
25 public trial by impartial jury in the county where the crime
26 was committed. If the county is not known, the indictment or
27 information may charge venue in two or more counties
28 conjunctively and proof that the crime was committed in that
29 area shall be sufficient; but before pleading the accused may
30 elect in which of those counties he will be tried. Venue for
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1 prosecution of crimes committed beyond the boundaries of the
2 state shall be fixed by law.

3 **(b)** The lawful spouse of a person incarcerated in a
4 state or county detention facility shall have the right of
5 conjugal visitation with the incarcerated person. Any person
6 who is connected by affinity or consanguinity to a person
7 incarcerated in a state or county detention facility shall
8 have the right of family visitation with the incarcerated
9 person.

10 **(c)**~~(b)~~ Victims of crime or their lawful
11 representatives, including the next of kin of homicide
12 victims, are entitled to the right to be informed, to be
13 present, and to be heard when relevant, at all crucial stages
14 of criminal proceedings, to the extent that these rights do
15 not interfere with the constitutional rights of the accused.