

IN THE SUPREME COURT OF FLORIDA

IN RE:

STATEWIDE GRAND JURY

CASE NO: SC09-1910

AMENDED PETITION FOR ORDER TO IMPANEL
A STATEWIDE GRAND JURY

Petitioner, Charlie Crist, Governor of the State of Florida, pursuant to Florida Statute §905.33, respectfully petitions this Court for an order to impanel a Statewide Grand Jury and states:

1. This Court has jurisdiction of this matter pursuant to Florida Statute §905.33 which provides:

Whenever the Governor, for good and sufficient reason, deems it to be in the public interest to impanel a statewide grand jury, he or she may petition in writing to the Supreme Court for an order impaneling a Statewide grand jury.

2. Pursuant to Florida Statute §905.36, Petitioner has consulted with the Statewide Prosecutor who will serve as the Statewide Grand Jury legal adviser.

3. After consultation with Florida's twenty State Attorneys, the Statewide Prosecutor, local law enforcement agencies and the Florida Department of Law Enforcement, Petitioner recognizes the ongoing harm caused by crimes committed

by local and state public officials while acting in their official capacity. Public officials have abused their powers gained by virtue of their position. A need exists to examine this type of criminal activity and identify whether Florida's prosecutors have sufficient resources and statutes to effectively combat corruption in Florida's communities. For good and sufficient reason, Petitioner deems it to be in the public interest to review this type of criminal activity among local and state officials acting in their official capacity.

4. Where public corruption crimes often are committed within single circuits, the underlying reasons for corruption in our government and the statutes used to combat corruption apply throughout the State of Florida. As such, a Statewide Grand Jury is an appropriate vehicle to identify any deficiencies in current laws, punishments or enforcement efforts and to make detailed recommendations to improve our anti-corruption initiatives.

5. Pursuant to Florida Statutes §905.33 and §905.34, the jurisdiction of the Statewide Grand Jury shall extend throughout the State to investigate crimes, return indictments, make presentments and otherwise perform all functions of a Statewide Grand Jury. The Statewide Grand Jury should examine and evaluate public policy issues regarding public corruption and develop specific recommendations regarding improving current laws. The Statewide Grand Jury should avoid any conflict with existing and ongoing investigations into allegations

of corruption by the various State Attorneys and/or United States Attorneys in Florida.

6. While the Statewide Grand Jury has the authority to issue indictments, any criminal matter committed within a single circuit arising out of the Statewide Grand Jury review should be referred to the appropriate state attorney of the circuit involved for prosecution.

7. The Statewide Grand Jury's investigation is not limited to any particular region of the State. However, pursuant to Florida Statute §905.37(2), Petitioner requests that in the interest of convenience to prospective grand jury witnesses, law enforcement officers and others, a single circuit should be designated as the base operating area, with prospective jurors to be drawn from jury lists from neighboring circuits.

8. Pursuant to Florida Statute §905.33(2), Petitioner respectfully requests that Chief Justice Quince designate a circuit court judge to preside over the Statewide Grand Jury.

Dated this _____ day of _____, 2009.

CHARLIE CRIST
GOVERNOR

ROBERT R. WHEELER
GENERAL COUNSEL
FLORIDA BAR NO. 796409

OFFICE OF THE GOVERNOR
THE CAPITOL
400 S. MONROE STREET, SUITE 209
TALLAHASSEE, FL 32399

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that this Petition complies with the font requirements of Florida Rule of Appellate Procedure 9.210(a)(2).

ROBERT R. WHEELER