

IN THE SUPREME COURT OF FLORIDA

IN RE:

STATEWIDE GRAND JURY

CASE NO: SC19-_____

_____ /

PETITION FOR ORDER TO IMPANEL
A STATEWIDE GRAND JURY

Petitioner, Ron DeSantis, 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. As grounds therefore, the petition would show:

1. Petitioner, Ron DeSantis, is the Governor of the State of Florida.
2. This Court has jurisdiction over 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, she or he may petition in writing to the Supreme Court for an order impaneling a statewide grand jury.

3. Petitioner has consulted with the statewide prosecutor regarding the filing of this petition. Pursuant to Florida Statute § 905.36, the statewide prosecutor will serve as the statewide grand jury legal adviser.

Received, Clerk, Supreme Court

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4. In February 2018, Nikolas Cruz committed mass murder at Marjory Stoneman Douglas High School in Parkland, Florida. This tragic and avoidable incident drew attention to systematic failures by school officials and other State actors to ensure student safety. Unfortunately, these failures are not unique, and they have not ceased.

Petitioner has been informed that there is a need to examine the crimes and wrongs that precipitated the Marjory Stoneman Douglas school shooting and that even now result in unsafe schools across the state. There is also a need to examine the responses of public entities to laws designed to protect schools, such as the Marjory Stoneman Douglas High School Public Safety Act. Specifically, an investigation must consider any crime or wrong within Florida Statute § 905.34 that relates 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 multi-million dollar bonds specifically solicited for school safety initiatives; and
- (d) whether school officials violated—and continue to violate—state law by systematically underreporting incidents of criminal activity to the Department of Education.

5. The statutes designed to detect precursor conduct and prevent large-scale murders apply throughout the State of Florida. Patterns of fraud and deceit by public entities shirking responsibility may exist and repeat throughout the state. A statewide grand jury is an appropriate vehicle to investigate these matters and to identify any deficiencies in current laws, punishments or enforcement efforts.

6. For good and sufficient reason, and after due consideration and consultation with the statewide prosecutor, Petitioner deems it to be in the public interest to impanel a statewide grand jury.

7. 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 or direct issuance of reports, and otherwise perform all functions of a statewide grand jury with regard to the offenses enumerated in Florida Statute § 905.34.

8. With the focus of the petition on the crimes and wrongs articulated in paragraph four, Petitioner notes that the subject matter jurisdiction of the statewide grand jury extends to the following full list of offenses enumerated in Florida Statute § 905.34:

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

(2) Crimes involving narcotics or other dangerous drugs;

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

(4) Violations of the provisions of the Florida Anti-Fencing Act;

(5) Violations of the provisions of the Florida Antitrust Act of 1980, as amended;

(6) Violations of the provisions of Florida Statutes Chapter 815, which includes Computer-Related Crimes;

- (7) Any crime involving, or resulting in, fraud or deceit upon any person;
 - (8) Violations of Florida Statutes § 847.0135, § 847.0137 or § 847.0138 relating to computer pornography and child exploitation prevention, or any offense related to violations of § 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) Criminal violations of Part I of Florida Statutes Chapter 499;
 - (10) Criminal violations of Florida Statutes § 409.920 or § 409.2901;
 - (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 Florida Statutes 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 of the crimes enumerated above.

9. The statewide grand jury's investigation is not limited to any particular region of the State. 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. Because the statewide grand jury's investigation will reach issues connected to the 2018 mass shooting at Marjory Stoneman Douglas High School, Petitioner respectfully proposes that this Court designate the Seventeenth Judicial Circuit as the base operating area for the statewide grand jury to be impaneled.

10. Pursuant to Florida Statute § 905.33(2), Petitioner respectfully requests that Chief Justice Canady designate a circuit court judge to preside over the statewide grand jury.

Dated this 13 day of February, 2019.



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CERTIFICATE OF COMPLIANCE

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



JOSEPH JACQUOT