

IN THE SUPREME COURT OF FLORIDA

IN RE:

STATEWIDE GRAND JURY

CASE NO:

_____ /

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 local law enforcement agencies and the Florida Department of Law Enforcement, Petitioner recognizes the recent rash of 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. There is a need to investigate this criminal activity. For good and sufficient reason, Petitioner deems it to be in the public interest to investigate criminal activity among local and state officials acting in their official capacity.

4. These crimes are of a multi-circuit nature, occurring in two or more judicial circuits.

5. Pursuant to Florida Statutes §905.33 and §905.34, the jurisdiction of the Statewide Grand Jury shall extend throughout the State to investigate these crimes, return indictments, make presentments, and otherwise perform all functions of a Statewide Grand Jury with regard to the offenses identified herein.

6. The criminal activity is under the subject matter jurisdiction of the Statewide Grand Jury and includes the following 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(1)(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, including but not limited to the following offenses: Unlawful compensation for Official Behavior, Corruption by Threat against a Public Servant, Official Misconduct, Bid Tampering, Falsifying Records, Misuse of Confidential Information and Money Laundering;

(4) Violations of the provisions of the Florida Anti-Fencing Act (Florida Statute §§812.02-812.037);

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

(6) Violations of the provisions of Chapter 815, Florida Statutes, 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 Chapter 499, Florida Statutes;

(10) Criminal violations of Florida Statutes §409.920 or §409.2901;

or

(11) Any attempt, solicitation or conspiracy to commit any of the crimes enumerated above.

7. The Statewide Grand Jury's investigation is not limited to any particular section 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, the following circuits should be the base operating area: Fifteenth Judicial Circuit, Sixteenth Judicial Circuit, Seventeenth Judicial Circuit, Twentieth Judicial Circuit and Eleventh Judicial Circuit.

8. Pursuant to Florida Statute §905.33(2), Petitioner respectfully requests that Chief Justice Quince designate a circuit court judge from the Fifteenth Judicial Circuit, Sixteenth Judicial Circuit, Seventeenth Judicial Circuit, Twentieth Judicial Circuit or Eleventh Judicial Circuit to preside over the Statewide Grand Jury.

Dated this 14 day of October, 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