

CHAPTER 2025-215

Committee Substitute for Senate Bill No. 10

An act for the relief of Sidney Holmes; providing an appropriation to compensate Mr. Holmes for being wrongfully incarcerated for 34 years; directing the Chief Financial Officer to draw a warrant payable directly to Mr. Holmes; providing for the waiver of certain tuition and fees for Mr. Holmes; declaring that the Legislature does not waive certain defenses or increase the state's limits of liability with respect to the act; prohibiting funds awarded under the act to Mr. Holmes from being used or paid for attorney or lobbying fees; prohibiting Mr. Holmes from submitting a compensation application under certain provisions upon his receipt of payment under the act; providing that certain benefits are void upon specified findings; providing an effective date.

WHEREAS, Sidney Holmes was arrested on October 6, 1988, for a robbery committed on June 19, 1988, outside a convenience store in Fort Lauderdale and was convicted on April 26, 1989, of armed robbery with a firearm, and

WHEREAS, since the time of his arrest, Mr. Holmes has been unwavering in maintaining his innocence in connection with the crime, and

WHEREAS, Mr. Holmes, who had previous felony convictions, was sentenced to 400 years in prison and served 34 years of that sentence, and

WHEREAS, on February 23, 2023, the Conviction Review Unit for the State Attorney's Office for the 17th Judicial Circuit issued a 25-page "Conviction Review Unit Final Memorandum," reaching the conclusion that Mr. Holmes' judgment and sentence should be vacated and that the State Attorney's Office should enter a nolle prosequi, and

WHEREAS, the final memorandum was issued based on the findings of the Independent Review Panel that the case against Mr. Holmes gave rise to reasonable doubt as to his culpability and noted that it was highly likely that Mr. Holmes is factually innocent of the armed robbery and that the Broward County State Attorney's Office would not charge Mr. Holmes if the case were presented today, and

WHEREAS, on March 13, 2023, the Circuit Court for the 17th Judicial Circuit issued, with the concurrence of the state, an "Agreed Order Vacating Judgment and Sentence" on the basis that there is reasonable doubt as to Mr. Holmes' guilt in the case and that it is highly likely that he was misidentified and is factually innocent of the armed robbery, and

WHEREAS, that same day, the state filed a Notice of Nolle Prosequi, exonerating Mr. Holmes, and

WHEREAS, the Legislature acknowledges that the state's system of justice yielded an imperfect result that had tragic consequences in this case, and

WHEREAS, the Legislature acknowledges that as a result of his physical confinement, Mr. Holmes suffered significant damages that are unique to him, and that the damages are due to the fact that he was physically restrained and prevented from exercising the freedom to which all innocent citizens are entitled, and

WHEREAS, before his conviction for the aforementioned crime, Mr. Holmes had prior convictions for unrelated felonies, and

WHEREAS, because of those prior felony convictions, Mr. Holmes is ineligible for compensation under chapter 961, Florida Statutes, and

WHEREAS, the Legislature apologizes to Mr. Holmes on behalf of the state, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. The facts stated in the preamble to this act are found and declared to be true.

Section 2. The sum of \$1.722 million is appropriated from the General Revenue Fund to the Department of Financial Services for the relief of Sidney Holmes for his wrongful incarceration. The Chief Financial Officer is directed to draw a warrant in favor of Mr. Holmes in the sum of \$1.722 million, payable directly to Sidney Holmes.

Section 3. Tuition and fees for Mr. Holmes shall be waived for up to a total of 120 hours of instruction at any career center established under s. 1001.44, Florida Statutes, any Florida College System institution established under part III of chapter 1004, Florida Statutes, or any state university. For any educational benefit made, Mr. Holmes must meet and maintain the regular admission and registration requirements of such career center, institution, or state university and make satisfactory academic progress as defined by the educational institution in which he is enrolled.

Section 4. With respect to the relief for Mr. Holmes as described in this act, the Legislature does not waive any defense of sovereign immunity or increase the limits of liability on behalf of the state or any person or entity that is subject to s. 768.28, Florida Statutes, or any other law. Funds awarded under this act to Mr. Holmes may not be used or paid for attorney fees or lobbying fees related to this claim.

Section 5. Upon his receipt of payment under this act, Mr. Holmes may not submit an application for compensation under chapter 961, Florida Statutes.

Section 6. The amount awarded under this act is intended to provide the sole compensation for all present and future claims arising out of the factual situation described in this act.

Section 7. If any future judicial determination concludes that Mr. Holmes, by DNA evidence or otherwise, participated in any manner in the armed robbery for which he was incarcerated, the unused benefits to which he is entitled under this act are void.

Section 8. This act shall take effect upon becoming a law.

Approved by the Governor July 1, 2025.

Filed in Office Secretary of State July 1, 2025.