



Project Home

Why A Moratorium?

Frequently Asked Questions About A Moratorium and the Death Penalty

History of the ABA Policy and the Project

ABA Moratorium Resolution and Supporting Report

ABA Moratorium Informational Resources

▶ Additional Resources for Lawyers, Advocates, and Bar Associations

▶ State Assessments Project

Media Outreach

State-by-State Profiles

Contact Us

Search:

[Advanced Search](#)

Print

[Topics A-Z](#)

Death Penalty Moratorium Implementation Project Assessments Project

Florida

| [Florida Assessment Team](#) | [Resources on the Administration of the Death Penalty in Florida](#) |

Florida Death Penalty Assessment Report and Resources

Florida Death Penalty Assessment Report

- [Executive Summary of the Florida Death Penalty Assessment Report](#)
- [Full Florida Death Penalty Assessment Report \(3.87MB\)](#)

Background Materials

- [Florida Death Penalty Assessment Guide](#)
- [Florida Death Penalty Assessment Team Biographies](#)

Additional Report Resources

- [Fact Sheet: Problems with Florida's Death Penalty System and Recommendations for Reform](#)
- [Compliance Charts: Florida's Compliance with ABA Recommendations](#)
- [Frequently Asked Questions](#)
- [Press Coverage of Florida Report](#)

Florida Assessment Team

Professor Christopher Slobogin, Chair of the Florida Assessment Team, is the Stephen C. O'Connell Chair and Professor of Law at the University of Florida Fredric G. Levin College of Law. He is also Associate Director of the Center on Children and the Law and an Affiliate Professor of Psychiatry to the University of Florida School of Medicine. Professor Slobogin's teaching and scholarship focus primarily on criminal law, criminal procedure, and mental health law. He has co-authored various books including *Law and the Mental Health System: Civil and Criminal Aspects* (2003) and *Criminal Procedure: An Analysis of Cases and Concepts* (2000), *Psychological Evaluations for the Courts: A Handbook for Mental Health Professionals and Lawyers* (1997), and has written numerous articles on the fourth amendment, the insanity defense, the admissibility of expert testimony, and preventative detection. Prior to his tenure at the University of Florida, Professor Slobogin was Director of the Western State Legal Aid Society as well as Director of the Virginia Forensic Psychiatry Training and Evaluation Center. Professor Slobogin received his undergraduate degree from Princeton University and his J.D. and LL.M. degrees from the University of Virginia.

Judge O.H. Eaton, Jr. is a judge on the 18th Judicial Circuit Court of Florida, where he has served in every division of the court including criminal, civil, family, juvenile, and probate. He served as Chief Judge from

1989 to 1991. Prior to his election to the court in 1986, Judge Eaton was in private practice from 1973 to 1986, and served as Assistant State Attorney from 1971 to 1973. Judge Eaton is a member of the Florida Bar Criminal Law Section Executive Council and the Supreme Court Criminal Court Steering Committee. He previously served as chair of the Florida Bar Criminal Procedure Rules Committee, and as chair of the Criminal Justice Section of the Florida Conference of Circuit Judges. He was also a member of the Florida Sentencing Commission. Judge Eaton has received numerous awards and honors including the State Attorney's Victim's Rights Award (1987), the Florida Council on Crime and Delinquency's Distinguished Service Award for the Judiciary (1988), and the Williams/Johnson Outstanding Jurist Award (1998). Judge Eaton received both his undergraduate and law degrees from the University of Florida.

Dr. Mark R. Fondacaro is an Associate Professor of Psychology at the University of Florida and an Associate Director of the Levin College of Law's Center on Children and Families. Dr. Fondacaro has a wide range of teaching and research interests—including procedural and distributive justice, ecological jurisprudence, and family conflict resolution. In addition to his faculty and administrative duties at the University of Florida, Dr. Fondacaro maintains a private clinical psychology and consulting practice in Gainesville, Florida. Before joining the University of Florida faculty in 1997, Dr. Fondacaro was a Research Assistant Professor at the University of Nebraska's Center on Children, Families and the Law. He also previously practiced environmental law at Pillsbury, Madison & Sutro in San Francisco, California. Dr. Fondacaro received his B.A. from the State University of New York at Stony Brook and his Ph.D in Clinical Psychology from Indiana University-Bloomington. He received his post-doctoral training in Clinical and Community Psychology at Stanford University. Dr. Fondacaro is also a graduate of Columbia Law School.

Michael J. Minerva retired from the Florida Public Defender's Office for the 2nd Judicial Circuit in 2001 after working there for approximately thirty years. Since his retirement, Mr. Minerva has served as a training consultant for the Public Defender of the Ninth Judicial Circuit in Orlando, and as a coach for the Florida State University mock trial team. While at the Public Defender's Office, Mr. Minerva served as Assistant Public Defender and as Public Defender, as well as Director of the Office of Capital Collateral Representative of Florida, the state agency representing death sentenced individuals in post-conviction. Minerva was the 1992 recipient of the Craig Barnard Memorial Award from the Florida Public Defenders Association and the 2003 recipient of the Steven M. Goldstein Criminal Justice Award from the Florida Association of Criminal Defense Lawyers. Mr. Minerva is currently a member of the Tallahassee Bar Association and the Tallahassee Chapter of the Association of Criminal Defense Lawyers. Mr. Minerva received both his undergraduate and law degrees from the University of Florida.

Mark Schlakman serves as the Program Director for the Center for the Advancement of Human Rights' Liberty in the Balance Project at the Florida State University. Prior to joining the Center's staff, Mr. Schlakman held several government positions at the state and federal levels including, special counsel to Florida Governor Lawton Chiles; advisor to Governor Jeb Bush during his transition into office; senior advisor to Governor Kenneth H. "Buddy" McKay, Jr. during his tenure as President Clinton's White House Special Envoy for the Americas, and as a special advisor to U.S. Senator Bob Graham of Florida. In addition to his numerous appointments, Mr. Schlakman also served as a foreign affairs officer for the U.S. Department of State. Mr. Schlakman is a graduate of the University of Miami and of the Georgetown University Law Center.

Justice Leander J. Shaw, Jr. is a former Justice on the Florida Supreme Court. He was appointed to the Supreme Court by Governor Bob Graham in 1983, where he served until his retirement in 2003. Prior to his appointment to the Supreme Court, Justice Shaw served on the First District Court of Appeals. Before his judicial appointments, Justice Shaw was appointed to the Florida Industrial Relations Board, and was in private practice at the Tallahassee law firm of Harrison, Finegold & Shaw. Justice Shaw served on Florida's State Attorney's Office's staff, heading the Capital Crimes Division and serving as an adviser to the grand jury. Justice Shaw is a member of the American Bar Association and the National Bar Association, as well as the Florida Bar, the Florida Government Bar, and the Tallahassee Bar Associations. Justice Shaw received his undergraduate degree from West Virginia State College and his J.D. from Howard University Law School. He holds honorary Doctor of Law degrees from West Virginia State College, Nova University, and Washington and Lee University. Justice Shaw was also awarded an honorary Doctor of Public Affairs degree from Florida International University.

Harry L. Shorstein is the State Attorney for the Fourth Judicial Circuit of Florida. He was appointed State Attorney in 1991 by Governor Lawton Chiles. During his tenure as State Attorney, Mr. Shorstein has implemented a successful and highly acclaimed juvenile justice program that combines prevention with

punishment and rehabilitation. The approach is based on early intervention for at-risk youth, incarceration for violent and repeat offenders, and extensive education and rehabilitation programs. Mr. Shorstein has experience in both the defense and prosecution of criminal cases. Prior to his appointment as State Attorney, Mr. Shorstein served as Division Head in the Office of the Public Defender, as well as Division Head and Chief Assistant State Attorney. He also worked in the General Counsel's office for the City of Jacksonville, Florida. He also was in private practice in Jacksonville, Florida and was in private practice in Jacksonville for fifteen years. Mr. Shorstein served as a captain in the Third Marine Division during the Vietnam Conflict for which he received numerous commendations, including a Bronze Star. Mr. Shorstein received both his undergraduate and law degrees from the University of Florida.

Sylvia H. Walbolt is a Shareholder with the Tampa law firm of Carlton Fields, where she specializes in federal and state appeals in all areas of litigation including tort, products liability, commercial, constitutional, and employment. At Carlton Fields, she is Chair of the Board of Directors and of the Appellate Practice Group. Ms. Walbolt was a charter member of the Florida Bar, and was named one of the top 10 women litigators by the National Law Journal in 2001. She is a Fellow of the American College of Trial Lawyers, and a past president of the American Academy of Appellate Lawyers. Ms. Walbolt has received numerous awards including the Herbert G. Goldberg Outstanding Trial Lawyer of the Year Award in 1998, recognizing professionalism, ethics, and devotion to the practice of law. She was also the first woman recipient of the 2003 George C. Carr Memorial Award which was named after the late Judge Carr and is the highest award presented by the Federal Bar Association's Tampa Bay Chapter. The award recognizes excellence in federal practice and distinguished service to the federal bar. Ms. Walbolt received both her undergraduate and law degrees from the University of Florida.

Resources on the Administration of the Death Penalty in Florida

- Richard L. Rosenbaum, *Child's Play No Longer: Children Charged and Tried as Adults in Florida-Ending up in Prison For Life Without Parole*, 28 Nova L. Rev. 485 (2004).
- L. Elizabeth Chamblee, *Time for a Legislative Change: Florida's Stagnant Standard Governing Competency for Execution*, 31 Fl. St. Univ. L. Rev. 335 (2004).
- Catherine Arcabascio, *Freeing the Innocent: Obtaining Post-Conviction DNA Testing in Florida*, 28 Nova L. Rev. 61 (2003).
- Benjamin F. Diamond, *The Sixth Amendment: Where did the Jury Go Wrong? Florida's Flawed Sentencing in Death Penalty Cases*, 55 Fla. L. Rev. 905 (2003).
- Ken Driggs, *Regulating the Five Steps to Death: A Study of Death Penalty Direct Appeals in the Florida Supreme Court, 1991-2000*, 14 St. Thomas L. Rev. 759 (2002).
- *Case Histories: A Review of 24 Individuals Released from Death Row*, Florida Commission on Capital Cases, Sept. 10, 2002.
- Michael L. Radelet, *Recent Developments in the Death Penalty in Florida*, Feb. 2002, at www.fadp.org/pad/aresearch.html.
- *Sentencing Alternatives for Juveniles Indicted for Murder*, Interim Project Report 2002-129, Florida Senate (2001).
- Donna Buchholz, *Modern Day Chateau D'If In Florida? Collecting Dust on the Shelves of Justice: Potentially Exculpatory DNA Evidence Waits For A Turn in the Florida Sunshine*, 30 Stetson L. Rev. 391 (2000).
- James E. Harrison, *The Juvenile Death Penalty in Florida: Should Sixteen-Year-old Offenders be Subject to Capital Punishment*, 1 Barry L. Rev. 159 (2000).
- Lon Lanza-Kaduce, *Charles E. Frazier, and Donna M. Bishop, Juvenile Transfers in Florida: The Worst of the Worst?*, 10 Univ. Fl. J. L. & Pub. Pol'y 277 (1999).
- Henry George White, Charles E. Frazier, and Lon Lanza-Kaduce, *A Socio-Legal History of Florida's*

Juvenile Transfer Reforms, 10 Univ. Fl. J. L. & Pub. Pol'y 249 (1999).

- Ken Driggs, *The Most Aggravated and Least Mitigated Murders: Capital Proportionality Review in Florida*, 11 St. Thomas L. Rev. 207 (1999).
- *Report to the Commission on the Administration of Justice in Capital Cases*, Florida State University, prepared by Isabelle Potts and Gretchen Hirt, Jan. 1999, at www.fcc.state.fl.us/fcc/reports/fsu/fsuexsum.html.
- *Overview of Judicial Process from Arrest through Post-Conviction*, Law Office of the Capital Collateral Regional Counsel Middle Region, Nov. 9, 1998, at www.fcc.state.fl.us/fcc/reports/appeals.html.
- Michael Mello, *Outlaw Executive 'Crazy Joe', The Hypnotized Witness, and the Mirage of Clemency in Florida*, 23 J. Contemp. L. 1 (1997).
- Gary Caldwell, *Florida Capital Cases: July 1, 1994-June 30, 1995*, 20 Nova L. Rev. 1255 (1996).
- *Juvenile Justice Transfer Legislation in Florida: Assessing the Impact on the Criminal Justice and Correctional Systems*, Florida Corrections Commission (1993-94).
- *Analysis of Florida Felony Offenders Serving Sentences in County Jails*, Corrections Commission (1994).
- Gary Caldwell, *Capital Crimes: 1993 Survey of Florida Law*, 18 Nova L. Rev. 117 (1993).
- Gary Caldwell, *Capital Crime Decisions: 1992 Survey of Florida Law*, 17 Nova L. Rev. 31 (1992).
- Michael L. Radelet and Glenn L. Pierce, *Choosing Those Who Will Die: Race and the Death Penalty in Florida*, 43 Fl. L. Rev. 1 (1991).
- William S. Geimer and Jonathan Amsterdam, *Why Jurors Vote Life or Death: Operative Factors in Ten Florida Death Penalty Cases*, 15 Am. J. Crim. L. 1 (1987/1988).
- David W. Doyle, *Life or Death in Florida: What Mitigating Evidence will the Judge Consider in Capital Cases?*, 4 Cooley L. Rev. 693 (1987).
- Linda A. Foley, *Florida After the Furman Decision: The Effect of Extralegal Factors on the Processing of Capital Offense Cases*, 5 Behav. Sci. & L. 457 (1987).
- Michael L. Radelet, *Rejecting the Jury: The Imposition of the Death Penalty in Florida*, 18 U.C. Davis L. Rev. 1409 (1985).
- Michael Radelet and Margaret Vandiver, *The Florida Supreme Court and Death Penalty Appeals*, 74 J. Crim. L. & Criminology 913 (1983).
- Hans Zeisel, *Race Bias in the Administration of the Death Penalty: The Florida Experience*, 95 Harv. L. Rev. 456 (1981).
- *Discrimination and Arbitrariness in Capital Punishment: An Analysis of Post-Furman Murder Cases in Dade County, Florida, 1973-1976*, 33 Stan. L. Rev. 75 (1980).
- Peter W. Lewis, Henry W. Mannle, Harry E. Allen, and Harold J. Vetter, *A Post-Furman Profile of Florida's Condemned-A Question of Discrimination in Terms of the Race of the Victim and a Comment on Spenkellink v. Wainwright*, IX Stetson L. Rev. 1 (1979).

[Return to Homepage](#)

[ABA Copyright Statement](#) [ABA Privacy Statement](#)