

NEW DEVELOPMENTS FOR THE 2024-2025 EDITION

Chapter 2

- Florida Supreme decision deleting Fla. R. Traf. Ct. 6.180 dealing with recidivism sentencing.

Chapter 3

- Florida Supreme decision elaborating on the standards to be applied in determining whether offenses are the same for double jeopardy purposes.
- District Court case holding that application of decisions eliminating the single homicide rule to offenses occurring before the change does not violate rule against ex post facto laws or due process.

Chapter 4

- Florida Supreme Court decision holding that canine officer without reasonable suspicion has authority to order driver to step out of vehicle if lawful traffic stop is still in progress.
- District Court case on definition of “crash” for purposes of determining lawfulness of arrest.
- Conflicting district court cases as to whether it is proper for officer, after making a lawful DUI arrest, to remove defendant to breath testing facility in neighboring jurisdiction and to request submission to test administered by an employee of the other jurisdiction.
- Recent Fifth District case holding that in light of legislative changes odor of marijuana alone no longer provides reasonable suspicion for a detention.

Chapter 6

- U.S. Supreme Court decision holding that the Confrontation Clause bars testimony from an expert as to the practice and procedures of another expert to show the basis for the testifying expert’s opinion.
- Recent district court case on significance of compliance with observation period.

Chapter 8

- U.S. Supreme Court decision holding that the Confrontation Clause bars testimony from an expert as to the practice and procedures of another expert to show the

basis for the testifying expert's opinion.

Chapter 12

- Florida Supreme Court decision eliminating the requirement that a defendant having invoked his rights cannot be questioned further even if he initiates process unless he is reminded or readvised of Miranda warnings.

Chapter 13

- Cases requiring probation in all DUI cases, including manslaughter.