

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 1189 — Victims of Sexual Offenses

by Judiciary Committee; Criminal Justice and Public Safety Subcommittee; and Reps. Fine, Davis, and others (CS/CS/SB 1530 by Appropriations Committee; Criminal Justice Committee; and Senator Book)

The bill provides that Sexual Assault Response Teams (SARTs) will be coordinated by the certified rape crisis center serving the county or region. If no county SART exists, the certified rape crisis center serving the county may coordinate with community partners to establish a county-specific or regional team.

The bill requires all county health departments or the department's designee to participate in the county or regional SART if one exists. At a minimum, the SARTs membership must also include the director of the certified rape crisis center, the state attorney, the chief of a police department located in the county, the county sheriff, a forensic sexual assault nurse examiner, and a representative from a hospital emergency department located in the county or region, or their designees. If the SART serves more than one county, its membership must include the persons listed, or their designees, from each represented county. Each SART must meet at least quarterly and must create written protocols to govern the SARTs response to sexual assault to include those subjects specified in the bill.

The bill requires each SART to promote and support the use of sexual assault forensic examiners who have received a minimum of 40 hours of specialized training in the provision of trauma-informed medical care and in the collection of evidence for sexual assault victims. The Florida Council Against Sexual Violence (FCASV) will provide technical assistance relating to the development and implementation of the SARTs.

The bill requires the Criminal Justice Standards and Training Commission (CJSTC), in consultation with the FCASV, to establish minimum standards for basic and continued education training programs for law enforcement officers that include a culturally responsive, trauma-informed response to sexual assault by July 1, 2022. The programs must include training on interviewing sexual assault victims and investigating incidents of sexual assault. By July 1, 2024, each officer must successfully complete the training. If an officer fails to complete the required training, his or her certification must be placed on inactive status until the employing agency notifies the CJSTC that the officer has completed the training.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 114-0