Florida House of Representatives - 1999

By Representatives Russell, Byrd, Feeney, Bense, Argenziano, Putnam, Fasano, Waters, Cantens, Valdes, Alexander, Jones, Sorensen, Hart, Wallace, Flanagan, Goodlette, Fiorentino and Murman

1	A bill to be entitled
2	An act relating to operations of law
3	enforcement agencies; prohibiting a person from
4	initiating, or attempting to initiate, contact
5	with any person who is directly involved in the
6	mobilization, deployment, or tactical
7	operations of a law enforcement agency,
8	including the commission of a kidnapping or
9	other incident involving the taking or holding
10	of hostages; prohibiting a person from
11	broadcasting to the public a live audio or
12	video transmission of the tactical operations
13	of a law enforcement agency; providing a
14	penalty; providing that a person may initiate,
15	or attempt to initiate, contact with a person
16	involved in the operations of a law enforcement
17	agency, or may broadcast a live transmission of
18	tactical law enforcement operations, upon the
19	express authorization of the agency or upon the
20	completion of the operations; providing an
21	effective date.
22	
23	WHEREAS, on May 19, 1998, following a multicounty spree
24	of violence that left two police detectives and a state
25	trooper dead, Hank Earl Carr barricaded himself in a
26	convenience store and took the female clerk hostage, and
27	WHEREAS, during the ensuing 4-hour standoff, law
28	enforcement officers attempted to negotiate with Carr but were
29	unable to contact him by telephone because radio station
30	personnel had telephoned the convenience store and were airing
31	a live, 6-minute interview with the suspect, and
	1

CODING:Words stricken are deletions; words underlined are additions.

Florida House of Representatives - 1999 709-100A-99

1 WHEREAS, after hearing the radio interview, a newspaper 2 reporter also contacted the convenience store by telephone, 3 again interfering with attempts by law enforcement officers to negotiate with the suspect, and 4 5 WHEREAS, in addition to interfering with attempts by б law enforcement officers to negotiate with Carr, helicopters 7 from local television stations circled the scene and broadcast 8 live coverage that indicated to the suspect the location of 9 law enforcement personnel, and 10 WHEREAS, in an attempt to provide "live" coverage of a 11 breaking news story, members of the news media seriously 12 interfered with a hostage negotiation and endangered the lives 13 of law enforcement officers and civilians, and 14 WHEREAS, while the Legislature recognizes that the news media must be able to report a news story, it is necessary to 15 address the offense of interfering with law enforcement 16 operations and to impose severe penalties for any such offense 17 in order to prevent further tragedy, NOW, THEREFORE, 18 19 20 Be It Enacted by the Legislature of the State of Florida: 21 22 Section 1. Unauthorized communications prohibited during the course of an incident involving law enforcement 23 24 operations.--25 (1) During the course of any incident that involves 26 the mobilization, deployment, or tactical operations of a law 27 enforcement agency, including, but not limited to, a 28 kidnapping or other incident that involves the taking or holding of one or more hostages, a person may not: 29 (a) Initiate, or attempt to initiate, contact or 30 communication with any person directly involved in the 31

2

CODING: Words stricken are deletions; words underlined are additions.

HB 141

Florida House of Representatives - 1999 709-100A-99

HB 141

tactical law enforcement operations or incident, excluding law 1 2 enforcement personnel. 3 (b) Knowingly broadcast or telecast to the public any 4 type of live audio transmission or live video transmission 5 that records or depicts the tactical law enforcement 6 operations, including, but not limited to, deployment of law 7 enforcement personnel and equipment, until the tactical 8 operations are completed. 9 (2) Any person who violates subsection (1) commits a felony of the third degree, punishable as provided in section 10 11 775.082, section 775.083, or section 775.084, Florida 12 Statutes. 13 (3) Notwithstanding subsection (1), a person may 14 initiate, or attempt to initiate, contact or communication 15 with a person directly involved in an incident that involves 16 the mobilization, deployment, or tactical operations of a law enforcement agency, or may broadcast or telecast a live audio 17 or video transmission of tactical law enforcement operations, 18 19 if that person is expressly authorized to do so by a law 20 enforcement officer who has jurisdiction over the operations or incident or if the law enforcement agency has completed its 21 22 operations pertaining to that incident. 23 Section 2. This act shall take effect July 1, 1999. 24 25 26 27 28 29 30 31

CODING:Words stricken are deletions; words underlined are additions.

1	* * * * * * * * * * * * * * * * * * * *
2	SENATE SUMMARY
3	Provides that it is a third-degree felony for a person to
4	initiate, or attempt to initiate, contact with any person directly involved in the mobilization, deployment, or
5	tactical operations of a law enforcement agency, including a kidnapping or other incident involving the
6	taking or holding of hostages. Provides that it a third-degree felony for a person to knowingly broadcast
7	to the public any live audio or live video transmission that records or depicts such tactical law enforcement
8	operations. Provides for an exception to such prohibitions upon the express authorization of the law
9	enforcement agency or upon the completion of the operations.
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	l
	4

CODING:Words stricken are deletions; words <u>underlined</u> are additions.

4