

By the Committee on Criminal Justice; and Senators Fasano and Lynn

307-2051-04

1 A bill to be entitled
2 An act relating to law enforcement officers;
3 amending s. 112.532, F.S.; providing that all
4 identifiable witnesses be interviewed whenever
5 possible before beginning the investigative
6 interview of the accused law enforcement
7 officer; requiring that the complaint and all
8 witness statements be provided to the law
9 enforcement officer before beginning an
10 investigative interview; providing an effective
11 date.

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

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15 Section 1. Paragraph (d) of subsection (1) of section
16 112.532, Florida Statutes, is amended to read:

17 112.532 Law enforcement officers' and correctional
18 officers' rights.--All law enforcement officers and
19 correctional officers employed by or appointed to a law
20 enforcement agency or a correctional agency shall have the
21 following rights and privileges:

22 (1) RIGHTS OF LAW ENFORCEMENT OFFICERS AND
23 CORRECTIONAL OFFICERS WHILE UNDER INVESTIGATION.--Whenever a
24 law enforcement officer or correctional officer is under
25 investigation and subject to interrogation by members of his
26 or her agency for any reason which could lead to disciplinary
27 action, demotion, or dismissal, such interrogation shall be
28 conducted under the following conditions:

29 (d) The law enforcement officer or correctional
30 officer under investigation shall be informed of the nature of
31 the investigation prior to any interrogation, and he or she

1 shall be informed of the name of all complainants. All
2 identifiable witnesses shall be interviewed whenever possible
3 before beginning the investigative interview of the accused
4 officer. The complaint and all witness statements shall be
5 provided to the officer who is the subject of the complaint
6 before beginning any investigative interview.

7 Section 2. This act shall take effect July 1, 2004.

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9 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
10 COMMITTEE SUBSTITUTE FOR
11 Senate Bill 650

- 12 - The CS amends a different section of law than the
13 original bill. Section 112.532, F.S., rather than section
14 112.533, F.S.
15 - The CS includes the phrase "whenever possible" which has
16 the effect of loosening the requirement that all
17 identifiable witnesses be interviewed before the officer
18 under investigation to a more flexible standard.
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