

1 report are true and accurate based upon the officer's
2 information and belief.

3 Section 2. Section 112.534, Florida Statutes, is
4 amended to read:

5 112.534 Failure to comply; official misconduct.--

6 (1) If any law enforcement agency or correctional
7 agency fails to comply with the requirements of this part, a
8 law enforcement officer or correctional officer employed by or
9 appointed to such agency who is personally injured by such
10 failure to comply may apply directly to the circuit court of
11 the county wherein such agency is headquartered and
12 permanently resides for an injunction to restrain and enjoin
13 such violation of the provisions of this part and to compel
14 the performance of the duties imposed by this part.

15 (2) If a law enforcement or correctional agency
16 receives a complaint that alleges a violation of s. 112.532(1)
17 or s. 112.533(1)(b), it shall cause the complaint to be
18 investigated and a written report shall be issued addressing
19 and resolving the allegations of the complaint. If the report
20 sustains a violation of s. 112.532(1) or s. 112.533(1)(b), the
21 agency shall remove the investigating officer who is the
22 subject of the complaint from internal investigative
23 responsibilities and take other action against the officer as
24 deemed appropriate. The agency shall declare any internal
25 investigation in which a violation occurred to be invalid, and
26 the investigative report and all supporting records shall be
27 placed in the removed investigator's personnel file.
28 Additionally, the original complaint shall be reinvestigated.

29 (3) Every law enforcement or correctional agency
30 receiving complaints alleging a violation of the requirements
31 of this part shall maintain a log documenting the receipt of

1 such complaints, which shall include the date the complaint
2 was received, the date the written report relating to the
3 complaint was completed, the disposition of the complaint, and
4 the action, if any, taken against the investigating officer
5 who was the subject of the complaint.

6 ~~(4)(2)~~ All the provisions of s. 838.022 shall apply to
7 this part.

8 Section 3. This act shall take effect upon becoming a
9 law.

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