

CHAMBER ACTION

1 The Criminal Justice Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to correctional and law enforcement
7 officer discipline; amending s. 112.533, F.S.; requiring
8 certain investigative reports to include a statement
9 relating to compliance with ss. 112.532 and 112.533, F.S.,
10 and to be verified; providing an effective date.

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

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14 Section 1. Subsection (1) of section 112.533, Florida
15 Statutes, is amended to read:

16 112.533 Receipt and processing of complaints.--

17 (1) Every law enforcement agency and correctional agency
18 shall establish and put into operation a system for the receipt,
19 investigation, and determination of complaints received by such
20 agency from any person, which shall be the procedure for
21 investigating a complaint against a law enforcement and
22 correctional officer and for determining whether to proceed with
23 disciplinary action or to file disciplinary charges,

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24 | notwithstanding any other law or ordinance to the contrary. When
25 | law enforcement or correctional agency personnel assigned the
26 | responsibility of investigating the complaint prepare an
27 | investigative report or summary, regardless of form, the person
28 | preparing the report shall, at the time the report is completed:

29 | (a) Verify pursuant to s. 92.525 that the contents of the
30 | report are true and accurate based upon the person's personal
31 | knowledge, information, and belief.

32 | (b) Include the following statement, sworn and subscribed
33 | to pursuant to s. 92.525:

34 | "I, the undersigned, do hereby swear, under penalty of
35 | perjury, that, to the best of my personal knowledge,
36 | information, and belief, I have not knowingly or willfully
37 | deprived, or allowed another to deprive, the subject of the
38 | investigation of any of the rights contained in ss. 112.532 and
39 | 112.533, Florida Statutes."

40 |
41 | The requirements of paragraphs (a) and (b) shall be completed
42 | prior to the determination as to whether to proceed with
43 | disciplinary action or to file disciplinary charges. This
44 | subsection does not preclude the Criminal Justice Standards and
45 | Training Commission from exercising its authority under chapter
46 | 943.

47 | Section 2. This act shall take effect upon becoming a law.