

By Senator Bullard

39-01071-15

20151014\_\_

1                   A bill to be entitled  
2       An act relating to shootings involving law enforcement  
3       officers; requiring each judicial circuit to create a  
4       local advisory panel; requiring the advisory panel to  
5       take specified actions; providing for advisory panel  
6       membership and terms; requiring the advisory panel to  
7       vote on whether to indict a law enforcement officer;  
8       requiring a state attorney to consider the decision of  
9       the advisory panel; requiring a state attorney to  
10      indict a law enforcement officer in certain  
11      circumstances; providing an expiration date; providing  
12      an effective date.

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

15  
16       Section 1. Advisory panel on shootings involving a law  
17 enforcement officer.-

18       (1) Each judicial circuit shall create an advisory panel to  
19 be convened by the state attorney if a law enforcement officer  
20 is involved in a shooting and the law enforcement officer is not  
21 cleared of wrongdoing by an internal investigation or the law  
22 enforcement report has inconsistencies that require further  
23 investigation. The advisory panel shall review the facts of the  
24 case, the law enforcement report, and any other relevant  
25 information and provide a recommendation to the state attorney  
26 whether an indictment should be brought against the law  
27 enforcement officer. The chief judge of each judicial circuit  
28 shall appoint an advisory panel that consists of the following  
29 seven members:

39-01071-15

20151014\_\_

30       (a) One representative from the state attorney's office.

31       (b) One representative from the public defender's office  
32 for that county.

33       (c) One representative from a law enforcement agency for  
34 that municipality or county.

35       (d) One local member of the clergy.

36       (e) One local and licensed mental health expert.

37       (f) One representative of the local school district.

38       (g) One at-large citizen from the municipality or county  
39 where the shooting occurred.

40       (2) A member shall serve a 1-year appointment, and a member  
41 may not serve consecutive appointments.

42       (3) The advisory panel shall vote on whether to indict the  
43 law enforcement officer after its review. The state attorney  
44 shall consider the advisory panel's decision in his or her  
45 determination of whether to pursue an indictment against the law  
46 enforcement officer. If the advisory panel reaches a unanimous  
47 decision that an indictment shall be brought against the law  
48 enforcement officer, the state attorney must indict the law  
49 enforcement officer unless the state attorney provides  
50 conclusive contradictory evidence.

51       (4) This section expires on July 1, 2018.

52       Section 2. This act shall take effect July 1, 2015.