

By the Committee on Criminal Justice; and Senator Ring

591-02915-16

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1 A bill to be entitled
2 An act relating to criminal justice system interviews
3 of persons with autism, an autism spectrum disorder,
4 or a related developmental disability; providing a
5 short title; encouraging the use of certain state-of-
6 the-art digital devices for the purposes of
7 identification and notification; requiring that
8 certain professionals with experience in treating,
9 teaching, or assisting persons with autism, an autism
10 spectrum disorder, or a related developmental
11 disability be present during an interview of a person
12 with autism, an autism spectrum disorder, or a related
13 developmental disability conducted by specified
14 persons unless extenuating circumstances exist;
15 requiring a law enforcement officer, a correctional
16 officer, or another public safety official to document
17 in writing any extenuating circumstances; authorizing
18 a law enforcement officer, a correctional officer, or
19 another public safety official to hold persons with
20 autism, an autism spectrum disorder, or a related
21 developmental disability for a reasonable period of
22 time under certain circumstances; providing that the
23 cost of retaining a professional must be borne by such
24 persons; providing an effective date.

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

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28 Section 1. This act may be cited as "The Wes Kleinert Fair
29 Interview Act."

30 Section 2. (1) The Legislature encourages the use of state-
31 of-the-art digital devices, such as bracelets, necklaces, and
32 pocket cards that are similar to those kept upon the person of

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33 individuals who have certain medical conditions or age-related
34 disabilities, to assist law enforcement, correctional, or other
35 public safety officials and other concerned persons in quickly
36 identifying individuals who have been diagnosed with autism, an
37 autism spectrum disorder, or a related developmental disability
38 and notifying the family members, caregivers, and primary
39 intervention professionals of such individuals when a crisis
40 occurs.

41 (2) Unless extenuating circumstances exist, a psychiatrist,
42 psychologist, mental health counselor, special education
43 instructor, clinical social worker, speech therapist, or related
44 professional, each of whom must have experience treating,
45 teaching, or assisting patients or clients who have been
46 diagnosed with autism, an autism spectrum disorder, or a related
47 developmental disability, or must be certified in special
48 education with a concentration focused on persons with autism,
49 an autism spectrum disorder, or a related developmental
50 disability, must be present to assist a law enforcement officer,
51 a correctional officer, or another public safety official during
52 all interviews of an individual with autism, an autism spectrum
53 disorder, or a related developmental disability, whether the
54 individual being interviewed is the victim of a crime, the
55 suspect in a crime, or the defendant formally accused of a crime
56 or is otherwise involved in the criminal justice system. If
57 extenuating circumstances exist and it is not possible to delay
58 the interview until such a professional is available, a law
59 enforcement officer, a correctional officer, or another public
60 safety official must document the circumstances in writing and
61 make a professional available as soon as practicable. An

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62 individual with autism, an autism spectrum disorder, or a
63 related developmental disability may be held for a reasonable
64 period of time until a professional is retained by the
65 individual or his or her representative. The cost of the
66 professional must be borne by the individual.

67 Section 3. This act shall take effect July 1, 2016.