

By Senator Bracy

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1 A bill to be entitled
 2 An act relating to use of deadly force; creating s.
 3 943.087, F.S.; defining the term "serious bodily
 4 injury"; requiring certain law enforcement agencies to
 5 collect and report specified information regarding the
 6 use of deadly force to the Department of Law
 7 Enforcement within a specified timeframe; requiring
 8 the department to provide law enforcement agencies
 9 with a standardized form for reporting such
 10 information; requiring the department to provide for
 11 electronic submission of such information; specifying
 12 a minimum retention period for such information;
 13 requiring the department, in consultation with
 14 specified associations, to develop and maintain a
 15 database for the retention of such information;
 16 providing an effective date.

17
 18 Be It Enacted by the Legislature of the State of Florida:

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 20 Section 1. Section 943.087, Florida Statutes, is created to
 21 read:

22 943.087 Information on use of deadly force.—

23 (1) As used in this section, the term "serious bodily
 24 injury" means bodily injury that involves a substantial risk of
 25 death, unconsciousness, protracted and obvious disfigurement, or
 26 protracted loss or impairment of the function of a bodily
 27 member, organ, or mental faculty.

28 (2) For an incident in which deadly force was used by a law
 29 enforcement officer, as defined in s. 943.10, that resulted in

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30 serious bodily injury or death, the law enforcement agency
31 employing the officer must collect the information listed in
32 subsection (3) and report such information to the department
33 within 15 days after the end of each calendar quarter.

34 (3) The following information concerning an incident
35 described in subsection (2) shall be collected and reported:

36 (a) Characteristics of, and other information pertaining
37 to, the person on whom deadly force was used, the incident in
38 which the force was used, and the officers involved, including
39 the age, sex, race, ethnicity, height, and weight of the law
40 enforcement officer using deadly force.

41 (b) The age, sex, race, ethnicity, height, and weight, and
42 any physical impairment, of the subject on whom deadly force was
43 used.

44 (c) The date, time, and location, including location code
45 information from the National Incident-Based Reporting System,
46 of the incident in which deadly force was used.

47 (d) A description of the injuries to or cause of death of
48 the subject, including the type of deadly force used by the law
49 enforcement officer to cause the injury or death.

50 (e) Whether a law enforcement officer died or was injured
51 and a description of the injuries to or cause of death of the
52 officer, including the type of deadly force used by the subject
53 to cause the injury or death.

54 (f) The reason for the initial contact between the subject
55 and the law enforcement officer.

56 (g) Whether the subject resisted and, if so, the type of
57 resistance the subject offered.

58 (h) If the subject threatened the use of deadly force and,

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59 if so, whether the threat was directed at the law enforcement
60 officer or at another party.

61 (i) Whether the subject possessed a weapon or firearm and,
62 if so, a description of the weapon or firearm.

63 (j) A description of the alleged criminal activity of the
64 subject on whom deadly force was used.

65 (k) An explanation, if any, from the law enforcement agency
66 employing the law enforcement officer as to why the officer used
67 deadly force.

68 (l) A copy of the law enforcement agency's guidelines for
69 the use of deadly force in effect at the time the law
70 enforcement officer used deadly force, unless a copy has
71 previously been submitted, which must be so stated.

72 (m) A description of nonlethal efforts or techniques used
73 by the law enforcement officer to apprehend or subdue the
74 subject before the officer used deadly force.

75 (n) Information on the outcome of the use of deadly force
76 as the case progresses, including information on settlements,
77 trials, and final results of proceedings.

78 (4) The department shall provide a standardized form to
79 each law enforcement agency for the reporting of information
80 collected under subsection (3). The department shall also
81 provide for electronic submission of such information.

82 (5) The information collected under subsection (3) shall be
83 retained by the department for at least 10 years in a database
84 that shall be developed and maintained by the department in
85 consultation with the Florida Sheriffs Association and the
86 Florida Police Chiefs Association.

87 Section 2. This act shall take effect July 1, 2018.