

1 A bill to be entitled
 2 An act relating to citizen review boards; creating s.
 3 900.06, F.S.; requiring law enforcement agencies that
 4 employ law enforcement officers being investigated for
 5 use of force by a citizen review board to include a
 6 member of the citizen review board as part of the law
 7 enforcement agency's investigative team; creating s.
 8 900.061, F.S.; providing legislative findings and
 9 intent; requiring the county commission or other
 10 governing body of each county to establish a citizen
 11 review board with the authority and ability to
 12 independently investigate law enforcement agencies
 13 within that county; providing requirements for citizen
 14 review boards; providing an effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Section 900.06, Florida Statutes, is created to
 19 read:

20 900.06 Citizen review board member participation in use-
 21 of-force investigations.—Each law enforcement agency in this
 22 state that employs a law enforcement officer for which an
 23 investigation is opened under s. 900.061(4)(b)1. by a citizen
 24 review board shall include a member of the citizen review board
 25 as part of the law enforcement agency's investigative team.

26 Section 2. Section 900.061, Florida Statutes, is created
 27 to read:

28 900.061 Citizen review boards.—

29 (1) The Legislature finds that an effective way for our
 30 communities and the law enforcement agencies that serve them to
 31 build mutual trust and positive relationships is through the
 32 establishment of citizen review boards.

33 (2) It is the intent of the Legislature to require the
 34 establishment of a citizen review board in each county of this
 35 state to provide civilian oversight of law enforcement agencies
 36 within the respective counties through independent
 37 investigations.

38 (3) By July 1, 2022, the county commission or other
 39 governing body, as appropriate, of each county in the state
 40 shall establish a citizen review board with the authority and
 41 ability to independently investigate each law enforcement agency
 42 within that county.

43 (4) Each citizen review board shall comply with all of the
 44 following requirements:

45 (a) Be composed of at least 5 but not more than 15
 46 individuals appointed by the county commission or other
 47 governing body of the county, as appropriate. A member of the
 48 board may not be a current employee of the state or county, or
 49 of any subdivision of the county.

50 (b) Investigate all complaints relating to:

51 1. Use of force. This includes, but is not limited to,
52 investigations into whether excessive force was used or whether
53 use of force was justified.

54 2. Abuse of authority. This includes, but is not limited
55 to, investigations to determine whether unauthorized or illegal
56 searches or seizures, inappropriate entry onto property, or
57 refusal to provide name and badge number occurred.

58 3. Discourtesy. This includes, but is not limited to, the
59 use of foul language, acting in a rude or unprofessional manner,
60 or the display of rude or offensive gestures.

61 4. Discriminatory language. This includes, but is not
62 limited to, the use of slurs based on race, religion, ethnicity,
63 sex, or gender.

64 (c) Create a standard form and a uniform process for the
65 submission of complaints.

66 (d) Create a uniform process or procedure for the
67 processing of complaints.

68 (e) Meet with the individual who submitted the complaint.

69 (f) Meet with the law enforcement officer against whom the
70 complaint was made.

71 (g) Meet with one or more witnesses, if any, to the event
72 that prompted the complaint.

73 (h) Prepare a report on the findings of the investigation.

74 (i) Submit the report and any recommendations to the
75 county commission or other governing body of the county, as

HB 1147

2021

76 | appropriate, and to the head of the law enforcement agency that
77 | employs the law enforcement officer.

78 | Section 3. This act shall take effect July 1, 2021.