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CS/CS/HB 1189

2021 Legislature

1
2 An act relating to victims of sexual offenses;
3 creating s. 154.012, F.S.; requiring county health
4 departments to participate in sexual assault response
5 teams coordinated by certified rape crisis centers, if
6 such teams exist; authorizing the establishment of
7 sexual assault response teams by certified rape crisis
8 centers; providing for meetings, duties, and
9 membership of sexual assault response teams; requiring
10 the Florida Council Against Sexual Violence to provide
11 specified technical assistance; requiring sexual
12 assault response teams to promote and support the use
13 of sexual assault forensic examiners meeting certain
14 requirements; amending s. 943.17, F.S.; requiring the
15 Criminal Justice Standards and Training Commission, in
16 consultation with the Florida Council Against Sexual
17 Violence, to establish minimum standards for basic
18 skills and continued education training programs for
19 law enforcement officers that include a culturally
20 responsive, trauma-informed response to sexual assault
21 by a specified date; creating s. 943.1724, F.S.;
22 requiring each basic skills course required for a law
23 enforcement officer to obtain initial certification to
24 incorporate certain sexual assault training by a
25 specified date; requiring each law enforcement officer

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26 | to successfully complete certain sexual assault
 27 | training before a specified date; requiring a law
 28 | enforcement officer's certification to be placed on
 29 | inactive status for failure to complete such training;
 30 | providing an effective date.

31 |
 32 | Be It Enacted by the Legislature of the State of Florida:

33 |
 34 | Section 1. Section 154.012, Florida Statutes, is created
 35 | to read:

36 | 154.012 Sexual assault response teams; membership;
 37 | duties.-

38 | (1) The health department in every county in this state,
 39 | or its designee, shall participate in the sexual assault
 40 | response team coordinated by the certified rape crisis center
 41 | serving the county or region, if such sexual assault response
 42 | team exists. If a sexual assault response team does not exist in
 43 | the county, the certified rape crisis center serving the county
 44 | may coordinate with community partners to establish a county-
 45 | specific or regional sexual assault response team.

46 | (2) Each sexual assault response team shall:

47 | (a) Meet at least quarterly to ensure a coordinated
 48 | multidisciplinary response to sexual assault.

49 | (b) Develop written protocols to govern the team's
 50 | response to sexual assault which must include all of the

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51 following:

52 1. Roles and responsibilities of each team member.

53 2. Procedures following the report of a sexual assault,

54 including:

55 a. Law enforcement and immediate crisis response.

56 b. Health care treatment for a sexual assault victim.

57 c. Followup services provided to a sexual assault victim.

58 3. Procedures for the preservation, secure storage, and

59 destruction of evidence from a sexual assault evidence kit,

60 including length of storage, site of storage, and chain of

61 custody.

62 4. Procedures for maintaining the confidentiality of a

63 sexual assault victim during a forensic medical examination.

64 (c) Promote and support the use of qualified sexual

65 assault forensic examiners who have successfully completed a

66 minimum of 40 hours of specialized training in the provision of

67 trauma-informed medical care and in the collection of evidence

68 in sexual assault cases.

69 (3) (a) The certified rape crisis center serving the county

70 in which the sexual assault response team is established, in

71 collaboration with community partners, shall determine the

72 membership of each sexual assault response team. At a minimum,

73 membership must include the following persons or their

74 designees:

75 1. The director of the certified rape crisis center.

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- 76 | 2. A representative from the county health department.
- 77 | 3. The state attorney.
- 78 | 4. The chief of a police department located in the county.
- 79 | 5. The county sheriff.
- 80 | 6. A forensic sexual assault nurse examiner.
- 81 | 7. A representative from a hospital emergency department
- 82 | located in the county or region.

83 | (b) If the sexual assault response team serves more than
 84 | one county, its membership must include persons listed in
 85 | paragraph (a) from each county.

86 | (4) The Florida Council Against Sexual Violence shall
 87 | provide technical assistance relating to the development and
 88 | implementation of the sexual assault response teams.

89 | Section 2. Subsection (7) is added to section 943.17,
 90 | Florida Statutes, to read:

91 | 943.17 Basic recruit, advanced, and career development
 92 | training programs; participation; cost; evaluation.—The
 93 | commission shall, by rule, design, implement, maintain,
 94 | evaluate, and revise entry requirements and job-related
 95 | curricula and performance standards for basic recruit, advanced,
 96 | and career development training programs and courses. The rules
 97 | shall include, but are not limited to, a methodology to assess
 98 | relevance of the subject matter to the job, student performance,
 99 | and instructor competency.

100 | (7) By July 1, 2022, the commission, in consultation with

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101 the Florida Council Against Sexual Violence, shall establish
102 minimum standards for basic skills and continued education
103 training for law enforcement officers that include a culturally
104 responsive, trauma-informed response to sexual assault.

105 Section 3. Section 943.1724, Florida Statutes, is created
106 to read:

107 943.1724 Sexual assault investigation training.—

108 (1) By July 1, 2022, each basic skills course required for
109 a law enforcement officer to obtain initial certification must
110 incorporate culturally responsive, trauma-informed training on
111 interviewing sexual assault victims and investigations of
112 incidents of sexual assault.

113 (2) By July 1, 2024, each law enforcement officer must
114 successfully complete training on sexual assault, with an
115 emphasis on culturally responsive, trauma-informed training on
116 interviewing sexual assault victims and investigations of
117 incidents of sexual assault as a part of the basic recruit
118 training required under s. 943.13(9), training required under s.
119 943.131(4)(a), or as a part of continued training or education
120 required under s. 943.135(1). If an officer fails to complete
121 the training required under this subsection, his or her
122 certification must be placed on inactive status until the
123 officer's employing agency notifies the commission that he or
124 she has completed such training.

125 Section 4. This act shall take effect July 1, 2021.