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LEGISLATIVE ACTION

Senate

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House

The Committee on Criminal Justice (Book) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (2) and (3) of section 27.14,
Florida Statutes, are renumbered as subsections (3) and (4),
respectively, and subsection (2) is added to that section, to
read:

27.14 Assigning state attorneys to other circuits.—

(2) A victim of a sexual battery or cyberstalking may



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11 petition the Governor to disqualify a state attorney pursuant to
12 subsection (1) if sufficient evidence is presented that shows a
13 willful disregard of the evidence and repeated failure of a
14 state attorney to prosecute a particular crime.

15 Section 2. Section 154.012, Florida Statutes, is created to
16 read:

17 154.012 Sexual assault response teams; membership; duties.-

18 (1) The health department in every county in this state, or
19 its designee, shall participate in the local sexual assault
20 response team coordinated by the certified rape crisis center
21 serving the county if such a team exists. If a local sexual
22 assault response team does not exist, the certified rape crisis
23 center serving the county may coordinate with community partners
24 to establish a local or a regional team. The purpose of the
25 sexual assault response team is to ensure a coordinated
26 multidisciplinary response to sexual violence.

27 (2) Each team shall develop a written protocol to govern
28 the team's response to sexual assault that includes:

29 (a) The role and responsibilities of each team member.

30 (b) Procedural issues regarding the immediate crisis and
31 health care and law enforcement responses and follow-up services
32 provided to a victim.

33 (c) Procedures for the preservation, secure storage, and
34 destruction of evidence from a sexual assault evidence kit,
35 including length of storage, site of storage, and chain of
36 custody.

37 (d) Procedures for maintaining the confidentiality of the
38 victim regarding the forensic medical examination.

39 (3) Membership of each team shall be determined by the



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40 certified rape crisis center in collaboration with community
41 partners. At a minimum, membership should include the following
42 persons or their designees:

43 (a) The director of the local certified rape crisis center;

44 (b) A representative from the county health department;

45 (c) The state attorney;

46 (d) The chief of police;

47 (e) The county sheriff.

48 (f) Forensic sexual assault nurse examiners; and

49 (g) A representative from local hospital emergency

50 departments;

51 (4) The Florida Council Against Sexual Violence shall
52 provide technical assistance relating to the development and
53 implementation of the teams.

54 (5) Each team shall promote and support the use of
55 qualified sexual assault forensic examiners who have
56 successfully completed a minimum of 40 hours of specialized
57 training in the provision of trauma-informed medical care and in
58 the collection of evidence for sexual assault victims.

59 (6) Each team shall meet at least quarterly, or more often
60 as determined by the team's membership, to ensure a coordinated
61 multidisciplinary response to sexual violence and shall produce
62 an annual report for the jurisdictions covered by the team that
63 includes local statistics on the number of forensic medical
64 examinations performed, the number of criminal sexual assaults
65 reported to law enforcement, the number of cases referred by law
66 enforcement for prosecution, the number of criminal sexual
67 assaults prosecuted and the outcome of the prosecutions. The
68 annual report shall be submitted to the Florida Council Against



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69 Sexual Violence. The Florida Council Against Sexual Violence
70 shall publish the annual report on its website.

71 Section 3. Subsection (7) is added to section 943.17,
72 Florida Statutes, to read:

73 943.17 Basic recruit, advanced, and career development
74 training programs; participation; cost; evaluation.—The
75 commission shall, by rule, design, implement, maintain,
76 evaluate, and revise entry requirements and job-related
77 curricula and performance standards for basic recruit, advanced,
78 and career development training programs and courses. The rules
79 shall include, but are not limited to, a methodology to assess
80 relevance of the subject matter to the job, student performance,
81 and instructor competency.

82 (7) The commission, in consultation with the Florida
83 Council Against Sexual Violence, shall establish minimum
84 standards for basic and advanced career development training
85 programs for law enforcement officers that include a culturally
86 responsive trauma-informed response to sexual assault. After
87 July 1, 2022, every basic skills course required for law
88 enforcement officers to obtain initial and continuing education
89 certification must include training on culturally responsive
90 trauma-informed interviewing of sexual assault victims and
91 investigations.

92 Section 4. Section 943.1724, Florida Statutes, is created
93 to read:

94 943.1724 Training on sexual assault.—

95 (1) The commission shall incorporate a culturally
96 responsive trauma-informed response to sexual assault into the
97 course curriculum required for a law enforcement officer to



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98 obtain initial certification.

99 (2) Each law enforcement officer must successfully complete
100 training on sexual violence and interviewing of sexual assault
101 victims and investigations, with an emphasis on culturally
102 responsive trauma-informed interviewing of sexual assault
103 victims and investigations as a part of the basic recruit
104 training, as required under s. 943.13(9), training required
105 under s. 943.131(4) (a), or as a part of continuing training or
106 education required under s. 943.135(1), before July 1, 2024. If
107 an officer fails to complete the required training, his or her
108 certification must be placed on inactive status until the
109 employing agency notifies the commission that the officer has
110 completed the training.

111 Section 5. This act shall take effect July 1, 2021.

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113 ===== T I T L E A M E N D M E N T =====

114 And the title is amended as follows:

115 Delete everything before the enacting clause
116 and insert:

117 A bill to be entitled

118 An act relating to victims of sexual offenses;
119 amending s. 27.14, F.S.; providing for a victim of
120 sexual battery or cyberstalking to petition the
121 Governor to disqualify a state attorney under limited
122 circumstances; creating s. 154.012, F.S.; requiring
123 county health departments to participate in local
124 sexual assault response teams coordinated by local
125 certified rape crisis centers, if such a team exists;
126 providing for establishment of regional sexual assault



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127 response teams; providing for duties, membership,
128 meetings, technical assistance, and an annual report;
129 requiring teams to promote and support the use of
130 sexual assault forensic examiners meeting certain
131 requirements; amending s. 943.17, F.S.; requiring the
132 Criminal Justice Standards and Training Commission, in
133 consultation with the Florida Council Against Sexual
134 Violence, to establish minimum standards for basic and
135 advanced career development training programs for law
136 enforcement officers that include a culturally
137 responsive trauma-informed response to sexual assault;
138 requiring every basic skills course for law
139 enforcement officers to include certain training by a
140 specified date; creating s. 943.1724, F.S.; requiring
141 the Criminal Justice Standards and Training Commission
142 to incorporate a culturally responsive trauma-informed
143 response to sexual assault into a certain course
144 curriculum; requiring each law enforcement officer to
145 successfully complete training on sexual violence and
146 interviewing of sexual assault victims and
147 investigations within a within a specified timeframe;
148 providing requirements for current law enforcement
149 officers; providing an effective date.