



905096

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/23/2021	.	
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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



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.

112  
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.