

By Senator Powell

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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 to the Department of Law
6 Enforcement specified information regarding the use of
7 deadly force; requiring the department to create and
8 provide such agencies with a standardized form for
9 reporting such information; requiring the department
10 to provide for electronic submission of such
11 information; requiring the department, in consultation
12 with specified associations, to develop and maintain a
13 database for the retention of such information for at
14 least a specified period of time; providing an
15 effective date.

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

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

21 943.087 Reporting of information on use of deadly force by
22 a law enforcement officer; development and maintenance of
23 database.—

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

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30 (2) For each incident in which deadly force is used by a
31 law enforcement officer, as defined in s. 943.10, which results
32 in serious bodily injury or death, the law enforcement agency
33 employing the officer shall collect all of the following
34 information and report such information to the department within
35 15 days after the end of each calendar quarter in which the
36 incident occurs:

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

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

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

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

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

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

58 (g) Whether the subject resisted and, if applicable, the

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59 type of resistance offered by the subject.

60 (h) Whether the subject threatened the use of deadly force
61 and, if applicable, whether the threat was directed at the law
62 enforcement officer or at another party.

63 (i) Whether the subject possessed a weapon or firearm and,
64 if applicable, a description of the weapon or firearm.

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

67 (k) An explanation from the law enforcement agency
68 employing the law enforcement officer as to why the officer used
69 deadly force.

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

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

77 (n) Information concerning the use of deadly force as the
78 case progresses, including information on settlements, trials,
79 and final results of proceedings. The law enforcement agency
80 shall provide ongoing updates to the department on the
81 information required by this paragraph within 15 days after the
82 end of the calendar quarter.

83 (3) The department shall create and provide a standardized
84 form to each law enforcement agency for the reporting required
85 under this section and shall provide for electronic submission
86 of such information.

87 (4) In consultation with the Florida Sheriffs Association

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88 and the Florida Police Chiefs Association, the department shall
89 develop and maintain a database in which it shall retain the
90 information collected and submitted under subsection (2) for
91 each reported incident for at least 10 years after the most
92 recent entry for that incident.

93 Section 2. This act shall take effect July 1, 2021.