

By Senator Bracy

11-00053-21

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1                   A bill to be entitled  
2           An act relating to citizen review boards; creating s.  
3           900.061, F.S.; providing legislative findings and  
4           intent; requiring the county commission or other  
5           governing body of each county to establish a citizen  
6           review board with the authority and ability to  
7           independently investigate law enforcement agencies  
8           within that county; providing requirements for citizen  
9           review boards; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Section 900.061, Florida Statutes, is created to  
14 read:

15           900.061 Citizen review boards.-

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

20           (2) It is the intent of the Legislature to require the  
21 establishment of a citizen review board in each county of this  
22 state to provide civilian oversight of law enforcement agencies  
23 within the respective counties through independent  
24 investigations.

25           (3) By July 1, 2022, the county commission or other  
26 governing body, as appropriate, of each county in this state  
27 shall establish a citizen review board with the authority and  
28 ability to independently investigate each law enforcement agency  
29 within that county.

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

32       (a) Be composed of at least 5 but not more than 15  
33 individuals appointed by the county commission or other  
34 governing body of the county, as appropriate. A member of the  
35 board may not be a current employee of the state or county, or  
36 of any subdivision of the county.

37       (b) Investigate all complaints relating to:

38       1. Use of force. This includes an investigation into  
39 whether use of force was justified.

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

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

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

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

52       (d) Create a uniform process or procedure for the  
53 processing of complaints.

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

55       (f) Meet with the law enforcement officer against whom the  
56 complaint was made.

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

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59       (h) Prepare a report on the findings of the investigation.  
60       (i) Submit the report and any recommendations to the county  
61 commission or other governing body of the county, as  
62 appropriate, and to the head of the law enforcement agency that  
63 employs the law enforcement officer.

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