

By Senator Bracy

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1 A bill to be entitled  
2 An act relating to citizen review boards; creating s.  
3 900.06, F.S.; requiring law enforcement agencies that  
4 employ law enforcement officers being investigated for  
5 use of force by a citizen review board to include a  
6 member of the citizen review board as part of the law  
7 enforcement agency's investigative team; creating s.  
8 900.061, F.S.; providing legislative findings and  
9 intent; requiring the county commission or other  
10 governing body of each county to establish a citizen  
11 review board with the authority and ability to  
12 independently investigate law enforcement agencies  
13 within that county; providing requirements for citizen  
14 review boards; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Section 900.06, Florida Statutes, is created to  
19 read:

20 900.06 Citizen review board member participation in use of  
21 force investigations.—Each law enforcement agency in this state  
22 which employs a law enforcement officer for which an  
23 investigation is opened under s. 900.061(4)(b)1. by a citizen  
24 review board shall include a member of the citizen review board  
25 as part of the law enforcement agency's investigative team.

26 Section 2. Section 900.061, Florida Statutes, is created to  
27 read:

28 900.061 Citizen review boards.—

29 (1) The Legislature finds that an effective way for our

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30 communities and the law enforcement agencies that serve them to  
31 build mutual trust and positive relationships is through the  
32 establishment of citizen review boards.

33 (2) It is the intent of the Legislature to require the  
34 establishment of a citizen review board in each county of this  
35 state to provide civilian oversight of law enforcement agencies  
36 within the respective counties through independent  
37 investigations.

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

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

45 (a) Be composed of at least 5 but not more than 15  
46 individuals appointed by the county commission or other  
47 governing body of the county, as appropriate. A member of the  
48 board may not be a current employee of the state or county, or  
49 of any subdivision of the county.

50 (b) Investigate all complaints relating to:

51 1. Use of force. This includes, but is not limited to, an  
52 investigation into whether excessive force was used or whether  
53 use of force was justified.

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

58 3. Discourtesy. This includes, but is not limited to, the

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59 use of foul language, acting in a rude or unprofessional manner,  
60 or the display of rude or offensive gestures.

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

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

66 (d) Create a uniform process or procedure for the  
67 processing of complaints.

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

69 (f) Meet with the law enforcement officer against whom the  
70 complaint was made.

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

73 (h) Prepare a report on the findings of the investigation.

74 (i) Submit the report and any recommendations to the county  
75 commission or other governing body of the county, as  
76 appropriate, and to the head of the law enforcement agency that  
77 employs the law enforcement officer.

78 Section 3. This act shall take effect July 1, 2021.