

1 A bill to be entitled
 2 An act relating to law enforcement agency standards;
 3 creating s. 943.2555, F.S.; requiring the Department
 4 of Law Enforcement to adopt rules establishing minimum
 5 requirements for policies of law enforcement agencies;
 6 specifying areas that must be addressed by such
 7 policies; creating s. 943.2556, F.S.; requiring the
 8 department to create a model procedures document for
 9 law enforcement agencies; specifying requirements for
 10 such document; providing an effective date.

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

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 14 Section 1. Section 943.2555, Florida Statutes, is created
 15 to read:

16 943.2555 Adoption of minimum requirements for law
 17 enforcement agency policies.—The department shall adopt rules
 18 establishing minimum requirements for the policies of law
 19 enforcement agencies employing law enforcement officers, as
 20 defined in s. 943.10(1), which are applicable to at least all of
 21 the following areas:

- 22 (1) Demilitarization.
 23 (2) Use of force.
 24 (3) Intelligence-led policing. As used in this subsection,
 25 the term "intelligence-led policing" means the cultivation and

26 dissemination of strategic, operational, and tactical
 27 intelligence assessments to identify, quantify, and target key
 28 criminals for investigation and prosecution.

29 (4) Officer qualifications, compensation, and hiring and
 30 termination proceedings.

31 (5) Police canine unit operations, including:

32 (a) Ensuring that use of a police canine to intimidate or
 33 harass a person who is already subdued or in custody is
 34 considered an excessive use of force.

35 (b) Minimum standards for the creation, use, and
 36 maintenance of a police canine unit.

37 (6) Minimum officer training standards addressing:

38 (a) Use of force.

39 (b) Duty to intervene.

40 (c) Use of neck restraints.

41 (7) Revocation of an officer's certification or placing a
 42 limitation on his or her authority as a consequence of an
 43 unauthorized use-of-force incident. Such limitation may include:

44 (a) Mandating the suspension or revocation of an officer's
 45 certification if certain criteria are met, such as his or her
 46 involvement in a specified number of unlawful use-of-force
 47 incidents within a certain timeframe or an unlawful use-of-force
 48 incident that resulted in a fatality; or

49 (b) Mandating a specified timeframe during which an
 50 officer with a specified number of unlawful use-of-force

51 incidents is prohibited from the performance of duties that
52 involve interaction with the public and is required to attend
53 anger management counseling.

54 Section 2. Section 943.2556, Florida Statutes, is created
55 to read:

56 943.2556 Model procedures.—The department shall create a
57 model procedures document for law enforcement agencies that
58 includes all of the following:

59 (1) The use of neck restraints, including:

60 (a) Prohibiting the use of chokeholds by a law enforcement
61 officer.

62 (b) Prohibiting the placement of a knee on the neck of a
63 suspect by a law enforcement officer.

64 (c) Authorizing the use of lateral vascular neck
65 restraints by a law enforcement officer who has received annual
66 retraining and semiannual demonstration of proper technique.

67 (2) (a) A prohibition on the use of no-knock warrants by
68 law enforcement agencies and officers for misdemeanor offenses
69 or minor drug offenses.

70 (b) A requirement that the head of a law enforcement
71 agency personally attest in writing that the use of a no-knock
72 warrant is the only way to refine a suspect to get needed
73 information, is the safest course of action for law enforcement
74 officers, and is extremely unlikely to cause harm to an innocent
75 or unsought person.

76 (c) A requirement that a no-knock warrant be executed
77 under the personal supervision of the head of the law
78 enforcement agency.

79 (3) Requirements for the use or elimination of jump-out
80 tactics and squads.

81 (4) A standardized use-of-force policy with a statewide
82 matrix of circumstances in which use of force is authorized.

83 (5) Policies concerning the pursuit of fleeing suspects,
84 which must include:

85 (a) Specifying circumstances that authorize an officer to
86 pursue a fleeing driver.

87 (b) Minimizing risk in densely populated communities.

88 (c) Authorizing pursuit of a felon only when the pursuing
89 officer is reasonably certain that apprehension of the felon
90 will prevent further physical harm to other persons or himself
91 or herself, and requiring a pursuing officer to end pursuit if
92 significant property damage or harm to other persons seems
93 probable.

94 (d) Authorizing pursuit of a misdemeanor only if the
95 pursuing officer is reasonably certain to apprehend the
96 misdemeanant without significant property damage or harm to
97 other persons.

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99 The inclusion of policies in the document must be guided by the
100 principle that protecting an innocent person is more important

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101 | than punishing a guilty person.

102 | (6) Procedures for notification of next of kin.

103 | (7) A requirement that an officer make a statement
104 | concerning a use-of-force incident within 24 hours after the
105 | conclusion of the use-of-force incident.

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