

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 board of county commissioners or
10 other governing body of each county, by a specified
11 date, to establish a citizen review board having the
12 authority and ability to independently investigate law
13 enforcement agencies within that county; specifying
14 requirements for citizen review boards; 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 900.06, Florida Statutes, is created to
20 read:

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

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

29 900.061 Citizen review boards.—

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30 (1) The Legislature finds that an effective way for the
31 state's communities and the law enforcement agencies that serve
32 them to build mutual trust and positive relationships is through
33 the establishment of citizen review boards.

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

39 (3) By July 1, 2023, the board of county commissioners or
40 other governing body, as appropriate, of each county in this
41 state shall establish a citizen review board having the
42 authority and ability to independently investigate each law
43 enforcement agency within that county.

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

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

51 (b) Investigate all complaints relating to:

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

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

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

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

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

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

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

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

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

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

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

79 Section 3. This act shall take effect July 1, 2022.