

By Senator Bracy

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1 A bill to be entitled
2 An act relating to a statewide police misconduct
3 registry; creating s. 943.6873, F.S.; defining the
4 term "discriminatory profiling"; requiring the
5 Department of Law Enforcement to establish by a
6 certain date and maintain a statewide police
7 misconduct registry; specifying information that the
8 registry must contain on all state and local law
9 enforcement officers; requiring the head of each state
10 and local law enforcement agency to periodically
11 submit specified information to the department
12 beginning on a specified date; requiring the
13 department to publish the information on its website
14 by a specified date; providing an effective date.

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

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18 Section 1. Section 943.6873, Florida Statutes, is created
19 to read:

20 943.6873 Statewide police misconduct registry.-

21 (1) As used in this section, the term "discriminatory
22 profiling" means the practice of a law enforcement officer or a
23 law enforcement agency relying, to any degree, on actual or
24 perceived race, ethnicity, national origin, religion, gender,
25 gender identity, or sexual orientation in selecting which
26 individual to subject to a routine or spontaneous investigatory
27 procedure or in deciding upon the scope and substance of law
28 enforcement activity following the initial investigatory
29 procedure, except when there is reliable information relevant to

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30 the locality and timeframe which links a person having such
31 actual or perceived characteristic to an identified criminal
32 incident or scheme.

33 (2) The department shall establish by June 30, 2023, and
34 maintain a statewide police misconduct registry.

35 (3) The registry must contain all of the following
36 information with respect to all state and local law enforcement
37 officers:

38 (a) Each complaint filed against a law enforcement officer,
39 aggregated by all of the following and disaggregated by whether
40 the complaint involved a use of force or discriminatory
41 profiling:

42 1. Complaints that were found to be credible or that
43 resulted in disciplinary action against the law enforcement
44 officer; and

45 2. Complaints for which the law enforcement officer was
46 exonerated or which were determined to be unfounded or not
47 sustained.

48 (b) Disciplinary records, disaggregated by whether the
49 complaint involved a use of force or discriminatory profiling.

50 (c) Termination records and the reason for each
51 termination, disaggregated by whether a complaint involved a use
52 of force or discriminatory profiling.

53 (d) Records of lawsuits against law enforcement officers
54 and settlements of such lawsuits.

55 (e) Instances in which a law enforcement officer resigned
56 or retired while under active investigation related to a use of
57 force.

58 (4) Beginning January 2, 2024, and every 3 months

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59 thereafter:

60 (a) The head of each state and local law enforcement
61 agency, including the executive director of the department,
62 shall submit to the department for inclusion in the registry the
63 information described in subsection (3); and

64 (b) The department shall publish on its website in a
65 modern, open, electronic format the information, which must be
66 machine-readable and readily accessible by the public. The
67 published data must be searchable by data elements.

68 Section 2. This act shall take effect July 1, 2022.