

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Trabulsy offered the following:

Amendment (with title amendment)

Remove lines 3062-3158 and insert:

Children and Families, the Florida Sheriffs Association, the Florida Police Chiefs Association, the Florida Partnership to End Domestic Violence, and at least two domestic violence advocacy organizations to develop the policies, procedures, and training necessary for implementation of a statewide evidence-based lethality assessment. Such policies, procedures, and training must establish how to determine whether a victim and aggressor are intimate partners and establish a statewide process for referring a victim to a certified domestic violence

114061

Approved For Filing: 3/3/2024 12:23:40 PM

Amendment No.

14 center. The group must review the questions in paragraph (e) and
15 make a recommendation as to whether all questions should be
16 included in the statewide lethality assessment instrument and
17 form. By January 1, 2025, the department must adopt a statewide
18 lethality assessment instrument and form. If a question in
19 paragraph (e) is eliminated from the assessment, the department
20 must confirm that the remaining or altered questions constitute
21 an evidence-based lethality assessment. By January 31, 2025, the
22 department shall report to the President of the Senate and the
23 Speaker of the House of Representatives the results and
24 recommendations of the group, including any proposed statutory
25 changes that are necessary for implementation of a statewide
26 lethality assessment. Training on how to administer a lethality
27 assessment and the approved lethality assessment form must be
28 accessible to a law enforcement officer in an online format.

29 (a) The department must monitor evidence-based standards
30 relating to the lethality assessment and the lethality
31 assessment instrument and form. If the department identifies
32 changes in such evidence-based standards, the department must
33 submit a report to the President of the Senate and the Speaker
34 of the House of Representatives which must include any proposed
35 changes to the statewide lethality assessment in order to
36 maintain compliance with evidence-based standards. In the
37 report, the department must include the availability of any
38 additional evidence-based assessments that have been reviewed

114061

Approved For Filing: 3/3/2024 12:23:40 PM

Amendment No.

39 and approved by the Office on Violence Against Women of the
40 United States Department of Justice Office.

41 (b) The Criminal Justice Standards and Training Commission
42 shall require by rule that all law enforcement officers receive
43 instruction on the policies and procedures for administering a
44 lethality assessment as part of basic recruit training or as
45 part of the required instruction for continued employment. A law
46 enforcement officer may not administer a lethality assessment to
47 a victim if the officer has not received training on
48 administering a lethality assessment. All of the following
49 requirements for training on administering a lethality
50 assessment must be met by October 1, 2026:

51 1. Commission-approved basic recruit training programs
52 required by s. 943.13(9) and continuing training or education
53 required by s. 943.135 must incorporate the training required by
54 this subsection.

55 2. Each law enforcement agency shall ensure that all of
56 its sworn personnel have completed the training required by this
57 subsection, including law enforcement officers who received an
58 exemption from completing the commission-approved basic recruit
59 training program under s. 943.131, as part of their basic
60 recruit training or the continued training or education required
61 under s. 943.135(1), as applicable.

62 (c) By November 1, 2026, the head of each law enforcement
63 agency shall provide written certification to the department

114061

Approved For Filing: 3/3/2024 12:23:40 PM

Amendment No.

64 verifying that the law enforcement agency has complied with the
65 training requirements in this subsection.

66 (d) By January 1, 2027, the department shall submit to the
67 Governor, the President of the Senate, and the Speaker of the
68 House of Representatives a report identifying each law
69 enforcement agency that has not complied with the requirements
70 of this subsection.

71 (e) Subject to any revisions made by the department to the
72 lethality assessment under this subsection, to administer a
73 lethality assessment, a law enforcement officer shall ask the
74 victim, in the same or similar wording and in the same order,
75 all of the following questions:

76 1. Did the aggressor ever use a weapon against you or
77 threaten you with a weapon?

78 2. Did the aggressor ever threaten to kill you or your
79 children?

80 3. Do you believe the aggressor will try to kill you?

81 4. Has the aggressor ever choked you or attempted to choke
82 you?

83 5. Does the aggressor have a gun or could the aggressor
84 easily obtain a gun?

85 6. Is the aggressor violently or constantly jealous, or
86 does the aggressor control most of your daily activities?

87 7. Did you leave or separate from the aggressor after you
88 were living together or married?

114061

Approved For Filing: 3/3/2024 12:23:40 PM

Amendment No.

89 8. Is the aggressor unemployed?

90 9. To the best of your knowledge, has the aggressor ever
91 attempted suicide?

92 10. Do you have a child whom the aggressor believes is not
93 the aggressor's biological child?

94 11. Has the aggressor ever followed, spied on, or left
95 threatening messages for you?

96 12. Is there anything else that worries you about your
97 safety and, if so, what worries you?

98 (f) A law enforcement officer shall advise a victim of the
99 results of the assessment and refer the victim to the nearest
100 locally certified domestic violence center if:

101 1. The victim answers affirmatively to any of the
102 questions provided in subparagraphs (e)1.-4.;

103 2. The victim answers negatively to the questions provided
104 in subparagraphs (e)1.-4., but affirmatively to at least four of
105 the questions provided in subparagraphs (e)5.-11.; or

106 3. As a result of the victim's response to subparagraph
107 (e)12., the law enforcement officer believes the victim is in a
108 potentially lethal situation.

109 (g) If a victim does not, or is unable to, provide
110 information to a law enforcement officer sufficient to allow the
111 law enforcement officer to administer a lethality assessment,
112 the law enforcement officer must document the lack of a
113 lethality assessment in the written police report required in

114061

Approved For Filing: 3/3/2024 12:23:40 PM

Amendment No.

114 subsection (3) and refer the victim to the nearest locally
115 certified domestic violence center.

116 (h) A law enforcement officer may not include in a
117 probable

118

119 -----

120

T I T L E A M E N D M E N T

121

Remove lines 121-154 and insert:

122

with specified entities to develop certain policies,

123

procedures, and training necessary for the

124

implementation of a statewide evidence-based lethality

125

assessment; requiring such policies, procedures, and

126

training to establish how to determine whether a

127

victim and aggressor are intimate partners and

128

establish a statewide process for referring a victim

129

to a certified domestic violence center; requiring the

130

department and other entities to review certain

131

questions and make certain recommendations; requiring

132

the department to adopt a statewide lethality

133

assessment instrument and form; requiring the

134

department to confirm that certain questions

135

constitute an evidence-based lethality assessment

136

under certain circumstances; requiring the department

137

to submit to the Legislature a specified report;

138

requiring that training on administering lethality

114061

Approved For Filing: 3/3/2024 12:23:40 PM

Amendment No.

139 assessments be available to law enforcement officers
140 in an online format; requiring the department to
141 submit to the Legislature a specified report upon
142 certain circumstances; requiring certain information
143 be included in such report; requiring the Criminal
144 Justice Standards and Training Commission to require
145 by rule that law enforcement officers receive
146 instruction on the policies and procedures for
147 administering a lethality assessment as part of basic
148 recruit training or required instruction for continued
149 employment; prohibiting a law enforcement officer from
150 administering a lethality assessment if he or she has
151 not received specified training; requiring that basic
152 recruit training programs and continuing training or
153 education requirements incorporate such training, and
154 that all law enforcement officers successfully
155 complete such training; requiring the head of each law
156 enforcement agency to provide a specified
157 certification to the department; requiring the
158 department to submit to the Governor and Legislature a
159 specified report; requiring

114061

Approved For Filing: 3/3/2024 12:23:40 PM