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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2024	.	
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The Appropriations Committee on Criminal and Civil Justice (Grall) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 86 - 162

and insert:

advocacy organization and may consult with the Florida Sheriffs Association, the Florida Police Chiefs Association, and the Florida Partnership to End Domestic Violence 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



12 and establish a statewide process for referring a victim to a  
13 certified domestic violence center. By January 1, 2025, the  
14 department must adopt a statewide lethality assessment form that  
15 includes all the information in paragraph (c). Training on how  
16 to administer a lethality assessment and the approved lethality  
17 assessment form must be accessible to a law enforcement officer  
18 in an online format.

19 (a) By January 1, 2025, and annually thereafter, the  
20 department shall submit a report to the President of the Senate  
21 and the Speaker of the House of Representatives which must  
22 include the current policies and procedures for administering a  
23 lethality assessment, any proposed statutory changes necessary  
24 for statewide implementation, and any proposed changes to the  
25 lethality assessment or the lethality assessment form to  
26 maintain compliance with evidence-based standards.

27 (b) By October 1, 2026, all law enforcement officers who  
28 respond to or investigate crimes of domestic violence must be  
29 trained on the policies and procedures for administering a  
30 lethality assessment. A law enforcement officer may not  
31 administer a lethality assessment to a victim if the officer has  
32 not received training on administering a lethality assessment.

33 (c) To administer a lethality assessment, a law enforcement  
34 officer shall ask the victim, in the same or similar wording and  
35 in the same order, all of the following questions:

36 1. Did the aggressor ever use a weapon against you or  
37 threaten you with a weapon?

38 2. Did the aggressor ever threaten to kill you or your  
39 children?

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

41 4. Has the aggressor ever choked you or attempted to choke



271446

42 you?

43 5. Does the aggressor have a gun or could the aggressor  
44 easily obtain a gun?

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

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

49 8. Is the aggressor unemployed?

50 9. To the best of your knowledge, has the aggressor ever  
51 attempted suicide?

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

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

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

58 (d) A law enforcement officer shall advise a victim of the  
59 results of the assessment and refer the victim to the nearest  
60 locally certified domestic violence center if:

61 1. The victim answers affirmatively to any of the questions  
62 provided in subparagraphs (c)1.-4.;

63 2. The victim answers negatively to the questions provided  
64 in subparagraphs (c)1.-4., but affirmatively to at least four of  
65 the questions provided in subparagraphs (c)5.-11.; or

66 3. As a result of the victim's response to subparagraph  
67 (c)12., the law enforcement officer believes the victim is in a  
68 potentially lethal situation.

69 (e) If a victim does not, or is unable to, provide  
70 information to a law enforcement officer sufficient to allow the  
71 law enforcement officer to administer a lethality assessment,



271446

72 the law enforcement officer must document the lack of a  
73 lethality assessment in the written police report required in  
74 subsection (3) and refer the victim to the nearest locally  
75 certified domestic violence center.

76 (f) A law enforcement officer may not include in a probable  
77 cause statement, written police report, or incident report the  
78 domestic violence center to which a victim was referred.

79 (3)~~(2)~~ When a law enforcement officer investigates an  
80 allegation that an incident of domestic violence has occurred,  
81 the officer shall handle the incident pursuant to the arrest  
82 policy provided in s. 901.15(7), and as developed in accordance  
83 with subsections (4), (5), and (6) ~~(3), (4), and (5)~~. Regardless  
84 of whether ~~or not~~ an arrest is made, the officer shall make a  
85 written police report that is complete and clearly indicates the  
86 alleged offense was an incident of domestic violence. Such  
87 report must ~~shall~~ be given to the officer's supervisor and filed  
88 with the law enforcement agency in a manner that will permit  
89 data on domestic violence cases to be compiled. Such report must  
90 include all of the following:

91 (a) A description of physical injuries observed, if any.

92 (b) If a law enforcement officer decides not to make an  
93 arrest or decides to arrest two or more parties, ~~the officer~~  
94 ~~shall include in the report~~ the grounds for not arresting anyone  
95 or for arresting two or more parties.

96 (c) A statement which indicates that a copy of the legal  
97 rights and remedies notice was given to the victim.

98 (d) A notation of the score of a lethality assessment, if  
99 one was

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



271446

102 And the title is amended as follows:

103 Delete lines 7 - 18

104 and insert:

105 Enforcement to consult with specified entities, and  
106 authorizing the department to consult with other  
107 specified entities, to develop certain policies,  
108 procedures, and training necessary for the  
109 implementation of a statewide evidence-based lethality  
110 assessment; requiring policies, procedures, and  
111 training to establish how to determine whether a  
112 victim and aggressor are intimate partners and  
113 establish a statewide process for referring a victim  
114 to a certified domestic violence center; requiring the  
115 department to adopt a statewide lethality assessment  
116 form by a specified date; requiring that training on  
117 administering lethality assessments be available to  
118 law enforcement officers in an online format;  
119 requiring the department to submit a specified report  
120 to the Legislature by a specified date; requiring  
121 certain law enforcement officers to be trained on the  
122 policies and procedures for administering a lethality  
123 assessment; prohibiting a law enforcement officer from  
124 administering a lethality assessment if he or she has  
125 not received specified training; requiring law  
126 enforcement officers administering a lethality  
127 assessment to ask a victim specified questions;  
128 requiring