

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A bill to be entitled
 An act relating to domestic violence investigations;
 providing a short title; amending s. 741.29, F.S.;
 requiring law enforcement officers to complete a
 lethality assessment form when investigating alleged
 incidents of domestic violence; providing requirements
 for completing the form; requiring the Department of
 Law Enforcement to approve a statewide lethality
 assessment form; providing requirements for the form;
 requiring the department to consult with specified
 entities on the policies, procedures, and training
 necessary to implement the use of the form; providing
 minimum requirements for such policies, procedures,
 and training; prohibiting law enforcement officers
 from completing a lethality assessment form if they
 have not received certain training; making technical
 changes; providing an effective date.

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

Section 1. This act may be cited as the "Gabby Petito Act."

Section 2. Present subsections (3) through (6) of section 741.29, Florida Statutes, are redesignated as subsections (4) through (7), respectively, subsection (2) is amended, and a new

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26 subsection (3) is added to that section, to read:

27 741.29 Domestic violence; investigation of incidents;
 28 notice to victims of legal rights and remedies; reporting.—

29 (2) When a law enforcement officer investigates an alleged
 30 ~~allegation that an~~ incident of domestic violence ~~has occurred~~,
 31 the officer shall handle the incident pursuant to the arrest
 32 policy provided in s. 901.15(7), and as developed in accordance
 33 with subsections ~~(3)~~, (4), ~~and~~ (5), and (6). Regardless of
 34 ~~whether or not~~ an arrest is made, the officer shall make a
 35 written police report that is complete and clearly indicates the
 36 alleged offense was an incident of domestic violence. Such
 37 report must ~~shall~~ be given to the officer's supervisor and filed
 38 with the law enforcement agency in a manner that will allow
 39 ~~permit~~ data on domestic violence cases to be compiled. Such
 40 report must include all of the following information:

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

42 (b) If a law enforcement officer decides not to make an
 43 arrest or decides to arrest two or more parties, ~~the officer~~
 44 ~~shall include in the report~~ the grounds for not arresting anyone
 45 or for arresting two or more parties.

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

48
 49 Whenever possible, the law enforcement officer shall obtain a
 50 written statement from the victim and witnesses concerning the

HB 673

2024

51 | alleged domestic violence and. ~~The officer shall~~ submit the
52 | report to the supervisor or other person to whom the employer's
53 | rules or policies require reports of similar allegations of
54 | criminal activity ~~to~~ be made. The law enforcement agency shall,
55 | without charge, send a copy of the initial police report, as
56 | well as any subsequent, supplemental, or related report, which
57 | excludes victim/witness statements or other materials that are
58 | part of an active criminal investigation and are exempt from
59 | disclosure under chapter 119, to the nearest locally certified
60 | domestic violence center within 24 hours after the agency's
61 | receipt of the report. The report furnished to the domestic
62 | violence center must include a narrative description of the
63 | domestic violence incident.

64 | (3) (a) When a law enforcement officer investigates an
65 | alleged incident of domestic violence, the officer shall
66 | complete a lethality assessment form to evaluate the likelihood
67 | of serious injury or death. The personal identifying information
68 | of the offender and the results of the lethality assessment must
69 | be given to the officer's supervisor and filed with the law
70 | enforcement agency in a manner that will allow data on domestic
71 | violence cases to be compiled.

72 | (b) The Department of Law Enforcement shall do all of the
73 | following:

74 | 1. Approve a statewide lethality assessment form. The form
75 | must be an evidence-based assessment that has been reviewed and

HB 673

2024

76 approved by the United States Department of Justice's Office on
77 Violence Against Women.

78 2. Consult with the Department of Children and Families
79 and at least one domestic violence advocacy organization to
80 develop the policies, procedures, and training necessary to
81 implement the use of the lethality assessment form.

82 3. Consult with the Florida Sheriffs Association and the
83 Florida Police Chiefs Association to determine the best
84 practices for compiling and using the data described in
85 paragraph (a) in a manner that will best assist law enforcement
86 officers who regularly respond to or investigate crimes of
87 domestic violence.

88 (c) Each law enforcement officer who regularly responds to
89 or investigates crimes of domestic violence must be trained on
90 the policies and procedures for completing the form. A law
91 enforcement officer may complete a lethality assessment form
92 with a victim only after receiving such training.

93 Section 3. This act shall take effect July 1, 2024.