

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>      </u>	

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1 Committee/Subcommittee hearing bill: Criminal Justice  
 2 Subcommittee

3 Representative Baker offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 88-155 and insert:

7 based lethality assessment. Such policies, procedures, and  
 8 training must establish how to determine whether a victim and  
 9 aggressor are intimate partners and establish a statewide  
 10 process for referring a victim to a certified domestic violence  
 11 center. By January 1, 2025, the department must adopt a  
 12 statewide lethality assessment form that includes all the  
 13 information in paragraph (b). Training on how to administer a  
 14 lethality assessment and the approved lethality assessment form  
 15 must be accessible to a law enforcement officer in an online  
 16 format.

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17 (a) By October 1, 2026, all law enforcement officers who  
18 respond to or investigate crimes of domestic violence must be  
19 trained on the policies and procedures for administering a  
20 lethality assessment. A law enforcement officer may not  
21 administer a lethality assessment to a victim if the officer has  
22 not received training on administering a lethality assessment.

23 (b) To administer a lethality assessment, a law enforcement  
24 officer shall ask the victim, in the same or similar wording and  
25 in the same order, all of the following questions:

26 1. Did the aggressor ever use a weapon against you or  
27 threaten you with a weapon?

28 2. Did the aggressor ever threaten to kill you or your  
29 children?

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

31 4. Has the aggressor ever choked you or attempted to choke  
32 you?

33 5. Does the aggressor have a gun or could the aggressor  
34 easily obtain a gun?

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

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

39 8. Is the aggressor unemployed?

40 9. To the best of your knowledge, has the aggressor ever  
41 attempted suicide?

42 10. Do you have a child whom the aggressor believes is not

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43 the aggressor's biological child?

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

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

48 (c) A law enforcement officer shall advise a victim of the  
49 results of the assessment and refer the victim to the nearest  
50 locally certified domestic violence center if:

51 1. The victim answers affirmatively to any of the questions  
52 provided in subparagraphs (a)1.-4.;

53 2. The victim answers negatively to the questions provided  
54 in subparagraphs (a)1.-4., but affirmatively to at least four of  
55 the questions provided in subparagraphs (a)5.-11.; or

56 3. As a result of the victim's response to subparagraph  
57 (a)12., the law enforcement officer believes the victim is in a  
58 potentially lethal situation.

59 (d) If a victim does not, or is unable to, provide  
60 information to a law enforcement officer sufficient to allow the  
61 law enforcement officer to administer a lethality assessment,  
62 the law enforcement officer must document the lack of a  
63 lethality assessment in the written police report required in  
64 subsection (3) and refer the victim to the nearest locally  
65 certified domestic violence center.

66 (e) A law enforcement officer may not include in a probable  
67 cause statement, written police report, or incident report the  
68 domestic violence center to which a victim was referred.

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69 (3)-(2) When a law enforcement officer investigates an  
70 allegation that an incident of domestic violence has occurred,  
71 the officer shall handle the incident pursuant to the arrest  
72 policy provided in s. 901.15(7), and as developed in accordance  
73 with subsections (4) -(3), (5) -(4), and (6) -(5). Regardless of  
74 whether ~~or not~~ an arrest is made, the officer shall make a  
75 written police report that is complete and clearly indicates the  
76 alleged offense was an incident of domestic violence. Such  
77 report must ~~shall~~ be given to the officer's supervisor and filed  
78 with the law enforcement agency in a manner that will permit  
79 data on domestic violence cases to be compiled. Such report must  
80 include all of the following:

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

82 (b) If a law enforcement officer decides not to make an  
83 arrest or decides to arrest two or more parties, ~~the officer~~  
84 ~~shall include in the report~~ the grounds for not arresting anyone  
85 or for arresting two or more parties.

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

88 (d) A notation of the score of a lethality assessment, if  
89 one was administered pursuant to paragraph (1)(c).  
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92 **T I T L E A M E N D M E N T**

93 Remove lines 9-13 and insert:

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94 | assessment by a specified date; requiring policies, procedures,  
95 | and training to establish how to determine whether a victim and  
96 | aggressor are intimate partners and establish a statewide  
97 | process for referring a victim to a certified domestic violence  
98 | center; requiring that training on administering lethality  
99 | assessments be available to law enforcement officers in an  
100 | online format; requiring law enforcement officers administering  
101 | a lethality assessment to ask a victim specified questions;