



768034

LEGISLATIVE ACTION

Senate

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House

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Senator Grall moved the following:

**Senate Amendment (with title amendment)**

Delete lines 85 - 174

and insert:

e.(I) The identity of any officer, as defined in s. 943.10(14), who uses deadly force as defined in s. 776.06 or any force that results in serious bodily injury and who becomes the victim of a crime in the course and scope of the officer's employment or official duties in the same or a related incident is exempt from the public records law as set forth in sub-sub-paragraphs (II) and (III).



768034

12        (II) During the 72 hours immediately following an incident  
13 in which an officer becomes the victim of a crime, the identity  
14 of the officer shall be confidential. At the expiration of the  
15 72-hour period, the officer's identity shall be subject to  
16 public record laws unless the elected or appointed head of the  
17 officer's employing agency, as that term is defined in s.  
18 943.10(4), provides written findings setting forth the necessity  
19 for an extension of the confidentiality of the officer's  
20 identity.

21        (III) The written findings by the elected or appointed head  
22 of the officer's employing agency shall state the necessity of  
23 extending the confidentiality of the officer's identity beyond  
24 the 72-hour period and the written findings must be made public  
25 before the 72-hour period expires. An extension may not exceed  
26 15 days and must contain findings documenting the continued  
27 necessity for the additional extension. Subsequent exemptions  
28 may not exceed 15 days for a total of 30 days.

29        (IV) This sub-subparagraph is subject to the Open  
30 Government Sunset Review Act in accordance with s. 119.15 and  
31 shall stand repealed on October 2, 2030, unless reviewed and  
32 saved from repeal through reenactment by the Legislature.

33        2.a. Any information in a videotaped statement of a minor  
34 who is alleged to be or who is a victim of sexual battery, lewd  
35 acts, or other sexual misconduct proscribed in chapter 800 or in  
36 s. 794.011, s. 827.071, s. 847.012, s. 847.0125, s. 847.013, s.  
37 847.0133, or s. 847.0145, which reveals that minor's identity,  
38 including, but not limited to, the minor's face; the minor's  
39 home, school, church, or employment telephone number; the  
40 minor's home, school, church, or employment address; the name of



768034

41 the minor's school, church, or place of employment; or the  
42 personal assets of the minor; and which identifies that minor as  
43 the victim of a crime described in this subparagraph, held by a  
44 law enforcement agency, is confidential and exempt from s.  
45 119.07(1) and s. 24(a), Art. I of the State Constitution. Any  
46 governmental agency that is authorized to have access to such  
47 statements by any provision of law shall be granted such access  
48 in the furtherance of the agency's statutory duties,  
49 notwithstanding the provisions of this section.

50 b. A public employee or officer who has access to a  
51 videotaped statement of a minor who is alleged to be or who is a  
52 victim of sexual battery, lewd acts, or other sexual misconduct  
53 proscribed in chapter 800 or in s. 794.011, s. 827.071, s.  
54 847.012, s. 847.0125, s. 847.013, s. 847.0133, or s. 847.0145  
55 may not willfully and knowingly disclose videotaped information  
56 that reveals the minor's identity to a person who is not  
57 assisting in the investigation or prosecution of the alleged  
58 offense or to any person other than the defendant, the  
59 defendant's attorney, or a person specified in an order entered  
60 by the court having jurisdiction of the alleged offense. A  
61 person who violates this provision commits a misdemeanor of the  
62 first degree, punishable as provided in s. 775.082 or s.  
63 775.083.

64 Section 2. The Legislature finds that s. 16(b), Article I  
65 of the State Constitution mandates that crime victims have a  
66 right to be free from intimidation, harassment, and abuse and  
67 that it is a public necessity that information or records that  
68 may be used to locate, intimidate, harass, or abuse crime  
69 victims be made exempt from s. 119.07(1), Florida Statutes, and



768034

70 s. 24(a), Article I of the State Constitution. The Legislature  
71 further finds that exempting records or documents, which  
72 identify the crime victim, the victim's family, or any  
73 information that may be used to threaten or harass the victim or  
74 the victim's family, from s. 119.07(1), Florida Statutes, and s.  
75 24(a), Article I of the State Constitution is a public necessity  
76 to prevent the possibility of further trauma. The Legislature  
77 also finds that the release of such records or documents may  
78 deter crime victims from cooperating with law enforcement and  
79 reporting criminal acts.

80  
81 ===== T I T L E A M E N D M E N T =====

82 And the title is amended as follows:

83 Delete lines 13 - 15

84 and insert:

85 who use deadly force or force that results in serious  
86 bodily injury and who become crime victims are  
87 confidential for a specified timeframe; providing an  
88 extension of time if certain procedures are followed;