

**By Senator Pizzo**

37-00267A-26

20261544

A bill to be entitled

An act relating to complaints against law enforcement and correctional officers; amending s. 112.532, F.S.; requiring that a copy of a complaint, signed by the complainant under oath, be provided to law enforcement officers and correctional officers who are under investigation before any interrogation begins; providing that complainant names and signatures are not required if a complaint is accompanied by corroborating evidence; prohibiting certain personnel actions from being taken against a law enforcement officer or correctional officer unless such officer receives a copy of the complaint signed by the complainant under oath; providing an exception; requiring that the investigative file of certain investigations of a law enforcement officer or correctional officer be included in such officer's personnel file; providing that certain investigations do not affect such officer's ability to receive a promotion, a raise, or any other commendation; amending s. 112.533, F.S.; requiring a complaint against a law enforcement officer or correctional officer to be in writing and signed under oath by the person filing the complaint; providing an exception; providing penalties for making a false complaint; providing an effective date.

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

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30       Section 1. Paragraph (d) of subsection (1) and subsection  
31 (4) of section 112.532, Florida Statutes, are amended, and  
32 subsection (8) is added to that section, to read:

33       112.532 Law enforcement officers' and correctional  
34 officers' rights.—All law enforcement officers and correctional  
35 officers employed by or appointed to a law enforcement agency or  
36 a correctional agency shall have the following rights and  
37 privileges:

38       (1) RIGHTS OF LAW ENFORCEMENT OFFICERS AND CORRECTIONAL  
39 OFFICERS WHILE UNDER INVESTIGATION.—Whenever a law enforcement  
40 officer or correctional officer is under investigation and  
41 subject to interrogation by members of his or her agency for any  
42 reason that could lead to disciplinary action, suspension,  
43 demotion, or dismissal, the interrogation must be conducted  
44 under the following conditions:

45       (d) The law enforcement officer or correctional officer  
46 under investigation must be informed of the nature of the  
47 investigation and the names of all complainants and must be  
48 provided with a copy of the complaint, signed by the complainant  
49 under oath, before any interrogation begins, and he or she must  
50 be informed of the names of all complainants. However, if a  
51 complaint is accompanied by corroborating evidence, the  
52 complainant names and a signature are not required. All  
53 identifiable witnesses shall be interviewed, whenever possible,  
54 prior to the beginning of the investigative interview of the  
55 accused officer. The complaint, all witness statements,  
56 including all other existing subject officer statements, and all  
57 other existing evidence, including, but not limited to, incident  
58 reports, GPS locator information, and audio or video recordings

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59 relating to the incident under investigation, must be provided  
60 to each officer who is the subject of the complaint before the  
61 beginning of any investigative interview of that officer. An  
62 officer, after being informed of the right to review witness  
63 statements, may voluntarily waive the provisions of this  
64 paragraph and provide a voluntary statement at any time.

65 (4) NOTICE OF DISCIPLINARY ACTION; COPY OF AND OPPORTUNITY  
66 TO ADDRESS CONTENTS OF INVESTIGATIVE FILE; CONFIDENTIALITY.—

67 (a) A dismissal, demotion, transfer, reassignment, or other  
68 personnel action that might result in loss of pay or benefits or  
69 that might otherwise be considered a punitive measure may not be  
70 taken against any law enforcement officer or correctional  
71 officer unless the law enforcement officer or correctional  
72 officer is notified of the action and the reason or reasons for  
73 the action and is provided with a copy of the complaint, signed  
74 by the complainant under oath, unless the exception in paragraph  
75 (1) (d) applies, before the effective date of the action.

76 (b) Notwithstanding s. 112.533(5), whenever a law  
77 enforcement officer or correctional officer is subject to  
78 disciplinary action consisting of suspension with loss of pay,  
79 demotion, or dismissal, the officer or the officer's  
80 representative must, ~~upon request~~, be provided with a complete  
81 copy of the investigative file, including the complaint signed  
82 by the complainant under oath, the final investigative report,  
83 and all evidence, and with the opportunity to address the  
84 findings in the report with the employing law enforcement agency  
85 before imposing disciplinary action consisting of suspension  
86 with loss of pay, demotion, or dismissal. The contents of the  
87 complaint and investigation must remain confidential until such

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88 time as the employing law enforcement agency makes a final  
89 determination whether to issue a notice of disciplinary action  
90 consisting of suspension with loss of pay, demotion, or  
91 dismissal. This paragraph does not provide law enforcement  
92 officers with a property interest or expectancy of continued  
93 employment, employment, or appointment as a law enforcement  
94 officer.

95 (8) RIGHTS OF LAW ENFORCEMENT OFFICERS AND CORRECTIONAL  
96 OFFICERS AFTER AN INVESTIGATION.—The investigative file produced  
97 during an investigation of a law enforcement or correctional  
98 officer, which investigation does not result in the imposition  
99 of disciplinary action on the officer, must be included in the  
100 personnel file of such officer. An investigation of a law  
101 enforcement officer or correctional officer which does not  
102 result in the imposition of disciplinary action on the officer  
103 does not affect the ability of such officer to receive a  
104 promotion, a raise, or any other commendation.

105 Section 2. Paragraph (a) of subsection (4) of section  
106 112.533, Florida Statutes, is amended to read:

107 112.533 Receipt and processing of complaints.—

108 (4) (a) Every law enforcement agency and correctional agency  
109 shall establish and put into operation a system for the receipt,  
110 investigation, and determination of complaints received by such  
111 agency from any person, which must be the procedure for  
112 investigating a complaint against a law enforcement or  
113 correctional officer and for determining whether to proceed with  
114 disciplinary action or to file disciplinary charges,  
115 notwithstanding any other law or ordinance to the contrary. A  
116 complaint against a law enforcement or correctional officer must

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117 be in writing and be signed under oath as provided in s.  
118 92.525(2) by the person filing the complaint, except as provided  
119 in s. 112.532(1) (d). A complainant who makes a false complaint  
120 is subject to the penalties in s. 92.525(3). When law  
121 enforcement or correctional agency personnel assigned the  
122 responsibility of investigating the complaint prepare an  
123 investigative report or summary, regardless of form, the person  
124 preparing the report shall, at the time the report is completed:

- 125 1. Verify pursuant to s. 92.525 that the contents of the  
126 report are true and accurate based upon the person's personal  
127 knowledge, information, and belief.
- 128 2. Include the following statement, sworn and subscribed to  
129 pursuant to s. 92.525:

130  
131 "I, the undersigned, do hereby swear, under penalty of perjury,  
132 that, to the best of my personal knowledge, information, and  
133 belief, I have not knowingly or willfully deprived, or allowed  
134 another to deprive, the subject of the investigation of any of  
135 the rights contained in ss. 112.532 and 112.533, Florida  
136 Statutes."

137  
138 The requirements of subparagraphs 1. and 2. must be completed  
139 before the determination as to whether to proceed with  
140 disciplinary action or to file disciplinary charges. This  
141 subsection does not preclude the Criminal Justice Standards and  
142 Training Commission from exercising its authority under chapter  
143 943.

144 Section 3. This act shall take effect July 1, 2026.