

HB 1051

2015

1 A bill to be entitled

2 An act relating to shootings involving law enforcement
3 officers; requiring each judicial circuit to create a
4 local advisory panel; requiring the advisory panel to
5 take specified actions; providing for advisory panel
6 membership and terms; requiring the advisory panel to
7 vote on whether to indict a law enforcement officer;
8 requiring a state attorney to consider the decision of
9 the advisory panel; requiring a state attorney to
10 indict a law enforcement officer in certain
11 circumstances; providing for expiration of provisions;
12 providing an effective date.

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

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16 Section 1. Advisory panel on shootings involving a law
17 enforcement officer.-

18 (1) Each judicial circuit shall create an advisory panel
19 to be convened by the state attorney if a law enforcement
20 officer is involved in a shooting, and the law enforcement
21 officer is not cleared of wrongdoing by an internal
22 investigation or the law enforcement report has inconsistencies
23 that require further investigation. The advisory panel shall
24 review the facts of the case, the law enforcement report, and
25 any other relevant information and provide a recommendation to
26 the state attorney whether an indictment should be brought

27 against the law enforcement officer. The chief judge of each
28 judicial circuit shall appoint an advisory panel that consists
29 of the following seven members:

30 (a) One representative from the state attorney's office.

31 (b) One representative from the public defender's office
32 for that county.

33 (c) One representative from a law enforcement agency for
34 that municipality or county.

35 (d) One local member of the clergy.

36 (e) One local and licensed mental health expert.

37 (f) One representative of the local school district.

38 (g) One at-large citizen from the municipality or county
39 where the shooting occurred.

40 (2) A member shall serve a 1-year appointment, and a
41 member may not serve consecutive appointments.

42 (3) The advisory panel shall vote on whether to indict the
43 law enforcement officer after its review. The state attorney
44 shall consider the advisory panel's decision in his or her
45 determination of whether to pursue an indictment against the law
46 enforcement officer. If the advisory panel reaches a unanimous
47 decision that an indictment shall be brought against the law
48 enforcement officer, the state attorney must indict the law
49 enforcement officer unless the state attorney provides
50 conclusive contradictory evidence.

51 (4) This section expires on July 1, 2018.

52 Section 2. This act shall take effect July 1, 2015.