

By Senator Justice

16-1089-07

1 A bill to be entitled
2 An act relating to forensic services; providing
3 a short title; amending s. 943.04, F.S.;
4 authorizing the Criminal Justice Investigations
5 and Forensic Science Program within the
6 Department of Law Enforcement to enter into a
7 memorandum of understanding with a partner to
8 provide training and technical assistance to
9 state, local, and other law enforcement
10 agencies in matters of forensic science;
11 providing requirements for the memorandum of
12 understanding; 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. This act may be cited as the "Florida
17 Forensic Service and Technical Training Act."

18 Section 2. Section 943.04, Florida Statutes, is
19 amended to read:

20 943.04 Criminal Justice Investigations and Forensic
21 Science Program; ~~creation; investigative, forensic, and~~
22 ~~related authority.--~~

23 (1) There is created a Criminal Justice Investigations
24 and Forensic Science Program within the Department of Law
25 Enforcement. The program shall be supervised by personnel who
26 shall be employed by the department upon the recommendation of
27 the executive director. Such personnel shall supervise,
28 direct, coordinate, and administer activities of the program
29 which are assigned by the executive director.

30 (2)(a) In carrying out the investigative services of
31 the Criminal Justice Investigations and Forensic Science

1 | Program and under appropriate rules and regulations adopted by
2 | the department, upon written order of the Governor, or by
3 | direction of the Legislature acting by a concurrent
4 | resolution, and at the direction of the executive director,
5 | the department may investigate violations of any of the
6 | criminal laws of the state, and shall have authority to bear
7 | arms, make arrests and apply for, serve and execute search
8 | warrants, arrest warrants, capias, and other process of the
9 | court.

10 | (b) Investigations may also be conducted in connection
11 | with the faithful execution and effective enforcement of the
12 | laws of the state with reference to organized crime, vice,
13 | racketeering, rioting, inciting to riot, and insurrection.

14 | (c) The department may also engage in such other
15 | investigative activities as will aid local law enforcement
16 | officers in preventing or solving crimes and controlling
17 | criminal activity.

18 | (d) All investigators employed by the department shall
19 | be considered law enforcement officers for all purposes. The
20 | executive director shall have the authority to designate the
21 | person occupying any appropriate position within the
22 | department as a law enforcement officer, if such person is
23 | qualified under the department's personnel regulations
24 | relating to agents and is certified pursuant to s.
25 | 943.1395(1), and all persons thus employed by the department
26 | shall be considered law enforcement officers for all purposes
27 | and shall be entitled to the privileges, protection, and
28 | benefits of ss. 112.19, 121.051, 122.34, and 870.05.

29 | (3) Whenever it shall appear to the department that
30 | there is cause for the prosecution of a crime, the department
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1 shall refer the evidence of such crime to the officials
2 authorized to conduct the prosecution.

3 (4)(a) The department is authorized to establish
4 regional violent crime investigation coordinating teams
5 composed of persons including, but not limited to, forensic
6 investigators and law enforcement officers from both state and
7 local criminal justice agencies. The functions of a regional
8 violent crime investigation coordinating team include:

9 1. Responding to violent crimes in a timely and
10 comprehensive manner, utilizing analytic, forensic,
11 investigative, and technical expertise and equipment to
12 provide key support to local law enforcement agencies
13 undertaking difficult violent crime investigations.

14 2. Facilitating communication and coordination among
15 state and local criminal justice agencies, including
16 facilitating and coordinating the use of state law enforcement
17 resources for concentrated task force efforts in violent crime
18 investigations constituting emergency situations within the
19 region.

20 (b) Upon the request of a sheriff, a police chief, or
21 other appropriate law enforcement administrator, the executive
22 director may deploy a regional violent crime investigation
23 team to assist a law enforcement agency in a violent crime
24 investigation.

25 (5) In carrying out the services of the Criminal
26 Justice Investigations and Forensic Science Program and under
27 appropriate rules and regulations adopted by the department,
28 the department may:

29 (a) Adopt and recommend cooperative policies for
30 coordinating the law enforcement work of all state, county,
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1 and municipal agencies that are responsible for law
2 enforcement.

3 (b) Assist local law enforcement agencies by providing
4 consultation, research, and planning assistance, training, and
5 field technical services and engage in other activities to aid
6 local law enforcement officers in preventing and solving
7 crimes and controlling criminal activity.

8 (c) Provide forensic services to state, local, and
9 other law enforcement agencies and criminal justice agencies
10 and adopt policies, procedures, and standards for operating
11 state-operated crime laboratories.

12 (6)(a) It is the intent of the Legislature that the
13 department assist in improving the quality and timeliness of
14 forensic services within the criminal justice community of
15 this state. The goal of the Legislature is that each state and
16 local criminal justice entity improve the quality and
17 timeliness of its forensic-science analyses and enhance the
18 law enforcement entity's forensic services in order to better
19 ensure the safety of the residents of this state.

20 (b) In order to achieve these goals, the Criminal
21 Justice Investigations and Forensic Science Program within the
22 department may enter into a memorandum of understanding with a
23 partner such as the National Forensic Science Technology
24 Center, to provide training and technical assistance to state,
25 local, and other law enforcement agencies in matters of
26 forensic science. The memorandum of understanding shall
27 identify and develop courses and training materials in topics
28 of forensic science which may be used to train appropriate
29 staff who are directly and substantially involved in providing
30 forensic-science analyses in crime laboratories and field
31 investigations and to court personnel and members of law

1 enforcement agencies. The memorandum of understanding must
2 identify the minimum staffing levels and requirements
3 necessary to identify and develop such courses and training
4 materials.

5 Section 3. This act shall take effect July 1, 2007.

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8 SENATE SUMMARY

9 Authorizes the Criminal Justice Investigations and
10 Forensic Science Program within the Department of Law
11 Enforcement to enter into a memorandum of understanding
12 with a partner to provide training and technical
13 assistance to state, local, and other law enforcement
14 agencies in matters of forensic science. Provides
15 requirements for the memorandum of understanding.
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