HB 277

1	A bill to be entitled
2	An act relating to a statewide police misconduct
3	registry; creating s. 943.6872, F.S.; defining the
4	term "discriminatory profiling"; requiring the
5	Department of Law Enforcement to establish by a
6	certain date and maintain a statewide police
7	misconduct registry; specifying information that the
8	registry must contain on all state and local law
9	enforcement officers; requiring the head of each state
10	and local law enforcement agency to periodically
11	submit specified information to the department
12	beginning on a specified date; requiring the
13	department to publish the information on its website
14	by a specified date; providing an effective date.
15	
16	Be It Enacted by the Legislature of the State of Florida:
17	
18	Section 1. Section 943.6872, Florida Statutes, is created
19	to read:
20	943.6872 Statewide police misconduct registry
21	(1) As used in this section, the term "discriminatory
22	profiling" means the practice of a law enforcement officer or a
23	law enforcement agency relying, to any degree, on actual or
24	perceived race, ethnicity, national origin, religion, gender,
25	gender identity, or sexual orientation in selecting which

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26	individual to subject to a routine or spontaneous investigatory
27	procedure or in deciding upon the scope and substance of law
28	enforcement activity following the initial investigatory
29	procedure, except when there is reliable information relevant to
30	the locality and timeframe which links a person having such
31	actual or perceived characteristic to an identified criminal
32	incident or scheme.
33	(2) The department shall establish by June 30, 2022, and
34	maintain a statewide police misconduct registry.
35	(3) The registry shall contain all of the following
36	information with respect to all state and local law enforcement
37	officers:
38	(a) Each complaint filed against a law enforcement
39	officer, aggregated by all of the following and disaggregated by
40	whether the complaint involved a use of force or discriminatory
41	profiling:
42	1. Complaints that were found to be credible or that
43	resulted in disciplinary action against the law enforcement
44	officer; and
45	2. Complaints for which the law enforcement officer was
46	exonerated or which were determined to be unfounded or not
47	sustained.
48	(b) Disciplinary records, disaggregated by whether the
49	complaint involved a use of force or discriminatory profiling.
50	(c) Termination records and the reason for each
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51	termination, disaggregated by whether a complaint involved a use			
52	of force or discriminatory profiling.			
53	(d) Records of lawsuits against law enforcement officers			
54	and settlements of such lawsuits.			
55	(e) Instances in which a law enforcement officer resigned			
56	or retired while under active investigation related to a use of			
57	force.			
58	(4) Beginning January 2, 2023, and every 3 months			
59	thereafter:			
60	(a) The head of each state and local law enforcement			
61	agency, including the executive director of the department,			
62	2 shall submit to the department for inclusion in the registry the			
63	3 information described in subsection (3); and			
64	(b) The department shall publish the information on its			
65	website in a modern, open, electronic format which is machine-			
66	readable and readily accessible by the public. The published			
67	data must be searchable by data elements.			
68	Section 2. This act shall take effect July 1, 2021.			
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