



Florida Police Chiefs Association

Serving Florida's Law Enforcement Since 1952



2021 Legislative Priorities

Proposed for the 2021 Legislative Session

COMBATING VIOLENCE, DISORDER AND LOOTING AND LAW ENFORCEMENT PROTECTION

ACT: The FPCA supports legislation proposed by Governor DeSantis to address violent assemblies and threats against law enforcement.

FLORIDA RETIREMENT SYSTEM: The FPCA **supports** making FRS benefits more competitive by modifying the required number of years of service, lowering the retirement age, and reinstating the Cost-of-Living Adjustments (COLA) in FRS. The FPCA **supports** a revision to the Florida Retirement System to reduce the 12-month separation requirement to allow criminal justice training centers to reemploy a retiree if he or she is employed on a part-time basis in a teaching capacity, serves as a law enforcement reserve, or is hired by another FRS agency as a police executive as long as the rehired executive does not re-enter FRS .

POSTTRAUMATIC STRESS INJURY – The FPCA **supports** removing the requirement in F.S.S. 112.1815(5)(d) for a claim to be properly noticed within 52 weeks after the qualifying event and establishing a more reasonable time constraint.



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2021 Legislative Position Statements

Proposed for the 2021 Legislative Session

Support

DRONES: The FPCA **supports** the expansion of law enforcement's use of drones to better manage natural and human disasters, traffic crash reconstruction, and to improve officer safety in high danger situations.

DNA SEARCH WARRANTS: The FPCA **supports** an amendment to FS 933.05, to allow for open-ended dates for service of DNA Search Warrants for known suspects who may be mobile; allowing for entry of said warrant into the NCIC/FCIC System to provide notification to law enforcement nationwide, thus allowing for collection of Buccal Swabs by any law enforcement, anywhere in the country, when the Suspect is encountered.

ENHANCED PENALTIES: The FPCA **supports** penalty enhancements for criminals that assault, battery or kill a law enforcement officer

FDLE SERVICES: The FPCA **supports** and encourages the Legislature to recognize the vital importance the services from the Florida Department of Law Enforcement (FDLE) are to law enforcement across the state at all levels, and to support FDLE's proposed budgetary request enhancements. The FPCA **supports** the increase of funding for the Law Enforcement Trust Fund to provide vital training for law enforcement officers statewide.

FIREARMS: The FPCA **supports** consideration of Officer Safety in all aspects of regulation of firearm carry and usage.

FIREARM WAITING PERIODS - FPCA **supports** the revision of 790.0655 (2) (d) to include an exemption from waiting periods of all firearm purchases by law enforcement officers (currently just shotgun and rifles).

LAW ENFORCEMENT OFFICERS SAFETY ACT: The FPCA **supports** an amendment that would prohibit any person from denying a law enforcement officer access to any premises that are open to the public when the denial is based solely on the fact that the police officer is in possession of a firearm.

For additional information, please contact: FPCA Executive Director Amy Mercer: amercer@fpca.com
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LINE OF DUTY DEATH BENEFITS: The FPCA supports the passing of state statute to reflect those that died or got sick with COVID-19 are presumed to have contracted the disease on-duty and are therefore eligible for worker compensation benefits or other line of duty compensation, absent another reasonable explanation of the infection source.

MARSY'S LAW: The FPCA **supports** clarifying the ambiguity in Marsy's Law, relating to a Victim's right to privacy, regarding Chapter 119 of Florida Statute.

RISK PROTECTION ORDERS - FPCA supports amending 790.401 (RPO) to authorize the court to order mental health treatment in addition to mental health evaluation.

STATEWIDE MISCONDUCT REGISTRY: FPCA **supports** the reasonable expansion of ATMS to include discipline case findings after the officer has received proper due process consistent with state law.

SWATTING: The FPCA **supports** amending FSS 817.49 to establish a felony offense and/or penalty enhancements for making a false report to law enforcement that results in an injury or death, causes a person to be unnecessarily detained, or in the allocation of significant police resources.

VIDEO VOYEURISM: The FPCA **supports** and encourages the Legislature to amend FS 810.145 and associated penalty statutes to increase the punishment level in sentencing guidelines and to consider adding certain voyeurism offenses to the Sex Offender category.

WRITTEN THREATS - FPCA supports amending 836.10 to include written threats made towards an individual or their family regardless of whether the threat is communicated directly to that individual.

Oppose

TRUTH IN SENTENCING: The FPCA opposes any downward departure in the truth in sentencing law that compromises public safety.

BODY-WORN CAMERAS: The FPCA **opposes** any mandatory requirement to use body-worn cameras. We believe that decisions on what technology and/or equipment used by any police officer should be made by individual Chiefs, in conjunction with their local governmental leaders and community partners.

CIVIL ASSET FORFEITURE: The FPCA **opposes** any legislation that abolishes or unreasonably restricts a law enforcement agency from implementing a properly managed civil asset forfeiture program. FPCA supports making the purchase of police memorials an authorized expenditure of state forfeiture funds.

CONFIDENTIAL INFORMANTS: Recognizing that the safety and security of all citizens, including confidential informants, is a priority of law enforcement, the FPCA **opposes** any legislation that unreasonably restricts the engagement of confidential informants by law enforcement agencies.

CUSTODIAL INTERROGATIONS: The FPCA **opposes** any unfunded legislative mandate to require the recording of custodial interrogations and legislation that limits or requires the introduction into a court of law any evidence that is already able to be introduced by the prosecutorial authority or by the council of/ or defendant.

EMPLOYEE-EMPLOYER RELATIONS: The FPCA **opposes**, at both the State and Federal level, any legislative attempt to further restrict the local conduct of employee/employer relations issues. This would include further mandating of collective bargaining by local governments.

JUVENILE CIVIL CITATIONS: The FPCA strongly believes that law enforcement needs to have the discretion in every situation whether to issue a juvenile civil citation or make an arrest. The FPCA **opposes** mandating that law enforcement issue a juvenile civil citation.

RED LIGHT CAMERAS: The FPCA **opposes** any attempt to modify or repeal the statutes governing Red Light Cameras. These tools are vital to public safety.

QUALIFIED IMMUNITY: The FPCA **opposes** modifications to qualified immunity and believes the current construct of qualified immunity adequately provides for persons to be held accountable for illegal conduct.

ADDITIONAL POSTIONS

LAW ENFORCEMENT BILL OF RIGHTS – Should the LEBOR be opened for legislative revisions, seek the elimination of the requirement to disclose the statements and evidence to the subject officer prior to questioning of the subject officer.