



Florida Police Chiefs Association

Serving Florida's Law Enforcement Since 1952



2022 Legislative Priorities

Proposed for the 2022 Legislative Session

POSTTRAUMATIC STRESS INJURY – The FPCA **supports** modifying the requirement in F.S.S. 112.1815(5)(d) for a claim to be properly noticed within 52 weeks after the qualifying event or the PTSD diagnosis and establishing new standards for diagnosis and recognition of the cumulative impact of trauma experienced by first responders.

For additional information, please contact
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2022 Legislative Position Statements

Proposed for the 2022 Legislative Session

Support

AUTOMATED LICENSE PLATE READER (ALPR): The FPCA **supports** the ethical use of automated license plate reader technology to aid in the investigation of a crime and establishing guidelines for the authorized placement of ALPR along roadways in Florida.

DOXING: The FPCA **supports** revisions to Florida State Statute 784.048 to establish “doxing” as a crime when a person knowingly makes the restricted personal information of another person or the person’s immediate family with the intent to harass or threaten, intimidate, or incite crimes of violence against that person or his family.

DRONES: The FPCA **supports** the expansion of law enforcement’s use of drones

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.

DNR (“DO NOT RESUSCITATE”): The FPCA **supports** the revision of Florida State Statute 401.45(3)(a) to authorize law enforcement officers to withhold emergency medical treatment from a patient if evidence of an order not to resuscitate by the patient’s physician is presented.

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

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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).

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.

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.

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.

LOUD CAR RADIOS – The FPCA supports revisions to Florida State Statute 316.3045 to make the law constitutionally valid by removing the language defining the violation based on content.

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.

OVERDOSE – FPCA **supports** enhanced penalties for the sale and delivery of fentanyl, and when the sale and delivery of fentanyl results in an overdose death.

PHOTO/AUTOMATED ENFORCEMENT IN SCHOOL ZONES – The FPCA **supports** the use of technology to support the enforcement of speed limits in school zones.

RISK PROTECTION ORDERS - FPCA **supports** amending 790.401 (RPO) to authorize the court to have access to the findings of a court ordered mental health evaluation and order mental health treatment.

STATEWIDE MISCONDUCT REGISTRY: FPCA **supports** the reasonable expansion of ATMS to include discipline case findings provided that the dissemination of the charges and findings are consistent with the officer's due process rights and the information is subject to public dissemination in accordance with Florida law.

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.

LEGALIZATION OF DRUGS: The FPCA opposes the legalization of marijuana, and other illegal drugs, for recreational use.

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.

JUVENILE EXPUNGE: The FPCA strongly supports the use of diversion programs for nonviolent juvenile offenders but does not support juvenile diversion expunge programs for those that commit violent forcible felonies.

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.

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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.

TERMINATION OF POLICE CEO: The FPCA **opposes** the arbitrary release of police chiefs and believes proper checks and balances should be in place to prevent police chiefs from being terminated for political reasons without due process.

ADDITIONAL POSITIONS

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.