

CHAPTER 2021-229

Committee Substitute for Committee Substitute for House Bill No. 1189

An act relating to victims of sexual offenses; creating s. 154.012, F.S.; requiring county health departments to participate in sexual assault response teams coordinated by certified rape crisis centers, if such teams exist; authorizing the establishment of sexual assault response teams by certified rape crisis centers; providing for meetings, duties, and membership of sexual assault response teams; requiring the Florida Council Against Sexual Violence to provide specified technical assistance; requiring sexual assault response teams to promote and support the use of sexual assault forensic examiners meeting certain requirements; amending s. 943.17, F.S.; requiring the Criminal Justice Standards and Training Commission, in consultation with the Florida Council Against Sexual Violence, to establish minimum standards for basic skills and continued education training programs for law enforcement officers that include a culturally responsive, trauma-informed response to sexual assault by a specified date; creating s. 943.1724, F.S.; requiring each basic skills course required for a law enforcement officer to obtain initial certification to incorporate certain sexual assault training by a specified date; requiring each law enforcement officer to successfully complete certain sexual assault training before a specified date; requiring a law enforcement officer's certification to be placed on inactive status for failure to complete such training; providing an effective date.

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

Section 1. Section 154.012, Florida Statutes, is created to read:

154.012 Sexual assault response teams; membership; duties.—

(1) The health department in every county in this state, or its designee, shall participate in the sexual assault response team coordinated by the certified rape crisis center serving the county or region, if such sexual assault response team exists. If a sexual assault response team does not exist in the county, the certified rape crisis center serving the county may coordinate with community partners to establish a county-specific or regional sexual assault response team.

(2) Each sexual assault response team shall:

(a) Meet at least quarterly to ensure a coordinated multidisciplinary response to sexual assault.

(b) Develop written protocols to govern the team's response to sexual assault which must include all of the following:

1. Roles and responsibilities of each team member.
2. Procedures following the report of a sexual assault, including:
 - a. Law enforcement and immediate crisis response.
 - b. Health care treatment for a sexual assault victim.
 - c. Followup services provided to a sexual assault victim.
3. Procedures for the preservation, secure storage, and destruction of evidence from a sexual assault evidence kit, including length of storage, site of storage, and chain of custody.
4. Procedures for maintaining the confidentiality of a sexual assault victim during a forensic medical examination.

(c) Promote and support the use of qualified sexual assault forensic examiners who have successfully completed a minimum of 40 hours of specialized training in the provision of trauma-informed medical care and in the collection of evidence in sexual assault cases.

(3)(a) The certified rape crisis center serving the county in which the sexual assault response team is established, in collaboration with community partners, shall determine the membership of each sexual assault response team. At a minimum, membership must include the following persons or their designees:

1. The director of the certified rape crisis center.
2. A representative from the county health department.
3. The state attorney.
4. The chief of a police department located in the county.
5. The county sheriff.
6. A forensic sexual assault nurse examiner.
7. A representative from a hospital emergency department located in the county or region.

(b) If the sexual assault response team serves more than one county, its membership must include persons listed in paragraph (a) from each county.

(4) The Florida Council Against Sexual Violence shall provide technical assistance relating to the development and implementation of the sexual assault response teams.

Section 2. Subsection (7) is added to section 943.17, Florida Statutes, to read:

943.17 Basic recruit, advanced, and career development training programs; participation; cost; evaluation.—The commission shall, by rule, design, implement, maintain, evaluate, and revise entry requirements and job-related curricula and performance standards for basic recruit, advanced, and career development training programs and courses. The rules shall include, but are not limited to, a methodology to assess relevance of the subject matter to the job, student performance, and instructor competency.

(7) By July 1, 2022, the commission, in consultation with the Florida Council Against Sexual Violence, shall establish minimum standards for basic skills and continued education training for law enforcement officers that include a culturally responsive, trauma-informed response to sexual assault.

Section 3. Section 943.1724, Florida Statutes, is created to read:

943.1724 Sexual assault investigation training.—

(1) By July 1, 2022, each basic skills course required for a law enforcement officer to obtain initial certification must incorporate culturally responsive, trauma-informed training on interviewing sexual assault victims and investigations of incidents of sexual assault.

(2) By July 1, 2024, each law enforcement officer must successfully complete training on sexual assault, with an emphasis on culturally responsive, trauma-informed training on interviewing sexual assault victims and investigations of incidents of sexual assault as a part of the basic recruit training required under s. 943.13(9), training required under s. 943.131(4)(a), or as a part of continued training or education required under s. 943.135(1). If an officer fails to complete the training required under this subsection, his or her certification must be placed on inactive status until the officer’s employing agency notifies the commission that he or she has completed such training.

Section 4. This act shall take effect July 1, 2021.

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.