

SB 370 – Offenses Against Firefighters (Identical HB 351)

This bill amends s. 782.065, F.S., adding “firefighter as defined in s. 633.102, F.S.” to the enhanced penalty for murder of a law enforcement officer, correctional officer, or correctional probation officer. The enhanced penalty states that “a defendant shall be sentenced to life imprisonment without eligibility for release upon findings by the trier of fact that, beyond a reasonable doubt” that a murder or attempted murder took place, with a list of victims that would make the offender eligible for such an enhancement.

Per DOC, there were no new commitments to prison under s. 782.065, F.S. over the last three fiscal years. In FY 18-19, 923 offenders were admitted to prison for committing murder. There were 722 offenders admitted to prison in FY 19-20 and 463 offenders admitted to prison in FY 20-21. Due to data limitations, the number of offenders in this group who would be eligible for such enhancements under this amended language is not known. Average sentence length was 292.9 months (24.4 years) in FY 18-19, and one offender was admitted to prison for manslaughter of law enforcement/EMT/firefighter (16 years). Average sentence length was 294.4 months (24.5 years) in FY 19-20 and 232.1 months (19.3 years) in FY 20-21. Per FBI, in CY 2018, 4 law enforcement officers were feloniously killed in Florida. There were no law enforcement officers feloniously killed in Florida in CY 2019.

While it is not known how many additional offenders would receive this enhancement under the amended bill, the rarity of murder and the long sentences associated with such an offense would likely prevent a significant impact on prison beds from occurring.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

Requested by: Senate & House