

CS/SB 1416 – Assaults on Specified Persons (Similar CS/HB 951)

This bill creates s. 341.0611, F.S., requiring that a transit provider include a sign noting that the assault of a transit worker is a felony punishable by up to five years in prison, as well as creating and implementing a risk reduction program that includes conflict de-escalation training for transit operators, with the option of deploying assault mitigating infrastructure. It also amends s. 784.07, F.S., clarifying that this statute applies to an assault or battery on a public transit employee or agent and changing the current reclassification of a 2nd degree assault to a 1st degree misdemeanor, where a 2nd degree misdemeanor assault would now be a 3rd degree felony.

Per DOC, in FY 18-19, there were 400 new commitments to prison for assault or battery offenses against law enforcement officers, firefighters, emergency medical care providers, public transit employees, etc. (s. 784.07, F.S.). In FY 17-18, simple battery had an incarceration rate of 16.3% (adj.). Per FDLE, in FY 18-19, there were 259 guilty/convicted and 77 adjudication withheld where a 2nd degree misdemeanor was increased to a 1st degree misdemeanor under s. 784.07, F.S. While it is expected that 2nd degree assault would have a lower incarceration rate as a 3rd degree felony, the large number of those impacted would be expected to be enough to reach significance.

CONFERENCE ADOPTED ESTIMATE: Positive Significant

Requested by: House