

## **HB 1573 – Excessive Use of Force by Law Enforcement Officers (Identical SB 1148)**

This bill creates a statute that adds the following penalties:

- **2<sup>nd</sup> degree misdemeanor:** “a law enforcement officer who has actual knowledge of the commission of a criminal offense by another law enforcement officer while such officer was on duty and who fails to report such offense”
- **2<sup>nd</sup> degree misdemeanor:** “a law enforcement officer who knowingly fails to intervene in the use or attempted use of nondeadly excessive force
- **Unranked, 3<sup>rd</sup> degree felony (Level 1 by default):** “a law enforcement officer who knowingly fails to intervene in the use or attempted use of deadly excessive force”
- **Unranked, 2<sup>nd</sup> degree felony (Level 4 by default):** “a law enforcement officer who knowingly fails to intervene in the use or attempted use of deadly excessive force that leads to death or permanent and significant physical impairment of the victim”

Per FDLE, there were 29 cases in FY 18-19 and 24 cases in FY 19-20 where battery/excessive force was charged while employed at the time of misconduct. However, It is not known whether the officer was on or off duty, not is it known how many officers failed to intervene in these incidents.

**CONFERENCE ADOPTED ESTIMATE: Positive Insignificant**

**Requested by: Senate**