



801624

LEGISLATIVE ACTION

Senate

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House

The Committee on Governmental Oversight and Accountability
(Grall) recommended the following:

Senate Amendment to Amendment (465530)

Delete lines 129 - 148

and insert:

(2) The Legislature finds that it is a public necessity that the portion of public records that is held by an agency that regularly generates or receives information from or concerning victims of crime, which contains the name of an officer who became a victim in the course and scope of the officer's employment or official duties be made confidential and



801624

11 exempt from s. 119.07(1), Florida Statutes and s. 24(a), Art. I
12 of the State Constitution for a 72-hour period after the
13 incident in which the officer became a victim. The Legislature
14 further finds it is a public necessity that these portions of a
15 public record be exempt from s. 119.07(1) and s. 24(a), Art. I
16 of the State Constitution for an additional 60 days after the
17 expiration of the 72-hour period.

18 (3) Victims, their lawful representative, family member,
19 and next of kin, have a right to be free from intimidation,
20 harassment, and abuse. Community attention is often piqued when
21 a person becomes a victim, which may lead to the undue intrusion
22 into the person's privacy, as well as his or her family members,
23 legal representative, or next of kin. The identifying
24 information of such persons could be used to further traumatize
25 them. The risk of additional harm or harassment outweighs any
26 public benefit that may be derived from the public disclosure of
27 such information. The Legislature also finds that the release of
28 such portions of records may deter crime victims from
29 cooperating with law enforcement and reporting criminal acts
30 based on a victim's fear of additional retaliation or attention.
31 This exemption is narrowly tailored to balance the public's
32 right to access public records by allowing the release of the
33 name of a law enforcement officer who becomes a victim within
34 the course and scope of his or her employment or duties 63 days
35 after the incident. The risk of additional harm or harassment
36 outweighs any public benefit that may be derived from the public
37 disclosure of such information.