

OPINION

Legislature's attack on local police oversight boards is wrong | Editorial



Capitol Police patrol a visitors entrance before the March 2, 2023 opening day joint session of the Florida Legislature at the Capitol in Tallahassee. (Ivy Ceballo/Tampa Bay Times/TNS)



By **SUN SENTINEL EDITORIAL BOARD** | Sun Sentinel

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People in Florida want to trust their local police, and in many communities, that trust is bolstered

So why do some state legislators in Tallahassee want to strip these boards of their ability to monitor, investigate and advise police departments on complaints — often serious ones — about the conduct of specific officers?

It's a question one lawmakers' constituents should ask. From what we're seeing, it seems more about protecting bad officers by stripping away transparency, and once again trampling on local officials' ability to address local needs firsthand.

A few justifications surfaced at Friday's meeting of the House Local Administration, Federal Affairs and Special Districts Subcommittee, where [House Bill 601](#) made its second stop. But they ring hollow.



The basics of oversight

These boards have no power to discipline officers and must comply with the Florida Police Officers' Bill of Rights, which spells out officers' claims to due process and safeguards against self-incrimination. Yet they make a difference for the better.

Many residents will take complaints to a board of fellow citizens that they would be afraid to take to the police chief or an internal affairs division. Boards can look at trends and make suggestions to bridge gaps between police agencies and minority groups that have often felt victimized.

St. Petersburg was the first city to set up a citizen oversight board in 1991. Orlando and Fort Lauderdale soon followed. Currently, 20 cities have police review boards, including Delray Beach and West Palm Beach.

The bill's sponsor, state Rep. Wyman Duggan, R-Jacksonville, said he was seeking uniform standards for police. He also claimed that he wasn't really gutting the ability of oversight boards

The FOP speaks out

Lisa Henning, a lobbyist for the Florida State Fraternal Order of Police, was more negative: “You’re reinvestigating an officer that’s already been investigated twice and cleared and now you’re pulling them back before a group of people who have no expertise in the job,” she told House members.

The FOP’s support is highly coveted by legislative candidates. The union’s extreme hostility to citizen oversight boards might explain why a Legislature filled with people looking for their endorsement is so interested in the bill.

Both Duggan and Henning ignored the reality that most law enforcement officers already have ample protection, and that citizen oversight boards often find complaints to be unfounded. Citizens can often feel defenseless. They have heard too many stories about complaints fading into oblivion, or drawing retaliation. That fear is often amplified in marginalized communities.

Burbeth Foster, senior counsel of Community Justice Partners, said investigations of individual claims of misconduct lead to far more significant insight into bigger problems. Agencies also benefit from improved relationships with the communities they serve.

Removing the bad apples

But the most important thing she had to say was this: These boards help good officers by removing bad apples who taint the reputation of their departments, and by having their backs when complaints are unfounded.

This is backed up by a study last year by the Leroy Collins Institute, which found that communities with oversight boards see less disparity in arrests of marginalized populations, fewer clashes between police and the public and safer communities. Why? Because people in those cities are more apt to trust the police.

They are far less likely to trust law enforcement when their complaints are cloaked in secrecy, investigated by the departments who instinctively protect their own or are punted to the far-flung Florida Department of Law Enforcement (FDLE) or the state Attorney General.

This oversight has been particularly helpful in Florida’s largest cities, most of which have review boards. But this is an option that should remain available to any local government that has seen flare-ups in tension between the police and the public.

It’s understandable that many lawmakers struggled with this bill, including Rep. Mike Gottlieb, D-Davie, a criminal defense lawyer who acknowledged the difficulty in recruiting good officers. He suggested a compromise: A bill to set standards and training requirements for police oversight boards, while preserving their ability to conduct individual reviews.

As this legislation advances, lawmakers should consider Gottlieb's proposal. This is about more than "backing the blue." It's about cutting off the ability of city officials who see a rift between their police departments and their residents – and the need to address growing tensions before anger, distrust and fear erupt into violence.

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