

June 3, 2005

Ms. Glenda E. Hood  
Secretary of State  
Florida Department of State  
R.A. Gray Building  
500 South Bronough Street  
Tallahassee, FL 32399

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 308, enacted during the 37<sup>th</sup> session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to law enforcement officers . . .

Senate Bill 308 requires that whenever a law enforcement or correctional officer is under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, all identifiable witnesses, whenever possible, must be interviewed before the investigative interview of the accused officer could begin. The bill further requires that the complaint and all witness statements must be given to the accused officer before the beginning of the investigative interview.

My concerns are twofold. First, this bill affords law enforcement officers rights that are not afforded to other state employees. Although law enforcement officers deserve our respect and command our highest expectations, the special powers conferred upon them to investigate, detain, arrest, and at times use force, call for the strictest standards of conduct and accountability. This bill limits the ability of investigators to determine whether the trust that we place in law enforcement officers has been breached.

Second, these new requirements could have a significant impact on the time it takes to bring an investigation to a conclusion. Some witnesses or potential witnesses may be difficult to locate, while other witnesses may not necessarily be able to provide information that would have a significant impact on the outcome of the investigation. All would have to be interviewed prior to obtaining any explanation from the officer.

These restrictions eliminate needed flexibility and place an undue burden on the conduct of internal investigations. This flexibility is vital for managers to conduct a timely and thorough investigation.

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For these reasons, I am withholding my approval of Senate Bill 308, and do hereby veto the same.

Sincerely,

Jeb Bush