

FLORIDA SHERIFFS ASSOCIATION



Officer Jason Raynor Act

In 2021, Officer Jason Raynor was shot and killed by Orthal Wallace during a confrontation behind Wallace's apartment. Officer Raynor was searching for a stolen car when he saw Wallace in one that looked similar. He attempted to question Wallace, but Wallace refused to comply. Wallace then shot Officer Raynor in the head, who later died from his injuries.

Florida law provides that a person may not lawfully use force or violence to resist a law enforcement officer in an arrest or detention. However, because applicable statutes and jury instructions reference an officer's "execution of a legal duty," some defendants have raised the technical illegality of an officer's conduct to attempt to justify using force against that officer. In the case of Wallace, prosecutors sought a first-degree murder charge against Wallace. However, the jury ultimately found Wallace guilty of a lesser charge of manslaughter with a firearm and sentenced him to 30 years in prison. Wallace claimed that he was justified in shooting Officer Raynor because Officer Raynor was not lawful in his investigation and feared for his own life. Current law does not carry an enhanced penalty for manslaughter when it involves law enforcement.

This legislation puts the burden of who was at fault during a police interaction fully in the hands of the court and clarifies that a person cannot resist an officer with violence or the threat of violence when an officer is acting in the performance of his or her official duties. Specifically, this legislation amends s. 776.051, F.S. to change the current requirement for a law enforcement officer to be engaged in the lawful performance of a legal duty to a requirement that a law enforcement officer be engaged in the performance of his or her official duties. Additionally, this legislation amends s. 782.065, F.S., to add manslaughter under s. 782.07, F.S., when committed against a law enforcement officer, to the list of offenses for which a court must sentence a convicted defendant to life imprisonment without eligibility for release.

Support HB 17 by Representative Baker and SB 156 by Senator Leek



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