

Congress of the United States
House of Representatives
Washington, DC 20515-0910

April 18, 2023

The Honorable Ron DeSantis Governor
State of Florida
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399

Governor DeSantis:

We write to you regarding your failure to apply for funds available to the State of Florida that are designated to improve public safety.

In the last decade, 9,229 Floridians were killed by someone using a firearm. In 2022 alone, 1,130 Floridians were killed by someone using a firearm.¹ This is not acceptable. These are not just statistics; these are real people, each leaving behind a traumatized and grieving community of loved ones. On average, two or more Floridians are lost to gun violence every day.² Federal, state, and local governments must work together to meet the urgency that this crisis demands. Leaving money on the table that can save the lives of Floridians is a significant step backward in ending this senseless violence.

On June 25, 2022, President Biden took an important step toward solving this issue by signing into law the Bipartisan Safer Communities Act. In October 2022, as part of the implementation of the Bipartisan Safer Communities Act, the Bureau of Justice Assistance (BJA) at the United States Department of Justice (DOJ) made formula funding available through the Byrne State Crisis Intervention Program (Byrne SCIP). The Byrne SCIP was designed for states and has a potential award amount of over \$29 million. These funds would provide support for the creation and implementation of extreme risk protection order programs, state crisis intervention court proceedings, including for mental health and veterans' treatment courts, and related gun violence reduction programs including for law enforcement to secure, store, track, and return relinquished guns.³

The State of Florida failed to apply for Byrne SCIP grant funding. It is unacceptable that between November 10, 2022 – when BJA briefed your administration – and the final application deadline of December 19, 2022, no application for these funds was submitted on behalf of the State of Florida. The BJA re-opened the application for a brief period in March 2023 at the request of state agencies from Indiana and Nebraska so that they could still apply for funds even though the initial deadline had passed.

¹ "State Data | Gun Violence Archive." www.gunviolencearchive.org/congress/fl.

² From 2014 to April 4, 2023, 9,229 people were killed by guns in homicides, murders, unintentional discharges and defensive gun use, averaging between 2 and 3 Floridians per day. "State Data | Gun Violence Archive." www.gunviolencearchive.org/congress/fl.

³ "FY 2022 - 2023 Byrne State Crisis Intervention Program Formula Solicitation." <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/O-BJA-2023-171458.pdf>

However, no effort has been made on behalf of the state of Florida to make a similar request.

To date, the Byrne SCIP has awarded over \$231 million, leaving Florida as one of only five remaining states and territories that have not applied for these funds. The window to apply for this round of funding is now closed. BJA does not anticipate opening the Fiscal Year 2024 solicitation period before Fall 2023. If even one Floridian life could be saved in the interim through access to the Byrne SCIP funds, failing to ensure access to those funds is a poor policy choice that will not make Floridians safer.

After the horrific shooting at Marjory Stoneman Douglas High School in 2018, Florida passed a law that established risk protection orders (RPOs) as a measure to improve public safety. RPOs enhance public safety by restricting firearm and ammunition possession by a person who poses a danger to themselves or others. This rule allows law enforcement, often after being alerted by a concerned citizen, to ask a court to enter an RPO against someone who poses a danger to themselves or others. RPOs have been used nearly 9,000 times since then.⁴ For example, in Osceola County, Florida, a janitor threatened to bring a gun to school and was reported to the police by a teacher at Parkway Middle School. He told the teacher his only regret would be that his targets would “run for their lives before [he] could get to them.” After an order was issued, deputies removed a handgun from the man.⁵

Florida’s law establishing RPOs was an important first step, but the recent February 2023 shooting that took the lives of a 9-year-old child, her mother, and a reporter shows us that more must be done.

The Byrne SCIP funds for the implementation of these programs are crucial because they ensure:

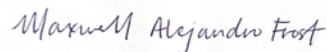
- Training for judiciary and court staff on RPO proceedings.
- Training for family members on RPOs.
- Training for first responders on RPOs.
- Broad outreach efforts to raise public awareness about RPOs.

We are disturbed by your administration’s failure to apply for Byrne SCIB funds. By April 25, 2023, please respond to the following:

- Why did you fail to apply for Byrne SCIB funds?
- Will you request that BJA reopen solicitation for Fiscal Year 2023 so that the State of Florida may apply for Byrne SCIB funds, and if yes, when?
- Will you commit to applying for Byrne SCIB funds when the application re-opens?

We look forward to hearing from you by April 25, 2023, about this important funding that can save the lives of Floridians.

Sincerely,



Maxwell Alejandro Frost
Member of Congress

⁴ Stofan, “Florida’s Red Flag Law Used Nearly 9,000 Times to Date, 254 Times in Duval.”

⁵ “Janitor Threatened to Bring Gun to Osceola School, Said His ‘mind Is Not Right,’ Deputies Say.”
www.orlandosentinel.com/news/breaking-news/os-osceola-janitor-brings-weapon-on-campus-20180523-story.html




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