

By Senator Meek

36-254-00

See HB 177

1 A bill to be entitled
 2 An act relating to traffic infraction data;
 3 creating the Florida Traffic Stop Evaluation
 4 Task Force; providing duties of the task force;
 5 providing membership, terms, and organization;
 6 requiring specified information to be reported
 7 and compiled by the Florida Highway Patrol,
 8 county sheriffs' departments, and municipal law
 9 enforcement departments for a 1-year period;
 10 providing for the submission of data to the
 11 Office of the Attorney General; requiring the
 12 Office of the Attorney General to submit data
 13 and analysis to the task force; requiring a
 14 final report; providing an appropriation;
 15 providing an effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 Section 1. Florida Traffic Stop Evaluation Task
 20 Force.--There is created the Florida Traffic Stop Evaluation
 21 Task Force.

22 (1) The task force shall have the following duties:

23 (a) To conduct a study of the practices currently
 24 utilized by law enforcement agencies of the state in making
 25 motor vehicle traffic stops.

26 (b) To analyze and draw conclusions from data
 27 submitted by the various law enforcement agencies of the state
 28 as required under section 2.

29 (c) To report its findings and recommendations to the
 30 Governor, the President of the Senate, the Speaker of the
 31

1 House of Representatives, and the minority leaders of the
2 Senate and the House of Representatives by September 1, 2001.

3 (2) The task force shall be composed of seven members
4 as follows:

5 (a) The Attorney General or the Attorney General's
6 designee.

7 (b) One member of the Florida Sheriffs Association to
8 be appointed by the Governor.

9 (c) One member of the Florida Police Chiefs
10 Association to be appointed by the Governor.

11 (d) One member of the Florida Highway Patrol to be
12 appointed by the Governor.

13 (e) One at-large member who shall be a representative
14 of the American Civil Liberties Union to be appointed by the
15 Governor.

16 (f) One member of the House of Representatives to be
17 appointed by the Speaker of the House of Representatives.

18 (g) One member of the Senate to be appointed by the
19 President of the Senate.

20 (3) The Governor shall appoint the chair of the task
21 force. All appointments shall be made within 30 days after the
22 effective date of this act. Members of the task force shall
23 serve for a 1-year term to begin September 1, 2000. In the
24 event of a vacancy, the person who made the original
25 appointment shall appoint a new member to fill the vacancy.

26 (4) Staffing shall be provided to the task force by
27 the Office of the Attorney General. Technical assistance may
28 be provided to the task force by the Department of Law
29 Enforcement, the Department of Highway Safety and Motor
30 Vehicles, and the Division of the Florida Highway Patrol.

31

1 (5) Members of the task force shall serve without
2 compensation, but are entitled to per diem and travel expenses
3 as provided in section 112.061, Florida Statutes. Members of
4 the task force shall receive per diem and travel expenses from
5 the budgets of their respective agencies, except that the
6 at-large member of the task force appointed pursuant to
7 paragraph (2)(e) shall receive per diem and travel expenses
8 from the budget of the Office of the Attorney General to the
9 extent that resources will permit.

10 (6) The task force may appoint subcommittees that
11 include persons who are knowledgeable in a subject area
12 pertinent to the study conducted by the task force but are not
13 members of the task force and may not vote as such.

14 Section 2. Traffic stop data reporting requirements.--

15 (1) Beginning July 1, 2000, and continuing through
16 June 30, 2001, whenever any officer of the Florida Highway
17 Patrol, a county sheriff's department, or a municipal law
18 enforcement department causes the operator of a motor vehicle
19 being operated on any street or highway in the state to stop
20 the motor vehicle, the law enforcement officer must obtain and
21 record all of the following data:

22 (a) A description of the motor vehicle, including its
23 manufacturer.

24 (b) The identifying numerals, letters, or combination
25 of numerals and letters that appear on the motor vehicle's
26 license plate.

27 (c) The race, age, and gender of the motor vehicle
28 operator and all other occupants of the motor vehicle.

29 (d) The exact location and time at which the traffic
30 stop occurred.

31

1 (e) The alleged traffic violation that was the basis
2 for the traffic stop.

3 (f) Whether the traffic stop resulted in a search of
4 the motor vehicle or its occupants, the rationale for the
5 search, and how the search was instituted.

6 (g) The nature of any contraband that was discovered
7 in the course of a search.

8 (h) Whether any oral or written warning, ticket, or
9 citation was issued or an arrest was made as a result of the
10 traffic stop.

11 (i) Whether any items were seized for forfeiture.

12 (2) The Florida Highway Patrol, each county sheriff's
13 department within the state, and each municipal law
14 enforcement department within the state shall transmit the
15 data collected pursuant to subsection (1) monthly to the
16 Office of the Attorney General beginning on August 7, 2000,
17 and ending on July 7, 2001. Each law enforcement agency must
18 report the data to the Office of the Attorney General by the
19 means and in the form that the Office of the Attorney General
20 determines is most efficient and maximizes the utility of the
21 data. Monthly submissions of data to the Office of the
22 Attorney General shall be made by the 7th day of each month
23 during the 1-year reporting period.

24 (3) After collecting the data submitted from the
25 various law enforcement agencies of the state, the Attorney
26 General shall transmit the cumulative data to the Florida
27 Traffic Stop Evaluation Task Force by the last day of each
28 month. The Office of the Attorney General shall submit a
29 quarterly analysis of the data submitted pursuant to
30 subsection (2) beginning on November 15, 2000. The quarterly
31 analysis shall include, at a minimum:

1 (a) The total number of motor vehicles stopped by law
2 enforcement officers during the quarterly period.

3 (b) The number and percentage of those motor vehicle
4 operators stopped during the quarterly period who are members
5 of a racial or ethnic minority.

6 (c) A comparison of the percentage indicated for each
7 racial or ethnic minority group in paragraph (b) to the
8 percentage the racial or ethnic minority bears to the total
9 population of the state.

10 (d) A statement as to the benefit of traffic stops
11 with regard to the interdiction of drugs and proceeds of drug
12 trafficking, including the approximate quantity and street
13 value of seized drugs and the value of drug trafficking
14 proceeds.

15 (4) The Office of the Attorney General shall submit to
16 the task force, no later than August 15, 2001, a final report
17 consisting of an overall analysis of the data submitted during
18 the 1-year reporting period, and the findings and conclusions
19 of the Office of the Attorney General. The report may also
20 contain any other information the Office of the Attorney
21 General determines is of assistance in understanding the data,
22 the analysis, and the conclusions.

23 Section 3. There is hereby appropriated from the
24 General Revenue Fund to the Office of Civil Rights within the
25 Department of Legal Affairs the sum of \$150,000 to fund two
26 OPS positions within the Office of Civil Rights and to carry
27 out the purposes of this act and the duties of the Florida
28 Traffic Stop Evaluation Task Force.

29 Section 4. This act shall take effect upon becoming a
30 law.

31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

LEGISLATIVE SUMMARY

Creates the Florida Traffic Stop Evaluation Task Force for the purpose of conducting a study of the practices and procedures currently utilized by state, county, and municipal law enforcement officers in stopping operators of motor vehicles on the highways of the state. Provides membership, terms, and organization of the task force. Requires specified information to be reported and compiled by the Florida Highway Patrol, county sheriffs' departments, and municipal law enforcement departments for a 1-year period beginning July 1, 2000, and ending June 30, 2001. Provides for the submission of such data to the Office of the Attorney General for collection and analysis. Requires the Office of the Attorney General to submit the data and analysis to the task force. Requires final reports from the Office of the Attorney General and the task force. Provides a \$150,000 appropriation to carry out the provisions of the act.