

Bill No. CS for CS for SB 2056

Amendment No.      Barcode 491700

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Meek moved the following amendment:

**Senate Amendment (with title amendment)**

On page 139, between lines 24 and 25,

insert:

Section 78. Effective upon this act becoming a law, section 943.1759, Florida Statutes, is created to read:

943.1759 Florida Motorist Profiling Evaluation Task Force.--

(1) There is created the Florida Motorist Profiling Evaluation Task Force.--

(2) The task force has the following duties:

(a) To identify practices currently used by state and local law enforcement agencies of this state in making motor vehicle traffic stops;

(b) To identify and recommend changes to address deficiencies, if any, in such current practices;

(c) To recommend best practices and policies and procedures that may be adopted by state or local law enforcement agencies of this state to prevent bias profiling

Bill No. CS for CS for SB 2056

Amendment No. \_\_\_\_ Barcode 491700

1 and discriminatory practices from serving as a primary factor  
2 in determining whether the driver of a motor vehicle should be  
3 stopped for a routine traffic violation; and

4 (d) To report its findings and recommendations to the  
5 Governor, the President of the Senate, the Speaker of the  
6 House of Representatives, and the majority and minority  
7 leaders of the Senate and the House of Representatives by  
8 January 1, 2002. The recommendations must specifically include  
9 recommendations, including proposed legislation, for assuring  
10 that law enforcement agencies' policies for motor vehicle  
11 traffic stops are free of bias profiling.

12 (3) The task force shall have 12 members as follows;  
13 members may not delegate their duties to attend meetings of  
14 the task force and to vote on any matter before the task force  
15 to any other person:

16 (a) The Attorney General.

17 (b) The president of the Florida Sheriffs Association.

18 (c) The president of the Florida Police Chiefs  
19 Association.

20 (d) One member of the Florida Highway Patrol, to be  
21 appointed by the Governor.

22 (e) One member of the Florida Department of Law  
23 Enforcement, to be appointed by the Governor.

24 (f) One member of the Florida Commission on Human  
25 Relations, to be appointed by the Governor.

26 (g) The executive director of the American Civil  
27 Liberties Union of Florida.

28 (h) The state president of the National Association  
29 for the Advancement of Colored People.

30 (i) One member of the House of Representatives, to be  
31 appointed by the Speaker of the House of Representatives.

Bill No. CS for CS for SB 2056

Amendment No. \_\_\_\_ Barcode 491700

1       (j) One member of the Senate, to be appointed by the  
2 President of the Senate.

3       (k) One member of the House of Representatives, to be  
4 appointed by the minority leader of the House of  
5 Representatives.

6       (l) One member of the Senate, to be appointed by the  
7 minority leader of the Senate.

8       (4) The Attorney General shall serve as the chair of  
9 the task force. Members of the task force must be appointed  
10 within 30 days after the effective date of this act, and the  
11 task force must hold its first meeting within 60 days after  
12 the effective date of this act. In the event of a vacancy, the  
13 person who made the original appointment shall appoint a new  
14 member to fill the vacancy.

15       (5) Staffing shall be provided to the task force by  
16 the Department of Legal Affairs. Technical assistance may be  
17 provided to the task force by the Department of Law  
18 Enforcement, the Department of Highway Safety and Motor  
19 Vehicles, and the Division of the Florida Highway Patrol.

20       (6) Members of the task force shall serve without  
21 compensation but are entitled to per diem and travel expenses  
22 as provided in s. 112.061. Members of the task force shall  
23 receive per diem and travel expenses from the budgets of their  
24 respective agencies, except that the members of the task force  
25 appointed pursuant to paragraphs (3)(g) and (h) shall receive  
26 per diem and travel expenses from the budget of the Office of  
27 the Attorney General to the extent that resources will permit.

28       (7) The task force may appoint subcommittees that  
29 include persons who are knowledgeable in a subject area  
30 pertinent to the subject areas identified in subsection (2)  
31 but are not members of the task force and may not vote as

Bill No. CS for CS for SB 2056

Amendment No. \_\_\_\_ Barcode 491700

1 such.

2 (8) The task force may seek support in the form of  
3 grants and technical assistance from the United States  
4 Department of Justice and other applicable federal agencies in  
5 furtherance of its duties as provided in this act.

6 (9) The task force is abolished April 1, 2002.

7 Section 79. Effective upon this act becoming a law,  
8 section 943.1758, Florida Statutes, is amended to read:

9 943.1758 Curriculum revision for diverse populations;  
10 skills training.--

11 (1) The Criminal Justice Standards and Training  
12 Commission shall revise its standards and training for basic  
13 recruits and its requirements for continued employment by  
14 integrating instructions on interpersonal skills relating to  
15 diverse populations into the criminal justice standards and  
16 training curriculum. The curriculum shall include standardized  
17 proficiency instruction relating to high-risk and critical  
18 tasks which include, but are not limited to, stops, use of  
19 force and domination, and other areas of interaction between  
20 officers and members of diverse populations.

21 (2) The commission shall develop and implement, as  
22 part of its instructor training programs, standardized  
23 instruction in the subject of interpersonal skills relating to  
24 diverse populations.

25 (3) Culturally sensitive lesson plans, up-to-date  
26 videotapes, and other demonstrative aids developed for use in  
27 diverse population-related training shall be used as  
28 instructional materials.

29 (4) By October 1, 2001, the instruction in the subject  
30 of interpersonal skills relating to diverse populations shall  
31 consist of a module developed by the commission on the topic

Bill No. CS for CS for SB 2056

Amendment No. \_\_\_\_ Barcode 491700

1 of discriminatory profiling.

2           Section 80. On or before January 1, 2002, each state  
3 and local law enforcement agency shall incorporate an  
4 anti-racial or other anti-discriminatory profiling policy into  
5 the agency's policies and practices. Anti-profiling policies  
6 shall include the elements of definitions, traffic stop  
7 procedures, community education and awareness efforts, and  
8 policies for the handling of complaints from the public.

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10 (Redesignate subsequent sections.)

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13 ===== T I T L E   A M E N D M E N T =====

14 And the title is amended as follows:

15           On page 8, line 12, following the semicolon,

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17 insert:

18           creating s. 943.1759, F.S.; creating the  
19           Florida Motorist Profiling Evaluation Task  
20           Force; providing duties of the task force;  
21           providing membership, terms, and organization;  
22           amending s. 943.1758, F.S.; requiring the  
23           Criminal Justice Standards and Training  
24           Commission to include in its curriculum  
25           training in discriminatory profiling; requiring  
26           state and local law enforcement agencies to  
27           incorporate a profiling policy;

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