

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Judicial Oversight offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Section 943.1758, Florida Statutes, is amended to read:

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

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

(2) The commission shall develop and implement, as

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1 part of its instructor training programs, standardized
2 instruction in the subject of interpersonal skills relating to
3 diverse populations.

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

8 (4) By October 1, 2001, the instruction in the subject
9 of interpersonal skills relating to diverse populations shall
10 consist of a module developed by the commission on the topic
11 of discriminatory profiling.

12 Section 2. Subsection (3) is added to section 30.15,
13 Florida Statutes, to read:

14 30.15 Powers, duties, and obligations.--

15 (3) On or before January 2, 2002, every sheriff shall
16 incorporate an anti-racial or other anti-discriminatory
17 profiling policy into the sheriff's policies and practices,
18 utilizing the Florida Police Chiefs Association Model Policy
19 as a guide. Anti-profiling policies shall include the
20 elements of definitions, traffic stop procedures, community
21 education and awareness efforts, and policies for the handling
22 of complaints from the public.

23 Section 3. Section 166.0493, Florida Statutes, is
24 created to read:

25 166.0493 Powers, duties, and obligations of municipal
26 law enforcement agencies.--

27 On or before January 1, 2002, every municipal law
28 enforcement agency shall incorporate an anti-racial or other
29 anti-discriminatory profiling policy into the agency's
30 policies and practices, utilizing the Florida Police Chiefs
31 Association Model Policy as a guide. Anti-profiling policies

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1 shall include the elements of definitions, traffic stop
2 procedures, community education and awareness efforts, and
3 policies for the handling of complaints from the public.

4 Section 4. This act shall take effect upon becoming
5 law.

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

9 And the title is amended as follows:

10 remove from the title of the bill: the entire title

11
12 and insert in lieu thereof:

13 A bill to be entitled
14 An act relating to local law enforcement
15 agencies; amending s. 943.1758, F.S.; requiring
16 training in discriminatory profiling; amending
17 s. 30.15, F.S.; requiring sheriffs to
18 incorporate a profiling policy; creating s.
19 166.0493, F.S.; requiring municipal law
20 enforcement agencies to incorporate a profiling
21 policy; providing an effective date.
22

23 WHEREAS, Florida law enforcement has always, and will
24 continue to support the United States Constitution, as well as
25 federal and state laws that prohibit any form of illegal
26 intrusion into the constitutionally protected liberties of our
27 citizens, including racial or any other form of
28 unconstitutional and/or discriminatory profiling, and

29 WHEREAS, persons have a right under the United States
30 Constitution as well as the Constitution of the State of
31 Florida to be free of infringement of their liberties, except

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1 when, pursuant to due process of law, there is reasonable
2 suspicion or probable cause to believe that they have
3 committed an offense, and
4 WHEREAS, enforcement decisions based solely on race
5 have no acceptable or legal place in law enforcement
6 operations, and
7 WHEREAS, there exists a perception in some communities
8 within the state that law enforcement decisions based on race
9 may be occurring in Florida, and
10 WHEREAS, the Florida Sheriffs Association and the
11 Florida Police Chiefs Association have joined other
12 professional law enforcement associations to discourage
13 "racial" or any other forms of unconstitutional discriminatory
14 profiling, and agreed to provide training and support to all
15 law enforcement agencies to help them insure that such
16 practices are not utilized.
17 NOW THEREFORE, BE IT RESOLVED THAT, the Florida
18 Legislature will continue to encourage professional traffic
19 stop techniques by Florida's law enforcement community, and
20 condemns any use of "profiling," where decision-making is
21 based on race or any other form of unconstitutional
22 discriminatory profiling.
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