

Bill No. CS/CS/HB 807, 2nd Eng.

Amendment No. Barcode 073972

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Meek moved the following amendment to amendment (640544):

Senate Amendment (with title amendment)

On page 133, between lines 8 and 9,

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

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1 enforcement agencies of this state to prevent bias profiling
2 and discriminatory practices from serving as a primary factor
3 in determining whether the driver of a motor vehicle should be
4 stopped for a routine traffic violation; and

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

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

17 (a) The Attorney General.

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

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

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

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

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

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

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

31 (i) One member of the House of Representatives, to be

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1 appointed by the Speaker of the House of Representatives.

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

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

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

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

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

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

29 (7) The task force may appoint subcommittees that
30 include persons who are knowledgeable in a subject area
31 pertinent to the subject areas identified in subsection (2)

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1 but are not members of the task force and may not vote as
2 such.

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

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

8 Section 79. Effective upon this act becoming a law,
9 section 943.1758, Florida Statutes, is amended to read:
10 943.1758 Curriculum revision for diverse populations;
11 skills training.--

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

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

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

30 (4) By October 1, 2001, the instruction in the subject
31 of interpersonal skills relating to diverse populations shall

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1 consist of a module developed by the commission on the topic
2 of discriminatory profiling.

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

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11 (Redesignate subsequent sections.)

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

15 And the title is amended as follows:

16 On page 143, line 4, following the semicolon,

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18 insert:

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

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