

1 A bill to be entitled
2 An act relating to law enforcement; creating s.
3 943.1759, F.S.; creating the Florida Motorist
4 Profiling Evaluation Task Force; providing
5 duties of the task force; providing membership,
6 terms, and organization; amending s. 943.1758,
7 F.S.; requiring the Criminal Justice Standards
8 and Training Commission to include in its
9 curriculum training in discriminatory
10 profiling; requiring state and local law
11 enforcement agencies to incorporate a profiling
12 policy; providing an effective date.

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14 WHEREAS, in a free society, law enforcement agencies
15 are entrusted with the protection of the civil rights of all
16 citizens, and that protection is expected of every law
17 enforcement agency by each citizen, and

18 WHEREAS, the Legislature, the Attorney General, the
19 Florida Sheriffs Association, the Florida Police Chiefs
20 Association, the National Association for the Advancement of
21 Colored People, the American Civil Liberties Union, the
22 Florida Department of Law Enforcement, and the Florida Highway
23 Patrol agree that bias, whether real or perceived, is
24 detrimental to the relationship between law enforcement and
25 the public, and

26 WHEREAS, the aforementioned groups encourage the
27 Florida law enforcement community, in conjunction with local
28 officials and community organizations, to conduct open
29 dialogue and discussion on the topics of police integrity and
30 mutual respect between citizens and the law enforcement
31 community and to produce guidelines, procedures, and training

1 programs that prohibit biased law enforcement practices or any
2 other type of discriminatory law enforcement practices, and

3 WHEREAS, the Legislature supports empirically based
4 practical efforts that will strengthen trust between Florida's
5 law enforcement community and all Floridians, NOW, THEREFORE,

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7 Be It Enacted by the Legislature of the State of Florida:

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9 Section 1. Section 943.1759, Florida Statutes, is
10 created to read:

11 943.1759 Florida Motorist Profiling Evaluation Task
12 Force.--

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

15 (2) The task force has the following duties:

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

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

21 (c) To recommend best practices and policies and
22 procedures that may be adopted by state or local law
23 enforcement agencies of this state to prevent bias profiling
24 and discriminatory practices from serving as a primary factor
25 in determining whether the driver of a motor vehicle should be
26 stopped for a routine traffic violation; and

27 (d) To report its findings and recommendations to the
28 Governor, the President of the Senate, the Speaker of the
29 House of Representatives, and the majority and minority
30 leaders of the Senate and the House of Representatives by
31 January 1, 2002. The recommendations must specifically include

1 recommendations, including proposed legislation, for assuring
2 that law enforcement agencies' policies for motor vehicle
3 traffic stops are free of bias profiling.

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

8 (a) The Attorney General.

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

10 (c) The president of the Florida Police Chiefs
11 Association.

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

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

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

18 (g) The executive director of the American Civil
19 Liberties Union of Florida.

20 (h) The state president of the National Association
21 for the Advancement of Colored People.

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

24 (j) One member of the Senate, to be appointed by the
25 President of the Senate.

26 (k) One member of the House of Representatives, to be
27 appointed by the minority leader of the House of
28 Representatives.

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

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1 (4) The Attorney General shall serve as the chair of
2 the task force. Members of the task force must be appointed
3 within 30 days after the effective date of this act, and the
4 task force must hold its first meeting within 60 days after
5 the effective date of this act. In the event of a vacancy, the
6 person who made the original appointment shall appoint a new
7 member to fill the vacancy.

8 (5) Staffing shall be provided to the task force by
9 the Department of Legal Affairs. Technical assistance may be
10 provided to the task force by the Department of Law
11 Enforcement, the Department of Highway Safety and Motor
12 Vehicles, and the Division of the Florida Highway Patrol.

13 (6) Members of the task force shall serve without
14 compensation but are entitled to per diem and travel expenses
15 as provided in s. 112.061. Members of the task force shall
16 receive per diem and travel expenses from the budgets of their
17 respective agencies, except that the members of the task force
18 appointed pursuant to paragraphs (3)(g) and (h) shall receive
19 per diem and travel expenses from the budget of the Office of
20 the Attorney General to the extent that resources will permit.

21 (7) The task force may appoint subcommittees that
22 include persons who are knowledgeable in a subject area
23 pertinent to the subject areas identified in subsection (2)
24 but are not members of the task force and may not vote as
25 such.

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

30 (9) The task force is abolished April 1, 2002.
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1 Section 2. Section 943.1758, Florida Statutes, is
2 amended to read:

3 943.1758 Curriculum revision for diverse populations;
4 skills training.--

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

15 (2) The commission shall develop and implement, as
16 part of its instructor training programs, standardized
17 instruction in the subject of interpersonal skills relating to
18 diverse populations.

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

23 (4) By October 1, 2001, the instruction in the subject
24 of interpersonal skills relating to diverse populations shall
25 consist of a module developed by the commission on the topic
26 of discriminatory profiling.

27 Section 3. On or before January 1, 2002, each state
28 and local law enforcement agency shall incorporate an
29 anti-racial or other anti-discriminatory profiling policy into
30 the agency's policies and practices. Anti-profiling policies
31 shall include the elements of definitions, traffic stop

1 procedures, community education and awareness efforts, and
2 policies for the handling of complaints from the public.
3 Section 4. This act shall take effect upon becoming a
4 law.
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