

1                                   A bill to be entitled  
 2           An act relating to racial profiling; prescribing responses  
 3           that the Attorney General may take upon an individual's  
 4           filing of a complaint alleging racial profiling against a  
 5           law enforcement officer or agency; providing an effective  
 6           date.

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

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 10           Section 1. If an individual files a complaint against a  
 11 law enforcement officer or law enforcement agency, or both,  
 12 alleging racial profiling, which is defined by the Florida  
 13 Department of Law Enforcement as "unequal treatment of any  
 14 person including stopping, questioning, searching, detention, or  
 15 arrest solely or primarily on the basis of their racial or  
 16 ethnic characteristics, religion, gender, sexual orientation, or  
 17 socioeconomic status," the Attorney General may respond to the  
 18 complaint by taking one or more of the following steps:

19           (1) Sending a written inquiry to the appropriate law  
 20 enforcement agency regarding the allegation and requesting a  
 21 written response or internal investigation, or both, of the  
 22 alleged incident of racial profiling.

23           (2) Initiating an investigation or policy review of the  
 24 named law enforcement agency within the Office of the Attorney  
 25 General.

26           (3) Referring the inquiry to the Criminal Justice  
 27 Standards and Training Commission for a policy review of the law  
 28 enforcement agency or to a local prosecutor to conduct a

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29 | criminal investigation.

30 |       Section 2. This act shall take effect July 1, 2005.