

By Senator Wilson

33-1346-05

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

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

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

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

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

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

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

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SENATE SUMMARY

Prescribes the investigatory powers of the Office of the Attorney General when it receives a complaint that alleges racial profiling by a law enforcement officer or agency.