

By Senator Wilson

33-00054-09

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1 A bill to be entitled
2 An act relating to racial profiling; prescribing
3 responses that the Attorney General may take upon the
4 filing of a complaint alleging racial profiling
5 against a law enforcement officer or agency; providing
6 an effective 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 law
11 enforcement officer or law enforcement agency, or both, alleging
12 racial profiling, which is defined by the Department of Law
13 Enforcement as "unequal treatment of any person, including
14 stopping, questioning, searching, detention, or arrest, solely
15 or primarily on the basis of their racial or ethnic
16 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 by the Office of the Attorney
25 General.

26 (3) Referring the complaint 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
29 criminal investigation.

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Section 2. This act shall take effect July 1, 2009.