

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 23-9—sSB 953
Judiciary Committee

AN ACT CONCERNING RACIAL PROFILING

SUMMARY: Existing law prohibits members of the State Police, municipal police departments, and any other law enforcement agency from engaging in racial profiling. Prior law defined “racial profiling” as detaining, interdicting, or treating anyone differently solely based on the person’s racial or ethnic status.

The act broadens this definition’s applicability by generally prohibiting police officers from engaging in these actions based in whole or in part, rather than solely, on the person’s racial or ethnic status. It also specifies that the prohibition applies to treatment that is based on the person’s perceived racial or ethnic status.

The act creates an exception by allowing police officers to take these actions when the perceived racial or ethnic status, in combination with other information, is used when attempting to apprehend a specific suspect whose racial or ethnic status is part of the suspect’s description.

Lastly, the act makes technical and conforming changes, including conforming changes in the laws governing police traffic stops, and removes obsolete provisions.
EFFECTIVE DATE: Upon passage

TRAFFIC STOP POLICY

Existing law requires police departments (including the State Police, municipal police, and other departments with authority to conduct traffic stops) to adopt a written policy prohibiting certain police actions during traffic stops if those actions are based on race, color, ethnicity, age, gender, or sexual orientation. The act requires that departments’ policies prohibit these actions motivated, in part or in whole, on any of these attributes, with a similar exception as noted above for efforts to apprehend a specific suspect who matches the description.

In addition to making conforming changes in this policy requirement, the act removes a provision in prior law that required the policy to consider any violation of this traffic stop policy to be a civil rights violation.

The act also makes related conforming changes to the Office of Policy and Management’s required standardized method for police officers to record traffic stop information.