

Comprehensive Racial Profiling Prevention Act: Know the Facts

FACT: A police officer may still search a juvenile if there is a reason to do so.

Officers are only barred from searching juveniles when there is no probable cause or reasonable suspicion of criminal activity. An officer who smells marijuana on a child, sees what they believe to be a weapon or other contraband on a child, receives a tip the child is dealing drugs or witnesses the child's participation in a fight before approaching them *may still* ask the child to consent to a search.

FACT: Police are not required to verify a child's age before asking permission to search.

A good faith effort by the officer to determine the child's age is sufficient; an officer who is told a youth is 18 and finds out after the search that the youth is 14 *has not* violated this provision. The officer does not need to ask the child for proof of age before engaging in a search.

FACT: Under this legislation, a police officer may ask for a passenger's proof of identification if there is reason to do so.

As with consent searches of juveniles, an officer may ask for a passenger's proof of identification if there is probable cause or reasonable suspicion of criminal activity, including the smell of alcohol, a suspicious item on the floor of the car, or a tip of criminal activity.

FACT: The officer is not barred from asking questions of the passenger, only proof of ID which passengers are not required by law to carry.

The officer may still ask questions of the passenger, including their name and date of birth, even without any suspicion of criminal activity.

FACT: All Rhode Island police departments are already required to perform the data collection outlined in the bill.

In 2007, all 39 Rhode Island police departments signed Memoranda of Understanding (MOUs) with the Department of Transportation Office of Highway Safety promising the collection of this data in exchange for federal grant money used to purchase Mobile Display Terminals (MDTs) for police cruisers. To date, this data collection has not been started.

FACT: Racial profiling exists in Rhode Island, and it affects us all.

Three years of traffic stop data, analyzed by Northeastern University, have demonstrated that black and Hispanic drivers are stopped and searched at a rate nearly twice that of white drivers, even though white drivers are more likely to be found with contraband when searched. Racial profiling breeds distrust between the minority community, especially the youth, and law enforcement, and threatens the safety of all Rhode Islanders.

**PLEASE SUPPORT THE COMPREHENSIVE
RACIAL PROFILING PREVENTION ACT**