

REFERENCE TITLE: peace officers; racial profiling; reporting

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1564

Introduced by
Senator Hatathlie

AN ACT

AMENDING TITLE 41, CHAPTER 12, ARTICLE 8, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-1828.03; RELATING TO THE ARIZONA PEACE OFFICER STANDARDS
AND TRAINING BOARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 12, article 8, Arizona Revised
3 Statutes, is amended by adding section 41-1828.03, to read:

4 41-1828.03. Racial profiling prohibited; prevention policy;
5 records; immunity; mandatory reporting;
6 definitions

7 A. A PEACE OFFICER MAY NOT ENGAGE IN RACIAL PROFILING.

8 B. A PEACE OFFICER MAY NOT USE THE RACE OR ETHNICITY OF AN
9 INDIVIDUAL AS THE SOLE FACTOR EITHER:

10 1. IN DETERMINING THE EXISTENCE OF PROBABLE CAUSE TO TAKE AN
11 INDIVIDUAL INTO CUSTODY OR TO ARREST AN INDIVIDUAL.

12 2. CONSTITUTING A PARTICULARIZED SUSPICION THAT AN OFFENSE HAS BEEN
13 OR IS BEING COMMITTED TO JUSTIFY THE DETENTION OF AN INDIVIDUAL OR AN
14 INVESTIGATORY STOP OF A MOTOR VEHICLE.

15 C. THE BOARD MAY DEVELOP AND DISTRIBUTE A SUGGESTED MODEL WRITTEN
16 RACIAL PROFILING PREVENTION POLICY FOR USE BY LAW ENFORCEMENT AGENCIES IN
17 THIS STATE. THE BOARD MAY NOT MANDATE THAT LAW ENFORCEMENT AGENCIES ADOPT
18 THE MODEL POLICY EXCEPT FOR ANY LAW ENFORCEMENT AGENCY THAT FAILS TO
19 TIMELY DEVELOP AND PROVIDE TO THE BOARD A POLICY FOR THAT AGENCY.

20 D. BEGINNING JANUARY 1, 2026, EVERY PEACE OFFICER SHALL RECORD AND
21 RETAIN THE FOLLOWING INFORMATION FOR MOTOR VEHICLE STOPS USING A FORM THAT
22 IS DEVELOPED AND ADOPTED BY A LAW ENFORCEMENT AGENCY OR THE BOARD:

23 1. THE NUMBER OF MOTOR VEHICLE STOPS.

24 2. THE CHARACTERISTICS OF RACE OR ETHNICITY OF THE PERSON STOPPED.
25 THE IDENTIFICATION OF THE PERSON'S CHARACTERISTICS SHALL BE BASED ON THE
26 OBSERVATION AND PERCEPTION OF THE PEACE OFFICER WHO IS RESPONSIBLE FOR
27 REPORTING THE MOTOR VEHICLE STOP, AND THE PERSON STOPPED IS NOT REQUIRED
28 TO PROVIDE THE INFORMATION.

29 3. IF THE STOP IS FOR A VIOLATION OF LAW, THE NATURE OF THE ALLEGED
30 VIOLATION THAT RESULTED IN THE MOTOR VEHICLE STOP.

31 4. WHETHER A WARNING OR CITATION WAS ISSUED, AN ARREST WAS MADE OR
32 A SEARCH WAS CONDUCTED AS A RESULT OF THE MOTOR VEHICLE STOP. FOR THE
33 PURPOSES OF THIS PARAGRAPH, SEARCH DOES NOT INCLUDE A SEARCH INCIDENT TO
34 ARREST OR AN INVENTORY SEARCH.

35 5. ANY ADDITIONAL INFORMATION THAT THE PEACE OFFICER DEEMS
36 APPROPRIATE.

37 E. ON OR BEFORE OCTOBER 1, 2026 AND ANNUALLY THEREAFTER, EACH LAW
38 ENFORCEMENT AGENCY IN THIS STATE SHALL PROVIDE TO THE BOARD, IN A FORM
39 PRESCRIBED BY THE BOARD, A SUMMARY REPORT OF THE INFORMATION RECORDED
40 PURSUANT TO SUBSECTION D OF THIS SECTION.

41 F. THE BOARD MAY DEVELOP A UNIFORM SYSTEM FOR RECEIVING ALLEGATIONS
42 OF RACIAL PROFILING. EACH LAW ENFORCEMENT AGENCY IN THIS STATE SHALL
43 PROVIDE TO THE BOARD A COPY OF EACH ALLEGATION OF RACIAL PROFILING
44 RECEIVED AND WRITTEN NOTIFICATION OF THE REVIEW AND DISPOSITION OF THE
45 ALLEGATION. INFORMATION THAT REVEALS THE IDENTITY OF THE PEACE OFFICER

1 INVOLVED IN THE STOP MAY NOT BE USED, TRANSMITTED OR DISCLOSED IN
 2 VIOLATION OF ANY COLLECTIVE BARGAINING AGREEMENT PROVISION OR PERSONNEL
 3 RULE UNDER WHICH THE PEACE OFFICER IS EMPLOYED. INFORMATION THAT REVEALS
 4 THE IDENTITY OF THE COMPLAINANT MAY NOT BE USED, TRANSMITTED OR DISCLOSED
 5 IN THE FORM ALLEGING RACIAL PROFILING.

6 G. ANY PEACE OFFICER WHO IN GOOD FAITH RECORDS INFORMATION ON A
 7 MOTOR VEHICLE STOP PURSUANT TO THIS SECTION IS NOT LIABLE IN ANY CIVIL
 8 ACTION FOR THE ACT OF RECORDING THE INFORMATION UNLESS THE PEACE OFFICER'S
 9 CONDUCT WAS UNREASONABLE, RECKLESS OR OTHERWISE CONTRARY TO LAW.

10 H. THE BOARD, WITHIN THE LIMITS OF ITS EXISTING APPROPRIATIONS,
 11 INCLUDING ANY GRANT MONIES THAT THE BOARD IS AWARDED FOR SUCH PURPOSES,
 12 SHALL PROVIDE FOR AN ANNUAL REVIEW AND ANALYSIS OF THE PREVALENCE AND
 13 DISPOSITION OF MOTOR VEHICLE STOPS BASED ON RACIAL PROFILING AND
 14 ALLEGATIONS OF RACIAL PROFILING INVOLVED IN OTHER DETENTIONS THAT ARE
 15 REPORTED PURSUANT TO THIS SECTION. AFTER THE REVIEW AND ANALYSIS, THE
 16 BOARD, WHEN IT DEEMS WARRANTED, MAY INQUIRE INTO AND STUDY INDIVIDUAL LAW
 17 ENFORCEMENT AGENCY CIRCUMSTANCES IN WHICH THE RAW DATA COLLECTED AND
 18 ANALYZED RAISES AT LEAST SOME ISSUE OR THE APPEARANCE OF POSSIBLE RACIAL
 19 PROFILING. THE BOARD MAY MAKE RECOMMENDATIONS TO ANY LAW ENFORCEMENT
 20 AGENCY TO IMPROVE MEASURES TO PREVENT RACIAL PROFILING OR THE APPEARANCE
 21 OF RACIAL PROFILING. THE BOARD SHALL ANNUALLY REPORT TO THE GOVERNOR AND
 22 THE LEGISLATURE THE RESULTS OF ANY REVIEW, ANALYSIS, INQUIRY AND STUDY AND
 23 ANY RECOMMENDATIONS BY THE BOARD TO ANY LAW ENFORCEMENT AGENCY.

24 I. UNLESS OTHERWISE PRIVILEGED, A PEACE OFFICER, PROSECUTOR,
 25 DEFENSE ATTORNEY OR PROBATION OFFICER WHO BECOMES AWARE OF INCIDENTS OF
 26 RACIAL PROFILING BY A LAW ENFORCEMENT AGENCY SHALL REPORT THE INCIDENTS TO
 27 THE BOARD WITHIN THIRTY DAYS AFTER BECOMING AWARE OF THE INCIDENTS.

28 J. FOR THE PURPOSES OF THIS SECTION:

29 1. "LAW ENFORCEMENT AGENCY" MEANS THE DEPARTMENT OF PUBLIC SAFETY,
 30 A COUNTY SHERIFF'S DEPARTMENT, A POLICE DEPARTMENT OF A CITY OR TOWN OR
 31 ANY OTHER AGENCY THAT EMPLOYS A PEACE OFFICER.

32 2. "PEACE OFFICER" HAS THE SAME MEANING PRESCRIBED IN SECTION 1-215
 33 AND INCLUDES ANY OTHER PERSON WHO IS CERTIFIED AS A PEACE OFFICER BY THE
 34 BOARD.

35 3. "RACIAL PROFILING" MEANS THE DETENTION, OFFICIAL RESTRAINT OR
 36 OTHER DISPARATE TREATMENT OF AN INDIVIDUAL SOLELY ON THE BASIS OF THE
 37 RACIAL OR ETHNIC STATUS OF THE INDIVIDUAL.