

HOUSE BILL No. 1063

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-6-2-13; IC 5-2; IC 5-14-3-5.1.

Synopsis: Discriminatory profiling and pretextual stops. Honors the memory of Byron Ratcliffe Sr. by doing the following: (1) Prohibits discriminatory profiling and pretextual stops (discriminatory profiling and stops) by law enforcement based on perceived age, gender, race, or ethnicity. (2) Requires law enforcement agencies to: (A) adopt policies regarding discriminatory profiling and stops; (B) submit discriminatory profiling and stops data to the attorney general for inclusion in an annual report to the legislative council; and (C) establish standards for the use of vehicle and body cameras. (3) Establishes law enforcement officer training regarding discriminatory profiling and stops. (4) Establishes the discriminatory profiling review commission to review complaints. (5) Provides for a civil action based on discriminatory profiling and stops.

Effective: July 1, 2025.

Pryor

January 8, 2025, read first time and referred to Committee on Veterans Affairs and Public Safety.



First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1063

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-6-2-13 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2025]: **Sec. 13. (a) The definitions set forth in IC 5-2-26 apply**
4 **throughout this section.**

5 **(b) Before November 1, 2026, and every year thereafter, the**
6 **attorney general shall submit a report to the legislative council**
7 **concerning discriminatory profiling and pretextual stops. The**
8 **report must be based on information received from law**
9 **enforcement agencies under IC 5-2-26-12 and must include the**
10 **following information:**

11 **(1) The number of complaints filed alleging discriminatory**
12 **profiling and pretextual stops.**

13 **(2) The results of each investigation into any complaint**
14 **described under subdivision (1).**

15 **(3) If a complaint described under subdivision (1) is**
16 **substantiated, the action taken against the law enforcement**
17 **officer.**



1 **(4) A summary of the detailed statistical analysis of traffic**
 2 **stops and pedestrian stops conducted by law enforcement**
 3 **agencies based on the third party analysis described in**
 4 **subsection (d).**

5 **(5) Any statistical or other information received from law**
 6 **enforcement agencies that the attorney general believes would**
 7 **be useful to the legislative council.**

8 **The report submitted to the legislative council must be in an**
 9 **electronic format under IC 5-14-6. Not later than thirty (30) days**
 10 **after submitting the report to the legislative council, the attorney**
 11 **general shall publish a copy of the report on the attorney general's**
 12 **website.**

13 **(c) The attorney general and the director of the civil rights**
 14 **commission may recommend legislation based on the contents of**
 15 **the report.**

16 **(d) At least quarterly, the attorney general shall provide**
 17 **compiled, anonymous data concerning law enforcement agency**
 18 **stops to a third party for statistical analysis of the data. The**
 19 **attorney general shall publish the results of the analysis on the**
 20 **attorney general's website, updating the website at least quarterly.**
 21 **Data transmitted to the legislative council or the third party**
 22 **analyst or published on the attorney general's website may not**
 23 **include any personal identifying information.**

24 **(e) Information received by the attorney general from a law**
 25 **enforcement agency under IC 5-2-26-12 that is:**

26 **(1) not published in a compiled and redacted form; and**

27 **(2) not released to the public:**

28 **(A) in the report to the legislative council; or**

29 **(B) on the website of the attorney general or the law**
 30 **enforcement agency under IC 5-2-26-12;**

31 **is confidential and may not be disclosed under IC 5-14-3.**

32 SECTION 2. IC 5-2-1-9, AS AMENDED BY P.L.170-2023,
 33 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2025]: Sec. 9. (a) The board shall adopt in accordance with
 35 IC 4-22-2 all necessary rules to carry out the provisions of this chapter.
 36 The rules, which shall be adopted only after necessary and proper
 37 investigation and inquiry by the board, shall include the establishment
 38 of the following:

39 (1) A consistent and uniform statewide deadly force policy and
 40 training program, that is consistent with state and federal law.
 41 Upon adoption by the law enforcement training board, the policy
 42 and training program must be implemented, without modification,



- 1 by all Indiana law enforcement agencies, offices, or departments.
 2 (2) A consistent and uniform statewide defensive tactics policy
 3 and training program, that is consistent with state and federal law.
 4 Upon adoption by the law enforcement training board, the policy
 5 and training program must be implemented, without modification,
 6 by all Indiana law enforcement agencies, offices, or departments.
 7 (3) A uniform statewide minimum standard for vehicle pursuits
 8 consistent with state and federal law.
 9 (4) Minimum standards of physical, educational, mental, and
 10 moral fitness which shall govern the acceptance of any person for
 11 training by any law enforcement training school or academy
 12 meeting or exceeding the minimum standards established
 13 pursuant to this chapter.
 14 (5) Minimum standards for law enforcement training schools
 15 administered by towns, cities, counties, law enforcement training
 16 centers, agencies, or departments of the state.
 17 (6) Minimum standards for courses of study, attendance
 18 requirements, equipment, and facilities for approved town, city,
 19 county, and state law enforcement officer, police reserve officer,
 20 and conservation reserve officer training schools.
 21 (7) Minimum standards for a course of study on cultural diversity
 22 awareness, including training on the Unnonimmigrant visa created
 23 through the federal Victims of Trafficking and Violence
 24 Protection Act of 2000 (P.L. 106-386) that must be required for
 25 each person accepted for training at a law enforcement training
 26 school or academy. **The cultural diversity awareness course of**
 27 **study must include:**
 28 (A) an understanding of cultural issues related to race,
 29 religion, gender, age, domestic violence, national origin, and
 30 physical and mental disabilities; **and**
 31 (B) **a study of discriminatory profiling (as defined in**
 32 **IC 5-2-26-2) and pretextual stops (as defined in**
 33 **IC 5-2-26-6) that includes examining patterns, practices,**
 34 **and protocols comprising discriminatory profiling and**
 35 **pretextual stops.**
 36 **In establishing a program of study, the board shall consult**
 37 **with persons having expertise and interest in the field of**
 38 **cultural diversity awareness and the prevention of**
 39 **discriminatory profiling and pretextual stops.**
 40 (8) Minimum qualifications for instructors at approved law
 41 enforcement training schools.
 42 (9) Minimum basic training requirements which law enforcement



- 1 officers appointed to probationary terms shall complete before
 2 being eligible for continued or permanent employment.
- 3 (10) Minimum basic training requirements which law
 4 enforcement officers appointed on other than a permanent basis
 5 shall complete in order to be eligible for continued employment
 6 or permanent appointment.
- 7 (11) Minimum basic training requirements which law
 8 enforcement officers appointed on a permanent basis shall
 9 complete in order to be eligible for continued employment.
- 10 (12) Minimum basic training requirements for each person
 11 accepted for training at a law enforcement training school or
 12 academy that include six (6) hours of training in interacting with:
- 13 (A) persons with autism, mental illness, addictive disorders,
 14 intellectual disabilities, and developmental disabilities;
- 15 (B) missing endangered adults (as defined in IC 12-7-2-131.3);
 16 and
- 17 (C) persons with Alzheimer's disease or related senile
 18 dementia;
- 19 to be provided by persons approved by the secretary of family and
 20 social services and the board. The training must include an
 21 overview of the crisis intervention teams.
- 22 (13) Minimum standards for a course of study on human and
 23 sexual trafficking that must be required for each person accepted
 24 for training at a law enforcement training school or academy and
 25 for inservice training programs for law enforcement officers. The
 26 course must cover the following topics:
- 27 (A) Examination of the human and sexual trafficking laws (IC
 28 35-42-3.5).
- 29 (B) Identification of human and sexual trafficking.
- 30 (C) Communicating with traumatized persons.
- 31 (D) Therapeutically appropriate investigative techniques.
- 32 (E) Collaboration with federal law enforcement officials.
- 33 (F) Rights of and protections afforded to victims.
- 34 (G) Providing documentation that satisfies the Declaration of
 35 Law Enforcement Officer for Victim of Trafficking in Persons
 36 (Form I-914, Supplement B) requirements established under
 37 federal law.
- 38 (H) The availability of community resources to assist human
 39 and sexual trafficking victims.
- 40 (14) Minimum standards for ongoing specialized, intensive, and
 41 integrative training for persons responsible for investigating
 42 sexual assault cases involving adult victims. This training must



- 1 include instruction on:
- 2 (A) the neurobiology of trauma;
- 3 (B) trauma informed interviewing; and
- 4 (C) investigative techniques.
- 5 (15) Minimum standards for de-escalation training. De-escalation
- 6 training shall be taught as a part of existing use-of-force training
- 7 and not as a separate topic.
- 8 (16) Minimum standards regarding best practices for crowd
- 9 control, protests, and First Amendment activities.
- 10 (17) Minimum standards for basic training and inservice training
- 11 programs, which may be completed online or by other means of
- 12 virtual instruction, that occur after December 31, 2024, and that
- 13 address the mental health and wellness of law enforcement
- 14 officers including:
- 15 (A) healthy coping skills to preserve the mental health of law
- 16 enforcement officers and manage the stress and trauma of
- 17 policing;
- 18 (B) recognizing:
- 19 (i) symptoms of posttraumatic stress disorder; and
- 20 (ii) signs of suicidal behavior; and
- 21 (C) information on mental health resources available for law
- 22 enforcement officers.
- 23 All statewide policies and minimum standards shall be documented in
- 24 writing and published on the Indiana law enforcement academy (ILEA)
- 25 website. Any policy, standard, or training program implemented,
- 26 adopted, or promulgated by a vote of the board may only subsequently
- 27 be modified or rescinded by a two-thirds (2/3) majority vote of the
- 28 board.
- 29 (b) A law enforcement officer appointed after July 5, 1972, and
- 30 before July 1, 1993, may not enforce the laws or ordinances of the state
- 31 or any political subdivision unless the officer has, within one (1) year
- 32 from the date of appointment, successfully completed the minimum
- 33 basic training requirements established under this chapter by the board.
- 34 If a person fails to successfully complete the basic training
- 35 requirements within one (1) year from the date of employment, the
- 36 officer may not perform any of the duties of a law enforcement officer
- 37 involving control or direction of members of the public or exercising
- 38 the power of arrest until the officer has successfully completed the
- 39 training requirements. This subsection does not apply to any law
- 40 enforcement officer appointed before July 6, 1972, or after June 30,
- 41 1993.
- 42 (c) Military leave or other authorized leave of absence from law



1 enforcement duty during the first year of employment after July 6,
 2 1972, shall toll the running of the first year, which shall be calculated
 3 by the aggregate of the time before and after the leave, for the purposes
 4 of this chapter.

5 (d) Except as provided in subsections (e), (m), (t), and (u), a law
 6 enforcement officer appointed to a law enforcement department or
 7 agency after June 30, 1993, may not:

- 8 (1) make an arrest;
- 9 (2) conduct a search or a seizure of a person or property; or
- 10 (3) carry a firearm;

11 unless the law enforcement officer successfully completes, at a board
 12 certified law enforcement academy or at a law enforcement training
 13 center under section 10.5 or 15.2 of this chapter, the basic training
 14 requirements established by the board under this chapter.

15 (e) This subsection does not apply to:

- 16 (1) a gaming agent employed as a law enforcement officer by the
 17 Indiana gaming commission; or
- 18 (2) an:
 - 19 (A) attorney; or
 - 20 (B) investigator;

21 designated by the securities commissioner as a police officer of
 22 the state under IC 23-19-6-1(k).

23 Before a law enforcement officer appointed after June 30, 1993,
 24 completes the basic training requirements, the law enforcement officer
 25 may exercise the police powers described in subsection (d) if the
 26 officer successfully completes the pre-basic course established in
 27 subsection (f). Successful completion of the pre-basic course authorizes
 28 a law enforcement officer to exercise the police powers described in
 29 subsection (d) for one (1) year after the date the law enforcement
 30 officer is appointed.

31 (f) The board shall adopt rules under IC 4-22-2 to establish a
 32 pre-basic course for the purpose of training:

- 33 (1) law enforcement officers;
- 34 (2) police reserve officers (as described in IC 36-8-3-20); and
- 35 (3) conservation reserve officers (as described in IC 14-9-8-27);

36 regarding the subjects of arrest, search and seizure, the lawful use of
 37 force, de-escalation training, interacting with individuals with autism,
 38 and the operation of an emergency vehicle. The pre-basic course must
 39 be offered on a periodic basis throughout the year at regional sites
 40 statewide. The pre-basic course must consist of at least forty (40) hours
 41 of course work. The board may prepare the classroom part of the
 42 pre-basic course using available technology in conjunction with live



1 instruction. The board shall provide the course material, the instructors,
 2 and the facilities at the regional sites throughout the state that are used
 3 for the pre-basic course. In addition, the board may certify pre-basic
 4 courses that may be conducted by other public or private training
 5 entities, including postsecondary educational institutions.

6 (g) Subject to subsection (h), the board shall adopt rules under
 7 IC 4-22-2 to establish a mandatory inservice training program for
 8 police officers and police reserve officers (as described in
 9 IC 36-8-3-20). After June 30, 1993, a law enforcement officer who has
 10 satisfactorily completed basic training and has been appointed to a law
 11 enforcement department or agency on either a full-time or part-time
 12 basis is not eligible for continued employment unless the officer
 13 satisfactorily completes the mandatory inservice training requirements
 14 established by rules adopted by the board. Inservice training must
 15 include:

16 ~~(1)~~ de-escalation training; ~~Inservice training must also include:~~

17 ~~(1)~~ **(2)** training:

18 (A) in interacting with persons with mental illness, addictive
 19 disorders, intellectual disabilities, autism, developmental
 20 disabilities, and Alzheimer's disease or related senile
 21 dementia; and

22 (B) provided by persons approved by the secretary of family
 23 and social services and the board;

24 ~~(2)~~ **(3)** after December 31, 2024, annual training, which may be
 25 completed online or by other means of virtual instruction, that
 26 addresses the mental health and wellness of law enforcement
 27 officers including:

28 (A) healthy coping skills to preserve the mental health of law
 29 enforcement officers and manage the stress and trauma of
 30 policing;

31 (B) recognizing:

32 (i) symptoms of posttraumatic stress disorder; and

33 (ii) signs of suicidal behavior; and

34 (C) information on mental health resources available for law
 35 enforcement officers; and

36 ~~(3)~~ **(4)** training concerning:

37 (A) human and sexual trafficking; ~~and~~

38 **(B) cultural diversity;**

39 **(C) discriminatory profiling (as defined in IC 5-2-25-2) and**
 40 **pretextual stops (as defined in IC 5-2-25-6); and**

41 ~~(4)~~ **(D)** high risk missing persons (as defined in IC 5-2-17-1).

42 The board may approve courses offered by other public or private



1 training entities, including postsecondary educational institutions, as
 2 necessary in order to ensure the availability of an adequate number of
 3 inservice training programs. The board may waive an officer's inservice
 4 training requirements if the board determines that the officer's reason
 5 for lacking the required amount of inservice training hours is due to
 6 either an emergency situation or the unavailability of courses.

7 (h) This subsection applies only to a mandatory inservice training
 8 program under subsection (g). Notwithstanding subsection (g), the
 9 board may, without adopting rules under IC 4-22-2, modify the course
 10 work of a training subject matter, modify the number of hours of
 11 training required within a particular subject matter, or add a new
 12 subject matter, if the board satisfies the following requirements:

13 (1) The board must conduct at least two (2) public meetings on
 14 the proposed modification or addition.

15 (2) After approving the modification or addition at a public
 16 meeting, the board must post notice of the modification or
 17 addition on the Indiana law enforcement academy's website at
 18 least thirty (30) days before the modification or addition takes
 19 effect.

20 If the board does not satisfy the requirements of this subsection, the
 21 modification or addition is void. This subsection does not authorize the
 22 board to eliminate any inservice training subject matter required under
 23 subsection (g).

24 (i) The board shall also adopt rules establishing a town marshal and
 25 conservancy district marshal basic training program, subject to the
 26 following:

27 (1) The program must require fewer hours of instruction and class
 28 attendance and fewer courses of study than are required for the
 29 mandated basic training program.

30 (2) Certain parts of the course materials may be studied by a
 31 candidate at the candidate's home in order to fulfill requirements
 32 of the program.

33 (3) Law enforcement officers successfully completing the
 34 requirements of the program are eligible for appointment only in
 35 towns employing the town marshal system (IC 36-5-7) or a
 36 conservancy district that employs a conservancy district marshal
 37 under IC 14-33-25 and having not more than one (1) marshal and
 38 six (6) deputies.

39 (4) The limitation imposed by subdivision (3) does not apply to an
 40 officer who has successfully completed the mandated basic
 41 training program.

42 (5) The time limitations imposed by subsections (b) and (c) for



- 1 completing the training are also applicable to the marshal basic
 2 training program.
- 3 (6) The program must require training in interacting with
 4 individuals with autism.
- 5 (j) The board shall adopt rules under IC 4-22-2 to establish an
 6 executive training program. The executive training program must
 7 include training in the following areas:
- 8 (1) Liability.
 9 (2) Media relations.
 10 (3) Accounting and administration.
 11 (4) Discipline.
 12 (5) Department policy making.
 13 (6) Lawful use of force and de-escalation training.
 14 (7) Department programs.
 15 (8) Emergency vehicle operation.
 16 (9) Cultural diversity.
 17 (10) ~~After December 31, 2024,~~ Mental health and wellness and
 18 suicide prevention of law enforcement officers. The training
 19 requirement under this subdivision may be provided as part of an
 20 online course or by other means of virtual instruction.
- 21 (k) A police chief shall apply for admission to the executive training
 22 program within two (2) months of the date the police chief initially
 23 takes office. A police chief must successfully complete the executive
 24 training program within six (6) months of the date the police chief
 25 initially takes office. However, if space in the executive training
 26 program is not available at a time that will allow completion of the
 27 executive training program within six (6) months of the date the police
 28 chief initially takes office, the police chief must successfully complete
 29 the next available executive training program that is offered after the
 30 police chief initially takes office.
- 31 (l) A police chief who fails to comply with subsection (k) may not
 32 continue to serve as the police chief until completion of the executive
 33 training program. For the purposes of this subsection and subsection
 34 (k), "police chief" refers to:
- 35 (1) the police chief of any city;
 36 (2) the police chief of any town having a metropolitan police
 37 department; and
 38 (3) the chief of a consolidated law enforcement department
 39 established under IC 36-3-1-5.1.
- 40 A town marshal or a conservancy district marshal is not considered to
 41 be a police chief for these purposes, but a town marshal or a
 42 conservancy district marshal may enroll in the executive training



1 program.

2 (m) A fire investigator in the department of homeland security
3 appointed after December 31, 1993, is required to comply with the
4 basic training standards established under this chapter.

5 (n) The board shall adopt rules under IC 4-22-2 to establish a
6 program to certify handgun safety courses, including courses offered
7 in the private sector, that meet standards approved by the board for
8 training probation officers in handgun safety as required by
9 IC 11-13-1-3.5(2).

10 (o) The board shall adopt rules under IC 4-22-2 to establish a
11 refresher course for an officer who:

12 (1) is hired by an Indiana law enforcement department or agency
13 as a law enforcement officer;

14 (2) has not been employed as a law enforcement officer for:

15 (A) at least two (2) years; and

16 (B) less than six (6) years before the officer is hired under
17 subdivision (1); and

18 (3) completed at any time a basic training course certified or
19 recognized by the board before the officer is hired under
20 subdivision (1).

21 (p) An officer to whom subsection (o) applies must successfully
22 complete the refresher course described in subsection (o) not later than
23 six (6) months after the officer's date of hire, or the officer loses the
24 officer's powers of:

25 (1) arrest;

26 (2) search; and

27 (3) seizure.

28 (q) The board shall adopt rules under IC 4-22-2 to establish a
29 refresher course for an officer who:

30 (1) is appointed by an Indiana law enforcement department or
31 agency as a reserve police officer; and

32 (2) has not worked as a reserve police officer for at least two (2)
33 years after:

34 (A) completing the pre-basic course; or

35 (B) leaving the individual's last appointment as a reserve
36 police officer.

37 An officer to whom this subsection applies must successfully complete
38 the refresher course established by the board in order to work as a
39 reserve police officer.

40 (r) This subsection applies to an individual who, at the time the
41 individual completes a board certified or recognized basic training
42 course, has not been appointed as a law enforcement officer by an



1 Indiana law enforcement department or agency. If the individual is not
2 employed as a law enforcement officer for at least two (2) years after
3 completing the basic training course, the individual must successfully
4 retake and complete the basic training course as set forth in subsection
5 (d).

6 (s) The board shall adopt rules under IC 4-22-2 to establish a
7 refresher course for an individual who:

8 (1) is appointed as a board certified instructor of law enforcement
9 training; and

10 (2) has not provided law enforcement training instruction for
11 more than one (1) year after the date the individual's instructor
12 certification expired.

13 An individual to whom this subsection applies must successfully
14 complete the refresher course established by the board in order to
15 renew the individual's instructor certification.

16 (t) This subsection applies only to a gaming agent employed as a
17 law enforcement officer by the Indiana gaming commission. A gaming
18 agent appointed after June 30, 2005, may exercise the police powers
19 described in subsection (d) if:

20 (1) the agent successfully completes the pre-basic course
21 established in subsection (f); and

22 (2) the agent successfully completes any other training courses
23 established by the Indiana gaming commission in conjunction
24 with the board.

25 (u) This subsection applies only to a securities enforcement officer
26 designated as a law enforcement officer by the securities
27 commissioner. A securities enforcement officer may exercise the police
28 powers described in subsection (d) if:

29 (1) the securities enforcement officer successfully completes the
30 pre-basic course established in subsection (f); and

31 (2) the securities enforcement officer successfully completes any
32 other training courses established by the securities commissioner
33 in conjunction with the board.

34 (v) This subsection applies only to a correctional police officer
35 employed by the department of correction. A correctional police officer
36 may exercise the police powers described in subsection (d) if:

37 (1) the officer successfully completes the pre-basic course
38 described in subsection (f); and

39 (2) the officer successfully completes any other training courses
40 established by the department of correction in conjunction with
41 the board.

42 (w) This subsection applies only to the sexual assault training



1 described in subsection (a)(14). The board shall:

2 (1) consult with experts on the neurobiology of trauma, trauma
3 informed interviewing, and investigative techniques in developing
4 the sexual assault training; and

5 (2) develop the sexual assault training and begin offering the
6 training not later than July 1, 2022.

7 (x) After July 1, 2023, a law enforcement officer who regularly
8 investigates sexual assaults involving adult victims must complete the
9 training requirements described in subsection (a)(14) within one (1)
10 year of being assigned to regularly investigate sexual assaults involving
11 adult victims.

12 (y) A law enforcement officer who regularly investigates sexual
13 assaults involving adult victims may complete the training
14 requirements described in subsection (a)(14) by attending a:

15 (1) statewide or national training; or

16 (2) department hosted local training.

17 (z) Notwithstanding any other provisions of this section, the board
18 is authorized to establish certain required standards of training and
19 procedure.

20 SECTION 3. IC 5-2-26 IS ADDED TO THE INDIANA CODE AS
21 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
22 1, 2025]:

23 **Chapter 26. Discriminatory Profiling and Pretextual Stops**

24 **Sec. 1. As used in this chapter, "commission" refers to the**
25 **discriminatory profiling review commission established by section**
26 **13 of this chapter.**

27 **Sec. 2. As used in this chapter, "discriminatory profiling"**
28 **means:**

29 (1) the detention;

30 (2) the official restraint; or

31 (3) other disparate treatment;

32 **of an individual on the basis of perceived age, gender, race, or**
33 **ethnicity. The term does not include a specific suspect based**
34 **description notification.**

35 **Sec. 3. As used in this chapter, "law enforcement agency" means**
36 **the following:**

37 (1) A city or town police department.

38 (2) A town marshal system.

39 (3) A sheriff's department.

40 (4) The state police department.

41 (5) The law enforcement division of the department of natural
42 resources.



- 1 (6) The excise police division of the alcohol and tobacco
2 commission.
3 (7) A state educational institution police department.
4 (8) A school resource officer.
5 (9) A school corporation police officer.
6 (10) The gaming control division of the Indiana gaming
7 commission.
8 (11) A police department of a public or private postsecondary
9 educational institution whose board of trustees has established
10 a police department under IC 21-17-5-2 or IC 21-39-4-2.
11 (12) A hospital police department.

12 **Sec. 4.** As used in this chapter, "law enforcement officer" means
13 an officer of a law enforcement agency, including a police reserve
14 officer under IC 36-8-3-20 or a special deputy under
15 IC 36-8-10-10.6 who is employed by a governmental entity (as
16 defined in IC 35-31.5-2-144).

17 **Sec. 5.** As used in this chapter, "personal identifying
18 information" means any information that describes, locates, or
19 indexes information about an individual or that affords a basis for
20 inferring personal characteristics about an individual, including:

- 21 (1) name;
22 (2) address;
23 (3) date of birth;
24 (4) place of employment;
25 (5) telephone number;
26 (6) education;
27 (7) medical history;
28 (8) criminal or employment history; and
29 (9) membership in an organization.

30 **Sec. 6.** As used in this chapter, "pretextual stop" means the
31 detention of an individual by a law enforcement officer:

- 32 (1) through a traffic stop or pedestrian stop for the violation
33 of a statute or ordinance; and
34 (2) to allow a law enforcement agency or law enforcement
35 officer to investigate a separate and unrelated suspected
36 criminal offense.

37 **Sec. 7.** As used in this chapter, "specific suspect based
38 description notification" means a reasonably detailed physical
39 description of the personal identifying characteristics of a potential
40 suspect (including age, gender, race, or ethnicity) by a law
41 enforcement agency or law enforcement officer.

42 **Sec. 8. (a)** A law enforcement agency or law enforcement officer



1 may not:

2 (1) engage in discriminatory profiling; or

3 (2) conduct a pretextual stop.

4 (b) The age, gender, race, or ethnicity of an individual may not
5 be the sole factor in:

6 (1) determining the existence of probable cause to take into
7 custody or to arrest an individual; or

8 (2) constituting a particularized suspicion that an offense has
9 been or is being committed in order to justify:

10 (A) the detention of an individual; or

11 (B) the investigatory stop of a motor vehicle.

12 Sec. 9. Not later than October 1, 2025, the state police
13 department shall adopt a policy regarding discriminatory profiling
14 and pretextual stops that is consistent with this chapter, to serve as
15 a model policy for law enforcement agencies. The policy shall
16 include the following:

17 (1) Definitions of the elements of discriminatory profiling and
18 pretextual stops.

19 (2) Traffic stop procedures.

20 (3) Procedures for the handling of complaints from the public
21 regarding discriminatory profiling and pretextual stops.

22 Sec. 10. (a) Not later than January 1, 2026, a law enforcement
23 agency shall adopt a detailed written policy prohibiting
24 discriminatory profiling and pretextual stops that:

25 (1) is consistent with this chapter; and

26 (2) takes into consideration the model policy adopted by the
27 state police department under section 9 of this chapter.

28 (b) The law enforcement agency's policy must:

29 (1) specifically address the subjects listed in section 9 of this
30 chapter; and

31 (2) require a law enforcement officer to notify an individual
32 who is the subject of a traffic stop or pedestrian stop that they
33 may file a complaint with the commission alleging that the
34 stop constitutes discriminatory profiling or a pretextual stop.

35 A law enforcement agency shall make the policy available for
36 public inspection during normal business hours.

37 (c) If an investigation of a complaint of discriminatory profiling
38 reveals that a law enforcement officer was in direct violation of the
39 law enforcement agency's policy, the law enforcement agency shall
40 take appropriate action against the officer consistent with the
41 applicable rules, ordinances, and policies governing the agency.

42 Sec. 11. (a) A person or organization that believes that



1 discriminatory profiling or a pretextual stop has occurred may
2 bring an action against the:

- 3 (1) law enforcement officer;
4 (2) law enforcement agency; or
5 (3) state, political subdivision, state educational institution,
6 school corporation, hospital, or public or private
7 postsecondary educational institution that controls the law
8 enforcement agency.

9 (b) Making or filing a complaint with the law enforcement
10 agency or the commission is not a prerequisite for bringing an
11 action under this section.

12 (c) The court may award a prevailing plaintiff under this
13 section:

- 14 (1) actual damages;
15 (2) punitive damages;
16 (3) declaratory relief; and
17 (4) injunctive relief.

18 In addition, a prevailing plaintiff is entitled to reasonable
19 attorney's fees, court costs, and expert witness fees.

20 Sec. 12. (a) A law enforcement agency shall provide to the
21 attorney general:

- 22 (1) a copy of each complaint filed with the law enforcement
23 agency alleging discriminatory profiling or a pretextual stop;
24 (2) the results of the investigation into each complaint; and
25 (3) if the complaint is substantiated, the action taken against
26 the law enforcement officer.

27 (b) A law enforcement agency shall also provide to the attorney
28 general the following information:

- 29 (1) The number of traffic stops and pedestrian stops
30 conducted by the law enforcement agency.
31 (2) The identifying characteristics of each individual stopped,
32 including the individual's perceived age, gender, race, and
33 ethnicity.
34 (3) The location and duration of each traffic stop and
35 pedestrian stop.
36 (4) The traffic violation alleged to have been committed that
37 led to each traffic stop.
38 (5) Whether a warning or citation was issued as a result of a
39 traffic stop or pedestrian stop and, if so, the specific violation
40 charged or warning given.
41 (6) Whether a search was performed as a result of a traffic
42 stop or pedestrian stop.



- 1 **(7) If a search was performed as a result of a stop:**
 2 **(A) whether the person consented to the search;**
 3 **(B) the probable cause or reasonable suspicion justifying**
 4 **the search, if applicable;**
 5 **(C) whether the search was of the individual or the**
 6 **individual's property, or both; and**
 7 **(D) the duration of the search.**
 8 **(8) If a search was of a passenger in a motor vehicle, the**
 9 **perceived age, gender, race, and ethnicity of the passenger.**
 10 **(9) Whether any contraband was discovered or seized in the**
 11 **course of a search, including money, and the type of any**
 12 **contraband discovered or seized.**
 13 **(10) Whether any physical force was used by or against the**
 14 **law enforcement officer and the amount of force used.**
 15 **(11) Whether a search involved canine units or advanced**
 16 **technology.**
 17 **(12) Any additional information required by the attorney**
 18 **general.**
 19 **(13) Any additional information the law enforcement agency**
 20 **considers appropriate to include.**
 21 **(c) Information provided by a law enforcement agency to the**
 22 **attorney general under this section must be submitted on a**
 23 **monthly basis.**
 24 **(d) After removing all personal identifying information**
 25 **contained in the data, a law enforcement agency shall compile and**
 26 **conspicuously publish the data collected under this section on the**
 27 **law enforcement agency's website. The data published on the law**
 28 **enforcement agency's website must be updated at least once every**
 29 **thirty (30) days.**
 30 **(e) The attorney general shall prepare a report in accordance**
 31 **with IC 4-6-2-13 based on information received under this section.**
 32 **The information collected by a law enforcement agency that is not**
 33 **published in a compiled and redacted form on the law enforcement**
 34 **agency's website is confidential for purposes of IC 5-14-3.**
 35 **Sec. 13. (a) The discriminatory profiling review commission is**
 36 **established as a permanent commission.**
 37 **(b) The commission shall hear and examine allegations of**
 38 **discriminatory profiling and pretextual stops.**
 39 **(c) The commission shall, with the assistance of the criminal**
 40 **justice institute, create and publicize forms for filing a complaint**
 41 **concerning discriminatory profiling and pretextual stops.**
 42 **Sec. 14. The commission consists of the following thirteen (13)**



- 1 **members:**
- 2 **(1) The director of the civil rights commission, or a member**
- 3 **of the civil rights commission designated by the director. The**
- 4 **director or the director's designee serves as chairperson of the**
- 5 **commission.**
- 6 **(2) The executive director of the Indiana criminal justice**
- 7 **institute.**
- 8 **(3) The superintendent of the state police department or the**
- 9 **superintendent's designee.**
- 10 **(4) One (1) member appointed by the governor.**
- 11 **(5) One (1) member of a group that supports individuals of**
- 12 **color, individuals of all races, and individuals with different**
- 13 **ethnicities, appointed by the governor.**
- 14 **(6) One (1) member of a group that supports lesbian, gay,**
- 15 **bisexual, and transgender individuals, appointed by the**
- 16 **governor.**
- 17 **(7) One (1) member of a group that supports homeless**
- 18 **individuals, appointed by the governor.**
- 19 **(8) One (1) member of a group that supports individuals with**
- 20 **a disability, appointed by the governor.**
- 21 **(9) One (1) member of a group that supports undocumented**
- 22 **individuals, appointed by the governor.**
- 23 **(10) One (1) member of the Indiana State Bar Association,**
- 24 **appointed by the governor from a list of at least three (3)**
- 25 **members provided to the governor by the president of the**
- 26 **Indiana State Bar Association.**
- 27 **(11) One (1) member of a group that supports women,**
- 28 **appointed by the governor.**
- 29 **(12) One (1) member representing law enforcement,**
- 30 **appointed by the governor from a list of:**
- 31 **(A) two (2) individuals submitted by the Indiana State**
- 32 **Fraternal Order of Police; and**
- 33 **(B) two (2) individuals submitted by the Indiana Black**
- 34 **Troopers Association.**
- 35 **(13) One (1) member of a group that supports interfaith**
- 36 **dialogue and understanding among Christian and**
- 37 **non-Christian religious organizations, appointed by the**
- 38 **governor from a list submitted by one (1) or more groups**
- 39 **supporting interfaith dialogue and understanding.**
- 40 **Sec. 15. (a) Except as provided in subsections (b) and (c), a**
- 41 **commission member serves a four (4) year term.**
- 42 **(b) A member ceases to be a member of the commission if the**



- 1 member no longer holds:
- 2 (1) the position (in the case of a member described under
- 3 section 14(1) through 14(3) of this chapter); or
- 4 (2) membership in the group that qualified the member for
- 5 appointment on the commission.
- 6 (c) The governor may remove a commission member appointed
- 7 under section 14(4) through 14(13) of this chapter. The governor
- 8 may remove the member only for cause.
- 9 Sec. 16. (a) The civil rights commission shall provide a hearing
- 10 room, staff, and administrative support to the commission. All
- 11 investigations of complaints shall be conducted by staff members
- 12 of the civil rights commission.
- 13 (b) Each member of the commission who is not a state employee
- 14 is entitled to the minimum salary per diem provided by
- 15 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
- 16 for traveling expenses as provided under IC 4-13-1-4 and other
- 17 expenses actually incurred in connection with the member's duties
- 18 as provided in the state policies and procedures established by the
- 19 Indiana department of administration and approved by the budget
- 20 agency.
- 21 Sec. 17. (a) The affirmative votes of a majority of the members
- 22 appointed to the commission are required for the commission to
- 23 take action on any measure.
- 24 (b) The commission shall hold one (1) regular meeting each
- 25 month and may hold additional meetings at the call of the
- 26 chairperson.
- 27 Sec. 18. The commission shall receive and investigate complaints
- 28 alleging discriminatory profiling and pretextual stops. The
- 29 commission may not hold a hearing in the absence of a complaint.
- 30 Sec. 19. (a) The commission may:
- 31 (1) subpoena witnesses;
- 32 (2) compel the attendance of witnesses;
- 33 (3) administer oaths;
- 34 (4) take the testimony of any person under oath; and
- 35 (5) require the production for examination of any books and
- 36 papers relating to any matter under investigation or in
- 37 question before the commission.
- 38 (b) A person's refusal to obey a subpoena issued by the
- 39 commission constitutes contempt. All hearings shall be held within
- 40 Indiana at a location determined by the commission. A citation of
- 41 contempt may be issued upon application by the commission to the
- 42 circuit or superior court in the county in which the hearing is held



1 or in which the witness resides or transacts business.

2 **Sec. 20.** Adjudicative proceedings before the commission shall
3 be conducted in accordance with IC 4-21.5. Judicial review of a
4 commission determination is available under IC 4-21.5-5.

5 **Sec. 21. (a)** The commission shall state its findings of fact after
6 a hearing and notify both the complainant and the respondent of
7 the commission's decision in writing. If the commission finds that
8 a law enforcement agency or law enforcement officer has
9 committed discriminatory profiling or performed a pretextual
10 stop, the commission shall order the respondent to cease and desist
11 from the practice.

12 **(b)** The commission may require the respondent to take other
13 affirmative action, including:

14 (1) reimbursing losses incurred as a result of the
15 discriminatory profiling or pretextual stop;

16 (2) requiring the posting of a notice setting forth the
17 prohibition of discriminatory profiling and pretextual stops;
18 and

19 (3) requiring proof of compliance to be filed by the respondent
20 at periodic intervals.

21 A determination by the commission is a final agency action.

22 **Sec. 22.** An individual who is the subject of and depicted in a law
23 enforcement recording of a stop may view the recording upon
24 making a request under IC 5-14-3-5.1. If an individual files a
25 complaint with the commission of discriminatory profiling or a
26 pretextual stop, the commission may review the recording upon
27 making a request under IC 5-14-3-5.1.

28 **Sec. 23.** The commission shall promote the creation of local
29 agencies to address discriminatory profiling and pretextual stops.

30 **Sec. 24.** The commission may adopt rules under IC 4-22-2 to
31 carry out the purposes of this chapter.

32 SECTION 4. IC 5-2-27 IS ADDED TO THE INDIANA CODE AS
33 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
34 1, 2025]:

35 **Chapter 27. Police Body Cameras and Vehicle Cameras**

36 **Sec. 1.** The definitions in IC 5-2-26 apply throughout this
37 chapter.

38 **Sec. 2.** As used in this chapter, "video technology" means a
39 video camera and voice recording technology that is:

40 (1) installed in a law enforcement agency vehicle; or

41 (2) worn by a law enforcement officer.

42 **Sec. 3.** A law enforcement agency may use federal funds from



1 community oriented policing services grants or other federal
2 sources, subject to the terms of the grant or funding source, for
3 video technology.

4 Sec. 4. A law enforcement agency using video technology shall
5 do the following:

6 (1) Implement a course of instruction regarding the use and
7 operation of the video technology that includes all relevant
8 laws, rules of evidence, and departmental policies and
9 procedures.

10 (2) Implement an introductory video technology course
11 designed specifically for new officers.

12 (3) Implement a video technology refresher course for
13 advanced officer training courses.

14 Sec. 5. Video technology installed in a motor vehicle:

15 (1) must:

16 (A) be automatically activated during every traffic stop;

17 (B) possess voice recording technology;

18 (C) be designed and installed to record a traffic stop in its
19 entirety; and

20 (D) be activated for the entirety of a traffic stop; and

21 (2) may not be equipped with a manual shutoff switch.

22 Sec. 6. (a) Video technology shall be activated in:

23 (1) all routine traffic stops and pedestrian stops, whether
24 spontaneous or planned; and

25 (2) each operation involving the planned use of force,
26 including an operation involving nonuniformed officers.

27 (b) A law enforcement officer shall, whenever practicable, notify
28 individuals that they are being recorded. An officer may meet this
29 requirement by wearing an easily visible pin stating "lapel camera
30 in operation" or "body camera in operation".

31 Sec. 7. A minor, noncriminal infraction by a law enforcement
32 officer that is discovered during a routine review of recorded
33 material must be treated as a training opportunity and not as a
34 routine disciplinary action, unless the infraction is repeated after
35 being addressed informally.

36 Sec. 8. A criminal action by a law enforcement officer that is
37 discovered during a routine review of recorded material is subject
38 to disciplinary action and criminal charges.

39 SECTION 5. IC 5-14-3-5.1, AS ADDED BY P.L.58-2016,
40 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2025]: Sec. 5.1. (a) As used in this section, "requestor" means
42 the following:



- 1 (1) An individual who is depicted in a law enforcement recording.
 2 (2) If the individual described in subdivision (1) is deceased:
 3 (A) the surviving spouse, father, mother, brother, sister, son,
 4 or daughter of the individual; or
 5 (B) the personal representative (as defined in IC 6-4.1-1-9) of
 6 or an attorney representing the deceased individual's estate.
 7 (3) If the individual described in subdivision (1) is an
 8 incapacitated person (as defined in IC 29-3-1-7.5), the legal
 9 guardian, attorney, or attorney in fact of the incapacitated person.
 10 (4) A person that is an owner, tenant, lessee, or occupant of real
 11 property, if the interior of the real property is depicted in the
 12 recording.
 13 (5) A person who:
 14 (A) is the victim of a crime; or
 15 (B) suffers a loss due to personal injury or property damage;
 16 if the events depicted in the law enforcement recording are
 17 relevant to the person's loss or to the crime committed against the
 18 person.
 19 **(6) The discriminatory profiling review commission**
 20 **established by IC 5-2-26-13, if the law enforcement recording**
 21 **depicts a law enforcement officer conducting a traffic stop or**
 22 **pedestrian stop.**
 23 (b) A public agency shall allow a requestor to inspect a law
 24 enforcement recording at least twice, if:
 25 (1) the requestor submits a written request under section 3 of this
 26 chapter for inspection of the recording; and
 27 (2) if section 4(b)(19) of this chapter applies, the public agency
 28 that owns, occupies, leases, or maintains the airport approves the
 29 disclosure of the recording.
 30 The public agency shall allow the requestor to inspect the recording in
 31 the company of the requestor's attorney. A law enforcement recording
 32 may not be copied or recorded by the requestor or the requestor's
 33 attorney during an inspection.
 34 (c) Before an inspection under subsection (b), the public agency:
 35 (1) shall obscure in the recording information described in section
 36 4(a) of this chapter; and
 37 (2) may obscure any information identifying:
 38 (A) a law enforcement officer operating in an undercover
 39 capacity; or
 40 (B) a confidential informant.
 41 (d) Before an inspection under subsection (b), only the information
 42 in the recording described in subsection (c) may be obscured by the



1 public agency.
2 (e) If a person is denied access to inspect a recording under this
3 section, the person may appeal the denial under section 9 of this
4 chapter.

