

Settlement Agreement for *Martinez et al. v. Hancock County et al.*, 1:18-cv-354-HSO-JCG

EXHIBIT A

The Hancock County Sheriff's Office will adopt and implement the following policies, which will be added to the Departmental Policy and Procedure Manual of the Sheriff's Office:

- Policy No. 4.46 ("Non-Discrimination") will be added as follows:
  - **"Race, ethnicity and national origin must play no role in an officer's decision to stop, question, search and arrest, except when race, ethnicity or national origin are provided as part of a credible, timely and specific suspect description. Even then, race, ethnicity or national origin may be used only in combination with other physical characteristics (for example: gender, age, height, weight and clothing), to match someone to a suspect description."**
- Policy No. 2.10 ("Bias Based Profiling") will be amended to include the following additional language:
  - **"Race, ethnicity and national origin must play no role in an officer's decision to stop, question, search and arrest, except when race, ethnicity or national origin are provided as part of a credible, timely and specific suspect description. Even then, race, ethnicity or national origin may be used only in combination with other physical characteristics (for example: gender, age, height, weight and clothing), to match someone to a suspect description."**
  - The remainder of Policy No. 2.10 shall remain in force as stated.
- Policy No. 4.03 ("Field Interviews & 'Pat Downs'") will be amended as follows:
  - A new subsection under Policy No. 4.03, Part IV will be added as A. and will state as follows:
    - **"Officers may not stop or detain individuals based on suspicion that the individual is not lawfully present in the United States. Officers may not prolong a stop to determine immigration status or transfer the individual to immigration authorities if doing so extends the stop beyond the time reasonably required to resolve the initial reason for the stop."**
    - The remainder of Policy No. 4.03 shall remain in force as stated.
- Policy No. 4.04 ("Traffic Enforcement") will be amended as follows:
  - A new subsection under Policy No. 4.04, Part IV, A.1 will be added as "c." and will state as follows:
    - **"Officers may not stop or detain individuals based on suspicion that the individual is not lawfully present in the United States. Officers may not prolong a stop to determine immigration status or transfer the individual to immigration authorities if doing so extends the stop beyond the time reasonably required to resolve the initial reason for the stop."**
  - A new subsection under Policy No. 4.04, Part IV will be added as "D." and will state as follows:
    - **"Data will be recorded and maintained on all traffic stops, whether or not the stop resulted in a ticket, warning, citation or arrest. The data collected shall**

include (1) race and ethnicity of drivers and passengers who are run on the National Crime Information Center ("NCIC") database; (2) duration of the encounter; and (3) the outcome of the encounter (for example: warning, citation, ticket, frisk or search, seizure of evidence, arrest, use of force, injuries, fatalities, or transfer to immigration). Officers shall distinguish between Hispanic and non-Hispanic drivers and passengers who are run on NCIC based on the officer's perception of the drivers and passengers. Data from stops that do not result in any official action will be recorded from the Sheriff Office's Computer Aided Dispatch ("CAD") System and maintained by the Sheriff's Office.

- Within 15 days of the end of each quarter, the above data will be aggregated in a spreadsheet reflecting all traffic stops during the previous quarter. The Sheriff's Office will review these spreadsheets quarterly to ensure compliance with office policies.
  - These spreadsheets will be available upon request to the public free of charge; however, should a request be made for data before or after a quarterly report that is not yet inputted into said report, the County's normal Records Retrieval fees will apply. The quarterly report will be completed and uploaded onto the Police Data Initiative website within 20 days of the end of each quarter at [https://www.policedatainitiative.org/.](https://www.policedatainitiative.org/)
- The above information gathering policy will also be added as new Policy No. 2.16 ("Traffic Stop Data Collection") under Standards, Ethics & Management. It will read as follows:
    - "Data will be recorded and maintained on all traffic stops, whether or not the stop resulted in a ticket, warning, citation or arrest. The data collected shall include (1) race and ethnicity of drivers and passengers who are run on the National Crime Information Center ("NCIC") database; (2) duration of the encounter; and (3) the outcome of the encounter (for example: warning, citation, ticket, frisk or search, seizure of evidence, arrest, use of force, injuries, fatalities, or transfer to immigration). Officers shall distinguish between Hispanic and non-Hispanic drivers and passengers who are run on NCIC based on the officer's perception of the drivers and passengers. Data from stops that do not result in any official action will be recorded from the Sheriff Office's Computer Aided Dispatch ("CAD") System and maintained by the Sheriff's Office.
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  - Policy No. 7.02 ("Internal Investigations") will be amended as follows:

- Policy No. 7.02, Part IV, E. will now state:
  - **“The Hancock County Sheriff’s Office has made a complaint form available on its website in both English and Spanish. The complaint form may be submitted to the Sheriff’s Office via email, U.S. mail, or hand delivery, and an email address for submission of the form will be provided on the Sheriff’s Office website. Complainants will be notified of the availability of this form but this will not be the sole method for making a complaint.”**
- Policy No. 7.02, Part IV, H. will be amended to include the following additional language:
  - **“Disposition of Complaints: All complaints submitted will be investigated and the complainant informed of the resolution of the complaint within 90 days of submission of the same.”**
- Policy No. 7.02, Part IV, I. will be amended to include the following language:
  - **“The Sheriff’s Office shall keep a master file of all complaints in addition to keeping complaints in employees’ personnel files. Officers may seek to have a complaint removed from their personnel file if within two (2) years of the first complaint, there have been no additional complaints filed; however, the complaint shall be maintained in the master file permanently.”**
- The remainder of Policy No. 7.02 shall remain in force as stated.