




Smithfield Police Department

GENERAL ORDER 320.80

SECTION	EFFECTIVE DATE	PAGES
300 – Law Enforcement Operations	May 12, 2017	5
SUBSECTION	SPECIAL INSTRUCTIONS	
20 – Patrol Functions	Rescinds 03/12/13 Version	
TITLE	BY ORDER OF	
320.80 BIAS BASED PROFILING		

I. PURPOSE

To establish and maintain guidelines for sworn Department members, regarding bias based profiling.

II. POLICY

Profiling can be a useful tool to assist law enforcement officers in carrying out their duties. Bias based profiling, however, involves the selection of individuals based solely on a common trait of a group. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups.

The Smithfield Police Department prohibits the use of bias based profiling in traffic contacts, field contacts, and asset seizure and forfeiture efforts. The Department recognizes that bias based profiling undermines legitimate law enforcement efforts and may lead to allegations of constitutional rights violations. Additionally, bias based profiling alienates citizens, fosters distrust of law enforcement by the community, and invites media scrutiny, legislative action and judicial intervention.

While performing law enforcement operations, sworn Department members shall continue to focus on individuals' conduct or other specific suspect information. Citizens shall only be selected, stopped or detained when there exists reasonable suspicion supported by specific, articulable facts that they have committed, are committing, or are about to commit an infraction of the law.

Furthermore, vehicle operators or passengers shall not be asked to consent to searches by sworn officers of their vehicle when such vehicle is stopped solely for a traffic violation(s), unless there exists reasonable suspicion or probable cause.

III. DEFINITION

BIAS BASED PROFILING – The selection, detention, stopping or searching of a motor vehicle, or other disparate treatment of individuals based solely on a common trait of a group. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups. Bias based profiling includes racial profiling, which may be defined as “the detention, interdiction or other disparate treatment of an individual on the basis, in whole or in part, of the racial or ethnic status of such individual, except when such status is used in combination with other identifying factors in seeking to apprehend a specific suspect whose racial or ethnic status is part of the description of the suspect, which description is timely and reliable.”

IV. TRAINING

- A. The Director of Training shall ensure that all sworn Department members are provided with training in bias based profiling issues, including legal aspects.
- B. The Director of Training shall ensure that bias based profiling training is included in the Department’s annual in-service training program.

V. CORRECTIVE MEASURES

- A. Supervisory officers shall continuously monitor sworn Department members under their command and ensure that corrective measures are taken whenever it is determined that such officers have engaged in bias based profiling.
- B. Corrective measures may include, but are not limited to:
 - 1. Counseling;
 - 2. Remedial training;
 - 3. Formal discipline;
 - 4. Dismissal.
- C. The processing of civilian complaints related to bias based profiling, internal affairs investigations, and disciplinary action imposed as a result of internal affairs investigations shall be consistent with applicable provisions enumerated in the Department’s “Internal Affairs Investigations” policy.

VI. CONSENT SEARCHES

- A. Motor Vehicles
 - 1. Officers are prohibited from *asking* vehicle operators or passengers for consent to search their vehicle(s) when such vehicle is stopped solely for a traffic violation(s), unless there exists reasonable suspicion or probable cause of criminal activity.

2. When reasonable suspicion or probable cause exists to justify asking vehicle operators or passengers for consent to search their vehicle, the investigating officer shall inform a supervisory officer and request approval to ask vehicle operators or passengers for their consent.
3. Supervisory officers shall only approve consent searches when investigating officers' requests are reasonable and justifiable. If investigating officers are unable to articulate a reasonable and justifiable need to ask vehicle operators or passengers for consent to search their vehicle, supervisory officers shall not approve the investigating officers' request.
4. Supervisory officers shall promptly respond to the investigating officers' location after approving their requests to ask vehicle operators or passengers for their consent to search.
5. While awaiting the arrival of the supervisory officer who approved the request, investigating officers may ask vehicle operators or passengers for their consent.
6. Investigating officers shall make every effort to await the arrival of supervisory officers *before* conducting approved consent searches.
7. Investigating officers are not required to await the arrival of supervisory officers prior to conducting approved consent searches when investigating officers have reason to believe that the failure to conduct a prompt search may result in danger to the officer, danger to the public, or destruction of evidence.

B. Pedestrians

1. Rhode Island General Laws defines "*pedestrian*" as "any person afoot."
2. Officers are prohibited from *asking* pedestrians for consent to a search of their person(s), unless there exists reasonable suspicion or probable cause of criminal activity.

C. Juveniles

1. Officers are prohibited from *asking* juveniles for consent to a search, unless there exists reasonable suspicion or probable cause of criminal activity.
2. In those instances in which, without consent, a warrant would otherwise be required, officers must advise the juvenile(s) that they may refuse to consent to, or limit the scope of, any requested search.

VII. DATA COLLECTION & REPORTING

A. Traffic Stops/Searches

1. Consistent with existing, statewide data collection programs, officers shall accurately record the following information through the "E-citation" or IMC

Dispatch call entry, for each traffic stop conducted:

- a. Officer and originating agency identification;
- b. Date, time and zone of the stop;
- c. Reason and basis for the stop;
- d. Operator race, sex and date of birth;
- e. Operator residency and prior record status;
- f. Vehicle registration state, number and plate type;
- g. Number of additional occupants;
- h. Result and duration of stop;
- i. Road type;
- j. Search information when any search is conducted, to include reason and result.
- k. Any other information that is required by existing, statewide data collection programs.

B. All Other Searches

1. All searches conducted by Smithfield Police Officers shall be documented, to include the following data:
 - a. Date, time and location of the search;
 - b. Reasonable suspicion or probable cause leading to the search;
 - c. Race, age, and gender of the individual(s) searched;
 - d. Results of the search.
2. Data from searches *resulting in criminal charges* shall be documented in Arrest Reports.
3. Data from searches *not resulting in criminal charges* shall be documented in Field Interview Reports (FIRs).

VIII. PROVISIONS

- A. The Internal Affairs Officer shall conduct an annual review of Department practices related to bias based profiling and forward a report to the Police Chief.

- B. Department practices related to bias based profiling may include, but are not limited to:
1. Citizen concerns;
 2. Internal affairs investigations;
 3. Motorist and search data collection information, and;
 4. In-service training.
- C. The Internal Affairs Officer shall ensure that the Department's data collection, reporting, and complaint procedures remain consistent with the provisions of Chapter 31-21.2 of the Rhode Island General Laws entitled, "*Comprehensive Community-Police Relationship Act of 2015.*"

IX. ATTACHMENT

Chapter 31-21.2 of the Rhode Island General Laws entitled, "*Comprehensive Community-Police Relationship Act of 2015.*"

TITLE 31

Motor and Other Vehicles

CHAPTER 31-21.2

Comprehensive Community-Police Relationship Act of 2015

SECTION 31-21.2-1

§ 31-21.2-1. Title.

This chapter may be cited as "Racial Profiling Prevention Act of 2004."

History of Section.

(P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1.)

TITLE 31

Motor and Other Vehicles

CHAPTER 31-21.2

Comprehensive Community-Police Relationship Act of 2015

SECTION 31-21.2-2

§ 31-21.2-2. Findings.

- (a) Municipal and state law enforcement officers play a vital role in protecting the public from crime. The vast majority of police officers discharge their duties professionally and without bias.
- (b) The use by police officers of race, ethnicity, or national origin solely in deciding which persons should be subject to traffic stops, searches and seizures is improper.
- (c) In many communities nonwhite drivers in Rhode Island, subjected to discretionary searches, are twice as likely as whites to be searched.
- (d) In some instances, law enforcement practices may have the unintended effect of promoting racially disparate stops and searches.
- (e) Racial profiling harms individuals subjected to it because they experience fear, anxiety, humiliation, anger, resentment and cynicism when they are unjustifiably treated as criminal suspects.
- (f) Racial profiling damages law enforcement and the criminal justice system as a whole by undermining public confidence and trust in the police, the courts, and criminal law, and thereby undermining law enforcement efforts and ability to solve and reduce crime.
- (g) A comprehensive solution is needed to address racial profiling at the state and local levels.

History of Section.

(P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1.)

TITLE 31

Motor and Other Vehicles

CHAPTER 31-21.2

Comprehensive Community-Police Relationship Act of 2015

SECTION 31-21.2-3

§ 31-21.2-3. Ban on racial profiling.

No state or municipal law enforcement officer or law enforcement agency shall engage in racial profiling. For purposes of this chapter, "racial profiling" means the detention, interdiction or other disparate treatment of an individual on the basis, in whole or in part, of the racial or ethnic status of such individual, except when such status is used in combination with other identifying factors seeking to apprehend a specific suspect whose racial or ethnic status is part of the description of the suspect, which description is timely and reliable.

History of Section.

(P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1.)

TITLE 31

Motor and Other Vehicles

CHAPTER 31-21.2

Comprehensive Community-Police Relationship Act of 2015

SECTION 31-21.2-4

§ 31-21.2-4. Enforcement.

Any individual who alleges a violation of this chapter, other than § 31-21.2-6, may file a civil action for damages and any appropriate and equitable relief in Superior Court. The court may allow a prevailing plaintiff reasonable attorneys' fees as part of the costs.

History of Section.

(P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1.)

TITLE 31

Motor and Other Vehicles

CHAPTER 31-21.2

Comprehensive Community-Police Relationship Act of 2015

SECTION 31-21.2-5

§ 31-21.2-5. Law enforcement practices.

(a) Unless there exists reasonable suspicion or probable cause of criminal activity, no motor vehicle stopped for a traffic violation shall be detained beyond the time needed to address the violation. Nothing contained herein shall prohibit the detention of a motor vehicle for a reasonable period of time for the arrival of a canine unit or subsequent criminal investigation if there is reasonable suspicion or probable cause of criminal activity.

(b) No operator or owner-passenger of a motor vehicle shall be requested to consent to a search by a law enforcement officer of his or her motor vehicle, that is stopped solely for a traffic violation, unless there exists reasonable suspicion or probable cause of criminal activity. No pedestrian shall be requested to consent to a search by a law enforcement officer of his or her person, unless there exists reasonable suspicion or probable cause of criminal activity. No juvenile shall be requested to consent to a search by a law enforcement officer unless there exists reasonable suspicion or probable cause of criminal activity. In those instances in which a warrant would be required, a law enforcement officer must advise the juvenile that he or she may refuse to consent to, or limit the scope of, any requested search. The determination of age of the individual shall be based on the perception of the officer making a good faith effort in advance of requesting consent. Nothing contained in this subsection shall be construed to prohibit a law enforcement officer from conducting a pat down search for weapons based upon a reasonable belief that the officer's personal safety may be jeopardized.

(c) Each search conducted by a law enforcement officer that does not result in criminal charges shall be documented in a computer-aided dispatch (CAD) entry or other police-generated report. Each search conducted by a law enforcement officer that results in criminal charges shall be documented in a police-generated report. The CAD entry or formal police report shall include the date, time, and location of the stop/search, along with the "reasonable suspicion" or "probable cause" leading to the search. The CAD entry or formal police report shall also include the race, age, and gender of the individual(s) searched and the results of the search. The document, exclusive of information identifying the law enforcement officer, shall be a public record, subject to the access to public records act, § 38-2-2(4)(D), law enforcement exemptions. For purposes of this section, "computer-aided dispatch" (CAD) means an electronic system used by public safety agencies to facilitate incident response and communications in the field that electronically records information on call taking, dispatching, location verification, mapping, and other functions for public safety.

(d) With the exception of operators who are subject to federal motor carrier regulations, no operator of a motor vehicle shall be requested to provide any documentation or identification other than a driver's license, motor vehicle registration, and/or proof of insurance when the motor vehicle has been stopped solely for a traffic violation, unless there exists reasonable suspicion or probable cause of criminal activity or the operator has failed to produce a valid driver's license.

(e) If a violation of the traffic laws in this title is used to stop a motor vehicle for non-related investigatory reasons, the law enforcement officer shall document in writing or electronically the investigatory basis for the stop. The documentation of such stops shall commence no later than twelve (12) months after passage of this act.

and shall be assessed every six (6) months by the respective police department as to whether the suspicion was justified and the data be made publicly available, subject to the access to public records act, § 38-2-2(4)(D), law enforcement exemptions.

(f) Any evidence obtained as a result of a search prohibited by subsection (a) or (b) shall be inadmissible in any judicial proceeding. Nothing contained herein shall be construed to preclude any search otherwise based upon any legally sufficient cause.

(g) Law enforcement agencies using video and/or audio surveillance cameras in their vehicles shall adopt written policies and procedures regarding the use of such cameras, which shall be public records, and which shall include, but not be limited to, the following standards:

(1) All motor vehicle stops conducted by police vehicles with such equipment shall be recorded barring exceptions outlined below. In an effort to objectively memorialize relevant observations, the recording shall begin no later than when an officer first signals the vehicle to stop; and, barring conditions that could compromise a sensitive investigation, jeopardize the safety of a vehicle occupant or cooperating victim/witness and/or unforeseen equipment malfunction, the recording shall continue until the motor vehicle stop is completed and the stopped vehicle departs, or until the officer's participation in the motor vehicle stop ends;

(2) Law enforcement agencies that acquire video and/or audio surveillance cameras for use in their vehicles shall:

(i) Notify the office of highway safety of the Rhode Island department of transportation that such equipment has been acquired and will be in use and the department of transportation shall post notice of such use on its website;

(ii) Issue a press release advising the public that such equipment will be in use; and

(iii) Post notice on its website that such equipment will be in use;

(3) A chain of custody of the video/audio recordings, hereafter referred to as "recording(s)", shall be maintained;

(4)(i) A driver of a motor vehicle who was recorded by a video/audio surveillance camera, and/or his or her legal counsel, shall have the right to view the in-car recording at the police station, provided that the viewing does not compromise an active investigation;

(ii) A passenger of a motor vehicle who was recorded by a video/audio surveillance camera, and/or his or her legal counsel, shall have the right to view the in-car recording at the police station if that passenger became the subject of the police interaction recorded, provided that the viewing does not compromise an active investigation;

(5) The policy shall address the period of retention for such recordings, and procedures to be used to ensure that the recording equipment is in proper working order, and shall bar the destruction of any recording of an incident that is the subject of a pending complaint, misconduct investigation, or civil or criminal proceeding. Such recordings shall be retained for a minimum of ten (10) days after the final resolution of such investigation or proceeding, including the time for any appeal;

(6) The policy shall explicitly prohibit any violation of these requirements, including any attempts to disengage or tamper with the video/audio surveillance equipment, deliberately and prematurely erase or alter a recording, or to otherwise fail to record stops as specified herein barring the aforementioned limited exceptions; and

(7) The video/audio surveillance recordings regulated by this section shall not be deemed public records under the access to public records act, § 38-2-1, et seq. A court may impose any appropriate remedy in any civil or criminal proceeding where a knowing and willful violation of these standards is found to have been committed.

(h) Law enforcement officers shall advise any motorist who is stopped of the reason for the stop.

(i) Law enforcement agencies with mobile display terminals in police vehicles shall adopt policies and procedures governing their use that shall include the criteria necessary to initiate a record check on a motor vehicle license or registrant. All law enforcement agencies must comply with state and federal guidelines related to the use and access of Rhode Island law enforcement telecommunication system (RILETS) and National Criminal Identification Center (NCIC).

(j) The policies and procedures established by this section shall be added to, and prominently placed in, all relevant departmental policy and training manuals. Other appropriate training about the requirements of this chapter shall also be provided to all officers.

History of Section.

(P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1; P.L. 2015, ch. 214, § 2; P.L. 2015, ch. 235, § 2.)

TITLE 31

Motor and Other Vehicles

CHAPTER 31-21.2

Comprehensive Community-Police Relationship Act of 2015

SECTION 31-21.2-6

§ 31-21.2-6. Continued data collection.

- (a) The office of highway safety of the Rhode Island department of transportation or a designee to be chosen by the department of transportation by January 1, 2017, is authorized to and shall conduct a study of routine traffic stops by the Rhode Island state police and each municipal police department in order to determine whether racial disparities in traffic stops exist, and to examine whether searches of vehicles and motorists are being conducted in a disparate manner.
- (b) The office of highway safety of the Rhode Island department of transportation or its designee shall, no later than January 1, 2016, develop a form or electronic equivalent to be used by each police officer when making a traffic stop to record the data required under this chapter, which form shall include for each motor vehicle stop, the race and ethnicity of the driver based on the officer's perception, and the information listed in § 31-21.1-4.
- (c) The office of highway safety of the Rhode Island department of transportation or its designee shall advise the Rhode Island state police and each municipal police department of the date that data collection shall commence. Data collection shall begin not later than January 1, 2016, but may begin prior to that time upon notification to police departments from the office of highway safety of the Rhode Island department of transportation or its designee.
- (d) A traffic stop data collection card or electronic equivalent shall be completed for each routine traffic stop by the Rhode Island state police and municipal police department during the term of this study.
- (e) Upon commencement of data collection, and monthly thereafter, each municipal police department and the Rhode Island state police shall transmit to the office of highway safety of the Rhode Island department of transportation or its designee all forms or electronic data collected to date of motorists who were stopped, and any other information the police department or the Rhode Island state police deem appropriate. Data collection shall continue for forty-eight (48) months following commencement of data collection.
- (f) Appropriate funding may be made available to implement the provision of this chapter and completion of this study shall be contingent upon such funding.
- (g) The study shall include a multivariate analysis of the collected data in accordance with general statistical standards and shall be substantially similar to the study prepared pursuant to chapter 21.1 of this title. The study shall be prepared by an organization, company, person, or other entity with sufficient expertise in the field of statistics and the study of traffic stop data collection to assist with the implementation of this chapter, and chosen by the office of highway safety of the Rhode Island department of transportation or its designee. The study shall be released on an annual basis, with the first release not later than eighteen (18) months after commencement of data collection under this chapter. The report, findings, and conclusions submitted pursuant to this subsection shall be a public record.

(h) The office of highway safety of the Rhode Island department of transportation, or its designee, shall be exempt from the provisions of chapter 2 of title 37 in connection with its procurement of equipment and services necessary to the implementation of this chapter.

(i) On a quarterly basis, a summary report of the monthly data provided by each police department and the state police for that quarterly period shall be issued. The report shall be a public record. The summary report shall include, at a minimum, a monthly breakdown by race, age, gender, and outcome for operators for each police department of the number of traffic stops made and of searches conducted. For those police departments collecting data through the use of mobile display terminals in police vehicles, the report shall also include a breakdown by race and outcome for operators. The report shall be released not more than ninety (90) days after the end of each quarterly period. No information revealing the identity of any individual shall be contained in the report.

(j) Every law enforcement agency collecting data pursuant to this chapter shall ensure that supervisory personnel review each officer's stop and search documentation and data results on a monthly basis to ensure compliance with all policies, prohibitions, and documentation requirements.

(k) The head of every law enforcement agency subject to this chapter, or his or her designee, shall review the data on a regular basis in an effort to determine whether any racial disparities in the agency's traffic stops enforcement exists, and to appropriately respond to any such disparities. It is understood that disparities may or may not equate to racial profiling.

(l) An organization chartered for the purpose of combating discrimination, racism, or of safeguarding civil liberties, or of promoting full, free, or equal employment opportunities, and/or a governmental or quasi-governmental entity may seek appropriate relief in a civil action against any police department for failing to collect or transmit the data required in this chapter, and may be awarded its costs, including attorneys' fees, for bringing such an action. As a condition precedent to the filing of a civil action by an organization under this section, the organization shall send a notice to the office of highway safety of the Rhode Island department of transportation or its designee identifying the police department which is failing to collect or transmit the data and the organization shall then allow fifteen (15) days to elapse.

(m) The office of highway safety of the Rhode Island department of transportation or its designee shall consult with community, police and civil rights representatives in the development of the form required by subsection (b) and on at least a quarterly basis shall consult on other issues that arise relating to the implementation and enforcement of this chapter including the information generated by the issuance of the reports required by subsection (i).

History of Section.

(P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1; P.L. 2015, ch. 214, § 2; P.L. 2015, ch. 235, § 2.)

TITLE 31

Motor and Other Vehicles

CHAPTER 31-21.2

Comprehensive Community-Police Relationship Act of 2015

SECTION 31-21.2-7

§ 31-21.2-7. Data collection and use.

(a) Data acquired under this chapter shall not be used in any civil proceeding to establish or rebut an inference of discrimination except by court order or when otherwise admissible in accordance with rules of civil procedure. It is understood that disparities may or may not equate to racial profiling. All data collected pursuant to this chapter shall be public. For those motor vehicle stops where a citation was issued or an arrest was made, the forms prepared pursuant to § 31-21.2-6(b) of this chapter shall include a citation or arrest number for reference. The data collection form shall not include the name or badge number of the officer completing the form. The report from the department of transportation or its designee shall not be officer specific.

(b) Any police officer who in good faith records traffic stop information pursuant to the requirements of this chapter shall not be held civilly liable for the act of recording the information unless the officer's conduct was reckless.

(c) All police departments shall submit to the office of highway safety of the department of transportation, or its designee, on an annual basis beginning on July 15, 2016, and for four (4) years following the conclusion of data collection, a report indicating what action, if any, has been taken, to address any racial disparities in traffic stops and/or searches documented in the studies authorized by §§ 31-21.1-4 and 31-21.2-6, and to otherwise implement any recommendations of those studies, including, but not limited to, any changes to agency policies; revisions to traffic enforcement practices; detailed analysis and review of traffic stop data and the results of such review; or the initiation of any disciplinary action. Any reference to disciplinary action shall not identify the officer. The office of highway safety of the department of transportation or its designee shall issue guidelines for police departments to follow in preparing these reports. The reports shall be public records and shall contain a certification that the department has complied with § 31-21.2-6(j) and (k).

(d) Every twelve (12) months, each state and municipal law enforcement agency shall submit to the office of highway safety of the Rhode Island department of transportation, or its designee, on a brief form prepared by that office, or its designee, information summarizing what, if any, actions were taken by the agency in response to any racial disparities documented in the previous reports issued pursuant to § 31-21.2-6(i). The summary shall include, but not be limited to: any changes to agency policies; revisions to traffic enforcement practices; detailed analysis and review of traffic stop data and the results of such review; or the initiation of any disciplinary action. Any references to disciplinary action shall not identify the officer. The forms shall be public records, and shall contain a certification that the department has complied with § 31-21.2-6(j) and (k).

History of Section.

(P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1; P.L. 2015, ch. 214, § 2; P.L. 2015, ch. 235, § 2.)

TITLE 31

Motor and Other Vehicles

CHAPTER 31-21.2

Comprehensive Community-Police Relationship Act of 2015

SECTION 31-21.2-8

§ 31-21.2-8. Complaint procedures.

(a) Each state and municipal law enforcement agency shall establish a procedure to investigate complaints of police misconduct by members of the public against personnel of these agencies, and shall make a written description of the procedure available to the public. Copies of any departmental complaint forms shall be available in at least one governmental location other than the police department. The procedure and forms shall also be made available on any website of a law enforcement agency.

(b) At a minimum, complaints shall be accepted in person by mail or by facsimile.

(c) Information on the complaints received by each law enforcement agency shall be compiled on an annual basis by the state police and each municipal law enforcement agency and published in each agency's annual report and/or on its website. The information compiled by each department shall include the total number of complaints received from the public, a breakdown by category of the type of complaint, and a further breakdown by category of the disposition of the complaints.

(d) The state police and all municipal law enforcement agencies shall make available as a public record subject to the access to public records act, § 38-2-2(4)(D), law enforcement exemptions:

(1) Copies of any formal or informal arrangements between the state police or a municipal law enforcement agency and the bureau of immigration and customs enforcement/homeland security investigations concerning the questioning, detention, investigation, arrest, apprehension, stopping, referral or processing of individuals within the state of Rhode Island, including copies of any agreements entered into pursuant to 8 U.S.C. § 1357(g); and

(2) Any policies or procedures governing the circumstances under which an inquiry to federal authorities is made to determine a person's immigration status.

History of Section.

(P.L. 2004, ch. 331, § 1; P.L. 2004, ch. 356, § 1; P.L. 2015, ch. 214, § 2; P.L. 2015, ch. 235, § 2.)