

## Legislation Text

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**File #:** 200080, **Version:** 0

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Proposing an amendment to The Philadelphia Home Rule Charter calling on the Police Department to eliminate the practice of unconstitutional stop and frisk; and providing for the submission of the proposed amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 §13106), an amendment to The Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to The Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE VIII  
PROVISIONS OF GENERAL APPLICATION

\* \* \*

CHAPTER 5  
REFERENDA APPROVED BY THE VOTERS

\* \* \*

§ 8-507. *Eliminating the Practice of Unconstitutional Stop and Frisk.*

*We, the citizens of Philadelphia, call upon the Police Department to eliminate the practice of unconstitutional stop and frisk, consistent with judicial precedent, meaning an officer must have reasonable suspicion that a person is engaged in criminal activity in order to stop that person, and, therefore, an officer cannot stop someone unlawfully because of their race, ethnicity, gender, sexuality, religious affiliation or expression, or other protected characteristic.*

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**Explanation:**

*Italics* indicates matter added by this amendment.