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Division Commander

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Scope: All Public Safety and Police Personnel

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**Policy Statement:** It is the policy of the Department to treat every person with courtesy and respect while patrolling in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce Florida Statutes and local ordinances in accordance with law. Department employees shall not abuse their law enforcement powers by acting in a manner that discriminates against individuals based on race, color, ethnicity, age, background, gender, national origin, sexual orientation, gender identity/expression, economic status, culture, physical handicap, religion or belief system, immigration status, housing status, occupation, language fluency, or any physical or personal characteristic of such individuals.

**502.01 Bias-Free Policing:** A fundamental right guaranteed by the Constitution of the United States to all who live in this nation is the equal protection under the law. Along with this right to equal protection is the fundamental right to be free from unreasonable searches and seizures.

The Department is charged with protecting the constitutional rights of all citizens within the university community, regardless of race, color, ethnicity, sex, sexual orientation, physical disability, religion, age, cultural group, economic status, or other belief system.

Therefore, the Department prohibits the use of bias-based profiling in its enforcement programs. Bias-based profiling has been shown to promote allegations of violations of the constitutional rights of the citizens we serve, undermine legitimate law enforcement efforts and lead to claims of civil rights violations. Additionally, bias-based profiling alienates citizens, fosters distrust of law enforcement by the community, and invites legislative action and judicial intervention.

**502.02 Impartial Policing:** All field interviews, investigative detentions, traffic stops, arrests, searches, and seizures of property by officers will be based on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the U.S. Constitution and statutory authority. Officers must be able to articulate specific facts, circumstances, and conclusions, which support probable cause or reasonable suspicion for an arrest, traffic stop or investigative detention. Except as provided below, officers shall not consider race, color, ethnicity, sex, sexual orientation, physical disability, religion, age, cultural group, economic status, or other belief system in establishing either reasonable suspicion or probable cause.

Officers may take into account the reported race, color, ethnicity, sex, sexual orientation, physical disability, religion, age, cultural group, economic status or other belief system of a specific suspect or suspects based on relevant information that links a person to a particular criminal incident or links a specific series of crimes in an area to a group of individuals. Except as provided above, no person shall be singled out or



otherwise treated differently on account of his/her race, color, ethnicity, sex, sexual orientation, physical disability, religion, age, cultural group, economic status, or other belief system.

The Department recognizes that with experience, individual officers may develop individualized approaches that they find work best for them in minimizing conflict during officer/citizen contacts. In an effort to promote positive law enforcement interactions and to dispel perceptions of biased law enforcement, each employee shall:

- a. Be courteous and professional. During any interaction with the public, the only person that has a duty to be professional at all times is the employee;
- b. Identify themselves to the citizen by providing their name, Department affiliation, and the reason for the encounter as soon as practical. When conducting a vehicle stop, the employee shall normally provide this information before asking the driver for his license and registration;
- c. Ensure the detention is no longer than necessary to take appropriate law enforcement action and that the citizen understands the purpose of reasonable delays;
- d. Answer any relevant questions the citizen may have to include citation disposition procedures, court dates, etc.;
- e. Provide his/her name and department I.D. number when requested in writing or on a business card; and
- f. Provide a professional explanation should it be determined that the person was not involved in the suspected criminal activity.

No motorist, once cited or warned, shall be detained beyond the point where there exists no reasonable suspicion of further criminal activity, and no person or vehicle shall be searched in the absence of a warrant, a legally recognized exception to the warrant requirement, or the person's voluntary consent. In each case where a search is conducted and items are seized, this information shall be recorded in an incident report to include the legal basis for the search and the results thereof. Circumstances permitting, officers will document consent searches using the Consent to Search form. Officers shall record searches using their BWC system in accordance with policy 509.

Supervisors shall ensure all personnel of their command are familiar with the content of this General Order and are operating in compliance.

**502.03 Complaints:** Any person may file a complaint with the Department if he/she feels that he/she has been stopped or searched based on race, color, ethnicity, sex, sexual orientation, physical disability, religion, age, cultural group, economic status or other belief system; and no person shall be discouraged, intimidated or coerced from filing such a complaint, or be discriminated against because they have filed such a complaint. Any employee, including the employee who initiated the contact, who is made aware of an allegation by a citizen claiming profiling shall contact the on-duty supervisor. The on-duty supervisor shall respond to the scene immediately. The supervisor shall make contact with the complainant and confirm that all appropriate witnesses and information is documented in Blue Team. Violations of this General Order, or portions thereof, shall result in remedial training and/or disciplinary action.

**502.04 Training:** All sworn officers shall complete the Criminal Justice Standards and Training Commission's training module on discriminatory profiling as part of their human diversity (ET-0085) training requirement, Florida Statute Chapter 943. All officers shall attend Fair and Impartial Policing including legal aspects (IT-0096) training initially. Refresher training shall be provided annually on bias free policing. Training on discriminatory profiling shall be documented in the Department's training records.



The Department shall provide education and community awareness information on bias free policing to include this General Order and citizen complaint procedures on the Department's website.

**502.05 Annual Review:** Annually, the Professional Standards Commander will conduct an administrative review of agency practices and citizen concerns related to bias-based profiling. The documented annual review shall include, but not be limited to:

- a. Department practices relating to Forfeitures, Traffic stops, and Seizures.
- b. Listing of each complaint received.
- c. Explanation of any actions taken.
- d. Recommendation of training needs.
- e. Recommendation of General Order changes.

The annual report shall be forward via chain of command to the Chief of Police with an endorsement form acknowledging it was received. The approved copy shall be forwarded to the Accreditation Section for retention.

**502.06 Definitions:**

**Bias-Based Profiling** - The inappropriate consideration of specified characteristics while enforcing the law or providing police services. Specified characteristics includes, but is not limited to, race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, political status, or any other legally protected characteristics.

**CJSTC** – Criminal Justice Standards and Training Commission.

**Discriminatory Profiling** - Unequal treatment of any person including stopping questioning, searching, detention, or arrest solely or primarily on the basis of their racial or ethnic characteristics, religion, gender, sexual orientation, or socio-economic status.

**Probable Cause** - the existence of certain facts, which would lead a person of reasonable intelligence and prudence to believe that a crime has been committed.

**Reasonable Suspicion** - Suspicion that is more than a mere hunch, but is based on a set of articulate facts and circumstances that would warrant a person of reasonable caution in believing that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on observations of a police officer combined with his or her training and experience, and/or reliable information received from credible outside sources.

**Stop:** The restraining of an individual's liberty by physical force or his/her submission to a show of authority.

A handwritten signature in black ink that reads "Carl A. Metzger". The signature is written in a cursive style and is positioned above a horizontal line.

Carl A. Metzger  
Chief of Police