

Effective Date: February 2, 2004

Revision Date: June 5, 2025 Rescinds: January 30, 2024 Review Authority: Professional Standards Division Commander Annual Review: April 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.

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.

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.

Officers may take into account the reported race, color, ethnicity, sex, 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.

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, 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 <u>Consent to Search form</u>. Officers shall record searches using their BWC system in accordance with policy <u>509</u>.

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 bias profiling; and no person shall be discouraged, intimidated or coerced from filing such a complaint, or 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 Discriminatory Profiling & Professional Traffic Stops as part of their mandatory initial and annual refresher training requirement, as required per Florida Statute Chapter <u>943</u>. All training 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 incudes, but is not limited to, race, ethnic background, national origin, gender, 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, 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.

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Carl A. Metzger Chief of Police