

RACIAL AND BIAS-BASED PROFILING

INTRODUCTION

The Citrus County Sheriff's Office is committed to the equal protection of its citizens.

A fundamental right guaranteed by the Constitution to all who live in this nation is equal protection under the law. Along with this right to equal protection is the fundamental right to be free from unreasonable searches and seizures by government agents. Citizens are free to walk and drive our streets, highways, and other public places without law enforcement interference so long as they obey the law. They also are entitled to be free from crime and free to drive and walk our public ways safe from the actions of reckless and careless drivers.

This law enforcement agency is charged with protecting these rights for all, regardless of race, color, ethnicity, sex, sexual orientation, physical handicap, religion or other belief system.

Because of the nature of their business, law enforcement officers are required to be observant, to identify unusual occurrences and law violations, and to act upon them. Proactive law enforcement keeps our citizens free from crime, our streets and highways safe to drive upon, and aids the apprehension of criminals.

All Florida law enforcement officers receive training in these issues every four years.

This agency's policy is intended to assist law enforcement in accomplishing this mission in a way that respects the dignity and rights of all persons.

IMPORTANT DEFINITIONS

ARTICULABLE FACTS – Facts that may be described in writing with a reasonable degree of precision.

BIAS-BASED PROFILING – The selection of a person for disparate action based solely upon an individual's race, ethnic origin/appearance, gender, sexual orientation, cultural group, age, or income status. This definition includes racial profiling.

LAW ENFORCEMENT BIAS-BASED PROFILING –The use of law enforcement authority for bias-based profiling.

RACIAL PROFILING – The selection of a person from a group (or while exercising free movement) for disparate action based solely upon an individual's race or ethnic origin/appearance.

REASONABLE SUSPICION – Facts, apparent facts, or circumstances that would lead a reasonable person to suspect that a crime may have been, is about to be, or is in the process of being committed. Reasonable suspicion is the quantity of facts required to stop a citizen. (*Source: Criminal Procedure, 3rd Ed. West Publishing Company, 1990*)

This will be based on observation combined with training and experience, and/or reliable information received from credible outside sources. It will be

articulable.

CITRUS COUNTY SHERIFF'S OFFICE POLICY

Bias-based law enforcement profiling will not be practiced by agency personnel at any time. Vehicle stops, stopping and frisking of individuals, arrests, searches and seizures, use of force, and initiation of forfeiture proceedings must be based solely on law, agency policy, and articulable facts.

Agency members/employees will not practice bias-based profiling in traffic contacts, field contacts, asset seizure, and forfeiture efforts.

More specifically, the following actions will not be permitted when based on race, ethnic origin, gender, age, or income status:

Initiating a traffic stop.

Stopping and/or detaining a person.

Searching or frisking a person.

Making an arrest.

Making an arrest when a citation would have been issued, if the person was of another race, ethnic origin, gender, age, or income status.

Interrogating a person.

Seizing property.

Applying force or control.

Initiating forfeiture proceedings.

Conducting undercover or special law enforcement operations.

Initiating or maintaining intelligence files.

The following practices are not considered law enforcement bias-based enforcement profiling:

Initiating a traffic stop, temporary detention, interrogation, or arrest of an individual or group using race, ethnic origin, gender, age, or appearance when a suspect description of such has been provided that includes such information.

Other available information providing reasonable cause or probable cause will also be provided.

Performing patrol and community policing functions (except as indicated above) in an area identified and selected for its level of criminal activity. Such activity will be verifiable by statistics compiled by the Crime Analysis Unit.

HOW TO FILE A COMPLAINT

Citizens who feel they have been stopped or searched due to bias-based law enforcement profiling may file a complaint with the Sheriff's Office. No person shall be discouraged, intimidated, or coerced, from filing such a

complaint, or discriminated against because he/she has filed such a complaint.

Complaints may be filed in person, by mail, electronic mail, or by telephone. Please use our Citizen Comment Form to file a complaint in writing or by e-mail.

Regular mail may be sent to: Human Resources Division
Citrus County Sheriff's Office
1 Dr. Martin Luther King, Jr. Ave
Inverness, FL 34450-4994.