



Sarasota Police Department GENERAL ORDER



Title: BIAS FREE POLICING

Number: 725.00

Established: March 4, 2002
Last Revised: November 24, 2021
Last Reviewed: November 24, 2021

Distribution: All Employees

Annex A: [Bias-Free Policing brochure](#)

725.10 PURPOSE:

725.11 The purpose of this policy is to state that **biased** policing in law enforcement is totally unacceptable, to provide guidelines to prevent such occurrences, and to protect members when they act within the dictates of the law and policy from unwarranted accusations.

725.20 POLICY:

725.21 Persons having contact with members of the Sarasota Police Department shall be treated in a fair, impartial, equitable and objective manner, in accordance with law, and without consideration of their specified characteristics as defined **and explained** in this policy.

725.22 Officers of the Sarasota Police Department are strictly prohibited from engaging in biased policing as defined and explained in this policy.

725.23 Biased policing violates the constitutional rights of citizens. It undermines legitimate law enforcement efforts and may lead to claims of civil rights violations. This type of policing also may alienate citizens; foster community distrust of the police department; and invite media scrutiny, legislative action and judicial intervention.

725.40 DEFINITIONS:

725.41 **BIASED POLICING:** The inappropriate consideration of specified characteristics when enforcing the law or providing police services.

725.42 **REASONABLE SUSPICION:** Suspicion that is more than a mere hunch but is based on a set of articulable 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 the observations of an officer combined with his or her training and experience, and/or reliable information received from credible outside sources.

725.43 **FAIR AND IMPARTIAL TREATMENT:** Persons, irrespective of specified characteristics, are treated in the same basic manner under the same or similar circumstances. This does not mean that all persons in the same or similar circumstances can or must be treated identically. Reasonable concessions and accommodations may be, and sometimes should be made, when dealing with individuals with physical or mental

disabilities injury, illness, or similar conditions, or when information about them necessitates different treatment.

725.44 SPECIFIED CHARACTERISTICS: Race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, or political status.

725.45 POLICE SERVICES: Sometimes referred to as community caretaking functions, these are actions and activities that may not directly include enforcement of the law but that contribute to the overall well-being and safety of the public. These include, but are not limited to, such tasks as assistance at fire scenes, traffic accidents, and medical emergencies; lifesaving services; crime prevention; preventive patrol; traffic control; public information; education; and similar activities.

725.45 ADMINISTRATIVE REVIEW: A documented review of incidents or occurrences prepared by or for the Chief of Police or designee. The review should indicate whether policy, training, equipment, or disciplinary issues should be addressed.

725.50 TRAINING:

725.51 All sworn members will receive initial and ongoing training in proactive enforcement tactics, including training in member safety, courtesy, cultural and human diversity, laws governing search and seizure, and interpersonal communications skills.

725.52 Training programs will emphasize legal aspects of biased policing, in accordance with CJSTC guidelines, and stress the need for each member to respect the right of all citizens to be free from unreasonable government intrusion or police action.

725.60 FIELD/TRAFFIC CONTACT PROCEDURES:

725.61 Members of the public should only be subjected to stops, seizures, or detentions upon reasonable suspicion that they have committed, are committing, or are about to commit a violation of law.

725.62 Agency personnel may only consider the specified characteristics when performing law enforcement duties or delivering police services when seeking one or more specific individuals who have been identified or described in part by any of the specified characteristics. In those circumstances, personnel may rely on these characteristics only in combination with other appropriate factors.

725.63 It is biased policing if an officer's decisions/actions are based on the fact that the individual's demographics (e.g., race, income) are different from the demographics of the majority of the residents in the area in which the individual is found.

725.63 Each time a motorist or pedestrian is stopped, the officer will notify dispatch of the following:

- A. Traffic Stops – Vehicle tag, location of the stop, and vehicle description, in accordance with SOP 430, In-Car Mobile Video Recording, and SOP 414, Traffic Enforcement.

- B. Citizen Contact – Location of the stop and description of the subject to include at a minimum race and gender.

- 725.64 In order to minimize officer/subject conflict during a traffic stop, field interview, or other encounter, basic interpersonal communication protocol shall be used. The following protocol shall be used, in the order specified, under normal circumstances:
1. Greet the person contacted in a respectful manner and identify yourself.
 2. Politely ask for identification and other required documents.
 3. State the reason for the traffic stop or temporary detention, focusing on the actions of the vehicle or circumstances instead of personalizing the violation.
 4. Ask the person if there was a reason for the violation, giving them an opportunity to establish a dialogue.
 5. After completing any necessary paperwork, inform the person of the action being taken and what, if anything, the person must do as a result. (e.g. how to pay a fine, obtain a copy of the report, obtain a traffic court hearing, etc.)
 6. Give a professional closing statement to end the contact.
- 725.65 Appropriate enforcement action will be completed, generally in the form of a written warning, citation, field interview, notice to appear, or arrest. The documentation will include the gender, race or ethnicity of the person stopped or contacted, if this information can reasonably be ascertained by physical appearance or from the driver's license or other documents provided by the individual.
- 725.66 Deliberate documenting of any misleading information related to the actual or perceived race, ethnicity, gender, or other specified characteristics of a person stopped for investigative or enforcement purposes is prohibited and a cause for disciplinary action, up to and including termination.
- 725.67 No motorist, once cited or warned, will be detained beyond the point where there exists no reasonable suspicion of further criminal activity.
- 725.68 No person or vehicle will be searched in the absence of a warrant, a legally recognized exception to the warrant requirement (i.e. probable cause, search incident), or the person's voluntary consent. All searches will be conducted according to the guidelines established in SOP 702.00, Search & Seizure.
- 725.69 Unless exigent circumstances exist, officers shall not engage in a law enforcement matter when it involves a family member, friend, relative, or other person with whom he or she has a personal relationship, such that the officer's objectivity may be, or may appear to be, compromised. In situations where the officer is personally involved, he or she will summon other officers for assistance.

725.70 COMPLAINTS:

- 725.71 Any person may file a complaint with the Department if they feel they have been stopped or searched based on biased policing and no person will be discouraged, intimidated, or coerced from filing such a complaint, or be discriminated against because they have filed such a complaint.
- 725.72 Officers who witness or who are aware of instances of biased policing shall report the incident to a supervisor. Also, where appropriate, officers shall intervene at the time the biased policing incident occurs.
- 725.73 Supervisors shall ensure that all personnel in their command are familiar with the content of this policy and will be alert and respond to indications that biased policing is occurring.
- 725.74 Complaints of biased policing will be handled according to the guidelines established in SOP 322.00, Inquiries & Complaints.
- 725.75 Dependent of the findings of each complaint, as well as the specific factors involved, corrective measures will be taken to remedy violations of this policy. Corrective measures include, but are not limited to policy review, remedial training, counseling, and discipline up to and including termination.

725.80 COMMUNITY EDUCATION AND AWARENESS:

- 725.81 The Department may provide community education and awareness through neighborhood meetings and other community functions as needed.
- 725.82 Information explaining biased policing is available on the Department website.
- 725.83 Biased free policing brochures (Annex A) will be available for citizens in the lobby area by the front desk

725.90 ADMINISTRATIVE REVIEW:

- 725.91 The Professional Standards Division lieutenant will perform an annual administrative review of agency practices to include traffic stops procedures, citizen complaints and documented concerns of biased policing. The review will indicate if any policy, training, equipment, or disciplinary concerns should be addressed.
- 725.92 This review will be included in the annual Internal Affairs Investigations Report which is submitted by the Internal Affairs Sergeant via the chain of command to the Chief of Police.

THIS GENERAL ORDER REPLACES GO 725.00 DATED 7.23.20.