

# **BIAS-BASED PROFILING**

## **FLORIDA STATE STATUTE**

All laws shall be enforced equally, regardless of race, color, ethnicity, sex, physical handicap or religion and bias-based profiling shall not be tolerated in enforcement efforts. This standard is established in accordance with Florida State Statute 30.15.

*“On or before January 1, 2002 every sheriff shall incorporate an antiracial or other anti-discriminatory profiling policy into the sheriff’s policies and practices, utilizing the Florida Police Chiefs Association Model Policy as a guide. Anti-profiling policies shall include the elements of definitions, traffic stop procedures, community education and awareness efforts, and policies for the handling of complaints from the public.”*

## **ACSO POLICY**

It is the policy of the Alachua County Sheriff’s Office to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce the motor vehicle laws, while insisting that citizens will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit, a violation of the law. Bias-based profiling shall not be used in traffic contacts, field contacts and in asset seizure and forfeiture efforts. Bias-based profiling in law enforcement is unacceptable.

## **DEFINITIONS**

**Bias-Based Profiling:** The selection of an individual based solely on a trait common to a group for enforcement action. This includes, but is not limited to: race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

**Reasonable Suspicion: Also known as articulable 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 a violation 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 a law enforcement officer combined with his or her training and experience, and/or reliable information received from credible outside sources.

## **DISCUSSION**

A fundamental right guaranteed by the Constitution of the United States to all who live in this nation is to 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 by government agents.

The Alachua County Sheriff’s Office is charged with protecting these rights, for all, regardless of race, color, ethnicity, sex, physical handicap or religion.

Because of the nature of law enforcement, officers are required to be observant, to identify unusual occurrences and law violations, and to act upon them. It is this proactive enforcement that keeps our citizens free from crime, our streets and highways safe to drive upon, and that detects and apprehends criminals.

This policy is intended to assist Alachua County Sheriff's Office personnel in accomplishing this total mission in a way that respects the dignity of all persons and yet sends a strong deterrent message to actual and potential lawbreakers that if they break the law, they are likely to encounter law enforcement.

### **COMPLAINTS OF BIAS-BASED PROFILING**

If you would like to make a complaint against an Alachua County Sheriff's Office employee regarding an allegation of bias-based profiling, please call (352) 367-4000 and ask to speak with the employee's supervisor. If the supervisor is not available or unknown, you may ask any employee to take your complaint. You may also come to the lobby of the Alachua County Sheriff's Office, located at 2621 SE Hawthorne Road in Gainesville, to file a Complaint. The information obtained will be documented on a Complaint Intake Form and will be forwarded to the appropriate Division Commander for investigation. The results of the investigation will be forwarded through the Office of Professional Standards to the Sheriff. Upon the conclusion of the investigation, you will be notified of its results.