

TALLAHASSEE POLICE DEPARTMENT GENERAL ORDERS

 Proudly Policing Since 1826	SUBJECT <p style="text-align: center;">Biased Policing</p>	 Nationally Accredited 1986	
	CHIEF OF POLICE <p style="text-align: center;"><i>Signature on file</i></p>		
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AUTHORITY/RELATED REFERENCES

City of Tallahassee Ordinances, Chapter 20, Traffic and Vehicles
 FS Chapters 30.15, 166.0493, 943.1716, 943.1758
 General Order 2, Chain of Command
 General Order 6, Arrests and Alternatives to Arrest
 General Order 19, Digital Evidence and Capturing Devices
 General Order 20, Corrective Action Procedures
 General Order 24, Substance Abuse and Impaired Persons
 General Order 46, Rules of Conduct ??
 General Order 49, Seizures and Forfeitures
 General Order 72 Search and Seizures
 General Order 76, Traffic and Parking Enforcement
 General Order 78, Social Media Protocols
 General Order 81, Lineups and Show-Ups
 PTL 32, Field Interviews

ACCREDITATION REFERENCES

CALEA Chapter 1
 CFA Chapter 2

KEY WORD INDEX

Preventing Perceptions of Biased Policing	Procedure II
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POLICY

The Department strictly prohibits biased policing. Members shall not consider any protected or identifiable characteristic as the basis for initiating or conducting law

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enforcement action unless such characteristic is part of a specific and credible suspect description.

All members shall conduct themselves in a manner that promotes public trust, protects constitutional rights, and ensures equitable treatment of every individual.

DEFINITIONS

Biased Policing: The inappropriate consideration of specified characteristics while enforcing the law or providing police services. Specified characteristics include, but are 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. (CFA Definition)

The selection of an individual(s) for enforcement action based in whole or in part on a trait common to a group, without actionable intelligence to support consideration of that trait. This includes, but is not limited to, race, ethnic background, national origin, gender, sexual orientation/identity, religion, economic status, age, cultural group, or any other identifiable characteristics. (CALEA Definition)

Law Enforcement Action: Includes investigative detentions, traffic stops, field interviews, arrests, searches, entries, property seizures, and any other action that affects an individual's rights or freedom of movement.

Protected or Identifiable Characteristic: Any actual or perceived personal attribute or status of an individual that is protected by federal, state, or local law, or that is commonly associated with a group of persons and unrelated to legitimate job performance, reasonable suspicion, or probable cause.

This includes, but is not limited to, race, color, ethnicity, national origin, sex, gender, gender identity or expression, sexual orientation, religion, age, disability, marital or family status, pregnancy, genetic information, socioeconomic status, political status, cultural group affiliation, housing status, citizenship or immigration status, or any other characteristic protected by law.

Reasonable Suspicion – Knowledge sufficient to induce an ordinarily prudent and cautious officer to believe criminal activity is at hand. It must be based on specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant intrusion.

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PROCEDURES

I. POLICING IMPARTIALLY

The Department and its members are committed to unbiased policing of the community we serve. Department policies, protocols, and training are founded on our belief in fair and impartial policing and serve to assure the public that service and enforcement laws are conducted equitably.

- A. Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on reasonable suspicion or probable cause, in accordance with the Fourth Amendment of the U.S. Constitution.
- B. Officers must be able to articulate specific facts and circumstances supporting reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, nonconsensual searches, and property seizures.
- C. Except as provided in subsection D below, officers shall not consider race/ethnicity in:
 - 1. Establishing either reasonable suspicion or probable cause,
 - 2. Deciding to initiate a nonconsensual encounter that does not amount to a legal detention, or
 - 3. Requesting consent to search.
- D. Officers may consider the reported race or ethnicity of a specific suspect(s) only when based on trustworthy, locally relevant information linking the individual(s) to a particular unlawful incident.
 - 1. Race/ethnicity must never be the sole basis for probable cause or reasonable suspicion.
 - 2. Except as provided above, race/ethnicity shall not be a motivating factor in making law enforcement decisions.

II. PREVENTING PERCEPTIONS OF BIASED POLICING

- A. The protocols in this section augment existing procedures in General Order 76 (Traffic and Parking Enforcement) and Patrol Operations SOP 32 (Field Interviews).

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- B. In an effort to prevent inappropriate perceptions of biased law enforcement, each officer is responsible for adhering to the following when conducting field interviews and unknown risk traffic stops:
1. Activate body-worn cameras as required.
 2. Conduct themselves courteously and professionally at all times.
 3. Provide their name as an introduction, and:
 - a. If not in standard uniform, also provide Department affiliation (e.g., “with the Tallahassee Police Department”), and
 - b. State the reason for the stop as soon as practical, unless doing so would compromise officer or public safety.
 4. Ensure detentions last no longer than reasonably necessary to address the suspected offense, and explain any delays.
 5. Address reasonable questions or concerns posed by the detained individual.
 6. When requested, provide their name and badge number in writing or on a business card.
 7. When reasonable suspicion is dispelled or probable cause does not exist for the continued detention, explaining this to the citizen, when possible.
- C. 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.

III. REPORTING AND COMPLIANCE

- A. Members who witness or are aware of instances of biased policing shall report the incident to a supervisor or Internal Affairs. Members are required to intervene when appropriate.
- B. Any person may file a complaint if they feel they were subjected to biased policing. No person shall be discouraged, intimidated, coerced, or retaliated against for filing a complaint or serving as a witness.
- C. Supervisors shall ensure all personnel in their command are familiar with this policy and respond to indications of biased policing. First-line

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supervisors or managers receiving a complaint shall document the circumstances, identify the complainants and witnesses, and forward the information to Internal Affairs as appropriate.

- D. The Office of Internal Affairs shall investigate all complaints of biased policing.
- E. Violations of this policy shall result in training, counseling, discipline, or other remedial measures appropriate to the violation.

IV. TRAINING AND ADMINISTRATIVE REVIEW

All Department members shall be trained in fair and impartial policing, including legal aspects and related topics, to prevent incidents of biased policing.

- A. All affected personnel shall receive initial and annual in-service training covering law enforcement tactics and procedures, including, but not limited to, officer safety, courtesy and respect, human diversity, search and seizure, fair and impartial policing, including legal aspects in accordance with Florida Statutes, and interpersonal communication skills.
- B. The Internal Affairs Unit is responsible for conducting an annual administrative review of agency practices to ensure compliance with this directive and to identify any citizen concerns.
- C. The Executive Crime Intelligence Analyst shall compile an annual administrative review of traffic stops for the Chief of Police, including warnings, citations, vehicle searches, demographics, and temporal/geographical data to identify potential biased policing.
- D. The Accreditation and Inspection Unit is responsible for distributing an annual review of the Department's policies related to unlawful or improper bias to all affected personnel.