



DAYTONA BEACH POLICE DEPARTMENT
Jakari Young

Departmental Standards Directive

BIASED POLICING

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PURPOSE

The purpose of this Directive is to ensure that employees of the Daytona Beach Police Department provide citizens with the highest degree of law enforcement services, regardless of race, ethnic background, national origin, gender, gender identity, disability, socioeconomic status, sexual orientation, age, religion, political status, or any other legally protected characteristic in order to prevent any type of biased policing.

Community education and awareness shall be made available to all citizens through the Department's website: <http://www.codb.us/281/Accreditation> and the professionalism of personnel.

DISCUSSION

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

The Daytona Beach Police Department is charged with protecting these rights, for all, regardless of race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, political status, disability, or any other protected characteristics.

Because of the nature of their business, law enforcement officers are required to be observant to the identity of unusual occurrences and law violations, and to act upon them. It is this proactive enforcement that keeps our citizens free from crime and the streets and highways they travel upon safe.

This policy is intended to assist the officers of the Daytona Beach Police Department in accomplishing this

mission in a way that respects the dignity of all persons, and yet, sends a strong deterrent message to actual and potential violators that, if a law is violated, a police encounter will follow.

POLICY

It shall be the policy of the Daytona Beach Police Department that all contacts with members of the public are done with fairness, equity, and honesty. Any conduct, which deviates from this Directive will not be tolerated and will result in disciplinary action up to and including termination. It is the policy of the Daytona Beach Police Department to define the procedures and practices prohibiting biased policing of individuals in accordance with Florida Statutes for traffic contacts, field contacts, searches and seizures, asset seizure and forfeiture efforts, detention, interdiction, or other enforcement action by members of the Daytona Beach Police Department. The Daytona Beach Police Department prohibits the use of unlawful biased policing in accordance with the laws of the Federal government, the State of Florida and the Ordinances of the City of Daytona Beach. All enforcement actions shall be in accordance with Florida State Statute.

It shall be the Department's policy to train Department employees, take corrective measures when necessary, and annually review the Department's practices including citizen complaints and documented concerns involving biased policing. A documented annual administrative review of traffic stop procedures, forfeitures and seizures related to fair and impartial policing will be forwarded to the Accreditation Office.

PROCEDURE

The procedure of this Directive establishes steps in a definite order of guidelines, rules and regulations to perform and to comply with the policy of this Directive.

DEFINITIONS

BIASED POLICING: The inappropriate consideration of specified characteristics while enforcing the law or providing police services. Specified characteristics includes, but is not limited to race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability or political status, or any other legally protected characteristics.

POLICE AUTHORITY: For the purpose of this Directive, police authority is defined as enforcement action, including, but not limited to, vehicle and pedestrian stops, stop and frisks, field contacts, detention, questioning, investigation, reporting, arrests, application of force, and asset seizure, or forfeiture proceedings.

PROHIBITION

500.1 Employees of the Daytona Beach Police Department shall not, directly or indirectly, participate in prohibited enforcement profiling by abusing police authority. The prohibition of any enforcement policing based on an individual's age shall not be intended to limit the authority of an officer to enforce laws relating to truancy, alcoholic beverage, traffic, curfew, or other violations where age is a legitimate basis for enforcement.

500.2 Biased policing shall be prohibited to include but not limited to:

- Traffic contacts;
- Field contacts;

- Searches and seizures;
- Asset seizure and forfeiture efforts;
- Any other law enforcement activities.

500.3 The deliberate recording of any misleading information related to the actual or perceived race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, political status, or any other legally protected characteristics of a person stopped for investigation or enforcement purposes is prohibited and a cause for disciplinary action, up to and including dismissal.

500.4 In the absence of a specific, credible report containing a physical description, a person’s race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, political status or any other legally protected characteristics or any combination of these, shall not be a factor in determining probable cause for an arrest or reasonable suspicion for a stop.

500.5 See the Personnel Complaints Directive #1230 for information on complaint filing. If any employee is found to be in violation of this policy then, corrective measures shall be taken to ensure that biased policing does not occur. These corrective measures may be found in the Discipline Directive #1206

TRAINING

500.6 All sworn members shall complete annual training in the areas of fair and impartial policing, including legal aspects, in accordance with Florida Statutes.

ATTACHMENT

N/A

DRAFTED: SB/02-00	REVISED: LL/10-08	REVISED: JMC/11-19
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APPROVED: **SIGNATURE ON FILE**
Jakari Young, Chief of Police

INDEX

BIASED POLICING TRAINING
BIASED POLICNG
DEFINITIONS
FAIR AND IMPARTIAL POLICING
PROHIBITION
TRAFFIC STOP PROCEDURES

Daytona Beach Police Department

MEMORANDUM

TO: Chief Craig Capri
FROM: Accreditation Specialist David Lutfy
SUBJECT: DBPD Written Directive Modification
DATE: 12/22/2022

Reasoning for modification: Meets Accreditation Standard: 2.6M

Biased Policing 500: Reviewed (with edits) by Captain Conde

1. Definitions Section, after Biased Policing, correct typographical error.
2. Section 500.5, it should be "Personnel"
3. 500.6 defined as "annual" the period when Bias Policing Refresher is required