



ZEPHYRHILLS POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

Administrative Procedure: **01.09**
Subject: **Bias-Free Policing**
Effective Date: **September 21, 2022**
Scope: **Sworn**
Rescinds:
Revised: **June 3, 2022**
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Pages: **4**

CONTENTS: This procedure consists of the following numbered sections:

- I. Definitions
- II. Fair and Impartial Treatment
- III. Compliance
- IV. Training
- V. Community Education and Awareness
- VI. Annual Administrative Review

PURPOSE: The purpose of this policy is to emphasize this agency's commitment to the fair and bias-free treatment of all people and to clarify the circumstances in which agency personnel may consider specified characteristics when carrying out duties. Fair and bias-free policing enhances legitimate law enforcement efforts and promotes trust within the community.

POLICY: It shall be the policy of the Zephyrhills Police Department that persons having contact with members of a law enforcement agency should be treated in a fair, impartial, equitable, and objective manner, in accordance with the law, and without consideration of their individual demographics.

I. DEFINITIONS

- A. **Biased Policing:** Discrimination in the performance of law enforcement duties or delivery of police services based on personal prejudices or partiality of agency personnel toward classes of people based on specified characteristics.
- B. **Fair and Bias-free Treatment:** Conduct of agency personnel wherein all people are treated in the same manner under the same or similar circumstances irrespective of specified characteristics.
- C. **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 of the public. These include, but are not limited to, such tasks as welfare checks; death notifications; public assistance to persons who may be lost, confused, or affected by mental or physical illness; traffic control; medical emergencies; lifesaving services; crime prevention; public information; and community engagement.
- D. **Specified Characteristics:** For the purposes of this policy, real or perceived personal characteristics, including but not limited to race, ethnic background, national origin, immigration status, gender, gender identity/expression, sexual orientation, religion, socioeconomic status, age, disability, or political affiliation.

II. FAIR AND IMPARTIAL TREATMENT

- A. Biased policing is prohibited both in the enforcement of the law and the delivery of police services.
- B. Agency personnel shall take equivalent enforcement actions and provide bias-free services to all people in the same or similar circumstances. This does not mean that all people in the same or similar circumstances must be treated identically. Reasonable concessions and accommodations may be and sometimes should be made, for example, when dealing with people with disabilities, injury, or illness.
- C. Agency personnel may only consider specified characteristics when credible, timely intelligence relevant to the locality links a person or people with a specified characteristic(s) to a particular unlawful incident or to particular unlawful incidents or criminal patterns. Restrictions on the use of specified characteristics do not apply to law enforcement activities designed to strengthen the agency's relationship with its diverse communities.

III. COMPLIANCE

- A. Where appropriate, agency personnel shall intervene at the time the biased policing incident occurs. Agency personnel who witness or who are aware of instances of biased policing shall report the incident to a supervisor.

B. Supervisors shall:

1. Ensure that all agency personnel in their command are familiar with the content of this policy and shall be alert and respond to indications that biased policing is occurring.
2. Immediate supervisors shall respond to any allegations of discriminatory practices because of biased policing. The supervisor shall discuss the incident with the complainant and determine the facts.
3. If the matter is unresolved to the satisfaction of the complainant, the supervisor shall advise the complainant on the process of making a formal complaint and provide a complaint form if not already provided.
4. The supervisor shall forward any unresolved complaints to their division commander.
5. Complaints of this nature may, at the discretion of the Chief of Police or his/her designee, be forwarded for an internal affairs investigation.
6. The report and the reviewer's conclusion shall be forwarded to the Chief of Police or his/her designee and shall review:
 - a. The complaint
 - b. The findings of the investigation
 - c. Any suggestions for disciplinary action or changes in policy, training, or tactics
 - d. Render a final disposition
7. Respond to violations of this policy with training, counseling, discipline, or other remedial intervention as appropriate to the violation.
8. Ensure that those who report instances of biased policing are not subject to retaliation.

C. Information on biased-policing complaints and any additional relevant information shall be provided to the Chief of Police or his/her designee in a manner most suitable for administrative review, problem assessment, and development of appropriate officer-level and/or agency-level corrective actions. Annually in March, a summary of biased-policing complaints should be provided to the Chief of Police or his/her designee.

IV. TRAINING

A. All agency personnel will receive basic and periodic in-service training and, where necessary, remedial training on subjects deemed related to fair and bias-free policing, including legal aspects and the psychology of bias. This training will be done in accordance with Florida Statutes. Agencies should test the impact of their training on changes in officers' attitudes, knowledge, and behavior and confirm that the training is having the intended effect. If the training is found not to have the intended impact or produces unintended consequences, alternative training or retraining should be considered.

V. COMMUNITY EDUCATION AND AWARENESS

- A. Community education is an integral part of the agency's bias awareness efforts. Citizens may access the Zephyrhills Police Department web page. Sworn Department personnel are also available to provide community education and awareness in reference to biased policing.
- B. The department shall make public a statistical summary of all biased-based complaints received during the year. This report shall include the findings as to whether they were sustained, not sustained, unfounded, or exonerated.

VI. ANNUAL ADMINISTRATIVE REVIEW

- A. In March of each calendar year, the Chief of Police, or his/her designee, shall conduct an administrative review for the previous calendar year of all formal complaints of biased policing.
- B. The review shall be documented on a memorandum and shall include the following:
 - 1. A review of agency practices involving biased policing in the areas of traffic stops.
 - 2. Any recommended changes to policy, procedures, or training.
 - 3. An actual count of all biased-profiling complaints made during the year.
 - 4. An actual count of how many of these complaints were sustained, not sustained, or exonerated.

APPROVED:



Derek R. Brewer, Chief of Police