



**VOLUSIA COUNTY DEPARTMENT OF PUBLIC PROTECTION
BEACH SAFETY DIVISION**
Director Kevin C. Sweat

Departmental Standards Directive

TITLE: BIASED BASED PROFILING

CODIFIED: 2.08

EFFECTIVE: 02/08/2006

RESCINDS/AMENDS: 07/01/2005

ATTACHMENTS:

PURPOSE

The purpose of this directive is to establish guidelines prohibiting bias based profiling.

DISCUSSION

Profiling, in itself, can be a useful tool to assist Officers in carrying out their duties. Bias Based Profiling, however, is the selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, and cultural groups.

The Beach Safety Division shall not condone the use of Bias Based Profiling in its law enforcement programs as it may lead to allegations of violations of constitutional rights of the citizens we serve and undermines legitimate law enforcement efforts, which may lead to claims of civil rights violations. Additionally, Bias Based Profiling alienates citizens, fosters distrust of law enforcement by the community, and invites media scrutiny, legislative action and judicial intervention.

POLICY

It shall be the policy of the Volusia County Department of Public Protection, Beach Safety Division to prohibit Bias Based Profiling in everyday contacts with all citizens and visitors of Volusia County. It shall further be the policy to train Division employees, take corrective measures when necessary, and conduct an annual review of the Division's practices.

Officers shall focus on a person's conduct or other specific suspect information. Officers must have reasonable suspicion supported by specific articulated facts about the person

contacted regarding their identification, activity or location has been, is, or is about to commit a crime or is currently presenting a threat to the safety of themselves or others.

PROCEDURE

2.08.01 Bias Based Profiling shall be prohibited to include but not limited to:

- Traffic contacts
- Field contacts
- Asset seizure and forfeiture efforts

2.08.02 Sworn Beach Safety Division employees shall complete annual refresher training in one or more of the following areas:

- Field contacts
- Traffic stops
- Searches
- Asset seizure and forfeiture
- Interview techniques
- Cultural diversity
- Discrimination

DISCIPLINE

2.08.03 If an employee is found to be in violation of this policy, corrective measures shall be taken to ensure that Bias Based Profiling does not occur. Those corrective measures shall be in accordance with Directive 11.02, Discipline Procedures.

2.08.04 Directive 11.02 topics listed below shall be applied to violations of this Directive:

Tortuous Acts – Employees shall not commit, by act of commission or omission, any flagrant or tortuous act while in the performance of their duties. Violations of Civil Rights Acts under color of law (18 USC 241 and 242) are felony offenses. (Violation subject up to dismissal.)

- **Misdemeanor Injurious to the Department** – Division personnel

shall adhere to all federal, state and local laws and shall not commit any act or crime defined as a misdemeanor, first or second degree, whether chargeable or not, which brings discredit upon the Beach Safety Division or otherwise impairs the operation and efficiency of the Beach Patrol and/or which is likely to impair the ability of personnel concerned to perform assigned duties. (Violation subject to dismissal.)

- **Commission of a Felony** – Division personnel shall not commit and act or crime defined by state or federal law as a felony, whether chargeable or not. (Violation subject to dismissal.)

2.08.05 The above Directives are all subject to dismissal, however, every effort to provide remedial training and progressive discipline will be applied. Each case and circumstances shall be reviewed independently.

2.08.06 The Department shall conduct an annual review of agency practices including citizen complaints and documented concerns of biased based profiling.

2.08.07 The PIO will oversee all community education and awareness efforts. Bias Based Profiling brochures and Know Your Rights brochures are available to the public at the Beach Safety Administration office lobby.

Revised: SD-07/01/2005

<p>Approved: </p> <p>Kevin C. Sweat Director</p>
