



VOLUSIA COUNTY SHERIFF'S OFFICE
Sheriff Michael J. Chitwood

Departmental Standards Directive

TITLE:	BIAS BASED PROFILING
CODIFIED:	1.10
EFFECTIVE:	06-2010
RESCINDS/AMENDS:	1.10/08-2001
ATTACHMENTS:	0

PURPOSE

The purpose of this Directive is to establish guidelines prohibiting Bias Based Profiling.

DISCUSSION

Profiling, in its self, can be a useful tool to assist Deputies in carrying out their duties. Biased 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 Department shall not condone the use of Biased Based Profiling in its law enforcement programs as it may lead to allegations of violations of constitutional rights of the citizens we serve, undermines legitimate law enforcement efforts and may lead to claims of civil rights violations. Additionally, Biased 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 Sheriff's Office to prohibit Bias Based Profiling in everyday contacts with **all** citizens and visitors of Volusia County. It shall further be the policy to train Department employees, take corrective measures when necessary, and conduct an annual review of the Department's practices.

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

1.10.1 Biased Based Profiling shall be prohibited to include but not limited to;

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

1.10.2 Sworn personnel shall complete annual refresher training in one or more of the following areas:

- Field contacts
- Traffic stops
- Searches
- Asset seizure and forfeiture
- Interview techniques
- Ethics
- Cultural Diversity
- Discrimination
- Community Policing

- Legal Updates/aspects on Profiling

DISCIPLINE

1.10.3 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 Disciplinary Procedures, Directive 26.1.

1.10.4 Directive 26.2.115, .129, .130 listed below shall be applied to violations of this Directive.

- **26.2.115 Tortious 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.)
- **26.2.129 Misdemeanor Injurious to the Department** - Department 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 Department or otherwise impairs the operation and efficiency of the Sheriff's Office and/or which is likely to impair the ability of personnel concerned to perform assigned duties.
(Violation subject to dismissal.)
- **26.2.130 Commission of Felony** - Department personnel shall not commit any act or crime defined by state or federal law as a felony, whether chargeable or not.
(Violation subject to dismissal.)

1.10.5 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.

ADMINISTRATIVE REVIEW

1.10.6 Internal Affairs and the Professional Standards Section shall conduct an administrative review of agency practices and Citizen Concerns/complaints annually.

Revised By: 2031

Revised On: 02-2010

Approved: Signature on File

**Michael J. Chitwood
Sheriff, Volusia County**