

# Georgia Department of Public Safety

## Policy Manual

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| <b>SUBJECT</b><br><b>BIAS BASED PROFILING</b> | <b>POLICY NUMBER</b><br><b>11.02</b>    |
| <b>DISTRIBUTION</b><br><b>SWORN EMPLOYEES</b> | <b>DATE REVISED</b><br><b>2/26/2013</b> |

### 11.02.1 Purpose

To establish a written policy that prohibits the use of bias based profiling by sworn members of the Georgia Department of Public Safety.

### 11.02.2 Policy

It is the policy of the Georgia Department of Public Safety that the practice of bias based profiling by sworn members of this agency is strictly prohibited. It is further the policy of this department to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce the traffic laws. With the exception of road checks, citizens should only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or about to commit, an infraction of the law. Sworn members should focus on an individual's conduct and behavior or specific suspect information.

### 11.02.3 Procedure

The Georgia Department of Public Safety defines bias based profiling as any law enforcement initiated action that relies solely on a trait common to a group rather than the behavior of a particular individual. Bias based profiling does not include circumstances where the officer has information that includes a racial, ethnic, gender or other group descriptor concerning a suspect for a specific crime.

- A. All sworn members of the Georgia Department of Public Safety shall exercise their law enforcement powers in a manner that does not unlawfully discriminate against individuals based on race, ethnicity, gender, religion, age, sexual orientation or any other identifiable group characteristic. No sworn members shall endorse or act solely upon stereotypes, attitudes or beliefs that a person's group characteristics increases the probability that the person will or may act unlawfully.
- B. Sworn members may consider race, ethnicity, gender or other group identifiers in deciding to take law enforcement action when the sworn member possesses specific articulable suspect information that is likely to lead to the discovery of that individual.
- C. This agency shall develop and deliver training to all sworn members to provide guidance regarding the proper consideration of race, ethnicity, gender, religion and other group identifiers in the Georgia Department of Public Safety's law enforcement activities.
- D. Consistent with any complaint of sworn member misconduct, the Georgia Department of Public Safety shall contact the reporting citizen alleging a violation of this policy and advise them of the disposition of the complaint, in accordance with the

Complaints Policy #8.02.

- E. Sworn members of the Georgia Department of Public Safety found to be in violation of this policy shall be subject to disciplinary action administered in accordance with the Department's Discipline Policy #8.01.
- F. On an annual basis, the Office of Professional Standards shall prepare a statistical summary of all bias based profiling complaints, including whether they were sustained, not sustained or exonerated. The report shall be forwarded to the Commissioner of the Department of Public Safety to determine whether there is a need for changes in policy, training or tactics.