

100.3 SUBJECT: FAIR TREATMENT OF ALL (TRUST ACT POLICY)

:1 OBJECTIVE:

Document the City of Orlando's commitment to the fair treatment of all.

:2 AUTHORITY:

This procedure is adopted by City Council on July 23, 2018.

:3 DIRECTION:

Mayor, City Council.

:4 METHOD OF OPERATION:

A. Policy

1. The City of Orlando community has a population which is richly diverse. The effective provision of governmental services within such a diverse community requires the fair treatment of all. It is the policy of the City of Orlando, binding on all officials and employees, to offer equal treatment to all persons regardless of race, color, religion, gender, gender identity, national origin, age, sexual orientation, or disability.

The City of Orlando fully supports our country's rich heritage of welcoming immigrants and persons from around the world who come to America seeking a better life in pursuit of the American Dream.

The City of Orlando recognizes that public trust and confidence in local government and law enforcement policies are essential to a fair and effective government.

The City of Orlando prides itself on the positive relationship that it has maintained with the City's resident population, including its immigrant community, and maintenance of positive relationships are key to keeping our neighborhoods safe.

It is important to keeping our community safe that all residents feel safe and secure in cooperating with Orlando police officers to report crimes and offer assistance in resolving criminal activity.

2. The City is committed to upholding the constitutional rights of every person to due process, regardless of their race, religion, language, sexual orientation, gender identity, disability, or country of origin, as outlined in the City of Orlando Police Department Policy and Procedure 1102, Bias-Free Policing policy.
3. The City of Orlando will enforce the law equally. This equality in the enforcement of the City's laws will make no exception or discrimination on the basis of race, creed, religion, color, sex, age, national origin, marital status, sexual orientation, gender identity or expression, status as a veteran, disability, immigration status and/or ability to speak English, which shall have no bearing

on an individual's treatment by Orlando Police, including but not limited to decisions to initiate stops or make arrests.

B. Procedure

1. No City of Orlando employee in performing their duties or responsibilities shall discriminate against any person within the City of Orlando based on confirmed or suspected race, creed, religion, color, sex, age, national origin, marital status, sexual orientation, gender identity or expression, status as a veteran, disability, immigration status and/or ability to speak English.
2. No City of Orlando employee shall condition the provision of City services or benefits on the immigration status of the individual seeking such services or benefits unless federal or state law imposes such conditions.
3. No individual will be requested to provide their immigration status during any investigation by the Orlando Police Department. This applies to crime victims, witnesses, reporters, non-criminal traffic offenders and others who have contact with an Orlando Police Officer.
4. In furtherance of the U.S. Victims of Trafficking and Violence Preventive Act, the City of Orlando Police Department shall consider and timely sign a U Visa certification request if an individual is (i) the victim of a qualifying crime, and (ii) has been, is being, or will likely be helpful in the direction, investigation, or prosecution of that crime. The City will additionally provide the same level of victim assistance to all crime victims regardless of their race, creed, religion, color, sex, age, national origin, marital status, sexual orientation, gender identity or expression, status as a veteran, disability, immigration status and/or ability to speak English.
5. The City of Orlando does not operate any detention facilities. Therefore, no person's detention therein could nor will be extended by the Orlando Police Department based solely on that person's immigration status or the existence of a detainer request, unless otherwise required by state or federal law.
6. Under no circumstances shall a person be contacted, detained, or arrested by the Orlando Police Department solely based on a person's race, creed, religion, color, sex, age, national origin, marital status, sexual orientation, gender identity or expression, status as a veteran, disability, immigration status and/or ability to speak English, unless a warrant has issued for that person's arrest or such action is otherwise required by state or federal law.
7. The City will not enter into an agreement pursuant to 8 U.S.C. s.1357(g) without the approval of Orlando City Council.

C. Construction

1. Nothing in this policy shall be construed to prohibit any Orlando police officer or employee from investigating any violation of law.
2. Nothing in this policy shall be construed to prohibit any City of Orlando employee from cooperating with federal immigration authorities as such is required by state or federal law.

:5 FORMS:
None

:6 COMMITTEE RESPONSIBILITIES:
None.

:7 REFERENCE:

:8 EFFECTIVE DATE:
This procedure is effective immediately upon adoption.