

**BIAS-FREE POLICING**

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**Approved By:** Kenneth Burton Chief of Police

**CALEA 6<sup>th</sup> Edition Standard:** 1.2.9

**402 BIAS-FREE POLICING****402.1 PURPOSE AND SCOPE**

Biased policing undermines legitimate law enforcement efforts, alienates community members and fosters community distrust. The purpose of this policy is to reaffirm the Columbia Police Department's commitment to bias-free policing, clarify the circumstances in which personnel can consider race, ethnicity, national origin, gender, gender identity, sexual orientation, socioeconomic status, religion, disability, and/or age when carrying out duties, and establish appropriate controls to ensure that employees of the Columbia Police Department do not engage in bias-based policing.

**402.2 DEFINITIONS**

**Biased Policing:** The inappropriate consideration of specified characteristics in carrying out duties. It is considered biased policing if an officer's decisions/actions are based on the fact that the individual's demographics (e.g., race, income) are different from the demographics of the majority of residents in the area in which the individual is found.

**Specified Characteristics:** Race, ethnicity, national origin, gender, gender identity, sexual orientation, socioeconomic status, religion, disability, and/or age when making law enforcement decisions.

**402.3 POLICY**

The Columbia Police Department is committed to providing law enforcement services to the community with due regard to the racial, cultural or other differences of those we serve. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

**402.4 TRAINING**

All affected employees will receive initial training during the orientation phase on fair and impartial/bias-free policing and racial profiling as well as annual training in biased issues including legal aspects. The training should address how bias can effect police activities and decision making during various contacts with individuals in our community. This training may be accomplished through in-service, on-line, or shift briefing activities.

**402.5 BIAS-BASED POLICING PROHIBITED**

Bias-based policing is strictly prohibited. Agency personnel may not consider the specified characteristics except when credible, timely intelligence relevant to the locality links a person or people of a specified characteristic to a specific unlawful incident, or to specific unlawful incidents, criminal patterns or schemes.

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In those circumstances, personnel may rely on these specified characteristics only in combination with other appropriate factors.

These restrictions on the use of specified characteristics do not apply to law enforcement activities designed to strengthen the department's relationship with its diverse communities.

Violations of this policy shall result in training, counseling, discipline or other remedial intervention as appropriate to the violation.

### **402.6 MEMBER RESPONSIBILITY**

Every employee of this department shall perform his/her duties in a bias-free manner and is responsible for promptly reporting any known instances of biased policing to a supervisor. Also, where/when appropriate, employees are encouraged to intervene whenever they observe an incidence of biased policing.

#### **402.6.1 REASON FOR DETENTION**

Officers detaining any person shall be prepared to articulate sufficient reasonable suspicion to justify the detention independent of the individual's membership in a protected class.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention as applicable.

Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

#### **402.6.2 BUSINESS CARDS**

Officers shall provide a business card upon request or when concluding a traffic stop in which only a verbal warning was issued. The business card shall contain identifying information including, but not limited to, the officer's name, division, and badge or other identification number and a telephone number.

#### **402.6.3 REPORTING TRAFFIC STOPS**

Each time an officer makes a traffic stop, the officer shall report information that includes (§ 590.650, RSMo):

1. The date and time of the stop.
2. The violation resulting in the stop.
3. The result of the stop.
4. The driver's race/minority status (based only on observation).
5. The driver's age.
6. The driver's gender.
7. The driver's residence status for the agency's jurisdiction.
8. The location of the stop.

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9. Whether a search was initiated.
10. If yes, the probable cause/authority for the search.
11. What was searched?
12. Duration of the search.
13. Was contraband discovered?
14. Was the driver arrested?
15. If an arrest was made, the crime/violation alleged.

In addition to the information reported under § 590.650, RSMo, the Columbia Police Department will record the following information regarding traffic stops:

1. Was the stop part of a special operation?
2. Did the driver or a passenger admit to the use of a controlled substance?

### **402.7 SUPERVISOR RESPONSIBILITY**

Supervisors shall ensure that all personnel in their command are familiar with the content of this policy and will be alert and respond to any incidents, complaints or allegations of biased policing.

1. Supervisors who observe or become aware of a biased-based policing incident, complaint or allegation, should refer to policy 1020 for direction in handling complaints.
2. Supervisors should periodically review mobile audio video (MAV) recordings, body worn camera (BWC) recordings, mobile computer terminal (MCT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy. Supervisors should document these periodic reviews. Recordings that capture a potential instance of racial or bias-based policing should be appropriately retained for administrative investigation purposes.
3. Supervisors should ensure that no retaliatory action is taken against any member of this department who discloses information concerning biased policing.

### **402.8 ADMINISTRATIVE REVIEW**

An annual administrative review of the department's practices, submitted state report, and any citizen concerns shall be conducted to identify if any changes in training or operations are needed to improve our service. The results of the review will be made available to all employees. Supervisors shall review and discuss the results with the individuals they are assigned to supervise.