

THE RALEIGH POLICE DEPARTMENT

1100-04

NON-BIASED POLICING

PURPOSE

To reaffirm the Department's commitment to unbiased policing, clarify the circumstances in which race or other identifiable group descriptors can be used as a factor to establish reasonable suspicion or probable cause, and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in a fair and equitable manner.

VALUES REFLECTED

This directive reflects our values of *Integrity* and *Fairness*. By following the guidelines that are presented in this order we demonstrate that we are not improperly influenced and that we are forthright and honest. We also demonstrate that we are impartial, treat people equitably, and are free of prejudice and favoritism.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

United State Constitution – Fourth Amendment
G.S. 114-10 "Division of Criminal Statistics"

GENERAL POLICIES

Except in "suspect specific incidents", employees are prohibited from considering the race, national or ethnic origin, or other identifiable group descriptors of members of the public in deciding to detain a person or stop a motor vehicle and in deciding upon the scope or substance of any law enforcement action.

DEFINITIONS

Biased Based Profiling

The practice of stopping or arresting a suspect because of race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable characteristics without any individualized suspicion of the particular person being stopped or arrested.

Suspect Specific Incident

An incident in which an officer is lawfully attempting to detain, apprehend, or otherwise be on the lookout for one or more specific suspects who have been identified or described in part by national or ethnic origin, race or other identifiable group descriptors.

NON-BIASED POLICING

All investigative detentions, traffic stops, arrests, searches and seizures of property by officers will be based on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the U. S. Constitution and statutory authority. Officers must be able to articulate specific facts, circumstances and conclusions that support law enforcement action taken.

Except as provided below, officers will not consider race, national or ethnic origin, or other identifiable group descriptors in establishing either reasonable suspicion or probable cause.

Officers may take into account the reported race, national or ethnic origin, or other identifiable group descriptors of specific suspect or suspects based on credible, reliable, locally-relevant information that links a person of a specific race to a particular criminal incident or links a specific series of crimes in an area to a group of individuals of a particular race/ethnicity as long as the description includes more than race/ethnicity or group characteristic.

Except as provided above, no person will be singled out or otherwise treated differently on account of his/her race, national or ethnic origin, or any other identifiable group descriptors.

PREVENTING MIS-PERCEPTIONS OF BIASED POLICING

In an effort to prevent inappropriate perceptions of biased law enforcement, officers will utilize the following strategies when conducting pedestrian and vehicle stops:

- Officers will be courteous, polite, and professional.

- Officers will introduce themselves (providing name and agency affiliation) and explain to the person stopped the reason for the stop as soon as practical, unless providing this information will compromise the safety of officers or other persons. In vehicle stops officers should provide this information before asking the driver for their license and registration.
- Officers will ensure that the length of the detention is no longer than necessary to take appropriate action for the known or suspected offense.
- Officers will answer any questions persons stopped may have regarding their responsibility after receiving a citation.
- Officers will provide their names and code numbers when requested, in writing or on a business card.

DOCUMENTATION

Employees will complete the Traffic Stop Report form required for data collection related to non-biased policing.

SUPERVISION AND TRAINING

Supervisors will ensure all personnel in their command are familiar with the content of this policy and are operating in compliance.

Supervisors will

- Monitor conduct to ensure that the standards of this policy are being carried out.
- Ensure that employees complete the Traffic Stop Report and document facts to sufficiently support their law enforcement actions.
- Take positive steps to identify, prevent, and eliminate any instances of biased based profiling by members of the Department.

Training

All enforcement personnel will receive periodic training on biased based profiling and discrimination issues, including legal updates and a review of this policy.

DISCIPLINARY PROCEDURES

Violation of this policy, or portions thereof, will result in remedial training and/or disciplinary action as set forth in the Department's applicable rules and regulations.

ADMINISTRATIVE REVIEW

The Internal Affairs Unit will conduct an administrative review of the Department's practices concerning impartial policing including any citizen complaints and concerns. The Internal Affairs Annual Report will include this review.