

## **Bias-Based Policing**

### **400.1 PURPOSE AND SCOPE**

This policy provides guidance to department members that affirms the Neenah Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

#### **400.1.1 DEFINITIONS**

Definitions related to this policy include:

**Bias-based policing** - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

### **400.2 POLICY**

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

### **400.3 BIASED-BASED POLICING PROHIBITED**

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

### **400.4 MEMBER RESPONSIBILITIES**

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

#### **400.4.1 REASON FOR CONTACT**

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

# Neenah Police Department

Neenah PD Policy Manual

## *Bias-Based Policing*

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To the extent that written documentation would otherwise be completed (e.g., arrest report, Citizen Contact (TraCS), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

### **400.4.2 PREVENTING PERCEPTIONS OF BIASED POLICING**

In an effort to prevent inappropriate perceptions of biased based law enforcement, each officer should do the following with conducting pedestrian and vehicle stops:

Introduce him/herself to the person (providing name and agency affiliation) and state the reason for the stop as soon as practical, unless providing this information will compromise officer or public safety. In vehicle stops, the officer shall provide this information before asking the driver for his or her license and registration.

Ensure that the detention is no longer than necessary to take appropriate action for the known or suspected offense and that the citizen understands the purpose of reasonable delays.

Answer any questions the citizen may have, including explaining options for traffic citation disposition, if relevant.

Provide his/her name and badge number when requested, in writing or on a business card.

Apologize and/or explain if the officer determines that the reasonable suspicion was unfounded (i.e. after an investigatory stop).

### **400.5 SUPERVISOR RESPONSIBILITIES**

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
  - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Computer (MDC) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
  - (a) Supervisors should document these periodic reviews.
  - (b) Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Per the Internal Affairs Policy 1006, supervisors shall initiate investigations of any actual or alleged violations of this policy.

# Neenah Police Department

Neenah PD Policy Manual

## *Bias-Based Policing*

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- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

### **400.6 TRAINING**

Training on racial or biased-based profiling and review of this policy should be conducted as directed by the Professional Staff Captain.