

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 or improper profiling - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin (including limited English proficiency), 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. This includes explicit and implicit biases (i.e., conscious and unconscious beliefs or attitudes towards certain groups). This also includes color, ancestry, political affiliation, marital status, or other identifiable characteristics.

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 BIAS-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 their 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 bias-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.

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To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), 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).

400.4.3 REPORTING TRAFFIC STOPS

Each time an officer makes a traffic stop, the officer shall report any information as required in the Traffic Citations Policy.

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 their supervisor in a timely manner.
 1. Supervisors should document these discussions in the prescribed manner.
- (b) Supervisors should periodically review Mobile Audio/Video (MAV) recordings, body-worn camera (BWC) media, 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.
 1. Supervisors should document these periodic reviews.
 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.

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- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (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.